

2010 10 2010

**ROCKVILLE ACTIVITY**

**OCTOBER 2010**

**TOTAL HOURS 37**

***(SEE ATTACHED ACTIVITY LIST FOR DETAILS)***

## ROCKVILLE CITATIONS - OCT 2010

Area	Offense Date	Citation #	Case #	Charge
ROCKVILLE	10/07/2010 08:30:00	ST 541-905	10047998	SPEEDING
ROCKVILLE	10/08/2010 18:52:00	ST 541-611	10057982	SPEEDING
ROCKVILLE	10/10/2010 19:32:00	ST 542-743	10058492	NO PROOF OF INSURANCE
ROCKVILLE	10/11/2010 10:49:00	ST 541-727	10058607	DISTURB PEACE-MS-DISORDERLY CONDUCT
ROCKVILLE	10/15/2010 00:39:00	ST 542-262	10059596	LIQUOR-UNDERAGE CONSUMPTION 18-21
ROCKVILLE	10/18/2010 07:42:00	ST 527-396	10060361	SPEEDING
ROCKVILLE	10/18/2010 08:47:00	ST 527-397	10060371	SPEEDING
ROCKVILLE	10/24/2010 02:02:00	ST 542-840	10061815	SPEEDING
ROCKVILLE	10/24/2010 02:02:00	ST 542-840	10061815	NO PROOF OF INSURANCE

