

PLANNING AND ZONING COMMISSION
March 8, 2021

The City of Jackson Planning and Zoning Commission met in regular session in the Council Chambers of the Jackson City Hall at 5:15 p.m. on Monday, March 8, 2021 with the following Commission members present: Chairperson Nathan Peterson, Dennis Hample, Dave Lappe, Robert Dorschner and Nicole Hall. Also attending was City Administrator Matt Skaret, City Clerk/Zoning Administrator Dave Maschoff and Brandon Finck. (Planning Commission member Tim Beck was absent.) (A quorum of the City Council was present.)

CALL THE MEETING TO ORDER

Chairman Nathan Peterson called the March 8th meeting of the City of Jackson Planning and Zoning Commission to order.

WELCOME NEW PLANNING COMMISSION MEMBER NICOLE HALL

Chairman Peterson welcomed Alderwoman Nicole Hall as a new member of the Planning and Zoning Commission.

APPROVE THE MINUTES FROM THE JULY 13, 2020 PLANNING AND ZONING COMMISSION MEETING

Peterson asked for a motion to approve the July 13th, 2020 Planning and Zoning Commission minutes.

HAMPLE/LAPPE moved and it was unanimously carried to approve the minutes from the July 13, 2020 Planning and Zoning Commission meeting.

PUBLIC HEARING ON THE VARIANCE APPLICATION OF BRANDON FINCK WHO RESIDES AT 252 NORTH POND DRIVE IN JACKSON, MINNESOTA. IN HIS APPLICATION, FINCK PROPOSES TO CONSTRUCT AT 28' BY 44' ACCESSORY BUILDING TOTALING 1,232 SQUARE FEET ON HIS PROPERTY AT 252 NORTH POND DRIVE WHICH WILL BE LESS THAN 4 FEET FROM HIS NORTH PROPERTY LINE. THE VARIANCE ALSO SEEKS TO HAVE A CONCRETE DRIVEWAY LESS THAN 5 FEET FROM THE SIDE PROPERTY LINE. THE VARIANCE IS REQUIRED BECAUSE CITY CODE 153.037 (E)(2) REQUIRES THE SIDE YARD SETBACK FOR ACCESSORY BUILDINGS TO BE AT LEAST 4 FEET FROM THE SIDE PROPERTY LINE AND NOT TO EXCEED A FLOOR AREA GREATER THAN 1,000 SQUARE FEET IN A RESIDENTIAL ZONED DISTRICT (R-2).

Peterson noted Brandon Finck wants to construct an accessory building on his property at 252 North Pond Drive and submitted a variance application. He noted the proposed building will be less than 4 feet from the side property line and total 1,232 square feet in size. Peterson asked if there were any questions from the Planning Commission members.

Hample asked Finck if his neighbors were OK with his proposed accessory building.

Finck said his neighbors were fine with his proposed building.

DORSCHNER/HALL moved and it was unanimously carried to recommend to the City Council to approve the variance application for Brandon Finck to construct a 28' by 44' accessory building totaling 1,232 square feet on his property at 252 North Pond Drive which will be less than 4 feet from his north property line.

Finck thanked the Planning Commission members.

Other:

Maschoff noted the letter the Zoning Office received from John McNelly at 112 South Sverdrup Avenue asking when the zoning code was changed to a minimum setback of 4 feet from the side and rear property lines for accessory buildings. Maschoff said McNelly claimed in his letter that because of previous zoning codes and being told that no request for a variance would be accepted for less than four feet, he has a single car rather than a two-car garage.

Maschoff said he phoned McNelly and asked if McNelly had ever sought a variance in which he said “no”. Maschoff said he checked the property file for 112 South Sverdrup Avenue and found that McNelly was granted a variance by the Planning Commission and City Council for his garage project in September of 2004 and obtained a building permit in August of 2005.

Maschoff said he mailed McNelly a copy of the variance that was granted to him in September of 2004 but has not received any response.

Maschoff said he began to research when the ordinance was changed to allow a minimum of 4 feet from the side and rear property lines for an accessory building. He said in going through the minutes, he hasn't yet found when that was changed. Maschoff said it appears at one time the setback for accessory buildings may have been 10 feet and then was reduced to 8 feet and down to 6 feet. Maschoff said the setback has been at 4 feet as long as he's been serving as Zoning Administrator which is for the past seven years.

Maschoff said he told McNelly he doesn't know what happened or what was said 15 or 16 years ago, but if McNelly had a project he would like to do now, the Planning Commission would certainly take a look at it. Maschoff said McNelly said it was too late for that. He said he told McNelly he was sure more than welcome to bring a project to the Zoning Office or Planning Commission if he would like.

Hample asked Maschoff what prompted McNelly's letter to the Zoning Office in the first place.

Maschoff said McNelly saw the public notice in the Jackson County Pilot regarding the March 8th public hearing for Finck's variance application.

Regarding another item, Maschoff said there may be a public hearing on a Conditional/Interim Use application at the Planning Commission's April 12th meeting. He said he's been contacted by a person that would like to start a home-based business in a residential area. Maschoff said the person seeking the Conditional/Interim Use Permit makes decorative glass items and would like to have a home business. He said more information will be available once the permit application is submitted.

ADJOURNMENT

With no further business, DORSCHNER/LAPPE moved and it was unanimously carried to adjourn the Jackson Planning and Zoning Commission meeting at 5:21 p.m.

David A. Maschoff, Zoning Administrator

