

**CITY OF HANOVER  
PLANNING COMMISSION MEETING  
JULY 27, 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. Approval of Agenda**
- 3. Approval of Minutes from June 22, 2015, Regular Meeting**
- 4. Citizen's Forum**
- 5. Public Hearings**
  - a. 10231 Beebe Lake Road—Variance on Use of Accessory Building**
- 6. Unfinished Business**
- 7. New Business**
- 8. Reports and Announcements**
  - a. Planning Commission Reports**
  - b. Liaison Report**
  - c. Staff Reports**
- 9. Adjournment**

**CITY OF HANOVER  
PLANNING COMMISSION MEETING  
JUNE 22, 2015**

**Call to Order/Pledge of Allegiance**

Chair Kolasa called the June 22, 2015, Planning Commission Meeting to order at 7:00 pm. Members present were Chair Stan Kolasa, Jim Schendel, Reid Rabon, and Dean Kuitunen. Also present were City Council Liaison Doug Hammerseng, City Planner Cindy Nash, and Administrative Assistant Amy Biren. Also present were members of the public.

**Approval of Agenda**

**MOTION** by Schendel to approve the agenda as presented, seconded by Kuitunen. **Motion carried unanimously.**

**Approval of Minutes from the April 27, 2015, Regular Meeting**

**MOTION** by Schendel to approve the April 27, 2015, minutes as presented, seconded by Rabon. **Motion carried unanimously.**

**Citizen's Forum**

None.

**Public Hearing**

**935 LaBeaux Avenue—Variance from Home Occupation Ordinance**

Kolasa closed the regular meeting and opened the Public Hearing at 7:02 pm. City Planner Cindy Nash presented the variance application submitted by Brennan Torkelson to conduct a custom cabinetry business from an accessory building at 935 LaBeaux Avenue. The current owner of the property has a Conditional Use Permit for an auto body repair shop. Staff recommended approval of the variance.

Mike Holslin, Barb and Chris Adams, and Chat Pettit, neighbors of 935 LaBeaux Avenue asked questions of the Torkelson regarding hours of operation, noise and exhaust coming from the shop. Torkelson answered that his hours of operation are usually 7 am to 4 pm Monday through Friday, with rare occasions working a half day on Saturday. There would be little noise, perhaps from the monthly delivery of wood products and that exhaust and sawdust would be controlled.

Hammerseng asked about clients visiting the site and Torkelson replied that client visits are conducted on site as there is planning involved and it flows better to be in the space being remodeled or built.

Rabon asked about the spray booth. Torkelson has an industrial spray booth on order and his insurance requires him to have the properly controlled environment to conduct his cabinetry business.

Kolasa closed the public hearing at 7:15 pm and reopened the regular meeting.

Rabon moved to approve recommending the variance for 935 LaBeaux Avenue, seconded by Schendel. **Motion carried unanimously.**

**Unfinished Business**

None

**New Business**

None

## **Reports and Announcements**

### **Planning Commission:**

Rabon inquired about the working hours for construction particularly in Crow River Heights. He asked if staff would look at neighboring cities to see if their construction hours coincided with Hanover's.

Rabon also asked about the status of the 10 Acres and if the Hanover Athletic Association was meeting with the City. Biren replied that the Hanover Athletic Association has met with the City and is aware that a potential buyer of half of the property. There is a special meeting of the Council scheduled for Thursday, June 25, at 7:30 am to discuss tree clearing on the property.

### **Liaison Report:**

Hammerseng reported good feedback on the CSAH 19 Trail and that paving should take place this week. Also the restoration project on the Historic Bridge is moving along with the wood being ordered for the deck. The project will begin after the Hanover Harvest Festival.

### **Staff Reports:**

Nash brought to the attention of the Commission that the Supreme Court made a ruling this past week that does affect the sign ordinance. She will bring any changes that need to be made to the Commission after reviewing the Supreme Court ruling and the current ordinance.

Nash also has been working with staff and a potential buyer for the Rest of the West.

Biren reiterated feedback on the CSAH 19 Trail and the Rest of the West buyer. She also updated the Commission on current building permits, a future variance application for July's meeting, and possible ordinance amendments.

