

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD,
TUESDAY, SEPTEMBER 8, 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 Dale Borgmann and Member David Meyer.

Absent were: Member Jerry Tippelt, Member Toni Honer & Liaison Susan Palmer.

Staff members present were: Administrative Asst. Judy Neu

Others present: Vernon Rosckes, Patricia Seykora, Clarence Bloch, Ev Balko & Duane Willenbring.

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

APPROVAL OF MINUTES 08/11/15 – Motion by Member Meyer, second by Member Borgmann, to approve the 08/11/15 minutes as presented. Motion carried unanimously.

New Business:

PUBLIC HEARING FOR VERNON ROSCKES @11167 HUBERT LANE – Variance

Notice is hereby given that the Rockville Planning Commission will hold a public hearing on **Tuesday, September 8, 2016 at approximately 6:00 p.m. at Rockville City Hall – 229 Broadway Street East** to consider the request of Vernon W Rosckes for a variance from Shoreland Requirements. The address of the property is: 11167 Hubert Lane with a legal description of: Lot 24, Block 2, Stearns County Boundary Commission Plat No. 1 – in the City of Rockville.

The request is to construct a 24' x 24' attached garage in the R-1 – Shoreland District.

Variances from setback requirements from roadway, and impervious surface will be discussed.

Re: Variance Request(s)
76.42189.0040: Owners: Vernon Rosckes
Property Address: 11167 Hubert Lane

Variance(s) Requested:

1. Variance to construct a 24" x 24" attached garage to property abutting Grand Lake – General Development Lake.
2. Said request is to also locate said garage 21' feet from the roadway –Should be 25'
3. Impervious Surface – Total lot area is 12,518.26 sf of which 15% = 1877.74 or 20% 2503.66. The proposed request is to exceed the 20% by 18.34 sf or 20.1%.

Construction Requests:

1. Construct new attached garage and match the existing residential structure.

Relevant Information:

1. This property is located within the 1000' Shoreland Overlay District.
2. Property contains 12,518.26 square feet more or less.
3. 13 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. If granted mitigation plan must be approved.

Vernon Rosckes 11167 Hubert Lane – The reasons why they want to build the garage is because they would like to live there someday. They have a retaining wall on the east side that is falling over and that needs to be removed.

Member Meyer questioned “The current single garage is going to turn into a double garage?”

Vernon Rosckes “Yes”

Member Meyer questioned "The side yard setback is 13 feet?"

Vernon Rosckes "Yes"

Motion by Member Borgmann, second by Member Meyer, to close the public hearing at 6:10 pm. Motion carried unanimously.

FINDINGS OF FACT A review of the finding was done: (Marked as Exhibit A)

1. 3 Yes
2. 3 Yes
3. 3 Yes
4. 3 Yes
5. 3 Yes

Judy Neu explained it was her understanding from Rena Weber that Mr. Rosckes property is over the impervious surface but will not be increasing the impervious.

Motion by Member Becker, second by Member Borgmann, to recommend approval of the 2 variances on the non-conforming lot with the intention that they follow a migration plan that is approved by the Zoning Administrator. Motion carried unanimously.

PUBLIC HEARING FOR RANDY SEYKORA @11181 HUBERT LANE – Variance

Notice is hereby given that the Rockville Planning Commission will hold a public hearing on **Tuesday, September 8, 2015 at approximately 6:15 p.m. at Rockville City Hall – 229 Broadway Street East** to consider the request of Randy J. Seykora for an amended variance from Shoreland Requirements that was approved in 2014. The address of the property is: 11181 Hubert Lane with a legal description of: Lot 23, Block 2, Stearns County Boundary Commission Plat 1.

Variations are needed from impervious surface requirements

Re: Variance Request(s)
76.42189.0039: Owners: Randy Seykora
Property Address: 11181 Hubert Lane

Variance(s) Requested:

1. Variance to construct a 36' x 42." Unattached garage of property abutting Grand Lake – General Development Lake.
2. Variance to add a driveway 42' x 24' to new garage
3. Variance to add deck 320 sf and concrete pad 231 sf
4. Variance to add 160 sf porch to the front of the house
5. Impervious Surface – Total lot area is 17,313.71 sf of which 15% = 2597.06. The proposed request is to exceed the 15% by 2407 sf or 93%.

Construction Requests:

1. Construct new unattached garage and match the existing residential structure.

Relevant Information:

1. This property is located within the 1000' Shoreland Overlay District.
2. Property contains 18,115.48 square feet more or less.
3. This property was granted a variance from impervious surface in 2014, but not constructed.
4. 13 notices of public hearing were sent out.

