

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD,
TUESDAY, MARCH 11, 2008 – 7:00 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, Steve Dietman, Jerry Bechtold, Jerry Tippelt, Dan Hansen & Vern Ahles. Absent Dale Borgmann.

Staff members present were: City Administrator Rena Weber, Billing Clerk/Administrative Assistant Judy Neu & Attorney Jim Mogen.

Others present: Marvin Schneider, Lloyd & Nathan Lommel, Mike Nistler, Doug Ruhlands, Nicholas & Robbin Voigt, & Scott Palmer. Mike Schneider arrives at 7:19 p.m.

APPROVAL OF AGENDA/AMENDMENTS – Motion by Member Ahles, second by Member Tippelt, to approve the agenda and addition as presented. Motion carried unanimously.

APPROVAL OF MINUTES 02/12/08 – Motion by Member Bechtold, second by Member Ahles, to approve the minutes of 02/12/08 as presented. Motion carried unanimously.

NEW BUSINESS

PUBLIC HEARING – Zoning Administrator Rena Weber read the notice of public hearing which states that the Rockville Planning Commission will hold a public hearing on **Tuesday, March 11, 2008 at approximately 7:00 p.m. at Rockville City Hall – 229 Broadway Street East** to consider approval of a Preliminary & Final Plat to be known as:

SCHNEIDER ADDITON

Said plat has a legal description of: Tract of land lying and being in the County of Stearns, State of Minnesota, described as follows to-wit:

That part of the SW 1/4, and that part of the SW 1/4 of the SE 1/4 of Section 25, Township 123, Range 29, Stearns County, Minnesota lying Westerly of County Road No. 141. LESS AND EXCEPT the following described tracts:

- 1.) The North 2 rods of the East 82 rods of the SW 1/4 of Section 25, Township 123, Range 29.
- 2.) That part of the W 1/2 of the SW 1/4 of Section 25, Township 123, Range 29 lying North of the following described line: Commencing at the Northwest corner of said W 1/2 of the SW 1/4; thence South 00°00'00" West (assumed bearing) along the West line thereof for 840.51 feet to the point of beginning of the line to described; thence South 90°00'00" East for 583 feet; thence North 45°49'47" East for 165.91 feet; thence South 90°00'00" East for 400 feet to the East line of the West 1102 feet of said W 1/2 of the SW 1/4 and there terminating.
- 3.) The West 16.5 feet of the North 545.00 feet of the South 1060.00 feet of the W 1/2 of the SW 1/4 of Section 25, Township 123, Range 29, Stearns County, Minnesota, together with that part of the West 1102.00 feet of said W 1/2 of the SW 1/4 lying North of the South line 1060.00 feet thereof and South of the following described line Commencing at the Northwest corner of said W 1/2 of the SW 1/4; thence South 00°00'00" West (assumed bearing) along the West line thereof for 840.51 feet to the point of beginning of the line to described; thence South 90°00'00" East for 583 feet; thence North 45°49'47" East for 165.91 feet; thence South 90°00'00" East for 400 feet to the East line of the West 1102 feet of said W 1/2 of the SW 1/4 and there terminating.
- 4.) The North 545.00 feet of the South 1060.00 feet of the West 816.50 feet of the W 1/2 of the SW 1/4, Section 25, Township 123, Range 29, Stearns County, Minnesota.

NEW LEGAL DESCRIPTION: LOTS 1 & 2 – BLOCK 1 – SCHNEIDER ADDITION

Zoning Administrator Rena Weber reported that the parcel is 108.89 acres. The proposal is to subdivide into 2 lots. Lot 2 will need a declaration of restriction which means that they need to restrict 30 acres on their property. Lot 1 only has a total of 10 acres. The Zoning Code requires a total of 40 acres. For the record 11 notices were sent out.

ENGINEER REPORT:

I have reviewed the attached plat and have the following comments:

1. Dedicate 50' of RW along CR 141 in addition to the 12' drainage and utility easement along CR 141.
2. Six-foot drainage and utility easements should be dedicated along all lot lines not adjacent to CR 141.
3. The entire property should be included in the plat.

Robbin Voigt @ 7819 County Road 141 questioned how many houses are going in there.

Zoning Administrator Rena Weber explained that it is just the house that is currently there. The Schneider's want to split the farm house off so they can sell it to their grandson.

Susan Norton @ 7674 County Road 141 would like more clarification on where the house is going to be located and how long is the property going to remain just one home.

Zoning Administrator Rena Weber explained that the 10 acres is where the farm house is. As far as the rest of the acreage, currently they are only allowed one more home and at this time there is no request.

Lloyd Lommel @ 7682 County Road 141 questioned if the feedlot was signed off yet.

Zoning Administrator Rena Weber reported that we have not received a signed document yet.

Motion by Member Bechtold, second by Member Tippelt, to close the public hearing at 7:07p.m. Motion carried unanimously.

Attorney Jim Mogen questioned that the plat only shows 9.02+ acres being split off.

Marvin Schneider stated it should be 10 acres.

Attorney Jim Mogen questioned what would be the reason for the 70+ foot strip to the south of the property line.

Lloyd Lommel stated that he spoke to Mike Schneider told him that when they survey it, Mike had the Surveyors leave out 66 feet for future roadway.

Attorney Jim Mogen stated that the Schneider's should clarify that.

Chair Honer is questioning if the 70+ strip should be part of Lot 1 otherwise it would only be 9.02 acres. If so we should have them include it with the 10 acres and have an easement for the roadway.

Motion by Member Hansen, second by Member Ahles, to table the decision until applicant arrives. Motion carried unanimously.

- ◆ Mike Schneider did clarify that Lot 1 should have been 10 acres.
- ◆ Mike Schneider did clarify that if Lot 2 ever gets developed in the future they would need access to those lots.

Attorney Jim Mogen stated that O'Malley & Boe Land Surveyors, Inc will need to provide the legal description for the 30 acres that needs to be restricted.

Motion by Member Ahles, second by Member Dietman, to approve the Preliminary & Final plat pending the notice of unregistration of an animal feedlot, Lot 1 showing a total of 10 acres and providing a declaration of restriction on Lot 2. Motion carried unanimously.

MIKE NISTLER-NEW BUSINESS (RECEPTION IN THE AG-40):

Mike Nislter stated that he would like to turn his barn into a reception area (barn dance).

- ◆ It would be open on an appointment request only
- ◆ Has enough parking
- ◆ Would like to sell 3-2 Malt Liquor and wine.

Doug Ruhlands attorney for Mike Nistler states that they are looking for direction on how this could fit within the City ordinance.

Attorney Jim Mogen explained that this is not an agricultural use. It does not fit under the current Conditional Use that is available in the AG-40 district.

What needs to be done is either:

- ◆ Amend the Zoning Code to rezone his lot to something that would allow it or
- ◆ Amend the Zoning Code to allow this use in the AG-40 under a Conditional Use or Interim Use permit.

Attorney Jim Mogen states that the applicant would need to fill out application to amend the Zoning Code.

PLANNING COMMISSION MEMBER/STAFF REPORT:

DISCUSS MEETING TIME CHANGE:

Motion by Member Tippelt, second by Member Hansen, to approve the meeting start time from 7:00 p.m. to 6:30 p.m. The change will take effect on April 8th, 2008. Motion carried unanimously.

OLD BUSINESS-There was none.

ADJOURNMENT – 7:30 p.m.

JUDY NEU
BILLING CLERK/ADMINISTRATIVE ASST

TONI HONER
CHAIR