

CITY OF ROCKVILLE

P.O. BOX 93

ROCKVILLE, MN 56369

Planning/Zoning Commission Meeting Tuesday, June 2, 2020 - 6:00 p.m. City Hall - 229 Broadway Street East

AGENDA

- 1. Roll Call**
- 2. Additions/Approval of Agenda**
- 3. Approval of May 5, 2020 Planning Commission Minutes**
- 4. Public Hearing – Setback Variance**
 - Northern Natural Gas Company/Eikmeier, 24992 Halfman Rd, PIN 76.41611.0000
 - NNG Setback Variance Findings of Fact
- 5. Building Permits – May 2020**
- 6. Other Business**
 - Next Planning Commission Meeting Tuesday, July 7, 2020
- 7. Adjourn**

* This agenda has been prepared to provide information regarding an upcoming meeting of the Rockville City Planning Commission. This document does not claim to be complete and is subject to change.

MINUTES OF THE CITY OF ROCKVILLE PLANNING AND ZONING COMMISSION
Tuesday, May 5, 2020, 6:00 p.m. – Rockville City Hall

Item 1) Roll Call

The meeting was called to order by Chair Bill Becker at 6:01 p.m. Roll call was taken and the following members were present: Bill Becker, Brian Herberg, Chad Schmitt, Cory Schreifels, and Luke Greiner.
Staff present: City Administrator, Martin Bode.
Others present: Jerry Molitor, Cory Molitor.

Item 2) Oath of Office Luke Greiner

Martin M. Bode, City Administrator swore in Planning Commission member, Luke Greiner.

Item 3) Approval of Agenda/Amendments

Administrator Bode requested to add to the agenda Item 9 a) Ag-4- Accessory Structures and 9b) Planning Commission Paper Manuals.

Motion by Schreifels, second by Herberg, to approve the agenda with additions. Motion carried unanimously.

Item 4) Approval of January 7, 2020 Meeting Minutes

Motion by Herberg, second by Schreifels, to approve the January 7, 2020 meeting minutes as presented. Motion carried unanimously.

Item 5) Public Hearing – Gerald J. Molitor, Rezone Ag-40 to RR

Chairman Becker introduced and reviewed the following Rezone Ag-40 to RR application for Gerald J. Molitor with Planning Commission and the public.

Staff Report

Re: Rezone and Qualified Minor Subdivision

Parcel I.D. No. 76.41652.0600 - Section 29, Township 123, Range 029

Owner: Gerald J. Molitor

Property Address: 12192 210th Street

Request is to rezone 19.96 +/- acres from A-40 to RR to allow for a Qualified Minor Subdivision to subdivide the 19.96 acres into two 9.98 +/- acre parcels.

Relevant Information:

1. This property is located in an A-40 zoning district
2. The property is currently a legal non-conforming parcel
3. Total acreage is 19.96 +/- acres
4. Purpose of the application is to subdivide and then sell 9.98 +/- acres to a family member for building purposes
5. Concept Plan was submitted, reviewed and conceptionally approved by the City Council on March 11, 2020.
6. Rezone requires a public hearing, QMS does not require a public hearing
7. 10 notices of Public Hearing were mailed out

RR Purpose: This district is established to provide areas for low density, rural residential structures in agricultural/rural areas on lands that due to substantial coverage by wooded areas, rock outcroppings, marginal soils, steep topographies where soil erosion is of risk and not conducive to long-term agricultural use; or negative impact on waterways from higher density residential is likely, etc. Some areas in this district are currently under agricultural production and can remain so. Residential development may be allowed in this district at an overall density up to 8 dwellings per 40 acres. Land within this district is not highly valued farmland nor is land located within any growth or expansion area of the City of Rockville. This district is likely located adjacent to agricultural areas and efforts to minimize land use conflict shall be a primary tool in approving development.

Recommendations:

Consider approval with Declaration of Restriction, restricting further subdivisions of Tracts A & B.

Chairman Becker opened the public hearing at 6:07 p.m. for public comment.

There being no comments offered from the public, motion was made by Herberg, second by Becker, to close the Public Hearing at 6:08 p.m. Motion carried.

Motion made by Herberg and failed due to lack of a second.

Motion by Becker, second by Herberg, to approve the Gerald J. Molitor rezone from Ag-40 to RR as presented. Motion passed unanimously.

Item 6) Qualified Minor Subdivision – Gerald J. Molitor

Chairman Becker introduced and reviewed the following Qualified Minor Subdivision application from Gerald J. Molitor with Planning Commission and the public.

Staff Report

Re: Rezone and Qualified Minor Subdivision

Parcel I.D. No. 76.41652.0600 - Section 29, Township 123, Range 029

Owner: Gerald J. Molitor

Property Address: 12192 210th Street

Request is to rezone 19.96 +/- acres from A-40 to RR to allow for a Qualified Minor Subdivision to subdivide the 19.96 acres into two 9.98 +/- acre parcels.

Relevant Information:

1. This property is located in an A-40 zoning district
2. The property is currently a legal non-conforming parcel
3. Total acreage is 19.96 +/- acres
4. Purpose of the application is to subdivide and then sell 9.98 +/- acres to a family member for building purposes
5. Concept Plan was submitted, reviewed and conceptionally approved by the City Council on March 11, 2020.
6. Rezone requires a public hearing, QMS does not require a public hearing
7. 10 notices of Public Hearing were mailed out

RR Purpose: This district is established to provide areas for low density, rural residential structures in agricultural/rural areas on lands that due to substantial coverage by wooded areas, rock outcroppings, marginal soils, steep topographies where soil erosion is of risk and not conducive to long-term agricultural use; or negative impact on waterways from higher density residential is likely, etc. Some areas in this district are currently under agricultural production and can remain so. Residential development may be allowed in this district at an overall density up to 8 dwellings per 40 acres. Land within this district is not highly valued farmland nor is land located within any growth or expansion area of the City of Rockville. This district is likely located adjacent to agricultural areas and efforts to minimize land use conflict shall be a primary tool in approving development.

