

**SPECIAL PLANNING COMMISSION
CITY HALL COUNCIL CHAMBERS
SEPTEMBER 23, 2013
6:30 P.M.**

AGENDA

- I. CALL TO ORDER
- II. CONSENT AGENDA
 - A. Minutes (page 1)
- III. NEW BUSINESS
 - A. Variance Request – Kotten (page 3)
- IV. OLD BUSINESS
- V. INFORMATIONAL
 - A. Next Meeting – Monday, October 7, 2013 at 6:30 p.m.
- VI. ADJOURN

Please contact Renee Eckerly at 320-243-3714 ext. 227 or at renee@paynesvillemn.com if you can't attend the meeting.

Members: Dan Roberts, Darlene Loven, Ron Mehr, Bob McDaniel, and Donavan Mayer. Advisory Member: Renee Eckerly

This agenda has been prepared to provide information regarding an upcoming meeting of the Paynesville Planning Commission. This document does not claim to be complete and is subject to change.

BARRIER FREE: All Paynesville Planning Commission meetings are accessible to the handicapped. Attempts will be made to accommodate any other individual need for special services. Please contact City Hall (320) 243-3714 early, so necessary arrangements can be made.

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: September 23, 2013

Agenda Section: Consent

Originating Department: Administration

Item Number: II - A

ITEM DESCRIPTION: Minutes

Prepared by: Staff

COMMENTS:

Please review the minutes from the July 15, 2013 Planning Commission meeting.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to approve the minutes from the July 15, 2013 Planning Commission meeting.

**MINUTES
PLANNING COMMISSION**

JULY 15, 2013

Chairman Dan Roberts called the meeting to order at 6:30 p.m. Members present were, Ron Mehr and Bob McDaniel. Also present was Advisory Member Renee Eckerly, City Administrator. Darlene Loven and Donavan Mayer were absent.

Motion was made by McDaniel to approve the minutes of the June 17, 2013 and May 6, 2013 Planning Commission meetings. Seconded by Mehr and unanimously carried.

VARIANCE REQUEST – CITY OF PAYNESVILLE

A Variance Application submitted by the City of Paynesville for the property located at 271 Ampe Drive was presented. The City of Paynesville is modifying and rehabilitating the existing Water Treatment Facility on Ampe Drive. In an effort to meet the water needs of the community, including addressing the low pressures in the water distribution system due to activities at the water treatment plant site, the City has designed a 460,000 gallon concrete reservoir on the northeast portion of the water treatment plant site. It is necessary to have this tank be above ground due to Minnesota Department of Health rules for tanks holding treated drinking water. The dimensions and location of the tank are designed to make the site workable given existing conditions and comply with as many ordinances and rules as possible. The request is to encroach on the backyard setback requirement of 25' by approximately 12.11' leaving a setback of 12.89'. This encroachment is on the T.H. 23 side of the lot and is due to the double frontage of this lot.

This was tabled from the May 6, 2013 Planning Commission meeting.

Motion was made by McDaniel to approve the Report & Recommendation Of The Planning Commission On Application For Variance and recommend such to the City Council. Seconded by Mehr and unanimously carried.

INFORMATIONAL

The informational items were reviewed.

There being no further business the meeting was adjourned at 6:37 p.m.

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: September 23, 2013

Agenda Section: Old Business

Originating Department: Administration

Item Number: IV – A

ITEM DESCRIPTION: Variance Request – City of Paynesville

Prepared by: Staff

COMMENTS:

Please review the attached Variance Application submitted by Tom & Roberta Kotten for the property located at 700 Koronis Ave. They wish to construct a 28'x32' detached garage. They do not meet the front setback of 30' off of First St. they need a 18' variance. They will meet all other zoning regulations.

The Report & Recommendation Of The Planning Commission On Application For Variance is also attached for your consideration.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to approve the Report & Recommendation Of The Planning Commission On Application For Variance and recommend such to the City Council.

