



Regular Meeting of the Planning Commission

Tuesday, September 13, 2016

7 pm Regular Meeting

1307 Cloquet Ave, Cloquet, MN 55720

AGENDA

1. Call to Order
2. Roll Call
3. Additions/Changes to the Agenda
4. Minutes from the July 12, 2016 Planning Commission meeting
5. Zoning Case 16-12: City of Cloquet, Rezoning
6. Zoning Case 16-13: Bert Whittington, Alley Vacation
7. Zoning Case 16-14: Branden and Amber Porter, Variance
8. Zoning Case 16-16: Jerry Madsen, Variance
9. Zoning Case 16-17: Lake Country Power, Conditional Use Permit
10. Commissioner's Questions/Comments
11. Adjourn

NEXT MEETING:

October 11th @ 7 pm



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 12th 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 9th. There is scheduled for the July 19th City Council work session discussion with SKB on the MSW landfill.

Next Meeting

August 9, 2016

Meeting adjourned 7:44 p.m.

Respectfully submitted,

Al Cottingham, City Planner/Zoning Administrator



Community Development Department

1307 Cloquet Avenue • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

To: Planning Commission
From: Al Cottingham, City Planner/Zoning Administrator
Date: September 6, 2016

ITEM DESCRIPTION: ZONING CASE 16-12: REZONING

Background

The City of Cloquet is proposing a Rezoning of the property from the current classification of AIR – Airport District to FR – Farm Residential District for property located south of Airport Road and east of Cartwright Road. The rezoning, if approved, would amend the Zoning Map.

The property proposed to be rezoned is not part of the airport and is privately owned. Some of the property is vacant while some has homes on it. The FR – Farm Residential District would be consistent with the zoning of the surrounding property. This would also make some of these properties a conforming use since residential homes are not allowed in the AIR – Airport District.

A public hearing will be held on Tuesday, September 13, 2016 to consider the possible Rezoning. A legal notice was published in the Pine Journal on September 1, 2016 and both property owners that are effected and property owners within 350 feet were sent notice of the public hearing.

Policy Objectives

The Rezoning of the property is to be consistent with the Comprehensive Plan.

Financial Impacts

The Rezoning fee is \$400. These fees were not paid since the City is doing the request.

Advisory Committee Action Requested

The Planning Commission should listen to the testimony that is presented at the public hearing for the rezoning. Following this review the Planning Commission can recommend approval of the request, recommend denial of the request or table the request for some additional information.

Staff Recommendation

Staff would recommend approval of the Rezoning from AIR - Airport to FR – Farm Residential.

Supporting Documents Attachments

- Resolution No. 16-12
- Location Map
- Zoning Map
- AIR District
- FR District

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 16-12

**A RESOLUTION RECOMMENDING THE CITY COUNCIL OF CLOQUET APPROVE
THE REZONING FROM “AIR AIRPORT” TO “FR - FARM RESIDENTIAL”**

WHEREAS, The City of Cloquet is proposing a Rezoning from “AIR – Airport” to “FR – Farm Residential”; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on September 13, 2016 at which time Zoning Case / Development Review No. 16-12 was heard and discussed; and

WHEREAS, the property of the proposed Rezoning is south of Airport Road and east of Cartwright Road and is legally described as follows:

The Southeast Quarter except the Southeast Quarter thereof; the East Quarter of the Southeast Quarter of the Southwest Quarter; the West Half of the Southwest Quarter; the Northwest Quarter of the Northwest Quarter; and, the North Half of the Northeast Quarter except part to Carlton County, all in Section Twenty-eight (28), Township Forty-nine (49), North of Range Seventeen (17), West of the Fourth Principal Meridian, Carlton County, Minnesota. and

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of the Rezoning.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission recommends approval of Zoning Case 16-12 to the Cloquet City Council.

The foregoing motion was duly seconded by Commissioner _____ and being put to vote members voted: AYE: ____ NAY: ____ ABSENT: ____

JESSE BERGLUND	_____	BRYAN BOSTA	_____
CHUCK BUSCHER	_____	MICHAEL HAUBNER	_____
KELLY JOHNSON	_____	JOHN SANDERS	_____
URIAH WILKINSON	_____		

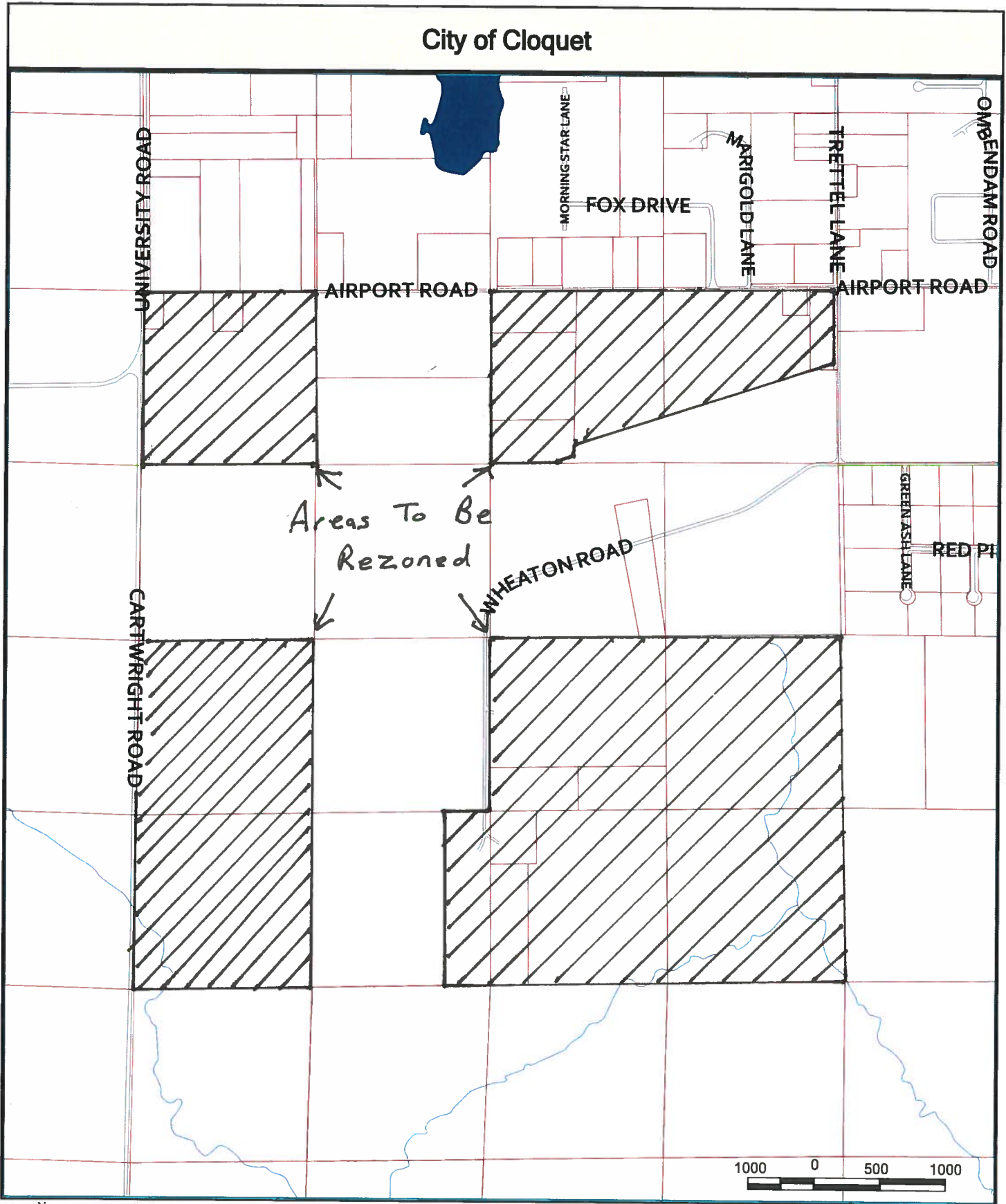
Passed and adopted this 13th day of September 2016.

