

**MELROSE PLANNING AND ZONING COMMISSION
REGULAR MEETING
MONDAY, JUNE 29, 2020 – 6:30 P.M.**

AGENDA

1. Call to Order/Roll Call/Pledge of Allegiance
2. Approval of Agenda
3. Approval of Minutes
4. Public Hearing
 - a. VAR-6-2020-103/ Variance – Dakota Massmann
 - b. Zoning Ordinance Amendments Amending Section 500 Parking, Loading and Storage, Section 600 General Regulations, Section 700 Signs, and Section 1500 Swimming Pools
5. Reports
 - a. Director Atkinson – Report
6. Action Items
 - a. VAR-6-2020-103/ Variance – Dakota Massmann
 - b. Zoning Ordinance Amendments Amending Section 500 Parking, Loading and Storage, Section 600 General Regulations, Section 700 Signs, and Section 1500 Swimming Pools
7. Unfinished Business
8. New Business
9. Informational Items
 - a. Next Meeting
10. Issues by Planning and Zoning Commission Members and/or Staff
11. Adjournment

**MELROSE PLANNING AND ZONING COMMISSION
REGULAR MEETING
MONDAY, JUNE 29, 2020– 6:30 P.M.**

A.I. #1 CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

The Melrose Planning and Zoning Commission met in a Regular Meeting on Monday, June 29, 2020 at 6:30 p.m. via Global GoToMeeting, pursuant to due notice being given thereof. Present were Commission Members Jason Seanger, Adam Paulson, Dave Berscheit, Mark “Bunker” Hill, Jean McDonald, and Community Planning/ Development Director Lisa Atkinson. Commission Members Shawn Mayers, and Mike Klaphake were absent. Also, in attendance was Karen Massmann and Dakota Massmann. Chair Seanger called the meeting to order.

The Pledge of Allegiance was recited.

A.I. #2 APPROVAL OF AGENDA

A motion was made by Ms. McDonald to approve the agenda as submitted. The motion was seconded by Mr. Paulson with a roll call vote recorded as follows:

FOR: Commission Member McDonald, Paulson, Hill, Berscheit, and Seanger

AGAINST: None

ABSENT: Commission Member Mayers, and Klaphake

A.I. #3 APPROVAL OF MINUTES

A motion was made by Mr. Berscheit to approve the minutes from the Commission’s May 11, 2020 Regular Meeting. The motion was seconded by Ms. McDonald with a roll call vote recorded as follows:

FOR: Commission Member Berscheit, McDonald, Paulson, Hill, and Seanger

AGAINST: None

ABSENT: Commission Member Mayers, and Klaphake

A.I. #4 PUBLIC HEARING

- a. The Melrose Planning and Zoning Commission acting as the Board of Appeals met at 6:30 p.m. on Thursday, June 29, 2020, at the City Center, 225 First Street NE, in the City of Melrose for the purpose of giving consideration to a request for a Variance submitted by Dakota Massmann regarding land owned by William and Karen Massmann. The Variance request pertains to an agricultural homestead parcel proposed to be split into two lots, one of which is smaller than the minimum allowed by lot split. The variance is requested from the prohibition of metes and bounds conveyance creating a single parcel of land not less than 5 acres in area and 300 feet in width 9Section 152.01(G) of the Subdivision Code. The property, 520 County Road 170 NW is located west of 5th Ave NW and south of County Road 170 extending along the north side of the Sauk River. (Parcel 66.36493.0000)

The request relates to real property in the City of Melrose, legally described as follows:

That portion of the North West Quarter of the North West Quarter (NW 1/ NW 1/4) of Section 34 in Township 126 North, of Range 33 W. lying North of Sauk River, Except Deed of flowage and all instruments thereto pertaining. AND Lots 1-6 and 13-24 of Block 3, Lots 1-12 of Block 4, Lots 1-5 of Block 5, and Lots 9-21 of Block 6 all in H.J. Haskamp's Addition to Melrose according to the Plat thereof now on file and of record in the Office of the Register of Deeds of Stearns County.

Community Development Director Atkinson presented the required Affidavit of Publication of the Hearing Notice which was published in the *Star Post* on Wednesday, June 17, 2020.

Director Atkinson provided an overview of the requested variances.

Chair Seanger asked for any further comment, there being none the Public Hearing was closed at 6:43 p.m.

- b. The Melrose Planning and Zoning Commission met at 6:30 p.m. on June 29, 2020, at the City Center, 225 First Street NE, in the City of Melrose, for the purpose of giving consideration to Zoning ordinance amendments amending Section 500 Parking, Loading and Storage, Section 600 General Regulations, Section 700 Signs, and Section 1500 Swimming Pools to consider updating the regulations therein.

Chair Seanger stated that the Commission will not be able to make a final determination on the amendments, as further information is forthcoming.

