

Denmark Township Planning Commission Meeting  
John Strohfus-Mary Strohfus Conditional Use Permits Public Hearing  
April 19, 2010

**Planning Commission members present:** Steve Radke, Charlie Grote, Don Schneider  
Bob Barr and Pat Lilligren

**Absent:** None

**Supervisors Present:** Kathy Higgins

**Others Present:** Berry Farrington TKDA Planner

**7:00 PM** Chair Radke called Planning Commission Meeting to order.

**7:02 PM** Public Hearing for Strohfus Conditional Use Permits opened.

Applicants, John and Mary Strohfus 14680 90<sup>th</sup> Street S. present.

The applicants are requesting Conditional Use Permits for two commercial horse boarding operations located at 14680 90<sup>th</sup> St. S. The requests are made in order to continue the business after the land was split between two owners through settlement of Norm Strohfus' estate.

The 2 sites have the facilities to operate as separate businesses, though at this time they plan to continue operating as one business. Currently there are 51 horses at the site.

John Strohfus parcels: Three parcels, PIN's 160272043004 (20 acre field west of the arena and barns), 160272043005 (25 acres containing the arena and barns) and 2102720110001 (25 acre hayfield at 90<sup>th</sup>/St Croix Tr) Combined 70 acres.

Request is to allow 50 horses. Current barn capacity is 25. If the business were to split into two separate businesses, John would like to build an additional barn with 25 stalls. Should any of the land become separated from this permit, the rights given by the CUP would remain with parcel 160272043005, the 25 acre parcel containing the barns. A minimum area of 45 acres would be necessary to allow for the continuance of the operation should either parcel 160272043004 or 210272011001 be separated from the farm.

Mary Strohfus parcels: Two parcels, PIN's 1602720430001 (10 acres containing the house) and 1602720420003 (15 acres north of the house) Combined 25 acres.

Request is to allow 26 horses. Current barn capacity is 26. Should parcel 1602720420003 be separated from the operation, the rights given by the CUP shall remain with parcel 160272043001. A minimum area of 25 acres would be needed to maintain the business.

There is one well serving the residence, mobile home and barns. A shared well is allowed for a temporary dwelling and agricultural buildings. Each site has its own septic systems. Discussion regarding whether an additional well would be required if parcel containing the arena/barns were to be sold. Planner to check on possible requirements. Planning Commission recommends condition placing a requirement to install a well on parcel 160272043005 if it were ever sold outside of the Strohfus family.

Two additional addresses will be added to the properties. 25 acre barn/arena parcel will be 14650 90<sup>th</sup> Street S. 20 acre parcel will not be a mailing address.

Applicant will also be seeking a Certificate of Compliance for a temporary farm dwelling unit to house farm labor. Mobile home currently has a Conditional Use Permit as part of a working farm.

Applicant will contact Minnesota Pollution Control Agency for any compliance that may be needed.

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Applicant also submitted signage request. Part of the request would require a variance, which cannot be considered without public notice, therefore would need to be addressed at a future time. The sign request included with the requested CUP meets the code standards.

Township Ordinance limits size and number of accessory structures. The nonconformity which exists can be allowed to continue if no further expansion were to happen. Ordinance has setback standards regarding animals, dwellings and manure pits. A number of existing setbacks are nonconforming. The Town may allow for continuance of nonconforming situations when considering Conditional Use Permits.

**Public Comment:**

Town in receipt of 04/16/10 letter from neighbor to the west, VanAlstine's in support of requested CUP's and Certificate of Compliance.

Frank Femling, neighboring orchard owner to the south in support of requested CUP's and Certificate of Compliance.

Planner reviewed findings with Planning Commission and submitted 04/13/10 report recommending conditional approval of Conditional Use Permits.

**7:41 PM** Public Hearing closed. Written comment period will remain open for 10 days. Written comments must be submitted to the Town Clerk.

**7:43 PM** Planning Commission resumed.

**Motion Grote/2<sup>nd</sup> Barr to recommend approval of Conditional Use Permits for the operations of commercial horse boarding facilities for John Strohfus and Mary Strohfus, subject to the following conditions:**

1. **Mary Strohfus property: This Conditional Use Permit allows for a commercial horse boarding facility, consisting of 25 acres, for a maximum of 26 horses. Pasture, manure storage, agricultural buildings, arena, and parking areas shall be in substantial compliance with Exhibit A, the site plan provided by the applicant.**  
  
**John Strohfus property: This Conditional Use Permit allows for a commercial horse boarding facility, consisting of 70 acres, for a maximum of 50 horses. Pasture, manure storage, agricultural buildings, arena, and parking areas shall be in substantial compliance with Exhibit A, the site plan provided by the applicant, with the exception that a manure storage area and an additional barn may be added to the operation, which must meet all setback requirements.**
2. **Exterior lighting, including arena lighting, must comply with the lighting standards of the zoning ordinance. Lighting must be shielded or downcast so that light cast on 90<sup>th</sup> Street not exceed 1 foot candle meter reading at the centerline, nor exceed .4 foot candles as measured at an adjacent property line.**
3. **Mary Strohfus property: A minimum of 5 off street parking spaces must be provided. All parking needs must be accommodated on site.**

**John Strohfus property: A minimum of 10 off street parking spaces must be provided. All parking needs must be accommodated on site.**

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4. Exterior storage of trailers must be screened from view from 90<sup>th</sup> Street.
5. The operation must comply with Minnesota Pollution Control Agency regulations that may be applicable.
6. John Strohfus property: One 2-sided sign, each side 8 by 4 feet, is allowed, located approximately 200 feet west of the driveway, setback a minimum of 10 feet from the front property line, with a maximum height of 10 feet measured from grade to the top of the sign. Sign colors may be navy blue, gray, and white.
7. Mary Strohfus property: Should any land governed by this permit become separated from the operation, the rights given by this Conditional Use Permit shall remain with parcel 1602720430001, the parcel containing the barn and other major improvements necessary to the operation. The horse boarding operation must maintain a minimum area of 25 acres to continue as permitted.  
  
John Strohfus property: Should any of the land governed by this permit become separated from the horse boarding operation, the rights given by this Conditional Use Permit shall remain with parcel 1602720430005, the parcel containing the barns and other major improvements necessary to the operation. The operation must maintain a minimum area of 45 acres in order to continue as permitted.
8. All fees shall be paid.
9. In the event that parcel 1602720430005 (25 acres) be sold outside of the Strohfus family, a new well will be installed. All In Favor. Motion Carried 5-0.

**AGENDA APPROVAL:** Higgins added Draft Ordinance Amendments.

**APPROVAL OF MINUTES:**

Motion Lilligren/2nd Grote approval of 10/19/09 Planning Commission/Carter-Miller Amended Variance Public Hearing Minutes. All In Favor. Motion Carried 5-0.

**PLANNING COMMISSION APPOINTMENT:**

Pat Lilligren has been reappointed to the Planning Commission for the term April 1, 2010 through March 30, 2013.

**ELECTION OF CHAIR/VICE-CHAIR:**

Motion Grote/2<sup>nd</sup> Lilligren to keep Chair Radke and Vice-Chair Barr in place. All In Favor. Motion Carried 5-0.

**DRAFT ORDINANCE AMENDMENTS:** Ordinances are required to be updated in order be consistent with the Comprehensive Plan. Planner and Attorney have been reviewing/ revising. Drafts will be sent to the Planning Commission for review and comment, prior to a public hearing.

**8:20 PM Motion Grote/2nd Lilligren to adjourn. All In Favor. Motion Carried 5-0.**

Becky Herman Denmark Township Clerk/Treasurer