



**MONTROSE
PLANNING AND ZONING COMMISSION MEETING
AGENDA**

**Wednesday, January 13, 2021
7:00 PM**

**Montrose Community Center
200 Center Avenue South
Montrose, Minnesota 55363**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes
 - A. October 14, 2020 Planning and Zoning Commission Meeting Minutes
6. Public Hearing Continuation
 - A. Consider A Conditional Use Permit Application – 345 Garfield Avenue South
7. Old Business
8. New Business
 - A. City Planner Updates
9. Next Meeting
 - A. Wednesday, February 10, 2021 to be held at the Montrose Community Center - 7:00 p.m.
10. Adjournment

*** * Please note that a quorum of the City Council may be present
at the Planning and Zoning Commission Meeting. * ***

City of Montrose
 Planning and Zoning Commission Meeting
 Montrose Community Center
 200 Center Avenue South
 Wednesday, October 14, 2020
 7:00 P.M.

1. CALL TO ORDER

Pursuant to call and notice the Montrose Planning and Zoning Commission met in Regular Session on Wednesday, October 14, 2020 at 7:00 p.m.

Planning and Zoning Commission Vice-Chair, Mr. Mike Scanlon, called the meeting to order at 7:00 p.m.

2. ROLL CALL

Present: Commissioner Mike Scanlon
 Commissioner Shawn Cuff
 Commissioner Justin Emery
 Commissioner Sylvia Henry
 City Council Liaison Lloyd Johnson

Staff Present: Ms. Deborah Boelter, City Clerk-Treasurer
 Mr. Daniel Elder, City Planner

3. PLEDGE OF ALLEGIENCE

The Pledge of Allegiance was taken.

4. APPROVAL OF THE AGENDA

Commissioner Henry motioned to approve the October 14, 2020 Planning and Zoning Commission Meeting Agenda. Commissioner Emery seconded the motion. Motion carried 4-0.

5. APPROVAL OF THE MINUTES

A. August 12, 2020 Planning and Zoning Commission Meeting

Commissioner Cuff asked for a correction to the August 12, 2020 Planning and Zoning Commission Meeting minutes. Commissioner Cuff stated that under **6. PUBLIC HEARINGS, A. Consider A Planned Unit Development Amendment – Forest Creek – R Homes – CONTINUATION** he was in favor of the PUD Amendment and opposed the motion and second "not to allow PUD Amendment."

Commissioner Henry motioned to approve the Planning and Zoning Commission Meeting minutes of August 12, 2020 with the correction under **6. PUBLIC HEARINGS, A. Consider A Planned Unit Development Amendment – Forest Creek – R Homes – CONTINUATION** that Commissioner Cuff was in favor of the PUD Amendment and opposed the motion and second "not to allow PUD Amendment." Commissioner Cuff seconded the motion. Motion carried 4-0.

6. RESIGNATION FROM PLANNING AND ZONING COMMISSION – Ms. Tracy Gurneau

A. Ms. Tracy Gurneau's Resignation from the Planning and Zoning Commission

Ms. Boelter stated that at the Monday, October 12, 2020 Regular City Council Meeting, the City Council accepted Ms. Gurneau's resignation from the Planning and Zoning Commission.

Ms. Boelter continued by stating that the Planning and Zoning Commission will need to vote in a new Chair and Vice-Chair.

B. Chair

Commissioner Henry motioned to make Commissioner Scanlon the Planning and Zoning Commission Chair. Commissioner Emery seconded the motion. Motion carried 3-0-1. Commissioner Scanlon abstained.

C. Vice-Chair

Commissioner Emery motioned to make himself the Planning and Zoning Commission Vice-Chair. Commissioner Scanlon seconded the motion. Motion carried 3-0-1. Commissioner Emery abstained.

7. NO OLD BUSINESS.

8. NEW BUSINESS.

A. Discussion Regarding Beekeeping in Residential Districts

Ms. Boelter stated that the City was contacted by a resident regarding the keeping of beehives on his property. She continued by stating that staff contacted both the City Planner, Mr. Daniel Elder and the City Attorney, Mr. James Monge about having beehives in residential districts. Ms. Boelter stated that staff was concerned about the danger to children and adults living in the area of the beehives; especially those that may be allergic to bees. Both Mr. Elder and Mr. Monge indicated that beekeeping in residential districts is prohibited.

Ms. Boelter stated that when she contacted the property owner regarding his request and asked him to attend tonight's Planning and Zoning Commission Meeting to answer any questions the Commission may have, he admitted that he in fact was in a dispute with his neighbor and his neighbor was the one that had the beehives and he wanted to make the City aware of it. Ms. Boelter apologized to the Planning and Zoning Commission; because, by the time she received this information from the property owner, the Agenda and Packet for the Meeting were already sent out.

Mr. Elder stated that currently, the City's Zoning Ordinance definition of farm animals includes bees, meaning that beekeeping would only be allowed in areas of the Community that allow farming or other agricultural activities, essentially, just the Urban Reserve District.

