

**AGENDA
PLANNING COMMISSION
CITY OF WYOMING, MINNESOTA
APRIL 9, 2024
7:00 PM**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

An opportunity for members of the public to address the Planning Commission on items not on the current Agenda. Items requiring Planning Commission action may be deferred to staff for research and future Planning Commission Agendas if appropriate. You will be limited to two (2) minutes and we ask that you conduct yourself in a professional, courteous manner, and refrain from the use of profanity. Failure to abide by this policy may result in the loss of your privilege to speak.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota Planning Commission for February 28, 2024.

SCHEDULED PUBLIC HEARINGS:

NEW BUSINESS:

2. Rezoning of undeveloped parcels to match the Comprehensive Plan.

OLD BUSINESS:

COMMUNICATIONS:

3. Planning Commission Member Interviews: Chris Ortwerth 25730 Gramford Avenue & Jeff Allen 5747 261st Street

UPDATES:

Gravelle Home Occupation Interim Use Permit and the Rosenbauer Variance were approved.

ADJOURN

UPCOMING:

April 23rd - Rezoning of parcel 21.10674.02 from Rural Residential II (R-2) to Commercial (C).

**UNAPPROVED MINUTES
PLANNING COMMISSION
CITY OF WYOMING, MINNESOTA
FEBRUARY 28, 2024
7:00PM**

CALL TO ORDER:

Planning Commission Chairman Lobermeier called the Regular Meeting of the Wyoming Planning Commission for February 28, 2024 to order at 7:00 PM

CALL OF ROLL:

*On a Call of the Roll the following members of the Wyoming Planning Commission were present:
Mark Lobermeier, Katie West, Dan Iverson, and Mark Holl*

ABSENT: None

Also Present: Fred Weck Zoning Administrator and Council Liaison Lisa Iverson

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM: NONE

APPROVAL OF MINUTES:

1. **Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota Planning Commission for January 9, 2024**

A MOTION WAS MADE BY COMMISSIONER WEST, SECONDED BY COMMISSIONER IVERSON, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR JANUARY 9, 2024 AS SUBMITTED.

*Voting Aye: West, Holl, Iverson, and Lobermeier
Voting Nay: None
Abstain: None
Absent: None*

SCHEDULED PUBLIC HEARINGS:

2. **Interim Conditional Use Permit for a Home Occupation: ICUP-24-01**
Location: 24963 Fallbrook Avenue
Applicant: Talbot and Jayne Gravelle
Property ID Number: 21.20610.31

Zoning Administrator Weck explained that he had gotten locked out of his computer so he was unable to access the Power Point presentation that he had prepared. He noted that on the desk was a letter from one of the neighbors and also a letter from the applicant who was not able to be present tonight. He explained that some of the neighbors were concerned about the port-a-potty and is being addressed by Mr. Gravelle.

Chair Lobermeier stated that within the application it stated that he had a business, doesn't have a business anymore, and was thinking of having a business again. He stated that this portion of the narrative was a bit confusing.

Zoning Administrator Weck stated that he believes what he was trying to say was that he shut

down the one business and was in the process of creating the other one that he was applying for permits through the City.

Chair Lobermeier clarified that they were similar businesses.

Commissioner West asked if it was a business and not just Mr. Gravelle telling youth to come and play baseball.

Zoning Administrator Weck confirmed that it is a business.

Commissioner Holl asked if the City was allowing Mr. Gravelle to do this before.

Zoning Administrator Weck explained that Mr. Gravelle was doing this before and noted that he had received a complaint so he sent a letter explaining that he needed to have an ICUP in order to operate the business.

Commissioner West stated that it appears as though parking is allowed on this street.

Zoning Administrator Weck confirmed that there is parking allowed on this street and explained that in his Power Point presentation is had an aerial photo that show the property has two driveways and a detached accessory building that is probably 50-100 feet from the road. He stated that because of the driveway space he did not see a need for parking on the street.

MOTION BY COMMISSIONER IVERSON, SECONDED BY COMMISSIONER HOLL, TO OPEN THE PUBLIC HEARING.

Voting Aye: West, Holl, Iverson, and Lobermeier
Voting Nay: None
Abstain: None
Absent: None

No one addressed the Commission.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER HOLL, TO CLOSE THE PUBLIC HEARING.