Recommendations:

Consider approval with Declaration of Restriction, restricting further subdivisions of Tracts A & B.

--

Planning Commission held a brief discussion. Member Herberg expressed his opposition to attaching a Declaration of Restriction to the QMS Application, stating that once it has been rezoned to RR the parcels should be allowed to further subdivide per RR requirements. It was noted that the initial request was to subdivide a legal non-conforming twenty-acre parcel in an Ag-40 into two 10-acre parcels. To accommodate the initial request the original parcel would need to be brought into conformity thru the rezoning from Ag-40 to RR and then consider allowing the subdivision into two 10-acre parcels.

Motion by Herberg to approve the Qualified Minor Subdivision with no restriction. The motion did not receive a second.

Motion by Schreifels, second by Greiner, to approve the Qualified Minor Subdivision for Gerald J. Molitor with a Declaration of Restriction, restricting further subdivisions of Tracts A & B.

Roll call vote: voting yes; Becker, Schreifels, Schmitt and Greiner. Voting no; Herberg.

Motion passed on a 4 to 1 vote.

Item 7) Concept Plan – Jesse Johnson Subdivision/Rezone

Planning Commission held extensive discussion on the subdivision/rezone concept plan provided by Jesse Johnson. The Commission felt that howbeit there where a lot of questions left to answer, conceptionally to allow the parcel to be subdivided into three parcels; two as two forty-acre ag-40 parcels and one, the balance of 34 acres of woodland in the center of the current parcel as RR would be something they would consider.

Item 8) Building Permits- January, February, March, and April 2020

The January, February, March, and April 2020 building permit reports were reviewed by the Planning Commission members.

Item 9) Other Business

a. Ag-40 Accessory Structures

The Commission discussed the possibility of regulating residential accessory structures in an Ag-40 zoning district. The consensus was not to make any amendments to the current Ag-40 zoning district.

b. Zoning Paper Manuals

Commissioner Greiner and Herberg requested paper copies of the new zoning manuals as soon as they become available.

c. Next meeting scheduled for Tuesday, June 2, 2020 at 6:00 p.m.

Item 8) Adjournment

Motion by Becker, second by Herberg, to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:19 p.m.

Respectfully submitted,

Martin M. Bode
Zoning Administrator

NORTHERN NATURAL GAS COMPANY/EIKMEIER STAFF REPORT

June 2 and June 10, 2020

Rockville Planning Commission; City Council

Re: Variance Request by

Applicant: Northern Natural Gas Company (NNG)

Owner: Donald and Marlys Eikmeier

PIN: 76.41611.0000

Property Address: 24992 Halfman Road, Rockville MN

Property Location: SW side of Glacier Rd near the intersection of Halfman and Glacier

Variance Requested:

1. Install a new 50' x 100' safety/security chain link fence approximately 52 feet from Glacier Road centerline - (Section 9 General, Subd 27.D.1A, 100 feet Major Collector or City Road 63 feet).
- (Section 10 Fence, Subd 3)

Relevant Information:

1. Property is zoned A-40.
2. Property contains approximately 124.93 +/- acres.
3. Safety/security fence to secure NNG "pig receiver" maintenance facility.
4. Will help reduce negative impact on tillable acres.
5. 11 Public Hearing notices were mailed out.
6. Rockville City Engineer ok with application.
7. Rockville Public Works Director ok with application.

Action:

1. Findings of Fact

Recommendation:

1. Consider Approval

Submitted by:
Martin M. Bode
Zoning Administrator



CITY OF ROCKVILLE

229 Broadway Street East

P.O. Box 93

Rockville MN 56369

Phone 320-251-5836

Fax 320-240-9620

NOTICE OF PUBLIC HEARING CITY OF ROCKVILLE

Notice is hereby given that the Rockville Planning Commission will hold a public hearing on **Tuesday, June 2, 2020 at approximately 6:00 p.m. at Rockville City Hall – 229 Broadway Street East** to consider the request of applicant: Northern Natural Gas Company; property owner: Donald and Marlys Eikmeier, for a variance to the setback requirements to a City or Classified Road. The location of the property is approximately ½ mile North of Sauk River Road on Glacier Road, in Rockville, MN with a legal description of: Parcel No. 76.41611.0000, Section-Township-Range 8-123-029.

The request is to construct a 100' x 50' security fence placing the east side of the fence 52 feet from center line of Glacier Road.

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, P.O. Box 93, Rockville, MN 56369 prior to the hearing.

Martin M. Bode
City Administrator

Publish 05/19/2020
Cold Spring Record

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City of Rockville,
Minnesota
Guarantee - Needs of the City

Legend

-  City Limits
-  Parcels - 1/7/2020
-  PWI Watercourse
-  PWI Basin



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Real People. Real Solutions.

Natural Gas Co
Variance



Disclaimer:
This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Rockville is not responsible for any inaccuracies therein contained.

STATE OF MINNESOTA)
)ss.
COUNTY OF STEARNS)

AFFIDAVIT OF SERVICE

Debbie R. VanHeel, being duly sworn, on oath says that at the City of Rockville in said County and State, on the **20th** day of **May, 2020**, he/she served the annexed Notice on see attachment, the person therein named, personally, by then and there handing to and leaving with him/her a true and correct copy of said Notice.

