

**CITY OF MENDOTA HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**PLANNING COMMISSION MINUTES  
June 23, 2009**

The regular meeting of the Mendota Heights Planning Commission was held on Tuesday, June 23, 2009, in the Council Chambers at City Hall, 1101 Victoria Curve at 7:00 P.M.

The following Commissioners were present: Chair Lally, Commissioners Norton, Povolny, Viksnins, and Hennes. Those absent: Commissioners McManus and Field. Those present were Public Works Director John Mazzitello, Assistant to the City Administrator Jake Sedlacek, and Planner Steve Grittman. Minutes were recorded by Rebecca Shaffer.

**Approval of May 26, 2009 Minutes**

**COMMISSIONER NORTON MOVED, SECONDED BY COMMISSIONER VIKSNINS, TO APPROVE THE MINUTES OF MAY 26, 2009 AS PRESENTED.**

**AYES:           5  
NAYES:         0**

**Hearings**

Mr. Sedlacek made a special request to have Case No. 09-26 reviewed first as the applicant had small children with her. Chair Lally agreed to made the change.

**PLANNING CASE #09-26  
Julie M. Rosga  
1745 Lansford Lane  
Conditional Use Permit**

Planner Steve Grittman reviewed a map showing the location of 1745 Lansford Lane, which is a corner lot located at the intersection of Stanwich Lane and Lansford Lane. The property is zoned R-1, single family residential.

The applicant is seeking a condition use permit to construct a 5' wrought iron fence that encroaches into the side yard setback. The fence would be running north from the side of the home for 20.2' and then west for approximately 100' to just before the rear lot line, and 8' to 10' from the north side property line to Stanwich Lane.

Planning Staff believes that the proposed fence is compliant with the review standards and therefore is recommending approval of the proposed conditional use permit, subject to conditions outlined in the Planners Report.

Seeing no one coming forward wishing to speak, Chair Lally asked for a motion to close the public hearing.

**COMMISSIONER VIKSNINS MOVED, SECONDED BY COMMISSIONER POVOLNY, TO CLOSE THE PUBLIC HEARING.**

**AYES           5  
NAYES         0**

**COMMISSIONER NORTON MOVED, SECONDED BY COMMISSIONER VIKSNINS, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT SUBJECT TO THE CONDITIONS IN THE PLANNERS REPORT.**

**AYES 5**  
**NAYES 0**

**PLANNING CASE #09-21**

**David Lucente**  
**2086 Patricia Street**  
**Variance**

Planner Steve Grittmann reviewed a map showing the property located at 2086 Patricia Street, which is single family home, and zoned R-1. The applicant is requesting approval for a 2' variance to allow the construction of an expansion to an existing two-stall garage. The proposed addition would be a 12' wide third garage stall which would be 8' from a side property line.

According to the applicant, the requested setback should be approved for the following reasons:

1. The garage addition would match the existing house in appearance.
2. The garage addition will be set back 1' from the front building line, thereby minimizing its visual impact from the adjacent street right of way.
3. A 12' wide garage addition will provide ample width to accommodate the opening of vehicle doors (not possible with a narrower width).
4. Neighbors to the north, south and east of the subject property have no objections to the proposed garage addition.

Planning staff feels that having a two- stall garage in the area is typical and while three-stall garages existing the area, they are not common to this neighborhood. Planning staff also believes that denial of this applicant will deny the applicant reasonable use of this property.

Seeing no one coming forward wishing to speak, Chair Lally asked for a motion to close the public hearing.

**COMMISSIONER NORTON MOVED, SECONDED BY COMMISSIONER VIKSNINS, TO CLOSE THE PUBLIC HEARING.**

**AYES 5**  
**NAYES 0**

**COMMISSIONER HENNES MOVED, SECONDED BY COMMISSIONER POVOLNY, TO RECOMMEND APPROVAL OF THE VARIANCE, DEFINING THE HARDSHIP AS THE CURRENT GARAGE SPACE IS RESTRICTIVE.**

**AYES 2 (Commissioners Hennes and Povolny)**  
**NAYES 3 (Chair Lally, Commissioners Norton and Viksnins)**

**PLANNING CASE #09-22**

**Patrick Watson**  
**1327 Delaware Avenue**  
**Conditional Use Permit and Variance**

Planner Steve Gritman reviewed a map showing the property located at 1327 Delaware Avenue, which is single family home, and zoned R-1. The applicant has applied for a Conditional Use Permit to allow the construction of a detached garage to replace a dilapidated, single stall garage with a new two-stall garage measuring 720 square feet. The existing garage is a non-conformance structure as it lies only 2' from the south lot line.