# ALL CALLS IN ROCKVILLE - OCT 2010

City	Date Received	Call Number	Complaint	Description
ROCKVILLE	10/17/2010 10:15:41	10060184	911H	911 HANGUP CALL
ROCKVILLE	10/26/2010 16:48:06	10062300	AL	ALARM
ROCKVILLE	10/26/2010 18:35:35	10062339	AL	ALARM
ROCKVILLE	10/01/2010 06:06:19	10056192	AL	ALARM
ROCKVILLE	10/02/2010 08:01:10	10056481	AL	ALARM
ROCKVILLE	10/03/2010 03:46:38	10056711	AL	ALARM
ROCKVILLE	10/09/2010 10:36:14	10058154	AL	ALARM
ROCKVILLE	10/08/2010 18:52:23	10057983	ASSTA	AGENCY ASSIST
ROCKVILLE	10/10/2010 11:08:32	10058411	ASSTA	AGENCY ASSIST
ROCKVILLE	10/11/2010 10:37:57	10058607	ASSTA	AGENCY ASSIST
ROCKVILLE	10/20/2010 20:06:48	10061033	ASSTA	AGENCY ASSIST
ROCKVILLE	10/19/2010 09:56:41	10060601	ASSTP	PERSONAL ASSIST
ROCKVILLE	10/09/2010 20:28:24	10058270	BC	BAR CHECK/BAR CROWD
ROCKVILLE	10/13/2010 20:29:30	10059236	BURN	ILLEGAL BURNING
ROCKVILLE	10/01/2010 19:30:55	10056349	BURN	ILLEGAL BURNING
ROCKVILLE	10/19/2010 18:47:29	10060722	BURN	ILLEGAL BURNING
ROCKVILLE	10/17/2010 03:05:13	10060152	CC	CITIZEN CONTACT
ROCKVILLE	10/09/2010 01:11:17	10058093	CC	CITIZEN CONTACT
ROCKVILLE	10/09/2010 01:01:51	10058091	CONTR	CONTRACT
ROCKVILLE	10/10/2010 02:16:52	10058381	CONTR	CONTRACT
ROCKVILLE	10/11/2010 02:40:50	10058560	CONTR	CONTRACT
ROCKVILLE	10/13/2010 09:27:52	10059075	CONTR	CONTRACT
ROCKVILLE	10/12/2010 17:58:53	10058952	CONTR	CONTRACT
ROCKVILLE	10/11/2010 19:58:54	10058713	CONTR	CONTRACT
ROCKVILLE	10/01/2010 05:24:05	10056189	CONTR	CONTRACT
ROCKVILLE	10/03/2010 02:01:40	10056698	CONTR	CONTRACT
ROCKVILLE	10/03/2010 18:53:13	10056800	CONTR	CONTRACT
ROCKVILLE	10/04/2010 04:59:36	10056869	CONTR	CONTRACT
ROCKVILLE	10/02/2010 01:57:20	10056446	CONTR	CONTRACT
ROCKVILLE	10/04/2010 21:29:36	10057011	CONTR	CONTRACT
ROCKVILLE	10/05/2010 05:32:18	10057056	CONTR	CONTRACT
ROCKVILLE	10/05/2010 22:35:13	10057258	CONTR	CONTRACT
ROCKVILLE	10/06/2010 15:27:46	10057380	CONTR	CONTRACT
ROCKVILLE	10/07/2010 20:48:06	10057712	CONTR	CONTRACT
ROCKVILLE	10/08/2010 05:22:41	10057785	CONTR	CONTRACT
ROCKVILLE	10/19/2010 20:24:43	10060748	CONTR	CONTRACT
ROCKVILLE	10/20/2010 05:52:50	10060833	CONTR	CONTRACT
ROCKVILLE	10/18/2010 20:25:25	10060503	CONTR	CONTRACT
ROCKVILLE	10/18/2010 02:11:43	10060336	CONTR	CONTRACT
ROCKVILLE	10/14/2010 06:00:03	10059304	CONTR	CONTRACT
ROCKVILLE	10/14/2010 23:43:09	10059588	CONTR	CONTRACT
ROCKVILLE	10/15/2010 03:12:01	10059610	CONTR	CONTRACT
ROCKVILLE	10/16/2010 02:38:22	10059877	CONTR	CONTRACT
ROCKVILLE	10/17/2010 02:53:01	10060148	CONTR	CONTRACT
ROCKVILLE	10/20/2010 21:52:37	10061055	CONTR	CONTRACT
ROCKVILLE	10/21/2010 08:50:43	10061149	CONTR	CONTRACT
ROCKVILLE	10/22/2010 15:31:40	10061474	CONTR	CONTRACT
ROCKVILLE	10/23/2010 01:58:09	10061640	CONTR	CONTRACT
ROCKVILLE	10/25/2010 18:42:24	10062111	CONTR	CONTRACT
ROCKVILLE	10/24/2010 02:00:10	10061814	CONTR	CONTRACT
ROCKVILLE	10/26/2010 20:24:35	10062377	CONTR	CONTRACT
ROCKVILLE	10/27/2010 05:14:43	10062444	CONTR	CONTRACT
ROCKVILLE	10/28/2010 15:30:16	10062781	CONTR	CONTRACT
ROCKVILLE	10/29/2010 18:54:54	10063038	CONTR	CONTRACT
ROCKVILLE	10/30/2010 00:32:31	10063129	CONTR	CONTRACT
ROCKVILLE	10/30/2010 19:44:21	10063284	CONTR	CONTRACT
ROCKVILLE	10/31/2010 00:49:12	10063367	CONTR	CONTRACT
ROCKVILLE	10/28/2010 12:42:16	10062744	DARE	DARE PROGRAM

