

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD,  
THURSDAY, SEPTEMBER 14, 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, Steve Dietman, Jerry Bechtold & Liaison Duane Willenbring. Absent: Jerry Tippelt & Dale Borgmann.

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

Others present: Greg Simones, Eulalia, Roger & Mark Bechtold, Councilor Jerry Schmitt.

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

**APPROVAL OF MINUTES 08/18/10 – Motion by Member Bechtold, second by Member Dietman, to approve the minutes of 08/18/10 as presented. Motion carried unanimously.**

**NEW BUSINESS**

**PUBLIC HEARING JEROME & EULALIA BECHTOLD, ROGER BECHTOLD & MARK BECHTOLD**  
**CONDITIONAL USE PERMIT:** Zoning Administrator Rena Weber read the notice of public hearing which states that the Rockville Planning Commission will hold a public hearing on Tuesday, September 14, 2010 at approximately 6:30 p.m. at Rockville City Hall, 229 Broadway Street East, Rockville, MN to consider the request of Jerome and Eulalia Bechtold, Roger Bechtold and Mark Bechtold for a Conditional Use Permit from Feedlot Regulations. The address of the property is: 24353 125th Avenue, St. Cloud, MN 56301.

Notice of Application for Livestock Feedlot Permit

Notice is hereby given per Minnesota Statutes §116.07, subd. 7(a), that Kipland Vale Inc., will be applying to the Minnesota Pollution Control Agency or the County of Stearns for a permit to construct a building at a feedlot with the capacity of 500 animal units or more. The feedlot is owned by Kipland Vale Inc., Jerome and Eulalia Bechtold, Roger Bechtold and Mark Bechtold.

The proposed feedlot expansion is located in the SE1/4 of Section 7 of the City of Rockville, T123N, R29W, of Stearns County, Minnesota. The existing facility consists of 350 dairy cows, 200 dairy heifers and 80 dairy calves (646 animal units); total and partial confinement barns and open lots; and liquid manure storage areas and short-term manure stockpiling. The proposed facility will consist of 400 head of dairy cows, 300 head of dairy heifers and 100 of dairy calves (790 animal units); total and partial confinement barns and open lots with a new total confinement barn for calves 50' x 80'; and liquid manure storage areas and short-term manure stockpiling. The total animal unit capacity will be 790 animal units.

This publication shall constitute as notice to each resident and each owner of real property within 5,000 feet of the perimeter of the expanding feedlot as required by Minnesota State Law. Published at the request of Kipland Vale Inc.

**STAFF REPORT:** Submitted by:

Becky Schlorf Von Holdt

Acting Agriculture and Water Resources Division Supervisor  
Stearns County Environmental Services Department

Re: Conditional Use Permit Request #10-03  
76.41610.0500  
Owners: Kipland Vale Inc (Jerome and Lemay Bechtold, Roger Bechtold,  
Mark Bechtold)  
Property Address: 24353 125<sup>th</sup> Ave - 56301

Conditional Use Permit Requested:

1. Increase animal units and construct a new calf barn.

2. A Conditional Use Permit is required for feedlots proposing modifications or expansions exceeding 500 animal units in an A-40 zoning district. Rockville Ordinance Section 25 refers to Stearns County Ordinance #439 Section 6.7 (Section 6.7.3 C).

Construction Requests:

1. Increase animal units at a feedlot from 646 to 790 animal units and construct a new 50' x 80' calf barn.

Relevant Information:

1. This property is located within the A-40 District and the Special Protection – Ag District Overlay. Adjacent property is zoned the same.
2. Access to the property is by 125<sup>th</sup> Ave or Glacier Rd.
3. Property contains 240 acres.
4. The proposed total confinement 50' x 80' calf barn will meet all required setbacks including the well setback of 50 feet.
5. Upon inspection and re-registration of the feedlot by Stearns County Environmental Services Department staff in March 2010, it was discovered the facility had expanded in animal units without a State feedlot permit or City Conditional Use Permit. The inspection included a review of the manure land application records (including transferred manure records). Other than the need for a permit for animal unit expansion, the facility was found to be compliant.
6. The owners are transferring 20-100% of the manure generated at the facility. Annually, 3 million gallons of liquid manure and 3600 tons of solid manure may be generated. A plan has been completed for transfer of manure ownership, and a manure management plan was prepared by Rick Fischbach. It includes 461 acres for manure application. No winter application is planned.
7. Waste enclosures / screening. New waste facilities are not proposed with this application. Existing waste facilities include dead animal disposal and manure storage areas. The manure storage areas are contained in earthen structures surrounded by chain link fencing, short-term stockpiles in cropped fields and permanent stockpiles on concrete. The dead animal compost building is attached to the northeast barn (barn #2) on the northeast corner and is enclosed with a roof and three sides.
8. The soil types on the property include Estherville (41A), Regal (566), and Seelyville (540).
9. A drainage and grading plan is not required.
10. A public notice regarding this application, as required by the State, was published in the Cold Spring Record on August 31, 2010.

Recommendations:

Approval is recommended with the following conditions:

1. The manure management plan shall be updated annually as needed according to Minnesota Rules, Chapter 7020, or successor rules.
2. The owner shall maintain records of manure land application as required by Minnesota Rules, Chapter 7020, or successor rules.
3. The owner shall construct the project according to the plans submitted with the application.

