



**New Brighton Planning Commission
Agenda
New Brighton City Hall | City Council Chambers
803 Old Highway 8 NW, New Brighton, MN 55112
6:30 PM March 17, 2026**

Members of the Planning Commission will attend the meeting in person unless eligible to attend remotely per MN Stat. 13D.02.

To participate in this meeting, members of the public may:

- **Attend the meeting in person.**
- **Watch the meeting electronically.** Tune into CTV Channel 8023 (CenturyLink) or Channel 16 (Comcast). To observe the meeting as a livestream or a webcast, visit NBMN.info/View-A-Meeting

I. Call to Order

II. Roll Call

Chair Tim McQuillan

Commissioner Abby Bryant

Vice-Chair Eric Nelson

Commissioner Andre Kuiper

Commissioner Karen Collins

Commissioner Hailey McCain

Commissioner Ian Pirner

III. Approval of Agenda

IV. Approval of Past Minutes

1. February 17, 2026

V. Report from City Council Liaison

VI. Public Hearings

1. **Minor Subdivision with Variance:** Application from Morgan & Thomas Brama to subdivide the land at 1639 14th Avenue NW into two lots with one lot requesting a 5,100 square foot variance from the required 20,000 square foot minimum lot size within the shoreland district -- PID 20-30-23-22-0046.
2. **Ordinance 930:** An Ordinance to update the official Flood Insurance Rate Maps in the city to the newest map versions which reflect the latest DNR approved floodplain data for the City of New Brighton.

VII. Business Items

VIII. Adjournment



**MINUTES
PLANNING COMMISSION
February 17, 2026 City Hall
Council Chambers 6:30 p.m.**

I. Call to Order

The meeting was called to order at 6:30 p.m.

II. Roll Call

Members Present: Chair Tim McQuillan, and Commissioners Abby Bryant, Karen Collins, Hailey McCain, Eric Nelsen and Ian Pirner

Members Absent: Commissioner Andre Kuiper

Also Present: Ben Gozola – Assistant Director of Community Assets and Development and Mayor Kari Niedfeldt-Thomas-Councilmember

III. Approval of Agenda

Motion by Commissioner Pirner, seconded by Commissioner Collins, to approve the February 17, 2026 agenda as presented.

Approved 6-0.

IV. Approval of Minutes

Minutes from January 20, 2026

Motion by Commissioner Nelsen, seconded by Commissioner Pirner, to approve the January 20, 2026 meeting minutes as presented.

Approved 6-0.

V. Report from City Council Liaison

There was no report from the City Council.

VI. Public Hearing

None.

VII. Business Items

- (A) Preliminary and Final Plat:** Application from Lakeside North MHP LLC to plat the property at 1200 Foss Road to create one base lot for the existing manufactured home park, and one Outlot off of Old Highway 8 reserved for future development - PID 32-30-23-23-0002 and 32-30-23-24-0008.

Assistant Director of Community Assets and Development Gozola reported Lakeside North MHP LLC is seeking to plat the property that makes up the existing Lakeside Manufactured Home park. An internal lot line that currently divides the park into two halves will be shifted east to place the entire manufactured home park into the westerly lot, and the open/old sales area into the easterly lot which will become an Outlot. No new development is proposed at this time, and development of the open/old sales lot could only occur by replatting that land into a buildable lot. The proposed plats will have zero impact on the residents of the manufactured home park, and zero impact on surrounding properties. Staff provided further comment on the request, discussed the next steps and recommended approval of the Preliminary and Final Plat, based on the findings of fact and subject to the following conditions:

1. Prior to Council reviewing the preliminary and final plats:
 - a. A solution acceptable to the City Attorney must be implemented to ensure Ownership of the Outlot never eliminates access to Old Highway 8 by the existing Manufactured Home Community and its residents.
 - b. An easement for piping in the property's SE corner must be shown on the plats meeting RCWD requirements and standards.
 - c. Westwood will need to confirm the centerline of the current ROW for Old Hwy 8, and ensure that a full 50' of ROW is being dedicated on this plat for the County Highway.
 - d. An updated title commitment must be provided to the City's legal counsel to allow for issuance of a formal plat opinion letter.
2. Prior to the production of final mylars:
 - a. The applicant shall have the final plat reviewed by Ramsey County for needed changes. Any updates required by the County can be administratively approved by City staff for inclusion on the plat.
 - b. The applicant shall make updates to the final plat as required by the formal plat opinion letter to address legal concerns.
3. Prior to the City signing of the final mylars:
 - a. Plat updates as required by Ramsey County or the City Attorney shall be implemented to the satisfaction of the City Attorney.
 - b. The administrative RCWD permit should be secured.

4. Outlot A must be re-platted into a buildable lot in the future prior to (or in conjunction with) any development proposal for said land.
5. Reference monuments shall be placed in the subdivision as required by state law.

Commissioner Pirner asked how the manufactured park could be entered. Assistant Director of Community Assets and Development Gozola explained the manufactured park could be entered off of Foss Road and Old Highway 8.

Chair McQuillan questioned how Outlot A was being used. Assistant Director of Community Assets and Development Gozola reported Outlot A was previously used as a sales lot. He commented at this time Outlot A was an open, grassy area.

Chair McQuillan requested staff speak with the applicant to ensure parking was still provided for residents if Outlot A were to develop in the future.

Motion by Commissioner Pirner, seconded by Commissioner Collins, to recommend the City Council approve the requested Lakeside North Addition preliminary and final plat for the subdivision of land at 1200 Foss Road based on the findings of fact listed on pages 10 & 11 of the report subject to the conditions listed on page 11 as may have been amended here tonight.

Approved 6-0.

VIII. Adjournment

Motion by Commissioner Collins, seconded by Commissioner Pirner, to adjourn the meeting.

Approved 6-0.

Meeting adjourned at 6:47 PM

Respectfully submitted,



Ben Gozola
Assistant Director of Community Assets and Development



Agenda Section:	Public Hearings
Meeting Date:	March 17, 2026

REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY

ITEM DESCRIPTION: Minor Subdivision with Variance: Application from Morgan & Thomas Brama to subdivide the land at 1639 14th Avenue NW into two lots with one lot requesting a 5,100 square foot variance from the required 20,000 square foot minimum lot size within the shoreland district -- PID 20-30-23-22-0046.

Action Requested: <u>Motion</u>
Form of Action: <u>Recommendation</u>
Votes Needed: <u>4 Votes</u>

Summary Statement:	Morgan and Thomas Brama are seeking to subdivide the property at 1639 14th Avenue NW into two lots. While the land is large enough to accommodate two conforming lots, splitting the land down the middle would necessitate the removal and relocation of the attached garage on the existing home causing unnecessary damage to the shoreland district. To avoid such impacts, the Brama family proposes to subdivide the property just south of the existing garage to meet setbacks necessitating a variance from minimum lot size requirements in the Shoreland district.
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Recommendations:	APPROVAL of the proposed minor subdivision with a variance subject to conditions.
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Applicable Deadlines:	Based on a complete application date of 2/17/26, the statutory deadline for making a decision on this request is 4/18/26. This deadline may be extended an additional 60 days if needed.
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Community Impact:	None.
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Legislative History:	<ul style="list-style-type: none"> - Applicaton submitted on 2/17/26 - PC public hearing on the variance scheduled for 3-17-26 - Council public hearing on the subdivision scheduled for 3-24-26
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Strategic Priority:	<u>N/A</u>
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Fiscal Impact:	Financial Consideration?	<u>No</u>
	Revenue/Expenditure Amount:	\$
	Financing Source:	<u>N/A</u>
	Notes:	

Attachments:	1.	Staff Report
	2.	Minor Subdivision Survey
	3.	Zoning Map
	4.	Mailings
	5.	Engineering Comments
	6.	Minor Subdivision Legal Opinion
	7.	Existing Conditions
	8.	Elevation Certificate
	9.	Draft Resolution

To: **Planning Commission**

From: Ben Gozola, Assistant Director DCAD

Meeting Date: **3-17-26**

Applicants: **Morgan and Thomas Brama**

Main Contacts: <same>

Location: 1639 14th Avenue NW

Zoning: **RS-1**

Introductory Information

- | | |
|------------------------|---|
| <i>Project:</i> | <ul style="list-style-type: none"> ▪ Morgan and Thomas Brama are seeking to subdivide the property at 1639 14th Avenue NW into two lots. While the land is large enough to accommodate two conforming lots, splitting the land down the middle would necessitate the removal and relocation of the attached garage on the existing home causing unnecessary damage to the shoreland district. To avoid such impacts, the Brama family proposes to subdivide the property just south of the existing garage to meet setbacks. The resulting new lot will technically be smaller than the required shoreland lot size of 20,000 square feet, but the new lot will be larger than the abutting two properties to the south. Staff pre-reviewed this concept with the DNR, and both DNR and City staff agree this is the best path forward to minimize shoreland disruptions which is the intent of shoreland codes. The new lot will be 100% compliant with standard RS-1 requirements for width and area. |
| <i>History:</i> | <ul style="list-style-type: none"> ▪ The existing home dates to 1930 according to the County and back to the 1960s according to the applicant. Either way, it was constructed while this area was the Village of New Brighton. |

General Findings

- | | |
|--------------------------|--|
| <i>Site Data:</i> | <ul style="list-style-type: none"> ▪ Land Area ≈ 2.5 acres (109,026 sq ft) ▪ Existing Use – one single family home and outbuilding ▪ Existing Zoning – RS-1 ▪ Property Identification Number (PID): 20-30-23-22-0046 |
|--------------------------|--|



Comp Plan Guidance:	<ul style="list-style-type: none">▪ The 2040 Comprehensive Plan guides this property for “Low Density Residential.”
Notable Code Definitions:	<ul style="list-style-type: none">▪ Boundary Lines. Any line indicating the bounds or limits of any tract or parcel of land. Also, a line separating the various use districts as shown on the City’s zoning map.▪ Frontage. The width of a lot or building site measured on the line separating it from the public street or way.▪ Front Line. A line separating the lot from the public street or way.▪ Lot. A parcel of land delineated upon and thereafter described by reference to a plat, registered land survey, or auditor's subdivision, or any similar recorded dedication document.▪ Lot Width. The mean horizontal distance between the side lot lines of a lot as measured within the lot boundaries.▪ Subdivision. The division of a parcel of land for the purpose of transfer of ownership or building development into two or more lots or parcels any of which resultant parcels is less than five acres in area or has a frontage of 300 feet or less on a public right-of-way; or, if a new street is involved, any division of a parcel of land. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to consolidation. For purposes of this Chapter, subdivision also means the division of any land within a single tax parcel, including the division of lots or parcels that have been combined for tax purposes.
Primary Applicable Codes:	<ul style="list-style-type: none">▪ City Code, Chapter 32, Article 1, In General Outlines various minimum requirements for lots within a subdivision and the minor subdivision process.▪ Zoning Code, Chapter 3, Section 3.4(C): RS-1 Zoning District Outlines various requirements for lots in the RS-1 zoning district.▪ Zoning Code, Chapter 3, Section 3.8(D): Floodplain Overlay District Outlines various requirements for new lots within the shoreland overlay district.
Specific Applications:	<ul style="list-style-type: none">▪ After reviewing the various components of this subdivision against the subdivision code with the City Attorney, it was determined this request could be processed as a minor subdivision including a variance.

**Applicant's
Narratives:**

Good afternoon,

Thank you in advance for considering our variance request in conjunction with our application for a minor subdivision of our home at 163914th Avenue Northwest in New Brighton.

I grew up just a few minutes away in Northeast Minneapolis and then St. Anthony Village, and my wife, Morgan, grew up in Grand Forks, North Dakota. We have truly found a home in this wonderful pocket of New Brighton. We plan to remain in this neighborhood for the next 20+ years as we raise our family of four, and soon to be five. We both live and work in New Brighton and greatly value the character, stability, and friendliness of this community. Our neighbors are our best friends.

