

**ELYSIAN PLANNING AND ZONING COMMISSION
REGULAR MEETING
MAY 2, 2017**

The Elysian City Planning and Zoning Commission met in regular session Tuesday, May 2, 2017 at City Hall at 6:00 pm.

Present were: Chairperson Shawn Anderson; Commissioners Gary Buchschacher, Dan Engebretson, Clint Stoen; Zoning Administrator Lorri Kopischke. Absent: Rick Galewski.

On motion by Anderson, seconded by Stoen, all voting in favor, to close the Regular Meeting and go to Public Hearing at 6:00 pm.

Tim and Donna Henninger were present to request a variance to lot coverage for property they own at 105 Willow Point Drive, PID# 16.415.0060. The current lot coverage is 39%. The variance request would allow for a lot coverage of 42%. The Henningers would like to enlarge the existing kitchen area by 14 feet x 15 feet x 6 feet (342 square feet). They are also requesting approval in lot coverage for a future porch addition of 328 square feet.

This property includes a parcel next to the lake and a parcel on the other side of the road (Willow Point Drive). This is one lot (one parcel). The total lot area is 21,489 square feet. The current home, existing outbuilding and other impervious surfaces is 8,380 square feet or 39%. The proposed impervious surface including kitchen expansion and future porch addition is 9,050 square feet or 42%.

The kitchen expansion and porch addition would meet setback and all other zoning requirements. The only variance needed is lot coverage. The maximum lot coverage allowed in the shoreland district is 25%.

Tim Henninger stated they would like to construct the porch addition this fall. The main reason for the kitchen expansion is that they are moving to this property and will be living here permanently rather than seasonally. The current size of the kitchen does not allow for placement of a kitchen table.

Stoen asked if an interior remodel could provide space for a kitchen table. Henninger stated it would not. It is just too small. Stoen stated he understood the request but was concerned that with the porch there would then be more impervious coverage with patio and other landscaping. Henninger stated there would be nothing added other than the kitchen and the porch.

Public Comment:

Tim Brandt, 104 Willow Point Drive, stated he lives next door and is in full support of the proposal. A house is a place to raise a family and that is all they are asking. They are great neighbors and have great kids. Home is where you go for the holidays and this will be perfect.

Written Comment:

Dan Held, 119 Shoreview Drive, "Doesn't care. This will improve the neighborhood."

Gary Hagen, 106 Willow Point Drive, "Is it going toward the lake? If it isn't, he doesn't care."

Todd Piepho, Area Hydrologist, Minnesota Department of Natural Resources, "With the addition of impervious surface to both of the variance requests it would be nice to see that the additional roof water be directed either into a temporary storage basin like a small rain garden or directed back away from the lake into a wetland basin for setting, specifically when the lot is going from 32% to 50%. I understand these lots are a bit tough with the road splitting them. In other counties/cities where impervious surface exceeds the 25% it is a condition on the permit that this temporary storage is required."

There was no further public or written comment.

Buchschacher asked if there was room on the property for a rain garden. Tim Brandt, adjoining property owner, stated that when he recently constructed his new home, the landscaping was done so that all the water from those two homes goes into the back lot and then into the holding pond. All the water flows to the back. None of the water goes to the lake.

On motion by Anderson, seconded by Stoen, all voting in favor, to close the Public Hearing and reopen the Regular Meeting at 6:20 pm.

Stoen stated that he is not in favor of the houses by the lake getting bigger and bigger. This is a better situation as the addition is going to the side lot rather than the lake side of the house. He asked that there be care taken in catching and diverting the water with gutters and that the landscaping be addressed.

Henninger stated the entire house had gutters and that these additions would also have the correct gutters.

Engebretson stated he personally had no problem with the kitchen expansion. Since the neighbor has no problem with the porch addition, he sees no issue with that proposal either.

Anderson stated the slopes of the roof and the run-off are going the right way – away from the lake. The neighbors have no issues.

