



**DEEPHAVEN PLANNING COMMISSION  
MEETING MINUTES**

**TUESDAY, AUGUST 18, 2020**

**CALL TO ORDER:** Chair John Studer called the meeting to order at 7:00 p.m.

**PRESENT:** Commissioners John Daly, Jeff Eaton, Doug Nagle, Cindy Hunt Webster, Bob Werneiwski, and Chair John Studer

**ABSENT:** Commissioner Josh Wilcox

**OTHERS PRESENT:** Planning Director Pat Smith and City Council Liaison Kent Carlson

**1. APPROVAL OF MINUTES  
Minutes of July 21, 2020**

Motion by Commissioner Studer, seconded by Commissioner Eaton, to approve the minutes of July 21, 2020. Motion carried 7/0.

**2. PUBLIC HEARINGS**

a) Single-Family Dwelling Definition and Accessory Dwelling Unit

Smith presented the staff report. This issue was brought about by two recent homes that were designed with a second internal dwelling unit. In June of this year, the house located at 19365 Azure Road was advertised as a duplex on Nextdoor. The house was built in 2016 with two separate dwelling units but one address. Very similar to the homes designed at 18100 Honeysuckle Road and 18855 Ridgewood. Staff is hoping to clarify what living arrangements are permitted in single-family zones and what living arrangements are prohibited.

Webster read definitions of a single-family dwelling. Webster supports the proposed dwelling unit definition. Smith stated that a CUP transfers with the property owners. Werneiwski is not overly concerned with the definition.

Webster asked if we should limit the definition of a family to the property owner. Nagle is fine with four independent people living if they share common living spaces. Studer stated that there could be multiple dwelling units within one structure. Commission was comfortable with the proposed definitions of Dwelling Unit and Family.

Commission discussed the different regulations of the other cities cited in the staff report.



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The Commission agrees that the property owner has to live in one of the units. Eaton and Werneiwski were comfortable with non-relatives living in the ADU. Nagle stated if there's one utility, it shouldn't matter who lives in the second unit. Nagle said if it is limited to the property owner, that would cover LLCs or partnerships. Webster objects to renting the second unit. The Commission generally favors allowing other people than just family members living in the second unit.

Studer favors the CUP process. Eaton asked about the CUP approval process. Smith stated it takes two months from the time the applicant submits the application to a decision by the City Council. Eaton brought up the question about the exterior design of the home. Smith stated that possible conditions could be discussed at next month's meeting.

Commission discussed possible size. Studer suggested discussing possible size along with the conditions. Webster prefers that the homeowner would live in the primary unit rather than the accessory unit. Daly disagreed. Most Commissioners were indifferent if the owner lived in the primary unit or not.

Commission was not in favor of allowing ADUs in detached structures.

Studer opened the public hearing. No one spoke. Studer closed the public hearing.

### **3. DISCUSSION ITEMS**

#### a) Fences Around Swimming Pools

Smith presented the staff report. This issue was brought about by a resident who has a neighbor with an in-ground swimming pool and removed the fence around the property. Currently the city only requires screening of swimming pools but not fences.

Webster asked if the City had any data about kids drowning in pools or lakes. Smith stated no. Webster believes it doesn't make sense for Deephaven as a lake community to require fences around swimming pools. Nagle agreed. Commission thought it should be the responsibility of the parent to ensure children are taught about the dangers of water.

### **4. LIAISON REPORT**

Carlson presented the Liaison Report. Council approved the variance at Hooper Lake Road and the variance and final plat of Andrew Mahoney.



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**5. ADJOURNMENT**

Motion by Commissioner Studer to adjourn the meeting at 8:19 p.m. Motion seconded by Commissioner Eaton. Motion carried 6/0.

Respectfully submitted,

Patrick Smith  
Planning Director