

DRAFT

City of Falcon Heights
Planning Commission Minutes
May 22, 2001

Chair Maher opened the meeting at 7 p.m.

PRESENT: DeLeo, Harris, Heideman, Lageson, Maher, Struck, Tracy. Also present:
City Administrator Worthington, Council Liaison Lindstrom, Attorney Scott
of Campbell Knutson

ABSENT: Middleton, Wray

Appeal of Zoning Administrator's decision by Bruce Callahan, 1437 W. Idaho Avenue in the
matter of a garage site plan review

Chair Maher asked Administrator Worthington to summarize this issue and Worthington explained that Mr. Callahan had submitted a site plan for his garage on March 3, 2001 which plan did not comply with the zoning code. Mr. Callahan submitted another site plan on April 10 and was told that it, too, did not comply with the zoning code. A letter was sent to Mr. Callahan dated April 19 by the city attorney listing the deficiencies in the site plan as submitted. Worthington said an offer to process a variance request was made but Mr. Callahan did not want to apply but wanted to appeal the zoning administrator's decision to the City Council. The City Council referred the matter to the Planning Commission for its review and recommendation.

Mr. Callahan stepped forward and said he does not see why he is not in compliance with the code as he was able to interpret it. Attorney Scott said that as he was able to interpret the code, there was no specific requirement that the garage be in the 30' rear yard setback and doesn't see anything in the second site plan that doesn't comply with the literal reading of the ordinance giving the benefit of doubt to the homeowner, which a court would most likely do. Mr. Callahan said he doesn't see that there's consistent interpretation of this code and spoke of his neighbors who had similar sized garages sited in similar areas of their rear yard. After considerable discussion, Commissioner Tracy made a motion to recommend overturning the zoning administrator's decision and agree to grant a permit to build the garage. Heideman seconded the motion. There were 5 yeas and 2 nays. Chair Maher said this recommendation would be placed on the June 13th council agenda.

Report on the Northeast Quadrant neighborhood

Administrator Worthington gave a brief overview on the history, recent projects and future planning of the Northeast Quadrant neighborhood.

The meeting adjourned at 8:07 p.m.

Respectfully submitted (via videotape)

Pat Phillips,
Deputy Clerk