

WRIGHT COUNTY PLANNING COMMISSION

Meeting of: April 18, 2019

MINUTES –(Informational)

The Wright County Planning Commission met April 18, 2019, in the County Commissioners Board Room at the Wright County Government Center, Buffalo, Minnesota. Chairman, Dan Mol, called the meeting to order at 7:30 p.m. with Board members Mol, Pat Mahlberg, Jan Thompson, Charlie Borrell, Dave Thompson & Dan Bravinder present. Absent was Ken Felger. Representing the Planning & Zoning office was Sean Riley, Zoning Administrator; Legal counsel to the Commission was Greg Kryzer.

MINUTES

On a motion by Bravinder, seconded by J. Thompson, all voted to approve the minutes for the March 28, 2019 as printed.

Riley referred the Commission to a page of the January 10, 2019, minutes found in their files and requested a correction to paragraph T. A mistake was made and shows a rezoning to R-2a that should read R-2. Planning Commission should formally make a correction and send it to the County Board for amendment.

On a motion by Borrell, seconded by J. Thompson all voted to make the correction to the January 10, 2019 minutes, in the motion in para. T, page 9, R-2a should read R-2.

1. JAMES A. GROSKREUTZ – Cont. from 3/28/19

LOCATION: 4349 37TH St. SE - Part of the N ½ of the SW ¼, Section 23, Township 119, Range 25, Wright County, Minnesota. (Rockford Twp.) Tax #215-100-233100

Petitions to rezone approximately 45 acres (that part lying north of road) from AG General Agricultural to A/R Agricultural-Residential and a Conditional Use Permit for a two-lot unplatted residential subdivision as regulated in Section 155.028, 155.029 & 155.047 Chapter 155 Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Jim Groskreutz & Kurt Weiers

- A. Riley – the County Board accepted the recommendation and rezoned the property to A/R. Applicant has submitted the plan for a two-lot subdivision. County Highway Department has designated the access points for driveways. There is an existing dead-end road on the lot to the north. Ideally a house is not in that area to prevent future development. Riley noted there may only be so much that can be done to prevent it, but ideally a house would not be developed in that location to prevent future development. Weiers – on the lot referred to, could that lot be accessed from the north. Riley for further redevelopment, they would have to come off that road. Noted sewer locations. Weiers – a purchase agreement has been entered into for that lot; and the buyer only plans one house. Riley clarified this is speculation, if that road is extended. The access for the new house would be coming off the County Road as shown on the County Highway Department's plan.
- B. Mahlberg – asked the reason the Commission should care about future subdivision and that a future buyer is aware of it. Riley – noted this is part of planning, preference is not to have dead-end roads, unless there is a way to connect them up. There is a potential to

extend this one although it still would be a dead end. Many large-lot developments do not have the potential. He noted they want it documented that if the house is built in a location that prevents it, want them aware. Borrell – right now they might not be able to plat; but, if they have a new Land Use Plan, that road could come into play. Asked if they prefer the house is not built there. Riley – agreed that is their preference; they have the option of putting a condition on that.

- C. Mol -asked for public input, hearing no response returned to the Commission for action.
- D. Borrell moved to grant a conditional use permit for a two-lot unplatted subdivision in accord with the survey completed by O'Malley & Kron Land Surveyors Inc. dated 4/8/2019; Job No. 2018-575 with the following conditions: 1) Per Feedlot regulations the new A/R parcels will be allowed ½ animal unit per acre and will not be allowed to reach 10 animal units and any building that houses animals will need to be 100 feet from property lines barring any future changes to State laws; 2) Access permits must be obtained through the County Highway Department prior to construction; and 3) House placement on the east lot if it interferes with the extension of the road it will not be able to be further subdivided, if road cannot be extended. J. Thompson seconded the motion.

DISCUSSION: Bravinder – asked if the language in #3 restricts where the buyer can put his house. Borrell – no but warns him that if he decides to build in that location he may not be able to further subdivide. Mol – it would also put future owners on notice. Weiers – as an agent, they are required to disclose that also. Borrell –added barring there are future State changes to animal restrictions on numbers. Riley asked Kryzer and he confirmed, if that is included in the motion, a change to the law would not require an owner to reapply. J. Thompson – a correction in a word read. Borrell agreed with the clarification.

