

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD
TUESDAY, SEPTEMBER 11, 2007 – 7:00 P.M. – ROCKVILLE CITY HALL**

Planning Commission met at City Hall -6:20 p.m. as a committee of the whole to view 1 site:

- Gregory & Sandra Gohman @ 8527 County Road 6, St. Cloud, MN 56301

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, Dale Borgmann, Dan Hansen, & Steve Dietman. Absent: Susan Palmer & Jerry Tippelt.

Staff members present were: Administrator/Clerk Rena Weber, Utility Billing/ Administrative Assistant Judy Neu and Building Official Jeff Howe.

Others present: Greg & Sandy Gohman, Anthony Peters

ISSUE OATH OF OFFICE- Rena issued the Oath of Office to Steve Dietman. Steve is now duly sworn in as a Planning Commission member replacing Roger Schmidt who resigned on June 12th, 2007. Steve Dietman resides at 12865 250th Street, St Cloud, MN. 56301.

APPROVAL OF AGENDA/AMENDMENTS – Chair Honer asked to revise the agenda to consider the Raymond Schneider first before Gregory & Sandra Gohman.

Motion by Member Bechtold, second by Member Hansen, to approve the agenda and addition as amended. Motion carried unanimously.

APPROVAL OF AMENDED MINUTES 8/21/07 – *Motion by Member Bechtold, second by Member Borgmann, to approve the minutes of 8/21/07 as presented. Motion carried unanimously.*

NEW BUSINESS

RAYMOND SCHNEIDER-QUALIFIED MINOR SUBDIVISION

Rena Weber stated that the Schneider's would like to split farm that has 120 acres into 2 lots.

Mike Schneider explained that his parent had a total of 80 acres across the road and that 70 acres were sold about 20 years ago and the 10 acres was going to be for another building site. Somehow those 10 acres were attached to the farm. They would like to have those 10 acres split from the 120 acres.

Member Hansen questioned if someone was going to build on the lot.

Mike Schneider stated that they are planning on selling the 10 acres.

Member Hansen stated that you need 40 acres to build a house in the Ag-40 unless it was a lot of record before April 16, 2003.

Mike Schneider explained that it had its own parcel ID # but somehow it was joined to the farm but not on their request.

Irene Schneider explained that she was told from Stearns County that the 10 acres were attached to the farm in 1988 and that Stearns County stated that it would be okay to split off because it shouldn't have been attached.

Member Hansen questioned if that document was received.

Rena Weber reported no.

GREGORY & SANDRA GOHMAN- SITE PLAN APPROVAL 8527 County Road 6 – Greg & Sandy Gohman were present to review their request stating to construct 22' x 28' addition to

existing accessory structure. The siding will be horizontal, shingle will be asphalt and will match the existing structure.

Greg Gohman explained that the new proposed structure is being built over the abandoned septic/lift station. It does not have anything to do with the current grinder station.

Greg Gohman explained that the propane tank will be moved.

Jeff Howe stated that it depends on the size of the propane tank to determine the distance and that he will be address it at the plan review.

STAFF REPORT AND PICTURES

RE: SITE PLAN APPROVAL

76.42144.001 Owners: Gregory and Sandra Gohman

Property Address: 8527 County Road 6, St. Cloud, MN 56301

REQUEST:

Approval to construct 22' x 28' addition to accessory structure in R-1 District

RELEVANT INFORMATION

1. Property is zoned R -1
2. Property is 1.86 acres approximately.
3. The owner is proposing horizontal siding and roof that will match the existing garage.
4. New structure will not exceed 25' in height.
5. Structure is being built where the septic tank used to be. Propane tank is located within the 12'setback from side yard.

RECOMMENDATION

1. Make any necessary soil corrections from the former septic system.
2. Maintain existing drainage patterns over, under, and across their property.
3. Proper temporary and permanent erosion control measurers (BMP's) shall be implemented during and after construction to minimize sediment leaving the site; this would include proper installation of silt fence or bio-rolls on the down gradient side(s) of any excavations or earth disturbing activities, and subsequent re-vegetation of the disturbed areas soon after work is completed.
4. Verify that propane tank is okay where located or move it.
5. Approve with these conditions.

Motion by Member Bechtold, second by Member Borgmann, to recommend approval on the construction site plan as presented. Motion carried unanimously.

ANTHONY PETERS – DISCUSSION ON THE VARIANCE COMPLIANCE- 25523 Pleasant Road

Rena Weber reported that back in 2004 Anthony Peters came to ask for approval to put a 30' x 36' unattached garage on his property. At that time it was approved by the City Council, there were some conditions put on it:

1. ***Said request is hereby approved to construct a 30' x 36' unattached garage that is not to become habitable and further that said shed on the property is to be removed within 6 months of completion of the garage.***
2. ***Said approval will not create undue hardship, is a unique circumstance, and applies to the individual property.***
3. ***That the granting of the variance will not be detrimental to the public health, safety, comfort and general welfare of the City.***

Rena Weber questioned if the garage was completed and if Nancy Scott inspected it.

