

CITY OF ST. CLOUD ZONING BOARD OF APPEALS

Tuesday, August 15, 2017
7:00 pm
City Hall Council Chambers

ROLL CALL:

MEMBERS PRESENT: Abdi Daisane, Drew Hultgren, John Mathews and Linda Radin
MEMBERS ABSENT: Ron Zenzen
STAFF PRESENT: Dave Broxmeyer and Carla Berry

JULY 18, 2017 ZONING BOARD OF APPEALS MEETING MINUTES

ACTION TAKEN: Mathews/Daisane/Approved (4-0)

CUP-2017-07 / PATRICK HEDGLIN / 2622 ISLAND VIEW DR

ACTION TAKEN: Daisane/Mathews/Withdrawn (4-0)

Broxmeyer explained that applicant is requesting to use the basement of his single-family home as a bed and breakfast. Bed and breakfast facilities are permitted within all of the City's residential zoning districts with an approved Conditional Use Permit (CUP). Broxmeyer stated that the Land Development Code (LDC) contains eight standards all bed and breakfast facilities are required to adhere to including landscaping, guest registration, liquor sales and consecutive days of stay. Broxmeyer explained that according to the City's Health Department the indoor swimming pool must be licensed as a public swimming pool. Staff recommends denying the request.

Hultgren asked for an update on the notice of violations for the property. Broxmeyer responded that in June, the St. Cloud Health & Inspections Department issued violations for using the property as a vacation rental/lodging facility; operating a lodging establishment without a valid license; and operating a public swimming pool. Radin noticed the Board that she is recusing herself from this item. Mathews asked for clarification on off-street parking requirements with discussion on dimensions and setbacks ensuing. Hultgren clarified that it is not by definition or standards that property owners reside on the property with Broxmeyer explaining that it is typically a condition of the CUP approval. Mathews asked if possible for applicant to make the pool space inaccessible to guests. Broxmeyer defers to applicant, but does believe there is a door between pool and rest of the home. Hultgren opened the public hearing and invited testimony. The following persons testified:

Patrick Hedglin, 2622 Island View Dr - He is asking for a bed and breakfast in his home. He stated the pool has a coded security pad for access. However, he was informed by the State of MN that the pool will not meet code; therefore, will not be offered to bed and breakfast guests. Alcohol is not provided to guests. A guest registration list will be maintained. Mr. Hedglin understands the off-street parking issues. He purchased property recently with no intention to be a disruption to the neighborhood and understands neighbors' concerns. With the loss of offering the pool, a bed and breakfast is not appearing to be viable with possibly shorter to longer term rental a better option for him.

Hultgren thanked applicant for his candor and stated that though the ZBA cannot comment on possibility or viability of short/long-term rental options, the

applicant may withdraw his request for a CUP to operate a bed and breakfast in his home.

Mr. Hedglin respectfully requests that his application for a bed & breakfast in the basement of his home be withdrawn. He intends to look at other options and understands that there may be separate application process and intends to involve the neighborhood in future discussions.

There being no one else wishing to speak, the public hearing was closed. Daisane made a motion to accept the applicant's withdrawal of the applicant. The motion was seconded by Mathews. Hultgren called for a vote, and the motion to withdraw passed unanimously.

OTHER BUSINESS

ACTION TAKEN: None

Broxmeyer provided an update on two items from last month's ZBA meeting. The applicant denied for a wireless telecommunication tower is proceeding with a monopole design. The other applicant denied for an attached garage is moving forward with a detached garage.

ADJOURNMENT

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