

**CITY OF SAINT PETER, MINNESOTA  
OFFICIAL PROCEEDINGS  
MINUTES OF THE BOARD OF APPEAL AND ADJUSTMENT MEETING  
April 15, 2021**

Pursuant to due call and notice thereof, a meeting of the Board of Appeal and Adjustment of the City of Saint Peter was conducted virtually via the GoToMeeting platform on April 15, 2021.

A quorum present, Community Development Director Russ Wille called the meeting to order at 5:30 pm. The following members were present: Andy Davis, Larry Potts, Keri Johnson, Chuck Zieman and Shanon Nowell.

**Approval of Agenda** –A motion was made by Nowell, seconded by Davis to approve the agenda. With all in favor, the agenda was approved as presented.

**Approval of Minutes** – A motion was made by Potts, seconded by Johnson to approve the minutes of the March 9, 2021 meeting. With all in favor, the motion carried and the minutes were approved as presented.

**Danby Building, LLC (1675 Gault Street) Variance Request**

Danby Building, LLC has purchased vacant property located at 1675 Gault Street. They are seeking a variance from the side and rear setbacks to allow for placement of a structure within 15' of the rear and side lot lines. Wille stated that the front yard setback off of Gault Street will be met.

Wille said that the western 30' of this property is considered to be the Gault Street R-O-W. He indicated that Danby Building LLC has dedicated that 30' as part of the Gault Street R-O-W.

Wille indicated that in order to grant a variance, the applicant must prove the existence of “practical difficulties”, there are circumstances which are unique to the property which have not resulted from an action of the property owner, and that granting the variance as petitioned would not alter the “essential character” of the immediate vicinity. He stated that after the Planning and Zoning Commission review, a recommendation has been made to the Board of Appeal and Adjustments to approve the variance as submitted.

Wille opened the public hearing at 5:35 pm. With no public comment, the public hearing closed at 5:36 pm.

Zieman asked if it was common practice to allow for the construction of a building for personal use in an I-2 District.

Wille indicated that the ownership of the building is not of concern but the use.

Zieman inquired if there were any examples of previous buildings in the industrial park that have been used for personal use.

Wille could not recall any examples.

Wille stated that the use for this property will be for personal storage and warehousing. He indicated that future plans may include additional buildings to lease out. Potts asked if the parking lot area depicted on the map would be completed at the same time as the building.

Wille stated that a portion of the parking area will be completed in conjunction with the project. Should an expansion occur, the remainder parking lot area will be finished..

Zieman asked if the property was changing ownership.

According to Wille, the sale has been completed.

Zieman asked if a new structure would be built.

Wille said a structure would be moved to the lot. He added that the building inspector has inspected the structure and has noted the corrections that need to be completed.

Zieman expressed his concern with the project not being completed in a timely fashion. He asked if the permits has an expiration date.

Should the variance be approved, Wille thought the structure would be moved to the property in a couple of weeks.

Zieman asked if it was on the new site or completed on the new site.

Wille said it would be on the new site subject to obtaining a moving and building permit. He also added that the building permit is good for 6 months and is renewable at the option of the building official.

Zieman expressed his concern that someone would purchase a piece of property prior to a variance being approved. He again stated his concern that if the owner does not follow through with the project, the building would sit on the site unfinished.

Zieman asked if there was any recourse if the project remains unfinished.

Wille said that the applicant intends to undertake alterations to the exterior of the building.

Potts informed the members that flags are on the lot depicting the utilities.

### **Danby Building, LLC (1675 Gault Street) Variance Request**

A motion was made by Nowell, seconded by Johnson to introduce Resolution No. 2021-02 entitled, "Resolution Granting A Variance To Danby Building, LLC (1675 Gault Street) To Allow For The Placement Of Structures Within 15 Feet Of The Side And Rear Lot Lines". With all members voting aye, the Resolution was passed and adopted.

**Adjournment** -A motion was made by Nowell, seconded by Johnson to adjourn. With all members voting aye, the meeting adjourned at approximately 5:47 pm.