

**Summary of the
MEEKER COUNTY PLANNING COMMISSION
JANUARY 15, 2019 – MEETING MINUTES**
Audio Available

The Meeker County Planning Commission met at the Courthouse in Litchfield, MN at 5:00pm on January 15, 2019 to consider the following Interim and Conditional Use permit applications, possible Ordinance Amendments and other business before the Board. Present was Hempel, Johnson, Beach, Loff, Euerle, Jans, and Zoning Administrator Cote.

5:02pm

Jans calls the meeting to order. There is a quorum.

The Board states their names for voice recognition.

Jans asks the Board if they have any corrections or additions to the December 11, 2018 meeting minutes. None are noted.

Johnson makes a motion to approve the minutes.

Euerle seconds the motion.

Motion carried 6-0.

5:04pm

Jans opens the public hearing for Arlyn and Bernadette Hedtke, 52772 295th St, Grove City, MN 56243. That Part of the East Half (E ½) of the Northwest Quarter (NW ¼), more fully described in the application. Section Twenty Eight (28), Township One Hundred Twenty (120), Range Thirty Two (32), Swede Grove Township. An application for an Interim Use Permit to establish an event venue in existing outbuildings in the A-1 Agricultural Preservation District.

Arlyn & Bernie Hedtke are present for this hearing.

Cote: This property is a 6.10 acre parcel of A-1 Agricultural Preservation District zoned property located in Section 28 of Swede Grove Township. Currently on this site there is a house, a gazebo constructed in 1997, two machine sheds, a barn, and SSTS system which the County has no record of the installation of and a domestic water well. Several years ago the property owners began renting out the barn for weddings, anniversary's etc. They charge a fee that includes use of the barn and gazebo and clean up after the event. People are required to utilize porta potties for their events. The property owners are the only employees with the exception of possibly their daughter. The facility is only available for rental on weekends between late April and late November. The applicant had indicated that the facility is rented an average of 3 times per year. No set hours of operation are indicated, although the total event duration is stated as being approximately 7 hours per event. Events occur between late April to late November. There is a capacity for a maximum of 170 guests. The individual renting said facility must provide proof of individual event insurance. The applicant requests 3 day coverage. Two parking areas have been indicated on the drawing included with this application. One is shown as 27,918 square feet and the other as 8,568 square feet for a total of 36,486 square feet of parking lot. There is ample parking available.

Euerle felt that the buildings were in good shape for their age. It was very neat.

Jans says that the closest neighbor is approximately ¼ mile away.

Cote states that she spoke with the Building Official. There are building code factors that individuals must meet if they are going to allow events such as this on their property. There is a proposed condition

stating that building code will have to be met for this the structure. The Building Official will work with them to figure out what they will need to do.

Loff asks if the building needs to be handicap accessible.

Cote says--to a certain extent, depending on the occupancy. The building official will need to make that call.

Cote reads the conditions:

1. Applicant shall meet all Building Code requirements, including but not limited to accessibility, for the proposed use of this structure prior to commencing activities within this structure.
2. Activities shall be limited to the items listed as part of this application and Article 22.21.2.C of the Meeker County Zoning Ordinance
3. This permit shall expire ten (10) years from the date of final approval of this application by the Meeker County Board of Commissioners.
4. There shall be no on street parking allowed, off street parking shall be provided.
5. Applicant shall follow all Federal, State, and Local rules, regulations and ordinances in regards to the operation of this facility.

Cote states that porta-potties are always used for these events, so she doesn't feel that the septic needs to be address, unless the Board feels otherwise.

Loff states that they need one ADA.

Bernie Hedtke says that they always recommend that a handicap porta-potty is rented. The clients are responsible to rent the toilets.

Hempel makes a motion to close the public hearing.

Loff seconds the motion.

Motion carried 6-0.

Euerle makes a motion for approval with the conditions.

Hempel seconds the motion.

Motion carried 6-0.

5:13pm

Jans opens the public hearing for Lindberg Excavating, Inc, 895 Reardon Ave SW, Cokato, MN 55321. Property located at That Part of the SW ¼ of the NE ¼, S), more fully described in the application. Section Four (4), Township One Hundred Nineteen (119), Range Twenty Nine (29), Dassel Township. A renewal of an existing Interim Use Permit application for aggregate mining, processing and crushing in an A-1 Agricultural Preservation District.

Warren Lindberg is present for this hearing.

