

**BELLE PLAINE PLANNING & ZONING COMMISSION
REGULAR MEETING
AUGUST 8, 2007**

1. CALL TO ORDER. 1.1. Roll Call.

The Planning and Zoning Commission met in Regular Session on Wednesday, August 8, 2007 in the Government Center at 218 North Meridian Street, Belle Plaine, MN. Chairperson Kevin Fors called the meeting to order at 6:00 p.m. with Commissioners Henry Pressley, Gary Trost and Bob Chaussee present. Commissioner Joe Bowman arrived at 6:01 p.m. and Commissioner Henry Pressley arrived at 6:08 p.m. Alternate Scott Schneider was not present. Also present were Community Development Director Trisha Rosenfeld and Council liaison Peter Anderly.

2. APPROVAL OF AGENDA.

MOTION by Commissioner Trost, second by Commissioner Chaussee, to approve the agenda as presented. ALL VOTED AYE. MOTION CARRIED.

3. APPROVAL OF MINUTES. 3.1. Regular Session Minutes of July 11, 2007.

MOTION by Commissioner Trost, second by Commissioner Chaussee, to approve the Regular Session Minutes of July 11, 2007 as presented. ALL VOTED AYE. MOTION CARRIED.

4. PUBLIC HEARINGS.

5.1. Variance Request. The Planning Commission will accept public comment on a request by Scott Renne, 1134 West State Street, Belle Plaine, MN, for a variance from Section 1104.12 to allow a garage door height of nine (9) feet and also Section 1105.07 to allow the construction of a 16-foot high accessory structure (garage) at 1134 West State Street, in the R-3, Single and Two-Family Residential District.

Chair Fors referenced a memo dated August 8, 2007 from Community Development Director Rosenfeld regarding a variance request from Scott Renne, 1134 West State Street.

Community Development Director Rosenfeld explained that the applicant is requesting the review of a variance to allow for the construction of a 26 ft. x30 ft, or 780 square feet, detached garage with a 16x9 foot overhead door. City code only allows for an 8 foot overhead door and a maximum building height of 15 feet in the R-3 residential district. The proposed location would be on the adjacent side of the waterway near the primary structure. The applicant will maintain all setbacks to the railroad, waterway and all building setbacks. The design of the structure will be white vinyl siding with black asphalt shingles. Due to the proximity of where the structure is placed, out the edge of city limits and the fact there are no neighbors on three sides of the property, staff recommends approval of the variance request with the following conditions: 1) A building permit is obtained prior to construction and 2) No other variances will be granted for this.

Chair Fors opened the public hearing at 6:05 p.m. and asked for public comment. There was no response.

MOTION by Commissioner Bowman, second by Commissioner Trost, to close the public hearing at 6:06 p.m. ALL VOTED AYE. MOTION CARRIED.

Commissioner Chaussee inquired whether there was any issue with the close proximity to the railroad. Community Development Director Rosenfeld replied that she was unaware of any issues.

1.1. Resolution PZ-07-028 Recommending Approval of Variances to Allow the Construction of a Garage at 1134 West State Street.

MOTION by Commissioner Trost, second by Commissioner Bowman, to approve Resolution PZ-07-028 Recommending Approval of Variances to Allow the Construction of a Garage at 1134 West State Street. ALL VOTED AYE. MOTION CARRIED.

5.2. Variance Request. The Planning Commission will accept public comment on a request by Gary and Carolyn Bandel, 214 West Main Street, Belle Plaine, MN, for a 3 ½ foot west side yard variance from Section 1105.07 to allow the construction of a screened porch to encroach the setback at 214 West Main Street, in the R-3, Single and Two-Family Residential District.

Chair Fors referenced a memo dated August 8, 2007 from Community Development Director Rosenfeld regarding a variance request from Gary and Carolyn Bandel, 214 West Main Street.

Community Development Director Rosenfeld explained that the applicant is requesting the review of a variance to allow for the construction of a screened porch to encroach the side yard setback of 3 ½ feet. The required setback in this residential zoning district is five feet. Staff recommends approval with the following conditions: 1) A building permit is obtained prior to construction and 2) No additional variances or CUPs are approved for this property.

Chair Fors opened the public hearing at 6:07 p.m. and asked for public comment. Chair Fors acknowledged receipt of a letter from adjacent property owners, Pat and Deb Ediger, in support of the variance request. There were no other comments.

MOTION by Commissioner Trost, second by Commissioner Chaussee, to close the public hearing at 6:08 p.m. ALL VOTED AYE. MOTION CARRIED.

5.2.1. Resolution PZ-07-029 Recommending Approval of a Variance to Allow the Construction of a Screened Porch at 214 West Main Street.

MOTION by Commissioner Chaussee, second by Commissioner Trost, to approve Resolution PZ-07-029 Recommending Approval of a Variance to Allow the Construction of a Screened Porch at 214 West Main Street. ALL VOTED AYE. MOTION CARRIED.

Commissioner Pressley arrived at 6:08 p.m.

5.3. Conditional Use Permit – Jimmy’s Custom Rod and Classic Cars. The Planning Commission will accept public comment on a request by Jimmy Gaboury, 13727 Johnson Memorial Drive, Shakopee, MN, for a conditional use permit to operate custom rod and classic cars sales and service at 139 East Main Street.

Chair Fors referenced a memo dated August 8, 2007 from Community Development Director Rosenfeld regarding the conditional use permit request from Jimmy Gaboury, Shakopee, MN.

Community Development Director Rosenfeld explained that the applicant is requesting the review of a CUP in order to operate an automobile sales establishment in the former Keup building in the downtown business district. The applicant is proposing to occupy the building and vacant lots on the south of the building near the alley and across Main Street. The auto repair would operate as a non-conforming use. There are no off-street parking requirements in the downtown business district. In reviewing the previous approved CUP, staff recommends approval with the following conditions: 1) Any MPCA licenses required shall be kept on file with the City of Belle Plaine, 2) The CUP is specific to this applicant only, 3) A building and sign permit are obtained prior to any remodeling and sign erection, 4) A 6-foot high fence

shall encompass any outdoor storage of vehicles or equipment, and 5) Any changes to the façade or signage be reviewed by the Commercial design committee.

Chair Fors opened the public hearing at 6:10 p.m. and asked for public comment. There was no response.

MOTION by Commissioner Trost, second by Commissioner Bowman, to close the public hearing at 6:11 p.m. ALL VOTED AYE. MOTION CARRIED.

Commissioner Trost commented that this same issue was brought before the Planning Commission and City Council in 2005 and was approved. Councilmember Trost supported the request and noted that the paint booth will be regulated by the Minnesota Pollution Control Agency.

5.3.1. Resolution 07-030 Recommending Approval a Conditional Use Permit to Allow Jimmy's Custom Rod and Classic Cars Sales and Service at 139 East Main Street.

MOTION by Commissioner Pressley, second by Commissioner Bowman, to approve Resolution 07-030 Recommending Approval a Conditional Use Permit to Allow Jimmy's Custom Rod and Classic Cars Sales and Service at 139 East Main Street. ALL VOTED AYE. MOTION CARRIED.

6. BUSINESS.

Chair Fors noted that there was no further business scheduled for tonight's meeting.

In other discussion, Community Development Director Rosenfeld invited the Commissioners to the upcoming Rural Design presentation at 3:00 p.m. on Monday, August 13, 2007.

The Commissioners were in favor of scheduling a training session on planning procedures at 6:00 p.m. on Wednesday, September 5, 2007. The regular meeting will immediately follow.

7. ADMINISTRATIVE REPORTS.

7.1. Upcoming Meetings.

1. Planning Commission, Training 6:00 p.m., and Regular Session at 7:00 p.m., Wed., September 5, 2007.

The Commissioners were reminded of the next regular meeting as listed.

8. ADJOURNMENT.

MOTION by Commissioner Pressley, second by Commissioner Bowman, to adjourn at 6:20 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary