



MAYOR AND COUNCIL COMMUNICATION

DATE: May 3, 2016

REGULAR

ITEM #: 15

MOTION

AGENDA ITEM: Exempting Fish Houses from requirement that no accessory structure be constructed prior to principal structure on a lot.

SUBMITTED BY: Stephen Wensman, Planning Director

REVIEWED BY: Councilmember Lundgren

SUMMARY AND BACKGROUND:

Councilmember Lundgren is requesting that the City Council direct Staff to amend the City's Accessory Structure ordinance to exempt "fish houses" that are 120 square feet or less in size from the requirement that principal structures be constructed on lots prior to accessory structures in the Rural Residential Zoning District. The ordinance amendment being requested would allow "fish houses" of 120 square feet or less in size to be constructed and stored on lots in the Rural Residential zoning district without having to first construct a principal structure. Fish house are considered "water oriented accessory structures" in the Lake Elmo City Code. Accessory structures, by definition, are accessory to principal structures or uses of property. The existing Accessory Structure Ordinance strictly prohibits any accessory structure from being constructed on a lot until a building permit has been issued for a principal structure.

ISSUE BEFORE COUNCIL:

The issue is whether an ordinance amendment is warranted to allow fish houses to be constructed on a lot prior to the principal structure.

PROPOSAL DETAILS/ANALYSIS:

Fish houses are considered to be water oriented accessory structures in the Lake Elmo City Code. By City Code, no accessory structure can be constructed until a building permit has been issued for a primary structure on a lot. The code provision is typical in cities in order to maintain control over use of properties for storage and to protect the City against a proliferation of unwanted storage structures.

FISCAL IMPACT:

Potential staff time addressing accessory storage building complaints.

OPTIONS:

The City Council should consider whether to recommend having Staff and the Planning Commission amend the Accessory Structure Ordinance.

RECOMMENDATION:

Councilmember Lundgren is requesting that the City Council direct Staff and the Planning Commission to amend the City's Accessory Structure ordinance to exempt "fish houses" of a 120 square feet or less in size from the requirement that principal structures be constructed on lots prior to accessory structures in the Rural Residential Zoning District with the following motion:

"Move to direct City Staff and the Planning Commission to amend the City's Accessory Structure ordinance to exempt "fish houses" of a 120 square feet or less in size from the requirement that principal structures be constructed on lots prior to accessory structures in the Rural Residential Zoning District."