

CITY OF MARINE ON ST. CROIX
PLANNING COMMISSION
REGULAR MEETING

Tuesday January 30th 2018 - 7:30pm
121 Judd Street – Village Hall

1. Call to Order
2. Minor Subdivision Variance Request – Mike Tibbetts – 940 Broadway St.
3. Variance Request-Garage Exceeding Maximum for Accessory Buildings and Accessory Building in Front of Principle Structure – John Peatross – 1020 Quant Ave
4. Old/New Business
6. Approval of November Minutes
7. Adjournment

The City of Marine on St. Croix Planning Commission regular meeting of January 30, 2018 was called to order by Chairman Mrosła at 7:32pm. Brenner, Hagstrom, Roden, Smitten, Spisak, and Warren present.

Citizens Present: Win Miller, Nicole Peatross, John Peatross, Laurie Schmidt, Mike Tibbetts

Minor Subdivision Variance Request – Mike Tibbetts – 940 Broadway St.

Win Miller was present to represent Mike Tibbetts in his request for a minor subdivision, which is similar to a case the Planning Commission reviewed in 2016 for Tim Pabst. Miller stated that Tibbetts would like to split the approximately 5.3-acre lot in half, and sell the northern half to William O'Brien State Park. This would leave close to 2.5 acres for Tibbetts property. He explained that it would be desirable for the park since there are springs that feed the mill stream on Tibbetts property. Miller said they are aware that a variance for lot size would be needed. Tibbetts added that the north side of the property is nearly untouched.

Smitten asked if a new septic would need to be put in, and Miller said it would not, as they would be keeping enough of the property for the second system. Smitten asked if the DNR was in agreement with this. Hagstrom followed up, asking if it was the case that previously the DNR only wanted to purchase the whole property. Miller responded that the DNR is in support. Mrosła added that in the previous case, the City did not want to see the whole property sold and have the house go down, so a letter from the DNR detailing their support would be helpful. Warren stated that the ownership (of the north parcel) by the DNR would aid in creating permanent management and preservation of the springs.

Roden expressed concern about what would happen if the house were to burn down and leave behind a substandard lot. Mrosła responded that the houses can be built on existing footprints if something were to happen to the home. Miller stated that such cases are grandfathered in. Warren explained that a large amount of the houses in Marine were built before zoning ordinances, creating many substandard lots, and that he doesn't believe the City could declare the lot unfunctional. Smitten suggested maybe allowing the DNR a right of first refusal to acquire the whole property if the situation ever arose, as a new structure could be built but it would be constrained. Brenner reviewed that for the Single Family Rural District there is a 5-acre minimum lot size. Warren replied that the intent of the 5 acres was to allow for one home and septic, and that a condition of the variance could be that there is no other structure on the parcel. Spisak asked where the side yard setback would be, and Miller said it would be from the edge of the

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easement. Moving forward, Mrosla and Smitten were the Planning Commission members assigned to the case, and Miller said he would obtain a letter from the DNR.

Variance Request-Garage Exceeding Maximum for Accessory Buildings and Accessory Building in Front of Principle Structure – John Peatross – 1020 Quant Ave

John Peatross was present to request a garage for his property on Quant Avenue, in which he said he owns 20 acres, split into three separate tax parcels. He stated that when he bought the home, he didn't know the east 12 acres couldn't be built on due to the wetlands, so the garage would need to be in front of the house on the west parcel. Spisak asked if there were other existing structures on the separated parcels. Peatross said there was. Spisak then asked if there were existing structures south of the house and Peatross said there are two. Peatross further explained that when he bought the home, there were 3 structures on the center parcel, and he discussed with the City that he would remove them if he could hopefully build better structures in the future. He also raised the issue of the red barn on 1110 Quant Avenue being built so close to the street. Roden responded that that was during the days that variances were evaluated based on hardship.

Mrosla explained that this would require two variances. In addition to being in front of the principle structure, the additional structure would result in exceeding the total maximum square feet for accessory buildings in the Single Family Rural District, which is 2400 square feet. Brenner added that with 3 individual buildings, the size of the garage would need to be 1500 square feet at the most. Brenner asked what the purpose of the garage would be. Peatross said it would be for recreational woodworking. Smitten asked about the use of the buildings on the east side of Quant, and Peatross answered that they were rental property. Spisak noted that although Peatross owns three parcels totaling 20 acres, the parcel needing the variance is only about 8 acres. Smitten asked Peatross why he could not build behind the house. Peatross responded that he built the home as close to the back (west boundary) as possible. One of the existing accessory structures was built at the same time and the other a few years after, and combined they total the maximum 2400 square feet. Hagstrom asked if the existing buildings could be used for the proposed use. Peatross said it couldn't as they are housing other things. Roden asked if Peatross could screen the building with vegetation, and Peatross said he could.

Brenner shared with Peatross and the Commission the criteria which must be met in order for a variance to be granted, including the proposed use being reasonable, the plight being due to topography and physical constraints and not created by the owner, conformity with the essential character of the neighborhood, and the spirit and intent of the code. Spisak expressed concern about precedence, such as a future owner requesting a fourth detached building. Mrosla added that others down the street might decide they want 3 accessory buildings as well. There was discussion about what makes a situation unique, such as the size of the property. Peatross expressed that, it was his opinion, that such cases are the reason for having variances, and that he moved somewhere with a lot of land for this purpose.

Mrosla struggled with the question of practical difficulty, and recommended that Peatross reconnect and continue to work with City staff before any surveys are done or any Planning Commission members are assigned.

Old/New Business

Mrosla said that both he and Brenner will be out of town for the next couple meetings so he will need someone to chair. It was agreed that Roden will chair the meetings.

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Assistant Clerk Kiersten Young shared that Christ Lutheran Church will be coming back to the Planning Commission in February with their updated parking lot plans.

Approval of November Minutes

*Roden moved and Warren seconded to approve the November 28th Planning Commission minutes as drafted. **Motion passed unanimously.***

Adjournment

*Warren moved and Smitten seconded to adjourn at 9:12 pm. **Motion passed unanimously.***

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