

# CITY OF ROCKVILLE

City Hall

229 Broadway Street East

PO Box 93

Rockville, MN 56369

## Planning/Zoning Commission Meeting

Tuesday, March 07, 2017 - 6:00 p.m.

### AGENDA

1. **Roll Call**
2. **Approval Of Agenda/Amendments**
3. **Approval Of February 14, 2017 Meeting Minutes**
4. **Public Hearing: G & M Voigt Preliminary & Final Plat**
5. **Administrative Plat – Ronald & Sheila Albers**
6. **Qualified Minor Subdivision – Kenneth & Hermina Albers**
7. **Qualified Minor Subdivision – Brinkmeier LLC  
Combining 2 lots – Douglas & Peggy Brink**
8. **Zoning Amendments –**
  - a. accessory structures exceeding 120SF TO STATE 200SF & All Accessory Structures under 200SF needs a site plan approval  
AND: Storm water management Impervious Surface
9. **Other Business**
  - a) Next Meeting April 4, 2017, 6:00 P.M.
10. **Adjournment**

\*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 REGULAR PLANNING/ZONING COMMISSION MEETING HELD  
Tuesday, February 14th 2017, 6:00 p.m. – Rockville City Hall**

**Item 1) Roll Call** - The meeting was called to order by Chair Bill Becker. Roll call was taken and the following members were present: Brian Herberg and Tom Molitor. Members absent: Dave Meyer and Jerry Tippelt. Staff present: City Administrator, Martin Bode. Others present were various members of the public.

**Item 2) Oath of Office**

Martin Bode, City Administrator, swore in new Planning Commission members: Brian Herberg and Tom Molitor.

**Item 3) Approval of Agenda/Amendments**

One addition to the agenda:

- Item 10 c) Finding of Fact – Criteria for Granting Conditional Use Permits

***Motion by Herberg, second by Molitor, to approve the agenda as amended. Motion carried unanimously.***

**Item 4) Approval of December 13, 2016 Meeting Minutes**

***Motion by Molitor, second by Herberg, to approve the December 13, 2016 meeting minutes as presented. Motion carried unanimously.***

**Item 5) Resolution 2017-05 Finding Of Fact Regarding the Kathleen Mimbach Variance Request**

A Resolution of Finding of Fact Regarding the Variance Request from Kathleen Mimbach to the City of Rockville Side Yard Setback Requirements in an R-1, Shore Land Zoning District.

WHEREAS, the Rockville Planning Commission held a public hearing on December 13, 2016 and recommended approval of the variance to the Rockville City Council;

WHEREAS, The Rockville Planning Commission adopts the following findings of fact:

**FINDINGS OF FACT**

1. The current zoning of Subject Property is R-1 Single Family Residential District within the Shoreland Overlay District; and
2. The current zoning of the surrounding properties is R-1 Single Family Residential District (north and south) and A-40 Agricultural District to the east (wetland); and
3. The current land use of Subject Property a detached single family dwelling; and
4. The current land use of surrounding properties is detached single family dwellings to the north and south, with agricultural (wetland) to the east; Grand Lake is to the west; and
5. The lot size of the Subject Property is fifty (50) feet in width and approximately 320 feet in depth equating to a lot area of approximately 16,000 sf. The property immediately south is a similarly shaped residential parcel. The Subject Property was created decades ago and precedes consolidation and the institution of zoning standards; and

6. The Subject Property is a riparian parcel on Grand Lake; and
7. Section 30, Subd. 2 of the Rockville Zoning Ordinance requires consideration of the following when reviewing variance requests; and
  - a. *Unique Circumstances:* There are exceptional or extraordinary circumstances or conditions applying to the property in question as to the intended use of the property that do not apply generally to other properties in the same zoning district as follows:
    - i. The parcel was created prior to consolidation of the township and the City.
    - ii. The parcel was created prior to the existence of land use regulations.
    - iii. The parcel was developed as a single family detached dwelling nearly 70 years ago.
    - iv. The original dwelling is not positioned on the property perpendicular to the front lot line, rather it is askew from being parallel with the side lot lines.
    - v. The original dwelling was found to be in disrepair and in need of updating.
    - vi. When the dwelling was updated it was expanded 13.8 feet to the east into the front yard (toward Agate Beach Road).
    - vii. The dwelling expansion extended the original setback line.
    - viii. The City approved a site plan acting in good faith the original setbacks were adequate.
    - ix. After repairs were completed it was determined the original footprint of the dwelling encroached into side yard setbacks required under Section 17, Subd. 6 of the Zoning Ordinance (ten feet is required).
    - x. The extent of encroachment is limited to an area 13.8 feet in length with a depth ranging from 3.1 feet (west) to 3.5 feet (east).
    - xi. Since the construction has been completed, in good faith, while it appears physically possible to meet the required setback (reconstructing the expansion and offsetting the expansion from the existing side building wall), doing so will involve additional cost, disruption within the shoreland overlay, and disturbance of additional soil area; and
8. *Reasonable use of the property.* The requested variance is reasonable in that the front, side (south), and rear required setbacks are met. The parcel, which was created prior to modern zoning standards, is by today's standards a narrow and deep lot. The variance is of limited area. The limited area of the variance, the fact the site plan was approved by the City (acting in good faith), and the significant costs for remedying the encroachment are evidence the variance is reasonable; and
9. *Not merely economic.* Cost or expense saving is not the sole rationale for the variance. The existing parcel is narrow and deep in shape. In addition, the original dwelling is placed unusually on the parcel and not perpendicular to the road or parallel to the side property line. The City, operating in good faith, previously approved a site plan and construction has been completed. This is an 'after the fact' variance; and
10. *Neighborhood Character Maintained.* The variance does not alter the essential character of the neighborhood as the use is consistent with single family dwellings on riparian lots adjacent to Grand Lake. The variance is for a performance standard and not for the use of the property; and
11. *Spirit of Zoning Ordinance and Comprehensive Plan Retained.* Planned and existing land use are consistent with continued low density residential use. Comprehensive Plan. Providing for continued low density residential use is fitting with the residential character of the existing built environment.

NOW THEREFORE; The Rockville Planning Commission does hereby Adopt/Approve of the aforementioned Finding of Fact in the matter of the Kathleen Mimbach request for a variance to the City of Rockville side yard setback requirements.

Adopted by the Rockville Planning Commission this 14 day of February, 2017.

***Motion by Herberg, second by Becker, to approve Resolution 2017-05 Finding of Fact Regarding the Kathleen Mimbach Variance. Motion carried unanimously.***

**Item 6) Public Hearing: Interim Use Permit for Vernon P. Salzl, 25940 99<sup>th</sup> Avenue, Temporarily Store Wind Towers on Property**

**STAFF REPORT**

Re: Interim Use Permit Request  
76.41605.0020: Owner: Vern P. Salzl  
Property Address: 25940 99<sup>th</sup> Ave, St. Cloud, MN 56301  
Legal Description:

(TRACT #1)

That part of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) and the Northeast Quarter of the Northwest Quarter (NE ¼ NW ¼) and that part of the North 550 feet of the South Half of the Northwest Quarter (S ½ NW ¼) of Section 3, Township 123, Range 29 which lies Westerly of the Northwesterly right of way line of the Burlington Northern and Santa Fe Railroad Company and Easterly of the center line of County State Aid Road No. 138, Less and except that part of said NE ¼ NW ¼ platted as Minnesota Department of Transportation Right of Way Plat No. 73-42, according to the recorded plat thereof.

AN INTERIM USE PERMIT IS BEING REQUESTED AND IS GOVERNED BY THE FOLLOWING ZONING ORDINANCE REQUIREMENTS:

SECTION 9: GENERAL REQUIREMENTS: SUBDIVISION 3. OUTSIDE STORAGE, SCREENING & LANDSCAPING

SECTION 28: INTERIM USE PERMITS

The request is to store wind towers on property

Relevant Information:

1. This property is located in the I-2 Industrial District.
2. Property contains 37.2 acres more or less.
3. 10 notices of public hearing were sent out.
7. The railroad ties that were on the site have been removed.

Conditions:

1. The interim use permit will be reviewed annually in January by the Planning Commission and City Council. If upon review, the use is no longer appropriate in the City's sole discretion, the City will provide 90 days written notice of termination of the IUP. The IUP shall expire (a) upon discontinuance of the use for 180 days, or (b) January 15, 2021, whichever occurs first. Failure to meet any of the conditions of this agreement, or substantial change to the conditions in the neighboring properties, shall constitute grounds to terminate this permit after review by City Council. Permittee shall be given an opportunity to address the City Council prior to termination under this condition. Nothing in this condition shall limit the immediate termination of this permit for violation of any other condition.
2. Compliance with all County, State, and Federal laws and regulations, including, but not limited to, those governing public health and welfare, public and worker safety, water quality, air quality, noise pollution and waste disposal.
3. Right-of-entry is provided to the City of Rockville, and its agents, to inspect the site and determine compliance with all conditions imposed on the operation.
4. A New performance bond in the amount of \$5000

Recommendations:

1. Approve

Duane Willenbring, 25123 Co. Rd. 139, commented in favor of the Interim Use Permit.

***Motion by Herberg, second by Molitor, to close the Public Hearing at 6:13 p.m.***

Planning Commission held a brief discussion.

***Motion by Herberg, second by Molitor, to approve the Interim Use Permit for Vernon P. Salzl, 25940 99<sup>th</sup> Avenue, Temporarily Store Wind Towers on Property as presented. Motion carried unanimously.***

**Item 7) Concept Plan – James Voigt, 25614 Pleasant Rd**

A concept plan for the James Voigt property. Planning Commission held a brief discussion about the plan.

**Item 8) Zoning Amendments**

- a. Accessory structures exceeding 120SF *to state* 200SF and *all* accessory structures under 200SF need a site plan approval  
AND: Storm water management impervious surface

Further discussion will be held next month on this item when all members are present.

**Item 9) Request to Move Future Regular Planning Commission Meetings to the First (1<sup>st</sup>) Tuesday of the Month**

***Motion by Becker, second by Molitor, to approve moving the regular Planning Commission meetings to the first (1st) Tuesday of each month beginning March 7, 2017. Motion carried unanimously.***

**Item 10) OTHER BUSINESS –**

- a) Time Sheets  
Planning Commission members will be responsible for submitting their timesheets quarterly.
- b) Next Meeting March 7, 2017, 6:00 P.M.
- c) Finding of Fact – Criteria for Granting Conditional Use Permits

***ADJOURNMENT – Motion by Becker, second by Herberg, to adjourn the meeting at 6:42 p.m. Motion carried unanimously.***

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**Martin M. Bode**  
**Zoning Administrator**

**G AND M ACRES STAFF REPORT  
MARCH 7, 2017**

RE: SUBDIVIDE THEIR PROPERTY AND PRELIMINARY AND FINAL PLAT APPROVAL  
Parcel I.D. No. 76.42142.0037 - Section 2, Township 123, Range 029

Owner: Greg and Marina Voigt  
Property Address: 8949 County Road 6, Rockville, MN

**Legal Description:**

That part of Outlot C, PLEASANT LAKE HEIGHTS PLAT 2, according to the recorded plat thereof, Stearns County, Minnesota, described as follows:

Beginning at the northeast corner of said Outlot C; thence South 89 degrees 31 minutes 46 seconds West, assumed bearing, along the north line of said Outlot C, a distance of 683.60 feet; thence South 00 degrees 28 minutes 01 seconds East, 33.00 feet; thence North 89 degrees 31 minutes 46 seconds East, 286.67 feet; thence South 00 degrees 28 minutes 01 seconds East, 306.06 feet; thence North 89 degrees 31 minutes 59 seconds East, 396.93 feet, to the east line of said Outlot C; thence North 00 degrees 28 minutes 01 seconds West, along said east line of Outlot C, 339.08 feet, to the point of beginning.

