



# LOWER MINNESOTA RIVER WATERSHED DISTRICT

## Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting  
Wednesday, April 17, 2024

### **Agenda Item**

**Item 9. A. – 535 Lakota Lane, Chanhassen – work without a permit**

### **Prepared By**

Linda Loomis, Administrator

### **Summary**

LMRWD staff has met several times with the property owner and his contractor that will be providing plans to bring the property into compliance with LMRWD standards.

There is one aspect of the work that has been done on the property that is not able to meet LMRWD standards and that is construction of the retaining wall. The owner is not able to find a qualified professional to certify that the retaining wall (which is in the LMRWD steep slope overlay zone) meets the LMRWD standards. It has been recommended that investigation necessary to make such certification are very expensive and there is no guarantee that even after investigation that the certification can be made. Removal of the retaining wall may lead to questionable results; in that it may make the slope more unstable than leaving the retaining wall intact. No permit was issued by the City of Chanhassen for the retaining wall, and it is likely that no city permit was required. The LMRWD makes no determination as to permits required by other land use authorities.

LMRWD legal counsel has recommended that the LMRWD issue a permit for the work that does meet the LMRWD standards, but that we do not permit the retaining wall. Legal counsel further recommends that notation of this failure to meet LMRWD standards be recorded against the property so future owners will be informed.

This permit application will come before the LMRWD Board of Managers at the May meeting, assuming the LMRWD receives all the necessary documentation by April 17, 2024.

### **Attachments**

No attachments

### **Recommended Action**

No action recommended