

City of Marine on St. Croix  
Planning Commission Meeting  
Tuesday, September 30, 2008

The meeting was called to order by Chairman Willenbring at 7:33 pm. Warren, Fernstrum, Zajac, Forster, and Dochniak (7:40) present. Brenner and Krahn absent

Citizens Present: Peter & Anne Reich, Mandy Hathaway (Country Messenger)

**Agenda:**

1. Call to Order
2. Public Hearing for CUP for Anne & Peter Reich – 751 Pine Cone Trail
3. Pre-Application of CUP Dick Johnson
4. Horse Boarding Ordinance
5. Old/New Business
6. Approval of Minutes
7. Adjournment

**Public Hearing of CUP Anne & Peter Reich – 751 Pine Cone Trail:** Chairman Willenbring called the Public Hearing to order at 7:35pm.

Mike Zajac reviewed the request by Peter and Anne Reich for a Conditional Use Permit for an accessory apartment, explaining that they had purchased the property in November and they were not aware that a Conditional Use Permit was needed since there was a bathroom and kitchen facilities already existing. Zajac reviewed the property overview, facts and findings. See attached property overview and facts/findings.

The DNR has not objected to this Conditional Use Permit.

After a short review of the Development Code, it was determined to forward the application for the Conditional Use Permit to the City Council for approval.

*Fernstrum moved and Warren seconded the Planning Commission recommend to the City Council the issuance of the Conditional Use Permit based on write-up and changes as discussed. Motion passed unanimously.*

Public hearing closed at 7:55 pm.

Jack Warren noted the Minutes of partnership meeting with the DNR dated 5/21/2008 regarding general River Way enforcement issues with the Minnesota Attorney General's Office. The MnDNR administrative code 6105.0354 Definitions: Subp. 10 defines a dwelling unit as follows: "Dwelling unit" means a residential accommodation which is arranged, designed, used

*or intended for use exclusively as living quarters for one family. This can, and has been interpreted to allow “residential accommodation” in multiple structures, such as over detached garages, guest cottages or other “out” buildings provided these structures are used solely by one family and their guests.*

**Pre-Application of CUP Dick Johnson:** Not present. No Action taken.

**Horse Boarding Ordinance:** The Planning Commission members reviewed the draft copy of the Horse Boarding Ordinance that was received by the attorney. There were some changes made to add definitions for Pasture and Corral, along with amendments to Zoning Ordinance Sections 504.3(8)(9)(10) in the SFR district and 505.3(9)(10) of the SCRD district. See the attached proposed Horse Boarding Ordinance. There will be a Public Hearing at the November 13, 2008 City Council Meeting.

*Dochniak moved and Forster seconded to pass the proposal Horse Boarding Ordinance to the City Council for a public hearing and approval as amended. Motion passed unanimously.*

### **Old/New Business –**

#### **Pre-Application of CUP Joe Matsumoto – 701 Pine Cone Trail:**

The Planning Commission decided to schedule a Public Hearing for the October 28, 2008 meeting.

During September it was believed that our Development Code does not allow a bathroom in an accessory bldg in the SCUR district. The Planning Commission believes that this was an omission in our Development Code in section 507 of the SCUR district. After further review of the Ordinance, the Planning Commission decided to move forward with the application of a Conditional Use Permit for an accessory apartment. Willenbring noted section 507.5(2) of the SCUR district in the Development Code.

#### **Approval of Minutes**

*Warren moved and Fernstrum seconded to approve the August 26<sup>th</sup>, 2008 Minutes with changes to correct the name Joe to Jane of the person that Willenbring spoke with regarding the garages that are located on the west side of Pine Cone Trail. Motion passed unanimously.*

#### **Adjournment**

*Dochniak moved and Forster seconded to adjourn at 9:03pm. Motion passed unanimously.*

Minutes taken by Mary Tomnitz, Assistant City Clerk