

BELLE PLAINE PLANNING & ZONING COMMISSION
REGULAR MEETING
NOVEMBER 13, 2017

PLEDGE OF ALLEGIANCE.

Chair Hetzel led those present in the Pledge of Allegiance.

1. CALL TO ORDER. 1.1. Roll Call.

The Planning and Zoning Commission met in Regular Session on Monday, November 13, 2017 at City Hall, 218 North Meridian Street, Belle Plaine, MN. Chair Anthony Hetzel called the meeting to order at 6:35 p.m. with Commissioners Ashby Carter and Omni Kiecker present. Also present were Community Development Director Cynthia Smith and Council Liaison Chard. Commissioners Ashton Pankonin and Catherine Tarbell were not present.

2. APPROVAL OF AGENDA.

MOTION by Commissioner Carter, second by Commissioner Kiecker, to approve the agenda as presented. ALL VOTED AYE. MOTION CARRIED.

3. APPROVAL OF MINUTES. 3.1. Regular Session Minutes of October 9, 2017.

MOTION by Commissioner Carter, second by Commissioner Kiecker, to approve the Regular Session Minutes of August 14, 2017. ALL VOTED AYE. MOTION CARRIED.

4. RECOGNITION OF INVOLVED CITIZENS.

No one spoke during open forum.

5. PUBLIC HEARINGS.

5.1. Variance Garage Door Height: 936 Riverview Lane Shannon Keohane. The Planning Commission will consider public comment on a request by Shannon Keohane and Kate McGrane, owners of property at 936 Riverview Lane, Belle Plaine, MN for a variance from Section 1105.06, Subd. 6(3) to allow a maximum garage door height of nine (9) feet at the subject property in the R-2, Single Family Low Density Residential District. The Code establishes maximum garage door height at eight (8) feet.

1. Resolution PZ-17-027 Recommendation on Variance to Allow 9 Foot Garage Door Height at 936 Riverview Lane.

Community Development Director Cynthia Smith Strack explained Shannon Keohane and Kate McGrane, owners of property at 936/932 Riverview Lane request consideration of a variance to: Section 1105.05, Subd. 6(3) pertaining to a maximum garage door height of eight (8) feet in the R-1 Single Family Residential District. The Applicant's made the following representations in their application: If granted the variance will allow for a garage door height of nine (9) feet. The proposed garage doors will be located in an attached garage. The proposed attached garage is part of a new home construction in The Provence subdivision. Provence covenants require vehicles be parked in garages. The property owner's work van requires a nine-foot garage door height for access. The property owners request both proposed garage doors be allowed to be nine feet in height.

Strack noted the plans illustrate a two car garage with a third stall. Strack stated the Commission is reviewing accessory structure standards at this time. A survey conducted as part of accessory structure standard review finds the cities of Jordan and Savage regulate maximum garage door heights at nine (9) feet. Elko New Market, New Prague, Prior Lake, and Shakopee do not regulate maximum garage door height.

Smith Strack noting findings both for and in opposition to the proposed variance were included in the staff memo.

Chair Hetzel opened the public hearing at 6:42 PM and asked for public comment.

Property owner Shannon Keohane explained he was not aware of the garage door height before purchase and having construction plans drafted for a new home at 936 Riverview Lane. Keohane was first made aware of the maximum garage door height issue when brought to his attention by City Building Inspector Jim Bauman. Keohane responded to questions from commissioners.

Commissioner Kiecker questioned if all vehicles in the Provence development are parked indoors at night and if building plans were approved by the neighborhood developer. Keohane explained no, all vehicles are not parked indoors currently but it is a covenant and it could be enforced at any time. Keohane also explained his home plans were approved by the neighborhood developer.

Commissioners Carter and Hetzel questioned if Keohane starts his workday from home, or if he has an additional option for storage of his work van. The Commissioners also asked if the garage would have enough depth for a work van. Keohane explained he currently starts his workday from home, and that he does have an additional unheated storage option, however it would cause him additional time on the road daily. Keohane also answered the depth of the garage is enough for a work van or boat trailer.

Commissioner Hetzel expressed his struggle with the essential character of the neighborhood. Keohane explained the public notice went to each of his neighbors and no one came forward to speak against the door height. Commissioner Carter questioned if an additional garage could be constructed and who enforces the covenants. Keohane explained that Provence does not allow for additional structures and that the homeowners report covenant issues to the developer.

MOTION by Commissioner Carter, second by Commissioner Kiecker, to close the public hearing at 7:07 p.m. ALL VOTED AYE. MOTION CARRIED.

