

City of Winsted  
Planning Commission  
City Council Chambers  
March 9, 2015  
6:00 p.m.

Present: Jolynn Cafferty  
Marvin Ebensperger  
Mike Guggemos  
Allison Moses  
Tom Ollig (Council Liaison)

Staff Present: Clay Wilfahrt, City Administrator  
Raquel Kirchoff, Administrative Assistant

1) Call the Meeting to Order

Mr. Ebensperger called the meeting to order at 6:00 p.m.

2) Approval of Minutes

**Mr. Guggemos motioned to approve the minutes from the Planning Commission Meeting on December 8, 2014. Ms. Cafferty seconded the motion. Motion carried 4-0.**

3) No Public Hearings

4) No Old Business

5) NEW BUSINESS

**a) Winsted Zoning Ordinance Text Amendment – New Single Family Zoning District**

Mr. Wilfahrt stated that numerous variance applications have been submitted over the recent years due to the City having two (2) different housing styles within Winsted, so an amendment has been proposed to the Winsted Zoning Ordinance in an effort to reduce the number of variance applications in the future.

Mr. John Anderson, Municipal Development Group, was present at the meeting and explained that a text amendment to amend the Winsted Zoning Ordinance, Chapter 15 of the Winsted Municipal Code has been proposed to add a new single family residential district in order to eliminate as many non-conformities as possible in the older areas of the City that are located within the R-1 Single Family Residential District.

Mr. Anderson explained that the biggest issue is the older areas of the City that are zoned R-1 where the existing lots are smaller than the required minimum lot size and the setbacks on existing homes do not meet the setback requirements of the R-1 district. Minimum lot sizes and setbacks in the R-1 district for single family lots are as follows:

Minimum lot size:	10,000 square feet
Minimum lot width:	75 feet
Front yard setback:	30 feet
Rear yard setback:	25 feet
Side yard setback:	5 feet
Side yard setback total:	13 feet
Side yard setback, street side:	30 feet
Lot coverage, structures:	50%

Mr. Anderson stated that what has been discussed is adding a new single family district that is for the older areas of the community where the minimum lot size and setbacks are less than the requirements in the R-1 district. Minor amendments would also need to be made to the existing R-1 district as part of this process. One of the biggest issues has been the side yard setback on the street side of a corner lot.

Mr. Anderson stated that the text below is the proposed language for the changes to be made to the R-1 district, which will be renamed R-1A Single Family Residential District, and the new district to be called R-1B Single Family Residential District. He further explained that the new proposed text is underlined and the proposed deleted text is struck through.

Mr. Anderson stated that he has provided a proposed map that shows a proposed boundary for the new R1-B district.

### **Zoning Ordinance Proposed Amendments**

#### **Section 1501.004 Establishment of Zoning Districts and Provisions, Letter A, shall be amended as follows:**

**A. Establishment of Districts.** The following district classifications are hereby established with the City of Winsted:

1. "R-1A" Single Family Residential District.
2. "R-1B" Single Family Residential District.
3. "R-2" Multiple Family Residential District.
4. "R-M" Manufactured Home Residential District.
5. "C-1" Commercial Downtown Business District.
6. "C-2" Highway Commercial District.
7. "I-1" Industrial District.
8. "A" Airport District.
9. Shoreland Overlay District.

#### **Section 1501.005. "R-1" Single Family Residential District shall be renamed "R-1A" Single Family Residential District and amended as follows.**

**A. Purpose.** It is the intent of this district to permit the development of single dwellings in the developing areas of the community; to provide reasonable standards for such development; to avoid overcrowding; and to prohibit the use of land that would be incompatible with or detrimental to the essential residential character of such district.

