



---

# BALDWIN TOWNSHIP

---

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

## **PLANNING COMMISSION MEETING**

**July 26, 2017**

### **Call to Order:**

On this 26<sup>th</sup> day of July 2017 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, Deborah Guy and Kimberly Good. Absent was Commissioner Scotty Harder. Also present is Baldwin Town Board Liaison Bryan Lawrence. The sign in sheet is attached. The Claim Forms were filled out and returned.

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

Added to the Agenda under Communications is 'Sherburne County Planning and Zoning Packet' and remove from agenda at this time from under Old Business is 'Approve / Disapprove Joint Meeting with Town Board to Discuss Comprehensive Plan Changes for Sections on Natural History, Cultural History and Preservation Sites'.

*A motion was made by Commissioner Good to approve the regular meeting agenda as amended which was seconded by Commissioner Guy; 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 June 28, 2017:**

*A motion was made by Commissioner Good to approve the Planning Commission meeting minutes of June 28, 2017 which was seconded by Commissioner Harris; all in favor; motion carried.*

**Planning Commission Meeting Minutes of May 31, 2017:**

It was requested that the secretary listen to the tape recording regarding the discussion of the PUC County Ordinance concerning the language amendment changes on community septic systems and whether the Baldwin Planning Commission had made a motion concerning such changes. After being satisfied that the Baldwin Planning Commission made no motion and that the material presented was for informational purposes only *a motion was made by Commissioner Harris to approve the Planning Commission meeting minutes of May 31, 2017 which was seconded by Commissioner Guy; all in favor; motion carried.*

**Handout Planning Commission Meeting Minutes of April 26, 2017:**

The approved Planning Commission meeting minutes of April 26, 2017 were handed out to be filed in the commission books.

**Land Use Requests:**

**20 Foot Variance in Setback from Right of Way / Georgetown First Addition / Duncan Johnson:**

A petition was presented by Duncan Johnson requesting a 20' Variance in the setback from the right of way of 316<sup>th</sup> Avenue NW for an addition on an existing manufacturing business. The required setback from the right of way is 67'. The addition will be 47' from the right of way. The property is located at 12535 – 316<sup>th</sup> Avenue NW, Princeton, MN in the Georgetown First Addition, Lot 1; Block 1.

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 zoning ordinance because the existing manufacturing business matches and fits into the surrounding businesses in the Industrial Park and the business was established before the changes in the 20' setback.
- It is determined that an addition to the manufacturing business is reasonable for the property owner to expand the business.
- Since there was a change in the setback requirements the practical difficulty is unique to this property.
- The circumstances causing the practical difficulty were created by the alteration in the changes in the county zoning ordinances.
- Issuance of the variance will maintain the essential character of the locality.
- The practical difficulty involved more than economic considerations since the zoning ordinances were changed. Otherwise there would be no problem.

*A motion was made by Commissioner Good to approve recommending to the Baldwin Town Board to grant a 20' variance in the setback from the right of way of 316<sup>th</sup> Avenue NW for an addition on an existing building in the Georgetown First Addition which was seconded by Commissioner Guy; with a voice vote taken Commissioners Guy, Good, and Marshall voted aye; Commissioner Harris abstained; motion carried.*

**5 Foot Variance in Setback / Georgetown First Addition / Duncan Johnson:**

A petition was presented by Duncan Johnson requesting a 5' variance in setback from the rear property line for an addition on existing building. The required setback from the rear property line is 20'. The addition will be 15' from the rear property line. The property is located at 12535 – 316<sup>th</sup> Avenue NW, Princeton, MN in the Georgetown First Addition, Lot 1; Block 1.

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 zoning ordinance because the existing manufacturing business matches and fits into the surrounding businesses in the Industrial Park and the business was established before the changes in the 20' setback.
- It is determined that an addition to the manufacturing business is reasonable for the property owner to expand the business.
- Since there was a change in the setback requirements the practical difficulty is unique to this property.
- The circumstances causing the practical difficulty were created by the alteration in the changes in the county zoning ordinances.
- Issuance of the variance will maintain the essential character of the locality.
- The practical difficulty involved more than economic considerations since the zoning ordinances were changed. Otherwise there would be no problem.

*A motion was made by Commissioner Good to approve recommending to the Baldwin Town Board to grant a 5' variance in the setback from the rear property line on an existing building in the Georgetown First Addition which was seconded by Commissioner Guy; with a voice vote taken Commissioners Guy, Good, and Marshall voted aye; Commissioner Harris abstained; motion carried.*

**Variance Side Setback / Georgetown First Addition / Duncan Johnson:**

A petition was presented by Duncan Johnson requesting a 10' variance in setback from the side property line for an addition on an existing building. The required setback from the side property line is 20'. The addition will be 10' from the side property line. The property is located at 12535 – 316<sup>th</sup> Avenue NW, Princeton, MN in the Georgetown First Addition, Lot 1; Block 1.

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 zoning ordinance because the existing manufacturing business matches and fits into the surrounding businesses in the Industrial Park and the business was established before the changes in the 20' setback.
- It is determined that an addition to the manufacturing business is reasonable for the property owner to expand the business.
- Since there was a change in the setback requirements the practical difficulty is unique to this property.

- The circumstances causing the practical difficulty were created by the alteration in the changes in the county zoning ordinances.
- Issuance of the variance will maintain the essential character of the locality.
- The practical difficulty involved more than economic considerations since the zoning ordinances were changed. Otherwise there would be no problem.

