

**City of Lake Elmo  
Planning Commission Meeting  
Minutes of November 9, 2009**

Chairman Van Zandt called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Bidon, Britz, Fliflet (7:01 p.m.), McGinnis (7:02), Pearson, Van Erem, Van Zandt, Williams, and Ziertman. Absent: Anderson and Hall.

**Agenda**

Williams/Pearson. Vote 7:0.

**Minutes**

None.

**Public Hearings:** *Variance at 11140 20<sup>th</sup> Court North*

Planning Director Klatt introduced the variance for the construction of an addition on a home 22.8 feet from the front property line where a 30 foot setback is required. One neighbor's home is built closer to the front property line than the 30 foot requirement. Staff is recommending denial of the application based on the hardship criteria. He identified seven main points made by the applicant for a hardship.

*Mark Burns, Applicant's Son*

Mr. Burns said that the house layout had to be flipped due to the soils on the property and the neighbor's home was built closer to the road than his parent's house. He said Section 154.082 regarding the averaging of neighbor's setbacks would apply which would no longer require a 30 foot setback.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 8:04 P.M.

*Terry Junker, 11130 20<sup>th</sup> Street Court North*

Mr. Junker said that his home is built 30 feet from the edge of the road, not from the property line. He is the third owner, the home was built in 1976, and his well is on city property. He supports approval of his neighbor's request.

*Chris Cook, 11120 20<sup>th</sup> Street Court North*

He stated that he lives across the street and would be impacted by viewing the proposed addition, but that he and his wife are supportive of the variance as it will be a positive for the neighborhood.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 8:08 P.M.

M/S/P, Bidon/Ziertman, move to table the application to November 23<sup>rd</sup> in light of the new information to determine if there remains a need for a variance. Vote: 9:0.

**Public Hearing:** *Country Sun Farm & Greenhouse Application – Rezoning, CUP Amendment, CUP for Agricultural Entertainment Business*

Planning Director Klatt said that this application has become complex. The City Administrator has suggested more time be taken to research the history on the site and on the potential future reconfiguration of State Highway 36 and County Road 17 interchange. He requested the application be tabled to the next meeting and asked that the public hearing be opened and tabled.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 8:26 P.M.

No one spoke.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 8:26 P.M.

M/S/P, Fliflet/Williams, move to table the application to the November 23<sup>rd</sup> meeting.  
Vote: 9:0.

**Comprehensive Plan Update/Required Revisions**

Planning Director Klatt summarized the recent history of the Comprehensive Plan update submittals and resulting letter stating the submission was incomplete. He then introduced the implementation section which identifies how the city is going to move forward to address the items in the Comp Plan. He said the intent is to hit on the basics already located elsewhere in the plan.

Commissioner Pearson said he is not supportive of requiring LEED design as it should not be a mandated additional cost for new buildings.

Commissioner Williams asked if the date for the DNR approval provided in item 9 of the Water Supply was still valid. He said he did not understand number seven under transportation regarding access to State Highway 36. He asked where the four-lane facility would be.

Planning Director Klatt said that it is intended to be a general statement for keeping existing access but minimizing the traffic through such means as traffic calming. He said the four lane facility would be from Manning Avenue to the current four lane section.

Commissioner Williams suggested adding if the possibility of private funding for trails exists.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 9:06 P.M.

No one spoke.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 9:06 P.M.

M/S/P, Williams/Pearson, move to recommend approval with changes specified. Vote: 9:0.

**Business Items – Capital Improvement Program (CIP)**

Finance Director Bouthilet introduced an advance copy of the CIP. State Statute views the CIP as part of the Comprehensive Plan which requires a public hearing.

**Council Updates**

Planning Director Klatt said the Wireless Telecommunication Ordinance was approved and the moratorium for applications will be revoked at the next meeting. He said the City Council will be discussing OP Buffer setbacks at the workshop the following night.

Adjourned at 9:25 p.m.

Respectfully submitted,

Kelli Matzek  
Planner