

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD
TUESDAY, MAY 8, 2007 – 7:00 P.M. – ROCKVILLE CITY HALL**

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

Staff member present: Administrator/Clerk Rena Weber.

Others present: Bill Becker, Vincent Meyer, Bill Schnettler, Greg Berg & Scott Palmer.

APPROVAL OF AGENDA/AMENDMENTS - *Motion by Member Honer, second by Member Borgmann, to approve the agenda and addition as presented. Motion carried unanimously.*

APPROVAL OF MINUTES 4/10/07 – *Motion by Member Honer, second by Member Palmer, to approve the minutes of 4/10/07 as presented. Motion carried unanimously.*

NEW BUSINESS

VINCENT & SUSAN MEYER VARIANCE APPROVAL – Chair Jerry Bechtold asked the Planning Commission members to give a report of the site visit. Rena Weber read Greg Berg's statement upon his site visit and ways that storm water run off could be mitigated. Rena Weber reported that Scott Hedlund agreed with Greg Berg's observations. There are 3 variances to consider yet: ***Required setback of the Ordinary High Water Level***
Required setback from the Roadway
Impervious Surface

Bill Schnettler spoke of the impervious surface issue stating that Stearns County does not consider patio pavers as impervious. Mr. Meyer would be agreeable to removing the pavers and then he would be under the 25% impervious surface requirement.

Member Palmer asked what the setback from the OHWL is on Pleasant Lake. Rena Weber reported the setback is 100' on Pleasant Lake.

Chair Bechtold reported that the Alternative Ordinance has stronger rules, but it does take into account mitigation and methods to alleviate problems like excessive runoff.

Greg Berg (Stearns County Soil & Water Conservation District) indicated that the rain gardens were areas that he thought the home owner could work with. This is a mitigation plan in the works that would need further review by a hydrologist.

Member Borgmann stated that he would like to see the house made a little smaller as the existing houses are smaller and it would keep with the character of the neighborhood. Member Borgmann has seen other cabins that have been fixed up and felt that could happen with this cabin.

Member Honer agreed with Member Borgmann and was concerned with a two story house. The person across the road will be affected.

Member Palmer stated that she feels this is too much house for the lot. When they purchased the property they knew what was allowed and not allowed.

Bill Becker – 25844 Lake Road, stated the work on the Alternative Shoreland ordinance would not allow this.

Member Borgmann introduced the following resolution and moved for its adoption:

RESOLUTION NO. 2007-01

RESOLUTION RECOMMENDING DENIAL OF A VARIANCE

WHEREAS, Vincent & Susan Meyer had presented a request for three variances to construct a single family dwelling in the Shoreland District, and;

WHEREAS, the Meyers are seeking to demolish an existing structure and construct a 2,989.5 square foot two-story structure on the shoreland parcel, and;

WHEREAS, said variances requested approval of:

a) 50' setback from the Ordinary High Water Level, instead of the required 100' setback;
 b) 15' setback the Roadway, instead of the required 25' setback;
 c) 31% Impervious Surface – 6% over the required 25% limit
WHEREAS, a public hearing was held on _____, 2007, with proper notification and publication, and;
WHEREAS, all persons attending the public hearing were given an opportunity to be heard on said request.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF ROCKVILLE, STEARNS COUNTY, MINNESOTA:

1. *It is recommended that the City Council should deny the requested variances.*
2. *Approval of the variance would not maintain the essential character of the neighborhood as there are no present structures of this size or height in the neighboring area.*
3. *The stormwater runoff of the property is not sufficiently mitigated to protect the lake and neighboring properties.*
4. *The requested construction is not necessitated by unique circumstances of the land, and are created due to the property owner's request to build a structure larger than the existing structure. The size of the proposed structure creates the need for a variance, and is unreasonable given the neighborhood, the size and area limitations of the parcel and the goals of the shoreland zoning controls.*
5. *The use of the property by constructing a 2,989.5 square foot two-story structure on the shoreland parcel is not reasonable.*
6. *Granting the variance will be detrimental to the public health, safety, comfort and general welfare of the City.*

AYES: Borgmann, Honer, Palmer & Schmidt

NAYS: Bechtold

Motion passed on a 4 to 1 vote.

GREG & ANGIE BERG – SITE PLAN APPROVAL 8615 County Road 6 - Greg Berg was present to review his request stating that he moved it 12' further back on the lot to satisfy his neighbor and it will not encroach the sewer easement. Mr. Berg stated he will have to re-locate the power pole, but he will not seal the well and drill another one. They share a driveway with the neighbor and actually the neighbor's driveway is on their property.

Rena Weber read the ordinance as to why the Planning Commission has to approve the site plan.

Greg Berg reported the garage will be steel or similar using brown and earth tones to match the color of the house and present garage. Their plan is to reside the house and other garage at some time which is redwood, but not due to cost.