City	Date Received	Call Number	Complaint	Description
ROCKVILLE	10/14/2010 12:46:06	10059393	DARE	DARE PROGRAM
ROCKVILLE	10/07/2010 12:44:32	10057576	DARE	DARE PROGRAM
ROCKVILLE	10/06/2010 17:23:57	10057402	DOG	DOG COMPLAINT/BARKING
ROCKVILLE	10/19/2010 09:43:09	10060597	DOG	DOG COMPLAINT/BARKING
ROCKVILLE	10/27/2010 13:08:30	10062517	DOG	DOG COMPLAINT/BARKING
ROCKVILLE	10/22/2010 06:24:06	10061378	DRIVE	DRIVING COMPLAINT
ROCKVILLE	10/14/2010 23:39:23	10059587	DRIVE	DRIVING COMPLAINT
ROCKVILLE	10/08/2010 18:46:31	10057980	DRIVE	DRIVING COMPLAINT
ROCKVILLE	10/16/2010 00:16:11	10059856	DWI	DRUNK DRIVER ARREST
ROCKVILLE	10/26/2010 18:47:16	10062344	FIRE	FIRE
ROCKVILLE	10/26/2010 11:09:20	10062202	FRAUD	FRAUD
ROCKVILLE	10/20/2010 13:28:35	10060936	FUP	FOLLOW UP
ROCKVILLE	10/01/2010 17:05:01	10056312	FUP	FOLLOW UP
ROCKVILLE	10/11/2010 12:01:08	10058622	FUP	FOLLOW UP
ROCKVILLE	10/12/2010 08:26:13	10058795	FUP	FOLLOW UP
ROCKVILLE	10/09/2010 12:10:08	10058169	HAZ	HAZARD
ROCKVILLE	10/03/2010 17:54:17	10056792	HAZ	HAZARD
ROCKVILLE	10/26/2010 21:58:38	10062401	HAZ	HAZARD
ROCKVILLE	10/04/2010 19:21:32	10056982	HR	HIT AND RUN
ROCKVILLE	10/05/2010 14:00:44	10057155	INFO	MATTER OF INFORMATION
ROCKVILLE	10/02/2010 23:57:03	10056665	INFO	MATTER OF INFORMATION
ROCKVILLE	10/11/2010 23:34:19	10058748	INFO	MATTER OF INFORMATION
ROCKVILLE	10/29/2010 10:37:24	10062943	INFO	MATTER OF INFORMATION
ROCKVILLE	10/03/2010 18:30:53	10056796	LM	LOUD MUSIC
ROCKVILLE	10/08/2010 12:35:15	10057856	MA	MOTORIST ASSIST
ROCKVILLE	10/23/2010 17:43:25	10061729	MA	MOTORIST ASSIST
ROCKVILLE	10/17/2010 20:55:56	10060289	MA	MOTORIST ASSIST
ROCKVILLE	10/17/2010 21:18:30	10060297	MA	MOTORIST ASSIST
ROCKVILLE	10/31/2010 11:17:27	10063415	MED	MEDICAL EMERGENCY
ROCKVILLE	10/02/2010 00:48:53	10056431	NOISE	NOISE COMPLAINT
ROCKVILLE	10/07/2010 21:15:49	10057720	NOPAY	NO PAY CUSTOMER
ROCKVILLE	10/11/2010 09:38:10	10058602	ORD	ORDINANCE VIOLATION
ROCKVILLE	10/12/2010 18:47:33	10058965	PAPSV	PAPER SERVICE
ROCKVILLE	10/09/2010 10:02:14	10058151	PAPSV	PAPER SERVICE
ROCKVILLE	10/08/2010 15:14:31	10057927	PAPSV	PAPER SERVICE
ROCKVILLE	10/08/2010 18:25:10	10057972	PAPSV	PAPER SERVICE
ROCKVILLE	10/30/2010 18:20:38	10063262	PAPSV	PAPER SERVICE
ROCKVILLE	10/23/2010 18:12:52	10061734	PAPSV	PAPER SERVICE
ROCKVILLE	10/25/2010 09:18:11	10061980	PAPSV	PAPER SERVICE
ROCKVILLE	10/15/2010 10:31:59	10059673	PAPSV	PAPER SERVICE
ROCKVILLE	10/15/2010 20:51:05	10059811	PAPSV	PAPER SERVICE
ROCKVILLE	10/31/2010 19:54:15	10063480	PARKS	SEASONAL PARKING
ROCKVILLE	10/19/2010 20:45:51	10060755	PROWL	PROWLER COMPLAINT
ROCKVILLE	10/18/2010 05:49:57	10060349	STALL	STALLED VEHICLE
ROCKVILLE	10/11/2010 13:29:00	10058642	STALL	STALLED VEHICLE
ROCKVILLE	10/10/2010 17:00:24	10058460	SUSA	SUSPICIOUS ACTIVITY
ROCKVILLE	10/09/2010 12:49:11	10058174	SUSV	SUSPICIOUS VEHICLE
ROCKVILLE	10/18/2010 21:08:32	10060521	SUSV	SUSPICIOUS VEHICLE
ROCKVILLE	10/19/2010 00:59:34	10060557	SUSV	SUSPICIOUS VEHICLE
ROCKVILLE	10/14/2010 09:33:37	10059349	THEFT	THEFT
ROCKVILLE	10/14/2010 15:59:02	10059454	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/15/2010 07:47:44	10059636	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/15/2010 00:39:21	10059596	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/16/2010 23:18:28	10060097	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/18/2010 21:23:12	10060525	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/18/2010 07:42:34	10060361	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/18/2010 08:47:15	10060371	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/25/2010 09:49:15	10061983	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/24/2010 02:02:01	10061815	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/20/2010 22:41:49	10061071	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/29/2010 18:47:28	10063037	Traffic Stop	TRAFFIC STOP