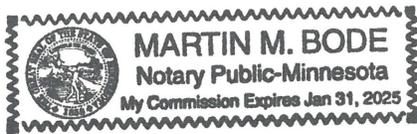


Signature

Subscribed and sworn to before me this 20 day of May, 2020.



Notary Public Signature



Notary Public Stamp

Name	Address	City
BRADLEY MCDONALD JR	16484 MAPLEWOOD RD	COLD SPRING MN 56320
COUNTY OF STEARNS	705 COURTHOUSE SQ	ST CLOUD MN 56303-4773
DAVID SIMON	11782 GLACIER RD	SAINT CLOUD MN 56301
DONALD & MARLYS EIKMEIER	24992 HALFMAN RD	ST CLOUD MN 56301-9759
DUANE & LORI L BIBLE	1742 COTTONWOOD CIR	ST CLOUD MN 56303-0500
JOHN & DEANNA L KLEIN	11525 GLACIER RD	ST CLOUD MN 56301-9741
KENNETH J MOTSCHKE	11596 GLACIER RD	ST CLOUD MN 56301-9741
LYNN & DONNA FEMRITE	24804 HALFMAN RD	ST CLOUD MN 56301-9746
MICHAEL & A O WILLENBRING	11692 GLACIER RD	ST CLOUD MN 56301-9741
NORTHERN NATURAL GAS CO	PO BOX 3330	OMAHA NE 68103-0330
RICHARD & SUSAN MEHR	11976 GLACIER RD	ST CLOUD MN 56301-9744

11 Notices

CITY OF ROCKVILLE
VARIANCE REQUEST APPLICATION
APPLICATION Fee \$200 and RECORDING Fee \$46.00 (per document)
 Separate checks: 1 for Variance Request & 1 for Recording Fee(s)

Need a Copy of Deed

PLEASE NOTE: any costs (i.e. legal, engineering, administrative, Stearns County fees, etc.) incurred over the application fee will be the responsibility of the petitioner.

PROPERTY LOCATION/ADDRESS: 116XX Glacier Rd (across from 11692 Glacier Rd)

LEGAL DESCRIPTION: SW NE, S8-T123-R29PARCEL#: 76.41611.0000 ZONING: A-40

EXPLANATION OF REQUEST: Parallel 100' of chain link fence approx. 52' from centerline of Glacier Rd, in an effort to reduce impact to owner's tillable land with construction of facility with above ground piping.

If replacing an existing structure, what will be done with the old structure? _____

Has a variance request been made previously on this property? No If yes, when? _____

PROPERTY OWNER:

Name (Print): <u>Donald and Marlys</u>	Eikmeier	Phone: _____
<small>First Name Middle Initial Last Name</small>		
Address: <u>24992 Halfman Rd</u>		
Signature (required): _____		Date: _____
<i>*Signature of property owner shall serve as acknowledgement and authorization of this request.</i>		

APPLICANT:

Name (Print): <u>Northern Natural Gas Company</u>	Phone: <u>612-599-7045</u>
Address: <u>1120 Centre Pointe Dr., Mendota Heights, MN 55120</u>	
Signature (required): <u>Dale A Ahlsten</u>	Date: <u>May 11, 2020</u>
<i>I hereby certify that I have read the above information and I agree with the terms.</i>	

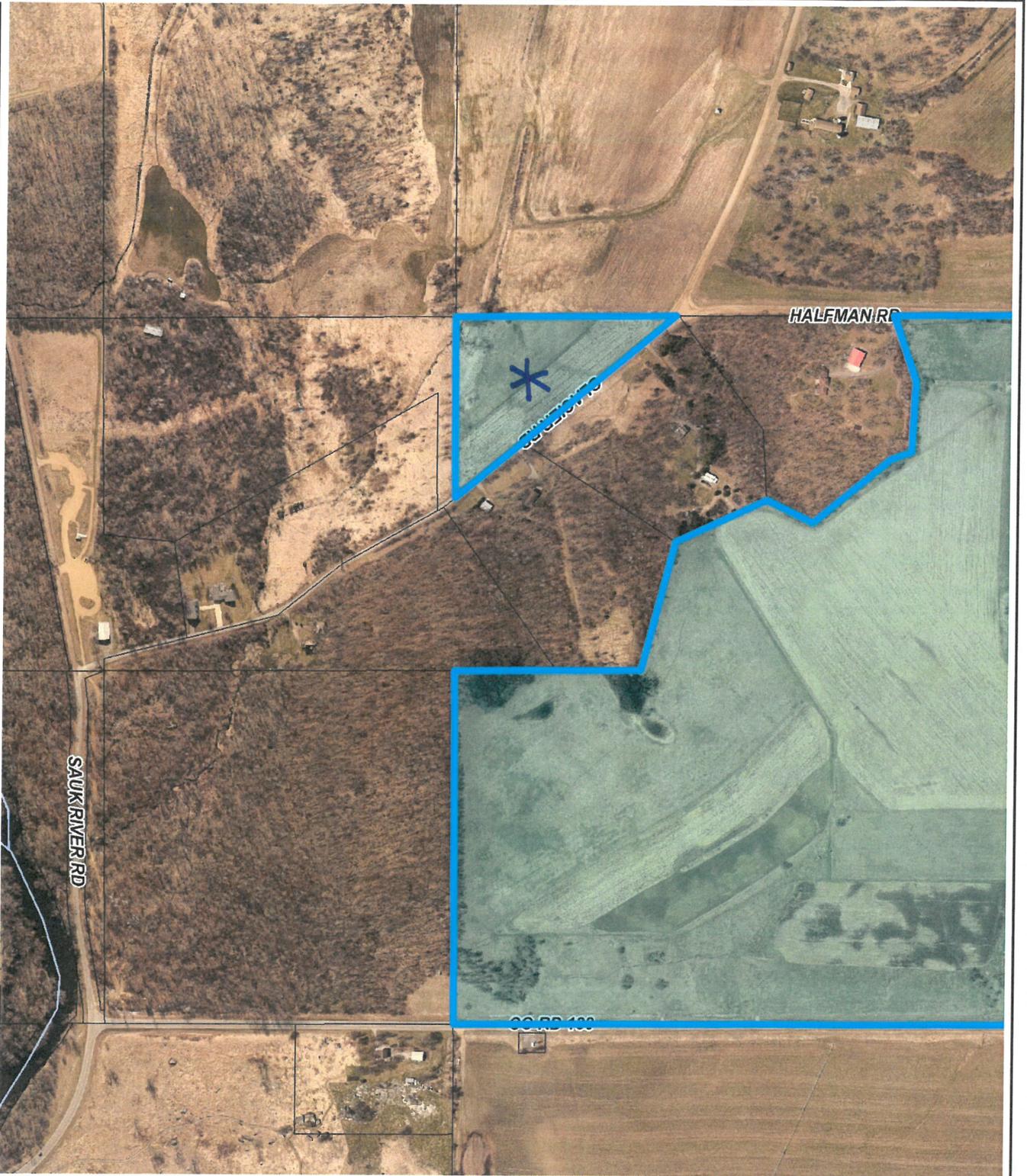
STAFF USE ONLY:

Permit# <u>20-02V</u>		Variance Application Fee Check # <u>34622</u>	Date <u>5-18</u>	101.41000.34103 \$200.00
R# _____		Reimb. for Invoice Check# <u>34623</u>	Date <u>5-18</u>	101.41000-34102 \$46.00
R# _____				

City of Rockville, Minnesota

Private - Heads of the City

- Legend**
-  City Limits
 -  Parcels - 1/7/2020
 -  PWI Watercourse
 -  PWI Basin



Map Name



Disclaimer:

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Rockville is not responsible for any inaccuracies therein contained!

0 527 Feet

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Real People. Real Solutions.

**EXHIBIT A
PIPELINE FACILITY
EASEMENT & ACCESS and
TEMPORARY WORK SPACE**

PARCEL ID: 76.41611.0200



4

75'x30' PROPOSED
PERMANENT DRIVE
(0.06 ACRES)

LATITUDE : 45.48012
LONGITUDE : -94.35179

200'x200' TEMP.
WORKSPACE
(0.92 ACRES)

6" MNB59201

PARCEL ID: 76.41611.0400

4

100'x50' PROPOSED
PERMANENT LOT
(0.11 ACRES)

GLACIER RD

PARCEL ID: 76.41611.0000

PARCEL ID: 76.41611.0600

PARCEL ID: 76.41611.0700

6" MNB94501

LEGEND

B-LINE	---
SECTION LINE	----
WETLAND LOCATION	----
PROPERTY LINE	----
EXISTING EASEMENT	----
TEMP. WORKSPACE	
TEMPORARY ACCESS ROAD	
TBS/REGULATOR STATION	
PROPOSED PERMANENT DRIVE	
PROPOSED PERMANENT LOT	

LAND USE TYPE: AGRICULTURAL

MNB94501-6" I-Mods20 Paynesville-MCA
01125444

Project Location Aerial Overview
Sec. 8, T123N, R29W
Stearns County, Minnesota



Rev 4 Issue
Sheet: AR-01
Date: 5/8/20
Scale: 1:100

APPEALS AND ADMINISTRATIVE DECISIONS

Appeals of decisions of the Zoning Administrator will be heard by the City Council provided that the person making the appeal files an application for a hearing within thirty (30) days after the decision to be appealed was delivered to the applicant by the Zoning Administrator. The following procedure will be followed:

1. **Application**. The person making the appeal must apply for a hearing before the City Council on forms provided by the Zoning Administrator.
2. **Notice and Hearing**. The City Council will schedule a hearing on the appeal.
 - a) At least ten (10) days prior to the hearing a notice will be published in the official county newspaper.
 - b) The City Council will make their decision within thirty (30) days of the public hearing or may extend the time for consideration as permitted by state law.

LAPSE OF VARIANCE

If within one (1) year after granting a Variance the work permitted is not started, such variance shall become null and void unless a petition for an extension has been approved by the City Council.

THE STEPS:

1. **Provide a complete application** by the 1st Tuesday of the month to be on the *following* month's Planning Commission Agenda.
2. **Planning Commission** – (meets the 1st Tuesday of the month) The Planning Commission may schedule a site visit; hold the public hearing at their meeting and make a recommendation to the Council at the next City Council meeting.
3. **Council** - (meets 2nd Wednesday of the month) Council makes the final decision – if Council grants the Variance Request.
4. **Applicant** –
 - If applicant waits for Council approval before providing the plans the next step is to fill out the Building Permit Application & provide 2 full sets of plans to City Hall.
 - If Applicant provided the Building Permit Application & 2 full sets of plans with the variance request. The applicant will need to notify City Hall that the plans that are on file are correct. This process will not be forwarded to the Building Official until applicant contacts City Hall.
5. **Building Official** - Reviews the plans (allow 4-6 days). Once City Hall receives the plans back, Staff will notify the Applicant with the cost of the building permit.

