

ALBANY TOWNSHIP
PLANNING COMMISSION
Monthly Meeting
and
PUBLIC HEARING
February 13, 2018

The February 13, 2018 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 and Mike Noll, absent Gary Bloch and Zoning Administrator, Jerry Forster. Also present, Supervisor Mary Rosen; Clerk Diane Noll.

The Pledge was recited.

APPROVAL OF AGENDA

Additions to the agenda Donald and Holly Bloch Administrative Split: Roger Majeski, request for information. A motion to approve the agenda with additions presented was made by Commissioner Noll, seconded by Commissioner Pratt, motion carried.

APPROVAL OF MINUTES

A motion to approve the minutes of January 9, 2018, was made by Commissioner Noll, seconded by Commissioner Pratt, motion carried.

OPEN FORUM-None

PUBLIC HEARINGS

Loren and Debra Pelzer – Variance for additional approach on parcel

A request for a Variance has been submitted by Loren and Debra Pelzer, P.O. Box 98, Albany MN 56307 to add a second approach to parcel with a 75 foot separation distance. According to Albany Township Town Road Construction Standards #2009-01, Section 6.01 Road Access Standards; Subpart 6.01. General Road Access Standards; Paragraph H. Only one access per property/parcel will be allowed; Subpart 6.02 New Access Spacing Guidelines; Paragraph B. Access onto Township roads shall have a minimum separation distance of 125 feet

The property under consideration is in Section 14, Township 125, Range 031, Albany Township.
Parcel ID Number: 01.00106.0000
Township Address: 21438 Quaker Road, Albany MN 56307
There is approximately 325 feet of frontage on Quaker Road.

ALBANY TOWNSHIP
FINDINGS OF FACT WORKSHEET

NAME OF APPLICANT: Loren and Debra Pelzer DATE: February 13, 2018

VARIANCE REQUESTED: To add a second approach to parcel with a 75 foot separation distance.

A variance may be granted only when it is in harmony with the general purposes and intent of the official control and consistent with the comprehensive plan and where the strict enforcement of township zoning controls will result in a practical difficulty. A determination that a "practical difficulty" exists is based upon the consideration of the following criteria as defined in Minnesota Statutes, Section 394.27:

1. The proposed use is allowed in the zoning districts in which the subject property is located?

YES or NO

This is zoned as A40, the zoning ordinance has no provisions for approaches.

2. The variance will be in harmony with the general purposes and intent of the official control(s) any related Ordinances?

YES or NO

*Ordinance 2009-01 Town Road Construction Standards, Section 6 Road Access Standards Subpart 6.01 General Access Standards Paragraph H. Only one Access per property/parcel will be allowed
Subpart 6.02 New Access Spacing Guidelines Paragraph B. Access onto Township roads shall have a minimum separation distance of 125 Feet.*

The request is not in compliance with Ordinance 2009-01 it is, however in harmony with the general purpose of the property.

3. The variance will be consistent with the Comprehensive Plan? **YES** or NO

There are no provisions in the Comprehensive Plan that concern additional approaches.

4. The variance may be granted if there are Practical Difficulties in complying with the official control(s):

*a. The property owner proposes to use the property in a reasonable manner? **YES** or NO*

Yes, the owner will be building a storage shed on the parcel. Because this is a low traffic area, it would be a reasonable place for an additional approach.

*b. The plight of the landowner is due to circumstances unique to the property, not created by the landowner? **YES** or **NO***

The landowner is creating the circumstance that requires the additional approach.

*c. The variance, if granted, will not alter the essential character of the locality? **YES** or NO*

The property is located near the city limits and is in agriculture property. An additional approach will not alter the character of the locality.

*d. The need for the variance involves more than economic considerations? **YES** or NO*

Economics were not part of the discussions.

The Township should consider each of the elements listed above. If any one element is voted "NO" in the majority, then the criteria for granting a variance, per Minnesota Statutes, Section 391.27, has NOT been met and the variance, as requested, should be denied.

Date: February 13, , 2018 – Approved by Planning Commission

Township Board Meeting : February 26, 2018

A motion to recommend to the town board, approval of the variance was made by Commissioner Noll, Seconded by Commissioner Pratt, motion carried.