Mr. Elder continued by stating that residents are concerned about the keeping of bees in residential areas, citing the distance to neighbors and the dangers of allergic reactions.

Mr. Elder stated that some cities have accommodated beekeeping in residential areas, although the majority do not. The City of Minneapolis, Minnesota is often cited as an example; however, Zoning Authority in Minneapolis is different than in the City of Montrose and other smaller communities. Minneapolis is a "first class" City under the State of Minnesota's classification system, and allows various land use decisions to be made at the neighborhood level. In the case of bees, the City retains the authority for approval; but, permits all neighbors a "veto" vote.

Mr. Elder stated that this type of neighbor approval process is not permitted outside of Minneapolis; St. Paul, Minnesota; and Duluth, Minnesota. As such, the City must decide whether beekeeping would be allowed, and is not permitted to require neighbor approval.

Mr. Elder stated that the common issue raised by opponents is the potential for stinging and the fact that between five percent (5%) and ten percent (10%) of the population is allergic to insect stings. Because bees are not able to be controlled on a single property, the impact to neighbors is a potential issue.

Mr. Elder stated that with regard to honey production, the National Honey Board estimates that an average bee colony will produce about sixty (60) pounds of honey per year, while the average consumption of honey is about 1.3 pounds per person in the United States, or less than five (5) pounds per household.

Mr. Elder continued by stating that the common beehive frame would be just under twenty (20) inches long, by twelve (12) inches high, by ten (10) inches wide.

Mr. Elder stated that while honeybees are not commonly aggressive, they spread throughout the neighborhood in search of nectar-producing flowering plants. Staff is aware of issues that have arisen in residential areas with conflicts between property owners and there are potentially areas where residents' allergies have been an issue. As noted above, it is not possible to contain the bees within a single residential property.

Mr. Elder gave the Planning and Zoning Commission the following options to consider:

1. Retain existing code language, restricting beekeeping to Agricultural areas.
2. Allow beekeeping in typical residential areas; but, limit bee colonies to a single hive.

Mr. Elder stated that because we are not permitted to treat similarly zoned single family properties differently, we cannot limit beekeeping to one (1) per block, or any similar distance.

Mr. Elder stated that to accomplish option two (2) above, an amendment would need to be made to the Zoning Ordinance allowing beekeeping in those zoning districts and establishing the regulations appropriate to manage the use. In the cities that allow beekeeping, beekeepers are required to register their activity in the event of complaints or other issues.

Mr. Elder stated that the City's Zoning Ordinance does allow City staff to address the property owner with the beehives with the same process as any other City Code violation.

The Planning and Zoning Commission discussed and were in agreement that they did not want to amend the City's Zoning Ordinance to allow for beekeeping in residential districts.

B. City Planner Updates

Mr. Elder gave updates on the following:

1. The old Casey's Building.
2. The Preserve Housing Development.
3. The proposal to bring an Aldi's Grocery Store to the City of Montrose.
4. 525 Nelson Boulevard

Commissioner Henry asked City staff to deal with the blighting issues located at 525 Nelson Boulevard. Ms. Boelter stated that the City is working with both the property owner and the renter to remediate the blighting conditions on the property.

9. NEXT MEETING

A. November, 2020 Planning and Zoning Commission Meeting To-Be-Determined

Ms. Boelter stated that the November, 2020 Planning and Zoning Commission Meeting would be held on November 11, 2020 and this is the Veteran's Day Holiday; so, City Hall will be closed.

The Commission Members discussed and agreed to cancel the November 11, 2020 Planning and Zoning Commission Meeting.

Commissioner Henry motioned to cancel the Wednesday, November 11, 2020 Planning and Zoning Commission Meeting. Commissioner Emery seconded the motion. Motion carried 4-0.

10. ADJOURNMENT

Commissioner Henry motioned to the adjourn the Planning and Zoning Commission Meeting at 7:30 p.m. Commissioner Emery seconded the motion. Motion carried 4-0.

Mike Scanlon
Chair
City of Montrose

ATTEST:

Deborah R. Boelter, CMC
City Clerk-Treasurer
City of Montrose

CITY OF MONTROSE
COUNTY OF WRIGHT
STATE OF MINNESOTA
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Montrose Planning and Zoning Commission will hold a Public Hearing at 7:00 p.m. or soon thereafter on Wednesday, January 13, 2021 at the Montrose Community Center, located at 200 Center Avenue South in the City of Montrose, for the purpose of considering a Conditional Use Permit for the property located at 345 Garfield Avenue South in Montrose, Minnesota to allow the construction of an accessory building.

The property is legally described as:

Sect-35 Twp-119 Range-026 UNPLATTED LAND MONTROSE
N100FT OF S500FT OF TH PRT OF SE1/4OF SW 1/4TH LIES1)E OF
LN DRWN NLY AT R AGL TO S LN FR PT

With PID: 112500353411

The purpose of the Conditional Use Permit request is to allow the construction of an accessory building on the property located at 345 Garfield Avenue South. Notice is further given that any written or oral comments from citizens regarding the requested Conditional Use Permit will be heard at the Public Hearing. All interested persons are invited to attend the meeting and will be afforded the opportunity to speak on the application during the Public Hearing. If you wish to provide written comment, please send correspondence to delder@nacplanning.com. If you wish to receive more information on the application, please call Mr. Daniel Elder, City Planner, at (651) 726-7295.