<u>City</u>	<u>Date Received</u>	<u>Call Number</u>	<u>Complaint</u>	<u>Description</u>
ROCKVILLE	10/31/2010 17:50:27	10063454	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/30/2010 20:02:13	10063293	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/30/2010 20:27:13	10063303	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/28/2010 20:18:47	10062840	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/09/2010 02:22:06	10058114	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/08/2010 19:08:48	10057987	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/10/2010 19:32:18	10058492	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/11/2010 11:19:20	10058614	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/11/2010 11:28:24	10058616	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/11/2010 23:43:19	10058749	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/11/2010 21:07:44	10058729	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/11/2010 21:53:37	10058734	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/11/2010 23:30:46	10058747	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/13/2010 22:02:42	10059267	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/13/2010 22:25:54	10059276	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/12/2010 12:41:29	10058848	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/08/2010 18:52:23	10057982	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/08/2010 10:18:08	10057819	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/07/2010 09:09:46	10057532	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/06/2010 14:12:59	10057366	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/03/2010 01:08:13	10056688	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/03/2010 02:47:42	10056705	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/04/2010 06:49:07	10056877	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/04/2010 06:56:03	10056878	Traffic Stop	TRAFFIC STOP
ROCKVILLE	10/01/2010 20:08:04	10056360	VERB	VERBAL DISPUTE
ROCKVILLE	10/16/2010 21:32:30	10060058	VERB	VERBAL DISPUTE
ROCKVILLE	10/19/2010 13:54:43	10060647	VISION	ON PHONE WITH RECORDS
ROCKVILLE	10/22/2010 14:35:15	10061466	WELF	WELFARE CHECK