Voting Aye: West, Holl, Iverson, and Lobermeier
Voting Nay: None
Abstain: None
Absent: None

Chair Lobermeier noted that this property is very near to where he lives and is very familiar with the property. He stated that he was a bit surprised to see the letter was from someone who was not close by and is further south. He noted that he felt the proposed conditions staff had included in the staff report cover the concerns that have been expressed from the neighbor.

Zoning Administrator Weck stated that the letter is from a neighbor that is about 500 feet to the south.

Commissioner West stated that the port-a-potty looks more like a shed.

Commissioner Holl noted that he had driven by the property and felt that the driveway is plenty deep and should be able to have about 4 cars parked in and so he didn't see any need to have street parking. He stated that his business is simply teaching boys to play better baseball.

Chair Lobermeier agreed and stated that this business would also not have materials delivered to the site or rendering anything on the property.

Commissioner Holl stated that it will only be a few hours a week and there could be things like day care of horse care that would have way more activity during the week and feels that this is minimal.

Commissioner West agreed and stated that she also felt it was good for the community.

MOTION BY COMMISSIONER HOLL, SECONDED BY COMMISSIONER IVERSON, TO RECOMMEND APPROVAL INTERIM CONDITIONAL USE PERMIT FOR A HOME OCCUPATION: ICUP-24-01, LOCATED AT 24963 FALLBROOK AVENUE FOR TALBOT AND JAYNE GRAVELLE, PROPERTY ID NUMBER: 21.20610.31, BASED ON THE FINDINGS OF FACT AND SUBJECT TO THE 9 CONDITIONS INCLUDED IN THE STAFF REPORT.

Voting Aye: West, Holl, Iverson, and Lobermeier

Voting Nay: None

Abstain: None

Absent: None

3. Variance: V-24-01 Architectural Standards

Location: 5201 260th Street

Applicant: Emily Ness of ISG

Owner: Rosenbauer Minnesota LLC

Property ID Number: 21.00468-32

Zoning Administrator Weck explained that on the east side of the building last winter, they had an avalanche of snow/ice sliding off the steel roof and impacted the building and put a dent across about 300 feet of the building. He explained some of the difficulty in replacing the panels and fasteners and noted that on the table was examples of the proposed materials.

Amanda Thomas, ISG, addressed the Commission and explained that Zoning Administrator Weck has been great to work with. She explained that the intent of their proposal is to make it as cohesive as they can with the existing building, without having a giant financial implications of things like replacing the roof.

MOTION BY COMMISSIONER HOLL, SECONDED BY COMMISSIONER WEST, TO OPEN THE PUBLIC HEARING.

Voting Aye: West, Holl, Iverson, and Lobermeier

Voting Nay: None

Abstain: None

Absent: None

No one addressed the Commission.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER HOLL, TO CLOSE THE PUBLIC HEARING.

Voting Aye: West, Holl, Iverson, and Lobermeier

Voting Nay: None

Abstain: None

Absent: None

Chair Lobermeier noted that the Commission has spent a lot of time working on Architectural Standards in order to make this consistent and allowing new products, but in this case, he believes allowing this variance to move forward with a repair makes a lot of sense.

Commissioner Holl stated that he sees this as a hardship that Rosenbauer had no control over and feels their request is reasonable.

Commissioner Iverson stated that he thinks it is key to just make it look as consistent with the building as possible and would agree that this seems like the best option.

Commissioner West stated that she would rather have the building repaired than have it remain dented.

MOTION BY COMMISSIONER WEST, SECONDED BY COMMISSIONER IVERSON, TO RECOMMEND APPROVAL VARIANCE: V-24-01 ARCHITECTURAL STANDARDS, LOCATED AT 5201 260TH STREET, FOR EMILY NESS OF ISG/ROSENBAUER MINNESOTA LLC, PROPERTY ID NUMBER: 21.00468-32

<i>Voting Aye:</i>	<i>West, Holl, Iverson, and Lobermeier</i>
<i>Voting Nay:</i>	<i>None</i>
<i>Abstain:</i>	<i>None</i>
<i>Absent:</i>	<i>None</i>

NEW BUSINESS

4. Planning Commission 2024 Goals

Chair Lobermeier thanked Zoning Administrator Weck for putting together the initial list of goals for 2024.

Zoning Administrator Weck stated that he also had assistance from Assistant City Administrator MacFarlane. He reviewed the list of goals and expected activities of the Commission to work towards in 2024.

Chair Lobermeier asked if there had been any discussions with staff about what strategy the City may follow with regard to having land match the Comprehensive Plan Land Use Map.

Zoning Administrator Weck stated that he had discussed it briefly with Planning Consultant Lindquist about this, but he will provide her with this information and see what the scope of it will be.

Chair Lobermeier stated that he thinks it may make sense to look at how it may lay out over the course of the year rather than trying to do it all at one time. He stated that he believes that taking it in bite sized pieces and managing priorities may make the most sense.

Zoning Administrator Weck explained that he currently had it sorted by map sections.

Mayor Iverson suggested that when this comes to Council that it be clearly explained why the City is doing this rezoning.

Chair Lobermeier stated that it may be a good idea to sort of state the obvious even before they start that there is a 'heads up' that the City will be going through this process. He noted that he feels that it is likely to generate interest from the residents. He stated that some additional goals that he had thought about were: Continued collaboration with the EDA and the City Council regarding implementation of the downtown plan; Take a look at the Comprehensive Plan, because it is set up to look at on an annual basis.

Commissioner Iverson suggested that they add a goal to look at the lighting ordinances and see if there may be something that is more aligned with dark sky in order for Wyoming to not become another 'beacon of light' when they don't want it to be.

Chair Lobermeier noted that the last Comprehensive Plan had a paragraph that talked about dark skies, but wasn't sure if that was brought forward into the most recent version.

Zoning Administrator Weck noted that the current lighting ordinance was probably about 20 years old.

Commissioner Iverson noted that there had been a lot of changes in the technology in that time period. He stated that on his way to the meeting tonight he noticed that the library had very friendly, night sky type lighting with a lot of down lighting around the perimeter.

Commissioner West stated that she thinks the Wyoming Elementary School has bright lighting that stays on all night.

Chair Lobermeier noted that the Commission was always open to thoughts that the City Council may have about potential goals for them.

OLD BUSINESS: NONE

COMMUNICATIONS: NONE

UPDATES:

Mayor Iverson gave a brief update about what has been going on at the capitol and recommended that the Commission take a look at HF #4009. She stated that she will pass along more information to staff but explained that it essentially takes away things like public hearings for buildings and other local controls.

Chair Lobermeier stated that from her explanation it appears as though the intent would be to increase the amount of housing and cut the existing process.

Mayor Iverson reiterated that she encouraged them all to take a look and read through HF #40009 because she felt it was very over-reaching.

Commissioner Iverson stated that it essentially silences the voice of the communities for the kind of neighborhoods they want.

Mayor Iverson noted that there are a lot of cities working on this and there are a lot of lobbyists involved as well, but it has been authored by both GOP and DFL representatives.

A MOTION WAS MADE BY COMMISSIONER WEST, SECONDED BY COMMISSIONER HOLL, TO ADJOURN THE FEBRUARY 28, 2024 "REGULAR MEETING" OF THE WYOMING, MINNESOTA PLANNING COMMISSION AT 7:28 PM.

<i>Voting Aye:</i>	<i>West, Holl, Iverson, and Lobermeier</i>
<i>Voting Nay:</i>	<i>None</i>
<i>Abstain:</i>	<i>None</i>
<i>Absent:</i>	<i>None</i>

Comprehensive Plan – Rezoning of Parcels

Not including overlay districts the Zoning Ordinance has seven districts that are residential in nature and six that are business-related. The Comprehensive Plan map has five residential districts and six that are business related.

Zoning Ordinance	Comprehensive Plan	
Residential Districts		
Agricultural (A)	Agricultural	5 acre min. lot size
Rural Residential I (R1)	Semi-Rural Neighborhood	R1 one acre min. lot size.
Rural Residential II (R2)		R2 two acre min. lot size; 5 or more acres horses are allowed.
Single Family Residential (R3)	Single Family Residential Neighborhood	
One & Two Family Residential (R4)	Multi-Family Suburban Neighborhood	
Manufactured Home District (R5)	N/A	The city's two manufactured home parks.
Medium & High Density Housing (R6)	High Density Residential Neighborhood	
Business Districts		
Central Business (CBD)	Downtown Core	
Commercial District (C)	Commercial	
Office & Health Care (OHC)	Office & Health Care Business	
Mixed Use (MXD)	Mixed Use	
Industrial (I)	Industrial	
Closed Landfill Restricted (CLR)	N/A	

A spread sheet was created to compare a parcel's current zoning with the Comprehensive Plan map. There are 3,365 individual parcels in the city. Of those, 997 will need to be rezoned to match the Comprehensive Plan map. The table below contains 7 columns.

