



CITY OF MILACA  
PLANNING COMMISSION AGENDA  
NOVEMBER 18, 2024  
6:00 P.M.

255 1<sup>ST</sup> ST E, CITY HALL COUNCIL ROOM

1. Call to Order Regular Planning Commission Meeting Time \_\_\_\_\_

2. Roll Call

\_\_\_ Brett Freese \_\_\_ Arla Johnson \_\_\_ Greg Kuperus \_\_\_ Jake Lepper \_\_\_ Joel Millam  
\_\_\_ Mitch Siemers \_\_\_ Brad Tolzman

3. Approve minutes from August 5, 2024

MB \_\_\_ 2<sup>nd</sup> \_\_\_ AIF \_\_\_ O \_\_\_

4. **Open Public Hearings: Time** \_\_\_\_\_ (Discussion from Planning Commission members conducted under New Business)

- a. Minor Lot Split from Milaca Park
- b. Variance Request from Milaca Park
- c. Variance Request from Jon’s Door Service
- d. Public Hearing on Recreational Vehicle Ordinance #535
- e. Allowing Retail Sales in I-1 Zoning District

**Close Public Hearings: Time** \_\_\_\_\_

5. Old Business

a. Cannabis Businesses and Cultivation-Update from City Manager

MB \_\_\_ 2<sup>nd</sup> \_\_\_ AIF \_\_\_ O \_\_\_

b. Ordinance #530 Permitted Accessory Uses in B-1 Central Business District (Tarp-Like Structures)-Review Square Footage Size

MB \_\_\_ 2<sup>nd</sup> \_\_\_ AIF \_\_\_ O \_\_\_

c. Ordinance #531 Permitted Accessory Uses in B-2 General Business District (Tarp-Like Structures)-Review Square Footage Size

MB \_\_\_ 2<sup>nd</sup> \_\_\_ AIF \_\_\_ O \_\_\_

6. New Business

a. Minor Lot Split from Milaca Park

MB \_\_\_ 2<sup>nd</sup> \_\_\_ AIF \_\_\_ O \_\_\_

b. Variance Request from Milaca Park

MB \_\_\_ 2<sup>nd</sup> \_\_\_ AIF \_\_\_ O \_\_\_

c. Variance Request from Jon's Door Service

MB \_\_\_ 2<sup>nd</sup> \_\_\_ AIF \_\_\_ O \_\_\_

d. Ordinance #XXX Recreational Vehicle

MB \_\_\_ 2<sup>nd</sup> \_\_\_ AIF \_\_\_ O \_\_\_

e. Amending Ordinance #156.042 (B) to Allow Retail Sales in Industrial District

MB \_\_\_ 2<sup>nd</sup> \_\_\_ AIF \_\_\_ O \_\_\_

7. Miscellaneous

8. Adjourn Time \_\_\_\_\_

MB \_\_\_ 2<sup>nd</sup> \_\_\_ AIF \_\_\_ O \_\_\_

## CITY OF MILACA PLANNING COMMISSION MEETING MINUTES

August 5, 2024

6:00 P.M.

1. OPEN PLANNING COMMISSION MEETING: Brad Tolzman –Chairman 6:00 p.m.

2. MEMBERS PRESENT: Roll Call:

- a. Brett Freese, Arla Johnson, Greg Kuperus, Joel Millam, Mitch Siemers, Brad Tolzman
- b. Others Present: City Manager Tammy Pfaff, Assistant City Clerk Deloris Katke, Council Liaison Norris Johnson.

3. APPROVAL OF MINUTES FROM July 8, 2024:

Chairman Tolzman called for a motion to approve the minutes from July 8, 2024.

Motion to approve minutes from July 8, 2024, made by Arla Johnson, seconded by Mitch Siemers.

No further discussion. All in favor.

Motion passes.

4. OLD BUSINESS:

- a. **Ordinance #529 Regulating Cannabis Businesses and Cultivation:** City Manager Pfaff suggested no action at this time, recommending that the commission wait until the State of Minnesota finalizes rules and regulations pertaining to this subject before having additional discussions.
- b. **Ordinance #530 Accessory Buildings, Structures and Uses (Tarp-Like Structures) in B-1 Central Business District:** PC Members recommended prohibiting all tarp-like structures, with the exception of those for business or retail use, during the time period April 1 to June 30, with a maximum size of 144 sq. ft.  
Motion to approve this ordinance made by Brett Freese, seconded by Greg Kuperus. No further discussion. All in favor. Motion passes.
- c. **Ordinance #531 Accessory Buildings, Structures and Uses (Tarp-Like Structures) in B-2 General Business District:** PC Members recommended prohibiting all tarp-like structures, with the exception of those for business or retail use, during the time period April 1 to June 30, with a maximum size of 144 sq. ft.  
Motion to approve this ordinance made by Mitchell Siemers, seconded by Joel Millam. No further discussion. All in favor. Motion passes.

5. NEW BUSINESS:

- a. **Solar Panel Discussion:** PC Members discussed numerous considerations related to solar panel usage, including the potential for requests to have “solar farms” within city limits. Member Millam provided first-hand insights and experience on many of these topics from his experience having solar structures on his homestead. City Manager Pfaff noted that no action was needed at this time, but that future discussions on this topic will likely be necessary to develop and update the city policy, as well as to address future requests.

- b. Recreational Vehicle Discussion:** After discussion, PC Members voted to recommend the city amend the ordinance to mirror that of St. Cloud, MN (See Attached) Motion to approve this ordinance made by Greg Kuperus, seconded by Arla Johnson. No further discussion. All in favor. Motion passes.

**6. MISCELLANEOUS:**

**n/a**

**7. ADJOURN:**

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

Motion passes.

Meeting adjourned at 7:14p.m.



**CITY OF MILACA PLANNING COMMISSION  
PUBLIC HEARING NOTICE**

Monday, November 18, 2024

6:00 p.m.

Milaca City Hall

NOTICE IS HEREBY GIVEN that the City of Milaca Planning Commission will hold a public hearing on Monday, November 18, 2024, at 6:00 p.m., for:

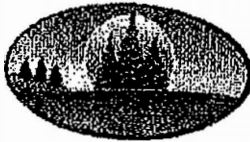
Minor Lot Split-Milaca Park  
Variance Request-Milaca Park  
Variance Request-Jon's Door Service  
Public Hearing on Recreational Vehicle Ordinance  
Public Hearing on Allowing Retail Sales in I-1 Zoning District

All persons interested in any of the public hearings are invited to attend said public hearing. Written comments may be submitted to City Manager Tammy Pfaff, 255 First Street East, Milaca MN 56353. Emailed comments may be submitted to City Manager Tammy Pfaff at [tpfaff@milacacity.com](mailto:tpfaff@milacacity.com).

SUBMIT WRITTEN OR EMAILED COMMENTS PRIOR TO NOVEMBER 18, 2024, 4:30 P.M.

Please contact the City Manager Tammy Pfaff at 320-983-3141 if you have any questions.

Tammy Pfaff  
City Manager  
City of Milaca



CITY OF  
**MILACA** *Minnesota*

255 First Street East, Milaca, MN 56353

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

**MINOR LOT SPLIT/COMBINATION APPLICATION**

**OWNER**

OWNER NAME Josh Winter - Milaca Park, WI

OWNER ADDRESS 350 State Hwy 7, Suite 224

STREET ADDRESS

Excelsior WI 55331

CITY STATE ZIP CODE

EMAIL: joshuawinter23@hotmail.com

TELEPHONE (62) 701-5876

**PROPERTY**

ADDRESS/LOCATION 410 2nd ST NE

LEGAL DESCRIPTION Parcel A parts of Sec. 25 T. 38

R 27 Mille Lacs County

CURRENT ZONING Commercial LOT AREA 4.92 Acres

**APPLICANT INCLUDES:**

- COMPLETED SURVEY BY CERTIFIED SURVEYOR
- NONREFUNDABLE FEE OF \$300 PLUS \$600 ESCROW

**GENERAL REQUIREMENTS**

- ALL RESIDENTIAL LOTS MUST BE 10,000 SQUARE FEET
- 80 FOOT MINIMUM WIDTH FOR LOTS BEING CREATED
- ALL LOTS MUST HAVE STREET FRONTAGE

\*CITY WILL CONTACT YOU WHEN EXEMPTION CERTIFICATE IS COMPLETE

DATE RECEIVED \_\_\_\_\_ DATE PAID \_\_\_\_\_

J:\Share\Farms\Zoning\MINOR LOT SPLIT-COMBINATION APPLICATION.docx;J:\Share\Farms\Zoning\MINOR LOT SPLIT-COMBINATION APPLICATION.docx

[www.cityofmilaca.org](http://www.cityofmilaca.org)

Exemption Certificate

NAME OF OWNER: Milaca Park, LLC

NAME OF BUYER: *Randy Reiman*

ADDRESS OF OWNER: 350 State Hwy 7, Suite 224, Excelsior, Minnesota 55331

LEGAL DESCRIPTION OF EXISTING PARCEL(S) (ATTACH SURVEY):

LEGAL DESCRIPTION OF NEW PARCEL SPLIT OR COMBINED LOT(S) (ATTACH SURVEY):

SECTION 25 TOWNSHIP 33 RANGE 27

SURVEYOR'S NAME *Seth MAROE*

OWNER'S SIGNATURE *[Signature]* DATE *8/1/24*

**SURVEY OF PARCELS REQUIRED**

I have reviewed the above lot split/combination request and find that:  
The proposal meets all applicable requirements of the Zoning and Subdivision Ordinances and may be recorded without any additional review by the Planning Commission or City Council.

By: \_\_\_\_\_ Date: \_\_\_\_\_

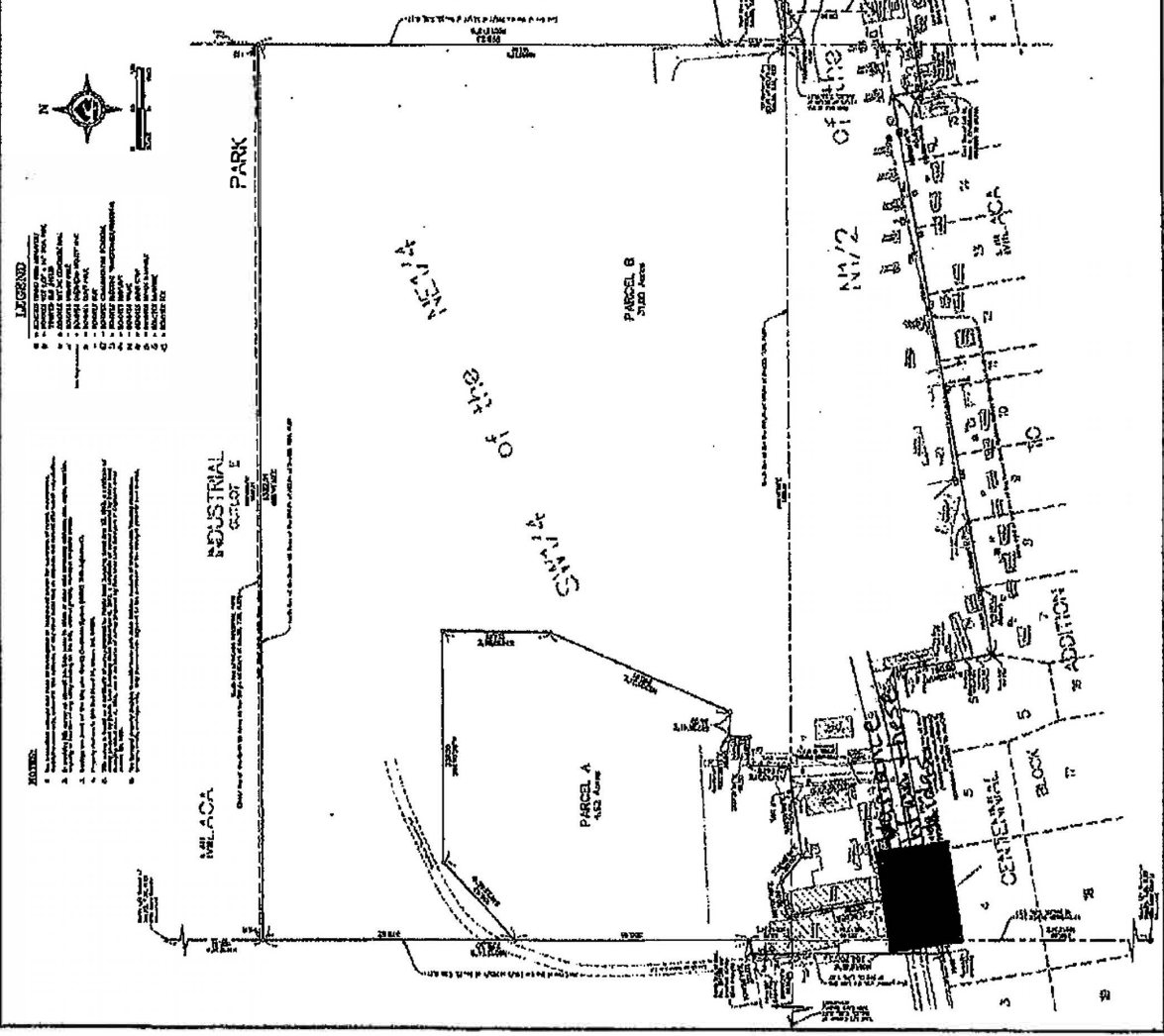
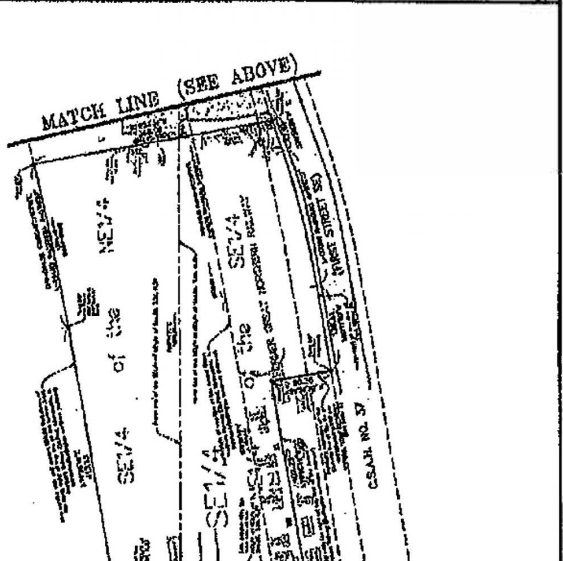
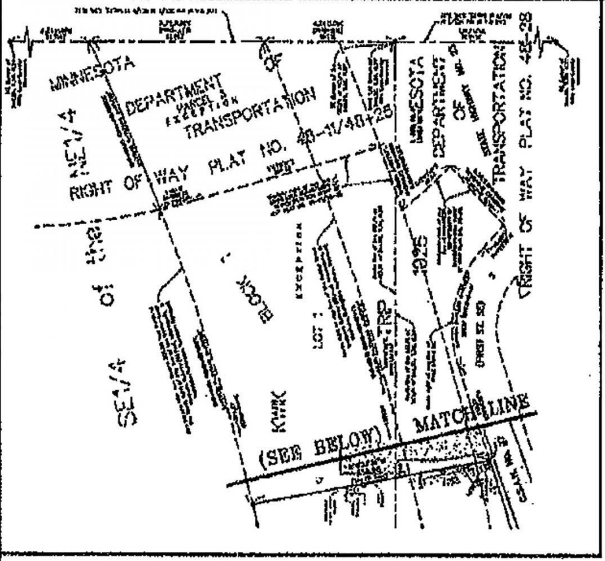
Zoning Administrator

Original to be recorded with deed within six (6) months of the date approved. Failure to record within the six (6) month time period will make this Exemption Certificate null and void.

J:\Share\Forms\Zoning\MINOR LOT SPLIT-COMBINATION APPLICATION.docx J:\Share\Forms\Zoning\MINOR LOT SPLIT-COMBINATION APPLICATION.docx

[www.cityofmilaca.org](http://www.cityofmilaca.org)

Run River Survey State of Minnesota County of Hills No. 487		Parts of County of Hills State of Minnesota No. 487	
Kandy Reisman for Coefficient of Survey		102	



- LEGEND**
- 1. BOUNDARY OF LOT 1, PARCEL A
  - 2. BOUNDARY OF LOT 2, PARCEL A
  - 3. BOUNDARY OF LOT 3, PARCEL A
  - 4. BOUNDARY OF LOT 4, PARCEL A
  - 5. BOUNDARY OF LOT 5, PARCEL A
  - 6. BOUNDARY OF LOT 6, PARCEL A
  - 7. BOUNDARY OF LOT 7, PARCEL A
  - 8. BOUNDARY OF LOT 8, PARCEL A
  - 9. BOUNDARY OF LOT 9, PARCEL A
  - 10. BOUNDARY OF LOT 10, PARCEL A
  - 11. BOUNDARY OF LOT 11, PARCEL A
  - 12. BOUNDARY OF LOT 12, PARCEL A
  - 13. BOUNDARY OF LOT 13, PARCEL A
  - 14. BOUNDARY OF LOT 14, PARCEL A
  - 15. BOUNDARY OF LOT 15, PARCEL A
  - 16. BOUNDARY OF LOT 16, PARCEL A
  - 17. BOUNDARY OF LOT 17, PARCEL A
  - 18. BOUNDARY OF LOT 18, PARCEL A
  - 19. BOUNDARY OF LOT 19, PARCEL A
  - 20. BOUNDARY OF LOT 20, PARCEL A

**NOTES:**

1. This map shows the boundaries of the parcels as described in the plat.
2. The boundaries of the parcels are shown by solid lines.
3. The boundaries of the parcels are shown by dashed lines.
4. The boundaries of the parcels are shown by dotted lines.
5. The boundaries of the parcels are shown by long-dashed lines.
6. The boundaries of the parcels are shown by short-dashed lines.
7. The boundaries of the parcels are shown by dash-dot lines.
8. The boundaries of the parcels are shown by long-dash-short-dash lines.
9. The boundaries of the parcels are shown by long-dash-dot lines.
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These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Date: 5/14/2024

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.



CITY OF  
**MILACA** *Minnesota*

255 First Street East, Milaca, MN 56353

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

November 4, 2024

Dear Resident:

The City of Milaca Planning Commission will hold a Public Hearing on Monday, November 18, 2024, at 6:00 p.m. at the Milaca City Hall at 255 1<sup>st</sup> St E, Milaca MN 56353, in the council room to consider requests from Milaca Park for a Minor Lot Split in the I-1 District. Milaca Park is also requesting a Variance to allow side yard setback to be less than 10 feet between buildings in the I-1 Industrial District. See enclosures.

The property is located at 410/420 2<sup>nd</sup> St NE, Milaca, Mille Lacs County, Minnesota. Legally described as:

SECT 25, TWP 038 RANGE 27

That part of the North half of the Southeast Quarter and that part of the Southeast Quarter of the Northeast Quarter (See attached map)

(FULL LEGAL ON FILE)

PID #21-025-0500

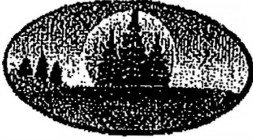
You may voice your opposition or support by attending this meeting or by mailing a letter. However, all letters must be signed or they will not be accepted. Letters must be received by noon on November 18, 2024 and may be mailed to: City of Milaca, ATTN: Tammy, 255 1<sup>st</sup> St E, Milaca MN 56353.

If you have any questions in regard to this notice, please call 320-983-3141.

Thank you,

Deloris Katke  
Assistant City Clerk  
City of Milaca

Enclosure



CITY OF  
**MILACA** *Minnesota*

255 First Street East, Milaca, MN 56353

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

**VARIANCE APPLICATION**

Application is hereby submitted for Variance (Detailed Description of Variance -attach if necessary)  
Parcel A Sec. 25 T. 38 R 27

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ADDRESS OF PROPERTY 410 2nd St NE

PROPERTY IDENTIFICATION NUMBER 21- \_\_\_\_\_

OWNER NAME Josh Winter - Milaca Park LLC

OWNER ADDRESS 350 State Hwy 7, Suite 224

STREET ADDRESS

Excelsior MN 55331

CITY STATE ZIP CODE

TELEPHONE (612) 701-5876

EMAIL ADDRESS joshuawinter23@hotmail.com

APPLICANT NAME Randy Reiman

APPLICANT ADDRESS 410 2nd St NE Home 280 3rd Ave SE

STREET ADDRESS

Milaca MN 56353

CITY STATE ZIP CODE


TELEPHONE ( ) \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

THE FOLLOWING INFORMATION IS SUBMITTED IN SUPPORT OF THIS APPLICATION:

- COMPLETED APPLICATION FOR VARIANCE
- FEE OF \$400.00
- LEGAL DESCRIPTION OF PROPERTY ATTACHED
- DEPENDING ON THE VARIANCE REQUESTED, THE FOLLOWING MAY BE REQUIRED:
  - 8 COPIES OF SITE PLAN
  - 8 COPIES OF SIGN PLAN
  - 8 COPIES OF ANY OTHER APPROPRIATE PLANS OR DRAWINGS
- A NARRATIVE EXPLAINING THE PURPOSE OF THE REQUEST, THE EXACT NATURE OF THE VARIANCE AND THE JUSTIFICATION OF THE REQUEST (ATTACH SHEET IF NECESSARY)
- OTHER \_\_\_\_\_

\*\*\*\*\*  
I FULLY UNDERSTAND THAT ALL OF THE ABOVE REQUIRED INFORMATION MUST BE SUBMITTED AT LEAST 15 DAYS PRIOR TO THE PLANNING COMMISSION MEETING TO ENSURE REVIEW BY THE PLANNING COMMISSION ON THAT DATE.

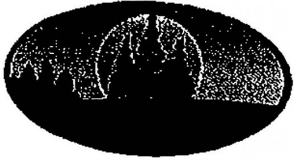
OWNER'S SIGNATURE   
DATE 8/11/24  
COMMENTS/REVISIONS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*  
For more information on Variances, go to <https://codelibrary.amlegal.com/codes/milaca/latest/overview> and search for Chapter 156

RECEIVED BY:  CITY MANAGER SIGNATURE/ZONING ADMINISTRATOR  
DATE 9-17-2024







CITY OF  
**MILACA** *Minnesota*

255 First Street East, Milaca, MN 56353

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

September 24, 2024

Milaca Park, LLC  
Attn: Josh Winter  
350 State Hwy 7 Suite 224  
Excelsior MN 55331

Dear Milaca Park, LLC:

This letter is to advise you the city is extending the deadline on your variance request, per State statute 15.99, an additional 60 days beyond the original 60 days because the city needs more time to process the request since we do not have complete information at this time. The application was received on August 1, 2024. The new deadline is November 30, 2024.

If you have any questions in regard to this notice, please contact me.

Thank you,

Tammy Pfaff  
City Manager  
City of Milaca

Cc: Randy Reiman





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Date: 5/14/2024

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# DAMIEN F. TOVEN & ASSOCIATES

A LIMITED LIABILITY COMPANY

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Date: October 30, 2024

ATTN: Randy Reiman  
420 2<sup>nd</sup> St. NE  
Milaca, MN 56353

220 3<sup>rd</sup> Ave. SE  
Milaca, MN 56353

Milaca Park, LLC  
c/o Josh Winter  
350 State Highway 7, Suite 224  
Excelsior, MN 55331

RE: Property Violation at 420 - 2<sup>nd</sup> Street NE, Milaca, MN 56353  
My File No.: 10112-24-002

Mr. Reiman and Mr. Winter;

Please be advised that I am the City Attorney for the City of Milaca for purposes of criminal prosecution and civil enforcement.

The purpose of this letter is to advise you of ongoing city ordinance nuisance violations and violations of the conditional use permit issued in City of Milaca Resolution 19-16 on the subject property. It appears this property has repeatedly been in violation of city code and multiple efforts have been made by city staff to work with you to correct the problem, to no avail.

As a result, this matter has now been referred to me for further action. Enclosed for your records you will find the following:

1. Correspondence from the City of Milaca to Mr. Reiman, dated April 26, 2022, outlining violations that needed correction, together with an aerial image showing the ongoing violations.
2. Correspondence from the City of Milaca to Milaca Park, LLC, the record owner of the subject property, dated June 26, 2024, again outlining the ongoing violations requiring correction.
3. Photographs of the property recently taken by City of Milaca law enforcement in relation to City of Milaca criminal ICR 24002402.

The violations outlined in the prior correspondence are ongoing and require immediate action. As an initial matter, you should understand that the ongoing violations are violations of City of Milaca Ordinances 156.102 and 156.108. Each violation is a separate misdemeanor

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413 RUM RIVER DRIVESOUTH, SUITE 8, PRINCETON, MN 55371  
OFFICE (763) 389-2214 / FAX (763) 389-5606  
WWW.TOVENANDASSOCIATES.COM

punishable by up to 90 days in jail and a fine of up to \$1,000.00. In addition, each day the violations continue is a separate criminal offense.

Furthermore, the ongoing violations are violations of the conditional use permit issued in City of Milaca Resolution 19-16. The City Council for the City of Milaca will be addressing these violations at the City Council meeting scheduled for November 20, 2024 at 6:30 p.m. You are both encouraged to attend as the Council may choose to revoke the conditional use permit because of the ongoing violations.

Furthermore, I am aware the parties are currently scheduled for the City of Milaca Planning Commission agenda for the November 18, 2024 meeting to address a proposed lot split. It is possible that the ongoing violations will affect the City's ability to approve any action.

I will be reviewing this matter in mid-November to determine compliance. I would strongly urge you both to take immediate action to abate all of the violations on the subject property and contact city staff to confirm the property is in compliance.

If you have any questions, please contact me.

Sincerely,

*Damien F. Toven*

---

Damien F. Toven

cc: Tammy Pfaff, City Manager



CITY OF  
**MILACA** *Minnesota*

255 First Street East, Milaca, MN 56353

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

April 26, 2022.

Mr. Randy Reiman  
420 2<sup>nd</sup> St NE  
Milaca MN 56353

Re: CUP Violations/Code Violations

Dear Mr. Reiman:

The City of Milaca has received complaints in regard to the number of inoperable/junk vehicles that are stored outside your business located at 420 2<sup>nd</sup> Ave NE. This is in violation of your Conditional Use Permit that was approved in March of 2019 (copy attached) and in violation of City of Milaca Ordinances. Specifically, Ordinance #156.102 and #156.108 (copies also attached).

In order to remedy these Ordinance violations and Conditional Use Permit violations, you will need to either store all inoperable/junk vehicles inside a building or remove them off the premises.

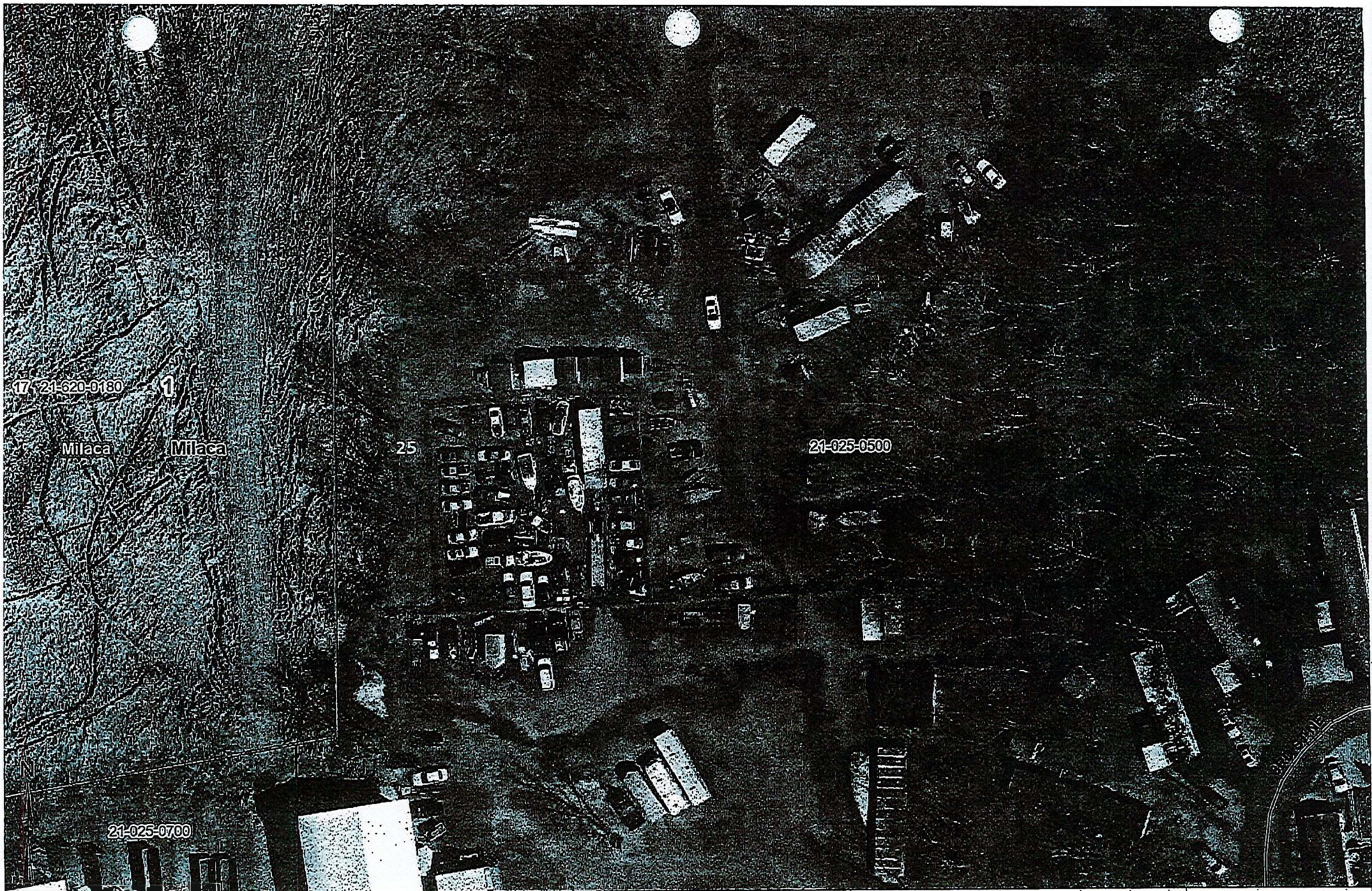
We realize this may be quite a task to get done, so we hope you can complete this by June 1, 2022. If you feel this cannot get done by that date, please give me a call so we may discuss.

If you feel this letter is not accurate or again you wish to discuss these issues, please feel free to give me a call at 320-983-3141 or you may email me at [tpfaff@milacacity.com](mailto:tpfaff@milacacity.com).

Thank you for your cooperation in this matter.

