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# BALDWIN TOWNSHIP

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30239 128<sup>th</sup> Street, Princeton MN 55371

## PLANNING COMMISSION MEETING

April 25, 2018

### **Call to Order:**

On this 25th day of April 2018 the Regular Monthly Meeting of the Baldwin Planning Commission was called to order by Chairman Richard Marshall at 7:00 p.m.

### **Pledge of Allegiance:**

The Pledge of Allegiance was recited.

### **Roll Call:**

Commissioners present were Richard Marshall, Richard Harris, and Sherry Newman. Commissioner Kimberly Good is absent. Baldwin Town Board Liaison Bryan Lawrence arrived at 7:13 p.m. The sign-in sheet is attached. The Claim Forms were filled out and returned.

### **Approve/Disapprove Agenda:**

It was clarified that the terms of Scotty Harder and Deborah Guy have expired and that they are no longer members of the commission. It was also noted that Commissioner Sherry Newman has been appointed to a 3-year term with an appointment expiration date of April 1, 2021.

*A motion was made by Commissioner Harris to approve the regular meeting agenda as presented which was seconded by Commissioner Newman; all in favor; motion carried.*

Chairman Richard Marshall welcomed the guests present reminding them that the Baldwin Township Planning Commission serves at the pleasure of the Baldwin Township Town Board. The Planning Commission is an advisory board that makes recommendations to the Town Board. It was stressed that the final decisions are made by the Baldwin Township Board of Supervisors.

### **Secretary's Report:**

#### **Planning Commission Meeting Minutes of February 28, 2018:**

*A motion was made to unanimously approve the Planning Commission meeting minutes of February 28, 2018; all in favor; motion carried.*

#### **Handout Planning Commission Meeting Notes of March 28, 2018:**

The Planning Commission meeting notes of March 28, 2018 were handed out and are to be filed in the commission books.

**Land Use Requests:**

**Variance / Road Setback / Myron and Kathleen Cooper:**

Myron and Kathleen Cooper are requesting a 50' variance in setback from the right-of-way of 290<sup>th</sup> Avenue for an addition to an existing detached garage PID number 01-409-0242 located at East Little Elk. The required setback from the right-of-way is 67'. The Coopers' indicated that the tornado damaged the garage which has prompted them to consider making changes to the height of the garage roof in order to obtain additional storage. The Coopers' stressed that the addition to the existing detached garage is for storage purposes only, and not living quarters. Questions concerning septic compliance and options to reduce the percentage to correct impervious surface issues were satisfactorily answered.

Reviewing the Findings of Fact in supporting (or denying) a variance the Baldwin Planning Commission determined:

- The requested variance is in harmony with the intent of the comprehensive plan, but not necessarily with the zoning ordinance.
- Without the variance the property owner is deprived of a reasonable use of the property.
- The practical difficulty is due to circumstances unique to the property.
- The circumstances causing the practical difficulty was created by something other than the landowner namely damaged caused by the tornado.
- The issuance of the variance does maintain the essential character of the locality namely there are similar setbacks in the neighborhood.
- The practical difficulty does involve more than economic considerations namely additional storage area.

*A motion was made by Commissioner Newman to approve recommending to the Baldwin Town Board to grant approval of a variance request to allow a 50' setback from the right-of-way of 290<sup>th</sup> Avenue for an addition to an existing attached garage located at 14011 – 290<sup>th</sup> Avenue NW; PID 01-409-0242 as requested by Myron and Kathleen Cooper which was seconded by Commissioner Harris; all in favor; motion carried.*

**Discussion / Approve / Disapprove Second Addition to Garage / Rudy Wicklander:**

Wicklander is looking to add a second level to the existing garage for storage at the location of 14043 – 290<sup>th</sup> Avenue NW in Elk Point. He said that before approaching the county, and paying for the costs involved, he decided to solicit the opinions of the commissioners about the plausibility of the construction. All questions were satisfactorily answered including options to reduce the percentage to correct impervious surface issues. Even though the commissioners were favorable to the request it was unanimously agreed that Wicklander would need to apply for a variance request through the county, and pay the fees involved with a variance, before the commissioners would generate a formal opinion on the request to add a second addition to his existing garage.

