

**CITY OF COHASSET  
PLANNING COMMISSION MINUTES  
305 NORTHWEST FIRST AVE, COHASSET, MINNESOTA  
WEDNESDAY, JUNE 3, 2015, 6:00 P.M.**

1. **Call Meeting to Order:** Chair Steve Brown called the meeting to order at 6:05 p.m.

2. **Roll Call**

a. **Voting Members Present:** Steve Brown, Josh Casper, Johnnie Fulton, Lois Kirschbaum, and Steve Otto

b. **Absent with Notice:** John Chell, Brian Kielpinski & Jason Tabaka

c. **Ex-Officio Members Present:** Zoning Officer Greg Tuttle

d. **Others Present:** Bruce Josewski, Scott Stein, Randy McCarty, Jerry & Nancy Lien

3. **Review and Approve Agenda**

a. **Additions:** None

b. **Deletions:** None

*A motion was made by Fulton/Otto to approve the agenda as presented. Motion carried unanimously.*

4. **Resident Input** - None

5. **Review & Approve Planning Commission Minutes of April 1, 2015:** *A motion was made by Casper/Kirschbaum approve the April 1, 2015 minutes as presented. Motion carried unanimously.*

6. **Public Hearing #1 (6:05 p.m.)** to act on a variance request to allow Itasca County Habitat for Humanity to split the former tennis court lot in half to make two 75 foot wide x 0.24 acre (10,500 square feet) lots (ordinance requires a minimum lot width of 100 feet wide and minimum lot size of 0.32 acre which is 3,939 square feet) in the municipal residential zone district for the property located at the old tennis courts at the corner of NE First Avenue and Third Street NE and legally described as Lots 7-9, Block 5 in the Plat of First Addition to Cohasset, Section 11, Township 55 North, Range 26 West, City of Cohasset, Itasca County, Minnesota.

Zoning Officer Greg Tuttle summarized the informational packet.

**Scott Stein**, Habitat for Humanity (HFH), spoke in favor of the variance. Stein added that typically garages are not provided but since storage is a problem for the home owners, garages will be built if the variance is granted.

Chair Brown asked three times if anyone would like to speak in favor of the variance. There was no response. Chair Brown asked if anyone would like to speak against the variance.

**Jerry and Nancy Lien, Cohasset, MN** stated they live immediately north of the proposed site and feel this is a lot of density for the lot size, considering HFH wishes to build two homes (with garages) and one of the proposed home is four bedrooms. Nancy Lien stated the other HFH homes in Cohasset are trashed and feels if another HFH home is built, the people receiving the

home need to be screened & someone should monitor to ensure the property is maintained. Lien added they live in a neat, clean neighborhood and would like to keep it that way.

Stein stated he shares Lien's concerns but once the home is sold HFH becomes the mortgage company and there is little they can do about the upkeep of the property. Zoning Officer Tuttle added that HFH residents are usually responsive when the City asks them to clean up. The Liens indicated it is their opinion that there is room for just one house on the lot.

Chair Brown asked two more times if there was anyone to speak against the variance. There was no response and Chair Brown closed the public portion of the hearing.

After discussion, ***a motion was made by Fulton to approve the variance with the condition that the homes are two bedrooms each and they both have garages. Josh Casper seconded the motion for discussion.***

Lois Kirschbaum stated she was not aware there are HFH homes in Cohasset and suggested tabling the item until the Planning Commission has a chance to view them. Chair Brown answered he has seen everything he needs to see and felt it would be helpful to answer the questions on the variance application.

***1) Are there practical difficulties in complying with the zoning ordinance? "Practical difficulties means that the property owner's proposed improvements are reasonable (economic considerations alone shall not constitute practical difficulties.)"***

Chair Brown answered yes, noting they are trying to help people. Fulton – agree; Casper – agree; Kirschbaum – agree; Otto – agree, noting they are trying to utilize a 150 foot lot.

***2. Are the circumstances which justify the variance unique to the property and not created by the applicant?***

Steve Otto answered no and noted the circumstances are brought on by the applicant's wish to split the lot. Casper – agree; Kirschbaum – agree; Fulton – agree.

*By state law if any question is answered in the negative the variance cannot be approved.*

***The motion failed on a unanimous roll call vote.***

Tuttle explained there is a 15 day appeal period.

**7. Public Hearing #2** to act on a variance request to allow Bruce & Susan Josewski to rebuild the lake side half of the house higher and wider at 63 feet from the Ordinary High Water Level (OHWL) of Jay Gould Lake and six feet from the south side property line (ordinance requires a minimum of 100 feet from the OHWL and 15 feet from the side property line) for the property located at 25285 County Road 62 and legally described as North 160 feet of the South 278 feet of Government Lot 4, Section 15, Township 55 North, Range 26 West, City of Cohasset, Itasca County, Minnesota.

Zoning Officer Greg Tuttle summarized the informational packet. Chair Steve Brown opened the public portion of the meeting and asked if there was anyone who would like to speak in favor of the variance.

Bruce Josewski clarified his variance request and answered questions.

Chair Steve Brown stated there was no one present to speak for or against the variance request and closed the public portion of the meeting.

*A motion was made by Casper/Otto to grant the variance request.*

**1) Are there practical difficulties in complying with the zoning ordinance? “Practical difficulties means that the property owner’s proposed improvements are reasonable (economic considerations alone shall not constitute practical difficulties.)**

Josh Casper answered yes noting that the zoning ordinance states you cannot build over two feet closer to the side property line. All Commissioners agreed.

**2. Are the circumstances which justify the variance unique to the property and not created by the applicant?**

Steve Brown answered yes and noted that the ordinance allows for a fix and the owner is doing something to fix it. All Commissioners agreed.

**3. If granted, will the variance maintain the essential character of the locality? Is the proposed improvement anything more than others in the area already have?**

Johnnie Fulton answered yes and noted that it fits into the neighborhood and it is not any closer to the water.

**4. If granted will the variance be in harmony with the general purpose and intent of the zoning ordinance?**

Steve Otto answered yes noting that the proposed variance will not obstruct his neighbor’s view and the height is not an issue. All Commissioners agreed.

**5. If granted will the variance be consistent with the comprehensive plan?**

Lois Kirschbaum answered yes and noted that it will be an improvement.

*The motion carried unanimously.*

**8. FYIs/Updates:**

a. **City Council Public Hearing Regarding Decks/Patios** – City Council approved the ordinance amendment regarding decks/patios

b. **Clean Up Days** is over and volume-wise it was probably the biggest year ever.

c. **Benson Bog Days** will take place June 12-14, 2015

d. **Compost Site** – the compost site is open. Hours are Monday-Friday, 7:00 a.m. to 4:00 p.m.  
No brush is accepted – leaves only.

e. **Klingman** – Tuttle reported that he has been too busy to check to make sure the ramp is gone.

**Adjourn:** Chair Steve Brown adjourned the meeting at 7:37 p.m.

Submitted by Karen Mester, Deputy Clerk

Approved: 7/1/2015