Tammy Pfaff  
City Manager  
City of Milaca

Enclosures



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Date: 6/25/2024

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CITY OF  
**MILACA** *Minnesota*

255 First Street East, Milaca, MN 56353

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

June 26, 2024

Milaca Park LLC  
350 State Hwy 7, Suite 224  
Excelsior MN 55331

Re: 420 2<sup>nd</sup> St NE, Milaca MN

Dear Milaca Park LLC:

The City of Milaca conducts public nuisance inspections typically twice a year. On 06-24-24, I observed the property at 420 2<sup>nd</sup> St NE to still be in violation of the following nuisances:

Ordinance #91.16 Abandoned/Junk Vehicles  
Ordinance #156.102 Storage Standards  
Ordinance #156.108 Inoperative Motor Vehicles

In addition to the public nuisances listed above (Ordinances attached), as you are aware, the property located at 420 2<sup>nd</sup> St NE is still in violation of a Conditional Use Permit that was granted in 2019 in which a maximum of 5 unenclosed vehicles were allowed or a maximum of 10 unenclosed vehicles total on the property for an Auto Sales Conditional Use Permit (see Resolution #19-16).

On 06-24-24, I met with Randy Reiman and we discussed how many vehicles he is currently trying to sell and I observed he was over the 10 vehicle limit as referenced to in the Conditional Use Permit. Randy informed me he will be moving vehicles off the site to eventually get down to the 10 vehicle limit.

I would encourage you to contact Randy Reiman and coordinate with him as to what vehicles can be and should be removed from the property.

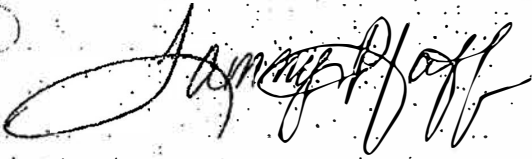
If some of these vehicles, RV's or boats belong to the residents that reside in Milaca Park, you will want to contact them to have them remove the vehicle(s) off the property. If the vehicles do not belong to the residents for Milaca Park, then you, the owner, are ultimately responsible for removal of the vehicles, RV's and boats.

While placing a timeline to get these vehicles, RV's and boats removed from the property is a hard thing to do, we do need to establish some sort of timeline. We will start with a 60 day notice, giving Milaca Park and/or Randy Reiman until August 30, 2024 to have these vehicles removed. If we see progress on the removal of these vehicles, we may grant an extension but there needs to be progress.

Our goal is by the end of 2024 to have these vehicles all removed, except for what is allowed per the Conditional Use Permit.

If you have any questions in regard to this letter or the attached Ordinances, please contact me.

Thank you for your cooperation.



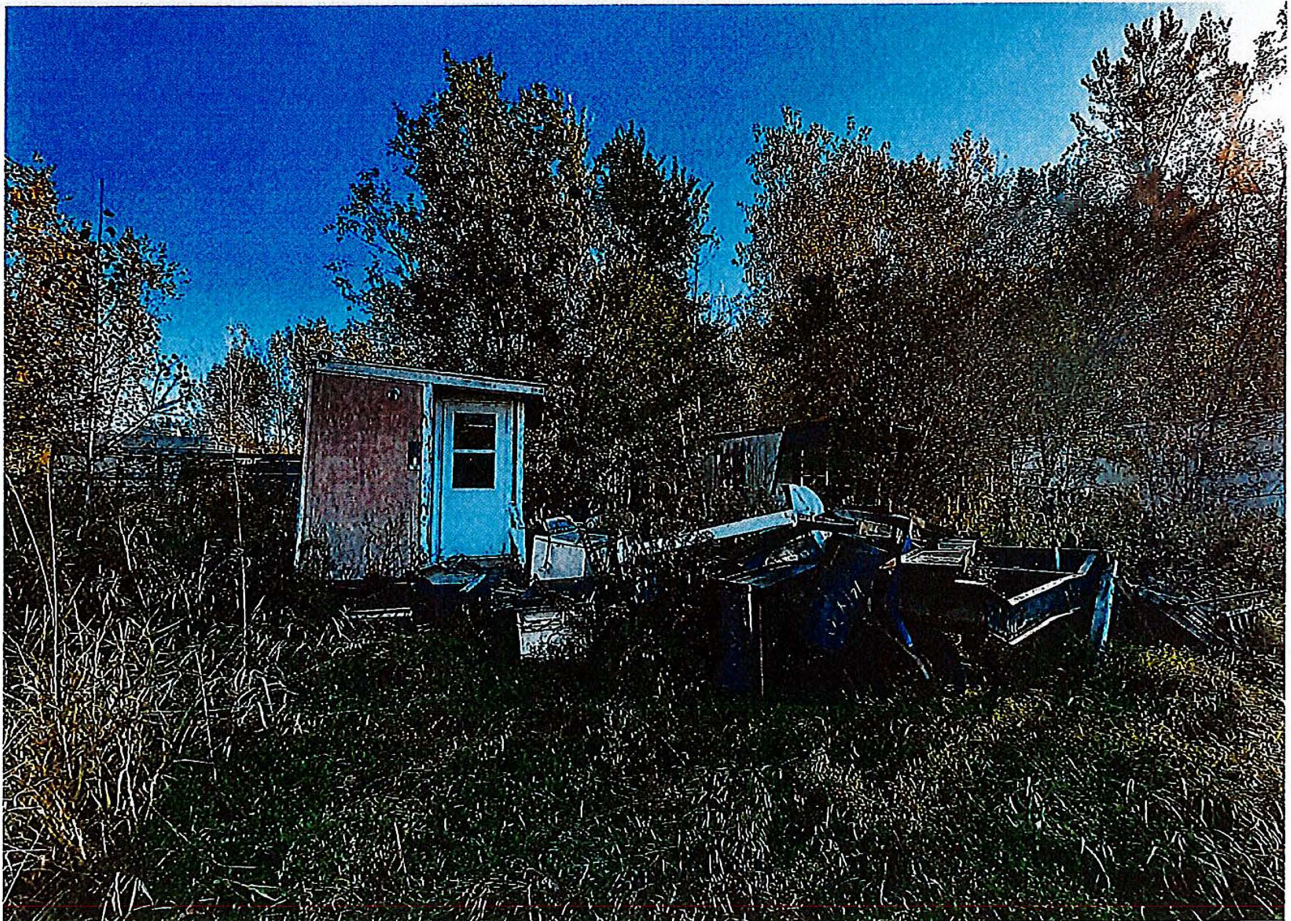
Tammy Pfaff  
City Manager  
City of Milaca

Enclosures

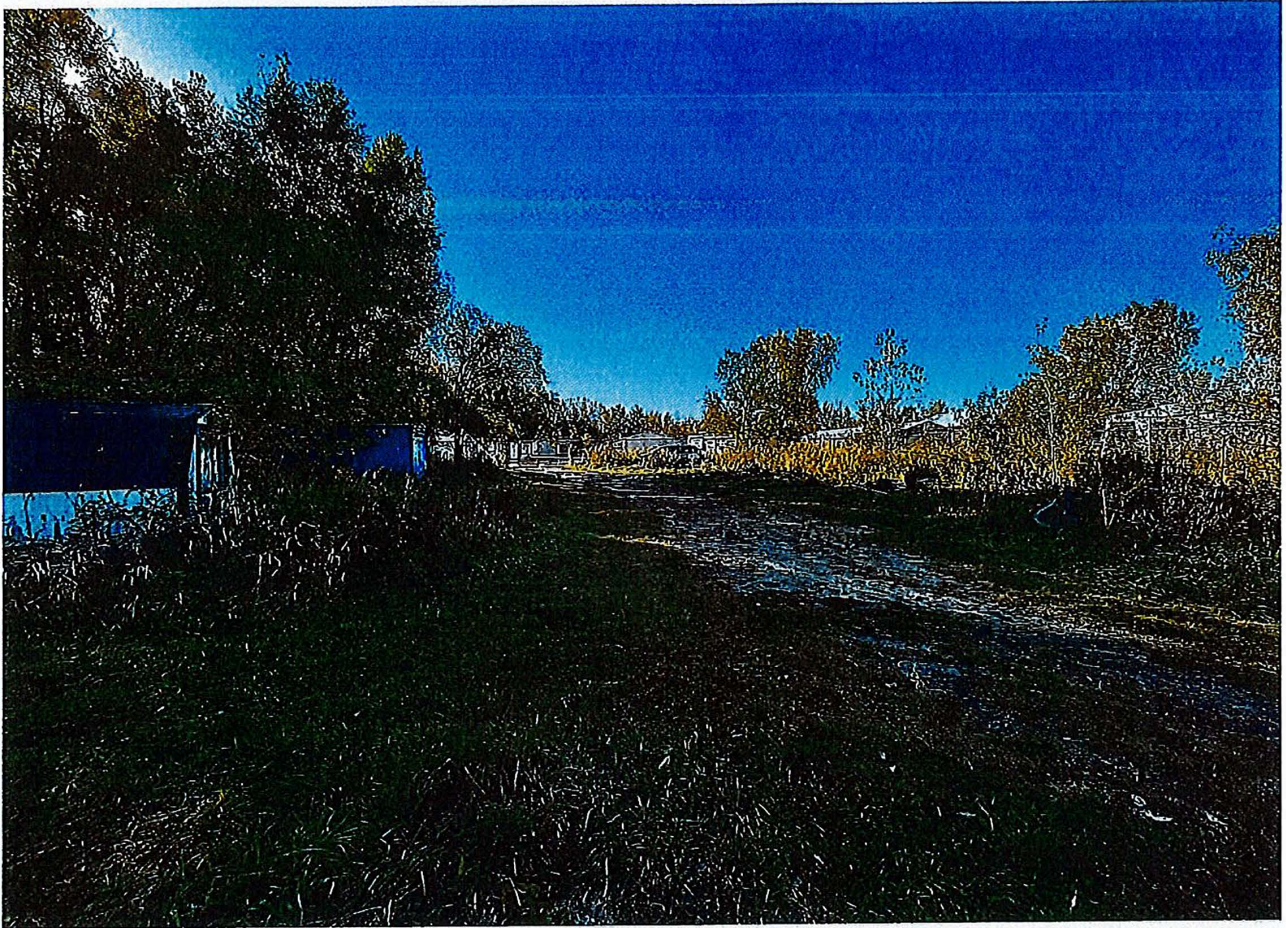
cc: Randy Reiman

















Office of the County Recorder  
 Mille Lacs County Minnesota  
 Certified, Filed and/or Recorded on:  
 October 03, 2019 11:40 AM  
 Fee: \$46.00  
 Pages: 4  
 Return to:  
 CITY OF MILACA  
 255 FIRST STREET EAST  
 MILACA, MN 56353  
 G S V

RESOLUTION NO. 19 - 16

A RESOLUTION APPROVING A CONDITIONAL USE REQUEST TO HAVE VEHICLE SALES IN AN I-1 ZONING DISTRICT

WHEREAS, Randy Reiman is requesting a conditional use to have vehicle sales located at 420 2<sup>nd</sup> Street NE in the City of Milaca; and

WHEREAS, this property is located in an I-1 Light Industrial Zoning District and requires a conditional use to have vehicle sales; and

WHEREAS, the Milaca Planning Commission held a public meeting on March 11, 2019, to allow for public input regarding the conditional use request.

NOW, THEREFORE, BE IT RESOLVED that the Milaca City Council hereby *grants* the conditional use to allow vehicles sales at 420 2<sup>nd</sup> Street NE with the conditions of:

1. A maximum of 5 unenclosed vehicles are for sale on the property
2. A maximum of 10 unenclosed vehicles total on the property
3. Must submit to the City of Milaca a copy of the State of MN vehicle sales license for the property listed above.

Adopted this 21<sup>st</sup> day of March, 2019.

  
 Mayor Harold Podersen

ATTEST

  
 Tammy Pfaff, City Manager

THIS INSTRUMENT DRAFTED BY MARSHALL LIND, CITY OF MILACA BUILDING & ZONING OFFICIAL.

**MILACA PLANNING COMMISSION**

**STAFF REPORT**

**Subject: 19-01 Conditional Use request**

**Applicant: Randy Reiman**

**Location: 420 2<sup>nd</sup> St. NE**

**Zoning: I-1 Light Industrial**

**Request: Vehicle Sales**

**Date of Public Hearing: March 11, 2019**

**Reported By: Marshall Lind**

**Application Submitted:**

A conditional use application to conduct vehicle sales located in the I-1 Light Industrial District.

**Comments:**

The applicant is asking to have vehicle sales located in the I-1 Light Industrial District. Ordinance 156.042 I-1, Light Industrial District:

(A) Purpose. The industrial district is established to provide exemplary standards of development for industrial areas to insure compatibility with other land uses and to provide for industrial employment opportunities for residents of the community.

(F) Uses requiring a conditional use permit.

(3) Other manufacturing, processing, storage, or commercial uses determined by the Planning Commission or the City Council to be of the same general character as permitted uses above and found not to be obnoxious, unhealthful, or offensive by reason of the potential emission or transmission of noise, oxidation, smoke, dust, odors, toxic or noxious matter, or glare or heat;

Ordinance 156.150 (D) The Planning Commission shall consider possible adverse effects of the proposed conditional use. Its judgement shall be based upon, but not limited to, the following factors:

- (1) Relationship to the city's growth management system/Comprehensive Plan;
- (2) The geographical area involved;
- (3) Whether the use will tend to or actually depreciate the area in which it is proposed;
- (4) The character of the surrounding area; and
- (5) The demonstrated need for the use.

156.150 (G) For all Conditional Uses, the following conditions shall be met;

(1) The land area and setback requirements of the property containing the use or activity shall be established for the district.

(2) Where applicable, all city, state, and federal laws, regulations, and ordinances shall be complied with and all necessary permits secured.

(3) Adequate off-street parking and loading shall be provided in accordance with Ordinance 156.075.

(4) The proposed water, sewer, and other utilities shall be capable of accommodating the proposed use.

(5) The street serving the proposed use or activity shall be of sufficient design to accommodate the proposed use or activity, and the use or activity shall not generate such additional extra traffic to create a nuisance or hazard to existing traffic or to surrounding land uses.

(6) All access roads, driveways, parking areas, and outside storage, service, or sales areas shall be surfaced or grassed to control dust and drainage.

(7) All open and outdoor storage, sales, and service areas shall be screened from view from the public streets and from abutting residential uses or districts.

(8) All lighting shall be designed as to have no direct source of light visible from adjacent residential area or from the public street.

(9) The use or activity shall be properly drained to control surface water runoff.

(10) The architectural appearance and functional plan of the building and site shall not be as dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence.

(11) Where Structures combine residential and non-residential uses, these uses shall be separated and provided with individual outside access and the uses shall not conflict in any manner.

**Staff Recommendation:**

The property is located in the I-1 Light Industrial Zoning District and the zoning ordinance does allow for storage or commercial uses determined by the Planning Commission or City the Council to be of the same general character as permitted uses.

The applicant stated that there would be five (5) vehicles at the most displayed for sale. He stated that he would be selling cars, trucks and motorcycles.

I would support granting the Conditional Use request if Planning Commission believes the business does not have any adverse effects on the property around it and that they feel it meets all of the requirements for the Conditional Use. My only recommendation would be to put a limit on the number of vehicles that would be allowed to be shown unenclosed on the property.



**MILACA PLANNING COMMISSION**

**A MEETING OF THE PLANNING COMMISSION OF THE CITY OF MILACA WAS DULY HELD ON THE 11<sup>th</sup> DAY OF MARCH 2019, AT 255 1<sup>st</sup> ST. E. FOR THE PURPOSE OF PUBLIC HEARING AND REGULAR MEETINGS.**

**UPON ROLL CALL, THE FOLLOWING MEMBERS WERE PRESENT:**

Scott Harlicker X                      Joel Millam X                      Sherie BillingsX                      Arla Johnson  
Pam Novak

**EX-OFFICIO MEMBERS:**

Marshall Lind, Building Official/ Zoning Administrator    **X**

Cory Pederson, City Council Liaison

**Others Present:**

None

**Chairman Harlicker opened the public hearing for the request from Randy Reiman for a conditional use to have a vehicle sales business in the I-1 Light Industrial Zoning District.**

With no comments, Chairman Harlicker closed the public hearing for the conditional use.