Anthony Peters stated yes.

Rena Weber reported that the day Nancy Scott inspected it she found the following items in structure.

- Refrigerator
- Water Heater
- Bathroom
- Love Seat
- Bunk Beds
- Actual garage is 12' wide
- There is a stud wall dividing the garage from the remaining portion of the garage.
- When asked about the shed you indicated a desire to keep it.

Anthony Peters stated that there is an old outhouse and it is all been taken care of.

Rena Weber reported that she received certification that the outhouse has been abandoned.

Rena Weber explained that there are concerns that it is being used as a cabin instead of a garage.

Anthony Peters explained at the time he applied for a building permit he asked if a bathroom could be installed and did receive approval. It is not habitable, it is not being used as a dwelling, and he was told that a dwelling is considered when there is a kitchen in it. He has no kitchen. The garage is being used when family comes so they have a place to sleep.

Rena Weber questioned the Planning Commission members, if they are okay with what Anthony is doing and what about the shed.

Anthony Peters explained that the shed is the 6x6 outhouse and it has been taken care of. It is no longer an outhouse.

Rena Weber reported that there is a limited on accessory structure and that is the reason for the conditions. The limit is 2 accessory structures on the property.

Member Borgmann stated that the outhouse should be removed and only sleeping quarters in the accessory structure.

Anthony Peters explained that it is only a seasonal cabin.

Motion by Member Bechtold, second by Member Borgmann, to recommend removal of the outhouse and leave the accessory structure as sleeping quarters only. Motion carried unanimously.

SJ LOUIS – STORAGE BUILDING SITE PLAN APPROVAL –

Rena Weber reported that SJ Louis came with a plan back in April and the current ordinance still has the 150 feet setback from the residential property. That was their reason for not building because they didn't want to meet the restriction.

Rena Weber reported that Holly Voigt stated that SJ Louis would put the 90x108 cold storage building where ever.

Discussion was on:

- Setback of a 150 foot from residential property
- Location on the propane tanks
- Underground waste oil tank to heat one of the buildings
- Lighting on the building
- Exterior Wash Bay

Chair Honer stated that the building should meet the 150 foot setback from residential property.

Rena Weber reported that the lighting should be looked at.

Building official Jeff Howe will be discussing with SJ Louis about some of the concerns and the placement of the cold storage building.

BRIAN STRADTMAN – DISCUSSION ON RV’S –

Rena Weber reported that she spoke to Brian on the phone and he gave her a history of the lot. There are 2 campers on the site, one of the campers is really old and it sounds like he is trying to get rid off it.

Member Borgmann voiced concern that he heard that the gray water is being drained on the ground and the other concern is the 2 RV’s.

Rena Weber reported that the lot does not have sanitary sewer.

Rena Weber recommends that we invite him to a staff meeting.

STAFF REPORT

GRAND LAKE COURT-

Building Official Jeff Howe would like to give an update on the issue out on Grand Lake Court and the access for the Fire Department.

Rena Weber reported to hold off until Jeff reads the attorneys letter.

Rena Weber explained that Michael Lutgen built a new house on Grand Lake Court and the road does not have a 16’ access to the property. Michael went to Stearns County to try to get approval to put a turnaround in the wetlands and that was denied.

Rena Weber stated that the building official will need to send a stop work order.

Building Official Jeff Howe reported that he will not give out a Certificate of Occupancy for the structure until there is a turnaround for the Fire Department.

Building Official Jeff Howe explained that 2 homes on a road is not an issue, if you have 3 or more homesteads then it becomes an issue for the Fire Department.

Rena Weber reported that in the future whenever we are looking at approval for homes in such an area like this, we got to make sure that the road is not an issue.

PLEASANT ROAD-

Rena Weber reported on another issue came up that the Voigt’s built a road from Pleasant Road to the lake and that she is having that investigated whether or not it has been built through a wetland without a permit or approval.

OLD BUSINESS

WATER-ORIENTED ACCESSORY STRUCTURES-

Rena Weber reported that the attorney was supposed to bring a revised ordinance and explained that the attorney wanted to be here tonight to get the members thoughts.

TRANSITIONAL ZONING & ZONING MAP - “TARGET AREAS” for IMPLEMENTING RANDALL’S IDEAS –

Rena Weber reported that the council formed a task force and the committee met to talk about what they would like to see done. Council member Palmer will be bringing a written report to the Planning Commission. The Planning Commission should hold off until they review the report.

Chair Honer stated at the next meeting these item should be discussed:

- Water-Oriented Accessory Structures
- Transitional Zoning & Zoning Map-“Target Areas” for implementing Randall’s Ideas
- Raymond Schneider-if they provide the information that is needed.
- Transfer of development rights

ADJOURNMENT – *Motion by Member Bechtold, second by Member Borgmann, to adjourn the meeting at 8:34 p.m. Motion carried unanimously.*

JUDY NEU
BILLING CLERK/ADMINISTRATIVE ASST

TONI HONER
CHAIR