

**APPROVED**  
**Minnetonka Beach Planning Commission Meeting Minutes**  
**August 23, 2021**

1. Call to Order

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

2. Roll Call

Present: Chair Haag, Vice Chair Moriarty, Commissioners Anderson, Halverson, Naylor (arrived at 7:08pm), Swanson and Council Liaison Sharma. Absent: Commissioner Breazeale, Council Member Enlow

Staff in attendance: Heidi Honey, City Administrator and Phil Carlson, Zoning Administrator

3. Approve Agenda

**(Halverson motion, Anderson second to approve the agenda. (All Ayes; Nays:,none). Motion passed.**

4. Approve Minutes: June 28, 2021

**(Anderson motion, Halverson second to approve the minutes of the regular Planning Commission meeting of June 28, 2021. All Ayes; Nays: none). Motion passed.**

**5. PUBLIC HEARING**

**5.1. Variance Request – Side Yard Setback – 2105 Lake Road (Call)**

Zoning Administrator Phil Carlson stated the variance request is to extend the existing porch on the west side of the home to the north to create a covered entry off the driveway as part of a large remodeling project. The existing porch encroaches 2.8 feet into the west side setback and this proposed extension would be in line with that. The project would restore a front entry by extending the porch to connect it with the driveway area and cover the entire porch. Existing hardcover is 17.14% and proposed would be 22.35%. Carlson then reviewed variance criteria in the packet and recommended approval of the variance request for the porch addition. He stated that the property owner could redesign the project and not require a variance, but he added this request is the kind of solution that variances are made for as it is difficult to do a reasonable improvement to the property while meeting the code.

**Chair Haag opened the public hearing at 7:17 pm.**

Nell Mathews, 2643 Arcola Lane – Mathews noted that they are currently using the kitchen entry off the driveway for access, and they are proposing to close off that entry to the kitchen for design purposes. She stated she was surprised that the designer wouldn't design this to stay within city code. She added that variances due to a design preference are different than variances for very limited building lots or conditions. Mathews then commented that proposal would require the removal of many large trees. She stated that the city council is looking at adopting an interim ordinance on tree removal to study a tree preservation ordinance or policy.

Carlson stated there is nothing in the code currently prohibiting them from removing trees. There is no kitchen in the proposed garage, so it would not be considered an accessory dwelling unit.

**Chair Haag closed the public hearing at 7:26 pm.**

Moriarty discussed the stairs at the corner of the proposed porch addition and Carlson stated stairs are allowed three feet wide in the setback. Halverson discussed the proposed stairs coming off the current porch and that they are proposing them wider than three feet. Haag did not think the porch was an unreasonable request (without the steps) to maintain the character of the home. Naylor added that the steps should follow the code and recommended removing the proposed stairs at the existing porch, and the existing stairs. Carlson stated they can attach conditions on the stairs to this variance approval because the issue is encroachment into the side yard. Moriarty also recommended moving the steps

attached to the proposed addition to the east. The current stairs are legal non conforming on the west side. Naylor discussed the practical use of the property and limiting the encroachment.

**(Naylor motion, Moriarty second that the Planning Commission recommends that the City Council approve the request for a variance to the Side Yard Setback at 2105 Lake Road for a porch addition that extends 2.8 ft into the west side setback with the condition that the existing and proposed stairs on the west side are removed, and also that the stairs to the north are moved outside of the setback, and with the following Conditions for Approval, and Findings of Fact in the Planner's report:**

**Conditions for Approval:**

- 1) **The applicants will finalize stormwater management plans for review and approval by the City Engineer to mitigate the runoff from the added hardcover.**

**Findings of Fact for Approval:**

- 1) **The proposed use of an extended porch to create a logical front entry is reasonable.**
- 2) **Remodeling and extending the porch to create a better front entry experience is reasonable, allowing the continued use and enjoyment of the property.**
- 3) **The request meets the criteria for granting a variance in section 2.4(C)(4) of the Zoning Code.**
- 4) **By adding this condition, it improves the legal non conformity of the property.**

**Ayes: all ayes ; Nays: none).** Motion passed.

**6. Reports**

- 6.1. Chairperson – Chair Haag reported this is his last meeting on the commission and wished everyone success in the future. He will attend the September City Council meeting to report on this variance recommendation.
- 6.2. Commissioner Reports- No further reports
- 6.3. Council Liaison Enlow – Sharma reported that an ADU task force is working on the City code and DNR ordinance, a public hearing will be held and a consideration of a tree removal interim ordinance will be at the September council meeting, and a public hearing and consideration of potential vacation of a piece of land on Huntington Point East will also be at the September meeting.
- 6.4. Building Permit Report – Received and filed.

**7. ADJOURNMENT**

**(Moriarty motion, Halverson second to adjourn; Ayes: all ayes ; Nays: none).** Motion passed.

Chair Haag adjourned the meeting at 7:57 p.m.

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

Minutes respectfully submitted by City Administrator Heidi Honey.

---

Heidi Honey, City Administrator