



**CITY OF CLAREMONT
PLANNING AND ZONING COMMISSION
MONDAY, NOVEMBER 24, 2025
6:00 P.M.**

AGENDA

- I. Call to Order/Roll Call
- II. Pledge of Allegiance
- III. Approval of Agenda
- IV. Approve the Minutes of the January 27, 2025 Meeting
- V. Renew Member Stupka's Term
- VI. Public Hearing: Variance Request
- VII. Adjourn

CITY OF CLAREMONT
PLANNING & ZONING COMMISSION MEETING
MONDAY, JANUARY 27, 2025
6:00 P.M.

A meeting of the Planning and Zoning Commission of the City of Claremont, Minnesota was called to order on Monday, January 27, 2025, at 6:00 p.m. at Claremont City Hall.

Members present: Ryan Hedberg, Ed Krenke, and Deb Ellis. Members absent: Mike Stupka. There is 1 vacant commission seat as Don Gray recently resigned. City staff and others present: City Administrator Elizabeth Sorg, Donna Gregory, Alec Vaughn, David Stein, and Denise Schwering.

The Pledge of Allegiance was recited.

Motion by Hedberg to approve the agenda, second by Ellis. Motion carried unanimously.

Motion by Ellis to approve the minutes of the September 23, 2024, meeting, second by Hedberg. Motion carried unanimously.

Motion by Hedberg to accept Don Gray's resignation, second by Ellis. Motion carried unanimously.

James Zylstra applied to be on the Planning & Zoning Commission. Zylstra would take over Gray's term which will go until 12-31-2026. Motion by Ellis to approve Zylstra to the Commission, second by Ellis. Motion carried unanimously.

Commission Member Krenke's term ended 12-31-2024. He would like to remain on the commission.

Motion by Ellis to approve the members' terms as Deb Ellis' and Ryan Hedberg's terms will end 12-31-2025, Mike Stupka's term will end 12-31-2025, Jim Zylstra's term will go until 12-31-2026, and Ed Krenke's term will go until 12-31-2027, second by Hedberg. Motion carried unanimously.

Motion by Ellis to adjourn at 6:06 p.m., second by Hedberg. Motion carried unanimously.

Elizabeth Sorg, City Administrator

Planning & Zoning Chair

Planning & Zoning Commission

Last Monday of the month (or as needed) at 6:00 p.m.

<u>Member</u>	<u>Mailing Address</u>	<u>Phone</u>	<u>Joined</u>	<u>Term Ends</u>
Mike Stupka, Chair	228 E Front St	456-1009	6/7/2011	12/31/2025 *
Jim Zylstra	209 Main St, PO Box 171	456-4199	1/27/2024	12/31/2026
Edward Krenke, Vice-Chair	400 2nd St, PO Box 268	528-2430	1/1/2012	12/31/2027
Ethan Johnson	511 3rd St	923-3869	5/5/2025	12/31/2025
Deb Ellis	123 E Front St	363-0361	1/12/2021	12/31/2025

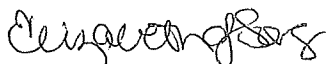
In January, council appoints 2 council members to serve for that year. The 3 appointed members serve 3 yr staggered terms.

City of Claremont
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning and Zoning Commission of Claremont, Minnesota, will meet in Claremont City Hall on Monday, November 24, 2025, at 6:00 p.m. to hold a Public Hearing for a variance request.

The variance request is to have a fence taller than allowed by City Ordinance and closer to the property lines than allowed by City Ordinance at 120 Hayes Street. This request is made by Alec Vaughn.

All interested parties are invited to appear and be heard at the hearing. Written comments must be received by 2:00 p.m. on November 24, 2025. Comments can be sent to Claremont City Hall, c/o Variance Request, 140 W Front St, P.O. Box 235, Claremont, MN 55924.


Elizabeth Sorg
City Administrator

Commission Members,
In preparation for the upcoming public hearing, I encourage you to drive by the property to familiarize yourselves with its layout and surroundings. We will be discussing the front, sides, and rear of the site. The property's front faces Hayes Street.

**APPLICATION FOR CONDITIONAL USE,
INTERIM USE, VARIANCE, OR REZONING**

FOR INTERNAL USE

Application #: V05-101 Date: 11-3-05 Fee: \$95 pd

Applicant's Name: Alec Vaughn Phone Number: 507 271 5444

Address: 120 Hayes St

Legal Description of Property: Lot 27, Block 3, Joseph White's Addition

Property Owner's Name (if other than applicant): _____

Address: _____ Phone Number: _____

Type of Request: () Variance () ~~Conditional Use Permit~~
() Interim Use () Rezoning

Description of Request: Requesting variance to construct a fence enclosing the side yard, not at the regular setbacks, and of seven feet tall on the longest side.

