

1 **MINUTES**
 2 **EMILY PLANNING COMMISSION/BOARD OF ADJUSTMENT**
 3 **REGULAR MEETING**
 4 **June 4, 2024**

5
 6 **1. CALL TO ORDER**

7 The meeting was called to order by Commissioner Johnson at 6:00 pm.
 8

9 **2. Pledge of allegiance was recited.**

10
 11 **3. ROLL CALL**

12
 13 PRESENT: Dave Johnson, Chairman, Lynn Bartel, Denise Vukelich, Patrick Rheaume, Mark
 14 Mosman, and Faye Hughes
 15 Council: Tracy Jones (Mayor), Greg Koch (Liaison) Gary Hanson, (Council)
 16 Staff: Kayode Adiatu, Zoning Administrator (Sourcewell) and Sue Fahrendorff, Zoning Clerk
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18 **4. ADDITIONS OR DELETIONS TO AGENDA**

19
 20 None

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 22 **MOTION MADE BY COMMISSIONER RHEAUME TO ADOPT THE AGENDA AS**
 23 **PRESENTED. SECONDED BY COMMISSIONER MOSMAN. ALL VOTED IN**
 24 **FAVOR. MOTION CARRIED 5-0.**

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 26 **5. OPEN FORUM**

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 28 None

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 30 **6. PUBLIC HEARINGS**

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 32 None

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 35 **7. APPROVAL OF MINUTES**

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 37 a. May 7, 2024 Regular Meeting Minutes.

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 39 **MOTION BY COMMISSIONER BARTEL TO APPROVE MAY 7, 2024 MINUTES AS**
 40 **PRESENTED. SECONDED BY COMMISSIONER VUKELICH. ALL VOTED IN**
 41 **FAVOR. MOTION CARRIED 5-0.**

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50 **8. NEW BUSINESS**
51

52 a. Vetrone Metes and Bounds
53

54 Adiatu provided a brief background:
55

56 **Application:** Metes and Bounds Subdivision

57 **Applicant:** Adolph and Rosemary Vetrone
58

59 Property Address: TBD - Parcel ID 21080577; along Crooked Creek Rd, Emily MN
60

61 **Background Information**

62 The applicants are requesting to subdivide an existing 18.21-acre parcel into two parcels. They are
63 proposing 10.44 acres to the west (Tract A) and 7.77 acres to the east (Tract B). The subject property is
64 vacant land located within the Shoreline Residential (SR) zoning district. This subdivision would not
65 create any nonconformities on either lot created. Both proposed lots abut Pug Hole lake which falls
66 within the Natural Environment Classification. The minimum buildable lot requirement for a dwelling
67 or single family home in the Natural Environment is 80,000 square feet. Tract A and Tract B after
68 subdivision would be 454, 797 Sq. Ft. and 338,273 Sq. Ft. respectively, both exceeding the minimum
69 buildable lot size requirement in the Shoreline Residential zoning district.
70

71 **Staff Findings**

- 72 1. The property is located along Crooked Creek Rd, and it abuts Pug Hole lake.
73 2. The site is currently vacant and undeveloped.
74 3. The lot features wooded and delineated wetland areas.
75 4. The total buildable lot area excluding wetlands, ROW, and easements for Tract A is 6.72 acres.
76 5. The total buildable lot area excluding wetlands, ROW, and easements for Tract B is 4.06 acres.
77 6. There is no established Ordinary High Water Mark (OHWM).
78 7. There is an existing power pole from west to east of the property.
79 8. There is an existing drive path on the west line of the subdivision (Tract A).
80 9. Structure setback lines are marked on the survey.
81 10. The applicant is proposing an easement from Crooked Rd with 33 ft in width.
82 11. The proposed subdivision meets both zoning and setback (both structure and wetland)
83 requirements.
84 12. The proposed subdivision layout respects the wetland boundaries and includes appropriate
85 buffer zones.
86 13. Copies of Crow Wing County Site Suitability Assessments for both Tracts A and B have been
87 submitted by the applicants.
88

89 **Staff Recommendation**

90 There doesn't appear to be any issues with the split. The proposed subdivision meets the minimum
91 requirements of the Ordinance. Both of the proposed parcels will be severed access by Crooked Creek
92 Rd. The Planning Commission can approve, deny, or table the request.
93

94 **Exhibits**

- 95 A. Metes and Bounds Subdivision Application
96 B. Survey
97 C. Map showing delineated wetland areas
98 D. Ordinance section citing requested application
99 E. Crow Wing County Site Suitability Assessment Forms

MINUTES

Emily Planning Commission

June 4, 2024

100 Planning Commissioners discussed driveway access and proposed building. Adiatu stated there
 101 is an easement on the survey showing access to the property, so the any driveway access will not
 102 be through the wetland, and at this time no building permits have been submitted.
 103

104 **MOTION BY COMMISSIONER RHEAUME TO ACCEPT THE APPLICATION TO**
 105 **SPLIT PARCEL ID 21080577 INTO TWO LOTS AND INCLUDE THE 13**
 106 **FINDING OF FACTS THAT HAVE BEEN PRESENTED. SECONDED BY**
 107 **COMMISSIONER VUKELICH. ALL VOTED IN FAVOR.**
 108 **MOTION CARRIED 5-0.**
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111 **9. OLD BUSINESS**

112 a. Outdoor Market Food Truck-Section 152.115 (Discussion).

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 114
 115 Fahrendorff provided background information. A question came up from a vender asking if
 116 their food truck would be allowed at the Wesleyan Church's Outdoor Market during the
 117 Spring Fling Community event May 18, 2024. Per the Outdoor Market Ordinance, no
 118 licensed commercial food vendors are allowed, however, civic events or auxiliary events
 119 hosted by businesses are exempt from the Outdoor Market Permit process. After discussion
 120 with the prior Zoning Administrator, Justin Burslie, his interpretation of the code was to
 121 allow the food truck during the Spring Fling weekend and bring this issue before the
 122 Planning Commission for discussion and clarification for future events.
 123

124 Planning Commissioners discussed the Outdoor Market permit process and ordinance
 125 requirements regarding when food trucks would be allowed within the city. Per our
 126 ordinance, food trucks fall under the trailer ordinance, therefore would be allowed up to 3
 127 days without a permit at a business or on private property. The Planning Commissioners
 128 agreed per the ordinance, food trucks are not allowed during Outdoor Markets, regardless if
 129 a community event was taking place. The Planning Commissioners will bring the discussion
 130 to the City Council at their June 11, 2024 meeting for their input and interpretation of the
 131 ordinance and if further discussion is needed.
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133 **10. LAND USE ORDINANCE SUBCOMMITTEE MEETING UPDATE**

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 135
 136 Commissioner Johnson stated the subcommittee discussed the Animal Ordinance and Animal
 137 Husbandry Ordinance specifically regarding the keeping of chickens. The two ordinances are not
 138 aligned with each other and are confusing. The subcommittee will work to consolidate these two
 139 ordinances into one.

140 The subcommittee also discussed the cultivation of Cannabis and the impact that will have on
 141 our city. Currently the City of Emily does not have anything in their ordinance regarding
 142 cultivation of Cannabis. The subcommittee will focus on creating an ordinance regarding
 143 cultivation of Cannabis along with the recommendations from the League of Minnesota Cities
 144 and Zoning Administrator.
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11. P & Z ADMINISTRATOR’S REPORT

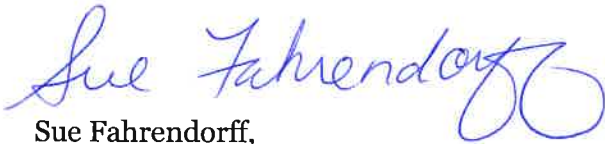
Adiatu formally introduced himself as the interim Zoning Administrator. Adiatu stated there are three or four members joining the Sourcewell team and updates will be coming within the next few weeks. He will remain in place as a resource for the city during this transition.

12. ADJOURNMENT

**MOTION BY COMMISSIONER BARTEL TO ADJOURN THE MEETING,
SECONDED BY COMMISSIONER RHEAUME . ALL VOTED IN FAVOR 5-0.
MOTION CARRIED**

The meeting adjourned at 6:28 pm.

Respectfully submitted,



Sue Fahrendorff,
Zoning Clerk