We purchased our home from a relative of the original owner, who lived here for decades. We understand that when the home was constructed in the 1960s, it was intentionally positioned on the lot in coordination with City planning staff so that the southern portion of the property could one day accommodate a second home. The lot consists of 67,990 square feet (1.56 acres), which is substantially larger than most surrounding lakefront properties.

Since that time, the Shoreland Overlay District ordinance was adopted, requiring newly created lake lots to be at least 75 feet wide and to contain 20,000 square feet of area above the Ordinary High Water (OHW) mark. While the proposed junior lot meets the 75-foot width requirement at 76 feet, it contains 15,275 square feet above the OHW mark due to the placement of the existing home and garage.

To meet the 20,000-square-foot requirement, we would need to demolish and reconstruct the existing attached garage in order to slightly widen the proposed southern lot. We believe this represents a practical difficulty created by a regulation enacted long after the home was designed and built.

With the support of City staff, we are requesting a variance from the 20,000-square-foot requirement so that the lot split may occur without unnecessary demolition and reconstruction. Both resulting lots will meet or exceed the size of most neighboring properties to the north and south and will comply with all other applicable zoning requirements. The character, spacing, and overall integrity of the neighborhood will remain unchanged.

Our hope is that this subdivision will preserve long-term flexibility for our family and allow, at some future point, the opportunity for a future home on what was always intended to function as a second buildable portion of the property.

Thank you for your thoughtful consideration.

Respectfully,

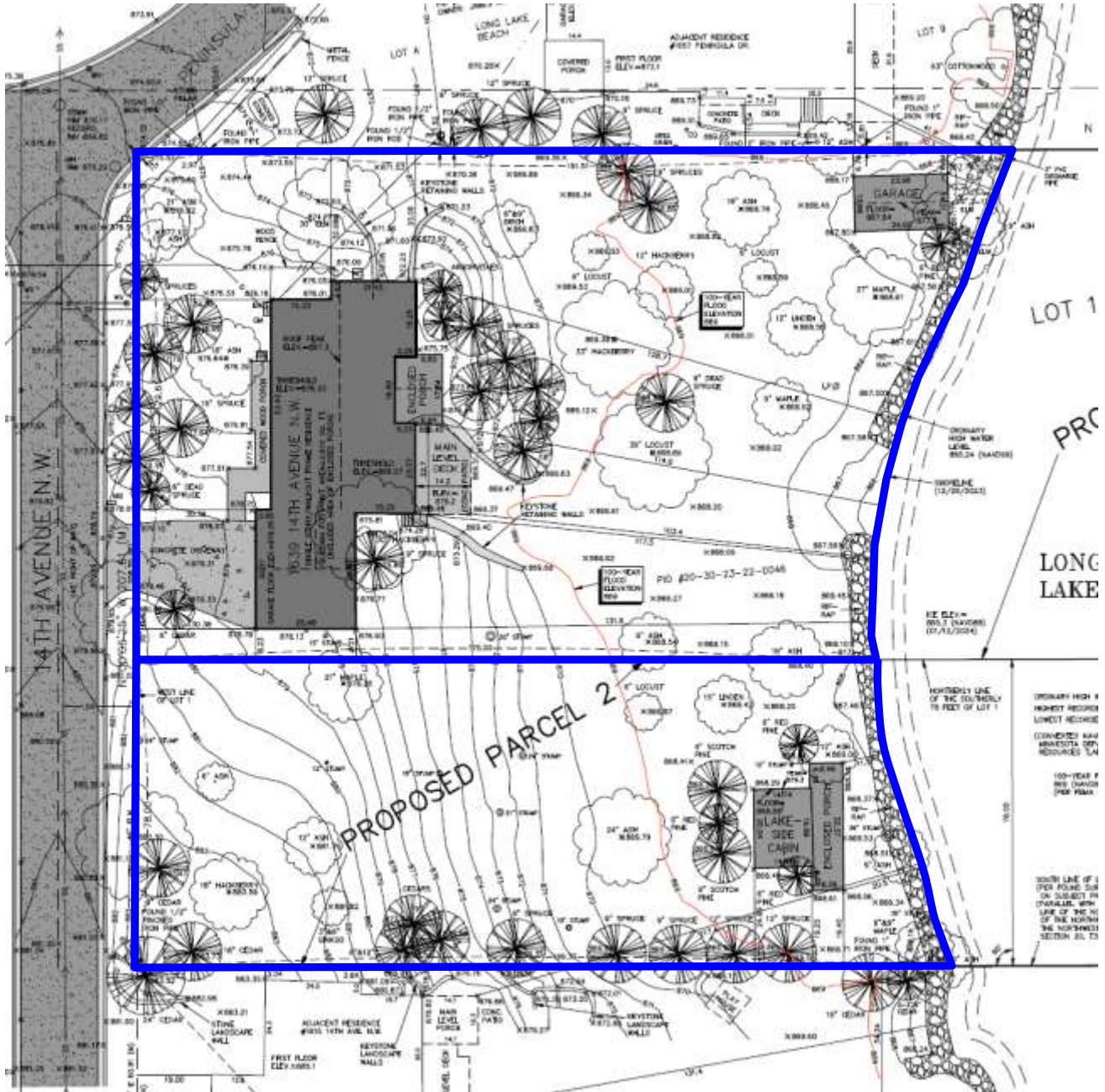
Thomas & Morgan Brama

Minor Subdivision Review

Existing Conditions:

- The property at 1639 14th Avenue NW is of sufficient size to be subdivided into two lots, but the existing home on the property (predating the City) is in a location that precludes a conforming subdivision conforming to shoreland standards adopted in 2016.

Proposed Split



- Proposed Lot Split:** The landowner is proposing to create two lots from the present parcel. Both lots will meet minimum standards for the RS-1 zoning district, but the southern lot would be non-conforming to the 20,000 square foot size requirement for new lots within the shoreland district.

PROPOSED	Northern Parcel	Southern Parcel *
Area (min 10,000 sq ft for RS-1) (min 20,000 sq ft for shoreland)	26,317 square feet above the OHW (conforming)	14,900 sq ft above the OHW (variance required)
Width (min 75 feet)	131' (conforming)	76' (conforming)
Bldg Coverage (30%)	conforming	conforming
Max Impervious (50%)	conforming	conforming

* the site must either be cleared of all improvements as a condition of approval ensuring no nonconformities, or the applicant will enter into a legal agreement requiring removal of the accessory structure by a certain time point if a new principal structure is not erected.

- Lot Access:** Both lots will have adequate roadway access off of 14th Avenue NW.

- Building Pads:** Proposed Parcel B will have sufficient areas for a new single-family dwelling. No concerns with potential impediments such as topography or vegetation.

- Easements / ROW:** Existing ROW for 14th Ave. NW is adequate, and engineering did not see need to request new drainage & utility easements on these lots.

- Utilities:**
- When Parcel B is proposed for improvement, DCAD staff will need to review the sanitary sewer and watermain in the area to determine if existing sanitary sewer and water services are available, and if so, are they usable given their age or other characteristics.
 - Sewer access charges and water access charges will apply to the new lot regardless of whether access points are pre-existing or not.

- Environmental Impacts:** The creation of one additional lot in this context does not trigger the need for any formal environmental review.

- Wetlands:** There are no wetlands on this site.

**Shoreland
District:**

- The subject property IS within the shoreland district. All such regulations should be consulted by the landowner with regard to proposed improvements on either lot.
- Both accessory structures on each Parcel are legal nonconforming to shoreland district standards, and each structure currently sits within the Shore Impact Zone (the area with the most restrictions on use around a lake). Uses will not be allowed to change in either structure, and maintenance of either structure will not be allowed to expand the structure in any way.
- Upon drawing the new lot line, the shed on Parcel B will immediately become an illegal accessory structure on a lot without a principal structure. The landowner may resolve this in one of two ways:
 1. Prior to filing the survey with Ramsey County to record the subdivision, the shed can be removed entirely from Parcel B; or
 2. Prior to filing the survey with Ramsey County, the landowner can enter into an agreement with the City that a building permit will be pulled within 60-days of the filing of the minor subdivision. The agreement must include a waiver allowing the city to assess the property if the City is forced to remove the structure after the 60 day period is up, must give the city rights to access the property to complete the work, and must come with an escrow in an amount to be set by DCAD.

**Flood Plain &
Steep Slopes:**

- The 100-year floodplain on these lots extends to the 869 contour.
- Both homesites are well outside the floodplain, but both accessory structures are within the floodplain and are at significant risk of being impacted by flood events. Should either structure every need repairs in excess of 50% of the market value of the structure, removal shall be required or the applicant may seek to bring the structure into compliance with floodplain district requirements
- A very important aspect of floodplain regulations related to this lot is having to n comply with BOTH City regulations and Rice Creek Watershed District (RCWD) requirements regarding the 100-year flood elevation for Long Lake. This distinction has impacted recent new builds along Long Lake.
 1. Per city floodplain standards, the low floor elevation for new construction on either lot shall be at or above the regulatory flood protection elevation. The regulatory flood protection elevation is one foot above the regional flood elevation for Long Lake. This means the low floor for structures on either of these lots is 870.

(cont.)

2. Unlike the City, the RCWD requires the lowest floor elevation to be at or above *their* modeled 100-year flood elevation of 871.90, plus an additional 2 feet of freeboard, resulting in a minimum low floor elevation of 873.90. This is clearly a significant different that impacts the existing lot more than the new lot, but something to be aware of on both lots moving forward.

We recommend that the applicant contact RCWD early in the process to discuss their requirements and determine whether a variance will be necessary through that agency.

**Watershed
District
Comments
(RCWD):**

- Per the Rice Creek Watershed District (RCWD):
As the subdivision is of an area one acre or more, the RCWD Rule C, Stormwater Management permit is required (with the water quality and rate control exemption).

**Park
Dedication:**

- Chapter 32, Article 4 of the City Code outlines requirements for park dedication at the time of subdivision/new development. Per the City of New Brighton Fee Schedule based on the needs outlined in the 2040 Parks Comprehensive Plan, the Park Dedication fee per **new** dwelling unit is \$1,825. This dedication must be paid for the one new lot prior to filing the new subdivision with Ramsey County.

Engineering:

- Engineering has reviewed the plans and their comments are contained on the attached memo dated 3/10/26.
- Main highlights:
 - a) City staff will review the existing sanitary sewer and watermain in the area to determine whether existing services are available to the proposed lot. Whether they are there or not, the developer should anticipate needing to excavate within the street to make utility connections and will need to incur the costs for repairs.
 - b) Developer should be aware of RCWD requirements (see Flood Plain & Steep Slopes discussion on pages 6 & 7).

**Resident
Concerns &
Feedback:**

- As of 3/12/26, no comments either for or against this proposal have been received by the City.

Variance Review:

In General:

- For this subdivision, the applicant is requesting a **5,100 square foot variance from the 20,000 square foot minimum lot size required for properties within the shoreland district**. The newly proposed parcel will be 14,900 square feet in size.

APPLICANT COMMENTS: We are seeking this variance to allow subdivision of what was always intended to function as a second buildable portion of the property, while avoiding unnecessary demolition and reconstruction of the existing garage. The variance provides long-term flexibility for our family and allows the potential for a future home on the southern portion of the lot without creating avoidable construction impacts.

The request has been made in coordination with and with the support of City staff.

Staff Analysis: To begin this process, staff requested that the applicant first demonstrate that this parcel contained enough developable land to create two parcels within the shoreland district: it does. A minimum of 40,000 square feet of upland are necessary to create two lots, and a minimum of 150' of road frontage is required. Both requirements are satisfied by this land.

