

CITY OF GRAND RAPIDS

*NOTICE OF MEETING
PLANNING COMMISSION*



**CITY OF
GRAND RAPIDS**
IT'S IN MINNESOTA'S NATURE

Meeting Agenda Full Detail

Thursday, August 1, 2013

4:00 PM

Council Chambers

Planning Commission

***COUNCIL CHAMBERS
CITY HALL - 420 N. Pokegama Ave.
Grand Rapids, MN 55744***

Call To Order**Call of Roll**

Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.

Approval of Minutes

[13-0444](#) Approve the minutes of the July 9, 2013, 4:00 pm regular meeting.

Attachments: [July 9, 2013 Planning Commission Meeting Minutes](#)

Public Hearings

[13-0445](#) Conduct a Public Hearing to consider a variance petition submitted by Mike Przytarski.

Attachments: [Przytarski Variance: Staff Report & Map](#)
[P.H. Rules and Variance Considerations](#)
[Przytarski Variance: Application](#)

General Business

[13-0446](#) Consider a recommendation to the City Council regarding the rezoning of a 2.13 acre parcel of land from I-1 (Industrial Park) to GB (General Business).

Attachments: [Hardy Zoning Map Amendment: Staff Report - Rezoning Considerations](#)
[Zoning Map Amendment: Maps and Excerpts](#)
[Hardy Zoning Map Amendment: Application](#)

Public Input

Individuals may address the Planning Commission about any non public hearing item or any item not included on the Regular Meeting Agenda. Speakers are requested to come to the podium, state their name and address for the record and limit their remarks to three (3) minutes.

Miscellaneous\Updates**Adjourn**

NEXT REGULAR PLANNING COMMISSION MEETING IS SCHEDULED FOR:
Thursday, September 5, 2013

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CITY OF GRAND RAPIDS

NOTICE OF MEETING
PLANNING COMMISSION

Minutes - Final Planning Commission

COUNCIL CHAMBERS
CITY HALL - 420 N. Pokegama Ave.
Grand Rapids, MN 55744

Tuesday, July 9, 2013

4:00 PM

Council Chambers

Call To Order

Present 6 - Commissioner Lee Anderson, Commissioner Julie Fedje-Johnston, Commissioner Ron Niemala, Chairperson Michael Twite, Commissioner Mark Gothard, and Commissioner Marn Flicker

Absent 1 - Commissioner Shane McKellep

Call of Roll

Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.

Motion by Commissioner Twite, second by Commissioner Niemala to approve the agenda as presented. The following voted in favor thereof: Niemala, Twite, Fedje-Johnston, Anderson, Flicker, Gothard. Opposed: None, passed unanimously.

Approval of Minutes

Approve the minutes of the June 6, 2013, 4:00 pm regular meeting.

Motion by Commissioner Flicker, second by Commissioner Anderson to approve the minutes of the June 6, 2013 regular meeting. The following voted in favor thereof: Gothard, Anderson, Flicker, Fedje-Johnston, Twite, Niemala. Opposed: None, passed unanimously.

Public Hearings

Conduct a Public Hearing to consider a variance petition submitted by Michael Newton.

Recorder Groom noted all notices required by law have been met.

Motion by Commissioner Twite, second by Commissioner Niemala to open the public hearing. The following voted in favor thereof: Gothard, Flicker, Anderson, Fedje-Johnston, Twite, Niemala. Opposed: None, passed unanimously.

Motion by Commissioner Twite, second by Commissioner Anderson to close the public hearing. The following voted in favor thereof: Niemala, Twite, Fedje-Johnston, Anderson, Flicker, Gothard. Opposed: None, passed unanimously.

The Commissioners reviewed the considerations. Colleen Nardone addressed the

Commissioners. Mrs. Nardone owns the property to the north of Mr. Newton's property and would like the tree buffer to remain intact.

Motion by Commissioner Twite, second by Commissioner Anderson that, based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby grant the following variances to Michael Newton for the property legally described as: Lot 43 Less NW 33 1/3' & Lot 44 Less SE 33 1/3', Elm Acres Addition Grand Rapids, Itasca County, Minnesota;

• to allow a one-time waiver of the requirements of Section 30-563(2)b & c of the Municipal Code for the construction of a 1,008 sq. ft. detached accessory building, which would be located closer to the front lot line than the principal building (home), and exceed the maximum allowable amount of accessory structure space allocated for the lot by 16 sq. ft., as depicted in the variance application submitted by Mr. Newton.

and the following conditions shall apply:

1. The accessory structure shall meet the design criteria in Section 30-563(4) e.
2. The owner minimize vegetation and tree removal to the north of the property to maximize the amount of visual screening.

