

**CITY OF COHASSET
PLANNING COMMISSION MINUTES
305 NORTHWEST FIRST AVE, COHASSET, MINNESOTA
WEDNESDAY, JULY 1, 2015, 6:00 P.M.**

1. **Call Meeting to Order:** Chair Steve Brown called the meeting to order at 6:08 p.m.

2. **Roll Call**

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

b. **Absent with Notice:** City Council Liaison Jason Tabaka

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

d. **Others Present:** City Attorney John Licke, David Parent, Ron Cook, Karen Cook, Heidi & Jason Barsness, Lisa Warren, Neil Seledic, Bob Miller, & Ryan Still.

3. **Review and Approve Agenda**

a. **Additions:** None

b. **Deletions:** None

A motion was made by Chell/Kielpinski to approve the agenda as presented. Motion carried unanimously.

4. **Resident Input** – Ron Cook, Cohasset, MN reported he was told there was a stipulation in the sale of property owned by the City to Nelson Wood Shims that the City would replace a green space. Zoning Officer Tuttle stated he knows of no green space provision. City Attorney John Licke will follow up.

5. **Review & Approve Planning Commission Minutes of June 3, 2015:** *A motion was made by Fulton/Casper approve the June 3, 2015 minutes with one amendment to the roll call. Motion carried unanimously.*

6. **Public Hearing #1 (6:05 p.m.)** to act on a variance request to allow Gordon & Lisa Warren a house and attached garage no closer than 35 feet from the north property line (ordinance requires a minimum of 75 feet in the Rural Residential zone district) for the property located at 25788 Guile Lake Road and legally described as Government Lot 13 less the north 624 feet thereof, Section 18, Township 55 North, Range 26 West, City of Cohasset, Itasca County, Minnesota.

Chair Steve Brown reviewed the process for a public hearing, Zoning Officer Greg Tuttle summarized the informational packet, and Attorney John Licke reviewed the finding for practical difficulties. Lisa Warren explained their reasons for a variance request, reviewed the answers in the variance application & answered questions from the Planning Commission.

Chair Brown opened the public portion of the meeting and asked for anyone in favor of the variance to come forward.

David Parent reported he is the adjoining landowner to the south of the Warrens and he is pleased they are concerned about preserving the wetland area on the property. Also, he looks forward to having new neighbors and feels the Warren's presence will alleviate the nuisance of four wheelers.

Bob Miller explained he is the adjoining landowner to the north of the Warrens and is happy to have them as new neighbors and has no problem with the variance.

Chair Brown asked if anyone would like to speak against the variance. There was no response; there were no written communications. After allowing for additional questions, Brown closed the public portion of the meeting.

A motion was made by Otto/Kielpinski to approve the variance request as follows: *To allow Gordon & Lisa Warren a house and attached garage no closer than 35 feet from the north property line for the property located at 25788 Guile Lake Road.*

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.)*

All Commissioners voted yes.

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

Kielpinski voted yes and noted that due to the wetlands and the elevation of the land it is the only location to place the home. 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?*

Casper voted yes and noted they have limited space and are doing everything to maintain the wetlands – and the wetlands are the basic locality. All Commissioners agreed.

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

Chell voted yes and all Commissioners agreed.

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

Chell voted yes and said two goals of the Comprehensive Plan are to control density on the waterfront and to protect wetlands and the variance request is consistent with both. All Commissioners agreed.

The motion passed unanimously on a voice vote.

Tuttle explained there is a 15 day appeal period after which the permitting process can begin.

7. **Public Hearing #2 to act on a variance request to allow Nelson Wood Shims an addition no closer than 69 feet from the centerline of Third Street/County Road 87 (ordinance requires a minimum of 110 feet) for a 16 x 20 foot chipper room, 16 x 16 foot slab room, a 16 x 16 foot bag house room, and a 16 x38 foot roofed (no walls) log deck and conveyor space for the property located at 500 NW Third Street (PIN #05-010-1203 & 1208) and legally described as the NW-**

NE lying south of the Great Northern Railway right-of-way less the west 3 acres, Section 10, Township 55 North, Range 26 West, City of Cohasset, Itasca County, Minnesota. Zoning Officer Greg Tuttle summarized the informational packet. Ryan Still of Nelson Wood Shims explained the reasons for the variance request & answered questions. Chair Steve Brown opened the public portion of the meeting and asked if anyone would like to speak in favor of the variance. Brown asked twice again if anyone would like to speak in favor of the variance and there was no response.

Chair Steve Brown asked if anyone would like to speak against the variance.

Ron Cook, 425 NW 2nd Street, Cohasset, MN stated he is against the variance and disputed the results of the noise testing, Cook also complained about dust.

Karen Cook, 425 NW 2nd Street, Cohasset, MN stated she is against the variance citing dust and indicated concern for the safety of the children in the neighborhood.

Chair Brown asked again if anyone wished to speak against the variance request.

Heidi Barsness, 430 First Street NW, MN stated she is against the variance and cited noise, dust, and traffic concerns.

Chair Brown asked for the third time if anyone wished to speak against the variance request. There was no response. Brown asked if there were any written communications – there were none. Brown closed the public portion of the meeting.

John Chell made a motion to table the item until the next meeting. The motion died for the lack of a second.

A motion was made by Otto/Fulton to grant the variance as requested and the PC reviewed the Findings of Fact:

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.)

Steve Otto answered yes noting that the variance is reasonable and will allow noise reduction. All Commissioners agreed.

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

Johnnie Fulton answered yes noting that the machinery is in place and the variance request will allow them to reduce noise. 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?

Brian Kielpinski answered yes and stated the variance will improve the locality through noise abatement.

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

Josh Casper answered confirmed that Nelson's Wood Shims are zoned in as light industrial and they are in harmony with that zoning designation. All Commissioners agreed.

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

John Chell answered yes and stated the variance is consistent with the Comprehensive Plan. All Commissioners agreed.

The motion carried unanimously.

A motion was made by Casper/Fulton to review the noise monitoring results at the next meeting. Motion carried unanimously.

8. FYIs/Updates

- a. **Benson Bog Days:** There were no complaints or reports – all rules were followed.
- d. **Klingman** – The ramp has been removed.

Adjourn: Chair Steve Brown adjourned the meeting at 8:28 p.m.

Submitted by Karen Mester, Deputy Clerk

Approved: