



(320)983-3141 | (320)983-3142 fax

CITY OF MILACA PLANNING COMMISSION MEETING MINUTES

November 17, 2025

6:00 P.M.

1. OPEN PLANNING COMMISSION MEETING: Brad Tolzman –Chairman, called meeting to order @ 6:07 p.m.

2. MEMBERS PRESENT: Roll Call:

a. Brett Freese, Lainy Hoskins (via speaker phone), Jake Lepper, Brad Tolzman, Alex Veurink
ABSENT Joel Millam, Mitch Siemers

b. Others Present: City Manager Tammy Pfaff, Assistant City Clerk Deloris Katke, Council Liaison Norris Johnson. David Kuefler, Tim Poorker

3. APPROVAL OF MINUTES FROM October 6, 2025:

Chairman Tolzman called for a motion to approve the minutes from October 6, 2025.

Motion to approve minutes from October 6, 2025, made by Alex Veurink, seconded by Jake Lepper. No further discussion. All in favor.

Motion passes.

4. PUBLIC HEARINGS: Opened at 6:08

a. **Variance Request from Mille Lacs Vet Holdings, LLC**

b. **Minor Lot Split from Mille Lacs Vet Holdings, LLC**

-David Kuefler with D&K Milaca Rentals spoke in favor of both requests, stating that the lone change from the variance and split that was previously approved, was an increase in lot size from 56.13' x 29' to 80.32' x 31'. This change would result in a more accommodating parking area, as well as a cleaner lot line split. The development and construction of this lot would still be subject to approval and requirements as set forth in the city code pertaining to drainage, surfacing, screening, etc.

5. PUBLIC HEARINGS: Closed at 6:09

6. NEW BUSINESS:

a. **Resolution #25-37 Variance to create a lot smaller than the minimum lot size request from Mille Lacs Vet Holdings, LLC**

A motion was made by PC Member Veurink, seconded by PC Member Freese to recommend approval of the Variance to the City Council.

No further discussion. All in favor. Motion passes.

c. **Minor Lot Split from Mille Lacs Vet Holdings, LLC**

A motion was made by PC Member Lepper, seconded by PC Member Hoskins to recommend approval to the City Council of the lot split.

No further discussion. All in favor. Motion passes.

7. MISCELLANEOUS:

City Manager Pfaff mentioned that the Planning Commission will be meeting again in December to discuss the Milaca Park Variance and Lot Split requests.

8. ADJOURN:

PC Chairman Tolzman called for a motion to adjourn. PC Member Hoskins made the motion to adjourn. PC Member Freese seconded the motion. No further discussion. All In favor.

Motion passes.

Meeting adjourned at 6:19 p.m.

UNOFFICIAL

To: Milaca Planning Commission

From: Evan Monson, AICP

Project/File: 193800515

Date: November 29, 2025

REQUEST: Minor Subdivision/Lot Split and Side Setback Variance request for 410 2nd Street NE

APPLICANT: Randy Reiman

OWNER: Josh Winter (Milaca Park, LLC)

PROPERTY LOCATION: 410/500 2nd Street Northeast; Parcel ID 21-025-0500

ZONING CLASSIFICATION: I-1 Light Industrial District, B-4 Mobile Home, & C-1 Conservation

REVIEW PERIOD: 60-day review period ended 10/24/2025, 120-day review period ends 12/23/2025.

ITEMS REVIEWED: Application and materials received on 8/25/2025.

OVERVIEW

Milaca Park, LLC owns the property that is occupied by the *Mobile Manor* mobile home park, two industrial buildings, an open storage area, and the large wetland area behind it. Randy Reiman owns the larger industrial building on the west side of the property and wants to separate it from the mobile home park property. The Reiman family previously owned the mobile home park but sold it a few years ago; they now want to separate their industrial building and part of the property from the mobile home park property and buildings. To accomplish this, they are requesting a lot split to divide off a lot "Parcel A" on the west side of the property, while the rest of the property "Parcel B" will remain as the mobile home park and most of the wetland.

A new lot line will separate the two existing buildings that are currently approximately ten (10) feet apart, which would place each building approximately five (5) feet from the proposed lot line. The required side setback is ten (10) feet; since this cannot be met a side setback variance is requested for side setbacks of five (5) feet on each side. The subdivision and variance requests are illustrated in Figures 2 and 3.

Variances from zoning requirements are covered in Sections 156.165 – 156.170 of the city code. Section 156.168 requires review of variances by the city's Planning Commission. The City Council can then approve or deny a variance request.

Minor Subdivisions are covered under Section 155.126 of the city code. These requests can go directly to the City Council, or can be reviewed by the Planning Commission and approved or denied by the council.

Both the variance and Minor Subdivision requests were reviewed at the October Planning Commission meeting, and were tabled.

PROPERTY INFORMATION

Parcel Description: 410 2nd Street NE is 36.47 acres in size per Mille Lacs County records. The west end of the site has access from 2nd Street NE, while the east end of the site has access to 1st Street East / County State Aid Highway (CSAH) 37. The middle of the site has access to 6th Avenue NE. The south and east portion of the site is a mobile/manufactured home park, while the west end consists of some industrial buildings and outdoor storage. Most of the northern half of the site is a wetland.



Figure 1: County GIS aerial image of 410 2nd Street NE. Parcel lines are in red; the subject parcel is outlined in orange.

Current Land Uses: Mobile/manufactured home park, light industrial and outdoor storage, open space/wetlands.



Figure 2: Illustration of proposed request, with proposed lot lines in white and existing zoning designations also shown.

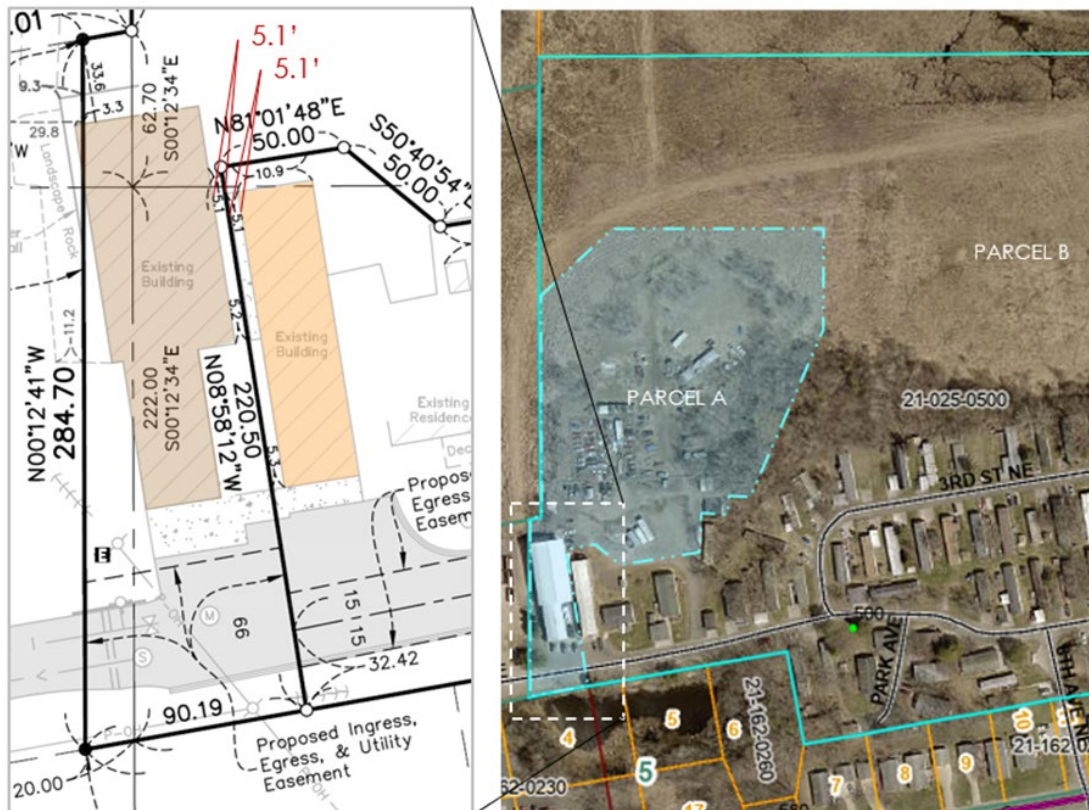


Figure 3: Illustration of Parcel A (right), with excerpt zoomed in on the proposed lot line of Parcel A (left).

EVALUATION OF THE REQUEST

Subdivision Code

The request will create two lots. The city code says that the resulting parcels cannot be in violation of Chapter 156, the Zoning Code. The variances to the side setbacks for the two buildings will have to be approved to approve the subdivision request.

Site Access

The Reiman building currently has access to the rear to the property only via 2nd Street NE and past the mobile home park buildings, illustrated with the yellow arrow and easement in Figure 4. There is not enough space on either side of the Reiman building to get to the rear of the property within the proposed Parcel A. The certificate of survey for the minor subdivision shows a 30-ft-wide ingress, egress and utility easement connecting Parcel A across Parcel B along 2nd Street NE and the mobile home park driveway to the rear of Parcel A.



Figure 4: Proposed access for Parcel A via an 'ingress, egress, and utility easement' that would run through portions of Parcel B.

Variance

The Milaca Zoning Code, in Sections 156.166 and 156.167, details findings of fact and conditions for granting variances. These standards closely follow State statute requirements. The city's code requirements are listed on the following pages in *italics*, with staff findings and comments following.

Variance Findings, per Section 156.166

In considering all requests for a variance or appeal, the Board of Adjustments and Appeals shall make a finding of fact as appropriate that the proposed action will not:

- (A) *Impair an adequate supply of light and air to adjacent property;*
- (B) *Unreasonably increase the congestion in the public right-of-way;*
- (C) *Increase the danger of fire or endanger the public safety;*
- (D) *Unreasonably diminish or impair established property values within the neighborhood;*

- (E) Cause an unreasonable strain upon existing municipal facilities and services;*
- (F) Be contrary in any way to the provisions and intent of the city's growth management system/Comprehensive Plan; or*
- (G) Have a negative direct and indirect fiscal impact upon the city, county, or school district, unless the proposed use is determined to be in the public interest.*

The proposed variance will not be noticeable to adjacent properties – it is only allowing a new property line to be placed between two existing buildings; nothing new is being built with this subdivision and variance request. The variance will not negatively impact any of the above standards; therefore, these criteria are met.

Variance Conditions, per Section 156.167:

(A) (1) The City Council, after receiving recommendations from the Planning Commission, may not permit as a variance any use that is not permitted under this chapter for property in the zone where the affected person's land is located.

The requested setback variance does not change the uses of the applicant's properties, which are permitted. This criterion is met.

(2) A variance may be granted when it is demonstrated that this action will be in keeping with the spirit and intent of this chapter and when the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to his or her property and not created by the landowner, and the variance, if granted, will not alter the essential character of the locality.

This criterion is met. The request to separate buildings onto different parcels is a “reasonable use” of the property. The location of the buildings being ten feet apart is a pre-existing condition unique to this property and not caused by the applicant. It is impossible to meet the setback standard in the ordinance without removing the existing structures. The proposed lot lines will not alter the essential character of the locality – there is no visible change in the buildings or uses.

(B) Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the chapter. Undue hardship also includes, but is not limited to, inadequate access to direct sunlight for solar energy systems. A non-economic hardship shall exist by reason of one or more of the following:

- (1) Narrowness, shallowness, or shape of a specific parcel of property or a lot existing and of record upon the effective date of this chapter;*
- (2) Exceptional topographic or water conditions of a specific parcel of land or lot; or*
- (3) Inadequate access to direct sunlight for solar energy systems.*

These criteria are met. The economic issue usually means that the applicant could meet the code by spending more money, which is not the case in this situation. [Note: the term “undue hardship” is from previous State statute before 2011 and has been replaced by the term “practical difficulties” in current statute on variances.]

(C) A variance may be granted for the above reasons when the strict application of the provisions of this chapter would result in exceptional difficulties in developing the property in a legally permissible manner. The City Council may impose conditions in granting the variance to insure [sic] compliance and to protect adjacent properties.

This criterion is met. The two buildings in question are existing; there would be “exceptional difficulties” in separating the buildings by 20 feet to meet the setback standard. Separating the buildings into different lots is legally permissible. The development of the property will remain as it is with this subdivision and variance.

(D) A variance shall not allow any use which is not a permitted principal use, a permitted accessory use, or a permitted use requiring a conditional use permit. The only lawful variance is one which is usually called a “non-use variance,” and the use of the variance procedure does not authorize any kind of unlawful “spot zoning.”

This is not a case of ‘spot zoning’ or a ‘use variance.’ The request meets this criterion.

STAFF / AGENCY COMMENTS

- **Mille Lacs County**

- The County Zoning Administrator had no issues with the proposed requests.
- The County Engineer had not provided comments at the time of writing this report.
- Mille Lacs Soil & Water Conservation District noted that a delineation of the wetland on the property should be performed prior to any new development.

- **City Staff**

- Engineering: The city engineer had no comments or issues with these requests.

Previous Review

The city held a public hearing and reviewed these requests at the 10/6/2025 Planning Commission meeting. The requests were tabled to allow the applicant time to address the encroachment of his building onto the neighboring property to the west (205 2nd Avenue NE, Parcel ID 21-025-0700).

As shown on Figure 5, the applicant’s building encroaches into the neighboring parcel by 3.3 feet. A twenty-foot strip of land that was stated as “not being recorded” is shown on the survey as well.

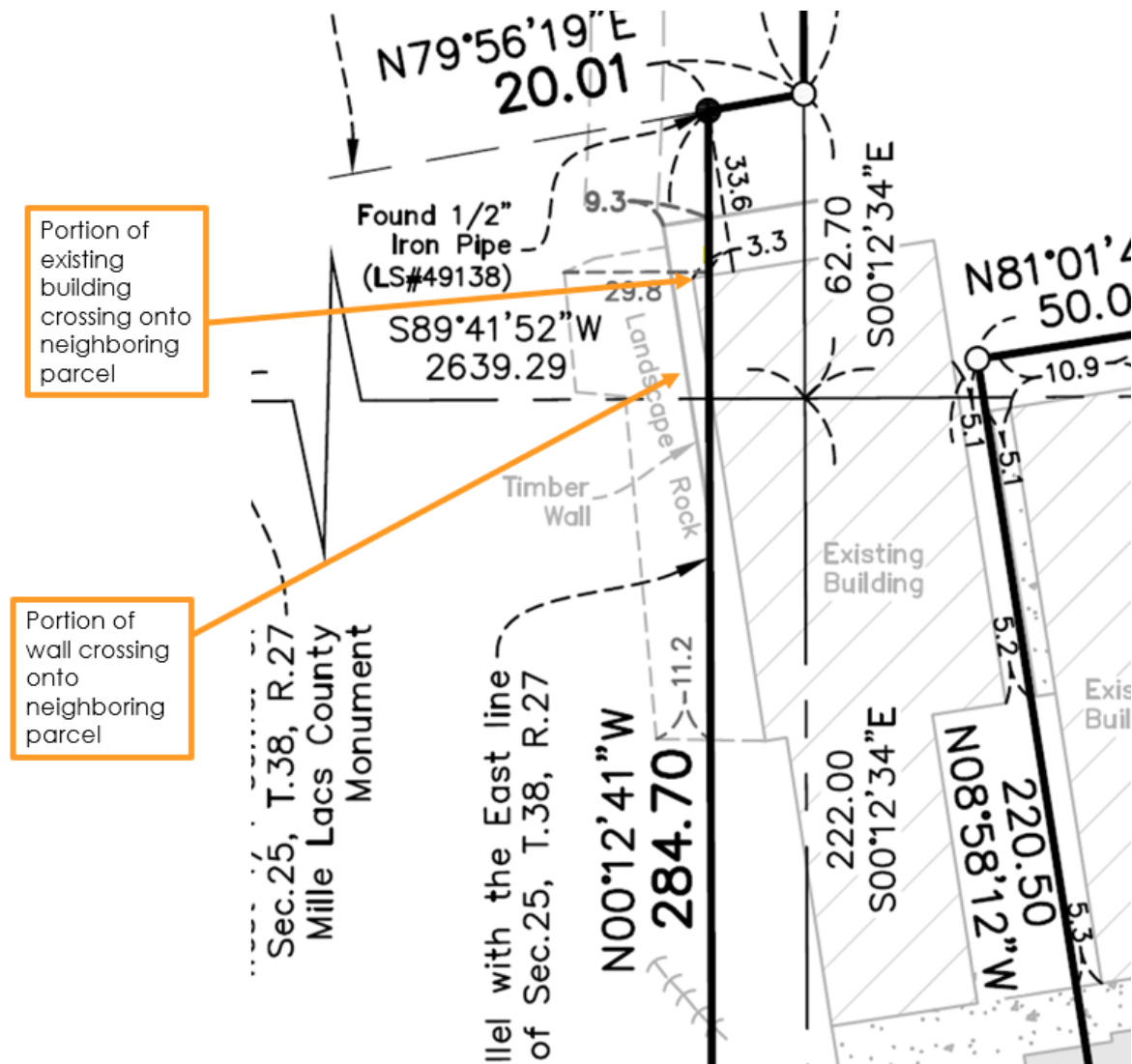


Figure 5: Excerpt of applicant's survey, showing encroachment into neighboring property.

ACTION

The Planning Commission can do one of the following for each request:

1. Recommend the City Council approve, with findings for approval and with/without conditions.
2. Recommend the City Council deny, with findings for denial.
3. Table the request for further review and/or study.
 - a. Since the 120-day review period ends 12/23/2025, the Planning Commission cannot table the requests. The applicant can request to extend the review period beyond 120 days if they so choose.

RECOMMENDATION

Variance

Approval

If the Planning Commission recommends approval of the side setback variance for Randy Reiman and Milaca Park LLC as depicted on the Certificate of Survey from Rum River Land Surveyors + Engineers dated 2/12/2024, staff recommend the following findings of fact:

