

**CITY OF HANOVER
PLANNING COMMISSION MEETING
FEBRUARY 23, 2015**

CHAIR
STAN KOLASA

COUNCIL LIAISON
DOUG HAMMERSENG

BOARD MEMBERS
JIM SCHENDEL
REID RABON
MICHELLE ARMSTRONG
DEAN KUITUNEN

- 1. Call to Order and Pledge of Allegiance: 7:00 p.m.**
- 2. Oath of Office**
- 3. Selection of Chair and Vice Chair**
- 4. Approval of Agenda**
- 5. Approval of Minutes from October 27, 2014 Regular Meeting**
- 6. Citizen's Forum**
- 7. Public Hearings**
 - a. Ordinance 2015-01 Amendments to Chapter 10**
- 8. Unfinished Business**
- 9. New Business**
 - a. Home Extended Business**
- 10. Reports and Announcements**
 - a. Planning Commission Reports**
 - b. Liaison Report**
 - c. Staff Reports**
- 11. Adjournment**

To: Planning Commission Members
From: Brian Hagen, City Administrator
Date: February 19, 2015
Re: Review of the February 23, 2015 Regular Meeting

1. Call to Order and Pledge of Allegiance: 7:00 p.m.

2. Oath of Office

Newly appointed member Dean Kuitunen will be sworn in.

3. Selection of Chair and Vice Chair

The Chair and Vice Chair positions are appointed on an annual basis by the Planning Commission members. A motion, second and a vote is requested for each position.

4. Approval of Agenda

5. Approval of Minutes from October 27, 2014 Regular Meeting

6. Citizen's Forum

7. Public Hearings

a. Ordinance 2015-01 Amendments to Chapter 10

This ordinance amends two sections of the Chapter 10 Zoning Ordinances. The first amendment is a clarification on permitting requirements for agricultural use buildings. The second amendment was discussed at the October 2014 meeting. Staff has drafted language to allow two driveways on properties if the properties meet minimum requirements. Further discussion will be held.

8. Unfinished Business

9. New Business

a. Home Extended Business

Enclosed you will find Section 10.68 of the Hanover Zoning Ordinance related to Home Occupations. We have revised this ordinance in the recent past to address permitting requirements as well as place limitations on traffic volumes. In 2014 staff received a request to

sign a zoning approval for a boat dealer license. Based on initial conversations, staff felt the request met zoning regulations. Upon additional requests from the state, staff determined this business as commercial in nature and therefore no longer met zoning regulations. The property was located in the RA District, and the request was to give an accessory building a second address in order to meet regulations placed by the state.

The property owner addressed Council on the matter and Council has directed the discussion to the Planning Commission. Initial thoughts and comments are requested from members o provide staff with direction on a potential ordinance amendment.

10. Reports and Announcements

- a. Planning Commission Reports**
- b. Liaison Report**
- c. Staff Reports**

11. Adjournment

**CITY OF HANOVER
PLANNING COMMISSION MEETING
OCTOBER 27, 2014 – DRAFT MINUTES**

Call to Order/Pledge of Allegiance

Chair Kolasa called the October 27, 2014, Planning Commission Meeting to order at 7:00 p.m. Members present were Chair Stan Kolasa, Jim Schendel, Reid Rabon, and Michelle Armstrong. Member Dawn Sprangel was absent. Also present were City Council Liaison Doug Hammerseng, Administrative Assistant Brian Hagen, and City Planner Cindy Nash. Members of the public were also present.

Approval of Agenda

Administrative Assistant Hagen stated that the CUP Application for an Accessory Structure in a Side Yard at 10111 Jasmine Avenue NE had been withdrawn therefore 6.a. is no longer needed as an agenda item.

