

**CALL TO ORDER:** Chairman Kent Carlson called the meeting to order at 7:00 p.m.

**PRESENT:** Chairman Kent Carlson, and Commissioners Jim Anderson, Gen McJilton, Melissa McNeill, Bill Sharpe, John Studer, and Bob Werneiwski

**ABSENT:** None

**OTHERS PRESENT:** Council Liaison Darel Gustafson and Zoning Coordinator Dale Cooney

**MINUTES OF August 16, 2016**

Motion by Commissioner Anderson, seconded by Commissioner McJilton, to approve the minutes of August 16, 2016 as written. Motion carried 7-0.

**PUBLIC HEARINGS**

**Variance requests of The Landschute Group, Inc. to encroach into the minimum required lake yard setback in order to install an underground accessory structure and expand a legal non-conforming deck at 20430 Lakeview Avenue**

Chairman Carlson introduced the agenda item.

Zoning Coordinator Cooney summarized the staff report. Cooney said that The Landschute Group is requesting a variance to install an underground accessory structure within the lake yard setback. He said that the accessory structure would be a sauna located 20 feet from the Ordinary High Water Level (OHWL) of Lake Minnetonka. Cooney said that Section 1302.04(3) of the zoning ordinance requires a lake yard setback from the OHWL of 100 feet and the applicant is seeking a variance of 80 feet from the minimum required lake yard setback. He said that, as proposed, the only visible elements of the sauna would be a door of the sauna, and associated planting beds for the structure.

Cooney said that the 216 square foot sauna and the existing 315 square foot accessory building would remain under the limits for accessory structures on the property. He said that even if the structure is to be considered impervious area, the property would remain under the 25% impervious surface limitation. Cooney said that the city engineer has stated that he would not consider the sauna as impervious area.

Cooney said that, because of the unique nature of the request, he sought comments from both the Minnehaha Creek Watershed District and the Minnesota Department of Natural Resources. He said that MCWD comments were related to the low opening of the structure, and the opening was adjusted to meet MCWD regulations, and the structure now meets MCWD requirements. Cooney said that the Minnesota DNR recommended against granting the variance and their comments are attached to this staff report.

Cooney said that the applicant is proposing a temporary deck in conjunction with the sauna. He said that city code does not make a distinction between permanent and temporary decks, and new decks within the lake yard setback require a variance. He said that, as proposed, the deck is approximately 178 square feet in size. Cooney noted that the property currently has a 100 square foot legal non-conforming deck in this area, and he would recommend that any new deck not exceed a 100 square foot footprint.

Cooney said that, to meet the practical difficulty standard, all of the factors must be met. He said that he cannot find justification for "*unique circumstances to the property not created by the landowner.*" He said that the request is for a lake yard amenity that violates the structural setback requirement. Cooney said that the property is over one-acre in size and, other than the desire to be close to the lake, there is nothing preventing the applicant from relocating this 216 square foot amenity elsewhere on the property. Cooney said that while the applicant states that the sauna must have easy access to water, there are other structural amenities that the city does not permit that also require access to water, such as

boathouses. Cooney said that the inconvenience of walking over 100 feet from the sauna to the lake does not in and of itself create a practical difficulty. He said that if this were the case, all saunas would be allowed, by rights, within the lake yard setback.

Cooney said that, while the perceived benefit of the structure is its lack of visibility, the underground structure is a much more invasive approach to a shoreland modification than if the sauna were to sit above ground. He said that he has concerns with the long-term impacts of maintaining and potentially remediating this structure in the future.

Cooney said that the applicant had pointed out language in state law (Minn. Stat. Sec. 462.357 Subd. 6), under appeals and adjustments, that states "*Variances shall be granted for earth sheltered construction as defined in section 216C.06, subdivision 14, when in harmony with the ordinance.*" Cooney said that the applicant had interpreted this to mean that the practical difficulty standard would not have to be met. Cooney said that after getting input on the language from the League of Minnesota Cities, staff interpreted this language to mean only that, if earth sheltered construction were otherwise zoning code compliant, the city could not deny the application based on the construction method alone. Cooney said that this is similar to state law protections for manufactured homes and that it did not give the construction method a special exemption from meeting the practical difficulties standard.