1. Milaca Park LLC owns the property at 410 2nd Street NE identified and described on the Certificate of Survey from Rum River Land Surveyors + Engineers dated 2/12/2024.
2. Randy Reiman owns the existing building on the west side of that property. Milaca Park LLC owns the existing building immediately east of the Reiman building. The buildings are between 10.2 feet and 10.4 feet apart.
3. The area where the above noted buildings are located is zoned I-1 Light Industrial. The required side setback for structures in the I-1 district in the Milaca Zoning Code is ten feet.
4. The applicants have requested a side setback variance to allow a setback of 5.1 to 5.2 feet from each building to the new common side lot line in the proposed minor subdivision.
5. The Milaca Zoning Code, in Section 156.166, has findings to be considered in variance requests. The requested variance will not negatively impact any of the findings.
6. The Milaca Zoning Code, in Section 156.167, has conditions to be considered in variance requests. The requested variance satisfies these conditions as follows:
 - a. The current uses of the property and buildings involved are permitted under the Milaca Zoning Code.
 - b. The requested minor subdivision is a reasonable use of the property.
 - c. The location of the buildings being ten feet apart is a pre-existing condition unique to this property not caused by the applicant making it impossible to meet the setback standard in the ordinance.
 - d. The proposed lot lines will not alter the essential character of the locality – there is no visible change in the buildings or uses.
 - e. Economic considerations are not at issue with this variance request.
 - f. The two buildings in question are existing; there would be “exceptional difficulties” in separating the buildings by 20 feet to meet the setback standard.
 - g. Separating the buildings into separate lots is legally permissible. The development of the property will remain as it is with this subdivision and variance.
 - h. The existing uses are allowed and do not involve spot zoning.
7. The requested variance satisfies the findings and the conditions for approving a variance in the Milaca Zoning Code.

Staff would also recommend the following conditions of approval:

1. The applicant shall split the lot, in accordance with the certificate of survey dated 2/12/2024 and submitted to the city for review with this request.
 - a. The setback from the proposed side lot line for the existing buildings located on proposed parcels A and B shall adhere to the setbacks as shown on the certificate of survey dated 2/12/2024 and submitted to the city for review with this request.

2. The applicant shall acquire all applicable permits and approvals for this request.
3. The applicant shall pay any fees or escrows associated with this request.

Denial

If the Planning Commission recommends denial of the side setback variance for Randy Reiman and Milaca Park LLC as depicted on the Certificate of Survey from Rum River Land Surveyors + Engineers dated 2/12/2024, staff recommend the following findings of fact:

1. Milaca Park LLC owns the property at 410 2nd Street NE identified and described on the Certificate of Survey from Rum River Land Surveyors + Engineers dated 2/12/2024.
2. Randy Reiman owns the existing building on the west side of that property. Milaca Park LLC owns the existing building immediately east of the Reiman building. The buildings are between 10.2 feet and 10.4 feet apart.
3. The area where the above noted buildings are located is zoned I-1 Light Industrial. The required side setback for structures in the I-1 district in the Milaca Zoning Code is ten feet.
4. The applicants have requested a side setback variance to allow a setback of 5.1 to 5.2 feet from each building to the new common side lot line in the proposed minor subdivision.
5. The Milaca Zoning Code, in Section 156.166, has findings to be considered in variance requests. The requested variance may cause the following:
 - a. *Be contrary in any way to the provisions and intent of the city's growth management system/Comprehensive Plan.*
 - i. The city's comprehensive plan and zoning ordinance call for orderly development to occur in the city. The proposed variance would allow for the creation of a lot that has an existing encroachment onto a neighboring property, and requires an access easement to provide proper access to the property from public right-of-way. The proposed variance would be contrary to the city's growth management system/Comprehensive Plan.
6. The Milaca Zoning Code, in Section 156.167, has conditions to be considered in variance requests. The requested variance does not satisfy 156.167(2) as follows: *A variance may be granted when it is demonstrated that this action will be in keeping with the spirit and intent of this chapter and when the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to his or her property and not created by the landowner, and the variance, if granted, will not alter the essential character of the locality.*
 - a. While placing buildings that are under different ownership on separate parcels is a "reasonable use," the proposed 'Parcel A' will be irregular in shape. The proposed new Parcel A has less than 100 feet of frontage on a public street, and further narrows in size before widening out. Due to the proposed lot shape, it will be difficult to utilize and/or redevelop Parcel A in the future in a manner that meets the city's zoning requirements.
7. The requested variance does not satisfy the findings and the conditions for approving a variance in the Milaca Zoning Code.

Minor Subdivision

Approval

If the Planning Commission recommends approval of the minor subdivision for Milaca Park LLC as depicted on the Certificate of Survey from Rum River Land Surveyors + Engineers dated 2/12/2024, staff recommends the following findings of fact and conditions of approval:

1. Milaca Park LLC owns the property at 410 2nd Street NE identified and described on the Certificate of Survey from Rum River Land Surveyors + Engineers dated 2/12/2024.
2. The owner has proposed a minor subdivision depicted on the above noted survey that creates a Parcel A 4.92 acres in size and a Parcel B 31.00 acres in size.
3. The proposed subdivision as submitted meets the criteria for approving a minor subdivision in the Milaca City Code, provided the side setback variance is also approved.

Conditions for Approval

1. The applicants will prepare and record an easement between the two parcels in the subdivision allowing access for Parcel A from 2nd Street NE through the Mobile Manor Parcel B to the rear of Parcel A, consistent with the easement as shown in the certificate of survey dated 2/12/2024 and submitted to the city for review with this request.
2. The minor subdivision is approved only if the accompanying side setback variance is also approved.
3. The applicant shall acquire all applicable permits and approvals for this request.
4. The applicant shall pay any fees or escrows associated with this request.

