

City of Columbus
Public Hearing – Millette Variance Application – 189th Vacant Corner Lot (PC-16-114)
(South Pine Builders – applicant and Henry and Karen Millette - owners)
August 17, 2016

The August 17, 2016 Public Hearing to receive testimony regarding a request for a variance at the vacant corner lot at 189th from the required minimum 75-foot front yard setback to a 30-foot front yard setback for the construction of a new home was called to order at 7:03 p.m. by Chair Garth Sternberg at the City Hall. Present were Commission members Jim Watson, Pam Wolowski, Jesse Preiner, and Jody Krebs; City Administrator Elizabeth Mursko, Planner Dean Johnson, and Recording Secretary Karen Boland.

Also in attendance were City Council members Denny Peterson and Bill Krebs; Hank and Karen Millette, Patrick Ranweiler, John and Julie Seibert, John Mastel, Larry and Quita Olson, Kristin Whiting, Mary Preiner, and Pat Preiner.

Sternberg: Now we'll have a Public Hearing and discussion on South Pine Builders, 189th vacant corner lot, front yard setback variance request, pages 1-8. And, at this time, I'd like to ask the recording secretary to read the notice as published.

Notice was read at this time by the recording secretary.

Sternberg: Thank you. And, at this time, I'd like to ask the applicants to please come forward and have a seat. And then if you could just state your names and addresses for the record, please.

H. Millette: Uh, Henry G. Millette. Current address is 3016 Armour, A-R-M-O-U-R, Terrace, Saint Anthony Village, Minnesota, 55418.

Sternberg: Thank you.

K. Millette: Karen Millette. Same address as Henry.

Ranweiler: Patrick Ranweiler, owner, South Pine Builders. Uh, my address is 1544 78th Avenue, Roberts, Wisconsin, 54023.

Sternberg: Thank you. And if you could just describe to us what it is that you're asking this evening.

H. Millette: Uh, we're looking for a variance to build a bran--, a new home on the property that we purchased from the Nelsons about two years ago. We, um, in the potential that Nelson's driveway becomes a street in the future, um, the house would not be able to maintain the 75-foot setback on the east side of the house. So, again, we're looking for a variance to take and be able to position the house or build the house so, and, in the event that a future road was being built, um, it would be less than that 75-foot setback on that east side.

Sternberg: So the setback, the variance is for the setback on just the house or the house and the garage?

H. Millette: The garage is attached to the house also, so . . .

Sternberg: Okay.

K. Millette: unintelligible

H. Millette: Yeah. Just for the house, it's not for the unattached garage. But there are garages attached to the house.

Ranweiler: The unattached garage would have a 75-foot setback from 189th Avenue.

Mursko: In this particular case, they have a five-acre lot, and they're doing the exception rule, which says, if, you can place the garage in the front of the house if it's 80% screened year round, and it's at least 75 feet back. And, at this time, they've indicated that they've met that criteria.

Sternberg: Correct me if I'm wrong, I thought we didn't need to do a variance if they met the exception rule.

Mursko: They do not; they're not asking for a variance for the garage placement.

Sternberg: Oh, just, you're talking about just the garage. Okay.

Mursko: Yeah, I was just, I was just giving you information as to the garage.

Sternberg: So, do we have any questions for the applicants?

Krebs: Just a point of order, quick. Um, we do have a PIN number actually for the property, is that correct?

K. Millette: Correct.

Krebs: Just not on the application?

K. Millette: Yup, got it.

Krebs: Would you share it?

K. Millette: It is 253322430010.

Krebs: Thank you.

Sternberg: Any other questions?

Preiner: Yes. Mr. Chair. Would you please repeat why you're asking for the variance? You say you're going to be 75, or you'll be under the 75 feet from either street?

H. Millette: No, just on the east side. The, the property has, um, there's only 5000 square feet of buildable area on this, on this five-acre plot, for a house, um, that meets the elevation requirements for a house. And, where it's placed at, it would take and--if Evers Street ever went in—the east side of the house would be less than that 75-foot from the road. So, therefore, we're asking for a variance at this point, so that we could build the house in this particular location. Plus, there's only a hundred and – there's only 149 feet of buildable area, you know, east to west on this property. Uh, we have to watch the 75-foot variance, or the 75-foot setback, plus we have the sixteen-foot setback for watershed purposes. And that gives us 91 feet. And then, the house right now, with the house and the garage, it's how wide?

