

May 5, 2009

The Scandia Planning Commission held their regular monthly meeting on the above date. The following were in attendance: Chairman Chris Ness, Commissioners Tom Krinke, Christine Maefsky, Susan Rodsjo and Peter Schwarz. Chairman Ness called the meeting to order at 7:32 p.m.

APPROVAL OF AGENDA, MINUTES

Chairman Ness added a discussion of a dedicated trail easement located on The Sanctuary development. **Schwarz, seconded by Rodsjo, moved to approve the agenda as amended. The motion passed unanimously.**

Maefsky, seconded by Krinke, moved to approve the April 7, 2009 minutes as presented. The motion passed unanimously.

JAMES AND SANDRA CONTINENZA – VARIANCE FOR ACCESSORY STRUCTURE EXCEEDING THE ALLOWABLE SIZE AT 19423 OXBORO AVENUE

James and Sandra Continenza have applied for a variance to allow an addition to an existing accessory structure which will exceed the allowable square footage at 19423 Oxboro Avenue. Administrator Hurlburt presented an overview of the application. The site is zoned Agriculture and is in the Shoreland Overlay District for Sand Lake. The applicant proposes to build an addition to an existing 1,200 square foot structure that would total 3,888 square feet. The property tax statement shows this parcel to be approximately 23 acres. At purchase, the applicant received a survey that showed the parcel to contain 20.004 acres above the estimated ordinary high water (OHW). At a later date, the MN DNR established the exact location for the OHW level of Sand Lake. Using this new OHW, the parcel now shows 19.946 acres of land above the OHW. With a parcel size less than 20 acres and greater than 10 acres, the zoning ordinance allows accessory buildings up to 3,500 square feet. With parcels greater than 20 acres, accessory buildings up to 4,500 square feet are allowed. A hardship exists due to circumstances unique to the property, not created by the landowner.

Pictures of the site and current accessory building were shown by Building/Code Enforcement Official Thorp. The view of the addition from the lakeside would be minimal. The proposed building is in conformance with all other requirements of the zoning ordinance.

Applicant Jim Continenza stated that he had recently purchased the property with the intent to grow a few acres of grapes and needed a larger building for storage of harvesting and wine-making equipment.

Chairman Ness opened the hearing to the public.

Bill Selb, Landmark Surveying: The area of the entire property is 23.244 acres, with approximately three acres lying within Sand Lake. As there was no fixed elevation yet established by the Minnesota DNR, the initial survey of the land area used the definition of the ordinary high water mark to be the point where the natural vegetation changes from aquatic to terrestrial. This survey indicated the area above the upland vegetation line to be 20.004 acres. In

2001, the DNR established the exact ordinary high water mark at a sea level elevation of 963.2 feet. Using this elevation, a new survey calculated the area of land above the OHW to be 19.946 acres.

Mike White, 13310 188th Street: Mr. White stated his support of approval of the variance request. Mr. White lives near the Continenza's property on Big Marine Lake and has found them to be responsible neighbors.

As there were no further public comments, Chairman Ness closed the hearing.

Commissioner Rodsjo stated that this is a fair request and the addition is not easily visible from the road. This is the type of agricultural use that the Comprehensive Plan supports.

Commissioner Schwarz pointed out that building requirements must be met, such as building style and materials.

Schwarz, seconded by Maefsky, made a motion to recommend to the City Council approval of Resolution 05-05-01-09, Approving Variance Request for 19423 Oxboro Avenue. The motion passed unanimously.

TRAIL EASEMENT IN THE SANCTUARY

Chairman Ness discussed the trail easement that was granted to the City when the development The Sanctuary was approved. A 60-foot easement is located on the south edge of the development which connects Oxboro Avenue to William O'Brien State Park. Administrator Hurlburt will discuss with the Parks Committee a project to clear and mark this trail.

STATUS OF NEW COMPREHENSIVE PLAN AND IMPLEMENTATION ACTIVITIES

Commissioner Rodsjo reported on the progress of the Design Standards Study Committee. It is anticipated that a rough draft will be available for review at the June Planning Commission meeting.

Commissioner Maefsky reported that the Transfer of Development Rights Committee will have their first meeting on May 21st.

Rodsjo, seconded by Schwarz, moved to adjourn.

The meeting adjourned at 8:12 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk