

Breezy Point Planning Commission/Board of Adjustment

**October 10, 2023
Regular Meeting**

The regular meeting of the Breezy Point Planning Commission/Board of Adjustment was called to order by Commission Chair Marcy Weaver at 7:00 p.m. Those in attendance included members Joe Ayers, Lee Brisbin, Roger Theis, Marcy Weaver, and Teddy Zierden; City Planner Jerry Bohnsack, Administrator Clerk David Chanski, Deputy Clerk Deb Runksmeier, Planning Commission Council Liaison Steve Jensen.

Approval of Agenda

Motion Theis/Brisbin to approve Agenda, Motion Carried 5-0

Approval of 09/14/2023 regular meeting

Motion Ayers/Zierden to approve the minutes as written, Motion carried 5-0.

City Council Liaison Report

Council Liaison Jensen reported on the October 2, 2023 council meeting.

Open Forum

No one spoke

Public Hearing - Conditional Use Permit Application C-23-006 Whitebirch Inc. 30898 Ranchette Drive Breezy Point. Lots 1, 2, 6 & E 7.5 feet of 5 & S 30 ft. of Lots 3 & 5 all in Block 1 Whitebirch 11. Parcel 10170646. Construct pickleball courts adjacent to building and simulated golf within building. (Recreation Facility Public) Zone Commercial.

The Public hearing was opened by Chairperson Weaver.

Mr. David Landecker representing Whitebirch Inc. reviewed the request to construct outdoor pickleball courts (5) and simulated golf within building on property know as Billy's Bar and Restaurant.

Planner Bohnsack reviewed the staff report.

There was no public comment.

Chair Weaver Closed the Public Hearing.

Motion Weaver/Theis to Approve the following Resolution PC-23-10, Motion Carried 5-0

RESOLUTION PC 23-10
A RESOLUTION APPROVING CONDITIONAL USE PERMIT APPLICATION 2023-006

WHEREAS, Whitebirch Inc. has submitted application for Conditional Use Permit to construct and operate Recreation facility public (outdoor pickleball and interior simulated golf); and

WHEREAS, Whitebirch Inc. is the owner of the property (Parcel 10170646) Lots 1, 2 & 6 & E 7.5 FT OF LOT 5 & S 30 FT OF LOTS 3 & 5 BLOCK 1 WHITEBIRCH ELEVEN Breezy Point, MN; and

WHEREAS, the property is Zoned C Commercial; and

WHEREAS, Pickleball and simulated golf is considered a Recreation Public Facility; and

WHEREAS, Recreation public facility is an appropriate Conditional Use in C zone (§153.140 C-20); and

WHEREAS, published and mailed notice of hearing to consider CUP application was given to property owners within 350 feet; and

WHEREAS, a public hearing to consider CUP Application was held Tuesday, October 10, 2023; and

NOW THEREFORE BE IT RESOLVED by the Board of Adjustment of the City of Breezy Point that Conditional Use Permit 2023-006 is approved and be subject to conditions.

BE IT FURTHER RESOLVED THAT THE Conditional Use Permit 2023-006 is subject to the following conditions;

- 1) Applicant shall obtain building permit for structure.
- 2) Building shall comply to all setback requirements.
- 3) All Structure shall comply with state building code.
- 4) Impervious Coverage shall not exceed 50%
- 5) All lighting to focus on property.
- 6) Entry to facility shall utilize existing entrances.
- 7) Fencing shall not exceed 8 foot in height.

Adopted this 10th day of October, 2023.

Public Hearing - Conditional Use Permit Application C-23-007 Patricia K Lane Rev Trust 9069 Apple Lane Breezy Point. Lot 3 Block 1 Copperud First Addition. Parcel 10150537. Construct accessory structure 15-20 feet height. Zone R-2.

Mr. Chuck Lane reviewed his Conditional Use request to construct 40 x 44 accessory structure 19' 6" height. (§153.032 C-3)

Planner Bohnsack reviewed staff report.

Mr. Bohnsack relayed that he has recently become aware that there is conflicting information about the size of lot and that the conflict needed to be resolved prior to proceeding with the Application. (Size of building dependent on whether the lot is 2 acres or more).

Mrs. JoAnne Weaver reviewed the CUP Application and disputed some of the response to questions in the CUP Application.

Mr. Jeff Smith reviewed concerns of the neighborhood.

Mr. Kent Hodder spoke to the likeness of Weavers Point Road to an alley and potential disruption to the aesthetics.

Mr. Tom Lillehei spoke to the ordinance rules and area measurements of Lakeshore Lots dependent on meandering lakeshore.

Mr. Chuck Lane offered Rebuttal.

Mrs. JoAnne Weaver offered Rebuttal.

City Administrator Chanski read following written objections for the record:
Kent Hodder, Heidi Howard, Jeff Smith, Ron & Nancy Fletcher, Melissa & Alan Spaulding, Ken Heen, Jon & Tami Ross, Donald & Sharon Rask, David & Tracy Kaluzniak, Joyce Poppe, Mack Graham & Jill Poppe Graham, Philip Howard, Steve & Suzanne Everly.

Chairperson Weaver adjourned the hearing.

Motion Weaver/Brisbin to Table Consideration of CUP 2023-007 pending clarification of Lot size and associated building size, Motion Carried 5-0

Planner Bohnsack reviewed a request by Mr. James Sackreiter to extend the 60 day rule for action on Variance Application V-23-005.

Motion Weaver/Theis to Table action of Variance V-23-005 to November 14, 2023 meeting, Motion Carried 5-0

There being no further business the meeting adjourned at 8:03 p.m.

Submitted by Jerry Bohnsack
City Planner