Cote: This aggregate pit is a portion of a forty acre A-1 Agricultural Preservation District parcel of property located in Section 4 of Dassel Township previously owned by Steve Johnson and first permitted in 2008. This property transferred ownership in 2018. As per 22.15.A.5, "All gravel mining interim use permits expire once a property changes ownership. The new landowner must receive a new interim use permit if any gravel mining activities occur on the property. However, all reclamation and other responsibilities identified in the expired interim use permit are transferred to the new landowner." This pit is proposed to be 7.69 acres. In the previous IUP in 2013 the pit was 7.10 acres. There is an observed groundwater elevation of 1026 which is the bottom of the pit. No dewatering is proposed to occur on this site. The applicant is indicating approximately 150,000 cubic yards of material to be mined from this pit

during the course of this application. As per the survey the water shall run back into the pit. A reclamation plan is in place for this site which indicated land sloped to a minimum of a 2:1 slope and planted.

Euerle states that this is not a big pit. It is off the road and surrounded by trees. The pit was clean.

Cote reads through the conditions:

1. The hours of operation on this site are 6 a.m. to 9 p.m., Monday through Friday and 6 a.m. to 6 p.m. on Saturdays, and no operation on Sunday and holidays.
2. This permit shall expire in six (6) years from the date of the County Commissioners final approval of this Interim Use Permit with an inspection done by Meeker County Planning and Zoning, which shall occur at approximately three (3) years or mid-point of the duration of the permit, whichever is least.
3. Dust control measures must be implemented on this site to minimize dust.
4. The preferred hauling route for all trucks and vehicles entering and exiting shall be using the township road traveling east to MN Hwy #15.
5. Within 1 year after the operation ceases and the permit expires the applicant must have the site completely rehabilitated according to the reclamation plan unless the applicant has made application for renewal of the permit before the existing permit has expired.
6. Dust control measures must be implemented on haul roads.
7. The applicant must participate in road maintenance on the haul roads when hauling out of this pit.
8. Applicant must comply with the all MPCA noise standards, which are 65 decibels during daytime use and 55 decibels during nighttime use.
9. A berm must be maintained between the pit area and the wetland to prevent water from running out of the pit area into the wetland area.

Jans states that in reality, there will not be much hauled out of this pit.

Lindberg says that he is okay with the conditions.

Johnson makes a motion to close the public hearing.

Beach seconds the motion.

Motion carried 6-0.

Hempel makes a motion for approval with the conditions.

Loff seconds the motion.

Motion carried 6-0.

5:22pm

Jans opens the public hearing for Mike Wichman (applicant), 12282 180th St, Hutchinson, MN 55350 and Scott & Gina Becker (owners), 65550 210th St, Litchfield, MN 55355. Property located at 65550 210th St, Litchfield, MN 55355. Lot Five (5), Shady Wood, Lake Manuella, Ellsworth Township. An application for a Conditional Use Permit to move more than ten (10) cubic yards of material in the Shore Impact Zone and more than fifty (50) cubic yards of material in the Shoreland District for shoreland alterations, all located in the R-1 Suburban Residential District and within the Shoreland District.

Mike Wichman and LeeAnn Becker are present for this hearing.

Cote: This property is a .18 acre (7,740 square foot) riparian R-1 Suburban Residential zoned property on the south side of Lake Manuella in Ellsworth Township. Currently on this site there is a house with attached garage, a septic installed in 2008 which passed a compliance inspection in 2018 and a domestic water well. A variance was granted in 1986 to allow for the construction of this dwelling in variance to the lake, road and side lot line setbacks. The survey submitted with this application shows the property is currently at 41% (3,236 square feet) impervious surface coverage. Currently in the Shoreland District the

maximum amount of impervious coverage allowed on a property is 25% (1,935 square feet). The shoreline of this lot is steep but does not meet the criteria of a bluff. The property owner is now proposing a shoreline alteration that consists of the construction of ten (10) stone retaining walls each being approximately 5' tall from grade to cap, the installation of new stairs and a permeable paver patio area. Currently in place are timber walls and wooden steps are failing and need to be replaced. The applicant has submitted engineering for the walls which appears to be appropriate. Bio logs adjacent to the shoreline are proposed to be installed for erosion control. As per the drawing submitted by the applicant the surface water will run over the walls towards the lake shore. The applicant is proposing to place river rock in between the rock walls. No plantings are proposed as a part of this project. Total cubic yards of material proposed to be brought in and or moved around on the site is 100 cubic yards and 106 cubic yards of rock for a total of 206 cubic yards of material.

