

WRIGHT COUNTY PLANNING COMMISSION

Meeting of: JUNE 6, 2024

Minutes

The Wright County Planning Commission met on June 6, 2024, 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 members present: Dan Mol, Jeanne Holland, Ken Felger, Sandy Greninger, Jan Thompson, Dan Bravinder, and Pat Mahlberg. Barry Rhineberger, Planning & Zoning Administrator, represented the Planning & Zoning office; Greg Kryzer, Assistant County Attorney, was the legal counsel present.

ACTION ON MAY 16, 2024 MINUTES

On a motion by Bravinder, seconded by Holland all voted to adopt the minutes for the May 16, 2024, meeting.

PUBLIC HEARINGS:

1. **ARBOR CREEK HOLDINGS LLC** % Josh & Sarah Pomerleau – Cont. 4/25, 5/16

LOCATION: xxxx 78th St NW – Hannahs Landing Lot 6 Block 1, Section 27, Township 121, Range 28, Wright County, Minnesota. (E. Sylvia – Southside Twp.) Tax #217-084-001060 Property Owners: Hannah's Arrival LLC

Petitions for a Conditional Use Permit for land alteration of approximately 13,415 cubic yards within the shoreland overlay district and amend an existing CUP for a platted subdivision to a home to be built lakeside below a bluff, as regulated in Sections 155.029, 155.051, 155.057 & 155.101 of the Wright County Code of Ordinances.

- A. Rhineberger - at the last hearing, the Commission did not adopt the findings for approval. The Commission instead continued the item for Staff to draft findings consistent with denial as stated on the record. The findings have been provided to the Commission for review and would now be up for discussion, changes, or a motion; however, the Commission so chooses.
- B. Felger moved to adopt the Notice and Order for Denial of Conditional Use Permit for a Land Alteration, with Findings, as presented. Seconded by Greninger.

DISCUSSION: Kryzer reminded the Commission and the public that the Planning Commission policy states that once an item is referred to counsel for findings, consistent with denial, the ability for an applicant to withdraw is extinguished. Mol stated public comment had been closed.

Mahlberg stated the findings are overall a well-drafted record but he does not feel the record evidence supports the water quality of the lake will be degraded. There were issues with cutting into the slope and fill added to the lake area but he feels that the findings for denial are heavy on anticipated effects on water quality of the lake. He was not present at the last meeting but feels the discussion reflected in the minutes was thoughtful.

Holland stated she spoke independently with Luke (Johnson) at Wright County Soil and Water (SWCD). Johnson and his staff stated that they are not excited about this request. They understand the screening but the lake area is very flat and low and they were disturbed by the amount of proposed fill. Greninger – roughly 500 dump trucks would be needed to bring in that amount of fill. Holland – that does not include the cement trucks and other building-related trucks. The Township stated they are not in favor. She feels that it was understood at the time the division was approved the home would be located at the top of the bluff. The ordinance also states a bluff cannot be disrupted. Those are her reasons why she feels strongly against approving.

Bravinder – agrees with member Mahlberg. Does not believe the lake quality will be affected and the end result would be better for the lake. Land alterations are tough to work through but at times when done correctly it can be better in the long run for the lake.

Kryzer stated that page 56 of the Northwest Quadrant Land Use Plan specifically states, 'steep slopes in shoreland areas are especially important to recognize, where intense development not only compromise the

integrity of these slopes but once compromised, leads to decreased lake water quality through erosion and siltation.'

Thompson stated she voted against all the way through, beginning to end, and called for the question.

Mol called for a vote.

VOTE: Felger, Thompson, Greninger & Holland NAY: Bravinder, Mol & Mahlberg

MOTION CARRIED

Kryzer stated that the applicant was directly handed a signed Notice and Order for Denial.

2. **SAEED ROUGHANI** – Cont. 5/16

LOCATION: Corner of Estes Ave NW & 128th St NW – Part of Govt. Lots 2,3 & 6, Section 32, Township 122, Range 26, Wright County, Minnesota. (Ember Lake – Silver Creek Twp.) Tax #216-100-322410. Property Owner: Saeed Roughani

Petitions to rezone from General Agriculture (AG) with a Residential-Recreational Shoreland District Overlay (S-2) to Agricultural/Residential (A/R) with a Residential-Recreational Shoreland District Overlay (S-2) as regulated in Sections 155.028, 155.047, 155.048 & 155.057, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

No representative was present.

- A. Rhineberger – the Commission continued the item for Staff to draft findings consistent with a recommendation for denial. However, since then, the applicant has decided not to pursue this matter further and has requested the matter be dismissed.
- B. Mahlberg moved to dismiss the matter without prejudice at the applicant's request. Seconded by Thompson.

DISCUSSION: Kryzer explained the first item on the agenda was for a conditional use permit where this is a request for rezoning and there is a different final decision maker with the rezoning request. A rezoning decision is finalized at the County Board level and the County Board does not have the same policy related to withdraw after a motion for findings has been adopted.

VOTE: CARRIED UNANIMOUSLY

3. **RICHARD DAVIS** – Cont. 5/16

LOCATION: 8937 County Road 39 NE – Part of SE 1/4 of the NE 1/4, Section 16, Township 121, Range 24, Wright County, Minnesota. (Monticello Twp.) Tax #213-000-161400. Property Owner: Deborah Ann Davis, Cynthia Louise Davis & Richard Joseph Davis.

Petitions to rezone from General Agriculture (AG) to Agricultural/Residential (A/R), as regulated in Sections 155.028, 155.047 & 155.048, Chapter 155, Title XV, Land Usage & Zoning of Wright County Code of Ordinances.

Present: Richard Davis

- A. Rhineberger – the item was continued from May 16th to allow for a site inspection and time for the applicant to meet with Monticello Township. Monticello Township has recommended approval of the rezoning request because it follows the designation of "Rural Residential" in the land use plan. One neighbor recommends denial due to the negative impacts the rezoning would create. Wright SWCD has responded that there may be wetlands on the property and that a wetland delineation should be completed during the subdivision phase.
- B. There was no comment from the applicant or the public.
- C. Bravinder moved to recommend approval to the County Board of Commissioners to rezone PID 213-000-161400 from AG-General Agriculture to AR-Agricultural/Residential because it finds the property is aligned with the goals and policies of the Northeast Quadrant Land Use Plan. Seconded by Holland.

