

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

PRESENT: Chairman John Studer, Commissioners John Daly, Cindy Hunt Webster, Bob Werneiwski, and Josh Wilcox

ABSENT: Commissioners Jeff Eaton, Doug Nagle, and City Council Liaison Melissa McNeill

OTHERS PRESENT: Zoning Coordinator Dale Cooney

Studer made a motion to move the new business agenda item to after the public hearings. Motion was seconded by Webster. Motion carried 5-0.

MINUTES OF August 20, 2019

Motion by Studer, seconded by Webster, to approve the minutes of June 18, 2019 as written. Motion carried 5-0.

PUBLIC HEARINGS

Consider the variance requests of Douglas and Marcia Jolstad to encroach into the minimum side yard setback in order to construct a guest suite over an existing garage at 20770 Linwood Road.

Chairman Studer introduced the agenda item.

Cooney presented the staff report. Cooney said that Douglas and Marcia Jolstad, property owners, are requesting a variance to build a guest suite over an existing garage. He said that the guest suite would maintain the footprint of the current garage, which is attached to the principle structure via a breezeway. Cooney noted that the property is a 30,903 square foot R-2 lot and that the property currently exceeds impervious surface area limitations, but that no impervious expansion is proposed.

Cooney said the guest suite is proposed for the north side over the existing garage and no footprint expansion of the garage is proposed. He stated that Section 1302.04(3) of the zoning ordinance requires a side yard setback of 20 feet. He said the applicants propose a side yard setback of 16.1 feet and are seeking a variance of 3.9 feet from the minimum required side yard setback.

Cooney said the garage currently is considered detached since the breezeway is not fully enclosed. However, he said that the applicant is within their rights, without a variance, to enclose the breezeway. This would allow the applicant to build the addition to the standards of the principal structure as long as the connection meets the requirements of Section 1310.10 Subd. 1(d):

An accessory structure shall be considered as part of the principle structure if the connection between the accessory and principle structure is above grade, fully enclosed with a full frost footing and has a minimum width equal to twenty five percent of the longest dimension of the accessory structure to be attached. In no case shall the length of the connection exceed fifty percent of the longest dimension of the accessory structure to be attached.

Cooney said that Section 1302.04(2) of the zoning ordinance limits the maximum impervious coverage of the property to 25% and that the existing impervious area on the property is 31.4%. He said no impervious expansion is proposed, but noted that a balcony is proposed to cantilever over a portion of an existing patio area.

Cooney said that he recommends approval with conditions of the variance requests with the condition that the connection between the principal structure and the garage be attached to meet the requirements of Section 1310.10 Subd. 1(d). Cooney said that his recommendation is based on the following findings:

- (a) Is the variance in harmony with the purpose and intent of the ordinance?
Yes. The applicant is seeking to vary from the stated setback and impervious surface standards of the ordinance to improve an existing non-conforming house constructed in 1964, per Hennepin County tax records. The expanded conditions are minor and remain in harmony with the purpose and intent of the ordinance.
- (b) Is the variance consistent with the comprehensive plan?
The request is consistent with the Comprehensive Plan's Housing Elements Goals and Policies which encourage residents to maintain and/or improve older homes which will promote diversity of housing in Deephaven.
- (c) Does the proposal put property to use in a reasonable manner?
The minor expansion upward of the non-conforming footprint of the house is reasonable, and the additions remain within the scope and scale of surrounding properties.
- (d) Are there unique circumstances to the property not created by the landowner?
Yes. The existing house and garage were constructed in 1964, and the side yard setbacks are nonconforming. Expanding the legally nonconforming garage is difficult without a variance.
- (e) Will the variance, if granted, alter the essential character of the locality?
The proposal would not alter the essential character of the locality. The proposed project is of a scope and scale comparable to other properties in the neighborhood, while the area of proposed encroachment is minor.

Cooney concluded his staff report.

Studer confirmed that no mitigation was required since the hard cover was not changing. Cooney said that was correct.

Daly asked if the garage is being removed or if they are building up from there. Doug Jolstad, applicant, said that they are keeping the first floor and building up an additional 4 or 5 feet.

Wilcox asked about a separate entrance. Jolstad said that access would be via the current breezeway area that would be enclosed. Jolstad said that they live in Florida most of the time and want to have less house to take care of. He said that his child and their family would be living in the house year-round and that they would live in the guest suite during the summer months.

Studer opened the public hearing. Hearing no public comments Studer closed the public hearing.

Wilcox asked about this being an accessory dwelling unit. Cooney said it is permitted by code as long as it is part of the principle structure and that a separate entrance is permitted as well.

Motion by Studer to recommend approval of the request with the condition that the garage be attached to meet the requirements of Section 1310.10 Subd. 1(d). Motion was seconded by Webster. Motion carried 5-0.

Consider the variance request of Michael and Kris Hickey, property owners, to exceed the maximum permitted grade alteration in order to construct a new house on the property at 3216 Robinsons Bay Road.

Studer introduced the agenda item.

Cooney presented the staff report.

Cooney said the property owners have applied for variances to exceed the maximum permitted grade alteration in order to construct a new house on the property the property at 3216 Robinsons Bay Road. He said the parcel is 46,204 square feet in size and zoned R-2. Cooney said the existing non-conforming house, built in 1933, will be removed.

Cooney said the applicants are proposing to raise the grade in the front yard by as much as 12 feet in some areas and that the elevations in the front yard will be significantly altered with many areas seeing alterations of 8 to 10 feet. He said that city code limits grade alterations to 3 feet. Cooney said that the primary purpose of the grade change is to allow for the garage and main floor to be on the same level. He said this also allows for an at-grade entry to the front door.

Cooney noted that the property sits between Lake Marion and Lake Minnetonka with much of the front yard at an elevation below 932. He said that the yard gradually increases in elevation towards the north property line. He noted that there is a high area on the property where the existing house sits with elevations between 938 and 944. Cooney said the existing driveway area has been muddy and wet all summer long, and staff clearly understands the need to elevate the driveway grade and elevate other low areas on the property.

Cooney said that the principal justifications for land alteration restrictions are to limit properties from circumventing the house height limitations by building up the grade around a property, or altering overall drainage patterns in a significant or detrimental way. He said the city engineer reviewed the proposal and felt that the grading would maintain the overall drainage pattern of the property, but that a large portion of runoff from this site is directed to the low area on the southeast corner of the property. Cooney said that the city engineer recommended that mitigation be provided in the low area in the southeast corner of the property and that an outlet to Lake Marion could be part of that possible solution. Cooney said that staff would recommend that any approval resolution contain a condition for mitigation.

Cooney said that the applicant submitted an engineering evaluation for potential mitigation in the southeasterly area of the property. Cooney noted that their engineer said the evaluation determined that mitigation was not feasible in this area. Cooney said that he would recommend that the applicant propose an appropriate area for mitigation and that, if one cannot be found, it may be justification for denial of the application.

Cooney said he has concerns about the magnitude of grade change for the property. He said the above noted variance justifications have served the city well to date, he is unaware of a grade alteration of this magnitude. Cooney also stated that proposed grade change does not just rectify some problems on the property, it fundamentally alters the overall character of the property.

Cooney said that some kind of grading variance seems necessary for the property, and having a driveway elevation of, for example, 936 seems entirely justified. He said that, while the existing house has a walkout level, the scale and location of the existing house footprint is not conducive to such an amenity without the substantial grading variance for the property.

Cooney said that he recommends denial of the variance requests of Michael and Kris Hickey to exceed the maximum permitted grade alteration by up to 9 feet for the property at 3216 Robinsons Bay Road, as proposed, based on the following findings.

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

No. The principal justifications for land alteration restrictions are to limit properties from circumventing the house height limitations by building up the grade around a property, or altering overall drainage patterns in a significant or detrimental way. Given the proposed location and scale of the house, the property is not conducive to a walkout elevation without a significant grading variance.

(b) Is the variance consistent with the comprehensive plan?

No. The request is consistent with the Comprehensive Plan's Housing Elements Goals and Policies which encourages safe, healthy and quality housing, but the proposal does not respect the natural environment of the community based on the scale of the grading.

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

No. While some type of grading variance may be justified for this property, the scale of the grading is not reasonable and attempts to fundamentally remake the character of the property. Many of the problematic characteristics of the property could be overcome with a much less severe grade alteration.

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

Yes. The front half of the property sits at an elevation of 932 or lower. The low areas on the Lake Marion side of the property are prone to flooding and drainage issues. However, it is not necessary to raise the front yard by up to 12 feet to remedy those issues.

