

Breezy Point Planning Commission/Board of Adjustment

**November 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 Lee Brisbin, Roger Theis, Marcy Weaver, and Teddy Zierden; City Planner Jerry Bohnsack and Deputy Clerk Deb Runksmeier. Joe Ayers was absent.

Approval of Agenda

Motion Theis/Brisbin to approve Agenda, Motion Carried 4-0

Approval of 10/10/2023 Regular Meeting

Motion Zierden/Theis to approve the minutes as written, Motion carried 4-0.

City Council Liaison Report - None

Open Forum

No one spoke

Public Hearing - Conditional Use Permit Application C-23-008 Patricia K Lane Rev Trust 9069 Apple Lane Breezy Point. Lot 3 Block 1 Copperud First Addition. Parcel 10150537. Construct accessory structure 15-20 feet height. 1600 sq. ft. Zone R-2

The Public hearing was opened by Chairperson Weaver.

Mr. Chuck Lane reviewed request for Conditional Use Permit to construct detached accessory structure 1600 sq. ft. 18 feet high.

Planner Bohnsack reviewed the staff report and ordinance language regarding building height.

Joann Weaver spoke to the ordinance and the neighbor's concern for esthetics of the area.

Mr. Steve Schultz (neighboring property owner) for the accessory structure.

Chair Weaver Closed the Public Hearing.

Motion Brisbin/Zierden to Approve the following Resolution PC-23-11, Motion Carried 4-0

RESOLUTION PC 23-11

A RESOLUTION APPROVING CONDITIONAL USE PERMIT APPLICATION 2023-008

WHEREAS, Patricia K. Lane Rev. Trust is the recorded property owner of Lot 3 Block 1 Copperud First Addition. Parcel 10150537; and

WHEREAS, Patricia K. Lane Rev. Trust has submitted application for Conditional Use Permit to construct 1600 square foot accessory structure (40 x 40) 18 feet high to midpoint of roof; and

WHEREAS, the property is Zoned Medium Density Residential (R-2); and

WHEREAS, the property is 1.87 acres (81,853 sq. ft.); and

WHEREAS, Accessory structure up to 1600 feet on parcels 2 acres or less is a Conditional Use in R-2 Zone; and

WHEREAS, Accessory structure 15 to 20 feet in height is a Conditional Use in R-2 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, November 14, 2023; and

WHEREAS, written and oral comments regarding the CUP Application were heard; and

NOW THEREFORE BE IT RESOLVED by the Board of Adjustment of the City of Breezy Point that Conditional Use Permit 2023-008 is approved and be subject to conditions. (Accessory Structure 1600 sq. ft.)

BE IT FURTHER RESOLVED THAT THE Conditional Use Permit 2023-008 is subject to the following conditions;

- 1) Applicant shall obtain building permit for accessory structure.
- 2) Applicant shall comply with all setback requirements.
- 3) Siding and Roofing of principal structure and accessory structure shall be of similar materials and color.
- 4) All structures shall comply with state building code.
- 5) Height of accessory structure shall not exceed 18 feet to mid-point of roof.

Adopted this 14th day of November, 2023.

Planner Bohnsack reported that Variance V-23-005 has been withdrawn for consideration by applicant. Applicant will resubmit revised application with additional materials in 2024. Applicant and Legal counsel notified of resubmittal.

There being no further business the meeting adjourned at 8:35 p.m.

Submitted by Jerry Bohnsack
City Planner