#### **B. Permitted Uses.**

1. Single family dwellings;
2. A state licensed residential facility or housing with services accommodating up to six (6) or fewer persons, which must be licensed and registered as specified under Minnesota Statutes Chapter 144D, or as amended;
3. Public parks and playgrounds;
4. Essential services; ~~and~~
5. A licensed day care facility for up to twelve (12) or fewer persons and licensed under Minnesota Rules, Chapter 9502, or as amended; and
6. Two Family dwellings.

#### **C. Permitted Accessory Uses.**

1. Private garages, parking spaces and carports for passenger cars, trucks, recreational vehicles and equipment;
2. Swimming pool, subject to design standards contained in Section 1501.014.O. of this Ordinance and other recreational facilities which are operated for the enjoyment and convenience of the residents;
3. Tool houses and similar buildings for storage of domestic equipment and noncommercial recreational equipment; and

4. Boarding or renting of rooms to not more than two (2) persons.

**D. Conditional Uses.** The following uses shall require a Conditional Use Permit based on the procedures set forth in Section 1501.017.

1. Governmental and public utility buildings and structures, public or semi-public recreational buildings and community centers;
2. Planned Unit Developments regulated in Section 1501.013.;
3. Nursing homes, rest home and homes for the aged provided that adequate parking is provided and the site is accessible to commercial service areas;
4. Clinics and other buildings for the treatment of human beings contingent upon adequate parking being provided;
5. Churches, libraries, museums, schools, memorial buildings, hospitals and cemeteries;
6. Home occupations; and
7. Relocation of building: Any building, including an accessory building, which is proposed to be moved from one land parcel to another parcel or from outside the City of Winsted to a parcel of land within the City of Winsted, shall require a conditional use permit and a building permit. Any relocated building not exceeding ten (10) feet in width or twelve (12) feet in length and not more than ten (10) feet in height, shall require only a building permit. A conditional use permit shall only be issued to those relocated buildings that the Planning Commission determines meet the standards required in Section 1501.017 and upon a further showing that the building conforms generally with the architectural design of the buildings located in the neighborhood in which said relocated building is to be located.

**E. Uses by Administrative Permit.** The following uses shall require an Administrative Permit based on the procedures set forth in Section 1501.021.

1. Temporary Structures as regulated by Section 1501.014.P.

**F. Lot, Yard, Area and Height Requirements**

1. The following standards apply to the District's uses:

	Single Family <u>Dwellings</u> & Other Uses	Two Family <u>Dwellings Home</u>
Lot Area (minimum) or area per family – whichever is greater	10,000 sq. ft. 10,000 sq. ft.	12,000 sq. ft. 6,000 sq. ft.
Lot Width – minimum	75 feet	100 feet
Front yard setback – minimum	30 feet	30 feet
Side yard setback – minimum	5 feet	5 feet
Side yard setback – total both sides	13 feet	13 feet
Rear yard setback – minimum	25 feet	25 feet
Height – maximum	35 feet	35 feet
Lot coverage maximum – structures	50%	50%
Parking Requirements	See Section 1501.014.A. for parking	

2. On corner lots, the side yard on the street side shall not be less than the same as the front yard on the reverse interior lots on that street provided this does not reduce the buildable width to thirty (30') feet or less.

**G. Principal Structure Standards.**

1. Building Width. Residential structures shall not be less than twenty-four (24) feet in width over thirty feet (30') of its length. Length refers to the side of the structure having the longest horizontal measurement. This requirement does not apply to accessory structures, including garages, tool houses and similar buildings for storage of domestic equipment and non-commercial recreational equipment.
2. Foundation. All residential structures shall have permanent foundations of concrete or treated wood, constructed in conformance with the State Building Code. This requirement shall not apply to accessory structures, such as garages, tool houses and similar buildings for storage of domestic equipment and non-commercial recreational equipment.

