

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

1. **Call Meeting to Order:** Chair Josh Casper called the meeting to order at 6:04 p.m.

2. **Roll Call**
 - a. **Voting Members Present:** Josh Casper, Lucas Thompson, Mike Rock, Scott Gerling and Harlow Zeppelin
 - b. **Absent with Notice:** Steve Lavalier & GiGi Pehrson
 - c. **Ex-Officio Members Present:** Zoning Officers Greg Tuttle, Tony Valtinson
 - d. **Others Present:** Bev and Bill Dallas

3. **Review and Approve the Agenda**

Additions: None
Deletions: None

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

4. **Resident Input:** None

5. **Approve June 1, 2022 Planning Commission Minutes:**

A motion was made by Rock/Thompson to approve the June 1, 2022 Planning Commission minutes as written. Voting in favor: Casper, Thompson, Rock, Gerling and Zeppelin; Voting against: None; Absent: Pehrson and Lavalier, Motion carried.

6. **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, Detached Decks, Gazebos, and Screen Houses.**

Valtinson reviewed the Planning Commission (PC) meeting packet and addendum regarding zoning ordinance section 10.102 – Water Oriented Accessory Structures (WOAS) regarding maximum square footage and minimum distance from the water body and eliminate giant satellite dish. At the last PC meeting the PC asked that WOAS minimum waterbody setbacks be increased by 5 feet for each water body classification and that maximum square footage be the same for all WOASs.

Valtinson reviewed a proposed revision to the WOAS section reflecting the PC ideas:

1. Satellite dish language was marked for removal.
2. Minimum square footages within each WOAS section was marked for removal.

3. Maximum square footage within each WOAS section was marked for removal.
4. Gazebos and screen house section – “shall not have decks” was marked for removal.
5. Subsection “E. Square footage and water body setback” was added to section 10.102 as follows:
 1. Shall be limited to 250 square feet in size.
 2. Minimum setbacks from the Ordinary High Water Level (OHWL) shall be determined by the water body classification as follows:
 - a) Natural Environment Lakes and Forested Streams = 20 feet.
 - b) Recreational Development Lakes = 15 feet.
 - c) General Development Lakes and Tributary Streams = 10 feet

Or

2. Minimum setbacks from the Ordinary High Water Level (OHWL) shall be 10 feet.

A motion was made by Gerling/Thompson to approve addendum changes and E1 (setbacks by water body classification).

Zeppelin ask who determines water body classifications. Tuttle said the DNR Waters. Rock asked if there were any communications on this matter. Tuttle said this isn’t a public hearing so no formal notification were sent out. Once the City Council public hearing is scheduled notice will go out, including the DNR Waters. Valtinson added that this issue came up because a resident questioned why a boathouse/storage structure could be 250 square feet and 10 feet from the water but a covered deck/gazebo had to be 20 feet from the water and was limited to 150 square feet in size. That is what started this review. Researching the county and City of Grand Rapids revealed that they didn’t separate the different types of WOAS but treated them the same for setbacks and minimum square footage. These changes would simplify the WOAS requirements but tie setbacks to the waterbody classification.

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

7. **Make recommendation to the City Council to rezone from Suburban Residential (does not allow multiple family/apartments) to Municipal Residential (allows multiple family/apartments) the property legally described as the E 350' OF W 1010' OF N 660' OF SE-SE LESS N 246' OF E 284' OF W 1010' (05-010-4412) and the N 246' OF E 284' OF W 1010' OF SE-SE both in section 10, Township 55 North, Range 26 West, Itasca County, Minnesota.**

Valtinson reviewed the PC packet on this item. Tuttle added that the city just bought the Cole property (05-010-4423) and has owned 05-010-4412 for years. The city would like the put apartments on the properties but the zoning does not allow it. Thus, the request to rezone these two properties. Changing it to Municipal Residential (MR) would allow apartments and MR is right across the street. Zeppelin asked if there is a developer yet. Tuttle said no. The city owns all the surrounding property except to the east and southeast which have residential homes on them. Gerling said the rezone would likely increase traffic and larger

building but still fits with the goals of the city in the comprehensive plan to increase available housing Tuttle said it is hard to find a big enough piece of land for apartments that has city water and sewer. Valtinson said apartments could go right across the street right now.

Casper said this is the wrong place for an apartment building. Temporary construction workers use the space (man camp of sorts). Tuttle said the apartments would be there long after the construction workers are gone. Casper said the comp plan wants to have this area as a nature haven as opposed to an urban development. Thompson asked how big an apartment facility could go in there. Tuttle said that would be determined by maximum lot coverage for MR which is 30 percent and a minimum of 4,000 square feet of lot per unit. Casper asked how tall you can build in MR. Tuttle said 45 feet. Casper said an apartment would likely require more security patrols.

