

WACONIA PLANNING COMMISSION
THURSDAY, November 3, 2016

Pursuant to due call and notice thereof, a regular meeting of the Waconia Planning Commission was called to order by Chairperson Blanchfield at 6:30 p.m.

1. CALL MEETING TO ORDER.

MEMBERS PRESENT: Vilmain, Hebeisen, Osmundson, Meisch, Blanchfield
ALTERNATE: Grohmann-present
MEMBERS ABSENT: All present
STAFF PRESENT: Braaten, Wurst, Nelson
VISITORS: See attached sign in sheet
CITY COUNCIL LIAISON: Mayor Sanborn-Present

2. ADOPT AGENDA: Motion by Vilmain seconded by Meisch, to adopt the Agenda as presented. All present voted aye. MOTION CARRIED.

3. APPROVE MINUTES: Motion by Osmundson, second by Vilmain to approve the Minutes from the October 18, 2016 meeting. All present voted aye. MOTION CARRIED.

4. NEW BUSINESS

A. PUBLIC HEARING; VARIANCE-REQUEST BY PHILIP HAZEL TO CONSTRUCT A DECK AT A REDUCED SETBACK FROM THE OHWL OF LAKE WACONIA FOR THE PROPERTY LOCATED AT 70 POINT DRIVE.

Nelson presented the deck variance request for 70 Point Drive. He showed the location of the existing deck and pointed out the proposed replacement deck. This variance is needed because the of the proposed set back of 28.5 feet for the OHWL of Lake Waconia, versus the 50 ft. required in the Shore land Overlay District.

Nelson displayed pictures of the property and site survey of the property with the existing decks. The impervious surface is not changing for this property as decks are not currently considered as impervious surface. Nelson also explained that the roadway easement for Point Drive will not be considered as part of the property for review of this application. Nelson described the building setback for the property showing part of the existing house is already within said setback area.

The applicant is proposing to reduce the existing encroachment into the 50 ft. setback requirement from the ordinary high water level (OHWL) of Lake Waconia. The closest point of the current deck to the OHWL is 28.1 feet and the applicant is proposing an expanded deck at a setback of 28.5 feet from the OHWL, which is more conforming than the existing deck structure.

The principal structure is located 6.5 ft. from the side lot line versus the minimum 10 ft. requirement stated in City Code. The landing for the proposed deck structure is proposed to be located as close as 8.1 ft. from the side lot line. The deck structure proper is proposed to meet the required 10 feet setback requirement.

The current hardcover calculation of 26.8% is non-conforming as the Shoreland Overlay District allows a maximum impervious surface of 25%. Deck structures are not currently counted as impervious surfaces for the purposes of this review, which results in no additional hardcover being proposed on the property.

Braaten clarified that the roadway easement area was considered as the road right of way for this application and would not count against the hard surface coverage or green space requirement for the project. Also, we are taking the setback from that easement line rather and the right of way line.

No comments from neighbors regarding this project.

Meisch stated that it's a larger deck, but there is a reduction in setback and no effect on impervious surface.

Blanchfield stated that the side yard setback will remain at 6.5 ft. Braaten clarified that landings are typically allowed within structure setbacks.

Blanchfield opened the public hearing.

Philip Hazel, property owner, stated that he had not been aware of the process and regulations for building this deck when he bought the home and hopes that the variance is passed.

Motion by Meisch, second by Vilmain to close the public hearing. All in favor voted aye. **MOTION CARRIED.**

Braaten reminded the Commission Members about the review criteria for variance approval.

MOTION BY OSMUNDSON, SECOND BY MEISCH TO RECOMMEND APPROVAL OF THE PUBLIC HEARING –VARIANCE REQUEST BY PHILIP HAZEL TO CONSTRUCT A DECK AT A REDUCED SETBACK FORM THE OHWL OF LAKE WACONIA FOR THE PROPERTY LOCATED AT 70 POINT DRIVE WITH THE FOLLOWING CONDITIONS:

- 1) The proposed improvements shall be constructed as proposed and as conditionally revised by the Planning Commission and City Council.
- 2) The applicant shall obtain the necessary building permit(s) prior to any work commencing.
- 3) The applicant shall be required to schedule a site inspection with the Community Development Director when all improvements have been completed to verify compliance with the variance.
- 4) The variance shall be considered void if it is not executed within one year of the date in which it is approved.

ALL IN FAVOR VOTED AYE. MOTION CARRIED.

Braatens update:

- Council denied Mr. Otto's shed variance. Mr. Otto is going to construct a shed that meets our requirements.
- 105 New Construction permits have been issued so far this year.
- Council will be reviewing the Oppidan project at their next meeting.
- Dean Hilgers development concept plan will be presented at the next meeting.
- Extension request from Mr. Hilgers interim use permit for the unsurfaced parking lot.
- Members to look over the draft schedule for the 2017 meeting schedule.

Short work session after tonight's meet to talk over the shed ordinance.

There being no further business, Motion by Osmundson, seconded by Vilmain to adjourn at 6:50 P.M. All present voted aye. **MOTION CARRIED.**

Respectfully submitted,

Brenda Wurst
Recording Secretary