With that knowledge in hand, staff then reached out to the DNR with the concept currently up for consideration (subdivision, but with a variance). Staff's argument to the DNR was the entire purpose of shoreland codes is to minimize disturbance to our shoreland area, and a conforming subdivision under this set of fact will require major disturbance to the existing home and surrounding vegetation. The solution that better implements the intent of code is to draw the new lot line south of the existing home in a conforming location, and in such a manner that the new lot to the south will still be larger than the next two adjacent lots. DNR staff agreed that would be an ideal solution given these circumstances, so the applicant was instructed to proceed in this fashion.

Criteria Review:

Issuance of a variance from **zoning standards** requires an analysis of the proposed variation against the following specific review criteria:

- 1. The request is in harmony with the general purposes and intend of this ordinance.***

APPLICANT COMMENTS: The practical difficulty arises from the location of the existing home and attached garage, which were constructed in the 1960s and positioned in a manner that anticipated a future subdivision of the southern portion of the lot. The property is 67,990 square feet (1.56 acres), significantly larger than surrounding lakefront lots, which generally range from 0.25 to 0.7 acres.

(cont.)

Due to Shoreland Overlay District regulations adopted after the home was constructed, newly created lake lots must contain at least 20,000 square feet above the Ordinary High Water (OHW) mark. The proposed junior lot contains 15,275 square feet above the OHW mark. The only way to meet the 20,000 square foot requirement would be to demolish and reconstruct the existing attached garage to slightly widen the proposed junior lot. The placement of the existing structure creates a unique circumstance specific to our property.

Staff Analysis: This request is absolute in line with the intent of the shoreland ordinance in that it minimizes disturbances and vegetation removal within the shoreland area. DNR staff concur with this determination. **Criterion Met.**

2. *The Variance is consistent with the City's comprehensive plan.*

Staff Analysis: The comprehensive plan calls for this area of the community to be developed for low density residential purposes, and this subdivision will be in conformance with that guidance. **Criterion met.**

3. *The applicant can establish there are practical difficulties in complying with the zoning ordinance base on the following:*

a. *The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*

APPLICANT COMMENTS: *Granting the variance would allow subdivision of a lot that remains substantially larger than most surrounding properties while avoiding unnecessary demolition and reconstruction near the shoreline. Both resulting lots would meet or exceed most neighborhood lot sizes and comply with all other zoning requirements, including lot width and applicable setbacks.*

The variance would not increase density beyond what was historically contemplated of the property, nor would it alter shoreline setbacks or encroachments. Requiring demolition of the garage solely to gain additional square footage above the OHW mark would create avoidable construction disturbance without advancing the intent of the ordinance.

Staff Analysis: The subdivision with a variance under this set of facts is more than reasonable. The property has clearly been developable without a variance throughout most of New Brighton's history, and it wasn't until the Shoreland Overlay District was adopted were development rights thrown into question. As the entire goal of the overlay district is to minimize impacts to shoreland areas, a variance to lot size is the ideal path to achieve the ordinance objectives. **Criterion met.**

(cont.)

b. The plight of the landowner is due to circumstances unique to the property that are not created by the landowner.

APPLICANT COMMENTS: *The practical difficulty arose when the City adopted the Shoreland Overlay requirement [in 2016] establishing a 20,000 square foot minimum above the ordinary high-water mark. This ordinance was enacted decades after the design and construction of the existing home.*

Staff Analysis: The landowner had no role in the City deciding to adopt shoreland standards and had a reasonable expectation that their developable land would retain such rights even if the City enacted standards to protect lakeshore throughout the community. **Criterion met.**

c. A variance, if granted, will not alter the essential character of the locality.

APPLICANT COMMENTS: *The proposed subdivision will not alter the essential character of the neighborhood. Both the senior and junior lots will be larger than most adjacent properties to the north and south. All other zoning standards, including lot width and setbacks, will be met.*

The request preserves the existing home and avoids unnecessary exterior modification. The scale, spacing, and character of the two lots will remain consistent with the established neighborhood pattern.

Staff Analysis: The proposed variance will have no impact on the character of this neighborhood. The resulting lot, even with a variance, will still have more upland than the neighboring two lots with homes, and the proposed development of a new single-family home will be consistent with every other use in the area. **Criterion met.**

Issuance of a variance from **subdivision standards** requires an analysis of the proposed variation against the following specific review criteria:

4. The City Council may grant a deviation from the terms of this Chapter where the subdivider can show an exceptional and undue hardship on the enjoyment of a substantial property right provided such relief may be granted without detriment to the public welfare and without impairing the intent and purpose of these regulations.

Staff Analysis: As covered under the zoning criteria, the hardship in this case is caused by Shoreland district standards in two ways: 1) a fully developable property that can still be divided using underlying RS-1 requirements was only

(cont.) rendered undevelopable by the new Shoreland district minimum lot size requirement of 20,000 sq ft; and 2) a variance to the shoreland minimum lot size is specifically needed to ensure the intent of the shoreland ordinance (minimizing disturbances) is actually achieved in this case. **Criterion met.**

Supplementary Review & Public Comment

Additional Information:

- None

Engineering Review:

- Memo dated 3/10/26 is attached. In summary:
 - *Water and sewer connections will require roadway repairs which will need to be paid for by whomever develops the new lot.*
 - *Landowner must be aware of the RCWD's position relating to the flood plain elevation around Long Lake.*
- During new home construction, tracking of dirt into the street shall be monitored and addressed in a timely manner, or the developer and/or builder must agree to paying for street sweeping services when directed to do so by the City.
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Public Safety Review:

- No public safety concerns.

Legal Review:

- Attached to this report is an opinion letter from the City Attorney dated 3/10/26 outlining various requirements that must be met prior to final approval of this minor subdivision. Staff concurs with these conditions, and recommends they be included in any recommendation made by the Planning Commission. In summary:
 - Drainage and utility easements must be conveyed by separate instruments (5 foot easements along each side lot line, and a 10 foot easement along the front lot line).
 - All property taxes and outstanding assessments must be paid in full prior to approval of the minor subdivision.
 - The resolution approving the minor subdivision and the survey must be recorded within 60-days of the adoption of the resolution.
 - The Minor Subdivision survey must include any updates as required by the County.

Public Comment: | ■ There were no comments received for or against this proposal as of 9/11/25.

Planning Commission Review: | ■ The Planning Commission will hold a public hearing on this request at their meeting on 9/16/25.

Conclusion:

Morgan and Thomas Brama are seeking authorization to subdivide their property at 1639 14th Avenue NW into two lots conforming to RS-1 zoning standards, but needing a variance from the 20,000 square foot minimum lot size established in the shoreland overlay district.

Staff Recommendation: Per the analysis outlined in the report, staff is recommending **APPROVAL** of the proposed minor subdivision with a variance subject to conditions.

Commission Options:

The Planning Commission has the following options:

- A) RECOMMEND APPROVAL OF BOTH REQUESTS based on the applicant’s submittals and findings of fact.
- B) RECOMMEND DENIAL OF ONE OR BOTH REQUESTS based on the applicant’s submittals and findings of fact.
- C) TABLE THE ITEMS and request additional information.

Based on a complete application date of 2/17/26, the statutory deadline for making a decision on this request is 4/18/26. This deadline may be extended an additional 60 days if needed.

Template Denial Motion:
(not recommended)

- “I move that we recommend the City Council deny the Minor Subdivision and Variance based on the following findings of fact:”
 - *(You must provide findings to support the conclusion that each component recommended for denial does not meet minimum standards as required by code.)*

**Template Approval
Motion:
RECOMMENDED**

- “I move we recommend the City Council approve the Minor Subdivision and Variance from Morgan and Thomas Brama based on the findings of fact listed on page 14 of the report subject to the conditions listed on pages 14 through 16 as may have been amended here tonight.”

**Suggested Findings
of Fact:**

1. The subject property is guided for Low Density Residential use by the 2040 Comprehensive Plan, and RS-1 zoning standards are consistent with this land use classification;
2. All proposed lots will be conforming to minimum area and width standards for RS-1 zoned property;
3. The land can be developed in a conforming manner under both RS-1 and shoreland district standards;
4. The proposed 5,100 square foot variance from the shoreland minimum lot size is supported by the fact that approving the variance will result in dramatically less impacts to the shoreland area than would occur if two conforming lots were created;
5. All required drainage and utility easements will be established as a result of this minor subdivision;
6. Each of the proposed lots will have adequate access to the local roadway system;
7. Each of the proposed lots can be adequately served by existing municipal services;
8. No public safety concerns were identified;
9. Identified impacts and issues can be addressed via conditions.

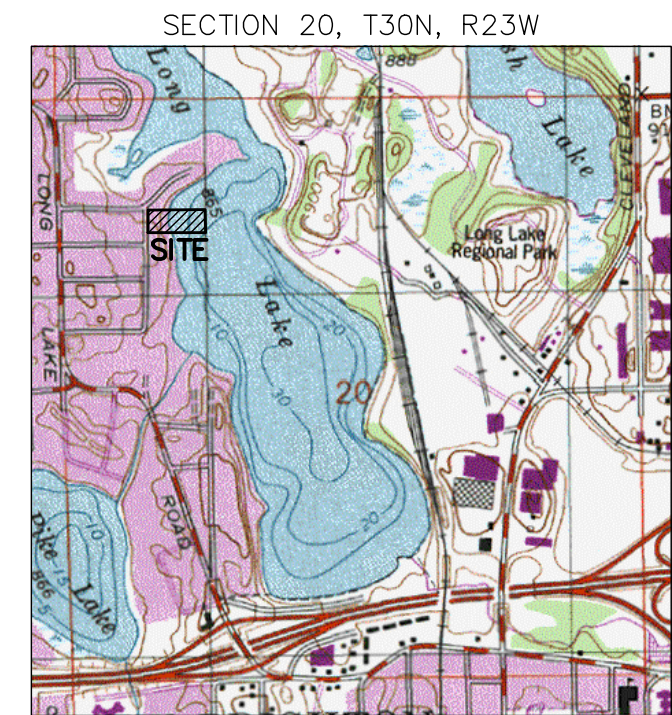
**Recommended
Conditions:**

1. Local and regional sewer access/availability charges (SAC), water access charges (WAC), and the City’s sewer maintenance fee will apply to the new lot, and all such fees will be determined and be payable as part of the building permit process.
2. A curb cut permit will be required in conjunction with future building permit on the new lot; plans shall be submitted with the curb cut permit application showing a street section detail for proposed street repairs resulting from sewer and water installation.

- (cont.)
3. The use of both accessory structures within the shore impact zone will not be allowed to change in either structure, and maintenance of either structure will not be allowed to expand the structure in any way.
 4. During new home construction, tracking of dirt into the street shall be monitored and addressed in a timely manner, or the developer and/or builder must agree to paying for street sweeping services when directed to do so by the City.
 5. Reference monuments shall be placed in the subdivision as required by state law.
 6. An RCWD Rule C, Stormwater Management permit must be obtained.
 7. Prior to Council approval of the minor subdivision:
 - a. all property taxes and outstanding assessments must be paid in full.
 - b. The shed on parcel B must be addressed in one of two ways:
 - i. Prior to filing the survey with Ramsey County to record the subdivision, the shed can be removed entirely from Parcel B; or
 - ii. Prior to filing the survey with Ramsey County, the landowner can enter into an agreement with the City that a building permit will be pulled within 60-days of the filing of the minor subdivision. The agreement must include a waiver allowing the city to assess the property if the City is forced to remove the structure after the 60 day period is up, must give the city rights to access the property to complete the work, and must come with an escrow in an amount to be set by DCAD.
 8. Following approval of the minor subdivision and variance, but prior to the survey being filed at Ramsey County:
 - a. The minor subdivision must be reviewed by Ramsey County and be administratively updated as needed to meet any outstanding County requirements;
 - b. Park dedication in the amount of \$1825 shall be paid to the City; and
 - c. Drainage and utility easements must be conveyed by separate instruments (5 foot easements along each side lot line, and a 10 foot easement along the front lot line).