The Commission by consensus recessed the Public Hearing at 6:45 p.m. to reconvene on Monday, July 27, 2020 at 6:30 p.m. at the Melrose City Center.

A.I. #5 REPORTS

- a. Director Atkinson provided an update on the year-to-date building permits and other development related items.

A.I. #6 ACTION ITEMS

- a. Following its review of the Planning Report, the related information and documents associated with the application for issuance of the Variance, and the public input presented at the public hearing or received in writing prior to it, the Commission gave consideration to making a recommendation to the Council on the request for a Variance submitted by Dakota Massmann regarding land owned by William and Karen Massmann. The Variance request pertains to an agricultural homestead parcel proposed to be split into two lots, one of which is smaller than the minimum allowed by lot split. The Variance is requested from the prohibition of metes and bounds conveyance creating a single parcel of land not less than 5 acres in area and 300 feet in width 9Section 152.01(G) of the Subdivision Code. The property, 520 County Road 170 NW is located west of 5th Ave NW and south of County Road 170 extending along the north side of the Sauk River. (Parcel 66.36493.0000)

The request relates to real property in the City of Melrose, legally described as follows:

That portion of the North West Quarter of the North West Quarter (NW 1/ NW 1/4) of Section 34 in Township 126 North, of Range 33 W. lying North of Sauk River, Except Deed of flowage and all instruments thereto pertaining. AND Lots 1-6 and 13-24 of Block 3, Lots 1-12 of Block 4, Lots 1-5 of Block 5, and Lots 9-21 of Block 6 all in H.J. Haskamp's Addition to Melrose according to the Plat thereof now on file and of record in the Office of the Register of Deeds of Stearns County

The Commission reviewed the Variance Factors.

A motion was made by Mr. Berscheit to approve the staff report and Finding of Facts with striking the first sentence of staff comments in the Second Factor. The motion was seconded by Mr. Hill with a roll call vote recorded as follows:

FOR: Commission Member Berscheit, Hill, McDonald, Paulson, and Seanger

AGAINST: None

ABSENT: Commission Member Mayers, and Klaphake

The Commission next reviewed the draft resolution Approving Case No. VAR-6-2020-103 Application For a Variance From the Prohibition Of Metes and Bounds Conveyance Creating A Single Parcel Of Land Not Less Than 5 Acres in Area and 300 Feet in Width Per Section 152.01(G) of the Subdivision Code.

Community Development Director Atkinson noted that Item 2 in the draft resolution will be revised to read 3 acres in size rather than "between 2.5 acres and 4 acres."

A motion was made by Mr. Hill recommending the Council adopt the Resolution as revised at its July 16, 2020 meeting. The motion was seconded by Mr. Berscheit with a roll call vote recorded as follows:

FOR: Commission Member Hill, Berscheit, McDonald, Paulson, and Seanger

AGAINST: None

ABSENT: Commission Member Mayers, and Klaphake

- b. Community Development Director Atkinson stated that staff has received a request for an unpaved driveway off an unpaved alley. Currently this is not allowed, however it would seem reasonable. Staff was directed to draft an amendment to the Zoning code accordingly.

Community Development Director Atkinson noted that the current code does not require a building permit for accessory building kits of 125 square feet or less and it does not require the accessory building to have similar aesthetics as the dwelling building. Director Atkinson is recommending moving that requirement to 200 square feet or less for the building permit requirement and matching the state building code. Zoning permits would be required for structures under 200 square feet. Director Atkinson was directed to present this revision at the next meeting.

Community Development Director Atkinson is requesting clarification of section 700 of the Zoning Code, as to location of billboards. Commission Member Seanger recommends considering including billboards in the I-2 industrial park. Ms. Atkinson will provide proposed revisions at the next regular meeting.

The Commission next reviewed section 1500 swimming pools. Director Atkinson is requesting the Commission consider revising the current code to be more consistent with the state requirements regarding safety regulations i.e. fencing, pool cover, ladder, etc. The Commission directed staff to research what would it take to make our code consistent with the state code, and also look what information the League of Minnesota has regarding permitting and inspections of pools.

A.I. #7 UNFINISHED BUSINESS

None

A.I. #8 NEW BUSINESS

None

A.I. #9 INFORMATIONAL ITEMS

- a. The next regular meeting will be held on Monday, July 27, 2020 at 6:30 p.m.

A.I. #10 ISSUES BY PLANNING AND ZONING COMMISSION MEMBERS

None

A.I. #11 ADJOURNMENT

A motion was made by Mr. Berscheid that the meeting be adjourned at 7:30 p.m. The motion was seconded by Ms. McDonald with a roll call vote recorded as follows:

FOR: Commission Member Berscheid, McDonald, Paulson, Hill, and Seanger

AGAINST: None

ABSENT: Commission Member Mayers and Klaphake

PATRICIA HAASE – CITY CLERK