VOTE: CARRIED UNANIMOUSLY

4. **JUSTON D. DOOLEY** – Cont. 5/16

LOCATION: 731 County Road 30 SE – the E 1/2 of the NE 1/4 and part of the SE 1/2 of the NE 1/4, Section 18, Township 118, Range 25, Wright County, MN. (Franklin Twp.) Tax # 208-200-181101 & 208-200-181102.
Property Owners: Dooley Farm LLC

Petitions for an Interim Use Permit for commercial outdoor use to include an ice structure, skating rink, and sledding hill, as regulated in Sections 155.003(119), 155.031, 155.048 & 155.057 of the Wright County Code of Ordinances.

Present: Juston Dooley

- A. Rhineberger reminded the Commission that this matter was continued from May 16th to allow the Planning Commission to conduct a site inspection. The site inspection gave the Commission a chance to see the property's current conditions. No other comments were received.
- B. Dooley stated he would like to address comments made member Greninger at the prior meeting regarding food handling. Greninger – her challenge was more so that a building was being used when she didn't believe it had occupancy approval. Rhineberger – there is no seating approved in the building. The kitchen is allowed, pending an outstanding permit. Greninger – her issue was that she was under the impression the building was not to be used for cooking and it was. The food prep and handling was done without proper hair nets and gloves plus there was no seating allowed but what she saw was makeshift tables everywhere. Dooley – makeshift tables are all certified and approved. The MN rules through the Dept. of Health state that gloves do not need to be used when cooking pizzas. He did quite a bit of research on the rules before remodeling for the pizza kitchen and is following the current rules for prep and serving. Greninger questioned the gutter that she stepped in and almost injured her ankle. Dooley – added concrete as well as painted areas yellow. The barn will not be in discussion until the pending permit is addressed, which is related to the septic system. Rhineberger – confirmed there is a septic repair permit that needs to be addressed and staff is waiting on a septic design. Dooley – currently working through 2 designs.
- C. No public comment.
- D. Bravinder questioned traffic flow. He would like a feel for the traffic flow coming in and out over the hours of operation. Dooley – time slots will be allotted at roughly 1 ½ hours. The ticketing booth will be between parking and the ice structure with a sign at the entrance indicating if they are sold out. Bravinder questioned the number of tickets available. Dooley – tickets will be figured at the number of parking spots minus 5 with an average of 2-3 people per vehicle. He feels the biggest barrier in 2021-2022, with the Ice Palace, was the parking and the in/out traffic flow through a field. Bravinder – in the business plan it is stated that 1 hour 25 minutes is the expected stay. Dooley – the Ice Palace used 700 people per 30 minutes. That was a lot of people and way too many people for the property. He will set time slots at 1 ½ hours with an average stay time is 25 – 35 minutes. There will not be a lot of entertainment at the site where the Ice Palace had a variety of extra entertainment that could be done inside the ice palace. Hope is that people will visit, walk through the structure, buy something, and leave. Bravinder – before making a motion he was trying to determine if traffic control would be needed. He doesn't feel traffic control is needed with a single entrance.
- E. Mol questioned the need for security. Bravinder – not needed. Dooley – have never had an issue with overserving, they want to be a family-friendly event. Greninger asked if there are challenges with people trying to carry in their own alcohol. Dooley – no.
- F. Bravinder – Township is requesting a 1-year IUP. Dooley stated he was okay with that.
- G. Bravinder moved to approve an Interim Use Permit for a winter attraction as a commercial outdoor recreational use to include an ice structure, skating rink, and sledding hill in accordance with the plans (noted

Exhibit A and on file with Planning & Zoning), description held on file, and the discussion, with the following conditions: 1) This approval shall be interim in nature, with the use being limited to December 1, 2024, to May 1, 2025, and shall expire May 1, 2025. A new interim use permit will be required for further operations after May 1, 2025; 2) The limitation on visitor numbers for the winery shall be suspended during the operation of the winter attraction and the dates noted in condition #1, allowing for increased footfall during this period; 3) All Wright County Highway access requirements must be met, and the appropriate permits granted; 4) Portable toilets must be provided for large gatherings in accord with the letter dated February 2, 2023, from the Wright County Environmental Health Officer; 5) All conditions from all prior conditional use permits are incorporated herein by reference unless specifically addressed by another condition as part of this interim permit; 6) Septic system permit must be properly completed, issued, and inspected prior to operations of the pizza kitchen. Additionally, all buildings to be used by the public must have the appropriate permits applied for, issued, and the final inspection approved, as well as a Certificate of Occupancy issued, prior to use. Motion seconded by Holland.

DISCUSSION: Dooley - if anyone, even in the audience or Commission members, see anything during this event that they don't like or disagree with they should reach out and let him know so that it can be addressed at that time versus coming back to the Commission and hearing about it months later. He asked this of Franklin Township. Kryzer – from a staff standpoint he finds that statement incredible. With the way the County Highway Department was treated with regards to the access permit, the way the wetland was filled in when specifically told not to fill the wetland, the two accesses being open when instructed to close one, the illegal signs, and the illegal cut that was not corrected. All of that leads him to believe the statement made is not credible and from a staff standpoint hard to hear. Dooley – realizes the Ice Palace rented the property but they did items on his property that he did not agree with. The issues he is facing today with Wright County and Franklin Township are absolutely obnoxious and short of cutting the 5-year contract he had no control over. He didn't put the gravel in the wetland, he did exactly what Wright County Soil and Water (SWCD) recommended and removed it. He did not install the signs on the road. Kryzer – it took numerous times of the County Highway Department asking for the illegal sign to be removed. Dooley stated he did not put up the sign and it was not on his property but the road right-of-way. Kryzer explained the road right-of-way is owned by easement and it would have been the responsibility of the property owner to remove the sign. Kryzer reminded Mr. Dooley his attorney would have a record of all communication related to the concerns mentioned.

Mol stated he is moving the meeting forward with a warning to Mr. Dooley that he is on watch and will be back before this Commission in a year.

Dooley agreed and reiterated he would like to be notified if there is an issue with Mol stating if notified he would like to see the issues addressed within 24 hours or sooner.

VOTE: Felger, Thompson, Holland, Bravinder, Mol & Mahlberg NAY: Greninger

MOTION CARRIED

5. **JESSICA SYVERSON** – New

LOCATION: xxxx 44th St SE – North Fork Lot 3, Block 3, Section 25, Township 119, Range 25, Wright County, MN. (Franklin Twp.) Tax #208-235-003030 Property Owner: John Syverson & Jessica Syverson

Petitions to amend condition #4 of the Conditional Use Permit for a platted subdivision that was granted in 2014 to allow driveway access onto 45th St. SE, as regulated in sections 155.029, 155.047, & 155.059, Chapter 155, of the Wright County Code of Ordinances.