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

Yes. Robinsons Bay Road is primarily a low-lying area with lot elevations in the 934 to 937 range. While this property is transitional as the elevations increase towards the property to the north, approximately 75% of the property is still at an elevation of 936 or lower. The knob on which the existing house sits is the only area on the property within the building setback area with elevations of 938 or greater.

Cooney concluded his staff report.

Studer asked about the road. Cooney said that the road is private, but he was unsure of how the road is owned and repaired and what role an HOA plays. Cooney said that the residents in the audience could clear up the issue.

Daly asked about the drainage on the property. Cooney said that it drains generally east and west, but there is a low area in the southeast corner of the property where the water pools.

Wilcox said that it appears that certain areas of the property are lower than Lake Marion.

Webster asked about the elevation of the current main floor versus the proposed main floor. Daly said that it looks to be about 2 feet higher.

Sven Gustafson of Stonewood Builders, builder for the project introduced himself. Peter Eskuche said that the client came to him to discuss the project which had an existing basement and that they were unaware at the time that the basement was nonconforming. He said that the house needed to be raised 2 feet just to meet requirements. Eskuche said that the house eliminates existing nonconformities. Gustafson said that the house is shorter than required and that they are not trying to cheat the house height limits.

Studer said that the idea is to start at 934 elevation and that the 944 elevation would be the main level. Gustafson said that the house currently has a tuck-under garage and a lot of impervious area near the neighbor to the south that would be removed.

Eskuche said that the property to the north is significantly higher. Gustafson said that there is a drainage pipe that might be clogged on the street side. He also said that drainage from the gutters would be collected in a French drain.

Webster asked where the drainage was collected. Eskuche said that potentially using a culvert across the road.

Studer asked about the low floor elevation. Gustafson said that they cannot get a main level lower than 944 and keep a walkout or a lookout. Studer said that you don't need to raise the property 12 feet to meet the low floor

requirements. Gustafson said that was really to keep the main level entry and the garage at the same elevation to be an age-in-place design.

Wilcox asked about using the existing basement. Eskuche said that would not be allowed under FEMA requirements. Gustafson said that raising the front yard eliminates the steps to get to the main level that currently exists. He said that the property does grade up dramatically to the north.

Cooney said that the low floor elevation required by the city is 932.9, which is 3 feet above the OHWL and that FEMA would not require anything higher than that.

Eskuche said that the most successful mitigation solution would be a dry well, depending on the water table.

Studer opened the public hearing.

John Lindahl at 3222 Robinsons Bay Road, said that they were probably the most impacted by the request. He said that they have been impacted by runoff without the elevation change and that the change in water flow from the property is a big concern. He said that there are a number of ways to handle the situation, but that he does not think anything is viable without a drain into Lake Marion. Lindahl said that this was not a problem in the past but that the drain has since been clogged up. Lindahl said that every house on the street has basement limitations. He said he asked the Hickey's about their design and the need for raising the elevation this much.

Wilcox asked Lindahl if he would be okay with the proposal if a drainage resolution were to be found. Lindahl said that he questions the proposed elevation of the house, but the drainage situation absolutely needs to be solved. Wilcox asked about the ownership of the road. Lindahl said that they do not own any part of the road itself. Webster asked Lindahl about the impacts of the grade change and the water runoff. Lindahl said that if you raise the house at all there will be issues.

Nancy Lindahl said that one of the things they did 20 years ago was to reconstruct the driveway and that they are a dry lot, except that the Luther house to the south is now causing problems.

John Lindal said that his house was built over a channel between Lake Marion and Lake Minnetonka. He said that it is on 34 feet of pilings and that they have a very elaborate sump pump situation that runs nearly constantly.

Mark Anderson of 3120 Robinsons Bay Road, said that the section of the road across from the Hickey property is owned by the Lee's at 3275 Robinsons Bay Road.

Studer asked if there was a homeowner's association and who plows the road in winter. Mary Mithun of 3266 Robinsons Bay Road said that they have an extremely limited homeowner's association. She said that she was in charge of writing the check for snow plowing and for repaving the road a couple of years ago. She said that is the limit of the association. Mithun said that some properties have property on both sides of the road and some do not. She said that is why the road needs to be private since it runs through private property.

Studer asked about city sewer. Kathy Murphy of 3200 Robinsons Bay Road said that it does run under the road, but it ends at 3222 Robinsons Bay Road and the properties further down need to connect to that end point.

