

TO: Honorable Mayor and City Council Members  
Planning Commission Members  
FROM: Paul Kenaga, Building Official/Zoning Administrator  
DATE: May 7, 2014  
RE: Planning Commission Minutes

The Planning Commission met at 5:15 p.m., on Tuesday May 6, 2014, in City Council Chambers at City Hall. The following members were present: Don Smith, Dave Hanifl, Jerry Steffes, Patty Dockendorff, Richard Wieser, Mani Edpuganti, Linda Larson and Ex-officio member Shawn Wetterlin. Ex-officio members Bill Waller and John Graf were not in attendance. Paul Kenaga was also in attendance.

1. Meeting was called to order by Chairman Smith and roll call taken. New Members Dockendorff and Edpuganti were welcomed to the Commission and Mr. Kenaga was asked to get authorization numbers for the self-study programs from the League of Cities. The new members were asked to complete the self-study guide and Paul will determine the next date for the educational program on Land Use Planning. Paul will assemble a notebook of materials and an orientation meeting will be scheduled within the next 2 months.

2. There being no corrections or additions, the minutes of the April 1st, 2014 and April 8<sup>th</sup>, 2014 meetings of the Planning Commission was approved as written.

5:20 - public meeting

3. Application for a variance to allow for a new detached garage and attached house addition to an existing non-conforming property. The existing single story garage/cabana structure shall be demolished, fill brought in and new detached garage and attached garage and house addition constructed above the Flood Protection Elevation requirement when 12.50, Subd. 2, B states, "In no case shall the improvement extend closer to the OHWL than the existing structure." The variance request concerns certain premises situate in said City described as follows, to wit: Sect-03 Twp-104 Range-004, PT LOTS 1 7 2 LY E OF RR, (EX RR OF SW ¼ NE ¼) EX PCS SOLD 7 EX S 130 FT, more commonly identified as 864 Shore Acers Road.

A meeting was held with the applicant's representatives, the Building Official and two members of the Planning Commission on May 1. The applicant intends on redrawing their plans to conform to survey data and resubmit. They sent a letter indicating that they will not be in

attendance at the meeting and the submittal has been judged incomplete and a communication has been sent to the applicant's representative informing them of this action.

5:40 – public meeting

3. Application for a variance by Phil Mlsna to allow for twin homes to be built with the garages in front of the principal dwelling when the Zoning Ordinance states, “attached garages shall have the same or greater set back from the street as the principal structure.” The variance request concerns certain premises situate in said City described as follows; Lot #5, Lot # 6, Lot #7, Lot #9, Lot #10 and Lot #11 of the Wildwood Addition.

Phil Mlsna gave a presentation of the subdivision and that the project was planned and several homes constructed with a design that have the garages in front of the house which was permitted when the subdivision including building outlines was approved. The most recently constructed home was granted a variance for the 'garage forward'. The requested variance would apply to all the remaining lots.

Dianne Seyler and Clara Miller (residents of Wildwood Court) both spoke in favor of keeping the design of the twin homes as they are now.

Motion by Hanifl, seconded by Dockendorff, to approve the variance request for Lot #5, Lot # 6, Lot #7, Lot #9, Lot #10 and Lot #11 of the Wildwood Addition as written.

Upon a roll call vote, all members present voted in favor of the motion as proposed.

In recommending that the variance request be approved the Planning Commission referenced the following findings of fact:

- a. Granting the variance will be in harmony with the general purposes and intent of the original plat as it was passed three years ago,
- b. Because the subdivision was laid out with his particular house design, any change would make it a hardship to get an appealing design on the lot.
- c. All of the curb cut's for the driveways are already installed.
- d. The developer is in compliance with all conditions in the conditional use permit and the developer's agreement.

6:00 - public meeting

4. Application for a variance to allow for a new single family home that will have a front yard setback of 84 feet when the Zoning Ordinance requires a front yard setback minimum of 25 feet and maximum of 35 feet for an R-1A District.

Dan Skemper, builder for the project, described the project and the reason it needed to be set back 84'. It's a sloped lot that levels off at about 85 feet from the road. Both of the immediately adjacent neighbors have their homes set back the same distance.

A neighbor was present for informational purposes and was pleased to learn that the set-back would be similar to her home.

Motion by Steffes, seconded by Hanifl to approve the variance request with the following clarification as the exact dimensions were not known;

1. That the set-back be plus or minus 10 feet (measured at the midpoint of the lot) from a line drawn between the nearest corner of the adjacent neighbor's homes.

Upon a roll call vote, all members present voted in favor of the motion as proposed.

In recommending that the variance request be approved the Planning Commission referenced the following findings of fact:

- a. Granting the variance will be in harmony with the general purposes and intent of the ordinance and the other house in the neighborhood.
- b. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.
- c. The variance will not alter the essential character of the locality.

The question of the driveway cutting the lot corner and crossing the right-of-way close to the neighbor's property will be researched by the City. Since the driveway will not be installed for a few months this was acceptable. The question is "is City Building Official approval sufficient" to cross the right-of-way in front of another neighbor's property? If so, where is this approval documented and does the neighbor have a right to be notified in advance and object? The question will be researched and the property owners will be contacted with the decision or if additional approvals are required.

5. Motion by Wieser, seconded by Larson to call for a special La Crescent City Council, La Crescent-Hokah School District #300 and La Crescent Planning Commission on Thursday, May 15, 2014 at 6:00 P.M. at the Middle School Gymnasium.

Upon a roll call vote, all members present voted in favor of the motion as proposed.

6. There being no further business to discuss, Motion by Hanifl, seconded by Steffes to adjourn the meeting at 7:05 p.m.

Saved as minutes of May 6, 2014 Planning Commission.