

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, SEPTEMBER 17, 2014
7:00 P.M.**

1. CALL TO ORDER/ROLL CALL

Chairman Lucking called the meeting to order at 7:00 p.m.

Members Present: Chairman Pat Lucking and Commissioners Lake Bechtell, David Paeper, Fiona Sayer and Rick Sundberg

Absent: Commissioner Kristi Conrad and Douglas Reeder

Others Present: Council Liaison Bill Cook, City Attorney Mark Kelly and Zoning Administrator Gus Karpas.

Due to the absences of Commissioners Conrad and Reeder, Commissioners Sayer and Sundberg were voting members.

2. MINUTES – August 20, 2014

Commissioner Paeper moved to approve the minutes of August 20, 2014 as presented. Commissioner Bechtell seconded the motion. Motion carried 5-0.

3. PUBLIC HEARINGS

Conditional Use Permit and Variances, Erotas Building Corp., 5560 Maple Heights Road – Request for a conditional use permit to construct a swimming pool and variances to encroach into the minimum lake yard setback for the construction of a swimming pool and retaining walls and variances to encroach into the minimum lake yard setback and to exceed the maximum permitted accessory structure height in conjunction with the relocation of an accessory structure.

Section 1120:15 of the Zoning Ordinance requires a minimum lake yard setback of fifty feet.

- The proposed **swimming pool** requires a variance of eighteen (18) feet of the required fifty (50) foot lake yard setback.
- The proposed **retaining walls** require a variance of thirty-five (35) feet of the required fifty (50) foot lake yard setback.
- The proposed **accessory structure** requires a variance of eighteen (18) feet of the required fifty (50) foot lake yard setback.

Section 1122.20(2)(b) permits a maximum accessory structure height of fifteen feet. The applicant proposes an accessory structure height of twenty-two feet and is seeking a variance to exceed the maximum permitted accessory structure height by seven feet.

Chairman Lucking opened the Public Hearing. Hearing no comment, the hearing was closed.

David Erotas noted the length of the pool has been shortened by five feet so when measure on the ground, the pool is fifty feet from the lake, but still within the lake setback when measure linearly.

Chairman Lucking asked Commissioners if any had a change in their opinions from the last meeting.

Commissioner Sundberg said his understanding of the lake setback was to protect neighbors and the lake. He doesn't have any concerns with the requests since there would be absolutely no impact on either, noting none of the residents who spoke at the last meeting were opposed to the request. He said the island is unique and doesn't believe the city would be setting precedent.

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Zoning Coordinator Karpas discussed concerns about the placement of the pool and accessory structure within the required bluff setback. His recollection was the building setbacks were initially established by the Council and agreed upon by the property owner at the time, prior to the development of the property. He bolstered this point by noting the previous pool and pool house were placed within the established building pad.

Mr. Erotas said he would be willing to continue the request to clear up any concerns about the permitted building pad.

Karpas said he would do further research to determine exactly how the building pad shown on the survey was determined and if an agreement was drafted establishing that building pad.

4. OLD BUSINESS

Council Liaison Cook informed the Commission that an informational meeting was held on the development of a Park Plan which was well attended by those who lived immediately adjacent to the park properties. Most objected to changing the status quo. The Commission discussed the optional expiration of the agreement requiring Shuman Woods to remain open space and what options would be available to the city if that were the case. City Attorney Kelly would conduct further research to see if there was definitive documentation turning the property over to the city for a use other than a park.

Councilmember Cook said he would bring a draft Park Plan to the October meeting for the Commission to review.

5. LIAISON REPORT

Council Liaison Cook said the Council held a public hearing on a Lake Improvement District, reviewed a mission statement for the development for small lots which focused on performance standards rather than requiring the amendment of the ordinance and authorized the City Engineer to conduct an I&I Study to pinpoint sources of increased inflow of stormwater into the Met Council's system.

6. ADJOURN

Motion by Commissioner Sundberg to adjourn the meeting. Commissioner Paeper seconded the motion. The meeting was adjourned at 7:55 pm.

Respectively Submitted,
Gus Karpas - Zoning Administrator