

## WRIGHT COUNTY PLANNING COMMISSION

Meeting of: March 13, 2014

### MINUTES - (Informational)

The Wright County Planning Commission met March 13, 2014 in the County Commissioners Board Room at the Wright County Government Center, Buffalo, Minnesota. Chairman, David Pederson, called the meeting to order at 7:30 p.m. with Board members present: Dan Mol, Jan Thompson, Ken Felger and Dave Thompson. Absent were Charlie Borrell and Jerry Pettit. Sean Riley, Planning & Zoning Administrator, represented the Planning & Zoning office; Greg Kryzer, Assistant County Attorney, was legal counsel present.

### MINUTES

On a motion by Mol, seconded by Thompson, all voted to approve the minutes for the February 13, 2014 meeting as printed.

1. **WILLIAM T. FISHER** - Cont. from 2/13/14

LOCATION: 7062 6<sup>th</sup> Street SE – Lots 1-7 and part of Lot 8, Charlotte Shores, according to plat of record, Section 5, Township 119, Range 24, Wright County, Minnesota. (Lake Charlotte – Rockford Twp.) Tax #215-013-000070

Petitions for a Conditional Use Permit as regulated in Section 505, 611, 612.5(1)(a) & 728 of the Wright County Zoning Ordinance to allow a land alteration in excess of 500 cubic yards to bring in approximately 2220 cubic yards of fill to create a building pad for a dwelling. Lake Charlotte has a FEMA designated floodplain elevation and much of the fill will be placed within the floodplain

Present: Applicant not present

- A. Riley informed the Commission the applicant is still working with the Wright County Soil & Water Conservation District. A continuation to the May 8, 2014 meeting is requested.
- B. J. Thompson moved to continue the petition to May 8, 2014. Felger seconded the motion.

VOTE: CARRIED UNANIMOUSLY

- C. Riley asked the Township Supervisor in attendance if he had any comments. Greg Eckblad – Rockford Township Supervisor addressed the Commission. He indicated the matter has been continued several times, a number of things had to be done and still they have no answers on the wetland, drainage and flood plain issues. He was curious as to how things were progressing. Pederson explained the Commission is waiting on the SWCD action. Riley asked if the Town Board is expecting the applicant to come back. Eckblad indicated that is correct. Kryzer suggested formal action to direct the applicant meet with the Town Board again. Riley indicated Staff would notify the applicant.

- D. Mol moved that the applicant is directed to meet with the Town Board prior to the May 8, 2014 meeting so the Township can forward their recommendation to the Commission. Felger seconded the motion.

VOTE: CARRIED UNANIMOUSLY

2. **STEPHEN MASTEY** – Cont. from 2/13/14

LOCATION: Gov't Lot 5 & Part of W 1/2 of SW 1/4 lying easterly and southeasterly of the right of way line of State Highway 25, Section 33, Township 121, Range 25, Wright County, Minnesota. (Gilchrist Lake – Monticello Twp.) Tax #213-100-333304 & -334300 Property Owner: Perez

Petitions for a Conditional Use Permit for a land alteration as regulated in Section 728 of the Wright County Zoning Ordinance to fill area needed to build a driveway into the property.

Present: Applicant not present

- A. Riley updated the Commission on the extension to allow time for the SWCD TEP Panel to determine if the project can be done in the wetland. The applicant needs more time to finalize that review. The May 8, meeting was suggested.
- B. J. Thompson moved to continue the hearing to the May 8, 2014 meeting as requested.
  - D. Thompson seconded the motion.

VOTE: CARRIED UNANIMOUSLY

3. **PAUL A. OLSON** - New Item

LOCATION: 11580 Emerson Avenue SW – Part of N 1/2 of SE 1/4 described as... Section 32,  
Township 118, Range 26, Wright Co., MN. (Woodland Twp.)Tax #220-000-324200

Petitions for a Conditional Use Permit to move in a dwelling to replace the existing house on the property as regulated in Section 718 of the Wright County Zoning Ordinance.

Present: Applicant not present

Matter was held over until the end of the meeting when Olson arrived.

4. **KEITH M. BURNHAM** – New Item

LOCATION: 11002 Bolton Avenue NW – S1/2 of SW ¼, Section 2, Township 121, Range 26, Wright County, Minnesota. (Silver Creek Twp.) Tax #216-000-023400

Petitions to rezone approximately the west 40 acres from AG General Agricultural to A/R Agricultural-Residential (remaining acreage to the east with existing house to remain zoned AG) and a Conditional Use Permit to subdivide into four ten-acre lots that will front Clementa Avenue as regulated in Section 603 of the Wright County Zoning Ordinance and Subdivision Regulations.

