

**ELYSIAN PLANNING AND ZONING COMMISSION
REGULAR MEETING
OCTOBER 2, 2018**

The Elysian City Planning and Zoning Commission met in regular session Tuesday, October 2, 2018 at City Hall at 6:00 pm.

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

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

The purpose of the Public Hearing is to consider the request of Bill and Sally Davis, the owners of a property located at 130 Willow Point Drive, Elysian, Le Sueur County, Minnesota, for a variance to remove their current structure and build a new home within the required 75-foot setback from the Ordinary High Watermark (OHW). The original request was to place the house 34 feet from the OHW. The request has been modified to place the house 37.5 feet from the OHW in response to the recommendations of the MN Department of Natural Resources.

All other setback requirements are met. The lot coverage as shown is 16%. There will most likely be a sidewalk added and there is a shed showing on the survey with no dimensions listed. But even with those additions, the lot coverage would be below the 25% maximum allowed.

The surrounding home setbacks from the OHW mark are: 132 Willow Point Drive – 37 feet, 128 Willow Point Drive – 39 feet, and 127 Willow Point Drive – 33 feet.

The applicant has stated the following in regard to the practical difficulty requirement of the variance:

1. Reasonableness: Proposed cabin will be back from the lake 12 feet (15 feet with the new placement) further than the existing cabin, thus improving the lakeshore.
2. Uniqueness: This piece of property has a steep bank to the lake. The proposed new cabin with a walkout basement would make the lake more accessible and moving the cabin back would help with the bank retention.
3. Essential character: The variance would allow the new cabin to conform with the neighborhood cabins.

Bill Davis, owner of the property, stated they have owned the property since 1975 and that the cabin was originally built in 1965. His four children are interested in maintaining the property and he would like to make it into a year-round home. He believes it is far enough from the lakeshore that it will not disturb the other homes/cabins.

Public Comment:

Elde Kretlow, 128 Willow Point Drive, stated he owns the property next door to Bill and Sally Davis and he has no problem with the house they are building.

Written comment:

Todd Piepho, Area Hydrologist, MN Department of Natural Resource, "In this case they are proposing to build within the shore impact zone (For Francis it would be 37.5', half the structure setback of 75'). The Department always tries to minimize encroachment on the lake within this area. Can the home be setback to meet the 37.5' requirement? Regardless, I would recommend they be required to plant a row of trees to screen the home from view when on the lake. With the new building, will the lot meet the 25% maximum impervious area?"

Dave and Lynn Boeck, 123 Willow Point Drive, "We have no issues with the Davis' building a new home on Willow Pt. Drive."

No further written comments were received.

Jason Glende, contractor for the project, confirmed there will be landscaping on the lakeshore.

On motion by Stoen, seconded by Engebretson, all voting in favor, to close the Public Hearing and open the Regular Meeting at 6:10 pm.

Stoen stated he was happy to see what Davis was doing with the lakeshore and the property he owns. He did not see any difficulty with recommending approval of the variance request.

Engebretson stated he concurred with Stoen.

Anderson stated he agreed. The request meets the criteria and the owner has responded to the DNR request. He sees no reason to object to the request.

On motion by Engebretson, seconded by Anderson, all voting in favor, to recommend City Council approval of a variance request from Bill and Sally Davis, 130 Willow Point Drive, to allow them to remove their current structure and build a new home within the required 75-foot setback from the Ordinary High Watermark (OHW) located 37.5' from the OHW, based on the following findings of fact:

1. Reasonableness: The proposed position of the new home improves the setback from the OHW compared to the current cabin.
2. Uniqueness: The steep bank to the lake. The walkout basement makes sense and to move the cabin back to help with the bank retention.
3. Essential character: The new home will conform with the shoreline and the existing cabins around it. The homeowner will do landscaping and some type of screening from the lake.

And with the following condition:

1. That landscaping be provided to screen the home from view when on the lake.

This recommendation will be considered by the Elysian City Council at their October 8, 2018 meeting.

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

On motion by Stoen, seconded by Engebretson, all voting in favor, to approve the minutes of the June 5, 2018 Regular Meeting as presented.

It was reported that Commissioner Gary Buchschacher has resigned from the Planning and Zoning Commission. The Council has accepted the resignation and approved the advertising for a new member to be appointed by the new Council in 2019.

Commissioners discussed the County progress toward regulations of VRBOs. The thought was to have similar regulations in the City as in Le Sueur County. It was discussed that this might be best regulated as a "short term rental" as a conditional use permit. This will be discussed in further detail at the November 2018 meeting.

On motion by Engebretson, seconded by Stoen, all voting in favor, meeting adjourned at 6:32 pm.

Attest:

Shawn Anderson, Chairperson

Lorri Kopischke, Zoning Administrator