

**MINUTES**  
**MONTHLY ORONOCO TOWN BOARD MEETING**  
**September 8, 2015**

The Pledge of Allegiance was recited.

The monthly Oronoco Town Board Meeting was called to order on September 8, 2015 at 7:00 pm by Chairman Mark Thein. Supervisors Neil Stolp, Richard Lyke and treasurer, Kim Stanton were present.

Neil Stolp made a motion to approve the August 3, 2015 minutes, Richard Lyke seconded. Motion carried.

The order of agenda was accepted as presented.

The Treasurer's report in written form showed the year to date "Statement of Receipts, Disbursements and Balances" as of August 31, 2015: Receipts \$303,190.14 and Disbursements \$376,872.43 with an ending balance of \$377,176.48. Mark Thein made a motion to accept the Treasurer's report as presented. Richard Lyke seconded. Motion carried.

There was not an OPAC meeting in August.

First Responders reported that there were five township runs in August.

The bills were presented for payment, a total \$33,209.96. Mark Thein made a motion to approve the September bills. Neil Stolp seconded, motion carried.

**OLD BUSINESS: Sheila Craig Cedar Beach Sewer Project**

No old business

**NEW BUSINESS:**

Del Merken, representing residents of Sunset Bay and Kurths Bay, brought forth two petitions signed by those residents. Petition #A requesting "the Town Board to repair or replace the intersection of Sunset Bay Road and Ryans Bay Road. A suggestion is to purchase land and put a new road across the field to Ryans Bay Road near Dream Acres intersection and thus give drivers a run at the Ryans Bay Hill". Petition #B requesting "the Town Board to work with Zumbro Township and regrade the Ryans Bay Road Hill to give residents a safe exit and entrance from and to Sunset Bay Road. We ask that you notify Zumbro Township of your participation in writing". After much discussion the Town Board wanted the residents to know that they are in favor of either scenario, however, there had been discussion with the land owners previously, and they were not very receptive to having a rerouted road through their property. They were only interested in selling as one parcel. The hill has also been an item of discussion with Zumbro Township in the past. They had not been willing to work with Oronoco Township on redoing the hill. Dave Martino, resident of Zumbro Township, has a petition going

around to present to the Zumbro Town Board with similar requests. The Oronoco Town Board would be willing to meet with the Zumbro Town Board to discuss a solution to the Ryans Bay hill.

**ORONOCO TOWNSHIP VARIANCE REQUEST OR2015-003VAR:** by Steven Elliot to allow for the continued residential use of a second dwelling that will not meet the standards of the A-2 (Agricultural) Zoning District. The property is located at 2590 Lake Shady Ave S, Oronoco, MN. Mark Thein made a motion, Neil Stolp seconded to open the public hearing. Motion carried. Steve Elliot explained why he needed the variance and Stephanie Rouse, Olmsted County Planner, also gave the County's analysis. After asking three times for anyone to come forward for or against, Mark made a motion to close the public hearing. Neil seconded, motion carried. After much discussion, Richard was not favor of approving the variance as it could set a precedence for the future. Since no one spoke out against, Mark and Neil were in agreement with the Olmsted County staff. Mark Thein made a motion to approve variance request OR2015-003VAR based on staff findings with the condition that a building permit must be applied for and approved because a change of use occurred since the original application. Neil Stolp seconded. Motion passed 2-1 Richard Lyke against.

Findings:

EXCEPTIONAL CIRCUMSTANCES: There are exceptional and extraordinary circumstances that would apply to this parcel of property that would not apply generally to other property in the A-2 (Agricultural) zoning district or vicinity. The accessory building on site previously approved for a preschool was converted to a second dwelling prior to the current ownership. The building in its current form is a second farm dwelling.

PRESERVATION OF PROPERTY RIGHTS: The granting of this variance request is necessary to preserve the applicant's property rights and enjoyment of the property. With the conversion of the building to a second dwelling, there is no other reasonable use of the building without major renovations.

ABSENCE OF DETRIMENT: The granting of this variance request would not be of substantial detriment to adjacent property and does appear to be detrimental to the public welfare. The property is located along Highway 52 NW providing good access to the property. The lot is also seven acres in size with over 1,000 feet of separation to the nearest dwelling. A second farm dwelling will not substantially increase the density or traffic within this area.

GENERAL NATURE: This variance request would not appear to be general or recurrent in nature to require an amendment to the zoning ordinance. The conversion of an old school building to a residential structure is not a common occurrence.

MINIMUM VARIANCE: The minimum variances that would be necessary to alleviate the alleged hardship would be:

- a variance to Section 5.00 (A) (2) of 73 acres to the minimum 80 acres required for a second farm dwelling and;
- a variance to the owner, operator, employee requirement for the second farm dwelling to be rented to a non-owner, operator or employee of said farm.

