

City of Oronoco
Thursday, April 13, 2023
P&Z Zoom & In-person Meeting
7:00 p.m. CST

REGULAR MEETING

I. CALL TO ORDER at 6:30 PM by Wendy Phillips, Chair

II. ADMINISTERING OATH OF OFFICE by Ranee Rohe, Deputy Clerk

A. Paul Pendergrass

B. Scott Sorenson

III. ROLL CALL

Present: Commissioners Wendy Phillips, Chair; Kathy Brandt-Rucker, Vice Chair; Colleen Fried, Secretary; Paul Pendergrass; Jim Phillips; Jim Richards; Scott Sorenson

Staff: Ranee Rohe, Deputy Clerk; Phil Carlson, Consulting City Planner, Stantec

Absent: None

IV. APPROVAL OF AGENDA Motion by Jim P, 2nd by Jim R to approve the agenda as amended:

Adjournment should be changed to item IX

All approved

V. APPROVAL OF MINUTES Motion by Paul, 2nd by Jim R to approve the minutes of March 9, 2023, as corrected:

Item VIII – only seven candidates were interviewed for the EDA positions, not eight

All approved

VI. PUBLIC HEARING

Hearing opened at 6:37 PM by Wendy Phillips, Chair

Public Comments: Andrew – would like to add a few more stalls to the garage to keep things neat and tidy. The extra space will provide more space for storage.

Closed at 6:40 PM

Phil Carlson: There is currently 780 sq. ft. of garage/accessory space on the property. The proposed added space would make it 1815 sq. ft. of accessory space. There have been two previous variances that allowed the total accessory space on a < 1 acre lot, but they had some extraordinary conditions. This case doesn't have extraordinary conditions. It is a typical rectangular lot, and the additional garage space would be not allowed under the code since there are no special circumstances. The proper way to allow for this type of proposal would be to change the zoning code.

Findings of fact:

1. The Oronoco Zoning Code limits the combined square footage of accessory buildings on lots less than one acre to 1,000 sq ft maximum.

2. The applicant proposes a new detached garage of 1,067 square feet in size. There is an existing attached garage of 748 square feet in size, for a total of 1,815 sq ft accessory buildings proposed on the property.
3. The lot at 450 6th Street SE is approximately 35,880 sq ft in size, or about 0.82 acre in size, significantly less than the one-acre threshold that would allow up to 2,000 square feet of accessory buildings.
4. The Kuehn lot is rectangular in shape and similar in size and dimensions to other residential lots in the area. There are no unique characteristics that pose practical difficulties to meeting the Zoning code standards.
5. The variance request is due to the applicant's desire for a larger garage and not due to any inherent characteristic of the property.
6. The applicant has a reasonable use of the property now: a house and garage, both of reasonable size. There is no practical difficulty for the owners continuing to use their property in a reasonable manner that would warrant a variance for a larger garage.
7. The new garage would likely not significantly alter the character of this locality.
8. The request does not meet the criteria for granting a variance in Section 151.401 of the Oronoco Zoning Code.

Discussion: One of the conversations we've had in the past has to do with the code and changing some parts of the code to change the size of lots. Perhaps the allowable size of the accessory buildings could be part of this discussion. As it is now, with the addition, the garage space would be about double the allowable accessory space on a lot less than 1 acre.

Phil: The sewer is coming to Oronoco soon, and that will allow a change in lot size. The size of accessory structures can be addressed before the sewer project is completed. If we are looking forward to smaller lots (ie: 0.25 acres), a 1000 sq. ft. accessory building would take up about 5% of the lot space. The proposed Kuehn garage would be a little over 5% of the property.

AK: There are other houses in the River Park development that have large garages and have been allowed to add on to their garages.

The commission is trying to follow the codes more closely and try to stop making exceptions to the rules. We want to make sure that we are treating everyone fairly and equally.

There was a discussion last year about the percentage of building coverage.

AK: It is frustrating that I paid \$250 for a variance, and it wasn't explained better that I needed to follow the criteria and because of those it would be an automatic "No."

Commissioners agreed that we need to be very upfront about the criteria and make it clear that every one of the criteria must be met to have a successful variance application.

Motion by Jim R, second by Jim P to deny the variance based on the recommendations of the advice of our consultants.

Vote:

Six in favor

One opposed

AK I am very disappointed that it wasn't explained to me that this was the code. City staff didn't explain that it wasn't within code.

Commissioners encouraged AK to bring his proposal and his grievances to council as they have the final say on the approval or denial of the application.

Jim R made sure to note that the grievances brought forward are not city staff's fault. We do not expect them to interpret the code and to make the decisions that need to come before the commission.

VII. NEW BUSINESS

A. Schedule Workshop #2 for following discussion topics:

- Right of ways
- Easements
- Public Safety
- Acronyms
- Zoning Reports
- Zoning, EDA, Council, City Employee roles
- Budget – fees

We will schedule the next workshop for right after the May P&Z meeting

At the next meeting, we should start considering the code related to the outbuildings. Maybe we could invite Paul Jannetto to come to the meeting to provide some history on the code and any areas of the code that were previously discussed in terms of needing revision.

VIII. OLD BUSINESS

- A. Status of the RFP for planning services
- B. Review the RFP – included in the packet for May 11 meeting
- C. Review of the rolling budget – included in the 5/11 packet
- D. EDA updates: List of the members included in our 5/11 packet

IX. ADJOURNMENT moved by Kathy, seconded by Jim P, all in favor at 7:56 PM