

City of Winsted  
Planning Commission  
City Council Chambers  
October 13, 2014  
6:00 p.m.

Present: JoLynn Cafferty  
Marv Ebensperger  
Mike Guggemos  
Allison Moses  
Tom Ollig (Council Liaison)

Staff Present: Clay Wilfahrt, City Administrator  
Raquel Kirchoff, Administrative Assistant

1) Call the Meeting to Order

Mr. Ebensperger called the meeting to order at 6:00 p.m.

2) Approval of Minutes

**Ms. Cafferty motioned to approve the minutes from the Planning Commission Meeting on September 8, 2014. Mr. Guggemos seconded the motion. Motion carried 4-0.**

3)

**a) Resolution PCR 14-12 - Zoning Map Amendments**

Mr. Ebensperger opened the Public Hearing to discuss Planning Commission Resolution PCR 14-12- Zoning Map Amendments.

Mr. John Anderson, Municipal Development Group, was present at the meeting and reviewed City initiated zoning map amendments that are needed. He explained that when the City's Zoning Map was created, a comprehensive Geographic Information System (GIS) parcel data system was not in place at McLeod County with parcel line data. Because of this, parcel data that was used was incomplete and the property lines on the Zoning Map did not always match the property lines as recorded at McLeod County.

Mr. Anderson stated that some parcels on the City's Zoning Map currently also have split zoning classification, and need to be rezoned to one zoning classification rather than two.

Mr. Anderson stated that there are also a few discrepancies where property is shown as City property on the Map but McLeod County shows the property as outside of city limits. He stated that the City has worked with McLeod County to review these properties and has the changes ready for approval. He continued by stating that the recent land annexation that occurred for the Dollar General store location at 200 6<sup>th</sup> Street South would be updated on the Map with the amendments.

Mr. Anderson reviewed properties that need amendments as follow:

1. Parcel Identification Number (PID #) 210111200. A portion of the lot at 221 Baker Avenue East. is zoned Commercial District Highway Business (C2) and is proposed to be rezoned to Two Family Residential District (R2) to match the rest of the property. This portion of the property is guided as Industrial District (I1) on the Future Land Use Map.
2. PID #'s 210111600 & 210111700. The two parcels located to the northwest of 221 Baker Avenue East that are zoned C2. These properties are proposed to be rezoned to I1 to match the property to the west. The property is guided Industrial District on the Future Land Use Map and are owned by two different owners.
3. PID #210500230. This property is the Holy Trinity Church property and a building addition was recently approved on the property. At that time it was determined that the south part of the lot was zoned Commercial Business District (C1) while the north part was Single Family Residential District (R1). The north part was guided for public while the south part was guided for central business district on the Future Land Use Map. Mr. Anderson stated that the Planning Commission should discuss whether this property should be zoned C1 or R1.

Mr. Wilfahrt stated that the Planning Commission has directed him to move forward with allowing religious institutions in the Commercial District, and that he intends to propose an ordinance change this fall, 2014. He continued by stating in the specific property of the Holy Trinity Church, the preferred zoning would be C1.

4. PID #210500190. The property located at 121 3rd Street North is zoned C1 and guided for central business district on the Future Land Use Map. It is proposed to be rezoned to R1. The property directly to the east was recently rezoned to R1 from C1 for the same reason.
5. PID #210750280. A portion of the property is currently zoned C1 but is part of a larger parcel of land zoned I1. The property is guided for central business district on the Future Land Use Map but the zoning splits the property and building located on the property. This property is proposed to be rezoned I1 to match the rest of the property.

Mr. Ebersperger asked for any comments or questions.

Mr. Tim Sheehan, 211 Arthur Avenue, was present at the meeting and requested that the properties listed on Baker Avenue (PID #s 210111600, 210111700 and 210111200) remain zoned as C2. He will not use the property for Industrial use in the future.

Mr. Anderson stated that the land use plan has this area guided as Industrial. Mr. Sheehan stated that he had intended for his office to be on that property; and because of this, the zoning changed from originally Industrial to C2.

The Planning Commission members discussed Mr. Sheehan's request and were agreeable to leaving the zoning as C2 for the Baker Avenue properties proposed for change. If a zoning change was requested in the future, the requester could apply to the City for the change.

**Ms. Cafferty motioned to close the Public Hearing for Planning Commission Resolution PCR 14-12. Ms. Moses seconded the motion. Motion carried 4-0.**

**Mr. Guggemos motioned to adopt Resolution PCR 14-12, amended to remove the proposed zoning changes to PIDs 210111600, 210111700 and 210111200 to keep them zoned as C2 Commercial District (Highway Business), and the property located at 111 Main Avenue West currently zoned as R1 Residential be rezoned to C1 Commercial. Ms. Cafferty seconded the motion. Motion carried 4-0.**

#### **b) Resolution PCR 14-10 - Zoning Map Amendments**

Mr. Ebersperger opened the Public Hearing for Planning Commission Resolution PCR-14-10 Zoning Map Amendments at 6:26 p.m.

