

APPROVED
Minnetonka Beach Planning Commission Meeting Minutes
July 18, 2022

1. Call to Order

Chair Breazeale called the meeting to order at 7:00 pm.

2. Roll Call

Present: Commissioners Anderson, Blodgett, Breazeale, Halverson, Steinfeld, and Council Liaison Enlow.

Absent: Commissioners Blodgett and Swanson

Staff in attendance: Heidi Honey, City Administrator

3. Approve Agenda

Halverson remove Item 2 - Oath of Office Colleen Finnegan because she is out of town.

(Halverson motion, Steinfeld second to approve the agenda as amended; all ayes.) Motion passed.

4. Approval of Minutes

4.1. Regular Meeting of June 27, 2022

(Anderson motion, Halverson second to approve the minutes; all ayes.) Motion passed.

5. Old Business

5.1. DNR Code Compliance – ADU Review – Update

Enlow stated the task force sent draft language to the DNR for them to respond if they are open to the proposed language. They responded that they did not think they would have concerns with the draft language but will need a conditional review request. They also implied that if there were many changes requested from the 1996 approved code, they would expect some concessions. The timeline is for Planning approval of the ordinance as it was written and provided to the DNR and Planning Commission tonight, forwarding it to the city attorney and zoning administrator for their review and comments or edits. Any comments will be added to the draft language and submitted to the DNR for a conditional review request. They would provide their conditional approval in time for the Planning Commission to hold a public hearing August 22 and Council would approve at the September 12 meeting. The ADU moratorium expires August 15, 2022.

The commissioners discussed the following:

Halverson discussed that the DNR model ordinance allows ADUs. Breazeale explained that the City traded ADUs for more hardcover and taller buildings.

Breazeale asked to shade the box with “N” in the table or define “N”. Enlow will update all boxes of the table and define “N” as “Not Permitted”.

Breazeale noted the 1996 code addressed guest cottages and not ADUs and questioned why a building size would come into play if an ADU is located in a principal structure and why the door can’t be visible from the street or the lake. He thought this language seemed to apply to an ADU or guest cottage not located in a principal structure.

Enlow stated during the initial discussions with the DNR about what would be permissible, the DNR model ordinance considers an ADU with a separate entry a duplex. The DNR duplex lot size and width standards would need to be met. The task force wanted to avoid the DNR coming

back and saying the property is a duplex and standards must be met. Breazeale asked if they could strike the language. The DNR informally approved this language and they were firm that if the ADU entrance was on the street or lake, it would be defined as a duplex. If access to the ADU is through a garage access door or the main entrance to the home and then a door to the ADU, the DNR will not consider it a duplex.

Steinfeld asked about the feasibility of the entrance not being visible from the lake or street. Breazeale stated if there is a door inside the main house to the accessory unit, then it would not be considered a duplex and would not need a separate entrance. As long as there is a door between the accessory unit and the main home, the issue of the door is moot because whoever is using the ADU could get to it from any of the exterior doors to the main home.

Halverson asked what makes it an accessory dwelling unit. Commissioners discussed if you had a shed with a kitchen and bathroom and used it as an office, it would be allowed as long it was not being lived in. An ADU is allowed if attached, but not if detached. Mathews stated that later the task force will review accessory structures and limitations that the Planning Commission might want to place on them. There are approximately eight ADUs currently in the city. Mathews noted that the DNR model ordinance was updated in April 2022 and recommended commissioners review it as they will be making additional changes to the zoning code for compliance.

Anderson motion, Halverson second, to present the draft ordinance to the city planner and the city attorney for their comments and recommendations and direct the City to submit the ordinance with any changes recommended by the planner and attorney to the DNR for their review for Conditional Approval. Roll Call Vote – Anderson – aye, Breazeale – aye, Halverson – aye, Steinfeld – aye; all ayes.). Motion passed.

6. Reports

- 6.1. Chair Report – no report
- 6.2. Commissioner Reports – no reports
- 6.3. Council Liaison Enlow – Long Lake Fire Chief and Mayor Charlie Miner attended and discussed Orono wanting to form its own fire department and there are negotiations in process. Long Lake is also looking at shared services with other fire departments. Knudsen variance request was approved. Tree Preservation ordinance was presented to council and they expressed concerns about arborvitae. The task force updated the language to focus on diverse species and not allow hedge planting for replacements to deal with arborvitae concerns. They discussed the organics container, and Hilgers had a number of reasons for locating it where he did. The Lafayette Club did not want it on their property.
- 6.4. Building Permit Report – received and filed

7. ADJOURNMENT

(Halverson motion, Anderson second, to adjourn; all ayes.). Motion passed.

Chair Breazeale adjourned the meeting at 7:43 p.m.

PUBLIC IN ATTENDANCE – The following individuals were in attendance: Nell Mathews

Minutes respectfully submitted by City Administrator Heidi Honey

Heidi Honey, City Administrator