

I. CALL TO ORDER

A meeting of the Planning Commission was held on Monday, April 8, 2019, commencing at 5:30 p.m. in the Council Chambers of City Hall. Commissioner Asmus called the meeting to order.

A. ROLL CALL:

Chairperson	Shannon Asmus	Present
Commissioner	Michael Flaata	Present
Commissioner	Judy Hudson	Present
Commissioner	Larry Dahl	Present
Commissioner	Eric Mathwig	Present
Commissioner	Jeff Woods	Present
Commissioner	Tom Zens	Present
City Planner	Hannah Rybak	Present

B. ANNOUNCEMENT OF ADDITIONAL ITEMS – None

II. APPROVAL OF MINUTES

It was moved by Commissioner Mathwig, seconded by Commissioner Dahl, to approve the minutes of the March 11, 2019, meeting. All members present voted aye.

Motion Carried.

III. SCHEDULED ITEMS

A. PUBLIC HEARINGS:

1. Variance Request – by Jon & Sandra Pettit at 425 S Miller Avenue

To allow a decrease in the minimum required rear yard setback

City Planner, Hannah Rybak, provided an overview of the request. She reviewed the consistency of the request with the standards for granting a variance.

10 findings of fact offered by staff were presented to the Commissioners by City Planner Rybak.

Staff recommendation and potential action were reviewed.

Commissioner Amsus opened the Public Hearing.

This being the time, date and place set, with all mailed and published notices given as required by law, the hearing was opened at approximately 5:45 p.m., April 8, 2019, to consider a Variance Request by Jon & Sandra Pettit at 425 S Miller Avenue to allow a decrease in the minimum required rear yard setback of ten (10) feet.

An attendance list is on file.

No written comments were received.

Chad Shoultz of LBC was present to answer any questions and explain the request. He observed that in this area, most detached garages are right on the alley property line. The proposed placement of this garage leaves more space from the alley than the other garages. The property owner is moving in from the country and may not decide to build if the size of the garage was reduced. He would like to keep all of his items indoors.

Following discussion, no further comments were heard and the hearing was closed at approximately 5:50 p.m.

Commissioner Dahl stated that the property owner is trying to do the right thing, but what does the reduced variance do to their plans?

Commissioner Woods said other garages are situated very close to the alley. He doesn't like the idea of a garage of this size so close to the alley, if the applicant were to withdraw the request for the variance and go with a detached garage.

Commissioner Zens thinks a garage of this size would look worse detached and pushed over closer to the alley. He doesn't agree with having different regulations for attached and detached garages.

Commissioner Woods stated we need to remember that we have a code book and should be concerned with setting a precedent.

Commissioner Mathwig asked what constitutes "attached". City Planner Rybak responded anything that is connected and an integral part of the principal structure.

Commissioner Flaata pointed out that we have approved many variances like this one.

Commissioner Woods expressed that he would prefer more space between the garage and alley, referring again to if the applicant were to withdraw the request for the variance and go with a detached garage.

The Commissioners discussed that from a safety perspective, it would be better to have more space between the garage and the alley. This supports the variance request. Additionally, the landscaping will make the property much more attractive.

A motion to recommend approval of the requested variance, as submitted, to allow for a variance of ten (10) feet from the minimum required rear yard setback of thirty-five (35) feet for the construction of an attached garage, at the property located at 425 S Miller Avenue, based on the findings of fact and the submitted plans, was made by Commissioner Zens and seconded by Commissioner Dahl. Upon roll call vote, members voted 6-1 aye, with Commissioner Mathwig voting nay.

Motion Carried.

2. ***Conditional Use & Variance Request*** – by Gregg Schilling at 718 S Gorman Avenue
To allow a duplex in an R-1 Zone and a decrease in the minimum required side yard setback

City Planner, Hannah Rybak, provided an overview of the request. She reviewed the consistency of the request with the standards for granting a conditional use and a variance.

18 findings of fact offered by staff were presented to the Commissioners by City Planner Rybak.

Staff recommendation and potential action were reviewed.

Commissioner Zens asked if this property is similar to 801 S Gorman. City Planner Rybak responded that it is. Zens asked if that one is built. Rybak said that it is.

Commissioner Woods asked if the property is the same size as 801 S Gorman. City Planner Rybak explained that it is not. This property is 92' in width and 801 S Gorman is 100' in width.

Commissioner Asmus opened the public hearing.

This being the time, date and place set, with all mailed and published notices given as required by law, the hearing was opened at approximately 6:07 p.m., April 8, 2019, to consider a Conditional Use & Variance Request from Gregg Schilling to allow a duplex in an R-1 Zone and a decrease in the minimum required side yard setback of three (3) feet at 718 S Gorman Avenue.

An attendance list is on file.

No written comments were received.

Gregg Schilling was present to answer any questions and explain his request. He explained the hardship caused by the 15' easement. Schilling clarified that this duplex is 2' shorter on either side (garages) to be the smallest possible and still accommodate two cars.

Commissioner Asmus asked for confirmation that the public hearing notices were sent out and staff had not received any comments. City Planner Rybak confirmed that.

Following discussion, no further comments were heard and the hearing was closed at approximately 6:09 p.m.

Commissioner Flaata made a motion, seconded by Commissioner Mathwig, to recommend approval as submitted of the Conditional Use Request from Gregg Schilling to allow construction of a duplex in an R-1 Zone at 718 S Gorman Avenue, based on the findings of fact and the submitted plans. Upon roll call vote, all members present voted aye.

Motion Carried.

Commissioner Flaata made a motion, seconded by Commissioner Dahl, to recommend approval as submitted of the Variance Request from Gregg Schilling to allow a decrease in the minimum required side yard setback of three (3) feet for a principal structure at 718 S

Gorman Avenue, based on the findings of fact and the submitted plans. Upon roll call vote, all members present voted aye.

Motion Carried.

IV. NEW BUSINESS

V. OLD BUSINESS

VI. ADDITIONAL ITEMS

VII. SET HEARING DATES AND TIMES

The next scheduled meeting is Monday, May 13, at 5:30 p.m.

VIII. REVIEW OF COUNCIL ACTIONS

- A. CONDITIONAL USE REQUEST GRANTED** – by Charity Ross at 403 E 4th St
To allow a Level Two Home Occupation (cake and cupcake baking)
- B. VARIANCE REQUEST GRANTED** – by Teri Jo & David Luedtke at 1009 N Sibley Ave
To allow an increase in the height of the existing pole sign on the property
- C. VARIANCE REQUEST GRANTED** – by Robert Richards at 708 W Crescent Ln
To allow a decrease in the required rear yard setback to allow for an addition on to the principal structure

IX. ADJOURNMENT

Commissioner Asmus adjourned the meeting at 6:12 p.m.

Hannah Rybak
City Planner