



*Sherburne County
Planning Advisory Commission Meeting Minutes
July 15, 2021
6:00pm*

The Sherburne County Planning Advisory Committee met in the Board Room at the Sherburne County Government Center in Elk River, Minnesota on July 15, 2021 to hold a public hearing for all unincorporated areas of Sherburne County in which the County has zoning and land use authority, along with the Township of Big Lake, the Township of Baldwin and the Township of Livonia, to consider the evening's agenda and other planning and zoning related topics.

Chairperson, Bryan Lawrence called the meeting to order and roll was taken.

The following members were present:

Chair, Bryan Lawrence, Baldwin Township; Vice-Chair, Bruce Aubol, Big Lake Township; Roger Nelson, Blue Hill Township; Lila Spencer, Livonia Township; Steve Demeules, Palmer Township; Bryan Adams, Orrock Township; Gary Gray, Clear Lake Township; Kathi Sims-Kosloski, Haven Township

The following staff members were present:

Nancy Riddle, Zoning Administrator; Lynn Waytashek, Assistant Zoning Administrator; Marc Schneider, Senior Planner; Mitch Glines, Planner; Carrie Winter, Secretary.

Lawrence stated that the meeting was being recorded and announced that the Planning Commission is a recommending body. Items recommended for approval by the Planning Commission will be heard by the County Board of Commissioners on August 3rd, 2021 at 9:00am.

Demeules made a motion to approve the minutes from the June 17, 2021 Public Hearing. Adams seconded. Motion carried and the minutes were approved for the June 17, 2021 Public Hearing.

Nelson made a motion to approve the Public Hearing agenda for July 15, 2021. Spencer seconded. The motion carried and the Public Hearing agenda for July 15, 2021 is approved.

Agenda:

1. **Gullickson Addition** (James Gullickson) Requesting preliminary and final simple plat approval consisting of two (2) lots.
2. **Elk Lake Oaks** (N.C. Contracting Inc) Requesting a preliminary plat approval consisting of six (6) lots.
3. **Sanford First Addition** (Sanfords-Liestman LLC) Request for residential standard preliminary plat of consisting of nine (9) lots.
4. **J and J Meadows** (Jon and Jeff Smith) Request for residential standard preliminary plat consisting of five (5) lots.
5. **John Walker** Requesting an Amendment to the Sherburne County Comprehensive Land Use Map from Agricultural to Rural Residential, and amend the County Zoning Map from Agricultural District to Shoreland Residential District.

Agenda Item #1 -6:05pm

Gullickson Addition (Property Owners: James and Sharon Gullickson) Requesting preliminary and final simple plat approval consisting of two (2) lots.

PID 10-110-1100, Sec 10, Twp 33, Rge 27 Big Lake Twp, 14.19 ac, General Rural District and within the Shoreland Overlay District of Birch Lake a Recreational Development Lake

Mitch Glines, Planner, presented the request to the Planning Commission including the board packet, attachments, and comments.

PLANNING COMMISSION PACKET ATTACHMENTS:

- A. Aerial Photo
- B. Preliminary Plat (date stamped 07/07/2021)
- C. Final Plat (date stamped 06/28/2021)

BIG LAKE TOWNSHIP COMMENTS (June 10, 2021): Recommend approval.

DEPARTMENT/AGENCY COMMENTS:

Russ Heiling, County Surveyor (June 24, 2021): We have reviewed/revised some issues with the preliminary plat with the platting surveyor. We have no additional issues and will perform a final plat check when received.

David Roedel, Asst Public Works Director (August 19, 2019):

1. The southerly lot would be as close to the south lot line as possible, which essentially makes the south driveway and the driveway on the adjacent southerly lot essentially a shared driveway. They do not have to actually share, but the new driveway should be as close as constructible to the south lot line.
2. The driveway to be located on the northerly lot shall be located to optimize the sight line to the north and south.
3. An access permit is required to construct the new accesses to the lots. Please contact Public Works for the permit.
4. The Sherburne County Public Works Department will require park dedication fees for the 2 new lots at \$800 per lot, totaling \$1,600. Park fees must be paid prior to the Public Works Department signing the plat mylars.