CITY OF PAYNESVILLE
VARIANCE APPLICATION

221 Washburne Ave. ~ Paynesville, MN 56362
Phone: 320-243-3714 ~ Fax: 320-243-3713

List All Property Owners: Thomas L. + Robert L. KOTTEN

Contact Person: Thomas L KOTTEN

Address: 700 Koronis Ave.

Telephone No.: 320-250-0972 Cell Parcel No.: 70.39411.0000

Legal Description: Lot: 1 Block: 2 Addition: Subdivided Homesites

ZONE: RI

EXISTING USE OF PROPERTY: Residential

Application Fee: \$250.00
(non-refundable) These are the fees incurred per document: Advertising \$48.00 (average), Recording \$46.00 (actual), Postage \$33.00 (average), Legal \$123.00 (average), totaling \$250.00.

IS THE VARIANCE NEEDED TO REPLACE AN EXISTING STRUCTURE OR ADD AN ADDITIONAL STRUCTURE? Add Garage

IF REPLACING, IS THE EXISTING STRUCTURE NON-CONFORMING? —

DESCRIPTION OF REQUEST: (use separate sheet if needed) 28'x32' Garage
Existing Garage too small. Need Variance for setback. 18' Variance from 1st St.

DRAWING OF PROPOSED VARIANCE: (use separate sheet)

Application Must Include:

- A site plan showing existing lot lines and dimensions as well as lot area, all easements, all public streets, and private right of ways bordering and adjacent to the site, the use and location of all adjacent property.
- The specific feature or features of the proposed use, construction, or development that requires a variance.
- Specific provisions of Ordinance from which a variance is sought and the precise variance there from being sought.
- Statement of characteristics of the property that prevent compliance with the provisions of the Ordinance.
- Legal description from abstract.
- Any written or graphic data required by the City Administrator.

Thomas L. Kotten Robert L. Kotten
All Property Owners Must Sign This Application

9-16-13
Date

For office use only:

Application Fee: \$250.00 (non-refundable)
For office use only: Cash _____ Check No. 19365 Date Paid 9-16-13

Present To Planning Commission Date: 9/23/13 6:30pm Board of Adjustment Set Public Hearing Date: 9-25-13 6pm
Board of Adjustment Public Hearing Date: 10-23-13 Board of Adjustment Makes Determination Date: 10-23-13

PLANNING COMMISSION ACTION: Recommended to Board of Adjustment Approved Denied Date: _____
BOARD OF ADJUSTMENT ACTION: Approved Denied Date: _____

Date Received In Office: (Stamp)

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CITY OF PAYNESVILLE

REC#: 00031147 9/16/2013 1:51 PM
OPER: FRONT TERM: 001
REF#: 19365

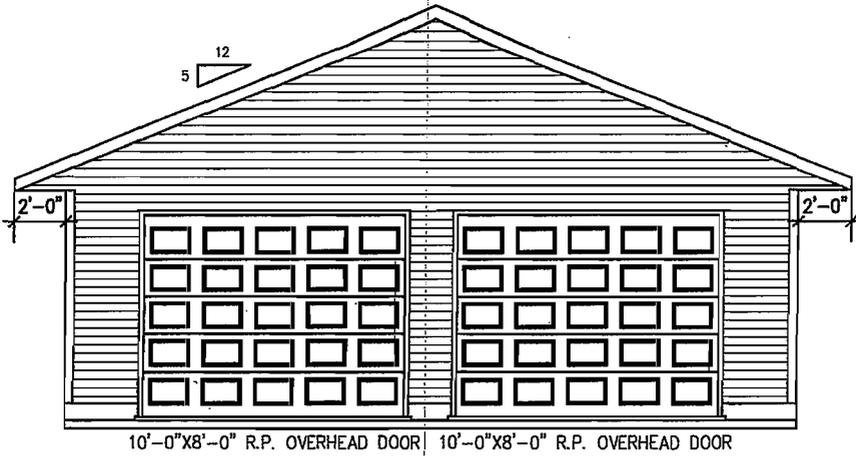
TRAN: 10.0100 VARIANCE FEE
KOTTEN VARIANCE
VARIANCE FEES 250.00CR

TENDERED: 250.00 CHECK
APPLIED: 250.00
CHANGE: 0.00

Abstract of Title
To the following described Real Estate
situated in

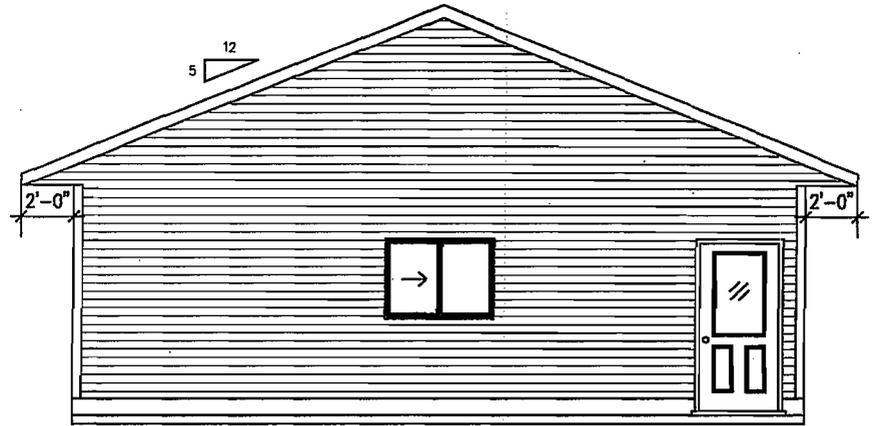
Stearns County

Lot One (1) of Block Two (2), of Sonstegard's Homesites, also the Easterly 64½ feet of Lots Twenty-three (23) and Twenty-four (24) of Block Nine (9) of Residence Park, an addition to the Village of Paynesville, according to the Plats and Surveys thereof on file and of record in the Office of the Register of Deeds, in and for said County.

