

Planning Commission Meeting
November 30, 2017
7:00 PM

Call to Order:

Council Member Ross called the meeting to order at 7:00 pm.

Roll Call:

Present: Commissioners Paul Lesieur, Nancy Reid, Bob Turkington, David Pfuhl, and Kara Ries;
Council Member Katy Ross.

Absent: Commissioner Joyce Yoshimura-Rank.

Staff: City Administrator Mike Robertson, City Planner Ben Gozola, and Recording Secretary Gretchen Needham.

Approval of Agenda:

Commissioner Reid moved to approve the agenda. Commissioner Ries seconded. Motion approved unanimously.

Approval of Minutes:

Commissioner Reid moved to approve the October 26, 2017 meeting minutes. Commissioner Pfuhl seconded. Motion approved unanimously.

Comments from Mayor Mike Egelston

The Mayor asked the Commission to consider the future value of homes in the “old” section of North Oaks when variances and changes to structures come in front of the Commission and to look at City Ordinances to see if any of them need to be upgraded to reflect how people live today.

Preliminary Public Hearing—Updated 2018 Comprehensive Plan

Council Member Ross asked those in attendance if there were any comments to the Comprehensive Plan; there were no comments, and the Public Hearing was closed.

Proposed Variance 17-08—Variance for an Accessory Building at 3 Thompson Lane

Andy & Amber Michels of 3 Thompson Lane requested a variance to construct a 1,480 square foot detached accessory building which would be a combination of garage, storage area and exercise room. A variance is needed because this building would occupy more than 50% of the ground area of the principal structure. The principal structure is a two story home of 2,050 square feet with a ground area of 1,025 square feet. Administrator Robertson said that this ordinance requirement for detached accessory buildings dated before 1999 which is as far back as the City’s electronic records go. He said that most cities he is familiar with have a restriction on accessory building size versus the size of the home so that the garage doesn’t overwhelm the home. He noted that this is more restrictive than any he’s encountered. Robertson

recommended denying the variance due to the lack of extraordinary circumstances and the risk of creating a precedent that can't be maintained.

Andy Michels, the property owner, spoke about the lack of space and storage in his house, including the absence of a basement. The proposed building would replace his current garage. He reviewed the options he had discussed with City staff for connecting the garage to the house, which would eliminate the need for a variance. All of these options would, in his opinion, ruin the architectural intent of the house and the views from the master bedroom and kitchen.

Bob Michels, Andy's father, suggested that the topography on the site is a hardship and that granting the variance is a reasonable request. The following neighbors spoke in favor of the Michels plan and were in support of granting the variance: Greg Engel, 1 Quail Lane; Jack and Mary Madill, 1 Thompson Lane; John Burns, 1 Birch Lane. Chair Ross also said she had received a note from Bruce Carlson of 33 Hill Farm Circle supporting the variance.

Chair Ross said that the City can only make its decision based on today's rules. Commissioner Reid agreed and said she would support amending the Zoning Ordinance to address situations like this. Commissioner Lesieur agreed the current rule is antiquated.

Commissioner Reid moved to deny Variance 17-08 based on the Findings of Fact.

Commissioner Lesieur seconded. The motion passed 5 to 1, with Commissioner Pfuhl opposed.

Proposed Zoning Ordinance Change—House Height Regulations

Chair Ross reviewed the discussion of the house height committee and their recommendation. Administrator Robertson said that the Building Height definition is proposed to be changed from an average of the peak to the top of the peak of the roof. Commissioner Lesieur said that he spoken to several area builders and they all thought that was a livable definition. Robertson noted that the current rules allow heights of 35 feet in the front of the home and 45 feet in the side and rear of the home with a Conditional Use Permit. These rules would remain unchanged. Upon Planning Commission approval a public hearing will be set for the next meeting in January. He said that there are several other proposed Zoning Ordinance changes that have not had a public hearing and they will be included in this hearing.

Commissioner Lesieur moved to approve the amendment to the building height definition.

Commissioner Pfuhl seconded. Motion approved unanimously.

City Update:

1. Council actions

Chair Ross and Administrator Robertson reviewed recent Council actions.

2. Grant of Emergency Septic Variance

Administrator Robertson said that he had granted an emergency variance to 7 Wishbone Lane because its septic system had started surfacing. This made it an imminent health risk

which allows an emergency variance from setbacks. Septic Inspector Brian Humpal approved a plan for a replacement and a new system has been installed.

January Meeting Date

Chair Ross asked to change the January meeting date. Commissioners agreed on a new date of Wednesday, January 10, 2018 at 7:00 p.m.

Adjournment:

Commissioner Reid made a motion to adjourn. Commissioner Ries seconded. The motion was approved unanimously. The meeting ended at 8:19 pm.

Next Meeting: Wednesday, January 10, 2017