Commissioner Twite read his considerations for the record.

1. Is this an "Area" variance rather than a "Use" variance?
Area.

2. Does the proposal put property to use in a reasonable manner?

Yes, the original construction on this lot put the principal structure approximately 55 feet off of the OHWL, which is a much different design than the adjoining properties. This owner did not build this structure to the best of our knowledge the only place an accessory structure can be located is in the front yard or away from the lake.

3. Is the owner's plight due to circumstances which are unique to the property and which are not self-created by the owner?

Yes, since this owner to the best of our knowledge did not construct this building and following the zoning ordinance would not allow for an accessory structure to be built. The only viable alternative is to place the structure between the principal structure and the road.

4. Is the variance in harmony with the purposes and intent of the ordinance?

Yes, it is in that this is one of the larger lots in the area and because of the design criteria it will help harmonize the design of the accessory structure within the neighborhood.

5. Will the variance, if granted, alter the essential character of the locality?

No it won't this is a residential neighborhood well developed the owners design will has the building set back further than the two adjacent properties.

6. Is the variance consistent with the comprehensive plan?

Yes, as discussed it does not conflict with the comprehensive plan. It allows for flexibility to increase the value of this property due to where the principal structure is located. It allows for more orderly storage which will improve the look of the neighborhood.

The following voted in favor thereof: Niemala, Twite, Fedje-Johnston, Anderson, Flicker, Gothard. Opposed: None, passed unanimously.

Public Input

Miscellaneous\Updates

The cross access agreement has been recorded for the First Evangelical Lutheran Church vacation.

Adjourn

Motion by Commissioner Niemala, Second by Commissioner Flicker to adjourn the meeting at 4:40 p.m.



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CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 13-0445 **Version:** 1 **Name:** Conduct a Public Hearing to consider a variance petition submitted by Mike Przytarski.

Type: Public Hearing **Status:** PC Public Hearing

File created: 7/25/2013 **In control:** Planning Commission

On agenda: 8/1/2013 **Final action:**

Title: Conduct a Public Hearing to consider a variance petition submitted by Mike Przytarski.

Sponsors:

Indexes:

Code sections:

Attachments: [Przytarski Variance: Staff Report & Map](#)
[P.H. Rules and Variance Considerations](#)
[Przytarski Variance: Application](#)

Date	Ver.	Action By	Action	Result
8/1/2013	1	Planning Commission		

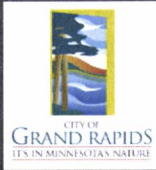
Conduct a Public Hearing to consider a variance petition submitted by Mike Przytarski.

Background Information:

See attached Planning Commission Staff Report and background information.

Staff Recommendation:

Conduct a Public Hearing to consider a variance petition submitted by Mike Przytarski.



