

Commissioner Bjorklund stated he supported the request being denied because the applicants plans were not clear, but were speculative with respect to the land area needed for business, commercial visitation numbers, required or necessary screening and the possibilities for expansion in the future and the fact this business would not be keeping in line with the residential character of the neighborhood.

Chair Vijums suggested action on this item be tabled.

Chair Vijums moved and Commissioner Wicklund seconded a motion to table action on Planning Case 22-025 to allow staff and the applicant to further clarify how accessory structure square footage can be used by a home occupation, the ability to add language to include standards for maintenance of outside activities for outdoor business activities, to review the screening required around the premises as well as offseason screening recommendations, and to address how to conduct an outside business fitting with the character of the neighborhood. The motion carried unanimously (7-0).

B. Planning Case 23-008; 1475 Dawn Circle - Variance – Public Hearing Not Required

Senior Planner Fransen stated Joshua Haberman (“Applicant”) has requested a variance to construct a garage addition on the property located at 1475 Dawn Circle (“Subject Property”). The Applicant has requested a variance to decrease the required total side yard setback from 25 feet to 20.33 feet. The proposed addition would encroach 4.75 feet into the required 14.75-foot setback from the east property line of the Subject Property.

Senior Planner Fransen reviewed the existing site conditions, the site data, the Plan Evaluation and provided the Findings of Fact for review:

General Findings:

1. City Staff received a land use application for a variance request to the required R-1 Zoning District total side yard setback at the Subject Property 1475 Dawn Circle.
2. A single-family dwelling is a permitted use within the R-1 Zoning District.
3. The garage addition will not impede sight lines or obstruct the clear vision area from the roadways.
4. The proposed garage addition would decrease the required total side yard setback to 20.33 feet.

Variance Findings:

1. Variances are only permitted when they are in harmony with the general purposes and intent of the ordinance.
2. The proposed garage addition would not alter the essential character of the neighborhood because the configuration on the Subject Property would be consistent and compatible with the neighborhood.
3. The variance request is not based on economic considerations alone.

Senior Planner Fransen reviewed the options available for Planning Case 23-008 to the Planning Commission on this matter:

1. Recommend Approval with Conditions
 1. A Building Permit shall be issued prior to commencement of construction.

2. The proposed building shall conform to all other standards and regulations in the City Code.
2. Recommend Approval as Submitted
3. Recommend Denial
4. Table

Chair Vijums opened the floor to Commissioner comments.

Commissioner Bjorklund asked if this was a triangulated lot and if this was the case, these lots are an impediment to development.

Senior Planner Fransen stated this lot was at the end of a cul-de-sac which led to the angled side lot lines and curved front property line. She reported the applicant understands this lot was irregular which affected previous development on the lot.

Commissioner Bjorklund questioned if there was access to the sides of the house to get to the rear of the home.

Senior Planner Fransen explained the property to the east has a 15 foot side setback, which would allow for access to the rear yard.

Commissioner Weber recommended the applicant keep a minimum of 10 feet on each side of the home. He noted he supported the request before the Commission.

Commissioner Blilie indicated she supported the variance request as well.

Chair Vijums asked if the driveway would be concrete.

Senior Planner Fransen deferred this question to the applicant.

Steve Petry, representative for the applicant, stated the driveway addition would be constructed with the same material as the existing driveway.

Chair Vijums questioned why the existing two car garage was inoperable.

Mr. Petry explained the size of the applicants' cars was making the existing garage inoperable.

Commissioner Weber moved and Commissioner Wicklund seconded a motion to recommend approval of Planning Case 23-008 for a Variance at 1475 Dawn Circle based on the findings of fact and the submitted plans, as amended by the conditions in the May 3, 2023, report to the Planning Commission. The motion carried unanimously (7-0).

C. Planning Case 23-009; 1275 Red Fox Road – Site Plan Review – *Public Hearing Not Required*

Community Development Director Jagoe stated CathX Medical, Inc. (“The Applicant”) has submitted a land use application for Sign Standard Adjustment through the Site Plan Review process for the property located at 1275 Red Fox Road (“Subject Property”). The Applicant is seeking flexibility on the size and lighting of signage in order to install an 89.05 square foot wall sign on the south side of the building and an internally illuminated monument sign on the southeast