Deb Boelter
Montrose City Clerk-Treasurer

Date of Publication: December 24, 2020



NORTHWEST ASSOCIATED CONSULTANTS, INC.

4150 Olson Memorial Highway, Ste. 320, Golden Valley, MN 55422
Telephone: 763.957.1100 Website: www.nacplanning.com

MEMORANDUM

TO: Deb Boelter, City Administrator
FROM: Daniel Elder, City Planner
DATE: December 22, 2020
RE: Conditional Use Permit – Accessory Building
FILE NO: 273.03 -20.02
PROPERTY ADDRESS: 345 Garfield Ave S, Montrose, MN 55363

BACKGROUND

Ruth and Dennis Isaacs are requesting approval of a conditional use permit (CUP) to allow the construction a detached accessory building. The combination of the existing attached garage (444 sqft) and proposed detached garage (960 sqft) exceed 1,000 square feet requiring a conditional use permit.

The zoning ordinance allows single-family properties to have an attached and detached garage in excess of 1,000 square feet by conditional use permit provided it doesn't exceed 1,500 square feet.

The applicants intend to use the garage for extra storage for their car collection.

The subject site is R-1, Single Family Residential, and measures approximately 1 acre in size.

Attached for reference:
Exhibit A – Applicant Narrative
Exhibit B – Site Location
Exhibit C – Site Plan
Exhibit D – Garage Designs

ANALYSIS

Conditional Use Permit Evaluation Criteria. Section 1005-3 of the Zoning Ordinance states that the Planning Commission shall consider possible effects of the proposed conditional use. Its judgment shall be based upon, but not limited to, the following factors:

- A. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the Official City Comprehensive Plan.
- B. The proposed use is or will be compatible with present and future land uses of the area.
- C. The proposed use conforms with all performance standards contained in this Code.
- D. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.
- E. Traffic generation by the proposed use is within capabilities of streets serving the property.

Private garages are a permitted accessory use in the R-1 District. The subject site is guided for low-density residential land uses by the Comprehensive Plan. Provided certain conditions are upheld, the proposed garage will be compatible with existing, and future land uses in the area. The proposed garage must comply with the required performance standards, as discussed below.

Setbacks. The Ordinance requires accessory structures to be set back not less than 25 feet from the front lot line, 10 feet from the side lot line, and 10 feet from the rear lot line. The garage is proposed to be located on the west side of the property; the applicant has not provided sideyard setbacks and must submit documents showing the setbacks have been met. The garage is greater than 10 feet from the rear (west) lot line and greater than 25 feet from the front (east) lot line. The front and rear yard setbacks requirements have been satisfied.

Lot Coverage. According to the Ordinance, all residential buildings shall not exceed a lot coverage of thirty percent (30%). The proposed concept will be below 30 percent.

Accessory Building Area. The total garage space upon the property may not exceed 1,500 square feet. The proposed square footage of both will be 1,448 square feet of garage space.

Recommendation

Ruth and Dennis Isaacs seek approval of a conditional use permit to allow the construction of a new 960 square foot detached garage. The garage appears to be consistent with the requirements of the Zoning Ordinance and Comprehensive Plan. Staff recommends approval of the conditional use permit subject to the following conditions:

1. The exterior finish of the building shall be consistent with the principal structure.
2. The location shall meet all required setbacks.
3. No business activity shall be conducted within the structure.