**The Regular Planning Commission was called to order and roll call was taken.**

Motion was made by Commissioner Billings to approve the minutes of the November 13, 2018 planning commission meeting. Motion was second by Commissioner Millam.

Motion **passed** unanimously

Commissioner Billings made the motion to approve the conditional use request from Randy Reiman to have vehicle sales located in the I-1 Light Industrial District with the following conditions:

1. Only 5 unenclosed vehicles for sale on the property.
2. A maximum of 10 unenclosed vehicles total on the property.
3. Must supply the City with a copy of the State of MN vehicle sales license with new address.

Commissioner Millam seconded the motion.

**Discussion:**

Lind stated that Mr. Reiman sold vehicles at his last location on 1<sup>st</sup> St. E.; since he has sold the property he is looking to have vehicle sales at his new location. The applicant stated he would only be selling a maximum of 5 vehicles at a time.

Commissioner Millam stated that Mr. Reiman buys vehicles that need to be fixed up, fixes them and then sells them.

Motion **passed** unanimously.

With no other business a motion to adjourn was made by Commissioner Millam, second by Commissioner Billings.

Motion **passed** unanimously

Minutes respectfully submitted by,

*Marshall Lind*

Marshall Lind  
Zoning Administrator

Full minutes can be heard on tape on file

# Planning Report

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**Date:** November 18, 2024

**To:** Milaca Planning Commission

**From:** Phil Carlson, AICP, Phil Gravel, PE; Stantec

**Request:** Minor Subdivision/Lot Split, Side Setback Variance

**Owner:** Milaca Park LLC

**Applicants:** Randy Reiman, Josh Winter

**Address:** 410 2<sup>nd</sup> Street NE

**PID:** 21-025-0500

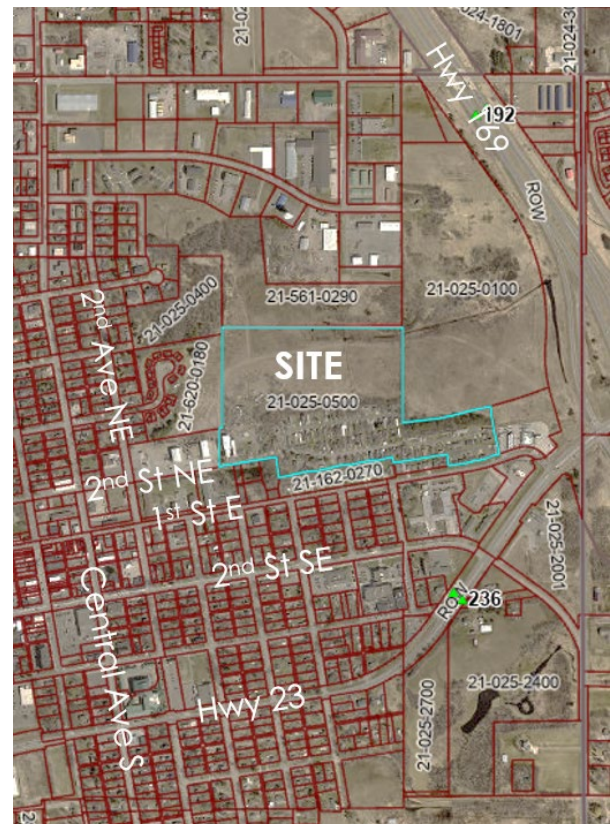
**Zoning:** I-1 Light Industrial District, B-4 Mobile Home, & C-1 Conservation

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## INTRODUCTION

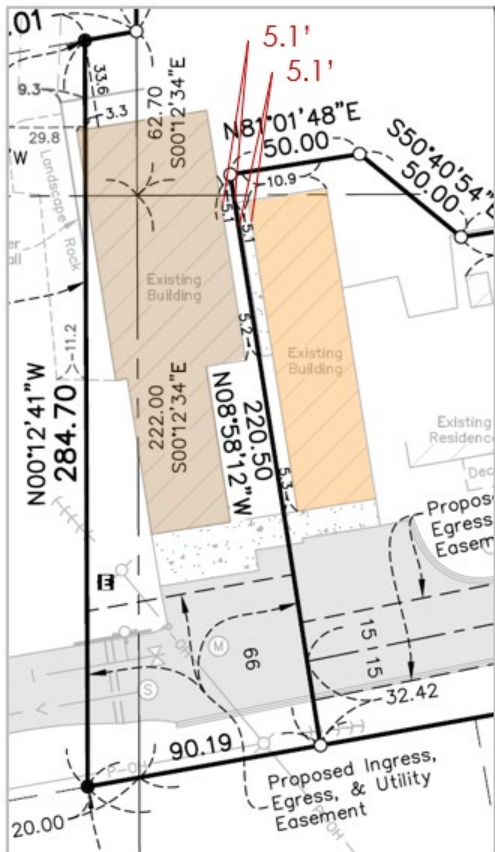
Milaca Park LLC owns the property that is occupied by the Mobile Manor mobile home park, two industrial buildings, an open storage area, and the large wetland area behind it. Randy Reiman owns the larger industrial building on the west side of the property and wants to separate it from the mobile home park property. The Reiman family previously owned the mobile home park but sold it a few years ago and now they 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 Parcel A on the west side of the property and a Parcel B that will remain as the mobile home park and most of the wetland.

A new lot line will separate the two existing buildings that are now only about 10 feet apart. They cannot meet the required 10-ft setback on each side, so a side setback variance is being requested as well, for side setbacks of 5.1 to 5.2 ft on each side. The subdivision and variance requests are illustrated on the next page.





**Re: Milaca Park, LLC – Minor Subdivision, Side Setback Variance, 410 2<sup>nd</sup> Street NE**





**Re: Milaca Park, LLC – Minor Subdivision, Side Setback Variance, 410 2<sup>nd</sup> Street NE**

### **SUBDIVISION & ZONING ANALYSIS**

The Subdivision Code in Chapter 155 of the City Code governs division of property, such as the current request. Excerpts from the code are included at the end of this report. The request will create two lots from one. The code says that the resulting parcels cannot be in violation of Chapter 156, the Zoning Code. In the current request, the resulting parcels would be in violation of the setback provisions in Chapter 156 as described above, so a variance to the side setbacks for the two buildings is also being requested as part of the application.

### **VARIANCE ANALYSIS**

The Milaca Zoning Code, in Sections 156.166 and 156.167, details findings of fact and conditions for granting variances, excerpted at the end of this report. These standards closely follow State statute which has similar conditions for cities in dealing with variances.

### **Variance Findings**

From 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 be essentially invisible – 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.

### **Variance Conditions**

From 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.



**Re: Milaca Park, LLC – Minor Subdivision, Side Setback Variance, 410 2<sup>nd</sup> Street NE**

The requested setback variance does not change the uses of the properties involved, which are permitted.

(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.

The request to separate buildings onto different parcels is a “reasonable use” of the property. The location of the buildings being 10 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. 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.

The economic issue usually means that the applicant could meet the code by spending more money, which is not the case here. *[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 compliance and to protect adjacent properties.

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 onto different lots is legally permissible. The development of the property will remain as it is with this subdivision and variance.



**Re: Milaca Park, LLC – Minor Subdivision, Side Setback Variance, 410 2<sup>nd</sup> Street NE**

(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.”

The existing uses are allowed and do not involve spot zoning. The request meets this standard.

**Access**

The Reiman building currently has access to the rear to the property only via 2<sup>nd</sup> Street NE and past the mobile home park buildings, illustrated with the yellow arrow and easement on the maps below. There is not enough space on either side of the Reiman building to get to the rear of the property within 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 2<sup>nd</sup> Street NE and the mobile home park driveway to the rear of Parcel A.





**Re: Milaca Park, LLC – Minor Subdivision, Side Setback Variance, 410 2<sup>nd</sup> Street NE**

### **RECOMMENDATION**

There are two separate requests involved in this application – a minor subdivision and a setback variance. They should be acted on separately with separate motions even though they are linked.

#### **Minor Subdivision**

We recommend that the Planning Commission recommend 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, with the following conditions and findings of fact:

##### 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 2<sup>nd</sup> Street NE through the Mobile Manor Parcel B to the rear of Parcel A.
- 2) The minor subdivision is approved only if the accompanying side setback variance is also approved.

##### Findings of Fact for Approval

- 1) Milaca Park LLC owns the property at 410 2<sup>nd</sup> 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.





**Re: Milaca Park, LLC – Minor Subdivision, Side Setback Variance, 410 2<sup>nd</sup> Street NE**

**Variance**

We recommend that the Planning Commission recommend 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, with the following findings of fact:

Findings of Fact for Approval

- 1) Milaca Park LLC owns the property at 410 2<sup>nd</sup> 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 is located is zoned I-1 Light Industrial. The required side setback for structures in the I-1 district in the Milaca Zoning Code is 10 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 156.166, 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 10 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 onto 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.



**Re: Milaca Park, LLC – Minor Subdivision, Side Setback Variance, 410 2<sup>nd</sup> Street NE**

## **PLANNING COMMISSION MOTIONS**

### *Minor Subdivision*

If the Planning Commission agrees with our recommendation to approve the minor subdivision, the Commission would consider a motion to recommend approval with the conditions and findings (or as modified) in the Planner's Report dated November 18, 2024.

If the Commission wishes to deny the minor subdivision they would need to prepare findings supporting the denial.

### *Variance*

If the Commission agrees with our recommendation to approve the variance, the Commission would consider a motion to recommend approval with the findings (or as modified) in the Planner's Report dated November 18, 2024.

If the Commission wishes to deny the minor variance they would need to prepare findings supporting the denial.

## **DEADLINE FOR CITY COUNCIL ACTION**

### *Minor Subdivision*

The minor subdivision application was considered complete on September 25, 2024. The deadline for City Council action is January 24, 2025. The deadline for a subdivision is 120 days (not 60 days like zoning applications) per State statute 462.358 Subd. 3b.

### *Variance*

The variance application was considered complete on September 25, 2024. The initial 60-day deadline for City Council action per State statute 15.99 was November 25, 2024, which has been extended an additional 60 days as allowed by State statute because the City needs more time to consider the application.



**Re: Milaca Park, LLC – Minor Subdivision, Side Setback Variance, 410 2<sup>nd</sup> Street NE**

## **ZONING CODE EXCERPTS**

### **§ 156.166 FINDING OF FACT.**

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.

### **§ 156.167 CONDITIONS FOR GRANTING VARIANCES.**

(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.

(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.

(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.

(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 compliance and to protect adjacent properties.

(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.”



**Re: Milaca Park, LLC – Minor Subdivision, Side Setback Variance, 410 2<sup>nd</sup> Street NE**

## **SUBDIVISION CODE EXCERPTS**

### **§ 155.126 MINOR SUBDIVISIONS.**

In the case of a subdivision resulting in three or fewer lots, situated in a neighborhood where conditions are well defined, the City Council may exempt the subdivider from complying with some of the requirements of these regulations. In the case of a request to subdivide a lot which is a part of a recorded plat, or where the subdivision is to permit the adding of a parcel of land to an abutting lot or to create not more than three new lots, and the newly created property lines will not cause any resulting lot to be in violation of these regulations or Chapter 156 of this code, the division may be approved by the City Council, after submission of a survey by a registered land surveyor showing the original lot and the proposed subdivision.

### **§ 155.127 RESUBDIVISION.**

In the case of a request to divide a lot which is a part of a recorded plat, where the division is to permit the adding of a parcel of land to an abutting lot or to create two lots and the newly created property line will not cause the other remaining portion of the lot to be in violation with this regulation or Chapter 156 of this code, the division may be approved by the City Council after submission of a survey by a registered land surveyor showing the original lot and the proposed subdivision.

### **§ 155.128 LAND DIVISION.**

In any case where the division of land into two or more lots or parcels for the purpose of transfer of ownership or building improvement is not specifically provided for in the provisions of these regulations, a description of land division shall be filed with the City Manager-Clerk. No building permit shall be issued for any construction, enlargement, alteration, repair, demolition, or moving of any building or structure on any lot or parcel resulting from the division, until that division has been approved by the City Council. Prior to the consideration of the division by the City Council, they shall require that a certified survey be submitted.



CITY OF  
**MILACA** *Minnesota*

255 First Street East, Milaca, MN 56353

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

November 5, 2024

Dear Resident:

The City of Milaca Planning Commission will hold a Public Hearing on Monday, November 18, 2024, at 6:00 p.m. at the Milaca City Hall at 255 1<sup>st</sup> St E, Milaca MN 56353, in the council room to consider a request from Jon's Door Service (Jon Schwartz) for a Variance to allow side yard setback to be less than 10 feet from property line in the B-2 General Business District.

Mr. Schwartz would like to build a 40x104 building on the north side of his lot. The building itself would be 10 feet from property line but the 8 foot building cantilever would be only 2 feet from side yard setback.

The property is located at 170 3<sup>rd</sup> Ave SW, Milaca, Mille Lacs County, Minnesota. Legally described as:

A tract of land situated in the West One-Half  
of the Southwest Quarter of  
Section 25, Township 38, Range 27, Village of Milaca.  
Full Legal on File

You may voice your opposition or support by attending this meeting or by mailing a letter. However, all letters must be signed or they will not be accepted. Letters must be received by noon on November 18, 2024 and may be mailed to: City of Milaca, ATTN: City Manager, 255 1<sup>st</sup> St E, Milaca MN 56353.

Thank you,

Deloris Katke  
Assistant City Clerk  
City of Milaca

Enclosure



CITY OF  
**MILACA** *Minnesota*

255 First Street East, Milaca, MN 56353

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

**VARIANCE APPLICATION**

Application is hereby submitted for Variance (Detailed Description of Variance -attach if necessary)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ADDRESS OF PROPERTY 170 3rd Ave SW Milaca

PROPERTY IDENTIFICATION NUMBER 21-040-0470  
040-0480

OWNER NAME Jon Schwartz

OWNER ADDRESS 155 Main St

STREET ADDRESS

Foreston MN 56330

CITY

STATE

ZIP CODE

TELEPHONE (320) 360-0181

EMAIL ADDRESS jonsdoorservice@gmail.com

APPLICANT NAME Jons Door Service

APPLICANT ADDRESS 170 3rd Ave SW

STREET ADDRESS

Milaca MN 56353

CITY

STATE

ZIP CODE

TELEPHONE (320) 360-0181


EMAIL ADDRESS jonsdoorservice@gmail.com

THE FOLLOWING INFORMATION IS SUBMITTED IN SUPPORT OF THIS APPLICATION:

- COMPLETED APPLICATION FOR VARIANCE
- FEE OF \$400.00 Receipt # 16838
- LEGAL DESCRIPTION OF PROPERTY ATTACHED
- DEPENDING ON THE VARIANCE REQUESTED, THE FOLLOWING MAY BE REQUIRED:
  - 8 COPIES OF SITE PLAN
  - 8 COPIES OF SIGN PLAN
  - 8 COPIES OF ANY OTHER APPROPRIATE PLANS OR DRAWINGS
- A NARRATIVE EXPLAINING THE PURPOSE OF THE REQUEST, THE EXACT NATURE OF THE VARIANCE AND THE JUSTIFICATION OF THE REQUEST (ATTACH SHEET IF NECESSARY)
- OTHER \_\_\_\_\_

\*\*\*\*\*

I FULLY UNDERSTAND THAT ALL OF THE ABOVE REQUIRED INFORMATION MUST BE SUBMITTED AT LEAST 15 DAYS PRIOR TO THE PLANNING COMMISSION MEETING TO ENSURE REVIEW BY THE PLANNING COMMISSION ON THAT DATE.

OWNER'S SIGNATURE 

DATE 10-17-2024

COMMENTS/REVISIONS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*\*\*\*\*

For more information on Variances, go to <https://codelibrary.amlegal.com/codes/milaca/latest/overview> and search for Chapter 156

RECEIVED BY:  10.18.24

CITY MANAGER SIGNATURE/ZONING ADMINISTRATOR DATE

Dear Planning Commision,

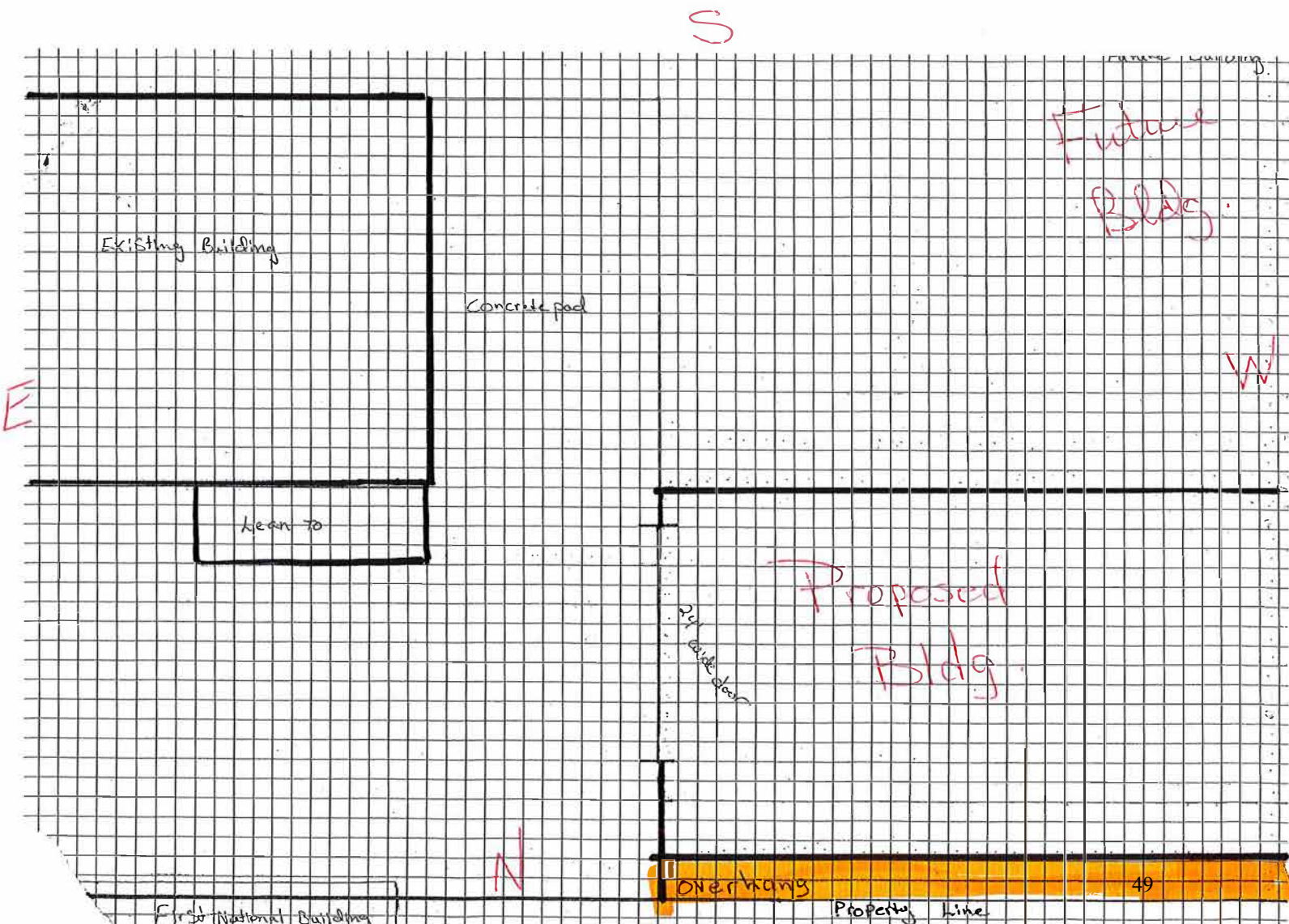
I am Jon with Jons Door Service, at 170 3rd Ave SW Milaca. I'm asking for a building with a 8 foot cantilever roof overhang to be 2 feet away from the property line. The main structure would be 10 feet away from the property line. The reason for this ask is if I move the building south I will not be able to back a semi in or my truck and trailers to get the truck and trailers off the county road for safety concerns with normal road traffic from school and children walking. I feel this is a high safety concern. I am trying to get loading and unloading from the pre-existing building to this new building but I need a overhead door to be able to back the truck into and unload. Thank you for your consideration.

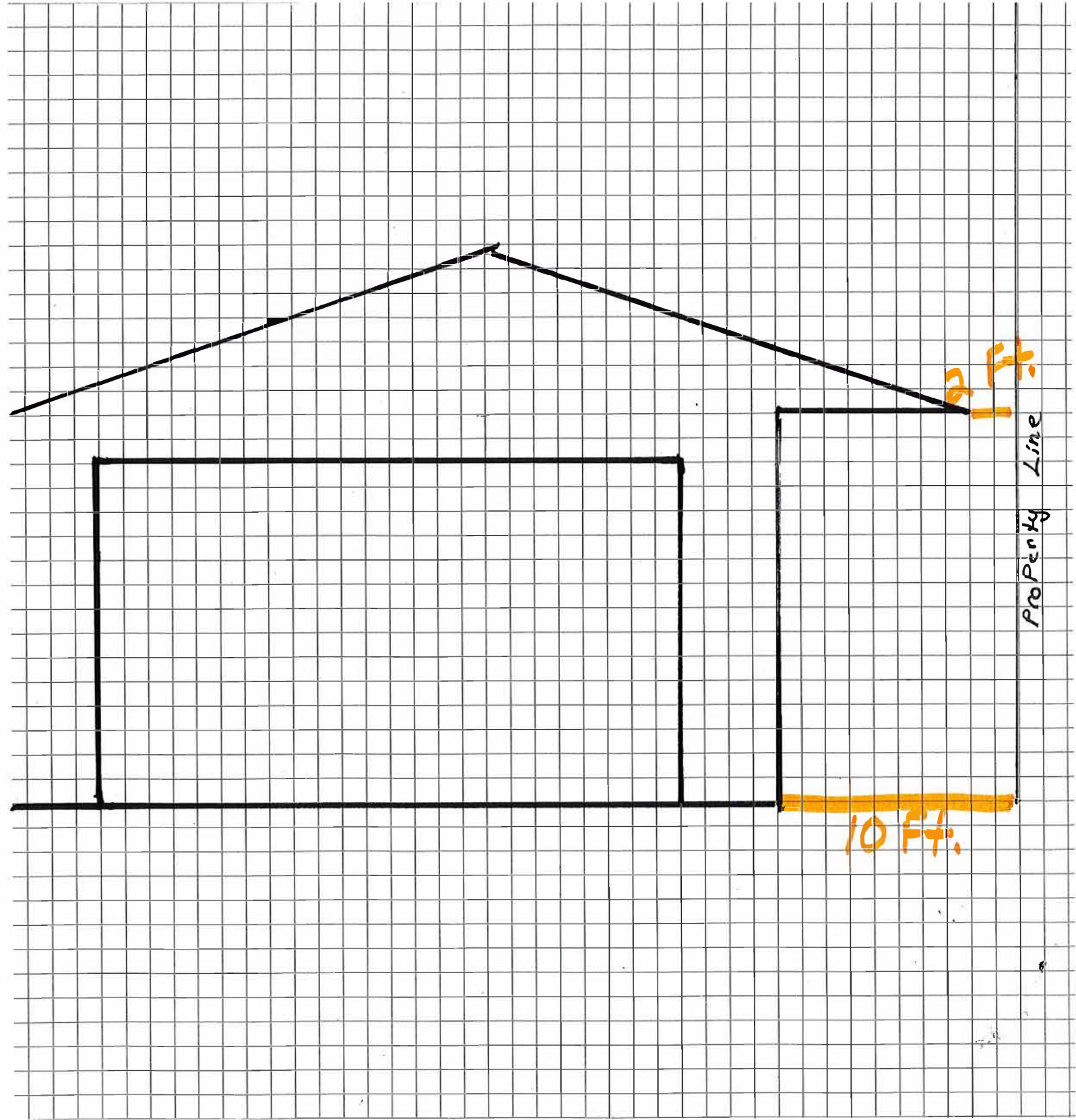
Jons Door Service



2024

Jon Schwartz  
170 3rd Ave SW





170 3rd Ave SW  
Jon Schwartz

2024







## Planning Report

---

**Date:** November 18, 2024

**To:** Milaca Planning Commission

**From:** Phil Carlson, AICP, Stantec

**Request:** Variance – Side Setback

**Owner:** Jon's Door Service, LLC

**Applicant:** Jon Schwartz

**Address:** 170 3<sup>rd</sup> Avenue SW

**PIDS:** 21-040-0470, 21-040-0480

**Zoning:** B-2 General Business

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### INTRODUCTION

Jon Schwartz operates Jon's Door Service at 170 3<sup>rd</sup> Avenue SW in the B-2 General Business district. There is an existing building and shed on the property. Jon wishes to remove the shed and build a 40' X 104' garage on the north side of the lot, closer than the required setback. He is applying for a variance to build the garage.

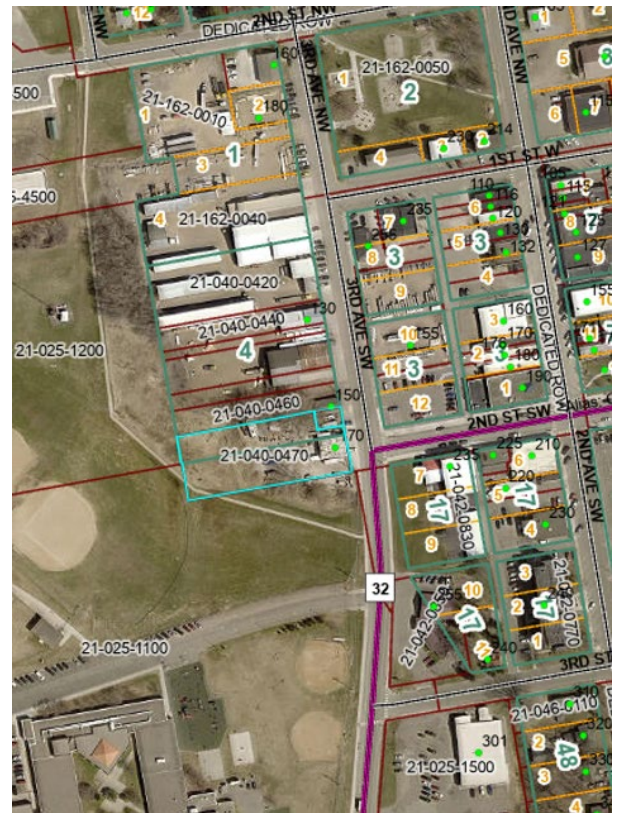
### PLANNING & ZONING ISSUES

#### Setbacks

The B-2 district requires a 10-ft side setback, the north side lot line in this case.

#### Project

The proposed garage has an overhead door on the east side, facing 3<sup>rd</sup> Avenue SW. In order to access the garage with a truck the building needs to be close to the north lot line – moving it further south to meet the required setback would make this access difficult or impossible. The proposal is illustrated approximately on the next page.





**Re: Jon's Door Service, Side Setback Variance, 170 3<sup>rd</sup> Avenue SW**



**VARIANCE CRITERIA**

The Milaca Zoning Code, in Sections 156.166 and 156.167, details findings of fact and conditions for granting variances, excerpted at the end of this report. These standards closely follow State statute which has similar conditions for cities in dealing with variances.

**Variance Findings**

From 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.



**Re: Jon's Door Service, Side Setback Variance, 170 3rd Avenue SW**

The proposed garage will not negatively impact any of the above standards, except perhaps (C), having to do with fire safety. We recommend that the Building Official and Fire Marshall review the building plans to determine if the roof overhang being only 2 feet from the property line poses an issue.

**Variance Conditions**

From 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 proposed garage is a permitted accessory use in the B-2 district.

(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.

The proposed garage is a "reasonable use" of the property. The proposed location on the property, on the north side near the lot line, is necessary in order to provide truck access to the garage, a necessity for this business. This is a condition unique to this property, not caused by the landowner. The garage being located as proposed would not alter the character of that locality, i.e., it would not be out of place in that commercial setting, illustrated below on an aerial photo and street view photo, which includes other commercial garage buildings and structures close to lot lines.







**Re: Jon's Door Service, Side Setback Variance, 170 3<sup>rd</sup> Avenue SW**

(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.

The economic issue in this condition usually means that the applicant could meet the code by spending more money, which is not the case here. The condition creating the difficulty is a characteristic of the property – the location of the existing building makes it difficult to gain adequate access to a new building further back on the property without being close to the side lot line.

(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 compliance and to protect adjacent properties.

The applicant has stated in his narrative that it would be difficult to get proper truck access to the new building if it were located further south meeting the setback.

(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.”

The use is allowed and does not involve spot zoning.



**Re: Jon's Door Service, Side Setback Variance, 170 3<sup>rd</sup> Avenue SW**

**RECOMMENDATION**

We recommend approval of the variance to the side setback for a new garage at Jon's Door Service at 170 3<sup>rd</sup> Avenue SW, as depicted on the application and materials received 10-18-2024 with the following condition and findings of fact:

Condition of Approval

- 1) The request will be reviewed by the Building Official and Fire Chief before issuing a building permit, to ensure that the building placement does not compromise public safety.

Findings of Fact for Approval

- 1) Jon Schwartz owns the property at 170 3<sup>rd</sup> Avenue SW in Milaca, operating a business under the name Jon's Door Service.
- 2) The above named property is in the B-2 General Business zoning district. The Milaca Zoning Code requires a 10-foot side setback for structures in the B-2 district.
- 3) The applicant wishes to construct a 32-foot by 104-foot garage on the north side of the property. The garage has an 8-foot roof overhang, making the effective width of the structure 40 feet, extending to within 2 feet of the north side lot line, requiring a variance.
- 4) The requested variance to the side setback was reviewed against the findings in Section 156.166 of the Milaca Zoning Code. The project 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.
- 5) The requested variance to the side setback was reviewed against the conditions in Section 156.167 of the Milaca Zoning Code:
  - a. The proposed garage is a permitted accessory use in the B-2 zoning district.
  - b. There are unique circumstances with the property not created by the landowner that prevent the property from being used in a reasonable manner, namely,



**Re: Jon's Door Service, Side Setback Variance, 170 3<sup>rd</sup> Avenue SW**

gaining reasonable truck access to a garage in the rear of the property would be difficult if the garage were placed at the required 10-foot setback.

- c. The proposed garage will not alter the essential character of the locality, which is a commercial corridor with other similar buildings close to the street and close to adjoining lot lines.
  - d. Economic considerations are not a factor in this variance request.
- 6) The request satisfies the required findings and conditions in Sections 156.166 and 156.167 of the Milaca Zoning Code for granting a variance.

**PLANNING COMMISSION MOTIONS**

*Approval*

The Planning Commission recommends approval of the variance as described in the applicant's submitted materials and with the condition and findings of fact in the Planner's report of November 18, 2024.

*Denial*

If the Planning Commission wishes to recommend denial of the variance request they would need to craft findings that would support denial. This might include a finding that the project does not meet one or more of the findings in Section 156.166 (A) through (G).

**60-DAY DEADLINE**

The application was received October 18, 2024. The deadline for final action by the City Council per State statute 15.99 is December 18, 2024.



**Re: Jon's Door Service, Side Setback Variance, 170 3<sup>rd</sup> Avenue SW**

## **ZONING CODE EXCERPTS**

### **§ 156.166 FINDING OF FACT.**

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.

### **§ 156.167 CONDITIONS FOR GRANTING VARIANCES.**

(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.

(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.

(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.

(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 compliance and to protect adjacent properties.

(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."

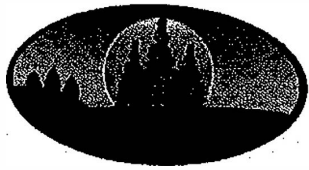
**Deloris Katke**

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**From:** Tammy Pfaff  
**Sent:** Thursday, November 7, 2024 11:53 AM  
**To:** Deloris Katke  
**Subject:** FW: Building overhang 2 feet from property line

See response below

*Thanks*  
*Have a great day!*  
*Tammy Pfaff*  
City Manager



CITY OF  
**MILACA** *Minnesota*  
255 First Street East, Milaca, MN 56353 (320)983-3141 | (320)983-3142 fax

**From:** Fire Chief <firechief@milacacity.com>  
**Sent:** Thursday, November 7, 2024 11:47 AM  
**To:** Tammy Pfaff <TPfaff@milacacity.com>  
**Subject:** Re: Building overhang 2 feet from property line

We dont see an issue  
Chris

On Nov 7, 2024 at 9:00 AM, Tammy Pfaff <[tpfaff@milacacity.com](mailto:tpfaff@milacacity.com)> wrote:

Jon's Door Service would like to build the building attached. Just wondering if the overhang would have any issues with the fire department.  
Jon's set back variance request will be going to the planning commission on November 18th.  
Let me know your thoughts on this.

Thanks  
Have a great day!  
Tammy Pfaff  
City Manager

-----Original Message-----  
**From:** City of Milaca Copier <[milaca.copier@omnicron9.com](mailto:milaca.copier@omnicron9.com)>  
**Sent:** Thursday, November 7, 2024 8:51 AM  
**To:** Tammy Pfaff <[TPfaff@milacacity.com](mailto:TPfaff@milacacity.com)>  
**Subject:** Send data from e-studio4515AC 11/07/2024 08:51

Scanned from e-studio4515AC

**To the business's in the Milaca Industrial Park**

**Your business is zoned as I-A Light Industrial. The ordinances that covers these sights were created many years ago. The Milaca staff felt it was time that the ordinances be reviewed by the Milaca Planning Commision. They have set a meeting for Nov. 18<sup>th</sup> at 6pm.**

**Under the present ordinances as they are today no business can do any direct retail selling. By the list provided, you can see several business's do some type of direct retail selling. To ensure the planning commission knows as a business, you want to continue selling direct retail or have the right in the future to do so. With a corrected ordinance, this will also allow you to rent a portion of your building for a new start up or some other business.**

**You can send your suggestions or opinions directly to Delores Katke at city hall. Her email is [dkatke@citymilaca.com](mailto:dkatke@citymilaca.com) or 320-983-3141**

**You can also fill out and sign the attached request for the planning committee and scan and send it to Delores or you can give it to me, and I will deliver them to city hall. If you want a digital copy, I can send you one also. The city should have your feedback before info packs are sent out to the planning committee members.**

**The city is trying to update ordinances to reflect how companies do business today and prevent any future issues.**

**I will be attending the planning meeting and can express any concerns anyone has.**

**Wayne Bekius (former owner of CCF Engineering)**

**[wmbekius@frontiernet.net](mailto:wmbekius@frontiernet.net)**

**612-867-7178**

To the City of Milaca Planning Commission

It is my understanding that you are reviewing ordinance 156.042 I-A Light Industrial District.

As a business owner in this industrial district, I want to ensure that we can adjust our business plan as needed to continue a profitable company.

To do this, I would like you to rewrite the ordinance to allow businesses to sell products and services direct to end users. With today's business climate, companies must be allowed to expand their customer base as needed. We need the backing of the city to help us grow and keep our staff.

Thank you

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Business

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Representative

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Date

**Business owner / property owner**

**Your business located in the Milaca industrial park is under I-A zoning**

**Heggies Pizza**

**ICI Chillers**

**Hy Tech Auto- moved now owned by CMCMS**

**Nortech**

**Bob's Transmissions – closed now owned by CMCMS**

**CMDt**

**Langner Companies**

**Twisted Twine**

**Sacred Moon**

**Global Retail Environments**

**North Central Transportation**

**Milaca Unclaimed Freight – Warehouse**

**Area Storage – two locations**

**Yost Performance Products**

**CMCMS – several locations**

**Pease Produce**

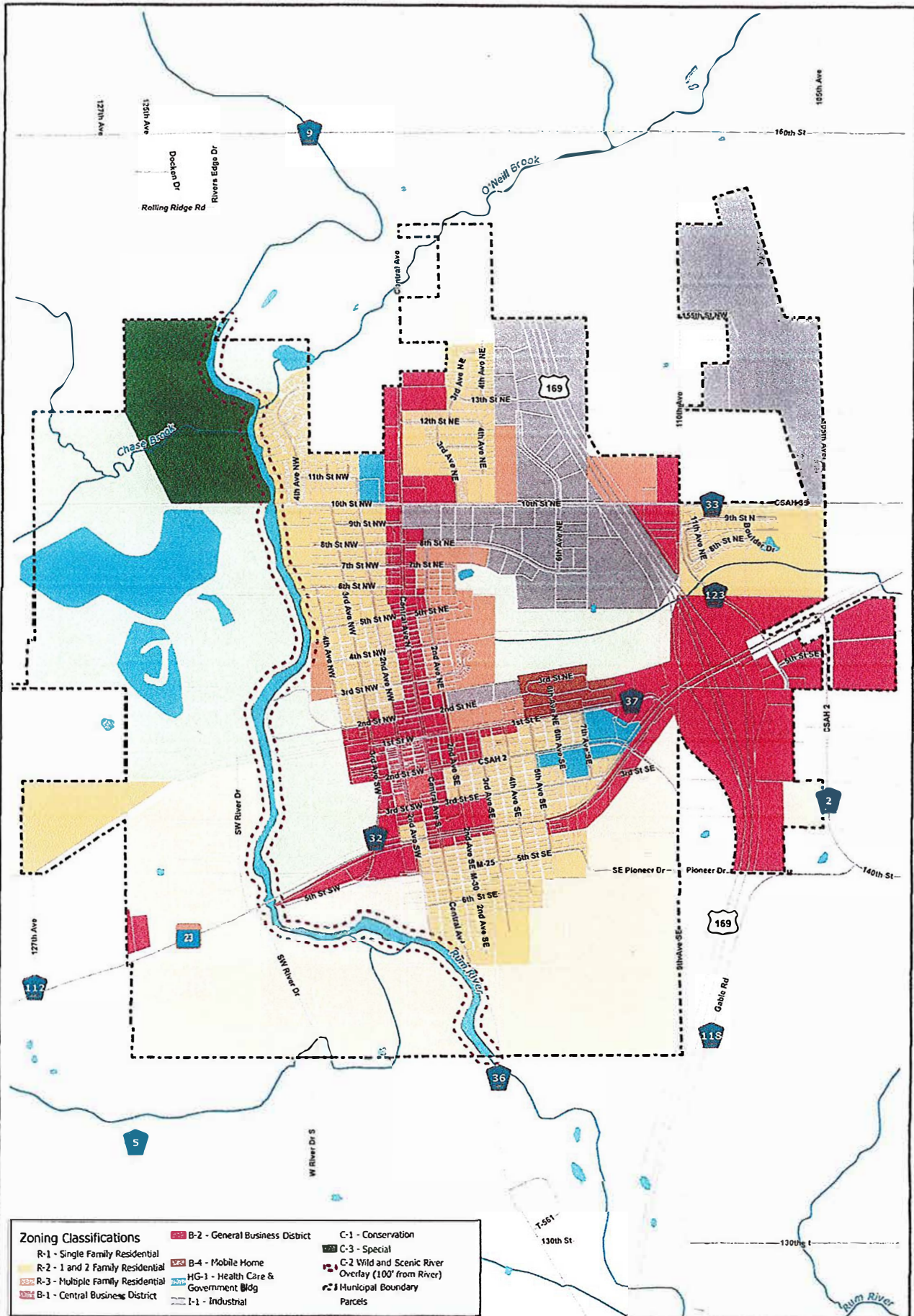
**State of MN**

**Mille Lacs County**

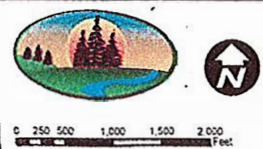
**TriCap Transportation**

**Jim's Disposal**





Zoning Classifications	
R-1 - Single Family Residential	B-2 - General Business District
R-2 - 1 and 2 Family Residential	B-4 - Mobile Home
R-3 - Multiple Family Residential	HG-1 - Health Care & Government Bldg
B-1 - Central Business District	I-1 - Industrial
	C-1 - Conservation
	C-3 - Special
	C-2 Wild and Scenic River Overlay (100' from River)
	Municipal Boundary
	Parcels



# CITY OF MILACA, MN

## ZONING MAP

September 2023



Notes:  
 1. Coordinate System: NAD 1983 MARS44 MN  
 2. Map Scale: Feet  
 3. Data Sources: State Lands County US Fish and Wildlife

To the City of Milaca Planning Commission

It is my understanding that you are reviewing ordinance 156.042 I-A Light Industrial District.


As a business owner in this industrial district, I want to ensure that we can adjust our business plan as needed to continue a profitable company.

To do this, I would like you to rewrite the ordinance to allow businesses to sell products and services direct to end users. With today's business climate, companies must be allowed to expand their customer base as needed. We need the backing of the city to help us grow and keep our staff.

Thank you

ICS CHILLERS

Business 1015 6<sup>TH</sup> AVE NE MILACA MN 56353

PHIL SCHROON 

Representative

11/5/24

Date

To the City of Milaca Planning Commission

It is my understanding that you are reviewing ordinance 156.042 I-A Light Industrial District.

As a business owner in this industrial district, I want to ensure that we can adjust our business plan as needed to continue a profitable company.

To do this, I would like you to rewrite the ordinance to allow businesses to sell products and services direct to end users. With today's business climate, companies must be allowed to expand their customer base as needed. We need the backing of the city to help us grow and keep our staff.

Thank you

Minted Twine & More

Business

Aisha Luick

Representative

11/7/24

Date

To the City of Milaca Planning Commission

It is my understanding that you are reviewing ordinance 156.042 I-A Light Industrial District.

As a business owner in this industrial district, I want to ensure that we can adjust our business plan as needed to continue a profitable company.

To do this, I would like you to rewrite the ordinance to allow businesses to sell products and services direct to end users. With today's business climate, companies must be allowed to expand their customer base as needed. We need the backing of the city to help us grow and keep our staff.

Thank you

Sacred Moon

Business

Melissa Rowland

Representative

11/16/24

Date

To the City of Milaca Planning Commission

It is my understanding that you are reviewing ordinance 156.042 I-A Light Industrial District.

As a business owner in this industrial district, I want to ensure that we can adjust our business plan as needed to continue a profitable company.

To do this, I would like you to rewrite the ordinance to allow businesses to sell products and services direct to end users. With today's business climate, companies must be allowed to expand their customer base as needed. We need the backing of the city to help us grow and keep our staff.

Thank you

Langner Properties LLC

Business

Sean Langner

Representative

11/06/24

Date

**RESOLUTION NO. 24-37**

**A RESOLUTION REGARDING THE ADMINISTRATION OF THE MINNESOTA CANNABIS LAW**

**WHEREAS**, Minnesota Chapter 342 Cannabis Law Business Ordinance pursuant to Minnesota Statutes Chapter 342 which authorizes Mille Lacs County to protect the public health, safety, welfare of Mille Lacs County Residents by regulating cannabis businesses within the legal boundaries of Mille Lacs County; and

**WHEREAS**, According to Minnesota Statutes 342.22 subd. 1 a county may issue a registration in cases where a city or town has provided consent for the county to issue the registration for the jurisdiction can delegate authority for registration to the County; and

**WHEREAS**, According to 9810.5000 subd. 4 of the Cannabis Rules, local units of government responsible for issuing retail registrations must notify the office of the person, persons, or officer designated to provide the office notice of local approval through the state’s online licensing system; and notify the office of any delegation of registration authority under Minnesota Statutes, section 342.22.

**NOW, THEREFORE, BE IT RESOLVED**, by the City of Milaca that the authority to carry-out all duties and obligations under chapter 342 for cannabis business license registration as the LGU within the legal boundaries of City of Milaca is delegated to Mille Lacs County as of January 1, 2025 in accordance Minnesota Statutes Chapter 342.

Adopted this 17<sup>th</sup> day of October, 2024.

\_\_\_\_\_  
Mayor Dave Dillan

ATTEST:

\_\_\_\_\_  
Tammy Pfaff, City Manager

Offered by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_,

adopted by a vote of \_\_\_\_\_ at the regular meeting of the City of Milaca City Council.

**ORDINANCE NO. 530**  
**AN ORDINANCE AMENDING TITLE XV (LAND USAGE) CHAPTER 156 ZONING**  
**SECTION 156.038 PERMITTED ACCESSORY USES OF THE CITY OF MILACA**  
**CODE OF ORDINANCES**

THE CITY COUNCIL OF THE CITY OF MILACA, MINNESOTA DOES ORDAIN AS FOLLOWS:

Section

\_\_\_ .01 Intent

\_\_\_ .02 Amendment

§ \_\_\_ .01 INTENT.

The City intends to amend the ordinance to allow tarp-like structures in B-1 Central Business District.

§ \_\_\_ .02 ORDINANCE AMENDING TITLE XV (LAND USAGE) CHAPTER 156 ZONING SECTION 156.038 PERMITTED ACCESSORY USES OF THE CITY OF MILACA CODE OF ORDINANCES IS HEREBY AMENDED TO READ:

(E) Permitted accessory uses.

(1) Commercial or business structures for use accessory to principal use;

(a) Tarp like structures will be allowed in the B-1 Central Business District from April 1 – June 30 for business/retail purposes only.

(b) Must be disassembled each year.

(c) Cannot be used for storage.

(d) Cannot exceed 144 square feet.

(e) Only one structure allowed.

**ORDINANCE NO. 531**  
**AN ORDINANCE AMENDING TITLE XV (LAND USAGE) CHAPTER 156 ZONING**  
**SECTION 156.039 PERMITTED ACCESSORY USES OF THE CITY OF MILACA**  
**CODE OF ORDINANCES**

THE CITY COUNCIL OF THE CITY OF MILACA, MINNESOTA DOES ORDAIN AS FOLLOWS:

Section

\_\_\_ .01 Intent

\_\_\_ .02 Amendment

§ \_\_\_ .01 INTENT.

The City intends to amend the ordinance to allow tarp-like structures in B-2 General Business District.

§ \_\_\_ .02 ORDINANCE AMENDING TITLE XV (LAND USAGE) CHAPTER 156 ZONING SECTION 156.039 PERMITTED ACCESSORY USES OF THE CITY OF MILACA CODE OF ORDINANCES IS HEREBY AMENDED TO READ:

(E) Permitted accessory uses.

(1) Commercial or business structures for use accessory to principal use;

(a) Tarp like structures will be allowed in the B-2 General Business District from April 1 – June 30 for business/retail purposes only.

(b) Must be disassembled each year.

(c) Cannot be used for storage.

(d) Cannot exceed 144 square feet.

(e) Only one structure allowed.



# CITY OF ST. CLOUD

## 16.12 PARKING AND STORAGE OF RECREATIONAL VEHICLES AND OVERSIZED VEHICLES

### **A. Storage in all Zoning Districts**

The following provisions apply to the storage and parking of recreational vehicles in all zoning districts:

1. Recreational vehicles and equipment shall not be used for living, sleeping or housekeeping while parked or stored. Recreational vehicles shall not be used for commercial storage or other non-residential purposes.
2. Except on properties which are valid motor vehicle dealers, recreational vehicles shall have a current license and registration.
3. Recreational vehicles shall be in operable condition. No recreational vehicle shall be parked or stored in a location other than a building unless it is in a condition for the safe and effective performance of its intended function. No recreational vehicle which is in a state of visible external disrepair shall be parked or stored outside of a building.

### **B. Storage in Residential Zoning Districts**

The following provisions, in addition to those cited by Article 16.12A, will apply to the storage of recreational vehicles in residential districts.

#### *1. Number*

The maximum number of recreational vehicles permitted to be parked or stored outside of a building in a residential district will be two (2). No more than one (1) recreational vehicle may be parked or stored in the front yard. No more than one Class A motorhome may be parked or stored on a residentially zoned property. Class A motorhomes typically resemble a bus, are entirely constructed on a specially designed motorhome chassis, and often include multiple slide-out sections, living space, kitchens, bathrooms, and entertainment centers.

Article Last Amended: June 4, 2018

City of St. Cloud, Minnesota Article 16:

Land Development Code Article 16 - Page 11 Off-Street Parking and Loading

#### *2. Size*

- a. No recreational vehicles greater than 45 feet in length shall be permitted on any residential lot in the city.
- b. The total lot coverage of all recreational vehicles stored outside may not exceed 10% of the lot area.

### *3. Location*

Recreational vehicles may be parked or stored on a parcel which contains a permitted principal use in a residential zoning district, subject to the following regulations:

#### a. Surfaces

All recreational vehicles shall be parked or stored on the following surfaces:

- i. Recreational vehicles must be stored upon an improved surface within the front yard.
- ii. Recreational vehicles stored in the side or rear yard may be on a landscaped surface, including a maintained gravel surface.

#### b. Location

All recreational vehicles shall be parked or stored in accordance with the following:

- i. Recreational vehicles may be parked or stored in the front yard, interior side yard, street side yard, and rear yard provided that a five (5) foot setback is maintained.
- ii. Recreational vehicles may not be parked or stored within twenty feet (20') of any street right-of-way corner where it will interfere with traffic or pedestrian visibility across the driveway, alley or street.

### *4. General Regulations*

#### a. Ownership and Guest Parking

All recreational vehicles parked or stored shall be owned or leased by an occupant of the premises where parked or stored. Guests of the occupant of the premises may park on a driveway on the premises for a period not exceeding seven (7) days in any 30 consecutive day period. No nuisances, including noise, light and odor created by such guest parking are permitted.

#### b. Repairs

No major mechanical overhaul or repair shall be performed on recreational vehicles unless conducted within a completely enclosed building.

Article Last Amended: June 4, 2018

City of St. Cloud, Minnesota Article 16:

Land Development Code Article 16 - Page 12 Off-Street Parking and Loading

**C. Prohibited Vehicles in Residential Districts**

The following vehicles and/or equipment shall not be permitted to be stored or parked in any residentially zoned property:

1. Licensed vehicles with a license decal greater than "D" or in excess of 6,000 pounds as described in Minnesota State Statute 188.013. Examples are cargo (step) vans, buses, boom trucks, dump trucks, tank trucks, construction equipment, truck-tractor semi-trailer combinations, and any other such similar equipment/vehicles.
2. Unlicensed commercial vehicles or equipment such as race cars, farm implement backhoes, bobcats, drilling and/or landscaping equipment, and any other such similar equipment/vehicles.

**D. Oversized Vehicles Allowed in Residential Districts**

The following vehicles and/or equipment may be parked on a residentially zoned property in accordance with the following:

1. Any licensed vehicle with a license decal greater than "D" or in excess of 6,000 pounds as described in Minnesota State Statute 188.013 being used in conjunction with a legitimate service being provided to the residential property.
2. Any number of oversized vehicles/equipment are allowed if parked or stored in a completely enclosed building subject and related to a home occupation as defined by this ordinance.

**ORDINANCE NO. 535**  
**AN ORDINANCE TO THE CITY CODE**  
**TITLE IX (GENERAL REGULATIONS) OF THE CITY CODE**  
**ADDING CHAPTER 98 RECREATIONAL VEHICLES, CAMPERS, TRAILERS,**  
**OVER-SIZED VEHICLES-STORAGE**

The City Council of the City of Milaca hereby ordains City Code Title IX (General Regulations) Chapter 98 and shall read as follows:

**§ 98.01 PURPOSE AND INTENT.**

The purpose of this chapter is to regulate the storage and use of recreational vehicles, campers, trailers and over-sized vehicles in Residential and Industrial areas within the City of Milaca.

**§ 98.02 DEFINITIONS.**

A recreational vehicle, often abbreviated as RV, is a motor vehicle or trailer that includes living quarters designed for accommodation. Types of RVs include motorhomes, campervans, coaches, caravans (also known as travel trailers and campers), fifth-wheel trailers, popup campers, truck campers and toy haulers (they are a Class A and Class C RV with a garage).

**CAMPER OR TRAVEL TRAILER** typically 13 to 35 ft. and uses tow hitch attached to rear frame of towing vehicle.

**CLASS A (INTEGRATED) MOTORHOME** typically 26 to 45 ft. and built on heavy-duty truck or bus chassis.

**CLASS B (SEMI-INTEGRATED) MOTORHOME** typically 17 to 23 ft. and typically vans with elevated rooflines.

**CLASS C (ALCOVE) MOTORHOME** typically 20 to 30 ft. and built on cutaway pickup or van chassis with bunk over cab area.

**FIFTH WHEEL** typically 17 to 40 ft and uses fifth-wheel coupling centered above rear axle of towing vehicle.

**FOLDING / POP-UP** typically 8 to 16 ft. with collapsable sides that are stowed during towing.

**TRUCK CAMPER** typically an 8 ft. insert or more and carried in bed area of pickup truck.

### **§98.03 PARKING AND STORAGE OF RECREATIONAL VEHICLES AND OVERSIZED VEHICLES.**

(A) *Storage in all Zoning Districts.* The following provision apply to the storage and parking of recreational vehicles in all zoning districts:

(1) Recreational vehicles and equipment shall not be used for living, sleeping or housekeeping while parked or stored. Recreational vehicles shall not be used for storage or other non-residential purposes.

(2) Except on properties which are valid motor vehicle dealers, recreational vehicles shall have a current license and registration.

(3) Recreational vehicles shall be in operable condition. No recreational vehicle shall be parked or stored in a location other than a building unless it is in a condition for the safe and effective performance of its intended function. No recreational vehicle which is in a state of visible external disrepair shall be parked or stored outside of a building.

(B) *Storage in Residential Zoning Districts.* The following provisions will apply to the storage of recreational vehicles in residential districts:

(1) The maximum number of recreational vehicles permitted to be parked or stored outside of a building in a residential district will be two (2). No more than one (1) recreational vehicle may be parked or stored in the front yard. No more than one Class A motorhome may be parked or stored on a residentially zoned property. Class A motorhomes typically resemble a bus, are entirely constructed on a specially designed motorhome chassis, and often include multiple slide-out sections, living space, kitchens, bathrooms and entertainment centers.

(2) No recreational vehicles greater than 45 feet in length shall be permitted on any residential lot in the city. The total lot coverage of all recreational vehicles stored outside may not exceed 10% of the lot area.

(3) Recreational vehicles may be parked or stored on a parcel which contains a permitted principal use in a residential zoning district, subject to the following regulations:

(a) All recreational vehicles shall be parked or stored upon an improved surface within the front yard.

(b) All recreational vehicles stored in the side or rear yard may be on a landscaped surface, including a maintained gravel surface.

(4) All recreational vehicles shall be parked or stored in accordance with the following:

(a) Recreational vehicles may be parked or stored in the front yard, interior side yard,

street side yard, and rear yard provided that a five (5) foot setback is maintained.

(b) Recreational vehicles may not be parked or stored within twenty (20) feet of any street right-of-way corner where it will interfere with traffic or pedestrian visibility across the driveway, alley or street.

(C) *General regulations.*

(1) Ownership and Guest Parking. All recreational vehicles parked or stored shall be owned or leased by an occupant of the premises where parked or stored. Guests of the occupant of the premises may park on a driveway on the premises for a period not exceeding seven (7) days in any 30 consecutive day period. No nuisances, including noise, light, and odor created by such guest parking is permitted.

(2) Repairs. No major mechanical overhaul or repair shall be performed on recreational vehicles unless conducted within a completely enclosed building.

(D) *Prohibited Vehicles in Residential Districts.* The following vehicles and/or equipment shall not be permitted to be stored or parked in any residentially zoned property:

(1) Licensed vehicles with a license decal greater than “D” or in excess of 6,000 pounds as described in Minnesota State Statute §188.013. Examples are cargo (step) vans, busts, boom trucks, dump trucks, tank trucks, construction equipment, truck-tractor semi-trailer combinations and any other such similar equipment vehicles.

(2) Unlicensed commercial vehicles or equipment such as race cars, farm implement backhoes, bobcats, drilling and/or landscaping equipment, and any other such similar equipment/vehicles.

(E) *Oversized Vehicles Allowed in Residential Districts.* The following vehicles and/or equipment may be parked on a residentially zoned property in accordance with the following:

(1) Any licensed vehicle with a license decal greater than “D” or in excess of 6,000 pounds as described in Minnesota State Statute §188.013 being used in conjunction with a legitimate service being provided to the residential property.

(2) Any number of oversized vehicle/equipment are allowed if parked or stored in a complete enclosed building subject and related to a home occupation as defined in this Ordinance.

**§98.04 PENALTY.**

A violation of this section is a misdemeanor criminal offense, and is punishable by up to 90 days in jail and a fine of up to \$1,000.00. Each day a violation occurs is separate offense.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor Dave Dillan

ATTEST:

\_\_\_\_\_  
Tammy Pfaff, City Manager








## Recreational vehicle

A **recreational vehicle**, often abbreviated as **RV**, is a [motor vehicle](#) or [trailer](#) that includes living quarters designed for accommodation.<sup>[1]</sup> Types of RVs include [motorhomes](#), [campervans](#), [coaches](#), [caravans](#) (also known as travel trailers and campers), [fifth-wheel trailers](#), [popup campers](#), and [truck campers](#).

Typical amenities of an RV include a kitchen, a bathroom, and one or more beds.<sup>[2]</sup> RVs can range from utilitarian – containing only sleeping quarters and basic cooking facilities – to luxurious, with features like air conditioning (AC), water heaters, televisions and satellite receivers, and quartz countertops, for example.

RVs can either be trailers (which are towed behind motor vehicles) or self-propelled vehicles. Most RVs are single-deck; however, double-deck RVs also exist. To allow a more compact size while in transit, larger RVs often have expandable sides (called slide-outs) or canopies that are deployed when stationary. Self-powered RVs can further be divided into pushers (where the motor is as the back) or pullers (front mount), where the pushers tend to be diesel powered versus gasoline powered.

Recreational vehicle types<sup>[3]: 13[4]</sup>

Name ↕	Image	Type ↕	Length ↕	Description
Camper or Travel trailer		Trailer	13 to 35 ft (4.0 to 10.7 m)	Uses <a href="#">tow hitch</a> attached to rear frame of towing vehicle
Fifth wheel		Trailer	17 to 40 ft (5.2 to 12.2 m)	Uses <a href="#">fifth-wheel coupling</a> centered above rear axle of towing vehicle
Folding / Pop-up		Trailer	8 to 16 ft (2.4 to 4.9 m)	With collapsible sides that are stowed during towing
Class A (Integrated)		Motorhome	26 to 45 ft (7.9 to 13.7 m)	Typically built on heavy-duty truck or bus chassis
Class B (Semi-integrated)		Motorhome	17 to 23 ft (5.2 to 7.0 m)	Typically vans with elevated rooflines
Class C (Alcove)		Motorhome	20 to 30 ft (6.1 to 9.1 m)	Typically built on cutaway pickup or <a href="#">van chassis</a> with bunk over cab area
Truck camper		Insert	8 ft (2.4 m) or more	Carried in bed area of <a href="#">pickup truck</a>



## Deloris Katke

---

**From:** Carlson, Phil <Phil.Carlson@stantec.com>  
**Sent:** Monday, September 30, 2024 10:08 AM  
**To:** Deloris Katke  
**Cc:** Tammy Pfaff; Gravel, Phil  
**Subject:** RE: Retail Businesses in our Industrial Park

Deloris,

You are correct that the uses listed for the I-1 district do not include any kind of retail businesses. One way this is handled in many communities is to allow a certain portion of an allowed industrial use – maybe up to 25% of the floor area – in retail uses that serve the public. That way you can have this kind of small operation in an industrial district. This is similar perhaps to the Heggie's pizza sales in their building just north of here, which is clearly a retail sales use.

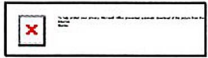
If this is the route you go, the Zoning Code would have to be amended to add that language. Or, as Tammy's letter noted, the business needs to move somewhere else.

### Phil Carlson AICP

Associate  
Milaca City Planner  
He/Him/His

Direct: 612 712-2028  
Mobile: 612 202-6474  
Phil.Carlson@stantec.com

Stantec  
733 Marquette Ave S, Suite 1000  
Minneapolis MN 55402



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**From:** Deloris Katke <dkatke@milacacity.com>  
**Sent:** Thursday, September 26, 2024 8:58 AM  
**To:** Carlson, Phil <Phil.Carlson@stantec.com>  
**Cc:** Tammy Pfaff <TPfaff@milacacity.com>; Gravel, Phil <Phil.Gravel@stantec.com>  
**Subject:** RE: Retail Businesses in our Industrial Park

Just following up to see if you have a response to this question.

Thank you,

Deloris Katke  
Assistant City Clerk/Accounts Payable  
320-983-3141



CITY OF  
**MILACA** *Minnesota*  
255 First Street East, Milaca, MN 56353 (320)983-3141 | (320)983-3142 fax

**From:** Deloris Katke  
**Sent:** Tuesday, September 24, 2024 8:33 AM

**To:** Carlson, Phil <[Phil.Carlson@stantec.com](mailto:Phil.Carlson@stantec.com)>  
**Cc:** Gravel, Phil <[Phil.Gravel@stantec.com](mailto:Phil.Gravel@stantec.com)>; Tammy Pfaff <[TPfaff@milacacity.com](mailto:TPfaff@milacacity.com)>  
**Subject:** Retail Businesses in our Industrial Park

Good morning Phil. We need your advice/input in regard to what other cities may do in our situation.

We have recently been advised that there are two retail businesses located in the building at 425 10<sup>th</sup> St NE in our Industrial District. Per our city ordinance, retail businesses are not allowed as this is a manufacturing district. I have attached map and information for your review. NOTE: We have not sent the letter to Langner Properties yet. We are waiting to hear back from you.

Tammy wanted me to send this to you first to see if other cities allow retail in Industrial Districts and if so, are there restrictions on what retail businesses can be located there.

Any insight would be helpful.

