

City Of Kenyon
Planning Commission Meeting Minutes
April 4, 2011

I. Call to Order

The April 4, 2011, meeting of the Kenyon Planning Commission was called to order at 7:01 p.m. by B. Haugen, acting Chairman. Commission Members present: B. Haugen, D. Wickum, D. Lexvold, J. Malloy. Absent: D. Woodward. Also Present: City Administrator Chris Heineman and resident Lori Quamme.

II. Agenda

Motion by Lexvold, seconded by Malloy to approve the agenda as presented. Motion carried 4-0-0.

III. Minutes

Motion by Lexvold, seconded by Malloy to approve the minutes from December 6, 2010. Motion carried 4-0-0.

IV. Public Hearings and/or Presentations

Terry Larkin Variance Request

Acting Chair Haugen opened the Public Hearing. Administrator Heineman provided a brief summary of the variance request from Terry Larkin who is seeking to replace his existing garage with a structure that exceeds the footprint square footage of the primary structure on the lot by approximately 120 square feet. Heineman informed the Planning Commission that according to the criteria for the R-1 zoning district, the proposed garage meets all other setbacks and requirements. No written comments were received regarding the variance request prior to the public hearing. One verbal comment (via telephone) was received, and that individual had no objection to the variance. One comment in support of the variance was also received from a resident attending the Public Hearing. The Planning commission made the following findings pursuant to Kenyon City Code Section 560.09:

- a) Exceptional or extraordinary circumstances apply to the property, which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which the owners of property since enactment of this code have had no control. **FINDING:** Due to the narrow lot and lack of alley access, the Planning Commission finds that the owner has no control over the placement of the garage on the property.
- b) The literal interpretation of the provisions of this code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this code. **FINDING:** The Planning Commission finds that many principle structures in the same district have a larger footprint which would allow a garage of this size to be approved without a variance.
- c) That the special conditions or circumstances do not result from the actions of the applicant. **FINDING:** The Planning Commission is in agreement with this statement.

- d) That granting the variance requested will not confer on the applicant any special privilege that is denied by this code to owners of other lands, structures or buildings in the same district. **FINDING:** The Planning Commission is in agreement with this statement.
- e) That the variance requested is the minimum variance. Economic conditions alone will not be considered a hardship. **FINDING:** The Planning Commission finds the size of the garage is considered a minimum variance due to the fact that the applicant would have the alternative to build an additional auxiliary structure of up to 144 square feet under the current code. This would not be an efficient use of space.
- f) The variance would not be materially detrimental to the purposes of this code, or to other property in the same zone. **FINDING:** The Planning Commission is in agreement with this statement.
- g) The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or substantially diminish or impair property values within the neighborhood. The Board of Adjustments may impose such restrictions and conditions upon the premises benefited by a variance as may be necessary to comply with the standards established by this code, or to reduce or minimize the effect of such variance upon other properties in the neighborhood, and to better carry out the intent of the variance. **FINDING:** The Planning Commission is in agreement with this statement.

Motion by Wickum, seconded by Malloy to close the Public Hearing.

Resolution 2011-01: A Resolution Granting an Accessory Building Ground Coverage Variance to Terry Larkin.

Motion by Malloy, seconded by Wickum to grant the variance and approve Resolution 2011-01. Motion carried 4-0-0.

V. **Existing Business**

VI. **New Business**

Building Permits

Motion by Wickum, seconded by Lexvold to approve all building permits. Motion carried 4-0-0.

Comprehensive Plan Update: Parks & Open Space Master Plan

Heineman provided a brief update on the public process for a Parks and Open Space Master Plan. The City of Kenyon has been awarded a grant for a public planning process that will take place in April and May. Following the planning process, the Planning Commission will consider the proposed plan for adoption into the Kenyon Comprehensive Plan.

MN DoT T.H. 56 Plan Review

Heineman provided a brief update on the planning process for the 2012 TH56 Project.

VII. **Other**

Flags

Discussion regarding displaying flags on all City buildings, including the Fire Department, and the VFW having flags permanently displayed for POWs. The Planning Commission recommends sending this to the Council for further consideration.

Demolition Permit

Bryan Haugen provided a brief update regarding a demolition permit for two existing buildings on tax-forfeited land he recently purchased. This acquired land is abutting to Haugen's current property on Mantorville Road. The Commission discussed and approved the permit.

VIII. **Adjournment**

Motion by Wickum, seconded by Lexvold to adjourn the meeting at 8:25 p.m. Motion carried 4-0-0.

Pam Blow, Admin. Assistant

Bryan Haugen, Acting Chair