

RESOLUTION NO. 2010-10

RESOLUTION ACCEPTING GRANT

WHEREAS, The Rockville Fire & Rescue Department has applied to Centre Point Energy for a Grant, and;

AND WHEREAS, The Department wishes to purchase equipment with said grant.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF ROCKVILLE, MINNESOTA:

1) The City of Rockville hereby accepts the \$2500 grant from Centre Pointe Energy for the purchase of a all-terrain vehicle to be used in fighting fires.

Adopted this 19th day of June, 2010

**JEFF HAGEN
MAYOR**

**VERENA M. WEBER-CMC
ADMINISTRATOR/CLERK**

ROCKVILLE ACTIVITY

MAY 2010

TOTAL HOURS 33

(SEE ATTACHED ACTIVITY LIST FOR DETAILS)

ROCKVILLE CITATIONS - MAY 2010

Area	Offense Date	Citation #	Case #	Charge
ROCKVILLE	05/10/2010 21:54:00	ST 537-647	10024542	DRIVING AFTER CANCELLATION
ROCKVILLE	05/10/2010 21:54:00	ST 537-647	10024542	NO PROOF OF INSURANCE

ALL CALLS IN ROCKVILLE - MAY 2010

City	Date Received	Call Number	Complaint	Description
ROCKVILLE	05/24/2010 07:56:26	10027427	1050	ACCIDENT
ROCKVILLE	05/29/2010 22:36:25	10029023	1050	ACCIDENT
ROCKVILLE	05/23/2010 17:14:03	10027322	911H	911 HANGUP CALL
ROCKVILLE	05/17/2010 17:16:29	10025908	AL	ALARM
ROCKVILLE	05/21/2010 20:40:32	10026833	AL	ALARM
ROCKVILLE	05/29/2010 21:57:14	10029003	ALCC	ALCOHOL COMPLIANCE CHECK
ROCKVILLE	05/29/2010 21:53:20	10029000	ALCC	ALCOHOL COMPLIANCE CHECK
ROCKVILLE	05/29/2010 22:22:07	10029016	ALCC	ALCOHOL COMPLIANCE CHECK
ROCKVILLE	05/06/2010 13:26:53	10023651	ASEX	SEXUAL ASSAULT
ROCKVILLE	05/01/2010 22:10:47	10022877	ASSTA	AGENCY ASSIST
ROCKVILLE	05/03/2010 19:15:00	10023164	ASSTA	AGENCY ASSIST
ROCKVILLE	05/16/2010 00:41:51	10025629	ASSTA	AGENCY ASSIST
ROCKVILLE	05/14/2010 22:36:49	10025357	ASSTA	AGENCY ASSIST
ROCKVILLE	05/29/2010 22:05:19	10029010	BURN	ILLEGAL BURNING
ROCKVILLE	05/28/2010 21:16:09	10028671	CC	CITIZEN CONTACT
ROCKVILLE	05/19/2010 15:21:22	10026295	CC	CITIZEN CONTACT
ROCKVILLE	05/05/2010 18:25:10	10023500	CC	CITIZEN CONTACT
ROCKVILLE	05/04/2010 05:16:08	10023226	CONTR	CONTRACT
ROCKVILLE	05/04/2010 06:16:46	10023227	CONTR	CONTRACT
ROCKVILLE	05/03/2010 15:05:15	10023110	CONTR	CONTRACT
ROCKVILLE	05/01/2010 01:49:28	10022711	CONTR	CONTRACT
ROCKVILLE	05/07/2010 09:22:55	10023825	CONTR	CONTRACT
ROCKVILLE	05/05/2010 20:00:21	10023522	CONTR	CONTRACT
ROCKVILLE	05/06/2010 04:36:24	10023565	CONTR	CONTRACT
ROCKVILLE	05/08/2010 05:12:17	10024024	CONTR	CONTRACT
ROCKVILLE	05/08/2010 17:54:29	10024127	CONTR	CONTRACT
ROCKVILLE	05/09/2010 05:10:36	10024239	CONTR	CONTRACT
ROCKVILLE	05/19/2010 15:31:43	10026296	CONTR	CONTRACT
ROCKVILLE	05/18/2010 21:43:47	10026148	CONTR	CONTRACT
ROCKVILLE	05/18/2010 22:02:36	10026150	CONTR	CONTRACT
ROCKVILLE	05/22/2010 01:56:06	10026926	CONTR	CONTRACT
ROCKVILLE	05/19/2010 23:56:57	10026394	CONTR	CONTRACT
ROCKVILLE	05/20/2010 18:56:14	10026572	CONTR	CONTRACT
ROCKVILLE	05/21/2010 05:22:36	10026673	CONTR	CONTRACT
ROCKVILLE	05/16/2010 14:43:26	10025711	CONTR	CONTRACT
ROCKVILLE	05/17/2010 04:35:37	10025816	CONTR	CONTRACT
ROCKVILLE	05/17/2010 18:52:29	10025933	CONTR	CONTRACT
ROCKVILLE	05/15/2010 02:29:26	10025408	CONTR	CONTRACT
ROCKVILLE	05/13/2010 06:20:35	10024906	CONTR	CONTRACT
ROCKVILLE	05/13/2010 22:37:18	10025072	CONTR	CONTRACT
ROCKVILLE	05/14/2010 04:36:50	10025099	CONTR	CONTRACT
ROCKVILLE	05/09/2010 22:23:10	10024359	CONTR	CONTRACT
ROCKVILLE	05/10/2010 03:30:24	10024377	CONTR	CONTRACT
ROCKVILLE	05/10/2010 21:05:13	10024534	CONTR	CONTRACT
ROCKVILLE	05/12/2010 01:00:08	10024710	CONTR	CONTRACT
ROCKVILLE	05/12/2010 08:13:38	10024727	CONTR	CONTRACT
ROCKVILLE	05/29/2010 02:36:52	10028754	CONTR	CONTRACT
ROCKVILLE	05/25/2010 19:46:18	10027809	CONTR	CONTRACT
ROCKVILLE	05/23/2010 02:04:35	10027186	CONTR	CONTRACT
ROCKVILLE	05/29/2010 21:55:13	10029001	CONTR	CONTRACT
ROCKVILLE	05/27/2010 05:22:33	10028179	CONTR	CONTRACT
ROCKVILLE	05/30/2010 01:13:24	10029063	CONTR	CONTRACT
ROCKVILLE	05/30/2010 14:58:27	10029172	CONTR	CONTRACT
ROCKVILLE	05/22/2010 20:58:02	10027111	DWI	DRUNK DRIVER ARREST
ROCKVILLE	05/18/2010 23:27:14	10026167	DWI	DRUNK DRIVER ARREST
ROCKVILLE	05/29/2010 23:06:13	10029030	FIRE	FIRE
ROCKVILLE	05/31/2010 17:45:09	10029367	FPROP	FOUND PROPERTY
ROCKVILLE	05/22/2010 21:55:42	10027123	FPROP	FOUND PROPERTY