Staff recommends **denial** of the variance request by The Landschute Group, Inc. to encroach into the minimum required lake yard setback in order to install an underground accessory structure and expand a legal non-conforming deck at 20430 Lakeview Avenue, as presented, based on the following findings:

(a) Is the variance in harmony with the purpose and intent of the ordinance?

No. The purpose of the ordinance is to provide for the wise development of the shoreland of public waters and to preserve the economic and natural environmental values of shorelands. Granting a variance for such an amenity would set a precedent and encourage further development within the shoreland areas. Also, the underground accessory structure within the lake yard setback would be unnecessarily invasive for what amounts to a lake yard amenity.

(b) Is the variance consistent with the comprehensive plan? No. The comprehensive plan states that it will be a city policy to "Continue to maintain or exceed Department of Natural Resources shoreline standards through locally adopted shoreland ordinance requirements." Unless a clear practical difficulty can be demonstrated, the variance is not consistent with the comprehensive plan.

(c) Does the proposal put property to use in a reasonable manner?

While an accessory structure of this size is reasonable, in the context of a variance request for a lake yard amenity, the sub-surface accessory structure 20 feet from the OHWL is not using the property in a reasonable manner.

(d) Are there unique circumstances to the property not created by the landowner?

No. The property could easily accommodate a sauna elsewhere. The circumstance is driven by the landowner's desire to have the sauna near the lake.

(e) Will the variance, if granted, alter the essential character of the locality?

Due to the mostly hidden nature of the structure, the proposal would not alter the essential character of the locality.

Cooney concluded his staff report.

Jon Monson of the Landschute Group, applicant, said that the variance is for a unique, earth sheltered structure. He said that the city has been gracious enough to grant two variances for the principal structure so far. He said that his clients have had a sauna in their boathouse for a dozen years, and thought they could do without one at their current house. Monson said that they realized that there was no other place

to put a sauna than by the water's edge. He said that the property owner suggested putting the sauna underground and out of site for the sake of the neighbors, and to keep the view open to the lake. Monson said that he thought this was a great idea. He said that Cooney recommended denial, but Cooney did not think that the structure altered the essential character of the community. He said that staff, contradictorily, found the structure to not be in harmony with the ordinance. Monson said that there is an earth sheltered exception to the statute and that Cooney had said, based on a conversation with the city attorney, he would narrow the scope of the findings to the questions of harmony with the purpose and intent of the ordinance and the comprehensive plan. He said that Cooney did not elaborate on why the structure was not in harmony with the purpose and intent of the ordinance, and that there were not findings of facts to support such a recommendation. Monson asked how an invisible structure cannot be in harmony with the purpose and intent of the ordinance. Monson said that Cooney did not state that there were any negative implications or visible impacts. He said that this is exactly the kind of structure the variance process was written for.

Chairman Carlson opened the public hearing.

Joe Ryan of 4600 Linwood Circle, future homeowner at 20430 Lakeview Avenue, said they were trying to do a good job. He said that he thought this was the best option, and the neighbors support what they are doing. He said that he recognizes that it is a unique request, but asked for the commission's support.

Chairman Carlson closed the public hearing. He said that this is a unique request. Carlson asked about the front area of the structure that looks like a workshop. Ryan said that area was a changing area. Carlson asked about ventilation. Monson said that there would be a small air exchanger. Ryan said that the sauna should be tight, so he did not want any additional ventilation.

Anderson asked about the wood floor and ceiling height. Monson said the ceiling height is 7 foot 3 1/8 inches.

Studer asked about the temporary deck. Carlson said that since it is not a dock in the water, it needs to be considered a deck and not a temporary structure. Carlson said that the proposed deck increases the size from the existing.

McJilton asked about the ground cover over the structure and said she was concerned about possible erosion in a heavy rain. Monson said that there would be 1 foot of soil. He said that the roof area was flat. McJilton said that a heavy rain would have nowhere to go with only 1 foot of soil. Monson said that he would be happy to engineer it to the city's satisfaction.

Carlson asked for a new survey that updates the hardcover information based on the proposed structures. Monson said that he would be happy to update the survey.

Carlson surveyed the council for questions and comments.

Werneiwski said that he struggled with the proposal, but felt that the underground structure did not have much of an impact. He questioned the need for the deck, but he said that he did not have a big issue with the proposal. He said he would want to see the hardcover confirmed and he wondered if there was a code issue with the underground hot room and single door. Monson said that they would comply with any building code issues.

