



Regular Meeting of the Planning Commission

Tuesday, October 8, 2019

7 pm Regular Meeting

101 14th St, Cloquet, MN 55720

Oath of Office Robert Zappia

AGENDA

1. Call to Order
2. Roll Call
3. Additions/Changes to the Agenda
4. Minutes from the September 10, 2019 Planning Commission meeting
5. Zoning Case 19-11; Annette Kiehn, Variance
6. Discussion – Multiple-family Structures in the Historic Commercial District
7. Commissioner’s Questions/Comments
8. Adjourn

**NEXT MEETING:
November 12th @ 7 pm**



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Tuesday, September 10, 2019

7:00 p.m.

101 14th Street, Cloquet, MN 55720

CALL TO ORDER

Chairman Wilkinson called the meeting to order at 7:00 p.m.

ROLL CALL

Attending: Planning Commission members: Terri Lyytinen, Mark Cline, Philip Demers and Uriah Wilkinson; City: Al Cottingham.

Absent: John Sanders and Elizabeth Polling.

Others Present: Annette Kiehn.

ADDITIONS/CHANGES TO THE AGENDA

None.

AGENDA ITEMS

August 13, 2019 Meeting Minutes

Chairman Wilkinson asked for any corrections or additions.

Motion: **Commissioner Cline made a motion to approve the Planning Commission meeting minutes from August 13, 2019, Commissioner Lyytinen seconded. (Motion was approved 4-0).**

Zoning Case 19-11: Variance for Annette Kiehn

Chairman Wilkinson introduced Zoning Case 19-11, Variance for Annette Kiehn and opened the public hearing. Chairman Wilkinson asked Mr. Cottingham to provide an overview. Mr. Cottingham stated Annette Kiehn is proposing two Variances one to the minimum lot size requirement and one to the minimum lot width on a public road in the Farm Residential District. The property is located at 1014 Pinewood Drive. He stated this was a public hearing with a legal noticed published in the Pine Journal on August 29, 2019 and property owners within 350 feet being sent notice of the meeting. Ms. Kiehn was present to answer any questions the commission may have.

He noted that Keith Bassett, 1531 White Pine Trail stopped in and was opposed to the request. He felt that the other parcels on the north side of White Pine Trail all had a minimum of 5 acres and this property should maintain her 5 acres and not something less. He was concerned that if this was approved then the other properties could do the same thing.



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Ms. Kiehn stated the land on the south portion of the property is of no use to them because of the topography of the lot. They would be looking to build a new home on that portion. The city extended water along White Pine Trail a few years ago and they were assessed for the water line. She said with the house over 300 feet away it wasn't feasible to hook up to the water line.

Commissioner Lyytinen inquired if the City had approved any similar variances in this area in the past.

Mr. Cottingham stated the Commission had approved a variance for the property to the northwest of this property to create three 3-acre parcels for Thomas Montgomery, 1520 Airport Road. He stated that the lots across Airport Road from this property ranged in size from $\frac{3}{4}$ - acre to less than 2 - acres and thus his proposed lot sizes would be larger than those in the area.

The Commission discussed the request and the difficulty with the request in that the land to the southwest was zoned Suburban Residential and allowed for 1 - acre lots however the Ordinance did not allow for the creation of any new Suburban Residential Districts.

There being no further discussion Chairman Wilkinson closed the public hearing and looked for a motion.

Motion: Commissioned Cline made a motion to approve Resolution No. 19-11, A Resolution Approving a Variance to the Minimum Lot Size Requirement and the Minimum Lot Width on a Public Road in the FR- Farm Residential District for Annette Kiehn, Commissioner Lyytinen seconded. (Motion failed 2-2 Cline and Demers)

Motion: Commissioner Cline made a motion to approve Resolution No. 19-11, A Resolution Denying a Variance to the Minimum Lot Size Requirement and the Minimum Lot Width on a Public Road in the FR- Farm Residential District for Annette Kiehn, Commissioner Demers seconded. (Motion failed 2-2 Lyytinen and Wilkinson)

Motion: Commissioner Lyytinen made a motion to table the request until the October 8, 2019 meeting, Commissioner Cline seconded. (Motion passed 4-0).

Zoning Case 19-12 Site Plan for City of Cloquet Library

Chairman Wilkinson introduced Zoning Case 19-12, Site Plan for City of Cloquet Library. Chairman Wilkinson asked Mr. Cottingham to provide an overview. Mr. Cottingham stated the City of Cloquet is proposing a Site Plan for a 7,000 square foot expansion to the Library. The proposed site plan meets or exceeds all of the minimum requirements of the Ordinance.

There being no discussion Chairman Wilkinson looked for a motion.



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Motion: Commissioner Lyytinen made a motion to approve Resolution No. 19-12, A Resolution Recommending Approval of a Site Plan in the PI – Public/Institutional District for the City of Cloquet, Commissioner Cline seconded. (Motion passed 4-0).

