

Denmark Township Planning Commission Meeting
Strohfus Minor Subdivision Public Hearing
March 16, 2015

Planning Commission members present: Roger Lang, Don Schneider, Bob Barr and ex-officio Kathy Higgins

Absent: Steve Radke and Charlie Grote

Board Members Present: None

Others Present: Attorney Troy Gilchrist (Kennedy Graven)

7:05 PM Chair Barr opened public Hearing. Strohfus Minor Subdivision PID 16.027.20.43.0004

Applicant and owner John Strohfus present.

Farm on 90th consists of 2 adjacent parcels totaling 45 acres on the north side of 90th and an additional 25 acre parcel on St Croix Tr. Applicant and owner, Strohfus Holdings, LLC would like to subdivide the 20 acre Ag-2 parcel into one 5 acre lot for a homesite (Lot 1 Block 1 Strohfus Acres) and one 15 acre lot (outlot A). Other than a portion of the 5 acre lot for the house/lawn the land use will remain the same. Land use for the 15 acre outlot would remain Ag. Applicant is also proposing to construct an agricultural accessory building on outlot A. At this time no specific size/design for the ag building has been established, but applicant indicated that the proposed building would likely be on outlot A, and approximately 100 x 200 ft.

Planner submitted 03/09/15 staff report with Findings of Fact and recommended conditions. Applicant was in agreement with the recommended conditions.

Higgins noted that the staff report indicates that the A-2 zoning district requires a minimum lot size of one acre lot averaging design and 160 ft road frontage. In the A-2 zoning district, the ordinance requires minimum lot size of two acres and 300 ft road frontage, which would be met.

Attorney reviewed draft resolution with the commission members.

Noted was that the plat incorrectly identifies the road as 80th St instead of 90th St. Also noted was that the signature block in the final plat needs some minor corrections.

Applicant will be required to enter into a Development Agreement, which will state that outlot A is unbuildable for a dwelling unit. The subject property is part of a conditional use permit (Resolution 2010-05) which was issued to allow a commercial horse boarding facility totaling 70 acres.

Barr inquiry regarding any limitation to the ag accessory structure size. Attorney will review to determine whether there is a limit, which would be addressed in the Development Agreement.

Schneider inquired whether the 2010 Conditional Use Permit issued on the property makes it allowable to have an agricultural building on a parcel (outlot A) without a house on that parcel.

Attorney noted that the CUP which covers multiple parcels does support this. The remaining 15 acre outlot A will continue to be part of the larger farming operation, so the minimum amount of acreage required by the CUP will continue to be met.

Public Comments- None

7:24 PM Public Hearing closed. Written comment period will remain open for 10 days. Written comments must be submitted to the Town Clerk. Planning Commission Opened.

Motion Lang/2nd Schneider to forward the Strohfus Minor Subdivision Application to the Board with a recommendation to approve with the Findings of Fact and conditions 1-6 in the draft resolution, including the addition of condition 7, corrections to the signature block as may be needed, as follows:

- 1. Development Agreement.** The Applicant shall, within 60 days of the date of this Resolution, enter into a development agreement in a form acceptable to the Town and approved by the Town Attorney. The development agreement shall, at a minimum, state that Outlot A is “unbuildable” and cannot be used for purposes of constructing a dwelling unit.

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2. **Plat.** The plat shall be corrected to identify the road as “90th Street” instead of “80th Street”. The Applicant shall be responsible for making any other corrections or changes to the plat as may be needed to put it in recordable form.
3. **Fees.** The Applicant shall pay all planning, engineering and legal fees and costs incurred by the Town for processing and acting on its application. In the event the escrow provided with the application is not sufficient to fully reimburse the Town, the Applicant shall be required to pay such additional amount within fourteen (14) days of receiving a bill from the Town. In the event the fees are not paid, this approval shall terminate automatically upon recording of a Notice of Nonpayment by the Town.
4. **Inspections.** The Town, its officers, and consultants may enter the Property, after providing reasonable notice to the Applicant, at all reasonable times to conduct inspections for the purpose of ensuring compliance with this approval. Prior notice to inspect the Property is not required in the event of an emergency.
5. **Density.** Lot 1 shall have a total of one (1) density unit, and Outlot A shall have a total of zero (0) density units.
6. **Compliance.** The Applicant shall comply with the requirements of the Development Code, the terms, conditions, and requirements contained within the development agreement, and shall comply with, and obtain all other permits required by, all other applicable federal, state, and local laws, rules and regulations.
7. **Signature Block.** The signature block on the final plat shall be corrected as may be needed.

With all present voting yes, Motion Carried 3-0-0.

APPROVAL OF MINUTES-

Motion Schneider/2nd Lang approval of Minutes 11/17/14 Planning Commission/ 16125 87th St S- Vujovich/Wadd Variance and Ordinance amendments concerning driveways, driveway access, clarifying clerical amendments and Ordinance amending Denmark’s Fee Schedule. With all present voting yes, Motion Carried 3-0-0.

Other Business: Reappointments

At their 03/02/15 Board Meeting, the Board appointed Bob Barr and Don Schneider to the Planning Commission for a 3 year term ending March 31, 2018.

Attorney noted that the ordinances have been consolidated to date and can be found on the website.

7:27 PM Motion Schneider/2nd Lang to adjourn. With all present voting yes, Motion Carried 3-0-0.

Becky Herman
Denmark Township Clerk/Treasurer