Anderson asked Monson how many footings he has dug below the lake level. Monson said many, and that dewatering is required. He said that his is above the water level.

Sharpe said that he thinks the idea is unique and he does not have an issue with it. But he said that he was concerned with the precedent it might set and that the city should be thoughtful about any unintended consequences.

Carlson said that the precedent question is fair. He said that he has the lot area, but that a sauna 20 feet from the lake could not be built below ground on his property, and an above ground sauna would impact the views of the neighbors. He said that it might be worthwhile to ask the city council for direction since this is such a deviation from the normal accessory structure rules.

Monson said that Deephaven's ordinance says that a structure is something built on the ground and that this is below ground and invisible.

McNeill said that the variance request is pretty extreme and that she is concerned with granting such extreme variances. She said that 80 feet is pretty extreme when it comes to the lake yard setback. She said that she is not comfortable with information provided on the stormwater issue. McNeill said that she is also not comfortable with the increase in size of the deck.

McJilton said that she has concerns about the depth of soil and runoff into the lake. She said that she also has concerns about the deck size increase which nearly doubles the deck size. She said that she has concerns about installing a bunker that, while it cannot be seen, will have impacts particularly in heavy rains.

Anderson said that he struggles with the location close to the lake. He said that he doesn't have an issue with the runoff since the property meets hardcover restrictions. McJilton said her concerns were the runoff in close proximity to the lake. Anderson said that he was just concerned about the structure's proximity to the lake.

Studer asked about the stairs and if they were included in the 178 square foot calculation for the deck, or in addition to the deck. Cooney said that the deck alone was 178 square feet. He said that the stairs would be allowed in the setback, and should only be included in hardcover calculations.

Studer said that the precedent that the city is setting is something to be concerned about. He understands that the lot would accommodate the underground structure, but that it is a pretty prominent location on the lakeshore. He said that he expects a lot of comments and requests from residents hoping to do something similar. He said that for the current owner it would be a sauna, but asked what it would be for a future owner. He said he is concerned about the proximity to the lake and allowing construction in that area.

Monson said that he was surprised that there was not an engineering report. Cooney said that he submitted plans to the city engineer for comments and that the engineer's only comment, delivered verbally, was that he did not think the structure should be considered hardcover.

Carlson said that this is a unique request, but that if he has heard a consistent concern raised by the commissioners, it was about the precedent created and about promoting the construction of an accessory structure within the 100 foot setback of the lake. He said that if the city were to move in that direction, he would want direction from the elected officials to study the issue and determine where would it be appropriate to do this type of structure, and where would it not be appropriate, and establish guidelines. Carlson said that there has been an increase in structures near the shore in Wayzata where the lots tend to be larger and the impacts to neighbors are less. He said that there are some characteristics of this proposal that might not have impacts, and perhaps it is unique enough that the city would want to consider allowing structures of this kind. But, Carlson said, if a neighbor requests the same thing the city needs to have a consistent policy place dealing with the request.

Sharpe asked what if someone wanted to put a boathouse underground into the hillside. Carlson said that he did not know. McJilton said that the city could open themselves up to a wide variety of these types structures, and asked what limitations there would be.

Monson said that the variance requests would be reviewed on their own merits. He said that he was not aware of a limitation on decks that would be at the lakeshore less than 180 days.

Carlson asked about the possibility of extending the timeline. Cooney said that, to come back to the Planning Commission, the city would need to request an extra 60 days.

Werneiwski asked what other information is needed. He said that he didn't think that the issues that have come up were so problematic that the city would need more information. He asked if the body was asking for engineering or council input.

Carlson said that he wanted the council to weigh in to establish parameters for structures within the lake yard setback. He said that if the proposal were to be approved without any parameters around the precedent that would be set, the city would have to say yes to future requests.

Werneiwski said that he did not think the precedent would be set tonight since he doesn't sense a motion to approve would pass.

Carlson asked Gustafson if this should go to the council for discussion purposes, or would he prefer a recommendation on the application. Gustafson said that there are only 3 choices: deny, approve, or ask for extension. He said that a council discussion is valid but that he did not think it should sway tonight's vote. He said that he will bring his notes to the council regardless of the vote.

Carlson said that he would like to see updated impervious surface information which would include the new stairs, and the new deck.

Motion to approve by Werneiwski with the condition that the deck not exceed 100 square feet, and that the property remain under the 25% impervious surface restrictions for the property. Motion was seconded by Sharpe. Motion failed 3-4 (Anderson, McJilton, McNeill, and Studer voting against.)

Motion to deny by McNeill, seconded by Anderson. Motion carried 4-3 (Carlson, Sharpe and Werneiwski voting against.)

Joe Ryan asked if now would be the time to talk about alternative proposals. Carlson said that it will go before the City Council on October 3<sup>rd</sup>. Carlson said that if there are significant changes to the proposal, the City Council may direct the applicant back to the Planning Commission for another public hearing. Ryan asked if a temporary structure would be a different conversation. Gustafson asked if the alternative would be designed to be more of a temporary building. Ryan said that this proposal was designed to be inoffensive, but that the alternative would be a temporary structure on skids and that they intend to have a sauna in this area.

**Preliminary Plat for 19655 Cottagewood Road:**

Chairman Carlson introduced the agenda item.

Zoning Coordinator Cooney summarized the staff report. He said that Joan Svoboda has made application for a Preliminary Plat at 19655 Cottagewood Road. He said that the property, with a proposed plat name of "Svoboda Addition", would plat the existing lot into two buildable properties. He said the property is in the R-2 zoning district. He said a legal, non-conforming house is currently located on the property and the applicant has indicated that it is their intention to remove the house before or soon after the subdivision process is complete.

Cooney said that, as proposed, both lots would be zoning code compliant, and exceed the minimum lot size requirement of 40,000 square feet for the R-2 zoning district. He said that both lots are zoning code compliant with R-2 setback and road frontage requirements. Cooney noted that the property is located

within the Shoreland Management district, and both proposed lots are required to comply with the 25% impervious surface restriction and that, as proposed, both lots are well under any impervious surface limitation.

Cooney said that the main issue he found was that the submitted survey shows 13 feet of vacated Dyer Lane right-of-way but that Hennepin County records do not show this vacation. The right-of-way should be 40 feet wide, but Hennepin County shows a 66 foot wide right-of-way for Dyer Lane. Also, the survey shows a property size of 120,540 square feet, while Hennepin County shows a property size of 116,506 square feet.

He said that he has been unable to find a resolution that confirms the right-of-way vacation in the city records, but there is evidence that the city supported the vacation even if it was not formally approved. Cooney noted that the property owner submitted a variance request in 1978 with a survey showing the right-of-way vacation. He said that the request was approved and the encroachment measurements in the minutes and resolution indicate that the city was in agreement with the submitted survey. Cooney said that other city records reference a potential vacation of the right-of-way and that supporting documents are attached to this staff report.

Cooney said that there is enough square footage for subdividing the property without the additional square footage, but that the discrepancy is significant in that it could require the houses to be set 13 feet further back from the road. He said that the city engineer has stated that pushing the houses further back would be problematic since they would start to sit in the low lying areas of the property. Cooney said that, in light of this issue, the applicant submitted an alternate plat proposal that reoriented the proposed driveways towards Cottagewood and Manor Roads, thereby reducing the required setback on Dyer from 50 feet (for front yard) to 25 feet (for exterior side yard).

He said that the proposed properties both contain wetland areas and that a wetland delineation was completed in November of 2014 and submitted to the Minnehaha Creek Watershed District. He said that the MCWD approved the wetland boundary in December of 2014, and the decision is good for 5 years. He said that the applicants will be required to comply with any restrictions put on the property by the MCWD, and an MCWD permit will be required at the time of construction.

Cooney said that the proposed grading slightly exceeds the 3 foot limitation of the current ordinance, but that the City Engineer stated that these could easily be adjusted to accommodate this limitation.

Regarding the sewer, Cooney said that the property was assessed for the trunk line (\$3,120) and two sewer lateral units (\$4,800) in 1971. Based on these records, he said that the applicant is not required to pay an additional sewer connection fee in conjunction with this subdivision request, but that the Metropolitan Council may require additional SAC charges.

Regarding park dedication, Cooney said that for each new lot created the city is entitled to a park dedication fee. He said that the fair market value is determined by the City Assessor who has determined that the fair market value of the additional lot at 19655 Cottagewood Road is \$190,000. Cooney said that, as condition of approval, the city will require payment of \$19,000 in park dedication fees prior to signature of the Final Plat.

