

Lanesboro Planning and Zoning Commission
Regular Meeting
Wednesday, April 17, 2024 – 6:00 p.m.
Lanesboro Community Center Meeting Room and Zoom

Present Members:

 X Jason Resseman X Michael Seiler X Jeff Lepper
 X Randy Rakosnik X Tom Schramm

Staff:

 X Mitchell Walbridge X Darla Taylor

Guests: Jason Harvey, Bridget, Harvey, Bonita Underbakke, Alanna Gibbs, Bridget Harvey, Zach Lind, Jill (?), Jim (?)

Public Hearing – Setback Variance Application for the property at 109 Elmwood Street E (Parcel ID 190205000): Member Resseman opened the public hearing at 6:15 p.m. City Administrator Walbridge gave a brief explanation of the request for a side yard setback variance to allow for the construction of a staircase that would encroach upon the neighboring property line to the east. No public comments were shared. Member Resseman closed the public hearing at 6:21 p.m.

Public Hearing – Setback Variance application for the property at 111 Kenilworth Avenue N (Parcel ID 190158000): Member Resseman opened the public hearing at 6:21 p.m. City Administrator Walbridge gave a brief explanation of the request for a side yard and rear yard setback variance to allow for the construction of an attached garage on the property. No public comments were shared. Member Resseman closed the public hearing at 6:23 p.m.

Regular Meeting

Member Resseman called to order the Regular Meeting at 6:23 p.m.

A. Agenda: Administrator Walbridge requested changes to the agenda:

- Removal of Consent Agenda Item B, Gage – 2024 Chicken Permit Application
- Addition of Consent Agenda Item J, Homan Building Permit Application
- Addition of Consent Agenda Item K, Pedal Pushers Sidewalk Permit Application
- Addition of Consent Agenda Item L, Paddle On Coffee Sidewalk Permit Application
- Addition of Consent Agenda Item M, Another Time Ice Cream Sidewalk Permit Application

Member Lepper entered a motion to move Consent Agenda Item F, Driftless Trading Post, LLC Building Permit Application to Continued Business; Member Resseman seconded the motion. Motion carried with all in favor.

Member Seiler entered a motion to approve the amended agenda; Member Rakosnik seconded the motion. Motion carried with all in favor.

B. Public Comment:

- Bridget Harvey, High Court Pub owner and Lanesboro resident, addressed the commission members regarding her views on the Driftless Trading Post food truck being listed on the meeting’s Consent Agenda. Bridget Harvey expressed concern over the potential business not having restrooms, which could lead to customers utilizing the restrooms at the High Court Pub. Bridget Harvey also expressed members should take into consideration the appearance the proposed business would have in the downtown commercial district. Bridget Harvey questioned what recourse the city would have if the appearance was off-putting.

Approved 05/15/2024

- Jason Harvey, High Court Pub owner, addressed the commission members regarding portable toilets being on site at the location that Driftless Trading Post plans to operate – 105 ¾ Parkway Avenue N. Jason Harvey questioned why the building permit application was on the Consent Agenda.

C. Consent Agenda:

- Minutes of the Regular Meeting, March 27, 2024
- Granny’s Liquor Annual Sidewalk Permit Application
- Brogle Building Permit Application
- Sylvan Brewing, LLC Building Permit Application
- Donahue Building Permit Application
- Phillips Building Permit Application
- Clemens Building Permit Application
- Holman Building Permit Application
- Pedal Pushers Sidewalk Permit Application
- Paddle On Coffee Sidewalk Permit Application
- Another Time Ice Cream Sidewalk Permit Application

Member Lepper entered a motion to approve the Consent Agenda; Member Seiler seconded the motion. Administrator Walbridge noted that the Holman Building Application was modified so that the setback requirements for a corner lot are satisfied for the construction of their garage. Motion carried with all in favor.

