

GREENWOOD PLANNING COMMISSION  
WEDNESDAY, APRIL 16, 2019  
7:00 P.M.

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

Chairman Lucking called the meeting to order at 7:06 p.m.

Members Present: Chairman Pat Lucking, Commissioner David Steingas

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

Absent: Commissioners Dean Barta and Kelsey Nelson

**2. MINUTES – February 13, 2019**

Motion by Conrad to approve the minutes as written. Motion was seconded by Lucking. Motion carried 3-0.

**3. PUBLIC HEARINGS**

**3a. consider the conditional use permit request of the Alvin E. McQuinn Revocable Trust, property owners, to regrade the property 4900 Meadville Street.**—Section 1140.19 (2) of the City Zoning Code requires a conditional use permit for any grading or site/lot topography alteration request that increases or decreases the average grade (existing compared to final conditions) by more than 1 foot in any 300 square foot area.

Lucking introduced the agenda item and opened the public hearing.

Cooney noted that the contractor applicant could not be at the meeting tonight due to the weather conditions and the fact that he would be travelling from Hutchinson, Minnesota.

Sandy Sevey of 4926 Meadville Street said that she met with Cooney and the city engineer. She said that she didn't want the changes to impact their garage or their basement. Sevey said that she wants to make sure the swale is working. She said that she thinks the plans will address their concerns but want to make sure that is the case.

John Rauth, 4910 Woods Court, said that he works for the McQuinns. He said that the McQuinns are sensitive to the neighbors' concerns and want to work on a good solution for everyone.

Lucking closed the public hearing. Lucking and Steingas said that they reviewed the engineer's comments and are comfortable approving the request based on those comments.

Steingas said that removing some of the road asphalt in the area might help reduce some of the water issues for the Seveys. Lucking said that the street near the property works well now and is dry after storms.

Motion by Lucking to recommend approval of the request based on the recommendation and findings of staff. Motion was seconded by Steingas. Motion carried 3-0.

**3b. Consider variance and conditional use permit requests of Mark and Katharine Krezowski to encroach into the south side and corner side yard setbacks, exceed the maximum permitted impervious surface area, exceed the maximum above grade building volume, exceed the maximum side yard structure height and to regrade the property in conjunction with the construction of a new house at 5130 Meadville Street.**— Section 1120.15 of the Greenwood Zoning Code requires a side yard setback of 9 feet for the 45 foot wide lot, and a corner side yard setback of 30 feet. Section 1120.15 of the Greenwood Zoning Code limits the impervious area for a property of this size to 32.9%. Section 1140.19 (2) of the City Zoning Code requires a conditional use permit for any grading or site/lot topography

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alteration request that increases or decreases the average grade (existing compared to final conditions) by more than 1 foot in any 300 square foot area.

Cooney noted that the staff report did not include information related to the new code changes on wall height. He said that there is a new limit of 1.5 feet of height per 1 foot of required setback. He noted that the required setback of 9 feet would limit the wall height to 13.5 feet and that the proposed wall height is 20.6 feet.

Lucking introduced the agenda item and opened the public hearing.

Rick Hendel of Hendel Homes, builder for the property owner, said they are trying to get a reasonable house on the lot and that they did not go as far as they could to the lake or to the maximum building height. He said that they are very close on hardcover. He said that the tuck under garage pushes up the overall house volume. He said that they tried to get the house to match the neighborhood.

Lucking asked if the house could be pushed back from the lake to lower the house. Hendel said that they run into the front setback by pushing it back. He said that the garage is as low as it can go and that they really tried to squeeze it down as much as they could.

Mark Krezowski, applicant, said that they would be willing to move the house away from the lake, but that would require an additional variance.

Steingas asked why the footprint isn't smaller. He said that the intent in the ordinance is to have a new house build to compliance. Hendel said that this house probably has the lowest hardcover of all the existing 10,000 square foot or less properties in the neighborhood.

Krezowski said that the house is a two bedroom, 2 bath house, but the rooms are just bigger. Steingas said that rooms could be smaller and that building new should be designed to comply.

Krezowski said that his wife has lived in Greenwood for over 30 years and he has lived in the house for 6 years. He said that they have been working on this plan for about 5 years. He said that they wanted a traditional look with front porch and a back porch. He said that they needed the more garage space to store lake equipment. Krezowski said that this will be the smallest new house in the neighborhood.

Joe Fronius, 5140 Meadville Street, said that it is a beautiful proposal but that it goes closer to the lake and blocks their lake view. He said that this limits the value of their property and that he would like to see the house moved back 4 feet.

Lucking asked if the driveway was an easement. Fronius said that it is an easement that does not benefit the Krezowski property. Conrad asked about the extent of the driveway. Krezowski explained the location.