# ROCKVILLE CONTRACT - OCT 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		10/01/2010 05:24:05	06:33:42	10056189	CONTR	2573
ROCKVILLE		10/02/2010 01:57:20	03:07:07	10056446	CONTR	2550
ROCKVILLE		10/03/2010 02:01:40	03:05:42	10056698	CONTR	2570
ROCKVILLE		10/03/2010 18:53:13	23:12:28	10056800	CONTR	2581
ROCKVILLE		10/04/2010 04:59:36	06:02:41	10056869	CONTR	2570
ROCKVILLE		10/04/2010 21:29:36	22:44:28	10057011	CONTR	2578
ROCKVILLE		10/05/2010 05:32:18	06:37:10	10057056	CONTR	2578
ROCKVILLE		10/05/2010 22:35:13	23:23:23	10057258	CONTR	2576
ROCKVILLE		10/06/2010 15:27:46	16:31:38	10057380	CONTR	2553
ROCKVILLE		10/07/2010 20:48:06	21:52:29	10057712	CONTR	2568
ROCKVILLE		10/08/2010 05:22:41	06:23:39	10057785	CONTR	2564
ROCKVILLE		10/09/2010 01:01:51	02:04:08	10058091	CONTR	2570
ROCKVILLE		10/10/2010 02:16:52	03:17:51	10058381	CONTR	2558
ROCKVILLE		10/11/2010 02:40:50	03:42:00	10058560	CONTR	2550
ROCKVILLE		10/11/2010 19:58:54	21:57:57	10058713	CONTR	2544
ROCKVILLE		10/12/2010 17:58:53	19:05:25	10058952	CONTR	2549
ROCKVILLE		10/13/2010 09:27:52	10:34:50	10059075	CONTR	2543
ROCKVILLE		10/14/2010 06:00:03	07:01:05	10059304	CONTR	2575
ROCKVILLE		10/14/2010 23:43:09	00:51:07	10059588	CONTR	2576
ROCKVILLE		10/15/2010 03:12:01	03:57:38	10059610	CONTR	2566
ROCKVILLE		10/16/2010 02:38:22	03:42:55	10059877	CONTR	2564
ROCKVILLE		10/17/2010 02:53:01	03:55:08	10060148	CONTR	2558
ROCKVILLE		10/18/2010 02:11:43	03:19:56	10060336	CONTR	2564
ROCKVILLE		10/18/2010 20:25:25	21:50:09	10060503	CONTR	2571
ROCKVILLE		10/19/2010 20:24:43	21:26:50	10060748	CONTR	2569
ROCKVILLE		10/20/2010 05:52:50	07:02:03	10060833	CONTR	2578
ROCKVILLE		10/20/2010 21:52:37	22:54:56	10061055	CONTR	2540
ROCKVILLE		10/21/2010 08:50:43	09:53:03	10061149	CONTR	2562
ROCKVILLE		10/22/2010 15:31:40	17:31:53	10061474	CONTR	2562
ROCKVILLE		10/23/2010 01:58:09	03:01:47	10061640	CONTR	2578
ROCKVILLE		10/24/2010 02:00:10	03:12:56	10061814	CONTR	2575
ROCKVILLE		10/25/2010 18:42:24	19:43:32	10062111	CONTR	2571
ROCKVILLE		10/26/2010 20:24:35	01:07:39	10062377	CONTR	2574
ROCKVILLE		10/27/2010 05:14:43	06:15:19	10062444	CONTR	2564
ROCKVILLE		10/28/2010 15:30:16	16:22:47	10062781	CONTR	2548
ROCKVILLE		10/29/2010 18:54:54	21:53:06	10063038	CONTR	2540
ROCKVILLE		10/30/2010 00:32:31	01:32:39	10063129	CONTR	2559
ROCKVILLE		10/30/2010 19:44:21	20:58:21	10063284	CONTR	2546
ROCKVILLE		10/31/2010 00:49:12	02:25:49	10063367	CONTR	2566

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD,  
TUESDAY, NOVEMBER 09, 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, Dale Borgmann, Steve Dietman, Jerry Bechtold. Absent Jerry Tippelt & Liaison Duane Willenbring.

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

Others present: Councilor Jerry Schmitt, Dave & Cory Billing, Sam Deleo, Clarence Bloch & Paul Ludwig.

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

**APPROVAL OF MINUTES 10/12/10 – Motion by Member Bechtold, second by Member Borgmann, to approve the minutes of 10/12/10 as presented. Motion carried unanimously.**

**NEW BUSINESS**

**PUBLIC HEARING DAVE & JEANETTE BILLIG @ 21748 COUNTY ROAD 8 –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, November 9, 2010 at approximately 6:30 p.m. at Rockville City Hall – 229 Broadway Street East** to consider the request of Dave A & Jeanette M Billig for a variance from Shoreland Requirements. The address of the property is: 21748 County Road 8 with a legal description of: 33A N80 and abos; of that part of N 40A of Govt. Lots lying between the W shore of the lake and County Road 8.