CITY OF CLOQUET

JESSE BERGLUND
CHAIR

ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

City of Cloquet



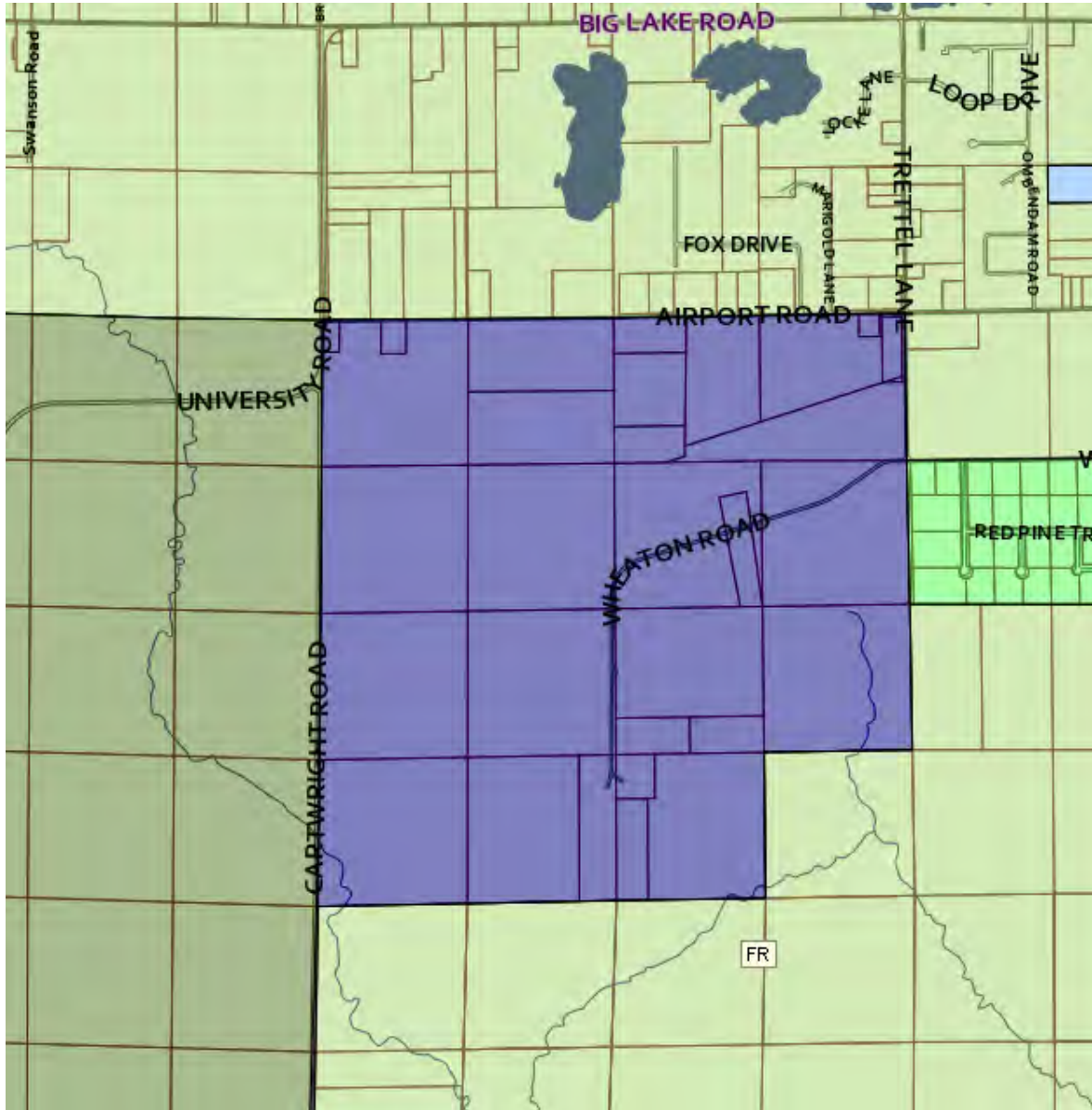
Areas To Be
Rezoned

This map was compiled using data believed to be accurate; however, a degree of error is inherent in all maps. This map was distributed "AS-IS" without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability to a particular purpose or use. No attempt has been made in either the design or production of the maps to define the limits or jurisdiction of any federal, state, or local government. Detailed on-the-ground surveys and historical analyses of sites may differ from the maps.



ZONING MAP

CITY OF CLOQUET



NO SCALE

AIR DISTRICT

17.6.19 AIR - Airport District.

Subd. 1 Intent. The intent of the AIR Airport District is to accommodate the Cloquet Carlton County Airport. The district is also intended to accommodate commercial and industrial uses that have a synergistic and incidental relationship with the airport, such as a flight school, an air cargo facility, an aviation repair and service shop, and retail uses that serve air travelers and others at the airport. Also refer to the Zoning Ordinance for Carlton County Airports on file with the City Planner/Zoning Administrator for more information regarding the Airport District.

Subd. 2 Permitted Uses. The following uses are permitted as regulated herein, without special application requirements or conditions attached:

- A. Agriculture, excluding structures, provided that the agriculture use does not attract wildlife that could constitute a hazard to air navigation or the safe operations of the airport.
- B. Airport terminal.
- C. Airport hangar.
- D. Other airport uses customarily provided in conjunction with an airport use.
- E. Open space, provided that the open space does not attract wildlife that could constitute a hazard to air navigation or the safe operations of the airport.

Subd. 3 Conditional Uses. The following uses are permitted only subject to the issuance of a Conditional Use Permit as stipulated in *Section 17.2.06*.

- A. Accessory buildings, if the buildings exceed the pertinent standards specified in *Section 17.5.01*.
- B. Commercial and industrial uses that have a synergistic and incidental relationship with the airport, such as a flight school, an air cargo facility, an aviation repair / service shop, a car rental facility, or a retail store that serves the travelers and others at the airport.
- C. Communication equipment.
- D. Parking lot as a principal use, pursuant to *Section 17.5.11*.
- E. Other uses not specifically listed in this Chapter, but for which the City Planner/Zoning Administrator or Planning Commission of the City has determined that the use is consistent with the intent for conditional uses in this district.

FR DISTRICT

17.6.03 FR - Farm Residential District.

Subd. 1 Intent. Many areas within corporate limits are not yet urbanized, unsuitable for development because of drainage or terrain, or used for agricultural purposes. It is not good planning to allow unrestrained growth where it is not feasible to provide sewer and water services, efficient police and fire protection and other centralized municipal services. The FR District is essentially a “holding” district that includes land that should be managed through conservation measures, land suitable for limited agriculture activities and land suitable for urban development at some future time when the City would rezone it to a more intensive use according to a sound growth plan. The developer would be responsible for showing good land use relationships that would not burden the City with unreasonable municipal services expense. However pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of Cloquet opts-out of the requirements of Minn. Stat. 462.3593, which defines and regulates Temporary Family Health Care Dwellings.

Subd. 2 Permitted Uses. The following uses shall be permitted as regulated herein, without special application requirements or conditions attached:

- A. Agriculture, to include farm dwellings and agricultural buildings (does not include garages and non-agricultural outbuildings).
- B. Religious Institutions, cemeteries, memorial gardens.
- C. Day Care Home and Foster Family Homes as defined in *Section 17.1.06* of this Chapter.
- D. Farm drainage systems, flood control and watershed structures, erosion controls.
- E. Historical sites and monuments, scenic lookouts, public recreation information centers.
- F. National and State Forestry and Park Service activities and improvements.
- G. Nurseries and tree farms.
- H. Single family dwellings, but not including residential subdivision developments.
- I. Public campgrounds, canoe trails, snowmobile trails, scenic and nature trails or routes.
- J. Public parks and recreation areas, wildlife areas, game refuge and forest preserves owned or operated by government agencies.
- K. Railroads rights-of way, but not including residential subdivision developments.
- L. Seasonal dwellings, mobile and modular housing; manufactured home community (mobile home parks), subject to all provisions of this Section and the Manufactured home community (mobile home park) requirements stipulated in *17.6.09*.

- M. Other uses not specifically listed in this Chapter, but for which the City Planner/Zoning Administrator or Planning Commission of the City has determined that the use is consistent with the intent for permitted uses in this district.

