



NEW BUSINESS – INTERPRETATION OF STRUCTURE

Agenda Item: 6 (a)

Background Information: “Structure” is defined as:

- 228. **Structure.** Any building, appurtenance including decks or other facility constructed, placed or erected by man except aerial or underground utility lines such as sewer, electric, telephone, telegraph, gas lines and except walks or steps on grade not more than 4 feet wide outside of the shore impact zone, stoops not exceeding 30 square feet, temporary furniture, planter, or decorative material and retaining walls consisting of wood or decorative block.

A new 40’ X 40’ playground has been donated to the Sibley Lake Park.

The attached survey indicates an “approximate top of bank” which is a bluff. If the playground is a structure it would not meet the following setbacks, as well as the 30-foot bluff setback and would require a Variance.

3. Lot, Use, and Density Requirements:

| | |
|-----------------------------------------------------------------------------|-----|
| Lot width – feet, minimum | 500 |
| Total Lot Area – acres, minimum | 10 |
| Setback, right-of-way, local streets – feet, minimum | 50 |
| Setback, right-of-way, collector and arterial streets – feet, minimum | 50 |
| Setback, side – feet, minimum | 30 |
| Setback, corner side – feet, minimum | 40 |
| Setback, sign – feet, minimum | 1 |
| Setback, OHW – feet, minimum | 150 |
| Setback, wetland – feet, minimum | 50 |
| Maximum impervious coverage | 15% |
| Maximum building height – feet | 25 |
| Building above highest known groundwater – feet, minimum | 3 |

Staff has determined that the playground is a structure and would not be allowed without a Variance. The City Administrator requested:

- 1. An interpretation from the Planning Commission whether or not the playground is a structure; and
- 2. Verify the City’s need to apply for a Variance