City	Date Received	Call Number	Complaint	Description
ROCKVILLE	05/30/2010 22:23:54	10029237	FWORKS	FIREWORKS COMPLAINT
ROCKVILLE	05/06/2010 19:44:57	10023732	HAR	HARASSMENT COMPLAINT
ROCKVILLE	05/02/2010 21:06:55	10023011	HAZ	HAZARD
ROCKVILLE	05/02/2010 03:58:10	10022923	INFO	MATTER OF INFORMATION
ROCKVILLE	05/18/2010 12:45:49	10026040	INFO	MATTER OF INFORMATION
ROCKVILLE	05/17/2010 11:00:20	10025846	INFO	MATTER OF INFORMATION
ROCKVILLE	05/07/2010 12:29:50	10023859	LITTR	LITTERING COMPLAINT
ROCKVILLE	05/08/2010 18:37:03	10024136	LM	LOUD MUSIC
ROCKVILLE	05/09/2010 12:45:27	10024277	MA	MOTORIST ASSIST
ROCKVILLE	05/02/2010 20:19:57	10023007	MA	MOTORIST ASSIST
ROCKVILLE	05/23/2010 23:19:15	10027387	MA	MOTORIST ASSIST
ROCKVILLE	05/02/2010 03:27:22	10022919	ME CASE	MEDICAL EXAMINER CASE
ROCKVILLE	05/09/2010 20:17:39	10024332	MED	MEDICAL EMERGENCY
ROCKVILLE	05/22/2010 17:48:10	10027073	MED	MEDICAL EMERGENCY
ROCKVILLE	05/05/2010 20:27:30	10023526	OPEND	OPEN DOOR
ROCKVILLE	05/18/2010 12:19:56	10026036	PAPSV	PAPER SERVICE
ROCKVILLE	05/14/2010 11:20:51	10025180	PAPSV	PAPER SERVICE
ROCKVILLE	05/26/2010 11:59:55	10027927	PAPSV	PAPER SERVICE
ROCKVILLE	05/12/2010 09:39:08	10024745	PERG	GUN PERMIT
ROCKVILLE	05/12/2010 09:43:30	10024748	PERG	GUN PERMIT
ROCKVILLE	05/06/2010 09:28:35	10023593	PERG	GUN PERMIT
ROCKVILLE	05/02/2010 06:49:48	10022928	PRDAM	PROPERTY DAMAGE
ROCKVILLE	05/03/2010 17:36:25	10023145	SBUS	SCHOOL BUS/SCHOOL VIOLATIO
ROCKVILLE	05/22/2010 15:58:39	10027059	SD	SPECIAL DETAIL
ROCKVILLE	05/03/2010 19:51:14	10023169	STALL	STALLED VEHICLE
ROCKVILLE	05/01/2010 22:08:33	10022876	SUIC	SUICIDE THREAT
ROCKVILLE	05/09/2010 07:54:20	10024243	SUSV	SUSPICIOUS VEHICLE
ROCKVILLE	05/12/2010 04:37:22	10024719	SUSV	SUSPICIOUS VEHICLE
ROCKVILLE	05/10/2010 21:53:53	10024542	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/15/2010 06:50:16	10025418	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/19/2010 23:41:07	10026391	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/16/2010 20:38:27	10025773	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/08/2010 05:47:36	10024026	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/06/2010 10:41:48	10023620	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/05/2010 08:09:00	10023386	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/05/2010 18:39:26	10023505	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/24/2010 07:44:13	10027425	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/25/2010 20:06:09	10027816	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/29/2010 03:35:45	10028758	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/29/2010 18:36:58	10028938	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/23/2010 00:20:59	10027164	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/24/2010 08:08:40	10027430	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/24/2010 09:27:31	10027440	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/31/2010 13:11:45	10029319	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/27/2010 05:38:11	10028181	Traffic Stop	TRAFFIC STOP
ROCKVILLE	05/02/2010 19:12:16	10022996	VANDV	VANDALISM TO VEHICLE
ROCKVILLE	05/24/2010 02:06:49	10027402	VISION	ON PHONE WITH RECORDS
ROCKVILLE	05/28/2010 14:02:47	10028562	WARRANT	WARRANT
ROCKVILLE	05/15/2010 18:16:04	10025530	WAT	PROBLEM WITH WATERCRAFT
ROCKVILLE	05/06/2010 14:04:36	10023689	WELF	WELFARE CHECK

