

EAST BETHEL PLANNING SPECIAL PLANNING COMMISSION MEETING

September 23, 2013

The East Bethel Planning Commission met for a Special Planning Commission Meeting on September 23, 2013 at 6:30 P.M for their regular meeting at City Hall.

MEMBERS PRESENT: Lorraine Bonin Brian Mundle, Jr. Tanner Balfany Glenn Terry
Lou Cornicelli Randy Plaisance

MEMBERS ABSENT: Eldon Holmes

ALSO PRESENT: Jack Davis, City Administrator
Tom Ronning, City Council Member
Heidi Moegerle, City Council Member

Call to Order & Adopt Agenda

Mundle motioned to adopt the September 23, 2013 agenda. Cornicelli seconded; all in favor, motion carries unanimously.

Public Hearing, Zoning Text Amendment, Zoning Code, Section 14 – Accessory Structure

At the regularly held Planning Commission on March 26, 2013 a discussion took place about Section 14 of the Zoning Code related to Accessory Structures. It was felt that Section 14 needed some additional clarification and better-defined language. Nothing more was done at that time. The Planning Commission further discussed that there are other sections of the Zoning Code that need to be modified, changed, etc. and that if changes are going to be made then it would be best to have one public hearing where all changes to the Zoning Code could be made at the same time.

At the regularly held City Council meeting on September 4, 2013 a private citizen appeared before the City Council and was upset because she wanted to construct an outside staircase and landing to their garage where her husband has built a second story and wants to have a wood shop. The Council requested that the Planning Commission meet and consider changing Section 14 of the ordinance.

If changes are going to be made to Section 14 then Staff recommends that changes be made to all sections and has outlined those sections in the attached document.

Staff has further included comments from Eldon Holmes who is not able to attend the meeting on Monday, Sept. 23, 2013, along with Staff comments and clarification in red.

Public hearing opened at 6:32 p.m.

Doug Tierney, 4610 Viking Boulevard. Didn't know all three names of the lake classifications. There are three classifications, natural and environmental. There are three different types of lakes. There are meander and non-meander. Balfany said we appreciate all the information. Tonight's meeting is about zoning text and we appreciate your help. Tierney said I know you're used to people complaining

and he wanted to help out the Commission.

Sheryl Hallstrom, 2459 243 Avenue NE. She is the resident who spoke at the meeting. She wanted that there would be a wood construction. They canvassed their neighbors for their support. They have signatures. It will be a workshop and also has heavy equipment up there and also bring construction out there. Had the current building inspector actually went out up there to look, they would have understood what we were doing. We have one large room up there 19 x 30 wide. There is storage on either side. There is 300 square feet on each side that will be unheated. We have no way to get it up there, because there is no opening for an inside stair. So we would like your help and if we need to sign an affidavit that no one will live up there, we will. The camera croaked, but they do have pictures on their phone.

Public hearing closed at 6:37 p.m.

Balfany asked if everyone had a chance to look at the revised amendment. Staff's recommendation was to go ahead with the latest update. Eldon Holmes had comments and if you would like to read it, you can. There is also an email from a Jason Pauly. Most of his concerns were taken care of with the most recent change.

Cornicelli asked what the definition of directly in front of. Is it 25% or 50% or 100%? Should be adjacent to? Balfany said that would be an interesting way to consider it. Bonin said they couldn't be in front of each other. Mundle said what if we take out directly. Cornicelli said he was just asking. Terry said it could be closer to the front line, if you don't say directly in front. If the house is set back far enough. Maybe it should be a percentage in the language. Maybe someone would have a curving drive way and it would be in front.

Ronning said there are some grammar problems in here. Balfany said if we recommend this and it makes it to City Council, then make the changes there. Ronning said there is an area in 14 that is needless. Balfany said I don't mean to be rude and cut you off but you should make those changes at Council. Tom said on 2.C – every exterior wall, is made plural is not grammatically correct. Balfany asked if all of his changes are grammatical. He said no, 14.4, size and accessory structures. In the blue, in the table it is 10 feet. This is what has been gone by. He would recommend that, rather than make people wrong, correct us, so we are right. Mundle said the 10-foot isn't changing anything. We are taking section 14.4.A.1A. and we are changing R1 and R2. We are moving that language to into a table, so it is clear. That is not changing it is a different way of presenting. Bonin has a question on page 5 about the focal point of the property. Balfany said there is roof pitch is a minimum so it can hold snow. Bonin said what does the roof being the focal point of the property. Mundle asked if Davis had any clarification. Ronning said it was probably a steeple. Davis said it could probably be deleted and makes it clearer. Terry said could we strike that line.

Mundle asked if we could make a motion to deny. Balfany said we need a motion to approve on the floor and then amend the motion. Mundle wanted to know if

we needed to make a motion to discuss. Balfany said yes, we need a motion to change it.