A

Applicant Signature

Date

I hereby certify that I have read the above information and I agree with the terms.

mbode@rockvillecity.org

From: Dale Ahlsten <dahlsten@prosourcecotech.com>
Sent: Monday, May 11, 2020 12:44 PM
To: mbode@rockvillecity.org
Subject: Re: Northern Natural Gas Company - New Approaches on Glacier Road
Attachments: Ci Rockville_APPLICATION_VARIANCE(1)-signed.pdf; 01125444_ST-002_Ex A_Maps 4_5820.pdf

Dear Marty,

Thank you for your follow up phone call this morning regarding a Variance to place chain link fence within required setback. Attached is an application for Variance. The application is unsigned by the owner because Northern is investigating the ability for variance and potential to reconfigure the natural gas facility placement (as seen on attached aerial) to reduce impact to owners tillable land, prior to presenting the option to the owner.

The reconfiguration, shown on the attachment would result in 100' of the facility's chain link fence enclosure paralleling Glacier road approximately 52' from centerline.

Property legal description is as follows: (whole 125 acre parcel) NE 1/4 of Section 8-T123N-R29W; (portion of the whole parcel where facility is proposed): Part of the SW1/4 of the NE1/4, Section 8, T123N-R29W.

I can send a photo of a check draft for the Variance application and recording fee, if you wish. Please let me know if you need anything else from me to process this Variance request. Thank you for your tremendous assistance in the matter.

Sincerely,

Dale A Ahlsten | ProSource Technologies, LLC
Right of Way Agent | Third Party **Agent on behalf of Northern Natural Gas Company**
Mobile: 612-599-7045 | Office: 763-786-1445 | Fax: 763-786-1030
9219 East River Road, Minneapolis, MN 55433
Email: dahlsten@prosourcecotech.com

From: Dale Ahlsten <dahlsten@prosourcecotech.com>
Sent: Thursday, May 7, 2020 4:37 PM
To: mbode@rockvillecity.org <mbode@rockvillecity.org>
Subject: Re: Northern Natural Gas Company - New Approaches on Glacier Road

Thank you, Marty. Looks like the proposed fencing is 65 feet from CL of Glacier Rd.

Dale A Ahlsten | ProSource Technologies, LLC
Right of Way Agent | Third Party **Agent on behalf of Northern Natural Gas Company**
Mobile: 612-599-7045 | Office: 763-786-1445 | Fax: 763-786-1030

From: mboode@rockvillecity.org
Sent: Thursday, April 16, 2020 3:38 PM
To: 'dahlsten@prosourcecetechnology.com'
Subject: RE: Northern Natural Gas Company - New Approaches on Glacier Road

At this point I do not see the need for an interim/conditional use permit.

Let's try and do both the fence and access permit on one (1) structure permit and site plan. Please be sure the fence and access are clearly identifiable with the appropriate length, width, height and setbacks.

Thank you,

Marty

Martin M. Bode
City Administrator
City of Rockville
PO Box 93
229 Broadway Street East
Rockville, MN 56369-0093
320.251.5836



From: dahlsten@prosourcecetechnology.com <dahlsten@prosourcecetechnology.com>
Sent: Thursday, April 16, 2020 2:45 PM
To: mboode@rockvillecity.org
Subject: Re: Northern Natural Gas Company - New Approaches on Glacier Road

Dear Marty,

Thank you for your below response. The proposed Northern facility will consist of an above ground pipeline launcher or receiver unit for monitoring the pipeline and 'pigging', fenced in with chain link. No building will be placed over that facility. Once in place, use/access will be approximately, every 7 years. I have attached an image for your reference.

Given the A-40 zoning, allowable uses and emission of a building, will 'conditional or interim' permitting need to be approved by a governing council or commission?

I will return with a 'structure application' once we have finalized an agreement with the owner. Thank you for your consideration of the matter. I look forward to working with you.

Sincerely,

Dale A Ahlsten | ProSource Technologies, LLC
Right of Way Agent | Third Party Agent on behalf of Northern Natural Gas Company

Dear Marty,

Thank you for your time on the phone regarding installation of new approach(es) on Glacier Rd. The subject property is Parcel 76.41611.0000. Attached is a Stearns County GIS aerial with the parcel highlighted, and Northern's aerial exhibit of the proposed pipeline facility easement and approach.

The subject portion of the parcel, lays on the west side of Glacier Rd, being triangular in shape and part of a larger parcel laying east of Glacier Rd. There is a field approach at the north end of the subject parcel. My understanding from the property owner is that the west portion of the triangle piece is under a 'reserve program' and due to that 'reserve' status, his access to the south acre of the tillable portion may be eliminated by Northern's proposed facility installation. In that, we want to explore installing two new approaches. One to access the facility and the other for the owners continued access to the south portion of the field. **(Can you please include the proposed 2nd access on your site plan - maybe stay 30 feet back from the South property line or right across the road from the East neighbors shed access)**

- Would the proposed approaches be allowed? **Looks ok. Would like to discuss further with the Land Owner the Second Approach on the South Side.**
- Are there restrictions or certain requirements as to the separation distance of approaches from other points of approach (field or roadway)? **(26 foot wide max curb cut)**
- Could you also tell me of any size requirements for a culvert under the approach(es)? **Please contact (cc'd on this email) Public Works Director, Gene Van Havermaet 320.250.2601. I think minimum 12" diameter.**
- Does Stearns County need to be involved in the process? **No**

Please advise as to the next steps needed to process application for new approaches. Your consideration of the matter is appreciated. I look forward to your response. **Structure Permit for the Access and Site Plan....\$30.00**

Additionally, if there is going to be some type of structure built there will need to be a Building Permit pulled with two sets of construction plans as well as a site plan. Property is zoned A-40 (Section 16 City of Rockville Zoning Code)