Present: Jessica Syverson

- A. Rhineberger displayed the proposed site plan while reviewing the request details. The 6.08-acre property is in Franklin Township between 44th Street SE and 45th Street SE, zoned Agricultural/Residential-AR, and is designated in the US Highway 12 Corridor (US 12) Land Use Plan as "Rural Residential." In September 2014, the Commission approved a seven-lot platted subdivision request known as the North Fork Subdivision. This request is to amend condition number 4 of the 2014 Platted Subdivision approval. Condition number 4 states, *"Driveways must come off of 44th Street SE, and the existing access off of 45th Street must be abandoned."* It should be noted that the original document contained two condition #5s. This likely resulted in condition #5 not being part of the public notice. The applicant is looking for approval to build the driveway for this lot off of 45th Street. As such, the home location from the original PUD approval is proposed to be altered. The original home location was approved to be placed north of the wetland with the proposed home location now being south of the property's wetland. Franklin Township has recommended approval of the request. One neighbor has indicated that the driveway has already been built, does not have concern regarding what road the driveway comes off of, but is concerned about the drainage in the area. Additionally, it seems that the driveway may have already been built, which staff has not been able to verify.
- B. Syverson – looking to build a single-level home for parents. The proposed location is a very flat portion of the property and the best location. The driveway situation is that the builder they are working with came into some cheap dirt and he moved it onto the property last week, without their knowledge. If asked they would have asked to wait for delivery so yes, it does appear a driveway had already been completed. The ditch has since been resorted and as soon as she became aware of the dirt she did reach out to the county. They were not trying to act out of order. They are here asking to move the house to the south on a more level portion of the property and move the driveway to come off of 45th St. Mol questioned drainage. Syverson – on the site plan the drainage areas were described and it was noted drainage and wetland will not be touched. The north end of the property is quite artificially high as it was possibly the dumping ground when the development was built. A home in that area would require a very steep driveway and one of the things they are trying to avoid. Again, wetlands will not be touched with the proposal.
- C. Bravinder – has the Township approved the driveway and is there a culvert requirement? Syverson – yes, they approved a driveway off of 45th St. and there will be a culvert but she is not sure there is a requirement. There is a ditch so required or not there will be a culvert. Bravinder – concerned with the pitch of the ditch and if that is where the complaint for drainage is coming from. Syverson – there will be a culvert.
- D. Public comment.
- Robert Bauman – owns the farm to the west. All of the water from up by this lot comes across his land and is supposed to run through a culvert, into a pond, through a field tile, and to the North Fork of the Crow River. Bauman questioned if his property would be impacted. Currently, water is running across his land and does not go through the culvert so he feels there needs to be an alteration. With the Beacon aerial displayed the discussion continued among the Commission, Mr. Bauman, and Rhineberger regarding water flow through the area in question. Mol recommended Mr. Bauman

contact Wright County Soil and Water (SWCD) and the Township to discuss the situation. Mol stated he does not believe this request will affect the property but if a tile is damaged it should be the landowners' responsibility to fix the issue.

- E. Felger moved to approve the amendment conditions #4 and #5a of document #A1288548, in accordance with the plans and description held on file, and based on the discussion, to allow driveway access for Lot 3, Block 3, North Fork, onto 45th St. SE and moving the building location south of the wetland, with the following conditions: 1) Access permit must be applied for with Franklin Township prior to building permit issuance; 2) All other conditions stated in the subdivision approval remain in full force and affect. Seconded by Greninger.

DISCUSSION: Mol questioned if a condition could be considered that if there is any field drain tile found it would be fixed and repaired. Felger – not sure if the Commission can dictate a fix or repair. Mol – they can't be made larger but they can be fixed and repaired.

Felger moved to amend the motion to add condition 3) should any drain tile be disrupted, broken, or harmed it would be up to the property owner to repair. Greninger agreed.

VOTE: CARRIED UNANIMOUSLY

6. **VORANDESOTO LLC** – New

LOCATION: 14772 COUNTY ROAD 8 NW – S1/2OF NW1/4&TH PRT OF NW1/4OF NW1/4WH LIES SLY OF SLY R/W LN OF I-94 Section 21, Township 122, Range 26, Wright County, MN. (Silver Creek Twp.) Tax #216-100-212300 Property Owner: VORANDESOTO LLC

Petitions to rezone from Agricultural/Residential (AR) to General Business (B2), as regulated in Sections 155.028, 155.048 & 155.054, Chapter 155, Title XV, Land Usage & Zoning of Wright County Code of Ordinances.

Present: Paul Schreier as President of Vorandesoto LLC

- A. Rhineberger displayed maps of the proposal which included zoning details and a potential concept plan. The 91.45-acre property is located just south of the I-94 Hasty/Silver Creek exit in Silver Creek Township with road frontage along County Road 8 NW to the east and 148th Street NW to the north. The property is currently split-zoned General Business-B2 and Agricultural/Residential-A/R, which occurred in 1996. The property is designated within the Northwest Quadrant (NWQ) Land Use Plan as “Commercial.” The property has yet to be developed or had requests for development. The request is to expand the General Business-B2 zoning district. If approved, the B2 zoning district would be 54.99 acres, and the remaining 36.46 acres would stay zoned A/R. I have attached the Rezoning Map for the proposal for your reference. If the rezoning is approved, the applicant plans to apply for a 3-lot unplatted subdivision. The northern two lots would be zoned General Business-B2, and the southern lot would be zoned Agricultural/Residential-A/R. Silver Creek Township has approved the rezoning, with recommendations for a comprehensive plan for wells, sewers, and road off County Road 8. The Wright County Highway Department has commented that only Parcel C will be allowed access to County Road 8 and access to Parcels A & B must come from 148th St. One neighbor has recommended a more comprehensive review prior to the overall plan for the area. Another neighbor opposes the request.
- B. Schreier – at this point, they are trying to master plan. There is a potential use for Parcel B and the reason behind the reconfiguration. They have been encouraged by the Township, several times, to zone the entire parcel to commercial but that is not allowed due to shoreland rules, and that is why a portion will remain zoned AR. Understanding is that an intense use of Parcel A could have a traffic issue but right now they are trying to position the parcel so they can bring users to the property.
- C. Public comment opened.
- Martin Smolensky – 144th St NW – biggest concern is the possible disruption of the neighborhood. Parcel A future development is a concern. Understands that Parcel B has a potential use as a truck sales office with very low daily traffic; that is not a big worry or issue. The usage of Parcel A is the biggest concern. Hasty Truckstop is there and doesn't really affect the neighborhood with more noise coming from traffic on County Road 8 than the existing truck stop. He feels a truck stop on the corner will be poor for the neighborhood relative to the added traffic, lights, and noise. Smolensky questioned if B2 zoning on Parcel A allows for a truck stop. Rhineberger explained that listed uses in B2 zoning are extensive with some of them as active or more active than a truck stop, such as a trucking terminal or convenience store. As it currently sits a truck stop could go onto Parcel A. This request is to simply extend the current B2 zoning. Smolensky – understands and is curious why the border was being extended to the south. Mol replied that the applicant would address that question. Smolensky – Parcel B is proposed past the wetland and his assumption is that the area can't be used so he is curious why the border was extended. Mol – most likely trying to keep straight lines.
 - Johann Massmann – lives on Locke Lake and was previously on the Planning & Zoning Board with Silver Creek Township when the Flying J Truckstop was considering an operation in this location. At that time extensive conversation was had with the County Highway Engineer regarding the intersection at 148th St NW being non-compliant. There was discussion around closing the road with

