



**City of Lake Elmo
Planning Commission Meeting
Minutes of August 26, 2013**

Chairman Williams called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Williams, Dorschner, Dodson, Larson, Kreimer, Lundgren and Haggard;

COMMISSIONERS ABSENT: Morreale

STAFF PRESENT: City Planner Johnson and Administrator Zuleger.

Approve Agenda:

The Planning Commission accepted the agenda as presented.

Approve Minutes: August 12, 2013

M/S/P: Dodson/Larson, move to accept the minutes of August 12, 2013 as presented:

Vote: 5-0, Motion Carried with Haggard & Kreimer not voting.

Public Hearing: Variance – 4719 Olson Lake Trail N

Johnson began his presentation by explaining that a variance application was received from Mary & Thomas Brink to install a septic holding tank system for a period longer than 12 months. This site is expected to connect to Municipal Sanitary service as part of Phase II of the Olson Lake Trail sewer project which will take place in 2016. Staff found that the 4 variance criteria are met for approving the variance.

Haggard asked about the size for a drainfield. Johnson stated there was enough space if need be. Haggard also asked what would happen if they didn't hook up within 6 months of the sewer going in. Zuleger stated that Washington County is responsible for enforcement. She also asked if there was any environmental concern. Johnson stated it is not an environmental concern, but it is a financial burden to frequently pump these tanks.

Kreimer asked if there was a requirement to remove the holding tanks. Johnson stated that it would be required under the County guidelines.

Public hearing opened at 7:16pm.

Mary Florence Brink, 4719 Olson Lake Trail, spoke about the existing system that is located on site. She noted that the holding tank will be utilized as part of the connection to municipal sanitary sewer.

An email from Mr. Fields was received.

Public hearing closed at 7:18pm.

M/S/P: Dorschner/Larson, move to recommend approval of the variance request for the installation of septic holding tanks at 4719 Olson Lake Trail North for a time period longer than 12 months with the conditions outlined in the staff report: **Vote: 7-0, Motion Carried.**

M/S/P: Kreimer/Haggard, move to amend the motion to add a condition that the variance should not exceed 5 years, **Vote: 7-0, Motion Carried.**

Public Hearing: Variance – 09.029.21.22.0025 Hill Trail North

Johnson began his presentation by explaining that a Variance application was received from Dean & Gayle Dworak for a Variance to allow for the construction of a single family home on a lot that is not considered a lot of record under the Zoning Ordinance due to its size and that it does not meet the required 20,000 square feet of area for a septic system. Staff has found that the required criteria for a lot size variance has been established. However, the review by Washington County has indicated that the applicants have not yet submitted a septic design that meets the County requirements for a permitted system, but they are working with the County to obtain one. Johnson recommends tabling this item until the next meeting to allow time for the work related to the septic design and permitting through Washington County.

Public hearing opened at 7:35pm.

Bonnie Weisbod, 8111 Hill Trail N, noted that she lives across the street from the subject property. She stated that she is concerned that the site is not large enough for a septic system. She noted that 3 houses down they asked for a variance to tear down and rebuild, but were denied. She stated that it seemed a little inconsistent. Johnson explained that the variance criteria changed from hardship to practical difficulties, which is much easier to prove.

Vickie Iverson, 8108 Hill Trail N, stated that her property is located next door. She noted that she is concerned about the location of the drainfield. She is also concerned with erosion. She felt that if more houses were to be built in this area, there should be City water and sewer.

Amy Gustufson, 8120 Hill Trail N, noted that the Staff aerial image of the area is not accurate. In addition, she noted that the applicant's proposed home is disproportionate and extreme based on the size of the property. She stated that she is opposed to the variance. She feels that the City needs to adhere to the local zoning requirements as that is what they are there for. The .09 acre standard is reasonable and should be followed. She does not believe that a septic system can be located here. In addition, she is concerned about the amount of impervious surface that is proposed as part of the home. Building on a sub-size lot would not protect the natural resource of the community. She also noted that there are several homes for sale in the area. She feels that it is not a hardship because the applicants could choose to purchase an existing home that is for sale. Finally, she cited a DNR study about the construction of structures on lakes and rivers. She is concerned that granting a variance will erode the shoreland.

Brad Gustufson, 8120 Hill Trail N, noted that he does not agree with the Staff interpretation of the setback being an average. He also is concerned about the amount of the impervious surface.

Written comment was received from Mike & Ruth Schrantz, 5831 Hytrail Ave. They are in support of the variance and will be seeking a similar variance in the future.

An email from John Hansen from the VBWD stated that if the project exceeds 6000 sq feet of impervious, a VBWD permit will be required. Johnson stated that they can't exceed that in the shoreland district anyway.

Public hearing continued until the next available Planning Commission meeting.

M/S/P: Haggard/Dodson, move to table the Variance request at 09.029.21.22.0025 Hill Trail N for further consideration at the next available Planning Commission meeting to allow the applicant more time to submit a septic design that will meet Washington County approval: **Vote: 7-0, Motion Carried.**

Public Hearing: Variance – 3712 Layton Ave N

Johnson began his presentation by explaining that a Variance application was received from Elmo Inn Enterprises, Inc. for a Variance at 3712 Layton Ave N to allow for a ground sign that would exceed the height and area allowance as permitted under the City's Sign Ordinance. The proposed sign would advertise the Lake Elmo Inn Event Center. Staff reviewed the 4 required criteria for granting a Variance and found them to be met.

Public hearing opened at 8:19pm.

John Schiltz, Lake Elmo Inn, noted that he selected the monument sign to be consistent with the Theming Study as presented by Damon Farber and Associates. He added that he hopes the sign will set the bar high for any signage that follows. He also discussed the travel speeds of oncoming vehicles making it difficult to see the signage. He thinks the signage will make the community proud and set a good precedent.

Lundgren asked if the proposed sign is as tall as the existing one. Johnson stated that the current one is higher and they could replace, but is choosing the other style.

Dodson asked if it follows Damon Farber Theming. Johnson deferred to the applicant.

No written comment was received.

Public hearing closed at 8:25pm.

Dorschner noted that he has been stopped previously by strangers looking for the event center. In addition, he noted that the snow banks do get extremely high in the winter. He stated that he supports the variance request.

Dodson suggests that if future variances are brought forward, the signage should be consistent with the Damon Farber Theming Study.

Williams asked about the size of the existing signage. Schiltz noted that the sign is 4 x 8. Williams stated he is not in favor of exceeding the size limits.

Larson asked if everything put in now would be grandfathered. Johnson stated that they would be grandfathered.

Haggard asked if there would be more coming forward or if we should be looking at the sign code. Johnson stated that Hwy 5 & 94 are different and need to be looked at separately. Zulegar stated we may need to look at code one time per year with all the changes coming.

M/S/P: Dorschner/Dodson, move to recommend approval of the Variance request at 3712 Layton Ave N to allow the installation of a ground sign that exceeds the height and area allowance permitted by the City's Sign Ordinance based upon the findings outlined in the staff report: **Vote: 6-1, Motion Carried with Williams Voting no.**

M/S/P: Dodson/Larson, move to amend the original motion to add a condition that the sign meet the Damon Farber Theming Guidelines, **Vote 7-0, Motion Carried.**

Public Hearing: Comprehensive Plan Amendment – Chapter VI: Wastewater Facilities

Meeting adjourned at 9:03pm

Respectfully submitted,

Nick Johnson
Planner