

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, DECEMBER 21, 2016
7:00 P.M.**

1. CALL TO ORDER/ROLL CALL

Chairman Lucking called the meeting to order at 7:00 p.m.

Members Present: Chairman Pat Lucking, Commissioners Lake Bechtell (arrived at 7:30), Jennifer Gallagher, Doug Reeder, and David Steingas

Others Present: Council Liaison Bill Cook and Zoning Administrator Dale Cooney

Absent: Commissioners Kristi Conrad and Fiona Sayer

2. OATH OF OFFICE

Zoning Administrator Dale Cooney administered the oath of office for new planning commissioners Jennifer Gallagher and David Steingas

3. MINUTES – August 17, 2016

Chairman Lucking moved to approve the minutes of August 17, 2016 as written. Commissioner Reeder seconded the motion. Motion carried 4-0.

4. PUBLIC HEARINGS

4a. Public hearing to consider the variance request of Roger Champagne for the property at 21595 Minnetonka Boulevard: Section 1120.20 Subd. 2(c) of the Greenwood Ordinance Codes states that primary accessory structures maximum combined floor space may not exceed 60% of the total at-grade, main floor square footage of the principal structure. The applicant is proposing to exceed the maximum permitted accessory structure footprint by 150 square feet in order to build a new 676 square foot detached garage.

Chairman Lucking introduced the agenda item and opened the public hearing.

Roger Champagne, applicant, said that there is a small garage on his property that is within the setback. He said that he moved into the house about two and a half years ago and that instead of putting a lot of effort into repairing the existing one-stall garage, he would like to build a new two-car garage. Champagne said that he has a deck on his house, but if that were converted to living space, a variance would not be required. He said that he plans on living there for a long time and eventually he would build an addition, but that is not in his immediate plans. He said that the new garage would be pulled off of the lot line to be compliant with setback requirements and that it will be very nice when it is done. He said that he is retired and that he will build the garage himself and that the area is very flat and that no grading is required. Champagne said that the peak of the garage will only be 14 feet, 6 inches tall. He said that this will be a good improvement for the neighbors and the community.

Gallagher asked if he had considered doing the remodel first and then a variance would not be required. Champagne said that it is significantly more expensive to do the remodel and he isn't quite to that point yet.

Gallagher asked if he had considered scaling down the garage so that a variance would not be needed. Champagne said that he wants a garage that will fit both his boat and his truck. He said that it is not worth his time to do the project if he cannot fit both vehicles in there, and that it would not be functional for his needs.

Steingas said that in proportion to the lot the garage is not too big, but the house footprint is too small. Lucking agreed.

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Champagne said that he understands the intent of the ordinances for having oversized accessory structures, but that is not the case here.

Lucking closed the public hearing.

Reeder said that he thought it was a reasonable proposal.

Gallagher said that the proposal makes sense, but that her only concern was the scale of the garage relative to the house. Lucking said that the structures are very far apart and that visually they will be two separate structures.

Motion by Steingas to recommend approval of the variance request of Roger Champagne for the property at 21595 Minnetonka Boulevard, as presented, based on the recommendation, findings and conditions of staff. Motion was seconded by Reeder. Motion carried 4-0.

5. NEW BUSINESS

5a. Discussion Regarding Zoning Regulations Based on Lot Size

Council Liaison Cook led a discussion on the proposed ordinance changes. Cook said that the residential districts in the city are all only slightly different. He said that he is trying to unify the districts. He said that he is working on issues with smaller lots and what are people allowed to do on those lots. He said that reduced setbacks are reasonable on those types of lots. He said that having a 20 foot wide house is too narrow and that it is like living in a trailer home. He said that property owners should be able to build a 24 foot wide house on their smaller properties. He said that most small lots are 44 to 50 feet wide and that the remaining setbacks should just be what they are based on a 24 foot wide house. Cook said that he wants people to have an idea on what they might be able to do on a lot without going through the variance process. He said that he is considering different setback requirements based on lot size rather than zoning districts.

Reeder said that people would get suspicious about the changes and how it might allow them to do less with their property.

Cook said that he would have to make the case to the community.

Steingas said that a person with a larger lot who has to be further back from the lot line might be impacted by a small lot where a house is closer to the lot line. He said that might not be fair.

Cook said that his current house could only be two feet wide according to the ordinance. He said that someone who has a 150 foot wide lot would have no trouble meeting the ordinance, but the 50 foot wide lots are problematic. He said that it is not a fairness question if someone has enough lot width to build the house of their dreams.

Lucking asked if there were a 24 foot wide lot, could someone build a 24 foot wide house.

Cook said that there would have to be some minimum setbacks to allow for drainage, eaves, and other issues. He said that he was thinking about a 6 foot minimum setback requirement for smaller lots. He said that the question is if someone owns a residential lot, are they entitled to build a residence on it.

Steingas said that the lot is not buildable if you can't comply with the zoning requirements and that the value is reflected in the lot.

Cooney asked if Cook was proposing a minimum house footprint allowed, by rights, on the smaller lots, or if he was proposing variable setbacks based on lot size.

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Lucking said that most of these smaller lots will have other issues beyond setbacks and that they would likely need to come through the variance process regardless.

Cook said that the variance process is intimidating. He said that he is not in favor of grandfathering existing hardcover because it is hard to know if it was done legally. He said that there should be a minimum allowable house where it makes sense. Cook said that he is not getting rid of the variance process, but allowing people to plan before they buy the lot.

Lucking said that on a small lot, the property owner is entitled to the existing footprint, but that beyond that they would need to come in for a variance.

Gallagher asked if there are many variance requests for hardcover and if they are frequently granted. Lucking said that is a tricky question since many people asking for hardcover variances are already over hardcover limits and come in asking for the same amount or less hardcover as existing, but still over the 30 percent limit.

Cook said one other issue that concerns him is very narrow lots that are also large lots. He said that in these cases, you tend to get very tall, skinny, row houses.

Lucking said that simplifying the code is a good thing if it can be executed properly. Cook said that he wants to avoid unintended consequences.

6. LIAISON REPORT

Council Liaison Bill Cook said that he does not have a further liaison report other than to state that Kristi Conrad will be the council liaison beginning in 2017.

7. ADJOURN

Motion by Bechtell to adjourn the meeting. Steingas seconded the motion. Motion carried 5-0. The meeting was adjourned at 8:04 p.m.

Respectively Submitted,
Dale Cooney - Zoning Administrator