Bonnie Jacobs, Property Tax Manager (June 9, 2021): Will need to pay the second half taxes.

PLANNING & ZONING STAFF COMMENTS:

1. The applicant is proposing to create two (2) lots from a 14.19-acre parcel.
2. There are no structures, wells or septic on the property.
3. The property is located on Birch Lake which requires a 100ft setback from the OHWL. The entire property is located within the shoreland overlay district of Birch Lake which will limit the height of structures.

RECOMMENDED CONDITIONS IF APPROVED:

1. Park dedication fees for 3 lots at \$800 per lot, totaling \$1,600. Park fees must be paid prior to the Public Works Dept signing the plat mylars.
2. An access permit is required from the Sherburne County Public Works Department for each lot.
3. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.

Planning Commission Discussion Followed:

James Gullickson, 6538 Babcock Trail, Inver Grove Heights, has had this property since 1978. He wondered what to do with this property, discussed and decided to break this into 2 lots. Originally, he had 5 acres, and then 3 acres, then the remainder of the property was close to 14-15 acres. He would like to have 2 building spots to make it accessible for someone to buy the property and make it a nice home.

Lawrence asked what the property has been used for since they have owned it. A campsite or anything?

Gullickson said that they had it and life went by and it has just sat, but and would make a nice property for 2 building spots.

Lawrence opened the Public Hearing. No one from the public spoke nor were any comments received.

Nelson made a motion to close the public hearing. Aubol seconded. The motion carried and the public hearing was closed.

Aubol made a motion to recommend approval of the preliminary and final simple plat for "Gullickson Addition" with the (3) recommended Conditions. Spencer seconded.

Lawrence asked the applicant if he understands and can abide by the Conditions.

Gullickson agreed to the Conditions.

Demeules stated that the number of lots listed in recommended Condition #1 is 3 lots, it should be 2 lots.

The group agreed, including Aubol who made the motion.

Conditions:

1. Park dedication fees for 2 lots at \$800 per lot, totaling \$1,600. Park fees must be paid prior to the Public Works Dept signing the plat mylars.
2. An access permit is required from the Sherburne County Public Works Department for each lot.
3. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.

The motion carried unanimously and the Preliminary and Final Simple Plat of "Gullickson Addition" consisting of (2) lots is recommended for approval to the County Board with the (3) recommended Conditions.

Agenda Item #2 -6:10pm

Elk Lake Oaks (Property owner N.C. Contracting Inc): Requesting preliminary standard plat approval consisting of six (6) lots.

PID # 01-031-1112 Section 31, Twp 35, Rge 26, Baldwin Township. 20.37 acres in the General Rural District and within the Shoreland Overlay District of Little Elk Lake a General Development Lake and Goose Lake a Natural Environment Lake.

Mitch Glines, Planner, presented the request to the Planning Commission including the board packet, attachments, and comments.

PLANNING COMMISSION PACKET ATTACHMENTS:

- A. Aerial Photo
- B. Minutes from Baldwin Township Planning Commission Meeting on May 26, 2021
- C. Preliminary Plat (date stamped 07/07/2021)
- D. Preliminary Grading Plan (date stamped 07/07/2021)

BALDWIN TOWNSHIP COMMENTS: (06/10/2021) Recommend approval.

Wes Davis (Bogart, Pederson and Associates – Baldwin Township Engineer - 07/06/2021) Contingent upon completion of the SWPPP and SWPPP review that verifies all guidelines and requirements of the Sherburne County Stormwater Management and Erosion Control Ordinance as well as the Standard Plat Ordinance requirements are met and other comments presented by the Baldwin Township Planning Board and Baldwin Township Board being addressed, I would recommend approval of this Preliminary Plat.