Cooney said that he recommends conditional approval of the Preliminary Plat for Svoboda Addition, with the following conditions:

- a) Confirmation of the Dyer Lane right-of-way vacation shall be obtained prior to final plat. If confirmation cannot be found, applicant may be required to submit a revised preliminary plat.
- b) Proposed grading is revised to comply with the 3 foot grade alteration limitations of Section 1312.04 of the zoning code.
- c) All park dedication fees must be paid prior to Final Plat.

- d) The drainage and grading plans shall be approved by the City Engineer prior to the issuance of a building permit for each lot on an individual basis.
- e) The applicants comply with the requirements of the Minnehaha Creek Watershed District.
- f) All fees incurred by the City for the review of the Preliminary and Final Plat must be paid prior to the release of the escrow submitted by the applicant.

Cooney said that, in his opinion, the proposed plat does not impact the integrity and general development of the community, does not impact the health, safety and general welfare of the neighborhood, will not negatively impact the traffic on adjacent streets, would not have an adverse impact on property values and will maintain the general character of the neighborhood. Cooney concluded his staff report.

Studer asked if the Planning Commission was making a decision on which of the two proposals to approve. Cooney said that the planning commission could recommend approval of one the proposals, or recommend approval with changes, or recommend revisions that come back to the planning commission.

Carlson asked if the applicant wanted to say anything about the request.

Joan Svoboda, applicant, said that they had tried to sell the full property and people did not want to buy such a large piece of property. She said that when they put the garage up in 1978, the vacation was done. She said that they were not advised that they needed to record anything, and that they assumed that the city would handle it. She said that she would like to do the vacation, but as a separate process so that they can take down the house before it gets cold. She said that she wants future buyers to have ownership of the vacated area.

Megan Rapraeger, daughter of the applicant, said that the original survey showed the vacation but that apparently that was not completed back when it was approved. She said that is why they had scrambled to come up with a second alternative that would meet the city requirements. She said that they did not want the vacation process to delay the subdivision process.

Chairman Carlson opened the public hearing. Hearing no public comments, Chairman Carlson closed the public hearing.

Sharpe asked for information about the right-of-way issue. Carlson said that Dyer Lane has a 66 foot right-of-way, which is the largest right of way in the City of Deephaven, and that the small road doesn't need that much right-of-way. He said that 40 feet of right-of-way would be adequate. He said that the city had recommended to vacate the right-of-way but had not followed through with the paperwork.

McJilton asked about the vacation process. Cooney said that if the resolution were found, that would be the easiest thing. But that otherwise, the city would need to go through the process again. Carlson said it is about a 90 day process.

Anderson asked if the vacation was essential to the decision, and said that there was enough to subdivide the land without the vacation. Carlson agreed, but he did have concerns about the locations of the driveways onto Cottagewood and Manor.

Anderson said that access would be much more preferable off of Dyer. McJilton agreed that the access would be better off of Dyer.

Anderson asked if the houses were actual proposals. Rapraeger said that those were only intended to show the viability of the lots.

Anderson said Dyer was preferable, but access off of the other two roads could happen as well.

Werneiwski asked if the city could approve the preliminary plat pending the vacation of the right-of-way. Cooney said that he didn't know for certain, but that the uncertainty of the vacation might be an issue. Werneiwski said that they have demonstrated alternatives for a viable subdivision. He said that he didn't think the driveway locations were a big deal and could easily be modified.

McJilton said that she didn't think the vacation would be a problem, but that she wanted to make sure that the lots were designed for the best configuration. Carlson said that having to push the houses back would quickly create grading issues.

Carlson asked about staff's conditions. Werneiwski said that there is enough to approve for final plat. He said that the vacation of Dyer Lane is preferred, but that the alternatives are workable as well.

Werneiwski asked about the driveways determining the front yard setback. Carlson said that the fire department wants to look for the address near the driveway.

Werneiwski said that the condition to confirm the vacation should not be a required condition.

