

## OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park Planning Commission was held on September 26, 2022 at the City Hall, at 7:00 PM.

### **1. CALL TO ORDER**

Chair Hansen called the meeting to order at 7:00 PM.

### **2. ROLL CALL**

#### MEMBERS PRESENT

Chair Hans Hansen  
Commissioner Jeff Bernhagen  
Commissioner Rick Cobbs  
Commissioner Kelsey Hollihan  
Commissioner Sharon Weighous

#### MEMBERS ABSENT

Eric Julien

#### STAFF PRESENT

Administrator Daniel Buchholtz  
Building Official Jeff Baker

#### OTHERS PRESENT

Brad Delfs, City Councilmember  
Enes Gluhic, 8465 Plaza Blvd NE  
Stewart Tingelstad, 482 Sanburnol Drive NE

### **3. PLEDGE OF ALLEGIANCE**

### **4. APPROVAL OF MINUTES**

#### A. Approval of Minutes – August 22, 2022

Motion made by Commissioner Bernhagen, seconded by Commissioner Cobbs to approve the minutes from the August 22, 2022 Planning Commission Meeting.

Voting Aye: Commissioner Weighous, Commissioner Hollihan, Commissioner Bernhagen, Commissioner Cobbs, Chair Hansen. Motion carried.

## 5. PUBLIC HEARING

### A. Public Hearing – Side Yard Variance for 482 Sanburnol Drive

Administrator Buchholtz stated that the City received an application from Stewart Tingelstad, 482 Sanburnol Drive NE, for a variance to permit a driveway expansion within the required five-foot side yard setback. He said Mr. Tingelstad is also seeking the ability to install a shade sail within the side yard setback.

Administrator Buchholtz said that the applicant is seeking a variance from a five-foot front yard setback requirement for driveways as set forth in Spring Lake Park Code 16.40.030. He stated that the property is a corner lot and is guided for low density residential in the 2040 Comprehensive Plan. The property is zoned R-1, Single Family Residential. R-1 is for single family homes.

Administrator Buchholtz noted that the slab on the south side of the garage is where the applicant is seeking to expand into the side yard setback. He stated that there is a five-foot utility easement on the south side of the property. He said the easement is currently utilized for overhead utilities. He said that a concrete slab could be permitted within the easement so long as it does not interfere with the current or future use of the easement. He stressed that any improvements within the easement of this nature are made at the risk of the property owner.

Administrator Buchholtz said that he would not recommend permitting the shade sail in the easement as it could interfere with the ability of the utility company to access the above ground utilities.

He stated that staff recommends approval of the variance without the shade sail. Staff's analysis of the application shows that the proposed parking encroachment will not alter the character of the neighborhood as there are other residential driveway encroachments in the vicinity.

He noted that If the Planning Commission wishes to recommend approval of the variances, it would be with the following conditions:

1. No additional driveway width will be permitted in the City's right of way.
2. No improvements may be made that interferes with the ability of the owner of the utility to access overhead power lines. Property owner understands that any damage to the portion of the concrete slab located within the utility easement due to the legal use or maintenance of the easement is the property owner's responsibility.
3. Applicant must apply for a zoning permit as required.

Mr. Ghulic and Mr. Tingelstad stated that the object of the request is to extend the current concrete slab to 29' x 16' to park a camper onsite. They noted that, because the property is a corner lot, it is difficult to park it anywhere else. Mr. Tingelstad said the sails are made out of cloth so they are easily removable.

Commissioner Weighous asked if there was a different option for the sails, such as a carport. Mr. Tingelstad noted that the carports are not allowed. Administrator Buchholtz said that the proposed sails could be permitted since they are removable.

Commissioner Hollihan inquired if the existing driveway allows enough room as it is now to get the trailer onto the proposed slab. Mr. Tingelstad stated that he has a 2 ft soffit to clear and that is why it is important to get near the fence and that is why there is a need to get into the easement.

Chair Hansen opened the public hearing at 7:20 PM. Seeing no one in the audience wishing to address the Commission on the issue, Chair Hansen closed the public hearing at 7:21 PM

Motion made by Commissioner Hollihan, seconded by Commissioner Cobbs to recommend the Variance Request from Stewart Tingelstad at 482 Sanburnol Drive NE with the following conditions:

1. No additional driveway width will be permitted within the City's right of way.
2. Property owner understands that any damage to improvements located within the utility easement due to the legal use and/or maintenance of the easement is the sole responsibility of the property owner.
3. Applicant shall direct any drainage from the concrete slab and shade sail west towards the rear of the property. No drainage shall be directed onto the neighboring property.
4. Applicant shall apply for any zoning/building permits required.

Voting Aye: Commissioner Weighous, Commissioner Hollihan, Commissioner Cobbs, Chair Hansen. Voting Nay: Commissioner Bernhagen. Motion carried

## **6. OTHER**

Chair Hansen inquired about the Commission looking at other codes. Administrator Buchholtz replied that he will have something ready to preview at a future meeting.

Commissioner Bernhagen inquired about the shade sails and if staff would be able to look into them. Administrator Buchholtz stated he would inquiry of other cities what their policy is on the shade sails.

**7. ADJOURN**

Motion made by Commissioner Cobbs, seconded by Commissioner Bernhagen to adjourn.

Voting Aye: Commissioner Weighous, Commissioner Hollihan, Commissioner Bernhagen, Commissioner Cobbs, Commissioner Julien, Chair Hansen. Motion carried.

Meeting adjourned at 7:23 PM.