

Minutes of the Meeting of the Avon Township Planning Commission

September 24, 2014

Avon Township Hall (16881 Queens Road, Avon)

Call to Order: Chairman Mergen called to order the regular meeting of the Avon Township Planning Commission at 7:30 PM. in the Main Chamber of the Town Hall.

Pledge: Clerk Saupe led the Pledge of Allegiance.

Roll Call: Present – LeRoy Gondringer, Will Huston, Gerry Kremers, Ken Mergen, and Stephen Saupe.

Approval of Agenda: A request from Mr. Ray Woitalla was added to the agenda. Huston moved to approve the agenda as amended. Kremers second. All in favor. Motion carried.

Minutes: Gondringer moved to approve the minutes of the August 27, 2014 meeting as presented. Mergen second. Four in favor; one abstain (Huston). Motion carried.

Public Hearings:

Chairman Mergen opened the Public Hearing for Greg & Sue Ramler at 7:45 PM. The Ramler's request a variance to construct an addition to their home that would be eight feet closer to the road than is currently permitted and to enlarge their driveway from 34 feet to 54 feet which is not permitted by Resolution 08-06-14. The Clerk sent letters to 15 neighbors, posted the Hearing, and published the Hearing on both the Town website and in the *Enterprise*. There were no public comments prior to, or during, the Hearing. Gondringer moved to close the public hearing. Kremers second. All in favor. Motion carried.

Xcel Energy will move a pole that will interfere with the driveway. Another resident nearby has a driveway that is 57 feet wide. Mr. Ramler stated the wide driveway would also serve as a turnaround for cars at the end of the dead-end street. The Findings of Facts showed that granting the variance for the addition: (1) will not allow a use that is prohibited in the zoning district; (2) is in harmony with the general purpose and intent of the applicable ordinance; (3) is consistent with the comprehensive plan; (4) is necessary to alleviate practical difficulties or a particular hardship resulting from strict enforcement of the applicable ordinances; and (5) does not involve only economic hardship.

The Findings of Facts showed that allowing a driveway wider than is currently permitted by Resolution 08-06-14: (1) will not allow a use that is prohibited in the zoning district; (2) is not in harmony with the general purpose and intent of the applicable ordinance; (3) is not consistent with the comprehensive plan; (4) is necessary to alleviate practical difficulties or a particular hardship resulting from strict enforcement of the applicable ordinances; and (5) does not involve only economic hardship.

Gondringer moved to recommend to the Supervisors to grant a variance to Greg & Sue Ramler to construct an addition to their home that is eight feet closer to the road than is currently permitted. Mergen second. All in favor. Motion carried.

Gondringer moved to recommend to the Supervisors to approve a driveway permit for Greg & Sue Ramler that would allow them to construct a 54 foot wide driveway because it will be used

as a turnaround at the end of a dead-end road and would improve public safety. Kremers second. Four in favor. One opposed (Saupe). Motion carried.

Scheduled Business:

1. **Woitalla Property Access** – Mr. Ray Woitalla appeared to discuss access to his landlocked property that is adjacent to property owned by the family of Ms. Deb Angulski. Mr. Woitalla was exploring alternatives and will most likely try to acquire an easement from the family of Ms. Angulski. The Angulski's are concerned that it might affect their ability to build on the property but they were advised that is not likely. Mr. Woitalla was advised to contact the County to clarify the situation and that he would probably require a certificate of compliance from the Township. He will also need a driveway permit.
2. **Driveway Standards** – Gondringer moved to recommend to the Supervisors to hold a variance public hearing to consider any requests for driveways that do not conform to the standards outlined in Resolution 08-06-14. Huston second. All in favor. Motion carried.
3. **Dehn Driveway** – Mr. Kurt Dehn appeared to discuss adding another driveway to his property on Princewood Drive. Because the proposed driveway will be closer to his existing driveway than is currently permitted by Resolution 08-06-14, Mr. Dehn was told that it would likely require a variance. Mr. Dehn stated that he would not pursue a variance.
4. **Truck Parking** – A resident complained that a large truck was being parked on a narrow residential Township road and that the vehicle was running all night. He argued that it is a safety hazard for adults and children trying to walk or bicycle down the road and also for the snowplow. There is currently no Township ordinance related to truck parking.
5. **Binsfield Driveway Permit** – Mr. Daniel Binsfield contacted the Clerk to sign a building permit for an accessory structure on his property at 34611 Princewood Road. Mr. Binsfield was told that he also required a driveway permit. Mr. Binsfield stated that he understood this and that Mr. Jeff Lange, his contractor would apply for the building permit. Mr. Lange contacted the Clerk on the afternoon of the meeting to request a driveway permit. No driveway application was received. Mr. Binsfield had previously provided his address and stated that the proposed driveway would be 50 feet wide. Gondringer moved to recommend to the Supervisors to set a public hearing for the Binsfield Driveway in the event the application requires a public hearing. Huston second. Three in favor. Two opposed (Kremers, Mergen).
6. **Jungles Driveway Permit** – A Construction Site Permit was received from Stearns County for Dean & Melany Jungles (37533 Riley Court) to construct a 20 x 32 accessory building. The permit stated the residents should “see township for driveway access permit.” When contacted by the Clerk, Mr. Jungles stated that no new driveway was being constructed nor was an existing driveway being enlarged. The Planning Commission took no action and suggests that Mr. Koopmeiners should inspect.
7. **Eichers Conditional Use Permit** – The Eicher's were scheduled to appear at the meeting to request a Conditional Use Permit (CUP) for their new business, but they didn't show up.
8. **Upper Spunk Lake Road Construction** – Mr. Will Huston reported that the pre-

construction meeting was held with Knife River and that paving would begin in October. Neighbors were alerted to the impending construction. Saw cutting was completed. It will take about a week (2 days to reclaim the existing road, 1 day to compact, 2 days to pave and 1 day for shouldering).

Other & Old Business: *none*

1. Form reviews & evaluation – variances, driveway notification form

Announcements/Reports:

1. The Stearns County Board of Adjustment will consider requests by Eric & Brianna Kurtz & George Schwalbe at their meeting on September 25, 2014.

Adjournment: Huston moved to adjourn the meeting at 9:25 PM. Gondringer second. All in favor. Motion carried.

Next Meeting: The next meeting is October 29, 2014 at 7:30 PM.

Respectfully submitted,
Stephen G. Saupe, Clerk

Approval:

Ken Mergen, Chair

Date

Attest:

Date