Zoning District	Rezone Parcels	Vacant Parcels	Use Remains Conforming	Makes Use Nonconforming	Acres To Rezone	Parcels With Correct Zoning
Agricultural	0	6	15	0	0	15
Commercial	64	14	14	50	766.64	49
Central Business	49	5	20	29	54.75	26
Industrial	48	10	15	33	692.77	27
Mixed Use	20	59	19	1	255.92	22
Office & Health Care	9	2	2	7	65.64	84
R1 & R2	97	11	96	1	957.23	832
R3	237	59	234	3	2464.29	1113
R3 Subdivided	350	57	345	5	757.26	
R4	57	58	55	2	283.94	36
R6	66	4	0	66	249.29	10
Total	997	266	800	197	6547.73	2214

Zoning District – These are the applicable districts that properties could be zoned to match the map.

Rezone Parcels – This is the number of parcels that need to be rezoned.

Vacant Parcels – These are parcels that according to the tax assessor do not have any structures on them. Some may be adjacent to one or more parcels that are owned by the same entity and are being used in conjunction with parcels that do have structures on them.

Use Remains Conforming – These are parcels where the current use is allowed in the district it would be rezoned to. There may be instances where the new district has property line setbacks that could make a structure nonconforming.

Makes Use Nonconforming – These are parcels that currently have an existing use that is not an allowed use in the district they will be rezoned to. An example would be a parcel with a single family dwelling being rezoned to the Industrial District. The Zoning Ordinance regulates nonconformities, some provisions of the ordinance will need to be updated in order to comply with a change in Statute. An explanation of those changes follows this summary.

Acres to Rezone – This is the total acreage in each zoning district that will be rezoned to that district.

Rezoning process:

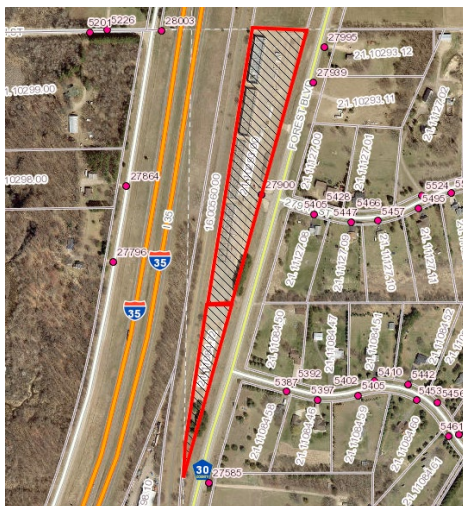
The Planning Commission will set a date for a public hearing to revise the City's zoning map to match the land uses that are on the Comprehensive Plan's Land Use Map. The earliest date that the public hearing can be held is May 14th. The public notice will be published in the Chisago County Press, the city website, and the city hall bulletin board. Individual mailings and notices will not be sent to affected & neighboring properties as would be the case when an individual parcel is be rezoned.

Rezoning Questions / Issues

The 'Semi-Rural Neighborhood' encompasses both the R1 & R2 districts. The minimum lot size in the R1 district is one acre, it is two acres in the R2 district. Both require one acre of buildable area. Both districts allow the same permitted uses, conditional uses, interim conditional uses, and accessory uses. In addition, the R2 district also allows as a permitted use horse keeping on lots that are at least 5 acres in size, and allows mineral extraction and temporary road side stands as interim conditional uses. The R1 district allows 'Open Space Developments' as a conditional use. All of the parcels that need to be rezoned are currently zoned Agricultural (A), the majority are at least 5 acres in size. Only 4 parcels are less than 2 acres; they are one single family dwelling (1.12 acres), a driveway access to a larger parcel (0.08 acres), a cemetery (0.68 acres), and a former tax forfeit parcel that was purchased by the watershed district for a future water quality project (0.99 acres). Which zoning district should all of these parcels be rezoned to?

There are two R3 categories; the '*R3 Subdivided*' row contains parcels that have been fairly recently subdivided. The majority of those parcels were created in the last 20 years. The majority of the vacant parcels are in subdivisions that were created in the last 5-10 years. The "Summer Field" and "Kennedy Estates" subdivisions are two recent developments that were rezoned and developed under the R4 district standards that would be rezoned to R3.

Comp Plan map error – Parcel 21.10293.00, 27900 Forest Boulevard. This property is the location for the recently constructed Hallberg RV Storage facility, which was rezoned to the Industrial district so that it could be constructed. The Comp Plan map shows it as being a Single Family Residential Neighborhood (R3).



NONCONFORMITIES

CITY OF WYOMING ZONING ORDINANCE

Sec. 40 - 23. **Conformity with Provisions.**

No structure shall be erected, converted, enlarged, reconstructed, altered, or placed, and no structure or land shall be used for any purpose nor in any manner which is not in conformity with the provisions of this Ordinance.

Sec. 40 - 40. **Definitions.**

The following words and terms, wherever they occur in this Ordinance, shall be interpreted as herein defined.

- (115) **Nonconforming Structure, Use, or Parcel:** Any legal use, structure, or parcel of land already of existence, recorded, or authorized before the adoption of official controls or amendments that would not have been permitted to become established under the terms of the official controls as now written, if the official controls had been in effect prior to the date it was established, recorded or authorized.

DIVISION 22 NONCONFORMITIES

Sec. 40 - 650. **Purpose.**

It is the purpose of this Division to provide for the regulation of nonconforming buildings, structures, and uses and to specify those requirements, circumstances, and conditions under which nonconforming buildings, structures, and uses will be operated and maintained. The Zoning Ordinance establishes separate districts, each of which is an appropriate area for the location of uses which are permitted in that district. It is necessary and consistent with the establishment of these districts that nonconforming buildings, structures and uses not be permitted to continue without restriction. Furthermore, it is the intent of this Division to provide for the gradual elimination of nonconformities.

Sec. 40 - 651. **General Provisions.**

- (1) Any structure or use lawfully existing upon the effective date of this Ordinance shall not be enlarged, but may be continued at the size and in the manner of operation existing upon such date except as hereafter specified or, subsequently amended. *(Similar wording in Statute Subd. 1e (a))*
- (2) No nonconforming building, structure or use shall be moved to another lot or to any other part of the parcel, land upon which the same was constructed or was conducted at the time of this Ordinance adoption unless such movement shall bring the nonconformance into compliance with the requirements of this Ordinance. *(Not addressed in statute)*
- (3) When any lawful nonconforming use of any structure or land in any district has been changed to a conforming use, it shall not thereafter be changed to any nonconforming use. *(Not addressed in statute)*
- (4) A lawful nonconforming use of a structure or parcel of land may be changed to lessen the nonconformity of use. Once a nonconforming structure or parcel of land has been changed, it will not thereafter be so altered to increase the nonconformity. *(Not addressed in statute.)*
- (5) If at any time a nonconforming building, structure or use shall be destroyed to the extent of fifty percent (50%) or more of its fair market value, said value to be determined by the County Assessor, then without further action by the City, the building and the land on which such building was located or maintained shall, from and after the date of said destruction, be subject to all the regulations specified by these zoning regulations for the district in which such land and buildings are located. Any building which is damaged to an extent of less than fifty percent (50%) of its value may be restored to its former size, but may not be enlarged. *(Statute Subd. 1e (a) (2) allows a nonconforming structure that has been fully destroyed to be rebuilt if a building permit is applied for within 180 days of its destruction.)*
- (6) Whenever a lawful nonconforming use of a structure or land is discontinued for a period of one (1) year or following written notice from the Zoning Administrator, any future use of said structure or land shall be made to conform with the provisions of this Ordinance. *(Similar wording in Statute Subd. 1e (a))*

Sec. 40 - 652. **Substandard Lots.** *(Statute Subd. 1e (d)-(j) addresses shoreland areas, the city's shoreland ordinance includes the statute's provisions. The regulations contained in this Section apply to non-shoreland areas in the city and are not addressed by statute.)*

The minimum lot area requirements are set forth within the district provisions of the ordinance. Any lot not meeting the minimum requirements of the district it is located in, which was recorded after April 20, 1970, shall be considered a substandard lot.

A substandard lot may be allowed as a building site provided that all the following criteria are met:

- (1) The lot is a lot of record recorded at the Chisago County recorder's office, prior to April 20, 1970.
- (2) The lot is in separate ownership from abutting lands.
- (3) The lot width or area is within sixty percent (60%) of the minimum requirements set forth in this Ordinance.
- (4) The lot can be served by a standard on-site sewage system, or municipal sewer.
- (5) All required setbacks for a structure can be met.

Sec. 40 - 653. Substandard Lots of Record in Combination. *(Not addressed in statute except for shoreland areas.)*

If two or more lots or a combination of lots and portions of lots with continuous frontage of single ownership are of record at the time of passage or amendment of this Ordinance and if all or part of the lots with no buildings do not meet the requirements established by this Ordinance, for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this Ordinance, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Ordinance, nor shall any division or any parcel be made which creates a lot with a width or area below the requirements stated in this Ordinance.

Sec. 40 - 654. Substandard Lots: Accessory Structures. *(Not addressed in statute.)*

- (1) Substandard lots containing a principal structure may add a permitted accessory structure, provided the accessory structure will meet all minimum setback requirements of this Ordinance, and will not cause the maximum percentage of lot area under roof requirement to be exceeded.
- (2) Additions to principal and/or accessory structures located on substandard lots may be permitted, provided that any such additions will meet the minimum setback standards for the zone in which it is located.

Sec. 40 - 655. Uses under Conditional Use Permits. *(Not addressed in statute.)*

Any use which is permitted as a conditional use in a district under the terms of this Ordinance shall not be deemed a non-conforming use in such district, but shall without further action be considered a conforming use.

Sec. 40 - 656. Maintenance of Non-Conforming Structures.

Normal maintenance of a building or other lawful non-conforming use is permitted, including necessary non-structural repairs and incidental alterations which do not physically extend or intensify the nonconforming use, providing the necessary repairs shall not constitute fifty percent (50%) or more of fair market value of such structure. Said value shall be determined by the County Assessor. *(Similar provisions in Statute Subd. 1e (a) except market value is not stated.)*

Sec. 40 - 657. Alterations of Non-Conforming Structures.

Alterations may be made to a building or other lawful nonconforming residential units when they will improve the livability thereof, provided they will not increase the number of dwelling units or size or volume of traffic. *(Similar wording in Statute Subd. 1e (a))*

Sec. 40 - 658. Non-Conforming Structures in Progress at Time of Adoption.

Any proposed structure which will, under this Ordinance, become nonconforming but for which a building permit has been lawfully granted prior to the effective date of this Ordinance, may be completed in accordance with the approved plans. *(Not addressed in statute.)*

MN STATUTES

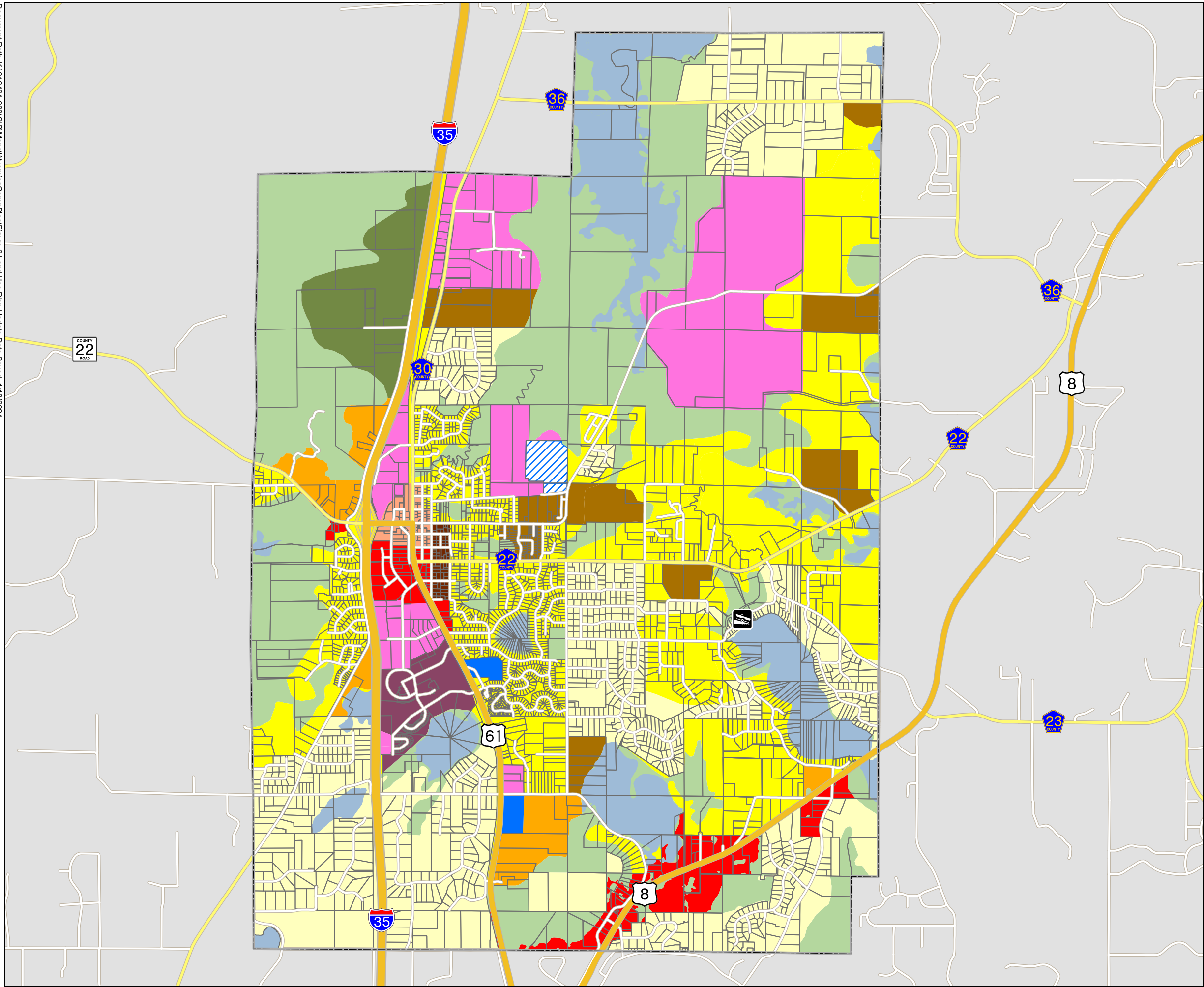
§ 462.357 OFFICIAL CONTROLS: ZONING ORDINANCE.