The applicant wishes to construct this new garage on the same spot as the old one and the Planner noted some topographical issues with the property. The side yard setback of 2.5' has been proposed, resulting in a 7.5' variance. Because such setback is not consistent with the 10' minimum, a variance is needed.

Planning staff notes that two-stall garages are common in the area, and in this case, compliance with the required 10' side yard setback is not possible without major topographical alteration, and therefore recommends approval of the conditional use permit and variance subject to the conditions listed in the Planners Report.

Chair Lally opened the public hearing. Seeing no one coming forward wishing to speak, Chair Lally asked for a motion to close the public hearing.

**COMMISSIONER NORTON MOVED, SECONDED BY COMMISSIONER VIKSNINS, TO CLOSE THE PUBLIC HEARING.**

**AYES            5**  
**NAYES         0**

**COMMISSIONER NORTON MOVED, SECONDED BY COMMISSIONER VIKSNINS, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT AND VARIANCE SUBJECT TO THE CONDITIONS OUTLINED IN THE PLANNERS REPORT.**

**AYES            5**  
**NAYES         0**

**PLANNING CASE #09-23**  
**Edward T. Joseph / Holy Family Catholic Church**  
**Conditional Use Permit**

Planner Steve Gritman reviewed the application for a conditional use permit in which the applicant, Holy Family Catholic Church) is seeking to allow the construction of a detached accessory building that is over 144 sq. ft. on a parcel that is less than 4 acres in size. The proposed 988 sq. ft. building will be used for storage which one service door located on the north side of the building, and having three operating double access doors located on the west side of the building. The building will be vinyl coating steel which will match the color of the church. The building will also be wired for electricity and telephone.

The building is to provide storage for festival equipment and games, seasonal church decorations, and outdoor maintenance equipment.

Planning staff believes that the new accessory building is compliant with the review standards and therefore is recommending approval of the proposed conditional use permit subject to the conditions outlined in the Planners Report.

Chair Lally opened the public hearing. Seeing no one coming forward wishing to speak, Chair Lally asked for a motion to close the public hearing.

**COMMISSIONER NORTON MOVED, SECONDED BY COMMISSIONER POVOLNY, TO CLOSE THE PUBLIC HEARING.**

**AYES 5**  
**NAYES 0**

**COMMISSIONER NORTON MOVED, SECONDED BY COMMISSIONER VIKSNINS, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT AS PRESENTED SUBJECT TO THE CONDITIONS OUTLINED IN THE PLANNERS REPORT.**

**AYES 4**  
**NAYES 1 (Commissioner Povolny)**

*\*It is noted that the applicant for Case No. 09-25 is not present at this time. Therefore Chair Lally asked for review of the next case.*

**PLANNING CASE #09-25**  
**John Gregoire**  
**2452 Pond Circle Court**  
**Wetlands Permit**

Planner Steve Gritman reviewed a map showing the property located at 2452 Pond Circle Court, which is single family home, and zoned R-1. The applicant is seeking a wetlands permit for the addition of stairs to an existing deck attached to the rear of the home.

Planning Staff recommends approval of the requested wetlands permit subject to the conditions outlined in the Planner Report, and that the findings of fact include:

1. The proposed project meeting the intent of the Wetlands Ordinance.
2. The improvement include the addition of deck stairs and a small landing which involve relatively insignificant grading and addition of impervious surface.
3. Erosion should be minimized due to the lack of grading proposal.
4. The proposed stairs and landing will be located approximately 90 feet from the wetland, permitting reasonable treatment of storm water runoff before it reaches the wetland area.

Chair Lally opened the public hearing. Seeing no one coming forward wishing to speak, Chair Lally asked for a motion to close the public hearing.

**COMMISSIONER VIKSNINS MOVED, SECONDED BY COMMISSIONER POVOLNY, TO CLOSE THE PUBLIC HEARING.**

**AYES 5**  
**NAYES 0**

**COMMISSIONER HENNES MOVED, SECONDED BY COMMISSIONER VIKSNINS, TO RECOMMEND APPROVAL OF THE WETLANDS PERMIT AS PRESENTED.**

**AYES 5**  
**NAYES 0**



PLANNING CASE #09-17          Charles and Laurie Crutchfield          Conditional Use Permit  
•    Approved by the City Council as recommended by the Planning Commission.

PLANNING CASE #09-19          Sara & Todd Hulse          Critical Area Permit / Variance  
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PLANNING CASE #09-18          United Prop / Bituminous Roadways          Conditional Use Permit  
•    Approved by the City Council as recommended by the Planning Commission.

**COMMISSIONER NORTON MOVED, SECONDED BY COMMISSIONER HENNES, TO ADJOURN  
THE MEETING AT 9:30 P.M.**

**AYES            5**  
**NAYES          0**

Respectfully submitted,  
Rebecca Shaffer, Recording Secretary