### **Adjournment**

**MOTION** by Rabon to adjourn, seconded by Schendel. **Motion carried unanimously.** Meeting adjourned at 7:25 pm.

### **ATTEST:**

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Amy L. Biren, Administrative Assistant

## ***Collaborative Planning, LLC***

PO Box 251  
Medina, MN 55340  
763-473-0569

### Memorandum

Date: July 23, 2015  
To: Planning Commission  
From: Cindy Nash, City Planner  
RE: Variance for 10231 Beebe Lake Road

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The City has received a Variance application for review and consideration.

#### **Overview of Request**

The subject property is an existing parcel of record. A variance request is being made to permit animals in an accessory building that is 20 feet from the property line.

The accessory building is a stable that was constructed in 1985 under a building permit issued by the City (see copy attached) that clearly indicates that the property was proposed to be a horse barn. The property has had animals on it for most years until approximately two years ago. The property is currently for sale, and due to the accessory building being an actual stable, the interested purchasers have all wanted to have animals on the property.

The number of animals allowed on the property would need to be in compliance with the City's ordinance regarding animal units per acre.

#### **Evaluation of Request**

In evaluating variance requests, the following questions should be considered:

1. Is the request a reasonable use of the land?  
Staff Note: The proposed variance is a reasonable use of the land. The building was previously permitted as a stable.
2. Is the plight of the landowner due to circumstances unique to the property not created by the landowner?  
Staff Note: The situation was not entirely created by the landowner. The landowner did stop having animals on the property, but the City had originally issued the building permit for the stable in this location.
3. Will the variance, if granted, alter the essential character of the locality?  
Staff Note: The variance will not alter the essential character of the locality.

#### **Recommendation**

The City Planner recommends approval of the variance with the following conditions:

1. The existing accessory building may be used for a stable. No additions to the building or construction of additional buildings is permitted.
2. The property must be in compliance with all other conditions of the City's regulations pertaining to animal units, including number of animal units allowed.

P.D.

Permit No. 14-85  
Date 7-31-85

CITY OF HANOVER  
**BUILDING PERMIT**

PERMIT FEE	<u>189.00</u>
PLAN CHECK FEE	<u>119.60</u>
PENALTY FEE	
DRIVEWAY PERMIT FEE	
ENGINEERING FEES	
SITE FEE	
CULVERT \$	
PLUMBING FEE	
SEPTIC FEE	
WATER FEE	
WATER METER FEE	
SEWER FEE	
MECHANICAL FEE	
SURCHARGE FEE	<u>14.00</u>
OTHERS	
TOTAL FEE	<u>317.60 \$ paid</u>
FIRE ZONE	
OFF STREET PARKING	
SPACES REQ	
SPACES ON PLAN	
USE OF BUILDING	<u>Arena &amp; stable</u>
OCCUPANCY	<u>B-2</u>
GROUP	<u>IV</u>
PERCOLATION TEST	
NUMBER OF OCCUPANTS OR SEATS	
OCCUPANTS	
SEATS	
MATERIAL FILED WITH APPLICATION	
SOIL TESTS	<input type="checkbox"/>
PILING LOGS	<input type="checkbox"/>
PLANS & SPECS	<input checked="" type="checkbox"/> SETS <u>2</u>
SURVEY	<input type="checkbox"/> COPIES
PLOT PLAN	<input type="checkbox"/>
PROPOSED GRADE FOUNDATION IN RELATION TO CURB OR CROWN OF STREET	
CERTIFICATE OF OCCUPANCY ISSUED	
DATE	BY

