

CITY OF EAGLE LAKE
PLANNING COMMISSION MEETING MINUTES
August 19, 2024

CALL TO ORDER:

Commissioner Talle called the meeting to order at 6:00 p.m.

MEMBERS PRESENT:

• Ray Beckel, Richard Garvey, Trent Talle, Michael McCarty, Aaron Stubbs and Michael Hughes.

MEMBERS ABSENT:

Tom Barna and Jan Hughes.

STAFF PRESENT:

• Jennifer Bromeland, City Administrator.

PUBLIC PRESENT:

None.

APPROVAL OF THE AGENDA:

Commissioner Beckel moved, seconded by Commissioner Garvey, to approve the agenda. Motion carried.

APPROVAL OF MINUTES:

Commissioner McCarty moved, seconded by Commissioner Beckel, to approve the minutes. Motion carried.

NEW BUSINESS:

1. Variance Application received for 401 LeRay Ave.

- City Administrator Bromeland explained that before the Planning Commission was a copy of the application for variance from the property owners at 401 LeRay Avenue. It was explained that as per the application for variance, the owners indicate that the sidewalk and grass on the northwest corner of their house has sunk over time and has been an ongoing issue prior to them purchasing the property. It was further explained by the applicants on their application that water drains towards the house from 15 feet to the west and is 25 feet from the north. Since the sidewalk sank away from the house and needs be redone, the property owners indicated that they wish to add to it with proper slope for water to correct the flow away from the house and at the same time allow for another place to park. Administrator Bromeland shared that the property owners reached out and expressed that they wanted to attend the public hearing but were scheduled to be out of state and that's why they are not in attendance. Administrator Bromeland further shared that she received a letter of support for the application for variance from Steve and Janice Regert at 409 LeRay Avenue. After reviewing the facts, Administrator Bromeland concluded her staff report reminding the Planning Commission that when contemplating whether to grant a variance, the legal standard of practical difficulties must be applied to

the facts presented by the applicant. It was explained that “practical difficulties” is a three-factor test including reasonableness, uniqueness, and essential character.

- Planning Chair Talle opened the public hearing at 6:08 p.m.
- Hearing no comments from the public other than the written letter of support from the property owners at 409 LeRay Avenue, Planning Chair Talle closed the public hearing at 6:08 p.m.
- Discussion ensued. Commissioner McCarty asked if City staff could confirm if there is an underdrain available along Agency Street. Administrator Bromeland referenced an email from the City’s engineer with Bolton and Menk confirming that there is an underdrain and dedicated 6” inch sump pump drain line on the plan sheets for this road. It was noted that these lines should be 4-5 feet behind the curb in areas with no sidewalk or directly below the back of the sidewalk where present, about 3 feet deep. Commissioner McCarty questioned whether the drainage issues as explained in the application for variance by the property owners could be solved by other means such as connecting to the underdrain.
- Commissioner Michael Hughes asked if parking is allowed in the required yard setback. Administrator Bromeland shared an excerpt from Eagle Lake City Code which does not allow for parking in a required side yard. It was noted that the required side yard setback is 8 feet.
- Commissioner Stubbs noted that a use variance would be needed to allow parking on the hard surface and explained that use variances are generally not allowed in Minnesota and that state law would prohibit a city from permitting by variance any use that is not permitted under the ordinance.
- Discussion ensued. Commissioners discussed whether the request to encroach into the side yard with a hard surface to direct water away from the structure and add another space to park is reasonable. Commissioners discussed whether the property owner’s problem is due to circumstances unique to the property not caused by the landowner. It was noted that there is some sloping on the west side. Commissioners also discussed essential character and how adding a hard surface that encroaches into the required side yard might affect the character of the area.
- A motion was made by Commissioner McCarty, seconded by Commissioner Stubbs, to deny the application for variance from 401 LeRay Avenue based on the request not meeting the practical difficulties test. Motion carried.

OTHER:

- Administrator Bromeland reviewed the monthly building and zoning permit data.

- Administrator Bromeland provided an update on the hiring of a new Community Development Coordinator and shared that applications are rolling in with a first review of applications scheduled for August 23.

The meeting was adjourned at 6:25 p.m.

Submitted by: Jennifer J. Bromeland, City Administrator

Trent Talle
Planning Commission Chair

Jennifer J. Bromeland
City Administrator

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