

CITY OF EAGLE LAKE
October 18, 2021
PLANNING COMMISSION MEETING

Call to Order

- Meeting was called to order at 6:00 p.m. by Chairman Talle.
Present: Chairman Talle, Commissioners Beckel, Hughes, Rose, Scheurer, McCarty, and Miller.
Absent: Commissioner Norton.
Staff Present: City Administrator Bromeland and Administrative Clerk Mandy Auringer.
Others in Attendance: Mark Fromm

Approval of Agenda

- There were no additions to the agenda. Commissioner Rose moved, seconded by Commissioner Miller to approve the agenda. A roll call was taken with all in favor. Motion carried.

Approval of Minutes

- Commissioner Hughes moved, seconded by Commissioner Rose to approve the Planning Commission meeting minutes from May 17, 2021. A roll call vote was taken with all in favor. Motion carried.

New Business

- 237 Oak Drive: Review Hard Surface in Front Yard and Building Permit Application for Construction of Detached Garage: Administrator Bromeland shared that an application was received from 237 Oak Drive to construct a detached garage. She gave background information to the Planning Commission on the process of approving a building or zoning permit. Included on a site plan submitted for a detached garage for Mark Fromm, 237 Oak Drive, there appeared to be a hard surface more than 40 feet at the garage. Administrator Bromeland met the contractor and homeowner at the residence where it was discovered the hard surface was already constructed and in violation of code. An email was sent to the homeowner and contractor following the meeting informing that the hard surface more than 40 feet at the front of the garage was considered non-conforming. Administrator Bromeland shared that a building permit was submitted in 2017 for new home construction and included on the application were plans for a driveway measuring 39 feet at the garage line. It was noted that Mr. Fromm approached the Planning Commission in April of 2018 requesting that the driveway width at curb be increased from 24 feet to 32 feet. A public hearing was held, and a recommendation made from the Planning Commission to the City Council to increase the driveway width at curb and allow more flexibility for hard surface parking. The City Council tabled taking any action at their initial meeting due to concerns with allowing up

to 35% of a front yard to be surfaced. Ultimately, the City Council voted to widen the driveway width at curb to 32 feet but did not take any action on increasing the amount that a front yard could be hard surfaced.

- Mr. Fromm stated he thought he was able to put the slab in and still be within the 35% of the front yard coverage. He also stated that there will not be anymore hard surface poured with the detached garage project.
- Commissioner Miller stated he would not be comfortable approving the permit for the detached garage unless a variance was applied for and approved for the non-conforming cement slab.
- Commissioner McCarty stated he didn't think he could apply for a variance since there was no permit pulled for the extra driveway slab. He also stated the city has an obligation to enforce city code and shouldn't allow the building permit with an illegal non-conforming driveway.
- Commissioner Beckel asked if there was a separate permit pulled for the slab. Administrator Bromeland stated that it was included with the building permit pulled with the construction of the home. He also inquired if it's a misdemeanor to violate city code and if so, Mr. Fromm should be ticketed, fined, and required to remove the illegal non-conforming slab.
- Commissioner Hughes asked if they could separate the two issues, allow the garage, and address the slab later? Commissioner Beckel stated that it is part of the same issue since the detached garage aligns with the slab. Commissioner McCarty added that the illegal non-conforming issue still needs to be addressed.
- Commissioners Scheurer and McCarty asked what is considered the side yard and whether the proposed structure could be placed where indicated on the site plan. Administrator Bromeland stated that she would review definitions in code for front, side, and rear yards and perform a review to ensure compliance with code before approving a permit. It was noted that the lot is an odd shape and not rectangular.
- Commissioner McCarty made a motion, seconded by Commissioner Beckel to deny the permit application for the detached garage until the property is brought up to compliance. A roll call was taken with Chairman Talle, Commissioners Beckel, Hughes, Rose, Scheurer, McCarty, and Miller voting in favor. Motion carried. Chairman Talle stated it will go before the City Council on November 1, 2021.

Other

- Chairman Talle suggested scheduling a few work sessions to go over and recommend changes to Chapter 6 to the City Council.
- Building and Zoning Permit Activity: Permit activity was presented for the months of September and October.
- The next regular scheduled Planning Commission meeting is November 15, 2021 at 6:00 p.m. in City Hall Council Chambers, 705 Parkway Avenue.

Adjournment

- Commissioner Rose moved, seconded by Commissioner Miller to adjourn. A roll call vote was taken with all voting in favor. Meeting adjourned at 6:44 p.m.

Trent Talle, Chairman

Mandy Auringer, Administrative Clerk

UNOFFICIAL MINUTES