

**BOARD OF ADJUSTMENT/PLANNING COMMISSION  
CITY OF LAKE SHORE  
CITY HALL  
MINUTES  
JUNE 10, 2019  
9:00 AM**

Arla Johnson called the meeting to order at 9:00 a.m. Members of the Commission present: Gene Hagen, Arla Johnson, Roger Smeby and Glen Gustafson; Council Liaison John Terwilliger; City Engineer Joe Dubel; City Zoning Administrator Teri Hastings and City Clerk Patti McDonald; Commission Member Paul Strong; Alternates Pat Hastings, John Ingleman and Shawn Hansen were absent. A quorum was present and the Commission was competent to conduct business. There were 2 people in the audience.

Approval of the May 13 2019 Regular Meeting Minutes – MOTION BY GLEN GUSTAFSON TO APPROVE THE MINUTES FOR THE MAY 13, 2019 BOARD OF ADJUSTMENT/PLANNING COMMISSION AS PRESENTED. ROGER SMEBY SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**PUBLIC HEARING** – There were no public hearing items.

**NEW BUSINESS** – There was no new business.

**OLD BUSINESS** –

Site Plan Review – Sean and Stacy Weldon, The Narrows Townhomes came before the Commission in April; it was suggested for the applicants to survey the lot line and get a determination as to where the structure sits in relation to the side lot line. This has been done and the survey was included in the packet. There is approximately 48 feet from the lake side of the house to the side lot line and near the right of way there is 49 feet from the lake side. The corner of the existing garage is 36' from the right of way. The next steps would be to get a determination on impervious surface and green space. The proposed garage addition should be reviewed so there would be no impact for the proposed trail.

Staff notes from the April Meeting:

The applicant who purchased this townhome in 2018 is seeking a site plan review for the possibility of adding an additional garage 24'x24' onto his existing garage. This is a townhome development. Basically, the home/garage/patios etc. needs to be constructed within the square or lot within the development. The other areas outside of the designated lots are considered common areas. In order to build outside of the lot, the plat for the development needs to be amended with a new plat. In this situation, this townhome development was granted variances on density (number of units), setbacks from the county highway, and impervious coverage. A formal survey has not been done on this site, but looking at the information, variances will need to be granted on top of the existing variances from the county right of way (remember a trail is to be constructed in the row of this area) and again for an increase in impervious surface. Feedback is sought from the Planning Commission on the potential of granting additional variances on this site prior to pursuing extensive survey work and costs.

Stacy and Sean came before the Commission seeking guidance on their property for an option to expand their garage. Teri summarized the findings of the sketch of survey that was prepared by Stonemark Land Surveying, Inc. The Weldon's will seek formal approval from the homeowner's association at their annual meeting in July.

Arla asked if any pine trees will be removed. Sean said some of the trees will come down, but the site barrier of pine trees will remain.

Teri said Cindy Hidde, Stonemark, completed an aerial view indicating 31% impervious coverage (worst case scenario). Sean thought this was before the proposed addition. Teri said this is over the regulatory maximum of impervious coverage.

Roger asked if this will impact the future trail. Sean said it shouldn't affect the placement of the trail.

Teri asked for confirmation of the size of the completed garage. Sean said 24'x42' will be the total garage dimensions when complete. Gene asked if it could be scaled down. Sean said it wouldn't be conducive to the addition to the original structure.

The Commission has to determine if they will collectively approve a variance for increased impervious coverage. Will it be a half of a percent increase or a one percent increase? Joe Dubel figured it would be about a 1.2% increase. Teri said if they used a pervious surface for the driveway they would get a 50% credit. Joe said it would decrease the impervious coverage down to 1 percent. Joe shared an idea for changing Weldon's portion of the driveway to include pervious pavers for that 50% credit.

The Weldon's need to be aware that if they choose to install the pervious pavers, they require maintenance, such as vacuuming them to keep them free from sand. Joe commented that there are several types to choose from. They would need permission from the association to use this as a solution.

Arla asked if Teri has a recommendation as to what the Board should consider today. Teri suggested that the Commission look at what the Weldon's can do to mitigate the increase of the impervious surface and the drainage. The Weldon's will need a variance for setbacks and impervious coverage. In 1981 the property was granted a variance for density, setbacks, and a variance for impervious surface between 31% and 32%. Teri researched the property file to check the previous action that was approved and said she is more comfortable knowing the city granted the 32% impervious surface in the original variance. If the Weldon's remain within the original variance, they aren't requiring a variance for impervious surface.

It was discussed how the Weldon's will verify the current impervious surface. They will have to manage the drainage from the property.

Teri suggested that the Commission let the Weldon's know how to proceed with amending the plat. Teri mentioned two mechanisms that could be used being a Metes and Bounds or a preliminary/final plat which is a more costly option. Joe Dubel said normally on a platted property you can set your structure within that platted property. Joe would agree with the lesser of the two, if they can get their impervious surface through an aerial; a Metes and Bounds would be satisfactory. Joe doesn't think the preliminary/final plat process on an approved plat is necessary. He indicated the Weldon's should ask Stonemark to accurately depict the area of impervious surface as is and proposed.

## **REPORTS**

City Engineer – Joe Dubel had nothing to report.

Chairman – Arla Johnson had nothing to report.

Council Liaison – John Terwilliger had nothing to report.

Zoning Administrator – Teri reminded the Commission to attend the Comprehensive Plan public hearing on June 20<sup>th</sup> at 6:00 p.m. as we need a quorum of Commission members.

**PUBLIC FORUM** – There was no public forum.

MOTION BY GLEN GUSTAFSON TO ADJOURN THE BOARD OF ADJUSTMENT/PLANNING COMMISSION MEETING OF JUNE 10, 2019 @ 9:53 AM. GENE HAGEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Patti McDonald  
Lake Shore City Clerk