Motion by Member Palmer, second by Member Borgmann, to approve the site plan for Greg and Angie Berg as presented. Motion carried unanimously.

Member Honer questioned the building being located 21' from the sewer line and could he have moved it back 11' more. Greg Berg replied yes, but there is additional cost and this is not what he really wanted to do.

SECTION 4: SUBD 2 #7 SUMMARY OF ALL PERMITS – Rena Weber presented a building permit report generated by Judy Neu for approval. The Planning Commission approved the form.

REQUEST FOR PLANNING COMMISSION ACTION – Rena Weber presented the following: In order to address the concerns of the Planning Commission members and some Council members that I heard at the 4/10/07 meeting I would like to propose the following:

- a) In light of the fact that Member Palmer would like to change the process to have PC members hear a request a one meeting and then take action at the next meeting, and;
- b) In light of the fact that Member Honer would like to go back to the two meetings per month, and;
- c) In light of the fact that the PC used to do more site visits, but keep in mind the PC does not want to do those during winter months, and;
- d) In light of the fact that Council Members Hagen and Volkmuth wish to be more involved in the approval process.

I would suggest that the PC hold their regular meetings, public hearing on the 2nd Tuesday of the month as scheduled. This will allow for submission dates to remain the same and hopefully will not affect the 60 day rules.

I would further suggest that a regular site visit meeting occur on the 4th Tuesday of each month (excluding winter) at 4:00 p.m. or 5:00 p.m. This visit will be posted as a PC Meeting with Council Members Hagen and Volkmuth being asked to attend and be part of this discussion. There will not be any action taken at this meeting. PC members will consider action at the regular scheduled meeting.

Also, PC, CC & staff will receive a monthly report of every permit request that comes in, where it is at and the final disposition of the request.

Also, I propose that the ordinance be changed to require electronic submission of proposals. This can then be e-mailed to all PC & CC members when they become available. Paper copies will be available at city hall for anyone wishing to pick them up early or they will be in the packets. I will ask that you review the information by a certain date and respond to city hall with your concerns. Please keep in mind the open meeting law and do not be e-mailing groups of people.

Also, we will include copies of the checklist that has been reviewed by Judy and I or the consultants.

That way you will know what we looked for in checking the request against the ordinance.

I will be requesting council approval to purchase a good scanner that is part of our copier.

Motion by Member Borgmann, second by Member Palmer, to approve the request for Planning Commission action with leaving the scheduled meeting time open and further that members are to meet at City Hall first. Motion carried unanimously.

CHECKLIST ON ZONING PERMITS – Rena Weber reported that members have requested a check list for zoning permits and that Judy Neu has provided a list for each type of request.

Member Palmer stated she would like to see staff comments – i.e. if the answer is checked No – why?

Checklist approved.

Member Honer voiced concern that homeowners associations do not follow through with covenants.

Chair Jerry Bechtold reported on the visit made to Cambridge on Monday, May 7th to view a housing development using Building Better Neighborhoods and the Community Land Trust.

OLD BUSINESS

Jerry Bechtold discussed his proposed findings of fact and Jim Mogen asked him to hold off the ordinance is changed.

Member Borgmann presented a copy of findings of fact that he received at training seminar. No action was taken.

PLANNING COMMISSION MEMBER/STAFF REPORT – There was none.

BUSINESS FOR NEXT MEETING - Rena Weber reported that she had no planned site visits for the May 22nd meeting at this time.

ADDITION TO THE AGENDA

CHARLES DRIVER – SITE PLAN APPROVAL – 25217 Lake Road - Rena Weber presented a drawing of the proposed storage shed for Charles Driver. The Driver's own 5 acres of land which is zoned R-1 and this would meet the ordinance.

Member Palmer asked if these requests meet the ordinance then why we need to get Planning Commission and City Council approval. Discussion was held by members in that this is still a way for members to be informed of what is going on in neighborhoods so they can answer questions should they arise.

Motion by Chair Bechtold, second by Member Borgmann, to approve the site plan for Charles Driver as presented. Motion carried unanimously.

OPEN FORUM

Scott Palmer – 21108 Fowler Road, was present to remind Planning Commission members that Randall Arendt has scheduled a training session on conservation design and asked members to keep that date open. Mr. Arendt will showcase the City of Rockville for the focus of his presentation. Scott indicated the council is considering 4 houses per 40 acres.

*Topographic map of Rockville to Randall Arndt –

*Contact Don Hickmann (CMIF) to see what information he will need in addition to the map.

ADJOURNMENT – Motion by Member Borgmann, second by Member Honer, to adjourn the meeting at 8:41 p.m. Motion carried unanimously.

**VERENA M. WEBER-CMC
ZONING ADMINISTRATOR**

**JERRY BECHTOLD
CHAIR**