



**City of Lake Elmo Planning Commission Meeting
City Council Chambers – 3800 Laverne Avenue North
Minutes of Regular Meeting of
June 12, 2023**

CALL TO ORDER: Commission Chair Risner called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Risner, Bohlig, Geffre, Rehkamp, Steil, Williams, Vrieze

COMMISSIONERS ABSENT: None

STAFF PRESENT: City Planner Sophia Jensen

Pledge of Allegiance at 7:00 PM

Approve Agenda:

M/S/P: Rehkamp / Bohlig: made a motion to approve the agenda. **Vote: 7-0, motion carried unanimously**

Approve Minutes:

M/S/P: Vrieze / Williams made a motion to approve the 4-10-23 meeting minutes with **Vote: 7-0, motion carried unanimously.**

PUBLIC HEARING

- a) **4708 Larkspur Lane Variance.** (PID 12.029.21.14.0009) Bob Appert has submitted a variance application for deviations from the Shoreland Overlay District impervious surface requirement for unsewered lots.

Sophia Jensen, City Planner, gave presentation and answered questions.

REVIEW AND ANALYSIS/DRAFT FINDINGS:

An applicant must establish and demonstrate compliance with the variance criteria set forth in Lake Elmo City Code Section 105.12.320 before the City may grant an exception or modification to city code requirements. These criteria are listed below, along with comments from Staff about the applicability of these criteria to the applicant's request.

- 1) **Practical Difficulties.** A variance to the provision of this chapter may be granted by the Board of Adjustment upon the application by the owner of the affected property where the strict enforcement of this chapter would cause practical difficulties because of circumstances unique to the individual property under consideration and then only when it is demonstrated that such actions will be in keeping with the spirit and intent of this chapter. Definition of practical difficulties - "Practical difficulties" as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control.

FINDINGS: The applicant is proposing to construct a single family home on a platted lot. The proposed house would only add up to 11% impervious surface but due to the existing farm buildings and neighbor/HOA encroachments the property is pushed over the maximum impervious surface allowance of the Shoreland Overlay District.

- 2) **Unique Circumstances.** The plight of the landowner is due to circumstances unique to the property not created by the landowner.

FINDINGS: The property is a part of the original Goetschels farmstead. The applicant is not responsible for the existing encroachments or farm buildings that are currently on the property but has the intent to preserve these improvements. The applicant has made efforts to avoid the variance process to no avail.

- 3) **Character of Locality.** The proposed variance will not alter the essential character of the locality in which the property in question is located.

FINDINGS: The construction of a single family home and preservation of the existing farm buildings would not alter the essential character of the neighborhood. The removal of the existing farm buildings would negatively alter the essential character given the neighborhood was built around this farmstead.

4) Adjacent Properties and Traffic. The proposed variance will not impair an adequate supply of light and air to properties adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood.

FINDINGS: The proposed single family home meets all required setbacks and would be spaced adequately from adjacent residences. The addition of a single family home would not significantly increase congestion on the public street or impair property values.

M/S/P: Steil / Geffre moved to open the public hearing at 7:09 PM. **Vote: 7-0, motion carried unanimously.**

Public Comments:

Kjersti Moline, 4698 Larkspur Lane N: Spoke and is in favor of this variance.

M/S/P: Bohlig / Steil moved to close the public hearing at 7:11 PM. **Vote: 7-0, motion carried unanimously.**

M/S/P: Vrieze / Williams: move to recommend approval of the request from Bob Appert for a variance to allow an impervious surface coverage of 18.8% at 4708 Larkspur Lane North with the conditions listed in the staff report. **Vote: 7-0, motion carried unanimously.**

PUBLIC HEARING

b) **Zoning Text Amendment.** The City of Lake Elmo has initiated a text amendment to section 105.12.200 Permitted Encroachments to clarify permitted encroachments on required yard setbacks.

Sophia Jensen, City Planner, gave presentation and answered questions.

M/S/P: Geffre / Steil moved to open the public hearing at 7:17 PM. **Vote: 7-0, motion carried unanimously.**

Public Comments: None

M/S/P: Steil / Rehkamp moved to close the public hearing at 7:17 PM. **Vote: 7-0, motion carried unanimously.**

M/S/P: Bohlig / Geffre: move to recommend adoption of the proposed text amendment, for permitted encroachments, in Section 105.12.200 Permitted Encroachments on Required Yards as presented. **Vote: 7-0, motion carried unanimously.**

New/Unfinished Business

N/A

Communications/Updates - City Council Updates

- i. Drake Motor Partners Final Plat and PUD – approved
- ii. Amira Final Plat, PUD, and Variance - approved
- iii. Frisbie Minor Subdivision - approved

Upcoming Meetings

- a) June 26th 2023 – Canceled
- b) July 10, 2023

Meeting adjourned at 7:20 PM.

Respectfully submitted,

Diane Wendt
Permit Technician