ROCKVILLE CONTRACT - MAY 2010

<u>Actual Incid</u>	<u>City</u>	<u>Date Received</u>	<u>Comp</u>	<u>Call Number</u>	<u>Complaint</u>	<u>First Unit</u>
ROCKVILLE		05/01/2010 01:49:28	02:59:40	10022711	CONTR	2558
ROCKVILLE		05/03/2010 15:05:15	16:06:26	10023110	CONTR	2548
ROCKVILLE		05/04/2010 05:16:08	06:20:08	10023226	CONTR	2573
ROCKVILLE		05/04/2010 06:16:46	06:38:48	10023227	CONTR	2564
ROCKVILLE		05/05/2010 20:00:21	21:00:27	10023522	CONTR	2547
ROCKVILLE		05/06/2010 04:36:24	06:35:12	10023565	CONTR	2575
ROCKVILLE		05/07/2010 09:22:55	10:34:03	10023825	CONTR	2542
ROCKVILLE		05/08/2010 05:12:17	06:13:12	10024024	CONTR	2578
ROCKVILLE		05/08/2010 17:54:29	19:00:25	10024127	CONTR	2572
ROCKVILLE		05/09/2010 05:10:36	06:10:15	10024239	CONTR	2580
ROCKVILLE		05/09/2010 22:23:10	23:34:30	10024359	CONTR	2579
ROCKVILLE		05/10/2010 03:30:24	04:29:26	10024377	CONTR	2512
ROCKVILLE		05/10/2010 21:05:13	22:20:57	10024534	CONTR	2569
ROCKVILLE		05/12/2010 01:00:08	02:10:55	10024710	CONTR	2574
ROCKVILLE		05/12/2010 08:13:38	09:15:19	10024727	CONTR	2548
ROCKVILLE		05/13/2010 06:20:35	06:49:23	10024906	CONTR	2566
ROCKVILLE		05/13/2010 22:37:18	23:09:45	10025072	CONTR	2566
ROCKVILLE		05/14/2010 04:36:50	05:37:19	10025099	CONTR	2575
ROCKVILLE		05/15/2010 02:29:26	03:38:43	10025408	CONTR	2578
ROCKVILLE		05/16/2010 14:43:26	15:45:38	10025711	CONTR	2562
ROCKVILLE		05/17/2010 04:35:37	05:45:34	10025816	CONTR	2575
ROCKVILLE		05/17/2010 18:52:29	19:55:12	10025933	CONTR	2567
ROCKVILLE		05/18/2010 21:43:47	21:46:07	10026148	CONTR	2571
ROCKVILLE		05/18/2010 22:02:36	23:02:44	10026150	CONTR	2574
ROCKVILLE		05/19/2010 15:31:43	16:50:21	10026296	CONTR	2552
ROCKVILLE		05/19/2010 23:56:57	00:59:42	10026394	CONTR	2550
ROCKVILLE		05/20/2010 18:56:14	19:56:18	10026572	CONTR	2569
ROCKVILLE		05/21/2010 05:22:36	06:24:32	10026673	CONTR	2558
ROCKVILLE		05/22/2010 01:56:06	03:14:18	10026926	CONTR	2566
ROCKVILLE		05/23/2010 02:04:35	22:31:59	10027186	CONTR	2559
ROCKVILLE		05/25/2010 19:46:18	21:05:40	10027809	CONTR	2546
ROCKVILLE		05/27/2010 05:22:33	06:25:12	10028179	CONTR	2564
ROCKVILLE		05/29/2010 02:36:52	03:38:19	10028754	CONTR	2566
ROCKVILLE		05/29/2010 21:55:13	23:07:02	10029001	CONTR	2569
ROCKVILLE		05/30/2010 01:13:24	02:13:32	10029063	CONTR	2559
ROCKVILLE		05/30/2010 14:58:27	16:15:02	10029172	CONTR	2541

REQUEST FOR COUNCIL ACTION

Originating Department: Maintenance Requested By: Rick Date: 6-10-10

Please approve Caldwell Asphalt to sealcoat approximately 8,331 sq yards at a price of \$0.80 per yard for a total of \$6,664.80. The Cities of Cold Spring, Richmond, and Rockville bid the sealcoating together again this year.

Fund: 101-43100-317 with a balance of \$11,000.00

Motion by: _____ 2nd by: _____ Vote: _____

2010 Seal Coat Bids

Approximately 68,114 sq. yds. of material.

NAME	CITY	Unit Price Per Sq. Yd.	Total Price
Caldwell Asphalt Co	Hawick	0.800	\$54,491.20
Asphalt Surface Technologies	St. Cloud	0.820	\$55,853.48
Pearson Bros Inc	Hanover	0.970	\$66,070.58

2003 price was .4538 per sq. yd. for 51,836 yds.
 2004 price was .5000 per sq. yd. for 50,833 yds.
 2006 price was .5200 per sq. yd. for 61,238 yds.
 2007 price was .5480 per sq. yd. for 29,245 yds.
 2009 price was .670 per sq. yd. for 105,782 yds.

Staff recommends award of the contract to the low bidder (highlighted).

Pleasant Lake Walking Path Shouldering Quotes

	Class 2 Granite	Crushed Concrete
Krippner Exc.	\$9,850.00	\$9,100.00
Gene Lange Exc.	\$10,530.00	\$9,850.00
Kreamer Trucking	\$12,256.00	\$10,464.00

**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 a distance of 110 feet more or less to an Iron Mt., (being the Southwest corner of tract described in DB.300, page 442; Thence westerly 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 feet, more or less, to Iron Mt., thence Westerly and parallel with South line of Lot Three (3), along 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 the Mr. Williams does have a deep culver 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 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

draft

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 10th to Thursday August 12th @ 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 13th 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.

