

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD,  
TUESDAY, JANUARY 11, 2011 – 6:46 P.M. – ROCKVILLE CITY HALL**

The meeting was called to order by Chair Toni Honer. Roll call was taken and the following members were found to be present: Chair Toni Honer, Dale Borgmann, Susan Palmer & Jerry Tippelt. Absent Jerry Bechtold.

Staff members present were: Zoning Administrator Rena Weber and Billing Clerk/Administrative Assistant Judy Neu.

Others present: Councilor Jerry Schmitt & Councilor Don Simon.

**ISSUE OATH OF OFFICE**-Rena Weber issued the Oath of Office to Susan Palmer.

**APPROVAL OF AGENDA/AMENDMENTS – Motion by Member Borgmann, second by Member Tippelt, to approve the agenda. Motion carried unanimously.**

**APPROVAL OF MINUTES 11/09/10 – Motion by Member Borgmann, second by Member Tippelt, to approve the minutes of 11/09/10 as presented.**

**AYES: Borgmann, Honer & Tippelt**

**ABSTAIN: Palmer**

**Motion passes on a 3 to 0 vote.**

**ELECTION-(Appointment of Officers)-Motion by Member Tippelt, second by Member Borgmann, to appoint Member Honer as Chair.**

**AYES: Borgmann, Tippelt & Palmer**

**ABSTAIN: Honer**

**Motion passed on a 3 to 0 vote.**

**Motion by Member Honer, second by Member Borgmann, to appoint Member Palmer as Acting Chair.**

**AYES: Borgmann, Honer & Tippelt**

**ABSTAIN: Palmer**

**Motion passed on a 3 to 0 vote.**

**NEW BUSINESS**

**ADMINISTRATIVE PLAT- DALE MOLITOR/DARLENE MOLITOR & GLEN VANNURDEN:** Zoning Administrator Rena Weber reported the following written/oral report.

**STAFF REPORT**

RE: ADMINISTRATIVE PLAT

Parcel I.D. No. 76-41636.0010– Section 18 & 19, Township 123, Range 029

76-41636.0100 - Section 19, Township 123, Range 029

Owner: Dale A. Molitor

Property Address: 22999 County Road 140, Cold Spring, MN 56320

**REQUEST**

1. To subdivide the West half of each parcel to his sister Darlene & her husband.
2. Darlene and her husband Glen Vannurden wish to keep it for farming – no building.

**RELEVANT INFORMATION**

1. Property is zoned A-40 with the SP-1 overlay.
2. Property is 75.77 and 119.65 acres approximately.

3. The owner(s) are proposing to sell 120 acres west of the home site.

RECOMMENDATION

1. This request was for non-building purposes only – should be approved

**AMENDED  
CERTIFICATE OF COMPLIANCE**

STATE OF MINNESOTA        )  
COUNTY OF STEARNS        )        ss  
CITY OF ROCKVILLE         )

RE: These descriptions are intended for the Dale A. Molitor tract to be retained and the remaining tract to be transferred to Darlene M. Molitor & Glen D. Vannurden (husband & wife) in the City of Rockville.

**The following described property is the new legal description for parcels #76.41636.0010 & 76.41636.0100.**

TRACT A   DALE A. MOLITOR

The Southeast Quarter of the Southeast Quarter (SE ¼ SE ¼) of Section 18, and the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼), Section 19, Township 123 North, Range 29 West, being in Stearns County, Minnesota, LESS AND EXCEPT .35 acres of said NE ¼ NE ¼ of Section 19, that was taken by Rockville Township for road purposes.

ALSO LESS AND EXCEPT: That part of the Southeast Quarter of the Southeast Quarter (SE ¼ SE ¼) of Section 18, and the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section 19, Township 123 North, of Range 29 West, that lies east of County Road #140, said tract containing approximately .50 acres more or less.

**The following described property was transferred to Darlene M. Molitor & Glen D. Vannurden**

TRACT B   The Southwest Quarter of the Southeast Quarter (SW ¼ of SE ¼) of Section 18 and the West One Half of the Northeast Quarter (W ½ of the NE ¼) of Section 19, Township 123, Range 29 in the City of Rockville.

*This certification is given to correct an error in the legal description contained in that certificate recorded as document #A1333077.*

The Rockville City Planning Commission has reviewed this split and found it to be in compliance with the standards set forth in the City of Rockville.

***Motion by Member Tippelt, second by Member Borgmann, to recommend approval of the Administrative Plat as presented. Motion carried unanimously.***

**ADMINISTRATIVE PLAT-DONALD & LEANNE RIELAND/THOMAS, MARY KAY & JOE MOLITOR:**

Zoning Administrator Rena Weber reported the following written/oral report.

**STAFF REPORT**

RE: ADMINISTRATIVE PLAT

Parcel I.D. No. 76-41618.0010 10 ACRES (RIELAND)  
76-41618.0300 41.8 ACRES (TOM & JOSEPH MOLITOR PARTNERSHIP)  
76.41618.0500 37.6 ACRES (TOM & MARY KAY MOLITOR)

Owner: Stated above

Property Address: 8585 245<sup>th</sup> Street, St. Cloud, MN 56301  
8590 245<sup>th</sup> Street, St. Cloud, MN 56301

**REQUEST**

1. To correct the boundary line in front of the Rieland house (.55 acres) by swapping 15' (.54 Acres) on the east side of the Rieland lot to Tom & Joe Molitor Partnership.

RELEVANT INFORMATION

- 1. Property is zoned A-40.
- 2. Property is owned by multiple property owners
- 3. The owner(s) are proposing to swap approximately the same amount of land to correct a boundary issue. The Rieland's wish to own the property abutting the road which Tom and Mary own. The Molitor's need contiguous access to their property on the north side of 245<sup>th</sup> Street and this will provide that.
- 4. The road as platted is not what was actually tarred.

RECOMMENDATION

- 1. This request was for non-building purposes only – should be approved

**CERTIFICATE OF COMPLIANCE**

STATE OF MINNESOTA            )  
 COUNTY OF STEARNS            )        ss  
 CITY OF ROCKVILLE            )

RE: These descriptions are intended for the purpose of transfer of property from Thomas Molitor and Mary Kay Molitor (husband and wife) to Donald Rieland and Leanne Rieland (husband and wife) in the City of Rockville.

Further the description is intended for the purpose of transfer of property from Donald Rieland and Leanne Rieland (husband and wife) to Thomas and Joseph Molitor Partnership in the City of Rockville.

**The following described property is to be transferred from parcel #76.41618.0500 and attached to parcel #76.41618.0010.**

TRACT B THOMAS AND MARY KAY MOLITOR TO DONALD AND LEANNE RIELAND  
 That part of the NW 1/4 of the SE 1/4 of Section 11, Township 123, Range 29, Stearns County, Minnesota, described as follows: Commencing at the Southeast corner of the SW 1/4 of the NE 1/4 of said Section 11; thence on an assumed bearing of N 88°17'31" W along the South line of said SW 1/4 of the NE 1/4, a distance of 19.57 feet to the point of beginning of the tract herein described; thence continue along last said line on a bearing of N 88°17'31" W, 310.20 feet to the Southwest corner of the East 10.00 acres of said SW 1/4 of the NE 1/4; thence on a bearing of S 01°17'45" W along the Southerly extension of the West line of said East 10.00 acres of the SW 1/4 of the NE 1/4, a distance of 85.57 feet to the centerline of 245th Street as traveled; thence on a bearing of N 88°27'53" E along last said centerline, 330.37 feet to its intersection with a line bearing S 01°42'46" W from the point of beginning; thence on a bearing of N 01°42'46" E, 68.01 feet to the point of beginning.  
 Subject to easements of record.  
 Subject to the rights of the public in 245th Street.  
 Containing 0.55 acres, more or less.

**The following described property is to be transferred from parcel #76.41618.0010 and attached to parcel #76.41618.0300.**

TRACT B DONALD AND LEANNE RIELAND TO THOMAS AND JOSEPH MOLITOR PARTNERSHIP  
 That part of the SW 1/4 of the NE 1/4 of Section 11, Township 123, Range 29, Stearns County, Minnesota described as follows: Beginning at the Southeast corner of said SW 1/4 of the NE 1/4; thence on an assumed bearing of N 88°17'31" W along the South line of said SW 1/4 of the NE 1/4, a distance of 19.57 feet; thence on a bearing of N 01°27'03" E, 1319.92 feet to the North line of said SW 1/4 of the NE 1/4; thence on a bearing of S 87°54'29" E along last said line, 15.71 feet to the Northeast corner of said SW 1/4 of the NE 1/4 ; thence on a bearing of S 01°17'45" W, along the East line of said SW 1/4 of the NE 1/4, a distance of 1319.84 feet to the point of beginning.  
 Subject to easements of record.  
 Containing 0.54 acres, more or less.

This request is being made for line correction purposes only and not for building purposes.

The Rockville City Planning Commission has reviewed this split and found it to be in compliance with the standards set forth in the City of Rockville.

***Motion by Member Tippelt, second by Member Palmer, to recommend approval of the Administrative Plat as presented. Motion carried unanimously.***

**PLANNING COMMISSION MEMBER/STAFF REPORT: Updates/House Keeping Items:  
Zoning Administrator Rena Weber report the following:**

- ◆ CHRIS & BRIAN DROWN-VOIDED BUILDING PERMIT: Building Official will send a letter.
- ◆ PEGGY HALL-FOUNDATION-Conditional Use Permit is voided: Building Official will send a letter.
- ◆ TOM MASELTER-ENCLOSED AN AREA (LEAN TO) WITHOUT APPROVAL: Building Official will send a letter.
- ◆ 400 SUPPER CLUB-OVER HANG (VARIANCE): Not creating any new impervious surface, but is not meeting setback. They would still need to go through the variance process.
- ◆ MRS. SEELEN-UPDATE ON CLEANING UP THE BUILDING: Building Official will send a letter.
- ◆ SJ LOUIS-FENCE-Planning Commission will do a site visit.
- ◆ B-1 RESIDENTIAL & IMPERVIOUS SURFACE-Amend the Ordinance
- ◆ SHOOTING RANGE-Give Mr. Merten until January 31, 2011 to provide the City with the information.
- ◆ COLD SPRING GRANITE IUP-Chair Honer will call Cold Spring Granite.
- ◆ MUELLER PIT-RESTORATION-They need to come in and ask for an extension.
- ◆ JACK TAMBLE-CALF SHED-Needs to apply for a permit.

**ADJOURNMENT – Motion by Member Tippelt, second by Member Borgmann, to adjourn the meeting at 8:03 p.m. Motion carried unanimously.**

---

**JUDY NEU  
BILLING CLERK/ADMINISTRATIVE ASST**

---

**TONI HONER  
CHAIR**