- (cont.)
9. The resolution approving the minor subdivision and the survey must be recorded at Ramsey County within 60-days of the resolution approval. Recording to be completed by the applicant.
 10. All necessary permits must be provided to the City (RCWD, NPDES, MDH, etc. as may be applicable) throughout the development process.

cc: Morgan and Thomas Brama, applicants

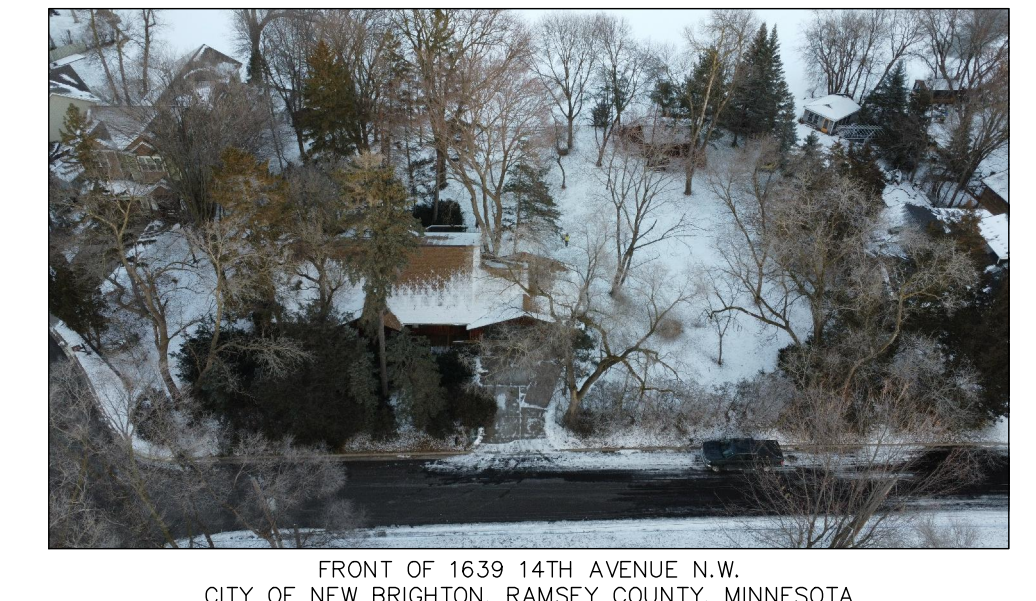


PROPOSED LEGAL DESCRIPTIONS
PROPOSED PARCEL 1
 Lot 1, Auditor's Subdivision No. 79, Ramsey County, Minnesota, EXCEPT the southerly 78 feet thereof

PROPOSED PARCEL 2
 The southerly 78 feet of Lot 1, Auditor's Subdivision No. 79, Ramsey County, Minnesota.

1639 14TH AVENUE N.W.

CITY OF NEW BRIGHTON, RAMSEY COUNTY, MINNESOTA
 (PROPOSED MINOR SUBDIVISION)



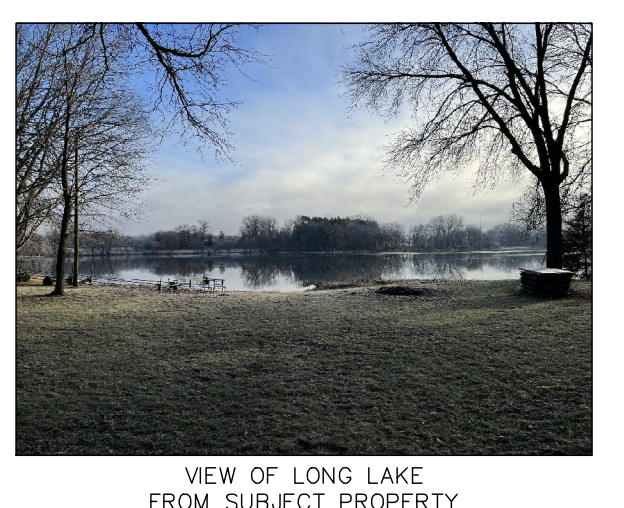
1" = 20'
 1 INCH EQUALS 20 FEET

BASES FOR BEARINGS:
 RAMSEY COUNTY COORDINATE SYSTEM (NAD83, 1996)

BASES FOR ELEVATION:
 MINNESOTA DEPARTMENT OF TRANSPORTATION STATION 7028 12" IN THE SOUTHEAST CORNER OF BRIDGE #9389, 5TH AVE. N.W. OVER INTERSTATE 354. ELEV.=894.660 (NAV988)

(VIA REAL TIME GPS MEASUREMENTS UTILIZING MINNESOTA DEPARTMENT OF TRANSPORTATION VRS NETWORK)

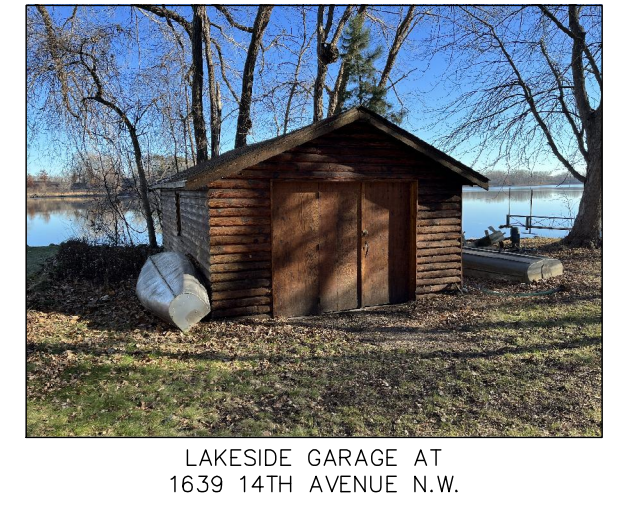
CONTOUR INTERVAL=1 FOOT



LOT 1,
 PROPOSED PARCEL 1

LONG LAKE

AUDITOR'S
 SUBDIVISION
 NO. 79



ZONING REQUIREMENTS

ZONED R-1 - SINGLE-FAMILY RESIDENTIAL DISTRICT SUBJECT TO SHORELAND REGULATIONS

MINIMUM LOT AREA - 10,000 SQ. FT. (1-1) - EXCEPT THAT UNDER NO CIRCUMSTANCES SHALL THE MINIMUM LOT AREA BE LESS THAN 20,000 SQ. FT. FOR RECREATION LOTS (SHORELAND)

MINIMUM LOT WIDTH - 75 FEET

MAXIMUM BUILDING COVERAGE - 30%

MAXIMUM IMPERVIOUS SURFACE COVERAGE - 50%

MAXIMUM HEIGHT - 2.5 STORES OR 30 FEET, WHICHEVER IS LESS

BUILDING SETBACKS:
 FRONT - 30 FEET
 SIDE - 5 FEET
 ORDINARY HIGH WATER LEVEL - 50 FEET

SHORE IMPACT ZONE - 25 FEET FROM ORDINARY HIGH WATER LEVEL

(AS PER CITY OF NEW BRIGHTON ZONING CODE)

EXISTING LEGAL DESCRIPTION

QUIT CLAIM DEED DOC. NO. 4078891

Lot 1 (1), Auditor's Subdivision No. 79, Ramsey County, MN

EXISTING AREA SUMMARY

LOT 1 = 109,026 SQ. FT. OR 2.5029 ACRES

PORTION ABOVE ORDINARY HIGH WATER LEVEL = ±41,217 SQ. FT. OR ±0.95 ACRES

PORTION BELOW ORDINARY HIGH WATER LEVEL (WITHIN LAKE) = ±67,809 SQ. FT. OR ±1.55 ACRES

PREPARED FOR:
 THOMAS BRAMA
 1666 PENINSULA DRIVE
 NEW BRIGHTON, MN 55112
 612-701-5979
 thomas.g.brama@gmail.com

CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA

18407

MARK D. KEMPER

DATE: THIS 5TH DAY OF FEBRUARY, 2024

KEMPER & ASSOCIATES, INC.

KEMPER & ASSOCIATES INC.
 PROFESSIONAL LAND SURVEYORS

721 OLD HIGHWAY 8 N.W.
 NEW BRIGHTON, MINNESOTA 55112
 651-631-0351
 FAX 651-631-8805
 email: kemper@kr-nls.net
 www.kempersurveyors.com

CERTIFICATE OF SURVEY

23092 (23092MS.DWG) D.B. 1000 HOLEN



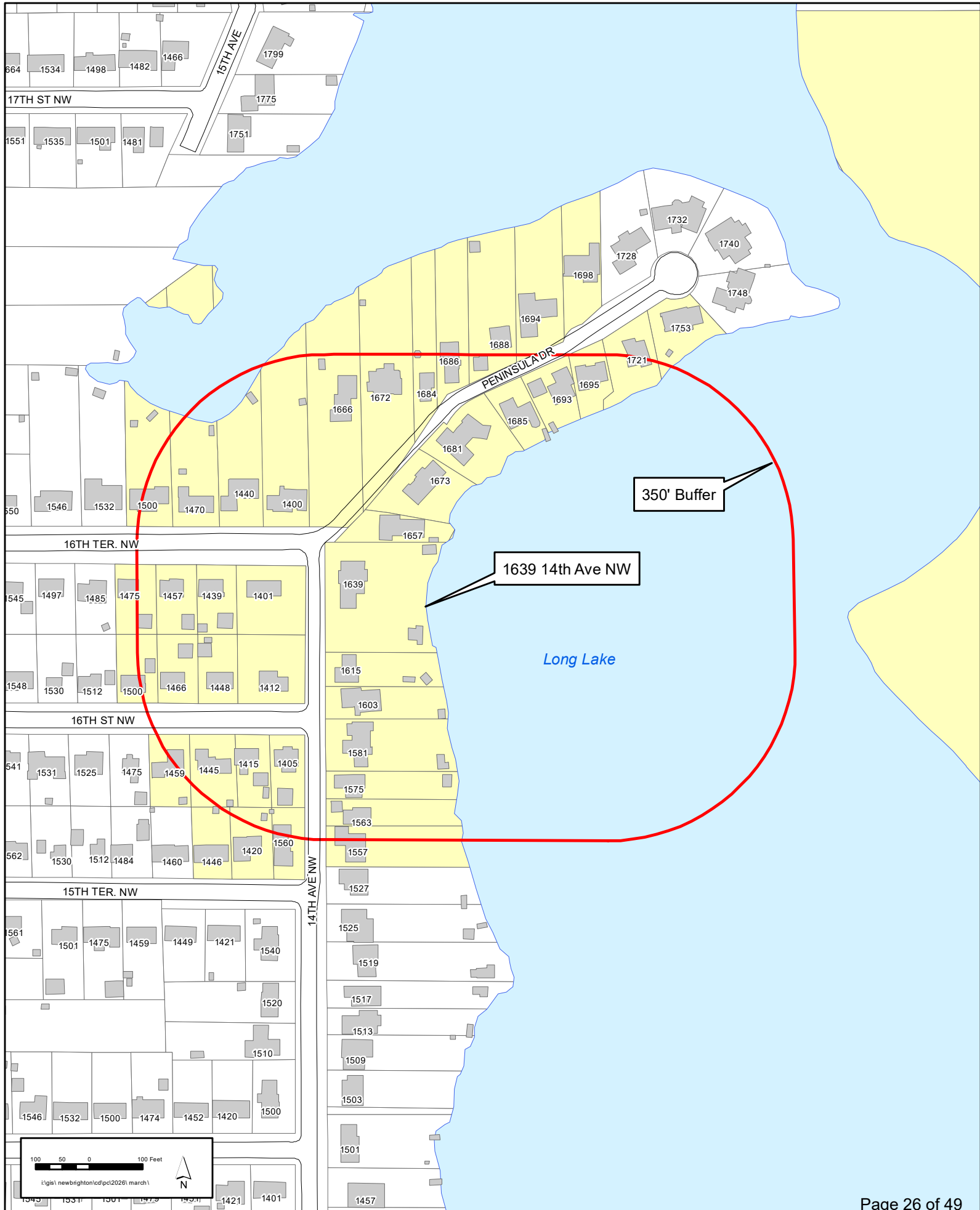
 RS-1, Single Family Low Density



Current Zoning

1639 14th Ave NW
 RS-1, Single Family Low Density

1639 14th Ave NW - 350' Mailing List





interoffice

MEMORANDUM

to: Ben Gozola, Assistant Director of Community Assets and Development
from: Dustin Lind, Engineering Supervisor
subject: 1639 14th Avenue NW
date: March 10, 2026

The Engineering Department has reviewed the preliminary site plan for 1639 14th Avenue NW and offer the following comments:

1. City staff will review the existing sanitary sewer and watermain in the area to determine whether sanitary sewer and water services are available to the proposed lot. Regardless, it is anticipated that excavation within the street will be required to either connect to existing utilities or install new services to the proposed lot.
2. The proposed structure will be required to comply with the Rice Creek Watershed District (RCWD) requirements regarding the 100-year flood elevation of Long Lake, which has recently affected other new builds on Long Lake. Our understanding is that RCWD requires the lowest floor elevation to be at or above their modeled 100-year flood elevation of 871.90, plus an additional 2 feet of freeboard, resulting in a minimum low floor elevation of 873.90. We recommend that the applicant contact RCWD early in the process to discuss these requirements and determine whether a variance will be necessary.