Mr. Cottingham noted that Planning Commission is only an advisory board and this recommendation would be forwarded to the City Council for action at their meeting on September 17, 2019 at 7:00 pm.

Commissioner's Questions/Comment

None.

Next Meeting

October 8, 2019

Meeting adjourned 7:36 p.m.

Respectfully submitted,

Al Cottingham, City Planner/Zoning Administrator



Community Development Department

101 14th Street • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

To: Planning Commission
From: Al Cottingham, City Planner/Zoning Administrator
Date: October 2, 2019

ITEM DESCRIPTION: ZONING CASE 19-11: VARIANCE FOR ANNETTE KIEHN, 1014 PINEWOOD DRIVE

Background

Annette Kiehn has submitted a Variance application. The site is located at 1014 Pinewood Drive.

The Variances are to the minimum lot size requirement and the minimum lot width on a public road in the FR – Farm Residential District in order to subdivide her property into two parcels. The property consists of a 5-acre parcel with access to the home via a private easement to Pinewood Drive. Ms. Kiehn is proposing to subdivide the property into the north 3-acres and the south 2-acres with the south parcel abutting White Pine Trail while the northernly parcel would continue to be served via the easement. The property has an approximate 40 foot elevation change between the home and White Pine Trail.

A public hearing was held on Tuesday, September 10, 2019 to consider the variances. A legal notice was published in the Pine Journal on August 29, 2019 and property owners within 350 feet were sent notices of the public hearing. There was no public present at the meeting however, Mr. Cottingham had heard from a property owner in the area that was opposed to the request.

The Planning Commission at its September 10th meeting following a tie vote, voted to table this request until the October meeting. Some members felt that this request was similar to one that was approved a couple of years ago for Thomas Montgomery, 1520 Airport Road. In that approval the Commission determined that his proposed lot sizes were substantially larger than the lots across the street.

This request not only is requesting smaller lots but is requesting one of those lots be serviced via a private easement thus not having any frontage on a public road. Staff is concerned with the precedence this would create allowing a lot without frontage on a public road.



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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 variance 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.

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 Commission should review the Variances and take into account any comments pertaining to it. Following this review the Planning Commission can approve the request, deny the request or table the request for some additional information.

Staff Recommendation

Staff would recommend denial of the Variance as submitted. Staff is concerned with other properties in the area that have similar situations with large lots and homes built on the front or back of the lots and a precedent that may be set by allowing access via a private drive and no frontage on a public road.

Supporting Documents Attachments

- Resolution No. 19-11
- Location Map
- Site Plan
- Aerial Photo

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 19-11

A RESOLUTION DENYING A VARIANCE TO THE MINIMUM LOT SIZE REQUIREMENT AND THE MINIMUM LOT WIDTH ON A PUBLIC ROAD IN THE FR – FARM RESIDENTIAL DISTRICT FOR ANNETTE KIEHN

WHEREAS, Annette Kiehn is proposing a Variance to the minimum lot size requirement and the minimum lot width on a public road in the FR – Farm Residential District; and

WHEREAS, the property of the proposed Variances is located at 1014 Pinewood Drive and is legally described as follows:

The South Half of the North Half of Government Lot 2 and the westerly 281.50 feet of the Southwest Quarter of the Northwest Quarter of the Northeast Quarter, Section 27, Township 49, Range 17, Carlton County, Minnesota, subject to easement. And,

WHEREAS, the Planning Commission reviewed the staff report and denies the Variance.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission denies Zoning Case 19-11 for a Variance for Annette Kiehn to allow a lot of less than 5-acres in size and a lot without a minimum of 200 feet of frontage on a public road.

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

MARK CLINE	_____	PHILIP DEMERS	_____
TERRI LYYTINEN	_____	ELIZABETH POLLING	_____
JOHN SANDERS	_____	URIAH WILKINSON	_____
ROBERT ZAPPIA	_____		

Passed and adopted this 8th day of October 2019.