Denial

If the Planning Commission recommends denial of the minor subdivision for Milaca Park LLC as depicted on the Certificate of Survey from Rum River Land Surveyors + Engineers dated 2/12/2024, staff recommends the following findings of fact:

1. Milaca Park LLC owns the property at 410 2nd Street NE identified and described on the Certificate of Survey from Rum River Land Surveyors + Engineers dated 2/12/2024.
2. The owner has proposed a minor subdivision depicted on the above noted survey that creates a Parcel A 4.92 acres in size and a Parcel B 31.00 acres in size.
3. The proposed subdivision as submitted does not meet the criteria for approving a minor subdivision in the Milaca City Code, as the proposed Parcel A and Parcel B do not meet the Lot Requirements listed under Section 155.067 of the City's Subdivision Controls.
4. The structures on proposed Parcel A and Parcel B do not meet the minimum side yard requirement under Section 156.042(C) of ten feet from the newly proposed lot line.

CITY OF MILACA PLANNING COMMISSION MEETING MINUTES

October 6, 2025

6:00 P.M.

1. OPEN PLANNING COMMISSION MEETING: Brad Tolzman –Chairman, called meeting to order @ 6:00 p.m.

2. MEMBERS PRESENT: Roll Call:

Jake Lepper, Joel Millam, Mitch Siemers, Brad Tolzman, Alex Veurink

ABSENT: Brett Freese, Lainy Hoskins

Others Present: City Manager Tammy Pfaff, Assistant City Clerk Deloris Katke, Council Liaison Norris Johnson, David Kuefler, Steve Holmes, Roxanne Gerads, Randy Reiman, Erin Perdu of Stantec.

3. APPROVAL OF MINUTES FROM August 18, 2025:

Chairman Tolzman called for a motion to approve the minutes from August 18, 2025.

Motion to approve minutes made by Mitch Siemers, seconded by Joel Millam. No further discussion. All in favor. Motion passes.

4. PUBLIC HEARINGS: Opened at 6:01 p.m.

a. Variance Request from Milaca Park: Roxanne Gerads was present. Her and her husband own the property to the west of Milaca Park, Jim's Mille Lacs Disposal. She would like the request denied because they have a building issue on the west property line of where the variance and lot split are proposed. This issue has been known to the previous owner and the current owner and stated nothing has been done. The building permit was submitted in 2019 but was built on their property. Gerads then handed out some information to members and further explained:

Exhibit A shows the lot lines and shows the building on their property.

Exhibit B is the building permit that has some discrepancies from what was actually built. If the building would have been built as it was submitted, it probably would not have been on our property.

Exhibit C shows the proposed building site as a 50x80. It was changed to a 50x96 which extended to the north. Says property line to the current building was 36 feet.

Exhibit D the farthest the current building is 20 feet. So it goes 20 feet to the rear of the building, which was a 96 foot addition is now on our property so it is a minus 3.3 feet on our property.

Gerads stated that they are asking that the split and the variance get corrected for the whole property. She further stated that the DNR sent them a letter regarding a wetland violation. Gerads stated it was not them – it was the person that built the building encroached on the

wetland and filled in the wetland. Current owners called us and said don't worry about it, we're taking care of it, we know you didn't do it, we know the property is a problem that we have – the building on our property.

Siemers asked what they would like to see done to correct this? An agreement on the property? Gerads stated there has to be. She stated they purchased property from Eggen's for additional property and now they have had property taken away from them. Gerads further stated that according to the drawing, there was no 36 feet from the property and when the building was built, they built a bump-out which was not in compliance to the building permit from 4 feet. Gerads stated if the building would have been only 80 feet and not 96 feet, it wouldn't have been a problem. Property lines go at an angle.

Siemers asked Randy if this was the same issue as a year ago and Randy Reiman stated Jim and Roxie got a survey done. It showed the building was on it. Back in the day when Russ Hill owned the property, my dad purchased 20 feet from Russ Hill. That was never recorded. I found the information in regard to that. I then had a survey done and it shows the new stakes beyond 20 feet from your stakes. Gerads stated "your survey says it is on our land too". Reiman stated no. I have that additional 20 feet that was bought from Russ Hill. Gerads further stated that when his dad built that garage, that that garage was built on Russ's property too. Reiman stated he bought 20 more feet to take care of that.

Gerads stated they had a fire and lost everything in the fire and haven't gone to the courthouse but it is on their property.

Alex Veurink asked if there were different surveys? Siemers stated he looked at the one in the packet and it looks the same as the one Gerads had.

Jake Lepper asked who crossed out the 96 on the building permit? Gerads stated she got the document from the city. Lepper then asked if anybody knows and City Manager Pfaff stated possibly Marshall.

Reiman stated that at that time Marshall approved it and stated he was on Commercial property because I had a dealer's license for the last 15 years and somehow it got changed to Industrial. How can Jim & Roxie be doing what they're business is if their area is Industrial? They are Commercial. City Manager Pfaff stated because we allow Retail within Industrial. Ordinance had been changed.

Gerads then asked that we look at the building plans on their property and stated what was submitted as a building plan is a straight line for that building. It bumps out 4 feet and that is not what was approved on the building permit but that is what was built.

PUBLIC HEARINGS FOR MILACA PARK VARIANCE AND MINOR LOT SPLIT: Closed at 6:09 pm.

b. PUBLIC HEARING FOR VARIANCE FOR MILLE LACS VET HOLDINGS, LLC OPENED AT 6:09 PM: David Kuefler, owner of Milaca Park Apartments, was present. He stated the apartment building was built in 1979 with 51 apartments, 5 stories with 18 parking spots. That doesn't work in today's world. They added 8 more alongside the building but need more. He contacted Mille Lacs Vet Clinic and have things worked. Kuefler stated he is requesting this variance as their lot would be under 6,000 square feet. They would like to add 6 more spaces on this lot. He spoke with the engineer that the city uses and has been in touch with him as to what needs to be done.

Steve Holmes of 240 3rd St SW (owner of house south of proposed variance request) was also present and stated he has no problems with this request. He stated any problems they had have been worked out and he feels the additional parking spaces would help. Holmes was worried about a tree and some drainage but stated those have been worked out.

Joel Millam stated according to the Vet Clinic letter, they are all in favor.

Siemers stated they are just concerned of drainage.

No other comments on this Public Hearing. Public Hearing closed at 6:12 p.m.

5. OLD BUSINESS: Nothing

6. NEW BUSINESS:

a. Variance Request from Milaca Park: Erin Perdu from Stantec was present. Perdu stated the applicant, Randy Reiman, wants to separate the building on the west side from Milaca Park. The buildings are currently 10 feet apart and that is the reason for the variance as our Ordinance states you must have 10 feet side setback. Perdu further explained that she is aware of the issues of the building that potentially encroaches on the other property but the Variance request and the Minor Lot Split are not changing any conditions. The physical conditions on the side are not changing at all so that is the perspective that we are looking at in the Variance. The request meets the criteria in your ordinances for variances. The use is not changing, the existing buildings are not changing, the request to separate the building onto different parcels is a reasonable use and this preexisting condition of the buildings being set close together is not related to anything the applicant has done. The Variance and Minor Lot Split will not change the essential character of the area. You have a few choices here tonight: you can recommend the city council approve both lot split and variance with finding and conditions in the staff report, you can recommend denial with findings of that denial or you can table the request for further review and study. There is a 60-day rule but there is time to table it if you wanted to to the next meeting.

Our staff recommendation is to approve the side set back variance with the conditions that the lot split take place with the survey that was provided and any permits be pulled that are needed. We also recommend approval of the lot split with one significant condition is to access that parcel

That would require an access easement through the Mobile Home property and that is included on the proposed lot so that easement would have to be recorded.

City Manager Pfaff asked Reiman what his intent of the lot split was for? What do you plan on doing with the lot? Reiman replied keep doing what I've been doing. Pfaff then asked what would he do with the back part and he replied use it for storage of cars and stuff. As he needs parts he uses them and then disposes of them when he's done. Pfaff stated we went through that where you had to clean up that whole area. Reiman stated that's why the privacy fence is up. Pfaff stated the fence is up on the one area but that whole back part is in a conservation wetland area. Reiman stated that's all cleaned up. Pfaff stated you can't build anything in that area. Reiman then asked what could he do with that area? Pfaff stated you can't store junk vehicles because that is against city ordinance. Reiman stated he's not storing them. If he has junk vehicles he disposes of them. Now I have cars and used parts. Pfaff then asked if his future intent was to leave that vacant and Reiman replied, "Right. Or if I have some cars that I want to put back there. . in the privacy fenced area so they won't bother anybody". Pfaff questioned "in the fenced in area?" Pfaff then stated she is wondering why the area of the fenced in cars why didn't you just do a straight lot split? Something smaller just to take what you have in that area? Reiman stated because they didn't want that land. Pfaff then reminded Reiman that he would not be able to store them vehicles in that back lot. Reiman stated he don't need more room for cars. He's trying to thin it down. Pfaff then asked if his business was still active and he stated it was. He just got new insurance and everything. Pfaff then asked if he intends to stay in Milaca with his business and he stated yes.