Fifth Street Towers
150 South Fifth Street, Suite 700
Minneapolis MN 55402-1299

(612) 337-9300 telephone
(612) 337-9310 fax
<http://www.kennedy-graven.com>

Affirmative Action, Equal Opportunity Employer

SARAH J. SONSALLA
Attorney at Law
Direct Dial (612) 337-9284
email: ssonsalla@kennedy-graven.com

March 10, 2026

VIA E-MAIL ONLY

Mr. Ben Gozola
Assistant Director of Community Assets and Development
City of New Brighton
803 Old Highway 8 NW
New Brighton, MN 55112

**RE: Opinion for Minor Subdivision of 1639 14th Avenue N.W., New Brighton, Minnesota.
Our File No. NE136-304**

Dear Ben:

At your request and pursuant to City Code requirements, I have examined the title commitment prepared by Land Title, Inc., as agent for First American Title Insurance Company, File No. 728322, with an effective date of February 13, 2026 (the “Commitment”), along with the certificate of survey (the “Survey”) for the proposed minor subdivision of 1639 14TH AVENUE N.W., NEW BRIGHTON, MINNESOTA, prepared by Mark D. Kemper, PLS 18407.

The Commitment purports to cover the following described property in Ramsey County, Minnesota (the “Property”):

Underlying Legal Description:

Lot 1, Auditor’s Subdivision No. 79, Ramsey County, Minnesota.

Proposed Legal Description:

Parcel 1:

Lot 1, Auditor’s Subdivision No. 79, Ramsey County, Minnesota, EXCEPT the southerly 78 feet thereof.

Parcel 2:

The southerly 78 feet of Lot 1, Auditor’s Subdivision No. 79, Ramsey County, Minnesota.

Based on my review of the Commitment and the Survey, I have the following comments relative to the Minor Subdivision:

1. **Ownership interests of the Property within the Subdivision.** The names and signatures of all of the following parties in interest must appear on any documents required to complete the Minor Subdivision:
 - a. As shown on the Commitment the fee owners are currently listed as Thomas A. Brama II and Morgan B. Brama, married to each other, as joint tenants.
 - b. As shown on the Commitment, a mortgage is recorded from Thomas A. Brama II and Morgan B. Brama married to each other, as mortgagors in favor of Harvest Bank, as mortgagee, dated March 28, 2024, filed April 1, 2024, as Document No. 5020609, in the amount of \$880,000.00, and any other amounts which may become due and payable under the terms thereof.
 - c. **The above-named fee owners and the mortgagee should be the signers of any documents required to complete the minor subdivision.**
2. **Property taxes and assessments.** The property identification number for the Property is 20-30-23-22-0046. Ramsey County tax records showed taxes paid in full for 2025. Taxes for 2026 are \$18,452. The first half is due on May 15, 2026 and the second half is due on October 15, 2026. All real estate taxes payable in the year the Subdivision is approved must be paid prior to the approval of the Subdivision. The Commitment does not indicate whether special assessment searches have been ordered. However, Ramsey County property tax records indicate a 2026 special assessment for street rehabilitation in the initial amount of \$1,388.52 with a remaining balance of \$1,110.80. There are also two assessments for delinquent utilities in the amount of \$640.71 and \$686.61. Any special assessments can be reapportioned among the new lots as provided in Minnesota Statutes, Section 429.071, subd. 3.
3. **Title Commitment Exceptions:**
 - a. Rights of the public and the State of Minnesota in that part of the land lying below the natural high water mark of Long Lake. *The Survey indicates a lake along the east half of the minor subdivision as marked. (See also number 5 below).*

- b. Subject to road(s) as shown by available maps. *Roads abutting the Property – 14th Avenue N.W. and Peninsula Drive – are shown on the Survey and the Property.*
4. **Minor Subdivision Conditions.** The following should be listed as conditions of approval of the minor subdivision:
 - a. Drainage and utility easements cannot be dedicated to the City as would be possible for a plat. Rather, these easements must be conveyed by separate instruments. As such, the City should review the Survey and determine if it should require that landowners convey drainage and utility easements to the City for the area between Parcel 1 and Parcel 2. Said easements would need to be prepared, signed by the property owners and recorded against the two resulting lots.
 - b. The resolution approving the Minor Subdivision and the Survey must be recorded within 60 days of the adoption of such resolution.
 - c. The Minor Subdivision application must comply with any and all requirements presented by the County subsequent to its review of the Survey as discussed above.
 - d. **The above-named fee owners and the mortgagee should be the signers of any documents required to complete the minor subdivision.**
5. **Wetlands.** The Plat includes the shoreline of Long Lake and thus may be subject to additional restrictions by the Minnesota Department of Natural Resources and other water management agencies. The Survey indicates several shoreland areas, predominantly in the east half of the Minor Subdivision as marked. (See also number 3a above)

This letter does not purport to set forth every matter relevant to a determination of whether title to the Property is marketable, and no one should rely upon it for that purpose. The sole purpose of this letter is to identify whether the minor subdivision meets the qualifications under the City of New Brighton's subdivision regulations and addresses related issues in connection with approving the minor subdivision application, as evidenced by the Commitment.

Mr. Ben Gozola
March 10, 2026
Page 4

Please contact me if you have any questions about this information. Thank you.

Sincerely,

Sarah J. Sonsalla

Sarah J. Sonsalla
City Attorney

SJS:tmr

1639 14TH AVENUE N.W.

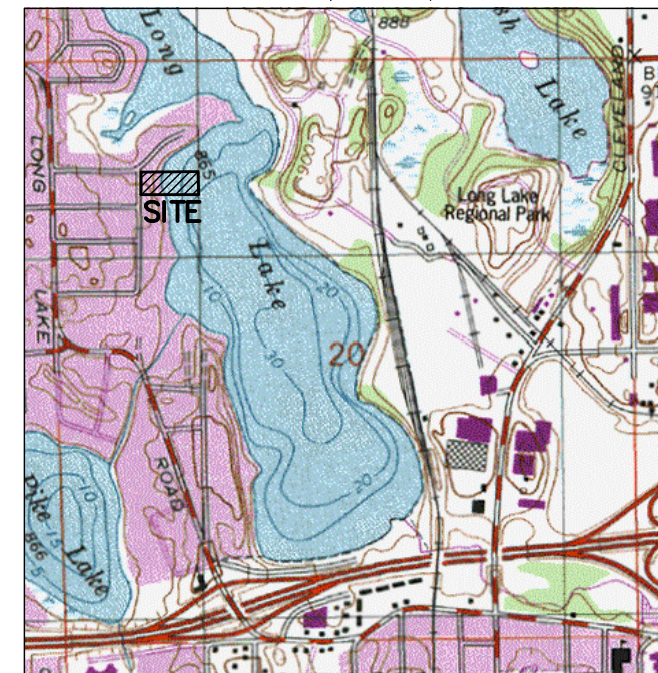
CITY OF NEW BRIGHTON, RAMSEY COUNTY, MINNESOTA
(EXISTING CONDITIONS JANUARY 2024)



FRONT OF 1639 14TH AVENUE N.W.
CITY OF NEW BRIGHTON, RAMSEY COUNTY, MINNESOTA

1 INCH EQUALS 20 FEET
BASIS FOR BEARINGS:
RAMSEY COUNTY
COORDINATE SYSTEM
(NAD83, 1996)
BASIS FOR ELEVATION:
MINNESOTA DEPARTMENT
OF TRANSPORTATION
STATION 7208 02"
IN THE SOUTHEAST
CORNER OF BRIDGE
#9389, 5TH AVE. N.W.
OVER INTERSTATE 94
ELEV.=894.660 (NAV088)
(VIA REAL TIME GPS
MEASUREMENTS UTILIZING
MINNESOTA DEPARTMENT
OF TRANSPORTATION
VRS NETWORK)
CONTOUR INTERVAL=1 FOOT

SECTION 20, T30N, R23W



VICINITY MAP
(NO SCALE)

FLOODPLAIN NOTE:
SUBJECT PROPERTY LIES WITHIN FLOOD
ZONE "X" (AREAS DETERMINED TO BE
OUTSIDE THE 0.2% ANNUAL CHANCE
FLOODPLAIN) AND "AE" (SPECIAL
FLOOD HAZARD AREAS SUBJECT TO
INUNDATION BY THE 1% ANNUAL
CHANCE FLOOD; BASE FLOOD
ELEVATIONS DETERMINED) ACCORDING
TO THE FEDERAL EMERGENCY
MANAGEMENT AGENCY FLOOD
INSURANCE RATE MAP COMMUNITY
PANL NUMBER 27123C0004C, DATED
JUNE 4, 2010, RAMSEY COUNTY,
MINNESOTA.
THE BASE FLOOD ELEVATION FOR LONG
LAKE IS SHOWN TO BE 869 (NAV088)

HARDCOVER SUMMARY
HOUSE & GARAGE FOOTPRINT
(INCLUDES ENCLOSED PORCH)=
2,973 SQ. FT.
REAR DECK & STEPS
CONCRETE PATIO BELOW)=
319 SQ. FT.
FRONT WOOD PORCH, WALK &
STEPS=235 SQ. FT.
LAKESIDE GARAGE=336 SQ. FT.
LAKESIDE CABIN & PORCH=
506 SQ. FT.
CONCRETE DRIVEWAY=687 SQ. FT.
TOTAL IMPERVIOUS SURFACE
COVERAGES=4,105 SQ. FT.
(12.4% OF PROPERTY AREA TO
ORDINARY HIGH WATER)