On motion by Anderson, seconded by Engebretson, all voting in favor, to recommend City Council approve of an increase from 39% lot coverage to 42% lot coverage to the property at 105 Willow Point Drive PID# R16.415.0060, to allow Tim and Donna Henninger to construct a 14 feet x 15 feet x 6 feet (342 square feet) kitchen addition and a 328-square foot porch addition as presented based on the following findings of fact:

1. Reasonableness: This is a minimal request that will result in a lake cabin being modified to a full-time residence. The water runs to the rear and not to the lake due to the landscaping of the adjacent house and the position of this house on the lot.
2. Uniqueness: The lot is odd-shaped and has a road running through the middle of the lot.
3. Essential character: This will not change the character of the neighborhood and will enhance the neighborhood as it is an improvement to the house.

And with the following condition:

1. Addition of gutters and landscaping to direct the water run off away from the lake.

This recommendation will be considered by the Elysian City Council at their May 8, 2017 meeting.

On motion by Anderson, seconded by Stoen, all voting in favor, to close the Regular Meeting and go to Public Hearing at 6:30 pm.

Elde and Matt Kretlow were present to request a variance to construct a 36 foot x 36 foot – 2 story garage on the property they own at 128 Willow Point Drive, PID# R16.415.0030. The proposed garage as designed would result in a lot coverage of 50%, exceed the maximum height allowed for an accessory structure by 9 feet at the peak, and would exceed the total building area allowed by 792 total square feet.

The property includes a parcel next to the lake and a parcel on the other side of the road. This is one lot – one parcel. Mr. Kretlow has provided a survey of the property. Kretlow owns the two lots east of this parcel. The lots about this property and face into the Roemhildt addition. There are two large easements (a 40 foot and a 60 foot) between the lakeshore and the proposed garage property. There also is a water line easement on the north and east side of the proposed garage property which limits his area in which to build. Mr. Kretlow has worked diligently with staff to find a way to fit this garage onto the parcel and provide the necessary setbacks. That has been accomplished with this location on the lot as staked.

There are several other garages in the area that exceed the maximum height allowed including 113 Willow Point Drive (30 feet) and 122 Willow Point Drive (20 feet).

Public Works has expressed some concern with the water coming down the hill from the Roemhildts Addition into this lot. Also, the garage on the lot to the south will be very close to this garage and there may be water run-off issues between the two lots.

This garage as proposed does cross over the lot line to the north. Mr. Kretlow does own that property so although it crossed into that lot, it is the same property owner.

Matt Kretlow explained the cabin on the property is an A-frame that his father purchased 40 years ago. It has two bedrooms and one bath. The cabin is not large enough for the entire family. The intent of building the garage is to store the boats and utilize the space above for overflow in the summer and for storage in the winter.

Elde Kretlow stated that the easements on Willow Point Drive are a mess. His neighbor to the south, 127 Willow Point Drive, built his garage 15 feet onto Kretlow's property and that made this lot even smaller. He bought the two lots to the east so he could push the garage back but now with the water line easement on the back of this property, he cannot do that. He stated that most of the rain runs down from Roemhildts and then down Willow Point Drive.

Public Comment:

William Davis, 130 Willow Point Drive, stated he had purchased his lot in 1975 and the Kretlows purchased their lot 2 - 3 years later. They are a nice, law-abiding, caring family. The garage will be attractive and he is in favor of the project.

Steve Fry, 125 Willow Point Drive, stated he lives three doors to the south. He has no problem with the proposed garage. It will give Kretlow a lot more space and he can store his things inside rather than having them outside.

E Kretlow noted the shed and trailer will be removed if the garage is built.