Mr. Anderson stated that a request was made to the City of Winsted to reconstruct a single family residence at 250-2<sup>nd</sup> Street South. As the request was reviewed a zoning change was needed to rezone this property from C2 to R1. In addition, eight other properties in the same block will be considered for a zoning change as follows:

<b>PID</b>	<b>Address</b>	<b>Current Zoning</b>	<b>Proposed Zoning</b>
210770270	211 McLeod Avenue	C2 Highway Commercial	C1 Commercial Downtown
210770280	240 2 <sup>nd</sup> Street South	C2 Highway Commercial	C1 Commercial Downtown
210770300	240 2 <sup>nd</sup> Street South	C2 Highway Commercial	R1 Single Family Residential
210770290	250 2 <sup>nd</sup> Street South	C2 Highway Commercial	R1 Single Family Residential
210770310	241 3 <sup>rd</sup> Street South	C2 Highway Commercial	R1 Single Family Residential
210770340	231 3 <sup>rd</sup> Street South	C2 Highway Commercial	R1 Single Family Residential
210770330	221 3 <sup>rd</sup> Street South	C2 Highway Commercial	R1 Single Family Residential
210770320	211 3 <sup>rd</sup> Street South	C2 Highway Commercial	R1 Single Family Residential
210770350	231 McLeod Avenue West	C2 Highway Commercial	R1 Single Family Residential

Mr. Wilfahrt stated that surrounding property owners of this area were notified of the Public Hearing and no comments or questions have been received by the City.

Mr. Ebersperger asked for comments or questions regarding the proposed Zoning Map amendments of PCR 14-10. No comments or questions were received.

**Ms. Moses motioned to close the Public Hearing for PCR-14-10 Zoning Map Amendments. Ms. Cafferty seconded the motion. Motion carried 4-0.**

**Ms. Moses motioned to adopt Resolution PCR 14-10. Mr. Guggemos seconded the motion. Motion carried 4-0.**

**c) Resolution PCR 14-11 – Variance – 250 2<sup>nd</sup> Street South**

Mr. Anderson stated that a variance request has been received for the property of 250 2<sup>nd</sup> Street South. He stated that the house at this address was struck by lightning and partially burned. The applicant is now requesting to rebuild the house and as part of the reconstruction add to the size of the house and garage as well as make the garage attached rather than detached.

Mr. Anderson stated that the variance approval is contingent upon the City Council approving the zoning changes that were recommended by the Planning Commission tonight. Mr. Anderson explained and reviewed the variance request, the current structure at 250 2<sup>nd</sup> Street South, and the proposed building project if the variance is approved as follows.

Mr. Anderson reviewed conditions that must exist for approval of a variance as follows

1. Evidence of ownership or enforceable option on the property.
2. The variance is consistent with the City of Winsted's Comprehensive Plan.
3. The variance is in harmony with the general purposes and intent of the ordinance.
4. The Applicant establishes that there are 'practical difficulties' in complying with the zoning ordinance. Practical difficulties as used in connection with the granting of a variance, means that:
  - a. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
  - b. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
  - c. The variance, if granted, will not alter the essential character of the locality.
5. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

Mr. Guggemos stated that he drove by the house at 250 2<sup>nd</sup> Street South and after looking at how close the current garage is to the curb, he feels that the newly constructed garage should not be placed no closer to the curb than the existing garage.

Mr. Ebensperger stated that he understands that the proposed garage will be in the same place as the current garage, and asked how far off the proposed house would be from its current position. Mr. Anderson explained how the proposed house and garage would change from the current house and garage if the variance was approved.

Mr. Ebensperger opened the Public Hearing for Planning Commission Resolution PCR-14-11 Variance – 250 2<sup>nd</sup> Street South at 6:42 p.m.

Mr. Ebensperger asked for any comments or questions regarding the Variance request. No comments or questions were received.

**Ms. Cafferty motioned to close the Public Hearing for PCR-14-11- Variance – 250 2<sup>nd</sup> Street South. Ms. Moses seconded the motion. Motion carried 4-0.**

**Mr. Guggemos motioned to adopt Resolution PCR-14-11, amended to include a statement that the newly constructed garage shall not protrude closer to the curb than the existing garage. Ms. Cafferty seconded the motion. Motion carried 4-0.**

- 4) No Old Business
- 5) No New Business
- 6) Other

**a.) Planning Commission Vacancy**

Mr. Wilfahrt stated that the City is accepting applications for the vacant Planning Commission Member. He continued by stating that those interested should contact the City.

7) Adjournment

**Ms Cafferty motioned to adjourn the meeting. Ms. Moses seconded the motion. Motion carried 4-0. The meeting adjourned at 6:45 p.m.**

*Clay Wilfahrt*

Clay Wilfahrt  
City Administrator  
City of Winsted

ATTEST:

*Raquel Kirchoff*

Raquel Kirchoff,  
Administrative Assistant  
City of Winsted