Cooney said that the R-1 ordinance is new and he is learning to administer it. He said the strict application of the required side yard setbacks of 9 feet for a 45 foot wide lot would leave a 27 foot wide house. Cooney asked if, particularly given the cost of lakeshore properties, that might be a somewhat narrow limitation.

Steingas said that his house is a 30 foot wide house, excluding the garage area. He said that he is not saying every rule needs to be adhered to, but that in this particular case he is concerned about the proposed side yard setback facing the Fronius house as well as the volume. Steingas said that the lake yard setback is a race to the lake and that he would expect a new house to be built to the 50 foot setback. But, that he does not think the city should give variances to the multiple setback, volume, wall height, and hardcover requirements since it will lead to further requests in the future.

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Lucking said that the city has usually been pretty firm on the volume limitations.

Conrad said that the house at 5290 Meadville needed variances since they could not meet the minimum house width without them.

Steingas said that he would like to see the side yard setback meet the 9 feet setback facing the Fronius property. Hendel said that they are meeting the existing setbacks. Steingas said that he would like to see at least the new portion meet the 9 foot setback.

Fronius said that they raised two children in a 24 foot wide house.

Jan Grey, 5170 Meadville Street, said that they would not be impacted or benefit from the requests. She said that the house is an old house with a sense of a home there that goes into the neighborhood. She said that it is important to preserve some of that in the neighborhood. She said that the size of the house in the lot does not fit within the neighborhood.

Lucking closed the public hearing.

Conrad said that moving the house towards the driveway might reduce the volume. Hendel said that it would not be much. Conrad said that most people will build to the 50 foot setback, and pointed out that, due to the angle of the lake, a new house on the Fronius lot could be in front of the Krezowski property.

Fronius said that a new house would be foolish not to build over the existing footprint since the current footprint has narrow side setbacks.

Steingas said that he was less concerned about any lake yard setback than he was with the side yard setback. He said that he would like to see a design that complies with volume, hardcover, and the side yard setback on the Fronius side.

Krezowski said that he compromised on the lake yard setback to help work with the neighbors. He said that they designed the house from the first floor up to fit within the massing ordinance but they didn't count on the garage elevation changing the calculation. He said that they want the covered porches since they will add to the character of the house and the neighborhood. He said that he was not sure that porches should be considered 100% volume since you can see through them. Krezowski said that they are very close on hardcover and originally thought they had made the 30% number. He said that 17 neighbors have written letters in support.

Lucking said that covered porches are considered volume since many of them are inevitably enclosed. Krezowski asked about a deed restriction. Lucking said that those are often overlooked or worked around.

Ted Hanna, 4960 Meadville said that he thought it might be easier to get a variance for a garage than the additional tuck under volume.

Chris O'Leary at 5030 Meadville said that the massing with the tuck under is challenging. He said that the Krezowskis have worked hard, and he is supportive of the extra massing due to the circumstances.

Lucking said that he would want to see a volume reduction.

Conrad said the tuck under makes sense, but she said that the higher house creates the perception of a larger house. She asked about areas volume that could be reduced including the front porch.

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Lucking said that the lowest point above grade is 2.4 feet and most houses have a foundation 1 foot above grade. Steingas agreed and said that he understands the house cannot go any lower based on the proposed basement ceiling height.

Steingas says his biggest issue is the height and setbacks and it makes it appear that it is being built right to the property line.

Conrad asked if going to a two car garage might help. Krezowski said it would not help much.

Motion by Steingas to recommend denial of the variance request based on the findings that the massing and side yard wall height are not reasonable given the narrow side yard setback for the property, and to recommend denial of the CUP request since there is not an approved house plan for the property. Lucking said that he is comfortable with the setback along Meadville and the hardcover. Steingas agreed. Motion was seconded by Lucking. Motion carried 3-0.

Lucking said that the applicant can go to the city council and they may have a different opinion. Cooney said he recommended at least hearing the city council comments before making revisions.

Conrad asked about incorporating changes prior to the city council meeting. Cooney said that changes should be in the council packet which does not leave much time. He said that having changes after the packet is delivered can lead to confusion.

**4. NEW BUSINESS**

**5. LIAISON REPORT**

Conrad presented the liaison report. She said that there was discussion about legislation that might impact the LMCD's power and make issues that are beyond the high water line issues that only the local cities deal with. She said this mainly impacted boat storage.

Conrad said that the 5290 Meadville garage passed. She said that the 21800 Byron Circle grading CUP and variance passed. She said that the revised tree ordinance passed.

**6. ADJOURN**

Motion by Conrad to adjourn the meeting. Lucking seconded the motion. Motion carried 3-0. The meeting was adjourned at 8:35 p.m.

Respectively Submitted,  
Dale Cooney - Zoning Administrator