**H. Front Deck Exception.** The owner may construct and maintain a deck that encroaches into the front yard setback of the R-1B zone, as long as:

1. The deck is constructed of wood.
2. The deck must be "open air" and cannot be screened or have a roof or awning or any side enclosures of any nature, whatsoever, except for a railing or bench which, in no event, shall be higher than forty-two (42) inches.
3. The deck shall not be longer than the length of the side of the house facing along the curb.
4. The deck shall not be closer than five (5) feet to any public utility easement or public right of way.
5. The deck can only be as deep wide as the original steps, which may include a landing that contains footings, but under no circumstances, a depth greater than ten (10) feet from the house.
6. Decks shall not be included in the lot coverage requirements of this Ordinance.

**I. Accessory Structure Standards.**

1. Two residential accessory buildings or structures are allowed per residential lot. The size of one accessory structure shall not exceed 1,000 square feet in size. The size of the second accessory structure shall not exceed 120 square feet in size.
2. An accessory building, including carports, decks and breeze ways, attached to the principal building on a lot, shall be made structurally a part thereof and shall comply in all respects with the requirements of this Ordinance applicable to the principal building.
3. No accessory building shall exceed one (1) story or sixteen (16) feet in height and shall not occupy more than ten percent (10%) of the lot area.
4. All detached accessory buildings shall be located in the side or rear yards. When located within ten (10) feet of the side or rear wall of the principal building they shall comply with all yard requirements applicable to the principal building in the district. Where such accessory buildings are to be located in the rear yard and are located more than ten (10) feet from the rear of the principal building, it shall not be located closer than five (5) feet from the side or rear lot line.
5. No private garage used or intended for the storage of passenger automobiles or motor vehicles, recreation vehicles, boats, etc. shall exceed one thousand (1,000) square feet of gross area nor shall any access door or other opening exceed the height of ten (10) feet.

6. Accessory buildings larger than one hundred and twenty (120) ~~(400)~~ square feet shall be constructed of materials similar to the lot's principal structure.
  7. Accessory buildings shall not be constructed prior to or in lieu of the principal building.
- J. Required Trash Areas:** For all non-residential uses in the R-1A district, exterior garbage and trash collection areas must be screened from residential views on all four sides. The screening used must be at least six feet (6') in height and must be of a completely opaque material.
- K. The following shall not be allowed in this zone.** Any structure more than seven (7') feet in height, with or without a permanent floor, having a design that uses augured pillars (or columns) as footings; and/or columns or poles as the major support for such structure; and/or exterior sidewalls consisting of raised, ribbed or metal panels.

**Section 1501.006 "R-1B" Single Family Residential District shall be added as follows:**

**A. Purpose.** It is the intent of this district to permit the development of single dwellings and expansion of existing single family dwellings in the older established areas of the community; to provide reasonable standards for such development; to avoid overcrowding; and to prohibit the use of land that would be incompatible with or detrimental to the essential residential character of such district.

**B. Permitted Uses.**

1. Single family dwellings;
2. A state licensed residential facility or housing with services accommodating up to six (6) or fewer persons, which must be licensed and registered as specified under Minnesota Statutes Chapter 144D, or as amended;
3. Public parks and playgrounds;
4. Essential services;
5. A licensed day care facility for up to twelve (12) or fewer persons and licensed under Minnesota Rules, Chapter 9502, or as amended; and
6. Two Family dwellings.

**C. Permitted Accessory Uses.**

1. Private garages, parking spaces and carports for passenger cars, trucks, recreational vehicles and equipment;
2. Swimming pool, subject to design standards contained in Section 1501.014.O. of this Ordinance and other recreational facilities which are operated for the enjoyment and convenience of the residents;
3. Tool houses and similar buildings for storage of domestic equipment and noncommercial recreational equipment; and
4. Boarding or renting of rooms to not more than two (2) persons.

**D. Conditional Uses.** The following uses shall require a Conditional Use Permit based on the procedures set forth in Section 1501.017.