The request is to construct a 705.6 SF cabin and 96 SF unattached shed in the R-1 – Shoreland District. Variances from the following will be discussed:

- ◆ Setback from center line of County Road should be 100' (proposed 50')
- ◆ Setback from OHWL should be 75' (proposed 50')

**STAFF REPORT**

Re: Variance Request(s)  
76.41650.0500: Owners: Dave A & Jeanette M Billig  
Property Address: 21748 County Road 8

**Variance(s) Requested:**

1. Variance to construct a 705.6 sf cabin and 96 sf unattached garage and to locate it on property abutting Grand Lake – General Development Lake.
2. Said request is to also locate said structure 50 feet from the centerline of the roadway –(should be 100') County Road 8 and
3. Structure to be located 50' from the OHWL and should be 75'

**Construction Requests:**

1. Construct new cabin unattached shed and match the structures.

**Relevant Information:**

1. This property is located within the 1000' Shoreland Overlay District.
2. Property contains 14,375 square feet more or less.
3. 10 notices of public hearing were sent out.

**Recommendations:**

1. This requires 2 variances on a non-conforming lot that was in place before the ordinance was adopted.
2. The property owner appears to have made every effort to meet setbacks and remain within the site line of both neighbors.
3. Approve as presented.

Paul Ludwig questioned if the rain water run off would have to remain on their property.

Chair Honer stated "yes".

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

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

1. 5 Yes
2. 5 Yes
3. 5 Yes why: County Road 8
4. 5 Yes why:
5. 5 Yes why:

**Motion by Member Borgmann, second by Member Dietman, to recommend approval of the Variance Request as presented. Motion carried unanimously.**

**PUBLIC HEARING CLARANCE BLOCH @ 11285 HUBERT LANE - PRELIMINARY, FINAL PLAT & REZONE:** Zoning Administrator Rena Weber read the notice of public hearing which states that the Rockville Planning Commission will hold a public hearing on **Tuesday, November 9, 2010 at approximately 6:45 p.m. at Rockville City Hall - 229 Broadway Street East** to consider approval of a Re-zoning of certain property & Preliminary & Final Plat to be known as:

**BLOCH ADDITION**  
Said plat has a legal description of: All of lots 1, 3, 4, 5, 6, 10, & 11, Block 1, STEARNS COUNTY BOUNDARY COMMISSION PLAN NUMBER 1, according to the recorded plat thereof on file and of record in the office of the County Recorder, Stearns County, Minnesota.

**NEW LEGAL DESCRIPTION: LOTS 1 through 7, Block 1, Bloch Addition**

The reason for the request is to attach land adjacent to said lots.

#### STAFF REPORT

RE: SITE PLAN APPROVAL

76.42189.0000 Owners: Clarence J. Bloch & Mary Ann Bloch  
Property Address: 11285 Hubert Lane, Cold Spring, MN 56320

REQUEST:

Approval to rezone 6.07 acres in A-40 District to R-1 Single Family Dwelling  
Approval to sub-divide into 7 parcels to be attached to property abutting Hubert Lane

#### RELEVANT INFORMATION

1. Property is zoned A-40
2. Property is 6.07 acres approximately.
3. The owner is proposing to sell the abutting land owners the property for attachment purposes only.
4. These are non-conforming lots so attaching it to the lakeshore lot makes it closer to conformity. If approved people would still need to apply for permits/variances should they decide to build anything.

#### RECOMMENDATION

1. Dedicate 12' drainage and utility easement around perimeter of lots
2. Attach deed restrictions stating that these are not developable lots, but this is making them closer to conformity.
3. Indicate that the lots will attach to the lots on the north side of Hubert Lane which could allow space for Stormwater improvements and provide expansion to meet setback requirements.

4. City Attorney is drafting the legal document addressing this process.
5. Approve with these conditions.

Zoning Administrator Rena Weber read the attorney Adam Ripple response: Attached is the draft Declaration of Restriction as we have discussed. It is my understanding that the plat is for the purpose of expanding several existing lots. Neither the existing lots nor the enlarged lots comply with the City Ordinances, but the expanded lots are more conforming than the existing lots. Thus, I feel it is appropriate to use a deed restriction to ensure that the lots are attached to existing lots and conveyed together to ensure that no new non conforming lots are created with development rights. Since I have not had an opportunity to discuss this with Sam, if the Council/Planning Commission is ok approving the plat and rezoning, my advice is to conditionally approve the plat on the condition that a declaration of restrictions for attachment substantially similar to the attached document be executed and recorded with the plat. If the Council uses "substantially similar" I am comfortable making minor adjustments after Sam and the property owners review it. The other option is for the Planning Commission to close the public hearing and table the decisions to the next meeting. The property owners will also need to work out any conveyances that are necessary to make the property records reflect the plat.

