

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, May 1, 2012 – 7:00 p.m.
City Hall Chambers - 8150 Barbara Avenue

Chair Bartholomew called the Planning Commission meeting to order at 7:00 p.m.

Commissioners Present: Tom Bartholomew
Armando Lissarrague
Dennis Wippermann
Pat Simon
Paul Hark
Victoria Elsmore
Tony Scales
Harold Gooch

Commissioners Absent:

Others Present: Heather Botten, Associate Planner

APPROVAL OF MINUTES

The minutes from the April 17, 2012 meeting were approved as submitted.

PAUL AND JULIE ENGLESON – CASE NO. 12-09V

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a variance to install a pool and perimeter walk 12 feet from the corner front property line whereas 30 feet is required, for the property located at 6239 Boyer Path. 6 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant is requesting an 18 foot variance to construct a pool and perimeter walk 12 feet from the front property line whereas 30 feet is required. The applicant's property is a corner lot, which by definition has two front yards. The size of the applicant's lot exceeds the minimum standards for a corner lot which are larger than interior lots to provide more lot area to address the two front yards issue. There is room on the property to construct the pool while still meeting setbacks and the setback standards do not preclude the homeowner from reasonable use of the property. Additionally, approving the pool 12 feet from the corner front property line could set a precedent for other pools on corner lots and have an effect on the neighborhood aesthetics. Staff recommends denial of the request due to the reasons listed above. Ms. Botten noted that letters were received from three neighbors in support of the variance request.

Commissioner Simon asked if there were any impervious surface issues.

Ms. Botten replied there were not.

Chair Bartholomew asked what the setback would have been had this been an interior lot.

Ms. Botten replied 10 feet side and rear.

Chair Bartholomew asked if the measurement would be taken from the pool or the decking.

Ms. Botten replied from the pool decking.

Opening of Public Hearing

The applicant, Julie Engleson, 6239 Boyer Path, submitted a letter of support from the neighbor behind them. She stated that if they configured their pool differently they would lose other space in their yard. Ms. Engleson advised that the neighbors to the north would prefer that the pool be built in the requested location as it would minimize the impact of the pool and any associated noise.

Planning Commission Discussion

Chair Bartholomew stated it would be difficult for him to support the variance request because of the reasons stated by staff.

Commissioner Lissarrague stated he did not support the request as there were alternate locations for the pool that would comply with setback requirements.

Commissioner Wippermann stated he supported staff's recommendation for denial for the reasons stated by Ms. Botten.

Commissioner Elsmore asked what the setback would be from the north property line.

Ms. Botten replied 10 feet.

Planning Commission Recommendation

Motion by Commissioner Elsmore, second by Commissioner Simon, to deny the request for a variance to install a pool and a perimeter walk 12 feet from the corner front property line whereas 30 feet is required, for the property located at 6239 Boyer Path, based on the lack of practical difficulties, the potential for setting a precedent, and the fact that denial of the request does not preclude the applicant from reasonable use of the property. .

Motion carried (8/0). This item goes to the City Council on May 14, 2012.

PADDY AND SUSAN McNEELY – CASE NO. 12-10V

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a variance to construct an addition 40 feet from the rear property line whereas 50 feet is required, for the property located at 17 High Road. 4 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the property located on 17 High Road is zoned E-2, and is surrounded by other E-2 zonings to the north, west, and south. The property to the east is a City-owned park. The applicant's property is 1.92 acres in size, and they would like to construct an addition onto their home 40 feet from the rear yard property line whereas 50 feet is required. Ms. Botten advised that the lot is unique in that it is wider than it is deep and with greater front and rear setbacks compared to side setbacks it makes it difficult to comply with the setback requirements. Additionally the septic system is located on the north side of the home and there is a wetland and drainage swale on the north half of the lot. There is also a drainage swale south of the home limiting the buildable area of the property. The property abuts City park property to the east, so allowing a 40 foot rear yard setback does not bring the location of the home any closer to the abutting residential lots. Staff recommends approval of the request with the condition listed in the report.

Opening of Public Hearing

The applicant, Paddy Mc Neely, 17 High Road, advised he was available to answer any questions.

Chair Bartholomew asked if the applicant was agreeable with the condition listed in the report.

Mr. McNeely replied in the affirmative. He advised he has spoken with three of the four neighbors who received notices, all of whom support the request.

Planning Commission Discussion

Chair Bartholomew stated he was in support of the request.

Commissioner Hark stated he walked the property with the McNeely's and found the requested location to be the only feasible site for the addition. Because of the unique circumstances, he supported the variance request.

Planning Commission Recommendation

Motion by Commissioner Gooch, second by Commissioner Lissarrague, to approve the request for a variance to construct an addition 40 feet from the rear property line whereas 50 feet is the required setback, for the property located at 17 High Road.

Motion carried (8/0). This item goes to the City Council on May 14, 2012.

OTHER

Commissioner Wippermann asked where the joint City Council Work Session would be taking place.

Ms. Botten advised that the joint work session would take place on May 14, 2012 at 5:30 PM in the City Hall lower level training room (formerly the temporary City Council Chambers).

ADJOURNMENT

Chair Bartholomew adjourned the meeting at 7:18 p.m.

Respectfully submitted,

Kim Fox
Recording Secretary