Millam asked that with the potential encroachment on the other property, do we ignore this when we look at the variance? Pfaff stated that her recommendation would be to table the Minor Lot Split due to the issue of encroachment and until the two parties can get that resolved, then they can come back to us. We can extend the variance and lot split. You can approve the variance tonight as it has no impact on the encroachment but I would recommend that you at least table and have the two parties figure out if additional property needs to be purchased. They need to come to a conclusion and get this resolved. You can extend this for 60 days which would take us to 12-23-25. It would have to be resolved by then or the lot split will have to be denied.

Council member liaison Norris Johnson asked if the lot split could be approved on the condition of the resolution of the west side ? Pfaff stated that would not be a good idea to do as it could cause legal issues for us because then we are allowing encroachments on other people's property.

More discussion between Reiman and Pfaff about how the parties need to come to an agreement between them. Gerads stated that in getting back to his permit, if he would have built the building according to the permit, it wouldn't have been a problem but he bumped his building out four feet.

Pfaff stated that the resolution to this would be that Reiman needs to purchase four feet from the Gerads and you need to come up with a reasonable offer that straightens out the line.

Millam then questioned that if he purchases only four feet of land, then he would need a variance for that side of the building for his new property line for a setback. Pfaff stated that is correct. Millam then stated so he would need to purchase 14 feet of property to avoid having to do a variance. Reiman stated it's all runoff anyway because he had to deal with the DNR. I had to buy land to replace that where I . . . so far I went into it, so I paid all that, did all that and I had to put granite down, and I had to make a drainage place for all the water to go off Jim's property and my property that came there. You have to have a runoff there anyway.

Brad Tolzman stated we are not going to solve that problem. Millam then stated that he would make a motion to table this until the parties can come together and come up with a civil resolution. Pfaff stated you could pass the Variance but Reiman stated he needs the Variance passed because the state will not let him have a dealer's license until that land is in his name. Pfaff then asked so you're actively not in business? Reiman stated he has a piece of paper from Red Pine Communities but the state doesn't like that but they said it was fine but I was waiting for this meeting.

Pfaff stated the civil matter has to be resolved. Lepper then stated in 60 days. If we table this for 60 days and it's not resolved then it's denied? Millam stated there is no time limit when they have to resolve it but they can't do anything until it's resolved. Lepper asked if they don't resolve this in 60 days what happens? Millam stated then they can start the process all over again.

Perdu stated that there was another option to extend it further if the applicant approaches the city and says I'd like to extend this another 120 days this would give more time and doesn't kick it all the way back to denial.

Lepper stated we talked about this about a year ago and nothing has got resolved yet right? Siemers stated the property line was never resolved. Jesse was here that night. Lepper asked if they were going to make a motion to table this? Alex Veurink then asked if the variance was passed, what comes to the conclusion of the civil matter between Randy and Gerads? Millam stated those two were not related. Pfaff stated that with the minor lot split, in order for him to obtain that, he needs a clean lot. You can't encroach on someone else's property. Millam stated we could recommend to approve the variance without recommending approval of the minor lot split until the encroachment is cleared up. Pfaff stated correct. You would table the lot split. Millam asked Reiman what does that do for him if they approve the variance next week without approving the lot split? The variance has nothing to do with the land being in your name. Reiman stated nope. Millam then stated it's got to be split out so the best thing is to table the entire thing until the encroachment is resolved and I would so move. Seconded by Siemers. All in favor. Motion to table both Variance and Minor Lot Split for Milaca Park passed.

b. Variance Request from Mille Lacs Vet Holdings, LLC: Millam stated that according to the letters and everybody here, they're all on the same page. The purpose of the Variance is because the lot to be split off would be less than 6,000 square feet. Lepper asked if something would be in about the drainage and Siemers stated the engineers would be reviewing and making recommendation. No further discussion. Tolzman called for a motion to approve variance. Lepper made a motion to approve Variance for Mille Lacs Vet Holdings, seconded by Veurink. All in favor, motion to approve Variance for Mille Lacs Vet Holdings, LLC passed.

Perdu stated that there was Minor Lot Split also with this Variance. Pfaff stated that because there were no issues with this Minor Lot Split that this could go right to the council for their recommendation/approval. Millam then made a motion to approve everything as well, seconded by Lepper. All in favor. Motion to approve passed.

7. MISCELLANEOUS: Tolzman stated that some things they have approved are nice to see like the apartments on Hwy. 23 and the houses in Hidden Pines.

8. ADJOURN:

PC Chairman Tolzman called for a motion to adjourn. Milliam made the motion to adjourn, seconded by Siemers. No further discussion. All in favor. Motion to adjourn passed.

Meeting adjourned at 6:31 p.m.



PLANNING COMMISSION RENEWALS:

BRETT FREESE

TERM EXPIRES 12-31-25 RENEW TO 12-31-28

BRAD TOLZMAN

TERM EXPIRES 12-31-25 RENEW TO 12-31-28