



## City of Lake Elmo

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### NOTICE OF MEETING

The City of Lake Elmo  
Planning Commission will conduct a meeting on  
**Monday, June 11, 2007, at 7:00 p.m.**

### AGENDA

1. Pledge of Allegiance
2. Approve Agenda
3. Approve Minutes
  - a. April 23, 2007
  - b. May 14, 2007
4. PUBLIC HEARING CONTINUANCE: VARIANCE: An application to allow construction of a home on a parcel which does not meet the 1.5 acre minimum lot size requirement, does not comply with the 60% of the district's minimum requirements as outlined in 300.09 of City Code, and construction of an on-site septic system within an area of less than one acre – R1 zoning – 8961 37<sup>th</sup> Street North.
5. PUBLIC HEARING: VARIANCE: An application to allow three additions to a non-conforming primary structure at 8186 Hill Trail North. The three variances would be from the lakeshore setback, from the front yard setback, and the septic system setback from the structure – R1 zoning – 8186 Hill Trail North.
6. City Council Updates
  - a. June 5 – Authorized the search for filling the position of planning director
  - b. June 7 – Infrastructure I-94 to 30<sup>th</sup> (street, sewer, trail) informational meeting
7. Adjourn

**City of Lake Elmo  
Planning Commission Meeting  
Minutes of June 11, 2007**

Chairman Ptacek called to order the meeting of the Lake Elmo Planning Commission at 7:01 p.m. COMMISSIONERS PRESENT: Ptacek, Deziel, Fliflet, Helwig, Lyzenga, Pelletier, and Van Zandt. STAFF PRESENT: Planner Matzek.

**Agenda**

M/S/P, Van Zandt/Deziel to accept the Agenda as presented. Vote: 7:0.

**Minutes**

*April 23, 2007*

Chairman Ptacek said that on page three he would like the wording changed to say “, so he is not as concerned with the property owners south of 10<sup>th</sup> Street being aware of the rezoning process.”

Commission Fliflet wanted to add to her statement on page one that she was against million dollar homes being 20 ft apart and it is a disservice to the open space developments to reduce the setbacks.

M/S/P, Fliflet/Van Zandt to accept the Minutes of April 23, 2007 as amended. Vote: 7:0.

*May 14*

M/S/P, Lyzenga/Pelletier to accept the Minutes of May 14, 2007 as presented. Vote: 7:0.

**Public Hearing Continuance: Variances at 8961 37<sup>th</sup> Street N**

Planner Matzek explained that the property owner at 8961 37<sup>th</sup> Street North was applying for three variances: from the 1.5 acre minimum lot size, the 60% requirement outlined in 300.09 of city code, and the construction of a septic system on less than one acre. The property was previously used for residential purposes, but the house was torn down in 2005 because it was deemed a public nuisance. The current property owner would like to build a single family residential home and septic system on the site.

Commissioner Helwig asked if the well on the site had been sealed. He would like to make sure the applicant places the house in a conforming location with the well.

*Thomas DuFresne, applicant*

Mr. DuFresne stated that he is unsure if Washington County sealed the well, but they were very thorough in removing the basement, so he believes they would have done that as well. He was told the well was sealed, but does not have documentation of it.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:16 P.M.

No one spoke.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:16 P.M.

M/S/P, Helwig/Pelletier, to recommend approval of the variances with conditions as outlined in the staff report. Vote: 7:0.

**Public Hearing: Variances at 8186 Hill Trail North**

Planner Matzek explained that the property owner's house burned down in January of 2007. The owner has since applied for a building permit to rebuild the non-conforming house in the same footprint and same height, as allowed by city code. In the rebuilding of the house, the property owner would like to make three additions. The property owner is looking to add a screened porch, a bathroom addition, and a garage extension. Because the entire house is within the 100 foot shoreland setback, any additions would require at least one variance. The variances required for the three additions would be from the lakeshore setback, from front yard setback, and septic system setback from the structure. The proposed garage extension would create a new non-conformity to the front yard setback.

*William Rust, Rust Architecture, applicant's representative*

Mr. Rust stated that Mr. Paul's home unfortunately burned down. In going through the plan to rebuild, they wanted to make a few updates such as trying to move a laundry room up to the upper level of the house to accommodate an aging resident. They would be open to trying to negotiate, but thought the six feet would be amenable. The bump out of the master bathroom was to accommodate some views of the lake. That side of the house would be more comfortable. The screen porch is almost a necessity with the mosquitoes on the lake.

Chairman Ptacek stated that the commission must follow the city code and unfortunately, they can not always take into consideration the current resident.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:33 P.M.

*Jim Dillon, 8190 Hill Trail N*

Mr. Dillon stated that he is a neighbor of Mr. Paul and would encourage the commission to allow all three additions he is asking for. Mr. Paul could use a main floor laundry room. He thought the screened porch would be the issue. His house would be the only one impacted by the screened porch addition and he is in favor of it.

Commissioner Van Zandt asked how far back the existing neighbor garages are from the roadway.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:36 P.M.

Commissioner Deziel said he thinks that many of the neighboring homes are within the front yard setback, which is a relevant issue. He would like to look at the three additions separately.

Commissioner Pelletier said she went to site today and looked at the property. She is not in favor of creating a new non-conformity.

Commissioner Helwig said he would like to see a discussion of a hardship other than that created by the city.

Commissioner Deziel said that the lakeshore ordinances were put in place after the homes were built and therefore the difficulties on the lot were brought by the city.

Commissioner Fliflet said she sees a main floor laundry room as something more mainstream now such as a two car garage.

Commissioner Lyzenga stated that it is a unique situation in that it is a rebuild.

Screened porch addition

M/S/P, Pelletier/Deziel motion to approve the screened porch. Vote: 7:0.

Bathroom expansion addition

M/S/P, Deziel/Van Zandt motion to approve expansion of bathroom. Vote: 5:2.

Garage expansion addition

M/S/P, Van Zandt/ Fliflet motion to approve garage expansion. Vote: 4:3.

Commissioner Fliflet commented she is in favor of the garage expansion because it is not towards the lake.

### **City Council Updates**

Planner Matzek said the City Council authorized the search for filling the position of planning director on June 5<sup>th</sup>. On June 7<sup>th</sup>, the Council held an informational meeting on the infrastructure from I-94 to 30<sup>th</sup> Street for the sewer, trail, storm sewer, street, and other improvements.

Adjourned at 7:48 p.m.

Respectfully submitted,



Kelli Matzek  
Planner