

CITY OF ST. CLOUD ZONING BOARD OF APPEALS

Tuesday, January 19, 2016
7:00 pm
City Hall Council Chambers

ROLL CALL:

MEMBERS PRESENT: Allen Bright, Drew Hultgren, Linda Radin and Ron Zenzen
MEMBERS ABSENT: James Newman
STAFF PRESENT: Dave Broxmeyer and Ashley Skaggs

DECEMBER 15, 2015 ZONING BOARD OF APPEALS MEETING MINUTES

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

CUP-2016-01 / DELSON PROPERTIES LLC ON BEHALF OF 2901 CLEARWAY LLC / 2901 CLEARWATER RD

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

Broxmeyer explained a request for approval of a Conditional Use Permit. The applicants are proposing to operate a child daycare facility for approximately 100 children. The daycare facility will provide daycare services for infants, toddlers, preschoolers and school-aged children. The applicant currently operates daycare centers in Monticello, Sartell and two locations in St. Cloud. The current request will allow one existing daycare to be relocated to this location. Staff is recommending approval of the request.

Hultgren asked about traffic to and from the site. Broxmeyer stated access is only available from Sportsman's Island Rd. The City's traffic engineer can adjust the timing of the nearby traffic signal if necessary.

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

Diane Mendel, 4380 N Benton Dr, Sauk Rapids - She is the applicant, along with Melody Peterson. The other childcare center is licensed for 48 children. Moving to the subject property would allow the center to serve closer to 100 children.

Hultgren asked if the staff recommendations are agreeable. Mendel confirmed that staff recommendations can be met.

There being no one else wishing to speak, the public hearing was closed. Bright made a motion to approve the request subject to staff recommendations. The motion was seconded by Zenzen. Zenzen asked about the hours of operation. Mendel stated the center is open 6am to 6pm, Monday thru Friday. Hultgren reopened the public hearing for additional testimony.

Hultgren asked if there were concerns with traffic. Mendel stated that drop off/pick up times vary. She is not concerned with traffic.

Radin asked a school program was available. Mendel stated that there is a full curriculum preschool program. Radin asked if the children are special needs. Mendel stated there have been special needs children in the past.

There being no one else wishing to speak, Hultgren closed the public hearing. Hultgren called for a vote and the motion carried unanimously.

VAR-2016-01 / GREGORY SMOLEY / 26 22ND AVE N

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

Broxmeyer explained a request for a variance from the maximum fence height in the front yard setback area. The applicant is proposing to construct a 6' tall privacy fence from the front property line approximately 36' to the east to block the view of the existing commercial parking lot to the south. The commercial building was constructed prior to the adoption of a zoning ordinance. If it were developed today, screening from the residential property would be required. Staff is recommending approval of the request.

Hultgren asked if the fence will continue to the east into the side and rear yard. Broxmeyer stated it was a possibility; however, a variance would not be needed to do so.

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

Gregory Smoley, 306 Golf View Dr. Albany - He is trying to sell the property, but has had negative input due to the neighboring commercial property and lack of screening. The building originally housed an auto parts store. The new use of a pawn shop attracts much more traffic.

Hultgren asked if there are plans to extend the fence further to the east. Smoley stated there are no plans for an extension at this time.

There being no one else wishing to speak, the public hearing was closed. Zenzen made a motion to approve the request subject to staff recommendations. The motion was seconded by Bright. Zenzen asked about the screening requirements of the commercial building if it were constructed today. Broxmeyer stated a 6' high fence with a minimum of 90% opacity would be required. Hultgren called for a vote and the motion carried unanimously.

2015 ZBA ATTENDANCE RECORD

ACTION TAKEN: None

This item was presented for information only.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:20 p.m.