A motion was made by Thompson/Zeppelin to table this item for more information (why rezone, what is the plan, and are there other lots available in the city on municipal water and sewer that are zoned for apartments). Voting in favor: Casper, Thompson, Rock, Gerling and Zeppelin; Voting against: None; Absent: Pehrson and Lavalier, Motion carried.

8. Make recommendation to City Council to amend Zoning Ordinance section 10.101 L - Performance Standards – Guest Cottages to allow one per minimum sized conforming lot (currently only one per lot allowed).

Valtinson reviewed the PC packet on this item. This item came up as the result of an inquiry from Bob and Bev Dallas to place three cabins/guest cottages for family (not for rent/lease like a resort) on a property near their home on Golf Course Road (not city water and sewer). Upon review by staff, one option was the combine (share a wall) two of the cabins to make a principal structure and the third cabin to be a guest cottage. Another option would be a variance, the last option would be to amend the zoning ordinance to allow one guest cottage per minimum conforming sized lot because we already use that same language for accessory structures, meaning bigger lots get more accessory structures. Why shouldn't that same wording/logic apply to guest cottages? A variance would be difficult because of the hardship question and the variance verges on becoming more of a use variance, which are prohibited. The owners decided that to structurally combine them (share a wall) would be difficult and cost more than building new. The minimum lot size on Pokegama Lake is 1.0 acre and 200 feet in width. So, a three acre lot would allow three accessory structures. With the language change three guest cottages (maximum 800 square feet). All cabins would be about half of the 800 square feet maximum. Valtinson said this doesn't open the door up to do a resort under the guest cottage rules as resorts are commercial, this is family. Any change in use to commercial would have to go through the resort conditional use and possibly the Planned Unit Development (PUD) process. This change would apply city wide not just this property.

*A motion was made by Thompson/Gerling to recommend the City Council amend Zoning Ordinance section 10.101 L -Performance Standards and allow one guest cottage for each minimum sized conforming lot. Findings will be done by staff at a later date
Voting in favor: Casper, Thompson, Rock, Gerling and Zeppelin; Voting against: None;
Absent: Pehrson and Lavalier, Motion carried.*

9. **Make recommendation to City Council on a permit refund request (\$83) from Dean and Julie Dahline at 22567 Henderson Road (PIN# 05-035-1441) and legally described as THAT PART OF LOT 1 DESC AS FOLLOWS: COMM AT THE NE CORNER OF LOT 1; TH N 89 DEG 49' 12"" W BEARING ASSUMED, ALG THE N LINE THEREOF, A DIST OF 809.99 FT; TH S 0 DEG 42' 50"" W A DIST OF 749.86 FT TO THE POB OF THE LAND TO BE DESC; TH RETURN N 0 DEG 42' 50"" E 749.86 FT ALG THE LAST DESC LINE TO THE N LINE OF LOT 1; TH S 89 DEG 49' 12"" E, A DIST OF 99.27 FT; TH S A DIST OF 764.62 FT; TH S 5 DEG 34' 03"" W A DIST OF 332 FT, MORE OR LESS TO INTERSECT THE SHORE OF POKEGAMA LAKE THE NWLY ALG SAID SHORE LINE A DIST OF 105 FT, MORE OR LESS TO INTERSECT A LINE BEARING S 3 DEG 43' 5"" W FROM THE POB; TH N 3 DEG 43' 05"" E ALG SAID LINE A DIST OF 300 FT, MORE OR LESS, TO THE POB, section 35, Township 55 North, Range 26 West, Itasca County, Minnesota.**

Valtinson reviewed the PC packet on this item. Mr. Dahline paid for 10 foot x 12 foot (120SF) shed permit but it was actually 8 foot x 12 foot (96SF) and thus didn't need a permit if under 100 square feet. Thompson said that in the past if it was the City's mistake the City refunded them but not if it was their mistake. Tuttle said usually staff is asked how much time/\$ has been put toward writing the permit and in this case more than \$83.

A motion was made by Rock/Gerling to recommend to City Council to deny request of refund. Voting in favor: Casper, Thompson, Rock, Gerling and Zeppelin; Voting against: None; Absent: Pehrson and Lavalier, Motion carried.

FYI: None

Adjourn: Chair Josh Casper adjourned the meeting at 7:11 p.m.

Submitted by Deputy Clerk Crystal Jarvi
Approved: 08/03/2022