Anderson continued with his comments. He said that his comments about the variance are related to water runoff. He said that he has lived at his current residence for 58 years, and that he does not remember an instance when there has been standing water covering this section of Robinsons Bay Road. He said that, if the assurances of the engineers turn out to be wrong, then standing water may develop to cover this section of the road. Anderson said it seems reasonable that the applicants would accept responsibility to correct any future standing water conditions.

Daly asked why would they have to accept responsibility. Anderson said that since there isn't flooding on the road now, and if there were flooding in the future, the cause would be clear. Daly said that there are pictures of standing water. Studer said it is on the Hickey property, not the road. Daly said he understands now.

Kathy Murphy said that she has dug into the plans and understands what is being proposed. She said that she has concerns. She said it is difficult to talk about an elevation change without addressing the water issue. Murphy said that section of the road is owned by the Lee's and that they have an easement to use the road. She said they also own property on the other side of the road. Murphy said that there is a drain that was put under the road, but she doubts it was legal. She said that the lake level is high this year. She said that she does not want to create an island for her property. Murphy said that she is concerned that any elevation change will create water issues and that the variance should not be decided until the water issue is resolved. She said the neighborhood is open to talking about possible solutions.

Webster read the Lee's letter to Murphy which raised concerns about water runoff.

Murphy said that, regarding the elevation change, the pool is going where the existing house is going. She said that the house would go to the east of that. She said she does not understand the comment about not being able to use the existing basement on the property since that is not where the house is going. Daly said it is really more about the starting elevation of the lowest floor. Murphy said that the grade change would be twice the height of her husband over the entire driveway pad and that is a huge change.

Studer asked about the yards of soil needed. Eskuche said that there will be a lot taken from the basement from the proposed house, so it is hard to get an exact number. He said that a portion of the house will be built into the hill.

Murphy said that the grading in the hillside concerns her too since she has many trees whose large root systems would be impacted by that grading. She said that the neighbors are scared and that they want the Hickeys to find a solution, but without creating different problems in the process.

Gustafson said that they understand the need to deal with the water on the property. He said that the design for the site will drive the solution for the water problem. Wilcox asked about showing the solution on the proposed plan.

Studer said that raising grade will push the water elsewhere and that the plan should control where it goes which is hopefully not on the neighbor's property. He said that the front yard is the current solution, and that moving it off that area is going to push the water somewhere.

Eskuche said that they can't fill in the floodplain and the road essentially dammed off the site. He said that the water comes around the driveway and is directed to a catch basin. Webster said that the catch basin needs to be addressed. Gustafson said that there won't be more water volume from the property.

Werneiwski said that there is a bigger problem here and the property is impacted by the whole neighborhood.

Mary Mithun asked if the variance was for 12 feet or 9 feet. Wilcox said they can do 3 feet without a variance so the request is for 9 feet. She said that they misunderstood that with the Luther property. Mithun asked about a house in Deephaven Park that was built on a wet area. Webster said the city helped fix that problem, but Robinsons Bay Road is private.

Mithun asked if a walkout basement is needed for the property. Michael Hickey, applicant, said that one of the main reasons they bought the house was for a walkout basement. Mithun said that the rest of the neighborhood does not have a walkout basement. She said that this house has a tuck-under garage, but not a walkout basement.

Webster asked where the walkout was. Daly said that it is on the south side where the garage is.

Mithun asked that if she were standing in the office above the garage of Lindahl's house, where would the garage floor start. Gustafson said that the best way to think about it is being two feet higher than the main floor of the current house.

John Lindahl said that if the driveway is 12 feet higher than it is today they are going to have a pool in their front yard unless there is a water solution. He said that he did not think that there is any way to get water to Lake Minnetonka from this property.

Daly asked about the number of steps from the driveway to the front door. Eskuche said it was 10 feet of steps. Daly asked about the number of steps from the proposed garage. Eskuche said it was 1 step.

Cooney asked about the design for the property and said that it looks like most of the property is low rather than high and that the high area is the building pad area for the existing house. He asked why they didn't start with a main floor at around 936 and have a crawlspace instead of building up to the small, higher area on the property. Eskuche said that the existing house has a basement and starting at the lower level would not allow for that. He said that pushing the house east and adding the pool created a need for a larger amount of fill.

Gustafson said that part of the practical difficulty is that the existing house could not be built today and that if they tried, they would have to push the house much higher than it is today.