MOTION by Commissioner Carter, second by Commissioner Hetzel, to approve Resolution PZ-17-027 Recommendation on Variance to Allow 9 Foot Garage Door Height at 936 Riverview Lane. Commissioners Carter, Hetzel voted AYE. Commissioner Kiecker voted NAY. MOTION CARRIED.

The Commission's approval included findings of fact as follows: The use of the property will remain single family low density residential, consistent with both planned use and existing zoning. Garages, accessory to principal dwellings, are typical in the applicable zoning class. The proposed resulting project is consistent with Comprehensive Plan and the general purpose/intent of the Code. Covenants applicable to the Provence subdivision are more restrictive than zoning standards relative to architectural style and outdoor parking. The covenants require architectural design review for all new construction and a minimum roof pitch of 6:12ths. Said covenants also require vehicles be stored in a garage and prohibit storage of non-vehicular personal items in the garage to an extent that limits the garage's availability for parking of vehicles. Without a variance the Property Owner is unable to park a contractor van inside as required by covenants.

6. BUSINESS.

6.1. Discussion on Exterior Materials for Accessory Structures

Community Development Director Smith Strack explained the Planning Commission is to continue discussion of accessory structure standards. At the October meeting the Commission reached consensus on the following: (1) Accessory structure area can't exceed foundation size of principal structure. (2) Maximum square footage allowed is aggregate total of all detached accessory structures. (3) Maximum detached accessory structure size is limited to 10% of the lot size or 900 square feet, whichever is less. (4) No CUP for detached greater than 900 square feet: remedy will be limited to variance. (5) Maximum number of detached accessory structures per lot is two, however, the Commission needs to further clarify language pertaining to what constitutes an accessory structure (e.g. dog kennel, playhouses, treehouses could be excluded). (6) Detached accessory structures exceeding 220 square feet in area need to have driveway access. (7) Maximum garage door height will be 9 feet. (8) Maximum height for residential detached accessory structures is 15 feet or the height of the principal structure, whichever is less. (9) No accessory structures are allowed prior to construction of a principal structure.

Smith Strack noted the Commission also agreed to discuss exterior building materials and pole sheds at the November meeting.

Commissioners expressed a need for visual harmony with existing buildings, and reasonable or comparable building materials adjusted with inflation. Commissioner Carter opined additional structures should be consistent with the principal structure and with maximum height. A lengthy discussion was held on pole sheds.

Community Development Director Smith Strack questioned if the Commission objected to pole and frame construction or the exterior appearance of such structures as agricultural buildings. The Commission noted the external appearance of the building was the principal factor, not the type of construction. Smith Strack suggested potential standards to address the external appearance as residential in character. For example, Smith Strack suggested the Commission could require building openings similar to those on the principal structure and require that eave or overhang depths be sympathetic to those of the principal dwelling. She noted the Commission could require accessory structure exterior materials be comparable to those of the principal structure. She recommended the Commission clarify how those specific standards would relate to smaller accessory structures similar to tool sheds available for purchase at discount retailers. Smith Strack further suggested the Commission could disallow vertical siding on accessory structures thereby eliminating agricultural metal. In addition, open fasteners could be disallowed.

The Commission favored Smith Strack's suggestions and the inclusion of a general statement regarding visual harmony of structures as viewed from the property line. The Commission noted a need to continue to discuss how proposed standards could impact accessory structures purchased from discount retailers. Consensus of the Commission is that such structures should be allowed provided they were in harmony with the principal dwelling, but that they would not need to meet specific standards.

Smith Strack reported that currently car ports are allowed. It was the consensus of the Commissioners to bring carports back for discussion and future code cleanup. Smith Strack will bring back samples of standards for playhouses and dog kennels. Smith Strack recommended that after the December meeting specific language be drafted and review and then presented at a future workshop with council.

7. ADMINISTRATIVE REPORTS.

7.1. Commissioner Comments.

No comments were made.

7.2. Director's Report.

Community Development Director Smith Strack provided highlights of the Director's Report.

7.3. Verbal Update on Expiring Terms

Community Development Director Smith Strack explained the upcoming expiring terms of Tony Hetzel and Catherine Tarbell.

7.4. Upcoming Meetings.

- 1. Regular Meeting, 6:30 p.m., Monday, December 11, 2017.**

8. ADJOURNMENT.

MOTION by Commissioner Carter, second by Commissioner Kiecker, to adjourn the meeting at 8:07 p.m.
ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary