

## Breezy Point Planning Commission/Board of Adjustment

**February 14, 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, Marcy Weaver, and Teddy Zierden; City Planner Jerry Bohnsack, Administrator Clerk David Chanski, Deputy Clerk Deb Runksmeier, Planning Commission Council Liaison Steve Jensen. Roger Theis was absent.

### Oath to Office

Lee Brisbin and Marcy Weaver took Oath to Office for a three-year term.

### Election of Officers

Motion Ayers/Zierden to appoint Weaver Chairperson for 2023 of Planning Commission Board of Adjustment, Motion Carried 4-0

Motion Ayers/Zierden to appoint Brisbin Vice Chairperson 2023 Planning Commission Board of Adjustment, Motion Carried 4-0

### Approval of 12/13/2022 regular meeting

Motion Brisbin/Ayers to approve the minutes as written, Motion carried 4-0.

### City Council Liaison Report

Council Liaison Jensen reported on the February 6, 2023 council meeting. Short Term Rental ordinance and licensing, disc golf course, and ordinances update.

### Open Forum – None

Public Hearing - Conditional Use Application C-23-001 Brad Thayer at 8442 Buschmann Road Breezy Point, MN 56472. Parcel 10050509. East 663 ft of SE ¼. Parcel 10050509. Construct 40' x 92' accessory structure. (cumulative total – accessory structures 5516 sq. ft.) Zoned Estate Lots Residential (EL-R).

The Public hearing was opened by Chairperson Weaver.

Brad Thayer reviewed his application for Conditional use Permit to construct a 40' x 92' accessory structure which would (if constructed) exceed the cumulative total of accessory structure square footage of 5000 sq. ft. Parcel size is 20 acres.

Planner Bohnsack reviewed staff report.

Dallas Colvin 32129 Northwoods Lane expressed concern about building a commercial use in a Residential Zone.

Chair Weaver adjourned the Public Hearing.

Motion Ayers/Zierden Approve the following Resolution PC-23-001, motion carried 4-0

RESOLUTION PC 23-01

A RESOLUTION APPROVING CONDITIONAL USE PERMIT APPLICATION 2023-001

WHEREAS, Brad Thayer has submitted application for Conditional Use Permit to construct 40' x 92' accessory structure less than 20' in height on Parcel 10050509 (E 663 FT OF SE1/4 OF SE1/4. SUBJ TO AN ESMNT OF REC.); and

WHEREAS, the address of parcel 10050509 is 8442 Buschmann Road Breezy Point MN and is zoned EL-R (Estate Lots Residential), and

WHEREAS, Parcel 10050509 is 20 acres (+-) in size, and

WHEREAS, Accessory structure 15' to 20' in height is a permitted in Estate Lots - Residential Zone; and

WHEREAS, Accessory structure up to 2% of parcel on parcels 5 acres or more over 5000 sq. ft. (cumulative total sq. ft.) is a conditional use in EL-R Zone; and

WHEREAS, The parcel currently hosts three accessory structures (3 accessory structures cumulative square footage is 1836 sq. ft.); and

WHEREAS, the proposed 4<sup>th</sup> accessory structure would bring the cumulative total of accessory structure square footage to 5516 sq. ft.; 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, February 14, 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 EL-R 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 2023-001 is approved and 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) Accessory structure shall comply with state building code.
- 4) Accessory structure height shall not exceed 20 ft.
- 5) Total cumulative accessory structures square footage shall not exceed 5516 sq. ft.
- 6) Ingress and egress to accessory structure shall be from private driveway on to Buschmann Road.

There being no further business the meeting adjourned at 7:36 p.m.

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Submitted by Jerry Bohnsack  
City Planner