DEPARTMENT/AGENCY COMMENTS:

Russ Heiling, County Surveyor (06/09/2021): No additional comments (*revised drawings reviewed on 6/8/2021*)

David Roedel, Deputy County Engineer (04/29/2021):

1. No Concerns with Preliminary Plat application.
2. The required access spacing on County Road 87 is 330'. The proposed Plat meets these spacing requirements.
3. The Sherburne County Public Works Department will require park dedication fees for the 6 new lots at \$800 per lot, totaling \$4,800. Park fees must be paid prior to the Public Works Department signing the plat mylars.
4. All work shall be performed in accordance with the applicable State and County standards.

Bonnie Jacobs, Property Tax Manager (April 26, 2021): I have no concerns about this request.

PLANNING & ZONING STAFF COMMENTS:

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1. The proposed project consists of six (6) new lots from a 20.37-acre parcel.
2. There are no structures, wells or septic on the property and no new roads will be constructed.
3. Per the surveyor, the garden is no longer being utilized by the property to the north.
4. The property is located within the shoreland overlay district of Goose Lake and Little Elk Lake which will limit the height of structures.

RECOMMENDED CONDITIONS IF APPROVED:

1. Park dedication fees for six (6) lots at \$4,800. Fees are paid to Public Works prior to them signing the final plat mylars.
2. Must obtain driveway access permits from Baldwin Township and Sherburne County Public Works Department prior to driveway construction.
3. The individual(s) who hold the driveway easement will need to sign off on the plat or consent as they are interest holders.
4. An NPDES permit must be submitted to the Zoning Department prior to any land disturbing activities connected to this plat.
5. A Stormwater and Erosion Control Permit from the Planning and Zoning Department is required prior to any land disturbing activities connected to this plat.
6. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.

Planning Commission Discussion Followed:

Sam Deleo, 13 11th Ave North, St Cloud, Surveyor, came forward as representative of the plat. He stated that the lots are all vacant, there are no structures on it. They wish to create 6 new building sites. The lots are all over 2.5 acres.

Lawrence asked Deleo about the combined driveways of lot 4 and 5; was he able to combine these in the Right-of-Way?

Deleo stated yes.

Lawrence stated there are 6 Conditions.

Deleo replied that he is good with all of them.

Lawrence asked Glines what are the height restrictions that will need to be followed?

Glines replied, for accessory buildings, its 25 ft to the peak and for dwellings, it's the midpoint between the peak and the eve, is 25 ft.

Lawrence asked if this is enforced by the building inspector?

Glines confirmed, when plans come in on Shoreland, the Permit Technician makes a note of this and the Building Inspectors do measure the height to make sure that requirements are met.

Lawrence opened the Public Hearing.

Tom Kerwitz, 5365 Radford Ave, Otsego came forward and is interested in these lots as he has been looking at property in this area for a couple of years. He wondered how these lots were going to be laid out. He asked about the driveways for the lots and what roadway these are off of? Is it County Road 87 or is there another roadway in there?

Lawrence stated that 4 of the lots are off of 293rd, which is 87 and 2 come off of Elk Lake Rd, East. All have direct access to a major roadway, there is no developmental roadway that is being put in.

Lawrence asked Kerwitz if he would like a copy of the plat.

Kerwitz stated that he would like a copy and one was given to him.

Glines commented that the East/West road is a County Road and Elk Lake Road is a Township Road, so he would work with the County for one road and the Township for another road for access.

Nelson moved to close the Public Hearing. Adams seconded. The motion carried and the Public Hearing was closed.

Nelson made a motion to recommend approval of the Preliminary Plat of "Elk Lake Oaks" with the (6) recommended Conditions. Adams seconded.

CONDITIONS:

1. Park dedication fees for six (6) lots at \$4,800. Fees are paid to Public Works prior to them signing the final plat mylars.
2. Must obtain driveway access permits from Baldwin Township and Sherburne County Public Works Department prior to driveway construction.
3. The individual(s) who hold the driveway easement will need to sign off on the plat or consent as they are interest holders.
4. An NPDES permit must be submitted to the Zoning Department prior to any land disturbing activities connected to this plat.
5. A Stormwater and Erosion Control Permit from the Planning and Zoning Department is required prior to any land disturbing activities connected to this plat.
6. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.