Written Comment:

Ann Buskirk, executor of property located at 127 Willow Point Drive, "This is in regard to your memo on the Public Hearing to consider the request of Elde and Matt Kretlow variance request. The Kretlow's have reviewed in detail their plans for the two-story detached accessory structure with both my father, Hobert Setzer and myself (executor of the adjacent property). This included the lot coverage, size and height of their structure. We are both satisfied that the structure will be a positive addition to our adjoining property and fully support approval forthcoming from the City of Elysian, Office of City Administration. Neither my father nor myself will be able to attend the meeting and would request that our letter and our support of the Kretlow's structure be heard at the public hearing meeting Tuesday, May 2, 2017. Sincerely, Ann Buskirk and Hobert Setzer"

Mark Berg, 134 Willow Point Drive, "I am unable to attend the meeting May 2nd. Please submit the following to the appropriate persons: Mark and Julia Berg, 134 Willow Point Drive, support the Kretlow's variance request. Thank you. Mark Berg"

Todd Piepho, Area Hydrologist, Minnesota Department of Natural Resources, "With the addition of impervious surface to both of the variance requests it would be nice to see that the additional roof water be directed either into a temporary storage basin like a small rain garden or directed back away from the lake into a wetland basin for setting, specifically when the lot is going from 32% to 50%. I understand these lots are a bit tough with the road splitting them. I other counties/cities where impervious surface exceeds the 25% it is a condition on the permit that this temporary storage is required."

There was no further public or written comment.

Stoen asked if there will be plumbing in the garage and asked if this would eventually turn into a cabin. Buchschacher asked if the upper portion would be living quarters. The Kretlows stated there will be running water and sewer. It will not be a permanent living space but will be a place for the family to congregate.

Stoen stated he struggled with the garage being too big according to the zoning ordinance and with it being turned into a living quarters. It was noted that there is nothing in the zoning ordinance that precludes that space from being used as a living quarters.

Kretlows stated they are trying to keep the cabin small and build the garage to have a little extra room. E Kretlow stated the garage needed to be that big to accommodate the size of their boats.

Engebretson noted there are 3 or 4 garages of a similar size in the city.

On motion by Engebretson, seconded by Anderson, to recommend City Council approval of the variance request to allow a 36 foot by 36 foot garage on the property located at 128 Willow Point Drive PID# R16.415.0030 as presented, which will result in a lot coverage of 50%, and a height of 26 feet which is 9 feet taller than allowed by the zoning ordinance and a total building area of 2,592 square feet which is 792 square feet larger than allowed by the zoning ordinance based on the following findings of fact:

1. Reasonableness: The request to build this size garage is reasonable as there are several similar sized structures in the area with the same use.
2. Uniqueness: The uniqueness of the property not caused by the landowner is the large roadway and utility easements to the west of the property and the water line easements on the north and east of his property. Also, that the neighbor built his garage 15 feet onto the Kretlow lot.
3. Essential character: The proposed garage will fit in well with the other structures in the area.

Buchschacher stated he was not certain how to vote. He stated he would vote to approve but only because that whole area out there was a mess with easements and non-conformities.

Stoen encouraged the residents to get these easements straightened out. This is not going to go away or get better until these issues are cleared up. Engebretson agreed.

Voting on the motion: Aye – Anderson, Buchschacher, Engebretson. Nay – Stoen. Motion passed.

This recommendation will be considered by the Elysian City Council at their May 8, 2017 meeting.

On motion by Stoen, seconded by Buchschacher, all voting in favor, to approve the agenda as presented.

On motion by Stoen, seconded by Buchschacher, all voting in favor, to approve the minutes of the April 4, 2017 Regular Meeting as presented.

Kopischke reported that the Council had approved the nuisance properties recommended at the April 4, 2017 Meeting and letters had been sent.

Kopischke reported the Council had approved moving forward with the establishment of a Farmers Market in Elysian. A committee has been established and has met, and the opening day of the market is planned for June 1.

On motion by Anderson, seconded by Stoen, all voting in favor, meeting adjourned at 7:20 pm.

Attest:

Shawn Anderson, Chairperson

Lorri Kopischke, Zoning Administrator