**REQUEST**

Greg and Marina Voigt are requesting approval to split approximately 3.31 +/- acres from the approximate 15.5 +/- acre site thereby establishing a new parcel.

**RELEVANT INFORMATION**

1. Property is zoned R-1.
2. Property is 15.5 +/- acres
3. The owner(s) are proposing to sell 3.31 +/- acres East of the home site for building purposes.

**RECOMMENDATION**

Consider Approval of the Preliminary and Final Plat, NOTING hook-up to City Sewer is required.

Submitted by:  
Martin 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

Duane Willenbring, Mayor  
Devin Cesnik, Councilor  
Don Simon, Councilor  
Richard Tallman, Councilor  
Jerry Tippelt, Councilor

Martin M. Bode, City Administrator  
Judy Neu, Finance Director  
Nick Waldbillig, Public Works Director  
Gene Van Havermaet Maintenance/Mechanic  
Debbie Weber, Administrative Assistant

*Rockville City is an equal opportunity provider and employer*

## NOTICE OF PUBLIC HEARING CITY OF ROCKVILLE

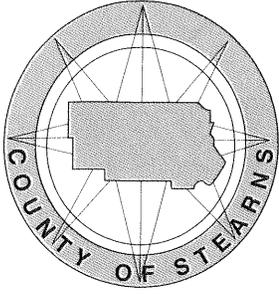
Notice is hereby given that the Rockville Planning Commission will hold a public hearing on **Tuesday, March 7, 2017 at approximately 6:00 p.m. at Rockville City Hall – 229 Broadway Street East** to consider the request of Greg Voigt and Marina Voigt to subdivide their property. The addresses of the property is: 8949 County Road 6, Parcel No. 76.42142.0037, legal descriptions of: That part of Outlot C, PLEASANT LAKE HEIGHTS PLAT 2, according to the recorded plat thereof, Stearns County, Minnesota.

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/Clerk, P.O. Box 93, Rockville, MN, 56369 prior to the hearing, or be present at the public hearing.

Martin M. Bode  
Administrator/Clerk

Publish February 21, 2017  
*Cold Spring Record*

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# C O U N T Y O F S T E A R N S

## *Department of Highways*

PO Box 246 • St Cloud, MN 56302  
(320) 255-6180 • FAX (320) 255-6186

**JODI L. TEICH, P.E.**  
*Highway Engineer*

February 6, 2017

**JEFF MILLER, P.E.**  
*Asst. Highway Engineer*

### **STEARNS COUNTY HIGHWAY DEPARTMENT COUNTY PLAT REVIEW**

**CHUCK WEIMAN**  
*Maintenance Superintendent*

**PLAT: G AND M ACRES**

The basic criterion for this plat review is provided for in the Stearns County 2040 Transportation Plan. This Road Certificate shall be recorded with the Final Plat.

#### Location

The general location of the plat is south of County State Aid Highway (CSAH) 6 in Section 2, T123N, R29W within the City of Rockville.

CSAH 6 is classified as a minor collector in the area of the plat. The 2013 traffic volume on CSAH 6 in this area is 1150 ADT.

#### Right of Way

A 50-foot wide right of way as measured from the centerline of CSAH 6 exists in the area of the plat as dedicated in the Pleasant Lake Heights Plat 2. No additional right of way dedication for county purposes is required. The City should evaluate their needs for any additional right of way requirements.

All private facilities such as signs, fencing, etc. shall be placed/constructed outside of the permanent county right of way.

#### Access Management:

Access to the one lot plat is proposed off the existing private driveway. No additional accesses to the lot from CSAH 6 will be permitted. An Approach Permit from the Highway Department will be required prior to any modifications to the existing approach.

The owner confers all "rights of access" to Stearns County for the property frontage along and adjacent to the County right of way upon the recording of this document with the final plat.

#### Drainage Facilities:

No drainage is included for review of the plat.

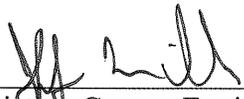
All street and private entrances should be graded in such a manner as not to drain onto the existing county roadway.

Traffic and Public Safety:

A utility permit will be required if utility construction activities are within the county right-of-way.

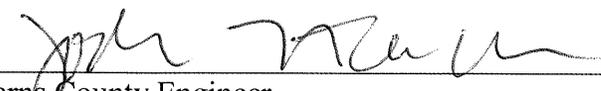
Mailbox supports installed within the County right-of-way shall conform to the latest Stearns County Mailbox Support Policy.

I have reviewed the above plat at the request of the municipality, for concerns relating to standard engineering practice and policies as commonly applied to County Roads and Rights-of-Way.

  
\_\_\_\_\_  
Assistant County Engineer - Maintenance/Operations

2/6/17  
\_\_\_\_\_  
Date

I concur in the above review and recommendations.

  
\_\_\_\_\_  
Stearns County Engineer

2/6/2017  
\_\_\_\_\_  
Date

Distribution: City of Rockville, Attn. Martin Bode (orig.)  
O'Malley & Kron Land Surveyors, Inc.-Attn. Dan Kron (copy)

# STEARNS COUNTY HIGHWAY

P.O. Box 246  
St. Cloud, MN 56302  
320-255-6180 Fax 320-255-6186

**INVOICE** FEB 07 2017

INVOICE NO: 115-17  
DATE: 2/6/2017

To: CITY OF ROCKVILLE  
MARTIN BODE, ADMIN/CLERK  
PO BOX 93  
ROCKVILLE MN 56369-0093

COPY


QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	Plat Review "G and M Acres"	\$90.00	\$ 90.00
TOTAL DUE			\$ 90.00

Make all checks payable to: Stearns County Highway.  
If you have any questions concerning this invoice, contact Tracey Worzala, Office Manager 320-255-6180.

**THANK YOU FOR YOUR BUSINESS!**

**CITY OF ROCKVILLE, MINNESOTA  
APPLICATION FOR FINAL PLAT  
PLATTING FEE: \$300.00**

**PLEASE NOTE:** ANY COSTS (i.e. LEGAL, ENGINEERING, ADMINISTRATIVE, ETC) INCURRED OVER AND ABOVE THE APPLICATION FEE ARE THE RESPONSIBILITY OF THE PETITIONER

Date of Pre-Application Meeting: \_\_\_\_\_

Date Application Submitted: 2/1/17 Parcel # 76.42142.6037

Name of Plat GAMMA ACRES Plat File # NA

Plat Location: Section 2 Township 12S Range 29

Legal Description See Plat

Land is presently zoned R-1 Zone Requested NA Total Amount of land involved: Acres 2.32

Owners Name GREG A. VOIGT Phone 320 240-2880  
First Name Middle Initial Last Name

Address 8949 COUNTY RD 6 Email: GAMMA@YAHOO.COM

Developers Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Surveyors Name Don Kren Phone 320-685-5905 Fax NA

Address 370 Chapel Hill Road

**The following must be submitted with the final plat:**

- Applicant must submit at least ten (10) working days before the next regularly schedule Planning Commission meeting
  - Provide Individual property owner names/addresses within 350 feet or nearest 10 property owners, whichever is greatest.
  - Other supplementary material enumerated in this Ordinance.
- Required fee as noted above

**Required Information**

Five (5) full-size 24"x 36" and Fifteen (15) 11"x17" of the final plat, plus any additional copies deemed necessary.

Maria A. Voigt Date 2-1-17  
Signature of person submitting plat

Complete Application Date: \_\_\_\_\_

R # \_\_\_\_\_ Final Plat Fee Check # \_\_\_\_\_ Date \_\_\_\_\_ 101.41000.34103 \$300.00 Permit # \_\_\_\_\_

**CITY OF ROCKVILLE**  
**APPLICATION FOR PRELIMINARY PLAT**  
**PLATTING FEE: 1-3 Lots \$300      4-10 Lots \$500**  
**11-40 Lots \$1500      Over 40 Lots \$5000**

**PLEASE NOTE:** ANY COSTS (i.e. LEGAL, ENGINEERING, ADMINISTRATIVE, ETC) INCURRED OVER AND ABOVE THE APPLICATION FEE ARE THE RESPONSIBILITY OF THE PETITIONER

Date of Pre-Application Meeting: \_\_\_\_\_

Date Application Submitted: 2/1/17 Parcel # 76.42142.0037

Name of Plat G and M Acres Plat File # NA

Plat Location: Section 2 Township 123 Range 29

Legal Description See Plat or part part of Outlet C Pleasant Lake Heights Plat 2.

Land is presently zoned R-1 Zone Requested NA Total Amount of land involved: Acres 2.32 1/2 Acres

Owners Name GREG A. VOIGT Phone 320 240-2880  
First Name Middle Initial Last Name

Address 8949 COUNTY RD 6 Email: GAVMAV@YAHOO.COM

Developers Name SAME Phone SAME

Address SAME

Surveyors Name Dan Kron Phone 30-685-5805 Fax 1XA

Address 370 Chapel Hill Rd. Email: clg@omg.com - kron.com

**The following must be submitted with the preliminary plat:**

- Septic System Site Evaluations - city sewer
- Wetland Delineation & Report
- NA Grading plan for streets located within the plat boundary
- Proof of ownership (copy of tax statement or deed)
- Required fee as noted above

**Required Information**

Five (5) 24"x 36" and (15) 11"x17" copies of the preliminary plat, plus any additional copies deemed necessary.