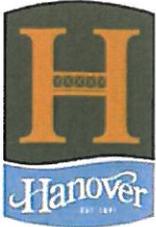
DIRECTIONS SPACES NUMBERED 1 THRU 13 MUST BE FILLED IN BEFORE PERMIT IS ISSUED (Please Print or Type and sign at bottom)		1. DATE <u>07/19/85</u>
2. SITE ADDRESS <u>10231 BEEBEE LAKE ROAD NE, HANOVER, MINNESOTA</u>		
3. LEGAL DESCRIPTION PROPERTY I.D. # <u>108500352208</u> All of the East 396.70 feet of the Northwest Quarter of Section 35, Township 120, Range 24, Wright County Minnesota, Lying southerly of County Road No 34 as it now exists across said Northwest Quarter of the Northwest Quarter. Containing 8.00 acres more or less. Subject to existing Public road easements. SECTION _____ LOT _____ BLOCK _____		
4. OWNER (Name) (Address) (Tel. No.) <u>Whittaker 10231 Beebee Lake Rd NE St. Michael, MN 55376</u> <u>bus 931-6621 home 497-3989</u>		
5. ARCHITECT (Name) (Address) (Tel. No.) <u>LESTER'S, INC. Lester Praire, MN (612) 395-2531</u>		
6. BUILDER (Name) (Address) (Tel. No.) <u>LESTER'S, Inc. Lester Praire, MN (612) 395-2531</u>		
7. TYPE OF WORK Fireplace <input type="checkbox"/> Septic <input type="checkbox"/> Heating <input type="checkbox"/> Plumbing <input type="checkbox"/> Reroofing <input type="checkbox"/> New Construction <input type="checkbox"/> Alterations <input type="checkbox"/> Addition <input type="checkbox"/> Finish Attic <input type="checkbox"/> Residing <input type="checkbox"/> Finish Basement <input type="checkbox"/> Porch <input type="checkbox"/> Garage <input type="checkbox"/> Chimney <input type="checkbox"/> Misc. <u>Horse Barn &amp; Arena</u>		
8. SIZE OF STRUCTURE <u>Stable 17' x 30' x 40'</u> <u>Arena 23' x 50' x 90'</u>	9. NO. OF STORIES <u>1</u>	10. ESTIMATED VALUE <u>\$28,000</u>
11. COMPLETION DATE <u>09/02/85</u>	12. PROPERTY DIMENSIONS Width <u>400'</u> Depth <u>900'</u>	13. NO. OF FAMILIES (if applicable) <u>1</u>
14. TYPE OF CONSTRUCTION <u>Pole Barn</u>	15. PROPERTY AREA OR ACRES Sq. Ft. <u>8.00 acres</u>	16. CULVERT SIZE Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
17. FRONT YARD set back from road property Ft. <u>400'</u>	18. REAR YARD set back Ft. <u>336.5'</u>	19. SIDE YARDS <u>20'</u> <u>319'</u> (1) Ft. (2) Ft. Et. (1x2) Ft.
20. FLOOR AREA APPORTIONMENT USE AREA		
<u>Stable</u>	<u>1440</u>	Sq. Ft.
<u>Arena</u>	<u>5000</u>	Sq. Ft.
		Sq. Ft.
AGGREGATE FLOOR AREA		Sq. Ft.
SPECIAL CONDITIONS <u>45 lbs snow load on 20' of stable</u> <u>- water drain for wash room must go to a septic system</u>		

**ACKNOWLEDGMENT AND SIGNATURE:**

The undersigned hereby agrees that, in case such permit is granted, that all work which shall be done and all materials which shall be used shall comply with the plans and specifications therefor herewith submitted and with all the ordinances of said City OF HANOVER applicable thereto.

G. Allan Whittaker  
SIGNATURE OF APPLICANT

Lois Kohm  
APPROVED BY BUILDING INSPECTOR



Hanover, MN 55341-  
 Phone: 763.497.3777  
[www.hanovermn.org](http://www.hanovermn.org)  
[cityhall@ci.hanover.mn.us](mailto:cityhall@ci.hanover.mn.us)

894 67th Street W  
 Coonville W.D  
 50741  
 Current address

For Office Use Only	
Case Number:	
Fee Paid:	6/17/15
Received by:	AM
Date Filed:	
Date Complete:	
Base Fee:	\$300
Escrow:	\$1000

