

**UNAPPROVED MINUTES  
PLANNING COMMISSION  
REGULAR MEETING  
CITY OF WYOMING, MINNESOTA  
SEPTEMBER 8, 2008  
7:00 PM**

**CALL TO ORDER:**

*Michael Thomas called the Regular Meeting of the Wyoming Planning Commission to order for September 8th, 2008 to order at 7:00 P.M.*

**CALL OF ROLL:**

*On a Call of the Roll the following members of the Wyoming Planning Commission were present: Michael Thomas, PJ Richardson, Commission Members, Frank Salava, Ken Meyers, Richard Gleason, Frank Storm, Buck Schott, Judy Coughlin, Mark Loebermeier, Theresa Sarff, Russ Goudge and Council Member Liaison Tom LaBarre*

*Absent: Sean Wagner*

*Also Present: City Administrator Craig Mattson, City Staff Member Robb Linwood*

**DETERMINATION OF A QUORUM:**

*The Planning Commission Chairman determined a Quorum was present.*

**PLEDGE OF ALLEGIANCE:**

**OPEN FORUM:**

*“An opportunity for members of the public to address the Planning Commission on items not on the current Agenda. Items requiring Planning Commission action maybe deferred to staff for research and future Planning Commission Agendas if appropriate.”*

**APPROVAL OF MINUTES:**

1. **Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota Planning Commission for September 2<sup>nd</sup>, 2008.**

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER LOBERMEIER, SECONDED BY PLANNING COMMISSION MEMBER SARFF, TO APPROVE THE “REGULAR MEETING” MINUTES OF THE WYOMING TOWNSHIP, MINNESOTA PLANNING COMMISSION FOR SEPTEMBER 2, 2008.**

*Voting Aye: Thomas, Gleason Salava, Meyers, Richardson, Sarff, Lobermeier, Schott, Goudge, Storm, and Coughlin*

*Voting Nay: None*

*Abstain: None*

2. **Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota Planning Commission for August 4th, 2008.**

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER RICHARDSON, SECONDED BY PLANNING COMMISSION MEMBER SALAVA, TO APPROVE THE “REGULAR MEETING” MINUTES OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR AUGUST 4th, 2008.**

*Voting Aye: Thomas, Gleason Salava, Meyers, Richardson, Sarff, Lobermeier, Schott, Goudge, Storm, and Coughlin*

*Voting Nay: None*

*Abstain: None*

*\*\*The Planning Commission said motions should be made for a new planning chair and vice chair with the combined planning commissions.*

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER SALAVA, SECONDED BY PLANNING COMMISSION MEMBER STORM, TO NOMINATE MICHEAL THOMAS FOR THE PLANNING COMMISSION CHAIR OF THE WYOMING, MINNESOTA PLANNING COMMISSION**

*During a discussion period there was another nomination for Chair*

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER SARFF SECONDED BY PLANNING COMMISSION MEMBER LOBERMEIER, TO NOMINATE FRANK STORM FOR THE PLANNING COMMISSION CHAIR OF THE WYOMING, MINNESOTA PLANNING COMMISSION**

*Mr. Storm would not accept the nomination..*

*The first motion for Michael Thomas was then put back on the floor.*

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER SALAVA, SECONDED BY PLANNING COMMISSION MEMBER STORM, TO NOMINATE MICHEAL THOMAS FOR THE CHAIR OF THE WYOMING, MINNESOTA PLANNING COMMISSION.**

*Voting Aye: Thomas, Gleason Salava, Meyers, Richardson, Sarff, Lobermeier, Schott, Gudge, Storm, and Coughlin*

*Voting Nay: None*

*Abstain: None*

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER RICHARDSON, SECONDED BY PLANNING COMMISSION MEMBER SALAVA, TO NOMINATE FRANK STORM FOR THE VICE-CHAIR OF THE WYOMING, MINNESOTA PLANNING COMMISSION**

*Commission member Schott was concerned that Commission member Storm’s candidacy for City Council could be problematic for the Planning Commission in the future.*

*It was stated that the current planning commission would run through the end of this year and*

*that a new commission would be selected for 2009. If Mr. Storm is elected to a City Council seat we will cross the bridge when we get there. It is suggested there should be no conflict for the rest of this year.*

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER SCHOTT, SECONDED BY PLANNING COMMISSION MEMBER NO SUPPORT, TO NOMINATE SEAN WAGNER FOR THE VICE - CHAIR OF THE WYOMING, MINNESOTA PLANNING COMMISSION.**

*There was no second for Mr. Schott's motion thus the motion failed.*

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER RICHARDSON, SECONDED BY PLANNING COMMISSION MEMBER SARFF, TO NOMINATE FRANK STORM FOR THE VICE-CHAIR OF THE WYOMING, MINNESOTA PLANNING COMMISSION.**

*Voting Aye: Thomas, Gleason Salava, Meyers, Richardson, Sarff, Lobermeier, Schott, Goudge, Storm, and Coughlin*

*Voting Nay: None*

*Abstain:*

**ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND DEPARTMENT HEADS:**

### **SCHEDULED PUBLIC HEARINGS**

#### **3. Front Setback Variance Request – Dawn and Chris Roche**

It was explained to the planning commission that the applicant was applying for a variance to add a 6ft to 8ft addition to the front of their garage. The addition would cause the need for a variance since the applicant would go below the 40ft front setback ordinance.

The Planning Commission asked the applicant what they would do with the sidewalk on the west side of the garage. The applicant responded that they would rip up the necessary sidewalk and replace it in the same place with the addition. The PC questioned whether the applicant would leave the garage staggered from with the 3<sup>rd</sup> stall sitting slightly behind the main 2 door garage or with the addition if they would even out the front of the garage entirely. The Roche's explained that they could even out the all of the stalls or leave them staggered, they would go with the planning commission's recommendation if they variance were to be approved. The planning commission questioned city staff if an impervious surface application had been filled out for the variance. Staff responded "No", the city does not require one, but the impervious space has been calculated and it would not be over the 25% as stated in the ordinance. It would change very little do that they addition is moving forward on an already impervious driveway space.

**The Planning Commission opens the Public Hearing at 7:20PM**

*No Comments from the Public*

**Close the Public Hearing at 7:20PM**

The Planning Commission questioned what the implications of the addition would be and how the neighborhood would feel about it. The applicant explained he has a signed petition from neighbors 2 houses down on both sides of him and from across the street. The Planning commission is concerned about the precedent they may set by allowing the variance. They feel even though it may not affect the neighborhood, they are concerned about how many more people are they opening the door to do such an addition.

The city does have a couple of subdivisions in the city where the front setback variance has been allowed. Once was a PUD and had to do with proximity to the sunrise river and the other was to preserve trees on the backside of the subdivision's lots. It was questioned why the 40ft for a front setback and it was mentioned that a normal parking space is 19ft' long and with a 40ft front setback you can fit 2 cars in the driveway. The Planning Commission is not sure if they feel if there is an actual hardship. PC asks the applicant if he has considered an accessory building. The boat that applicant has explains it is very large and he does not have enough space for an accessory building of that size. The planning commission feels that if they allow this they are opening the door for anyone to build a bigger garage and setting a poor precedent.

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER SALAVA, SECONDED BY PLANNING COMMISSION MEMBER RICHARDSON, TO DENY THE VARIANCE FOR A FRONT SETBACK BASED ON ITS SETS A DANGEROUS PRECEDENT AND RESIDENTS SHOULD KEEP A 40'FT DRIVEWAY.**

**AN AMMENDMENT TO THE MOTION WAS MADE BY PLANNING COMMISSION MEMBER LOBERMEIER, SECONDED BY PLANNING COMMISSION MEMBER STORM, TO ADD THAT THE APPLICANT DID NOT DEMONSTRATE A HARDSHIP**

*Voting Aye: Thomas, Gleason Salava, Meyers, Richardson, Sarff, Lobermeier, Schott, Goudge, Storm, and Coughlin*

*Voting Nay: None*

*Abstain:*

*The final motion reads as follows*

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER SALAVA, SECONDED BY PLANNING COMMISSION MEMBER RICHARDSON, TO DENY THE VARIANCE FOR A FRONT SETBACK BASED ON ITS SETS A DANGEROUS PRECEDENT, RESIDENTS SHOULD KEEP A 40'FT DRIVEWAY AND THE APPLICANT DID NOT DEMONSTRATE A HARDSHIP.**

*Voting Aye: Thomas, Gleason Salava, Meyers, Richardson, Sarff, Lobermeier, Schott, Goudge, Storm, and Coughlin*

*Voting Nay: None*

*Abstain:*

#### **4. PUBLIC HEARING JOHN AND NANCY BERGUM MINOR SUBDIVISION REQUEST**

John and Nancy Bergum was requesting a minor subdivision lot split to give a back portion of their lot (15' x 112') to the neighbors as a wedding present since they have such a small yard. All City ordinances for lot lines and setbacks would still be met if the subdivision was allowed.

