

**New York Mills Zoning Committee
Regular Meeting
December 4, 2018
1:00 p.m.**

CALL TO ORDER AND DETERMINATION OF A QUORUM

The regular meeting of the New York Mills Zoning Committee was scheduled for 1:00 p.m. in the Council Chambers of the City Hall, New York Mills, Minnesota, all members of the Committee having been notified of the meeting. A quorum was present.

Members Present: Chairperson Dianna Wallgren, Greg Imsande, Tim Johnson, Latham Hetland, Ken Peltier

Members Absent: Jann Lee, Mike Parta

Staff Present: Administrative Assistant Cheri Kopveiler, Zoning Administrator David Delaney

Call to Order: The December meeting of the New York Mills Zoning Committee was called to order at 1:01 pm by Chairperson Dianna Wallgren. **A quorum was present.**

Approval Minutes: **Chairperson Dianna Wallgren called for approval of the minutes from the September 18, 2018 meeting. A motion was made by Latham Hetland and seconded by Greg Imsande to approve these minutes, and motion carried without a dissenting vote.**

New Business: Variance Request-Kyle & Kayla Mattson 113 N Broadway Ave—

The Zoning Committee considered a request from Kyle and Kayla Mattson to grant a variance for their property. They wish to remove a small single car garage from the north side of their existing home and replace it with a two story double garage on the south side of the home and move the existing driveway to accommodate that change. A variance is required because the structure would be located closer to the side lot line than the standard zoning regulation allows. The ordinance requires a setback for principal structures of 15 feet and this variance would be to allow a setback of 6 feet. There would still be enough space to comply with the state building code's restriction of 10' between buildings. There is not adequate space to build on to the side which exists already. Greg Imsande indicated he has spoken with the property owner to the south and he had no objections to the structure being within the setbacks adjoining his lot. As this home is an older home with a garage that does not accommodate modern vehicles, the lack of storage for the Mattsons is a hardship. The Zoning Committee discussed whether the impervious surface percentage would be in compliance as measurements for the existing garage and driveway were not complete on the application. Zoning Administrator Dave Delaney will check measurements. The Committee considered drainage, impervious surface and aesthetic factors. They agreed that the request would not have a negative effect on neighboring property values, would add to the tax roles for the City and

would improve the value of the home itself. Creating indoor storage for vehicles for the Mattsons would be beneficial aesthetically. There is no adjacent land available to the landowner to increase the setback amount. They felt it was positive that the structures that would be closer than normal would be garage space and not adjacent living space. The Committee was concerned that impervious surface percentages be kept to the allowable 35%, although they felt it was reasonable to allow the single garage to stand until the new structure is completed. They also stressed that if the single car garage is removed, the foundation should be returned to grass or pervious surface to comply.

Letters have been sent to 37 property owners living within 350 feet of the parcel. A Public Hearing will be held at the next City Council meeting on Tuesday, December 11, 2018 at 5:30 pm. The Zoning Committee agreed to recommend approval of the variance with the conditions that a demolition permit is applied for to remove the old garage and that the old structure is removed and amount of impervious surface is guaranteed to be within the parameters of the 35% allowable limit by the end of next year.

A motion was made by Greg Imsande to recommend that the City Council approve the variance request by Kyle & Kayla Mattson to build a two-story addition including a 37' x 30 garage and living quarters on the second floor, to the south side of their home at 113 N Broadway Ave, retaining a 6' setback from the southerly property line, and with the following conditions. 1) After the new addition is built, the old garage will be removed and replaced with pervious surface, and the existing driveway and apron will be moved and adjusted so that in conclusion, all percentages of impervious surface are within the allowable limits of 35% on or before December 9, 2019. And 2) that a demolition permit is applied for at the time the old garage is removed.

Zoning Chairperson Dianna Wallgren noted that criteria set by Minnesota Statute, Chapter 462.357 gives guidelines for the approval of a variance. The Committee felt that this request was within those guidelines required for approval. She also stated that conditions must be met within the 12-month period or a variance becomes null and void. An extension could be applied for if needed. Latham Hetland will bring the Zoning Committee's findings to the next Council meeting for consideration and recommend approval of this variance. A Public Hearing is scheduled for Tuesday, December 11, 2018 at 5:30 pm to consider this request.

Old Business:

Review of Zoning Permits Issued in 2018—

Administrative Assistant Cheri Kopveiler presented a list of zoning permits issued since the last zoning meeting. These included a deck, sign, a structural change in the roof of a business, a new home in Country View and a handicapped ramp to a business. Chairperson Dianna commented that it was positive to see 4 permits issued for new home construction as well as the many improvements to other homes in the community this year.

Zoning Administrator's Report:

Zoning Administrator Dave Delaney reported that he received a request to write a letter verifying that it was permissible to approve a firearms dealer license to Jerry Larson at his business located at 301 E. Centennial 84 Drive. In consulting the zoning ordinance, there were no restrictions for that type of business listed as conditional or prohibited in the zoning district in which his business is located which is RBC (Residential B/Commercial). Larson does not plan to have any significant sales as this is secondary to his tax preparation and vehicle sales business. He also noted that formerly there was a firearms dealer located across from the Post Office which at the time, was classified as Residential.

Dave reviewed the various housing projects going on in town, including the projects being renovated and repaired by the Otter Tail County HRA and also the home which was moved in to town on Van Aernam and is being renovated by Allwayz Construction (Ron Heinonen). The City recently purchased a tax forfeited home on South Main which they plan to clean up. There are several other tax forfeited homes that the HRA is looking at for future demolition or renovation as well.

Dave asked the Zoning Committee to begin looking for another zoning administrator after next year. He will stay on for 2019 but after that time he plans to retire from the position.

Next Meeting Date:

The next meeting of the Zoning Committee will determined by need and set at a later date.

Adjournment:

The meeting was adjourned by Chairperson Dianna Wallgren at 1:50 p.m.

Respectfully Submitted by,

Cheri Kopveiler
Administrative Assistant/Zoning