## DEVELOPMENT APPLICATION

TYPE OF APPLICATION		
<input type="checkbox"/> Annexation <input type="checkbox"/> Appeal <input type="checkbox"/> Comprehensive Plan Amendment <input type="checkbox"/> Ordinance Amendment (Text or Map) <input type="checkbox"/> Planned Unit Development (Concept/Gen)	<input type="checkbox"/> Site Plan & Building Plan <input type="checkbox"/> Sketch Plan <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Variance <input checked="" type="checkbox"/> Vacation	<input type="checkbox"/> Simple Land Division <input type="checkbox"/> Subdivision Sketch Plan <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Other
PROPERTY INFORMATION		
Street Address: 10231 Bee Be Lake Rd		
Property Identification Number (PIN#): 108-500-352208		
Legal Description (Attach if necessary):		
APPLICANT INFORMATION		
Name: DAVID LIBERT		Business Name:
Address: 10231 Bee Be Lake Rd		
City: St Michael MN 55376	State: MN	Zip Code: 55376
Telephone: 612-201-9933	Fax:	E-mail: DAVIDLIBERT@3780.com
Contact:	Title:	
OWNER INFORMATION (if different from applicant)		
Name:		Business Name:
Address:		
City:	State:	Zip Code:
Telephone:	Fax:	E-mail:
Contact:	Title:	
DESCRIPTION OF REQUEST (attach additional information if needed)		
Existing Use of Property: Used existing house AREA + stable		
Nature of Proposed Use:		
Reason(s) to Approve Request:		
PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE		
Project Name: DAVID LIBERT		Date of Application: 6-16-15
Nature of Request: Permission to use existing buildings		
<b>NOTE:</b> Applications only accepted with ALL required support documents. See Application Instructions and City Code		

**APPLICATION FEES AND EXPENSES:**

The City of Hanover required all applicants to reimburse the City for any and all costs incurred by the City to review and act upon applications.

The application fee includes administrative costs which are necessary to process the application. The escrow fee will include all charges for staff time by the City Planner, City Engineer, City Attorney, and/or any other consultants as needed to process the application.

The City will track all consultant costs associated with the application. If these costs are projected to exceed the money initially deposited to your escrow account, you will be notified in the manner that you have identified below that additional monies are required in order for your application process to continue. If you choose to terminate the application (notice must be in writing), you will be responsible for all costs incurred to that point. If you choose to continue the process you will be billed for the additional monies and an explanation of expenses will be furnished. Remittance of these additional fees will be due within thirty (30) days from the date the invoice is mailed. If payment is not received as required by this agreement, the City may approve a special assessment for which the property owner specifically agrees to be to be assessed for 100 percent per annum and waives any and all appeals under Minnesota Statutes Section 429.081 as amended. **All fees and expenses are due whether the application is approved or denied.**

With my signature below, I hereby acknowledge that I have read this agreement in its entirety and understand the terms herein. **I agree to pay to the City all costs incurred during the review process as set forth in this Agreement.** This includes any and all expenses that exceed the initial Escrow Deposit to be paid within 30 days of billing notification. I further understand that the application process will be terminated if payment is not made and application may be denied for failure to reimburse City for costs. I further understand that the City may approve a special assessment against my property for any unpaid escrows and that I specifically waive any and all appeals under Minnesota Statutes 429.081, as amended.

I wish to be notified of additional costs in the following manner:

E-mail David@libert.375@hanoveril.com  Fax \_\_\_\_\_  USPS – Certified Mail

I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge.

I acknowledge that I have read the statement entitled "Application Fees and Expenses" as listed above.

I understand that this application will be processed in accordance with established City review procedures and Minnesota Statutes Section 15.99 as amended, at such time as it is determined to be complete. Pursuant to Minnesota Statutes Section 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application. Failure on my part to supply all necessary information as requested by the City may be cause for denying this application.