Subd. 3 Conditional Uses. The following uses are permitted only subject to the issuance of a Conditional Use Permit as stipulated in *Section 17.2.06*. Additional uses itemized in that section may situate in the FR District in the same manner as if they were listed hereunder:

- A. Animal kennels and sales facilities. A commercial kennel shall be constructed of impervious materials and all structures, areas and appurtenances shall be so designed as to facilitate thorough and convenient cleaning. Commercial kennels shall be adequately ventilated, and all doors, windows and other openings shall be screened. Commercial kennels shall be provided with adequate water supplies and sanitary facilities for disposal of wastes.
- B. Commercial outdoor recreation areas that are similar to public recreation areas; organized group camps.
- C. Commercial radio, cellular towers or television transmitting stations and towers; microwave relay stations.
- D. Extraction of stone, gravel or mineral as regulated in *Section 17.6.21: SG - Sand and Gravel Overlay District*.
- E. Golf courses.
- F. Public schools, or private schools having a curriculum equivalent to a public elementary or public high school.
- G. Water supply buildings, reservoirs, wells, elevated tanks, regional pipelines and power lines, public sewage treatment facilities, and similar essential public utilities and service structures.
- H. Other uses not specifically listed in this Chapter, but for which the City Planner/Zoning Administrator or Planning Commission of the City has determined that the use is consistent with the intent for conditional uses in this district.



Community Development Department

1307 Cloquet Avenue • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

To: Planning Commission
From: Al Cottingham, City Planner/Zoning Administrator
Date: September 6, 2016

ITEM DESCRIPTION: ZONING CASE 16-13: ALLEY VACATION – VACATING THE EAST/WEST ALLEY LYING BETWEEN BROADWAY AVENUE AND MAIN STREET NORTH OF ST. LOUIS AVENUE

Background

Bert Whittington is proposing to vacate the east/west alley between Broadway Avenue and Main Street north of St. Louis Avenue. This is being requested since the alley was platted with the City of Cloquet Dunlaps Addition in 1882 and has never been constructed. A portion of the parking lot on the north side of the Northeastern Saloon sits within the right-of-way so the vacation will clear up that issue. There is an overhead power line running within this right-of-way but no city utilities exist within the right-of-way.

The Park and Recreation System Master Plan that was adopted in 2014 identified that the city should look to purchase property along and around the riverfront. Staff has some concerns with the vacating of the alley even though the vacation involves approximately 750 square feet of property there is still a value to it.

A public hearing will be held on Tuesday, September 13, 2016 to consider a possible alley vacation. A legal notice was published in the Pine Journal on September 1, 2016 and effected property owners were sent notices of the public hearing.

Policy Objectives

There is no formal requirement on determining if an alley should be vacated. It is really up to a common sense approach as to whether there is currently or will be in the future a need for the alley that is being vacated.

Financial Impacts

The filing fee for the vacation of an alley is \$350.00. The applicant has paid that fee.



Community Development Department

1307 Cloquet Avenue • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

Advisory Committee Action Requested

The Planning Commission should listen to the testimony that is presented at the public hearing for the vacation. Following this testimony the Planning Commission should review the vacation and either recommend approval or denial the vacation as submitted.

Staff Recommendation

Staff has reviewed the vacation request and would recommend denial of the vacation. If the Planning Commission recommends approval then an easement should be maintained for utility purposes.

Supporting Documents Attachments

- Resolution No. 16-13 Deny
- Resolution No. 16-13 Approve
- Location Map

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 16-13 Deny

A RESOLUTION RECOMMENDING DENIAL OF THE VACATION OF THE EAST/WEST ALLEY LYING BETWEEN BROADWAY AVENUE AND MAIN STREET, NORTH OF ST. LOUIS AVENUE

WHEREAS, Bert Whittington is proposing to vacate the east/west alley lying between Broadway Avenue and Main Street, north of St. Louis Avenue; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and effected property owners have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on September 13, 2016 at which time Zoning Case / Development Review No. 16-13 was heard and discussed; and

WHEREAS, the property of the proposed Vacation is located west of Broadway Avenue, east of Main Street and north of St. Louis Avenue and is legally described as follows:

The alley located within Block 9, City of Cloquet Dunlaps Addition. And,

WHEREAS, the Planning Commission reviewed the staff report and recommends denial of the vacation.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission recommends denial of Zoning Case 16-13 for a vacation of the east/west alley lying between Broadway Avenue and Main Street, north of St. Louis Avenue.

The foregoing motion was duly seconded by Commissioner _____ and being put to vote members voted: AYE: ____ NAY: ____ ABSENT: ____

JESSE BERGLUND	_____	BRYAN BOSTO	_____
CHUCK BUSCHER	_____	MICHAEL HAUBNER	_____
KELLY JOHNSON	_____	JOHN SANDERS	_____
URIAH WILKINSON	_____		

Passed and adopted this 13th day of September 2016.

CITY OF CLOQUET

JESSE BERGLUND
CHAIR

ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 16-13 Approve

A RESOLUTION RECOMMENDING APPROVAL OF THE VACATION OF THE EAST/WEST ALLEY LYING BETWEEN BROADWAY AVENUE AND MAIN STREET, NORTH OF ST. LOUIS AVENUE

WHEREAS, Bert Whittington is proposing to vacate the east/west alley lying between Broadway Avenue and Main Street, north of St. Louis Avenue; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and effected property owners have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on September 13, 2016 at which time Zoning Case / Development Review No. 16-13 was heard and discussed; and

WHEREAS, the property of the proposed Vacation is located west of Broadway Avenue, east of Main Street and north of St. Louis Avenue and is legally described as follows:

The alley located within Block 9, City of Cloquet Dunlaps Addition. And,

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of the vacation.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission recommends approval of Zoning Case 16-13 for a vacation of the east/west alley lying between Broadway Avenue and Main Street, north of St. Louis Avenue subject to the following condition.

1. A Drainage and Utility Easement is maintained over the alley.

The foregoing motion was duly seconded by Commissioner _____ and being put to vote members voted: AYE: ____ NAY: ____ ABSENT: ____

JESSE BERGLUND	_____	BRYAN BOSTO	_____
CHUCK BUSCHER	_____	MICHAEL HAUBNER	_____
KELLY JOHNSON	_____	JOHN SANDERS	_____
URIAH WILKINSON	_____		

Passed and adopted this 13th day of September 2016.

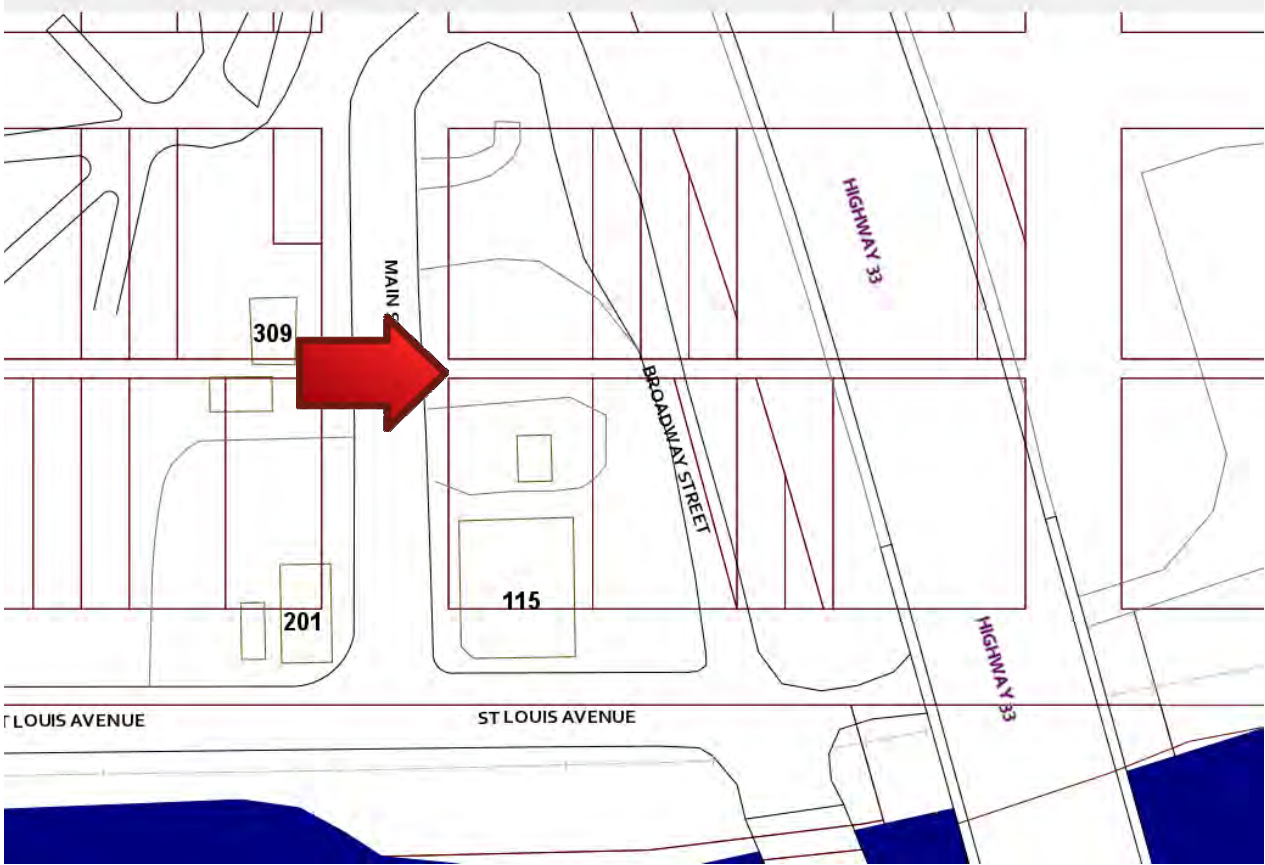
CITY OF CLOQUET

JESSE BERGLUND
CHAIR

ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

Location Map

Whittington



No Scale



Community Development Department

1307 Cloquet Avenue • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

To: Planning Commission
From: Al Cottingham, City Planner/Zoning Administrator
Date: September 7, 2016

ITEM DESCRIPTION: ZONING CASE 16-14: VARIANCE – BRANDON AND AMBER PORTER, FRONT YARD SETBACK

Background

Brandon and Amber Porter are proposing a variance to the front yard setback for accessory structure in order to construct a 24 ft. x 36 ft. garage. The variance if approved would allow for the structure to be constructed with an approximate 100 foot setback to the front property line versus the Ordinance minimum of 25 feet. The property is located at 402 Barbara Circle.

The Porter's have noted that the home is approximately 160 feet from the front property line. They note the irregular shape of the lot, the existing vegetation for screening and this being the most open area is why this spot was chosen.

A public hearing will be held on Tuesday, September 13, 2016 to consider a possible variance from minimum front yard setback for accessory structures (Section 17.6.05 Subd. 5). A legal notice was published in the Pine Journal on September 1, 2016 and property owners within 350 feet were sent notices of the public hearing.

Policy Objectives

The Zoning Ordinance states Variances may be granted when they are in harmony with the general purpose and intent of the ordinance, are consistent with the Comprehensive Plan, and when the applicant for the variances establishes that there are practical difficulties in complying with the official control. No variance may be granted unless **all** of the following conditions exist:

1. The property owner proposes to use the property in a reasonable manner not permitted by an official control;
2. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
3. The variance, if granted, will not alter the essential character of the locality.

Attached is a narrative from the Porter's addressing the criteria.



Community Development Department

1307 Cloquet Avenue • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

Financial Impacts

The Variance fee is \$350. The applicant has paid this fee to cover the cost associated with the application process.

Advisory Committee Action Requested

The Planning Commission should listen to the testimony that is presented at the public hearing for the variance. Following this testimony the Planning Commission should review the variance criteria and either approve or deny the variance as submitted. The Planning Commission may impose conditions in the granting of variances; those conditions must be directly related to and must bear a rough proportionality to the impact created by the variance.

Staff Recommendation

Staff has reviewed the variance requirements and would recommend approval of a variance as submitted. This is an unusual situation in that the house is approximately 160 feet from the front property line and the irregular shape of the lot.

Supporting Documents Attachments

- Resolution No. 16-14
- Location Map
- Lot Drawing
- Petitioners Narrative

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 16-14

A RESOLUTION APPROVING A VARIANCE FROM THE FRONT YARD SETBACK FOR AN ACCESSORY STRUCTURE IN THE R1 – SINGLE-FAMILY RESIDENCE DISTRICT FOR BRANDON AND AMBER PORTER

WHEREAS, Brandon and Amber Porter are proposing a Variance from the front yard setback for an accessory structure in the R1 – Single-Family Residence District; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and property owners within 350 feet have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on September 13, 2016 at which time Zoning Case / Development Review No. 16-14 was heard and discussed; and

WHEREAS, the property of the proposed Variance is located at 402 Barbara Circle (PIN 06-653-0280) and is legally described as follows:

Lot 16, Block 2, Erickson Acres, Carlton County, Minnesota. And,

WHEREAS, the Planning Commission reviewed the staff report and approves the variance from the front yard setback for an accessory structure.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission approves Zoning Case 16-14 for a variance from the front yard setback for an accessory structure to allow a 100 foot front yard setback.

The foregoing motion was duly seconded by Commissioner _____ and being put to vote members voted: AYE: _____ NAY: _____ ABSENT: _____

JESSE BERGLUND	_____	BRYAN BOSTO	_____
CHUCK BUSCHER	_____	MICHAEL HAUBNER	_____
KELLY JOHNSON	_____	JOHN SANDERS	_____
URIAH WILKINSON	_____		

Passed and adopted this 13th day of September 2016.

