

**CITY OF HANOVER  
PLANNING COMMISSION MEETING  
APRIL 22, 2019  
OFFICIAL MINUTES**

**Call to Order/Pledge of Allegiance**

Stan Kolasa called the April 22, 2019, Planning Commission Meeting to order at 7:00 pm. Members present were Stan Kolasa, Jim Schendel, Michelle Armstrong, Dean Kuitunen, and Mike Christenson. Also present City Planner Cindy Nash, City Administrator Brian Hagen, Council Liaison Doug Hammerseng and Administrative Assistant Amy Biren. Guests were present.

**Approval of Agenda**

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

**Approval of Minutes from the March 25, 2019, Regular Meeting**

**MOTION** by Armstrong to approve the March 25, 2019, minutes, seconded by Schendel.  
**Motion carried unanimously.**

**Citizen's Forum**

None

**Public Hearing**

**Interim Use Permit at 10467 Beebe Lake Road NE**

Kolasa closed the Planning Commission meeting and opened the Public Hearing at 7:02 pm.

Nash reviewed the information provided by the Interim Use Permit (IUP) applicant. The property is currently zoned Residential-Agriculture and he has applied to have a home occupation in an accessory building. Per the current ordinance, home occupations may either exist within the primary dwelling or exist via an IUP in an accessory building.

The conditions outlined in the IUP are as follows:

- Hours of operation are from 8:30 am to 6:30 pm Monday through Friday, 9 am to 1 pm on Saturday, and no operating on Sunday or holidays.
- The business must be conducted within the accessory building.
- Two (2) vehicles may be parked outside awaiting service.
- The business must conform to the home occupation ordinance requirements.
- Hazardous waste must be disposed of properly.
- Only one person that lives on the property may be employed within the business.
- The IUP will terminate on May 31, 2024. If the property is still eligible at the time of termination, a renewal may be considered.

Schendel asked if any complaints have been received by the City. Hagen responded that one was received last year which initiated this process.

Julie Hank, investor of 875 Kayla: Thank you for taking the time to listen to me today. Last April, the property at 875 Kayla was purchased with the intent to renovate and update the house and then sell it. Due to a title issue, the house could not be sold until it was resolved, so they rented it. Hank said that she has received feedback from showings that was negative about the property next door and the amount of traffic going in and out of the property. She wants the business to be shut down and not be given any variance. She does not believe the business owner has the necessary permits for hazardous waste disposal and is

afraid of groundwater contamination. The driveway of the adjacent property is located right next to the Kayla property. If people are on the deck, the traffic is very close and she worries if a buyer has children there may be an accident.

Kuitunen asked Nash what the set back from the property line to the deck was. Nash measured on the Beacon GIS and said that it was approximately 20 feet.

Christenson asked if there was any fencing between the properties. Hank said no, but she has had trees planted to block it off.

Armstrong asked if the property next door is different from when Hank purchased the home. Hank replied that there were cars parked there but it got busier later. Armstrong asked if Hank recognized that when purchasing the home. Hank said no.

Hammerseng asked for more clarification on the distance from the deck to the property line. Nash said that by today's standards, the deck is too close to the property line. She went on to say that she doesn't have the history of the property, so does not know whether or not that was allowed at the time of construction.

Hammerseng asked Hank what makes it different now compared to when she purchased the property. Hank stated that there is too much stuff going on with cars and trailers.

Kuitunen asked the applicant if the trailer traffic is related to the business or was personal to the owner. Elroy Grambart answered that it was personal as he has classic cars stored on the property and they were located behind a security fence.

Christenson asked what hours was when the traffic was occurring. Hank stated the renter said it was happening all of the time and that the renter worked from home.

Hammerseng asked for a review of what had been discussed last year when the home occupation ordinance was updated. Nash said that small modifications were approved such as increasing the number of parked vehicles from one to two; and allowing the home business to operate from an accessory building only in the Residential Agriculture district along a county road. She went on to say that no outdoor storage would be allowed other than the two parked vehicles. The rest of the home occupations conditions were compliant.

Hammerseng asked for clarification on the number of vehicles. Nash said that for a home occupation it is one vehicle and two vehicles for a home occupation with an IUP.

Hank questioned why the applicant was even being allowed to operate as he did not have an IUP. Hagen said that direction had been given by Council for the applicant to apply for an IUP and to continue to operate as before pending consideration of the IUP application.

Joel Grambart responded to the trailer question by explaining that there may have been more than two vehicles during the time when people were picking up or dropping off vehicles. It was usually no longer than 15 minutes. He added that there is one trailer being loaded with scrap metal that will not be there once the metal has been recycled.

Christenson asked Joel Grambart if he was fine with the conditions and complying with the other conditions in the home occupation ordinance. He responded yes.

Hammerseng asked if working with the door open had been discussed. Joel Grambart said he did have the doors open the other day when it was nice out. Nash replied that the ordinance says that the doors need to be closed. Hammerseng said that his recollection was that the business was to comply with the home occupation ordinance regulations and that it was just in an accessory building rather than the home.

Elroy Grambart said that the property is torn up right now as the house was hooked up to City water and sewer and was very muddy. Restoration still needs to be done. Nash clarified that work such as that is not related to the operation of the business.

Nash reminded the Board that if a home occupation with an IUP is not in compliance with the ordinance, then Council can revoke the IUP. Applicants need to be given the chance to comply.

Kolasa closed the Public Hearing and re-opened the Planning Commission meeting at 7:27 pm.

**MOTION** by Armstrong to recommend forwarding the IUP application to Council for approval with the conditions outlined, seconded by Christenson.

**Motion carried unanimously.**

### **Unfinished Business**

None

### **New Business**

#### **Final Plat for Crow River Heights West Fourth Addition**

Nash reminded the Board that everything in the packet was reviewed last summer and the Planning Commission recommended sending it forward to Council for approval. After that meeting, the developer withdrew the application. There will be some minor revisions that will be presented to Council such as engineering specifics.

Armstrong asked why the developer had withdrawn the application. Buck Backes responded that sales were slow and the homes in the Third Addition were not selling as quickly as planned. He has since increased the number of builders to five as well as sold a few lots to individuals. Most of the lots in the Third Addition have been sold.

**MOTION** by Armstrong to recommend forwarding the Crow River Heights West Fourth Addition Final Plat to Council for approval with the twenty conditions listed in the memo, seconded by Kuitunen.

**Motion carried unanimously.**

Backes asked about going ahead with grading. Nash responded that she would have to get back to him.

### **First Review of Ordinance 2019-XX Amending the Official Zoning Map of the City of Hanover to bring Map into Conformance with the City of Hanover Comprehensive Plan**

Nash said that the zoning map discussion needs to be started as it will need to be amended to be in sync with the Comprehensive Plan 2040 that was approved. A public hearing will take place at a later date. A draft of the zoning map has been given to each member and should match up with the land use map.

One difference is found in the Residential Agriculture district. The district was split into two new districts: agriculture and rural residential. The reason for the differentiation is agricultural use. Some of the current properties are more neighborhood-like and would not be able to accommodate an agricultural use or house animals. However, if a property is currently farming or has animals, the property would be grandfathered in and would be able to continue operating.

Armstrong said that this is a wise decision and gives clear distinction on what can happen on a property that is more rural in nature.

Kuitunen asked what the difference was between Institutional and Public and used the Hanover Historical Society property as an example. Hagen replied that churches, schools, cemeteries, and non-profits would be considered Institutional and that City-owned property and parks would be Public.

Nash asked the Board to review the map and send questions to either her or Hagen.

**Reports and Announcements**

Biren reminded the members of the Joint meeting on May 4<sup>th</sup>.

Nash informed the members that the City Council had ordered an Environmental Assessment Worksheet (EAW) for the Mahler Pit. Fehn will be applying for an extension and expansion of the gravel pit this summer. He would like to expand the pit southward and increase the side to approximately 160 acres.

Hammerseng thanked the members for allowing him to be gone over the winter and for the people that filled in for him.

Schendel asked that No Parking signs be put up along River Road by the River Inn as people are not seeing the yellow curbs. Kolasa agreed and asked that staff go through the downtown area to see where parking signs were needed.

**Adjournment**

**MOTION** by Schendel to adjourn, seconded by Christenson.

**Motion carried unanimously.**

Meeting adjourned at 7:50 pm.

**ATTEST:**

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Amy L. Biren  
Administrative Assistant