Planning Commission Staff Report

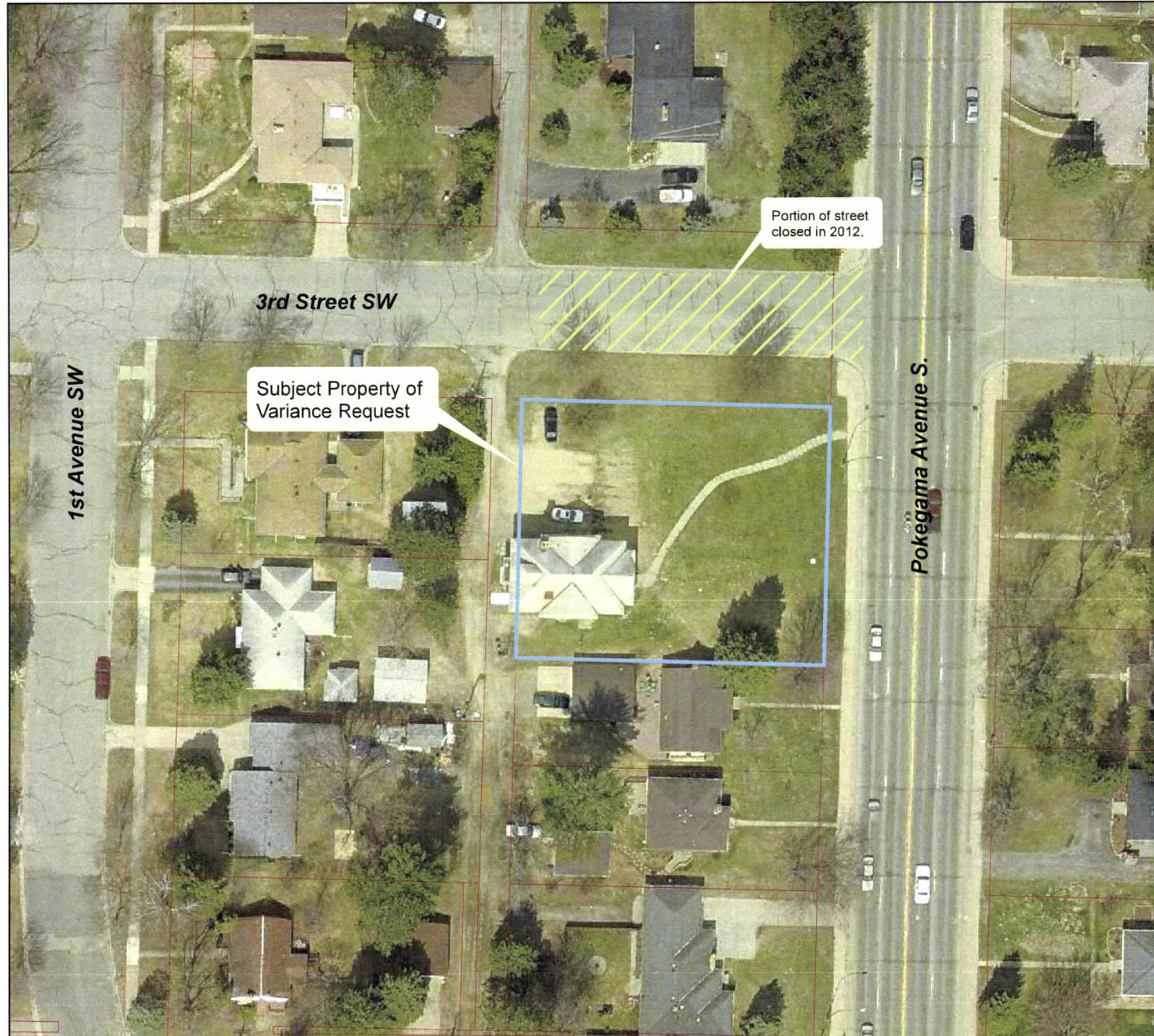
Agenda Item # 2	Community Development Department	Date: 8/1/2013
Statement of Issue:	Conduct a Public Hearing to consider a variance petition submitted by Mike Przytarski.	
Background:	<p>Mr. Przytarski has applied for two variances, which if granted, would allow for the addition of two decks, in the rear yard area, of the residential structure located at: 305 Pokegama Avenue S.</p> <p>The subject property is legally described as Lots 1-4 & N 20' of Lot 5, Block 67, Town of Grand Rapids, Minnesota, and is currently zoned SR-2 (Shoreland One and two Family Residential).</p> <p>Mr. Przytarski has requested the Planning Commission's consideration of one variance from Section 30-512 Table 17C-2 of the Municipal Code, which lists the District Development Regulations for Principal Structures in shoreland districts, and one variance from Section 30-458(c)1, which addresses alterations to nonconforming structures.</p> <p>If approved, the requested variances would allow for construction of 2-three tiered decks, attached to the nonconforming residential structure. The deck additions, as proposed, would increase the footprint of the nonconforming structure by 162 sq. ft. in the required 30 ft. rear yard setback area.</p> <p>The proposed deck additions are part of a larger rehabilitation project to the 5-unit residential building which is estimated to be 100 years old. Roofing, door & window replacement, insulation, electrical upgrades, HVAC work, as well as landscaping is also proposed within the scope of the project.</p> <p>The deck additions to the subject residential structure, as proposed within the variance application, would require the Planning Commission's approval of two variances from the following areas of the Municipal Code:</p> <ol style="list-style-type: none"> 1. Section 30-512-Table 17C-2, District Development Regulations for Principal Structures in shoreland districts, which establishes a 30' minimum setback from the rear yard (west) lot line. 2. Section 30-458(c)1, which addresses alterations to nonconforming structures: <i>"Nonconforming uses of structures which do not meet the site development and design standards (division 7 of this article) and/or the off-street parking and loading requirements (divisions 8 and 9 of this article) shall be allowed to be structurally altered or replaced provided there is no further violation of these requirements than lawfully exists at the time of such alteration or replacement"</i>. 	

Considerations:	When reviewing a request for a variance, the Planning Commission must make findings based on the attached list of considerations.
Recommendation:	<p>Staff recommends that the Planning Commissioners visit the site and look at the situation.</p> <p>Prior to making a motion to approve or deny the request, the Planning Commission should make specific findings to support its recommendation and reference those specific findings in their motion to either approve or deny the variances.</p>
Required Action:	<p>Approve a motion to either: approve, approve with additional conditions, or deny the petitioned variances.</p> <p><u>Example Motion:</u></p> <p>Motion by _____, second by _____ that, based on the findings of fact presented here today, and in the public’s best interest, the Planning Commission does hereby (grant)(deny) the following variances to Mike Przytarski for the property legally described as:</p> <p style="text-align: center;"><i>Lots 1-4 & N 20’ of Lot 5, Block 67, Town of Grand Rapids, Itasca County, Minnesota</i></p> <ul style="list-style-type: none"> • to allow a one time waiver of the requirements of Section 30-512-Table 17C-2 and Section 30-458(c)1 for the construction of 2-three tiered, attached decks, to the residential structure which would increase the footprint of the nonconforming structure by 162 sq. ft. in the required 30 ft. rear yard setback area, as described within the variance application submitted by Mr. Mike Przytarski. <p><i>(If the Planning Commission wishes to place conditions upon their approval, the following should be added to the motion:)</i></p> <p>and that the following condition(s) shall apply:</p> <ul style="list-style-type: none"> • _____
Attachments:	<ul style="list-style-type: none"> • Site Map • Copy of the Przytarski variance petition and associated documentation. • List of the Planning Commissions Variance Considerations

Przytarski Variance Request



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Subject Property of
Variance Request

Portion of street
closed in 2012.

3rd Street SW

1st Avenue SW

Pokegama Avenue S.


100 50 0 100 Feet


Legend


 Parcels

2009 Aerial Photo

RGB

 Red: Band_1

 Green: Band_2

 Blue: Band_3

Grand Rapids Planning Commission
Grand Rapids - City Hall

RULES FOR A PUBLIC HEARING

1. After the Chairperson opens the Public Hearing, background on the issue at hand will be given by our Community Development Department Staff and by other presenters.
2. Anyone who wishes to address the Commission about the issue may do so, and all who wish to speak will be heard. Please step to the lectern to use the microphone, and state your name and address for the public record. **These Proceedings are recorded.** Please keep your comments relative to the issue. Please keep in mind that you are addressing the Planning Commission, not debating others in the audience who may have conflicting viewpoints. At all times, be courteous and refrain from interrupting any other speaker present on the floor.
3. After everyone has spoken, the Public Hearing will be closed. At this point, Planning Commissioners may ask clarifying questions from citizens and presenters.
4. The Chairman will go through the legal Considerations for the Issue of the Public Hearing, after which the Commissioners will vote on the issue.

PLANNING COMMISSION

Considerations

VARIANCE

1. Is this an "Area" variance rather than a "Use" variance?
2. Does the proposal put property to use in a *reasonable manner*?
3. Is the owner's plight due to circumstances which are unique to the property and which are not self-created by the owner?
4. Is the variance in *harmony with* the purposes and intent of the *ordinance*?
5. Will the variance, if granted, alter the *essential character* of the locality?
6. Is the variance *consistent with* the *comprehensive plan*?



Petition for Variance
 Community Development Department
 420 North Pokegama Ave.
 Grand Rapids, MN 55744
 Tel. (218) 326-7601 Fax (218) 326-7621
 Web Site: www.grandrapidsmn.org

The undersigned do hereby respectfully request the following be granted by support of the following facts herein shown:

<u>MIKE PRZYTARSKI</u>			Name of Applicant* ¹			Name of Owner (If other than applicant)		
<u>705 NW 9th STREET</u>			Address			Address		
<u>GRAND RAPIDS MN 55744</u>			City			City		
<u>218-301-9400</u>			State			State		
			Zip			Zip		
Business Telephone/e-mail address			Business Telephone/e-mail address			Business Telephone/e-mail address		

*¹ If applicant is not the owner, please describe the applicant's interest in the subject property.