Applicant: David Libert Date: 6-16-15

Owner: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTE:** Applications only accepted with ALL required support documents.  
See Application Checklist and City Code



**SUPPLEMENTAL APPLICATION – VARIANCE**

Name: David Albert Phone: 612-201-8933  
Address: 10231 Bee Be Lake Rd SE medical 55370 PID #: \_\_\_\_\_

1. Present zoning of above described property: RA

2. The request(s) which we desire for our property are in conflict with the following section of the Hanover City Code. Buildings to close to property line  
Section: \_\_\_\_\_ Section \_\_\_\_\_ Section \_\_\_\_\_

3. Proposed Non-Conformance(s): USE OF EXISTING BUILDING FOR INTENDED USE

4. Would the variance be in harmony with the purposes and intent of the City Code? Attach additional pages if needed. YES USING EXISTING BUILDING AS INTENDED

5. Is the variance consistent with the Comprehensive Plan? If yes, how so? Attach additional pages if needed? FIT RA ORDINANCE

6. Does the proposal put property to use in a reasonable manner? Explain. YES USED FOR ANIMALS AS DESIGNED

7. Do special conditions and circumstances result from your own actions? Explain. (If answer is 'yes,' you may not qualify for a variance.) NO BOUGHT PROPERTY FOR THIS USE HAVE USED PROPERTY FOR THIS USE JUST WANT TO CONTINUE AS ALWAYS

8. Are there circumstances unique to the property? Explain. NO

9. Will the variance, if granted, alter the essential character of the city of Hanover? Explain. NO

10. Will the granting of the variance result in a condition which impairs an adequate supply of light and air to adjacent properties? \_\_\_\_\_ Yes  No
11. Will the granting of the variance result in a condition which diminishes the established property values in the surrounding area? \_\_\_\_\_ Yes  No
12. Will the granting of the variance result in a condition that impairs the public health, safety or welfare of the citizens of the city? \_\_\_\_\_ Yes  No
13. Could the goal be accomplished with a smaller variance? \_\_\_\_\_ Yes  No  
If No, explain: Buildings Already Built Just would like to  
continue the use of them
14. Attach to this application any materials outlined in the "Required Material Submission Checklist" for variance applications.

Applicant Signature: *David*

Date: 6-16-15

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Summary

**Parcel ID** 108500352208  
**Property Address** 10231 BEEBE LAKE RD NE  
 ST MICHAEL  
**Sec/Twp/Rng** 35-120-024  
**Brief Tax Description** Sect-35 Twp-120 Range-024 UNPLATTED LAND HANOVER ALL OF E396.70FT OF NW1/4OF NW1/4 LY SLY OF CTY RD34 AS IT NOW EXISTS ACROSS SD NW 1/4 OF NW1/4  
 (Note: Not to be used on legal documents)  
**Deeded Acres** 0.00  
**Class** 201 - (HSTD) RESIDENTIAL  
**District** (801) 0801 CITY OF HANOVER 877  
**School District** 0877  
**Creation Date** 01/01/0001



[Click to Enlarge](#)

Owner

**Primary Owner**  
 David J Libert  
 10231 Beebe Lake Rd NE  
 Saint Michael, MN 55376

GIS Acreage

**Parcel:** 108500352208  
**Acres:** 8.00  
**Acres USAB:** 7.54  
**Acres WATE:** 0.00  
**Acres ROW:** 0.46  
**Sq Ft:** 348,519.26

Land

Seq	Code	CER	Dim 1	Dim 2	Dim 3	Units	UT	Unit Price	Adj 1	Adj 2	Adj 3	Adj 4	Eff Rate	Div %	Value
1	RES L	0	0	0	0	1.000	LT	60,000.000	1.00	1.00	1.00	1.00	60,000.000	1.000	60,000
2	RES B	0	0	0	0	6.540	LT	10,000.000	1.00	1.00	1.00	1.00	10,000.000	1.000	65,400
3	ROADS NON-AG	0	0	0	0	0.460	LT	0.000	1.00	1.00	1.00	1.00	0.000	1.000	0
<b>Total</b>						<b>8.000</b>									<b>125,400</b>

Buildings

**Building 1**  
**Year Built** 1978  
**Architecture** ONE STORY  
**Heated Sq Ft** 2503  
**Finished Basement Sq Ft** 598  
**Construction Quality** D 7.5  
**Condition** N/A  
**Foundation Type** CONC BLOCK  
**Frame Type** WOOD FRAME  
**Size/Shape** SQUARE  
**Exterior Walls** WOOD LAP  
**Windows** CASEMENT  
**Roof Structure** GABLE  
**Roof Cover** TIMBERLINE  
**Interior Walls** DRYWALL