Jans says that they are basically replacing what is there now. They will be rerouting the steps a bit.

Johnson asks about trucks going in and out of the narrow area.

Wichman says there will be one truck. The Beckers own the lakeside and the garage behind it, so there is an area to back up and dump.

Cote states that they are over on their impervious coverage. The contractor is proposing a pervious paver product, which is fine, but the property owners will either have to bring their site into compliance or get a variance. She will have to see the numbers before the project is started.

Wichman says they are removing 317 square feet and reinstalling 152 of pervious.

Cote reads through the conditions:

1. The total cubic yardage moved and/or brought onto this site shall be a maximum of 350 cubic yards of material.
2. The project shall be completed as per the plans submitted with this application.
3. The gutters on the dwelling shall direct the flow of roof water into a drain tile system which outlets into the lake. The outlet of the tile shall be constructed as to prevent the erosion of the lakeshore.
4. The applicant shall have either brought this property into compliance in regards to the impervious surface requirements or have received an approved variance to allow for more than the maximum permitted 25% of impervious surface coverage prior to commencing this project.
5. Erosion control shall be implemented and maintained on-site until permanent vegetative cover is established to prevent erosion of material into sensitive areas.

Jans says that he did notice gutters on the house, but didn't know where they were directed.

Wichman states that he would like to tile it down to the lake. There will also be tile under the pavers.

Euerle makes a motion to close the public hearing.

Hempel seconds the motion.

Motion carried 6-0.

Johnson makes a motion for approval with the conditions.

Loff seconds the motion.

Motion carried 6-0.

5:32pm

Jans opens the public hearing for the proposed Ordinance Amendments.

Cote reads through each item and the Board discusses:

The following is a summary of the amendments. Complete copies of the proposed amendments are available for inspection at the office of the Meeker County Zoning Administrator, 325 N Sibley Avenue, Litchfield, MN 55355. *Please note:* Each individually numbered item constitutes a separate public hearing; bold text is a proposed addition of language and struck out text is language proposed to be deleted.

(1) Additional Considerations

- Set a fee of \$121.50 plus recording fees on any waivers of setback for the administrative permit for a pole.
- Set a fee of \$150.00 for the administrative permit for long term recreational camper placement.
- Set a fee of \$150.00 for the administrative permit for a borrow pit.

(2) Section 6A.02.G.7 (Article 6A, Page 7) – Change to read.

7. All decisions of the County Board in considering requests for Conditional Use Permits as provided by this Ordinance shall be final. Any aggrieved person or persons, or any department, board, or commission of the jurisdiction or of the state shall have the right to appeal the decision **to court.** ~~to the County District Court on questions of law and fact.~~ Said appeal shall be made **to the Minnesota Court of Appeals** within **sixty (60)** ~~thirty (30)~~ days after **receipt of notice of the final decision by the County Board.** ~~notice of the decision is delivered to the applicant and any other person who attends the public hearing or who otherwise requests notice and provides the Zoning Administrator with their name and address. Delivery of notice shall be complete upon mailing by first class, United States mail. Any person may waive their right to notice as provided herein.~~

(3) Section 6A.03 (Article 6A, Page 7) – Change to read.

DENIAL AND RECONSIDERATION. Whenever an application for a conditional use permit has been considered and denied by the County Board, the applicant may re-apply for a conditional use permit affecting substantially the same property within forty five (45) days of the date of the original conditional use denial if, as determined by the Planning Commission, substantial changes are made to the application. ~~An applicant wishing to re-apply with substantial changes to a conditional use application must do so with the Zoning Administrator. The process for re-applying for a conditional use permit shall require the applicant to follow all the procedures required for applying for such permit as specified in this Ordinance. An application for a conditional use permit affecting substantially the same property shall not be considered again by the Planning Commission or County Board for at least six (6) months from the date of its denial if, as determined by the Planning Commission, substantial changes are not made to the application. Any subsequent application affecting substantially the same property shall likewise not be considered again by the Planning Commission or County Board for an additional six (6) months from the date of the second denial unless a decision to reconsider such matter is made by not less than four-fifths (4/5) vote of the County Board.~~ No application for a conditional use permit **affecting substantially the same property for the same** use shall be resubmitted for a period of six months from the date of said order of denial by the Meeker County Board of Commissioners. Conditional use permits shall be valid for twelve (12) months unless otherwise specified.

(4) Section 11.04.B.I (Article 11, Page 9) – Change to read.