Parcel Information:

Tax Parcel # 91-410-6710 Property Size: 17160 sq ft

Existing Zoning: SR-2

Existing Use: 5 APARTMENTS

Property Address/Location: 305 S. POKEGAMA

Legal Description: SEC. 21, TWP. 55.0 RB 25, TOWN OF GRAND RAPIDS, LOTS 1-4 & N 20' OF LOT 5, BLK 67
 (attach additional sheet if necessary)

I (we) certify that, to the best of my(our) knowledge, information, and belief, all of the information presented in this application is accurate and complete and includes all required information and submittals, and that I consent to entry upon the subject property by public officers, employees, and agents of the City of Grand Rapids wishing to view the site for purposes of processing, evaluating, and deciding upon this application.

[Signature] Signature(s) of Applicant(s) Date 7/16/13

Signature of Owner (If other than the Applicant) Date

JUL 16 2013 Date Received _____ Certified Complete 7/16/13 Office Use Only Fee Paid 125.00

Planning Commission Recommendation: Approved _____ Denied _____ Meeting Date 8/1/2013

Summary of Special Conditions of Approval: _____

Required Submittals:

Application Fee - \$252.50 *2

Site Map- Drawn to scale, showing the property dimensions, existing and proposed, building(s)/addition(s) and their size(s) including: square footage, curb cuts, driveways, access roads, parking spaces, sidewalks and wells & septic systems.

**2 The application fees charged are used for postage to mail the required notices to adjacent properties, publication of the public hearing notice in the Grand Rapids Herald Review, and for a small portion of staff time for case review and preparation of documents. It is the policy of the City of Grand Rapids to require applicants for land use approvals to reimburse the City for costs incurred by the City in reviewing and acting upon applications, so that these costs are not borne by the taxpayers of the City.*

Proposed Variance:

A. Please describe in detail the proposed or requested variance:

- WE WOULD LIKE TO BUILD WHITE DECKS 6'X13'6"
OFF EACH APARTMENT TO PROVIDE SAFE & EFFICIENT
EGGRES IN CASE OF A FIRE AND TO
IMPROVE THE TENANTS QUALITY OF LIFE. VARIANCE
NECESSARY DUE TO BACK OF LOT SETBACK
REQUIREMENTS

B. Provide an itemization of the required regulations pertaining to this variance (i.e., setback lines, lot coverage ratios, parking requirements).

RELIEF FROM REAR-YARD ~~BACK~~ SET-BACK FOR
DECK ADDITION

Justification of Requested Variance: Provide adequate evidence indicating compliance with the following provisions of the ordinance concerning variances (Section 30-453(e) "Findings for Variances"). Detailed answers are needed because the Planning Commission shall grant a variation only when they have determined, and recorded in writing, that all of the following provisions have been met.

A. That the requested variance does not allow a use that is otherwise excluded from the particular zoning district in which it is requested.

Applicant justification (refer to Table of Uses in City Code Section 30-512):

SECTION 30-512 TABLE 17 C2
SECTION 30-458 C1

- B. Does the proposal put property to use in a reasonable manner?

Applicant justification - Describe how your situation applies to the above statement:

YES - THIS IS A 5-UNIT RESIDENTIAL BUILDING THAT WILL BE UNDERGOING EXTENSIVE REMODELING, ADDING DECKS, DOORS, WINDOWS, ROOFING, INSULATION, ELECTRICAL UPGRADES, AIR CONDITIONING, ADDITIONAL PARKING, LANDSCAPING, PRIVACY FENCING TO SCREEN PARKING FROM HWY, COVERED GARBAGE AREA, TOTAL PROJECT IS ABOUT 100,000⁰⁰ & WILL ENHANCE THE NEIGHBORS PROPERTY VALUES

- C. The plight of the landowner is due to circumstances unique to the property in question, and not created by the landowner subsequent to the adoption of this ordinance.

