

March 2, 2010

The Scandia Planning Commission held their regular monthly meeting on the above date. The following were in attendance: Chairman Chris Ness, Commissioners, Tom Krinke, Christine Maefsky and Peter Schwarz. Absent: Susan Rodsjo. Chairman Ness called the meeting to order at 7:30 p.m.

**APPROVAL OF AGENDA, MINUTES**

**Maefsky, seconded by Schwarz, moved to approve the agenda as presented. The motion passed unanimously.**

**Krinke, seconded by Maefsky, moved to approve the February 3, 2010 minutes as presented. The motion passed unanimously.**

**VARIANCES TO ALLOW CONSTRUCTION OF A NEW SINGLE-FAMILY DWELLING AT 23267 LOFTON COURT – JOE AND JOHN RUNK**  
**(RESOLUTION 03-02-10-01)**

Joe and John Runk have requested approval of variances from the Ordinary High Water (OHW) level setback, bluff line setback and lot size requirements to allow construction of a new single family dwelling with attached garage. The property is located at 23267 Lofton Court, with frontage on Bone Lake. The lot is approximately 0.45 acres. There is currently an existing house, shed and boathouse on the property.

City Planner Sherri Buss presented the planner's report which recommended approval of the variances. A single family dwelling is a reasonable use of the property, and the existing lot is too small to allow for a new dwelling which meets all Ordinance requirements.

The proposed setbacks from the OHW of 85 feet and 15 feet from the bluff line are the same as the existing cabin. The request does not increase the encroachment into the OHW and bluff line setbacks. The right-of-way and side yard setbacks conform to the required setbacks.

The site plan shows a deck extending approximately three feet closer to the lake than the existing dwelling. Planner Buss recommended that the proposed deck be scaled back in size so that it is not less than 68 feet from the front lot line.

The applicant proposes to remove the shed near the road but keep the existing boathouse. Historically, the City has required that accessory structures not meeting setback requirements be removed when considering setback requests in the Shoreland Management District. Planner Buss recommended that the boathouse also be removed, or relocated, so that it is no closer to the OHW than the dwelling and to a location that conforms to side yard and right-of-way setback requirements.

Chairman Ness opened the hearing to the public.

*Cal Floerke, 23259 Lofton Court:* Mr. Floerke asked if there is room on the lot to build a garage. Chairman Ness answered that the plans show an attached garage. Mr. Floerke stated that he was in favor of granting the variances.

As there were no other comments, Chairman Ness closed the hearing to the public.

Commissioner Schwarz offered an alternative to scaling back the size of the deck. At the site visit, it was clear that there is at least ten feet of room to move the house towards the road, which could allow for the deck to remain at the proposed size and still meet the setback requirement of 85 feet from the OHW.

Commissioner Krinke questioned why the OHW was not indicated on the survey. Planner Buss explained that the survey provided by the applicant did not show the exact location of the bluff line and OHW, but the setback distances could be estimated using the front lot line (waterfront lot line) as an exact reference point for specifying the distance of the structure from the lake. The existing and proposed dwellings are 68 feet from the front lot line. The conditions stated in the resolution designate that the structure be a minimum of 68 feet from the front lot line, because the OHW setback of 85 feet and bluff line setback of 15 feet are estimated distances. Planner Buss felt the extra expense of having the applicant submit a survey showing the exact OHW was not necessary, as the property line survey had enough information. The OHW elevation for Bone Lake is 909.1 feet.

Chair Ness stated his agreement with Commissioner Schwarz that there is room to move the house footprint away from the lakeside to allow the deck to remain at the proposed size. Wording in condition one of the draft resolution was changed to reflect this option.

**Schwarz, second by Maefsky, moved to recommend to the City Council to adopt draft Resolution 03-02-10-01, Approving Variances for 23267 Lofton Court, with modification of condition #1 to allow the applicant an option of either scaling back the size of the deck or locating the structure back so that no structure is less than 68 feet from the front lot line. The motion passed unanimously.**

#### **WORK SESSION ON DEVELOPMENT CODE UPDATE**

The Planning Commission and City Council moved into a work session to continue discussion on Chapter Two, Zoning Regulations, of the updated Development Code.

Attorney Hebert addressed formatting in section 1.0 and language in 2.5, Agriculture Preserves District.

Section 2.8, Village Mixed Use A District (VMU A), was reviewed. This area is designated in the Comprehensive Plan as the historic village center, and is a mixed use of commercial, office, institutional, recreational and residential land use. The character of the district will be preserved by enforcement of design guidelines for commercial buildings. The goal is to recognize historical structures and dimensional standards of the lots in the village area.

The list of permitted uses and those uses permitted with a Conditional Use Permit were discussed. "Convenience grocery markets" and "essential services" will be more thoroughly defined. Copy/printing services will be listed under CUP uses, rather than as a permitted use, mainly due to hours of operation. Businesses such as this may operate 24 hours a day. This could be a type of business allowed outside of the VMU-A district.

A few businesses were moved to the Permitted Uses listing, off the CUP listing, including delicatessens/coffee houses without a drive-through, florist shops, and studios (artist, dance, music, photography and similar uses).

Hotels, motor vehicle service stations, and wind energy conversion systems were removed as allowed uses in the VMU-A district.

In reviewing those uses allowed with an Administrative permit, it was decided to remove temporary dwelling units.

Review of the draft zoning chapter will continue at the next regular meeting of the Planning Commission and City Council on April 6, 2010.

The meeting adjourned at 9:27 p.m.

Respectfully submitted,

Brenda Eklund  
*Deputy Clerk*