Marnia A. Voigt Date 2-1-17  
Signature of person submitting plat

Complete Application date \_\_\_\_\_

R# \_\_\_\_\_ Preliminary Plat Fee Check # 1302 <sup>\$100</sup> Date \_\_\_\_\_ 101.41000.34103 \$ \_\_\_\_\_ Permit # 17-01P

Preliminary Plat Application forms.wp

1304 \$290

# PRELIMINARY PLAT OF: G AND M ACRES

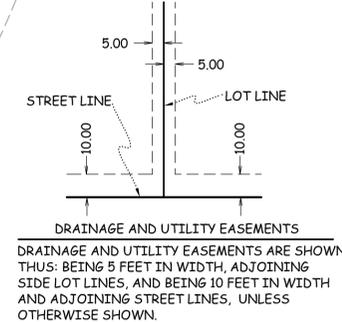
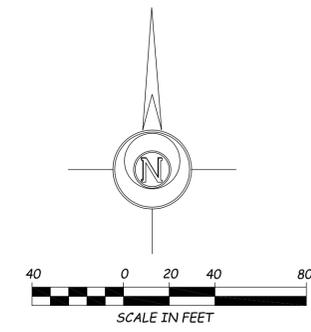
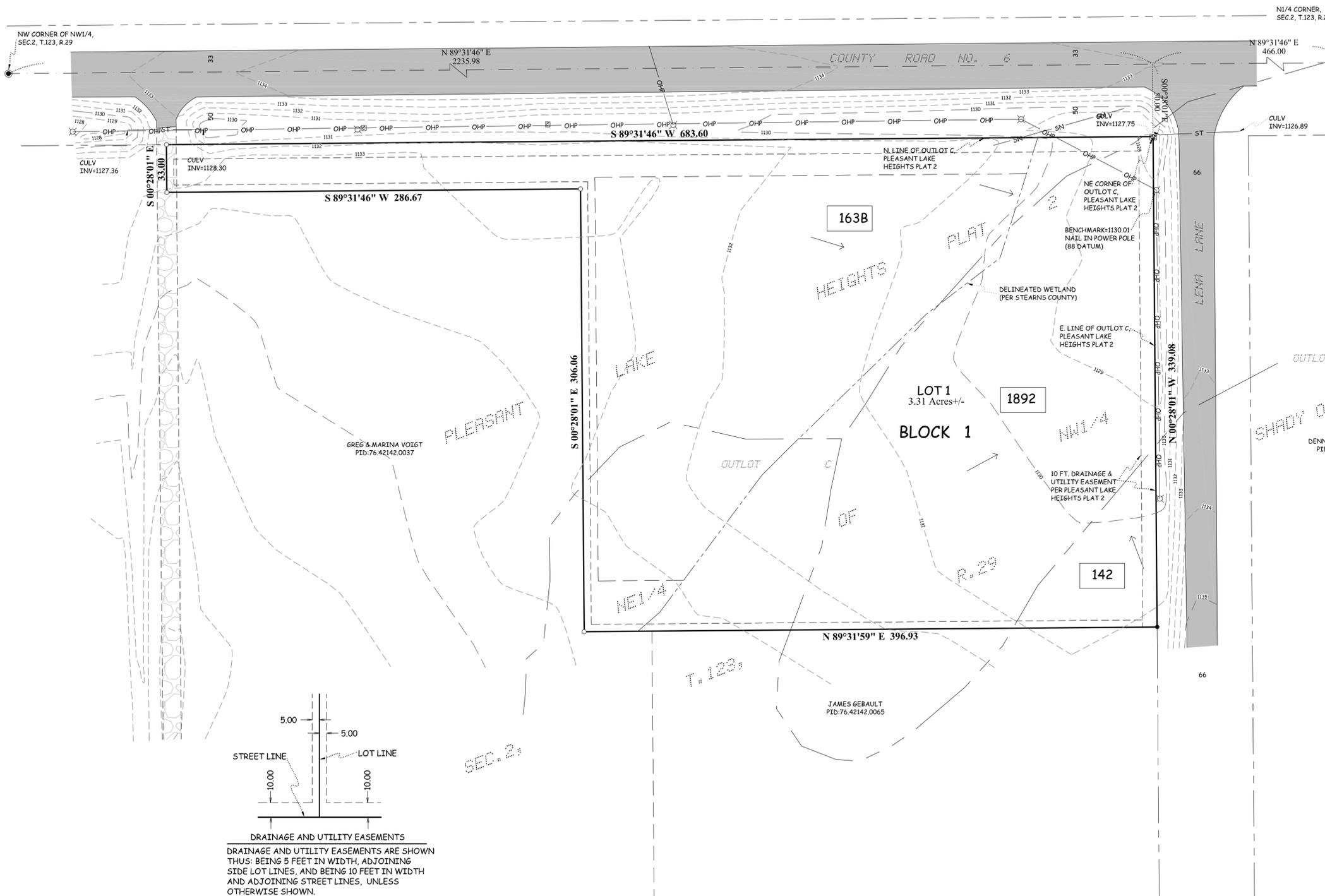
## LEGAL DESCRIPTION

Legal Description:  
That part of Outlot C, PLEASANT LAKE HEIGHTS PLAT 2, according to the recorded plat thereof, Stearns County, Minnesota, described as follows:  
Beginning at the northeast corner of said Outlot C; thence South 89 degrees 31 minutes 46 seconds West, assumed bearing, along the north line of said Outlot C, a distance of 683.60 feet; thence South 00 degrees 28 minutes 01 seconds East, 33.00 feet; thence North 89 degrees 31 minutes 46 seconds East, 286.67 feet; thence South 00 degrees 28 minutes 01 seconds East, 306.06 feet; thence North 89 degrees 31 minutes 59 seconds East, 396.93 feet, to the east line of said Outlot C; thence North 00 degrees 28 minutes 01 seconds West, along said east line of Outlot C, 339.08 feet, to the point of beginning.

SETBACKS:  
(Per City of Rockville)  
Front = 25' from Lot Line/Right of Way  
Side = 10' from property line  
Rear = 35' from property line

-Impervious Surface in Plat Area = 0 +/- Sq.Ft.  
-Impervious Surface Percentage = 0%

-Surface Drainage Arrow =   
-Total plat area = 2.32 +/- ACRES  
-Existing zoning is R-1 Residential  
-Existing use grasslands and wetlands  
-Proposed use is single family residence  
-Existing vegetation is 75% wetlands and 25% grassland  
-Existing soils:  
1892 - Prebish fine sandy loam  
142 - Nokoy fine sandy loam  
163B - Brainerd find sandy loam, 1 to 4% slopes



- Legend
-  INDICATES IRON MONUMENT PLACED
  -  INDICATES IRON MONUMENT FOUND
  -  INDICATES STEARNS COUNTY CAST IRON MONUMENT
  -  INDICATES STORM SEWER LINE
  -  INDICATES GRAVEL SURFACE
  -  INDICATES BITUMINOUS SURFACE
  -  INDICATES POWER POLE
  -  INDICATES CABLE PEDESTAL

**NOTE:** THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE WITHOUT FIRST CONTACTING THE SURVEYOR WHO DEVELOPED AND MADE THIS DRAWING. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.

370 CHAPEL HILL RD., SUITE 105  
COLD SPRING, MN 56320  
PH. 320-685-5905  
FAX 320-685-3056

CERTIFICATE OF SURVEY PREPARED BY:  
**O'MALLEY & KRON**  
**LAND SURVEYORS, INC.**

1004 2nd ST. SE  
WILLMAR, MN 56201  
PH. 320-235-4012  
FAX 320-685-3056

REVISED: 2-21-17 (ADDED AREA TO PLAT)

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.  
DATE: 01-30-17  
DANIEL M. KRON  
MINNESOTA REGISTRATION NO. 42621

SHEET 1 OF 1

PRELIMINARY PLAT PREPARED FOR:  
**GREG & MARINA VOIGT**  
 JOB NO: 2017-11  
 FILE NAME: 2017-11.DWG  
 LOCATION: 2-123-29



MAR 02 2017

Dennis & June Felch  
25876 Lena Lane  
Saint Cloud, MN 56301

02/28/2017

Re: Planning Commission Voigt Property Request

Planning Commission,

The Voigt Property Request letter does not provide sufficient specifics to adequately approve or deny the proposal. We are out of town and are unable to attend this meeting. We would like the following concerns/questions addressed regarding the subdivision of the property in order to provide further feedback.

1. How many parcels will the property be split into?
2. Is there a minimum acreage requirement to be deemed necessary for each parcel?
3. Where will the access road for the subdivided properties be?
  - a. We feel any access driveway from Lena Lane would be dangerous and disruptive to the traffic flow in this neighborhood as it would be located very close in proximity to the stop sign.
4. How will these property splits affect the current sewage system?
5. Is the front/north quadrant of the property deemed delineated wetland and unbuildable?

Under the right circumstances, we are not opposed to a property split; however, with the limited information available for review, we are unable to respond with definitive opinions until specific project details are defined and provided for consideration.

Regards,



Dennis & June Felch

**ALBERS STAFF REPORT**  
**March 7, 2017**

RE: ADMINISTRATIVE PLAT

Parcel I.D. No. 76.41623.0010 - Section 13, Township 123, Range 029

Owner: Ronald F Albers and Sheila D Albers

Property Address: 7876 Ahles Road, Rockville, MN

REQUEST

2. Ronald and Sheila Albers are requesting approval for an Administrative Plat for the purpose of a boundary line correction with a neighbor thereby establishing a new property line.

RELEVANT INFORMATION

1. Property is zoned A-40.
2. Administrative Minor Sub-divisions do not require a public hearing and do not require Planning Commission review or approval.

RECOMMENDATION:

Acknowledge Administrative Plat

Submitted by:  
Martin Bode  
Zoning Administrator

Albers to Albers Ad Plat Staff Report 03.07.17

**CERTIFICATE OF COMPLIANCE**

**STATE OF MINNESOTA**        )  
**COUNTY OF STEARNS**        )        **ss**  
**CITY OF ROCKVILLE**        )

Owners:           Kenneth Albers and Hermina Albers 8116 Ahles Road, Rockville, MN  
AND:             Ronald F. Albers and Sheila D. Albers, 7876 Ahles Road, Rockville, MN

**The request is to correct boundary lines between the two neighbors.**

The Rockville City Zoning Administrator has reviewed this request and found it to be in compliance with the standards set forth in the City of Rockville. The Application for Administrative Plat is approved and the Certificate of Compliance may be recorded. Acknowledged by the Rockville Planning Commission and Rockville City Council.

(Kenneth and Hermina Albers) Parcel I.D. No. 76.41622.0900, Section 13, Township 123, Range 029  
(Ronald F. and Sheila D. Albers) Parcel I.D. No. 76.41623.0010, Section 13, Township 123, Range 029

**Kenneth Albers and Hermina Albers to Ronald F. Albers and Sheila D. Albers:**

**TRACT A1:**

That part of the Southeast Quarter of the Southwest Quarter of Section 13, Township 123, Range 29, Stearns County, Minnesota, described as follows: Commencing at the southwest corner of said Southeast Quarter of the Southwest Quarter; thence North 01 degrees 22 minutes 40 seconds West, assumed bearing, along the west line of said Southeast Quarter of the Southwest Quarter, 320.00 feet; thence North 88 degrees 52 minutes 45 seconds East, 188.52 feet, to the point of beginning of the tract of land to be described; thence North 10 degrees 16 minutes 40 seconds East, 130.58 feet; thence North 88 degrees 52 minutes 45 seconds East, 734.54 feet; thence South 44 degrees 24 minutes 44 seconds West, 182.73 feet; thence South 88 degrees 52 minutes 45 seconds West, 629.94 feet, to the point of beginning.

**ATTACH TO:**

**TRACT A: (per client)**

That part of the Southeast Quarter of the Southwest Quarter of Section 13, Township 123, Range 29, Stearns County, Minnesota, described as follows: Beginning at the Southeast corner of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 40 minutes 30 seconds West on an assumed bearing along the East line of said Southeast Quarter of the Southwest Quarter 148.29 feet to the center line of a township road; thence Northwesterly along said center line and along a non-tangential curve, concave to the Northeast radius 450.20 feet, central angle 09 degrees 50 minutes 20 seconds, 77.31 feet; thence North 40 degrees 48 minutes 00 seconds West, along said center line, tangent to said curve 392.61 feet; thence South 45 degrees 40 minutes 00 seconds West 255.05 feet; thence North 89 degrees 51 minutes 59 seconds West 818.46 feet to the West line of said Southeast Quarter of the Southwest Quarter; thence South 00 degrees 07 minutes 24 seconds East, along said West line 320.00 feet to the Southwest corner of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 51 minutes 59 seconds East, along the South line of said Southeast Quarter of the Southwest Quarter 1313.78 feet to the point of beginning.

Subject to any easements of record and subject to an easement for road purposes over and across the E. 33.00 ft. of said Southeast Quarter of the Southwest Quarter, lying S. of said township road, and over and across the S. 33.00 ft. of said Southeast Quarter of the Southwest Quarter and over and across the N. 33.00 ft. of the S. 66.00 ft. of the W. 33.00 ft. of said Southeast Quarter of the Southwest Quarter.

Approved this 8<sup>th</sup> day of March, 2017

---

**Martin M. Bode**  
**Administrator/Clerk**

**THIS INSTRUMENT DRAFTED BY:**

CITY OF ROCKVILLE (MMB)  
229 Broadway Street East  
Rockville, MN 56369  
(320) 251-5836

CITY OF ROCKVILLE, MINNESOTA  
APPLICATION FOR ADMINISTRATIVE PLATTING ~~PLATTING~~

~~PLATTING FEE: \$100.00~~

~~RECORDING FEE: \$46.00 (PER DOCUMENT)~~

Need separate checks: 1 for ~~Platting~~ fee & 1 for ~~Recording~~ Fee (s)

PLEASE NOTE: ANY COSTS (i.e. LEGAL, ENGINEERING, ADMINISTRATIVE, ETC) INCURRED OVER AND ABOVE THE APPLICATION FEE ARE THE RESPONSIBILITY OF THE PETITIONER)

Date Application Submitted: 2-17-2017 Parcel # 76.41623.0010

Location: Section 13 Township 123 Range 029

Legal Description \_\_\_\_\_

Detailed Description of the request and why it is being made: \_\_\_\_\_

Land is presently zoned A 40 Zone Requested \_\_\_\_\_ Total Amount of land involved: Acres 2

Owners Name RONALD F ALBERS Phone 320-333-6680 CELL  
First Name Middle Initial Last Name

Address 7876 Atlas Rd Email: RONALD.F.ALBERS@GMAIL

Surveyors Name \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Address \_\_\_\_\_

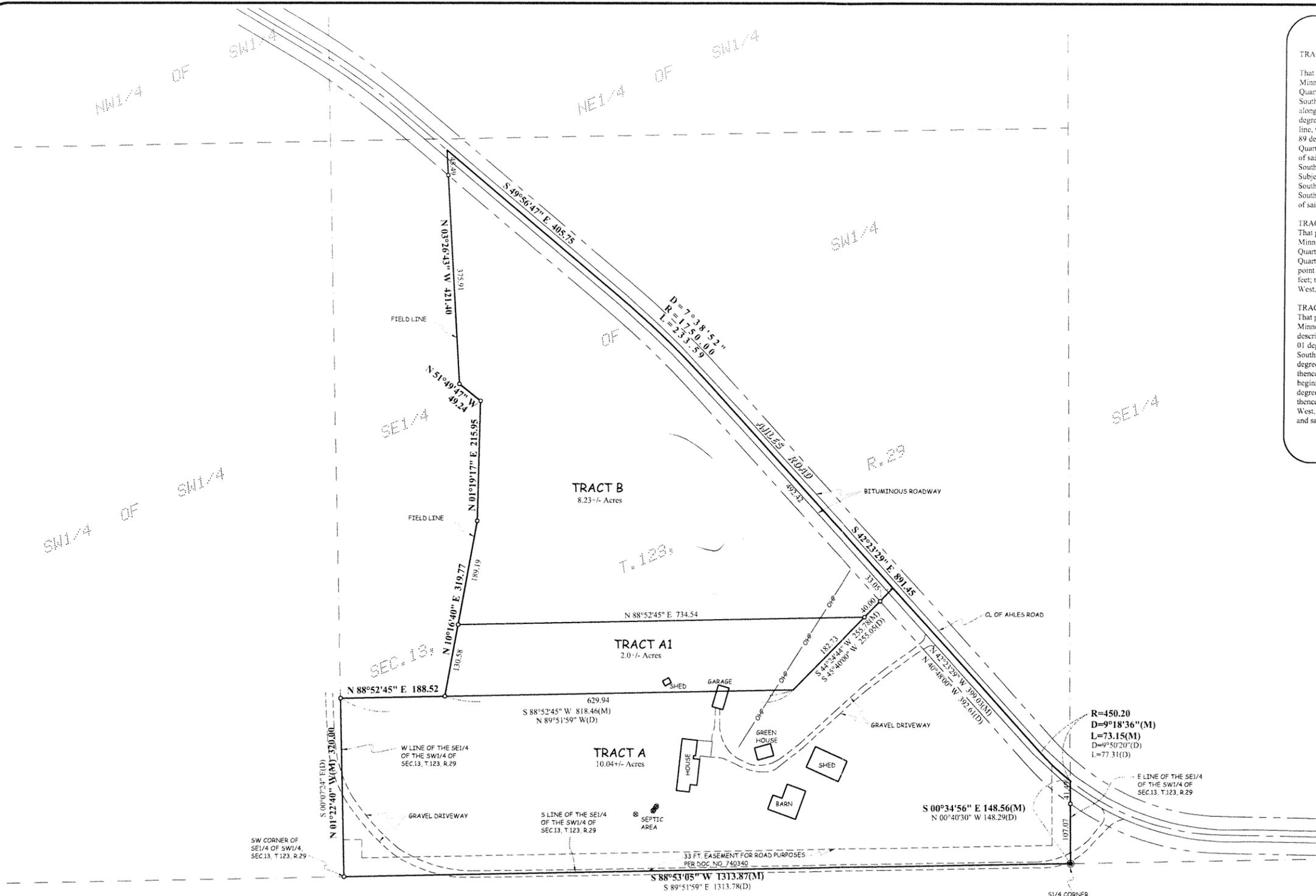
The following must be submitted with the Administrative plat:

- Certificate of Survey (15) Fifteen copies 11x17
- Proof of ownership (copy of tax statement or deed)
- Vicinity map (with surrounding property owners and roads identified)
- Required fee as noted above

Ronald F Albers Date Feb 17 2017  
Signature of person submitting administrative plat

Complete Application Date \_\_\_\_\_

R# \_\_\_\_\_ Administrative Plat Fee Check # 10573 Date 2-17-17 101.41000.34103 \$100.00 Permit # 17-01A  
Reimb. For invoice check # 10573 Date 2-17-17 101.41000-34102 \$46.00

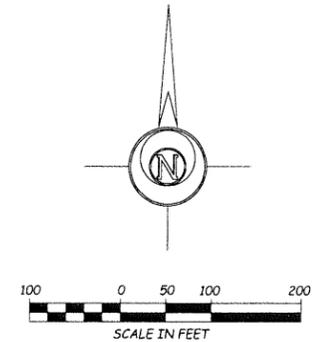


### LEGAL DESCRIPTION

TRACT A: (per client)  
 That part of the Southeast Quarter of the Southwest Quarter of Section 13, Township 123, Range 29, Stearns County, Minnesota, described as follows: Beginning at the Southeast corner of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 40 minutes 30 seconds West on an assumed bearing along the East line of said Southeast Quarter of the Southwest Quarter 148.29 feet to the center line of a township road; thence Northwest along said center line and along a non-tangential curve, concave to the Northeast radius 450.20 feet, central angle 09 degrees 50 minutes 20 seconds, 77.31 feet; thence North 40 degrees 48 minutes 00 seconds West, along said center line, tangent to said curve 392.61 feet; thence South 45 degrees 40 minutes 00 seconds West 255.05 feet; thence North 89 degrees 51 minutes 59 seconds West 818.46 feet to the West line of said Southeast Quarter of the Southwest Quarter; thence South 00 degrees 07 minutes 24 seconds East, along said West line 320.00 feet to the Southwest corner of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 51 minutes 59 seconds East, along the South line of said Southeast Quarter of the Southwest Quarter 1313.78 feet to the point of beginning.  
 Subject to any easements of record and subject to an easement for road purposes over and across the E. 33.00 ft. of said Southeast Quarter of the Southwest Quarter, lying S. of said township road, and over and across the S. 33.00 ft. of said Southeast Quarter of the Southwest Quarter and over and across the N. 33.00 ft. of the S. 66.00 ft. of the W. 33.00 ft. of said Southeast Quarter of the Southwest Quarter.

TRACT A1:  
 That part of the Southeast Quarter of the Southwest Quarter of Section 13, Township 123, Range 29, Stearns County, Minnesota, described as follows: Commencing at the southwest corner of said Southeast Quarter of the Southwest Quarter; thence North 01 degrees 22 minutes 40 seconds West, assumed bearing, along the west line of said Southeast Quarter of the Southwest Quarter, 320.00 feet; thence North 88 degrees 52 minutes 45 seconds East, 188.52 feet, to the point of beginning of the tract of land to be described; thence North 10 degrees 16 minutes 40 seconds East, 130.58 feet; thence North 88 degrees 52 minutes 45 seconds East, 734.54 feet; thence South 44 degrees 24 minutes 44 seconds West, 182.73 feet; thence South 88 degrees 52 minutes 45 seconds West, 629.94 feet, to the point of beginning.

TRACT B:  
 That part of the Southeast Quarter of the Southwest Quarter of Section 13, Township 123, Range 29, Stearns County, Minnesota, lying southwesterly of the centerline of Ahles Road and lying northerly and easterly of the following described line: Commencing at the southwest corner of said Southeast Quarter of the Southwest Quarter; thence North 01 degrees 22 minutes 40 seconds West, assumed bearing, along the west line of said Southeast Quarter of the Southwest Quarter, 320.00 feet; thence North 88 degrees 52 minutes 45 seconds East, 188.52 feet; thence North 10 degrees 16 minutes 40 seconds East, 130.58 feet; thence North 88 degrees 52 minutes 45 seconds East, 734.54 feet; thence South 44 degrees 24 minutes 44 seconds East, 73.05 feet, to the centerline of said Ahles Road, and the point of beginning of the line to be described; thence South 44 degrees 24 minutes 44 seconds West, 73.05 feet; thence South 88 degrees 52 minutes 45 seconds West, 734.54 feet; thence North 10 degrees 16 minutes 40 seconds East, 189.19 feet; thence North 01 degrees 19 minutes 17 seconds East, 215.95 feet; thence North 51 degrees 49 minutes 47 seconds West, 49.24 feet; thence North 03 degrees 26 minutes 43 seconds West, 421.40 feet, to said centerline of Ahles Road and said line there terminating.



