

**CITY OF MARINE ON ST. CROIX**  
**PLANNING COMMISSION**  
**REGULAR MEETING**

**Tuesday, March 30, 2020 - 7:30pm**  
**Virtual Meeting**

1. Call to Order
2. Public Hearing – Eric and Chrissi Larsen, 983 Rosabelle St.
  - Conditional Use Permit for a bathroom in an accessory structure
3. New and Old Business
4. Approval of minutes:
  - February 23
5. Adjourn

## **City of Marine on St. Croix Planning Commission**

**Planning Commission Report Date:** March 25, 2021

**Meeting Date:** March 30, 2021

**Agenda Item:** Conditional Use Permit request for a bathroom in an accessory building

**Applicant:** Eric and Chrissi Larsen

**Address:** 983 Rosabelle Street, Marine on St. Croix

**Planning Case Application No. 210330-01**

### **Summary:**

The Applicant requests a Conditional Use Permit (CUP) to install a bathroom in an existing accessory building at 983 Rosabelle Street.

The Applicant submitted adequate information to the City for review of the request, and the application was deemed complete on February 26, 2021. Commissioner Casey reviewed the Applicant's submitted construction documents. The construction documents submitted are dated 2020 Aug 18.

The Zoning Code Section 308 describes the procedures for Conditional Use Permit review. Per Sections 308 and 506 of the Zoning Code, a CUP requires a public hearing and property owners within 350-feet to be notified. Notices were mailed on March 18, 2021. A notice was published in the city's legal newspaper March 10, 2021.

A Public Hearing was set by the Planning Commission on February 23, 2021 for March 30, 2021 for the CUP request for a bathroom in an accessory building located at 983 Rosabelle.

The building footprint consist of an approximate 1064 square foot house and a 1,007 square foot garage / screened porch. The Applicant requests to install a bathroom on the 2<sup>nd</sup> floor of the garage space. The bathroom is approximately 36 square feet which includes a water closet, lavatory, and shower basin. Also shown in the documents is a counter, sink and mini refrigerator within the garage footprint on the 2<sup>nd</sup> floor. The remainder of the space on the second floor of the garage is indicated as a finished garage attic.

The Applicant's drawings indicate a proposed "sewer exit". The Applicant mentioned that they plan to connect to the City's septic system. The sewer connection will need to meet State and County requirements for septic systems.

The applicant requests the following:

1. A conditional use permit under Section 308 for the construction of a bathroom in an accessory building in the Single Family Urban district, under Section 506.5(5).

**Findings:**

**Per the Zoning Ordinance 308.2 Criteria for Granting Conditional Use Permits**

1. The use will not create an excessive burden on existing parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the area.
  - a. *The applicant intends to use it as an extension of their principal structure.*
2. The use will be sufficiently compatible or separated by distance or screening from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.
  - a. *The addition of the bathroom is to the interior of a planned garage.*
3. The structure and site shall have an appearance or operation that will not have an adverse effect upon adjacent residential properties.
  - a. *The addition of the bathroom is to the interior of a planned garage.*
4. The use, in the opinion of the City Council, is reasonably related to the overall needs of the City and to the existing land use.
  - a. *The addition of a bathroom to an accessory building is reasonable for the use of the existing property.*
5. The use is consistent with the purposes and performance standards of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.
  - a. *The addition of a bathroom to an accessory building is consistent with building modifications on other properties in the City and orderly residential development.*
6. The use is consistent with the policies and provisions of the Comprehensive Plan.
  - a. *The addition of a bathroom to a new accessory building is consistent with new building modifications that result in improved properties in the City.*
7. The use will not cause traffic hazard or congestion.
  - a. *The addition of the bathroom does not result in a separate residential unit and will be used by the primary occupants of the property and/or their guests, thereby not increasing traffic.*
8. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.
  - a. *The planned utilities appear adequate on the property and the addition of the bathroom will not warrant changes to these facilities.*

**Section 506.5(5) provides for use of an accessory structure for residential purposes where there is a sewer hook-up provided that:**

- a. The facility is used by the occupants of the principal structure as an extension of their residential use of that structure;
- b. The facility does not contain both bathroom and kitchen facilities;
- c. The facility is located in a permanent structure; and
- d. The facility is not sold or rented separately from the principal structure.