Thank you,

Deloris Katke  
Assistant City Clerk/Accounts Payable  
320-983-3141



CITY OF  
**MILACA** *Minnesota*  
255 First Street East, Milaca, MN 56353 (320)983-3141 | (320)983-3142 fax

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**Atención:** Este correo electrónico proviene de fuera de Stantec. Por favor, tome precauciones adicionales.



**Deloris Katke**

**From:** Mary Beth Niedzielski  
**Sent:** Monday, September 23, 2024 2:08 PM  
**To:** Deloris Katke  
**Subject:** 425 10th ST NE



**Sacred Moon**

August 28 at 12:59 PM · 🌐

We got new signs up! Can't miss us now 🙌

Stop in and see us at 425 10th St NE in Milaca!



👍❤️ 37

1 💬 16 ➡️



**Sacred Moon**

July 12 · 🌐

It's Friday AND day 3 of our **GRAND OPENING!** Sacred Moon & Minted Twine - Milaca

Be one of the first ten customers this morning and receive a bag full of goodies 🍪

Open today 10am-5pm

Saturday 10am-1pm

Tomorrow we will have snacks 🍪 and refreshments PLUS we will be doing the drawing for our give away basket 🏆

Located at 425 10th St NE in Milaca

[Sacred Soul Massage](#)

[Minted Twine and More](#)

*Mary Beth Niedzielski*

*Utility Billing*



CITY OF  
**MILACA** *Minnesota*  
255 First Street East, Milaca, MN 56353 (320)983-3141 | (320)983-3142 fax

**Deloris Katke**

---

**From:** Randy Piasecki <rpiasecki@cityofzimmerman.com>  
**Sent:** Tuesday, October 22, 2024 5:18 PM  
**To:** Deloris Katke  
**Subject:** RE: Zoning Question

We don't have a lot of industrial, you got us beat on that end. Our code does allow retail in conjunction with wholesale, warehousing, and manufacturing businesses. No limitation on the size of the retail operation.

Randy Piasecki  
City Administrator  
763-856-4666, x. 1024  
[rpiasecki@cityofzimmerman.com](mailto:rpiasecki@cityofzimmerman.com)  
12980 Fremont Avenue  
Zimmerman, MN 55398



**From:** Deloris Katke <dkatke@milacacity.com>  
**Sent:** Tuesday, October 22, 2024 4:25 PM  
**To:** Randy Piasecki <rpiasecki@cityofzimmerman.com>  
**Subject:** Zoning Question

Just a wondering how the City of Zimmerman handles retail sales in an Industrial District. Currently we do not have an Ordinance in place for this but have recently learned that there is a retail shop in one of our industrial buildings.

We contacted our consultant and he said it is common to have retail in with the industrial building but that only a certain percentage of the square footage could be used by the retail AND the retail shop needs to be associated with the industry within that building.

Could you please share what Zimmerman does?

Thank you,

Deloris Katke  
Assistant City Clerk/Accounts Payable  
320-983-3141



CITY OF  
**MILACA** *Minnesota*  
255 First Street East, Milaca, MN 56353 (320)983-3141 | (320)983-3142 fax

**Deloris Katke**

Montgomery

**From:** Joshua Mankowski via LMC - MemberLink <Mail@ConnectedCommunity.org>  
**Sent:** Wednesday, October 16, 2024 3:06 PM  
**To:** Deloris Katke  
**Subject:** RE: Retail Businesses Allowed in Industrial Districts

The following message has been sent to you in response to your discussion message.

[View inbox and reply to the message online](#)

Message From: Joshua Mankowski

Montgomery allows retail in the light industrial district as long as it is secondary to manufacturing (with a maximum of 20% of the floor area of the total building area), open sales lots (auto lots are listed separately), internet sales, or lumberyard. In medium industrial we allow a garden center, wholesale business, retail sales secondary to manufacturing (max 20% of floor area), brewery/winery/distillery (micro or other), and Internet Sales. A lot of what we allow for sale in the industrial, we don't want taking up space in our commercial.

-----  
Joshua Mankowski  
Planner/Economic Development Specialist  
Montgomery  
Montgomery MN  
(507) 364-8888  
-----

-----  
Original Message:  
Sent: 10-16-2024  
From: Deloris Katke  
Subject: Retail Businesses Allowed in Industrial Districts

Good afternoon all. We are just reaching out to other cities to see if Retail Sales are allowed in Industrial Districts/Buildings. If retail is allowed, does the retail store have to be associated with the main business in that Industrial building? If so, what square footage/percentage is allowed for the retail sales?

Hope this makes sense. If not, please email me or call me at 320-983-3141 for further clarification.

Thank you in advance for responses.

-----  
Deloris Katke  
Assistant Clerk-Accounts Payable  
Milaca  
Milaca MN  
(320) 983-3141  
-----



## Deloris Katke

---

**From:** Amy Mell <amell@ci.rush-city.mn.us>  
**Sent:** Wednesday, October 16, 2024 3:02 PM  
**To:** Deloris Katke  
**Subject:** Re: Retail Businesses Allowed in Industrial Districts

Hi Deloris – Rush City allows up to 25% to be retail and yes, it does have to be associated with the main business. Thanks!

*Amy*



Amy Jo Mell  
City Administrator  
City of Rush City  
325 S. Eliot Avenue, PO Box 556  
Rush City, MN 55069  
320-358-4743  
[amell@ci.rush-city.mn.us](mailto:amell@ci.rush-city.mn.us)  
[www.rushcitymn.us](http://www.rushcitymn.us)

1115.09 I-1, Light Industrial District.

Subd. 1 Purpose. The I-1 District shall serve as a transition between more industrial uses and residential and other business uses. This district is appropriate for manufacturing, warehousing, and similar industrial uses because of access to warehousing, thoroughfares, the full complement of urban services such as sewer and water, and distance from residential districts. These areas are intended to encourage the development of industrial uses which are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants. These industries shall be compatible with each other and with surrounding land uses.

Subd. 2 Special Requirements. All applications for building permits (in the case of new construction or expansion) or certificates of occupancy (in the case of existing facilities) for improvements within the I-1 District shall be subject to submission of complete building plans, including storm water drainage and landscape designs to the Planning & Zoning Commission. The Planning & Zoning Commission shall review and approve the building plans before a building permit and certificate of occupancy may be issued. The landscape design must identify and size all plants and screenings. Within 60 days of submission of such plans and designs, the Planning & Zoning Commission shall recommend approval or denial of such plans and designs to the City Council, which shall make the final determination as to approval or denial.

Subd. 3 Permitted Uses.

- A. Manufacturing and assembly operations
- B. Warehousing and storage
- C. Distribution
- D. Office and research facilities
- E. Lumberyard
- F. Billboard signs
- G. Any park or playground and associated accessory structures owned or operated by a governmental agency
- H. Essential services
- I. Professional and business office and services
- J. Public buildings and facilities
- K. Contractors' offices and yards
- L. Garden center
- M. Railroad

Subd. 4 Permitted Accessory Uses.

- A. Accessory buildings related to the operations of the principal use
- B. Parking lots/off-street parking
- C. Fences

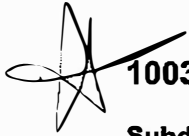
- D. Landscaping and decorative features
- E. Off-street loading
- F. Signage
- G. Temporary buildings located for the purpose of construction on the premises for a period not to exceed the time necessary for such construction
- H. Retail sales products manufactured on the site shall be allowed as an accessory use with a maximum of 20% of the floor area of the total building area utilized for such. Parking as required for retail uses shall be provided in addition to that required for the principal use. If excessive on-street parking of vehicles occurs the sales shall cease or be reduced to the level that off-street parking can accommodate

Subd. 5 Conditional Uses.

- A. Outdoor storage
- B. Manufacturing, refining or processing of chemicals
- C. Recycling centers
- D. Mini storage/self-storage
- E. Commercial car wash
- F. Any principal structure moved onto a lot
- G. Commercial recreation
- H. Physical recreation or training
- I. Automobile repair – major
- J. Commercial wireless telecommunications service
- K. Open sales or storage lot
- L. Public utility structure intended for human occupation; occupies an area of more than 500 square feet; or exceeds the height of the highest building on an adjoining lot or an average grade to peak height of 17 feet
- M. Commercial towers and antennas
- N. Internet sales as a primary source of sales, provided no less than 80% of the space is utilized for warehousing of products and provided the shipping and vehicular traffic to the site does not conflict with adjacent uses or adversely impact upon the safety of vehicular or pedestrian traffic

Subd. 6 Minimum Lot Requirements and Setbacks.

- A. Minimum lot area: 20,000
- B. Minimum lot width: 100 feet
- C. Minimum lot depth: 100 feet
- D. Minimum front yard setback: 30 feet, except not less than 50 feet from residential districts
- E. Minimum side yard setback: 15 feet; corner lot – 30 feet; except not less than 50 feet from any residential district



**1003.10: I-1 LIGHT INDUSTRIAL DISTRICT.**

**Subd. 1: Purpose.**

The Light Industrial District provides space for light manufacturing activities as defined in the Section 1001.04 of this Ordinance and involving a minimum degree of refuse byproducts and air or noise pollution, and requiring a relatively low level of on-premise processing. These activities may include secondary commercial functions which are conducted on site. Heavy manufacturing activities as described in Section 1002.01 of this Chapter are prohibited.

**Subd. 2: Permitted Uses.**

The following are permitted uses:

- A. Art equipment supplies – manufacturing of.
- B. Automobile repair station.
- C. Bags, boxes and paper containers, manufacturing and storage.
- D. Bakery products.
- E. Blank books, loose leaf binders; fabrication and assembly.
- F. Books and bookbinding.
- G. Bottling establishments and distribution.
- H. Cabinet and woodworking establishments.
- I. Camera and photographic manufacturing.
- J. Clothing manufacturing.
- K. Cold storage plants, commercial printing, publishing, engraving and reproduction firms.
- L. Confectionery and related products, manufacturing and packaging.
- M. Dental instruments and supplies manufacturing, assembly or packaging.
- N. Dry cleaning and dyeing establishments.
- O. Electrical lighting and wiring equipment and components – manufacturing, assembly and testing.
- P. Footwear - manufacture and fabrication.
- Q. Hand and edge tools (except machine tools) - manufacturing and assembly.
- R. Injection molding.
- S. Jewelry manufacturing.
- T. Laboratory instruments and associated equipment, scientific and testing.
- U. Luggage, handbags, and similar items - manufacturing and assembly.
- V. Lumber yards.

W. Mail order facilities.

X. Medical and surgical instruments and supplies manufacturing, assembly or packaging.

Y. *Multiple-tenant buildings, provided:*

1. *Site, building and floor plans shall be submitted to the City, with proposed occupancy or type of businesses identified.*
2. *All buildings comply with setback requirements outlined in Section 1003.09, Subd. 6.*
3. *The internal parking lot, drive aisles and circulation system, and off-street parking shall conform to the requirements of Section 1004.04 (Off-Street Parking and Loading) of this Chapter.*
4. *All tenants are permitted or approved conditional uses within the I-1 District.*
5. *Requirements of the Building Code for multiple-tenants, in one facility, are met. (Amended 07-08)*

Z. Newspaper plants and offices.

AA. Office furniture and supplies manufacturing, assembly or packaging.



BB. Offices/showroom/retail space as a portion of the principal industrial use provided they do not exceed a combined twenty-five (25) percent of the total square footage of the principal use.

CC. Optical instruments and lenses - manufacturing and assembly.

DD. Pallet (re) manufacturing.

EE. Plastics manufacturing.

FF. Plumbing fixture and equipment - wholesale.

GG. Pottery shop manufacturing, assembly or packaging.

HH. Precision instruments manufacturing, assembly or packaging.

II. Radio and television - assembly and parts fabrication.

JJ. Reconditioning of component products.

KK. Scientific and research instruments and equipment manufacturing and assembly.

LL. Signs and advertising display materials manufacturing, assembly or packaging.

MM. Sport equipment - manufacturing and assembly.

NN. Telephone and telegraph technical apparatus - manufacturing and assembly.

OO. Temperature controls - fabrication and assembly.

PP. Tool and die makers.

QQ. Trade schools.

**Deloris Katke**

*Little Canada*

**From:** Heidi Heller via LMC - MemberLink <Mail@ConnectedCommunity.org>  
**Sent:** Wednesday, October 23, 2024 7:12 PM  
**To:** Deloris Katke  
**Subject:** RE: Retail Businesses Allowed in Industrial Districts

The following message has been sent to you in response to your discussion message.

[View inbox and reply to the message online](#)

Message From: Heidi Heller

We do allow retail in industrial districts and do not regulate how much square footage of the building can be retail vs. industrial. I can't think of examples that we had where it was simply a stand-alone store in an industrial district where they didn't need the large industrial building space too. Here are some examples of retail in industrial districts that were in Little Canada:

Slumberland had a huge warehouse/customer pickup center and in the building there was also a clearance center store.

Aquarius Home Services (water conditioning & HVAC) has a location here with a retail store for selling filters, parts or customer walk-ins to buy their services.

There used to be a sporting goods business here that was mostly an online business so they were in 2 office/warehouse buildings but also had a retail space in one of the buildings.

---

Heidi Heller | City of Little Canada  
City Clerk/HR Manager  
515 Little Canada Road E., Little Canada, MN 55117  
Office: 651-766-4047  
heidi.heller@littlecanadamn.org  
www.littlecanadamn.org

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Original Message:  
Sent: 10-16-2024

From: Deloris Katke

Subject: Retail Businesses Allowed in Industrial Districts

Good afternoon all. We are just reaching out to other cities to see if Retail Sales are allowed in Industrial Districts/Buildings. If retail is allowed, does the retail store have to be associated with the main business in that Industrial building? If so, what square footage/percentage is allowed for the retail sales?

Hope this makes sense. If not, please email me or call me at 320-983-3141 for further clarification.

Thank you in advance for responses.

---

Deloris Katke  
Assistant Clerk-Accounts Payable  
Milaca  
Milaca MN  
(320) 983-3141

---

**ORDINANCE NO. XXX**

**AN ORDINANCE AMENDING TITLE XV (LAND USAGE) CHAPTER 156 (ZONING) SECTION 156.042 (I-1, LIGHT INDUSTRIAL DISTRICT) SUBDIVISION (B) OF THE CITY OF MILACA CODE OF ORDINANCES**

Additions are indicated by underline. Deletions are indicated by ~~striketrough~~.

THE CITY COUNCIL OF THE CITY OF MILACA, MINNESOTA DOES ORDAIN AS FOLLOWS:

Section

\_\_\_\_.01 Intent

\_\_\_\_.02 Amendment

§ \_\_\_\_ .01 INTENT.

The City intends to amend the ordinance to allow offices/showrooms/retail businesses within the I-1 Light Industrial District.

**§ \_\_\_\_ .02 ORDINANCE AMENDING TITLE XV (LAND USAGE) CHAPTER 156 (ZONING) SECTION 156.042 (I-1, LIGHT INDUSTRIAL DISTRICT) SUBDIVISION (B) OF THE CITY OF MILACA CODE OF ORDINANCES IS HEREBY AMENDED TO READ**

(5) Offices/showroom/retail businesses allowed as a portion of the principal industrial use provided they do not exceed a combined twenty-five (25) percent of the total square footage of the principal use. Parking as required for retail uses shall be provided in addition to that required for the principal use. If excessive on-street parking of vehicles occurs, the sales shall cease or be reduced to the level that off-street parking can accommodate.

Adopted by the City Council of the City of Milaca this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor Dave Dillan



ATTEST:

Tammy Pfaff, City Manager

First Reading-  
Second Reading-  
Published-

DRAFT