CITY OF HANOVER  
11250 - 5<sup>TH</sup> STREET NE  
HANOVER, MN 55341-0278  
763.497.3777 / 763.497.1873 FAX

**NOTICE OF PUBLIC HEARING  
FOR REQUESTED VARIANCE RELATED TO A HOME OCCUPATION**

**TO WHOM IT MAY CONCERN:**

**NOTICE IS HEREBY GIVEN** that the Planning Commission of the City of Hanover, Counties of Hennepin and Wright, State of Minnesota, will hold a public hearing on **Monday, July 27, 2015** at **7:00 p.m.** or as soon thereafter as possible, at Hanover City Hall for the purpose of receiving written and oral comments from the public on a Variance application to permit animals in an accessory building that is 20 feet from the property line on property located at 10231 Beebe Lake Road, Hanover, MN 55341.

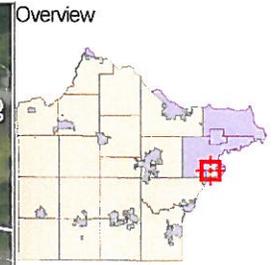
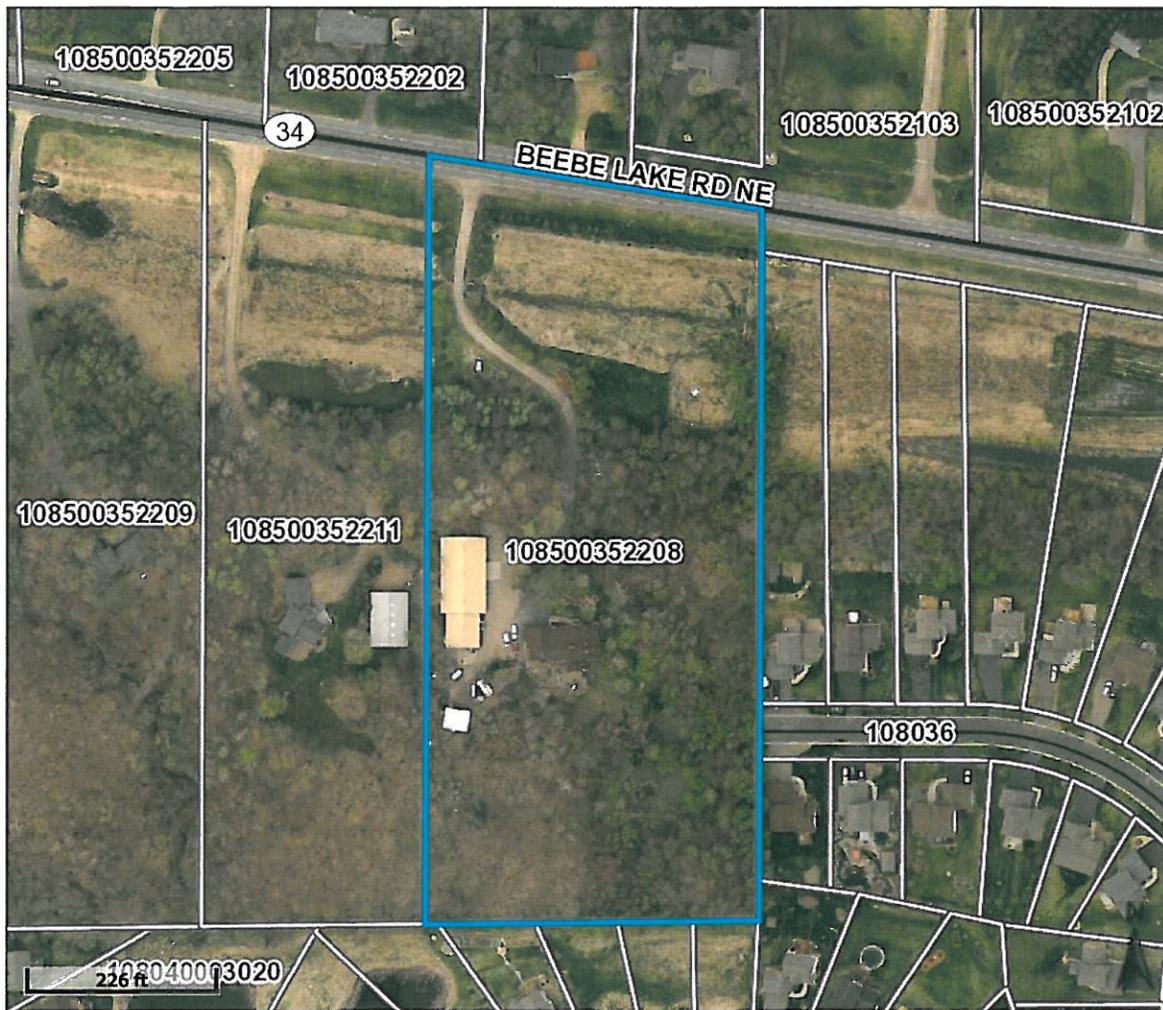
Applicant: David Libert  
10231 Beebe Lake Road  
St. Michael, MN 55376

If you desire to be heard in reference to this matter, comments may be made at the public hearing or submitted to City Hall in writing prior to the hearing.

Dated this 9<sup>th</sup> day of July, 2015.

  
\_\_\_\_\_  
Brian Hagen, City Administrator  
City of Hanover

Published in the June 11, 2015 issue of the North Crow River News and posted at the Hanover City Hall and Hanover Post Office.



- Legend**
- Roads**
- CSAHCL
  - CTYCL
  - MUNICL
  - PRIVATECL
  - TWPCL
- Highways**
- Interstate
  - State Hwy
  - US Hwy
- City/Township Limits**
- c
  - t
  - Parcels

<b>Parcel ID</b>	108500352208	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	LIBERT, DAVID J
<b>Sec/Twp/Rng</b>	35-120-24	<b>Class</b>	201 - RESIDENTIAL		10231 BEEBE LAKE RD NE
<b>Property Address</b>	10231 BEEBE LAKE RD NE ST MICHAEL	<b>Acreage</b>	n/a		SAINT MICHAEL, MN 55376
<b>District</b>	n/a				
<b>Brief Tax Description</b>	Sect-35 Twp-120 Range-024 UNPLATTED LAND HANOVER ALL OF E396.70FT OF NW1/4OF NW1/4 LY SLY OF CTY RD34 AS IT NOW EXISTS ACROSS SD NW 1/4 OF NW1/4				
	(Note: Not to be used on legal documents)				

Last Data Upload: 7/9/2015 10:22:10 AM

July 17, 2015



Hanover City Hall  
11250 – 5<sup>th</sup> St. NE.  
Hanover, MN 55341

RE: Notice of public hearing  
Applicant: David Libert  
10231 Beebe Lk.Rd.  
St. Michael, MN 55376

To the Planning Commission;

We received a notice regarding the above mentioned resident wanting animals on his property. My husband and I feel comfortable with any animals except pigs. We chose to live in the country and realize there will be aroma from various farmers but if given the choice, we do not wish to have the smell of pigs when in our own yard. If Mr. Libert is planning on any other animals, we are all for it.

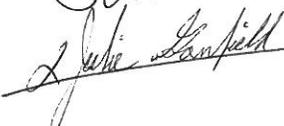
Thank you for allowing us to voice our opinion,

Jodi and David Thomsen  
566 Kayla Lane  
Hanover, MN 55341  
(612)759-4330

To whom it may concern:

In regards to the property at 10231 Beebe Lake RD NE and having horses in the barn and/or on the property we John & Julie Ganfield at property 10171 Beebe lake RD NE have no concerns with the issue at hand.

John Ganfield  
  
\_\_\_\_\_

Julie Ganfield  
  
\_\_\_\_\_

Cell  
952-649-9007

RECEIVED  
6/25/15