Ranweiler: Ninety-two feet wide.

H. Millette: Ninety-two feet wide. But, what we have left to build on is 58 feet. So therefore, that's why, again, that's another reason why we're asking for that variance.

Ranweiler: The drainage easement is directly west of where the building would take place. So the drainage easements that show we're tied to 149 feet, like you said, of buildable space between the east property line and the drainage easement on the west property line. Which is not—I'm sorry, not the property line, but where that drainage easement starts. And it continues all the way until it hits the, the drainage easement goes all the way until it hits the west property line. And then, so it'd be, the property itself would be 75-foot setback from 189th Avenue, and then from the east setback of Evers Street, it would be 30 feet. Um, would be the setback from the property line, um, would be 30 feet back from there to the house, from Evers Street to the west.

Preiner: Well, what if you'd flip the house instead of . . . ?

Ranweiler: They had considered that, but they won't let a driveway go in off of Evers Street to that, to the property. They said the property is not allowed to, is not allowed to have a driveway from Evers Street.

Krebs: Who said that?

K. Millette: We were told that.

H. Millette: Yeah, there is no Evers Street that exists at this particular point. It's, it's a private driveway.

Ranweiler: Yeah, it doesn't exist right now.

H. Millette: Yeah.

Sternberg: Well then, does the setback requirements apply? If it's a driveway and it's not a road?

Mursko: It's a platted road. Evers Street may not be improved, but it's a platted road.

Wolowski: Okay.

Mursko: And, uh, I know this question came up, and I didn't have the chance to look it up prior to the meeting, but, whether or not the driveway issue was a plat requirement or whether that was a property owner requirement, as to whether or not the driveway could be used by the property owner. And I'd have to look that up.

Sternberg: So, potentially, it is a platted road that they could use as an entrance to their property?

Mursko: It's a platted road, but the criteria that we currently use is that there has to be a driveway agreement in place, and there has to be a platted road which already exists. So, there is requirements that need to be put in place in order to have a shared driveway across a public right-of-way, um, that is not considered a public road. And a public road is one that's improved.

H. Millette: It is my understanding, too, that the City has a document from the Nelsons, from us too, that says that we would not be using their driveway to access the house. And there is an access off of 189th that has been built for the property too.

Krebs: If you had your choice, which would you prefer?

K. Millette: Um, I will state that one. I would prefer to face north with the back of the house, because if you were to tilt it, you are going to be looking at that watershed, and that would be your view. Number one. That would be the first part. Your entrance in from your house, you come off of 189th and you're walking into garage, garage and garage. You're not even seeing the house. Those are all very much, I know, appearance-type things, but yes.

H. Millette: And, it's not the . . . And, if the house was, the back of the house was facing west, it's, it's, we want to see a backyard, we want to be able to see something. And, we would instantly be seeing trees.

Ranweiler: You're also under some constraints of where the septic system, uh, needs to go. It's a perk mound system and it's also, you're a little bit constrained in that, I mean, if the house was flipped and facing Evers Street, you'd basically, you'd almost have your septic mound in the front yard. So . . .

Sternberg: Any further questions?

Watson: Mr. Chair? Just one. Um, two years, ten years, a hundred years from now, there will be no issue when Evers would be improved?

H. Millette: Are you asking us if . . . ?

Watson: Asking you folks if there would be - with the house that close to an improved road.

H. Millette: No. We've, we've lived in other developments in the Twin Cities where we were closer to the road or even your neighbors, and so that's, we would not be opposed to that or would not put up a fuss about that.

Watson: Thank you.

Sternberg: Any further questions?

Watson: No, sir.

Sternberg: Okay.

Wolowski: I have one quick one. Um, you had mentioned there's a letter on file for the driveway. And the Nelsons do not want you using the driveway?

H. Millette: That is our understanding.

Wolowski: Your understanding is. And is that . . . ?

Mursko: There is a letter in the file, saying that they will take their entrance off of 189th, and it is my understanding that the Nelsons don't want them to use the driveway.

Wolowski: Okay. Thank you.

Sternberg: Any other questions? Okay, at this time I'd, if you guys want you can take a seat, and I'll open the meeting to the public – the hearing. Is there anyone here from the public that wants to speak on the matter? Okay, at this time, I'm going to close the hearing with the right to reopen if it becomes necessary.

Hearing closed at 7:13 p.m.

Respectfully Submitted:

Karen Boland, Recording Secretary