

N. PL 15-030 Appeal of Land Use Supervisor Decision (200 Foot Limit in MU-W) at 1003 Minnesota Avenue

**Staff:** Charles Froseth (Land Use Supervisor) reviewed the appeal by Terry Anderson, Park Point Marina, of the Land Use Supervisor's interpretation regarding the expansion of an existing hotel. Mr. Anderson seeks to construct an addition to the hotel that does not include a 50 foot separation from the current hotel.

**Applicant:** Terry Anderson - 5366 Nelson Rd – Saginaw – addresses the commission. He is looking towards the future noting the portion of the building is blocked by topography. He feels it doesn't apply to the 200 foot measurement of the UDC.

**Public:** Not a public hearing.

**Commissioners:** Meyer asks what the purpose is of the 50 foot separation. Froseth, the view of the harbor or lake by the public. Moffat asks legal counsel to weigh in. LaCoursiere notes the decision is made based on what is presented. The planning commission is now asked to determine if the Land Use Supervisor read the code correctly. The applicant states no variance is needed. The role is to make the conclusions based on the information at hand. Digby states based on the information in front of him, the goal is not to block the view. Meyer asks Froseth is there a scenario which allows the applicant to add to his hotel. Froseth, the city wants to encourage growth, but they don't know if he can meet the 50 foot setback without a variance. Without an application in hand, it's hard to determine if a variance is required. Moffat feels the Supervisor made the right interpretation and feels a variance is needed.