

BALDWIN TOWNSHIP

30239 128th Street, Princeton MN 55371

PLANNING COMMISSION SPECIAL MEETING

June 12, 2019

Call to Order:

On this 12th day of June 2019 the special meeting of the Baldwin Planning Commission was called to order by Chairman Richard Marshall at 7:05 p.m.

Pledge of Allegiance:

The Pledge of Allegiance was recited.

Roll Call:

Commissioners present were Richard Marshall, Richard Harris, Sherry Newman and Clarence Mattson. Baldwin Town Board Liaison Bryan Lawrence was absent. The Claim Forms were filled out and returned.

Approve / Disapprove Agenda:

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

Approve/Disapprove Planning Commission Special Meeting Minutes of May 15, 2019

A motion was made by Commissioner Harris which was seconded by Commissioner Mattson to approve the Planning Commission Special Meeting minutes of May 15, 2019. All in favor; motion carried.

Approve/Disapprove Planning Commission Meeting Minutes of May 22, 2019

A motion was made by Commissioner Newman which was seconded by Commissioner Mattson to approve the Planning Commission Meeting minutes of May 22, 2019. All in favor; motion carried.

Variance Request

Georgetown First Addition / Variance Side Setback / Ryan Plath

A petition was presented by Ryan Plath requesting an 11' variance in setback from the north side property line for an addition on existing structure. Required setback is 20'. The property is located in Georgetown First Addition; PID 01-425-0106; Lot 3 and 4; Block 1. The applicant is looking to construct a 30'x 60' addition to the existing building to provide for additional storage for the business known as Premier Powder Coating. The existing building complied with building setback requirements when it was constructed. Since it was constructed the County has changed the setback requirements and now the building is considered a legal nonconforming structure and can only be expanded with approval of variances.

The petitioner is not looking to build the addition any closer to either the North property line, or the Road Right of Way on 125 ½ Street, but simply mirroring the current building lines of the West face of the building utilizing existing roof lines.

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

- The variance is not in harmony with the intent of the comprehensive plan and the zoning ordinance.
- The property owner would be deprived of a reasonable use of the property if a variance wasn't granted.
- The practical difficulty is due to circumstances unique to this property since the zoning ordinance was changed after the property owner brought the property.
- The circumstances causing the practical difficult were created by someone or something else other than the landowner namely the changing of the zoning ordinance.
- The issuance of the variance will maintain the essential character of the locality.
- The practical difficulty involves more than economic consideration.

A motion was made by Commissioner Harris to approve recommending to the Baldwin Town Board to grant approval of a variance request to construct a 30'x 60' addition to the existing building to provide for additional storage for the business known as Premier Powder Coating which was seconded by Commissioner Mattson; all in favor; motion carried.

Georgetown First Addition / Variance Road Setback / Ryan Plath

A petition was presented by Ryan Plath requesting a 22' variance in setback from the right of way of 125 ½ Street for an addition on existing structure. Required setback from the right of way is 67'.

The property is located in Georgetown First Addition; PID 01-425-0106; Lot 3 and 4; Block 1. The applicant is looking to construct a 30'x 60' addition to the existing building to provide for additional storage for the business known as Premier Powder Coating. The existing building complied with building setback requirements when it was constructed. Since it was constructed the County has changed the setback requirements and now the building is considered a legal nonconforming structure and can only be expanded with approval of variances.

The petitioner is not looking to build the addition any closer to either the North property line, or the Road Right of Way on 125 ½ Street, but simply mirroring the current building lines of the West face of the building utilizing existing roof lines.

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

- The variance is not in harmony with the intent of the comprehensive plan and the zoning ordinance.
- The property owner would be deprived of a reasonable use of the property if a variance wasn't granted.
- The practical difficulty is due to circumstances unique to this property since the zoning ordinance was changed after the property owner brought the property.

- The circumstances causing the practical difficult were created by someone or something else other than the landowner namely the changing of the zoning ordinance.
- The issuance of the variance will maintain the essential character of the locality.
- The practical difficulty does not involve more than economic consideration.

A motion was made by Commissioner Newman to approve recommending to the Baldwin Town Board to grant approval of a variance requesting a 22' variance in setback from the right of way of 125 ½ Street for an addition on existing structure for the business known as Premier Powder Coating which was seconded by Commissioner Mattson, With a voice vote Commissioners Newman, Mattson and Marshall are in favor; Commissioner Harris is opposed. Motion carried.