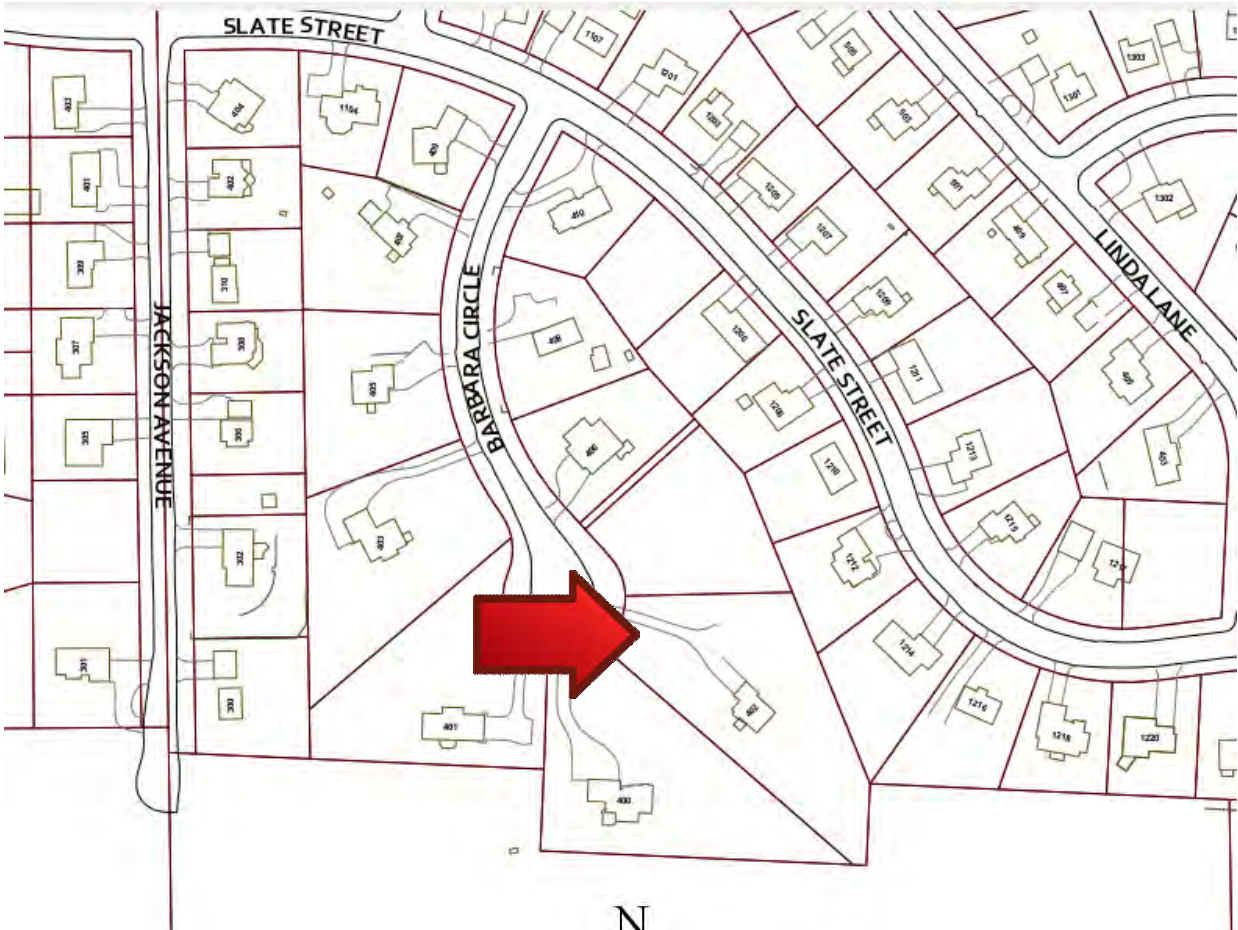
CITY OF CLOQUET

JESSE BERGLUND
CHAIR

ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

Location Map

Porter



No Scale

Legend Results View
Zoom In Zoom Out Pan Zoom Prev Zoom Next Zoom Select Zoom Extent Search Identify Clear Print Map Measure Map Tips Draw
Navigation Commands Tools



Measure

Distance Feet
Area Square Feet

Segment (ft.)
108.70

Total (ft.)
108.70

Show labels while drawing
 Toggle measurement labels
 Stream Mode

Clear Last Clear

Brandon & Amber Porter
RE: Variance Request
402 Barbara Circle
Cloquet, MN
August 8, 2016

1) The property owner proposes to use the property in a reasonable manner not permitted by an official control.

The intentions of the property being reviewed are to use it as a building site for a garage. The purpose of the garage will be to house automobiles, all-terrain vehicles (ATV), a fishing boat, and miscellaneous outdoor items.

2) The plight of the landowner is due to circumstances unique to the property not created by the landowner.

The house built on the property was placed approximately 160' back from the nearest road. Due to this factor and the irregular shape of the lot, the ideal location where the most open land resides is approximately 42' at a diagonal from the nearest point of the house. Other factors influencing viable locations for placement include pre-placed structures alongside of the house (garden shed), placed utilities (sewer, water, gas utilities), water features (creek-bed), and elevation changes (drop-off in the back of the property).

3) The variance, if granted, will not alter the essential character of the locality.

The location of the garage will make it non-viewable from the road, therefore not hindering the appearance of the house or current layout of the residence. The garage will also be aesthetically appealing due to the matching exterior to the current house color.



Community Development Department

1307 Cloquet Avenue • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

To: Planning Commission
From: Al Cottingham, City Planner/Zoning Administrator
Date: September 7, 2016

**ITEM DESCRIPTION: ZONING CASE 16-16: VARIANCE – JERRY MADSEN,
FRONT YARD SETBACK**

Background

Jerry Madsen is proposing a variance to the front yard setback for an accessory structure in order to construct a 24 ft. x 24 ft. garage. The variance if approved would allow for the structure to be constructed with an approximate 125 foot setback to the front property line versus the Ordinance minimum of 25 feet. The property is located at 113 Cedar Ridge Lane.

The Madsen's have noted that the home is approximately 230 feet from the front property line. They note the topography of the lot making it difficult to maintain the drainage around the home and the existing vegetation will help screen the garage from the road.

A public hearing will be held on Tuesday, September 13, 2016 to consider a possible variance from minimum front yard setback for accessory structures (Section 17.6.05 Subd. 5). A legal notice was published in the Pine Journal on September 1, 2016 and property owners within 350 feet were sent notices of the public hearing.

Policy Objectives

The Zoning Ordinance states Variances may be granted when they are in harmony with the general purpose and intent of the ordinance, are consistent with the Comprehensive Plan, and when the applicant for the variances establishes that there are practical difficulties in complying with the official control. No variance may be granted unless **all** of the following conditions exist:

1. The property owner proposes to use the property in a reasonable manner not permitted by an official control;
2. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
3. The variance, if granted, will not alter the essential character of the locality.

Attached is a narrative from the Madsen's.



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Financial Impacts

The Variance fee is \$350. The applicant has paid this fee to cover the cost associated with the application process.

Advisory Committee Action Requested

The Planning Commission should listen to the testimony that is presented at the public hearing for the variance. Following this testimony the Planning Commission should review the variance criteria and either approve or deny the variance as submitted. The Planning Commission may impose conditions in the granting of variances; those conditions must be directly related to and must bear a rough proportionality to the impact created by the variance.

Staff Recommendation

Staff has reviewed the variance requirements and would recommend approval of a variance as submitted. This is an unusual situation in that the house is approximately 230 feet from the front property line and the topography of the lot.

Supporting Documents Attachments

- Resolution No. 16-16
- Location Map
- Lot Drawing
- Petitioners Narrative

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 16-16

A RESOLUTION APPROVING A VARIANCE FROM THE FRONT YARD SETBACK FOR AN ACCESSORY STRUCTURE IN THE R1 – SINGLE-FAMILY RESIDENCE DISTRICT FOR JERRY MADSEN

WHEREAS, Jerry Madsen is proposing a Variance from the front yard setback for an accessory structure in the R1 – Single-Family Residence District; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and property owners within 350 feet have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on September 13, 2016 at which time Zoning Case / Development Review No. 16-16 was heard and discussed; and

WHEREAS, the property of the proposed Variance is located at 113 Cedar Ridge Lane (PIN 06-239-0060) and is legally described as follows:

Lot 3, Block 1, Lundquist Addition, Carlton County, Minnesota. And,

WHEREAS, the Planning Commission reviewed the staff report and approves the variance from the front yard setback for an accessory structure.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission approves Zoning Case 16-16 for a variance from the front yard setback for an accessory structure to allow a 125 foot front yard setback.

The foregoing motion was duly seconded by Commissioner _____ and being put to vote members voted: AYE: _____ NAY: _____ ABSENT: _____

JESSE BERGLUND	_____	BRYAN BOSTO	_____
CHUCK BUSCHER	_____	MICHAEL HAUBNER	_____
KELLY JOHNSON	_____	JOHN SANDERS	_____
URIAH WILKINSON	_____		

Passed and adopted this 13th day of September 2016.