Reason for Request: See attached sheet.

Present Zoning of Property: Residential

Existing Use of Property: Single Family

Has a request for variance, conditional use, interim use, or rezoning on the property been previously applied for? () Yes () No If so, when? _____

Signature of Applicant:  Date: 11-3-05

Vaughn's Variance Request
120 Hayes St
November 2025

Description of Request:

Requesting variance to construct a fence enclosing the side yard, not at the regular setbacks, and of 7-feet tall on the longest side.

Reason for Request:

1. **South (Haberman) side fence height:** Due to a lower land grade, I require a 7-foot fence to match Haberman's, exceeding the 6-foot restriction.
2. **East (Hayes St.) side fence height:** I request a 6-foot fence for child safety and privacy, as the 48-inch front restriction offers inadequate concealment for the children and their playset near the street. The fence wouldn't obstruct the view of Church St., which is 70 feet away.
3. **Extension into Hayes St. ROW:** To align with Haberman's existing fence line and maintain visual consistency, I request to extend into the right-of-way. A 2-foot setback would significantly reduce usable play space (7 feet), impacting the playset's safe play zone and warranty. The fence would still be approximately 30 feet from Hayes St.
4. **West (Garza) side fence alignment:** I seek to align with Garza's existing fence line (with his signature) to minimize visual obtrusiveness from Church St. and to Garza's backyard, considering our backyard size, and Haberman's existing fence that is over the property line. Our backyard would be significantly impacted by a two foot setback, and poses practical difficulties as a usable space.
5. **Shared south fence with Haberman:** Haberman's fence is a public nuisance due to poor workmanship, exceeding height restrictions, lack of maintenance, and unsightliness, as visible from Church and Hayes and by the school district. Granting a variance for a new shared fence on the property line with removable panels would remedy this, as a 2-foot setback makes maintenance impossible for both parties, and would impact the safe play zone and warranty of the playset. Furthermore, Haberman's fence was erected without a proper survey, assuming the property line, giving me equal entitlement to the line. I face practical difficulties due to his fence's effect on my property because I have no practical advantages when my property is trespassed for maintenance—albeit not on the fence itself—as this does not harmonize with the intent of his variance. A shared fence at the property line is a better solution as it correctly harmonizes with intent.

ZONING APPLICATION SKETCH - CITY OF CLAREMONT

Name Alec Vaughn

Permit No. _____

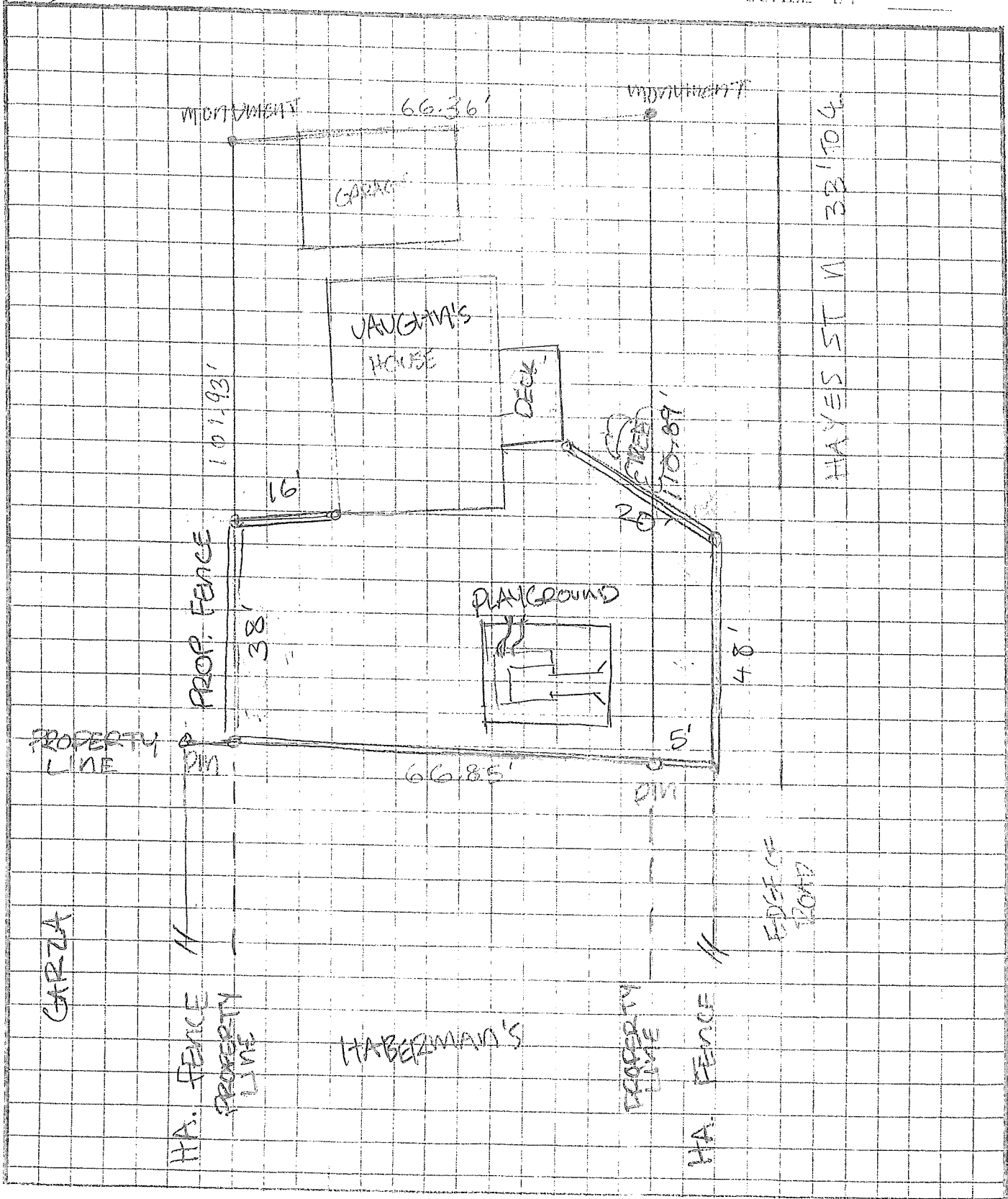
Date / /

ALL SKETCHES MUST BE DRAWN TO SCALE and contain the following information: North Arrow, all abutting streets and alleys with street names, dimensions of lot or lots, all existing buildings on lots, all existing utility lines and easements, proposed buildings, and distances from all property lines to existing or proposed buildings.

Zoning Department Form 602 Page 1 Revised 2/15/01

← **Crosshatch all existing buildings. Label property lines.**
 ← **Indicate North in the Circle**

SCALE 1/4" = _____



ALEC VAUGHN 219510800

21350810
RICHARD A HABERMAN

HAYES ST. N

Establishes that Haberman's fence is into the Hayes Row.

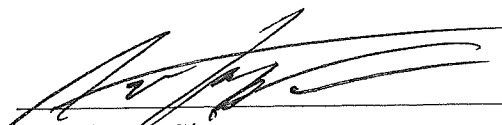
CITY OF CLAREMONT
ZONING PERMIT

Permit No. 205-132
Date: 11-3-25

Date: _____
Site Address: 120 Hayes St
Owner Name: Alec Vaughn
Owner Address: 120 Hayes St
Owner Phone Number: 507-271-5444
Owner Email: alec.j.vaughn@gmail.com
Contractor: N/A
Contractor's License No.: N/A
Type of Work: (circle one) Fence Deck Accessory Structure
Other: _____
Size of Structure: See application sketch - 193 LF
Estimated Value: \$9000
Completion Date: _____
Property Dimensions: 60' x 110'
~~193 Linear Feet~~ enclosing side and front (partial)
Front Yard Setback: South -5 Rear Yard Setback: Ø
West Side Setback: Ø East Side Setback: North N/A
Special Conditions: In line with Haberman's fence in Hayes ROW, and safe play zone. Variance requested.

Acknowledgement and Signature:

The undersigned hereby agrees that, in case such permit is granted, that all work which shall be done and all materials which shall be used shall comply with the plans and specifications herewith submitted and with all the ordinances of said City of Claremont applicable thereto.


Applicant Signature

Zoning Administrator Approval

ORDINANCE NO. 24-0105

**AN ORDINANCE AMENDING SECTION 4.60, SUBD. 33
OF THE CLAREMONT CITY CODE, REGULATING FENCES**

The City Council of Claremont, Minnesota ordains:

1. Claremont City Code Section 4.60, Subd. 33, regulating fences, is hereby amended to read as follows:

“Subd. 33 Fence Ordinance.

- A. Permit. A building permit shall be obtained from City Hall for any fence to be installed over six (6) feet in height. A zoning permit shall be obtained from City Hall for all fences. A site plan showing location of the fence shall accompany the permit application.
- B. Location. All fences shall be located entirely upon the property of the fence owner with a two (2) feet setback from all property lines. Fences or trees placed upon utility easements are subject to removal if required for the maintenance or improvements of the utility.
- C. Height. No fence shall exceed seven (7) feet in height in the rear yard or side yard and no fence shall exceed forty-eight (48 ") inches in height in the front yard.
- D. Construction and Maintenance. All fences shall be constructed and maintained in a substantial, workmanlike manner and of material reasonably suited for the purpose for which the fence is proposed to be used. Every fence shall be constructed so that the side containing the framing support and cross pieces face the interior of the fence owner's lot. No constructed fence may have boards, planks, or panels larger than twelve (12) inches in width. Any fence which does not comply with the provision of this paragraph or which endangers the public safety, health or welfare shall be considered a public nuisance.
- E. Snow Fencing. Commonly used materials for snow fencing may be used from October 15 to May 1. No permit shall be required for snow fencing.
- F. Prohibited Fencing Material. Electric fences are prohibited from use within the City, except areas where livestock are permitted. Such materials as hog wire fencing, barbed wire fencing, etc., will be prohibited from use, except areas where livestock are permitted.
- G. Special Purpose Fencing. Fences to be used for special purposes and fences differing in construction, height or length may be permitted in any district by issuance of a Conditional Use Permit subject to a public hearing by the Planning and Zoning Commission and final approval. Findings shall be made that the fence is necessary to protect, buffer or improve the premises for which the fence is proposed.

MEMORANDUM

Subject: Variance Standards

The following is a summary of the standards to be applied by Planning and Zoning and the City Council when considering the granting of a variance. There are three sources which define the standard for granting a variance, namely Minnesota statutory law, Minnesota case law, and Claremont's own zoning ordinance. Variances are generally for dimensional standard (such as setbacks or height limits) and may not be granted to allow a use that is prohibited in a particular zoning district.

Minnesota law provides that variances are allowed only in those situations where strict enforcement of the zoning ordinance would cause undue hardship for the landowner.

"Undue hardship" as used in connection with the granting of a variance is defined under Minnesota law as follows:

1. **The property in question cannot be put to a reasonable use without the variance.** This does not mean the land cannot be put to any reasonable use without the variance. Rather, it means that the landowner would like to use the property in a particular reasonable manner but cannot do so under the rules of the ordinance.
2. **The plight of the landowner is due to circumstances unique to the property not created by the landowner.** Uniqueness generally relates to the physical characteristics of the property. A landowner cannot create a problem of his own making and thereby seek a variance. The fact that application of the zoning ordinance creates a financial hardship for the landowner cannot constitute an undue hardship.
3. **The variance, if granted, will not alter the essential character of the locality.** This generally relates to whether granting the variance would create a structure or other situation that would be out of character with the surrounding neighborhood because of size, location, etc.

Claremont Code Section 4.12 Subd. 3 lists additional requirements that must be met:

1. Extraordinary circumstances apply to the property which do not exist generally to other properties in the same zone or vicinity over which the property owners have no control.
2. Application of the city's zoning ordinance would deprive the property owner of rights enjoyed by other properties in the same district.
3. The special circumstances do not result from actions of the property

owner.

4. Granting the variance will not result in a special privilege for the property owner compared to other properties in the same district.
5. The variance requested is the minimum variance necessary to alleviate the hardship.
6. The variance would not be detrimental to other properties or the spirit of the zoning ordinance.

All actions taken on variances, whether a denial or a granting of the variance application, should be in writing. Attached to this memorandum is a worksheet that Planning and Zoning may utilize in making its recommendations to the council.

Please let me know if you have any questions.

Sincerely,

MARK J. RAHRICK

VARIANCE RECORD

Property Description: _____

Applicant: _____

Requested Variance: _____

Public Hearing Date: _____

1. Does the zoning ordinance prevent the landowner from putting the property to a reasonable use?
(“Yes” is required to grant the variance)

2. Are the landowner's circumstances unique to the property's physical characteristics or do they exist generally on other properties?
(“Yes” is required to grant the variance)

3. Is the landowner's circumstances of his/her own making?
(“No” is required to grant the variance)

4. Will granting the variance alter the essential character of the locality?
(“No” is required to grant the variance)

5. Would granting the variance result in a special privilege for the property not accorded to other similarly zoned properties?
(“No” is required to grant the variance)