LEGEND

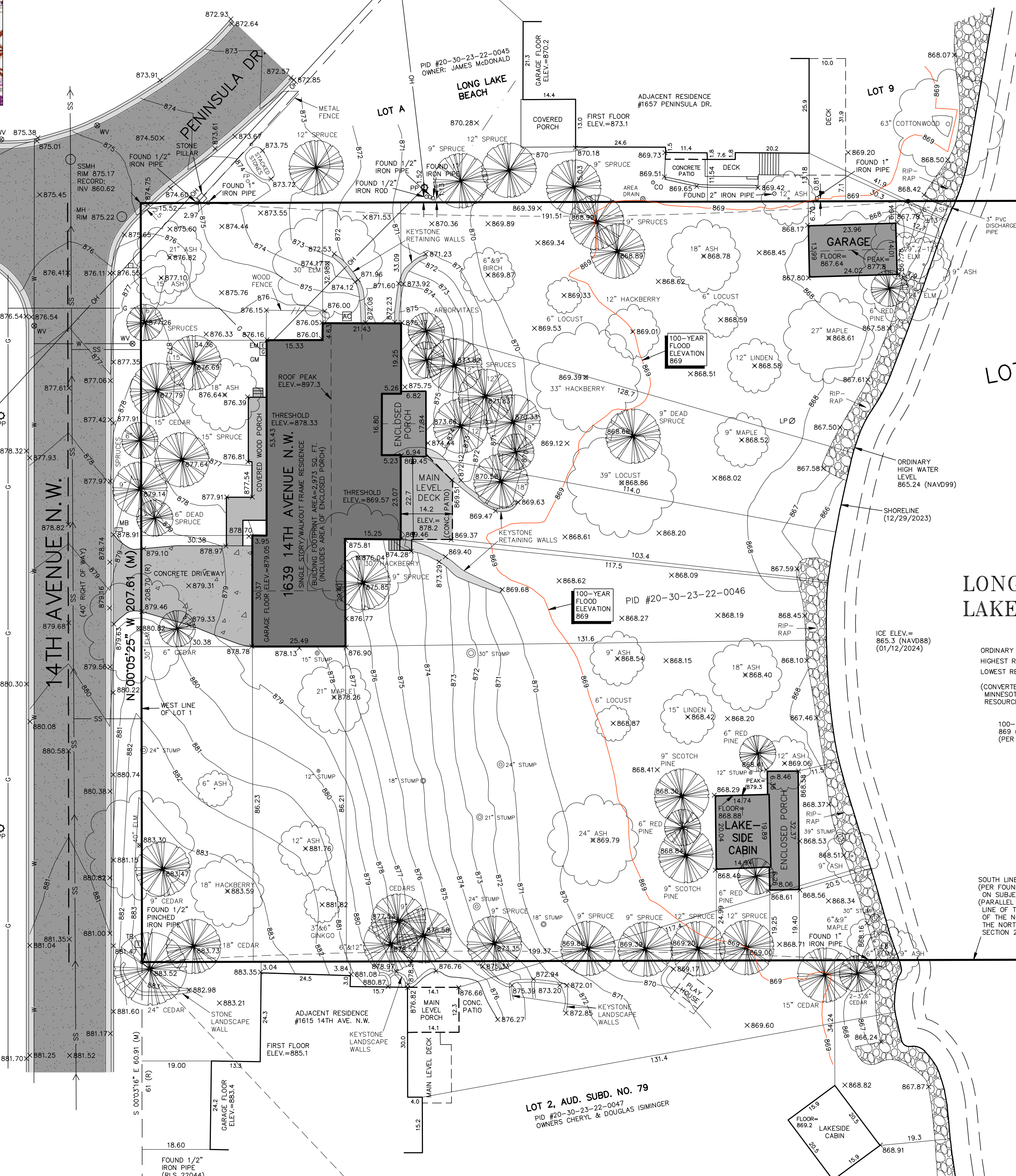
- 875— EXISTING CONTOUR LINE
- X875.76 EXISTING SPOT ELEVATION
- MH ○ MANHOLE
- SMH ○ SANITARY SEWER MANHOLE
- PP ○ POWER POLE
- LP ○ LIGHT POLE
- TR (R) TELEPHONE RISER
- FH ○ FIRE HYDRANT
- WV ○ WATER VALVE
- CO ○ CLEAN OUT
- EM (E) ELECTRIC METER
- GM (G) GAS METER
- [AC] AIR CONDITIONER
- MB □ MAIL BOX
- L— SIGN
- FP ○ FLAG POLE
- OVERHEAD UTILITY LINES
- SS— SANITARY SEWER
- W— WATER MAIN/SERVICE
- G— GAS MAIN/SERVICE
- (M) DENOTES DIMENSION
MEASURED DURING THE
COURSE OF THIS SURVEY
- (R) DENOTES RECORD
DIMENSION AS PER PLATS
AND LEGAL DESCRIPTIONS
- DENOTES SET SURVEY
MONUMENT MARKED
"KEMPER 18407"

KEMPER & ASSOCIATES INC.
PROFESSIONAL LAND SURVEYORS

721 OLD HIGHWAY 8 N.W.
NEW BRIGHTON, MINNESOTA 55112
651-631-0351
FAX 651-631-8805
email: kemper@kr-nls.net
www.kempersurveyors.com

CERTIFICATE OF SURVEY

23092 (23092.DWG) D.B. 1000 HOLEN



LONG LAKE

ORDINARY HIGH WATER LEVEL=865.24
HIGHEST RECORDED ELEV.=868.2 (08-18-1994)
LOWEST RECORDED ELEV.=863.0 (09/15/1934)
(CONVERTED NAV088 ELEVATIONS AS PER
MINNESOTA DEPARTMENT OF NATURAL
RESOURCES "LAKE FINDER" WEBSITE)
100-YEAR FLOOD ELEV.=
869 (NAV088)
(PER FEMA MAP)

AUDITOR'S
SUBDIVISION
NO. 79



FRONT OF 1639 14TH AVENUE N.W.
CITY OF NEW BRIGHTON, RAMSEY COUNTY, MN



LAKESIDE GARAGE AT
1639 14TH AVENUE N.W.



REAR OF 1639 14TH AVENUE N.W.
CITY OF NEW BRIGHTON, RAMSEY COUNTY, MN



LAKESIDE CABIN AT
1639 14TH AVENUE N.W.



REAR OF 1639 14TH AVENUE N.W.
CITY OF NEW BRIGHTON, RAMSEY COUNTY, MINNESOTA



VIEW OF LONG LAKE
FROM SUBJECT PROPERTY

ZONING REQUIREMENTS

ZONED R-1 - SINGLE-FAMILY RESIDENTIAL DISTRICT
SUBJECT TO SHORELAND REGULATIONS
MINIMUM LOT AREA - 10,000 SQ. FT. (1-1)
- EXCEPT THAT UNDER NO
CIRCUMSTANCES SHALL THE
MINIMUM LOT AREA BE LESS
THAN 20,000 SQ. FT. FOR
BIPARTAN LOTS (SHORELAND)
MINIMUM LOT WIDTH - 75 FEET
MAXIMUM BUILDING COVERAGE - 30%
MAXIMUM IMPERVIOUS SURFACE COVERAGE - 50%
MAXIMUM HEIGHT - 30 FEET,
WHICHEVER IS LESS
BUILDING SETBACKS:
FRONT - 30 FEET
SIDE - 5 FEET
ORDINARY HIGH WATER LEVEL - 50 FEET
SHORE IMPACT ZONE - 25 FEET FROM ORDINARY
HIGH WATER LEVEL
(AS PER CITY OF NEW BRIGHTON ZONING CODE)

ACCESSORY BUILDINGS:
AN ACCESSORY BUILDING OR DETACHED
GARAGE SHALL NOT BE LOCATED WITHIN THE
FRONT YARD
THE COMBINED SIZE OF ANY ATTACHED AND
DETACHED ACCESSORY STRUCTURES OR
GARAGES SHALL NOT EXCEED 1,064 SQ. FT.
AN ACCESSORY BUILDING OR DETACHED
GARAGE MAY BE CONSTRUCTED UP TO A
MAXIMUM OF 1,064 SQ. FT.
NO ATTACHED GARAGE SHALL EXCEED
1,064 SQ. FT.

LEGAL DESCRIPTION

QUIT CLAIM DEED DOC. NO. 4078891
Lot 1 (1), Auditor's Subdivision No. 79,
Ramsey County, MN

AREA SUMMARY

LOT 1 = 109,026 SQ. FT. OR 2.5029 ACRES
±41,217 SQ. FT. OR ±0.95 ACRES
PORTION ABOVE ORDINARY HIGH WATER LEVEL =
±41,217 SQ. FT. OR ±0.95 ACRES
PORTION BELOW ORDINARY HIGH WATER LEVEL
(WITHIN LAKE) = ±67,809 SQ. FT. OR
±1.55 ACRES

STATE OF MINNESOTA
PROFESSIONAL
LAND SURVEYOR
18407
MARK D. KEMPER

I HEREBY CERTIFY THAT THIS SURVEY, PLAN,
OR REPORT WAS PREPARED BY ME OR
UNDER MY DIRECT SUPERVISION AND THAT
I AM A DULY LICENSED PROFESSIONAL LAND
SURVEYOR UNDER THE LAWS OF THE STATE
OF MINNESOTA

PREPARED FOR:
THOMAS BRAMA
1666 PENINSULA DRIVE
NEW BRIGHTON, MN 55112
612-701-5979
thomas.brama@gmail.com

MARK D. KEMPER, PLS 18407
DATED THIS 5TH DAY OF FEBRUARY, 2024

National Flood Insurance Program

Elevation Certificate

and Instructions

2023 EDITION



FEMA

ELEVATION CERTIFICATE AND INSTRUCTIONS

PAPERWORK REDUCTION ACT NOTICE

Public reporting burden for this data collection is estimated to average 3.75 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting this form. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20742, Paperwork Reduction Project (1660-0008). **NOTE: Do not send your completed form to this address.**

PRIVACY ACT STATEMENT

Authority: Title 44 CFR § 61.7 and 61.8.

Principal Purpose(s): This information is being collected for the primary purpose of documenting compliance with National Flood Insurance Program (NFIP) floodplain management ordinances for new or substantially improved structures in designated Special Flood Hazard Areas. This form may also be used as an optional tool for a Letter of Map Amendment (LOMA), Conditional LOMA (CLOMA), Letter of Map Revision Based on Fill (LOMR-F), or Conditional LOMR-F (CLOMR-F), or for flood insurance rating purposes in any flood zone.

Routine Use(s): The information on this form may be disclosed as generally permitted under 5 U.S.C. § 552a(b) of the Privacy Act of 1974, as amended. This includes using this information as necessary and authorized by the routine uses published in DHS/ FEMA-003 – *National Flood Insurance Program Files System of Records Notice* 79 Fed. Reg. 28747 (May 19, 2014) and upon written request, written consent, by agreement, or as required by law.

Disclosure: The disclosure of information on this form is voluntary; however, failure to provide the information requested may impact the flood insurance premium through the NFIP. Information will only be released as permitted by law.

PURPOSE OF THE ELEVATION CERTIFICATE

The Elevation Certificate is an important administrative tool of the NFIP. It can be used to provide elevation information necessary to ensure compliance with community floodplain management ordinances, to inform the proper insurance premium, and to support a request for a LOMA, CLOMA, LOMR-F, or CLOMR-F.

The Elevation Certificate is used to document floodplain management compliance for Post-Flood Insurance Rate Map (FIRM) buildings, which are buildings constructed after publication of the FIRM, located in flood Zones A1–A30, AE, AH, AO, A (with Base Flood Elevation (BFE)), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, and A99. It may also be used to provide elevation information for Pre-FIRM buildings or buildings in any flood zone.

As part of the agreement for making flood insurance available in a community, the NFIP requires the community to adopt floodplain management regulations that specify minimum requirements for reducing flood losses. One such requirement is for the community to obtain the elevation of the lowest floor (including basement) of all new and substantially improved buildings, and maintain a record of such information. The Elevation Certificate provides a way for a community to document compliance with the community's floodplain management ordinance.

Use of this certificate does not provide a waiver of the flood insurance purchase requirement. Only a LOMA or LOMR-F from the Federal Emergency Management Agency (FEMA) can amend the FIRM and remove the federal mandate for a lending institution to require the purchase of flood insurance. However, the lending institution has the option of requiring flood insurance even if a LOMA/LOMR-F has been issued by FEMA. The Elevation Certificate may be used to support a LOMA, CLOMA, LOMR-F, or CLOMR-F request. Lowest Adjacent Grade (LAG) elevations certified by a land surveyor, engineer, or architect, as authorized by state law, will be required if the certificate is used to support a LOMA, CLOMA, LOMR-F, or CLOMR-F request. A LOMA, CLOMA, LOMR-F, or CLOMR-F request must be submitted with either a completed FEMA MT-EZ or MT-1 application package, whichever is appropriate. If the certificate will only be completed to support a LOMA, CLOMA, LOMR-F, or CLOMR-F request, there is an option to document the certified LAG elevation on the Elevation Form included in the MT-EZ and MT-1 application.

