

ROCKVILLE CITY COUNCIL SPECIAL MEETING MINUTES
JOINT MEETING WITH PLANNING/ZONING COMMISSION

August 6, 2019
Rockville City Hall

Item 1) Roll Call

Council Roll call was taken and the following members were present: Duane Willenbring, Bill Becker, Brian Herberg, and Don Simon. Absent: Jerry Tippelt.

Planning Commission Members Present: Bill Becker, Brian Herberg, Chad Schmidt and Corey Schreifels. Absent: Dave Meyer.

Staff Present: City Administrator, Martin Bode.

Various members of the public were also present.

Item 2) Additions/Approval of Agenda

Item 3) Approval of July 9, 2019 Planning Commission Meeting Minutes

Item 4) Public Hearing – Variance Request Luckeroth Accessory Structure

Item 5) Public Hearing – Interim/Conditional Use Permit Hieserich dba Pickups N Powersports

Some of the concerns brought forward from the public regarding the Hieserich dba Pickups N Power Sports Conditional Use Permit:

- Attain a Hazardous Waste License from MPCA.
- Secondary containment for all HHW materials including defective and old parts.
- Solid waste services be provided with sufficient frequency (weekly) to properly manage the additional waste generated at the property.
- All leaked or spilled fluids must be captured and properly disposed of.
- The repair of vehicles, the dismantling of vehicles, or the storage of parts must be with a building with a concrete floor to catch all fluids.
- Outdoor (and long term) storage of vehicles (where and how many are allowed).
- Adhere to hours of operation in a residential area (ex. 7 a.m. until 6 p.m.).
- Written approval from surrounding land neighbors.
- Respectful of neighbors' rights.
- Engine noise level.
- Water quality issues addressed if there is new development on property.

The Planning Commission denied the Conditional Use Permit application and will further recommend to the City Council that the property owner be allowed 30 days to vacate the current use violation. No Council action was taken.

Item 6) John Kirscher 11063 Hubert Lane – Nonconforming Use

Mr. Kirscher was present at the meeting to ask if he could 1) subdivide his lake parcel into two parcels, 2) or leave as one parcel but be able to sell the two cabins to two different owners, and 3) can he remodel or do improvements on one or both cabins in preparation to sell.

The Planning Commission and Council discussed the following:

- This property is located in an R-1 Single Family Residential zoning district, Shoreland Overlay District on Grand Lake.
- Total area of the existing one parcel is 17,335 +/- sf.
- In 2006 two non-conforming lots were combined into one conforming lot with the understanding of removing the two non-conforming structures and building one conforming dwelling.
- In 2006 the City adjusted sewer assessments and fees to accommodate request, with the understanding of removing the two non-conforming structures and building one conforming dwelling.

- In 2006 the City approved of one well to serve both cabins with the understanding of removing the two non-conforming structures and building one conforming dwelling.
- As of this date the property owner has made no change in cabin(s) or property status.

The consensus of the Planning Commission and Council was: No, Mr. Kirscher would not be allowed to subdivide his current parcel into two nonconforming lots nor would he be allowed to sell the current two cabins on the existing one parcel to two different owners. Additionally, no building permits would be allowed on both cabins until there is only one residential dwelling on the parcel. Planning Commission and City Council advised Mr. Kirscher to meet with Administrator Bode to review his legal options.

Item 7) June 2019 Building Permits

Item 8) Other Business

Item 9) Adjournment

Motion by Simon, second by Herberg, to adjourn the meeting. Motion carried. Meeting adjourned at 7:17 p.m.

Rockville City Council participated in some of the discussions on the above items but did not take any formal action.

Respectfully submitted,

*Martin M. Bode
City Administrator*