

MINUTES OF A REGULAR MEETING OF THE  
INDEPENDENCE PLANNING COMMISSION  
MONDAY, OCTOBER 12, 2009 – 7:30 P.M.

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a regular meeting of the Independence Planning Commission was called to order by Chair Crespo at 7:30 p.m.

2. ROLL CALL AND OATH OF OFFICE FOR KEITH TRIPLETT.

PRESENT: Chair Crespo, Commissioners Gardner, Phillips and Triplett.

ABSENT: Commissioner Gardella.

STAFF: Recording Secretary Scipioni, Planner Kaltsas.

VISITORS: Joan & Gerry Evenson, Colleen Malone.

3. APPROVAL OF JUNE 8, 2009 MEETING MINUTES.

**Motion by Phillips, second by Gardner, to approve the minutes as written. All present voted aye. MOTION DECLARED CARRIED.**

3. PUBLIC HEARING. GERALD EVENSON, 4620 LAKE SARAH DRIVE SOUTH (PID NO. 02-118-24-21-0023), REQUEST FOR A TEN (10) FOOT SETBACK VARIANCE TO CONSTRUCT AN ATTACHED GARAGE EIGHT (8) FEET FROM THE EAST PROPERTY LINE ON THE SUBJECT PROPERTY.

Kaltsas stated the request was for a side yard setback to build an attached garage and mudroom on an existing home. He stated the lot was substandard because it was subdivided before the current ordinance was adopted. Substandard lots of record in the shoreland district are allowed to have reduced setbacks of 60% of the required setbacks, which is an 18-foot side yard setback. The applicant is requesting a 10-foot variance to allow an 8-foot setback. Kaltsas noted the shoreland district limits the amount of impervious surface to 25 percent of the lot. He stated the applicant and staff would work together to be sure the impervious surface limitation was not exceeded. Kaltsas added that staff had not received any resident comments regarding this request.

Gardner asked if the nearby residents were sent a notice about the request.

Scipioni responded that property owners within 500 feet of the subject property were mailed public hearing notices.

Public Hearing

No comments.

**Motion by Gardner, second by Phillips, to close the public hearing. All present voted aye. MOTION DECLARED CARRIED.**

Gardner stated that requests like this one are common within the shoreland district. He stated the 18-foot setback isn't adequate for this neighborhood because of the size and shape of the lots. Gardner suggested a 10-foot setback instead. He noted that variances are expensive for residents to apply for.

**Motion by Gardner, second by Phillips, to recommend approval of the 10-foot setback variance to construct an attached garage 8 feet from the east property line, subject to the following findings and conditions:**

- **The proposed Variance request meets all applicable conditions and restrictions stated in Chapter V, Section 520.19, Procedures on variances, in the City of Independence Zoning Ordinance.**
- **The total impervious surface coverage for this property will not exceed 25% of the total lot area or 5,662.80 square feet.**
- **No additions or expansions to the proposed addition indicated on the approved site sketch shall be permitted without the City's approval.**
- **The applicant shall not remove or damage any existing trees, other than those indicated on the plans, on the property during the construction of garage addition. Any additional trees removed or damaged during the construction of the outdoor parking or storage areas shall be replaced by a quantity, type and size as directed by the City.**

Phillips stated he is against variances because the City should be addressing the underlying problem with the ordinance that is requiring property owners in this neighborhood to ask for variances. He added the current ordinance needs to be reviewed and rewritten.

Gardner stated Council and staff should work together to review the issue.

Phillips stated he wanted to make sure the applicant did not exceed the 25 percent limit on impervious surfaces.

Kaltsas responded that the 25 percent impervious surface limit would be met. He stated it shouldn't be a problem as long as the applicant narrowed the driveway from what was depicted in the submitted sketch.

Triplett asked if the proposed addition would create drainage issues on the neighboring property.

Kaltsas responded that drainage is something staff reviews once a building plan has been submitted.

**Crespo called for a vote. All present voted aye. MOTION DECLARED CARRIED.**

**Motion by Gardner, second by Phillips, to recommend to Council that the setback requirements in the shoreland district be reviewed and modified. All present voted aye. MOTION DECLARED CARRIED.**

6. REQUEST BY LAURIE LUNDEEN/STONEHAWK CORPORATION FOR CONCEPT PLAN CONSIDERATION FOR THE PROPERTY LOCATED AT 4704 SOUTH LAKE SARAH DRIVE (PID NO. 02-118-24-22-0025).

Item was removed from the agenda.

7. OPEN/MISC.

Comprehensive Plan Update

Kaltsas gave the Planning Commissioners an update on the status of the Comprehensive Plan update. He stated revisions to the Plan would be officially submitted to the Met Council on Oct. 14. He explained that the Met Council's main concerns about the Comp Plan related to providing sewer and water services to the urban commercial district. Since receiving the Met Council's comments, the City has created a scoping study that shows how services could be brought to the site. Kaltsas also noted the urban residential district had changed in size and density since the last time the Planning Commission reviewed the Comp Plan.

8. ADJOURN.

**Motion by Phillips, second by Gardner, to adjourn the Planning Commission meeting at 8:10 p.m. All present voted aye. MOTION DECLARED CARRIED.**

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Respectfully submitted by Christina Scipioni, Recording Secretary