Present: Keith Burnham

- A. Riley reviewed the location of the property on an air photo and map to show the Land Use Plan designates the area as “Rural Residential”, that allows an A/R zone. Action last week by the Board of Adjustment allowed a lot line adjustment using a division line that extends from where the town road right of way dead-ends. This road is the access to the back 40 acres with the existing buildings. Request before the Commission is to rezone the west 41 acres to A/R. The application is incomplete for the four-lot subdivision proposed. If rezoning is approved the information will be provided at a future meeting.
- B. Burnham – explained his plans are to split the 40 acres into four ten-acre lots with access off Clementa Avenue. He has discussed the access points with the County Highway Department and they indicated they would work with him and culverts are available for his purchase. The County Highway Department would likely limit the approaches to two and lots would share an approach. Burnham indicated he is agreeable to working with them.
- C. John Jones, Silver Creek Township Chair, came before the Commission to report the Town Board is in agreement with the request.
- D. Mol stated it is in the Plan. Riley referred the Commission to the narrative in the Staff Report. He noted it can be done, but rezoning is not necessarily a given.
- E. J. Thompson – asked if two lots would share a driveway into the property. Burnham indicated yes. Riley explained those details will be reviewed at a future meeting. J. Thompson asked if there are other ten-acre lots in the neighborhood. Riley reviewed existing development which he noted is a mix. Some lots were established prior to current Ordinance; and, Maria State Park lies to the west. Another area was developed as a Planned Unit Development and has open space. This property has some tillable and woods.
- F. D. Thompson asked for clarification on driveway locations. Burnham indicated there is an existing approach in the middle. He is considering using that access to serve three lots and the most northern lot would have its own. He would need to refer to Backes, of the Highway Department on his advice as to where it is best for everyone. Addressing other ten acre lots in the area, Burnham pointed out ten-acre parcels directly north of this forty. Noted there are many other lots in the neighborhood ranging from 5-12 acres in size. Ten acre lots are common in this area. Riley displayed the zoning map to show those that have been developed through a rezoning. Other parcels are zoned AG, are old “lots of record” and pre-date the requirement of a rezoning. Riley indicated there may be a concern about one

driveway access that has to travel over the front of another lot; but, that can worked out with the Highway Department if the rezoning happens.

- G. Mol suggested a Planned Unit Development district as an option with one approach to the public road. This would leave acreage in common ground. Burnham indicated it was an idea someone brought up at one of the first meetings with the Town Board. It was suggested Bolton Avenue could continue through and hook up to Clementa. He does not want to do that. He explained he eventually wants to build his own home on the back 40 acres on Bolton, a dead-end road. He feels there is a demand for ten-acre lots directly across from the State Park. He is not for a PUD, would require building a road through there. Mol noted a PUD would only require the lot sizes to be 3-4 acres and reduce accesses to the County road with a short cul-de-sac. The balance of the property would remain common ground. Burnham understands there are different ways to develop, but this is what he would like. He asked why they would deny him when the neighbor to the north was able to do it. People who have showed interest in the property want ten acre parcels.
- H. Jones spoke to the PUD option and stated they had discussed that. The neighbors who are on Bolton and attended the Township meeting do not want anything to do with that. The Township currently does not have a decent turn around and Burnham will provide area for that. Mol – stated he was talking about coming in off the other side. Jones explained the changes in the terrain that would require very careful placement of homes if they were to come in there. He felt the four lots as proposed across from the park was the best plan after hearing from the neighborhood.
- I. Pederson – could see some issues there with the ten-acre lots to the north that have not sold. Option of a PUD with smaller lots might be an option, but understood the applicant has considered that. Just looking at action on the rezoning. Riley stated that is right, rezoning goes to the County Board and the subdivision can be continued subject to that action.
- J. J. Thompson moved to recommend to the County Board approval of the request to rezone the property from AG General Agricultural to A/R Agricultural-Residential because it complies with the Land Use Plan Map, the BOA approved the variance for the division of the remainder of the land and the Township approves. D. Thompson seconded the motion.

VOTE: CARRIED UNANIMOUSLY

- K. Felger asked the applicant if that gives adequate time to provide the information. Hearing it could be completed before April he moved to continue the conditional use permit to April 10, 2014 for action on the rezoning and allow the applicant time to supply the data needed, including a survey and approval of driveway locations. Mol seconded the motion.

VOTE: CARRIED UNANIMOUSLY

Kryzer asked that the Commission formally close the public hearing on the rezoning portion.

- L. Felger moved to close the public hearing on the rezoning portion of the hearing. J. Thompson seconded the motion. VOTE: CARRIED UNANIMOUSLY

3. **PAUL A. OLSON** - Cont. from earlier on the agenda

Present: Paul Olson

- A. Riley presented a map to show the property location and the current and long range zoning is AG General Agricultural. The sewer system is in place. The dwelling to be moved in was viewed in photos and also provided were pictures of the homes in the surrounding area. The house will take some work to bring it into code compliance. A list of code corrections was provided and the applicant is working with the building inspector on those. Plans are to move the house and complete it for occupancy this year.
- B. Olson indicated that sums up their plans. The existing house will be lived in until the move-in is ready and then it will be torn down. He plans to construct a full basement under the house and add a garage.
- C. J. Thompson asked about removing the existing home on the property. Olson stated the removal is part of the bid he has with the excavator. Thompson asked if it would be just the one home when they are done. Olson indicated that is correct. Riley asked if a condition for removal by December 2014 would give them enough time. Olson expects to be in the new home by October.
- D. J. Thompson moved to approve a Conditional Use Permit to relocate a dwelling in accord with the description provided by the applicant on the record, with the following conditions: 1) That the house may not be occupied until approved by the Building Inspector; 2) Building permits are obtained; 3) The house be properly plumbed to the septic system; 4) Project completion date must be no later than December 1, 2014; and 5) Existing house to be removed within 120 days of the issuance of certificate of occupancy.

*DISCUSSION followed to clarify that the applicant would need to stay in the existing house until the move-in is completed. This action would give him 120 days after occupying the move-in house to get the old one removed.*

VOTE: CARRIED UNANIMOUSLY

**INFORMATIONAL**

Riley informed the Commission that a land use training session is planned on Wednesday, April 9, 2014 at 1:00 p.m. for members of the Commission, Board of Adjustment and County Board.

Meeting adjourned at 8:10 p.m.

Respectfully submitted,

Sean Riley  
Planning & Zoning Administrator

Cc: Planning Commission/County Board/Applicant/Twp.