MOTION by Schendel to approve the amended agenda, seconded by Rabon. **Motion carried unanimously.**

Approval of Minutes from the September 22, 2014, Regular Meeting

MOTION by Armstrong to approve the September 22, 2014 minutes as presented, seconded by Schendel. **Motion carried unanimously.**

Citizen's Forum

None

Public Hearing

Ruters River View

Kolasa closed the regular meeting and opened the Public Hearing at 7:02pm. Nash explained that prior to recording the final plat the family has requested a change to the lot lines. City Council has already approved the final plat; therefore the process must be restarted. Nash explained staff is recommending approval of the request as it is similar to the initial request.

Council Liaison Hammerseng asked what specific changes had been requested. Nash explained the lot line separating Out lots A & B shifted further west in order to combine a larger portion with the property to the east. The property without the buildings is still viable to sell and is wide enough for roads. The family wanted to have a little more land with the lot being held by the family rather than the lot being sold off. Armstrong asked if the increase was to accommodate the out buildings and Nash replied that it was really just the wishes of the family.

Chair Kolasa asked if there were any additional comments on the topic. A member of the audience asked what was going on. Nash replied that this was making it clean for an estate situation as well as cleaning up some unique lot lines. This makes the property more marketable for selling some land. A member of the audience commented that she thought the lines were pretty straight right now. Nash outlined the existing lines and the proposed lines as well as reviewed the variance with the audience members. Nash reiterated it to the Planning Commission.

An audience member asked about the discrepancy in lot lines. Hagen explained that the map sent to the neighboring properties providing notice of the public hearing show the current lot lines. The proposed

plat in front of us tonight represent the new lot lines if the plat is approved.. Hammerseng asked the Trustee of the estate if they felt information provided by staff was accurate. The Trustee replied yes.

Chair Kolasa closed the Public Hearing at 7:17pm and reopened the Planning Commission Meeting.

MOTION by Rabon to approve the proposed plans of Rutgers River View subject to the following conditions: 1) The Final Plat shall be recorded within six months of the date of approval; 2) Out lot B is not permitted to have a home on it until such time as water and sewer are extended to the site and the property is platted; 3) Out lot A is to be deeded to the property to the east to eliminate an existing encroachment; and 4) Riverview Road NE will not be improved to City standards at this time and at such time that Out lot B is developed, then it will be a condition of approval that Riverview Road NE be improved to City standards. Seconded by Schendel. **Motion carried unanimously.**

Unfinished Business

10111 Jasmine Ave NE – CUP Request for Accessory Structure in Side Yard

Item removed from agenda due to the withdraw of the application.

New Business

Ordinance Amendment on Driveway Regulations

Hagen outlined why this change is in front of the Planning Commission: Staff has been working on clearing up zoning violations and how an existing violation concerning two driveways on one property has been handled. Hagen further stated that the City Council has directed the Planning Commission to revisit the regulations on driveways and look at the possibility of amending the ordinance to allow two driveways in certain circumstances such as a corner lot or if a lot is of a larger size.

Armstrong asked for clarification on what was being asked of the Planning Commission. Hammerseng provided more information regarding the existing violation and why the conditions at the property are somewhat unusual.

Hagen discussed current requirements for driveways, grandfathered driveways, and the absence of a driveway permit. Discussion from the members included: lot size; corner lots; RA district versus residential; shape of driveway (horseshoe); configuration of land/lot; whether or not there should be a structure at the end of the driveway; how the driveway is used (a way to a structure versus using as a parking space); whether or not a second driveway should match an existing driveway; material used for the second driveway and culvert necessity; assessments of lots; and remodeled garages to living areas.

Reports and Announcements

Update on the Greenhouse: Nash said that the City is negotiating a purchase agreement and hopefully sending it to the City Council at the November meeting. A development plan would be completed early 2015 and break ground sometime next year. This is assuming everything goes smoothly.

Hammerseng gave an overview of the October meetings of the City Council: pavement management, public works building, and plans for electricity and amenities in Settlers Park.

Hagen updated the members on the Historic Bridge Grant. The grant is near agreement and hope to have a start date for construction in early June.

Hagen answered a question regarding the Hennepin County trail and stated that bids are currently being submitted. He also reported on the condition of the Wright County/Beebe Lake Trail and stated that the State has not inspected it yet.

Adjournment

MOTION by Schendel to adjourn at 7:56pm, and seconded by Rabon. **Motion carried unanimously.**

ATTEST:

Brian Hagen, Administrative Assistant

DRAFT

**CITY OF HANOVER
COUNTIES OF WRIGHT AND HENNEPIN
STATE OF MINNESOTA**

ORDINANCE NO. 2015-01

**AN ORDINANCE AMENDING CHAPTER 10, SECTIONS 10.48 & 10.52
PERTAINING TO THE ZONING ORDINANCE**

THE CITY COUNCIL OF THE CITY OF HANOVER ORDAINS AS FOLLOWS:

Section 1. Section 10.48, subsection A., subparagraph 12 of the City of Hanover Code of Ordinances is repealed in its entirety and a new Section 10.48, subsection A., subparagraph 12 is added as follows:

A. *Residential districts.* In residential districts:

12. An accessory building constructed of Farms, for the exclusive use of sheltering agricultural machinery and storage of agricultural products shall be exempt from building permit requirements. Description of the proposed use must be submitted in writing, and signed by the property owner. Administrative review of the site plan is required.

Section 2. Section 10.52, subsection F. of the City of Hanover Code of Ordinances is repealed in its entirety and a new Section 10.52, subsection F. is added as follows:

F. The number of access points to a residential lot shall be restricted to one driveway, unless the following conditions are met. If the following conditions are met, no more than two access points shall be allowed.

1. The lot is within the RA, R1, or R1A District.
2. The lot has a minimum of two hundred and fifty (250) feet of road frontage.
3. If the property has two street frontages, the driveways must be on separate frontages.
4. The driveway must lead to a **structure**.
5. Driveways must be matching bituminous or concrete material.
6. All other driveway requirements of Section 10.52 are met.

Comment [BH1]: Do we want this requirement? Does the structure need to be a garage? Would we be fine having a parking pad area?

Section 3. This Ordinance shall be in force and effect after adoption and publication in summary form in the official newspaper of the City of Hanover in accordance with applicable law. Staff is directed to prepare a summary form of the ordinance.

Adopted by the Hanover City Council this ___th day of _____, 2015.

CITY OF HANOVER

Chris Kauffman, Mayor

Attest:

Brian Hagen, City Administrator

Sec. 10.68 HOME OCCUPATIONS

Home Occupations are permitted by this Ordinance but must be established and maintained so as to comply with the provisions of the following standards:

- A. No Home Occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and State fire and police recommendations.
- B. Conduct of the Home Occupation does not generate more noise, vibration, glare, fumes, odors, or electrical interference than normally associated with residential occupancy in the neighborhood.
- C. The Home Occupation is not of a scale requiring the use of a commercial vehicle for the delivery of materials to or from the premises.
- D. The use shall not generate sewage of a nature or rate greater than that normally associated with residential occupancy nor shall it generate hazardous waste or solid waste at a rate greater than that normally associated with residential occupancy.
- E. The Home Occupation may increase vehicular traffic flow and parking by no more than one additional vehicle at a time and any need for parking generated by the conduct of a Home Occupation shall be met off the street, other than in a required front yard, and, if in a driveway, in such a manner that access to the garage is not eliminated.
- F. No more than one person other than those living in the residence may be employed in the Home Occupation.
- G. No outdoor display of goods or outside storage of equipment or materials shall be permitted.
- H. No accessory building may be used for operations, display of goods or the storage of equipment or materials used in the Home Occupation.
- I. No Home Occupation will be allowed that jeopardizes the health and safety of residents of the City.
- J. There shall be no renting of space in a residence for non-residential purposes.
- K. Retail is not a permitted home occupation.
- L. There shall be no exterior display or exterior signs or interior display or interior signs that are visible from outside the dwelling with the exception of one (1) directional or identification/business sign not to exceed two (2) square feet in area.