

**City of Lake Elmo
Planning Commission Meeting
Minutes of October 24, 2011**

Chairman Van Zandt called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Fliflet, Hall, Van Zandt, Williams and Ziertman. Absent: Bidon, Haggard, Obermueller and Pelletier. STAFF PRESENT: Planning Director Klatt and Planner Matzek.

Agenda

Minutes – *None.*

Public Hearing – *Kupferschmidt Variance*

Planner Matzek stated that the applicants at 2769 Legion Avenue North are requesting a 10 foot variance to allow a larger screen porch to be built on the site up to 15 feet from the southern property line where a 25 foot setback is required. The southern property line is adjacent to a dedicated road right-of-way, although City Staff confirms that a road is unlikely to be built in that location. Because of the two publicly dedicated right-of-ways, the property is considered a corner lot and is therefore subject to a side (corner) setback of 25 feet. The applicant's home is conforming to the south property line, but the screen porch is not, making it non-conforming. The applicants are interested in rebuilding a screen porch 3 feet longer than what previously existed. This would be an expansion of a non-conforming structure, which therefore needs a variance.

Commissioner Williams asked what the distance is to the nearest neighbor to the south.

Planner Matzek replied that there is at least 50 feet between the edge of the plat and the southerly neighbor's house.

Commissioner Fliflet questioned whether or not a variance would be needed if it was not considered a corner lot.

Planner Matzek said that it would only be a 10 foot setback and a variance would not be needed.

Alan Kupferschmidt, applicant

Mr. Kupferschmidt said there is a secondary access that the city uses as the primary entrance to the drainfield. The right-of-way was only used to install the system.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:14 P.M.

No one spoke.

Planner Matzek summarized a letter from Mark Deziel in support of the variance.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:15 P.M.

M/S/P, Williams/ Ziertman, move to recommend approval of the variance based on the staff report. Vote: 5:0.

City Council Updates

Planning Director Klatt said the City Council discussed the Special Event Ordinance and suggested two changes. The first is that all permits go to the City Council for approval instead of an administrative approval. The second is that a Special Event be defined as having over 100 people at an event. He said the City Council discussed the No Wake ordinance at the October 18th meeting.

Staff Updates

Planning Director Klatt said this is Kelli Matzek's last meeting as she will be starting a job with Washington County.

Commissioner Concerns

Chairman Van Zandt said he is concerned that with the absence of a City Administrator and as Planner Matzek is leaving, Planning Director Klatt will be very busy and the commission must be thoughtful in using his time.

Planning Director Klatt said a special meeting for November 7th is set to allow the commission the ability to review applications for Interim Use Permits for businesses who want to sell Christmas trees.

Adjournment

Adjourned at 7:26 P.M.

Respectfully submitted,

Kelli Matzek
Planner