

Breezy Point Planning Commission/Board of Adjustment

**June 13, 2023
Regular Meeting**

The regular meeting of the Breezy Point Planning Commission/Board of Adjustment was called to order by Commission Chair Marcy Weaver at 7:00 p.m. Those in attendance included members Joe Ayers, Lee Brisbin, Roger Theis, Marcy Weaver, and Teddy Zierden; City Planner Jerry Bohnsack, Administrator Clerk David Chanski, Deputy Clerk Deb Runksmeier, Planning Commission Council Liaison Steve Jensen.

Approval of Agenda

Motion Theis/Brisbin to approve Agenda, Motion Carried 5-0

Approval of 05/09/2023 regular meeting

Motion Ayers/Zierden to approve the minutes as written, Motion carried 5-0.

City Council Liaison Report

Council Liaison Jensen reported on the June 5, 2023 council meeting.

Open Forum

Bill Toft recommended that the Planning Commission decline to take a position regarding rezoning petition Lots 3, 4, 5 Block 1 Whitebirch 16 (R-2 to P)

Public Hearing - Conditional Use Application C-23-003 Scott Olson 8677 Pine Circle. Lots 27-28 Block 3 Whitebirch Three. Parcel 10040573. Request to construct accessory structure 15-20 ft. height. R-1 Zone

The Public hearing was opened by Chairperson Weaver.

Mr. Scott Olson Reviewed his request to construct a 2400 sq. ft. accessory structure height 18 ft. 4 in. to accommodate door openings for camper.

Planner Bohnsack reviewed the staff report.

Chair Weaver Closed the Public Hearing.

Motion Theis/Brisbin to Approve the following Resolution PC-23-04, Motion Carried 5-0

RESOLUTION PC 23-04

A RESOLUTION APPROVING CONDITIONAL USE PERMIT APPLICATION 2023-003

LOTS 27 & 28 BLOCK 3 WHITEBIRCH THREE

WHEREAS, Scott Olson has submitted Application for Conditional Use Permit to construct 40 x 60 accessory structures with height 18' 4"; and

WHEREAS, Mr. Olson owns Lots 27-28 Block 3 Whitebirch 3 Parcels 10040572, 10040573. Address 8677 Pine Circle Breezy Point, MN; and
WHEREAS, Lots 27-28 Block 3 Whitebirch 3 is Zoned R-1 (Low density residential); and
WHEREAS, Section 153.03, C-3, Accessory structure 15-20 height is a Conditional Use in the R-1 Zone; and
WHEREAS, published and mailed notice of hearing to consider CUP application was given to property owners within 350 feet; and
WHEREAS, a public hearing to consider CUP Application was held Tuesday, June 13, 2023; and
WHEREAS, the following findings were made as provided for under Section §153.119 (E) of the Breezy Point City Code;

- 1) The proposed use is an appropriate Conditional Use in the R-1 Zone.
- 2) The use with conditions will conform to the Comprehensive Plan.
- 3) The use with conditions would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the city.
- 4) The use is compatible with the neighborhood. (Residential)

NOW THEREFORE BE IT RESOLVED by the Board of Adjustment of the City of Breezy Point that Conditional Use Permit 2023-003 is approved and be subject to conditions.
BE IT FURTHER RESOLVED THAT THE Conditional Use Permit is subject to the following conditions;

- 1) Applicant shall obtain building permit for accessory structure.
- 2) Applicant shall comply with all setback requirements.
- 3) Color of siding and roofing of accessory structure shall be similar to principal structure.
- 4) Accessory structure shall comply with state building code.
- 5) Height of accessory structure shall not exceed 18' 4"

Variance Application V-23-001 Schmidt Brothers Holdings LLC. Lots 13 and 14 Eighteenth Addition to Breezy Point Estates. Parcels 10211047 and 10211048. Request to construct dwelling and attached garage 13 feet from ROW County Road 4 and 15 feet from Delineated Wetland.

The Planning Commission discussed Variance Application V-23-001 Schmidt Brothers Holding. Public hearing was held May 9, 2023. No action taken May 9, 2023. Applicant asked to explore utilization of wetland replacement / wetland credits to minimize variances.

Planner Bohnsack advised the commission that the applicant had consulted with Crow Wing County Environmental Services about wetland replacement. Environmental services advised that the county will not support wetland replacement plan for the project. (Crow Wing County letter – part of agenda packet). Commission was advised of the Board options for the Variance application.

Option #1 - Deny Variance Application, Option #2 - Approve Variance Application as applied for approve with conditions, Option #3 - Approve revised Variance with conditions.

Motion Ayers/Brisbin to Approve Variance V-23-001 with Reduce proposed size of Dwelling to 20' width. ROW setback 19 ft., Wetland setback 15 ft.

Amend Motion Ayers/Brisbin to Approve Variance V-23-001 Lots 13 & 14 18th Addition to Breezy Point Estates Reduce proposed size of Dwelling to 22 ½ ft. width, ROW setback 16 ½ ft., Wetland setback 15 ft. with Lot size 13,288 sq. ft., Motion carried 3-2.
Voting Aye – Ayers, Zierden, Brisbin. Nay – Weaver, Theis.

RESOLUTION PC 23-0?

A RESOLUTION APPROVING VARIANCES C-2023-002

WHEREAS, Patrick Pfeiffer has submitted Application for Conditional Use Permit to

The Planning Commission then considered Rezoning request Z-23-001 City of Breezy Point. Request to Rezone Lots 3, 4, 5 Block 1 Whitebirch 16. R-2 to P Public.

Hearing to consider request held May 9, 2023 official action tabled for further consideration.

Discussion of the request and potential uses for the property was held.

Motion Weaver/Zierden to Recommend Rezoning of Lots 3, 4, 5 Block 1 of Whitebirch 16, R-2 to P Public. Further recommend that the proposed parking lot and on the lots be reduced in size and that the portions of the three lots be developed to provided future park amenities, Motion carried 5-0

Motion Ayers/Weaver to Reschedule July Planning Commission to Wednesday, July 12, 2023 at 7:00 P.M., Motion Carried 5-0

Administrator Chanski reported on website transaction and City Hall open house June 14, 2023.

There being no further business the meeting adjourned at 8:03 p.m.

Submitted by Jerry Bohnsack
City Planner