Mithun said that they recently rebuilt the road. She said that if the new owners are going to haul in this amount of fill, will they be responsible. Daly said that the city can't help with that, and that there is a lot of other construction on the street. Wilcox said it was a valid question.

Murphy asked about Daly's business relationship with Sven Gustafson. Daly said he has business interests with Gustafson and Eskuche but that he is not involved with this particular project. Murphy asked about recusal. Daly said that he thought about it, but does not have a financial interest in this project.

Webster said it is a small town and Daly likely has a lot of relationships with builders and architects. Wilcox said that is different than business relationships. Daly said that he does not have a monetary interest. Studer asked if he would have an issue recusing himself. Daly said he would not if that is what the commission requested.

Studer said that the Planning Commission is only a recommending body. Murphy said that she understood. She said that Councilmember Jewett was the agent that sold this property to the Hickeys. Webster said that need to be raised with the city council and that is a valid concern.

Nancy Lindahl said that she wants this project to work. She said that there is a drain from that property to the lake and that she witnessed the war over that drain between the Becks (previous owner of the Hickey property) and Billy Traff. She said that it is her guess is that Traff put cement in the drain. She said that there was not previously a water issue on that property and that it used to work before.

Studer asked about scoping the drain to see if it is blocked. Eskuche said he tried to find it, but did not have much luck. Studer said it would be good to have the property owners try to unclog the drain.

Studer closed the public hearing.

Werneiwski said that there a lot of issues with the project, but the Planning Commissions role is to vote on the grading variance request. He said that the city doesn't own the road and can't require drainage to the lake via private property. He said he thinks the 12 foot grade change is too much. He said that he doesn't think that mass grading of a lot was the intent of the ordinance.

Webster said that the neighborhood should work to resolve the drainage situation towards the lake. She said that she can be open-minded about variances but that this is too much. She said she could support a scaled back version for the property.

Studer said he is challenged by the scale of the increase. But, every lot is different and this one has ponding issues already. Studer said that the whole cul-de-sac is here to talk about a solution for the property. Studer suggested clearing the drain. He said that if the water is pushed off the site, it will go somewhere. Studer said that 12 feet is dramatic. He said that the property owners have a right to rebuild what is there, but having a basement isn't a necessarily a right. He said that every lot is different, and sometimes you need to make the house fit the lot rather than make the lot accommodate the house. He said that he would not be in favor of the request.

Daly said that the property is unique with a very low spot on the property, and a very high area on the property. He said that a lot of water likely comes down that hill from the north. He said that he likes that the nonconforming aspects of the property are being addressed. He said that something needs to be done on the property, but maybe there is a compromise solution by dropping the garage. He said that the water is coming to this area from the neighbor to the north as well as Hill Lane.

Wilcox said that he has a hard time approving the request in the context of the water issues. He said that a 9 foot variance is a lot, but that he might not be opposed to is based solely on that. He said that it is a transitional property that steps down from the higher lot to the north, to the lower lots to the south. Wilcox said that until the water issue is solved, he is not in favor of the request.

Studer said that the whole buildable area of the lot is going to be raised to 940. He asked if there were some kind of compromise. He said that raising the grade so dramatically might not increase the water on the property, but it will increase the rate that it leaves the site. He said that this will affect the neighboring properties. Studer said that the challenge is handling the water on the site without affecting the neighbors and making it somebody else's problem.

Studer said that, while it looks like it might be denied, the Planning Commission is just the recommending body. He said that the City Council may feel differently.

Cooney said that he thinks it is valuable to hear the input from the City Council. He said that they might raise different issues not discussed here and that it would be important to incorporate those comments before making revisions. He said that the opinions of the City Council and Planning Commission are not always in lockstep.

Gustafson asked if the water issue were to be resolved, would the Planning Commission feel differently about the proposal. Studer said the water issue is his biggest concern, and that the elevation needs to change to handle the water. Studer said that they have a right to have a dry driveway, but the water needs to go somewhere. He said that it might change the opinion of the body, but that is not what they have in front of them today.

Webster said that the request is very large in scope and that she can't support such a substantial change in the topography to fit a new building. She said that the variance does not need to be 9 feet to solve the water issue.

Motion by Studer to recommend denial based on staff's recommendation. Motion was seconded by Webster. Motion carried 5-0.

NEW BUSINESS

Webster said that she would like to have the city consider taping these meetings. She said that there has been some confusion in the past and thinks recording the meetings would be helpful.

Studer said that he understood that part of the reason for not recording was so that people felt freer to speak at the public hearings. Webster said she understands, but thinks it is important in the spirit of transparency for the community. She said that the nuance of the conversation is lost in the meeting minutes.

Werneiwski said that people always have the opportunity to hear what the Planning Commission says by coming to the meeting, but most times there is an empty room.

OLD BUSINESS

Discuss potential regulations on short term rental property.

Studer introduced the agenda item. He said that this was brought up last month.

Cooney said that this was presented last month, but the Planning Commission did not have time to review the material and the comments were very off-the-cuff. He said that he wanted to give the Planning Commission time to review ordinances and discuss the issue in more detail. Cooney said that the City Council is looking to the Planning Commission to make a recommendation on this issue. He said that the City Council is also looking for the mechanics of how something like this might work via simply a prohibition, licensing, or some other means.

Webster said that Wayzata requires licensing, but also background checks for every tenant which she says is ridiculous. She said that she has only had positive experiences with Airbnb rentals. She said that she does not want to regulate it unless it becomes a problem and that she does not think there is a problem. She said that there have not been police calls to the property.

Wilcox said that this is an issue for a lot of communities. Webster said that this was a neighbor complaint, but that there has never been a police call about this.

Daly said that neighbors in Deephaven might prefer to work with their neighbors before calling the police. He said that the area has an attraction, which is Lake Minnetonka.

Webster said that she does not see the drawback. Studer says that he does use them when he travels, but he could understand the impact if you are a neighbor.

Studer asked about licensing. Cooney said that Greenwood has rental licensing for long-term rentals, and that they also prohibit short-term rentals and that those two pieces can work hand-in-hand. He said that the issue with short-term rentals is enforcement. He said that it can be very difficult to prove that someone is a short-term renter versus a relative or a guest. Cooney said that he has come to realize that even enforcing even clear violations of the code can be expensive and time-consuming.

Webster said that enforcement is part of her issue with not wanting to put something on the books. Cooney said that there are also easy work-arounds for the 30-day limit in most city codes. He said that he is not trying to argue against the potential regulation, but just note that enforcement is difficult.

Wilcox said that something might make sense, but agrees that enforcement would be an issue.

Webster said that her sister uses Airbnb all the time, and that she has never had an issue.

Daly said that the variance request for Linwood Road tonight could easily be an Airbnb. He asked if we are asking for trouble with all of the age-in-place suites.

Studer said that not everyone wants to open their house to strangers.

Cooney said that he needs to follow up with other city's staff and ask them out about enforcement.

Daly asked about enforcement in Greenwood. Cooney said that some of these places are listed online, so there is evidence and enforcement can be easier. But, some use other means and word-of-mouth, so enforcement becomes more difficult. He said that enforcement in Greenwood has been mostly successful, but some are trickier.

Studer said that he would like to learn more from other cities. Daly said that he would like to hear about licensing and if it is effective.

Studer says that in Missoula the city comes through to inspect the Airbnb properties. Daly said that he imagines that they would come through and inspect health, life, safety issues like railings and smoke detectors. Studer said that he thinks there are plenty of houses in Deephaven that do not have those things. Daly said that those shouldn't be rentals.

Webster said that we don't have that kind of criteria for long-term rental. Studer asked if we should do this kind of thing for all rentals.

Studer asked what the difference was between 30 days and 60 days from an impact perspective. Daly said that sometimes there are rentals in the summertime, or to live in for construction. Webster said that Airbnb would not be an issue for the winter.

Werneiwski said he would like a little more information before moving forward.

Studer asked Cooney to talk with other city staff about enforcement.

LIAISON REPORT

Cooney said that the City Council approved the variance request for 20620 Linwood Road. He said that the proposal was revised such that the closest setback for the new garage was 12 feet from the property line. He said that there were still some concerns about the swale and that a site visit to confirm the final location of the swale would be required.

Cooney said that the City Council approved the variance request at 19680 Lakeview Avenue. He said that the council was comfortable with the proposed impervious areas and mitigation.

ADJOURNMENT

Motion by Studer to adjourn the meeting. Motion seconded by Webster. Motion carried 5-0. The meeting adjourned at 9:03.

Respectfully submitted,
Dale Cooney
Zoning Coordinator