Davis said offset to not directly block the main view of the house. If it is an angle or a curve. If it is a straight road, it will at some point block the view. If it is coming around the curve, then it is that view. That does allow a little latitude. Then it does allow the offset. Bonin asked what the problem is with blocking the view from the road. Davis said it is aesthetics. Bonin said if it is a nice yard. Balfany said if you are going to put a garage directly in front of the house, then you will attach it. Davis said garages are secondarily architectural. It looks better if the garage is not the main focal point of the property. Mundle asked if we had that settled. Mundle said while we are on 14A1A, the portion that is struck is roof pitch and style shall match, he would like that in. Cornicelli asked why the house is not probably a barn style. Mundle said then why was it allowed. It shouldn't have been approved. Davis said he thinks what this reference it prohibits gambrel type roofs. To eliminate second story storage in a garage. If something is done properly, he doesn't see that that you can have a different in roof styles, if materials are similar, and structures are matching. If the accessory structure matches the house. Terry said if that is our purpose we should make that clear in the ordinance. Bonin asked what the objection to the gambrel roof is. Davis said he isn't sure, he is assuming it had something to do with a second story. If the roof pitch has to match the house, then the sidewall heights will eliminate most second story on the garage. So it would eliminate the possibility of second floor storage. Terry said rather than say no roof, then why not say eliminate second story storage. Davis said he doesn't think we should eliminate second story storage, just the living situation. Cornicelli said if it is done tastefully it shouldn't be precluded. Terry said someone might need the height for their job. Davis said you could still have a gambrel roof for a job. Balfany said are you still in favor of it or not. Mundle said it is in other communities; the newer developments have a covenant. Do you want a more uniform looking City? Terry said no. Cornicelli asked what the lot size was. He was informed over an acre. Balfany said he is unbiased on that. Someone can make a motion. Terry said as long as public safety is covered, he would like to see it be as least restrictive as possible. Bonin said we can have all kinds of rules and regulations along the highway, but she thinks we should let people to do within reason what they want to do.

Mundle said we probably should talk about 2L. Bonin said when we are talking about second story, garage storage. What they want to do is not garage storage. Mundle said you could have stairs inside your structure. If you are going to have stairs, you're going to have stairs inside. Bonin asked why? Mundle said because of public safety. We have four seasons here. In the wintertime, is snowfall going to be cleared all the time. Cornicelli said my deck has stairs, and if I am going to go outside, I will clear the stairs. Balfany said we could restrict the livable quarters. Bonin said if you don't have plumbing up there, then people would live there. Cornicelli said within L we should probably reword it. It should say a landing up to 6x6 it required. Terry said what is different than having a stairway to a deck. Mundle asked what the original intent of just having a door was. Cornicelli said beats me. Mundle said originally read, "accessory structures shall have exterior doors only at ground level". Cornicelli said it pre-dates all of us. Terry said they weren't as wise back then. Balfany said it was for deterrent for

things. Cornicelli said the likely problem was people living out of the structure. Bonin said if they are operating a business out of the detached structure or out of a house. What is the difference? People can come in and get permission to run the business in the detach garage. What would be the difference? Balfany said it would depend on the business. Bonin asked in the general sense what the difference is.

Plaisance arrived at 7:00 p.m.

Terry asked if there was a reason that we have to conclude it tonight. Balfany said if we table this would it affect anything. Davis said this is an issue that was brought before City Council on September 4. This was to address the situation. The people in question are leaving in about a month. Then it will have to layover and wait until springtime for them to finish their project. There is a special City Council meeting on Wednesday to review.

Balfany said this is to review things in the code. That is why we are here tonight. Davis said it does help accommodate them, but will also help resolve more than one case.

Cornicelli wanted to know if we had all the changes. Balfany said he thinks he has them:

Offsetting structure

L – so it doesn't have to be a 6x6

Roof pitch and style leaving in – barn style roof

Davis said when the permit was issued it was in the transition time. This could have been an oversight. Cornicelli said ok.

Balfany said the changes he saw was:

F – The changes that Colleen had been made. The accessory structure would be offset not to block the main view of the house.

L – At minimum a 3x3

Matching the roof pitch

Terry said are you going to say that roof style and pitch shall match the principal structure. Your needs in the outbuilding may not match the needs in the principal structure. Balfany said in cases like that, they would ask for a variance, for that set structure if there was a specific need. Terry asked why you would want it to match the roof pitch. Mundle said it is to keep the styling a little bit more uniform throughout the City. So you don't have many different, essentially people building what they want, and it may not be good visually. Bonin said what is good visually is very subjective. So to talk about good visually is to not do anything productive. In most cases we want to let people do what they want. We don't have to have total conformity. Things can look boring with total conformity. Terry said if you want to add roof pitch and style should match he would vote against it. Cornicelli said he would defer to Mundle for construction. Mundle said you would see it more and more for development and covenants.

Terry said there was one more change, he had suggested striking, shall not be the focal point of the property.

Cornicelli motioned to accept the changes as presented by staff to Section 14 of the Zoning Code related to Accessory Structures, with three modification:

- **In section 14.2.F – Change the language from to directly to offset**
- **In section 14.2.L – Change the language to no smaller than 3x3 to a maximum of 6x6**
- **In section 14.4.A – Remove shall not be the focal point of the structure**

Terry seconded; all in favor, motion carries unanimously.

Adjournment

Terry made a motion to adjourn the meeting at 7:15 p.m. Cornicelli seconded; all in favor, motion carries.

Submitted by:

Jill Anderson
Recording Secretary