- Legend
- INDICATES IRON MONUMENT PLACED
  - INDICATES IRON MONUMENT FOUND
  - ⊙ INDICATES STEARNS COUNTY CAST IRON MONUMENT
  - OHP — INDICATES OVERHEAD POWER LINE

**NOTE:** THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE WITHOUT FIRST CONTACTING THE SURVEYOR WHO DEVELOPED AND MADE THIS DRAWING. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.

CERTIFICATE OF SURVEY PREPARED BY:  
**O'MALLEY & KRON**  
 LAND SURVEYORS, INC.  
 370 CHAPEL HILL RD., SUITE 105  
 COLD SPRING, MN 56320  
 PH. 320-685-5905  
 FAX 320-685-3056  
 1004 2nd ST. SE  
 WILLMAR, MN 56201  
 PH. 320-235-4012  
 FAX 320-685-3056

REVISED: 2-6-17 (ADDED TRACT A1)

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.  
 DATE: 01-31-17  
 DANIEL M. KRON  
 MINNESOTA REGISTRATION NO. 42621

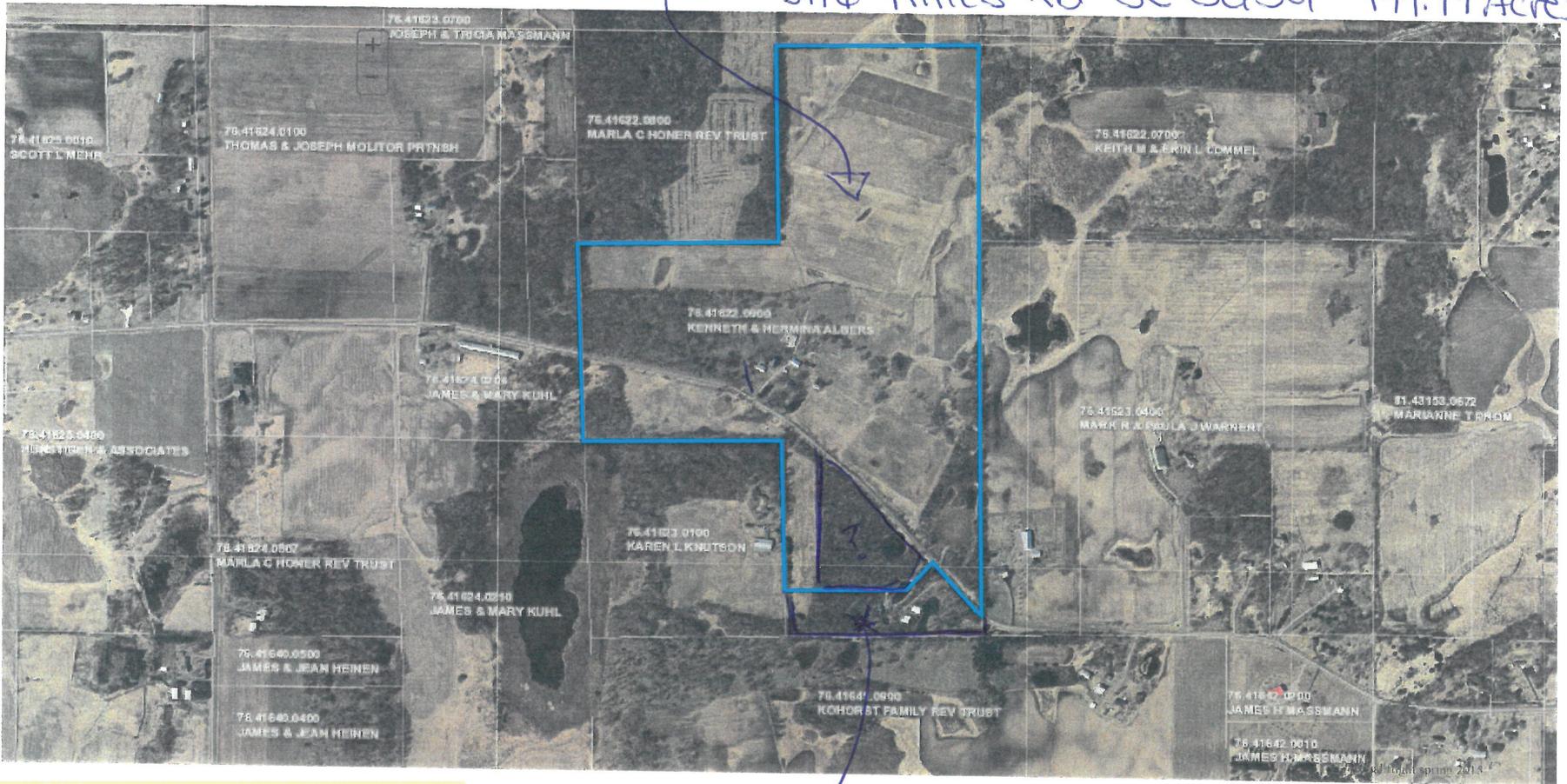
SHEET 1 OF 1

CERTIFICATE OF SURVEY PREPARED FOR:  
**KEN & HERMINA ALBERS**  
 JOB NO: 2017-18  
 FILE NAME: 2017-18b.DWG  
 LOCATION: 13-123-29

76.41622.0900

Kenneth & Hermina AIBERS

8116 Athles Rd SE 56301 149.99 Acres



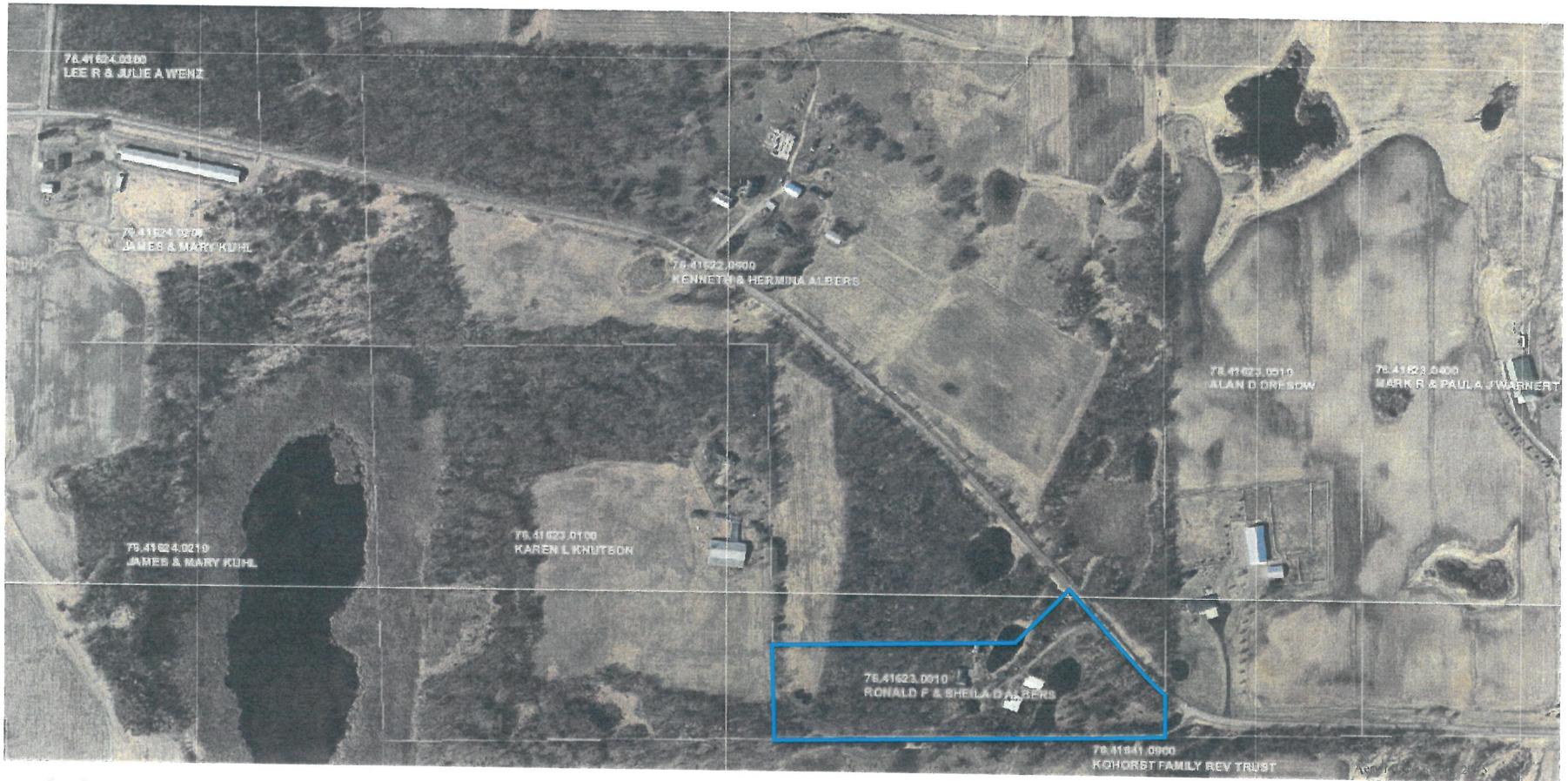
1/23/17 AIBER's came in  
 to Question ABOUT  
 Splitting 10 Acres OFF  
 the 149.99 Acres  $\frac{1}{3}$   
 Attaching it to their  
 son Ronald & Shelia  
 AIBER's 10.01 Acres.  
 They just want to do the  
 Woods to the North of Ronald's  
 Property - Gave the Adm-

76.41623.0010 7876 Athles Rd  
 son  
 Ronald &  
 Shelia AIBER's  
 10.01 Acres

arrow keys to navigate. Go

it 15 min.  
 ing - See Attachment for Fee

tion/default.aspx



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- [Draw](#)
- [Measure](#)
- [Legend](#)

[Login](#)

By PID #

By Owner

By Address  1 result is available, use up and down arrow keys to navigate.

Results

76.41623.0010 - 7876 AHLES RD

- 76.41623.0010 - 7876 AHLES RD

Property Information

**ALBERS STAFF REPORT**  
**March 7, 2017**

RE: SUBDIVIDE PROPERTY

Parcel I.D. No. 76.41622.0900 - Section 13, Township 123, Range 029

Owner: Kenneth Albers and Hermina Albers

Property Address: 8116 Ahles Road, Rockville, MN

REQUEST

2. Ken and Hermina Albers are requesting approval to split 8.23 +/- acres from the approximate 149.99 acre site thereby establishing a new parcel.

RELEVANT INFORMATION

1. Property is zoned A-40.
2. Property is 8.23 +/- acres.
3. Qualified Minor Sub-divisions do not require a public hearing but do require Planning Commission review and approval.

RECOMMENDATION:

Consider Approval

Submitted by:  
Martin Bode  
Zoning Administrator

Albers QMS Staff Report 03.07.17

**CERTIFICATE OF COMPLIANCE**

**STATE OF MINNESOTA            )**  
**COUNTY OF STEARNS            )**       **ss**  
**CITY OF ROCKVILLE            )**

Owners:            Kenneth Albers and Hermina Albers, 8116 Ahles Road, Rockville, MN

**The request is a Qualified Minor Subdivision request to split off 8.23 +/- acres.**

The Rockville City Planning Commission and City Council have reviewed this request and found it to be in compliance with the standards set forth in the City of Rockville as it is separate tract of land and can be built on. The Application for Qualified Minor Subdivision is approved and may be recorded.

(Kenneth Albers and Hermina Albers) Parcel I.D. No. 76.41622.0900, Section 13, Township 123, Range 029

**NEW TRACT B:**

That part of the Southeast Quarter of the Southwest Quarter of Section 13, Township 123, Range 29, Stearns County, Minnesota, lying southwesterly of the centerline of Ahles Road and lying northerly and easterly of the following described line: Commencing at the southwest corner of said Southeast Quarter of the Southwest Quarter; thence North 01 degrees 22 minutes 40 seconds West, assumed bearing, along the west line of said Southeast Quarter of the Southwest Quarter, 320.00 feet; thence North 88 degrees 52 minutes 45 seconds East, 188.52 feet; thence North 10 degrees 16 minutes 40 seconds East, 130.58 feet; thence North 88 degrees 52 minutes 45 seconds East, 734.54 feet; thence North 44 degrees 24 minutes 44 seconds East, 73.05 feet, to the centerline of said Ahles Road, and the point of beginning of the line to be described; thence South 44 degrees 24 minutes 44 seconds West, 73.05 feet; thence South 88 degrees 52 minutes 45 seconds West, 734.54 feet; thence North 10 degrees 16 minutes 40 seconds East, 189.19 feet; thence North 01 degrees 19 minutes 17 seconds East, 215.95 feet; thence North 51 degrees 49 minutes 47 seconds West, 49.24 feet; thence North 03 degrees 26 minutes 43 seconds West, 421.40 feet, to said centerline of Ahles Road and said line there terminating.

Approved this 8<sup>th</sup> day of March, 2017

\_\_\_\_\_  
**Martin M. Bode**  
**Administrator/Clerk**

**THIS INSTRUMENT DRAFTED BY:**  
CITY OF ROCKVILLE (MMB)  
229 Broadway Street East  
Rockville, MN 56369  
(320) 251-5836

CITY OF ROCKVILLE, MINNESOTA  
QUALIFIED MINOR SUBDIVISION

FEE: \$100.00

RECORDING FEE \$46.00 (PER DOCUMENT)

Kenneth J  
Hermina  
ALBERS

Need separate checks: 1 for Qualified Minor application & 1 for recording fee(s)

PLEASE NOTE: ANY COSTS (i.e. LEGAL, ENGINEERING, ADMINISTRATIVE, ETC) INCURRED OVER AND ABOVE THE APPLICATION FEE ARE THE RESPONSIBILITY OF THE PETITIONER

Date Application Submitted: \_\_\_\_\_  
(Must submit at least ten (10) day prior to the next Planning Commission)

Parcel (1) # 76416220900

Parcel (2) # Tract B

Location: Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

Legal Description parcel (1): \_\_\_\_\_

Legal Description parcel (2): \_\_\_\_\_

Owners Name Kenneth J Albers Phone 320-252-6859  
First Name Middle Initial Last Name

Address 8116 Ahles Rd St Cloud Mn Email: \_\_\_\_\_

The following must be submitted:

\_\_\_ Certificate of Survey –fifteen (15) copies 11”x 17”

Kenneth Albers Date 2-9-17  
Signature of person

Office use only:

Complete Application date \_\_\_\_\_

R# \_\_\_\_\_ Qualified Minor Subd. Check # 8282 Date 2-9-17 101.41000.34103 \$100.00 Permit # 17-016  
Reimb. For invoice check # 8283 Date 2-9-17 101.41000.34102 \$46.00

76.41622.0900 Kenneth's Hermina AIBERS  
8116 Athes Rd SE 56301 149.99 Acres



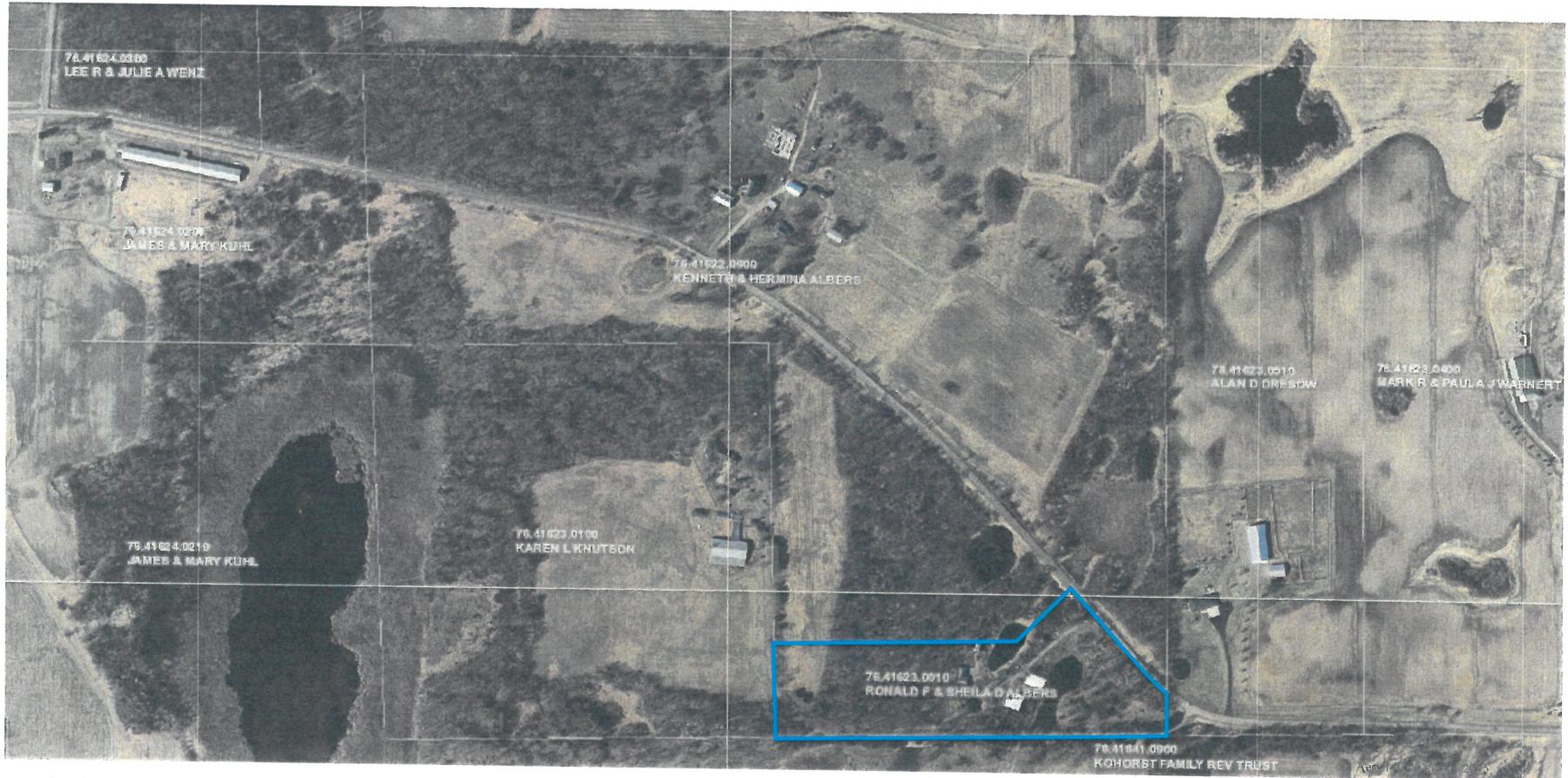
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76.41623.0010 7876 Athes Rd  
Son  
Ronald &  
Shelia AIBERS  
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Use arrow keys to navigate.  Go

it 15 min.  
ing - See Attachment for Fee

ction/default.aspx



- [Search](#)
- [Layers](#)
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- [Legend](#)

[Login](#)

By PID #

By Owner

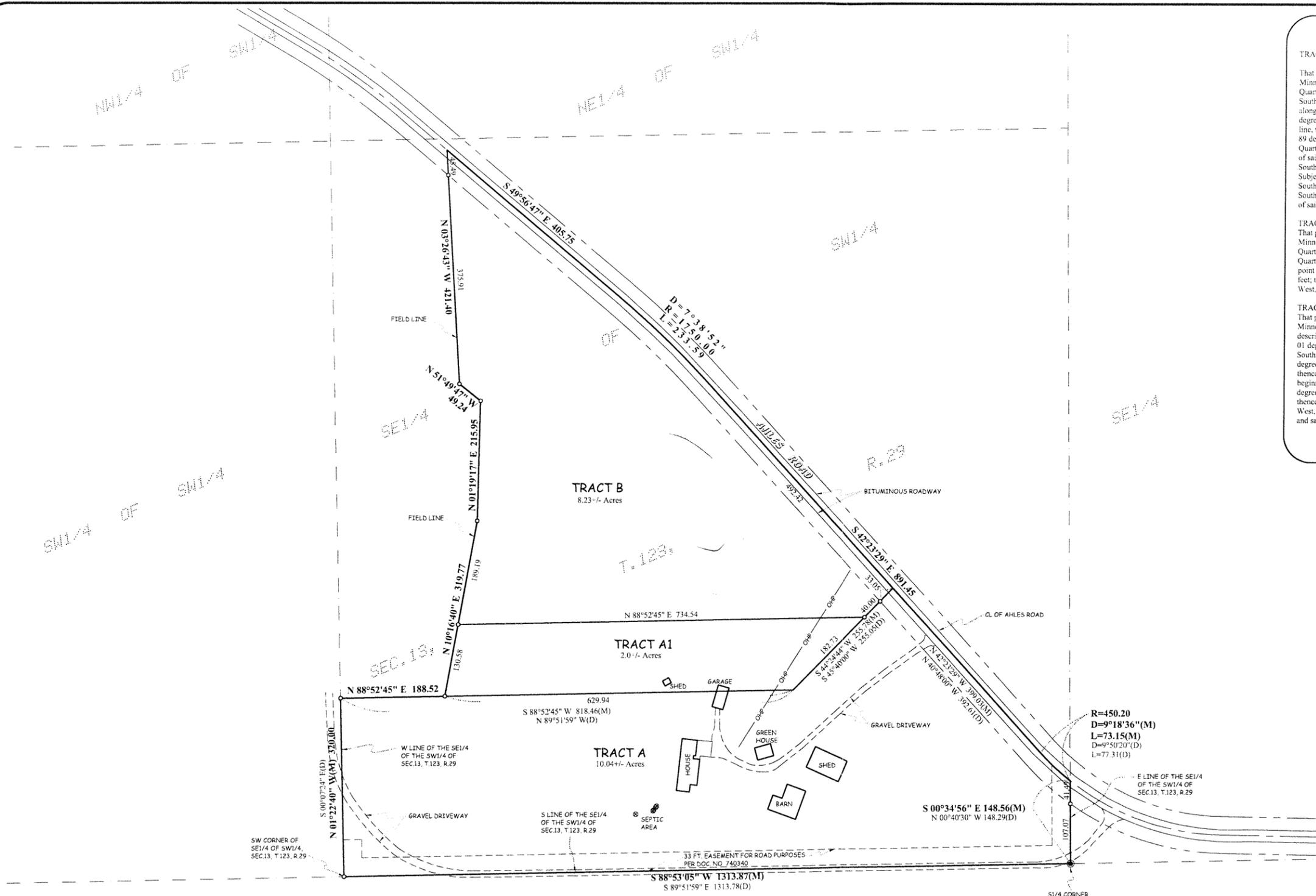
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76.41623.0010 - 7876 AHLES RD

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Property Information

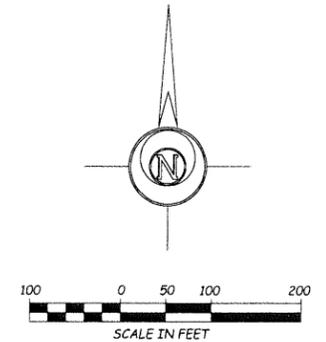


### LEGAL DESCRIPTION

TRACT A: (per client)  
 That part of the Southeast Quarter of the Southwest Quarter of Section 13, Township 123, Range 29, Stearns County, Minnesota, described as follows: Beginning at the Southeast corner of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 40 minutes 30 seconds West on an assumed bearing along the East line of said Southeast Quarter of the Southwest Quarter 148.29 feet to the center line of a township road; thence Northwest along said center line and along a non-tangential curve, concave to the Northeast radius 450.20 feet, central angle 09 degrees 50 minutes 20 seconds, 77.31 feet; thence North 40 degrees 48 minutes 00 seconds West, along said center line, tangent to said curve 392.61 feet; thence South 45 degrees 40 minutes 00 seconds West 255.05 feet; thence North 89 degrees 51 minutes 59 seconds West 818.46 feet to the West line of said Southeast Quarter of the Southwest Quarter; thence South 00 degrees 07 minutes 24 seconds East, along said West line 320.00 feet to the Southwest corner of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 51 minutes 59 seconds East, along the South line of said Southeast Quarter of the Southwest Quarter 1313.78 feet to the point of beginning.  
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- Legend
- INDICATES IRON MONUMENT PLACED
  - INDICATES IRON MONUMENT FOUND
  - ⊙ INDICATES STEARNS COUNTY CAST IRON MONUMENT
  - OHP — INDICATES OVERHEAD POWER LINE

**NOTE:** THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE WITHOUT FIRST CONTACTING THE SURVEYOR WHO DEVELOPED AND MADE THIS DRAWING. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.

370 CHAPEL HILL RD., SUITE 105  
 COLD SPRING, MN 56320  
 PH. 320-685-5905  
 FAX 320-685-3056

CERTIFICATE OF SURVEY PREPARED BY:  
**O'MALLEY & KRON**  
 LAND SURVEYORS, INC.

1004 2nd ST. SE  
 WILLMAR, MN 56201  
 PH. 320-235-4012  
 FAX 320-685-3056

REVISED: 2-6-17 (ADDED TRACT A1)

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.  
 DATE: 01-31-17  
 DANIEL M. KRON  
 MINNESOTA REGISTRATION NO. 42621

SHEET 1 OF 1

CERTIFICATE OF SURVEY PREPARED FOR:  
**KEN & HERMINA ALBERS**  
 JOB NO: 2017-18  
 FILE NAME: 2017-18b.DWG  
 LOCATION: 13-123-29

**Brinkmeier LLC STAFF REPORT**  
**March 7, 2017**

RE: SUBDIVIDE PROPERTY

Parcel I.D. No. 76.41654.0200 - Section 30, Township 123, Range 029

Owner: Kevin L. Brink and Karen B. Brink, Brinkmeier LLC

REQUEST

Kevin L. Brinks and Karen B. Brinks, Brinkmeier LLC are requesting approval to split 40.00 +/- acres from the 150 +/- acre site thereby establishing a new parcel.

RELEVANT INFORMATION

1. Property is zoned A-40.
2. Property is 150 +/- acres.
3. Qualified Minor Sub-divisions do not require a public hearing but do require Planning Commission review and approval.
4. The new 40 acre parcel will then be attached to by Douglas T Brink and Peggy S Brink Parcel No. of 76.41654.0500, Section 30, Township 123, Range 29, Lot Combination application has been received.

RECOMMENDATION:

Consider Approval

Submitted by:  
Martin Bode  
Zoning Administrator

**CERTIFICATE OF COMPLIANCE**

**STATE OF MINNESOTA        )**  
**COUNTY OF STEARNS        )**       **ss**  
**CITY OF ROCKVILLE       )**

Owners:           Kevin L. Brink and Karen B. Brink as Brinkmeier LLC, 1717 Park Point Road, Waconia, MN 55387

Parcel No. 76.41654.0200, Section 30 - Township 123 – Range 29

**The request is a Qualified Minor Subdivision request to split off 40 +/- acres.**

The Rockville City Planning Commission and City Council have reviewed this request and found it to be in compliance with the standards set forth in the City of Rockville as it is separate tract of land and can be built on. The Application for Qualified Minor Subdivision is approved and may be recorded.

Kevin L. Brink and Karen B. Brink as Brinkmeier LLC, Parcel I.D. No. 76.41654.0200, Section 30, Township 123, Range 029

**NEW TRACT B:**

The south 669.26 feet of the Northeast Quarter of Section 30, Township 123, Range 29, Stearns County, Minnesota.

Attachment Note:

**DECLARATION OF RESTRICTION:**

The new Tract B must be attached to an existing parcel of recorded lying southerly of Tract B. That parcel is currently owned by Douglas T. Brink and Peggy S. Brink and has a parcel identification number of 76.41654.0500. The legal description of that parcel is as follows:

PID No. 76.41654.0500

The Northwest Quarter of the Southeast Quarter, the Northeast Quarter of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter, all in Section 30, Township 123, Range 29, Stearns County, Minnesota.

After the attachment of Tract B with PID No. 76.41654.0500 the overall legal description of that parcel will be:

PID No. 76.41654.0500 and TRACT B:

The Northwest Quarter of the Southeast Quarter, the Northeast Quarter of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter, all in Section 30, Township 123, Range 29, Stearns County, Minnesota.

AND

The south 669.26 feet of the Northeast Quarter of Section 30, Township 123, Range 29, Stearns County, Minnesota.

Approved this 8<sup>th</sup> day of March, 2017

---

**Martin M. Bode**  
**Administrator/Clerk**

**THIS INSTRUMENT DRAFTED BY:**  
CITY OF ROCKVILLE (MMB)  
229 Broadway Street East  
Rockville, MN 56369  
(320) 251-5836

*Cert. of Compliance QMS. Brinkmeier LLC 03.08.17..wd.doc*

CITY OF ROCKVILLE, MINNESOTA  
QUALIFIED MINOR SUBDIVISION

FEE: \$100.00

RECORDING FEE \$46.00 (PER DOCUMENT)

Need separate checks: 1 for Qualified Minor application & 1 for recording fee(s)  
PLEASE NOTE: ANY COSTS (i.e. LEGAL, ENGINEERING, ADMINISTRATIVE, ETC) INCURRED OVER  
AND ABOVE THE APPLICATION FEE ARE THE RESPONSIBILITY OF THE PETITIONER

Date Application Submitted: \_\_\_\_\_  
(Must submit at least ten (10) day prior to the next Planning Commission)

Parcel (1) # 76.41654.0200

Parcel (2) # \_\_\_\_\_

Location: Section 30 Township 123 Range 029

Legal Description parcel (1): 150.00 A. NE4 less that pt. of NE4NE4 BEG  
ON N LN 382' W OF NE COR - 5474.60' - W 908.98' TO W LN -  
N 473.50' TO N LN - E 932.19' TO POB OLD # 28,17139.010

Legal Description parcel (2): \_\_\_\_\_

Owners Name Kevin L. Brink (Brinkmeier, LLC)  
Karen B. Brink # Phone \_\_\_\_\_  
First Name Middle Initial Last Name

\* Address 10814 Grand Lake Rd. Email: Kevin@INHProperties.com  
Cold Spring MN 56320

The following must be submitted:  
 Certificate of Survey -fifteen (15) copies 11"x 17"

\* Kevin L. Brink Date 3/2/17  
Signature of person

Office use only:  
Complete Application date \_\_\_\_\_

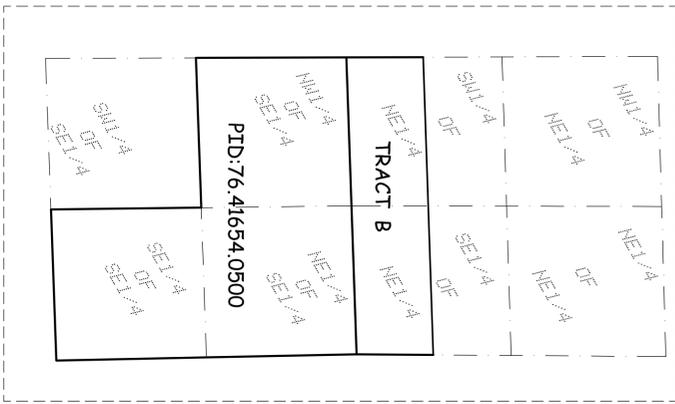
R# \_\_\_\_\_ Qualified Minor Subd. Check # \_\_\_\_\_ Date \_\_\_\_\_ 101.41000.34103 \$100.00 Permit # \_\_\_\_\_  
Reimb. For invoice check # \_\_\_\_\_ Date \_\_\_\_\_ 101.41000.34102 \$46.00  
Application qualified minor subdivision.form.wd

**LEGAL DESCRIPTION**

TRACT A:  
All of the Northeast Quarter of Section 30, Township 123, Range 29, Stearns County, Minnesota, except the tract described as follows:

That part of the Northeast Quarter of the Northeast Quarter of Section 30, Township 123, Range 29 of Stearns County, Minnesota described as follows: Commencing at the northeast corner of said Northeast Quarter of the Northeast Quarter; thence South 88 degrees 33 minutes 12 seconds West (assumed bearing) along the North line thereof, 382.00 feet to the point of beginning of the land to be described; thence South 03 degrees 03 minutes 12 seconds West, 474.76 feet; thence South 88 degrees 33 minutes 12 seconds West parallel with the North line of said Northeast Quarter of the Northeast Quarter, 908.98 feet to the West line of said Northeast Quarter of the Northeast Quarter; thence North 00 degrees 15 minutes 09 seconds East along said West line, 473.50 feet to the northwest corner of said Northeast Quarter of the Northeast Quarter; thence North 88 degrees 33 minutes 12 seconds East along the North line thereof, 932.19 feet to the point of beginning.

AND LESS AND EXCEPT  
TRACT B:  
The south 669.26 feet of the Northeast Quarter of Section 30, Township 123, Range 29, Stearns County, Minnesota.



**SURVEYOR'S NOTES:**

The intention of this survey is to attach Tract B to an existing parcel of recorded lying southerly of Tract B. This parcel is currently owned by Doug and Peggy Brink and has a parcel identification number of 76.41654.0500. The legal description of that parcel is as follows:

PID No. 76.41654.0500  
The Northwest Quarter of the Southeast Quarter, the Northeast Quarter of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter, all in Section 30, Township 123, Range 29, Stearns County, Minnesota.

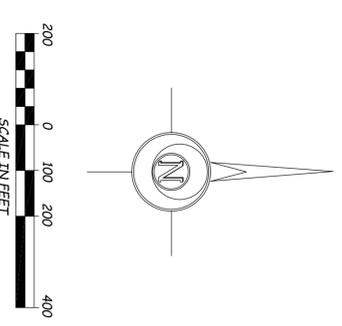
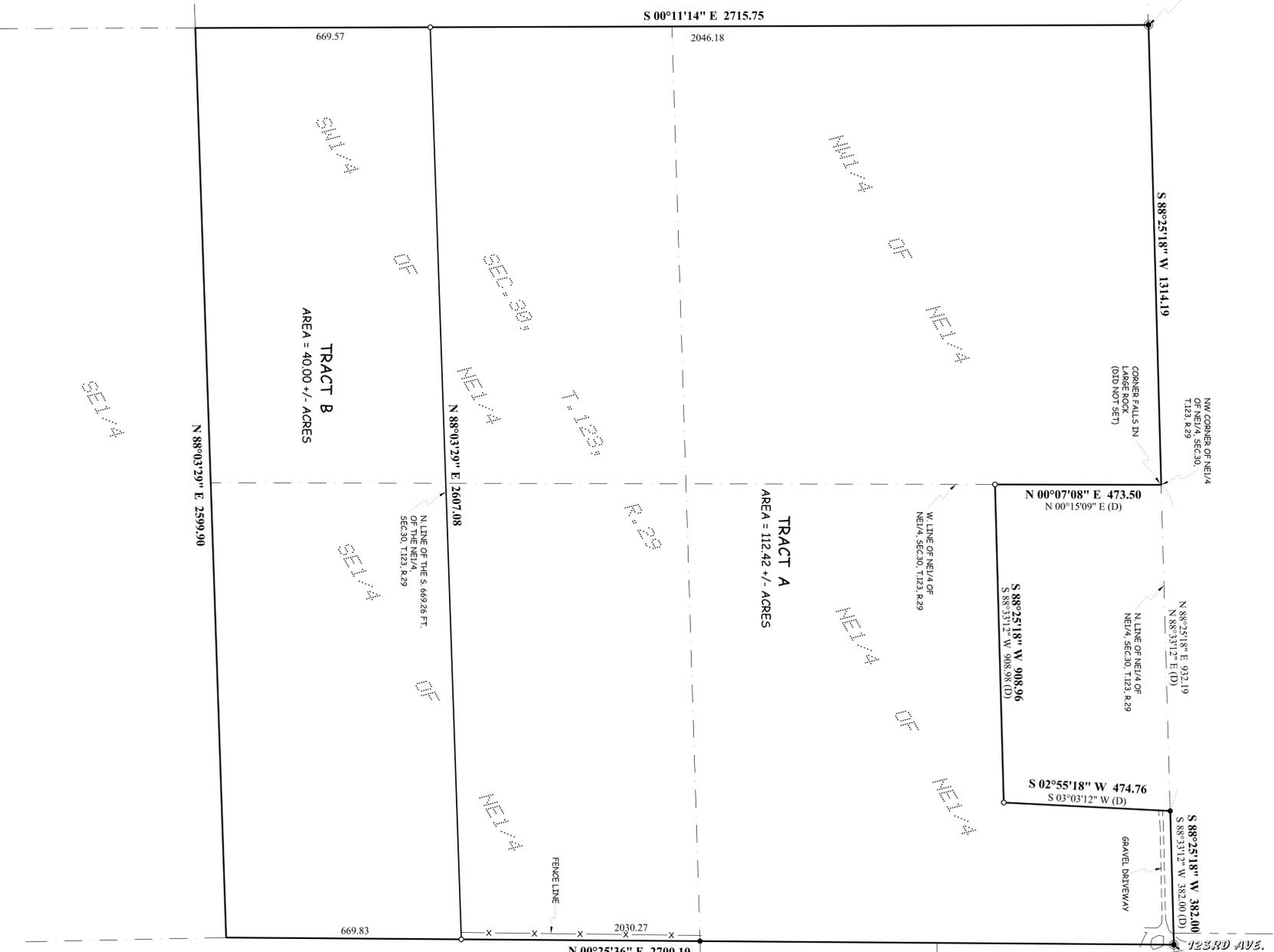
After the attachment of Tract B with PID No. 76.41654.0500 the overall legal description of that parcel will be:

PID No. 76.41654.0500 and TRACT B:

The Northwest Quarter of the Southeast Quarter, the Northeast Quarter of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter, all in Section 30, Township 123, Range 29, Stearns County, Minnesota.

AND

The south 669.26 feet of the Northeast Quarter of Section 30, Township 123, Range 29, Stearns County, Minnesota.



- Legend
- INDICATES IRON MONUMENT PLACED
  - INDICATES IRON MONUMENT FOUND
  - INDICATES STEARNS COUNTY CAST IRON MONUMENT

JOB NO:2017-35  
FILE NAME:2017-35.DWG  
LOCATION:30-123-29

CERTIFICATE OF SURVEY PREPARED FOR:  
**DOUG BRINK  
AND  
BRENT NIERENHAUSEN**

**NOTE:** THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE WITHOUT FIRST CONTACTING THE SURVEYOR WHO DEVELOPED AND MADE THIS DRAWING UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.

370 CHAPEL HILL RD., SUITE 105  
COLD SPRING MN 56320  
PH. 320-685-5905  
FAX 320-685-3056

CERTIFICATE OF SURVEY PREPARED BY:  
**O'MALLEY & KRON**  
**LAND SURVEYORS, INC.**

1004 2nd ST. SE  
WILLMAR MN 56201  
PH. 320-235-4012  
FAX 320-685-3056

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.  
DANIEL M. KRON  
MINNESOTA REGISTRATION NO. 42621  
DATE: 02-13-17

SHEET 1 OF 1



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**ORDINANCE NO. 2017-86**

**ORDINANCE AMENDING CERTAIN SECTIONS OF THE CITY OF ROCKVILLE ZONING CODE**

**WHEREAS**, the City Council of the City of Rockville adopted official zoning controls ("Zoning Code") pursuant to the authority granted in Minnesota Statutes, Chapter 462 in April 2003 which replaced all pre-existing official controls; and

**WHEREAS**, the City Council amended the Zoning Code by Ordinance Numbers 2003-06, 2004-18, 2004-19, 2004-20, 2004-25, 2004-26, 2006-30, 2007-40, 2007-41, 2007-42, 2007-43, 2007-44, 2008-45, 2008-46, 2008-47, 2008-49, 2008-50, 2008-51 and 2008-53; 2009-58, 2009-61, 2009-62, 2009-63, 2010-64, 2011-69, 2011-70, 2011-73, 2012-74, 2012-76, 2014-82, 2015-84 and 2016-85.

**WHEREAS**, the City Council has the authority pursuant to Minnesota Statutes, Chapter 462 to amend the official zoning controls; and

**WHEREAS**, the City Council seeks to amend: certain zoning requirements, and

**WHEREAS**, public hearing was held on December 13, 2016 in front of the City Planning Commission, and members of the public were given an opportunity to comment on the proposed amendment(s)

**NOW, THEREFORE, THE CITY COUNCIL DOES ORDAIN TO AMEND THE ROCKVILLE ZONING ORDINANCE AS FOLLOWS:**

**SECTION 33: STORMWATER MANAGEMENT Subdivision 12b;A-3 is hereby amended as follows:**

3. On a General or Recreational Development lake, 15%, except that a lot of record may contain up to 25% impervious surface, without a variance, if the parcel provides a plan to the City that treats surface water runoff for water quality, as provided in 13(b).

**SECTION 9: GENERAL REQUIREMENTS Subdivision 2;F is hereby amended as follows:**

- F. **Site Plan Required**. All accessory structures shall require a building permit and approval of a Site Plan.

**SECTION 9: GENERAL REQUIREMENTS Subdivision 2;H is hereby amended as follows:**

- H. **Design and Appearance of Exterior**. All accessory buildings greater than 200 square feet shall be constructed so that the appearance of its exterior is uniform and resembles the color and material of the principal structure. For purposes of this Subdivision 2(G):

**SECTION 9B: SITE PLAN Subdivision 1;1-i is hereby amended as follows:**

- i. The erection or construction of any principal structure or building and/or any accessory structure within any zoning classification require submittal of a site plan to the City; except that single/two family residential units on lots within approved subdivisions shall be exempt providing they adhere to elevations and building types as approved with the grading/drainage plan.

**SECTION 9B: SITE PLAN Subdivision 2;2-A,a is hereby amended as follows:**

- a. Building permit applications for the construction of principal structures and/or accessory structures in the R-1 single family and R-2 two family district shall illustrate the location of the proposed building(s) relative to property lines, easements (public and private), elevations and the uses of all remaining land.

**SECTION 9B: SITE PLAN Subdivision 2;2-B,a is hereby amended as follows:**

- a. Building permit applications for the construction of principal and accessory structures in the A-40 Agricultural District shall illustrate the location of the proposed building(s) relative to property lines, easements (public and private), elevations and the uses of all remaining land.

**SECTION 17: R-1 SINGLE FAMILY RESIDENTIAL DISTRICT Subdivision 3;4, is hereby amended as follows:**

4. Accessory Buildings (not exceeding two hundred (200) square feet in area) for storing domestic equipment and non-commercial recreational equipment.

**SECTION 18: R-2 TWO FAMILY RESIDENTIAL DISTRICT Subdivision 3;3, A, is hereby amended as follows:**

- A. Accessory Buildings (not exceeding two hundred (200) square feet in area) for storing domestic equipment and non-commercial recreational equipment.

**EFFECTIVE DATE:** This ordinance shall become effective upon its passage and publication in the official newspaper.

Dated this 15<sup>th</sup> day of December, 2017

**ATTEST:**

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**Martin M. Bode**  
City Administrator/Clerk

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**Duane Willenbring**  
Mayor

Published: Cold Spring Record  
December 27, 2016