VOTE: CARRIED UNANIMOUSLY

2. **BRADLEY HOTCHKISS** – New Item

LOCATION: 2625 County Road 37 NE – Part of N ½ of NE ¼ lying west of Highway 25, Section 33, Township 121, Range 25, Wright County, Minnesota. (Monticello Twp.) Tax #213-100-331203

Petitions for a Conditional Use Permit for internet business called “Rocks & Tools” to sell rocks, crystal and related materials in the existing building as regulated in Section 155.029 & 155.048(D) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Brad & Sally Hotchkiss

- A. Riley reviewed the location of the property on State Hwy. 25. The zoning and Land Use Plan are AG General Agricultural. The previous developer of the property had a photography studio as a home extended business in the accessory building. The new owner has proposed a different business related to rock and he deferred to the applicant to describe the business.
- B. B. Hotchkiss – explained it is the sale of rocks and tools, includes agates, crystals and tools. It is a hobby they sell over the internet and would like some occasional retail sales. Plans are to extend the parking lot from the current 6 spaces by 3500 sq. ft., leave the sign in the same place.
- C. Mol – opened the hearing for public comment and hearing no response returned to the Commission.
- D. J. Thompson – felt this is a great business and has no problem with the change. Borrell concurred this is a great location for a business.
- E. Riley – one concern is that there could be outdoor items. Asked if this would primarily be customer parking and not storing items. Hotchkiss – confirmed the improvement outdoors is only for parking. Borrell – clarified there cannot be any parking on the county road.
- F. Mahlberg – stated he lives nearby and felt there is plenty of parking available on the property.
- G. Discussion on the sign. Bravinder – warned they should make sure they are not in the road right of way with the sign. S. Hotchkiss – indicated they know where the markers are and would confirm the location. B. Hotchkiss – asked if the road would be expanded. Borrell no plans for the county highway, could not speak to the State road.
- H. D. Thompson moved to approve a Conditional Use Permit for a business called “Rocks & Tools” to sell rocks, crystal and related materials in the existing building in accord with the plans and narrative held on file with the condition that the sign requested meet our County Sign regulations and any expansion or change in use will require a new hearing. Mahlberg seconded the motion.

VOTE: CARRIED UNANIMOUSLY

3. **TIMOTHY D. FERRELL** – New Item

LOCATION: 12128 State Highway 55 NW – Part of the E ½ of NE ¼ north of highway, Section 25, Township 121, Range 28, Wright County, Minnesota. (Southside Twp.) Tax #217-000-251100 Property Owner: Annandale New Town Market LLC

Petitions for a Conditional Use Permit to amend an existing sales business permit to include an on-line (internet) sales of fire arms and ammunition with limited retail activity as regulated in Section 155.029 & 155.055(B) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances. Property is zoned I-1 General Industry.

Present: Tim Ferrell

- A. Riley -displayed the location, zoning and land use maps and explained this is an existing commercial business. The property is zoned I-1 and in the Transition area. The applicant is requesting internet firearm sales.
- B. Ferrell – explained he is applying for Federal Firearm license that allows sale and transfer of firearms. Part of the permit process is proper zoning and is the reason for this permit. His children are hunting and gun enthusiasts and found there is a large market for firearm sales. Can buy from manufacturers and sell to an individual on the internet, but they have to ship to another dealer. They would do the transfer paperwork and background checks. The Federal requires an office address where the paperwork is done. This is a legal site for keeping records.
- C. Borrell could see the future would be an indoor range here. He noted there is more and more demand for this and would be nice to see some private ones. Indoors would address the sound problem.
- D. Mol – the site has good access, there is commerce and trucks coming and going. The location is good and sees no problem with the location.
- E. Borrell asked if it is all internet or will include a small retail store. Ferrell stated he does not see that now, but future might be small retail operations, but that is not their intent now.
- F. Borrell moved to approve a Conditional Use Permit to amend an existing sales business permit to include an on-line (internet) sales of fire arms and ammunition with limited retail activity in accord with the narrative on file. D. Thompson seconded the motion.

VOTE: CARRIED UNANIMOUSLY

DISCUSSION ITEMS

Riley stated that either it has been discovered or there has become a large number of recreational vehicles, large campers or ice castles for rent from individual properties. Similar to seasonal storage, Staff find out about these after they are in place and some are in residential areas. He read the definition of Seasonal Storage. Explained these units come and go all season; whereas, seasonal storage they come in in the fall and leave in the spring. The conditions for a Home Extended Business permit require storage inside, exception was made for the applicant who had barrels and referenced the change to the Ordinance. If the owner has a large number, they are not going to fit into 2,000 sq. ft. building.

Mahlberg asked if these owners have many. Riley - yes; if it were allowed as a home extended business would not fit in the size building allowed; and questioned, would having them lined up neatly outdoors and screened meet the exception? He asked if the Commission feels the Seasonal Storage ordinance could be amended to allow this use.

Borrell felt it might fit the Seasonal Storage and suggested Kryzer draft wording to accommodate that. Riley, or they could have wording for a stand-alone provision.

J. Thompson asked for an example and if they are talking about people doing this in residential districts. Riley – they have had complaints about one in a residential district, but they are also in Agricultural zone. Not talking about someone who lets a friend or person use theirs.

