

Minutes of the Special Meeting of the Avon Township Planning Commission

November 13, 2023

Avon Township Hall (16881 Queens Road, Avon)

Call to Order: Chair Lori Yurczyk called to order the meeting of the Avon Township Planning Commission (PC) at 7:00 PM in the Main Chamber of the Town Hall. The meeting, like all Town meetings, was also available via Zoom at the following URL: <https://us02web.zoom.us/j/8325486945> (PIN: AvonTown).

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – Rich Sanoski, Stephen Saupe, and Lori Yurczyk (*Chair*). Absent: Craig Blonigen, Andrew Wensmann.

Approval of Agenda: A discussion with Kayla & Alexander Beckmann was added to the agenda. Sanoski moved to approve the agenda as amended. Yurczyk second. All in favor. Motion carried.

Public Hearings: *Blattner Variance*

At about 7:00 PM, Yurczyk opened a public hearing to consider a request by John & DeeDee Blattner, 32277 Nob Hill Drive, Avon, for a variance to construct a residence in which an attached garage would be 9 feet closer to the center-of-the-road of Nob Hill Drive than is currently permitted by Ordinance #5, 9.9.9.A(3).

Mr. Blattner provided a statement requesting the variance. He said that they had hired KLD surveyors and a septic designer for their project but were unaware of the need for a variance until late in the process when they applied for a CSP from the County. They were aware of the adjacent road, but because the road is privately maintained and because their building was 63 feet from the center of the platted road, did not think a variance would be required. However, the proposed structure is only 54 feet from the actual center-of-the-road, which was not built in the platted location.

The Blattner's submitted a completed variance application. Announcement of the public hearing was published in the *Star-Post* and posted. In addition, 29 letters were mailed to adjacent property owners within 500 feet (or more) from the Blattner property. No comments by either phone, email, text or letter, were received from the public prior to the hearing.

Four residents attended the hearing to speak regarding the variance request: **Mike Bitzan** – supports the proposed variance. Mr. Bitzan stated that the Blattner's have improved the neighborhood, do everything in good taste, and did not think that the variance would create any problem; **Ed Benning** – supports the proposed variance. Mr. Benning said that the Blattner's are good neighbors, show concern for their neighbors, and that the proposed distance from the house to the road would not create any problems; **Kevin Brown** – supports the proposed variance. Mr. Brown said that he foresees no problems with the variance including snow plowing, especially since snow is pushed to the opposite side of the road; **Steve Plantenberg** – supports the proposed variance. Mr. Plantenberg stated that the variance won't significantly affect the cul-de-sac and that there would be ample room on both sides of the road. No other comments were received.

Saupe moved to close the public hearing. Sanoski second. All in favor. Motion carried.

The PC considered the Findings of Facts for a Variance and agreed (all unanimous, except #5: 2 yes, 1 no) that:

1. The proposed use is allowed in the zoning district in which the subject property is located.
2. The variance is in harmony with the general purpose and intent of the application ordinance.

- 3. The terms of the variance are consistent with the comprehensive plan.
- 4. The property owner proposes to use the property in a reasonable manner.
- 5. The plight of the landowner is due to circumstances unique to the property and are not created by the property owner.
- 6. The variance, if granted, will not alter the essential character of the locality.
- 7. The need for the variance involves more than economic hardship.

Sanoski moved to recommend to the Supervisors to approve a variance for John & DeeDee Blattner to construct a residence on their property at 32277 Nob Hill Drive, Avon, in which an attached garage would be 9 feet closer to the center-of-the-road (54 feet) than is currently permitted by ordinance. Yurczyk second. All in favor. Motion carried.

Business:

- 1. **Beckmann Expired Variance** – Kayla and Alexander Beckmann, 32679 Nutcracker Lane, St. Joseph, MN appeared at the meeting to inquire about the renewal of a variance that they received in August 2020 to construct a shed no closer than 44 feet from the center-of-the-road. The Beckmann’s applied for a Construction Site Permit (CSP) from Stearns County but were informed that their variance had expired and that they would need to contact the Township. The Beckmann’s stated that they were unable to start construction after receiving their original variance approval and didn’t realize the permit would expire. They stated that the plans for the proposed shed have not changed. They plan to begin construction as soon as they receive a CSP. The Beckmann’s were informed that the PC would discuss this at their Nov 29th meeting and make a recommendation to the Supervisors. Among the options the PC might consider are renewal of the expired variance, requiring a new variance hearing/process, or possibly some hybrid option.

Next Meeting: The next PC meeting is November 29, 2023 at 7:00 PM (*see ‘Call to Order’ for the Zoom log-in*).

Other Meetings: Other Upcoming Meetings/Events (*see ‘Call to Order’ for the Zoom log-in*) include:

- Supervisors Meeting – December 6, 2023; 7:00 PM

Adjournment: Sanoski moved to adjourn the meeting at 7:30 PM. Yurczyk second. Meeting adjourned.

Respectfully submitted,
Stephen G. Saupe, Clerk

date: November 15, 2023

Approval:

Lori Yurczyk, *Planning Commission Chair – signature*

date: _____