

Pursuant to due call and notice thereof, the Regular Meeting of the Planning and Zoning Commission was held on Monday, April 17, at 6:00 P.M.

**Members Present:** Commissioners Smith, Wynn, and Carry; Brittany Cotner, Sourcewell; Matthew Hill, Administrator Clerk Treasurer

**Members Absent:**

**1. Call Regular Meeting to Order**

Chairperson Carry called the meeting to order at 6:00 P.M.

**2. Pledge of Allegiance**

Chairperson Carry led with the Pledge of Allegiance.

**3. Additions or Deletions to the Agenda**

**MOTION BY SMITH AND SECONDED BY WYNN TO APPROVE THE AGENDA AS PRESENTED. VOICE VOTE: THOSE VOTING AYE: COMMISSIONERS, CARRY, WYNN, AND SMITH. THOSE VOTING NAY: NONE. MOTION CARRIED.**

**4. Open Forum - NONE**

**5. Approval of Minutes**

A. February 21, 2023, Regular Meeting

**MOTION BY WYNN AND SECONDED BY CARRY TO APPROVE THE MINUTES. VOICE VOTE: THOSE VOTING AYE: COMMISSIONERS, CARRY, WYNN, AND SMITH. THOSE VOTING NAY: NONE. MOTION CARRIED.**

**6. New Business**

**7. Public Hearing**

**MOTION BY WYNN AND SECONDED BY SMITH TO OPEN THE PUBLIC HEARING. A ROLL CALL VOTE: THOSE VOTING AYE: SMITH, CARRY AND WYNN. VOTING NAY: NONE. MOTION CARRIED.**

A. Variance application 23-3 to consider allowing a deviation from the side yard setback requirements in order to place a free-standing sign. Subject property is located at 222 2nd St NW (PID 11121076) Owner/Applicant: The Sanctuary LLC.

The commission addressed and answered the findings of fact and discussed 3 conditions to be met for approval of the variance.

1. The property owner is The Sanctuary LLC.
2. Subject property is located at 222 2<sup>nd</sup> St NW, Crosby MN
3. Subject property is zoned B1- Central Business District.
4. The variance request is to:
  - a. Allow for a side yard setback deviation from 10 feet to 1 foot.
5. Is the variance request in harmony with the purposes and intent of the land use ordinance?

Yes, the zoning classification is B-1 which this use and request are consistent with. Signs are expected within business districts thus the deviation remains consistent with the land use ordinance.
6. Is the variance consistent with the comprehensive plan?

Yes, the Comprehensive Plan states a policy as, "To promote the growth and diversification of Crosby's economy making it a "full service" community with a broad economic base."
7. Is the property owner proposing to use the property in a reasonable manner not permitted by the land use ordinance?

Yes, the use and sign are consistent with zoning district regulations. Due to the configuration of the lot, the side yard setback deviation is a logical and reasonable placement of the sign.
8. Is the need for a variance due to circumstances unique to the property and not created by the property owner that are not solely economic considerations?

Yes, due to the use and location of the existing structure on the property as well as the structure setback of zero feet being in contradiction of the sign setback requirement of 10 feet. The property has unique challenges to meet the setback as well as retaining business visibility from the highway.
9. Will the issuance of a variance maintain the essential character of the locality?

Yes, the zoning district is primarily for business uses whereas signs go hand in hand with commercial enterprises.

**Conditions:**

1. The property line must be marked by a licensed surveyor or existing survey pins will need to be identified prior to the issuance of a Land Use Permit.
2. Maximum height of the sign may not exceed 5 feet from the ground to the top of the sign structure.
3. Lighting for the sign must be downcast.

**MOTION BY COMMISSIONER SMITH AND SECONDED BY COMMISSIONER CARRY TO CLOSE THE PUBLIC HEARING. A ROLL CALL VOTE: ALL VOTED AYE. MOTION CARRIED.**

**MOTION BY COMMISSIONER CARRY AND SECONDED BY COMMISSIONER SMITH TO APPROVE PROPOSED VARIANCE WITH THE FOLLOWING CONDITIONS:**

1. The property line must be marked by a licensed surveyor or existing survey pins will need to be identified prior to the issuance of a Land Use Permit.
2. Maximum height of the sign may not exceed 5 feet from the ground to the top of the sign structure.
3. Lighting for the sign must be downcast.

**A ROLL CALL VOTE: THOSE VOTING AYE: WYNN, SMITH AND CARRY.  
VOTING NAY: NONE. MOTION CARRIED**

**8. Old Business**

A. none

**9. Staff Report/Upcoming Applications**

A. none

**10. Commissioners' Questions/Comments**

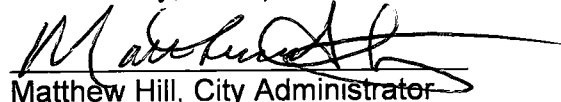
- A. Commissioner Carry inquired about the Jake Zoetch properties, and if they were supposed to be multi family housing instead of single family. It was explained that the potential development presented in the past for the Croft Mine property included multi family housing possibilities, but the Zoetch homes were always slated and permitted to be single family.

**11. Adjournment**

**MOTION BY SMITH AND SECONDED BY WYNN TO ADJOURN AT 6:55 P.M.  
A VOICE VOTE: THOSE VOTING AYE: COMMISSIONERS CARRY, WYNN,  
AND SMITH. THOSE VOING NAY: NONE. MOTION CARRIED**



Adam Carry, Chairperson



Matthew Hill, City Administrator