*A motion was made by Commissioner Good to approve recommending to the Baldwin Town Board to grant a 10' variance in the setback from the side property line for an addition on an existing building located in the Georgetown First Additions which was seconded by Commissioner Guy; with a voice vote taken Commissioners Guy, Good, and Marshall voted aye; Commissioner Harris abstained; motion carried.*

**Variance Lot Width / Little Elk Lake / Mark and Cynthia Casper:**

A petition was presented by Mark and Cynthia Casper requesting an 80' variance in lot width for a new residence. Required lot width on a general development lake (Little Elk Lake) is 150'. Lot is 70' wide. The property is located at 14231 – 288<sup>th</sup> Avenue NW, Zimmerman MN on the east side of Little Elk Lake.

The cabin located at the property was severely damaged by the tornado. The petitioners are looking at tearing down the cabin, and building a permanent residence which would have a larger footprint on the property as well as a new septic.

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 zoning ordinance since the variance request is in coherence with the rest of the properties on Little Elk Lake.
- Without the variance the property owner would be deprived of a reasonable use of the property because of the natural disaster that occurred. It's noted that the petitioners are upgrading the septic system on the property.
- The practical difficulty is due to circumstances unique to the property simply due to ordinance changes.
- The circumstances causing the practical difficulty were created by ordinance change and not by landowner.
- The issuance of the variance would create a new home, upgrade to the septic system and an improvement to the property.
- Supporting the variance would upgrade the ascetics of the property and create a comfort of living for the petitioners.

*A motion was made by Commissioner Harris to approve recommending to the Baldwin Town Board to grant an 80' variance in lot width for a new residence at a property located at 14231 – 288<sup>th</sup> Avenue NW, Zimmerman MN on the east side of Little Elk Lake which was seconded by Commissioner Good; all in favor; motion carried.*

**Variance Setback OHWL / Little Elk Lake / Sean and Sarah Hary:**

A petition was presented by Sean and Sarah Hary requesting a 30' variance in a setback from the OHWL of Little Elk Lake proposing a house addition, deck and attached garage.

The required setback from the general development lake is 75'. The property is located at 28945 – 141<sup>st</sup> Street NW, Zimmerman, MN on the east side of Little Elk Lake.

Sean and Sarah Hary are requesting to expand a non-conforming structure with the original structure damaged by the tornado.

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

- The residence was in harmony with the intent of the comprehensive plan and the zoning ordinance when the structure was built.
- The petitioners are not deprived of their property, but approving the requested variance would improve the ascetics and comfort of living for the property. The petitioners are not asking to go closer to the OHWL; they would be a similar distance as their neighbors.
- The practical difficulty was unique to the property because the existing structure was already non-conformant to the current ordinances.
- The practical difficulty was created by the change in ordinance and not by the landowners.
- The issuance of the variance would maintain the essential character of the locality since it already appears that the neighbors are closer to the OHWL.
- Based on the previous answers the practical difficulty involves more than economic considerations.

*A motion was made by Commissioner Good to approve recommending to the Baldwin Town Board to grant a 30' variance in a setback from the OHWL of Little Elk Lake proposing a house addition, deck and attached garage at a property located at 28945 – 141<sup>st</sup> Street NW, Zimmerman, MN on the east side of Little Elk Lake which was seconded by Commissioner Guy; all in favor; motion carried.*

#### **Communications:**

##### **Sherburne County Planning and Zoning Packet:**

Liaison Lawrence brought to the attention of the Baldwin Planning Commission a seven point presentation created by Marc Schneider who is the Sherburne County Planner. The goal of the presentation is to present seven zoning topics that the Planning and Zoning Department wants to discuss with townships; provide an understanding of the County's current regulations; outline what other cities and counties are doing; and give the Town Board an opportunity to comment on each issue and express any issues the Board wants the Planning and Zoning Office to explore. The commissioners were encouraged to review the presentation and submit comments.

#### **Old Business:**

##### **Review / Update Comprehensive Plan / Demographics:**

Since the Demographics section of the Comprehensive Plan has not yet been updated *a motion was made by Commissioner Harris to table the section until the August meeting of the Baldwin Township Planning Commission meeting which was seconded by Commissioner Good; all in favor; motion carried.*

The clerk will fill in the most recent numbers on population growth, population projections, Baldwin Township ancestry, housing ages, and rental rates as well as housing value and median household income,

**Approve / Disapprove Joint Meeting with Town Board to Discuss Comprehensive Plan Changes for Sections on Natural History, Cultural History and Preservation Sites – Removed from agenda.**

**New Business:**

**Information – Engineering Standards:**

For informational value.

**Commissioner’s Corner:**

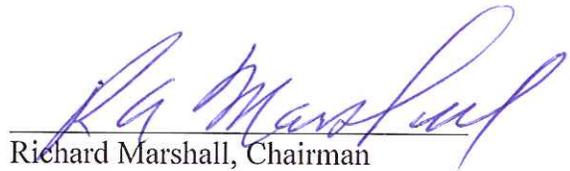
Liaison Lawrence stressed that it’s not his intent to guide any decisions of the Baldwin Township Planning Commission; only to share experiences in order for the commissioners to gain a better understanding of the processes of land use decisions.

**Adjourn:**

*A motion was made by Commissioner Good which was seconded by Commissioner Guy to adjourn at 8:52 p.m. with the next Planning Commission meeting to be held on August 30, 2017. Motion carried. Meeting adjourned.*



Respectfully submitted:  
Cheryl Goetz Dobson  
Deputy Clerk

  
Richard Marshall, Chairman

8-30-17  
Date

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