This certificate is used only to certify building elevations. A separate certificate is required for floodproofing. Under the NFIP, non-residential buildings can be floodproofed up to or above the BFE. A floodproofed building is a building that has been designed and constructed to be watertight (substantially impermeable to floodwaters) below the BFE. Floodproofing of residential buildings is not permitted under the NFIP unless FEMA has granted the community an exception for residential floodproofed basements. The community must adopt standards for design and construction of floodproofed basements before FEMA will grant a basement exception. For both floodproofed non-residential buildings and residential floodproofed basements in communities that have been granted an exception by FEMA, a floodproofing certificate is required.

The expiration date on the form herein does not apply to certified and completed Elevation Certificates, as a completed Elevation Certificate does not expire, unless there is a physical change to the building that invalidates information in Section A Items A8 or A9, Section C, Section E, or Section H. In addition, this form is intended for the specific building referenced in Section A and is not invalidated by the transfer of building ownership.

Additional guidance can be found in FEMA Publication 467-1, *Floodplain Management Bulletin: Elevation Certificate*.

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
A1. Building Owner's Name: <u>Thomas Brama</u>		Policy Number: _____
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>1639 14th Avenue NW</u>		Company NAIC Number: _____
City: <u>New Brighton</u> State: <u>MN</u> ZIP Code: <u>55112-5570</u>		
A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number: <u>Lot 1 (1), Auditor's Subdivision No. 79, Ramsey County, MN. (Ramsey County Tax Parcel #: 203023220046)</u>		
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): <u>Residential</u>		
A5. Latitude/Longitude: Lat. <u>45.07615</u> Long. <u>93.20529</u> Horiz. Datum: <input type="checkbox"/> NAD 1927 <input type="checkbox"/> NAD 1983 <input checked="" type="checkbox"/> WGS 84		
A6. Attach at least two and when possible four clear color photographs (one for each side) of the building (see Form pages 7 and 8).		
A7. Building Diagram Number: <u>3</u>		
A8. For a building with a crawlspace or enclosure(s):		
a) Square footage of crawlspace or enclosure(s): <u>0</u> sq. ft.		
b) Is there at least one permanent flood opening on two different sides of each enclosed area? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A		
c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>0</u> Engineered flood openings: <u>0</u>		
d) Total net open area of non-engineered flood openings in A8.c: <u>0</u> sq. in.		
e) Total rated area of engineered flood openings in A8.c (attach documentation – see Instructions): <u>0</u> sq. ft.		
f) Sum of A8.d and A8.e rated area (if applicable – see Instructions): <u>0</u> sq. ft.		
A9. For a building with an attached garage:		
a) Square footage of attached garage: <u>762.0</u> sq. ft.		
b) Is there at least one permanent flood opening on two different sides of the attached garage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A		
c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>0</u> Engineered flood openings: <u>0</u>		
d) Total net open area of non-engineered flood openings in A9.c: <u>0</u> sq. in.		
e) Total rated area of engineered flood openings in A9.c (attach documentation – see Instructions): <u>0</u> sq. ft.		
f) Sum of A9.d and A9.e rated area (if applicable – see Instructions): <u>0</u> sq. ft.		
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION		
B1.a. NFIP Community Name: <u>City of New Brighton</u>		B1.b. NFIP Community Identification Number: <u>270380</u>
B2. County Name: <u>Ramsey</u>	B3. State: <u>MN</u>	B4. Map/Panel No.: <u>27123C0004</u> B5. Suffix: <u>G</u>
B6. FIRM Index Date: <u>06/04/2010</u>		B7. FIRM Panel Effective/Revised Date: <u>06/04/2010</u>
B8. Flood Zone(s): <u>X</u>		B9. Base Flood Elevation(s) (BFE) (Zone AO, use Base Flood Depth): <u>869 (NAVD88)</u>
B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9: <input type="checkbox"/> FIS <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other: _____		
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____		
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA		
B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:

1639 14th Avenue NW

City: New Brighton

State: MN

ZIP Code: 55112-5570

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, AO, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, A99. Complete Items C2.a–h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: MNDOT Ststion "6285 D" Vertical Datum: NAVD88 (Elevation 894.660)

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929 NAVD 1988 Other: _____

Datum used for building elevations must be the same as that used for the BFE. Conversion factor used? Yes No

If Yes, describe the source of the conversion factor in the Section D Comments area.

Check the measurement used:

a) Top of bottom floor (including basement, crawlspace, or enclosure floor): 869.57 feet meters

b) Top of the next higher floor (see Instructions): 878.27 feet meters

c) Bottom of the lowest horizontal structural member (see Instructions): N/A feet meters

d) Attached garage (top of slab): 879.05 feet meters

e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area): 875.52 feet meters

f) Lowest Adjacent Grade (LAG) next to building: Natural Finished 869.46 feet meters

g) Highest Adjacent Grade (HAG) next to building: Natural Finished 878.78 feet meters

h) Finished LAG at lowest elevation of attached deck or stairs, including structural support: 869.37 feet meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No

Check here if attachments and describe in the Comments area.

Certifier's Name: Mark D. Kemper License Number: 18407

Title: Professional Land Surveyor - President of Kemper & Associates, INC.

Company Name: Kemper & Associates, INC.

Address: 721 Old Hwy 8 NW

City: New Brighton State: MN ZIP Code: 55112-2732

Telephone: (651) 631-0351 Ext: _____ Email: kemper@pro-ns.net

Signature: Mark D. Kemper Date: 03/27/2024



Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including source of conversion factor in C2; type of equipment and location per C2.e; and description of any attachments):

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:

1639 14th Avenue NW

City: New Brighton

State: MN

ZIP Code: 55112-5570

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION E – BUILDING MEASUREMENT INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO, ZONE AR/AO, AND ZONE A (WITHOUT BFE)

For Zones AO, AR/AO, and A (without BFE), complete Items E1–E5. For Items E1–E4, use natural grade, if available. If the Certificate is intended to support a Letter of Map Change request, complete Sections A, B, and C. Check the measurement used. In Puerto Rico only, enter meters.

Building measurements are based on: Construction Drawings* Building Under Construction* Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

E1. Provide measurements (C.2.a in applicable Building Diagram) for the following and check the appropriate boxes to show whether the measurement is above or below the natural HAG and the LAG.

a) Top of bottom floor (including basement, crawlspace, or enclosure) is: _____ feet meters above or below the HAG.

b) Top of bottom floor (including basement, crawlspace, or enclosure) is: _____ feet meters above or below the LAG.

E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (C.2.b in applicable Building Diagram) of the building is: _____ feet meters above or below the HAG.

E3. Attached garage (top of slab) is: _____ feet meters above or below the HAG.

E4. Top of platform of machinery and/or equipment servicing the building is: _____ feet meters above or below the HAG.

E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? Yes No Unknown The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without BFE) or Zone AO must sign here. *The statements in Sections A, B, and E are correct to the best of my knowledge*

Check here if attachments and describe in the Comments area.

Property Owner or Owner's Authorized Representative Name: Mark D. Kemper, PLS

Address: 721 Old Highway 8 NW

City: New Brighton

State: MN

ZIP Code: 55112-2732

Telephone: (651) 631-0351

Ext.: _____

Email: kemper@pro-ns.net

Signature: Mark D. Kemper, PLS 18407 Date: 03/27/2024

Comments:

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:

1639 14th Avenue NW

City: New Brighton

State: MN

ZIP Code: 55112-5570

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION G – COMMUNITY INFORMATION (RECOMMENDED FOR COMMUNITY OFFICIAL COMPLETION)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Section A, B, C, E, G, or H of this Elevation Certificate. Complete the applicable item(s) and sign below when:

- G1. The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by state law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2.a. A local official completed Section E for a building located in Zone A (without a BFE), Zone AO, or Zone AR/AO, or when item E5 is completed for a building located in Zone AO.
- G2.b. A local official completed Section H for insurance purposes.
- G3. In the Comments area of Section G, the local official describes specific corrections to the information in Sections A, B, E and H.
- G4. The following information (Items G5–G11) is provided for community floodplain management purposes.
- G5. Permit Number: _____ G6. Date Permit Issued: _____
- G7. Date Certificate of Compliance/Occupancy Issued: _____
- G8. This permit has been issued for: New Construction Substantial Improvement
- G9.a. Elevation of as-built lowest floor (including basement) of the building: _____ feet meters Datum: _____
- G9.b. Elevation of bottom of as-built lowest horizontal structural member: _____ feet meters Datum: _____
- G10.a. BFE (or depth in Zone AO) of flooding at the building site: _____ feet meters Datum: _____
- G10.b. Community's minimum elevation (or depth in Zone AO) requirement for the lowest floor or lowest horizontal structural member: _____ feet meters Datum: _____
- G11. Variance issued? Yes No If yes, attach documentation and describe in the Comments area.

The local official who provides information in Section G must sign here. *I have completed the information in Section G and certify that it is correct to the best of my knowledge. If applicable, I have also provided specific corrections in the Comments area of this section.*

Local Official's Name: _____ Title: _____

NFIP Community Name: _____

Telephone: _____ Ext.: _____ Email: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Signature: _____ Date: _____

Comments (including type of equipment and location, per C2.e; description of any attachments; and corrections to specific information in Sections A, B, D, E, or H):

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 1639 14th Avenue NW	FOR INSURANCE COMPANY USE
City: New Brighton State: MN ZIP Code: 55112-5570	Policy Number: _____ Company NAIC Number: _____

SECTION H – BUILDING'S FIRST FLOOR HEIGHT INFORMATION FOR ALL ZONES (SURVEY NOT REQUIRED) (FOR INSURANCE PURPOSES ONLY)

The property owner, owner's authorized representative, or local floodplain management official may complete Section H for all flood zones to determine the building's first floor height for insurance purposes. Sections A, B, and I must also be completed. Enter heights to the nearest tenth of a foot (nearest tenth of a meter in Puerto Rico). **Reference the Foundation Type Diagrams (at the end of Section H Instructions) and the appropriate Building Diagrams (at the end of Section I Instructions) to complete this section.**

H1. Provide the height of the top of the floor (as indicated in Foundation Type Diagrams) above the Lowest Adjacent Grade (LAG):

a) For Building Diagrams 1A, 1B, 3, and 5–8. Top of bottom _____ **869.6** feet meters above the LAG floor (include above-grade floors only for buildings with crawlspaces or enclosure floors) is:

b) For Building Diagrams 2A, 2B, 4, and 6–9. Top of next _____ feet meters above the LAG higher floor (i.e., the floor above basement, crawlspace, or enclosure floor) is:

H2. Is all Machinery and Equipment servicing the building (as listed in Item H2 instructions) elevated to or above the floor indicated by the H2 arrow (shown in the Foundation Type Diagrams at end of Section H instructions) for the appropriate Building Diagram?

Yes No

SECTION I – PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and H must sign here. *The statements in Sections A, B, and H are correct to the best of my knowledge.* **Note:** If the local floodplain management official completed Section H, they should indicate in Item G2.b and sign Section G.

Check here if attachments are provided (including required photos) and describe each attachment in the Comments area.

Property Owner or Owner's Authorized Representative Name: **Thomas Brama**

Address: **1639 14th Avenue NW**

City: **New Brighton** State: **MN** ZIP Code: **55112-5570**

Telephone: (612) 701-5979 Ext.: _____ Email: **thomas.a.brama@gmail.com**

Signature: _____ Date: **03/27/2024**

Comments:

Owner's Business Mailing Address:

**2817 Anthony Lane South, Suite 102
Minneapolis, MN 55418**

ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11
BUILDING PHOTOGRAPHS

See Instructions for Item A6.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 1639 14th Avenue NW	FOR INSURANCE COMPANY USE
City: <u>New Brighton</u> State: <u>MN</u> ZIP Code: <u>55112-5570</u>	Policy Number: _____ Company NAIC Number: _____

Instructions: Insert below at least two and when possible four photographs showing each side of the building (for example, may only be able to take front and back pictures of townhouses/rowhouses). Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." Photographs must show the foundation. When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.