**ORONOCO TOWNSHIP VARIANCE REQUEST #OR2015-004VAR:** by Arlie Hackman to allow for the construction of a residential accessory building that will not meet the R-1 (Low Density Residential) Zoning District standards. The property is located at 13261 Sunset Bay Lane NE, Oronoco Township. Property owner is Jon Bedsted. Mark made a motion and seconded by Neil to open the public hearing. Motion carried. Arlie explained why he needed a variance and Stephanie Rouse, Olmsted County Planner, explained the County's analysis. Mark asked three times to hear from any one for or against. Del Mergen, as were several neighbors, were ok with the applicant's request to build a detached garage. Mark made a motion and seconded by Neil to close the public hearing. Motion carried. After discussion, Mark Thein made a motion to approve variance request #OR2015-004VAR based on staff findings. Neil Stolp seconded, motion carried 3-0.

Findings:

EXCEPTIONAL CIRCUMSTANCES: There are exceptional and extraordinary circumstances that would apply to this parcel of property that would not apply generally to other property in the R-1 (Low Density Residential) zoning district or vicinity. The extreme grade changes create a structure height that exceeds the allowable height for an accessory structure. The shoreline setback and location of the well field and existing home necessitate a location closer to the side property line than allowed.

PRESERVATION OF PROPERTY RIGHTS: The granting of this variance request is necessary to preserve the applicant's property rights and enjoyment of the property. The applicant has expressed a need for additional vehicle storage space. Without this variance the applicant because of site constraints would not be able to construct the additional accessory building.

ABSENCE OF DETRIMENT: The granting of this variance request would not be of substantial detriment to adjacent property and does appear to be detrimental to the public welfare. The topographical change will conceal the additional height added to the structure. There is also a wider right of way adjacent to this property allow for a separation of about 26 feet from the garage to the edge of the road.

GENERAL NATURE: This variance request would not appear to be general or recurrent in nature to require an amendment to the zoning ordinance.

MINIMUM VARIANCE: The minimum variances that would be necessary to alleviate the alleged hardship would be:

- a variance to Section 6.02 (C) (4) (b) of 1'7" and 7'8 ½" in height and;
- a variance to Section 10.22 (B) (5) of 20' in the required side setback to allow for the construction of a 30'x40' detached garage.

**ORONOCO TOWNSHIP ZONING ORDINANCE TEXT AMENDMENT #OR2015-001TA-**Continued from the September meeting. Related to solar energy farms in Oronoco Township. The amendment will address the standards that will apply to solar energy farms in all zoning districts and within article X of the Oronoco Township Zoning Ordinance. Mark made a motion and seconded by Richard to reopen discussion. John Harford, with Olmsted County Planning, reviewed what this text amendment would mean to the township. There was a lot of discussion about the wordage and conditions involved for individual use versus solar farms. Mark made a motion to continue at the October 5 meeting with a revised amendment from the County. Richard seconded, motion carried 3-0.

**METES & BOUNDS SUBDIVISION #OR2015-003MB:** by Chris Craven for lot line shift for parcels A ,B, & C without creating a new parcel. Location: Lots 1-3, block 2, Zumbro Sound Subdivision, Oronoco Township. After discussion, Mark Their made a motion to approve #OR2015-003MB and Neil Stolp seconded. Motion carried 3-0.

Comments:

- Kim Stanton-Kings Park M & O for 2016. Kim suggested to leave at \$425.00, the amount to be assessed on taxes. Neil Stolp made a motion to leave at \$425.00 and Mark Their seconded. Motion carried 3-0.
- Kim Stanton-Pine Island Fire District unpaid fees for Oronoco Township. Kim suggested that the unpaid fees could go as a special assessment. The township would collect the assessment and pay the Pine Island Fire District. Watson Recycling and Doug Gathje

- would be of interest at this time. Mark suggested that a certified letter explaining the charges and the alternative be sent out, and inviting them to the October meeting along with someone from the P.I. Fire District present if they would like to dispute the charges.
- Joe Guzinski from Cedar Beach wanted information as to what action to take regarding four of his lots across the road from the cabins/houses. These lots are not big enough to build a home/cabin, but could be used for a garage. With County staff present, there was considerable discussion on the most agreeable way to handle the situation. There are 17 lots total, that could be rezoned to a Special District or each could have a variance. The Board agreed to let the Staff review and initiate a solution.
- Mike Soltis, Frazer Construction, discussed the invoice he received for chloride. He thought \$4,096.60 was more than he thought it should be, much more than last year. Scott Schumacher will check with Tom to see why so much more chloride was used than last year and Mike will check on his Conditional Use Permit to see if he is liable. Table a decision until the October 5 meeting.

Richard Lyke made a motion to adjourn, Neil Stolp seconded. Motion carried.

Respectfully Submitted

Mark Thein, Chairman \_\_\_\_\_ Judy Haglund, Clerk \_\_\_\_\_