

**MAHTOMEDI PLANNING COMMISSION
MEETING MINUTES
MAY 12, 2021**

Chairperson Alex Rogosheske convened the regular Planning Commission meeting electronically at 6:32 p.m. with the following members in attendance: Chantell Knauss, Dan Soler and Peter Frank. Commissioner Lacey Smieja joined the meeting at 6:40. Commissioners Greg Maples and Tony Chesak were absent with prior notice. Also in attendance were Planner Hannah Rybak and Office Assistant Luann Tembreull.

APPROVAL OF THE AGENDA

Commissioner Soler moved, and Commissioner Knauss seconded the motion to approve the agenda as presented. The motion was unanimously approved by roll call vote: Yea: Soler, Knauss, Frank and Rogosheske Nay: None

APPROVAL OF THE April 14, 2021 REGULAR PLANNING COMMISSION MEETING MINUTES

Commissioner Frank moved, and Commissioner Soler seconded the motion to approve the minutes of the April 14, 2021 regular Planning Commission meeting as written. The motion was unanimously approved by roll call vote: Yea: Knauss, Frank, Soler and Rogosheske Nay: None.

4. PUBLIC HEARINGS

4a. CONSIDER APPROVAL – Request from Kelly and Kristina Reagan for a conditional use permit for a two-story accessory structure, a variance from the minimum lot area requirement for an accessory dwelling unit (ADU) and a variance for an increase in allowable impervious surface coverage at 1044 Park Avenue and described as PID 20.030.21.31.0072.

Planner Rybak stated that the applicant has withdrawn their application at this time.

4b. CONSIDER APPROVAL – Amendments to Section 11.01, Subd. 8.2 Zoning Permit; Section 11.01, Subd. 8.3 Building Permit; Section 11.01, Subd. 9.6, A Accessory Buildings; and Section 11.01, Subd. 10.1, D Building and Site Design.

Planner Rybak stated that these amendments are more of a “clean-up and “clarify” than substantive changes. She noted that this report briefly describe the proposed amendments to each Ordinance section. The section redlines and draft Ordinances have been provided as attachments. (See the attachments in this planning agenda packet).

Planner Rybak requested the Planning Commission recommend the City Council Adopt these amendments to the City Ordinances.

Upon a question by Commissioner Smieja, Planner Rybak stated that an addition to an attached garage is not an accessory structure, but part of the principal structure.

4b. (Continued)

Upon a question by Commissioner Frank, Planner Rybak stated that a Zoning Permit is for items such as a fence or driveway and these types of permits don't take much review, whereas a building permit needs more of a compliance review where the Engineer may also need to review the plans.

Chair Rogosheske opened the Public Hearing at 6:47 p.m.

Hearing no comments, the Public Hearing was closed at 6:48 p.m.

Upon motion by Commissioner Soler, seconded by Commissioner Knauss, the Planning Commission recommends the City Council approve an Ordinance amending Mahtomedi City Code Chapter 11.01, Sections 8.2, 8.3, 9.6 and 10 (D) related to zoning permits, building permits and accessory buildings, and roof pitch restrictions. The motion was approved by roll call vote:
Yea: Smieja, Frank, Soler, Knauss and Rogosheske Nay: None

CITY OF MAHTOMEDI, WASHINGTON COUNTY, MINNESOTA

ORDINANCE NO.

AN ORDINANCE AMENDING MAHTOMEDI CITY CODE CHAPTER 11.01, SECTIONS 8.2, 8.3, 9.6 AND 10(D) RELATED TO ZONING PERMITS, BUILDING PERMITS, ACCESSORY BUILDINGS, AND ROOF PITCH RESTRICTIONS

THE CITY COUNCIL OF THE CITY OF MAHTOMEDI HEREBY ORDAINS AS FOLLOWS:

Section One. Amendment. Chapter 11.01, Section 8.2 of the Mahtomedi City Code is hereby amended as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

Zoning Permit. Permits are required to ensure conformance with the Zoning Ordinance. All permits require review and approval of a permit from the Zoning Administrator or other Authorized Agent. A zoning permit is required for items such as driveways, fences, detached decks under thirty (30) inches in height, accessory structures ~~under~~ up to one two hundred – twenty (120 200) square feet and the like.

