

Albany Township Planning Commission

January 26, 2017

The January 10 meeting was postponed to January 26 because of inclement weather. The date and time of the rescheduled meeting was posted and published for public notification.

The January 26, 2017 meeting of the Albany Planning Commission was called to order at 7:30 P.M. by Chair Ryan Pratt at Albany City Hall Council Chambers. Members present Ryan Pratt, Gary Bloch, and Mike Noll. Also present, Supervisors Mary Rosen; Clerk Diane Noll; Zoning Administrator Jerry Forster.

The Pledge was recited.

APPROVAL OF AGENDA

A motion to approve the agenda as presented was made by Commissioner Noll, seconded by Commissioner Bloch, motion carried.

APPROVAL OF MINUTES

Minutes from December 13, 2016 were reviewed.

Page 1: New Business: Both parcels are zoned as "A1" correct to **R1**

A motion to approve the minutes of December 13, 2016 with correction, was made by Commissioner Bloch, seconded by Commissioner Noll, motion carried.

OPEN FORUM-None

PUBLIC HEARINGS-None

NEW BUSINESS-None

OLD BUSINESS

1. Pioneer Club-re Zoning

Brennan Shay was present representing the Stearns County Pioneer Club. The Club is planning on purchasing the property owned by John Peternell which is now zoned as R-1. After the club purchases, they will need to have property rezoned to commercial. At this time it is zoned as commercial, but they are paying at Exempt rate. Further research will be done on how this area is taxed.

2. Sharon Seiler – Seiler Estates

Ms Seiler is requesting a proposed subdivision on Sand Lake. The property under consideration is north east of Sand Lake in section 31 of Albany Township. Parcel numbers are 25.15172.0000, 01.00293.0010 and 01.00294.020. Ms Seiler has met with the county and has the building restricted acreage in place. Per Zoning Ordinance a Public Hearing will need to be held. All information will be reviewed and a Findings of Fact will be completed at the hearing. A motion to have the Public Hearing on February 22, 2017, 7:30 P.M. Was made by Commissioner Noll, seconded by Commissioner Bloch, motion carried.

3.Review of items for the ordinance.

- Stronger Language in County MOU
- Slopes specs for driveways
- Shouse
- Accessory building closer to the road than the house
- 7.22 Size of manufactured mobile homes
- 7.24 minimum size of house
- Overweight permits for requests for heavy loads on roads.

-Stronger Language in county MOU

NOW THEREFORE IT IS AGREED, by the County of Stearns and the Town of Albany that those sections of Stearns County Land Use and Zoning Ordinance Number 439; or successor ordinance enacted by reference as a part of Albany Township Land Use and Zoning Ordinance Number 6 shall apply within the Town of Albany.

Change to:

NOW THEREFORE IT IS AGREED, by the County of Stearns and the Town of Albany that those sections of Stearns County Land Use and Zoning Ordinance Number 439 or successor ordinance are subject to review prior to being enacted by reference as a part of Albany Township Land and Use Zoning Ordinance Number 6 . ~~shall apply within the Town of Albany.~~

A motion to approve the change to the MOU was made by Commissioner Noll, seconded by Commissioner Bloch, motion carried, unanimously.

-Slope Specs for Driveways

Slopes specs will be 4 to 1.33 this will prevent erosion and washing out. The problem areas have been beyond the approach. Township will refer to these specs for right-of-ways, but it is not necessary to put in the ordinance.

-Shouse

COUNTY ORDINANCE

6.2 Accessory Buildings - Residential

E. Except as provided in Section 7.28 of this Ordinance, no residential accessory building shall be used as a residential dwelling unit.

7.22 Residential Dwelling Unit

7.22.2 No accessory building or recreational vehicle shall be used at any time as a dwelling unit, unless otherwise provided in this Ordinance.

Per County ordinance shouses are not allowed. The Township has adopted this section of the ordinance.

-Accessory building closer to road than house

9.7 Residential District R-5 (R-5 District)

That Section 9.7.15 is hereby added to read as follows:

No accessory building shall be permitted in a location closer to a road than the principle residential dwelling unit.

9.9 Residential District R-1 (R-1 District)

That Section 9.9.14 is hereby added to read as follows:

No accessory building shall be permitted in a location closer to a road than the principle residential dwelling unit.

A motion to remove 9.7.15 and 9.9.14 from our ordinance was made by Commissioner Bloch, seconded by Commissioner Noll, motion carried, unanimously.

-7.22 Size of manufactured mobile homes
and

-7.24 minimum size of house

7.22 Residential Dwelling Unit-

That Section 7.22.1 is hereby amended to read as follows:

Any manufactured home to be used as a residential dwelling unit shall be no less than 20 feet in width and 30 feet in length and shall bear a Seal of Compliance issued by the State of Minnesota.

That Section 7.22.4 is hereby added to read as follows:

A single family residential dwelling unit shall have a minimum of 840 square feet of livable space except as otherwise provided. Carports, garages, overhangs, and other similar structures shall not be considered as livable space. All single family residential dwelling units shall have a minimum width of 20 feet and a minimum length of 20 feet.

7.22.1 Any manufactured home to be used as a residential dwelling unit shall be no less than fourteen (14) feet in width and shall bear a Seal of Compliance issued by the State of Minnesota.

7.22.2

No accessory building or recreational vehicle shall be used at any time as a dwelling unit, unless otherwise provided in this Ordinance.

7.22.3 No manufactured home shall be moved into the unincorporated areas of Stearns County that does not meet the Manufactured Home Building Code as defined in Minnesota Statutes, section 327.31, subdivision 3; or successor statutes

A motion to delete the amended section from the Township ordinance and adopt section 7.22.1 to 7.22.3 from the county ordinance was made by Commissioner Bloch, seconded by Commissioner Noll, motion carried, unanimously.

-Overweight permits

Commissioner Bloch-We could have the owner pay for the ripped up road

Should we charge a fee for permits?

More research on overweight permits needs to be done.

REPORTS

Building Permits-Jerry Forster

Shannon & Kimberly Bertram, 32989 249 Avenue, Albany MN: The County has followed up on the buildings on Shannon Bertrams's property, an After the Fact fee was attached to the building permits for his accessory buildings. He also received a permit for an addition to his house, and a Provisional Use Permit for his home extended business.

Ross Tamm, 32996 Cty Rd 41, Albany MN - Accessory Building

In reviewing the August minutes, it was noted that the Township paid for cleaning a culvert under a private approach. According to our ordinance, the Township does not pay for this.

Commissioner Reports

-Copies of the updated County Ordinance was distributed to all commissioners.

COMMUNICATIONS

February 22 -Public Hearing and Meeting

Commissioners should tour the Seiler property prior to the meeting

March 14-Township elections and Annual Meeting

ADJOURNMENT

There being no further business to come before this meeting a motion to adjourn was made by Commissioner Noll, seconded by Commissioner Bloch, motion carried unanimously.

Meeting adjourned at 10:20 P.M.

Respectfully submitted,

Diane E Noll

Diane E Noll

Clerk/Treasurer Albany Township

Approved Minutes: *Ryan Pratt* Date: 02/22/2017
Planning Commission Chair