The motion carried unanimously and the Preliminary Plat of "Elk Lake Oaks" consisting of (6) lots is recommended for approval to the County Board with the (6) recommended Conditions.

Agenda Item #3-6:17pm

Sanford First Addition (Sanfords-Liestman LLC) Requesting preliminary plat approval consisting of nine (9) lots.

PID 01-010-1302 Section 10, Twp 35, Rge 26, Baldwin Township. 138.38 acres in the General Rural Zoning District.

Marc Schneider, Senior Planner presented the request to the Planning Commission including the board packet, attachments, and comments.

PLANNING COMMISSION PACKET ATTACHMENTS:

- A. Aerial Photo
- B. Minutes from Baldwin Township Planning Commission Meeting on May 26, 2021
- C. Preliminary Plat (Revised date 06/30/2021)
- D. Preliminary Grading Plan Pg. 1-5 (Dated 4/20/2021)

BALDWIN TOWNSHIP COMMENTS: (06/10/2021) Recommend approval.

Wes Davis (Bogart, Pederson and Associates – Baldwin Township Engineer - 06/10/2021) This submittal package meets all the guidelines and requirements of the Sherburne County Stormwater Management and Erosion Control Ordinance as well as the Standard Plat Ordinance requirements. Contingent on comments presented by the Baldwin Township Planning Board and Baldwin Township Board being addressed, I would recommend approval of this Preliminary Plat.

DEPARTMENT/AGENCY COMMENTS:

Russ Heiling, County Surveyor: No additional comments (*revised drawings reviewed on 6/7/2021*)

David Roedel, Deputy County Engineer (05/06/2021):

- 1. The proposed Preliminary Plat meets the access spacing requirements on CSAH 2 of 660' for lots 6-9. As shown, access to lots 1-5 shall be from 116th Street.
- 2. Existing access to the Roads shall be removed.
- 3. The Sherburne County Public Works Dept. will require park dedication fees for the 9 new lots at \$800 per lot, totaling \$7,200. Park fees must be paid prior to the Public Works Dept. signing the plat mylars.

PLANNING & ZONING STAFF COMMENTS:

- 1. The proposed project consists of 9 new lots from a 35.79.
- 2. This property was previously part of a single 138-acre parcel that has been divided into three parcels all meeting the minimum metes and bounds lot size. Because this lot was once part of a 138-acre parcel County reviewed their plans with the Minnesota Environmental Quality Board to see if there was the need for an EAW. It was determined even though the property

was 138 acres it is separated by a road and therefore an EAW is not required because it is not contiguous land.

3. Portions of Lot 4 and 5 are within the limits of Zone A per FEMA Map Number 27141C0145F and all building sites shown on the plat are outside the identified flood zones.
4. Lots 6-9 will access CSAH 2 and there will be shared access point between lot 6 and 7 and lot 8 and 9. The remaining 5-lots will access Township Road 116th and have no shared driveways.
5. There are no structures, wells or septic on the property and no new roads will be constructed.
6. This proposed project will disturb more than one acre of land and a NPDES permit and a Stormwater and Erosion Control Permit is required for this project.

RECOMMENDED CONDITIONS IF APPROVED:

1. Park dedication fees for the 9 new lots at \$800 per lot, totaling \$7,200. Park fees must be paid prior to the Public Works Dept. signing the plat mylars.
2. Must obtain driveway access permits from Baldwin Township and Sherburne County Public Works Department prior to driveway construction.
3. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.
4. An NPDES permit must be submitted to the Zoning Department prior to any land disturbing activities connected to this plat.
5. A Stormwater and Erosion Control Permit from the Planning and Zoning Department is required prior to any land disturbing activities connected to this plat.

Planning Commission Discussion Followed:

Seth Monroe, 505 1st St Princeton, with Rum River Land Surveyors and Engineers came forward as representative of the applicant. As Schneider had stated, his client is subdividing 138.38 acres into (9) lots, from 2.5-6.8 acres. He had worked with County Staff on engineering and Zoning prior to developing this sketch plan to confirm that all requirements were met. Their additional comments have been addressed, the township engineer has reviewed and approved everything. Lots 6-9 will have shared driveways, there will be (2) separate shared driveways on County Rd 2. Lots 1-5 will all access the township road with individual driveways.

Lawrence asked if shared driveways will be separate up until the Right-of-Way.

Monroe confirmed. They will not meet until they are in the Right-of-Way.

Lawrence opened the Public Hearing.

No one from the Public spoke. No written comments were received from the Public.

Adams moved to close the Public Hearing. Nelson seconded. The motion carried and the Public Hearing was closed.

Nelson made a motion to recommend approval of the Preliminary Plat of “Sanford First Addition” with the (5) recommended Conditions. Gray seconded.

Lawrence asked Monroe if he is aware and can abide by the 5 Conditions for the Preliminary Plat.

Monroe confirmed.

Conditions:

1. Park dedication fees for the 9 new lots at \$800 per lot, totaling \$7,200. Park fees must be paid prior to the Public Works Dept. signing the plat mylars.
2. Must obtain driveway access permits from Baldwin Township and Sherburne County Public Works Department prior to driveway construction.
3. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.
4. An NPDES permit must be submitted to the Zoning Department prior to any land disturbing activities connected to this plat.
5. A Stormwater and Erosion Control Permit from the Planning and Zoning Department is required prior to any land disturbing activities connected to this plat.

The motion carried unanimously and the Preliminary Plat of “Sanford First Addition” consisting of (9) lots is recommended for approval to the County Board with the (5) recommended Conditions.

Agenda Item #4 -6:23pm

J and J Meadows (Jon and Jeff Smith) Request for residential standard preliminary plat consisting of five (5) lots.

PID 01-018-2300 Section 10, Twp 35 Rge 26 Baldwin Township. 33.07 acres in the General Rural Zoning District

Marc Schneider, Senior Planner presented the request to the Planning Commission including the board packet, attachments, and comments.

PLANNING COMMISSION PACKET ATTACHMENTS:

- A. Aerial Photo
- B. Minutes from Baldwin Township Planning Commission Meeting on May 26, 2021
- C. Preliminary Plat (Revised date 6/4/2021)
- D. Preliminary Grading Plan Pg. 1-4 (Dated 5/6/2021)

BALDWIN TOWNSHIP COMMENTS: (06/10/2021) Recommend approval.

Wes Davis (Bogart, Pederson, and Associates – Baldwin Township Engineer – dated 5/26/2021)

This submittal package meets all the guidelines and requirements of the Sherburne County Stormwater Management and Erosion Control Ordinance as well as the Standard Plat Ordinance requirements. Contingent on comments presented by the Baldwin Township Planning Board and Baldwin Township Board being addressed, I would recommend approval of this Preliminary Plat.

DEPARTMENT/AGENCY COMMENTS:

Russ Heiling, County Surveyor: No additional comments (*revised drawings reviewed on 6/7/2021*)

David Roedel, Deputy County Engineer (05/06/2021):

- 1. The proposed Preliminary Plat meets the access spacing requirements on CSAH 1 of 660' for lots 1-3.
- 2. The Sherburne County Public Works Dept. will require park dedication fees for the 5 new lots at \$800 per lot, totaling \$4,000. Park fees must be paid prior to the Public Works Dept. signing the plat mylars.

PLANNING & ZONING STAFF COMMENTS:

- 1. The proposed project consists of 5 new lots from a 33.07-acre parcel.
- 2. Lots 1-3 will access CSAH 1 and there will be shared access point between Lot 2 and 3 and Lot 1 will have a separate access. The remaining 2 lots will have private driveways that will access Township Road 305th Ave NW.
- 3. There are no structures, wells or septic on the property and no new roads will be constructed.
- 4. There is one wetland on this property and no impacts are proposed.

5. The full build out of this project will disturb more than one acre of land and a NPDES and a Stormwater and Erosion Control Permit will be required for this project.
6. Each lot is over 5 acres and complies with the requirement of the County Subdivision Ordinance.

RECOMMENDED CONDITIONS IF APPROVED:

1. Park dedication fees for the 5 new lots at \$800 per lot, totaling \$4,000. Park fees must be paid prior to the Public Works Dept. signing the plat mylars.
2. Must obtain driveway access permits from Baldwin Township and Sherburne County Public Works Department prior to driveway construction.
3. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.
4. An NPDES permit must be submitted to the Zoning Department prior to any land disturbing activities connected to this plat.
5. A Stormwater and Erosion Control Permit from the Planning and Zoning Department is required prior to any land disturbing activities connected to this plat.

Planning Commission Discussion Followed:

Seth Monroe, 505 1st St, Princeton, of Rum River Land Surveyors and Engineers, came forward as representative of the plat. This is a 33.1 acre parcel that is being subdivided into (5) lots. As with the last plat, he had contacted Sherburne County Zoning staff and Engineer prior to sketch planning the lots. They gave good feedback and his clients moved forward with this layout of (5) lots, staying over 5 acres to capitalize on accessory building sizes. There are 2 access locations, one shared for lots 2 and 3, and one at the North end of lot 1, this won't be a shared driveway, maybe in the future, but Roedel had mentioned to keep this all the way to the North end.

Lawrence asked if the shared driveway is shared up until the Right-of-Way. Lawrence asked if Monroe understands the 5 Conditions and doesn't have any issues with them.

Monroe confirmed his understanding and that he has no issues with them.

Lawrence opened the Public Hearing.

No one from the Public spoke. No written comments were received from the Public.

Spencer moved to close the Public Hearing. Demeules seconded. The motion carried and the Public Hearing was closed.

Nelson made a motion to recommend approval of the Preliminary Plat of "J and J Meadows" with the (5) recommended Conditions. Aubol seconded.

CONDITIONS:

1. Park dedication fees for the 5 new lots at \$800 per lot, totaling \$4,000. Park fees must be paid prior to the Public Works Dept. signing the plat mylars.
2. Must obtain driveway access permits from Baldwin Township and Sherburne County Public Works Department prior to driveway construction.
3. The plat shall be recorded in the Office of the County Recorder/Register of Titles, subject to recording fees, within one year of County Board approval of Final Plat.
4. An NPDES permit must be submitted to the Zoning Department prior to any land disturbing activities connected to this plat.
5. A Stormwater and Erosion Control Permit from the Planning and Zoning Department is required prior to any land disturbing activities connected to this plat.

The motion carried unanimously and the Preliminary Plat of "J and J Meadows" consisting of (5) lots is recommended for approval to the County Board with the (5) recommended Conditions.

Agenda Item #5-6:28pm

John Walker Requesting an Amendment to the Sherburne County Comprehensive Land Use Map from Agricultural to Rural Residential, and Amend the County Zoning Map from Agricultural District to Shoreland Residential District.

PID 40-034-1101, Section 34 Twp. 35 Rge. 29 Palmer Township 10.5 acres in the Agricultural Zoning District, and within the Recreational Development Shore Land District of Rush Lake.

Marc Schneider, Senior Planner presented the request to the Planning Commission including the board packet, attachments, and comments.

PLANNING COMMISSION PACKET ATTACHMENTS:

- A. Aerial Photo
- B. Zoning Map
- C. Comprehensive Land Use Description Excerpt

PALMER TOWNSHIP COMMENTS: (June 15, 2021) Recommend approval.

STAFF COMMENTS:

1. The applicant has requested to rezone a 10.5-acre lot from Agricultural to Shoreland Residential District.
2. The County's 2010-2030 Comprehensive Plan, Land Use Map identifies this parcel as Agricultural and the applicant is requested to amend the map to make this parcel Rural Residential.
3. There is an existing house on this property and the applicant would like the opportunity to subdivide the property into two lots, which would be prohibited under Agricultural District Zoning.
4. This parcel has land on both sides of 57th Street SE. The applicant intends in the future to try and subdivide the property to split the home with roughly 1-acre of land (on the lake) from the remaining acreage on the east side of 57th Street SE.
5. At this time, the applicant is not requesting approval of a plat to split the property into smaller lots. They are only requesting the rezone and amendment of the Land Use Map.
6. To subdivide the property the applicant will need to obtain a variance to lot width for the house on the west side (lake side) of 57th Street and submit a request for a simple plat.
7. This property does abut lands zoned Agricultural and Shoreland Residential District.
8. A portion of the lake side of this lot is within a Floodplain.

Planning Commission Discussion Followed:

Lawrence asked if the entire parcel is 10.5 acres?
Schneider confirmed.

John Walker, 11098 57th St Clear Lake, came forward as the applicant. He stated that the reason for the Variance is that the one acre on the lake is for his home, this was built in 1993 and they would like to keep that and stay there. The acreage on the other side is part of their retirement plan and it turns out that they need to retire and eliminate some college debt. The reason that they are asking for the Variance is to put the whole piece up for sale.

Lawrence asked if this is the whole piece except for the homesite.

Walker confirmed, the home site stays.

Lawrence asked if the applicant understands the whole process that Schneider explained. The splitting of the homestead and all that?

Walker confirmed and stated that Schneider has been very helpful.

Adams stated that there was a development to the North that was developed several years ago. He asked what happened to the intersection where County Rd 57 meets County Road 16?

Demeules stated that turn lanes were put in as a stipulation of the plat.

Lawrence stated that there was a lot of discussion on this.

Demeules added that it was a touchy subject. He stated that when the township listened to this request, they didn't see any problem with the request of breaking off that parcel and being able to sell the bigger lot. He added that they will not be in favor of a plat in that area due to traffic. This will be a hard sell to the township because of 16 but Mr. Walker stated that he was not going to be the one to develop the land. Demeules wants it to be on the record that the township is not in favor of a lot of houses in there because of the traffic and the access. They had enough trouble with a bigger plat and this one is right on 16.

Schneider clarified that whoever does subdivide this in the future will need to go through at least a simple plat process, to create one more parcel, no matter what.

Lawrence stated that he is changing it from Agricultural to Rural Residential and Shoreland Residential on top of it. How many lots could the 9 acres hold, ballpark, if it was to be developed?

Schneider stated that minimum lot area is 40,000 sq ft and minimum lot width is 150 ft wide so someone could request multiple parcels with a fair amount of frontage on the township road.

Lawrence, said, so this could be 8-10 lots?

Waytashek said that with the shape of the lot, you lose the opportunity for many lots to be subdivided in there. As Walker stated, he will need a Variance for minimum lot width and we did talk to the DNR about it and got preliminary feedback from them. They will need to come in for a Variance and a replat.

Lawrence stated that if this request is approved, they could see a request coming in for maximum lots.

Waytashek stated that they can sure apply for whatever they can fit on there.

Lawrence opened the Public Hearing.

Schneider stated that he did get some calls with questions, but no public comments.

No one from the public was present for the public hearing.

Lawrence confirmed that this is just the rezone tonight.

Nelson moved to close the Public Hearing. Gray seconded. The motion carried and the Public Hearing was closed.

Demeules made a motion to recommend approval of the Amendment to the Sherburne County Comprehensive Land Use Map from Agricultural to Rural Residential and to Amend the County Zoning Map from Agricultural District to Shoreland Residential District with the Findings. Aubol Seconded.

Findings:

Pursuant to the County Zoning Ordinance Section 18, Subd 4.5, after the public hearing the County Planning Commission shall make a report of its consideration and recommendations on the proposed amendment and shall file a copy with the Board of County Commissioners and the Zoning Administrator. Consideration of a rezoning request shall include without limitation, the following questions:

Schneider read the questions and Demeules provided the response as follows.

A. Is the proposed rezoning consistent with the Comprehensive Plan?

Yes. The Comprehensive Land Use Map can be amended to allow for Rural Residential and the applicant is pursuing that option.

B. Is the current use of the property a permitted use within the proposed zoning district, or will the rezoning create a non-conforming use?

Yes, the property currently has a house on it and single-family housing is a permitted use in the Shoreland Residential District.

- C. Will permitted uses within the proposed zoning district be injurious to health or interfere with the comfortable enjoyment of life or property within the vicinity?

No. Neighboring lands are currently zoned Agricultural and Shoreland Residential and within the Shoreland Overlay District of Rush Lake, which have smaller permitted uses like single family housing.

- D. How will public services (e.g. transportation, schools, parks, and police/fire) be impacted by the proposed rezoning? Will permitted uses within the proposed zoning district adversely impact or overburden existing public service capacity?

No, the change in use is not expected to have an impact on existing public services.

- E. Is the proposed rezoning located in an area that has the potential to adversely impact natural resources such as surface water, groundwater, or wetlands, or sites identified for rare biological species habitat?

The proposed use of a single-family house will not adversely impact natural resources. Any future development of the property will require permits from Sherburne County Planning and Zoning and all development must comply with all zoning, subdivision, and stormwater regulations.

- F. Does the proposed rezoning have the potential to impact ecologically sensitive or historically significant areas?

No, not that he is aware of.

- G. Does the property have sufficient size and physical characteristics to permit a reasonable use under the current zoning district?

Yes. This is a 10 -acre parcel and any future development of this parcel will require permits from Sherburne County and Palmer Township and will be required to comply with all zoning, subdivision, and stormwater regulations.

- H. Any other factors that may be relevant to determining whether the proposed rezoning is appropriate?

This property is currently divided into two noncontiguous lots by 57th Street. The west side is currently being used for a single-family residence while the land on the east side is vacant.

There appears to be adequate space to subdivide the land on the east side of 57th Street and maintain compliance with the regulations in the Shoreland Residential Zoning District. Palmer township would not be in favor.

The motion carried unanimously and the request to Amend the Sherburne County Comprehensive Land Use Map from Agricultural to Rural Residential and to Amend the County Zoning Map from Agricultural District to Shoreland Residential District is recommended for approval to the County Board with the Findings.

Other Items:

Lawrence asked Waytashek about the outcome from the County Board meeting today from the June Planning Commission, Ordinance Amendment, agenda items?

Waytashek stated that the first item, definitions was approved. The other items were tabled.

Lawrence asked if the Planning Commission will see these again?

Waytashek stated that there was discussion on this and she believes that they will see them. The staff recommended a couple of changes for the Parking Ordinance after the Planning Commission meeting and the County Board wanted to be sure that the Planning Commission sees these. As far as the Board of Adjustment item and the wish to reject some of these areas, some things are required Statutorily and these will be reviewed and then will come back to Planning Commission.

Riddle added that the Planning Commission will most likely see the Parking item in August. There were quite a few people who came for this and there is no reason to drag it out. The Board of Adjustment item will be looked at by the attorney for items that need to be in there and will back at a future date.

Lawrence stated that he appreciates this going back to the Board.

Aubol asked if there was a full Board in today's County Board meeting.

Riddle stated that it was not a full Board, Barbara Burandt was missing.

Lawrence then congratulated Riddle on her retirement and outstanding service to Sherburne County.

Riddle thanked Lawrence for his kind words and thanked everyone on the Board for all of their support over the years.

Closing:

Nelson made a motion to adjourn the meeting. Kosloski-Sims seconded. The motion carried and the meeting was adjourned at 6:45pm.

Submitted by Carrie Winter, Secretary

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Sherburne County Planning Advisory Commission