

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park Planning Commission was held on November 28, 2022 at the City Hall, at 7:00 PM.

1. CALL TO ORDER

Chair Hansen called the meeting to order at 7:00 PM.

2. ROLL CALL

MEMBERS PRESENT

Chair Hans Hansen
Commissioner Jeff Bernhagen
Commissioner Rick Cobbs
Commissioner Eric Julien

MEMBERS ABSENT

Commissioner Sharon Weighous
Councilmember Kelsey Hollihan

STAFF PRESENT

Building Official Jeff Baker

OTHERS PRESENT

Brad Delfs, City Councilmember

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Approval of Minutes – September 26, 2022

Commissioner Cobbs requested that the minutes be amended for Agenda Item 6 to change the second sentence to will have something to preview at future meetings.

Motion made by Commissioner Bernhagen, seconded by Commissioner Julien to approve the minutes from the September 26, 2022 Planning Commission meeting as amended.

Voting Aye: Commissioner Bernhagen, Commissioner Cobbs, Commissioner Julien, Chair Hansen. Motion carried.

5. PUBLIC HEARING

A. Public Hearing – Variance Request for 511 Ballantyne Lane NE

Building Official Baker stated that the City received an application from Charles Davis, 511 Ballantyne Lane NE, for a variance to permit a shed to be placed closer than eight feet to the garage. He said the applicant is seeking an after-the-fact variance.

Building Official Baker said that the applicant is seeking a variance from the eight-foot setback requirement for a detached building to the principal building, as set forth in Spring Lake Park Code 16.20.070. He stated that the property is located on the 500 block of Ballantyne Lane NE and is guided for low density residential in the 2040 Comprehensive Plan. The property is zoned R-1, Single Family Residential. He stated that the property records show that the house on the property was constructed in 1954.

Building Official Baker reported Section 16.20.070 (D) of the Spring Lake Park City Code states:

“A detached accessory building shall not be located in any required front or side yard setback. A detached accessory building shall not be closer than eight feet to the principal building, except as otherwise provided in this title.”

Building Official Baker noted that Appendix D sets the maximum percentage of lot coverage of all structures in the R-1 district at 35%. The applicant’s property is approximately 10,349 square feet, which would accommodate a maximum structure lot coverage of 3,622 square feet. With the shed addition, the total square footage of all structures on the property is 2,764.20 or 26.7% of the total lot size.

The 2020 State Building Code requires additional construction requirements if a building is constructed less than five feet from another building. The Building Code requires both the interior and exterior sides of the wall be rated as a 1-hour fire wall.

Building Official Baker reported that staff recommends approval of the variance.

Chairperson Hansen opened the public hearing at 7:07 PM.

Hearing no discussion from the floor, Chairperson Hansen closed the public hearing at 7:07 PM.

Commissioner Cobbs he has no problem with the variance, but he inquired how Mr. Davis would comply with the Building Code requiring both the interior and exterior sides of the wall be rated as a 1-hour fire wall. The Planning Commission discussed the placement of the shed.

Commissioner Bernhagen inquired of Building Official Baker what would the City do if Mr. Davis does not comply with the fire wall requirement. Official Baker said that the applicant would either be given a citation or enforcement action could be taken.

Motion made by Commissioner Julien, seconded by Commissioner Cobbs, to approve the variance with the condition that applicant apply for a building permit for the shed to ensure that construction complies with Section 705.5 of the Building Code.

Voting Aye: Commissioner Bernhagen, Commissioner Cobbs, Commissioner Julien, Chair Hansen. Motion carried.

6. OTHER

No other business was presented.

7. ADJOURN

Motion made by Commissioner Bernhagen, seconded by Commissioner Julien to adjourn.

Voting Aye: Commissioner Bernhagen, Commissioner Cobbs, Commissioner Julien, Chair Hansen. Motion carried.

Meeting adjourned at 7:12 PM.