

CITY OF ST. CLOUD ZONING BOARD OF APPEALS

Tuesday, August 16, 2016
7:00 pm
City Hall Council Chambers

ROLL CALL:

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

JULY 19, 2016 ZONING BOARD OF APPEALS MEETING MINUTES

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

VAR-2016-08 / RANDY BURGER / 6801 24TH ST N

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

Broxmeyer explained a request for a variance from Section 8.4 of the West Prairie Point Planned Unit Development. The applicant is requesting to construct a 10' x 12' garden shed 5' from the rear wall of his home, which requires a 5' variance to the minimum setback of an accessory building from a principal building. The applicant's property has frontage on three public rights-of-way, all of which have drainage and utility easements. The parcel's lot depth combined with the easements prohibits the applicant from placing the proposed shed 5' from the property line and 10' from the home. Staff is recommending approval.

Hultgren commented that item one of the staff analysis should be amended to reflect that the unique nature of having streets on three sides may make the strict application of the code a practical difficulty.

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

Randy Burger, 6801 24th St N - He was unaware of the easements when he began this project. He has looked at different ways to configure the proposed shed, but there are no other options. He would like to construct the shed for extra storage.

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 Bright. Hultgren stated that he understands the circumstances, and the applicant has made a good faith effort to conform to the code requirements. Newman commented that the request is reasonable. Hultgren called for a vote and the motion carried unanimously.

LUC-2016-01 / TIANA OTTO ON BEHALF OF BRUCE & KIM LEBLANC / 628 9TH AVE S

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

Broxmeyer explained a request for a Land Use Change (LUC) permit to change a commercial space that was last used as a consignment clothing store to a dance studio. A LUC permit allows certain existing nonconforming land uses to be changed to a limited number of uses. Historically, the property has been used as a grocery store, a dry cleaning business, and a clothing store. The site plan identifies one off-street handicapped accessible parking space and three off-street

'loading zone' spaces on 7th St S. Approval of the LUC permit acknowledges the nonconforming status of the building, property, and parking. Staff is recommending approval.

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

Tiana Otto, 2218 Liberty Glen Lp – She is requesting the LUC permit in order to turn the building into a dance studio on the main floor. Class sizes will be small due to the size of the space and lack of parking. She rents space at St. Cloud State University, so her students are already accustomed to walking at least a block to attend class.

Bruce LeBlanc, 1190 Flamewood Dr, Sauk Rapids – His wife ran the previous clothing store called 'Threads'. If she was at the store for an extended period of time, she parked on 8th Ave S.

Radin asked Otto is she is concerned with the lack of parking. Otto stated she is not concerned. She has discussed options with her students, and they understand the circumstances.

There being no one else wishing to speak, the public hearing was closed. Newman made a motion to approve the permit subject to staff recommendations. The motion was seconded by Bright. Bright noted that there is a long history of successful businesses in this location, even with a lack of parking. Hultgren called for a vote and the motion carried unanimously.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:23 p.m.