D. Continued Business:

- a. Ordinance 130.02 Review – Discharging Firearms:** Administrator Walbridge presented a draft of Ordinance 130.02 with revisions regarding regulation of firearm discharge in city limits. Language in the draft clarified exceptions to the prohibition of firearm discharge within city limits as well as the allowance of hunting in areas zoned Rural Agriculture if proper permitting is obtained. Member Seiler entered a motion to refer the draft ordinance to the Lanesboro City Council for its review and consideration; Member Rakosnik seconded the motion. Motion carried with all in favor.
- b. Development Planning Checklists:** Member Resseman entered a motion to table the item as city administration and the city attorney need additional time to review; Member Lepper seconded the motion. Motion carried with all in favor.
- c. Downtown Commercial District Land Use:** Administrator Walbridge explained that the city council plans to consider whether an interim ordinance is needed, but council members would like the Planning and Zoning Commission to develop revised ordinance language regarding the regulation of AirBNB and VRBO in Lanesboro. Members discussed the need to revise definitions for terms such as *apartment*, potentially create a new licensing system for lodging, and consider a cap on certain licenses. Members will send ideas and suggestions to the city administrator for consideration and drafting of new ordinance language.
- d. Driftless Trading Post, LLC Building Permit Application:** Members discussed the building permit application for Driftless Trading Post, questioning the types of utilities that will be used as well as the location of utility hook-ups. Members also questioned whether the proposed plan fits within the city’s historic district. Concerns about the improper venting, increased pedestrian traffic in the area, the lack of restrooms, and the requirements of site upkeep were mentioned. Administrator Walbridge was questioned as to why the building permit application was on the Consent Agenda. Administrator Walbridge explained that the building permit application, based on his review, is not a business item that had been considered by the commission at any previous meeting and that there was nothing in the applicable zoning code that he was able to find that would justify denying the building permit application. Administrator Walbridge requested that if the commission denies the application, they should be able to cite something in the city’s ordinance code to justify the denial. Members questioned what would happen if the commission took no action on the permit application. Administrator Walbridge opined that the applicant

likely could ask the city council to consider the building permit application if the subsidiary advisory commission did not act on the application. No action on the Driftless Trading Post, LLC building permit application this day.

E. New Business:

- a. Variance Application – 109 Elmwood Street E (Parcel ID 190205000):** Members considered a variance application from Alanna Gibbs as she intends to construct a staircase that would encroach within the 15-foot side yard setback requirements for the zoning district. Members evaluated the request based on the practical difficulties listed on the variance application.
- Reasonableness: The variance would allow the property to be used in a reasonable manner not permitted by the district’s zoning code due to the side yard setback variance request. The variance would allow a new staircase to be built that would change the orientation of the existing stairs to match the orientation of other staircases on the street.
 - Uniqueness: The landowner’s property is unique as the block houses are built near the front property lines. The property is also located on a steep grade, so the grade elevation plays into the staircase construction plan.
 - Essential Character: Essential character of the locality will not be altered as other homes on the street have similar staircase structures. The landowner’s building will look inline with the rest of the properties on the block and put the property to use in line with the permitted uses of the zoning district.
 - Harmony with Other Land Use Controls: Members noted that the variance request is in line with the city’s comprehensive plan, allowing accessibility to the house in the multi-family residential zoning district. The aesthetic of the house will remain the same and the changed orientation of the stairs will increase consistency on the block.

Member Resseman entered a motion to approve the findings of fact regarding the variance application; Member Lepper seconded the motion. Motion carried with all in favor.

- b. Alanna Gibbs Building Permit Application – 109 Elmwood Street E:** Member Resseman entered a motion to recommend the city council approve issuance of a side yard setback variance and approve the building permit application; Member Rakosnik seconded the motion. Motion carried with all in favor.

- c. Variance Application – 111 Kenilworth Avenue N (Parcel ID 190158000):** Members considered a variance application from Jeremy Van Meter and Catherine Glynn as they intend to construct an attached garage that would encroach within the required 6-foot side yard setback requirement and 20-foot rear yard setback requirement. Members evaluated the request based on the practical difficulties listed on the variance application.

- Reasonableness: The variance would allow the property to be used in a reasonable manner not permitted by the district’s zoning code due to the zoning district’s side yard and rear yard setback requirements. The variance would allow for an attached garage to be constructed to the existing house. Due to the lot size and the terrain of the lot, placement of the garage in the proposed space is needed. In addition, the area on which the garage is to be constructed is already used for unenclosed parking.
- Uniqueness: Due to the natural features of the property, strategic placement of the garage construction is required, which does not allow for the zoning ordinance setbacks to be met.
- Essential Character: The plans for the proposed garage match the design characteristics of the existing house, and in essence, the characteristics of the neighborhood. In addition, there are other similar garage structures within the neighborhood.
- Harmony with Other Land Use Controls: Members noted that the variance request is in line with the city’s comprehensive plan, allowing an attached accessory structure that is inline with the R-1 Single Family Residential District by supporting parking/living use.

Approved 05/15/2024

It was also noted the garage will have a quality studio space that would support a second story living space.

Member Resseman entered a motion to approve the findings of fact regarding the variance application; Member Rakosnik seconded the motion. Motion carried with all in favor.

- d. Jeremy Van Meter Building Permit Application – 111 Kenilworth Avenue N:** Member Lepper entered a motion to recommend the city council approve issuance of a side yard setback variance allowing a garage to be constructed within 4 feet of the side yard property line, a rear yard setback variance allowing a garage to be constructed within 5 feet of the rear yard property line, and the city council approve the associated building permit application; Member Schramm seconded the motion. Motion carried with all in favor.

Next Meeting: Wednesday, May 15, 2024 at 6:00 p.m.

Member Resseman adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Mitchell Walbridge
City Administrator/Clerk