

Minutes of the Meeting of the Avon Township Planning Commission

August 29, 2018

Avon Township Hall (16881 Queens Road, Avon)

Call to Order: Chair Ken Mergen called to order the meeting of the Avon Township Planning Commission at 7:00 PM in the Main Chamber of the Town Hall.

Pledge: The Pledge of Allegiance was recited.

Roll Call: Present – Will Huston, Ken Mergen, Stephen Saupe, and Sheldon Tschida.

Approval of Agenda: Huston moved to approve the agenda as presented. Tschida second. All in favor. Motion carried.

Minutes: Huston moved to approve the minutes from the July 25, 2018 meeting as presented. Mergen second. All in favor. Motion carried.

Public Hearings:

Blonigen Variance #1: 188th Avenue – Mergen opened a public hearing for Mr. Craig Blonigen at about 7:15 PM to consider a request for a variance for his property at 18732 367th St., Avon (MN). He wants to construct an addition and garage on his current home. The addition would be 24 feet closer to 188th Avenue than is currently allowed by ordinance. Letters were sent to the 23 nearest neighbors and the hearing was published and posted. No comments were received prior to the hearing. Mr. Blonigen presented a petition signed by eight neighbors in support of the variance. No comments from the public were offered at the hearing. Huston moved to close the public hearing. Tschida second. All in favor. Motion carried. The Planning Commission discussed the proposal then considered the Findings of Facts and concluded: (a) the proposed use is allowed in the zoning district; (b) the variance is in harmony with the applicable ordinance; (c) the variance is consistent with the comprehensive plan; (d) the property will be used in a reasonable manner; (e) the plight is unique and not created by the owner; (f) the variance will not alter the character of the locality; and (g) the variance involves more than economic hardship. Huston moved to recommend to the Supervisors approval of a variance of 24 feet from 188th Avenue. Tschida second. Three in favor. One (Saupe) opposed. Motion carried.

Blonigen Variance #2: 367th Street – Mergen opened a public hearing for Mr. Craig Blonigen at about 7:30 PM to consider a request for a variance for his property at 18732 367th St., Avon (MN). He wants to construct an addition and garage on his current home. The addition would be 34 feet from 367th, which is closer than currently allowed by ordinance. Letters were sent to the 23 nearest neighbors and the hearing was published and posted. No comments were received prior to the hearing. Mr. Blonigen presented a petition signed by eight neighbors in support of the variance. No comments from the public were offered at the hearing. Huston moved to close the public hearing. Tschida second. All in favor. Motion carried. The Planning Commission discussed the proposal then considered the Findings of Facts and concluded: (a) the proposed use is allowed in the zoning district; (b) the variance is in harmony with the applicable ordinance; (c) the variance is consistent with the comprehensive plan; (d) the property will be used in a reasonable manner; (e) the plight is unique and not created by the owner; (f) the variance will not alter the character of the locality; and (g) the variance involves more than economic hardship. Huston moved to recommend to the Supervisors approval of a variance of 18 feet from 367th. Mergen second. All in favor. Motion carried.

Business:

1. **Rooney Driveway** – Mr. Jeff Rooney appeared to discuss a driveway permit for his property at 19139 Two Rivers Road. According to Mr. Rooney the culverts are too high and water does not flow through them and sits in the ditch making it difficult to mow and provides habitat for mosquitoes. Mr. Rooney proposes replacing the culvert and angle it to drain into the adjacent wetland and then fill in the ditches. He is considering building a new home on the site in the near future and would like to do this prior to home construction. As long as the proposed changes won't cause water to flow on the road, cause problems with neighbors, or undercut the road, the general consensus of the Planning Commission is that it would be acceptable. Huston and Koopmeiners will examine the site and then report back whether or not the project is feasible before a final recommendation is made.
2. **Ebnet Garage** – Mr. Tony Ebnet appeared to discuss his new garage at his property (18424 Red Maple Drive), which was constructed without obtaining either a Stearns County Building permit or Township variance (it is too close to the road). His garage is a portable frame building and it is 14 feet from the side of the road. Mr. Ebnet applied for a variance in 2014 to build a similar garage but was denied a variance at that time. He stated that it has been a hardship in winter without having an indoor place to park a vehicle. In addition, he argued that the road was not in the middle of the right-of-way, which gives him less space. He said he has asked the Township to move the road back to the middle of the right-of-way. Mr. Ebnet's new structure is even closer to the road than the proposed one in the 2014 variance application. No action was taken; Mr. Ebnet withdrew his request to consider a variance. He stated that he is planning to seek legal advice. Mr. Ebnet was informed that his driveway had been widened without obtaining a Township driveway permit.
3. **Doll Home Extended Business** – Mr. Brent Doll appeared to request a Conditional Use Permit for a home-extended business at his residence at 35561 Tower Road, Albany, MN 56307. He is planning to start a small mechanics business to perform routine maintenance of cars and light trucks including engine diagnostics, brakes, suspension and electrical. Saupe moved to recommend to the Supervisors setting a public hearing on September 26, 2018 at 7:10 PM to consider a request by Mr. Brent Doll for a Conditional Use Permit for a home-extended business. Huston second. All in favor. Motion carried.
4. **Maciejewski Interim Use Permit** – Mr. Elmer Maciejewski and Mr. Kevin Maciejewski appeared to request an IUP to allow a mobile home to temporarily remain on their property at 14138 360th St., Avon (MN) for supportive care. Mergen moved to recommend to the Supervisors to set a public hearing on September 26, 2018 at 7:15 PM to consider a request from Elmer and Genevieve Maciejewski to allow a mobile home to temporarily remain on the property at 14138 360th St. for supportive care until they are no longer able to live there. Huston second. All in favor. Motion carried.
5. **FCC Project for Broadband Performance** – tabled; item for the Supervisor's Meeting.
6. **MN DOT Survey** – Huston will complete.
7. **Road Maintenance Planning** – the Planning Commission will undertake a study of Town roads and inventory their condition, rank roads for improvement, estimate costs, and determine if there are roads that should be vacated.
8. **Schirmers Road** – no action taken.

- 9. **360th Street ‘Bump’** – Mr. Matthew Preusser appeared to request the Town put fill on the high side of the ‘bump’ on 360th Street. The Post Office has complained about it. Koopmeiners will be asked to examine the situation and fix it accordingly.
- 10. **Enterprise Contributions** – upgraded rating (A+ stable) by Standard & Poor.

Announcements/Reports:

- 1. **Howe Campaign** –will host a public gathering in the Town Hall parking lot prior to the September 5th meeting of the Board of Supervisors.

Adjournment: Huston moved to adjourn the meeting at 8:55 PM. Merdan second. All in favor. Motion carried.

Next Meeting: The next meeting is September 26, 2018 at 7:00 PM.

Respectfully submitted,
Stephen G. Saupe Clerk

Signature: _____ date: _____

Approval:

_____ date: _____
Planning Commission Chair – signature

Planning Commission Chair – print