

**GREENWOOD PLANNING COMMISSION  
WEDNESDAY, NOVEMBER 15, 2017  
7:00 P.M.**

**1. CALL TO ORDER/ROLL CALL**

Chairman Lucking called the meeting to order at 6:58 p.m.

Members Present: Chairman Pat Lucking, Commissioners Lake Bechtell, Jennifer Gallagher, Doug Reeder, Fiona Sayer, and David Steingas

Others Present: Council Liaison Kristi Conrad and Zoning Administrator Dale Cooney

Absent: None

**2. MINUTES – October 18, 2017**

Commissioner Bechtell moved to approve the minutes of October 18, 2017 as written. Commissioner Gallagher seconded the motion. Motion carried 5-0.

**3. PUBLIC HEARINGS**

**3a. Consider variance requests of David and Kimberly Barry, property owners, to encroach into the lake yard and front yard setbacks and convert landscape-related impervious to structural-related impervious in order to attach a currently detached garage to the principal structure and expand the existing nonconforming garage at 21550 Excelsior Boulevard.**

Chairman Lucking introduced the agenda item.

Mike Sharratt, architect for the applicants, said that he has provided an aerial photograph that shows both a 30 foot and 50 foot setback in the neighborhood. He said that 10 out of 13 houses are in violation of the 50 foot setback, while 3 were in violation of a 30 foot setback. He said that this home does not have a basement or a rec room, and that the expansion of the garage would enable a rec room over the garage. He said that they are not expanding hardcover and that they are well under on the volume calculations.

Reeder said that this was nearly the same variance request as in 2012. Kimberly Barry, applicant, said that they did not complete that addition at the time since it was too expensive.

Conrad asked about the channel near the house. Steingas said that it goes under State Highway 7 and connects with Christmas Lake.

Gallagher asked if the proposed changes would create difficulty turning around in the driveway. David Barry said that they have more than enough room in the driveway.

Sharratt noted that the channel noted by the 50 foot setback is non-navigable. Lucking said that the setback was changed to 50 feet when Greenwood adopted its shoreland management ordinance.

Conrad asked if, the way the ordinance is written, we can even allow a variance to exchange landscape related impervious for structural-related impervious.

Lucking said that, based on the way the code was written, the planning commission could not grant a variance of that type. Steingas said that we could give the applicants a variance for expanded hardcover, of which the new would be structural impervious. Steingas said that it was a minor expansion.

Cooney said that he calculated 138 square feet of additional structural impervious. He asked if we would include conditions about removing additional impervious areas. Lucking said that he did not

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believe we could make that condition, but would instead have to ask the applicants if they would be willing to do that.

Conrad said that this is an instance where, with the best of intentions, the way the code is written undermines a reduction in impervious area.

Motion by Bechtell to approve the request as proposed with a 138 square foot increase in total impervious area for the new structural-related impervious surfaces. Motion was seconded by Steingas. Motion carried 5-0.

**4. OTHER BUSINESS**

**5. LIAISON REPORT**

Conrad presented the liaison report. She said that the city is working on an updated small wireless ordinance. She said that the residential zoning is still a work in progress and that Councilmembers Cook and Fletcher are getting additional data.

Conrad said that the variance requests for 5500 Maple Heights Road passed, including the enclosed porch which passed on a 3-2 vote. Cooney said that the resolution for the deck was similar to what the planning commission had considered with a reduced width connection to the main deck area. He said that the lower deck was also reduced in size, but that the city council did not demand that there be no net gain in structural impervious.

Steingas said that he blames the builder for the mistake with the porch and that they should know better than to expand anything within three feet of a lot line. Cooney said that he did not think the 3-2 vote was an attempt to remedy the past mistake, but that vote was more about the porch in context with the neighboring house. Conrad agreed that it was not an attempt to remedy the mistake.

**6. ADJOURN**

Motion by Reeder to adjourn the meeting. Steingas seconded the motion. Motion carried 5-0. The meeting was adjourned at 7:40 p.m.

Respectively Submitted,  
Dale Cooney - Zoning Administrator