Photo One

Photo One Caption: Rear View of 1639 14th Avenue NW, New Brighton, MN on 12/29/2023.

Clear Photo One



Photo Two

Photo Two Caption: Front View of 1639 14th Avenue NW, New Brighton, MN on 12/29/2023.

Clear Photo Two

ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11
BUILDING PHOTOGRAPHS

Continuation Page

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
1639 14th Avenue NW

FOR INSURANCE COMPANY USE

Policy Number: _____

City: **New Brighton** State: **MN** ZIP Code: **55112-5570**

Company NAIC Number: _____

Insert the third and fourth photographs below. Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.



Photo Three

Photo Three Caption: **Left Side View of 1639 14th Avenue NW, New Brighton, MN on 12/29/2023.**

Clear Photo Three



Photo Four

Photo Four Caption: **Right Side View of 1639 14th Avenue NW, New Brighton, MN on 12/29/2023.**

Clear Photo Four

RESOLUTION NO. _____
STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF NEW BRIGHTON

RESOLUTION MAKING FINDINGS OF FACT AND APPROVING A MINOR
SUBDIVISION WITH A VARIANCE TO SHORELAND DISTRICT STANDARDS FOR
THE PROPERTY AT 1639 14TH AVENUE NW

WHEREAS, the City of New Brighton is a municipal corporation, organized and existing under the laws of the State of Minnesota; and,

WHEREAS, the City Council of the City of the New Brighton has adopted a comprehensive plan and corresponding zoning regulations to promote orderly development and utilization of land within the city; and,

WHEREAS, Morgan and Thomas Brama [“the owners”] are owners of property at 1639 14th Avenue NW [“the property”] which is legally described as:

QUIT CLAIM DEED DOC. NO. 4078891
Lot 1 (1), Auditor’s Subdivision No. 79,
Ramsey County, MN

and

WHEREAS, the owners are seeking to split the property into two lots, and have applied for a minor subdivision with a variance; and

WHEREAS, the property can legally be divided into two lots under RS-1 zoning standards which has been consistent since the City’s founding and since the creation of low-density single-family zoning within the City; and

WHEREAS, the Shoreland Overlay District, adopted in 2016, was put in place to minimize impacts on shoreland areas throughout the City, and

WHEREAS, one control to protect shoreland areas from impacts was the establishment of a 20,000 square foot minimum lot size; and

WHEREAS, the property has over 40,000 square feet of upland and greater than 150 feet of road frontage, and therefore can be legally divided the property into two lot under both RS-1 zoning standards and shoreland district standards; and

WHEREAS, splitting the land in a conforming fashion would necessitate impacts to the existing home on the property requiring extensive impacts to the shoreland area to relocate a garage; and

WHEREAS, establishing a new lot line south of the existing garage would eliminate all shoreland impacts for the lot with the existing home, and would result in a new lot that is still larger than the neighboring two lots to the south meaning it would perfectly blend in with the existing neighborhood; and

WHEREAS, staff reviewed the proposal with the Department of Natural Resources and all parties are in agreement that a minor subdivision with a variance makes the most sense to achieve zoning goals given this set of facts; and

WHEREAS, the owners have subsequently applied for a minor subdivision with a 5,100 square foot variance from the required 20,000 square foot minimum lot size for the new lot as required by shoreland district standards; and

WHEREAS, staff fully reviewed the proposed minor subdivision with a variance and prepared a report for consideration by the Planning Commission at their meeting on March 17, 2026; and

WHEREAS, the Planning Commission reviewed the minor subdivision with a variance at their meeting on March 17, 2026, and recommended approval of the request based on the applicant's submittals and findings of fact; and

WHEREAS, the City Council held a public hearing and considered the minor subdivision with a variance at their meeting on March 26, 2024, and took into consideration the recommendations of the Planning Commission and staff, the Applicant's submissions, the contents of the staff report, public input, and other evidence available to the Council.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of New Brighton hereby approves the proposed minor subdivision with a variance for 1639 14th Avenue NW based on the following findings of fact:

1. *The subject property is guided for Low Density Residential use by the 2040 Comprehensive Plan, and RS-1 zoning standards are consistent with this land use classification;*
2. *All proposed lots will be conforming to minimum area and width standards for RS-1 zoned property;*
3. *The land can be developed in a conforming manner under both RS-1 and shoreland district standards;*
4. *The proposed 5,100 square foot variance from the shoreland minimum lot size is supported by the fact that approving the variance will result in dramatically less impacts to the shoreland area than would occur if two conforming lots were created;*

5. *All required drainage and utility easements will be established as a result of this minor subdivision;*
6. *Each of the proposed lots will have adequate access to the local roadway system;*
7. *Each of the proposed lots can be adequately served by existing municipal services;*
8. *No public safety concerns were identified;*
9. *Identified impacts and issues can be addressed via conditions*

BE IT FURTHER RESOLVED, that approval of the minor subdivision is subject to the following conditions:

1. *Local and regional sewer access/availability charges (SAC), water access charges (WAC), and the City's sewer maintenance fee will apply to the new lot, and all such fees will be determined and be payable as part of the building permit process.*
2. *A curb cut permit will be required in conjunction with future building permit on the new lot; plans shall be submitted with the curb cut permit application showing a street section detail for proposed street repairs resulting from sewer and water installation.*
3. *The use of both accessory structures within the shore impact zone will not be allowed to change in either structure, and maintenance of either structure will not be allowed to expand the structure in any way.*
4. *During new home construction, tracking of dirt into the street shall be monitored and addressed in a timely manner, or the developer and/or builder must agree to paying for street sweeping services when directed to do so by the City.*
5. *Reference monuments shall be placed in the subdivision as required by state law.*
6. *An RCWD Rule C, Stormwater Management permit must be obtained.*
7. *Prior to Council approval of the minor subdivision:*
 - a. *All property taxes and outstanding assessments must be paid in full.*
 - b. *The shed on parcel B must be addressed in one of two ways:*
 - i. *Prior to filing the survey with Ramsey County to record the subdivision, the shed can be removed entirely from Parcel B; or*
 - ii. *Prior to filing the survey with Ramsey County, the landowner can enter into an agreement with the City that a building permit will be pulled within 60-days of the filing of the minor subdivision. The agreement must include a waiver allowing the city to assess the property if the City is forced to remove the structure after the 60 day period is up, must give the city rights to access the*

property to complete the work, and must come with an escrow in an amount to be set by DCAD.

8. *Following approval of the minor subdivision and variance, but prior to the survey being filed at Ramsey County:*
 - a. *The minor subdivision must be reviewed by Ramsey County and be administratively updated as needed to meet any outstanding County requirements;*
 - b. *Park dedication in the amount of \$1825 shall be paid to the City; and*
 - c. *Drainage and utility easements must be conveyed by separate instruments (5 foot easements along each side lot line, and a 10 foot easement along the front lot line).*
9. *The resolution approving the minor subdivision and the survey must be recorded at Ramsey County within 60-days of the resolution approval. Recording to be completed by the applicant.*
10. *All necessary permits must be provided to the City (RCWD, NPDES, MDH, etc. as may be applicable) throughout the development process.*

ADOPTED this 24th day of March, 2026, by the New Brighton City Council with a vote of ___ ayes and ___ nays.

Kari Niedfeldt-Thomas, Mayor

Devin Massopust, City Manager

ATTEST:

Terri Spangrud, City Clerk



Agenda Section:	Public Hearings
Meeting Date:	March 17, 2026

REQUEST FOR COUNCIL CONSIDERATION – EXECUTIVE SUMMARY

ITEM DESCRIPTION: Ordinance 930: An Ordinance to update the official Flood Insurance Rate Maps in the city to the newest map versions which reflect the latest DNR approved floodplain data for the City of New Brighton.

Action Requested: <u>Public Hearing</u>
Form of Action: <u>Ordinance</u>
Votes Needed: <u>4 Votes</u>

Summary Statement:	The Hansen Park Comprehensive Water Management Project brought significant drainage improvements to the central area of the City to protect surrounding homes during times of potential flooding. Following completion of the improvements, the area's floodplain was remodeled to determine the new extent of floodplain around Hansen Park, and that modeling was recently approved for use by the DNR. Ordinance 930 will amend the City's Floodplain Ordinance to recognize the new Flood Insurance Rate Maps that recognize the new data. This revised floodplain is scheduled to become effective on April 21, 2026.
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Recommendations:	Approval of Ordinance 930 as presented
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Applicable Deadlines:	Ordinance 930 must be approved in March if the City wants the new maps to take effect on their official start date of April 21, 2026.
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Community Impact:	The new flood maps take many homes and/or properties outside the floodplain, thereby alleviating the need/requirement of those owners to
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	purchase flood insurance. Many residents will be able to save money thanks to adoption of this ordinance.
--	---

Legislative History:	<ul style="list-style-type: none"> - 2011: the City experiences historic rainfall that highlights the need to improve stormwater drainage in the central portion of the community to prevent future flood events. - 2012: Floodwater modeling is completed to allow the city to identify needed drainage improvements; - 2013: Study initiated - 2015: Draft plans for improvements completed and presented to the public prior to adoption - 2016: Phase I of the improvement project starts - 2018: Phase II of the improvement project starts - 2026: Results of all improvements are finally confirmed by new modeling, and new floodplain maps are authorized by the DNR to go into effect.
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Strategic Priority:	<u>N/A</u>
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Fiscal Impact:	Financial Consideration?	<u>No</u>
	Revenue/Expenditure Amount:	\$
	Financing Source:	<u>N/A</u>
	Notes:	

Attachments:	<table border="1"> <tr> <td>1.</td> <td>ORD 930: Floodplain Map Updates</td> </tr> </table>	1.	ORD 930: Floodplain Map Updates
1.	ORD 930: Floodplain Map Updates		

ORDINANCE NO. 930

STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF NEW BRIGHTON

**AN ORDINANCE TO UPDATE THE OFFICIAL FLOOD INSURANCE RATE
MAPS IN THE CITY TO THE NEWEST MAP VERSIONS WHICH REFLECT
THE LATEST APPROVED FLOODPLAIN DATA FOR THE
CITY OF NEW BRIGHTON.**

THE CITY OF NEW BRIGHTON ORDAINS:

SECTION 1. The City Council of the City of New Brighton hereby amends New Brighton Zoning Code, Chapter 3, Section 3.8(D)(2)(b) as follows:

(2)(b) Official Zoning Map Established

The Official Zoning Map together with all materials attached thereto is hereby adopted by reference and declared to be a part of Section 3.8(D). The attached material shall include the Flood Insurance Study for Ramsey County, Minnesota (~~All Jurisdictions~~), Flood Insurance Rate Map panel therein numbered 27123C0004G, 27123C0005G, 27123C0010G, 27123C0012G, 27123C0016G and the Flood Insurance Rate Map Index numbered 27123CIND0A, all dated June 4, 2010 [and as updated by Letter of Map Revision case 24-05-0956P \(effective April 21, 2026\)](#). [All materials are](#) and prepared by the Federal Emergency Management Agency [and are incorporated into the](#) ~~The~~ Official Zoning Map, [which](#) shall be on file in the Office of the City Clerk and the Director of Community Assets and Development.

SECTION 2. **Effective Date**

This ordinance shall take effect upon its adoption by the city council and its publication in the city's official newspaper.

ADOPTED this 24th day of March 2026, by the New Brighton City Council with a vote of ___ ayes and ___ nays.

Kari Niedfeldt-Thomas, Mayor

Devin Massopust, City Manager

ATTEST:

Terri Spangrud, City Clerk