

**CITY OF CIRCLE PINES, MINNESOTA  
PLANNING COMMISSION MEETING**

**July 20, 2020  
7:00 P.M.**

**AGENDA**

1. Call to Order
2. Roll Call
3. Approval of Minutes – May 13, 2019
4. Public Comments
5. Council Report

6. **COMMISSION BUSINESS**

- a. Variance Request, 247 Cobbler Court

Commission Action \_\_\_\_\_

- b. \_\_\_\_\_

Commission Action \_\_\_\_\_

7. **ADJOURNMENT**

**CITY OF CIRCLE PINES, MINNESOTA  
PLANNING COMMISSION MEETING**

**May 13, 2019  
7:00 p.m.**

**1. CALL TO ORDER**

Chair Kula called the meeting to order at 7:00 p.m.

**2. ROLL CALL**

Also present were Commissioners Thompson, Petska, Poppinga and McChesney and Assistant City Administrator for Public Services Peterson.

**3. APPROVAL OF MINUTES**

**MOTION:**

McChesney moved, seconded by Petska, to approve the April 15, 2019 minutes as presented. **Motion carried 5-0.**

**4. PUBLIC COMMENTS**

There were no public comments.

**5. COUNCIL REPORT**

Assistant City Administrator for Public Services Peterson reported that the Council reviewed the 2040 Comprehensive Plan chapters previously reviewed by the Planning Commission. She said those chapters were then moved forward.

Chair Kula asked if it is typical for no changes to be made as a plan moves through the process. Peterson responded it is typical in a small community.

**6. COMMISSION BUSINESS**

**a. 2040 Comprehensive Plan**

Chapter 2– Land Use

Assistant City Administrator for Public Services Peterson noted the Metropolitan Council has identified Circle Pines as a Suburban designation. She said staff has identified roughly 10 areas in the community for possible development/redevelopment that amount to roughly 15.2 acres of land. She said the parcels are simply identified with no plans to actively move forward with development.

Peterson pointed out a chart in the plan that shows Residential Redevelopment Staging by Decade and Affordable Housing by Decade. She said Chapter 2 also

identifies goals and strategies and the city will do what it can to encourage development and redevelopment through the zoning code for projects.

Petska asked what happens if the city falls short of the goals. Peterson said it would mostly mean the city would fall short of obtaining grants. Thompson asked if the city is working under any grants now. Peterson responded there is a grant to help complete the Comprehensive Plan.

Kula asked what determines the residential properties designated for redevelopment. Peterson said the one at County Road J is a large parcel that can be subdivided; parcels near Golden Lake are platted parcels that are vacant parkland; with another subdivide parcel adjacent to that; and vacant parcels north of Golden Lake. Kula asked if developers have expressed an interest in the parcels. Peterson said not a lot of interest, but the only two parcels receiving an interest during the last five to 10 years are two vacant parcels behind Image Printing and the dental office.

#### Chapter 4 – Water Resources

Assistant City Administrator for Public Services Peterson explained this is the sewer section that basically says the city will not have an impact on the metropolitan system as a whole. She said sewers and lift stations were identified and the only difference in the existing system and the proposed system is if an effort is made to provide sewer to the vacant parcel on County Road J. She noted that property is the only property currently with its own sewer system.

Peterson mentioned that Inflow and Infiltration (I/I) is about water entering the sewer system from unintended sources as it can result in the city paying more for the water that flows through the system and the city is making every effort to correct those problems, basically through street reconstruction projects. She said other efforts include sewer jetting the entire system over a period of three years.

#### Chapter 7 – Economic Competitiveness

Assistant City Administrator for Public Services Peterson explained this chapter is about how the city will strive to cultivate a vibrant business community. She said it identifies goals and tools to help encourage development in the city and also identifies economic growth opportunities and redevelopment areas.

Chair Kula asked if there are any existing Tax Increment Financing Districts in the city. Peterson said there are – one at the apartment building near Casey's and the Village at Circle Pines where there are two TIF Districts.

Thompson asked if it is known when the Alternative Learning Center is moving. Peterson said she does not know although the building is for sale and the school district is trying to move the operations back into the high school.

Kula asked if TIF Districts and Tax Abatements would ever be used in conjunction with each other. Peterson said that is more of a finance area, but in her experience the city

has not used both and she does not recall the city using Tax Abatement. Kula asked if the request typically comes from the developer. Peterson said it does.

### Chapter 9 – Implementation

Assistant City Administrator for Public Services Peterson explained this outlines the types of things that will be used to help accomplish what has been set out in the Comprehensive Plan. She said one of the main things is use of the zoning code to help redevelopments, land use in conjunction with land use, water resources and economic competitiveness. Other ways of implementing the plan are to identify water resource management, protect natural resources, use tools to make sure housing is in good shape as the city's housing is aging, and establishment of a five-year plan for capital improvements.

Thompson referred to capital improvements and asked what a sewer jetter is. Peterson explained it is a truck that flushes the sewer mains on a rotating basis with one-third of the city done every year. She said the procedure helps prevent sewer backups to residents' homes. Peterson added that sewer lines are televised every 10 years to help identify areas needing repairs.

Poppinga asked if building inspectors, during their regular inspections, look to see where sump pumps are draining. Peterson said sometimes they will.

Chair Kula expressed appreciation to Peterson for the hard work put into all chapters of the 2040 Comprehensive Plan. Peterson mentioned there will be a six-month review period for the plan when other jurisdictions have the opportunity to provide comments. After that, she said it will be submitted to the Metropolitan Council.