H. Placement of **a** recreational camping vehicles as is stated in 11.06.U **after the expiration of an administrative permit.**

(5) Section 11.06.A.1.b.1 (Article 11, Page 10) – Change to read.

A. Height.

1. No structure shall hereafter be erected or structurally altered to exceed thirty (30) feet in height, except that:

- a. No height limitation shall be imposed for agricultural buildings under one hundred fifty (150) feet except where hazardous conditions may result (see Article 23, Section 23.02.15).
- b. Any non-agricultural structure over thirty (30) feet in height shall require a conditional use permit.
 - 1. This provision shall not apply to wind turbines as defined in Sections 22.34 and 22.35 of the Meeker County Zoning Ordinance **and poles as discussed in 22.33.E of the Meeker County Zoning Ordinance.**

(6) Section 11.05.U (Article 11, Page) – Change to Read

U. Recreational Camping Vehicles/Storage of Recreational Camping Vehicles. Recreational camping vehicles shall be permitted only:

- 1. In established recreational camping areas; or
- 2. Placed for storage on a lot that has an existing building eligibility.
 - a. A recreational camping vehicle, whether occupied or not, shall be permitted on a lot with an existing building eligibility for no more than thirty (30) continuous days **unless a permit is approved to allow for said placement.**
 - b. **A recreational camping vehicle shall be permitted to remain on a property with a building eligibility for more than thirty (30) days annually for a maximum of five (5) years with an administrative permit approved by the Meeker County Zoning Administrator. Said camper placement shall meet all required setbacks as per 22.21.1.e and all SSTS and well requirements as per Section 22.21.1.c. If an individual wishes to have a camper on their site for more than five (5) years they must apply for and be granted an interim use permit for said use prior to the expiration of their administrative permit.**
 - c. If any recreational camping vehicle, whether occupied or not, seeks to remain on a lot with an existing building eligibility **beyond the first five (5) years as is allowed by an approved administrative permit in Article 22.21.1.b of the zoning ordinance** for more than thirty (30) continuous days **annually**, then the owner of the vehicle must obtain an Interim Use Permit.

(7) Section 13.02.1.c (Article 13, Page 2) – R-1 Interim Uses - Change to Read

C. Placement of a recreational camping vehicles as is stated in Section 22.21.1 after the expiration of an administrative permit. ~~A recreational camping vehicle that will be placed on a lot at least 30 days during the season from April 1 through October 31, inclusive.~~

(8) Section 14.02.1.c (Article 14, Page 2) – R-2 Interim Uses - Change to Read

C. Placement of a recreational camping vehicles as is stated in Section 22.21.1 after the expiration of an administrative permit. ~~A recreational camping vehicle that will be placed on a lot at least 30 days during the season from April 1 through October 31, inclusive.~~

(9) Section 22.15.A.2 (Section 22, Page 58)- Add new

- 2. **An Interim Use Permit shall not be required for the operation of a borrow pit utilized in conjunction with a Federal, State or Local road construction project. Said borrow pit shall be open no longer than six (6) months, the borrow pit shall meet all of the requirements of Section 22.15 of the Meeker County Zoning Ordinance and the applicant shall complete and submit all of the information required in the Meeker County Mining and Reclamation Permit Application portion of the zoning ordinance a minimum of twenty (20) business days prior to commencing**

operation of said borrow pit.

**** Renumber all subsequent portions of Section 22.15.**

(10) Section 22.21.1 (Article 22, Page 91) – Change To Read

Section 22.21.1. Recreational Camping Vehicles/Storage of Recreational Camping Vehicles.

Recreational camping vehicles shall be permitted only:

1. In established recreational camping areas; or
2. ~~Placed for storage~~ **Stored** on a lot that has an existing building eligibility.
 - a. A recreational camping vehicle, whether occupied or not, shall be permitted on a lot with an existing building eligibility for no more than thirty (30) days **unless a permit is approved to allow for said placement.**
 - b. **A recreational camping vehicle shall be permitted to remain on a property with a building eligibility for more than thirty (30) days annually for a maximum of five (5) years with an administrative permit approved by the Meeker County Zoning Administrator or their designee. Said camper placement shall meet all required setbacks as per 22.21.1.e. All SSTS and well requirements as per Section 22.21.1.c shall be followed. If an individual proposes to have continued placement of said camper on their site beyond the five (5) years approved administratively they must apply for and be granted a interim use permit for said use prior to the expiration of their administrative permit.**
 - c. If any recreational camping vehicle, whether occupied or not, seeks to remain on a lot with an existing building eligibility for more than thirty (30) days annually **beyond the first five (5) years as is allowed by an approved administrative permit in Article 22.21.1.b of the zoning ordinance** the owner of the vehicle must obtain an Interim Use Permit. On any lot with a domestic water well a Type I, II or III SSTS system or holding tank must be installed to serve said recreational camping vehicle unless it is conclusively shown that a septic system cannot be installed due to site limitations.
 - d. Storage of recreation camping vehicles. No more than one (1) recreational camping vehicle, as defined in Section 23.97, may be stored outside for another person on **any each lot and may remain on said lot for storage** ~~An unoccupied recreational camping vehicle stored outside may remain~~ no longer than thirty (30) continuous days **yearly.** ~~on a lot unless owned by the lot owner.~~ **Long term** storage of **one (1)** a recreational camping vehicle shall only be permitted on a lot that has an existing dwelling on it **and said recreational camping vehicle must be owned by the owner of said dwelling.** A recreational camping vehicle shall not be considered or utilized as an accessory, structure or facility.
 - e. Occupied and/or unoccupied recreational camping vehicles, while not considered structures, shall be placed where they meet all structure setbacks and/or are no closer to any lot line or road than the existing dwelling, whichever is less, except in permitted recreational camping areas.

(11) **Section 22.33.E (Article 22, Page 120) – Add New**

- E. Poles less than or equal to 130 feet in height in the A-1 agricultural preservation district. The Zoning Administrator may issue an administrative permit for any pole structure equal to or less than 130 feet in height in the A-1 Agricultural Preservation District. Said pole must be setback the height of the pole plus ten (10) feet from all existing one (1) or two (2) family dwelling units, side lot lines and rear lot lines unless a waiver to said setbacks have been signed and recorded by all affected property owners. Said pole shall be located outside of all road rights of way. An application for a pole administrative permit must include a site sketch or, if required by the Zoning Administrator, a survey completed by a licensed land surveyor that shows setback requirements are satisfied; engineering for wind load; and sufficient structural information to allow for the issuance of a building permit. If the Zoning Administrator finds that the information submitted does not properly address all of the requirements of this chapter, he or she may require a conditional use permit upon providing the applicant a written summary of the reasons for this finding. No poles of this nature shall be permitted within the Shoreland District. Said pole shall be removed from any site after a maximum of twelve (12) months on non-use for its intended purpose.**

(12) **F E. Personal Towers and Antennas.** Personal towers and antennas are permitted in all districts, except Residential Districts where a Conditional Use Permit is required if the top of the tower and/or antennae is more than 40 feet in height, and shall not require any permit provided the following standards are met:

1. Any personal tower and/or antenna not located on a building shall be located in the lot no closer to any property line than the height of the tower plus ten (10) feet. The total height of the structure shall include the total vertical height of a tower, antenna or tower and antenna connected or mounted together.
2. Any personal tower, antenna or personal tower and antenna connected or mounted together located in a residential district shall not exceed forty (40) feet in total vertical height as measured from ground level. The total height of a tower, antenna or tower and antenna connected or mounted together on a building shall include the vertical height of the said tower, antenna or connected tower and antenna and the vertical height of the building to ground level from where the said tower, antenna or connected tower and antenna is mounted to the building.

(13) **Section 23.89.2 (Article 23, Page 21) – Add New**

Section 23.89.2. POLE. A long, slender, rounded piece of wood or metal, typically used with one end placed in the ground as a support for something.

There was discussion between the Board, Tim Mergen, Randy Callander and Bill Myllykangas regarding the new pole installation that is taking place.

Johnson makes a motion to close the public hearings for all the proposed ordinance amendments.

Loff seconds the motion.

Motion carried 6-0.

Johnson makes a motion to approve the proposed ordinance amendments and send to the County Board.

Beach seconds the motion.

Motion carried 6-0.

6:50pm

Other Business:

The Board introduces them to new member, Chris Beach.

The Board believes they should go over the Comprehensive Plan once again.

Euerle nominates Jans as the 2019 Chairman.
Johnson seconds the motion.
Motion carried 6-0.

Loff nominates Hempel as the 2019 Co-chairman.
Euerle seconds the motion.
Motion carried 6-0.

7:00pm
Hempel makes a motion to adjourn.
Beach seconds the motion.
Motion carried 6-0.