

1 **MINUTES**

2 **EMILY PLANNING COMMISSION/BOARD OF ADJUSTMENT**
3 **REGULAR MEETING**

4 **June 6, 2023**

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1. CALL TO ORDER

The meeting was called to order by Commissioner Johnson at 6:00 pm.
Pledge of allegiance was recited.

ROLL CALL

PRESENT: Dave Johnson (Chairperson), Bill Spiess, Patrick Rheame, Lynn Bartel, Denise Vukelich, and Faye Hughes (Alternate)
Council: Greg Koch (Liaison) Mayor Tracy Jones
Staff: Brittney Cotner, Zoning Administrator (Sourcewell) and Sue Fahrendorff, Planning & Zoning Clerk

2. ADDITIONS OR DELETIONS TO AGENDA

- a. Cotner requested an addition to the agenda regarding permit extension fee for permits that need to be extended by the Planning Commission.

MOTION BY COMMISSIONER SPIESS TO ADOPT REVISED AGENDA. SECONDED BY COMMISSIONER RHEAUME. ALL VOTED IN FAVOR 5-0. MOTION CARRIED.

3. OPEN FORUM

None

4. PUBLIC HEARINGS

None

5. APPROVAL OF MINUTES

- a. May 2, 2023, regular meeting

MOTION BY COMMISSIONER SPIESS TO APPROVE May 2, 2023 MINUTES AS PRESENTED. SECONDED BY COMMISSIONER VUKELICH. ALL VOTED IN FAVOR 5-0. MOTION CARRIED.

6. NEW BUSINESS

- a. Kelly Hodges Permit Extension requested for permit 19-15. Cotner provided background information on permit 19-15. Permit was approved in 2019 to construct a dwelling. A permit extension was granted November 30, 2021. The extension expired and the work was still unfinished. Zoning staff made several attempts to contact applicants through regular and certified letters with no response. Cotner sent an email to Hodges requesting information and received an email response May 2023. Hodges providing an update and requested a permit extension because doors and siding were delayed due to Covid shutdowns. At this point, the permit has expired. Cotner stated she doesn't see any benefit to denying the extension and recommended the Planning Commission grant one final extension

with the understanding this is the final end of any permit extensions. Failure to complete the work will result in a new application. Commissioner Spiess recommended the Planning Commission allow the extension with an expiration date of September 1, 2023 with no additional extensions allowed.

MOTION BY COMMISSIONER SPIESS TO EXTEND PERMIT #19-15 TO SEPTEMBER 1, 2023 WITH NO ADDITIONAL EXTENSTIONS ALLOWED. IF WORK IS NOT FINISHED, THE APPLICANT MUST APPLY FOR A NEW PERMIT. SECONDED BY COMMISSIONER VUKELICH

Commissioner Johnson opened to further discussion. Commissioner Rheume asked for clarification if the wrong siding was delivered. Commissioner Spiess stated there was a wrong delivery in the beginning, however they received the correct siding and applicant was going to begin staining and installing the siding.

ALL VOTED IN FAVOR 5-0. MOTION CARRIED.

b. Nick Usherwood Fine Waiver Request for CUP

Cotner stated Mr. Usherwood’s grandfather ran a machine shop for a number of years prior to Mr. Usherwood purchasing the property. The machine shop had not been in operation for several years prior to the purchase; therefore, the CUP no longer had Grandfathered in status. Mr. Usherwood was misinformed by that he could open his small business machine and repair shop without a new CUP. Cotner stated she believes Mr. Usherwood did not intend to cause any harm, therefore recommended the fine of \$5000 be waived by the City Council. Cotner stated a new CUP application has been submitted and will be on the agenda for the July 5, 2023 meeting.

MOTION BY COMMISSIONER RHEAUME TO WAIVE THE AFTER THE FACT CUP FINE. SECONDED BY COMMISSIONER SPIESS. ALL VOTED IN FAVOR 5-0. MOTION CARRIED.

c. CWC Request for Comments of PID 21230574

Cotner stated this was a request by Crow Wing County to change classification to Non-Conservation which is required prior to sale. The city must approve the classification change and intended sale. Cotner stated the parcel is not land locked and has access from a logging road easement. Any potential buyers will need to work with the appropriate parties regarding the transfer of the easement. The City Council originally had this item on their May 2023 agenda, however requested the Planning Commission provide a recommendation on the county’s request. Commissioner Johnson asked Cotner if the City of Emily would be giving up some of their ordinance controls if the parcel was reclassified. Cotner stated the city would not be impacted by this change and would still retain all their ordinance controls.

MOTION BY COMMISSIONER SPIESS TO RECOMMEND CITY COUNCIL APPROVE RECLASSIFICATION OF PID 21230574 TO NON-CONSERVATION. SECONDED BY COMMISSIONER VUKELICH.

104 Commission Hughes asked how the Planning Commission would ensure the easement was
 105 transferred with the sale rather than leaving it to the buyer. Cotner stated easements are a
 106 civil matter and it would be the responsibility of all parties involved to make sure buyer had
 107 legal access to property.
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109 **ALL VOTED IN FAVOR 5-0. MOTION CARRIED.**
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111 d. Permit Extension Fee Discussion
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113 Cotner requested feedback from the Planning Commission regarding implementing a
 114 permit extension fee for requests that go before the Planning Commission for
 115 approval. Cotner is not asking for a motion at this time, but would like the Planning
 116 Commission to consider further discussion at the July 2023 meeting.
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 119 **7. OLD BUSINESS**
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121 None
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123 **8. SUBCOMMITTEE DISCUSSION UPDATE**
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125 Commissioner Johnson provided an update from the Land Use Ordinance Subcommittee
 126 Meeting that was held earlier that afternoon. The subcommittee went through Appendix A:
 127 Table of Uses specifically for Highway Mixed Use. Commissioner Johnson stated they found
 128 several inconsistencies within the matrix regarding permitting requirements. The
 129 subcommittee will continue the review process and provide an update to the Planning
 130 Commission.
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132 **9. P & Z ADMINISTRATOR'S REPORT**
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134 Cotner stated there volume of permit requests and inquiries have been steadily increasing, and
 135 anticipates this increase to continue as we move forward with the building season.
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138 **10. ADJOURNMENT**
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140 **MOTION BY COMMISSIONER VUKELICH TO ADJOURN THE MEETING,**
 141 **SECONDED BY COMMISSIONER BARTEL . ALL VOTED IN FAVOR 5-0. MOTION**
 142 **CARRIED**
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144 The meeting adjourned at 6:23 pm.
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146 Respectfully submitted,
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151 Sue Fahrendorff,
 152 Zoning Clerk

MINUTES

Emily Planning Commission
 June 6, 2023