#### **The Planning Commission opens the Public Hearing at 7:36PM**

*No Comments from the Public*

#### **Close the Public Hearing at 7:36PM**

The Planning Commission asked if the neighbors receiving the lot were aware it may possibly change the tax base on the property. The Bergum's replied yes and that it was not an issue. The conveying of the 15' by 112' piece of property would have to be recorded at the county. The planning commission questioned whether there were any liens's on the land. The applicant said none. The applicant described to the Planning Commission where the lot lines would be on their diagram. The applicant said any liens would be clarified in the title work along with the legal description. Planning Commission member Buck Schott commended the Bergum's on their gesture to the neighbor's.

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER STORM, SECONDED BY PLANNING COMMISSION MEMBER SCHOTT TO APPROVE THE MINOR SUBDIVISION LOT SPLIT FOR JOHN AND NANCY BERGUM.**

*Voting Aye: Thomas, Gleason Salava, Meyers, Richardson, Sarff, Lobermeier, Schott, Goudge, Storm, and Coughlin*

*Voting Nay: None*

*Abstain:*

#### **NEW BUSINESS**

#### **5. Discussion of Meeting Times for Planning Commission**

It was suggested with the amount of work to be completed that the Planning Commission continues to meet on the Township's old schedule of the 1st and 3<sup>rd</sup> Tuesday of Every Month. Since City Council meetings are the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday, it is suggested that the Planning Commission meets on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of every month.

It was questioned how often meetings are cancelled with lack of work.. Members of the old Township Planning Commission commented rarely. The Planning Commission will have plenty of work in the coming months with the need to finalize the land use map and design compatible ordinances. The Planning Commission suggested the two meetings make it very convenient to the community.

Bill Weber of MRFA is currently updating the land use map with the annexation being completed. If the planning commission agrees to the dates the next meeting would be Tuesday, September 23, 2008.

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER STORM, SECONDED BY PLANNING COMMISSION MEMBER COUGHLIN, TO APPROVE THE PLANNING COMMISSION'S NEW MEETING TIMES BE AT 7:00P.M. ON THE 2<sup>ND</sup> and 4<sup>TH</sup> TUESDAY OF EVERY MONTH.**

*Voting Aye: Thomas, Gleason Salava, Meyers, Richardson, Sarff, Lobermeier, Schott, Goudge, Storm, and Coughlin*

*Voting Nay: None*

*Abstain:*

## **OLD BUSINESS**

NONE

## **DISCUSSION AND UPDATES**

- It was also asked if the Planning Commission packets can be sent as hard copies instead of electronic if requested. City Staff suggested it would not be a problem.
- Stipends for planning commission members were asked about. If we would be going by the township rate or the city rate? Staff will look into it but it would be safe to assume that it would now go by City stipend rates.
- 257<sup>th</sup> street – The City was not able to gain control of the easements necessary to start construction of the road. The city is hoping that work will begin in January or February of 2009.
- The Planning Commission commented they should set a new number to achieve a quorum with having a 12 person Planning Commission now. The city required 3 out of 5 members for a quorum before and the township required 4 out of 7 members for a quorum. The planning commission decided on 7 members out of 12 must be present to hold a quorum.

**A MOTION WAS MADE BY PLANNING COMMISSION MEMBER GLEASON, SECONDED BY PLANNING COMMISSION MEMBER SALAVA, TO ADJOURN THE "REGULAR MEETING" OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR SEPTEMBER 8th, 2008 AT 8:25PM**

*Voting Aye: Thomas, Gleason Salava, Meyers, Richardson, Sarff, Lobermeier, Schott, Goudge, Storm, and Coughlin*

*Voting Nay: None*

*Abstain:*