CC: Deb Boelter
Bob Lindberg
Ruth & Dennis Isaacs

CITY OF **Montrose, MN**
BUILDING PERMIT

Permit No. _____

Date _____

CONTRACTOR'S LICENSE NO. _____		1. DATE 06/01/2020		FEES	
2. SITE ADDRESS 345 Garfield Ave S, Montrose, MN		ZIP CODE 55363			
3. LEGAL DESCRIPTION PROPERTY I.D. NO. SECTION _____ LOT _____ BLOCK _____ ADDITION _____ PLAT NUMBER _____ PARCEL NUMBER 112500353411				PERMIT FEE _____ PLAN CHECK FEE _____ INVESTIGATION FEE _____ ENGINEERING FEE _____ SITE FEE _____ DRIVEWAY FEE _____ CULVERT \$ _____ FIREPLACE _____ /SO PLUMBING FEE _____ /SO SEPTIC FEE _____ MECHANICAL FEE _____ /SO WATER METER FEE _____ WATER FEE _____ SEWER FEE _____ SURCHARGE FEE _____ ADMIN. FEE _____ OTHERS _____ CONTRACTORS LICENSE _____ TOTAL FEE _____	
4. OWNER (Name) _____ (Address) _____ (Tel. No.) _____ Dennis & Ruth Isaacs 345 Garfield Ave S, Montrose, MN 55363 (612) 986-4849					
5. ARCHITECT (Name) _____ (Address) _____ (Tel. No.) _____				CODE ANALYSIS TYPE OF CONST. _____ USE OF BLDG. _____ OCCUPANCY GROUP _____ OCCUPANCY LOAD _____ ZONING DISTRICT _____ VARIANCE GRANTED, DATE _____ OFF STREET PARKING SPACES REQ. _____ SPACES ON PLAN _____ MATERIAL FILED W/APPLICATION SOILS REPORT <input type="checkbox"/> Borings <input type="checkbox"/> Percolation <input type="checkbox"/> Compaction tests PLANS AND SPECS. <input type="checkbox"/> Sets _____ SURVEY <input type="checkbox"/> Copies _____ ENERGY CALCULATIONS <input type="checkbox"/> _____ PILING LOGS <input type="checkbox"/> _____ FIRE SPRINKLERS REQUIRED <input type="checkbox"/> YES <input type="checkbox"/> NO SPECIAL APPROVALS ZONINGS _____ FIRE DEPT. _____ HEALTH DEPT. _____ PUBLIC WORKS _____ COUNTY _____ OTHER _____ CERTIFICATE OF OCCUPANCY ISSUED DATE _____ BY _____	
6. BUILDER (Name) _____ (Address) _____ (Tel. No.) _____					
7. TYPE OF WORK Fireplace <input type="checkbox"/> Septic <input type="checkbox"/> Heating <input type="checkbox"/> Plumbing <input type="checkbox"/> Reroofing <input type="checkbox"/> New Construction <input type="checkbox"/> Alterations <input type="checkbox"/> Addition <input type="checkbox"/> Finish Basement <input type="checkbox"/> Residing <input type="checkbox"/> Deck <input type="checkbox"/> Porch <input type="checkbox"/> Garage <input checked="" type="checkbox"/> Chimney <input type="checkbox"/> Misc. _____					
8. SIZE OF STRUCTURE (Height) (Width) (Depth) 16' 24' 40'		9. NUMBER OF STORIES Single		10. ESTIMATED VALUE Unknown	
11. COMPLETION DATE A.S.A.P		12. PROPERTY DIMENSION Width _____ Depth _____		13. NO. OF FAMILIES (if applicable) _____	
14. PROPOSED ELEVATION IN RELATION TO CURB OR WATERWAY. _____ ELEV.		15. PROPERTY AREA OR ACRES Sq. Ft. 1 Acre		16. CULVERT SIZE Yes _____ No _____	
17. FRONT YARD set back from road Property Ft. _____		18. REAR YARD set back Ft. _____		19. SIDE YARDS set back _____ Right Sd. _____ Left Sd.	
20. MISCELLANEOUS <u>I need a variance on the square ground footage on the floor of the new garage.</u> <u>I am not going to use this structure as a business. I want to store my classic cars, boat and other personal items in the garage. I very badly need the space to clean up the property and keep it looking nice. I just don't have the space right now. The square footage needed for the garage is 960 total square feet.</u> <u>I need the variance for the extra 500 feet needed.</u>					
SPECIAL CONDITIONS: It is my responsibility to locate and establish the elevations if needed of all site improvements. Required adjustments at my expense.					

ACKNOWLEDGMENT AND SIGNATURE:

The undersigned hereby agrees that, in case such permit is granted, that all work which shall be done and all materials which shall be used shall comply with the plans and applications herewith submitted and with all the ordinances of said CITY OF **Montrose, MN** applicable thereto.


