

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, APRIL 19, 2017
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, Doug Reeder, Fiona Sayer, and David Steingas

Others Present: Zoning Administrator Dale Cooney

Absent: Commissioner Jennifer Gallagher, Council Liaison Kristi Conrad

2. OATH OF OFFICE

Chairman Lucking took the oath of office for his new term as Planning Commission Chair.

3. MINUTES – February 15, 2017

Commissioner Steingas moved to approve the minutes of February 15, 2017 as written.

Commissioner Bechtell seconded the motion. Motion carried 5-0.

4. PUBLIC HEARINGS

4a. Consider variance request and conditional use permit request of Keith Schwartzwald for 5145 Weeks Road to regrade a portion of the property and to construct a foot bridge and a retaining wall in the lake yard setback

Chairman Lucking introduced the agenda item. He said that Section 1140.10, Subd. 2, C of the City Zoning Code requires a 50 foot setback for miscellaneous secondary accessory structures within the lake yard setback. Lucking said that Section 1140.19 (2) of the City Zoning Code requires the a conditional use permit for any the grading or site/lot topography alteration request involving more than 7 cubic yards of material and that Section 1176.04 (Subd. 7) states that retaining walls shall not be placed within the shore setback zone without a conditional use permit.

Chairman Lucking Opened the public hearing.

Keith Schwartzwald, applicant, said that the boathouse structure would not be replaced, and that the removal of the boathouse and another accessory structure on the property is removing hardcover. He said that the boathouse is within their line of sight. Schwartzwald said the retaining wall is necessary since the boathouse is currently holding up the shoreline in that area. He said that they are requesting a bridge since they could not walk across their property without going back up and around the hill, and the state will not allow them to return this area to a natural shoreline.

Sayer asked if a future owner could rebuild a boathouse in this area. Cooney said that the non-conforming rights expire after 1 year. Lucking asked about water-oriented accessory structures allowed by state law. Cooney said that Greenwood has not adopted that provision.

Steingas said that he likes the plan.

Bechtell said that he was not sure about the position of the other agencies. Cooney said that the DNR has deferred to the MCWD for oversight. He said that the MCWD and LMCD have tentatively approved the concept plan, but will not formally permit it until they see the plans of the actual bridge.

Motion by Bechtell to approve the variance and conditional use permit conditioned that the project be approved by the LMCD and MCWD. Motion was seconded by Sayer. Motion carried 5-0.

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5. OTHER BUSINESS

Joe Fronius of 5140 Meadville Street said that he was in attendance regarding the zoning ordinance changes regarding small lots. He said that he did not want to go to the work session since he cannot hear the conversation at the Old Log Theater. He said that both he and his neighbor at 5130 Meadville have small lots and his neighbor is proposing a new house. He said that he has concerns about what he has proposed to the city in the past, and what his neighbor is proposing, and wanted to know more about how the ordinance would impact him.

Lucking said that the massing ordinance will prevent a large house that is within hardcover limitations. He said volume is taken into account, not just the footprint.

Cooney said that there is no change proposed to the massing ordinance, so the massing of buildings will remain the same. He said that there will be variable setbacks and impervious surface limitations based on lot size. Cooney said that his neighbor has not submitted a formal application to the city for a variance request and, that when he did, Fronius would be notified of the public hearing on the issue. Cooney gave Fronius a copy of the draft ordinance.

Fronius asked about building a second story on house that encroaches into the setback. Steingas said that would require a variance.

6. LIAISON REPORT

Council Liaison Kristi Conrad was absent and therefore no liaison report was presented.

7. ADJOURN

Motion by Bechtell to adjourn the meeting. Steingas seconded the motion. Motion carried 5-0. The meeting was adjourned at 7:31 p.m.

Respectively Submitted,
Dale Cooney - Zoning Administrator