- the developer building a road further south that would access several parcels but the Monticello Fire Department did not like the idea of additional dead-end roads. At that time further discussion was had with alternate plans available. Part of the concern was taxpayers having to deal with the road issues after the area is developed. A statement was made by Mr. Schreier that they are looking at a fairly intense use for that corner that will increase traffic. If this is going to be an intense use the road will have to be dealt with. Another concern is that during heavy rains Parcel B and the neighboring property have standing water. In his opinion storm drains and road issues need to be looked at upfront. He recalls Flying J considered installing a treatment facility that could potentially service properties along the east side of the lake. This would be beneficial for everyone and allow for a more dense use. Aware that this is a property that will be developed for intense use, due to location, it just needs to be done correctly and, in his mind, the first concern is traffic safety with the second concern being stormwater runoff.
- D. Felger – agrees with comments from Massmann. There are a lot of people on the lake that access from 144th and 148th so if this is a business-oriented property there will be huge trucks coming and going on a frequent basis. Agrees there should be an overall compressive plan that addresses where County Road 8 and 148th St connect as well as drainage and sewer issues. Felger questioned the applicant if there was a concept plan or idea of what use would be on the parcels. Schreier – they have been trying to master plan this for years and he was involved with the Flying J discussion. The Flying J proposal fell apart around 2004 and yes, they were looking at bringing in a road off of County Road 8 to service the entire property. They have evaluated the area for residential but the Township was not in favor. Right now, they are asking to expand the existing B2 zoning. There is a potential user under contract for Parcel B but tonight he is not asking for that use to be rubber-stamped. It was noted that there is a requirement of 300 ft. road frontage to maintain an AR parcel and even though the AR parcel is roughly 36 acres only 14 acres are viable. Felger feels that the AR parcel could provide a nice buffer for the residents to the south. Though a comment made by the Township stated that Parcel A gain access via 148th St. it would be his suggestion that access is onto County Road 8. Rhineberger – clarified it was the County Highway Department that specified Parcel A cannot access County Road 8, they are the ones that control the County Highway. Felger stated he understands but does not understand the comment and reasoning when the intersection at County Road 8 and 148th St. is substandard. Schreier – feels they might be stuck between a rock and a hard place.
- E. Mol questioned the reasoning why Parcel A cannot access County Road 8. Rhineberger – staff received what was included in the staff report and his assumption would be comment is related to proper commercial access distance requirements. Mol – is very familiar with the area and is confused as to why the Highway Department would make such a comment. Parcel A does not belong going onto 148th St. Rhineberger – the subdivision is not part of this request. Right now, the Commission is looking at expanding the B2 zoning and the specific conversation on access is somewhat premature. Concept plans are required as part of the rezoning application but it should be noted the concept could change when it comes to the subdivision stage. At the subdivision point staff can request a better explanation or ask for alternatives. Schreier – if this rezoning is approved, they may have to come back with changes to adjust what will work for a road. Felger – this request addressing rezoning and at the subdivision stage further discussion and explanation with the Highway Department could be had.
- F. Kryzer – this Commission has no jurisdiction over County Road 8. Even though there has been a lengthy discussion on where the access should be the important question is if Parcel A can safely be developed without injury to the neighborhood and access off of 148th St., that is the analysis. Schreier pointed out that the concept plan and Parcel B was not drawn for the potential user. He fully understands that approval of the rezoning is not an indicator that the division will be allowed. Mahlberg – regarding the presented concept plan, was there an assumption access would be off of County Road 8. Schreier – not really, there was discussion of a shared driveway between Parcel A and B onto 148th St. but staff was opposed to that concept.

- G. Mol reminded the Commission this request is related to rezoning. Bravinder – feels it is good discussion with getting a feel of what the residents have to say and if approved for rezoning comments can carry over to the next phase.
- H. Mol opened public comment.
- Johann Massmann – concern is moving forward without not understanding why prior the Highway Engineers' opinion is different than the current Engineer. Concerned that if rezoned it might become a situation of 'taking land' to shut down 148th St. to build a new road. Mahlberg asked for clarification. Massmann – does not want to see the road completed at the expense of the Township, County, or residents as it should be at the cost of the developer. Mahlberg – at this stage there is nothing that changes the likelihood of a 'taking' occurring on any location of this property. The road matter will most likely be part of the subdivision request. Massmann stated he understands and feels the road should be addressed prior to rezoning.
- I. Mol questioned the Commission if they would like a site inspection or ready to move forward. Holland – with what has been heard from the Township she feels she is ready to move forward with a recommendation.
- J. Mahlberg questioned if anything could be done to prompt further explanation from the Highway Department for the next discussion. Kryzer – staff can ask but it is up to the Highway Department as to what they want to provide. Mahlberg – would like to hear why the County High Department made the comment they did for Parcel A.
- K. Mol stated he lives in the area and knows the roads well. His suggestion would be redrawing the concept plan with both Parcel A and B accessing onto County Road 8, wetlands left as common open area, and the AR zoning designation removed; doing this would take pressure off Township roads. Mahlberg – feedback from the Township is a recommendation for approval of the rezoning, with recommendations for a comprehensive plan for wells, sewers, and road off County Road 8. But that sounds like it is not going to happen and he questions how the Township will feel if that cannot happen. Kryzer – if looking for more direction from the Township a site inspection could happen with a request for the Township to review based on County Highway comment. Mahlberg feels access can be addressed with the subdivision request. Mol – if approved Parcel B can only use 148th St. as an access point. Mahlberg – this request is just a zoning designation expansion that tracks the southern outline of proposed Parcel B and does not lock in access.
- L. Chris Klein – Silver Creek Township Planning & Zoning Board – the preliminary questions from the Board came regarding traffic and structural capabilities of the road. He does not recall the Board having issues with Parcel B accessing 148th St. and questions were around the structural integrity of the road and intersection. A masterplan might show Parcel A as several lots and a new road to access lots onto County Road 8 with a possible dead-end road in there but that isn't part of tonight's request.
- M. Felger – in favor of the corner rezoned to B2. However, wonders if access onto 148th hogties this request. Mol – 148th St. is a public road and what is before the Commission is a proposed expansion to existing B2 zoning with access discussion to come with the subdivision request. Currently looking at rezoning.
- N. Bravinder moved to recommend approval to the County Board of Commissioners to rezone that portion of PID 216-100-212300, as indicated on the submitted plan, from AR- Agricultural/Residential to B2-General Business, because it finds the property is aligned with the goals and policies of the Northwest Quadrant Land Use Plan. Motion seconded by Mahlberg.