Sincerely,

Dale A Ahlsten | ProSource Technologies, LLC
Right of Way Agent | Third Party **Agent on behalf of Northern Natural Gas Company**
Mobile: 612-599-7045 | Office: 763-786-1445 | Fax: 763-786-1030
9219 East River Road, Minneapolis, MN 55433
Email: dahlsten@prosourcetech.com

From: Dale Ahlsten <dahlsten@prosourcecotech.com>
Sent: Friday, April 10, 2020 11:50 AM
To: mbode@rockvillecity.org
Subject: Northern Natural Gas Company - New Approaches on Glacier Road
Attachments: 76.41611.0000_Stearns GIS.pdf; 01125444_ST-002_Aerial Exhibit_101119.pdf

Dear Marty,

Thank you for your time on the phone regarding installation of new approach(es) on Glacier Rd. The subject property is Parcel 76.41611.0000. Attached is a Stearns County GIS aerial with the parcel highlighted, and Northern's aerial exhibit of the proposed pipeline facility easement and approach.

The subject portion of the parcel, lays on the west side of Glacier Rd, being triangular in shape and part of a larger parcel laying east of Glacier Rd. There is a field approach at the north end of the subject parcel. My understanding from the property owner is that the west portion of the triangle piece is under a 'reserve program' and due to that 'reserve' status, his access to the south acre of the tillable portion may be eliminated by Northern's proposed facility installation. In that, we want to explore installing two new approaches. One to access the facility and the other for the owners continued access to the south portion of the field.

- Would the proposed approaches be allowed?
- Are there restrictions or certain requirements as to the separation distance of approaches from other points of approach (field or roadway)?
- Could you also tell me of any size requirements for a culvert under the approach(es)?
- Does Stearns County need to be involved in the process?

Please advise as to the next steps needed to process application for new approaches. Your consideration of the matter is appreciated. I look forward to your response.

Sincerely,

Dale A Ahlsten | ProSource Technologies, LLC
Right of Way Agent | Third Party **Agent on behalf of Northern Natural Gas Company**
Mobile: 612-599-7045 | Office: 763-786-1445 | Fax: 763-786-1030
9219 East River Road, Minneapolis, MN 55433
Email: dahlsten@prosourcecotech.com



Northern Natural Gas Company
1120 Centre Pointe Drive
Suite 400
Mendota Heights, MN 55120

PAID
MAY 18 2020

May 13, 2020

Martin Bode
City of Rockville
229 Broadway St E
PO Box 93
Rockville, MN 56369

Re: Variance Application Fee(s)

Dear Marty,

Thank you for your fine assistance over the phone regarding a Variance on Glacier Road for chain link fence that will be built around the perimeter of Northern's proposed pipeline facility. Enclosed are Check Nos. 34622 and 34623 for the application fee and recording of the approved Variance.

I will follow up with an email with the legal description in Word version and a list of the eight property owners surrounding the subject portion of Parcel 76.41611.0000. Please let me know if anything else is needed for the June 2nd meeting.

Sincerely,

Dale A Ahlsten | ProSource Technologies, LLC

Right of Way Agent | Third Party Agent on behalf of Northern Natural Gas Company

Mobile: 612-599-7045 | Office: 763-786-1445 | Fax: 763-786-1030

9219 East River Road, Minneapolis, MN 55433

Email: dahlsten@prosourcectech.com

Northern Natural Gas Company – Variance Request – Glacier Rd

Surrounding Owners

Donald & Marlys Eikmeier (owner of subject property)
24992 Halfman Rd
St. Cloud, MN 56301
79.41611.0000

Lynn & Donna Femrite
24804 Halfman Rd
St. Cloud, MN 56301-9746
76.41611.0100

Richard & Susan Mehr
11976 Glacier Rd
St. Cloud, MN 56301-9744

David Simon
11782 Glacier Rd
St. Cloud, MN 56301
76.41611.0200

Michael Willenbring
11692 Glacier Rd
St. Cloud, MN 55301-9741
76.41611.0400

Kenneth Motschke
11596 Glacier Rd
St. Cloud, MN 56301-9741
76.41611.0300

John & Deanna Klein
11525 Glacier Rd
St Cloud, MN 56301-9741
76.41611.0700

Duane & Lori Bible
1742 Cottonwood Cricle
St. Cloud, MN 56303-0500
76.41611.0600
Situs: 11804 Sauk River Rd

The South 40 rods of the West 120 rods of the Southeast Quarter (SE1/4), Section Five (5); the Northeast Quarter (NE1/4) of Section Eight (8), Township One Hundred Twenty-three (123) North, Range Twenty-nine (29) West;

Less and except: That part of the W1/2 NE1/4 of Section 8 described as follows:

Beginning at a point on the West line of said W1/2 NE1/4 distant 1028.74 feet Southerly of the Northwest corner thereof; thence South (assumed bearing of due South) along said West line for 809.86 feet; thence North 53° 29' 20" East for 535.34 feet; thence North 86° 56' 06" East for 266.44 feet; thence North 26° 29' 10" East for 192.94 feet; thence North 39° 12' 55" West for 377.96 feet; thence North 19° 55' 58" West for 83.38 feet; thence North 86° 31' 01" West for 265.13 feet; thence South 71° 40' 32" West for 71.40 feet to the point of beginning;

Also less and except: That part of the W1/2 NE1/4 of Section S described as follows:

Commencing at a point on the West line of said W1/2 NE1/4 distant 1849.92 feet South (assumed bearing of due South) of the Northwest corner thereof; thence South 39° 35' 07" East for 747.81 feet to the point of beginning of the land to be described; thence North 39° 35' 07" West for 747.81 feet; thence due North for 11.32 feet; thence North 53° 29' 20" East for 535.34 feet; thence North 86° 56' 06" East for 266.44 feet; thence South 24° 21' 53" East for 378.34 feet to a point that is North 33° 08' 22" East distant 687.60 feet from the point of beginning; thence South 33° 08' 22" West for 687.60 feet to the point of beginning.