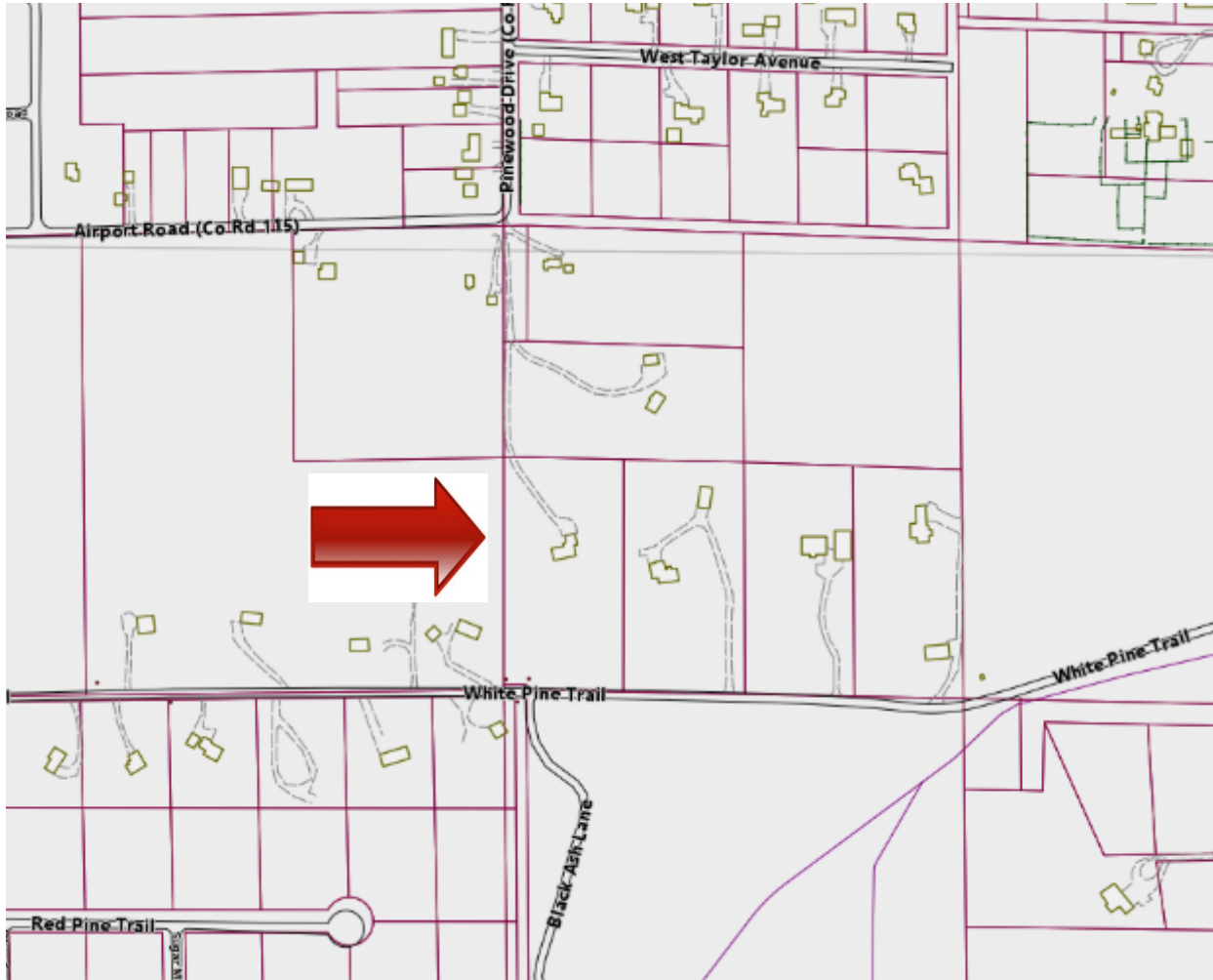
CITY OF CLOQUET

URIAH WILKINSON
CHAIR

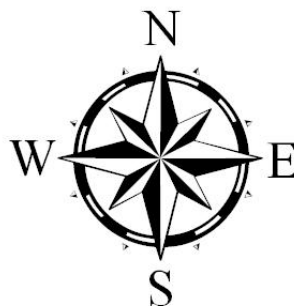
ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

LOCATION MAP

Annette Kiehn



NO SCALE





COMMUNITY DEVELOPMENT DEPARTMENT
 101 14th Street • Cloquet MN 55720
 Phone: 218-879-2507 • Fax: 218-879-6555
www.cloquetmn.gov

APPLICATION FORM

PROPERTY OWNER: Richard & Annette Kiehn
 ADDRESS: 1014 Pinewood Dr
 CITY, STATE ZIP CODE: Cloquet MN 55720
 PHONE NUMBER: 218-540-2599(A)

APPLICANT NAME: Annette Kiehn
 ADDRESS: _____
 CITY, STATE ZIP CODE: _____
 PHONE NUMBER: _____

SITE LOCATION/ADDRESS: xxx White Pine trail

LEGAL DESCRIPTION: see Attachment

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

DESCRIPTION OF PROPOSAL: We would like to split our 5 acre lot into 2 pieces. 2 Acres off white pine trail & keep 3 acres with house of of pinewood Dr.

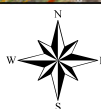
OWNER SIGNATURE: [Signature] DATE: 7/30/19
 APPLICANT SIGNATURE: [Signature] DATE: 7/30/19

OFFICE USE:
 FILING FEE: _____
 DATE: _____
 CASE NUMBER: _____



State of MN, Carlton County GIS

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Carlton County, MN

Date: 8/27/2019