Sharpe made a motion to recommend conational approval of the final plat with the conditions that:

- a) Proposed grading is revised to comply with the 3 foot grade alteration limitations of Section 1312.04 of the zoning code.
- b) All park dedication fees must be paid prior to Final Plat.
- c) The drainage and grading plans shall be approved by the City Engineer prior to the issuance of a building permit for each lot on an individual basis.
- d) The applicants comply with the requirements of the Minnehaha Creek Watershed District.
- e) All fees incurred by the City for the review of the Preliminary and Final Plat must be paid prior to the release of the escrow submitted by the applicant.

Motion was second by Anderson. Motion carried 7-0.

**Consider Ordinance 13-77 amending Section 1353: Stormwater Management, regarding new house construction**

Chairman Carlson introduced the agenda item.

Cooney said that the ordinance revision was brought about based on the City Council review of the variance for 3700 Hamilton Avenue. He said that the proposed new house created a condition where the property would exceed 40% hardcover, but no stormwater mitigation was required since the expansion was less than 500 square feet.

He said that several members of the City Council felt that new home construction should not be granted the 500 square foot exemption and that the stormwater management performance criteria should be applied regardless of the amount of hardcover expansion. Cooney said that the performance criteria for the new construction houses would not change, only the 500 square foot exemption.

Cooney said that, therefore, any new construction house would be required to mitigate for stormwater to the lesser of: the proposed impervious surface expansion, or the portion of the proposed impervious surface expansion that exceeds 25% impervious surface area. He said that a new construction house on a property that already exceeds 25% would not be allowed to expand hardcover without some kind of stormwater mitigation. Cooney Concluded his staff report.

Carlson asked if additions would still have the 500 square foot exemption. Cooney said yes.

Studer said that the entire city now has a 25% restriction. Cooney said existing properties can be over 25% hardcover, but they cannot build a new house that adds hardcover without providing for mitigation.

Studer said that he was confused about the expansion exemption. Carlson said that if a new house is being built that expands the hardcover by 490 or 510 or any amount, it must provide stormwater mitigation if the property exceeds 25%.

Studer asked about a lot that is cleared with no house on it. He said that there are not existing conditions, so what is the expansion of hardcover in that case. Sharpe said that creates a 25% hardcover limit.

Sharpe asked about a small lot with 40% hardcover that builds a new house. Cooney said that the house gets to keep the 40% hardcover, but if they expand hardcover at all, they would need to mitigate.

McJilton said, that in Studer's scenario, it is best not to clear the land of the original house, otherwise the house would have to meet the 25% restriction.

Studer asked about the shoreland district and if someone reduces hardcover from 40% to 35%. Cooney said that the hardcover is a legal non-conformity and a variance is not required. Werneiwski said they need the same footprint. Studer asked if they need to keep the same footprint or the same impervious. Carlson said the same footprint.

Motion by Werneiwski to approve Ordinance 13-77 as written, seconded by Studer. Motion carried 7-0.

## **OTHER BUSINESS**

### **LIAISON REPORT**

Council Liaison Gustafson said that variance for 20205 Cottagewood Avenue was approved 5-0, but he said that it was too much house for the lot. He said that it not the city's responsibility to make sure that the owner gets their equity back.

He said that the City Council wanted to make sure the Planning Commission reviewed the drainage issues, similar to the issues Studer raised for the Thie property.

Gustafson said that the Floodplain Ordinance was approved.

He said that the City Council elected to increase the Councilmembers' salaries from \$200 to \$400 and the Mayor's salary from \$300 to \$600 effective after the first of the year. He said that there has not been a raise in 23 years.

Carlson asked if the city should look at the height issues again as they relate to proximity to the property line. Gustafson said that they had looked at shorter houses for narrow lots. Carlson said that ordinance came from Boulder, Colorado. McNeill said that this might help with consistency of the variance approvals. Gustafson said that he is typically the one with issues related to variances.

Carlson asked if the city should revisit the R-4 zoning district since there are so many non-conforming lots. Anderson said that the issue for the Thie property was that the lot was pretty big, at 13,000 square feet, but also very narrow. Carlson said that the combination allowed for a taller house on an otherwise very small lot. Cooney said that the difference was only two feet in height from what the smallest lots are allowed, but he said they also had a walkout which made it seem even taller.

## **ADJOURNMENT**

Motion by Chairman Carlson to adjourn the meeting. Motion seconded by Commissioner Sharpe. Motion carried 7-0. The meeting adjourned at 8:50.

Respectfully submitted,  
Dale Cooney  
Zoning Coordinator