

Planning Commission
Lynden Township
Stearns County
State of Minnesota
Minutes

Location: Lynden Township Hall
21367 County Road 44
Clearwater, MN 55320

Date / Time: 20th of April 2023 at 4:30p.m.

Present were: Planning Administrator James Kantor, Planning Commission Chair Jeff Westrum, Planning Commissioners Greg Halverson, Todd Voigt and Monte Helget.

Chair Westrum called the meeting to order at 4:30 p.m. as a quorum of the Planning Commission members were present.

Commissioner Halverson made a motion to approve the minutes from the previous meeting on November 30th, 2022, seconded by Commissioner Voigt. All in favor, motion passed.

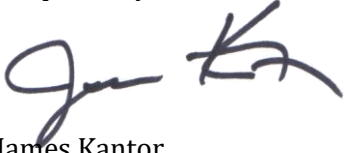
The Planning Commission discussed the Stier Administrative Subdivision. The land is lower wetland that they are splitting to create an equal buffer between the two properties. Commissioner Halverson made a motion to approve the recommendation to the Lynden Township Board of Supervisors for the Stier Administrative Subdivision, seconded by Chair Westrum. All in favor, motion passed.

The Planning Commission discussed the Matthees Administrative Subdivision. The land owner is splitting to sell the home on the property and build a home to live in. A Transfer of Development Rights (TDR) will move a building entitlement to the parcel to build on. It was pointed out that we should only be working on the application at hand and since the property owner is educated on TDRs and that is an after-the-fact County issue, that we should not worry about that. Commissioner Chair Westrum made a motion to approve the recommendation to the Lynden Township Board of Supervisors for the Stier Administrative Subdivision, seconded by Commissioner Halverson. All in favor, motion passed.

The Planning Commission discussed the variance application for an additional driveway submitted by Joseph Pany. It was discussed that due to safety if we are adding an additional driveway that we should remove the current driveway citing "safety". A large discussion ensued regarding safety and Jeff pointed out that emergency vehicles would not like entering the driveway or pulling out of the driveway due to the grade and that we should leave the current driveway as the entrance and the new driveway would be an exit. It would also be faster to locate the property on a main road with one less turn to the address. With three people specifically saying that they drove the path of driveway and 19th Avenue East, it was felt that the safest travel was with the circle driveway. Westrum made a motion to approve the Pany Variance Application, seconded by Commissioner Voigt. All in favor, motion passed.

At 5:15 p.m., Chair Westrum made a motion to adjourn, seconded by Commissioner Voigt. All in favor, motion passed.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "James Kantor". The signature is stylized and cursive.

James Kantor
Planning Administrator

Jeff Westrum
Planning Commission Chair

Lynden Township Planning Commission Findings of Fact – Variance

Name of Applicant(s): Joseph Pany

Variance Requested: Ordinance #12 Section 200 (h)

Meeting Date/Location: 4/20/2023, 4:30pm / Lynden Town Hall

A variance may be granted only where the strict enforcement of County and Township zoning controls will result in practical difficulties. A determination that “practical difficulties” exist is based upon the consideration of the following criteria as defined in Minnesota Statutes, Section 462.357:

- 1) Will the issuance of the requested variance be in harmony with the general purpose and intent of the ordinance and/or the comprehensive plan? Why or why not? (Health, Safety & Welfare Issues)

Yes, the proposal is to add an additional driveway. The existing driveway is in a dangerous location due to the road grade. The proposed driveway would make it safer to pull out into the road. They would like to keep the current driveway so as they do not have to change their address, etc.

Emergency vehicles would also have better access to the property. Currently the access to the property is limited with the trees and narrow driveway. It would be faster for an emergency vehicle to see the address sign and pull in off the main road and use the driveway as a pull thru circle driveway.

Because the property owner cited and demonstrated a safety issue for not only vehicles leaving his property but also any vehicle on the road traveling at the legal speed limit of 55 miles per hour, we believe that it would be in the best interest of the township to allow a circle driveway with two access points at this location.

- 2) Will the issuance of the requested variance be compatible with and maintain the essential character of the neighborhood? Why or why not?

Yes, it is just another driveway in a rural location with no neighbors and circle driveways actually look better in housing developments.

- 3) Are there circumstances unique to the property created by someone or something other than the property owner (or previous owner) that makes compliance with the ordinance difficult or not possible? What are they?

Yes, a previous owner moved the driveway however due to the safety issue created by moving the driveway we believe that should have never been allowed.

- 4) Is the property owner proposing to use the property in a reasonable manner? Why or why not?

Yes, have a circle driveway is not unreasonable as that is the currently what many property owners and developers are currently choosing to do.

5) Does the proposal involve more than economic considerations? Why or Why not?

Yes, we have safety and accessibility issues with no only homeowners but also anyone driving on the road.

Based on the above findings of fact, the Lynden Township Planning Commission recommends to the Lynden Township Board of Supervisors:

Approved

of this variance application by a vote of 4__ to 0__.