

PROCEEDINGS OF THE ST. CLOUD ZONING BOARD OF APPEALS

A meeting of the St. Cloud Zoning Board of Appeals was held on Tuesday, August 19, 2014, at 7 p.m. in the City Hall Council Chambers.

ROLL CALL: Members present were Barkalow, Bright, Newman and Zenzen. Hultgren and Mohamed were absent. Staff present were Dave Broxmeyer and Ashley Skaggs.

APPROVAL OF MINUTES FROM THE JULY 15, 2014 ZONING BOARD OF APPEALS MEETING

ACTION TAKEN: Newman/Bright/Approved (4-0)

Newman noted the following correction:

'Members present were Barkalow, Bright, Hultgren, Mohamed and Zenzen. ~~Larson~~ Newman was absent.'

CUP-2014-06 / LINDA EARL FOR REACH-UP, INC. ON BEHALF OF THE BOYS & GIRLS CLUB OF CENTRAL MN / 1205 6TH AVE S

ACTION TAKEN: Newman/Bright/Approved (4-0)

Broxmeyer explained a request for a conditional use permit (CUP) for a child care facility of up to 60 children. The Land Development Code (LDC) requires child care centers with 13 or more persons obtain a CUP. The applicant is proposing to increase the number of participants in the Reach-Up program to 20 children per classroom. The program will use three classrooms for a maximum of 60 children at any one time. Staff is recommending approval.

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

Linda Earl, Executive Director, Reach-Up, Inc. - The program provides Early Head Start and Head Start services for Stearns, Benton and Sherburne Counties. The request is to allow three classrooms at the Southside Boys & Girls Club with 20 children in each classroom at any one time.

Barkalow asked about the hours of operation. Earl stated that morning sessions run 8:00 a.m. to 11:30 a.m. and afternoon sessions run 11:30 a.m. to 3:00 p.m. Parents drop off children for the morning session, and parents pick up the children for the afternoon session. A bus service is provided during the mid-day. There are two entrances that can be utilized.

Zenzen asked how many children currently use the facility. Earl stated that there is currently one classroom with eight students and two other classrooms with less than eight students.

Dan Borgert, 1735 Lucille Ln - He is opposed to any further growth of any type of services on the south side. He is disappointed with how the community has evolved since The Oaks turned into low-income housing. The quality of life for the south side and university population has diminished. He stated that the south side has been a 'dumping ground' for all social programs.

There being no one else wishing to speak, the public hearing was closed. Barkalow read into the record a letter received from Janet A. Panger in support of the request. Newman made a motion to approve the request subject to staff recommendations. The motion was seconded by Bright and carried unanimously.

VAR-2014-08 / PAUL & MARSHA SHOEMAKER / 1425 8TH AVE N

ACTION TAKEN: Zenzen/Newman/Approved (3-1)

Broxmeyer explained a request for a variance from Article 8, Section 8.2, which establishes interior side yard setbacks. The applicants are requesting to install a fireplace in an existing wall on the north side of their home. The existing sidewall is 3.5' from the property line. The proposed addition would project an additional 8" into the interior side yard. The Land Development Code (LDC) requires a minimum interior side yard setback of 10' for single family homes in a R1 district. Staff is recommending approval.

Bright asked about fire safety regulations. Broxmeyer stated that fire code will be addressed as part of the building permit application and review. Bright commented that he would like to be more comfortable with any possible fire safety issues before voting on the request. Barkalow asked about the distance between the neighboring home and the proposed addition. Broxmeyer stated that the structures are approximately 12-15' apart.

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

Paul Shoemaker, 1425 8th Ave N - He is asking for a variance to insert a natural gas fireplace into an existing room which was converted from a garage. The house is concrete block construction and is difficult to improve with duct work, etc. The fireplace is a zero clearance gas fireplace, which is designed for this type of environment.

Bright asked about the hand-drawn plans. Broxmeyer stated that an aerial image was overlaid to determine accuracy.

There being no one else wishing to speak, the public hearing was closed. Barkalow read into the record a letter received from John Evens in support of the request. Zenzen made a motion to approve the request subject to staff recommendations. The motion was seconded by Newman and carried (3-1, Bright opposed).

VAR-2014-09 / FREDERICK & DIANE HAACK / 104 24TH AVE N

ACTION TAKEN: Newman/Zenzen/Approved (4-0)

Broxmeyer explained a request for a variance from Article 8, Section 8.2, which establishes front yard setbacks. The applicant is requesting to replace the existing steps to the front door with a 7'x7' covered landing and steps. The Land Development Code (LDC) requires a minimum front yard setback of 25' for single family homes in a R2 district; however, the landing and steps are permitted to encroach into the front yard setback a maximum of 4'. The proposed landing and steps would project 6.5' into the front yard setback, requiring a 2' variance. Staff is recommending approval.

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

Frederick Haack, 104 24th Ave N - He is asking for a variance to remove the existing concrete landing and steps in order to replace them with a

wooden structure including a covered element. The steps had been covered in the past with an aluminum awning, but it removed due to poor condition.

Chris & Kathy Horsman, 100 24th Ave N - They spoke in support of the request.

There being no one else wishing to speak, the public hearing was closed. Newman made a motion to approve the request subject to staff recommendations. The motion was seconded by Zenzen and carried unanimously.

OTHER BUSINESS

ACTION TAKEN: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:27 p.m.