

SUNFISH LAKE PLANNING COMMISSION MEETING
APRIL 17, 2025
7:00 P.M.

Attendants

Chair: Kevin Wu
Commissioners: Present: Ginny Beckett, Jeannine Naves, Claire Noble and John Oakman
Absent: None
City Planner: Lori Johnson
City Clerk: Christy Wilcox
Members of the General Public.

1. **CALL TO ORDER:** Chair Wu called the meeting to order at 7:00 p.m.
2. **ADOPT AGENDA:** Chair Wu asked if there were any additions to the agenda and there was no response.

Chair Wu moved to adopt the agenda as presented, seconded by Commissioner Naves. Motion carried (5-0)

3. **APPROVE MINUTES, NOVEMBER 11, 2024, PLANNING COMMISSION MEETING:** Chair Wu asked if there were any additions or corrections to the November 11, 2024, Planning Commission meeting minutes.

Chair Wu moved to approve the minutes of the November 11, 2024, Planning Commission meeting, seconded by Commissioner Naves. Motion carried. (4-0)

4. PUBLIC HEARING: A. 2 ACORN DRIVE – MAJOR SITE AND BUILDING PLAN REVIEW AND VARIANCE. .

Hartman Homes Inc, applicant, and owners David Carlson and Chris Nelson, are proposing to build a 2,578 square foot home at 2 Acorn Drive. The lot on which the home is proposed is 2.43 acres in size and is currently wooded and vacant. New homes require the review and approval of a major site and building plan according to Section 1208.02C of the Zoning Ordinance. The proposed site plan also includes a separate accessory building labeled as a lounge and sauna. That structure is proposed at 241 square feet.

The proposed driveway requires a variance, as the driveway is proposed with a 10-foot side yard setback where a 25-foot setback is required.

City Planner Johnson presented her report dated April 11, 2024. Chair Wu then opened the meeting up for public comments.

- Chris Nelson and David Carlson and Chad Maack from Hartman Homes, Inc. were present to answer any questions or comments.
- Matt and Gillian O'Shaughnessy, 3 Acorn Drive, outlined their concerns regarding the proposed project which fails to meet Sunfish Lake City Code requirements for lot size and setback,

environmental concerns and privacy concerns. Mr. O'Shaughnessy distributed his presentation relating to his concerns, which will be made a part of the official records.

- Kyle Hagen who owns the undeveloped property to the east of 2 Acorn Drive, has concerns with privacy issues and the septic drain field. It should be noted that while conducting a survey of his property about a year ago, there are some property line discrepancies. This appears to be an error from when the Acorn Subdivision plat was recorded.
- Stephanie McDaniel, 1 Acorn Drive, asked about the property line issues relating to Mr. Hagen's comments. Mr. Hagen indicated that he would continue to research this issue.
- Dave Carlson also noted that they did come across an overlap section to their property lines that could make their property larger. This was found during the survey of their property.
- Stephanie McDaniel stated that her property is probably the least impacted by the project but appreciated Matt's thorough assessment of the situation. Feels this lot would be unbuildable per the City Code.
- Chad Maack stated that they will meet and adhere to all the conditions that the City is requesting.

Chair Wu closed the public hearing.

City Planner Johnson reviewed the City Code relating to the minimum lot size and the non-conforming ordinance that states non-conforming lots of record can be built on as long as they adhere to set back requirements, etc. There are several properties that have been developed over the years that have been under 2 ½ acres. This property has been reviewed by two sets of engineers, and they consider everything, including the wetland area. The city has received a statement from the wetland regulator that states that there is no impact to the wetlands from the proposed development, all of which are included as a part of the report presented this evening. The applicants still are required to complete a number of items before a building permit would be issued should this be approved by the City Council.

Commissioner Nobel asked about the conclusions and recommendations on the City Engineer's memo dated March 20th. City Planner Johnson noted there was an error as part of a template memo that should be removed regarding Planning Commission review. Planner Johnson discussed this project earlier in the day with the City Engineer and confirmed this.

Commissioner Oakman asked about the lots that are less than 2 ½ acres and whether they are buildable. City Planner Johnson read that section of the City Code that sets the criteria regarding legal non-conforming, vacant, or redeveloped substandard sized lots of record. These lots may be developed for single family detached uses upon approval of a conditional use permit provided they meet the criteria listed in Section 1215. City Planner Johnson stated that the property has met or will meet all the criteria prior to the issuance of a building permit.

Commissioner Naves discussed the driveway and noted it seemed odd where the placement was prior to the property being developed and asked whether the movement of the driveway would help with the concern of headlights from cars using the driveway.

Chair Wu asked about the lot line discrepancy and the septic field being on the eastern border and would we have any concerns with this project moving forward without that being resolved. City Planner Johnson said that she does not have any concerns as this is not the point of where the contention is on the survey. Chair Wu asked about the criteria and the practical difficulty when considering a variance request. According to the City Planner's report there is no other option for placement of the driveway that does not involve the removal of significant trees. In addition, there is a hill on the south side of the proposed driveway that should be avoided to ensure no other significant trees are removed. Have we considered tree removal as a practical difficulty in the past. City Planner indicated the city has.

Commissioner Beckett asked about the issue relating to planting additional trees along the driveway to provide additional buffers relating to the lighting concerns. The City Forester did review and approve the proposed tree planting plan.

The Planning Commission is interested in a site visit to get a feel for the driveway and the issue with the lighting issue.

Chair Wu moved to table consideration of the Major Site and Building Plan Review and Variance at 2 Acorn Drive and directed the City Planner to set up a site visit, seconded by Commissioner Oakman. Motion carried. (5-0).

OTHER/NEW BUSINESS:

6. ADJOURN

Commissioner Noble moved to adjourn the meeting at 7:49 p.m., seconded by Commissioner Naves. Motion carried. (4-0)

Respectfully submitted,

Christy Wilcox, City Clerk