

# PLANNING COMMISSION MEETING MINUTES

## CITY OF GRANT

September 24, 2007

**Present:** Todd Berg, Holly Borrelli, Kevin Fernandez, Craig Johnston, Jeff Huber and Dean Strehlau

**Absent:** Christine Bray, Elizabeth Mursko and Glenn Larson

**Staff Present:** City Planner, Sherri Buss and City Clerk, Kim Points

1. **CALL TO ORDER**

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

2. **PLEDGE OF ALLEGIANCE**

3. **SWEARING IN OF NEW MEMBER, JEFF HUBER**

New Planning Commissioner Jeff Huber was sworn in by the City Clerk.

4. **APPROVAL OF AGENDA**

The agenda was approved as presented.

5. **APPROVAL OF MINUTES, JULY 23, 2007**

The July 23, 2007 Minutes were approved as presented.

6. **NEW BUSINESS**

- a. **Speltz CUP, Public Hearing, Sherri Buss** – This application has been formally withdrawn.
- b. **Grogan Variance, Public Hearing, Sherri Buss** – Mr. Rick Floor, Floor Trenching, came forward and provided the background for the request noting tanks within the system have to be replaced. The flow is going towards Brown's Creek and new sealed tanks will be put in where the old tanks currently are.

City Planner Buss advised the applicants, Robert and Denise Grogan, located at 9254 Manning Avenue North, have submitted application for a variance from setback requirements from Brown's Creek for structures associated with replacement of a septic system. The City Ordinance requires a 150-foot setback from Brown's Creek, a tributary stream. The applicants are requesting a variance for a storage treatment system setback from a tributary stream.

The applicant has demonstrated a hardship caused by the unique circumstances of the property to support the granting of the request for variance. For these reasons and those identified in the findings, the Planners recommend approval of the variance for a sewage system from the 150-foot setback from a tributary stream requirement, with the following conditions"

1. The recommendations of Brown's Creek Watershed District shall be addressed. These include the following: timely maintenance of the septic system; implementing good erosion control practices; and final stabilization with suitable native vegetation. The applicants shall work with Brown's Creek to meet these requirements.
2. Any activities that disturb 5,000 square feet or 50 cubic yards of material would require an erosion control permit from the Brown's Creek Watershed District.
3. That all fees are paid.

Chair Fernandez opened the public hearing at 7:10 p.m.

Mr. Craig Leiser, Brown's Creek Watershed District, 10300 Kismet, came forward and indicated when the system was originally put in there were no rules or regulations relating to Brown's Creek. This request would require consideration of a variance and from Brown's Creek Watershed District even if the City granted a variance. It would also require an erosion control permit due to construction within the buffer.

Mr. Tom Carr, 9550 Joliet, came forward and expressed concern regarding the request. He asked that if grading and the depths of the tanks be considered to allow for gravity feed so it could be placed outside of the buffer.

Mr. Leiser added he has great concern about leaving an old septic system on site and just filling it. He noted the County would have to inspect that.

Ms. Denise Grogan, applicant, came forward and stated they would have to tear out all the new remodeling to move the system.

Chair Fernandez closed the public hearing at 7:35 p.m.

City Planner Buss advised a variance request needs to be based on a hardship due to the physical character of the property. The options are to table the request, approve based on conditions, or deny the request.

The Planning Commission indicated the septic issue should have been address before the remodeling project started. The Commission also determined there are other alternatives that should be pursued, although a variance would still be required for another system.

A MOTION was made by Commissioner Johnston to table the Grogan Variance request to the October 2007 Planning Commission to obtain information regarding other septic options. Commissioner Strehlau seconded the motion. MOTION carried unanimously.

Chair Fernandez clarified the Planning Commission would like written documentation regarding other systems that might be feasible and statements as to why the proposed system may be the most feasible.

- c. Kramer Variance, Public Hearing, Sherri Buss** – City Planner Buss advised this request involves a variance from the setbacks to install a pool. The applicant believes there is no other location to place the pool. The applicant has also requested more time to obtain information. The public hearing should be opened and tabled to the next meeting

Chair Fernandez opened the public hearing at 7:47 p.m. and tabled it until the October 2007 Planning Commission Meeting.

- d. PUD Definition Review, Sherri Buss** – Chair Fernandez stated the City Council has requested that the Planning Commission review the City's PUD definition, particularly portions that created some questions in review of recent zoning applications.

The Planning Commissioner made suggestions relating to the PUD definition including one to two sentence definitions which are clear and concise so there is no confusion. They noted the definitions for mixed use, building/structures and primary vs. accessory use should be more clearly defined.

Tom Carr, 9550 Joliet, came forward and stated the issue is principal vs. subordinate use and mixed use. He asked the Planning Commission to consider those issues.

Chair Fernandez asked the Planning Commissioners to think about those issues and definitions for the October meeting. He also requested the City Planner make a recommendation regarding this issue at the next meeting. He suggested the Planning Commission also have the legal definitions of those noted terms and requested City liaison provide an update at the next meeting.

7. **OLD BUSINESS**

There was no old business.

8. **NEXT PLANNING COMMISSION MEETING**

The next Planning Commission Meeting is scheduled for October 15, 2007, 7:00 p.m.

9. **ADJOURNMENT**

A MOTION by Commissioner Johnston to adjourn the meeting at 8:10 p.m. Chair Fernandez seconded the motion. MOTION carried unanimously.

Respectfully submitted,

Kim Points  
City Clerk