Recommendations:

1. This requires 5 variances on a non-conforming lot that was in place before the ordinance was adopted.
2. This is a lot of driveway and maybe some should be turned back into grass.
3. If granted mitigation plan must be approved.

Patricia Seykora 11181 Hubert Lane- We requested a variance last year and our intention is to make our home livable year around, expand the garage and extra living space. The original variance was approved but it created a problem when we met with our builder as far as the right away off the road. We are trying to make it use able and move the garage space to where it was previously approved.

Member Borgmann questioned would you consider putting pavers down for the driveway?

Patricia Seykora explained that pump station is going to be under the driveway so they need to put concrete down.

Member Borgmann "How about the 231 square feet concrete pad?"

Patricia Seykora explained that was on the original variance it was 14x16 and now we shortened and widened it.

Member Borgmann explained maybe you can use patio pavers to help with the impervious surface.

Motion by Member Borgmann, second by Member Meyer, to close the public hearing at 6:28 pm. Motion carried unanimously.

Member Meyer questioned under Rena's report for Variance(s) Requested 5). Impervious Surface – Total lot area is 17,313.71 and under Relevant Information: 2) Property contains 18,115.48 square feet more or less.

1. How big the lot is?
2. On the applicants drawing it shows their coverage is about 4539 but under Variance (s) Requested 5). Impervious Surface – Total lot area is 17,313.71 sf of which 15% = 2597.06. The proposed request is to exceed the 15% by 2407 sf or 93%. So if you take 2407 + 2597.06 = 5004.06. What is the coverage?

Judy Neu apologies that she didn't go over the variance request with Rena because her plan was to be here.

Chair Becker stated we are unable to make a discussion tonight.

Motion by Member Becker, second by Member Borgmann, to table the variance request until next meeting and do a site visit. Motion carried unanimously.

Judy Neu requested to schedule a date/time on when to do the site visit – Site visit will be October 13th, 2015 @ 5:30 p.m. at 11181 Hubert Lane.

PLANNING COMMISSION MEMBER/STAFF REPORT

- a) Feedlots on less than 10 acres- tabled until next meeting.
- b) Stearns County contract- tabled until next meeting.
- c) Judy Neu reported that we have someone that is interested in purchasing 10.93 acres @ 9157 Athman Road but they would need a variance from:

SECTION 32. SHORELAND PROPERTY Subdivision 8: AGRICULTURAL USES

B. New animal feedlots are prohibited in the Shoreland Overlay District.

What they want is to have 4-H animals on the property in the summer months sometimes it may end up having them through the winter but majority in the summer and approximately up to 10 animals. Their plan is to use the existing shed for now maybe in the future build another one.

In the file it shows that the City of Pleasant Lake had granted 28x40 horse barn.

This person is looking for your thoughts if you would be okay with this. He doesn't want to purchase it then to find out that you would not allow it.

The members at the meeting were against new animal feedlots in the Shoreland Overlay District.

ADJOURNMENT – Motion by Member Borgmann, second by Member Meyer, to adjourn the meeting at 6:35PM. Motion carried unanimously.

**JUDY NEU
ADMINISTRATIVE ASST**

**BILL BECKER
CHAIR**

(EXHIBIT A) VERNON ROSCKES 11167 HUBERT LANE
FINDING OF FACT
SUPPORTING/DENYING A VARIANCE

A variance may be granted when the applicant for the variance established that there are practical difficulties in complying with the zoning ordinance. The consideration of the following criteria as defined in Minnesota Statutes Section 462 and Minnesota Statutes Section 394.27:

- 1. Is the variance in *harmony* with the purposes and intent of the *ordinance*?
Why or Why not?

Becker YES Borgmann YES Meyer YES

- 2. Is the variance *consistent with* the *comprehensive plan*?
Why or Why not?

Becker YES Borgmann YES Meyer YES

- 3. Does the proposal put property to use in a *reasonable manner*?
Why or Why not?

Becker YES Borgmann YES Meyer YES

- 4. Are there *unique circumstances* to the property not created by the landowner?
Why or Why not?

Becker YES Borgmann YES Meyer YES

- 5. Will the variance, if granted, maintain the *essential character* of the locality?
Why or Why not?

Becker YES Borgmann YES Meyer YES

IF ALL OF THE ANSWERS ARE "YES", THE CRITERIA FOR GRANTING THE VARIANCE HAVE BEEN MET. FINDING OF FACT.8/9/11 ADOPTED.FORMS