

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD,  
MONDAY, NOVEMBER 5, 2012 – 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, Jerry Tippelt & Liaison Jeff Howe. Susan Palmer, Jerry Bechtold were absent.

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

Others present: Steven Lex

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

**APPROVAL OF MINUTES 10/09/12 – Motion by Member Borgmann, second by Member Tippelt, to approve the minutes of 10/09/12 as presented. Motion carried unanimously.**

**NEW BUSINESS**

**JOHN STOMMES – QUALIFIED MINOR SUB-DIVISION.**

STAFF REPORT (UPDATED 11/5/12)

RE: SITE PLAN APPROVAL

76.41627.0202 Owners: John H. Stommes

Property Address: 10631 Broadway Street East, St. Cloud, MN 56301

REQUEST:

Approval to rezone 31.6 acres in A-40 District to I-2 Industrial

RELEVANT INFORMATION

1. Property is zoned A-40
2. Property is 31.6 acres approximately.
3. The owner is proposing to construct two building to store and maintain gavel crushing equipment. There will be no gravel crushing, clear cutting of trees on this parcel.
4. One letter of concern (e-mail from Emilee Hoff (Symanietz) is recorded.
5. 20 Notices of Public Hearing were sent out.

RECOMMENDATION

1. Access to this tract will be from an existing ingress road to be widened and culvert installed.
2. This will only be used for inside storage and maintenance of equipment.
3. There will be no clear cutting of trees.
4. Approve with these conditions.

11/5/12

**REQUEST TO SPLIT OFF A 5 ACRE PORTION AND REZONE IT I-2**

***Mr. Stommes cannot do an Administrative Split on the five acre as he intends to build on the split portion so that is why this has become a Qualified Minor Subdivision.***

***Mr. Stommes is incurring additional expense in having the 5 acres surveyed.***

***I did not charge Mr. Stommes an additional fee for the additional work as it was at the Planning Commission's request.***

***In the future I would not recommend making changes like this on the spur of the moment – there are repercussions such as "Declaration of Restriction". Staff reviewed this and determined that this clause should help eliminate the declaration:***

1. The owners of an eligible parcel who apply for a subdivision for use as a Residential Dwelling site shall execute a Declaration of Restriction for a forty (40) acre equivalent land area which is defined as forty (40) acres less the acreage of the Residential Dwelling site that is to be conveyed. The Declaration of Restriction shall prohibit any additional development of the equivalent land area unless rezoned. No property conveyance shall

occur unless the Declaration of Restriction is first recorded in the Office of the County Recorder.

**Because they may come back and wish to build on the remaining property – it will have to be rezoned.**

Zoning Administrator Rena Weber stated she did an amendment to the information she sent earlier. It couldn't go as an administrative plat. Stommes are going to build on it. She changed it to a qualified minor subdivision. John Stommes has incurred expense getting it surveyed. She didn't charge him any additional fees since it was planning commission recommendation to change it. He didn't need a declaration of restriction.

Member Tippelt asked if the remaining land is AG 40?

Zoning Administrator Rena Weber stated that is was AG 40.

Member Tippelt ask if it was correct that they can't build on it until it is re-zoned rural residential? And is John Stommes aware of that?

Zoning Administrator Rena Weber stated that that was correct and John Stommes is aware of that.

***Motion by Member Borgmann, Second by Member Tippelt, to approve the request to the qualified minor subdivision. Motion carried unanimously.***

## **STEVEN LEX – QUALIFIED MINOR SUB-DIVISION.**

### **STAFF REPORT**

RE: QUALIFIED MINOR SUBDIVISION

Parcel I.D. No. 76-42142.0037 – Section 02, Township 123, Range 029

Owner: Lex Family Revocable Trust  
Steven Lex

Property Address: 8949 County Road 6, St. Cloud, MN 56301

### **REQUEST**

1. Steven Lex would like to subdivide 4.5 acres from the total parcel for single family dwelling purposes.

### **RELEVANT INFORMATION**

6. Property is zoned R-1.
7. Property is 19.88 acres approximately.
8. The owner(s) are proposing to sell 4.5 acres east of the home site for building purposes.
9. The Lex Family currently lives on Tract B.
10. Wetlands delineation was done on this parcel in 2003.
11. Stearns County would request that the developer update the wetlands delineation plan.
12. Setback from the wetlands is 10'.

### **RECOMMENDATION**

1. Without knowing where the proposed home(s) would be located staff will only comment that the split appears to be okay.
2. The proposed buyer and seller need to work out re-setting the wetland stakes so that an accurate site plan can be drawn up of the potential buyer.

Zoning Administrator Rena Weber read through the relevant information and stated that Stearns County is requesting that the developer update the wetland delineation plan and she is not recommending that. It would be just an added expense. She stated that Steven Lex will need to stake out the wetlands so the

buyer knows how big they are. The buyer wants to put a storage shed up and they need to meet setbacks of 10 feet. Steven Lex has given us a site plan and a concept plan to look at.

Steven Lex stated the buyer has a question regarding the access for a driveway off of Lena Lane.

Zoning Administrator Rena Weber stated she has no restrictions for the driveway or number of driveways. She doesn't see it as an issue. She also stated that the Public Works Director did not see an issue with it either. Lena Lane is fine, just not County Road 6.

Chair Honer stated that usually we try to line up the driveway with other driveways.

Steven Lex had a concern that if the buyers put a driveway in, that that would effect his ability to put another driveway in.

Zoning Administrator Rena Weber doesn't see it as an issue.

Liaison Jeff Howe stated that since this is zoned R1, the shed that is going to be built by the buyers is going to have to match the siding of the house. Are the buyers aware of this?

Chair Honer stated when they come to us with their concept plan, they are given the information. We want the home and the buildings to match.

***Motion by Member Borgmann, Second by Member Tippelt, to approve the request to the qualified minor subdivision. Motion carried unanimously.***

**REVIEW THE WIND TOWER ORDINANCE –**

Discussion was held on the below ordinance:

**SECTION 13A WIND ENERGY CONVERSION SYSTEMS:**

**We will discuss next meeting.**

**PLANNING COMMISSION MEMBER/STAFF REPORT –**

***ADJOURNMENT – Motion by Member Bormann, second by Member Tippelt, to adjourn the meeting at 6:45pm. Motion carried unanimously.***

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**MANDY LAIS  
ADMINISTRATIVE ASST**

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**TONI HONER  
CHAIR**