VOTE: CARRIED UNANIMOUSLY

7. **CHARLES JURMU** – New

LOCATION: 1342 80th St NW – PRT OF E1/2 OF SW1/4 OF SE1/4 of Section 23, Township 121, Range 26, Wright County, Minnesota. (Maple Lake Twp.) Tax #210-100-234300 Property Owner: CHARLES JURMU & KAREN JURMU

Petitions for a Conditional Use Permit for a two-lot subdivision and waiver of platting requirements as regulated in Sections 155.050, Chapter 155, and Section 154.14, Chapter 154, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances and Subdivision Regulations.

Present: Charles Jurm

- A. Rhineberger displayed the proposed site plan. The property was before the Commission during the rezoning and in May 2023, the County Board approved the R2 rezoning request. This property is an 8.93-acre site located along County Road 106 in Maple Lake Township. The property is zoned Suburban Residential-R2 with a designation of Residential Large Lot in the Northwest Quadrant (NWQ) Land Use Plan. The request is to subdivide the property into two lots with a shared driveway access, as sight lines along this portion of County Road 106 have been an issue. During the rezoning phase of the project, the Wright County Highway Department commented that only one access would be allowed on the property. The R2 zoning district requires each Parcel to be a minimum of 2.5 acres in size with 200 feet of lot road frontage and 300 feet of depth off the required road frontage. Both proposed parcels meet the R2 zoning district's minimum requirements. The request includes a waiver of the platting requirements. Platting is required when a proposed parcel is less than 5 acres and less than 300 feet in lot width or a new street or road is created. The Township did approve of the request.
- B. No comment from applicant.
- C. Public comment opened.
- Carol Hable – lives to the east. Questioned how many more 2.5 acre lots can be created. Rhineberger – during rezoning, there was discussion around the original concept plan of having two 5 acre parcels and the driveway would have moved to the east. The property since sold and the request is to use the existing driveway access and move the lot line to the west. Current zoning would not allow any further divisions of these two parcels. Hable questioned if additional rezoning would allow for additional lots. Rhineberger explained that due to road frontage, access, and current rules, it would be extremely unlikely but the future is unknown.
- D. Malberg moved to approve a conditional use permit for a two-lot subdivision and waiver of the platting requirements, in accord with the survey completed by Otto Associates, dated 3/26/2024; Project No. 23-0400, with the following conditions: 1) Parcels A & B to have a shared access location along the common property line; 2) Reciprocal easements for the extent of the shared access must be recorded at or before the time of sale; 3) All Wright County Feedlot Ordinance requirements and standards must be followed. Motion seconded by Greninger.

VOTE: CARRIED UNANIMOUSLY

8. **MIKE PASCHKE** – New

LOCATION: 4287 28th St SE – Whispering Winds Ind Park Lot 7, Block 3 of Section 14, Township 119, Range 25, Wright County, Minnesota. (Rockford Twp.) Tax #215-062-003070 Property Owner: M & J COLLISION INC

Petitions Conditional Use Permit to amend conditions #4 & 6 of an existing Conditional Use Permit for platted subdivision approved in 2007 to not maintain both a primary and alternate septic site, having more than 50% impervious surface, and having more than one primary building, as regulated in Section 155.029, 155.055, & 155.057 Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: Mike Paschke

- A. Rhineberger displayed site details as he reviewed the request. The property is a 1.13-acre parcel located within the Whispering Winds Industrial Park in Rockford Township. The property is zoned General Industry-I1 and is designated as “Limited Industrial” in the Northeast Quadrant (NEQ) Land Use Plan with the platted subdivision officially recorded in June 2008. In June 2014, the Commission approved a conditional use permit for an auto body repair shop and office. Today’s request is a two-part request. The first part is a request to amend conditions number 4 & 6 of the original 2007 platted subdivision CUP, which is this request. The changes requested today would allow for total impervious lot coverage over the allowed 50%, a second primary structure, and allow for a single sewage treatment site. It does appear the enforcement of a single primary structure has been lax with the impervious and alternate septic site seriously followed. Rockford Township has recommended approval of the request. Additionally, Great River Energy wrote a letter to the applicant approving the plans to place the septic within their easement on the property. No other comments have been received regarding this request.
- B. Mol questioned projected impervious coverage. Rhineberger – 49.8% but with what is being requested staff is unsure that the figure will stay under 50% so it was decided to include it as part of the request. Paschke – asking to raise the impervious so that if approved by Rockford Township they could add a driveway for the new building. Mol questioned what impervious coverage would be with that driveway. Paschke stated he is unsure and would need to request an updated site plan.
- C. No public comment.
- D. Felger questioned the driveway plan. Paschke – currently 2 driveways and would like to add a 3rd. Felger – adding a 3rd would push up the impervious coverage. Paschke – yes, if approved. Felger – at roughly 50% without the addition of 3rd driveway.
- E. Mahlberg from a precedence standpoint, where the impervious surface to exceed the 50%, has another percentage been assigned as a new cap or does it fall back to performance standards? Rhineberger – he is not aware of other requests to increase impervious. This subdivision is the only one he is aware of having this condition. Generally, in the I1 district 50% building coverage is allowed not specified as a 50 % impervious limit. A portion of this subdivision is in shoreland so it is his belief that is why the impervious limitation was conditioned. Recent discussion with the MN DNR would indicate this I1 development would not have been allowed within the shoreland district. This is the only development he is aware of being I1 zoned with a 50% impervious limitation. Mr.