1. Governmental and public utility buildings and structures, public or semi-public recreational buildings and community centers;
2. Planned Unit Developments regulated in Section 1501.013.;
3. Nursing homes, rest home and homes for the aged provided that adequate parking is provided and the site is accessible to commercial service areas;
4. Clinics and other buildings for the treatment of human beings contingent upon adequate parking being provided;
5. Churches, libraries, museums, schools, memorial buildings, hospitals and cemeteries;
6. Home occupations; and
7. Relocation of building: Any building, including an accessory building, which is proposed to be moved from one land parcel to another parcel or from outside the City of Winsted to a parcel of land within the City of Winsted, shall require a conditional use permit and a building permit. Any relocated building not exceeding ten (10) feet in width or twelve (12) feet in length and not more than ten (10) feet in height, shall require only a building permit. A conditional use permit shall only be issued to those relocated buildings that the Planning Commission determines meet the standards required in Section 1501.017 and upon a further showing that the building conforms generally with the architectural design of the buildings located in the neighborhood in which said relocated building is to be located.

**E. Uses by Administrative Permit.** The following uses shall require an Administrative Permit based on the procedures set forth in Section 1501.021.

1. Temporary Structures as regulated by Section 1501.014.P.

**F. Lot, Yard, Area and Height Requirements.**

1. The following standards apply to the District's uses:

Single Family Dwellings  
& Other Uses

Two Family  
Dwellings

<u>Lot Area (minimum) or area per family – whichever is greater</u>	<u>9,000 sq. ft.</u>	<u>10,000 sq. ft.</u>
	<u>9,000 sq. ft.</u>	<u>5,000 sq. ft.</u>
<u>Lot Width – minimum</u>	<u>60 feet</u>	<u>100 feet</u>
<u>Front yard setback – minimum</u>	<u>20 feet</u>	<u>20 feet</u>
<u>Side yard setback – minimum</u>	<u>5 feet</u>	<u>5 feet</u>
<u>Rear yard setback – minimum</u>	<u>20 feet</u>	<u>20 feet</u>
<u>Height – maximum</u>	<u>35 feet</u>	<u>35 feet</u>
<u>Lot coverage maximum – structures</u>	<u>50%</u>	<u>50%</u>
<u>Parking Requirements</u>	<u>See Section 1501.014.A. for parking</u>	

2. On corner lots, the side yard on the street side shall not be less than fifteen (15) feet provided this does not reduce the buildable width to thirty (30) feet or less.

**G. Principal Structure Standards.**

1. Building Width. Residential structures shall not be less than twenty-four (24) feet in width over thirty feet (30') of its length. Length refers to the side of the structure having the longest horizontal measurement. This requirement does not apply to accessory structures, including garages, tool houses and similar buildings for storage of domestic equipment and non-commercial recreational equipment.
2. Foundation. All residential structures shall have permanent foundations of concrete or treated wood, constructed in conformance with the State Building Code. This requirement shall not apply to accessory structures, such as garages, tool houses and similar buildings for storage of domestic equipment and non-commercial recreational equipment.

**H. Front Deck Exception.** The owner may construct and maintain a deck that encroaches into the front yard setback of the R-1B zone, as long as:

1. The deck is constructed of wood.
2. The deck must be "open air" and cannot be screened or have a roof or awning or any side enclosures of any nature, whatsoever, except for a railing or bench which, in no event, shall be higher than forty-two (42) inches.
3. The deck shall not be longer than the length of the house facing the curb.
4. The deck shall not be closer than five (5) feet to any public utility easement or public right of way.
5. The deck can only be as deep as the original steps, which may include a landing that contains footings, but under no circumstances, a depth greater than ten (10) feet from the house.
6. Decks shall not be included in the lot coverage requirements of this Ordinance.

