

**MINNETONKA PLANNING COMMISSION
MINUTES**

AUGUST 20, 2009

1. CALL TO ORDER

Chair Cheleen called the meeting to order at 6:30 p.m.

2. ROLL CALL

Commissioners Sjeklocha, A. Thomas, Walker, Adams, and Cheleen were present. Blatz and Lehman were absent.

Staff members present: City Planner Loren Gordon and Planner Jeff Thomson.

3. APPROVAL OF AGENDA: The agenda was approved as submitted with an additional comment provided in the change memo dated August 20, 2009.

4. APPROVAL OF MINUTES: August 6, 2009

Sjeklocha moved, second by A. Thomas, to approve the August 6, 2009, meeting minutes as submitted.

Sjeklocha, A. Thomas, Walker, Adams, and Cheleen voted yes. Blatz and Lehman were absent. Motion carried.

5. REPORT FROM STAFF

Gordon noted that the September 3, 2009 planning commission has a full agenda with six items tentatively scheduled.

6. REPORT FROM PLANNING COMMISSION MEMBERS: None

7. PUBLIC HEARINGS: CONSENT AGENDA: None

8. PUBLIC HEARINGS

- A. A side yard setback variance from 30 feet to 25 feet to construct an addition to the existing house, located at 4136 Tonkawood Road. (09019.09a)**

Chair Cheleen introduced the proposal and called for the staff report.

Thomson reported. He recommended approval of the application based on the findings and subject to the conditions listed in the staff report.

The applicant declined to comment.

The public hearing was opened. No testimony was submitted and the hearing was closed.

Walker moved, second by Adams, to adopt the resolution on pages A11-A13 of the staff report, which approves an aggregate side yard setback variance from 30 feet to 25 feet for a garage addition at 4136 Tonkawood Road. Approval is based on the following findings:

- 1) The proposal is reasonable and would meet the required standards for a variance, because:
 - a. **UNDUE HARDSHIP:** There is a hardship due to the existing conditions of the site. Given the width of the lot and the existing nonconforming setback, a garage addition that maintains the existing building lines could not be constructed without the need for an aggregate side yard setback variance.
 - b. **UNIQUE CIRCUMSTANCE:** The width of the lot and the existing nonconforming setback are circumstances that are not common to every R-1 property.
 - c. **INTENT OF THE ORDINANCE:** The proposed garage addition is a reasonable use of the property and meets the intent of the ordinance.
 - d. **NEIGHBORHOOD CHARACTER:** The addition would not adversely impact the character of the surrounding neighborhood. The garage addition would maintain the existing building lines of the house, and would not extend any closer to the property lines.

Approval is subject to the following conditions:

- 1) Prior to issuance of a building permit:
 - a. The site must be developed in general conformance with the building plans date-stamped July 16, 2009.

- b. A copy of this resolution must be recorded with the county and a copy of the recorded document returned to the city.
 - c. Install a temporary rock driveway, erosion control, tree protection and wetland protection fencing as required by natural resources staff for inspection and approval. These items must be maintained throughout the course of construction.
- 2) This variance will end on December 31, 2010, unless the city has issued a building permit for the project covered by this variance or approved a time extension.

Sjeklocha, A. Thomas, Walker, Adams, and Cheleen voted yes. Blatz and Lehman were absent. Motion carried.

Chair Cheleen stated that an appeal of the planning commission's decision must be made in writing to the planning division within 10 days.

9. OTHER BUSINESS

A. Logis Computer Training

Gordon reviewed Logis Map software with commissioners.

10. ADJOURNMENT

Adams moved, second by Walker, to adjourn the meeting at 7:07 p.m. Motion carried unanimously.

By: _____
Lois T. Mason
Planning Secretary