JUDY NEU
BILLING CLERK/ADMINISTRATIVE ASST

TONI HONER
CHAIR



CITY OF ROCKVILLE

P.O. Box 93 • 229 Broadway Street East • Rockville, Minnesota 56369

(320) 251-5836 • FAX (320) 240-9620

www.rockvillecity.org

NOTICE OF PUBLIC HEARING CITY OF ROCKVILLE

ROCKVILLE CITY COUNCIL

MAYOR

JEFF HAGEN
(320) 266-0377 CELL

COUNCILORS

BILL BECKER
(320) 253-9352 HOME

JOHN KOERBER
(320) 252-0499 HOME

SUSAN PALMER
(320) 253-8191 HOME

JERRY SCHMITT
(320) 252-4111 HOME

RANDY VOLKMUTH
(320) 240-6889 HOME

DUANE WILLENBRING
(320) 685-7775 HOME

CITY STAFF

RENA WEBER
CITY ADMINISTRATOR/CLERK
rweber@rockvillecity.org

JUDY NEU
UTILITY BILLING/
ADMINISTRATIVE ASSISTANT

CINDY ANDERSON
RECEPTIONIST

RICK HANSEN
PUBLIC WORKS DIRECTOR
250-2601 CELL

NICK PUNG
MAINTENANCE/
PUBLIC WORKS

Notice is hereby given 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:

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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%)

All persons attending the hearing and wishing to address the Planning Commission will have an opportunity to do so. Those not able to be present at this meeting should submit their opinions in writing to the Rockville City Administrator/Clerk, P.O. Box 93, Rockville, MN 56369 prior to the hearing.

Verena M. Weber-CMC
Administrator/Clerk

Publish 05/25/10
Cold Spring Record

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, room 326-w, Whitten Building, 1400 Independence Ave, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice & tdd). USDA is an equal opportunity provider and employer.
Williams, Ted Shoreland Variance.2010.wd.doc

TED WILLIAMS STAFF REPORT

May 24, 2010

Rockville Planning Commission; City Council

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

Variance(s) Requested:

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Recommendations:

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2. We suggest that something be installed to catch the run off such as: i.e rain barrel or underground trench.

Submitted by:
Rena Weber
Zoning Administrator

Williams, Ted Variances, 2010

CITY OF ROCKVILLE
APPLICATION FOR VARIANCE REQUEST: Fee \$200

Need a Copy of Deed

PLEASE NOTE: ANY COSTS (i.e. LEGAL, ENGINEERING, ADMINISTRATIVE, STEARNS COUNTY FEES, ETC.) INCURRED OVER AND ABOVE THE APPLICATION FEE ARE THE RESPONSIBILITY OF THE PETITIONER

PROPERTY LOCATION/ADDRESS: 21349 CTY RD 8 COLD SPRINGS MN

LEGAL DESCRIPTION: _____ PARCEL#: 26.41651.0700 ZONING: _____

EXPLANATION OF REQUEST: BUILD A DECK ON FRONT OF HOUSE. WILL BE FREE-STANDING (NOT ATTACHED TO STRUCTURE) WITH NO FROST FOOTING. LESS THAN 30" HIGH. NO PERMIT REQ'D.

Provide individual property owner names/addresses within 350 feet or nearest 10 property owners, whichever is greatest.

If replacing an existing structure, what will be done with the old structure? _____

Has a variance request been made previously on this property? YES If yes, when? 2000

PROPERTY OWNER:

Name (Print): (TED) THEODORE L WILLIAMS Phone: 240-2009
First Name Middle Initial Last Name
Address: 21349 CTY RD 8 COLD SPRINGS MN
Signature (required): [Signature] Date: _____

*Signature of property owner shall serve as acknowledgement and authorization of this request

APPLICANT:

Name (Print): THEODORE L. WILLIAMS Phone: 240-2009
Address: 21349 CTY RD 8 COLD SPRINGS MN
Signature (required): [Signature] Date: 4/25/10
(I hereby certify that I have read the above information and I agree with the terms)

STAFF USE ONLY:

R# _____ Variance Application Fee _____ Check # 1511 Date 5-5-10
101.41000.34103 \$200.00 Permit # 10-03V

VARIANCE JUSTIFICATION FORM

Please use this form to explain how your variance request meets the three requirements for a variance.

- Undue Hardship: THE ADDITION OF A DECK WILL ALLOW MORE ENJOYMENT OF LAKE-LIVING WITH FAMILY AND FRIENDS. IT WILL ALSO ENHANCE APPEARANCE OF PROPERTY.
- Unique circumstances: DUE TO SIZE AND SHAPE OF LOT, SETBACK AND IMPERVIOUS STANDARDS CAN'T BE MAINTAINED. INITIAL PLACEMENT OF HOME REQUIRED A VARIANCE.
- Applies to the Individual Property: SOME HOMES ALONG CTY. RD 8 DON'T MEET SETBACK STANDARDS. THE ADDITION OF A DECK WON'T ALTER PROPERTY AND WILL NOT ENCRDACH UPON ADJACENT PROPERTIES.