SIGNATURE OF APPLICANT

APPROVED BY BUILDING INSPECTOR _____

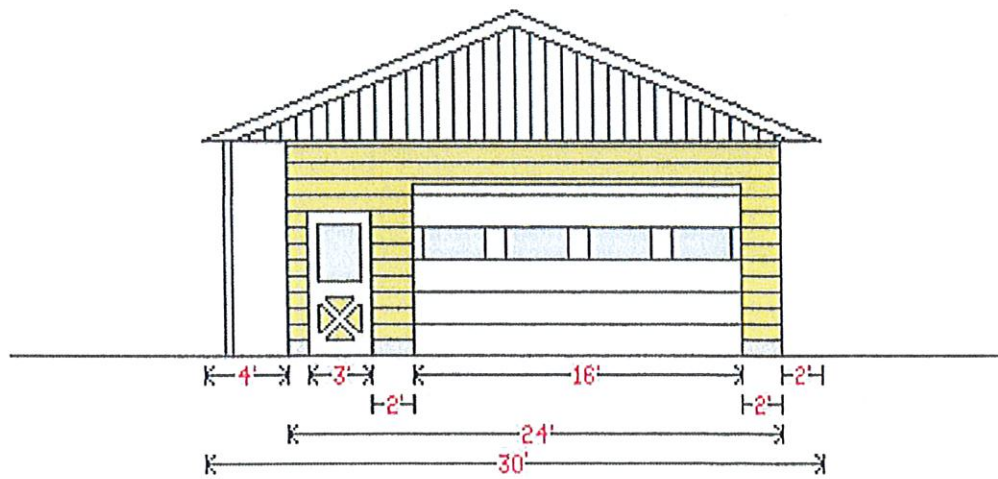
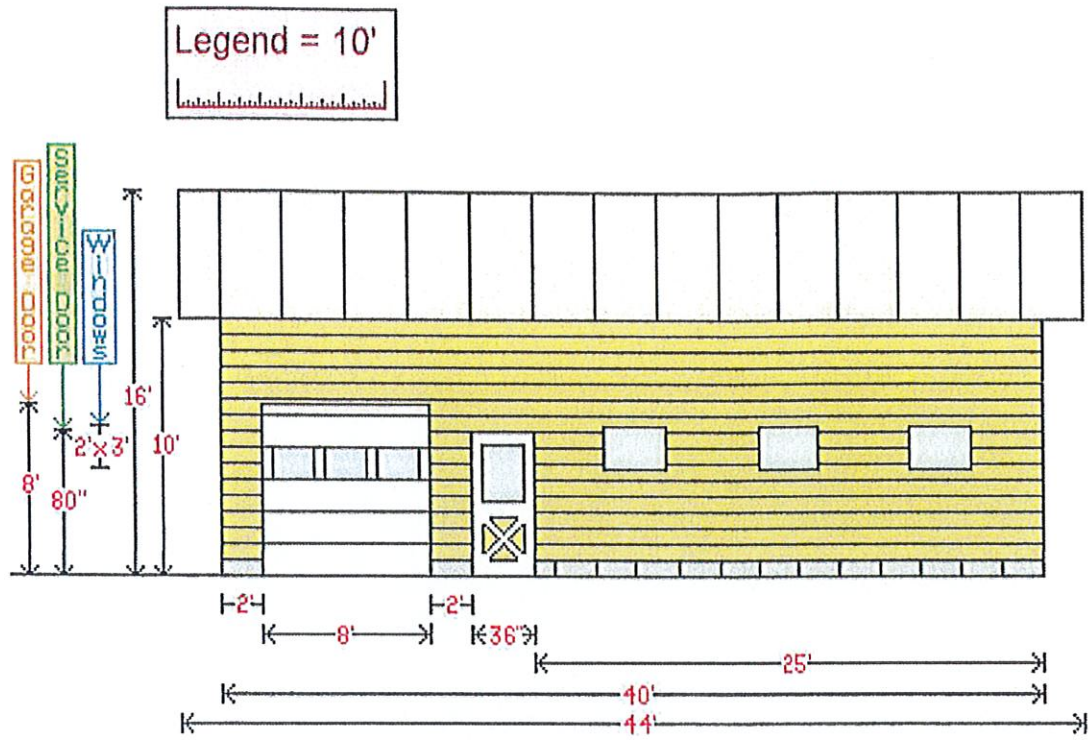
White - City's Copy

Yellow - Inspectors Copy

Pink Applicant's Copy

Gold - Assessor's Copy

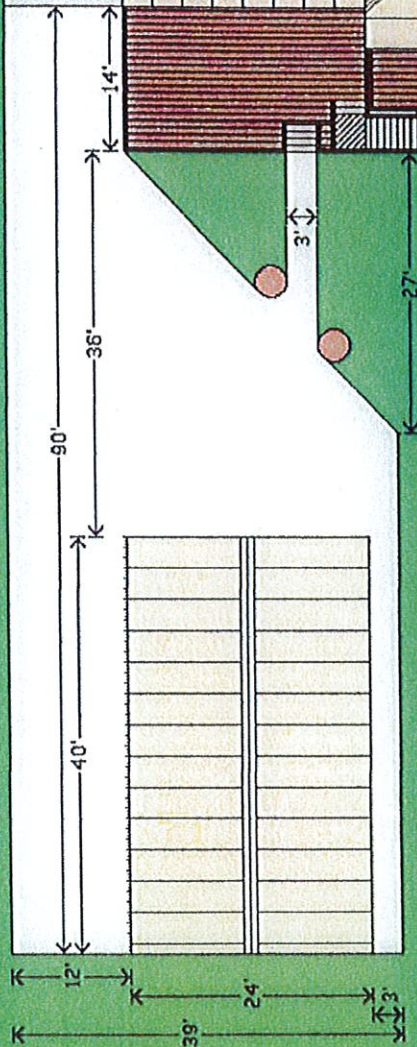
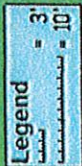
Exhibit A



Existing
Driveway

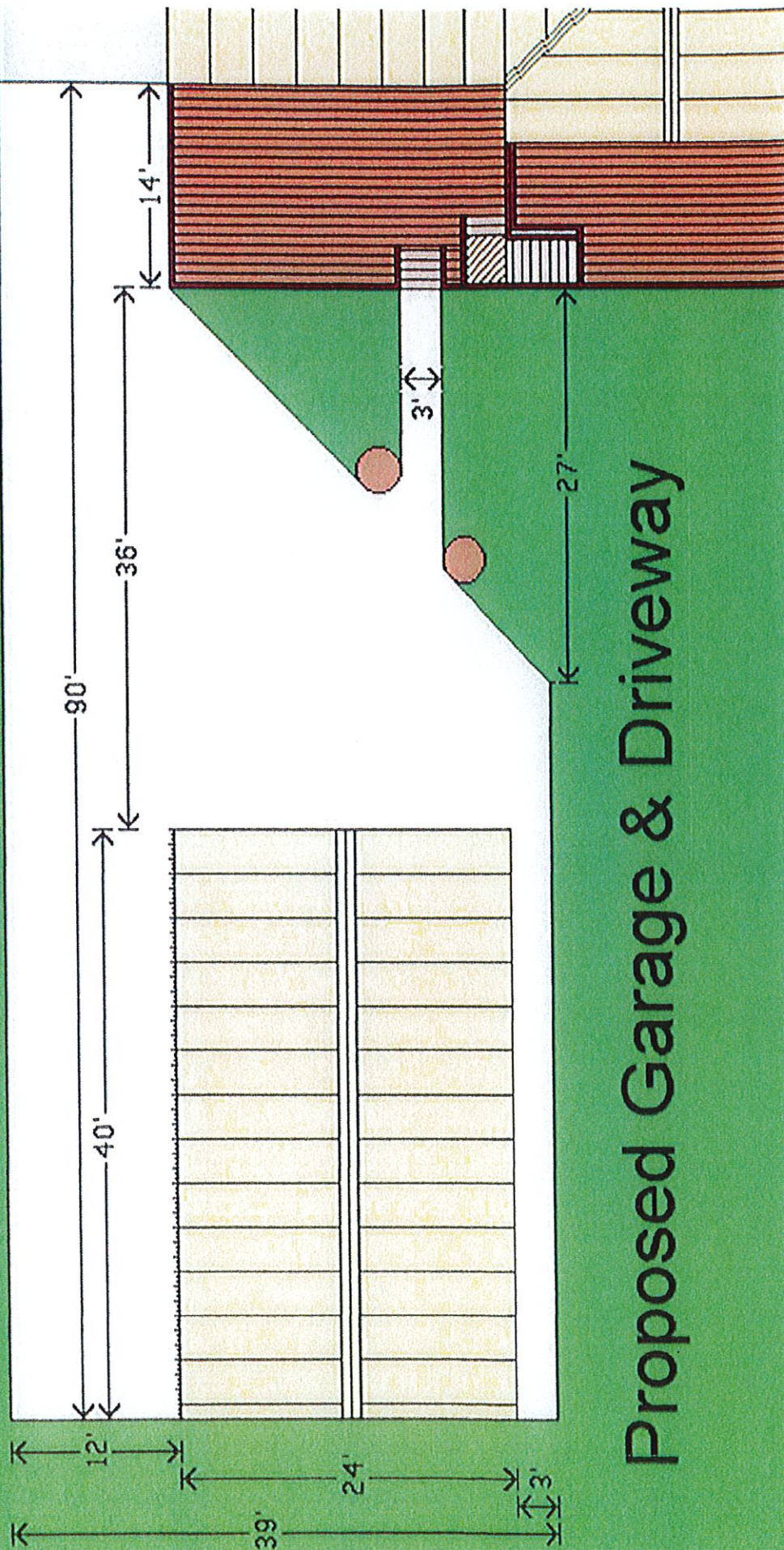
House, Deck
& Garage

Proposed Garage
& Driveway



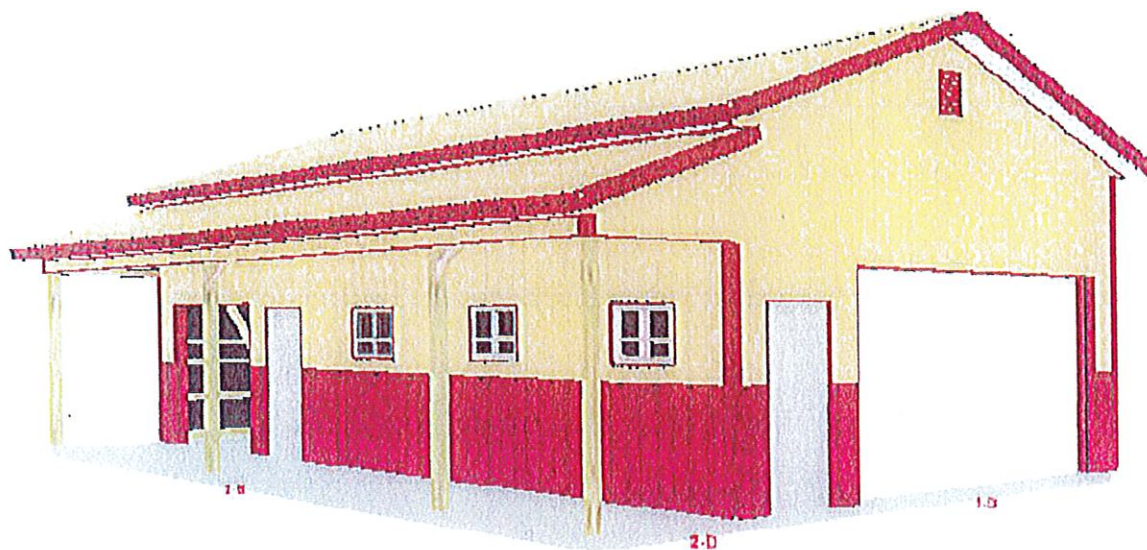
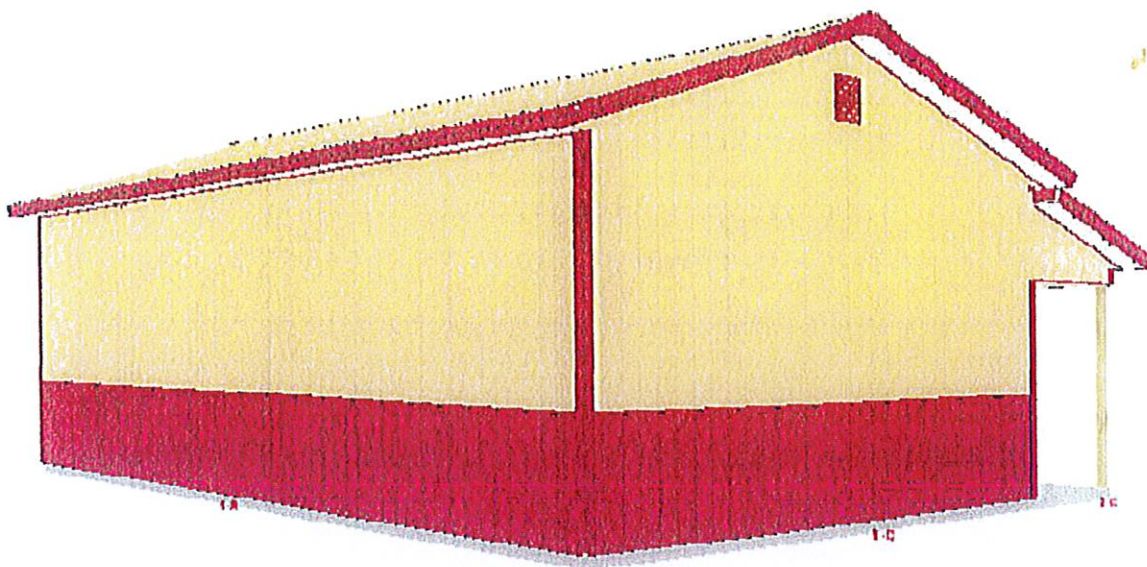
Property Owners
Dennis & Ruth Isaacs
345 Garfield Ave S
Montrose, MN 55363
Cell - (612) 986-4849 - Dennis
Cell - (612) 242-8875 - Ruth

Legend = 3'
 = 10'



Proposed Garage & Driveway

Elevation Views



Store: BUFFALO
1415 COUNTY ROAD 134
BUFFALO, MN 55313
Ph: 763-684-0830



Design #: 320355788633

Estimated price:

*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

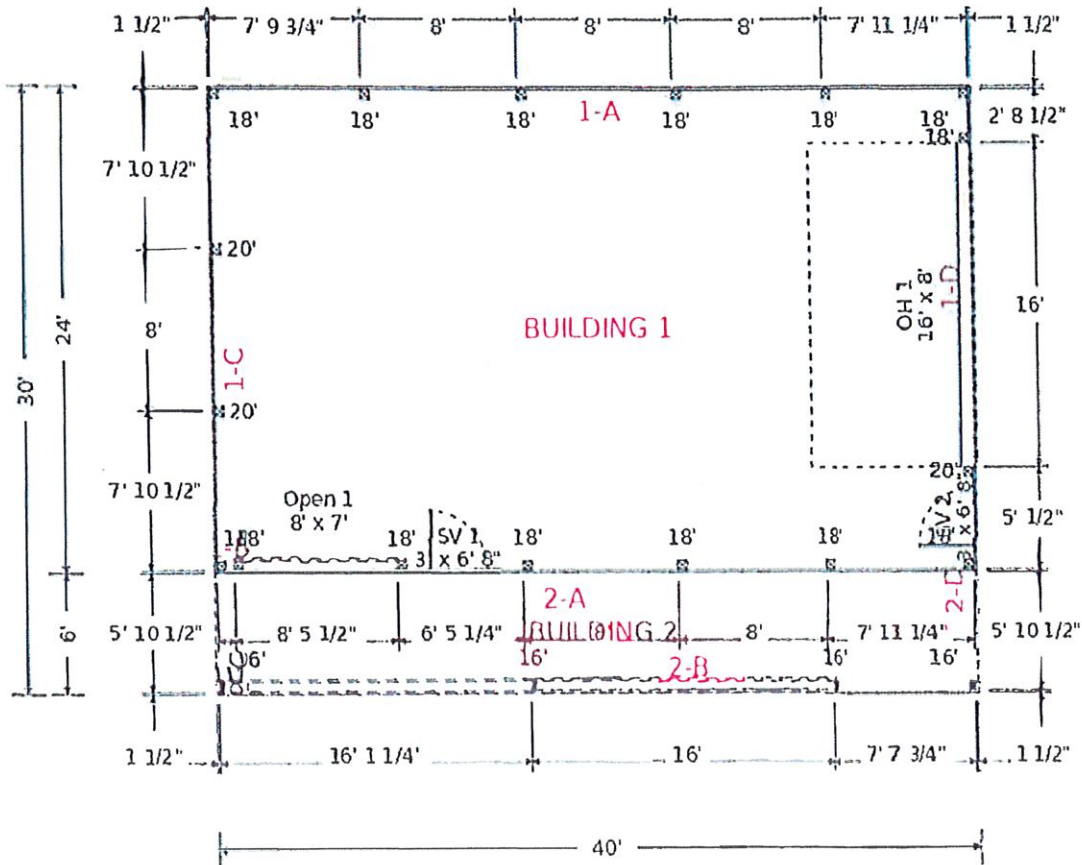
How to purchase at the store

1. Take this packet to any Menards store.
2. Have a building materials team member enter the design number into The Post Frame Request Form on the Midwest Manufacturing website.
3. Apply the design to System V to create the SOCs.
4. Take the SOCs to the register and pay.

How to recall and purchase a saved design at home

1. Go to Menards.com.
2. Log into your account.
3. Go to Saved Designs under the Welcome Login menu.
4. Select the saved design to load back into the estimator.
5. Add your building to the cart and purchase.

FLOOR PLAN



Building Information

1. Building Use:	Code Exempt
2. Width:	24 ft
3. Length:	40 ft
4. Inside Clear Height:	12 ft
5. Floor Finish:	Concrete
6. Floor Thickness:	5 in
7. Post Foundation:	Post Embedded
8. Post Embedment Depth:	4 ft
9. Footing Pad Size:	14 in x 4 in

Wall Information

1. Post Type:	Posts
2. Post Spacing:	8 ft
3. Girt Type:	Flat
4. Exterior Wall Panel:	Pro-Rib
5. Exterior Wall Color:	Prairie Wheat
6. Wainscot Size:	48 in
7. Wainscot Color:	Burgundy
8. Sidewall B Wainscot:	Yes
9. Sidewall A Wainscot:	Yes
10. Trim Color:	Burgundy
11. Endwall D Wainscot:	Yes
12. Endwall C Wainscot:	Yes
13. Sidewall A Eave Light:	None
14. Sidewall B eave light:	None
15. Wall Fastener Location:	In the Flat
16. Bottom Trim:	Yes
17. Gradeboard Type:	2x6 Treated Centermatch
18. Sidewall A Rows:	2 rows = 10"
19. Sidewall B Rows:	2 rows = 10"
20. Endwall C Rows:	2 rows = 10"
21. Endwall D Rows:	2 rows = 10"

Roof Information

1. Pitch:	4/12
2. Truss Spacing:	8 ft
3. Roof Type:	Pro-Rib
4. Roof Color:	White
5. Ridge Options:	Universal Ridge Cap
6. Roof Fastener Location:	In the Flat
7. Endwall Overhangs:	1 ft
8. Sidewall Overhangs:	1 ft
9. Fascia Size:	6 in Fascia
10. Soffit Color:	White
11. Skylight Size:	None
12. Ridge Vent Quantity:	None
13. Ceiling Liner Type:	None
14. Purlin Placement:	On Edge
15. Ceiling Insulation Type:	None

Accessories

1. Outside Closure Strip:	Economy Vented
2. Inside Closure Strip:	Standard
3. Gable Vent Type:	14"x18"
4. Gable Vent Quantity:	2
5. Gable Vent Color:	Burgundy
6. Cupola Size:	None
7. Gutters:	No
8. End Cap:	Yes
9. Mini Print:	Hardcopy and E-mail

Interior Finish

1. Wall Insulation Type:	None
2. Wall Liner Type:	None
3. Roof Condensation Control:	None

Exhibit D

Leans

Building 2		
Attaching wall:		B
Endwall overhang length:		1 ft
Sidewall overhang length:		1 ft
Add snow guards:		No
Remove every other post:		Yes
Length:		40 ft
Depth:		6 ft
Drop Distance From Roof:		1 ft
Position From Left:		0 ft
Approximate Clear Height:		8 ft
Open interior wall:		No
Open exterior walls:		Side And End Walls

Doors & Windows

Name	Size	Wall
Window	36"x24"	1-B
Window	36"x24"	1-B
Window	36"x24"	1-B
Overhead Opening	8' x 7'	1-B
Service Door	36"x80"	1-B
Service Door	36"x80"	1-D
Overhead Door	16' x 8'	1-D

Lean Open Walls

Wall	Every Other Post Removed
2-B	Yes
2-C	Yes
2-D	Yes