

CITY OF COLUMBUS
PUBLIC HEARING IN INTERACTIVE TECHNOLOGY MEETING FORMAT
INTERACTIVE TECHNOLOGY MEETING FORMAT
STATUTES SECTION 13D.021
18760 JENNINGS ST. NE VARIANCE – ACCESSORY STRUCTURE SETBACK
7-19-2023

The 7-19-2023 Public Hearing to consider the request for a variance to reduce an accessory structure setback from 75 feet to 73.4 feet in the Rural Residential zoning district. The meeting was called to order by Chair Lynn Carver-Quinn at the City Hall at 6:04 PM. Present were Planning Commission members Barb Bobick, Judy Huntosh and Bethany Barrette, City Administrator Elizabeth Mursko, Council Planning Commission Liaison Sue Wagamon, City Planner Dean Johnson, Associate Planner Frank Koenen, and Planning Technician Eleanor Hahn.

Also in attendance were Mayor Jesse Preiner, Council members Janet Hegland and Ron Hanegraaf, and Thomas Vacha.

The meeting was held in an interactive technology meeting format.

Carver-Quinn: Next, we'll open the public hearing. Eleanor, would you read the notice as published in the Forest Lake Times?

Eleanor Hahn: Of course. Notice is hereby given that a public hearing will be held by the city of Columbus Planning Commission on Wednesday, July 19th, 2023 at 6:00 PM or as soon thereafter as parties may be heard. The hearing will be conducted in person and by interactive technology at the Columbus City Hall, located at 16319 Kettle River Blvd. Columbus, MN to consider a request for a variance to reduce an accessory structure set back from 75 feet to 73.4 feet in the rural residential zoning district. Members of the public interested and intending in person monitoring the meetings or wanting more information should contact the city offices at 651-464-3120 or visit the city website at ColumbusMN.us. The hearing shall continue until all evidence and testimony has been received. The applicant is Thomas Vacha and the property location is 18760 Jennings St. NE, Columbus, MN.

Carver-Quinn: Thank you, Eleanor. Now I will ask Thomas Vacha to please come to the table in the front. Have a seat and then give your name and address for everyone in the room and on zoom to hear.

Thomas Vacha: Thomas Vacha, 18760 Jennings St. NE, Columbus, MN.

Carver-Quinn: The Commission reviewed your application as a normal protocol for the record, could you brief us a little bit about your application and plans?

Thomas Vacha: The application was actually started with the previous administration. And of course, before the first contractor, we also ran into COVID. I made the application for the watershed and got their approval and so on and so forth. Got the slab done and the second contractor was overworked and understaffed and winter was closing in, so it got put off till spring once again and here we are.

Carver-Quinn: For the record, did you receive a copy of the staff report developed by associate planner Frank Keenan dated July 14th, 2023, regarding this application?

Thomas Vacha: I don't recall that.

Carver-Quinn: OK, this report notes certain findings...

Thomas Vacha: Excuse me. Was it by mail or?

Koenen: It was by e-mail, Mr. Vacha.

Thomas Vacha: If it was by e-mail, I have had trouble with the Internet so. No, I didn't.

Carver-Quinn: Frank do you want to read your findings for Mr. Vacha. Since he didn't receive them.

Koenen: There are six findings that are needed for a variance to be approved. The first is that the landowner proposes to use the property in a reasonable manner and after review, that was a finding that I made that the proposed expansion is a reasonable use. The plight of the landowner is due to circumstances unique to the property and is not created by the landowner. The property has several restrictions. There is the pipeline easement, and there's the curvature of the street which creates difficulties in this particular property. These circumstances are unique to the property, and we're not created by the landowner. He also does not have much room for an expansion on the South side because of the placement of the House. Now the third finding is 'granting the variance is in harmony with the purpose and intent of the zoning ordinance'. We have accessory buildings by right. Most accessory buildings are built in the side yard of residential lots, and the way he has it built is that the front facade of the home is aligned with the front facade of the accessory structure. And more than 99% of the accessory structure is outside the setback area. If not for the curvature of the street, the accessory building would meet code requirements. So, it's in alignment with the zoning ordinance. I believe that the accessory structure is also consistent with the city's comprehensive plan. It's rural residential and we have accessory structures in those areas and other than the setback, it conforms to real residential requirements. It will continue to reflect the residential character and the placement of the building to the side is consistent with the character of the neighbor. The variance, if granted, will not alter the essential character of the neighborhood. He's in a neighborhood of mostly 4 to 20 acre residential lots and accessory buildings are permitted in the rural residential district. Other nearby properties also have accessory buildings and. Due to the current conditions of the property in the neighboring area, it's his accessory structure will not alter the character of the neighborhood. And finally, the 'practical difficulty is not solely created by economic difficulties. It's not created by economic difficulties, but by the shape of the lot and constraint of public of the public utility easement located on the property. I do have a couple of recommendations as conditions of approval. The first is that the proposed accessory structure will not exceed the proposed dimensions as laid out in the variance packet dated and completed on June 8th, 2023, and the applicant must submit all other materials required by planning and zoning and building department to complete the building permit application review. We've been working with Mr. Vacha on this and we do have most of those materials already. There's just going to need to be some adjustments because of the dimension change from the applications we previously had. So that condition I think will be fairly easily met.

Carver-Quinn: Thank you, Frank. Do any of the Commissioners have any questions for Mr. Vacha.

Bobick: I don't.

Carver-Quinn: Thank you, Mr. Vacha, for coming. You can go sit down now. I'd like to open the public hearing to anyone online or here that would like to address the Commission. If not, we will close the public hearing and open up the floor for the Planning Commission to discuss the application.

At this time Chair Carver-Quinn closed the Public Hearing. Hearing closed at 6:09 PM.

Eleanor Hahn

Respectfully submitted: Eleanor Hahn, Recording Secretary