Subd. 1e. Nonconformities.

- (a) Except as otherwise provided by law, any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, unless:

- (1) the nonconformity or occupancy is discontinued for a period of more than one year; or
 - (2) any nonconforming use is destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged. In this case, a municipality may impose reasonable conditions upon a zoning or building permit in order to mitigate any newly created impact on adjacent property or water body. When a nonconforming structure in the shoreland district with less than 50 percent of the required setback from the water is destroyed by fire or other peril to greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, the structure setback may be increased if practicable and reasonable conditions are placed upon a zoning or building permit to mitigate created impacts on the adjacent property or water body.
- (b) Any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy. A municipality may, by ordinance, permit an expansion or impose upon nonconformities reasonable regulations to prevent and abate nuisances and to protect the public health, welfare, or safety. This subdivision does not prohibit a municipality from enforcing an ordinance that applies to adults-only bookstores, adults-only theaters, or similar adults-only businesses, as defined by ordinance.
- (c) Notwithstanding paragraph (a), a municipality shall regulate the repair, replacement, maintenance, improvement, or expansion of nonconforming uses and structures in floodplain areas to the extent necessary to maintain eligibility in the National Flood Insurance Program and not increase flood damage potential or increase the degree of obstruction to flood flows in the floodway.
- (d) Paragraphs (d) to (j) apply to shoreland lots of record in the office of the county recorder on the date of adoption of local shoreland controls that do not meet the requirements for lot size or lot width. A municipality shall regulate the use of nonconforming lots of record and the repair, replacement, maintenance, improvement, or expansion of nonconforming uses and structures in shoreland areas according to paragraphs (d) to (j).
- (e) A nonconforming single lot of record located within a shoreland area may be allowed as a building site without variances from lot size requirements, provided that:
- (1) all structure and septic system setback distance requirements can be met;
 - (2) a Type 1 sewage treatment system consistent with Minnesota Rules, chapter 7080, can be installed or the lot is connected to a public sewer; and
 - (3) the impervious surface coverage does not exceed 25 percent of the lot.
- (f) In a group of two or more contiguous lots of record under a common ownership, an individual lot must be considered as a separate parcel of land for the purpose of sale or development, if it meets the following requirements:
- (1) the lot must be at least 66 percent of the dimensional standard for lot width and lot size for the shoreland classification consistent with Minnesota Rules, chapter 6120;
 - (2) the lot must be connected to a public sewer, if available, or must be suitable for the installation of a Type 1 sewage treatment system consistent with Minnesota Rules, chapter 7080, and local government controls;
 - (3) impervious surface coverage must not exceed 25 percent of each lot; and
 - (4) development of the lot must be consistent with an adopted comprehensive plan.
- (g) A lot subject to paragraph (f) not meeting the requirements of paragraph (f) must be combined with the one or more contiguous lots so they equal one or more conforming lots as much as possible.
- (h) Notwithstanding paragraph (f), contiguous nonconforming lots of record in shoreland areas under a common ownership must be able to be sold or purchased individually if each lot contained a habitable residential dwelling at the time the lots came under common ownership and the lots are suitable for, or served by, a sewage treatment system consistent with the requirements of section [115.55](#) and Minnesota Rules, chapter 7080, or connected to a public sewer.

