

**SHOREVIEW PLANNING COMMISSION  
MEETING MINUTES**

**September 25, 2007**

**CALL TO ORDER**

Chair Feldsien called the meeting of the September 25, 2007 Shoreview Planning Commission meeting to order at 7:00 p.m.

**ROLL CALL**

The following members were present: Chair Feldsien, Commissioners Mons, Proud, Schumer and Solomonson.

Commissioners Ferrington and Wenner were absent.

**APPROVAL OF AGENDA**

MOTION: by Commissioner Proud, seconded by Commissioner Schumer to approve the agenda as submitted.

ROLL CALL: Ayes - 5 Nays - 0

**APPROVAL OF MINUTES**

The following corrections were made:

Page 1: Commissioner Schumer noted that Acting Chair Proud should not be listed twice under the roll call.

Page 11: In the second paragraph, Commissioner Proud added that Mr. Morri answered his question in the affirmative as to understanding condition No. 5 of the motion.

MOTION: by Commissioner Schumer, seconded by Commissioner Proud to accept the August 28, 2007 Planning Commission meeting minutes as amended.

ROLL CALL: Ayes - 3 Nays - 0 Abstain (Feldsien, Mons)

Chair Feldsien and Commissioner Mons abstained, as they were not present at the meeting.

**REPORT ON CITY COUNCIL ACTIONS**

City Planner Nordine stated that there were no City Council actions to report.

## VARIANCE

**FILE NO.:** 2289-07-30  
**APPLICANTS:** DOUG AND KATHLEEN OLSON  
**LOCATION:** 5405 CARLSON ROAD

### **Presentation by City Planner Kathleen Nordine**

The property consists of over 32,000 square feet with a lot width of 90 feet and has frontage on Turtle Lake. The request is to construct a garage that would exceed the maximum floor area allowed of 750 feet to 880 square feet. The maximum height of 18 feet would be increased to 19.5 feet, and the maximum interior height allowed of 6 feet would be increased to 6.5 feet to accommodate the upper storage area of the garage. The existing garage is 824 square feet and has storage area above the main floor. Variances are needed for the square footage area, exterior height and interior height. The new garage would replace an old garage that would be removed. One landmark tree would have to be removed and will be replaced with two trees on the street side of the garage. The new garage would be the same style of design. This request was tabled at the August 28, 2007 Planning Commission meeting with the request from Commissioners for additional information.

The applicant states that the existing garage is in poor condition. Modern building methods would be used to rebuild. The height variances are needed for safe ingress and egress to accommodate the upper storage area. Another shed of 290 square feet that is on the property would be removed. The resulting impervious surface coverage would decrease with this plan. The setback of the garage would be increased to comply with the City's setback regulation of 5 feet. Staff believes the overall result is positive with the setback compliance; reduction in lot coverage and the new garage will reduce the number of accessory structures. There would not be a significant impact to the neighborhood, and staff is recommending approval.

Property owners were re-noticed of this application for this meeting. No comments were received.

Commissioner Solomonson noted that a new second accessory structure could be built because the total amount of area of accessory structure allowed is 1200 square feet. Ms. Nordine stated that if a second accessory structure were to be built, the size could be no more than 150 square feet.

Chair Feldsien stated that he is pleased to see that impervious surface will be reduced by 10%.

Commissioner Mons asked if the applicant has any intent to build a second accessory structure of 150 square feet. **Mrs. Olson** stated that the existing garage is ready to fall down. Construction of the new garage will adequately meet their needs and they are not planning on another accessory structure.

Commissioner Mons asked if a condition could be added to prevent another accessory structure with the granting of this variance. The City Attorney responded that if a second accessory

structure is specifically permitted in the Code, she would not advise disallowing it because that would mean treating one property differently from another.

**MOVED BY COMMISSION MEMBER: Proud**

**SECONDED BY COMMISSION MEMBER: Solomonson**

To adopt Resolution 07-64, approving the variance requests submitted by Douglas and Kathleen Olson, 5405 Carlson Road for a detached accessory structure to exceed the maximum 750 square feet area permitted; 880 square feet proposed; and to exceed the maximum 18-foot building height permitted; 19'6" proposed, and to exceed the maximum 6-foot interior height for a storage area above the main floor; 6'6" proposed, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the Variance application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.
4. Any landmark trees removed for the construction of the garage must be replaced in accordance with the City's Vegetation and Woodlands Ordinance.
5. A grading plan shall be submitted to the City with the building permit application.
6. Impervious surface coverage shall not exceed 25%.
7. The exterior design and construction of the structure must comply with Section 205.082 (5e), Exterior Design and Construction.
8. Use of the accessory structure shall be for personal use only and no commercial use or commercial related storage is permitted.
9. The proposed storage area above the main floor shall be used for storage only and cannot be converted to habitable area or living space.
10. The proposed detached garage requires City approval (administrative) of the Detached Accessory Structure Permit for Riparian Lots and Residential Design Review.

Discussion:

Commissioner Mons stated that he would support the motion. Part of the rationale for the hardship is the removal of the storage shed. At a later date a shed could be built again. He would like staff and the City Attorney to look into how similar situations could be resolved in the future.

ROLL CALL:           Ayes - 5                           Nays - 0

**NEW BUSINESS**

**SITE AND BUILDING PLAN REVIEW**



Commissioner Mons offered an amendment to the motion to not refer specifically to the storage of bicycles but state generally storage of recreational equipment for the residents.

Chair Feldsien opened the discussion to public comment. There was none.

**MOVED BY COMMISSION MEMBER: MONS**

**SECONDED BY COMMISSION MEMBER: PROUD**

To recommend the City Council approve the Site and Building Plan request submitted for the Lake Owasso Residence for a 16 by 30 foot accessory building addition, located on property at 210 N. Owasso Boulevard. Said approval is subject to the following:

1. Approval is for the continued use of the property as an Institutional Use (Lake Owasso Residence) for developmentally disabled individuals. A 16 by 30 foot addition to the existing accessory building is approved. The project must be completed in accordance with the plans dated 09/04/07 and submitted as part of the application. The garage addition shall maintain a minimum setback of 37-feet from the south property line. Any significant changes to these plans, as determined by the City Planner, will require review by the Planning Commission and approval of the City Council.
2. The storage building shall be used for equipment, supply and storage of supplies, maintenance and recreational equipment and associated repair. The equipment must be used solely by the Lake Owasso Home. No commercial use of the building is permitted.
3. One box elder tree will be removed. All other existing vegetation along the southern property line shall be preserved.
4. The approval will expire after one year if a building permit has not been issued and work has not begun on the project.

**VOTE: AYES: 5 NAYS: 0**

### **MISCELLANEOUS**

Commissioners Mons and Ferrington are scheduled to attend the October 1<sup>st</sup> and October 15<sup>th</sup> City Council meetings respectively. Commissioner Schumer stated that he is scheduled to attend a Council meeting in November, but he will not be present at the October Planning Commission meeting. He offered to attend the October 15<sup>th</sup> Council meeting in place of Commissioner Ferrington. Staff will contact Commissioner Ferrington to see if she would like to reschedule.

### **ADJOURNMENT**

MOTION: by Commissioner Schumer, seconded by Commissioner Mons to adjourn the September 25, 2007 Planning Commission meeting at 7:51 p.m.

ROLL CALL: Ayes - 5 Nays - 0

ATTEST:

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Kathleen Nordine  
City Planner