

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE PLANNING COMMISSION
MONDAY, JUNE 11, 2012 – 7:30 P.M.

1. CALL TO ORDER

Pursuant to due call and notice thereof, a regular meeting of the Independence Planning Commission was called to order by Chair Phillips at 7:30 p.m.

2. ROLL CALL

PRESENT: Chair Phillips and Commissioners Gardner, Olson, Palmquist and Thompson

STAFF: City Planner Kaltsas, Administrative Asst. Olson

ABSENT: None

VISITORS: Mary Widmer, Jan Gardner

3. APPROVAL OF PLANNING COMMISSION MEETING MINUTES OF MARCH 12, 2012

Motion by Palmquist, seconded by Gardner, to approve the May 14, 2012 Planning Commission minutes. Ayes: Phillips, Gardner, Olson, Palmquist, and Thompson. Nays: None. Absent: None. MOTION DECLARED CARRIED.

4. PUBLIC HEARING. Rick Altendorf, owner of the property located at 6785 County Road 11 (PID No. 10-118-24-10-0003) is requesting the following actions from the City:

- A minor subdivision to split the existing ± 80 acre parcel into three lots. Two (2) 10 acre rural view lots and the remainder ± 60 acre parcel.

Kaltsas reported the applicant wishes to subdivide the property into two 10 acre rural view lots and a remaining 62.10 acre lot. The property is currently zoned Agriculture and has an underlying guiding of rural residential in the Comprehensive Plan. He clarified that the property is currently in the Agricultural Preserve program and must be guided Agriculture in order to participate in the program. If the applicant does not renew the \Agriculture Preserve status at the time of expiration, they can then apply to have the property rezoned to Rural Residential.

Kaltsas reported that Tract A would be a rural view lot and contain the two homes and outbuildings on the property. Tract C would be proposed to be a 10 acre rural view lot on the eastern side of the property with the remaining 62.10 acres (Tract B) between the two rural view lots. He stated this is the most number of lots the property can realize.

Kaltsas reported there are two homes currently on the property and that makes it a legal non-conforming property. This is allowable because the homes were in existence prior to the adoption of the zoning ordinance. He stated the houses would be difficult to split onto different lots because of their proximity to each other. He reported that he had recommended to the applicant that they make both Tract A and C into 10 acre properties because then would be no limitations on the accessory structures.

Kaltsas reported that Tract A will need a new septic system. The applicant or new owner would have three years to put in a new system from the date of failing septic notice. Palmquist inquired about the condition that states no extensions will be granted. Kaltsas replied that language is incorporated so that any future owners will be aware there can be no extensions and it is recorded at the County.

Gardner inquired how they know the septic is non-compliant. Kaltsas stated that it is an automatic non-compliant system. Gardner asked how that can be if the city inspector has not inspected the system. Kaltsas replied that systems designed and built before a certain date cannot possibly meet the current code and are considered an automatic non-compliant system. However, he is unsure of the date. The commission would like to see clarification from the building inspector on this issue.

Motion by Palmquist, seconded by Gardner, to close the public hearing. Ayes: Phillips, Gardner, Olson, Palmquist and Thompson. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Phillips stated that he was bit bothered with the shape of Tract A. Kaltsas stated the shape was necessary because the barn houses cattle and that must be 150 feet from the property. If the applicant were to have less than 10 acres on Tract A, it would create a non-conforming use because of the total square footage of outbuildings and it is not usually good policy to create non-conforming properties. He added that if the applicant and/or new owner wanted to pull a building permit they would be subject to the current zoning code. Palmquist inquired if one of the two homes on Tract A is destroyed, if it could be rebuilt. Kaltsas replied it could if application was made in a certain number of days after the date of destruction. The code was recently amended to allow this because of changes in State statute.

Motion by Palmquist, seconded by Gardner, to recommend approval to the City Council for the requested Minor Subdivision for a rural view lot with the conditions recommendations from staff. Ayes: Phillips, Gardner, Olson, Palmquist, and Thompson. Nays: None. Absent: None. MOTION DECLARED CARRIED.

5. OPEN/MISC.

Kaltsas had two updates. He stated that he is waiting to receive written acceptance of the application extension for the Grewe apple orchard item and that must be received by tomorrow. He also reported that the Comprehensive Plan amendment for the Vinland Center was approved administratively by the Metropolitan Council.

6. ADJOURN

Motion by Olson, seconded by Gardner, to adjourn the meeting at 8:40 p.m. Ayes: Phillips, Gardner, Olson, Palmquist and Thompson. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Respectfully submitted

Kimberly A. Olson, Recording Secretary