**Recommendation:**

**APPROVAL MOTION:** The Planning Commission recommends the City Council **approve** the application of Eric and Chrissi Larsen for the requested conditional use permit for the proposed construction of a bathroom in an accessory building at 983 Rosabelle as presented, with the following conditions:

- a) The accessory building shall not contain both a bathroom and kitchen facilities.
- b) The accessory building shall be used by occupants of the principal structure and not rented separately from the principal structure.
- c) The bathroom shall be constructed per the plans submitted with the Application.

**CITY OF MARINE ON ST. CROIX**  
**PLANNING COMMISSION**  
**MINUTES**

**Tuesday, February 23, 2021 - 7:30pm**  
**Virtual Meeting via Zoom**

Present: Chairman Gerry Mrosla, Commissioners Tim Casey, Kristina Smitten, Jennifer Henry, Ed Sanderson. Absent: Ron Brenner, Anna Hagstrom.

Citizens present: Larry Martin, John Goodfellow, Councilmember Gwen Roden, Eric and Chrissi Larsen, Diane Mills.

Chairman Mrosla called the meeting to order at 7:30 p.m.

Conditional Use Permit request – Eric Larsen, 983 Rosabelle St.

The Larsens have requested a CUP for a bathroom on the second floor of the garage in plans for new home construction at the site. Chair Mrosla asked if two commissioners would volunteer to visit the site. Commissioner Casey volunteered and Chair Mrosla offered to help with the facts and findings paperwork remotely.

*Commissioner Sanderson moved and Casey seconded to set the public hearing for March 30. Roll call vote: Mrosla – Aye; Smitten – Aye; Sanderson – Aye; Casey – Aye; Henry – inaudible due to technology. Motion passes.*

Wireless Communications Ordinance progress update

- **Work to Date:** Commissioner Sanderson noted that draft 4G and 5G ordinances had been distributed for the commission's review. The consultant, Ms. Kehoe, lives in Texas where recent storms left most of the state without heat, water, or cellular access. This has delayed their communications on the ordinances. The committee does plan on talking with her to find out what municipalities are able to do around 1996 FCC regulations.
- The commission set the workshop with City Council for 6:30pm, March 16. The commission would like Ms. Kehoe to attend if possible, and would like to invite City Attorney Dave Snyder. If he cannot make the meeting, the committee would like a session with him for questions. The committee invites comments prior to the March 16 meeting so that they can be organized with questions and comments. They will have to move through two ordinances and it's a lot of information. Comments can be passed along through the assistant clerk.

Commissioner Casey asked whether the commission should define which districts are residential so there's no loophole. Smitten noted that the committee had questions for the consultant on that

language, and that this area might be different than communities the consultant has worked with in the past.

- Request for Proposals Process: The committee believes that as the city considers potential wireless sites and how to balance optimal locations with needs of the community, getting an early start on an RFP process help Marine drive the boat on what it wants to see – what the towers look like and where they're located rather than having just one provider and one set of options.

Smitten suggested inviting proposals once the ordinance is close to adoption. Some of the specifications may be recommendations rather than requirements at that time, but if the city waits until the ordinance is final we might not have as many options. For example, the city could say we would view a developer's proposal more favorably if they bring more providers.

### New and Old Business

None.

### Approval of minutes

January 26 Meeting

*Smitten moved and Casey seconded approval of the minutes of the January 26 meeting. Roll call vote: Mrosla — Aye; Smitten — Aye; Henry — Aye; Sanderson — Aye; Casey — Aye. Minutes approved as drafted.*

### Adjournment

*Henry moved and Sanderson seconded to adjourn at 7:58 pm. Roll call vote: Mrosla — Aye; Smitten — Aye; Sanderson — Aye; Casey — Aye; Henry — Aye; Motion passed unanimously.*

Minutes taken by Suzanne Dammann, Assistant City Clerk.