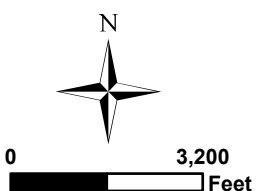
- (i) In evaluating all variances, zoning and building permit applications, or conditional use requests, the zoning authority shall require the property owner to address, when appropriate, stormwater runoff management, reducing impervious surfaces, increasing setback, restoration of wetlands, vegetative buffers, sewage treatment and water supply capabilities, and other conservation-designed actions.
- (j) A portion of a conforming lot may be separated from an existing parcel as long as the remainder of the existing parcel meets the lot size and sewage treatment requirements of the zoning district for a new lot and the newly created parcel is combined with an adjacent parcel.



Wyoming Comprehensive Plan

Figure 6 Updated Land Use Plan

-  State Property and Boat Landing
-  Wyoming Boundary
-  Parcel Boundaries
-  Waterbody
- Land Use**
 -  Semi-Rural Neighborhood
 -  Single Family Residential Neighborhood
 -  Multi-Family Suburban Neighborhood
 -  High Density Residential Neighborhood
 -  Commercial
 -  Downtown Core
 -  Mixed Use
 -  Office and Health Care Business
 -  Industrial and General Business
 -  Public and Semi Public
 -  Conservation and Open Space
 -  Agriculture
 -  Closed Landfill



Chris Ortwerth

25730 Gramford Avenue, Wyoming, MN 55092
651-829-7567- cell *cmcortwerth@gmail.com*

March 18, 2024

City of Wyoming
Attn: City Administrator
26885 City Boulevard
Wyoming, MN 55092

Dear Mr. Robb Linwood,

A few months ago, I had a conversation with Mayor Iverson after a city council meeting. I asked how I could get more involved in the community. She informed me about openings in the Planning Commission. With my years in the construction & utility industries, she recommended this path as a starting point.

Please accept this letter as my official interest in a position on the City Planning Commission.

Being in the construction field for 20+ years I'm familiar with many aspects of construction & development. I've worked with townhome developments, and civil construction through the utility company (including zoning, grading, and wastewater runoff). I had to resolve many landowner complaints and was previously certified in Stormwater Pollution & Protection (SWPP) through the state of MN.

This would be a wonderful opportunity to serve & contribute to ensure the cost-effective and proactive planning for our city. I am very interested in the future of Wyoming and look forward to helping shape & develop our community together.

Sincerely,

Christopher Ortwerth

From: [Robb Linwood](#)
To: [Fred Weck](#)
Subject: FW: Planning Commission
Date: Friday, April 5, 2024 7:25:50 AM
Attachments: [signature_image018.png](#)

Robb Linwood

City Administrator



26885 Forest Blvd | Wyoming, MN 55092

Direct: [651-462-0575](tel:651-462-0575) | Fax: [651-462-0576](tel:651-462-0576)

rlinwood@wyomingmn.org

www.wyomingmn.org



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----- Original message -----

From: Jeff Allen <runjeffrun50k@yahoo.com>
Date: 4/5/24 7:08 AM (GMT-06:00)
To: Robb Linwood <RLinwood@wyomingmn.org>
Cc: Lisa Iverson <LIverson@wyomingmn.org>
Subject: Planning Commission

Robb,

Please forward this email to Fred on the planning commission board.

Fred,

Please consider myself for the open position on the planning commission board.

I am a Wyoming resident for over 24 years, past member of the park board and current president of the Wyoming Lions Club.

The reason I would like to join the planning commission board is because as I want to help more on a local level and believe we have a very good city to live in.

I don't have "planning commission" experience but I am willing to commit to the bi-weekly meetings and learn.

Please let me know what the next steps are.

Thanks
Jeff Allen
651-332-9988