

Minutes of the Meeting of the Avon Township Planning Commission

September 30, 2015

Avon Township Hall (16881 Queens Road, Avon)

Call to Order: Chairman Gondringer 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.

Announcement of Recording: Clerk Saupe announced the meeting was to be recorded and turned on the recorder.

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

Approval of Agenda: Mergen moved to approve the agenda with a slight rearrangement of topic sequence. Kremers second. All in favor. Motion carried.

Minutes: Huston moved to approve the minutes of the August 26, 2015 meeting as presented. Kremers second. All in favor. Motion carried.

Public Hearings:

Eichers CUP – At 7:45 PM Chair Gondringer opened a public hearing to consider a request by Jerome & Theresa Eichers for a Conditional Use Permit (CUP) to operate an ag-oriented business to make goat cheese at their property at 36932 160th Ave., Avon. Ms. Eichers was present to summarize the request and answer questions. There were no comments about the CUP from anyone present at the meeting, nor were any comments received about the proposal prior to the meeting. Mergen moved to close the public hearing. Huston second. All in favor. Motion carried. The Findings of Facts showed that: (1) the proposal meets zoning; (2) the proposal must meet section 6.5.1 of ordinance 439; (3) no scenic views are impacted and the proposal is compatible with land use in the area; (4) no screening or separation distance are required; (5) the proposal will not harm the environment; (6) the proposal will not affect property values; (7) the proposal will not generate excessive traffic; (8) the proposal will not harm the health, safety or welfare of residents; (9) the proposal is compatible with the goals of the Township Comprehensive plan; (10) the proposal will not negatively impact the area and will not use excessive water; (11) reclamation is not applicable; and (12) the proposal must adhere to section 6.5.1 of Stearns County Ordinance 439.

The Planning Commission then went through a Findings of Facts for an Ag-Oriented Business (6.5.1) and found that: (1) the site is served by a minor collector road; (2) the use complies with all applicable rules and regulations; (3) the business is agriculturally-oriented; (4) all structures meet minimum setbacks; (5) there are no outside storage areas for the business, goods and materials are displayed in a designated area not within the road right-of-way, the grounds are likely clean, parking isn't an issue, and no hazardous materials are stored on site; (6) there are no employees and the site is not open to the public; (7) the grounds are maintained in a clean and safe manner; and (8) there are no signs.

Mergen moved to recommend to the Supervisors approval of the Conditional Use Permit for Jerome & Theresa Eichers to operate an ag-oriented business at their property. Kremers second. All in favor. Motion carried.

Williams Variance – Chair Gondringer opened a public hearing to consider a request by Shawn & Beth Williams for a variance to construct an addition to their home 37 feet from the center-of-the-road and to construct a garage 45 feet from the center-of-the-road. Rita Kierzek (17427 Orchid) was concerned how close the garage would be to the property line – the new garage will be further from the line than it is now. Mr. Brian Schoenberg (17436 Orchid) was concerned about whether his view to the lake would be blocked – it shouldn't change too much but the garage will not be part of the variance process so the Town has no input. He was also concerned about the extension on the entryway. Huston moved to close the public hearing. Mergen second. All in favor. Motion carried.

Huston visited the site and believes there is enough room for the plow. The Findings of Facts showed that: the variance will not allow a use that is prohibited in the zoning district; is in harmony with the general purpose and intent of the ordinances; is consistent with the comprehensive plan; will use the property in a reasonable manner; the plight is not created by the landowner; the variance will not alter the essential character of the locality; and the variance involves more than economic hardship. The garage is not included in this variance. Mr. Williams stated that the new garage will meet existing ordinance/setbacks. Huston moved to recommend to the Supervisors approval of a variance for Shawn & Beth Williams to construct an entryway to their home no closer than 37 feet to the center-of-the-road. Mergen second. All in favor. Motion carried.

Scheduled Business:

1. **Saint John's Driveway Permit** – An additional driveway was constructed during road widening in preparation for the planned resurfacing of 325th Street. Huston moved to recommend to the Supervisors approval of the driveway permit for Saint John's with an additional \$50 fine for constructing the drive without a permit. Kremers second. All in favor. Motion carried.
2. **Events on Town Roads** – Stearns County requires anyone wanting to host a bike tour, parade, bike or foot race, street dance or road closure to complete an application that now includes a statement that "Permission from cities and/or township is required for roads under their jurisdiction." The Planning Commission recommends that any group or person requesting use of Town roads for an event must receive prior approval from the Supervisors.
3. **Zoning in the St. Anna Area** – The Planning Commission studied the Avon Township zoning and Future Land Use maps and suggests that (a) the area north of Pelican Lake currently listed as Townsite Mixed Use be reclassified as Moderate Residential, (b) the area including St. Anna that extends east from Pelican Lake to the section line that is currently listed as shoreland/concentrated residential be reclassified as Townsite Mixed Use, (c) the area east of the section line be reclassified from shoreland/concentrated residential to Moderate Residential, and (d) an area south of St. Anna to the Baker property be reclassified from A40 to Moderate Residential (see appended map for details). These ideas will be shared the Supervisors and then fine-tuned at the next Planning Commission meeting. We will need to determine if the process requires a public hearing.
4. **Joint Powers Area Building Permits** – Mergen reported that the Joint Powers Board recently held a meeting to consider a request for a building permit by Mr. Chuck Swenson (18033 Co Rd 54). This was necessary because the MOU with Stearns County states that the JPB handles permits. Since there are not likely to be many of these, the recommendation was to not revise the MOU and leave things they way they now stand. The City and Town will split the fee.

Other & Old Business: none

Announcements/Reports:

1. **Lock Box** – a lock box with a key to Hall was placed on the door to the shop. Contact the Clerk for the combination.
2. **182nd** – a drill rig got stuck underneath the road.

Adjournment: Huston moved to adjourn the meeting at about 9:45 PM. Kremers second. All in favor. Motion carried.

Next Meeting: The next meeting is September 30, 2015 at 7:30 PM.

Respectfully submitted,
Stephen G. Saupe, Clerk

Approval:

LeRoy Gondringer, Chair

Date

Attest:

Date