Paschke also owns a lot across the street for exterior storage. That CUP does require the 50% impervious to be maintained.

- F. Mol – with the Board of Adjustment (BOA) 25% impervious coverage is allowed on lakes and different lots. The BOA tries to adhere to that number and not set a deviation precedence. When a lot is over and a request is presented for a variance, the board will usually require removal of sheds or sidewalks to get the impervious down as much as possible. The BOA does try very hard to adhere to the 25% standard.
- G. Felger questioned the applicant if denied the 3rd driveway would 2 entries be okay. Paschke – yes.
- H. Bravinder asked if there was a proposed building. Rhineberger – displayed the proposed site plan showing the 4,000 sq. ft. building. Half of the building would be over the existing septic system and the reason for the new septic system. Bravinder – the impervious surface is proposed right at 50% but have yet to hear what the figure would be with the 3rd driveway. Mol – right now he can build the proposed building as coverage would be 49.8%. If allowed to go over he would like to add that extra driveway or whatever would be allowed.
- I. Felger – with the site plan displayed the items included in the impervious coverage calculation were questioned and reviewed. Rhineberger stated in the calculated figures he does not see the current parking site, which will be covered by part of the new building. Rhineberger questioned if area still exposed would stay as is or turn to grass. Parking areas need to be included in the coverage calculations and if included would be over 50%. Paschke – believes that figure was taken into consideration. Rhineberger – noted as gravel but gravel is not included in the actual calculations. Mahlberg – building will take up a large portion of that area so he would assume it was eliminated from the figures. Rhineberger – yes, but there are areas still to be exposed and he is wondering if they would be impervious or considered non-impervious. Mahlberg – if the percentage of impervious matters he feels calculations should be presented. Mol – with the BOA they would ask to continue the item and ask for the coverage to stay within the 50%. Paschke – stated he is okay with staying at the 50%.
- J. Bravinder – no comment provided by the Township beyond they approve. Questioned the applicant what problems or questions the Township had at the meeting. Paschke – more concerned with what neighbors are doing.
- K. Felger – with this proposal, there would be no alternate septic site location. Rhineberger – correct. Felger – in the development how are other sites doing with an alternate site. Rhineberger – has not evaluated and would believe previous staff would have reviewed that.
- L. Thompson questioned the easement location for the septic system. Paschke – Great River Energy has a 100 ft. easement area under their power lines.
- M. Mahlberg asked Rhineberger if there is large risk in allowing a non-intense user a single septic system location. Rhineberger – with current septic system technology a single site is not a large concern. Flammable waste is separated so this system would just be for a restroom, which he has seen on a holding tank.

- N. Felger – concerned with a single septic system, pushing the limited on impervious, and maybe in the motion those items can be considered.
- O. Thompson – familiar with septic systems and feels with new technology she is not as worried the system will fail prior to the owner knowing there is an issue.
- A. Mahlberg motioned to amended condition #4 of the existing conditional use permit to eliminate the requirement for a secondary sewer treatment site on this property and amended condition #6 of the conditional use permit for this property to allow for a second principal building that is consistent with the plans and narrative on file. Seconded by Holland.

DISCUSSION: Felger questioned a condition to not exceed 50% impervious coverage. Mahlberg – that condition is already present and is not being changed.

VOTE: CARRIED UNANIMOUSLY

9. **MIKE PASCHKE** – New

LOCATION: 4287 28th St SE – Whispering Winds Ind Park Lot 7, Block 3 of Section 14, Township 119, Range 25, Wright County, Minnesota. (Rockford Twp.) Tax #215-062-003070 Property Owner: M & J COLLISION INC

Petitions to convert the existing CUP for an auto body repair shop, granted in 2014, into an Interim Use Permit and expand the business with a new 40 x 100 commercial building for heated storage in association with the existing use, as regulated in Sections 155.031 & 155.055, Chapter 155, Title XV, Land Usage & Zoning of Wright County Code of Ordinances.

Present: Mike Paschke

- A. Rhineberger displayed the proposed site plan as well as building plans as he reviewed the request. The request is to convert the existing CUP for an auto body repair shop into an Interim Use Permit and expand the business with a new commercial building for a 40' x 100' heated storage associated with the existing use. Rockford Township has recommended approval of the request.
- B. No comment from the applicant or public.
- C. Kryzer explained to the applicant that the request included conversion of a change from a CUP to a IUP and questioned if that was acceptable. Paschke stated he was not sure what interim means with Kryzer explaining the permit will expire with the sale of the property. Paschke stated he understands and is okay with the change.
- D. Bravinder approved the conversion of the existing CUP for an auto body repair shop, granted 2014, into an Interim Use Permit and expand the business with a new 40 x 100 commercial building for heated storage in association with the existing use, based on the plans and narrative on file and discussion at this hearing, with the following conditions: 1) Proper permits be obtained, and all inspections completed for the building and septic system prior to use; 2) All hazardous waste must be disposed of properly, separate from the on-site septic system; 3) Use of the proposed building is limited to having a direct correlation to the existing use on the property. Any change in use will require a new interim use permit; 4) This permit shall expire upon transfer of the property, termination of any lease agreement, or change in business ownership or operations. Seconded by Holland.

VOTE: CARRIED UNANIMOUSLY

Mol called for a break at 9:37 pm with the meeting starting back up at 9:44 pm.

10. **KRIS MURPHY** – Backyard Reflections – New

LOCATION: 6438 Quinn Ave NW – Lot 9 & 50' of Lot 10, Sylvan Shores, Section 32, Township 121, Range 28, Wright County, MN. (W. Sylvia - Southside Twp.) Tax #217-058-000090 Property Owner: Joseph S Burgess

Petitions for a Conditional Use Permit for a land alteration to exceed 50 cubic yards of material in a shore impact zone as regulated in Section 155.029, 155.048(D)1, and 155.101 of the Wright County Code of Ordinances, to repair and restore existing retaining walls and replace with boulder walls. Earthmoving consists of approximately 377 yards of imported material and 69 yards of exported material.