Georgetown First Addition / Septic Variance / Ryan Plath

A petition was presented by Ryan Plath requesting a 10' variance for septic holding tank from existing building for an addition on existing building. The property is located in Georgetown First Addition; PID 01-425-0106; Lot 3 and 4; Block 1. The applicant is looking to construct a 30'x 60' addition to the existing building to provide for additional storage for the business known as Premier Powder Coating. The existing building complied with building setback requirements when it was constructed. Since it was constructed the County has changed the setback requirements and now the building is considered a legal nonconforming structure and can only be expanded with approval of variances.

The septic passed inspection as part of the sale of the building in 2016. Since the purchase the petitioner has added a level alarm. Ultimately the petitioner plans to replace the septic holding tank with a new septic system. A septic plan/design is being done concurrently with the variance application/addition building process by Steinbrecher Companies. Due to the needs of the business, and its growth, the addition needs to be executed prior to the septic installation.

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

- The variance is not in harmony with the intent of the comprehensive plan and the zoning ordinance.
- The property owner would be deprived of a reasonable use of the property if a variance wasn't granted.
- The practical difficulty is due to circumstances unique to this property since the zoning ordinance was changed after the property owner brought the property.
- The circumstances causing the practical difficult were created by someone or something else other than the landowner namely the changing of the zoning ordinance.
- The issuance of the variance will maintain the essential character of the locality.
- The practical difficulty involves more than economic consideration.

A motion was made by Commissioner Mattson to approve recommending to the Baldwin Town Board to grant approval of a variance requesting a 10' variance in setback for septic holding tank from existing building for an addition on existing building for the business known as Premier Powder Coating subject to clarification of building permits on the east addition

(known as the tunnel) and building 2 which was seconded by Commissioner Newman; all in favor; motion carried.

Discuss Land Use:

Progress is being made to combine research in bringing clarification to the Land Use section of the Baldwin Township Comprehensive Plan.

Two teams have been formed to combine their thoughts, efforts and research to bring elucidation to the Land Use section of the Baldwin Township Comprehensive Plan. The assignment before the two teams is to look at the land use goals and update future objectives as well as to include a reference section to allow residents to review and identify the more common concerns. The clarification would consist of two parts namely 'what exists now and how to help residents work through the processes' and 'future objectives.' The goal is to come up with the best possible document that can be designed as well as one that is relevant to the zoning districts of Baldwin Township.

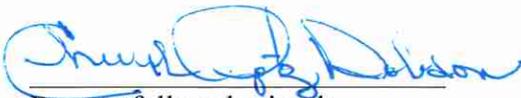
Commissioners Marshall and Harris are concentrating their efforts on rewriting, refining and/or revising the land use zones and sections, and provide definitions for such. Commissioner Harris provided updated language in his Land Use Draft.docx which is submitted to these minutes as Attachment 1.

Commissioners Newman and Mattson are concentrating their efforts on rewriting, refining and/or revising the land use requests (i.e. IUP, CUP, Findings of Fact), blend the township and the county plans, and most frequently asked questions. Submitted into these minutes as Attachment 2 is an outline and definitions to include Findings of Fact and the Variance Process which was updated on June 12, 2019.

Under scrutiny were the questions provided in the currently used Findings of Facts worksheet. The Commissioners felt the questions were confusing and unclear within the content of their purpose as well it is believed there are different versions causing further misunderstandings. Commissioners Newman and Mattson said they will strive to put together a combined list of Findings of Facts that would be easier to understand.

Adjourn:

A motion was made by Commissioner Mattson which was seconded by Commissioner Newman to adjourn at 9:01 p.m. with the next Planning Commission meeting to be held on July 24, 2019. Motion carried. Meeting adjourned.



Respectfully submitted:
Cheryl Goetz Dobson
Deputy Clerk


Richard Marshall, Chairman

7-31-19
Date

Attendees: Ryan Plath, Roger Plath



BALDWIN TOWNSHIP

30239 128th Street, Princeton MN 55371

SIGN IN SHEET

Date: Wednesday, June 12, 2019

Time: 7:00 p.m.

Baldwin Town Hall

1. RYAN PLATT.
2. ROGER PLATT

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