

PLANNING & ZONING COMMISSION MINUTES
November 10, 2015 - 6:00 p.m.

CALL TO ORDER

The regular meeting of the Planning and Zoning Commission was called to order at 6:00 p.m.

MEMBERS PRESENT: Chair Bob Kinzel, Commissioners Howie Oswald, Gwen Carleton, Bob Ryan and Council Liaison Steve Barrows

MEMBERS ABSENT: Commissioner Steve Lund

STAFF PRESENT: Community Development (CD) Director Josh Doty and Planner Matthew Gindele

OTHERS PRESENT: Chad Conner, Jan & Brian Thompson

APPROVAL OF MINUTES

MOTION by Commissioner Carlton, seconded by Commissioner Ryan to approve the minutes from the October 13, 2015 meeting as presented. Motion carried unanimously.

PUBLIC HEARINGS

*All items under old and new business items will go to City Council on
November 17, 2015 if not tabled, continued or otherwise noted.*

Chair Kinzel stated that this Commission is advisory and the final approval/denial is given at the City Council Meeting on November 17, 2015 at 7:00 pm.

OLD BUSINESS

None

NEW BUSINESS

1. PUBLIC HEARING. Conditional Use Permit to allow for a non-conforming structure on a riparian lot to be enlarged and to allow grading in a shoreland area for a home addition and accessory structure to be constructed on a lot on White Sand Lake at 5220 Fairview Road and a variance to allow a non-conforming use to be enlarged to occupy a greater area of land within the required 75 foot setback to White Sand Lake. THAT PART OF GOVERNMENT LOT 3, SECTION 11, TOWNSHIP 133, RANGE 29 (complete legal on file at City Hall) (City file 15-29)

Requested by: Brian Thompson 131 Norman Ave. N Box 454 Foley, MN 56329

Chair Kinzel asked Planner Gindele to review the application with the Commission. Planner Gindele explained that the applicant is requesting a 448 square foot addition to the home and a 1,008 square foot garage. For this request there are three conditional use permit (CUP) requests: 1) to allow grading in the shoreland, 2) to increase a legal non-conforming structure on a riparian lot and 3) is to allow an accessory structure on a non-conforming lot. There are also two variance requests, 1) to allow a non-

conforming use to be enlarged within the required 75 foot setback and 2) to allow an the home addition and accessory structure within the 75 foot setback of White Sand Lake and to allow the home addition within the 30 foot rear-yard setback. Planner Gindele reviewed the site location and identified the current and proposed structures on the residential lot. He then reviewed each CUP and variance with the Commission. Staff is recommending approval of the CUP's and variances subject to the findings and conditions in the resolution.

Chair Kinzel asked Planner Gindele to show on the aerial where the addition and the garage are proposed on the lot. Planner Gindele indicated that the closest point of the home is 67 feet and the addition and garage will not be closer than the existing home. Chair Kinzel asked if the existing shed was going to be removed prior to the garage being built. The owner indicated that the shed will be removed.

Chair Kinzel opened the public hearing.

Mr. Chad Conner representing the owners indicated that staff and the owners have met several times and revised the site plan to fit improvements to fit the lot to and minimize variances to the extent possible. Chair Kinzel asked if there were any questions or concerns of the conditions. Mr. Conner indicated that there were no concerns. Mr. Conner added that the project does meet the impervious coverage regulations.

Commissioner Carlton asked if the home is a slab constructing. The owners responded that it is a slab home.

Commissioner Ryan asked how far the garage extends past the home toward the lake. Mr. Connor stated and Commissioner Ryan agreed that it is around 10 feet.

Planner Gindele indicated that he did receive a letter of support from Mr. Marc Bacigalupi a neighbor located at 5224 Fairview Rd. The letter was read into the record.

Chair Kinzel closed the public hearing.

Motion by Commissioner Ryan, second by Commissioner Oswald to recommend the City Council approve the conditional use permit to allow for a non-conforming structure on a riparian lot to be enlarged and to allow grading in a shoreland area for a home addition and accessory structure to be constructed on a lot on White Sand Lake at 5220 Fairview Road and a variance to allow a non-conforming use to be enlarged to occupy a greater area of land within the required 75 foot setback to White Sand Lake and within the 30-foot rear yard setback. Motion carried unanimously.

OTHER BUSINESS

GTS Workshop Update-Council Liaison Barrows

Council Liaison Barrows stated that he went to a seminar regarding land use on November 4, 2015. He learned about the relationships between staff and Commission members. Council Liaison Barrows stated that a few of the highlights of the seminar were how developers perceive working with city government, putting together a survey to learn more about how the City is perceived would be good to see how we're doing. He also stated that the discussed the importance of conducting open meetings and informing

applicants and people present at the meeting of the Commissions role in the approval process.

The Commission had a conversation about communication to the public about how it can be improved. The commission discussed the city website, the Brainerd Dispatch, mailings, and the city newsletter. Chair Kinzel asked if there was a way to see how many “hits” the website receives to show its use. CD Director Doty indicated that there probably is a way to check that.

Commissioner Ryan stated that he was caught off guard with all the road closers. He thought that the newsletter is the best form of communication. Council Liaison Barrows indicated that the problem is the newsletter is not published frequently enough to always be able to provide the communication.

Council Liaison Barrows spoke briefly about outside advocates that come forward to Commissioners and the City Council. He added that they discussed the importance of sharing that information within an open meeting.

ADJOURNMENT

MOTION by Commissioner Carleton, seconded by Commissioner Ryan to adjourn the meeting at 6:41 p.m. Motion carried unanimously.

Approved by:

Submitted by:

Chair Bob Kinzel

Shanna Newman CD Administrative Assistant