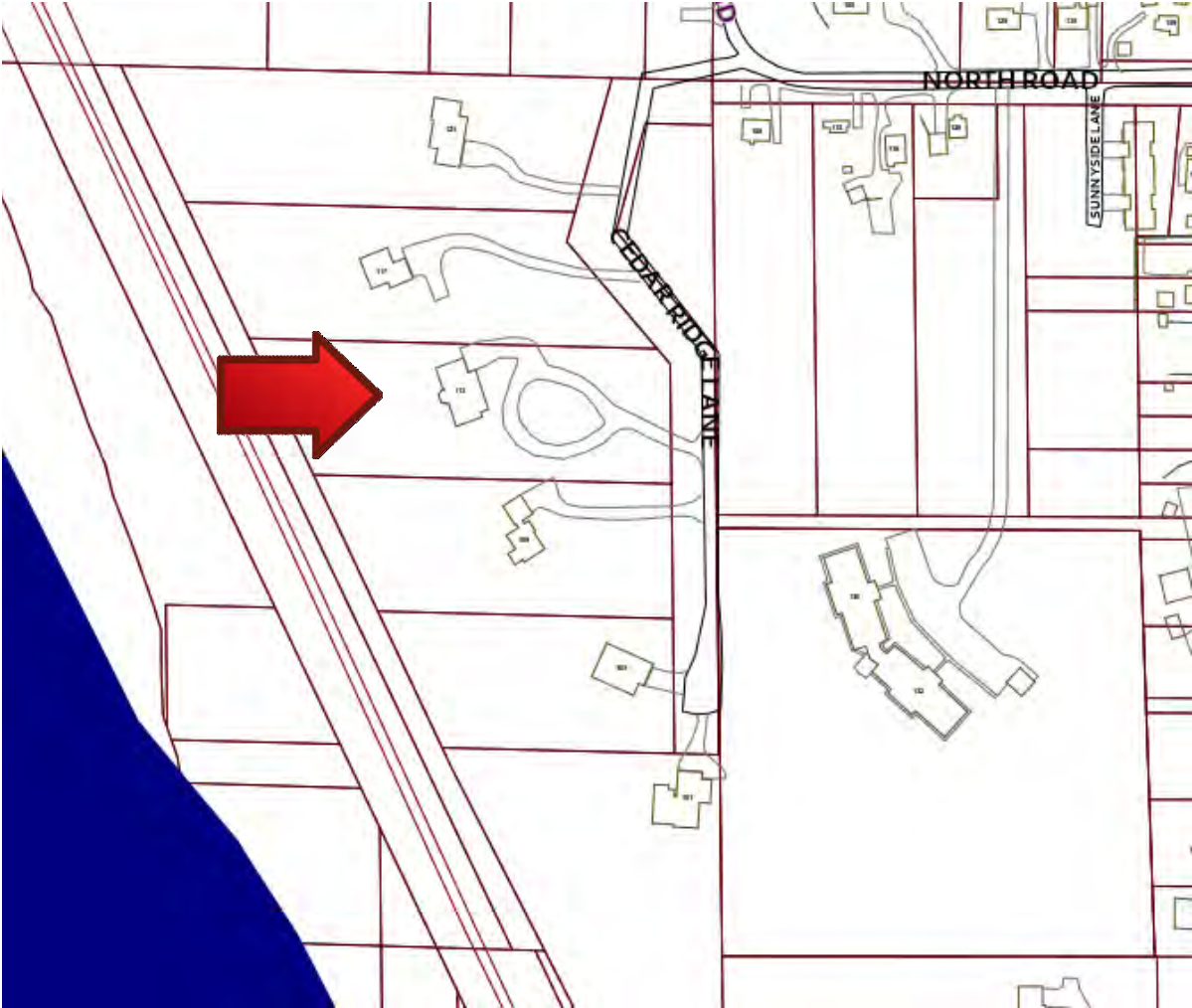
CITY OF CLOQUET

JESSE BERGLUND
CHAIR

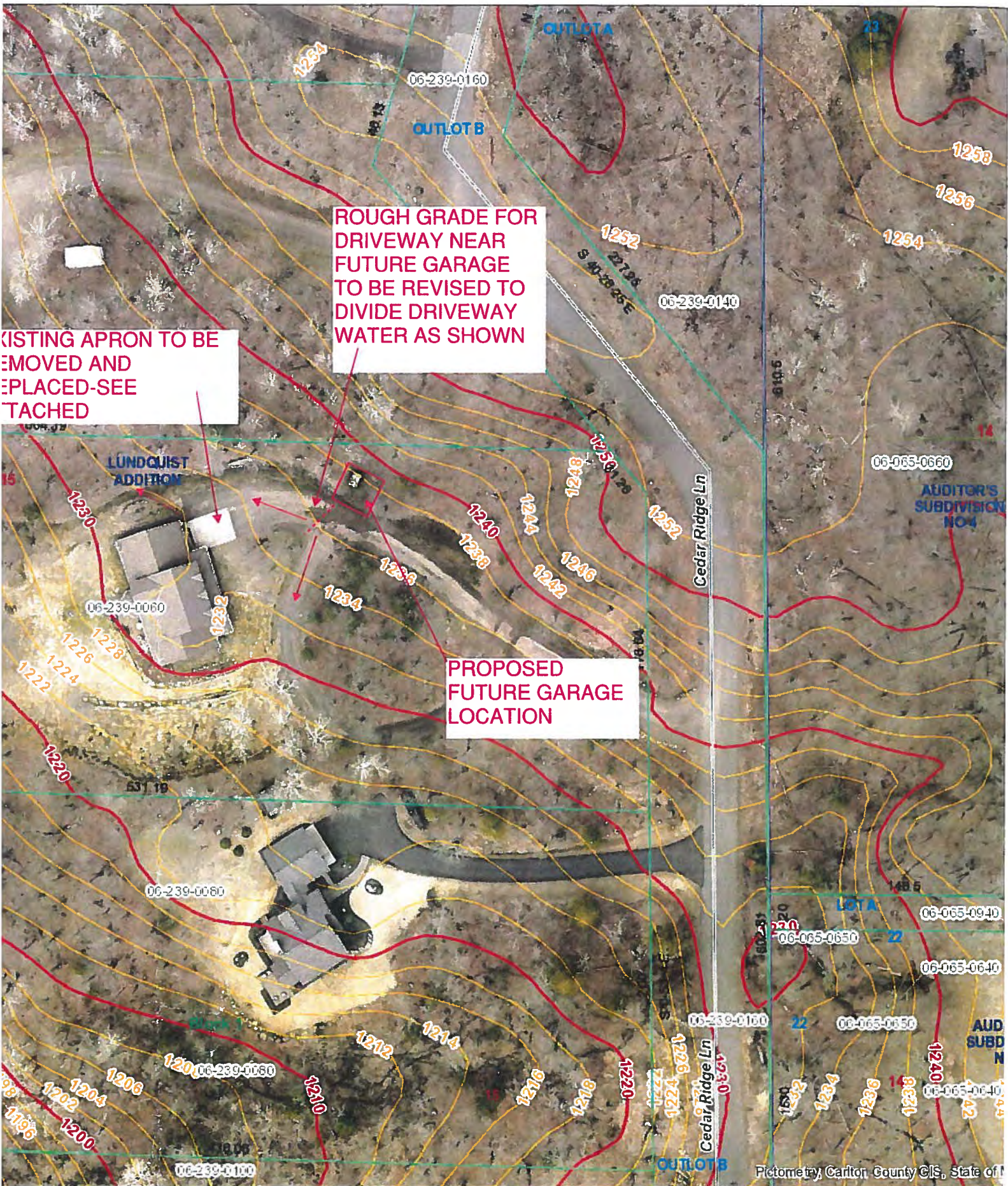
ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

Location Map

Madsen



No Scale



JERRY MADSEN RESIDENCE
 113 CEDAR RIDGE ROAD
 CLOQUET MN



COMMUNITY DEVELOPMENT DEPARTMENT
 1307 Cloquet Avenue • Cloquet MN 55720
 Phone: 218-879-2507 • Fax: 218-879-6555
www.ci.cloquet.mn.us

APPLICATION FORM

PROPERTY OWNER: Jerry & Robin Madsen
 ADDRESS: 113 Cedar Ridge Lane
 CITY, STATE ZIP CODE: Cloquet, MN, 55720
 PHONE NUMBER: 507-398-4313

APPLICANT NAME: Jerry Madsen
 ADDRESS: 113 Cedar Ridge Lane
 CITY, STATE ZIP CODE: Cloquet, MN, 55720
 PHONE NUMBER: 507-398-4313

SITE LOCATION/ADDRESS: 113 Cedar Ridge Lane, Cloquet, MN 55720

LEGAL DESCRIPTION: Lundquist Addition Lot 3, Block 1
Property ID 08-239-0060

<u>APPLICATION TYPE:</u>	
CONDITIONAL USE	<u> </u> VARIANCE <u> X </u>
COMP PLAN AMEND	<u> </u> REZONE <u> </u>
PRELIMINARY PLAT	<u> </u> FINAL PLAT <u> </u>
PLANNED UNIT DEV	<u> </u> SITE PLAN <u> </u>
ZONING AMEND	<u> </u> WETLAND CERT/MIT <u> </u>

DESCRIPTION OF PROPOSAL: Build a 24' X 24' detached Garage on property. (May downsize depending on costs) Because of water flow and drainage problems, it would be difficult to add on to current Garage. (Had Engineer and Architect Review)

OWNER SIGNATURE: Jerry Madsen DATE: 8/22/16

APPLICANT SIGNATURE: Jerry & Robin Madsen DATE: 8/22/16

OFFICE USE:
 FILING FEE: \$350⁰⁰
 DATE: 8-22-16
 CASE NUMBER: 16-16



Community Development Department

1307 Cloquet Avenue • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

PLANNING COMMISSION MEMO

To: Planning Commission
From: Al Cottingham, City Planner/Zoning Administrator
Date: September 7, 2016

**ITEM DESCRIPTION: ZONING CASE 16-17: CONDITIONAL USE PERMIT –
LAKE COUNTRY POWER, ELECTRICAL SUBSTATION
IN THE FR – FARN RESIDENTIAL DISTRICT**

Background

Lake Country Power is proposing a conditional use permit to allow an electrical substation in the FR – Farm Residential District. The property involved is located in the southwest corner of West St. Louis River Road and Crosby Road. Lake Country Power is looking to construct an electrical substation in a fenced area of 90 ft. by 185 ft. in size and a parking and maneuvering area of the same size on a parcel approximately 9 acres in size. Attached is a graphic showing the general layout of the site along with some color photos showing what it might look like.