Present: Kris Murphy with Backyard Reflections

- A. Rhineberger displayed several site plans of the property as he reviewed the request. The property is 0.78-acres, zoned R-1 and located on the west shore of Lake Sylvia. This request is for a land alteration in excess of 50 cubic yards to replace existing retaining walls and earth work. The plan is to reduce some impervious areas to bring under the 25% limit. The property is classified as a bluff in the areas where work will be done. It should be noted that most of the bluff area has already been disturbed. Total imported material is roughly 377 yards and a cut of 69 yards. The original Township response indicated they had approved, however, more recent correspondence from the Township indicates that they did not look at the request as a land alteration but more so a variance for retaining walls. The Township has since moved discussion on this matter to their July meeting.
- B. Mol questioned the Township's response as it is confusing because you have to move dirt with landscaping. Rhineberger – in the staff report is the May 2nd response with Township minutes approving a 65” retaining wall 14 ft. from the Ordinary Highwater Mark (OWH) and a 72” retaining wall, because the walls are an improvement and impervious coverage will be brought down to less than 25%. This meeting was held prior to receiving the notice from Planning & Zoning, which indicates request is for a land alteration. Further response from the Township indicated they reached out to the applicant asking for attendance at the June meeting. With no one in attendance on behalf of the applicant a decision was not made and the item will now be heard in July. Because of meeting dates and deadlines, it does sometimes happen that what is discussed at the township meeting is not the actual request.
- C. Murphy – he didn’t actually state at the meeting he was hauling in that amount but it is noted on the proposed plan. They did talk about the proposed wall location and what the site currently looks like. He did receive a voicemail message from the Township asking to come to the June meeting for a CUP and he was under the impression it was a double booking situation as they had already discussed the CUP.
- D. Mol asked the applicant to provide more details on the proposed project. Murphy used the displayed site plan to describe the scope of work, erosion, and stormwater management plan. The plan is to bring down the impervious surface coverage from roughly 29% to 25%. The patio space, which is a major area of impervious, will be pulled back from the edge of the lake. Murphy explained runoff from the driveway isn’t easy to manage and the rain garden is maxed. Included in the plan is a strategically placed retaining wall to capture as much runoff as possible.

- E. Mahlberg questioned acting on the request without township approval when they have asked to have the applicant back for a discussion. Bravinder – feels they are aware of the slope; it was the material being brought in that is the question. Murphy – correct, the one item not discussed is the amount of material being brought in but those details are shown on the proposed plan. Mahlberg – for him the request isn't an issue but he isn't sure how to approach without township approval and wants to be consistent with that process. Murphy – the plan submitted is exactly what is shown tonight.
- F. Mol – if they had seen the plan, they can see material will be moved, it just was not discussed. If they approved the plan a few hundred yards of dirt will need to be moved. Not sure about sending the item back and delaying it a month. Murphy – they had 3 weeks in advance to review and nothing has changed with the plan.
- G. Thompson – feels the item should be delayed for township review. Bravinder – the Township approved the plans. Yes, they didn't know it was a land alteration request but they approved the plans.
- H. Murphy questioned what kind of permit would the walls have required. Rhineberger – there is nothing needed from the Township for the walls, that is all related to a building permit. The portion that requires a public hearing is movement of more than 50 cubic yards in shoreland. Unfortunately, the timing of township and Planning & Zoning meetings don't always align and this type of situation does happen.
- I. No public comment.
- J. Mahlberg stated he would like to hear from member Bravinder as a township board member. He doesn't want to send the item back and be a waste of time but also wants to respect the Township. Bravinder – believes that Southside Township looks at quite a few of these types of projects in their area, this is not their first one. The first thing you can see on the plan is the material coming in and out. Sitting on the board he would have looked at the material, maybe wouldn't know the full scope of the CUP but knows material is needed, it isn't hidden. Mahlberg – there appears to be all sorts of intense land alteration projects done on this lake. He is stuck between making sure, as a rule, we get clear instructions from townships and seeing this as a fine plan. Bravinder – appreciates that as a township member but also understands the history of the contractor, who has always been forthright on planned projects.
- K. Thompson – the applicant stated he never brought up the amount of fill being used for the project. Murphy – they did talk about materials coming in but it just never got to the point of discussing the amount of yardage. Thompson – that could be why Township is apprehensive.
- L. Mol – this is a misunderstanding. It is up to the Commission to decide how to move forward.
- M. Holland questioned member Bravinder if a township receives all the same details the Commission receives. Bravinder explained that it is not always the same, it might be dependent on where they are in the process. Usually, the County will require more information than what the township would require. Backyard Reflections most likely would be one that presents the same details at both meetings. Rhineberger – there is no way to know what is presented at the townships, unless specifically noted, which is normally not the case. In this situation this applicant stated he presented the same plans. Holland stated she appreciates the applicant was trying to get this moved through the

process in a quick manner and the Township could have reached out to Planning & Zoning with questions. There is documentation in the response that the walls were discussed. Murphy – the design and site photos shown tonight were shown at the Township and discussed, in detail. Holland asked Rhineberger to read the Township minutes. She feels a lot of discussion was had and with the way the future meetings work out a continuation would be over a month delay. Murphy stated he was under the impression he had to get approval from the Township prior to applying with the County.

- N. Holland moved to approve a conditional use permit for a land alteration in accordance with the plans and narrative submitted and the discussion at the hearing, with the following conditions: 1) Stormwater and erosion control measures must be installed prior to any land alteration occurring and remain in place until vegetative cover has been established; 2) Property must meet the 25% impervious surface coverage requirement. Seconded by Felger.

DISCUSSION: Thompson stated she would like to add a statement at the end of the motion that it is the Commission's understanding the applicant assumed he was doing what he needed to with the Township meeting. Greninger – feels the minutes will reflect the discussion and she does not feel anything needs to be added to the motion. Rhineberger stated he would reach out to the Township and explain the discussion.

VOTE: Felger, Greninger, Holland, Bravinder, Mol & Mahlberg NAY: Thompson

MOTION CARRIED

11. **BARBARA BOLANDER** – New

LOCATION: 5377 Quimby Ave SW – part of the SE 1/4 of the NE 1/4, Section 32, Township 119, Range 28, Wright County, MN. (Cokato Twp.) Tax #205-000-321400 Property Owner: Carolyn Bolander

Petitions an interim use permit to operate a seasonal retail business in an existing barn and associated storage in a separate building, as regulated in Sections 155.031, 155.048 & 155.103, Chapter 155, Title XV, Land Usage & Zoning of Wright County Code of Ordinances.

