

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD,
TUESDAY, APRIL 14, 2015 – 6:00 P.M. – ROCKVILLE CITY HALL**

The meeting was called to order by Chair Bill Becker. Roll call was taken and the following members were found to be present: Member Toni Honer, Member Jerry Tippelt, Member David Meyer. Susan Palmer – Liaison

Absent were: Member Dale Borgmann

Staff members present were: Zoning Administrator Rena Weber, Administrative Assistant Mandy Lais

Others present: Harold and Mary Fleegel, David Scrobeck, Lisa Dombrovski, Pam and Dedrick McBroom

APPROVAL OF AGENDA/AMENDMENTS – Motion by Member Honer, second by Member Tippelt, to approve the agenda with amendments. Motion carried unanimously.

APPROVAL OF MINUTES 3/10/15 – Motion by Member Honer, second by Member Tippelt, to approve the 3/10/15 minutes. Motion carried unanimously.

New Business:

Welcome New Member on the Planning Commission

David Meyer – 25533 Pleasant Road was sworn in with the Oath of Office for the Rockville Planning Commission. Welcome David Meyer.

DISCUSS DEFINITIONS

Discussion on definition of Structure

Zoning Administrator Rena Weber stated the reason for the discussion is with our current definition. There was a statement made at a past meeting when a variance was denied for putting a shed in the 50 foot lake shore impact zone.

Chair Becker recommended looking at this because the statement was “we’ll I will just put a temporary shed/fish house up then”.

Attorney Adam Ripple stated, you can regulate out door storage and set back from water and be creative, you will always have someone else equally creative. Portable fish house on wheels or not. Suggested setting a square footage limit on the structures allowed in the 50 foot zone. A common square foot is 800 sq. feet or you can go less than that or have a tiered approach to this.

Liaison Palmer stated it might be more clear if we say no structure in the shoreland buffer zone.

The ordinance was established to protect and preserve the lake. Need to take a look at the current wording, so it is more clear. Not to create a loop hole for people to be able to get around following the ordinance.

Zoning Administrator Rena Weber stated currently we do not allow any structures within the 50 feet shore land impact zone.

Attorney Adam Ripple was concerned that people will have an enclosed trailer, and use it for seasonal storage. That doesn’t fall in the water oriented structure. That needs to be looked at. Naming it “outdoor storage” takes care of that. Example, “no outdoor storage allowed within the 50 high water line”.

Liaison Palmer had concerns that these structures still cause an impervious surface issue. The reason why we doing this is we are trying to improve the lake quality.

Attorney Adam Ripple reported; variances are subject to practical difficulties. Three part test:

1. Individual seeking to do is reasonable.
2. There is uniqueness to the use of property.
3. Consistent with the neighborhood. With the state law you cannot give a use variance. Variances are granted more often than they should be. If granting variances, then either the ordinance has to change or you have to look at how the ordinance is being upheld. If someone has something in place before the variance then you can't ask them to remove it.

Member Honer stated if we change the definition we have to make sure it has to meet all properties not just lake properties.

Discussion on Outdoor Storage

Liaison Palmer recommended to add a definition for fish house and trailer storage in the ordinance.

Attorney Adam Ripple stated adding it into the shoreland regulations.

Zoning Administrator Rena Weber stated there are no water oriented structures or trailers allowed in the 50 feet high water mark.

Attorney Adam Ripple recommended coming up with a definition for fish house and trailer on lake shore properties. If it is non-conforming, which is a structure that is already in place. We can't make the existing structure move, but try to make it better going forward.

Discussion on Campers

- Need to make the ordinance clearer in defining the camper.
- Permitted accessory use.
- Need to be specific if you want to regulate it.
- Accessory use, if there is not a primary structure you can't park on a lot without a home.
- Need to regulate campers, however, not allow overnight use for over 10 consecutive days, or 20 days cumulative.
- To accommodate people who have lake properties that have additional guests.
- Impervious surface and waste issues. That is not factored in.
- The use is an allowable use.
- Question about enforcement- licensing them or permitting them. That is a lot of work.
- Recommend a sub-committee to do a draft.
- A good start would be the Spicer model. How many days would be allowed?
- What about the unbuildable lots – example: Lenzen's property

Mr. Harry Fleegle – Hubert Lane (Grand Lake) been there for 60 years...He doesn't own a camper. He knows the value of the cabin and lake and how it strengthens families. Having campers and tents would allow additional family or guests to stay. The Lenzen's have a camper and it is well kept. They are strengthening their family. He is in favor of allowing some campers. It is a family oriented community. Suggestion: Other lakes are called recreational destinations, and grand lake, and pleasant lake. These lakes are recreational destinations. Maybe set up a camper recreational zone to allow campers.

Mr. Dedrick McBroom – DNR, has a definition of a fish house. And owning a fish house, he likes to have it by the lake to bring on. He recommends having something in the ordinance that would allow the fish house to be close to the shore before ice on and off time. In favor of some campers used.

Business for next meeting:

Revisit Structure Definition (storage, fish house, and trailer)

Revisit Campers

Update:

Zoning Administrator Rena Weber mentioned there might be an issue for Dan Hansen. The landing strip was subdivided. There was a declaration of restriction on that to sub-divide them now, there is an expense to have that platted. Potential rezone to B-2 when divided. Possible water and sewer.

ADJOURNMENT – *Motion by Chair Becker, second by Member Honer, to adjourn the meeting at 7:08 PM. Motion carried unanimously.*

**MANDY LAIS
ADMINISTRATIVE ASSISTANT**

**BILL BECKER
CHAIR**