**I. Accessory Structure Standards.**

1. Two residential accessory buildings or structures are allowed per residential lot. The size of one accessory structure shall not exceed 1,000 square feet in size. The size of the second accessory structure shall not exceed 120 square feet in size.
2. An accessory building, including carports, decks and breeze ways, attached to the principal building on a lot, shall be made structurally a part thereof and shall comply in all respects with the requirements of this Ordinance applicable to the principal building.
3. No accessory building shall exceed one (1) story or sixteen (16) feet in height and shall not occupy more than ten percent (10%) of the lot area.
4. All detached accessory buildings shall be located in the side or rear yards. When located within ten (10) feet of the side or rear wall of the principal building they shall comply with all yard

requirements applicable to the principal building in the district. Where such accessory buildings are to be located in the rear yard and are located more than ten (10) feet from the rear of the principal building, it shall not be located closer than five (5) feet from the side or rear lot line.

5. No private garage used or intended for the storage of passenger automobiles or motor vehicles, recreation vehicles, boats, etc. shall exceed one thousand (1,000) square feet of gross area nor shall any access door or other opening exceed the height of ten (10) feet.

6. Accessory buildings larger than one hundred and twenty (120) square feet shall be constructed of materials similar to the lot's principal structure.

7. Accessory buildings shall not be constructed prior to or in lieu of the principal building.

**J. Required Trash Areas:** For all non-residential uses in the R-1B district, exterior garbage and trash collection areas must be screened from residential views on all four sides. The screening used must be at least six feet (6') in height and must be of a completely opaque material.

**K. The following shall not be allowed in this zone.** Any structure more than seven (7') feet in height, with or without a permanent floor, having a design that uses augured pillars (or columns) as footings; and/or columns or poles as the major support for such structure; and/or exterior sidewalls consisting of raised, ribbed or metal panels.

**Sections 1501.006 through 1501.024 shall be renumbered amended accordingly.**

Mr. Anderson asked if there were any questions or comments regarding the proposed text amendments.

The Planning Commission members discussed the side yard setback requirements of the newly proposed R-1B Single Family Residential District for the older areas of the city and preferred keeping the side yard setback requirements as they currently are within the proposed R-1A district at a total of thirteen (13) feet for both sides. This gives the property room in case a vehicle needs to be driven around the property to the rear yard.

The Planning Commission asked if there would still be options if developers or property owners wanted to have different lot sizes or different setbacks other than what the newly amended language provides for. Mr. Anderson stated that the person requesting variations from the Winsted Zoning Ordinance could still apply for a variance, or a developer could still approach with changes under a Planned Unit Development and the Planning Commission could consider their requests for those circumstances.

The Planning Commission members found the proposed Zoning Map amendments acceptable.

**Ms. Moses motioned to schedule a Public Hearing for Monday, April 13, 2015 to consider text amendments to the Winsted Zoning Ordinance to add a new single family zoning district for the older areas of the City. Ms. Cafferty seconded the motion. Motion carried 4-0.**

**Ms. Moses motioned to schedule a Public Hearing for Monday, April 13, 2015 to consider amendments to the Winsted Zoning Map to add a residential district in the City of Winsted. Ms. Cafferty seconded the motion. Motion carried 4-0.**

**b) Chairperson and Vice-Chairperson Recommendation**

**Ms. Cafferty motioned to recommend Marvin Ebensperger as the Planning Commission Chairperson and Mike Guggemos as Vice-Chairperson for the year 2015. Ms. Moses seconded the motion. Motion carried 4-0.**

**6) Other**



- a.) Mr. Guggemos asked if any applications have been received from people interested in serving as a Planning Commission member. Mr. Wilfahrt stated no, and encouraged interested Winsted residents to contact him to become a Planning Commission member.

7) Adjournment

**Ms. Cafferty motioned to adjourn the meeting. Ms. Moses seconded the motion. Motion carried 4-0. The meeting adjourned at 6:33 p.m.**

*Clay Wilfahrt*

Clay Wilfahrt  
City Administrator  
City of Winsted

ATTEST:

*Raquel Kirchoff*

Raquel Kirchoff,  
Administrative Assistant  
City of Winsted