**Variance / Shoreland Setback / Ted and Paula Heppner:**

Ted and Paula Heppner are requesting a 17' variance to the Ordinary High Water Level of Little Diamond Lake for a new in-ground pool. The required setback is 150' from the Ordinary High Water Level.

Reviewing the Findings of Fact in supporting (or denying) a variance the Baldwin Planning Commission determined:

- The variance is in harmony with the intent of the comprehensive plan and the zoning ordinance.
- Without the variance the applicant is not deprived of a reasonable use of the property. The proposed site for the in-ground pool is based on the standpoint of safety.
- The practical difficulty is due to the circumstances unique to the property due to the setback requirements.
- The circumstances causing the practical difficulty are not created by someone or something other than the landowner.
- The issuance of the variance does maintain the essential character of the locality.
- The practical difficulty does not involve more than economic considerations.

*A motion was made by Commissioner Harris to approve recommending to the Baldwin Town Board to grant approval of a variance request to allow a 17' variance to the Original High Water Level of Little Diamond Lake for a new in-ground pool; PID 01-031-3115 as requested by Ted and Paula Heppner which was seconded by Commissioner Newman; all in favor; motion carried.*

**Communications:**

Liaison Lawrence commended the commissioners regarding the thorough and intense discussions generated regarding the various variance requests.

**Old Business:**

**Discuss / Update 'Land Uses' of Comprehensive Plan:**

After reviewing, trying to revise and struggling to update the Land Use portion of the Comprehensive Plan, the commissioners have determined that they have come to a roadblock with their endeavors. Determined to be one of the struggles is that the Baldwin Township Comprehensive Plan map and the Baldwin Township Zoning maps are not compatible, and that it's unproductive to pursue an update until they are. The key is that the planning commission functions in land uses, and it's important to have the correct data as well as to have the Land Use portion of the Comprehensive Plan easy to navigate.

Commissioner Marshall presented a proposed 'Revision of Land Use Section of the Comprehensive Plan' outline.

1. Scrap entire Land Use Plan as written. Use only as info and extract sections as appropriate.
2. Determine order of Proposed Land Use Plan.
  - Introduction
  - Contents
  - Land Use Zones

- a) Definition of each
- b) Any specific ordinances for each
- c) Pertinent tables, maps and appendices for each
- Prospective Land Zoning as per Comprehensive Plan
- General Information
  - a) Overview of Township as is
  - b) General Goals for Community
  - c) Looking Forward
- Index

Commissioner Marshall purposed to create, and appoint, a Land Use Committee in order to update the Land Use portion of the Baldwin Township Comprehensive Plan.

*A motion was made by Commissioner Harris to approve appointing Commissioner Marshall as chairman of the Land Use Committee which was seconded by Commissioner Newman; all in favor; motion carried.*

It should be noted that workshop meetings may be conducted by the Land Use Committee to be held at the town hall after being called and legally posted.

**New Business:**

- **Information / Approval Conditional Use Permit to Construct and Operate a Church** - For informational value.
- **Information / Approval for Interim Use Permit for an Auto Repair and Body Shop Due to Change of Ownership** – For informational value.
- **Information / Final Plat Approval / Rum River Bluffs / Ideality Development Company LLC** – For informational value.

**Commissioner's Corner:**

It was suggested recommending to the town board that reoccurring ordinances be reconsidered and / or reevaluated.

**Adjourn:**

*A motion was made by Commissioner Newman which was seconded by Commissioner Harris to adjourn at 9:17 p.m. with the next Planning Commission meeting to be held on May 23, 2018. Motion carried. Meeting adjourned.*



Respectfully submitted:  
Cheryl Goetz Dobson  
Deputy Clerk



Richard Marshall, Chairman

5-30-18

Date

Amendments: \_\_\_\_\_