A public hearing will be held on Tuesday, September 13, 2016 to consider a conditional use permit for an electrical substation in the Farm Residential District. A legal notice was published in the Pine Journal on September 1, 2016 and property owners within 350 feet along with Thompson Township and Township of Brevator were sent notices of the public hearing.

Policy Objectives

The Zoning Ordinance states Conditional Use Permits may be granted when they comply with the following approval criteria: (*Staff comments in italic*)

1. Consistency with the Comprehensive Plan. The relationship of the proposed use to the goals, objectives, and policies of the City of Cloquet Comprehensive Plan. *The proposed site is guided as Rural Residential. For the purposes of the Comprehensive Plan, acceptable land uses include single-family detached residences, agriculture, parks, open space and essential services. Utilities are considered essential services.*
2. Compatibility. The compatibility of the proposed use with existing development within three hundred (300) feet of the proposed use and within five hundred (500) feet along the same street and development anticipated in the foreseeable future within the neighborhood and conditions that would make the use more compatible. *The property surrounding this site has single family homes on large lots to the north, south, east and west. None of these structures are closer than 300 feet to the proposed facility. There are no structures within 500 feet along the same side of the street as the facility.*



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3. Importance of services to the community. The importance of the services provided by the proposed facility to the community, if any, and the requirements of the facility for certain locations, if any, and without undue inconvenience to the developer, and the availability of alternative locations equally suitable. *The proposed facility will assist in providing power to rural Cloquet.*

4. Neighborhood protections. The sufficiency of terms and conditions proposed to protect and maintain the uses in the surrounding neighborhood. *The site is currently vacant. They are proposing the driveway to access from St. Louis River Road, an access permit will be needed from Carlton County.*

5. Conformance with other requirements of this Chapter. The conformance of the proposed development with all provisions of this Chapter. *The proposed location meets all of the requirements of the Zoning Ordinance. The proposed location will need to be on the west side of the wetland.*

6. Other factor. Other factors pertinent to the proposed use, site conditions, or surrounding area considerations that the Planning Commission or the City Council feels are necessary for review in order to make an informed and just decision.

Financial Impacts

The Conditional Use Permit fee is \$400. The applicant has paid this fee to cover the cost associated with the application process.

Advisory Committee Action Requested

The Planning Commission should listen to the testimony that is presented at the public hearing for the conditional use permit. Following this testimony the Planning Commission should review the approval criteria and either recommend approval, approval with conditions or denial of the conditional use permit. The Planning Commission may impose conditions in the granting of conditional uses.

Staff Recommendation

Staff has reviewed the conditional use permit approval criteria requirements and would recommend approval of the conditional use permit subject to at least the conditions in the draft Resolution.

Supporting Documents Attachments

- Resolution No. 16-17
- Location Map
- Narrative, Site Plan & Conceptual Drawings

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 16-17

**A RESOLUTION RECOMMENDING THE CITY COUNCIL OF CLOQUET APPROVE
THE CONDITIONAL USE PERMIT FOR LAKE COUNTRY POWER FOR AN
ELECTRICAL SUBSTATION IN THE FARM RESIDENTIAL DISTRICT**

WHEREAS, Lake Country Power is proposing a Conditional Use Permit for an electrical substation in the Farm Residential District; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and property owners within 350 feet along with Thompson Township and the Township of Brevator were sent notice. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on September 13, 2016 at which time Zoning Case / Development Review No. 16-17 was heard and discussed; and

WHEREAS, the property of the proposed Conditional Use Permit is located in the southwest corner of West St. Louis River Road and Crosby Road and is legally described as follows:

The Northeast Quarter of the Northeast Quarter of Lot 1 except the south 330 feet of the east 660 feet, Section 1, Township 49, Range 17, Carlton County, Minnesota. and

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of the Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission recommends approval of Zoning Case 16-17 to the Cloquet City Council to allow an electrical substation in the Farm Residential District subject to the following conditions:

1. A Site/Fence Permit be issued.

2. An access permit from Carlton County is issued.
3. The company shall in good faith negotiate, enter and maintain a franchise agreement to operate an electrical distribution system in the City of Cloquet consistent with other utility companies.

The foregoing motion was duly seconded by Commissioner _____ and being put to vote members voted: AYE: ____ NAY: ____ ABSENT: ____

JESSE BERGLUND	_____	BRYON BOSTO	_____
CHUCK BUSCHER	_____	MICHAEL HAUBNER	_____
KELLY JOHNSON	_____	JOHN SANDERS	_____
URIAH WILKINSON	_____		

Passed and adopted this 13th day of September 2016.

