

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD,  
TUESDAY, JUNE 8, 2010 – 6:30 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, Jerry Bechtold, Jerry Tippelt, Dale Borgmann & Liaison Duane Willenbring. Absent: Steve Dietman.

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

Others present: Theodore Williams & Councilor Jerry Schmitt.

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

**APPROVAL OF MINUTES 04/13/10 – Motion by Member Borgmann, second by Member Tippelt, to approve the minutes of 04/13/10 as presented. Motion carried unanimously.**

**NEW BUSINESS**

**PUBLIC HEARING THEODORE WILLIAMS VARIANCE REQUEST:** Zoning Administrator Rena Weber read the notice of public hearing which states that the Rockville Planning Commission will hold a public hearing on **Tuesday, June 8, 2010 at approximately 6:30 p.m. at Rockville City Hall – 229 Broadway Street East** to consider the request of Theodore L. Williams for a variance from Shoreland Requirements. The address of the property is: 21349 County Road 8 with a legal description of: That part of Government Lot Three (3), Section Twenty-Nine (29), Township One Hundred Twenty-three (123), Range Twenty-Nine (29), to-wit: Commencing at a point 1305.50 feet North and 791.80 feet East of Southwest corner of Government Lot Four (4), of said Section 29: thence due North 100 feet being Northwest corner of tract described in DB.273, page 457; thence continue North 01 degree 25 minutes West a distance of 480 feet to Iron Mt., said point being the point of beginning of tract to be conveyed; thence continue North 01 degree 25 minutes West for a distance of 103 feet, more or less, to an Iron Mt., (being the Southwest corner of tract described in DB.300, page 442; Thence Easterly on South line of tract described in said DB 300; page 442, a distance of 166 feet more or less to shore line of Grand Lake; thence Southerly along shore line of Grand Lake, a distance of 73 ¾ feet, more or less, to Iron Mt., thence Westerly and parallel with South line of Lot Three (3), (being Northerly line of tract described in DB.305, page 106) a distance of 147 ½ feet more or less to Iron Mt. and the place of beginning and there terminating, containing 32/100 acres more or less, subject to existing highway.

The request is to construct a 12' x 16' unattached deck in the R-1 – Shoreland District.

Variances from the following will be discussed:

1. Setback from center line of County Road should be 100' (actual 50')
2. Impervious surface (exceeds 12%)

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

**STAFF REPORT**

Re: Variance Request(s)  
76.41651.0700: Owners: Theodore L. Williams  
Property Address: 21349 County Road 8

Variance(s) Requested:

1. Variance to construct a 16' x 12' unattached deck and to locate it on property abutting Grand Lake – General Development Lake.
2. Said request is to also locate said structure 50.00 feet from the centerline of the roadway – (should be 100') County Road 8 and
3. Impervious Surface – Total lot area is 13,887 square feet of which 19% would be covered including the deck.

Construction Requests:

1. Construct unattached patio deck to the lake side of the house.

Relevant Information:

- 1. This property is located within the 1000' Shoreland Overlay District.
- 2. Property contains 13,887 square feet more or less.
- 3. 6 notices of public hearing were sent out.

Recommendations:

- 1. This requires 1 possibly 2 variances on a non-conforming lot that was in place before the ordinance was adopted.
- 2. We suggest that something be installed to catch the run off such as: i.e. rain barrel or underground trench.

Theodore Williams questioned the rain garden because he doesn't have any drainage issue on his property.

Chair Honer stated that Mr. Williams does have a deep culvert in the front yard.

Zoning Administrator Rena Weber explained that the lot is non-conforming and the property owner wants to add to the non-conforming lot. He still should have to catch the run off from his deck.

Chair Honer explained that the Stormwater Ordinance requires some type of mitigations to treat the run off. (Example: a trench, rain barrels & rain gardens).

Theodore Williams stated that he would be okay with rock under the deck and 8" trench.

**Motion by Member Borgmann, second by Member Bechtold, to close the public hearing at 6:45 p.m. Motion carried unanimously.**

A review of the finding was done. (A copy of the finding of facts is hereby attached and marked Exhibit A)

- 1. 4 yes
- 2. 4 yes
- 3. 4 yes why: County Road 8 and the whole area is like this (small lots).
- 4. 4 yes
- 5. 4 yes

***Motion by Member Borgmann, second by Member Tippelt, to recommend approval of the Variance Request with conditions that he puts in an 8" trench with rocks. Motion carried unanimously.***

**RESCHEDULE THE AUGUST MEETING: (Primary Election)**

Chair Honer rescheduled Planning Commission meeting from Tuesday August 10<sup>th</sup> to Thursday August 12<sup>th</sup> @ 6:30 p.m.

**PLANNING COMMISSION MEMBER/STAFF REPORT:**

Discussion was held on R-10.

Chair Honer would like to schedule informational gathering to get input from the Residents on R-10. The informational gathering will be July 13<sup>th</sup> right after the regular scheduled Planning Commission meeting.

**BUSINESS FOR NEXT MEETING:**

**ADJOURNMENT – Motion by Member Borgmann, second by Member Tippelt, to adjourn the meeting at 7:23 p.m. Motion carried unanimously.**

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**JUDY NEU**  
**BILLING CLERK/ADMINISTRATIVE ASST**

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**TONI HONER**  
**CHAIR**