

Albany Township Planning Commission–February 13, 2013

The February 13, 2013 meeting of the Albany Planning Commission was called to order at 7:30 P.M. by Gary Bloch at the Albany City Hall Council Chambers. Members present, Gary Bloch, Mike Noll, Ryan Pratt and Mary Rosen. Also present was, Clerk Diane Noll.

1 PLEDGE OF ALLEGIANCE. The Pledge of Allegiance was recited.

2 APPROVE AGENDA. Add to new business information received from the County Ref a subdivision Agreement for Trestle Ridge 2. A motion to approve the agenda as amended was made by Commissioner Pratt, seconded by Commissioner Noll, motion carried.

3. APPROVAL OF MINUTES–January 19, 2013. A motion to approve the January 19, 2013 minutes as reviewed, was made by Commissioner Pratt, seconded by Commissioner Bloch, motion carried.

4. Open Forum

1. Greg Stelten–Request for rezoning

Gregg Stelten and Ann Finelli 32329 Fifth Lake Road, Albany MN Parcel ID 01.00330.0000

Mr Stelten and Ms Finelli are owners of this parcel located in section 35 of Albany Township. The property is zoned at A40 and they are requesting to rezone to A5. In the late 1970's their father, Norb Stelten subdivided the area into 5 acre lots and built Northwind Road. At this time there is Appx. 94.58 acres remaining to be split, they would like to create three 5 acre plots, one with existing farm building and two new lots. They have gone to the county to request this section be rezoned to an A5.

Comments:

Mike Noll–this would not be in compliance with our Comprehensive Plan which states we want to preserve our farm land and have housing close to the city limits. If we allow this rezoning, it will set a precedence and others will try the same.

Gregg Stelten, by adding these extra lots, we would not be changing the character of the area, we would just be adding to the existing development in the area.

Gary Bloch, at this time they have two building credits, one is already the existing farmstead. The township has looked at additional growth and this area was not included in the new growth in the township.

A request to rezone this piece would be spot zoning, which is taking a part of the whole thing. This is not a good planning method and does not achieve our comprehensive plan or zoning ordinance.

Ann Finelli, Greg Bechtold, Environmental Services advised Steltons that this is not spot zoning.

Greg Stelten, without rezoning, is there anyway we could make two additional building credits?

Gary Bloch, two building credits is all we can give. If we grant this, it will be difficult to turn down the next one.

Ann Finelli, does it make a difference what the land is currently being used for? To make it easier for rezoning?

Gary Bloch, no it does not make a difference what the property is being used for at this time. The Township Board makes the final decision and can send it back to the Planning Commission.

Ryan Pratt–all residents of the township have to follow the same rules, this is A40, we need to have it remain at A40.

A motion to recommend to the Township Board to not allow the re-zoning this property to A-5 was made by Commissioner Noll, seconded by Commissioner Pratt, motion carried. Bloch–Yes, Noll–Yes, Pratt–Yes

Findings of Fact:

1. Spot Zoning–is not allowed
2. Does not follow the comprehensive plan

3. Is not in the projected growth boundaries of the Township.

2. John F. Mathews, Attorney for Jeff Skalicky

Jeff Skalicky, 33612 County Road 156, Albany MN Parcel No. 01.00242.0000

John Mathews is representing Mr. Skalicky on a request for an Administrative Subdivision for the above parcel. This parcel is .57 acres, is non-contiguous with the main parcel, and is land locked. Mr. Skalicky would like to sell the parcel to Albany Chrysler Center Tree Farm, a contiguous parcel. When the parcel was sold to Chrysler, this portion was an oversight and was not included. They would, at this time, like to include it in the parcel. For Mr. Skalicky to sell and Administrative Subdivision will need to be done

A motion to recommend the Township Board approve the Administrative Subdivision on parcels 01.00242.0000 and 01.00243.0000 made by Commissioner Noll, seconded by Commissioner Pratt, motion carried. Bloch-Yes, Noll-Yes, Pratt-Yes

5. Public Hearings

6. New Business

The agenda for the Stearns County Planning Commission Meeting, to be held on February 21, was published today. They will be having a public hearing on an IUP for Roger and Nancy Elfering to add a temporary single family dwelling unit and a request to amend the subdivision for Trestle Ridge 2. Notification was not done by the County. It was requested we contact Environmental Services for further information.

7. Old Business

a. Review Planning and Zoning Ordinances

The completed Zoning ordinance was reviewed for accuracy and compliance with the County Ordinance. The county questioned our rights to deny Adult usage. The County Attorney will be contacted to clarify. County also requested we change our set back from 100 feet to 63 feet on a 2 acre parcel. Commission decided to maintain the 100 foot set back.

Adjournment

A motion to adjourn this meeting was made by Commissioner Noll, seconded by Commissioner Bloch, motion carried. Meeting adjourned at 10:43 P.M.

Respectfully Submitted,

Diane E Noll

Diane Noll, Township Clerk

Approved Minutes Signed: *Gary Bloch* March 21, 2013

Planning Commission Chair

Date