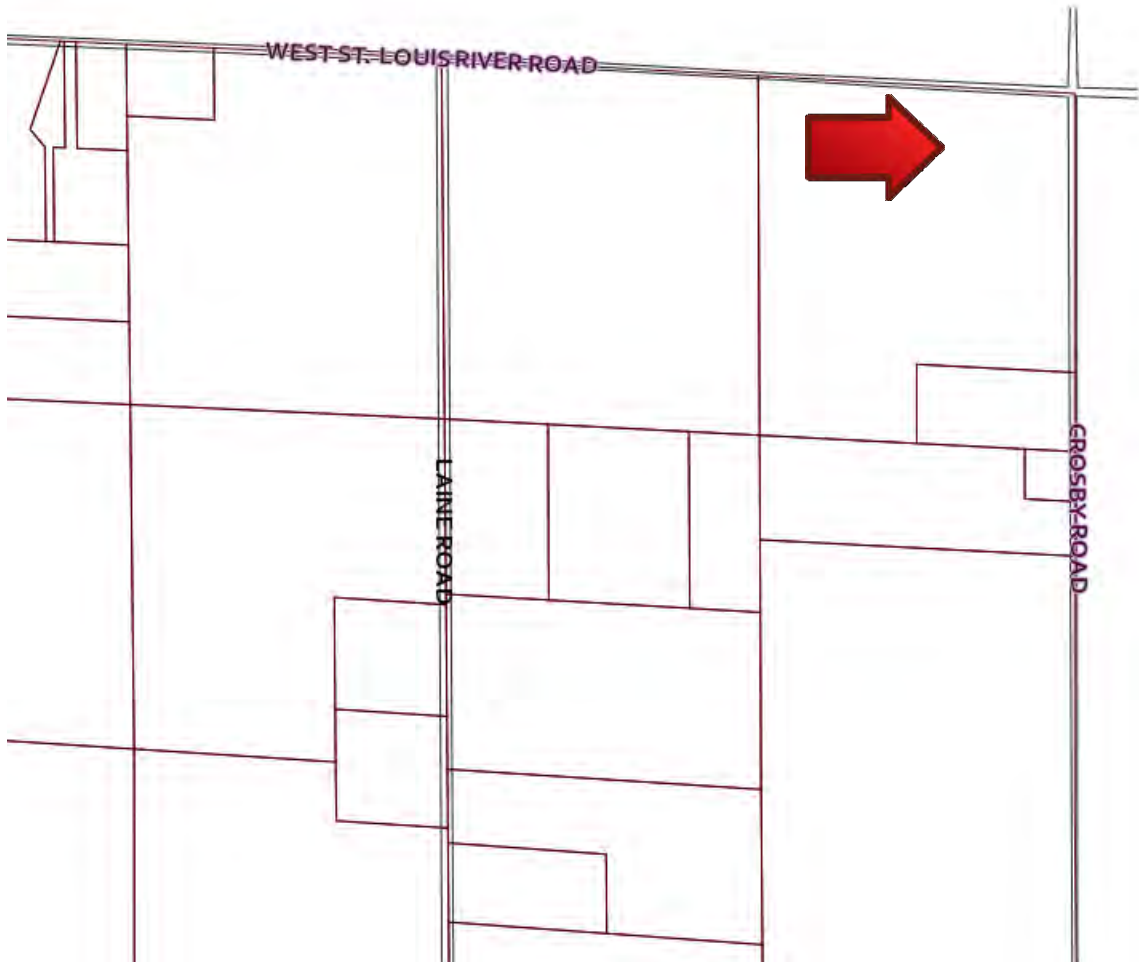
CITY OF CLOQUET

JESSE BERGLUND
CHAIR

ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

LOCATION MAP

LAKE COUNTRY POWER



NO SCALE



Operational Plan

Lake Country Power is a member-owned cooperative that serves parts of eight counties in Aitkin, Carlton, Cass, Itasca, Koochiching, Lake, Pine and St Louis County. We provide electricity and other related services to nearly 43,000 members in rural parts of northern Minnesota. We maintain more than 8,100 miles of distribution lines within 10,872 square miles of territory.

Lake Country Power aspires to be a highly reliable, top-tier performing system and the provider of choice for our members. We do this by having a financially strong, technology driven, resourceful and pro-active organization. In addition, our mission is to deliver safe, reliable electric service, manage member resources wisely and serve to help our communities prosper.

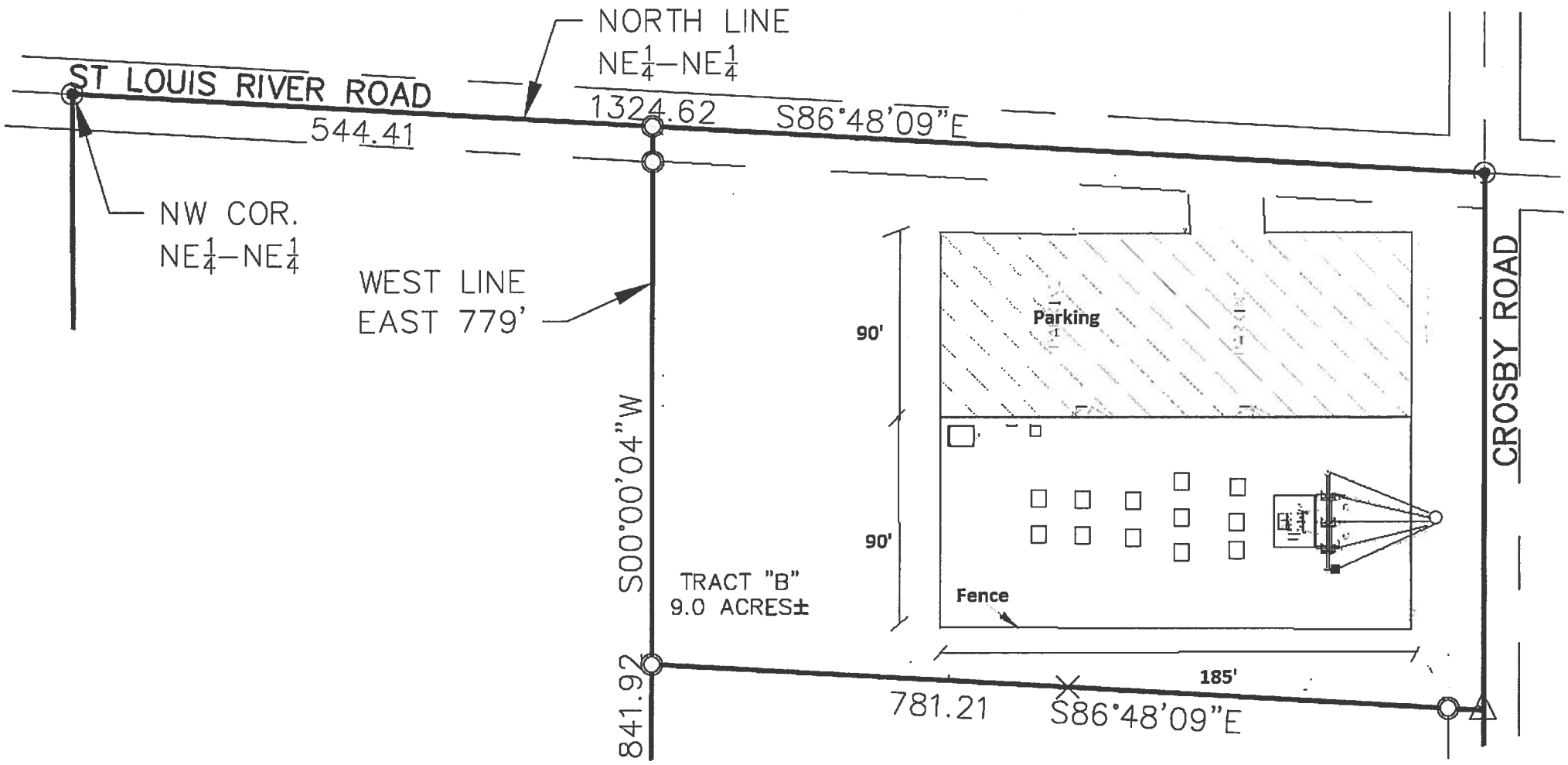
The proposed Brevator substation will be owned by Lake Country Power (LCP). The new substation will be 90 feet by 185 feet, and will have a parking area of equal size (90 feet by 185 feet). The new substation will be enclosed by a fence situated inside a larger 9 acre parcel. Lake Country Power will own all common facilities (land, fence, etc.) and will operate the distribution facilities. The fenced area will have a sand and gravel base covered with a 4" layer of crushed rock to facilitate drainage and to mitigate step and touch potential hazards. The parking area will be covered in class 5 gravel material.

The proposed Brevator substation will be built using a conventional overhead outdoor open-type air insulated high side arrangement and a pad-mounted low side arrangement, where the low-side of the transformer will be configured in a padmount style.

The primary components of the new substation will include:

- One 115/12.47 kV 5 MVA transformer;
- One 115 kV switch with associated bus work and one 115 kV transrupter to accommodate the 115 kV transmission line termination;
- Padmount enclosures and equipment for one 15 kV primary metering cabinet, one capacitor injection cabinet, three 7.2 kV voltage regulators, five 15 kV PMH switches, two 15 kV electronic reclosers, and one station power 10 kVA transformer; and
- Grading, fencing, a meter building, and other electrical equipment.

The pad-mounted design will increase reliability of the substation by minimizing exposure to nature, elements, and animals. The pad-mounted design being a smaller overall profile will be less obtrusive, and thus have better aesthetics than other overhead designs.



ST LOUIS RIVER ROAD

NORTH LINE
NE 1/4 - NE 1/4

1324.62 S86°48'09"E

544.41

NW COR.
NE 1/4 - NE 1/4

WEST LINE
EAST 779'

S00°00'04"W

TRACT "B"
9.0 ACRES±

90'

Parking

90'

Fence

185'

781.21

S86°48'09"E

CROSBY ROAD



34-3-3466
50-H OCR

St. Louis

Casper Rd

Levine Rd

151

2 UG Ckts

Substation

OH Transmission Line

W. Trent Rd



AWARNING
Hazardous voltage
KEEP OFF / KEEP OUT
Authorized personnel only
Close check, touch or work
Immediately report any
Unauthorized activities to
YOUR LOCAL UTILITY



WARNING
ELECTRICITY IS PRESENT
DO NOT TOUCH
ELECTRICAL EQUIPMENT
UNLESS YOU ARE A
LICENSED ELECTRICIAN

WARNING
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Lake
County
Power
Company
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