Applicant justification - Describe how your situation applies to the above statement:

THIS BUILDING IS ABOUT 100 YRS OLD & WAS BUILT BEFORE THE STREETS & ALLEYS WERE EVEN PLATTED, ALL THE APARTMENT FACE ~~IS~~ NORTH OR SOUTH AND THE PROPOSED DECK LOCATIONS ARE THE ONLY SPOTS THAT THEY COULD BE PLACED.

- D. That the variance, if granted, shall be in harmony with purposes and intent of the ordinance, and will not be detrimental to the public welfare or the property or improvements in the neighborhood, and will not alter the essential character of the locality.

Applicant justification - Describe how your situation applies to the above statement:

THE VARIANCE REQUEST IS FOR DECKS ONLY WHICH ARE PREVALENT IN ALL RESIDENTIAL AREAS IN G.R.. I BELIEVE THAT THE DECKS, WINDOWS, ROOFING, FENCING, LANDSCAPING, REFUSE CENTER, MORE STRUCTURED PARKING, AND LAWN ART WILL ENHANCE THIS PROPERTY & WILL BECOME MORE IN CHARACTER WITH THE NEIGHBORHOOD.

- E. That the variance, if granted, shall be consistent with the comprehensive plan.

Applicant justification - Describe how your situation applies to the above statement:

COMPREHENSIVE PLAN PAGE 17 (CHAPTER 5) HOUSING GOAL 2: PROVIDE A MIX OF AFFORDABILITY IN THE CITY'S HOUSING INFRA-STRUCTURE - d. MAINTAIN QUALITY OF HOUSING STOCK, THE CITY SHOULD CONTINUE TO REMOVE BARRIERS TO REINVESTMENT & REHABILITATION, AND TO LOOK FOR FUNDING OPPORTUNITIES THAT CAN LEVERAGE PRIVATE INVESTMENT. (THIS PROJECT IS BEING COMPLETED IN PARTNERSHIP WITH ITASCA COUNTY HRA - RIP-RAP PROGRAM).

City Process:

1. Applicant submits a completed application to the Grand Rapids Community Development Department by the 15th of the month.
2. Review by staff for completeness of application.
3. Notification of adjoining property owners.
4. Publish Notice of Public Hearing.
5. Prepare Staff Report and background information.
6. Public Hearing and action at Planning Commission Meeting (First Thursday of each month).

Findings for Approval:

The Planning Commission, in support of its action, will make findings of fact based on their responses to the following list of considerations:

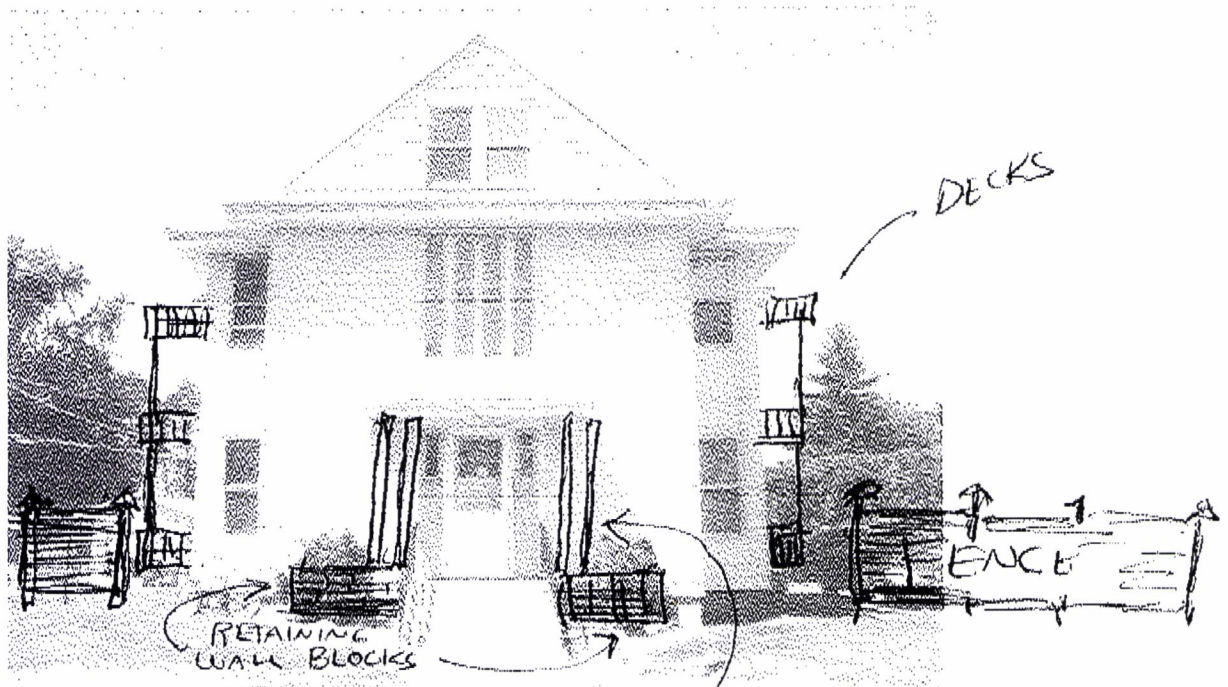
- Is the variance in harmony with the purposes and intent of the ordinance?
- Is the variance consistent with the comprehensive plan?
- Does the proposal put property to use in a reasonable manner?
- Are there unique circumstances to the property not created by the landowner?
- Will the variance, if granted, alter the essential character of the locality?