Present: Barbara Bolander

- A. Rhineberger displayed the site plan and photos of the buildings as he reviewed the request. The 5-acre property is located along Quimby Avenue SW in Cokato Township, is zoned General Agriculture (AG), and is designated as Agricultural (AG) in the US Highway 12 Corridor (US 12) Land Use Plan. In 2011, a deed restriction was administratively approved, which led to the creation of this parcel. On April 25, 2024, the Planning Commission approved an interim use permit for Commercial Outdoor Recreation for seasonal outdoor events. Lastly, on May 3, 2024, the Board of Adjustment approved a variance to allow three buildings totaling 4,246 square feet of footprint to be used for a home extended business. Today's request is for an interim use permit to operate a seasonal retail business within the existing barn, outbuilding/crafting coop, and Quonset hut/storage building. These three buildings total 4,236 square feet of footprint and are the three buildings the variance approved to exceed the maximum building area allowed for a home extended business. The applicant's proposed retail business would include two different times of year. The business plan is included in the staff report and is for the interior portion. Cokato Township recommended approval of the home extended business. The City of Cokato has indicated they have no issues with the request. Days and hours of operation are listed in the narrative.
- B. Bolander – at the Board of Adjustment a handicap-accessible porta-potty was discussed and since that time she has purchased one of her own, which will be used in the warmer months.
- C. No public comment.
- D. Holland questioned if overflow parking would be allowed on the roadway. Bolander – very aware of that issue and do not plan to allow parking on the road. Rhineberger – that was a condition of the Commercial Outdoor Recreation permit. Bravinder stated he drove by twice during the Memorial Day event and saw no issues.
- E. Thompson moved to approve an interim use permit to operate a seasonal retail business in an existing barn and crafting coop, with associated storage in a separate building, in accord with the discussion and the plans and narrative on file with the following conditions: 1) Business to operate no more than 3 days per week; 2) Hours of operation are limited to 10:00 a.m. to 5:00 p.m., with one day per week being allowed to no later than 8 p.m.; 3) All required permits and inspections are obtained; 4) Sanitary facilities shall be provided in a quantity recommended by the County Environmental Health Office, and must include handicap accessibility; 5) This request is subject to a one-year Township review to ensure compliance and that the Township Road is handling the amount of increased traffic with further review at an interval established by the Township; 6) No parking on the Township Road; 7) Any change in use or expansion requires an amended Interim Use Permit hearing; 8) This permit shall expire upon transfer of the property, termination of any lease agreement, or change in business ownership or operations, with the exception of any transfer to Barbara Bolander. Motion seconded by Holland.

DISCUSSION: Mol questioned if what was mentioned at the Board of Adjustment regarding the use of the barns upper-level loft is addressed in this approval. Rhineberger – loft is not included in the business plan so use would need to be amended.

VOTE: CARRIED UNANIMOUSLY

12. **WILLIAM HEINONEN** – New

LOCATION: 15563 52nd St SW – Pheasant Addition Lot 7, Block 1, Section 33, Township 119, Range 28, Wright County, MN. (Cokato Twp.) Tax #205-023-001070 Property Owner: APP Properties LLC

Petitions for an Interim Use Permit to operate a used auto dealership in an existing building on the property, as regulated in Sections 155.031 & 155.055, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances.

Present: William Heinonen

- A. Rhineberger displayed the proposed site plan and we reviewed the request. The property is a 16.61-acre parcel located the along 52nd Street SW within the industrial platted subdivision known as Pheasant Addition in Cokato Township. The property is zoned General Industry-I1 and is designated as “Transition Area” US Highway 12 Corridor (US 12) Land Use Plan. The property was created through recent rezoning and a subsequent platted subdivision request. In March 2023, the Commission approved a conditional use permit for a commercial contractor’s yard for excavation and concrete construction business. The request is for an interim use permit to operate a used auto dealership in an existing building on the property. The business would run concurrently with the commercial contractor’s yard but would be a separate operation. Since the building was permitted as storage, the applicant will need to discuss the proposed use and existing building with the Wright County Building Official. The hours of operation would be 8:00 am to 4:00 pm Monday through Friday or by appointment and Saturday by appointment. Due to the developer’s agreement for the platted subdivision, the request requires approval from the Township and the City of Cokato. Both have approved of this request. The City of Cokato would like a limit of inventory set at no more than five vehicles.
- B. Heinonen stated he is currently a one man operation that takes in presold vehicles and does not need a large display area. Mol questioned if there would be other items stored outside. Heinonen – there is stuff currently stored outdoors that is not his. He will not have anything beyond the 5 cars, will not need to add additional lighting or anything to the building.
- C. Public Comment.
- Chris Hoegemery with Western Integrated Seed and neighbor directly to the north. They store a lot of seed corn at this location and his concern is what is going into the site. It sounds like there will be cars regularly turned over so that is not as much of a concern. The backside of their building faces towards this location and worry is rodents getting into the seed corn. Concerned there would be cars stored outdoors becoming homes for rodents that could create pressure on their product.
 - Paula Koppi – lives east of this parcel off of 3rd St. Questioned the access plan. Bravinder – access is only allowed off of Quimby Ave. Koppi stated she is concerned about an increase in noise and she would like to see the tree line stay. Mahlberg – feels the intensity and noise of this use should not be much and this business won’t really have an impact to the neighborhood. The trees can be touched by others but is not part of this request. Koppi questioned the easement that abuts her property and if owned by Kyle Ashwill. Rhineberger – that is part of the lot owned by Mr. Ashwill and there is a condition in the development approval that it cannot be used. Bravinder further reviewed the road in question and explained where the Township road ends.
- D. Mol questioned the applicant if there will be any detailing of vehicles or other things occurring in the building. Heinonen – no detail shop. He will just detail the vehicles that he is selling.
- E. Felger questioned the length of the lease. Heinonen – 1 year per state licensing requirements.

- F. Bravinder moved to approve an interim use permit to operate a used auto dealership in an existing building on the property, in accord with the discussion and the plans and narrative on file with the following conditions:
- 1) No more than 5 vehicles be stored or placed outdoors;
 - 2) All required permits and inspections are obtained;
 - 3) This request is subject to a one-year Township review with subsequent review at an interval established by the Township;
 - 4) Any change in use or expansion requires an amended Interim Use Permit hearing;
 - 5) This permit shall expire upon termination of any lease agreement, or change in business ownership or operations.
- Seconded by Mahlberg.

VOTE: CARRIED UNANIMOUSLY

Meeting Adjured: 10:45 pm

Respectfully submitted,



Barry Rhineberger
Planning & Zoning Administrator

BR:sd

cc: Planning Commission
Kryzer
Twp. Clerks