

MINUTES, REGULAR MEETING
PLANNING COMMISSION, CITY OF LA CRESCENT, MINNESOTA
July 2nd, 2024

The Planning Commission met at 5:30 p.m., on July 2nd, 2024, in the City's Community Building located at 336 S. 1st Street.

Item 1. Call to Order

Chair Greg Husmann called the meeting to order at 5:45 p.m. Meeting was postponed 15 minutes in order for a member to arrive for a quorum.

Item 2. Pledge of Allegiance

Members recited the Pledge of Allegiance.

Item 3. Roll Call

Upon a roll call taken and tallied by Josh Tarrence, Building Inspector, the following members were present: Chair Greg Husmann, Vice Chair Christopher Langen, Mike Welch, and Dave Hanifil. Ex-Officio City Council Representative Cherryl Jostad was present. Jerry Steffes, Ryan Stotts and Judy Enright were absent.

Item 4. Approval of the April 2nd, 2024 Planning Commission Minutes

After reviewing the minutes from the April 2nd, 2024 meeting, a motion to accept the minutes, was made by Commissioner Welch and seconded by Vice Chair Langen. Upon a roll call vote taken and tallied by Josh Tarrence, Building Inspector, the following Members voted in favor thereof, viz;

Mike Welch	Yes
Chris Langen	Yes
Greg Husmann	Yes

and none voted against the same. Dave Hanifil abstained from the vote. The motion was declared duly carried.

Item 5. PC-24-02-VAR 604 Hickory Court

Josh Tarrence provided a Staff Report to include Finding of Facts, Findings and Recommendations, and Recommended Motion in regards to a Variance application submitted by Heidi Schroeder. The Variance application is to extend the front yard setback requirements, which are stated in the City of La Crescent Zoning Ordinance as a minimum 25 feet with a maximum 35 feet, to allow an additional 30-35 feet.

Heidi Schroeder, applicant, spoke in regards to her application for the variance.

CRITERIA FOR GRANTING VARIANCE

Zoning Ordinance states the following:

A variance is a modification or variation of the provision of this zoning code as applied to a specific piece of property.

Subd. 2.

A. Variances shall only be permitted

1. when they are in harmony with the general purposes and intent of the ordinance, and
2. when the variances are consistent with the comprehensive plan.

B. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance.

Subd. 3. “Practical difficulties,” as used in connection with the granting of a variance, means that

1. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
2. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
3. The variance, if granted, will not alter the essential character of the locality.

After discussion, a motion was made by Commissioner Welch to approve the variance to allow for an additional 30 – 35 feet to be added to the front yard setback. The motion included the following findings:

1) Is the request in harmony with the general purposes and intent of the ordinance?

The variance **is** in harmony with the purpose and intent of the zoning ordinance based on the following findings of the Board of Adjustment because:
the intended use will continue as a single- family dwelling.

2) Would granting the variance be consistent with the Comprehensive Plan?

Granting the variance is consistent with the Comprehensive Plan because:

- a. there is no specific reference in the comprehensive plan to the minimum or maximum amount of distance for front yard setbacks.

- b. that the city will maintain and enforce development design guidelines for all housing types that will maintain neighborhood character, property values and aesthetics over time and enhance the social function, health, and safety of City neighborhoods.

Practical Difficulties Analysis

- 3) **Does the property owner propose to use the property in a reasonable manner not permitted by the ordinance?**

The property owner does propose to use the property as a residential single-family home which is permitted by the ordinance. This is a uniquely shaped lot that has significantly less street facing frontage than neighboring lots. The house design is a smaller single-family dwelling and by allowing the setback, the homes would have more uniformity.

- 4) **Is the plight of the landowner due to circumstances unique to the property owner not created by the landowner?**

There are circumstances unique to the property that prevent compliance with the ordinance because: the lot is a pie shaped lot with significantly less street facing frontage compared to neighboring lots.

- 5) **Would granting the variance allow the essential character of the locality to stay the same?**

Granting the variance will not alter the essential character of the locality because: the use of the property is still a single-family residential home with a two-car garage. It would also add more uniformity to the cul-de-sac.

Conditions of Approval

- 6) The applicant/developer will abide by all representations made by the applicant/developer, or their agents, made during the permitting process, to the extent those representations were not negated by the Planning Commission or City Council and to the extent they are not inconsistent with the spirit or explicit conditions of the conditional use permit.
- 7) That the applicant/developer complies with all applicable federal, state, and local regulations.

The motion and findings were seconded by Commissioner Hanifil.

Upon a roll call vote taken and tallied by Josh Tarrence, Building Inspector, the following Members voted in favor thereof, viz;

Mike Welch	Yes
Dave Hanifil	Yes
Chris Langen	Yes
Greg Husmann	Yes

and none voted against the same. The motion with the findings was declared duly carried. The Notice of Appeal to the City Council, as written below, was read by Josh Tarrence.

Appeal to the City Council

Pursuant to 12.07 Subd. 11 of the La Crescent Zoning Ordinance, upon approval or denial of a variance request by the Board of Adjustment, an applicant or other aggrieved party may file an appeal in writing to the City Council within ten (10) days of the decision, otherwise the decision by the Board of Adjustment becomes final.

Item 6. Future Agenda Items

There were no items discussed as future agenda items.

Item 7. Adjourn

A motion was made to adjourn the Planning Commission Meeting by Commissioner Welch and seconded by Vice Chair Langen. Upon a voice vote, all members voted in favor of and none voted against the same.

The Chair adjourned the Planning Commission meeting at 6:08 p.m.