Chair Honer stated she received a phone call from Don Simon that he doesn't have a problem with it, he thinks it's great that we have agricultural business wanting to expand.

***Motion by Member Dietman, second by Member Honer, to close the public hearing at 6:37p.m.  
Motion carried unanimously.***

***Motion by Member Dietman, second by Member Honer, to recommend approval of the Interim Use Permit with the recommendations from Stearns County Environmental Service. Motion passes.***

***AYES: Honer, Dietman***

***ABSTAIN: Bechtold***

**GREG SIMONES – INSTALL A CARPORT:** Greg Simones explained he owns a fifth wheel camper and would like to store it under a roof but doesn't want the extra expense of a new pole building. He went to Menards to do some research and Menards have a steel frame building system (carport). The building would with stand 90 mph winds. The size would be 12'x29' by 12½' tall.

Zoning Administrator Rena Weber explained that in the past we had concerns regarding hoop structures.

Chair Honer stated this structure is different than a hoop structure.

Zoning Administrator Rena Weber explained that any structure that exceeds 120 square feet in area is required to meet the building codes.

Member Dietman questioned if the building is all metal.

Greg Simones explained "yes".

Zoning Administrator Rena Weber explained that Ron Wasmund (building official) stated that metal structures needs to be treated as accessory structures and it needs to meet all ordinance and code requirements. Does hoop structures meet code requirements?

Chair Honer stated that this structure is totally different. This is like a post frame building material.

Liaison Duane Willenbring questioned if there is a definition on hoop structures that are disallowed.

Chair Honer explained that hoop structures need to be certified to meet wind and snow load requirements.

Zoning Administrator Rena Weber read the definition "**HOOP STRUCTURE**" is a structure not designed for permanent year round, long-term use, intended to shelter property of any kind, with a membrane, fabric or similar roof and/or walls. Said structure shall be anchored in place, will be considered as another building, will be required to go through the same procedure as accessory buildings, and must meet setback requirements. If permanent it needs to be certified and meet wind and snow-load requirements.

Zoning Administrator Rena Weber questioned "If this structure needs to match the color of the house?"

Greg Simones explained the house is white so it would match.

Zoning Administrator Rena Weber explained in the R-1 District you can only have 2 accessory structures on the property. Is this metal building (carport) consider to be an accessory structure.

Chair Honer stated "yes".

Zoning Administrator Rena Weber reported that currently the property owner has 2 accessory buildings already.

Chair Honer explained that if the applicant wants to move forward he would need to go for a variance or attach it to an existing building.

**RUTH BROWN – RV'S ON PROPERTY:**

Zoning Administrator Rena Weber reported that it was brought to the City's attention that this property has 2 RV's located on the property. The one camper that is near the lake is used for storage and the other camper by the road is used for storage and some living during the summer months. They would like to sell it but with family issues they need to hold on to it. A few years back the City contracted with Stearns County to oversee shoreland properties in which Stearns County ordinance allowed campers. Looking thru the City of Rockville shoreland ordinance it doesn't appear that the City included campers in the ordinance.

Chair Honer explained that the Planning Commission had 2 similar situations and both had to remove 1 of the campers.

Zoning Administrator Rena Weber explained that at that time the City had Stearns County ordinance in place.

Liaison Duane Willenbring questioned "If those campers were used for habitat?"

Zoning Administrator Rena Weber stated "yes".

Chair Honer explained that the property on Lake Road had 2 campers with no cabin in which we required them to remove 1 of the campers and the property owner on Pleasant Road they had 2 campers and a cabin in which we required them to remove 1 camper and allow the other camper there for only 3 months.

Zoning Administrator Rena Weber questioned on the 2 campers would you allow one for storage?

Chair Honer explained that her opinion would be to have them remove them. We already set a precedent.

Zoning Administrator Rena Weber suggested doing a site visit.

Chair Honer stated we can do a site visit right after tonight's meeting.

**DISCUSSION B-1 & SP-1 (Ag-40) (Residential property in that district):**

Zoning Administrator Rena Weber reported and would like the Planning Commission to think about: B-1 District (downtown):

- ◆ If you're Residential Use in the B-1 district you can cover the same impervious surface as a Business Use.

SP-1/AG-40 District:

- ◆ A resident (residential use) in the SP-1/AG-40 District wanting to put an accessory garage in the front yard. In which in the Sp-1/Ag-40 you can do that but is that right this is a residential use it was meant to be a resident's house.
- ◆ A resident (residential use) in the R-1 District wanting to put an accessory garage they are required to put it in the rear yard. In the R-1 (Residential district) we make residents jump thru some many hoops but if you're a residential use in the SP-1/AG-40 District you don't need to.

Discussion was held on:

- ◆ Business district-Residential use
- ◆ Maybe ordinance amendment
- ◆ Rezone

**PLANNING COMMISSION MEMBER/STAFF REPORT:**

Chair Honer reported that we need to get the Task Force (R-10) together.

The Task Force Committee would be Duane Willenbring, Don Simon, Chuck Johannes, Jeff Hagen and a couple Planning Commission members.

**BUSINESS FOR NEXT MEETING:**

**ADJOURNMENT – Motion by Member Dietman, second by Member Bechtold, to adjourn the meeting at 7:31 p.m. Motion carried unanimously.**

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

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**TONI HONER**  
**CHAIR**