

**City of Columbus
Regular Planning Commission Meeting
August 17, 2016**

The August 17, 2016 regular meeting of the Planning Commission for the City of Columbus was called to order at 7:01 p.m. by Chair Garth Sternberg at the City Hall. Present were Commission members: James Watson, Pam Wolowski, Jesse Preiner, and Jody Krebs; City Administrator Elizabeth Mursko, City Planner Dean Johnson, and Recording Secretary Karen Boland.

Also in attendance were City Council members Denny Peterson and Bill Krebs; Hank and Karen Millette, Patrick Ranweiler, John and Julie Seibert, John Mastel, Larry and Quita Olson, Kristin Whiting, Mary Preiner, and Pat Preiner.

AGENDA APPROVAL

Motion by Krebs to approve the Agenda as presented. Second by Watson. Votes as follows: Watson – aye, Wolowski – abstain, Preiner – aye, Krebs – aye, Sternberg – aye. Motion carried.

APPROVAL – REGULAR PC MEETING MINUTES OF JULY 20, 2016

Motion by Preiner to approve the minutes of the July 20, 2016 regular Planning Commission meeting as written. Second by Krebs. Votes as follows: Watson – aye, Wolowski – abstain, Preiner – aye, Krebs – aye, Sternberg – aye. Motion carried.

PUBLIC HEARING – SOUTH PINE BUILDERS – 189TH VACANT CORNER LOT-FRONT YARD SETBACK VARIANCE APPLICATION (PC-16-114)

At this time a public hearing was held to receive testimony regarding a variance application request for a vacant corner lot on 189th Avenue N.E., Columbus, MN from the required minimum 75-foot front yard setback to a 30-foot front yard setback for the construction of a new home. The applicant is South Pine Builders. Property owners are Henry and Karen Millette. Separate minutes are prepared.

189TH AVENUE NE VACANT CORNER LOT-FRONT YARD SETBACK VARIANCE APPLICATION DISCUSSION

The following questions were considered by the Planning Commission in determining whether the variance request meets the criteria to cause a practical difficulty:

1. The landowner proposes to use the property in a reasonable manner.

Question: Does the proposal put property to use in a reasonable manner? **Yes.**

Finding: Do the requirements in the Zoning Ordinance prohibit the property from being used in a reasonable manner? **Yes** or No

2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

Question #1: What are the unique physical characteristics of the particular piece of property? **Wetlands.**

Question #2: How is it not like other pieces of property? **Narrow lot.**

Question #3: Did the landowner create the circumstances? **No.**

Examples:

- Topography
- Wetlands
- Trees
- Irregularly shaped or sized lot
- Shape or size of existing buildings
- Placement of existing structures on lot

Finding: Are the circumstances unique to the property? **Yes** or No

3. Granting the variance is in harmony with the purpose and intent of the Zoning Ordinance.

Question: Will the resulting use or structure be compatible with the underlying purpose and goals of the Zoning Ordinance? **Yes.**

Finding: The variance, if granted, will not alter the essential character of the neighborhood or City. **Agree** or Disagree?

4. Granting the variance is consistent with the City's Comprehensive Plan.

Finding: The variance will not create a conflict between the Comprehensive Plan and the proposed use or structure. **Agree** or Disagree?

5. The variance if granted, will not alter the essential character of the neighborhood or City.

Question: Will the resulting structure be out of scale, out of place, or otherwise inconsistent with surrounding area? **No.**

Finding: The variance, if granted, will not alter the essential character of the neighborhood or City. **Agree** or Disagree?

6. The practical difficulty is not created solely by economic considerations.

Finding: Economic considerations are not the only reason for the practical difficulty. **Agree** or Disagree?

A variance shall not be granted unless the Planning Commission makes specific findings of fact based directly on the particular evidence presented to it, and the City Council determines that these support conclusions that the standards and conditions as stated above have been met by the applicant.

Planning Commission Recommendation:	Approval: 08/17/16
(Insert dates of action)	Denial:
City Council Action:	Approval:
	Denial:

Mursko believes there was a possibility of a third lot, and the Nelsons were told that if there was a third lot, this property would have to have its driveway off of 189th. The second subdivision didn't move forward. With the new City ordinance adopted with the lot line adjustment and looking at shared driveways, we did indicate that there had to be dedication of a public right-of-way and a driveway agreement. Under the ordinance we may require a party to sign a driveway agreement, but we did not under the old ordinance. This would fall under the old ordinance. If this party was accessing Evers, there wouldn't be another lot allowed without requiring improvement of Evers. If Evers is improved, all parties will have to pay their portion of the road improvement. The Millettes should know that too.