Mol – asked if the property is large enough, is there a need to put a regulation on this. Riley explained there are permitted and conditional uses and if not listed, it is prohibited. Mol – if they are licensed is that legal, similar to licensed cars. Mahlberg –the issues are similar to the discussion on seasonal storage they had a few months ago? Riley – option is to ignore it until it is a problem and tell them to remove them because there is not a way to regulate it.

Mol – noted seasonal storage does not say when the units can come in and go out. Borrell – in this case it is more of a business than seasonal storage. He would agree, they do not want a residential lot with ten RV's packed in around the house. Riley – these RV's are in and out; people rent these for a few days or week and not a season. Borrell – would not want this to happen in a R-1 district or on a smaller lot – or would have to limit the number.

Bravinder – seasonal storage was primarily in the AG district and asked are there problems in a residential zone now. Riley – there are some situations where they are packing the RV's in a residential area. At this time, he has to tell owners both in a residential zone as in the Ag District it is not permitted. There is a large enough market that people who want to do this are willing to build a structure to put them in but want to know it is legal before they make the investment. Complaints could come from a business operating in a City. Bravinder – concurred if one business is in a Commercial/Industrial zone and pay large rental costs to be there. He does not have as much of a concern in the AG district as he would in the residential districts.

Borrell asked about where Home Extended Businesses are allowed? Riley – not in the platted residential districts, essentially agriculture. He thinks it might be doable, but as long as there are controls. Mahlberg – did not think they could require storage of these units indoors. Riley – noted with the Contractor's yards they try to get most things inside but have outdoor provisions. Mahlberg – to require everyone build a compliant code shed for these RV rentals is unlikely. Mol – suggested they set a limit on the number of units that relates to the size of the property.

Borrell – there could be some discretion on the location and how well shielded the site might be.
Mol – the wording should allow for some discretion.

Chris Klein – Silver Creek Twp. – would that include pontoons, jet skis. These seem to be for rent. Riley – they did this for an owner who owns those recreational items and takes them to the lakes. He noted those items are smaller.

J. Thompson – would not want someone across the road from her that had 10 of these sitting outside, felt it would impact enjoyment of neighbor's property to have to look at. Don't want properties to become a junkyard. Riley – that is the discussion they need to have if they were to allow it, would they require indoors, some outside with proper screening, etc. These units must be licensed and operable and would not be junk.

Kryzer – under home extended business and limit the RV through the licensing. Asked if the Commission has a consensus of where they would allow it, such as residential. Mahlberg – what is the scope of the number of places it is happening. Riley – happening in a limited amount in residential setting with some complaints but more about ag. zone. There are owners in the AG zone that want to make an investment, he felt that is where they would mainly see the use. J. Thompson – they have required inside storage in the AG areas. Riley – the Commission had made an exception for limited outdoor storage for the Home Extended Business, but it reads strict. Kryzer – if there is a complaint we want to give an owner an option. Riley – at this time the Ordinance does not allow anything on residential lots other than a home occupation. Kryzer – felt it will become a problem if not addressed. Riley – looking at where it might be proper.

Klein – suggested they keep in mind a property owner in Maple Lake and has property in Silver Creek Township.

Kryzer – indicated we could draft something under the Home Extended Business permit. Riley – first needed to hear whether it is something the Commission wants to consider. J. Thompson – would not want to see this in a residential zone but hearing this would put someone out of business. Kryzer – would you want to see an impervious parking surface? Commission indicated at a minimum compacted aggregate.

CAMPGROUNDS

Borrell brought up another matter as he feels the campground space in the County is inadequate. He would like consideration to look at the Ordinance to allow some private campgrounds. Discussion followed. Riley – campgrounds are allowed in the S-3 zone. Mol – asked if there is not an opportunity to put a large number of sites at the Bertram Chain of Lakes park if the County is grossly short of campsites. Borrell – explained the problem is that the County loses money, cannot make any money in the campgrounds they have invested in. He is not just suggesting in the shore land areas. J. Thompson would agree with Borrell. She had approached a previous zoning administrator to establish four sites for yurts along the river and was told it was not allowed. She would encourage opening up secluded, undeveloped places to camp. Borrell – the County is not going to develop a 200-unit campground. He felt it is better done privately. Mol – in rural areas different owners could have small number of yurts. Referred to the campgrounds he is familiar with. Noted there are different types of camping people enjoy.

J Thompson explained her experience in Sweden where there are small secluded spots, the operator provides the food and bring it down to the sites. These would be ideal in the rural setting.

MINING

Sean noted at the last meeting, the Commission had asked that he research if there are areas where the backfill is tested before it is brought back into mining pits for reclamation. He received 18 responses and there is nothing on the books that require this.

Meeting adjourned at 8:40 p.m.

Respectfully submitted,

Sean Riley
Planning & Zoning Administrator

SR:tp

cc: Planning Commission
County Board of Commissioners
Kryzer
Twp. Clerks
Applicant/owner