Also less and except: That part of the W1/2 NE1/4 and that part of the NW1/4 SE1/4 of Section 8 described as follows: Commencing at a point on the West line of said W1/2 NE1/4 distant 1849.92 feet South (assumed bearing of due South) of the Northwest corner thereof; thence South 39° 35' 07" East for 1130.51 feet to the point of beginning of the land to be described; thence North 39° 35' 07" West for 382.70 feet; thence North 33° 08' 22" East for 687.60 feet; thence South 74° 51' 21" East for 480.00 feet to the East line of said W1/2 NE1/4; thence Southerly along said East line for 338.84 feet to a line drawn North 55° 34' 11" East from the point of beginning; thence South 55° 34' 11" West for 718.92 feet to the point of beginning.

Also less and except: That part of the NW1/4 SE1/4 of Section 8 which lies Northeasterly of the center line of a township road and Southeasterly of Line A described below, together with that part of the W1/2 NE1/4 of said Section 8 which lies Southeasterly of Line A described below:

Line A: Commencing at a point on the West line of said W1/2 NE1/4 distant 1849.52 feet South (assumed bearing of due South) of the Northwest corner thereof; thence South 39° 35' 07" East for 1130.51 feet to the point of beginning of the line to be described; thence North 55° 34' 11" East for 718.92 feet to the East line of said W1/2 NE1/4 and there terminating.

Individual(s) to Joint Tenants

834039

No delinquent taxes and transfer entered; Certificate of Real Estate Value () filed () not required

Certificate of Real Estate Value No.

NOV 14 1996

19

by *Mary A. Brooks* County Auditor
Virgil Urbanek Deputy

834039

96 NOV 14 PM 3:04

COUNTY RECORDER
STEARNS CO. MN
PATRICIA M. OVERMAN
BY *Patricia M. Overman* CLERK

STATE DEED TAX DUE HEREON: 495.00

Date: November 8, 1996

(reserved for recording data)

FOR VALUABLE CONSIDERATION, Henry N. Eikmeier, Jr. and Patricia Eikmeier, husband and wife (marital status), Grantor(s),

hereby convey(s) and warrant(s) to Donald J. Eikmeier and Marlys A. Eikmeier, husband and wife, Grantees, as joint tenants, real property in Stearns County, Minnesota, described as follows:

See Attached Legal Description

This Deed is being given in fulfillment of that certain contract for Deed dated March 20, 1984 and recorded on June 27, 1984 in book 110 of A & A, page 27

The Grantee certifies that the well status has not changed since that certain contract for deed filed in Book 110 of A & A, page 27.

Donald J. Eikmeier

(if more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Subject to restrictions, reservations, and easements of record, if any.

Affix Deed Tax Stamp Here

STATE OF MINNESOTA }
COUNTY Stearns }

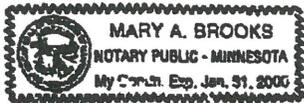
Henry N. Eikmeier, Jr.
Henry N. Eikmeier, Jr.

Patricia Eikmeier
Patricia Eikmeier

The foregoing instrument was acknowledged before me this 8th day of November, 1996 by Henry N. Eikmeier, Jr. and Patricia Eikmeier, husband and wife

Grantor(s).

NOTARIAL STAMP OR SEAL (FOR OTHER TITLE OR RANK):



THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

✓ STEARNS COUNTY ABSTRACT CO.
21 Court House Square Box 1011
St. Cloud Minnesota 56302

Mary A. Brooks

SIGNATURE OF PERSON MAKING ACKNOWLEDGMENT

Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

Donald J. Eikmeier
Marlys A. Eikmeier
25992 Halfman Road
St. Cloud, MN 56301

and

Farm Credit Services of Southern MN
1421 3rd Avenue SE, Second Floor
Rochester, MN 55906

MICROFILMED

102

The South 40 rods of the West 120 rods of the Southeast Quarter (SE $\frac{1}{4}$), Section Five (5); the Northeast Quarter (NE $\frac{1}{4}$) of Section Eight (8), Township One Hundred Twenty-three (123) North, Range Twenty-nine (29) West;

Less and except: That part of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 8 described as follows:

Beginning at a point on the West line of said W $\frac{1}{2}$ NE $\frac{1}{4}$ distant 1028.74 feet Southerly of the Northwest corner thereof; thence South (assumed bearing of due South) along said West line for 809.86 feet; thence North 53° 29' 20" East for 535.34 feet; thence North 86° 56' 06" East for 266.44 feet; thence North 26° 29' 10" East for 192.94 feet; thence North 39° 12' 55" West for 377.96 feet; thence North 19° 55' 58" West for 83.38 feet; thence North 86° 31' 01" West for 265.13 feet; thence South 71° 40' 32" West for 71.40 feet to the point of beginning;

Also less and except: That part of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 8 described as follows:

Commencing at a point on the West line of said W $\frac{1}{2}$ NE $\frac{1}{4}$ distant 1849.92 feet South (assumed bearing of due South) of the Northwest corner thereof; thence South 39° 35' 07" East for 747.81 feet to the point of beginning of the land to be described; thence North 39° 35' 07" West for 747.81 feet; thence due North for 11.32 feet; thence North 53° 29' 20" East for 535.34 feet; thence North 86° 56' 06" East for 266.44 feet; thence South 24° 21' 53" East for 378.34 feet to a point that is North 33° 08' 22" East distant 687.60 feet from the point of beginning; thence South 33° 08' 22" West for 687.60 feet to the point of beginning.