Motion by Sternberg to forward to the City Council the application for a variance for the property owned by Henry and Karen Millette at the vacant corner lot on 189th Avenue NE, from the required minimum 75-foot front yard setback to a 30-foot front yard setback to construct a new home, with a recommendation for approval based on findings that the Zoning Ordinance causes a practical difficulty. Second by Krebs. Motion carried.

This matter will go before the City Council at their meeting on August 24th.

PUBLIC HEARING – ZONING CODE AMENDMENTS – CHAPTER 7A – HR DISTRICT (PC-16-115)

At this time a public hearing was held to receive testimony regarding consideration of revisions to Chapter 7A of the City Code with respect to residential and commercial planned unit developments (PUD) and adding a hotel use in the HR zoning district. Separate minutes are prepared.

ZONING CODE AMENDMENTS – CHAPTER 7A– HR DISTRICT DISCUSSION

Motion by Sternberg to forward to the City Council with a recommendation for approval, Ordinance No. 16-XX, amending Chapter 7A, with corrections recommended tonight by the City Planner. Second by Watson. Motion carried.

This matter will go before the City Council at their meeting on August 24th.

PUBLIC HEARING – ZONING CODE AMENDMENTS – CHAPTER 7A – ANIMALS (CHICKENS) (PC-16-116)

At this time a public hearing was held to receive testimony regarding consideration of revisions to Chapter 7A of the City Code with respect to animal densities, animal structures, and other animal regulations primarily relating to chickens, roosters, fowl and other farm-birds. Separate minutes are prepared.

ZONING CODE AMENDMENTS – CHAPTER 7A– ANIMALS (CHICKENS) DISCUSSION

Fencing of animals was discussed. This is not a change; fencing and containment of animals on one's own property has always been required. Trespassing is not allowed.

Manure smell was also discussed. The decision was made to change the draft ordinance of Section 7A-804, Subsection H. 5. Animal Structures, to say that structures shall be set back at least 75 feet from the Side Yard and Rear Yard, rather than the 30-foot setback requirement in the current draft.

Motion by Preiner to forward to the City Council with a recommendation for approval, Ordinance No. 16-XX, amending Chapters 5 and 7A, with the change about animal structure setbacks recommended above. Second by Krebs. Motion carried.

This matter will go before the City Council at their meeting on August 24th.

PUBLIC OPEN FORUM

There was no topic raised for discussion for Open Forum.

CITY ADMINISTRATOR'S REPORT

Mursko reported that next Tuesday, August 23rd there will be an open house, led by Anoka County, about the relocation of County Road 54. This open house will be held at Columbus City Hall between 5 and 7 p.m.

PLANNING COMMISSION MEMBERS' REPORT

PREINER COMMENT:

Preiner said an item in the Minneapolis paper reported that Tim Lange sold property to Pheasants Forever, who gave it to the DNR.

WOLOWSKI COMMENT:

Wolowski reported that she worked at the recent primary election. She said Columbus has 2652 registered voters and 289 ballots were cast on August 9th, the day of the primary. Thirty additional ballots were cast from absentee voters. Wolowski called it a very good primary turnout.

STERNBERG COMMENT:

Sternberg outlined a complaint that he received from Columbus resident Larry Olson. Mr. Olson's house was built in 1983, according to code at the time. Now, due to a house next door being constructed and needing to be raised up due to current City code, alterations to Hidden Park, and Mr. Olson's neighbor across the street sandbagging a ditch, Mr. Olson's property has water on it and has been identified as requiring insurance on new floodplain maps.

Mursko gave a breakdown of the history of the water situation on Mr. Olson's property and in the neighborhood.

ATTENDANCE - NEXT CC MEETING

Preiner is scheduled to attend the City Council meeting on August 24, 2016.

Motion by Krebs to adjourn. Second by Preiner. Motion carried.

Meeting adjourned at 8:40 p.m.

Respectfully Submitted:

Karen Boland, Recording Secretary