

**CITY OF COHASSET
PLANNING COMMISSION MINUTES
305 NW FIRST AVENUE, COHASSET, MINNESOTA WEDNESDAY,
JUNE 1, 2022 – 6:00 P.M.**

1. **Call Meeting to Order:** Chair Josh Casper called the meeting to order at 6:01 p.m.
2. **Roll Call**
 - a. **Voting Members Present:** Josh Casper, Steve Lavalier, GiGi Pehrson, Lucas Thompson, and Mike Rock
 - b. **Absent with Notice:** Scott Gerling and Harlow Zeppelin
 - c. **Ex-Officio Members Present:** Zoning Officers Greg Tuttle, Tony Valtinson
 - d. **Others Present:** Marty Niewind (contractor) representing Strobe, Phil Hermel

3. **Review and Approve the Agenda**

Additions: None

Deletions: None

A motion was made by Rock/Lavalier to approve the agenda as presented. Voting in favor: Casper, Pehrson, Lavalier, Thompson & Rock; Voting against: None; Absent: Gerling & Zeppelin, Motion carried.

4. **Resident Input:** None

5. **Approve May 4, 2022 Planning Commission Minutes:**

A motion was made by Thompson/Lavalier to approve the May 4, 2022 Planning Commission minutes as written. Voting in favor: Casper, Pehrson, Lavalier, Thompson and Rock; Voting against: None; Absent: Gerling and Zeppelin, Motion carried.

6. **Public hearing (starts at 6:05 p.m.)** to act on a variance request from PHILLIP & EMILY HERMEL to construct a 10FT by 12FT Water Oriented Boathouse/Storage Shed at 97FT from the centerline of CR62 (ordinance minimum is 110 feet) located immediately south of 25622 CR62 (PIN# 05-455-0260) and legally described as THAT PT OF LOT 26 LESS HWY 62 IN THE PLAT OF DELLWOOD, SECTION 15, TOWNSHIP 55 NORTH, RANGE 26 WEST, ITASCA COUNTY, MINNESOTA.
- Zoning Officer, Greg Tuttle went through the packet for this item. In addition to the road setback is the lake setback of 10 fee for a boathouse/storage. At the site visit there was an alternate spot that is approximately 80FT from the centerline of CR62. Tuttle explained the new location (80FT) is located on an existing trail and on a flatter area requiring less digging and reducing the height of the posts. It was discussed at the site visit that the reasoning for 110FT road centerline setback is for expansion of the roadway and safety for cars if they go off of the road. There are also mature trees between the road and the proposed site which

would reduce the likelihood of any vehicle going off the road and hitting the proposed structure. Also the structure is not normally occupied but just for storage.

Tuttle further explained the proposed structure would be dug in about one foot into the hill with the front of the structure being on posts, three to four feet off of the ground.

Phil Hermel explained he will be planting over 50 trees behind the structure to offset the trees that will be removed for the shed. The shed will hardly be visible from the road and be less visible from the lake at 80FT from the road versus 97FT.

The color of the shed was discussed and Hermel explained the shed would be painted a natural color so it is less noticed by public passing. He will be hiring contractors for the on-site construction of the shed. Hermel added that the shed will have a deck on the front which combined with the shed will be less than 250SF.

Tuttle said no correspondence was received on this matter. Casper asked three times for those in favor and three times for those against the variance. No one spoke up. Casper then closed public hearing.

A motion was made by Rock/Thompson to approve the variance as requested except changing 97ft to 80ft.

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).

Peherson said yes because he wants to secure stuff he brings to his property so he doesn’t have to haul stuff up and down every time and make it easier to access and enjoy. Casper added that it is quite reasonable that anyone that has lakeshore should have a way to store their stuff. All agree.

2. Are the circumstances, which justify the variance unique to the property and not created by the applicant? Why can’t the proposed improvements meet the setbacks?

Rock said yes because the lot has practical difficulties with the size (small), shape (narrow), height and slope (steepness) of the lot. The lot is only 120 feet wide and with the setback from the center of the road being 110 feet and the boathouse setback being 10 feet there is no way he can comply with the ordinance without a variance. All agree.

3. If granted, will the variance maintain the essential character of the locality, yes X, no ____.
Are the proposed setbacks significantly different than others setbacks in the locality?

Lavalier said yes because with the shed being small and making it an earth tone colors and the neighbors are fairly close to the lake. Not changing much. All agree.

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

Thompson said yes as there are no other conflicts with the Zoning Ordinance besides the variance. All agree.

5. If granted will the variance be consistent with the comprehensive plan? Casper said yes because storage helps to enjoy the lake.

Lavalier added that storage by the lake is important for security and enjoyment of the lake. All agree.

Tuttle said no correspondence was received on this matter. Casper asked three times for those in favor and three times for those against the variance. No one spoke up. Casper then closed public hearing.

Voting in favor: Casper, Lavalier, Thompson, Pehrson, and Rock; Voting against: None; Absent: Gerling and Zeplin; Motion carried.

7. **Public hearings (start at 6:05 p.m.)** to act on a variance request from PETER STROPE to add 6ft onto an existing 3.5ft walkway/deck no closer than 14ft from the top of the bluff. (ordinance minimum is 30ft from the top of the bluff) located at 24605 Sunset Point Rd. (PIN# 05-477-0130) and legally described as LOT 6 BLK 1 IN THE PLAT OF GREAT SUNSET POINT, SECTION 23, TOWNSHIP 55 NORTH, RANGE 26 WEST, ITASCA COUNTY, MINNESOTA.