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

More information may be requested by the City of Grand Rapids Planning Commission, if deemed necessary to properly evaluate your request. The lack of information requested may be in itself sufficient cause to deny an application.

Owner: Mike Przytarski
Address: 305 Pokegama Ave. South
Grand Rapids MN. 55744
218-301-9400 218-326-2353

Project: Five Unit Apartment Building
305 Pokegama Ave. South
Grand Rapids, MN. 55744



- 4 NEW VICTORIAN PILLARS IN FRONT
- PEAKS TO BE PAINTED BLUE/GRAY
- FENCING TO SCREEN VIEW OF PARKING FROM POKEGAMA AVENUE
- LANDSCAPING UPGRADES AROUND BUILDING
- ADD 2 MORE OFF-SITE PARKING PLACES
- BUILD REFUSE CENTER
- NEW ROOF
- NEW INSULATION
- NEW DOORS & WINDOWS
- NEW DECKS
- ADD AIR CONDITIONING/HEATING
- 5 NEW ELECTRICAL SERVICES & WIRING UPGRADES
- 2-3' BRASS SCULPTURES AT TOP OF STEPS
- NEW POSTAL CENTER
- BATH, KITCHEN, PAINT, UPGRADES
- REDD WOOD FLOORS & RE-SURFACE AS NECESSARY
- NEW APPLIANCES AS NEEDED



FENCE A
PROPOSED DECKS
6' X 13'6"

ADD "2"
PARKING
E

NEW
REFUSE
CENTER

BRONZE
DEER
STATUES

NEW
FENCING
(WHITE &
COPPER
CAPS)

A
B
C
D

15 P 0 0 M 5

COLONIAL SQUARES -

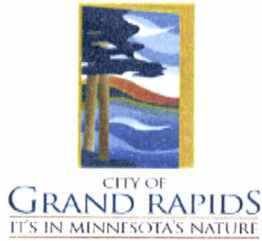
* THIS IS WHAT I'D LIKE TO ADD TO
OUR BUILDING. THE STRUCTURAL DRAWINGS HAVE
ALREADY BEEN SUBMITTED.





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Pictometry

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FIRE DEPARTMENT

Phone: 218.326.7639

FAX: 218.326.7655

E-mail: grfire@grandrapidsmn.org

Address: 420 North Pokegama Avenue
Grand Rapids, Minnesota 55744



June 21, 2012

Mike Przytarski
705 NW 9TH ST
Grand Rapids, MN 55744

Re: 301 S Pokegama Ave
Apartment Building Project
91-410-6710

Mike Przytarski

I am contacting you in reference to a renovation project that may take place at your apartment building located at 301 S Pokegama Ave Grand Rapids, MN. Within the exterior renovations portion of your project, you have proposed building a multi-story deck system similar to what Colony Square has. By creating these balconies and removing the windows and installing doors, you will be creating a larger opening to be used for egress, thus making it safer for your tenants. I would be in support of this project. If you have any questions regarding this problem, feel free to contact me at 218-326-7651. Thank you for your cooperation.

Sincerely,

Travis Cole
Building/Fire Inspector
City of Grand Rapids

This record is currently unavailable.