



**MINUTES
PLANNING COMMISSION MEETING
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
MONDAY, JULY 25, 2022
7:00 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ATTENDANCE

Chair Jim Berry called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: Ken Baltzer, Jim Berry, Pamela Enz, Mark Lynch, and Andrea West.

MEMBERS ABSENT: Mike Amundsen and Erich Reinhardt

STAFF PRESENT: Jason Lindahl, Community Development Director, and Ashton Miller, City Planner.

OTHERS PRESENT: Andy Michels, Grant Raykowski, Nancee Bruggeman, and Keith Dehnert

2. APPROVAL OF AGENDA

It was moved by Member **Baltzer** seconded by Member **Lynch**, to approve the agenda as presented.

Motion carried, 5:0

3. APPROVAL OF THE MINUTES

A. Minutes of June 27, 2022

It was moved by Member **Baltzer** seconded by Member **West**, to approve the minutes of the June 27, 2022 meeting as presented.

Motion carried, 5:0.

4. CASE ITEMS

A. Case No. 22-15-V: A request by **Michels Homes on behalf of the Finnegan Realty Trust** for a 26.3 foot variance from the 35 foot side yard setback, per code section 1303.030, Subd.5.c.2, and a 5.6 foot variance from the 40 foot street side setback, per section 1303.030, Subd.5.c.1, in order to demolish the existing home and construct a new single-family home at the property located at 2503 Manitou Island.

Miller discussed the case. Staff recommended approval of the request as proposed.

In response to a question from Member Lynch, Miller confirmed that the only changes to the house were the expansion of the mud room, foyer, and height of the garage.

Member Berry sought to clarify that because the house is being replaced on the existing foundation, a variance was not necessarily needed. Miller explained that state statute does allow legal nonconformities to be replaced as is. The change in height of the garage does require a variance.

Lindahl added that it has been the past practice in White Bear Lake to take these types of requests through the variance process to put the variances into the record.

Member Berry opened the public hearing. As no one from the public spoke, Member Berry closed the public hearing.

Member Lynch noted that he appreciates the care the homeowners are taking to minimize the impact the reconstruction will have on the property.

It was moved by Member **Lynch** to recommend approval of Case No. 22-15-V, seconded by Member **Enz**.

Motion carried, 5:0.

- B. Case No. 22-16-V:** A request by **Michels Homes on behalf of Tom and Nancee Bruggeman** for a 1.5 foot variance from the 4 foot height limitation for a solid wall, per code section 1302.030, Subd.6.a, in order to permit two entry monument features at the property located at 2510 Manitou Island.

Miller discussed the case. Staff recommended approval of the request as proposed.

Member Lynch commented that he did not believe a practical difficulty existed, but also did not necessarily think the monuments were walls. He stated that if the intent of the code is to prohibit large solid walls, the Commissioners may want to consider adding a condition that the monuments not be expanded.

Member Enz stated that on the smaller lots typically found throughout the City, the structures would be a wall.

Member Berry asked if there was anything in the code regarding entry monuments as they are commonly used for gates. Miller replied that there is a provision in the code that precludes monuments from the height restrictions, but monuments are not defined, and in this case, the solid wall exceeds four feet in height, so a variance is needed. Lindahl added that it is staff's interpretation that the structures are a wall. Further, staff has interpreted the reference to monuments in the code to apply to features like statues that are a public monument, such as the one found in Veterans Memorial Park.

Member Berry opened the public hearing.

Andy Michels, applicant, in response to a question from Member Berry, stated that a gate will not be attached. The entry monuments are decorative only. They are going to put a cap and a light fixture on it, but that is it.

Member Enz asked if there is going to be a bollard or other feature on the monuments that would increase the height.

Nancee Bruggeman, 2510 Manitou Island, responded that there will be lights on the taller portion of the monuments.

Lindahl clarified that the height would be measured to the tallest point of the actual structure. The light is an incidental capping feature.

Member Berry closed the public hearing.

Member West commented that she was happy to see the features set back far enough to not impede visibility.

It was moved by Member **Baltzer** to recommend approval of Case No. 22-15-V, seconded by Member **West**.

Motion carried, 4:1. Member Lynch opposed.

- C. **Case No. 22-11-CUP:** A request by **Tside1LLC** for two conditional use permit amendments, per code section 1303.227, Subd.4.f, to reconfigure the docks and reallocate slips between the two properties located at 4441 Lake Avenue South and 4453 Lake Avenue South

Lindahl discussed the case. Staff recommended approval of the request as proposed.

Member Berry opened the public hearing. No one from the public spoke to the matter. Member Berry closed the public hearing.

It was moved by Member **Baltzer** to recommend approval of Case No. 22-11-CUP, seconded by Member **Enz**.

Motion carried, 5:0.

5. DISCUSSION ITEMS

- A. City Council Summary Minutes of July 12, 2022.

No Discussion.

- B. Park Advisory Commission Minutes of May 19, 2022.

No Discussion.

6. ADJOURNMENT

There being no further business before the Commission, it was moved by Member **Baltzer**, seconded by Member **Lynch** to adjourn the meeting at **7:36** p.m.

Motion carried, 5:0