

City of Marine on St. Croix
Joint City Council/Planning Commission Meeting
Tuesday, November 28, 2006

Chairman Willenbring called the Planning Commission portion of the meeting together at 8:40 p.m.

Commission Members Present: Dan Willenbring, Ron Brenner, Mike Zajac, Carl Remick, Peter Fernstrum, Lisa Dochniak

Members Absent: John Waugh, Jack Warren

Citizens Present: Everett Myers, Robin Brooksbank, Win Miller

The City Council moved the appointment of Michael Goldner as a Planning Commission member at the joint City Council/Planning Commission meeting held earlier in the evening. Lisa Dochniak was also welcomed as a new member of the Planning Commission.

Discussion on Zoning Ordinance for Non-Conforming Land Use

Chairman Willenbring stated the City Council had requested the Planning Commission review **Section 4. General Provisions** of the City's Zoning Ordinances regarding Non-Conforming Uses. He explained that the reason this had surfaced as an issue is because of a request by a citizen to tear down and rebuild a home at 330 2nd street. The City's Attorney had a concern about the City following the code it has in place regarding Non-Conforming Structures versus Non-Conforming Uses. He stated in a memo that the City has allowed rebuilding on a substandard lot (by today's code definition) without issue if the home adhered to all other code provisions such as setbacks, height, etc. because it is viewed as a structure issue. However, the City code does not allow a variance to be issued for non-conforming uses. (He goes on to state that recent legislation permits city's to allow the expansion of non-conforming uses.) He suggests that if the City would like to grant variances for non-conforming uses to expand, it would have to modify its ordinance.

Michael Goldner made a motion that the City Attorney redraft that part of the code to make it consistent with how the City has been interpreting it. Upon receiving the redraft, the Planning Commission will review and make a

recommendation to the City Council. Carl Remick seconded the motion. Motion passed unanimously.

Old/New Business – Approval of October Minutes

A motion was made by Peter to accept the minutes from the October 30 Meeting. Ron seconded the motion. Motion passed unanimously.

Chairman Willenbring took a few moments to explain some of the workings of the Planning Commission to the two new members.

Carl moved and Peter seconded to adjourn at 9:15 p.m. Motion passed unanimously.

Minutes taken by Ann Wood, Assistant City Clerk