Also less and except: That part of the W $\frac{1}{2}$ NE $\frac{1}{4}$ and that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8 described as follows:

Commencing at a point on the West line of said W $\frac{1}{2}$ NE $\frac{1}{4}$ distant 1849.92 feet South (assumed bearing of due South) of the Northwest corner thereof; thence South 39° 35' 07" East for 1130.51 feet to the point of beginning of the land to be described; thence North 39° 35' 07" West for 382.70 feet; thence North 33° 08' 22" East for 687.60 feet; thence South 74° 51' 27" East for 480.00 feet to the East line of said W $\frac{1}{2}$ NE $\frac{1}{4}$; thence Southerly along said East line for 338.84 feet to a line drawn North 55° 34' 11" East from the point of beginning; thence South 55° 34' 11" West for 718.92 feet to the point of beginning.

Also less and except: That part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8 which lies Northeasterly of the center line of a township road and Southeasterly of Line A described below, together with that part of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 8 which lies Southeasterly of said Line A described below:

Line A: Commencing at a point on the West line of said W $\frac{1}{2}$ NE $\frac{1}{4}$ distant 1849.52 feet South (assumed bearing of due South) of the Northwest corner thereof; thence South 39° 35' 07" East for 1130.51 feet to the point of beginning of the line to be described; thence North 55° 34' 11" East for 718.92 feet to the East line of said W $\frac{1}{2}$ NE $\frac{1}{4}$ and there terminating.

27
TRES99

960030325 11/14/1996
DEED TX 14:32:17
P A I D
\$495.00

MICROFILMED

Page 2 of 2

**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 Statues Section 394.27:

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

Becker _____ Herberg _____ Schreifels _____ Schmitt _____ Greiner

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

Becker _____ Herberg _____ Schreifels _____ Schmitt _____ Greiner

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

Becker _____ Herberg _____ Schreifels _____ Schmitt _____ Greiner

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

Becker _____ Herberg _____ Schreifels _____ Schmitt _____ Greiner

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

Becker _____ Herberg _____ Schreifels _____ Schmitt _____ Greiner

IF ALL OF THE ANSWERS ARE "YES", THE CRITERIA FOR GRANTING THE VARIANCE HAVE BEEN MET.

Building Permits: May 2020

Parcel #	REASON	ADDRESS	DATE	PERMIT #	Valuation	Permit \$	Review	SSC	Fees
76.42142.0028	Furnace Replacement	25504 Lena Ln	5/1/2020	2020-00030	\$ 3,850.00	\$ 50.00	\$ -	\$ 1.00	\$ 51.00
76.41637.0302	Reroof	22942 Co Rd 140	5/4/2020	2020-00031	\$ 10,000.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.41633.0500	Reroof	650 Caroline Ln	5/4/2020	2020-00032	\$ 13,000.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.41650.0009	Reroof	601 Othmar Ln	5/8/2020	2020-00033	\$ 8,000.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.42220.0012	Window Replacement	658 Ptarmigan Ln	5/12/2020	2020-00034	\$ 5,548.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.41607.0402	Window Replacement	25173 Co Rd 138	5/13/2020	2020-00035	\$ 1,378.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.41950.0003	Reroof	540 Othmar Rd	5/18/2020	2020-00036	\$ 10,000.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.41741.0029	Reroof	501 Aspen Ct W	5/21/2020	2020-00037	\$ 11,200.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.41741.0028	Reroof	505 Aspen Ct W	5/22/2020	2020-00038	\$ 12,000.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.41741.0026	Reroof	511 Aspen Ct W	5/23/2020	2020-00039	\$ 14,000.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.42050.0002	Mechanical	24937 Co Rd 138	5/1/2020	2020-00041	\$ -	\$ 75.00	\$ -	\$ 1.00	\$ 76.00
76.42188.0008	Deck/Porch	13008 Glen Cove Rd	5/7/2020	2020-00042	\$ 24,300.00	\$ 101.50	\$ 65.97	\$ 12.15	\$ 179.62
76.41720.0412	Deck/Porch	26112 Bluebird Ln	5/8/2020	2020-00043	\$ 4,950.00	\$ 41.50	\$ 26.98	\$ 2.47	\$ 70.95
76.42350.0005	Plumbing	25424 Lake Rd	5/13/2020	2020-00044	\$ 24,300.00	\$ 75.00	\$ -	\$ 1.00	\$ 76.00
76.41605.0020	Mechanical	25940 99th Ave	5/13/2020	2020-00045	\$ 63,850.00	\$ 638.50	\$ -	\$ 31.92	\$ 670.42
76.41624.0400	Accessory Building	8334 Ahles Rd	5/26/2020	2020-00057	\$ 2,500.00	\$ 35.50	\$ 23.08	\$ 1.25	\$ 59.83
76.42141.0016	Deck/Porch	25372 Pleasant Rd	5/26/2020	2020-00058	\$ 20,000.00	\$ 86.50	\$ 56.23	\$ 10.00	\$ 152.73
76.42141.0016	Mechanical	25372 Pleasant Rd	5/26/2020	2020-00059	\$ -	\$ 75.00	\$ -	\$ 1.00	\$ 76.00
76.42050.0002	Plumbing	24937 Co Rd 138	5/26/2020	2020-00060	\$ 14,576.00	\$ 75.00	\$ -	\$ 1.00	\$ 76.00