

CITY OF ST. CLOUD ZONING BOARD OF APPEALS

Tuesday, April 18, 2017
7:00 pm
City Hall Council Chambers

ROLL CALL:

MEMBERS PRESENT: Allen Bright, Abdi Daisaine, Drew Hultgren, John Mathews, Linda Radin and Ron Zenzen

MEMBERS ABSENT: -

STAFF PRESENT: Dave Broxmeyer and Ashley Skaggs

MARCH 21, 2017 ZONING BOARD OF APPEALS MEETING MINUTES

ACTION TAKEN: Zenzen/Bright/Approved (6-0)

CUP-2017-03 / MICHELLE MELBY / 341 7TH AVE S

ACTION TAKEN: Bright/Zenzen/Approved (6-0)

Broxmeyer explained a request for a Conditional Use Permit (CUP) to operate a bed and breakfast. The applicant is proposing the use the basement of the single family home as a single unit bed and breakfast. Bed and breakfast facilities are permitted within all of the City's conventional residential zoning districts with an approved CUP. Staff recommends approval of the request subject to several conditions, including a revised site plan showing that the off-street parking requirement will be met.

Bright asked about fire and health code requirements. Broxmeyer stated the applicant will be required to go through a licensing process through the City's Health & Inspections Department, which will review health, building and fire code regulations. Hultgren suggested adding the licensing process as a condition of approval.

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

Michelle Melby, 341 7th Ave S - She would like to open a one bedroom bed and breakfast at her home in the City's historic south side neighborhood. She has hired Scenic Specialties to address the parking issue and landscaping of the property in general. She will submit a landscaping plan to the City before moving forward.

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 and including a condition of licensing from the Health & Inspections Department. The motion was seconded by Zenzen.

Mathews commented that the request is an appropriate use and consistent with the uses of the area, and he is in favor of the request. Hultgren called for a vote and the motion carried unanimously.

VAR-2017-04 / RHEAUMES HOUSE OF LETTERING & ISD 742 / 3015 3RD ST N

ACTION TAKEN: Mathews/Daisaine/Denied (0-5-1, Bright, Daisane, Mathews, Radin and Zenzen opposed; Hultgren abstained)

Hultgren abstained from the discussion and voting of the item.

Broxmeyer explained a request for a variance from Article 18, Section 18.3, C., which limits the size of an identification sign of an institutional land use located within a residential zoning district to

30 sq. ft. The applicants are proposing to replace an existing 43 sq. ft. static sign with either a 43 sq. ft. or 48 sq. ft. monument sign. The proposed sign includes a static LED sign at the top and an electronic message center in the center of the sign base. Staff is recommending approval of the 43 sq. ft. option subject to several conditions, including regulation of the refresh rate and illumination.

Zenzen noted two letters received stating concerns regarding the request. Mathews asked about the location of the sign. Broxmeyer stated the sign will be placed in the same location as the current sign. Although one option is the same sign area as the existing sign, replacement of the sign triggers code compliance and a need for a variance. Bright questioned whether the sign needs to be replaced when the current sign is in good condition.

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

Troy Rheames, Rheames House of Lettering – The sign is proposed to be changed to allow for a better communication tool. The school district is not opposed to limited hours of operation. RHL is working with the school district to update signage with new technology to better communicate with people traveling to and from facilities. Messaging will be limited to the on-premise sign regulations.

Mathews asked about the need for a sign larger than 30 sq. ft. Rheames stated that not much can be said with 30 sq. ft. The larger sign would clone the sign recently installed at Clearview Elementary.

Lowell Sell, 311 32nd Ave N – He spoke in opposition of the request. He does not see a need for this large of a sign in a residential neighborhood for a facility that is not for the general public.

There being no one else wishing to speak, the public hearing was closed. Mathews made a motion to approve the request subject to staff recommendations. The motion was seconded by Daisane. Mathews stated there is nothing that would warrant the variance for the purpose of effective communication. Bright asked about the condition of the current sign. Broxmeyer stated he believes the current sign is in good condition, but the applicants would like to upgrade.

Zenzen offered a friendly amendment to include a condition limiting the hours of operation of the sign to 6:00 a.m. to 10:00 p.m. Mathews and Daisane accepted the amendment. Daisane commented that he understands the want to change the sign, but he agrees with the concerns of the residents. Zenzen called for a vote, and the motion failed (0-5-1, Bright, Daisane, Mathews, Radin and Zenzen opposed; Hultgren abstained).

CUP-2017-04 / MAHAD MURSAL & PREMIER PLAZA LLC / 3316 3RD ST N

ACTION TAKEN: Bright/Daisane/Tabled (6-0)

Broxmeyer explained a request for a Conditional Use Permit (CUP) for an adult daycare of up to 100 clients. The applicants are proposing to use the basement of an existing building for the program. In conducting the analysis, staff determined that there are several unanswered questions regarding occupancy of the building's multiple uses. The City Planning Director was particularly concerned with operating a daycare in the basement of any facility. Staff is recommending the request be tabled to allow the City's Fire, Building and Health Departments to review the request.

Hultgren agreed that with the lack of information, the request should be tabled. Board members requested more information regarding access, fire code, health code, and building code issues. Radin asked about the proposed clientele. Broxmeyer stated that he has no information regarding the

potential clientele. Daisane questioned whether the public hearing should be held before tabling the request. Hultgren stated the public hearing would be postponed until more information is received.

Bright made a motion to table the request. The motion was seconded by Daisane and carried unanimously.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:51 p.m.