**MOTION:** Poppinga moved, seconded by Thompson, to approve Chapters 2, 4, 7 and 9 of the 2040 Comprehensive Plan. **Motion carried 5-0.**

## 7. ADJOURNMENT

**MOTION:** Petska moved, seconded by McChesney, to adjourn the meeting at 7:25 p.m. **Motion carried 5-0.**

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**Chair**

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**Clerk**



200 Civic Heights Circle  
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TDD: (763) 784-9724

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# CIRCLE PINES

Fax: (763) 785-2859  
www.circle-pines.mn.us

TO: Planning Commission  
FROM: Chandra Peterson *CR*  
DATE: July 8, 2020  
RE: Variance Request for 247 Cobbler Court for an 8-foot fence

**Purpose:**

The purpose of this report is to recommend action to the Planning Commission regarding a variance request from Linda Evert and Wayne Komarek at 247 Cobbler Court for an 8-foot privacy fence.

**Background:**

City Code 1315.08 Subd 5 Fence Height (a) General Requirements Fence Height states: Fences in yards other than a front yard shall not exceed six feet (6') in height. Currently, there is a two-foot retaining wall on the parcel adjacent at 249 Cobbler Court, where the neighbor stores vehicles and other equipment. The retaining wall elevates the storage area or driveway area two feet above 247 Cobbler Court's property. The applicant is asking for an 8-foot fence on their property which would screen 6' from the neighbor's view. The 8-foot fence would go only along the side yard property along 249 Cobbler Court.

**Analysis:**

1310.03 Subdivision 4 Variance states that the variance may be requested only by the owner of the property for an indefinite duration or a specified duration. The variance may be granted by the Planning Commission and City Council with the following requirements met:

1. Variances shall only be permitted when they are in harmony with the general purpose and intent of the City Code and consistent with the Comprehensive Plan.
2. Variances may only be permitted when the applicant establishes that there are practical difficulties in complying with the zoning ordinance, meaning the property owner proposes to use the lot or parcel in a reasonable manner not permitted by the zoning code.



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3. The plight of the property owner must be due to circumstances that are unique to the lot or parcel and that are not created by the property owner.
4. The variances must not alter the essential character of the locality.
5. That the variance will not alter the essential character of the City, will not be injurious to or adversely affect the health, safety or welfare of the residents of the City or the neighborhood in which the property is located and will be in keeping with the spirit and intent of this Chapter.

Public Hearing Notice was published in the Quad Community Press prior to the meeting. Request for comments were sent to property owners within 350 feet the applicant. Comments are included with this memo.

**Recommendation:**

Staff believes that the above requirements and justifications are being met regarding the request for an 8-foot fence located on the south side yard of property at 247 Cobbler Court; therefore, Staff recommends that the Planning Commission recommend approval of the variance to the City Council.

# City of Circle Pines Variance Application

Application Fee: \$300 + \$1,500 Deposit

Address of Proposed Variance: 247 Cobbler Court, Circle Pines PIN Number \_\_\_\_\_

Owners Name: Linda Evert and Wayne Komarek Phone: 763 229 9278 / 763 780 8947

Address: 247 Cobbler Court, Circle Pines Email: lindaevert@hotmail.com

### Please give a description of your particular unique circumstance:

We are placing a privacy fence alongside our home. The property line is 2 feet above our yard due to our neighbor's retaining wall which extends across the property line. The neighbor's wall and driveway are significantly elevated above our ground level. We wish to construct the fence on our property at ground level. since that is 2 feet below the property line, we request to construct the top of the fence 8 feet high relative to our property.

### Please indicate the justification that demonstrates the need for the requested variance that is consistent with the findings required by State Law and City Code:

While we could build a 6 foot fence on top of the wall to achieve the same final height, we do not know the structural integrity of the wall. We wish to offset the fence and it is therefore at a height disadvantage.

### Please indicate how the zoning ordinance currently limits your use of the property.

Due to the height difference, an 8 foot fence constructed on our property will be experienced by our neighbors as a 6 foot fence. Current zoning would limit the fence to 6 feet, which would be effectively 4 feet high as experienced by our neighbors. Since this area is visible from our dining room, we wish to improve our view from the parked truck, boat and trash cans. In addition, it will physically help prevent truck exhaust from entering our fresh air intake, overall enhancing property value without detracting from either property's value.

Linda Evert Wayne Komarek 6/29/2020  
Applicant Signature Date

Please enclose with this application 10 copies:

Certificate of Survey 10

Site Plan (1"=50') 10

Amount Paid: ✓ cp

Date Paid: 06/29/2020

Receipt Initials: cp

Office Use:

Publication Date: 07/07/2020

Notices to Affected Property Owners: 07/01/2020

Staff Review: 07/15/2020

*Mailed out*

Planning Commission

Public Hearing Meeting 07/20/2020

Council Meeting: \_\_\_\_\_











**CITY OF CIRCLE PINES, MINNESOTA  
PUBLIC NOTICE**

**NOTICE IS HEREBY GIVEN**, that the Circle Pines Planning Commission will hold a public meeting at 7:00 p.m. on Monday, July 20, 2020 at the Circle Pines City Hall.

The purpose of this meeting will be to review a variance application for an 8-foot-high fence located at 247 Cobbler Court, Circle Pines, Minnesota.

In compliance with the Americans with Disabilities Act, a disabled individual may one week in advance contact City Hall by phone at (763) 784-5898, or TDD (763) 231-2617; or in writing to request reasonable assistance to be able to participate in these proceedings.



Patrick Antonen

Clerk of the City of Circle Pines

Dated: June 30, 2020

Published: **Quad Community Press**, Tuesday, July 7, 2020

Comments:

NO problem

Name: Susan Davis

Address: 251 Cobbler Court

Circle Pines, 55014

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