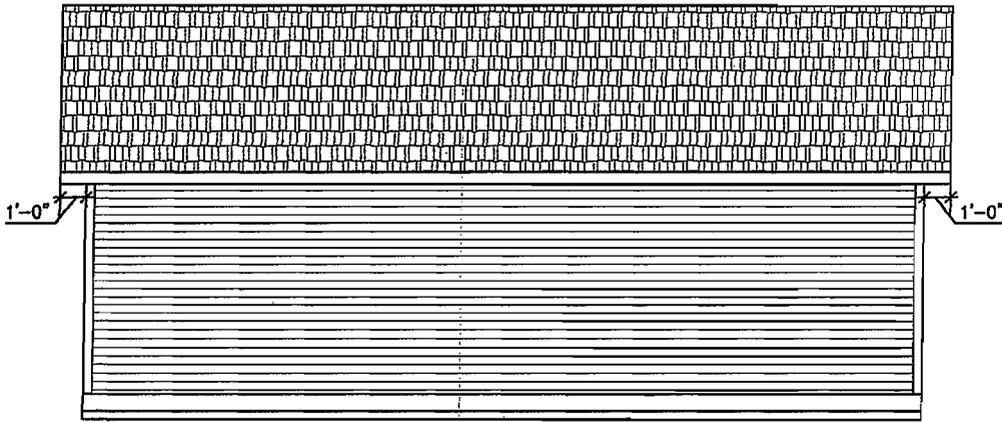


10'-0"X8'-0" R.P. OVERHEAD DOOR | 10'-0"X8'-0" R.P. OVERHEAD DOOR

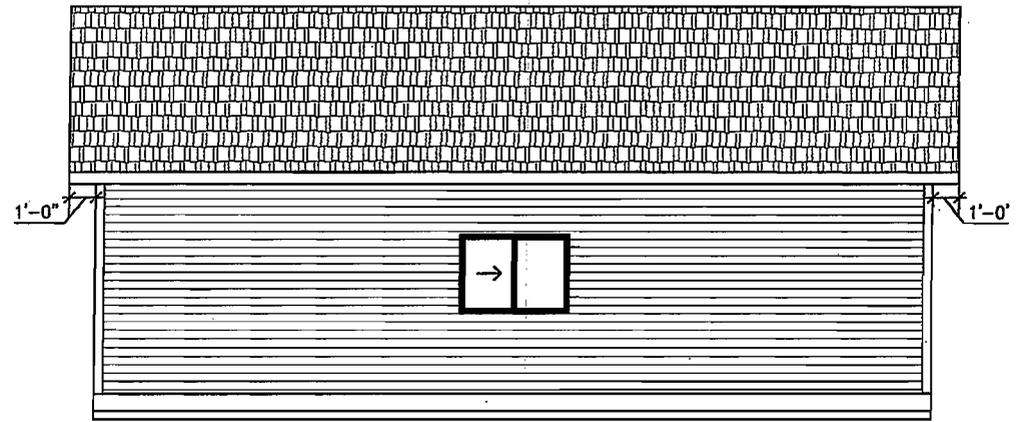
1 NORTH ELEVATION
SCALE: 1/4"=1'-0"



2 SOUTH ELEVATION
SCALE: 1/4"=1'-0"



3 EAST ELEVATION
SCALE: 1/4"=1'-0"



4 WEST ELEVATION
SCALE: 1/4"=1'-0"

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**REPORT & RECOMMENDATION OF PLANNING COMMISSION
ON APPLICATION FOR VARIANCE**

WHEREAS, the City Administrator has received from Thomas L. Kotten and Roberta L. Kotten a Variance application to allow the construction of an accessory building in the nature of a detached garage, which would be located 18 feet less than the required 30 foot setback from the road right-of-way for East First Street, which setback requirement is set forth in City Code Chapter 11, Section 11.10, Subd. 3(A); and

WHEREAS, Thomas L. Kotten and Roberta L. Kotten are the owners of the property located at 700 Koronis Avenue, in the City of Paynesville, Stearns County, Minnesota; and

WHEREAS, the property is more particularly described as Parcel No. 70.39411.0000, and legally described as follows:

Lot 1, Block 2, Sonstegard's Homesites, Stearns County, Minnesota;
and

WHEREAS, the property in question is currently zoned "R-1" – Single & Two Family Residential; and

WHEREAS, City Code Chapter 11, Section 11.10, Subd. 3(A), requires a minimum of a 30 foot setback from street right-of-way lines for all accessory buildings; and

WHEREAS, the structure proposed to be built on the above-premises would be an accessory building in the nature of a garage, which would be 45 feet from the center line of East First Street and 30 feet from the curb on

East First Street, but would only be 12 feet from the road right-of-way line;
and

WHEREAS, the Planning Commission, having reviewed the Variance application, believes that the owner's proposed use of the property is reasonable; and

WHEREAS, the land owner's problem is due to circumstances unique to the property in that the property is double fronted, abutting two (2) streets, Koronis Avenue and East First Street; and

WHEREAS, the Planning Commission finds that the Variance, if granted, will not alter the essential character of the locality; and

WHEREAS, the Planning Commission finds that the proposed use of the property is in harmony with the general purpose and intent of the zoning ordinance and that the Variance as sought by the property owner will not change the fact that the use proposed is in harmony with the general purpose and intent of the ordinance; and

WHEREAS, the Planning Commission is satisfied that the strict enforcement of the requirements of the zoning ordinance with regard to the setback for the accessory building in this case would cause the owner practical difficulties with the use of the property;

NOW, THEREFORE, the Planning Commission recommends granting the requested Variance.

PAYNESVILLE PLANNING COMMISSION

By: _____
Dan Roberts, Chairperson

ATTEST:

Renee Eckerly, City Administrator