Section Two. Amendment. Chapter 11.01, Section 8.3 of the Mahtomedi City Code is hereby amended as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

Building Permit. Permits are required to ensure conformance with the Zoning Ordinance and / or the Building Code. All building permits require review and approval of a permit from the Department of Inspections. A building permit is required for items such as new residential dwellings, commercial, industrial, and public buildings, accessory buildings over ~~one two~~ hundred – twenty (120 200) square feet, and the like.

Section Three. Amendment. Chapter 11.01, Section 9.6 of the Mahtomedi City Code is hereby amended as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

9.6 Accessory Uses and Other Uses.

A. Accessory Buildings. Accessory buildings shall comply with the following conditions:

1. Accessory Building without a Principal Building. No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory ~~unless authorized through an agreement as approved by the City Administrator and City Attorney. The City Council may allow an accessory structure to be constructed prior to the construction of a principal structure pursuant to the interim use permit procedures found in *Subdivision 8.22: Interim Use Permit* of this Code.~~

3. Separation from Principal Buildings. Detached accessory buildings shall be at least six (6) feet from the principal building situated on the same parcel. ~~An accessory building shall be considered to be an integral part of the principal building unless it is six (6) feet or more from the principal building.~~

4. Accessory Buildings in Front Yards Limited.

a. An accessory building shall ~~be set back a minimum of thirty (30) feet from the front lot line~~ meet the minimum front yard setback requirement of the zoning district in which it is located.

6. Accessory Building Side Setback. Detached accessory buildings shall not be located less than five (5) feet from the side parcel lines. In all residential districts, accessory buildings that exceed ~~one hundred twenty~~ two hundred (~~120~~ 200) square feet in lot area and that are located in the side yard shall meet the side yard requirements of the principal structure for the zoning district in which the lot is located.

14. Permit Requirements. A zoning permit shall be required for all accessory buildings ~~less than up to~~ up to two hundred ~~twenty~~ (200) square feet in area. All accessory buildings over two hundred ~~twenty~~ (200) square feet shall require a building permit. A fee as determined from time to time by the City Council shall be required to process a zoning permit or building permit.

Section Four. Amendment. Chapter 11.01, Section 10 (D) of the Mahtomedi City Code is hereby amended as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

2. Pitch of Roof. The pitch of the roof shall not be less than two (2) feet of rise for each twelve (12) feet of horizontal run. ~~This requirement may be waived for earth sheltered buildings. Properties located in the IB—Industrial / Business Park and Commercial B1—Office Business, B2—Limited Business, B3—Downtown Business, B4—General Business, and B5—Interstate and General Business Zoning Districts shall be exempt from this roof pitch requirement. Commercial and residential buildings in the MU—PUD~~

~~District may be exempt from this roof pitch requirement if the City Council finds that the roof design is consistent with the design intent of the MU—PUD District.~~

All remaining provisions of Section 10(D) shall be renumbered accordingly.

Section Five. Effective Date. This Ordinance shall be in full force and effect upon its passage and publication as provided by law.

Passed in regular session of the City Council of the City of Mahtomedi on the ____ day of _____, 2021.

Motion for adoption by:

Seconded by:

Ayes:

Nays:

Abstained:

None

Absent:

CITY OF MAHTOMEDI

By:

Judson Marshall

Its: Mayor

Attest:

By: Jerene Rogers

Its: City Clerk

5. STAFF REPORT - NONE
6. UPDATE - CITY COUNCIL AND OTHER COMMISSION ACTIVITIES AND INFORMATIVE ITEMS.

Copies of the recent City Council and other City Commission minutes may be found on the City's website.

7. ADJOURNMENT


There being no further discussion, Commissioner Knauss moved, and Commissioner Smieja seconded the motion to adjourn the regular Planning Commission meeting at 6:56 p.m. The motion was unanimously approved by roll call vote: Yea: Frank, Soler, Knauss, Smieja and Rogosheske Nay: None

Respectfully submitted by Luann Tembreull, Office Assistant.

APPROVED:

ALEX ROGOSHESKE
CHAIRPERSON

ATTESTED:



LUANN TEMBREULL
OFFICE ASSISTANT