

Zoning Board of Appeals
Tuesday, August 21, 2018
7:00 p.m.
St. Cloud City Hall Council Chambers

ROLL CALL

Members Present: Dick Andzenge, Susanne Barkalow, Allen Bright, Drew Hultgren, John Mathews, Emil Radaich and Ryan Schleicher
Members Absent: -
Staff Present: Dave Broxmeyer and Ashley Skaggs

JUNE 19, 2018 ZONING BOARD OF APPEALS MEETING MINUTES

ACTION TAKEN: Bright/Andzenge/Approved (7-0)

CUP2018-04 / SCOTT HAPPE / 2653 COUNTY RD 74

ACTION TAKEN: Radaich/Bright/Approved (7-0)

Broxmeyer explained a request for a Conditional Use Permit (CUP) to remodel an existing warehouse building into an occupational therapy office. The Land Development Code office uses located in an industrial district to obtain a CUP prior to operation. The applicant is also proceeding with the rezoning of the property to C5, Highway Commercial. If the CUP is approved, the applicant will save approximately three weeks on the construction timeline while waiting for the rezoning to be approved. Staff recommends approval of the request.

Hultgren asked about the rear yard setback encroachment and the existing single-family home on the property. Broxmeyer stated that both are existing non-conformities that can remain indefinitely but cannot be expanded. Radaich asked about the restrictiveness of the CUP. Broxmeyer stated the CUP is site specific and the board has a wide latitude for conditions; however, rezoning of the property will open it up to a different range of uses than is currently allowed. Hultgren asked if a termination date should be added to the conditions. Broxmeyer stated that a termination date is not necessary.

Hultgren opened the public hearing and invited testimony. The following persons testified:

Scott Happe, 2653 County Rd 74 – He is in the process of getting a building permit, and obtaining a CUP will save significant time for the project while waiting for the rezoning process. A compliance inspection has been completed on the septic system and will work for the proposed use.

There being no one else wishing to speak, the public hearing was closed. Radaich made a motion to approve the request subject to staff recommendations. The motion was seconded by Bright. Hultgren offered a friendly amendment to include the submission of the compliance inspection as a condition of approval. The amendment was accepted by Radaich and Bright. Hultgren called for a vote, and the motion as amended carried unanimously.

CUP2018-05 / ISD 742 / 3614 COUNTY RD 74

ACTION TAKEN: Andzenge/Radaich/Approved (5-0-2, Barkalow and Hultgren abstained)

Barkalow and Hultgren abstained from the discussion and voting of this item.

Broxmeyer explained a request to amend the existing Conditional Use Permit (CUP) for Tech High School to expand the site boundaries to include the property located at 3614 County Rd 74. The applicant has identified

three potential uses of the property including the reuse of the existing structures for school related activities, demolition of the building for future off-street parking and screening, and demolition of the buildings for the use of additional open space. The CUP amendment will allow the property to be included in the CUP, but will require an additional amendment when a specific use for the property is identified.

Hultgren opened the public hearing and invited testimony. The following persons testified:

Jeremy Anderson, Design Tree Engineering – He is the civil engineer for the project. The school district would like the property to be included in the overall CUP envelope, but they are not yet sure how it will be used. The only intent at this time is to use the shed on the property as off-site storage.

Mathews asked if the single-family home will be occupied. Anderson was unsure if the home would be occupied.

There being no one else wishing to speak, the public hearing was closed. Andzenge made a motion to approve the request subject to staff recommendations. The motion was seconded by Radaich. Mathews offered a friendly amendment to include as a condition that any change in use of the detached accessory building and single-family house will require an amendment to the CUP. The amendment was accepted by Andzenge and Radaich. Hultgren called for a vote, and the motion as amended carried (5-0-2, Barkalow and Hultgren abstained).

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:26 p.m.