NEW BUSINESS

Tim and Karey Gerads, 20959 St Anna Drive-County Variance

Gerads' is requesting a variance from the county to build a chicken barn 570 feet from a neighbors residence. To comply with the county ordinance, it will need to be 700 feet.

Zoning Administrator Forster gave the following information:

With a separation of 170' between the barns, it looks like he would be using all tillable land at the proposed location. The writing on the application is hard to read, but I see he does mention the possibility of moving the new barn to the South, but that would be less convenient for him and GNP. The bottom line is, if he is allowed to put the barn in the proposed location he is going to reduce his neighbors property value. Even if his neighbor is OK with it, its not the right thing to do when there are other options. I don't see a problem with the barn being 126' further South to meet the 700' setback. There is also a grassy area to the West of the existing barn that could be an option.

A motion to advise the County Planning Commission that Albany Township is not in favor of the variance allowing the barn to be less than 700 feet from the neighbors residence was made by Commissioner Noll, seconded by Commissioner Pratt, motion carried.

Gary Tomsche-Purchase of Property

Gary Tomsche, 20016 Rushmeyer Lake Road PIN 01.0096.0010

Thomas Tomsche, 19887 Quaker Road, PIN 01.0096.0000

Mr. Tomsche is researching purchasing 75 acres from his father which is an adjoining parcel. At this time there are no plans for the property.

Mr Tomsche was advised to have the property surveyed and return to the Planning Commission.

Wolf/Ohman Certificate of Compliance

Richard Wolf Estate, 35507 County Road 10, Albany MN

Present at the meeting were the Estate Administrators Deb Solarz and Diane Wolf.

The request is to correct the language on the property split that was completed in 1960. The two parcels are:

Tract A-PIN:01.00111.0000 Section 15, Township 125, Range 031

Owner: Richard J Wolf Estate

Total Acres: 2.14

Tract B-PIN: 01.00112.0000 Section 15, Township 125, Range 031

Owner: Joseph and L Ohmann

Total Acres: 1.2

Tract A: +/-18.73 acres

Both parcels have garages built close to the property lines, Tract A's garage is 4 feet from the property line, Tract B garage is 13.6 feet from the property line.

The garage on Tract A will be grandfathered in.

A motion to recommend to the Township Board, approval of the correction with the grandfathering in of the garage on Tract A, was made by Commissioner Noll, seconded by Commissioner Pratt, motion carried.

Donald and Holly Bloch-Approval of Administrative Split

Tract A-PIN:01.00253.0000 Section 36, Township 125, Range 031

Owner: Marcella Bloch

Total Acres: 16

PIN: 01.00333.0000 Section 15, Township 125, Range 031

Owner: Donald and Holly Bloch

Total Acres: 80

Donald and Holly Bloch had previously purchased the 80 acres from Marcella Bloch. At this time it was noted that there is no access from the county road to their property. They are requesting to purchase Tract A which is 3.15 +/- Acres to allow them access from the road to their new residence. A motion to recommend approval of the administrative split was made by Commissioner Noll, seconded by Commissioner Pratt, motion carried.

Roger Majeski-split of parcel

Roger Majeski, 25444 County Road 157, Freeport MN PIN 01.00057.0000

Mr Majeski is researching splitting 20 acres with his buildings for a separate parcel.

He was advised he would not be able to land lock the northern piece of his property. Mr Majeski will have the property surveyed and return to the Planning Commission.

OLD BUSINESS

REPORTS

COMMUNICATIONS

The Planning Commission is recommended to the Town board that the two parties that requested rezoning the past year, be charged the \$300 rezoning fee. There is additional work done when we do rezoning and the Township should charge the fee.

Clerk Noll was contacted by Meahger auctioneer and Attorney Ampe requesting to have a meeting to split property. The Planning Commission will need to hold a special meeting to honor this request. A motion to approve holding the meeting on March 6, at 7:30 P.M. And to charge a \$500 fee was made by Commissioner Noll, seconded by Commissioner Pratt, motion carried.

ADJOURNMENT

There being no further business to come before this meeting a motion to adjourn was made by Commissioner Noll, seconded by Commissioner Pratt, motion carried. Meeting adjourned at 8:30 P.M.

Respectfully submitted,

Diane E Noll

Diane E Noll

Clerk/Treasurer

Approved: _____ *Ryan Pratt* _____ Date: March 6, 2018

Ryan Pratt, Planning Commission Chair