A variance cannot be granted unless evidence is presented that satisfies, at a minimum, the three conditions above. Failure to adequately provide such information may result in a denial of your request for a variance.

(Attach additional sheets if necessary).

USE THE BACK OF THIS FORM TO LIST ALL ADJOINING PROPERTY OWNERS WITHIN 350 FEET OR NEAREST 10 PROPERTY OWNERS, WHICHEVER IS GREATEST.

Staff Use only:

Zoning Administrator reviewed Variance Application.

1. Referred to City Attorney and/or City Engineer: Date _____

Why: _____

2. Determination made & why: Variance needed for setback -
Impervious will be under 20% if mitigation is provided

Complete Application

Incomplete Application Why: _____

Applicant was notified for additional information: Date _____ in which the information needs to be turned in by, _____ in person _____ by phone _____ email

Staff _____ Date _____

APPEALS AND ADMINISTRATIVE DECISIONS

Appeals of decisions of the Zoning Administrator will be heard by the City Council provided that the person making the appeal files an application for a hearing within thirty (30) days after the decision to be appealed was delivered to the applicant by the Zoning Administrator. The following procedure will be followed:

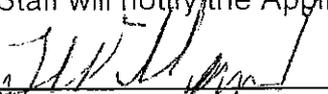
1. **Application.** The person making the appeal must apply for a hearing before the City Council on forms provided by the Zoning Administrator.
2. **Notice and Hearing.** The City Council will schedule a hearing on the appeal.
 - A. At least ten (10) days prior to the hearing a notice will be published in the official county newspaper.
 - B. The City Council will make their decision within thirty (30) days of the public hearing or may extend the time for consideration as permitted by state law.

LAPSE OF VARIANCE

If within one (1) year after granting a Variance the work permitted is not started, such variance shall become null and void unless a petition for an extension has been approved by the City Council.

THE STEPS:

1. Provide a complete application by the 2nd Tuesday of the month to be on the following month's Planning Commission Agenda.
2. **DATE:** 4-8 Planning Commission –May schedule a site visit; hold the public hearing at their meeting and make a recommendation to the Council at the next City Council meeting.
3. **DATE:** 6-16 Council - (Meets 3rd Wednesday of month) Makes the final decision—if Council grants the Variance Request.
4. Applicant:
 - ◆ If applicant waits for Council approval before providing the plans the next step is to fill out the Building Permit Application & provide 2 full sets of plans to City Hall.
 - ◆ If Applicant provided the Building Permit Application & 2 full sets of plans with the variance request. The applicant will need to notify City Hall that the plans that are on file are correct. This process will not be forwarded to the Building Official until applicant contacts City Hall.
DATE: _____ **Applicant should call City Hall.**
5. Building Official-Reviews the plans (allow 4-6 days). Once City Hall receives the plans back, Staff will notify the Applicant with the cost of the building permit.



(Applicant Signature)

4/25/10

Date

(I hereby certify that I have read the above information and I agree with the terms.)

Reel Williams

FINDING OF FACT
SUPPORTING/DENYING A VARIANCE

A variance may be granted only where the strict enforcement of city zoning controls will result in unnecessary hardship. A determination that a "hardship" exists is based upon the consideration of the following criteria as defined in Minnesota Statutes, Section 394.27:

1. Will the issuance of the requested variance maintain the essential character of the locality?
Why or Why not? _____

JB TH DB JT SD

2. Will the issuance of the requested variance be in keeping with the spirit and intent of the Ordinance and/or the comprehensive plan?
Why or Why not? (Health, Safety & Welfare issues)

JB TH DB JT SD

3. Are there circumstances created by someone or something other than the property owner that make compliance with the ordinance difficult or not possible?
Why or Why not?

County Road 8 and whole area is like this

JB TH DB JT SD

4. The grant of variance will not be detrimental to the public welfare or injurious to other land or improvements in the vicinity in which the parcel of land is located?
Why or Why not?

JB TH DB JT SD

5. Without a variance, is the owner deprived of a reasonable use of the property as that use relates to the Ordinance?
Why or Why not?

JB TH DB JT SD

IF ALL OF THE ANSWERS ARE "YES", THE CRITERIA FOR GRANTING THE VARIANCE HAVE BEEN MET. FINDING OF FACT APPLICATION FORM.FORMS