Zoning Officer, Greg Tuttle went through the packet for this item. The proposal is to convert and enlarge a walkway on the lake side of the house into a deck. The problem is the house is on a ridge with both sides encroaching on the bluff setback. Some of the house is actually closer than this deck would be. The owners are planning rain gutters and would consider a catch basin. This would also make the edge of the proposed deck in line with the rest of the house on the lake side. The owners were hoping with the variance to put a table and chairs on the deck and enjoy the lake from the outside. This house was one of the first houses in the plat and was before Cohasset took over zoning from the County.

Lavalier asked the contractor if there were rain gutters. The contractor said no. Casper asked where the catch basins would be? The contractor said at each end of the proposed deck. Lavalier doesn't like granting the variance just to be able to view the lake from outside the house but likes the addition of rain gutters all around the house and the catch basins to protect the bluff.

Rock added that the deck will require moving out two posts and not be roofed so runoff won't change much and the addition of the rain gutters and catch basins helps. Casper agreed. Thompson didn't like a variance just for a want, not a need but like the added conditions (gutters and catch basins). Lavalier asked about the slate tiles under and out from the proposed deck? The contractor said there would be a couple inches of sand under the tiles with gravel under that.

A motion was made by Lavalier/Pehrson to approve the variance as written, provided add rain gutters and two catch basins.

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).

Thompson said yes because expanding the walkway into a deck on that side of the house would make more useable outside space overlooking the lake. The house was built on a bluff so any expansion will be in a bluff zone and require a variance. All agree.

2. Are the circumstances, which justify the variance unique to the property and not created by the applicant? Why can't the proposed improvements meet the setbacks?

Casper said yes because the property was originally built before current bluff rules were in place and only a walkway was built on the lake side. They want to enlarge the walkway into a deck so as to enjoy the lake side and are not asking for too much to make the walkway into a deck. All agree.

3. If granted, will the variance maintain the essential character of the locality. Are the proposed setbacks significantly different than others setbacks in the locality?

Pehrson said yes because there are other properties in the area that were built before the current bluff rules which now required variances as well. All agree.

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

Rock said yes as there are no other conflicts with the Zoning Ordinance besides the variance. All agree.

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

Lavalier said yes with the stipulations protecting the lake from runoff. All agree.

Casper asked about other correspondence. Tuttle said Bob Shankland (neighbor to the east) indicated he was not against the variance request. Casper asked three times for those in favor and three times for those against the variance. No one spoke up. Casper then closed public hearing.

Voting in favor: Casper, Lavalier, Thompson, Pehrson, and Rock; Voting against: None; Absent: Gerling and Zeppelin; Motion carried.

8. Make recommendation to the City council to act on a request to review minimum setbacks and maximum square footage of Water Oriented Accessory Structures, in particular, Boathouse/Storage, Detached Decks, Gazebos, and Screen Houses.

Valtinson said this issue came up because a property owner wanting a deck down by the lake asked why the different Water-Oriented Accessory Structures (WOAS) have different setbacks and square footage (SF) requirements? For example decks by the lake have to be 20 feet from the lake whereas boat houses/storage only have to be 10 feet from the lake. Same with square footage, decks 200 SF and boat houses/storage 250 SF. There was discussion also about saunas and gazebos and screen houses. Large (old-style) satellite dishes were thought to be out dated and could be eliminated.

Valtinson reviewed other ordinances (Itasca County, State, and City of Grand Rapids) and suggested that all WOAS have the same setback (10 feet) and square footage (250 SF).

Tuttle indicated that most all shoreline starts sloping up fairly close to the water and thus the

farther away the setback is the more likely you'll be building on a slope. Rock asked if patios are considered WOAS? Tuttle said no as patios are considered pervious and have sand under them. Pehrson liked the idea of simplifying the ordinance rather than having three or four different sets of rules for different WOAS. Easier for outsiders to understand.

Lavalier suggested that WOAS SF and setback be tied to the lake classifications. More sensitive lake classifications should have more restrictive WOAS setbacks. For example; General Development and Urban/Tributary Streams = 10 feet, Recreational Development = 20 feet, and Natural Environment and Forested Streams = 30 feet.

A motion was made by Rock/Thompson to table this and to eliminate satellite dishes, combine the other structure requirements as much as possible and to tie minimum setback to the public water classification and make all WOAS maximum structure size 250 SF. Voting in favor: Casper, Pehrson, Lavalier, Thompson and Rock; Voting against: None; Absent: Gerling and Zeppelin, Motion carried.

9. Review the Development Program for TIF District #4 and consider a resolution affirming that it conforms to the Comprehensive Plan.

TIF District #4 includes the dance studio property and the property to the west of it, the Maki property. The property to the west of the dance studio is proposed for a 40,000 SF auto dealership and service facility. Since the three properties are zoned Cohasset Industrial Park (CIP) it will be developed commercially and thus increase the economic base of Cohasset in line with the Comprehensive Plan's goal of economic development.

A motion was made by Thompson/Lavalier to affirm that TIF District Number 4 conforms to the comprehensive plan. Voting in favor: Casper, Pehrson, Lavalier, Thompson and Rock; Voting against: None; Absent: Gerling and Zeppelin, Motion carried.

FYI: None

Adjourn: Chair Josh Casper adjourned the meeting at 7:44 p.m.

Submitted by Deputy Clerk Crystal Jarvi
Approved: 07/06/2022