

**ALBANY TOWNSHIP
PLANNING COMMISSION
Monthly Meeting-August 13, 2019**

The August 13, 2019 meeting of the Albany Planning Commission was called to order at 7:30 P.M. by Vice Chair Gary Bloch at Albany City Hall Break Room. Members present Gary Bloch, and Mike Noll. Also present, Zoning Administrator Jerry Forster, Supervisor Mary Rosen, and Clerk Diane Noll. Guests, Mathew Abraham, Justin and Dale Overman. Absent Joe Peternell

The Pledge of Allegiance was recited.

APPROVAL OF AGENDA

Addition to agenda under Old business to either deny or request extension of the Albany Recycling Center request for rezoning. A motion to approve the agenda as updated was made by Commissioner Noll, seconded by Commissioner Bloch, motion carried.

APPROVAL OF MINUTES

Corrections to minutes, first sentence additional too, Gary's name misspelled, Bloch not Block, Open Forum, last sentence, Mark Rodenwald who made the motion and seconded needs to be added. A motion to approve the minutes of July 9, 2019, as corrected was made by Commissioner Noll, seconded by Commissioner Bloch, motion carried.

OPEN FORUM

Justin Overman, update on the Albany Recycling Center-cars have been shipped out, the drawing for the water run off has been submitted to the County. Fence posts for the property lines have been placed.

PUBLIC HEARING-

Matthew Abraham, 21758 North Ridge Circle, Albany MN 56307

**ALBANY TOWNSHIP
PLANNING COMMISSION
FINDINGS OF FACT WORKSHEET- VARIANCE**

Name of Applicant(s): Matthew Abraham Date: August 13, 2019
21758 North Ridge Circle, Albany MN 56307

The parcel is described as: Albany Township: Pin 01.00367.0014 Sec. 34, Twp. 125, Rng 031

Variance Requested: *Stearns County Ordinance Section 9.3.11 which states a 30' set back to township road right of way to add 6' to roof line for front porch.*

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/No Overall board Consensus __ Yes _____
2. The variance will be in harmony with the general purposes and intent of the official control(s) (any related Ordinances)? Yes/No Overall board Consensus __ Yes _____

3. The variance will be consistent with the Comprehensive Plan?

Yes/No Overall board Consensus __ Yes _____

The Variance may be granted if there are Practical Difficulties in complying with the official control(s) as determined by items 4 through 7 below:

4. The property owner proposes to use the property in a reasonable manner?

Yes/No Overall board Consensus __ Yes _____

5. The plight of the landowner is due to circumstances unique to the property, not created by the landowner?

Yes/No Overall board Consensus __ Yes _____

6. The variance, if granted, will not alter the essential character of the locality

Yes/No Overall board Consensus __ Yes _____

7. The need for the variance involves more than economic considerations?

Yes/No Overall board Consensus __ Yes _____

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 394.27 has NOT been met and the variance as requested should be denied.

Request is in compliance with the actual road.

A motion to recommend to the Township Board approval of the variance was made by Commissioner Noll, seconded to Commissioner Bloch, motion carried.

OLD BUSINESS

a. Deny or Request Albany Recycling Center zoning request

The 60 day extension for the rezoning of the Albany Recycling Center expires on August 25, 2019. The Township can either deny the request or request that Albany Recycling Center consider sign an extension per Minnesota Statute 15.99.

A motion stating The Planning Commission requested November 25, 2019 as the extension date for the zoning request was moved by Commissioner Noll, seconded by Commissioner Bloch, motion carried.

The extension was signed by Dale and Justin Overman

b. Discussion on Changes to Zoning Ordinance

Administrator Forster

-for the Recycling Center request, if the fence is 20 feet inside the property line this will take away 1.46 acres for storage and leave 2.8 acres.

-Hazardous Waste will be regulated by the MPC

-Township can adopt sections 6.30 and 6.34, if we choose not to, the county will regulate

-Comprehensive Plan states our Industrial shall be along the I94 corridor.

Changes to ordinance:

6.30.2 T. Junk yards and salvage operations shall be subject, as a minimum to an annual inspection by the Department, unless there are violations then more frequent inspection shall be done.

- 7.24 Screening-adopt county
- 7.25 Sign Regulations-adopt county
- 7.26

Items for August 20 meeting:

- IUP – time limit?
- List of Inspection fees
- List of what is to be inspected
- Update all section numbers to be the same as the Counties
- 6.30.2 Q Clarify vehicles for storage
- 6.54 Solid Waste Transfer Stations

Albany Recycling Questions:

- Solid Waste taken in-what % of the lot is covered with Solid Waste?
- Footprint of a 30 yard roll off-it gets picked up regularly
- May need more roll offs in the future
- Fence in 20 feet-how do Overman's feel about this? Not a problem with putting it there, just concerned about the cost. Would the board consider a smaller box?

Fee Schedule Changes

- Addition Change in Fees
 - Addition Ordinance Fee \$500
 - Special Meeting Fee \$500
 - Non compliance Fee ?

NEW BUSINESS-NONE

REPORTS

Administrator Forster-Building permits

John Massmann, 21267 Pioneer View Road-Above Ground Pool

County Board of Adjustment

Steven Anderson/John Peternell, 34844 County Road 10- Sewer Storage Tank
Scott & Janet Radtke/Mathew Hendrickson, 36162 207 Ave-Animal Feed lot

County Permits

H and L Partnership, 35604 County Road 10, Albany-New House
Gordon and Carol Schwinghamer, 34892 238 Ave, Albany-Solar Farm
Taylor and Ashley Carbert, 32329 Fifth Lake Rd, Avon-House addition
Novel Energy,George Reber, 23247 350 St, Albany-Solar Garden

COMMUNICATIONS

- August 20 7:30 continued meeting
- October 1, 9 AM to PM-Planning and Zoning Training

ADJOURNMENT

A motion was made by Commissioner Noll, seconded by Commissioner Bloch to continue to August 20, 7:30 P.M. Motion carried.

Meeting recessed at 9:39 p.m.

Respectfully submitted,

Diane E Noll

Diane E Noll
Clerk/Treasurer

Approved: _____ *Joseph Peternell* _____ Date: September 10, 2019
Planning Commission Chair