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**CITY OF NISSWA
PLANNING COMMISSION/BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
TUESDAY, JUNE 2, 2020, 6:00 PM**

Members Present: Don Jacobson, Bob Fier, Linda Gettelman, Josh Young, Gary Harris

Members Absent:

Others Present: Mark Hallan, WSN

Staff Present: Brittney Cotner, Maggi Wentler

1. Call Meeting to Order: Young calls the meeting to order at 6:00pm.

2. Meeting Roll Call:

3. Onsite Visits: None

4. Additions & Deletions from the Agenda: None

Motion: Jacobson motioned to approve the June 2, 2020 agenda as presented, Harris seconded. All members voting “Aye”, motion carries.

5. Approval of Minutes:

a. May 5, 2020 Regular Scheduled Meeting Minutes:

Motion: Gettelman motioned to approve the May 5, 2020 minutes as presented, Harris seconded. All members voting “Aye”, motion carries.

6. Open Forum: None

7. Public Hearings:

Motion: Jacobson motioned to open the public hearing at 6:01pm, Harris seconded. All members voting “Aye”, motion carries.

a. Conditional Use Permit application 038-19: to construct and operate a common interest residential community

Property Location: Parcel ID# 28150598

Applicant/Owner: ETOC

Motion: Jacobson motioned to deny this Conditional Use Permit application 038-19 due to lack of information, materials and time allowed by the state law to continue this application, Harris seconded. All members voting “Aye”, motion carries.

b. Preliminary Plat application 037-19: to construct and operate a 60 unit common interest residential community with private roads

47 **Property Location: Parcel ID# 28150598**

48 **Applicant/Owner: ETOC**

49 **Motion:** Jacobson motioned to deny this Preliminary Plat application 037-19 due to
50 lack of information, materials and time allowed by the state law to continue this
51 application, Harris seconded. All members voting “Aye”, motion carries.

52

53 **Motion:** Harris motioned to close the public hearing at 6:03 pm, Gettelman seconded. All
54 members voting “Aye”, motion carries.

55

56 **8. New Business:**

57

58 **a. Metes and Bounds application 009-20**

59 **Property/Location: 26314 Padre Place – PID 28030687**

60 **Application/Owner: Luke Bluhm (present)**

61

62 Bluhm stated currently the property/parcel is being split by a road easement. He
63 would like to split them into two separate properties. Gettelman questioned if he
64 would be building on this second parcel. Bluhm stated he didn’t plan on building on
65 it, but would likely sell it. Cotner stated she confirmed that there was an easement in
66 place for the road currently. Hallan stated Tract A has access from Hidden Lake
67 Estates as well. Harris questioned the width of the easement. Bluhm stated he
68 believed it was 18 feet. Harris would like to see that the description states the road
69 easement width. Bluhm stated he would make sure it is listed in the description.
70 Jacobson would like to make sure that the easement language is not diminished when
71 the split is recorded, if this is approved.

72

73 **Motion:** Harris motioned to approve this Metes and Bounds application as presented,
74 with the following condition,

75

- 76 1. The road easement is specified on the description of both parcels when
77 recorded.

78

79 Findings of Fact:

80

- 81 1. The subject property is located at PID 28030687.
82 2. The subject property is in the “Shoreland Residential” Zoning District.
83 3. The proposed parcel is 3.64 acres.
84 4. The proposed parcel had adequate frontage along Padre Place.
85 5. The proposed parcel meets the minimum requirements of “Shoreland
86 Residential” Zoning District.

87

88 Seconded by Jacobson. All members voting “Aye”, motion carries.

89

90 **9. Old Business**

91

92 **a. Storage Building Conversation**

93 Cotner stated that the council had denied the commission’s recommendation to not
94 allow storage buildings in the city limits of Nisswa. Jacobson stated the council wants
95 to allow them, but wanted restrictions put on them.
96

97 Cotner stated she provided three drafts in the packet. Noting that line 8 is the one that
98 changes throughout all versions. Cotner has concerns about the mile limitation, as the
99 council may send that back as no new storage buildings would be allowed.
100

101 Gettelman stated she likes draft C & A, and wanted to know if we could combine.
102 Linda would like to see line 8 in draft C be changed to 1000 feet instead of 500 feet.
103 Jacobson and Harris like this suggestion.
104

105 Young questioned if we should have an acreage limit in residential zoning parcels,
106 maybe 35 acres. Cotner stated they are technically allowed in all zoning districts, but
107 could add it to the uses chart and they would require a Conditional Use Permit (CUP).
108 Jacobson would not like to see them allowed in residential zoning. Cotner questioned
109 if that would include Open Space Residential as well? Young believes with an
110 acreage requirement.
111

112 Jacobson likes draft C, with the following changes:

- 113 • Line 3 – Change to a 50 foot setback from all sides.
- 114 • Line 6 – Believes that we need to define “aesthetically pleasing materials”
- 115 • Line 8 – Change to 1000 ft.
- 116 • Line 13 – Thinks we should be more specific with “not permitted outside of
117 enclosed unit. Maybe state all storage needs to be inside building.

118
119 Cotner noted that we can require a CUP, so that the commission can approve the
120 materials Young stated that most storage buildings are steel, but could require the
121 front to be different to be aesthetically pleasing.
122

123 Fier would like to see natural screening be required. Last meeting he provided some
124 information from a landscaping company of a few density options. Gettelman would
125 also like to mandate natural screening. Cotner noted this would be consistent with
126 what the Comprehensive Plan states. Jacobson noted that it would be likely that there
127 would be a fence and natural screening then, as owners would likely put up a fence
128 for security.
129

130 Commission agrees to these changes to Draft C:

- 131 • Add natural screening
 - 132 • Line 8 – Change to 1000 ft.
 - 133 • Line 3 – Change to a 50 foot setback from all sides.
 - 134 • Allowed in Commercial zoning.
 - 135 • Allowed Open Space Residential zoning with a 30 acre requirement.
 - 136 • Conditional Use Permitting.
- 137

138 Cotner noted she will draft these changes for the next commission meeting and would
139 publish for a public hearing.

140

141 **10. Planning & Zoning Administrator’s Report**

142

143 **a. Permits**

144

145 Cotner noted that permitting has picked up a bit the past few months for mostly septic
146 and shed permits.

147

148 Gettelman questioned the Short-term rental permit. Cotner stated this was an
149 applicant that came in last year to build a storage garage. The applicant was made
150 aware at that time our ordinances to only allow 3 rentals per year. The applicant came
151 in for a permit and stated he would be providing dates of rentals when he had them.

152

153 **b. Violations List:**

154

155 Cotner noted the only violation she received this past month was for Copper Creek
156 Landscaping. They installed 3 fuel tanks on the northern side of their property about
157 15 feet from the side yard setback. The Minnesota Fire Marshalls Office is taking
158 over this violation. The city will not be involved.

159

160 Gettelman questioned if Cotner had heard from MN Inboard Sports. Cotner stated
161 nothing as of today. She did send a letter to inform them that they needed to come in
162 for a Land Use Permit prior to starting construction.

163

164 **11. Commissioners’ Questions/Comments: None**

165

166 **12. Adjourn**

167

168 **Motion:** Young motioned to adjourn the June 2, 2020 meeting at 6:37 pm, seconded by
169 Fier. All members voting “Aye”, motion carries.

170

171 Respectfully submitted,

172

173

174

175 _____
Maggi Wentler, Finance Specialist