**DECLARATION OF RESTRICTIONS  
FOR  
ATTACHMENT PURPOSES**

THIS Declaration of Restrictions for conveyance for attachment purposes "Declaration" is made this \_\_\_ day of \_\_\_\_\_, 2010, by the undersigned (collectively "Declarants").

**WHEREAS**, Declarants have submitted a preliminary and final plat ("Bloch Addition") to the City of Rockville;

**WHEREAS**, the purpose of the Bloch Addition, a copy which is attached as Exhibit A, is to expand a number of existing lots that are part of the Stearns County Boundary Commission Plat Number 1 ("Existing Lots").

**WHEREAS**, the Existing Lots and the Lots created by the Bloch Addition are nonconforming and do not meet the requirements of the City of Rockville Subdivision Ordinance;

**WHEREAS**, the expansion of the Existing Lots will bring the Existing Lots closer to conformity with the Rockville Subdivision Ordinance;

**WHEREAS**, the City of Rockville approved the Bloch Addition on the condition that all lots are restricted from additional development and are attached to adjoining lots under the same ownership;

**WHEREAS**, David A. Scrabek, a single adult, hereinafter referred to as "Scrabek," is the fee owner of Lot 1, Block 1, Bloch Addition and Lot 4, Block 1, Stearns County Boundary Commission Plat Number 1;

**WHEREAS**, Philip G. Mueller and Shamba L. Mueller, husband and wife, hereinafter referred to as "Mueller," are the fee owners of Lot 2, Block 1, Bloch Addition and Lot 5, Block 1, Stearns County Boundary Commission Plat Number 1;

**WHEREAS**, Kurt D. Saxton and Anita F. Saxton, husband and wife, hereinafter referred to as "Saxton," are the fee owners of Lot 3, Block 1, Bloch Addition and Lot 6, Block 1, Stearns County Boundary Commission Plat Number 1;

**WHEREAS**, Timothy J. Walter and Carol G. Walter, husband and wife, hereinafter referred to as "Walter," are the fee owners of Lot 5, Block 1, Bloch Addition and Lot 11, Block 1, Stearns County Boundary Commission Plat Number 1;

**WHEREAS**, Clarence J. Bloch, as Trustee of the Clarence J. Bloch and Mary Ann Bloch Revocable Trust Agreement dated June 28, 2002, hereinafter referred to as "Bloch Trust," is the fee

owner of Lots 6 and 7, Block 1, Bloch Addition and Lot 12, Block 1, Stearns County Boundary Commission Plat Number 1;

**WHEREAS**, Lots 4 and 7, Bloch Addition will not be attached to any other contiguous lots; and

**WHEREAS**, the Declarants are responsible for preparing and executing all conveyance documents to effect the attachments.

**NOW, THEREFORE**, the Declarants make the following declaration of restrictions. The restrictions described below shall run with the land and shall be binding on all parties and all persons claiming under them:

1. The lots created by the Bloch Addition Plat are attached to contiguous lots in the Stearns County Boundary Commission Plat Number 1 and are attached as follows:
  - a. Lot 1, Block 1, Bloch Addition is attached to Lot 4, Block 1, Stearns County Boundary Commission Plat Number 1.
  - b. Lot 2, Block 1, Bloch Addition is attached to Lot 5, Block 1, Stearns County Boundary Commission Plat Number 1.
  - c. Lot 3, Block 1, Bloch Addition is attached to Lot 6, Block 1, Stearns County Boundary Commission Plat Number 1.
  - d. Lot 5, Block 1, Bloch Addition is attached to Lot 11, Block 1, Stearns County Boundary Commission Plat Number 1.
  - e. Lot 6, Block 1, Bloch Addition is attached to Lot 12, Block 1, Stearns County Boundary Commission Plat Number 1.
2. Each lot being attached, together with the lot receiving the attachment as described above, shall not be further subdivided unless platted to meet all provisions of the City of Rockville Subdivision Ordinance or successor ordinance.
3. No additional building entitlements are permitted in the Bloch Addition Plat unless replatted to meet all provisions of the City of Rockville Subdivision Ordinance or successor ordinance.
4. This Declaration shall remain in effect unless the property described herein is platted to meet all provisions of the City of Rockville Subdivision Ordinance or successor ordinances.

**IN WITNESS WHEREOF**, the Declarants have executed this Declaration on the date and year above written.

***Motion by Member Bechtold, second by Member Borgmann, to close the public hearing at 6:48 p.m. Motion carried unanimously.***

***Motion by Member Bechtold, second by Member Borgmann, to recommend approval of the Preliminary & Final Plat, the Rezoning and the Declaration of Restriction. Motion carried unanimously.***

**ADJOURNMENT – Motion by Member Borgmann, second by Member Dietman, to adjourn the meeting at 6:52 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 VOLKMUETH  
(320) 240-6889 HOME

DUANE WILLENBRING  
(320) 685-7775 HOME

**CITY STAFF**

VERENA WEBER  
CITY ADMINISTRATOR/CLERK  
rweber@rockvillecity.org

JUDY NEU  
UTILITY BILLING/  
ADMINISTRATIVE ASSISTANT

CINDY ANDERSON  
RECEPTIONIST

RICK HANSEN  
PUBLIC WORKS DIRECTOR  
259-2801 CELL

NICK PUNG  
MAINTENANCE/  
PUBLIC WORKS

Notice is hereby given that the Rockville Planning Commission will hold a public hearing on **Tuesday, November 9, 2010 at approximately 6:30 p.m. at Rockville City Hall – 229 Broadway Street East** to consider the request of Dave A & Jeanette M Billig for a variance from Shoreland Requirements. The address of the property is: 21748 County Road 8 with a legal description of:

33A N80 and apos; of that part of N 40A of Govt. Lots lying between the W shore of the lake and County Road 8.

The request is to construct a 705.6 SF cabin and 96 SF unattached shed in the R-1 – Shoreland District.

Variances from the following will be discussed:

- ◆ Setback from center line of County Road should be 100' (proposed 50')
- ◆ Setback from OHWL should be 75' (proposed 50')

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 10/26/10  
*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.  
Billig, Dave Shoreland Variance.2010 wd.doc



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## NOTICE OF PUBLIC HEARING CITY OF ROCKVILLE

Notice is hereby given that the Rockville Planning Commission will hold a public hearing on **Tuesday, November 9, 2010 at approximately 6:45 p.m. at Rockville City Hall – 229 Broadway Street East** to consider approval of a Re-zoning of certain property & Preliminary & Final Plat to be known as:

### BLOCH ADDITION

Said plat has a legal description of: All of lots 1, 3, 4, 5, 6, 10, & 11, Block 1, STEARNS COUNTY BOUNDARY COMMISSION PLAN NUMBER1, according to the recorded plat thereof on file and of record in the office of the County Recorder, Stearns County, Minnesota.

### NEW LEGAL DESCRIPTION: LOTS 1 through 7, Block 1, Bloch Addition

The reason for the request is to attach land adjacent to said lots.

All persons attending the hearing and wishing to address the Council 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 prior to the hearing, or be present at the public hearing.

Verena M. Weber-CMC  
Administrator/Clerk

Publish 10/26/10  
*Cold Spring Record*

In accordance with federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.)

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.

Notice of PH –Bloch, Clarence re-zone & plat.wd.doc

#### ROCKVILLE CITY COUNCIL

##### MAYOR

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##### COUNCILORS

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