



**Regular Meeting of the Planning Commission**

Tuesday July 12, 2016

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

**CALL TO ORDER**

Chairperson Berglund called the meeting to order at 7:02 p.m.

**ROLL CALL**

**Attending:** Planning Commission members: Chuck Buscher, Michael Haubner, Bryan Bosto, Jesse Berglund, John Sanders and Uriah Wilkinson; City: Al Cottingham.

**Absent:** Commission members: Kelly Johnson.

**Others Present:** Gary and Janice Southerton, Mike Owens, John Graham and Bill and Molly Stone.

**ADDITIONS/CHANGES TO THE AGENDA**

None.

**AGENDA ITEMS**

**June 14, 2016 Meeting Minutes**

Chairperson Berglund asked for any corrections or additions.

**Motion:** Commissioner Wilkinson made a motion to approve the Planning Commission meeting minutes from June 14, 2016, Commissioner Haubner seconded. (Motion was approved 6-0).

**Zoning Case 16-09: Variance, Gary and Janice Southerton**

Chairperson Berglund reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 16-09, Variance for Gary and Janice Southerton. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham noted that this is a public hearing with a legal notice published in the Pine Journal on June 30, 2016 and property owners within 350 feet were sent notice of the meeting. Gary and Janice Southerton are proposing a variance for the maximum height of an accessory structure to be 18 ft. 9 in. versus the Ordinance maximum of 15 feet within the SR – Suburban Residential District. The property is located at 1300 Sahlman Avenue West. This is different than what is noted in the staff report of 18 ft. 6 in. The Southerton's met with the contractor today on the site and felt that the appearance of the structure would look more aesthetically pleasing with a 6:12 pitch roof adjacent to the 8:12 pitch roof of the house than the original 4:12 pitch. The truss design would be a scissor truss in order to keep the sidewall height lower and still have room for the overhead door that is needed to get



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their fifth wheel trailer inside. The Southerton's were present if the Commission has any questions of them.

Chairman Berglund asked if the Southerton's had anything they would like to add. They stated they were here to answer any questions the Commission may have.

Chairman Berglund asked if anyone else wished to speak and since nobody wished to he closed the public hearing.

The Commission discussed the request and the variance criteria. They discussed condition number 2 of the criteria and what made the circumstances unique to the property not created by the landowner. They discussed the size of the property compared to other property in the area and that it was located adjacent to a city park and not visible from a public road. They also discussed the height of the structure compared to the house and determined that it would not be as high as the home.

**Motion: Commissioner Wilkinson made a motion to adopt Resolution No. 16-09, A Resolution Approving a Variance from the Maximum Height for an Accessory Structure in the SR – Suburban Residential District for Gary and Janice Southerton, Commissioner Sanders seconded. (Motion was approved 6-0)**

**Zoning Case 16-10: Variance, John Graham**

Chairperson Berglund reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 16-10, Variance for John Graham. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham noted that this is a public hearing with a legal notice published in the Pine Journal on June 30, 2016 and property owners within 350 feet and Thompson Township were sent notice of the meeting. Mr. Graham is proposing a variance from the minimum lot width requirements for frontage on a public road in which he is proposing to have two lots with no frontage on a public road serving by a private easement. The property is located at 322 St. Louis River Road West. He noted that the division could be done with the construction of a public road rather than a private road. Mr. Graham was present to answer any questions the Commission may have.

Chairman Berglund asked if anyone would like to speak on this item.

Mike Owen, 369 Crosby Road noted he did not have any issues with the development of the property but had concerns with the rules not being followed. Mr. Graham could develop this property with a public road. He had concerns with the well and septic for each of these lots and whether the environment could handle the additional systems. He read an email from Dan Lathrop, 390 Crosby Road since he was unable to make the meeting. Mr. Lathrop was opposed to the variance and felt the property should be developed within the regulations of the city.



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John Graham, 7210 Morris Thomas Road West noted he would be doing something with the property whether it is agricultural or homes. When he bought the property 20 years ago he was told he could do this type of development and even develop into smaller lots. The soil in this area is good for septic systems.

Ms. Molly Stone, 382 Laine Road agreed with Mr. Owen. She doesn't oppose the development but it needs to meet the Ordinance requirements. She believed the rules should be followed.

Chairman Berglund asked if anyone else wished to speak and since nobody wished to he closed the public hearing.

The Commission discussed the option of public road versus private road and other similar situations within the city that have been approved. They noted that they have both approved and denied these types of request depending on the situation.

**Motion:** Commissioner Sanders made a motion to adopt Resolution No. 16-10, A Resolution Denying a Lot Frontage Variance in the FR – Farm Residential District for John Gram, Commissioner Buscher seconded. (Motion was approved 5-1 Wilkinson opposed).

**Zoning Case 16-11: Zoning Ordinance Text Amendment, City of Cloquet**

Chairperson Berglund reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 16-11, Zoning Ordinance Text Amendment for the City of Cloquet. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham noted that this is a public hearing with a legal notice published in the Pine Journal on June 30, 2016. He referenced that during the 2016 Legislative Session a bill was introduced and became law on May 12<sup>th</sup> and would take effect on September 1, 2016. The bill/law is for “temporary family health care dwellings” which would be allowed in any residential district provided there was a principal structure on the property. The dwellings were to take care of a physically or mentally handicapped individual for a period of up to 6 months; only one individual could reside within the dwelling. The bill/law provided for cities to “opt-out” of it provided it was done prior to September 1. Staff believed we should “opt-out” at this time and if in the future this was determined to be something we wanted the Ordinance could be amended at that time.

Chairman Berglund asked if anyone wished to speak and since nobody wished to he closed the public hearing.

**Motion:** Commissioner Sanders made a motion to adopt Resolution No. 16-11, A Resolution Recommending the City Council of Cloquet Approve the Attached Ordinance Relating to Temporary Family Health Care Dwellings (Opt-Out), Commissioner Haubner seconded. (Motion was approved 6-0).



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**Commissioner's Questions/Comment**

Chairperson Berglund asked Mr. Cottingham for an update on upcoming meetings. Mr. Cottingham noted the next meeting would be on August 9<sup>th</sup>. There is scheduled for the July 19<sup>th</sup> City Council work session discussion with SKB on the MSW landfill.

**Next Meeting**

August 9, 2016

Meeting adjourned 7:44 p.m.

Respectfully submitted,

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Al Cottingham, City Planner/Zoning Administrator