

**JOINT PLANNING BOARD
CITY HALL CONFERENCE ROOM
OCTOBER 28, 2013
8:30 A.M.**

AGENDA

- I. CALL TO ORDER
- II. CONSENT AGENDA
 - A. Minutes (page 1)
- III. NEW BUSINESS
 - A. Re-Zone Request - Willie Scheel Property (page 4)
- IV. OLD BUSINESS
 - A. Election of At Large Member (page 11)
- V. INFORMATIONAL
- VI. ADJOURN

*****Please contact Renee Eckerly at 320-243-3714 ext. 227 or
at renee@paynesvillemn.com if you can't attend the meeting.*****

Members: Township - Don Wiese, Don Pietsch, City – Donovan Mayer, Renee Eckerly, At Large – VACANCY

This agenda has been prepared to provide information regarding an upcoming meeting of the Joint Planning Board. This document does not claim to be complete and is subject to change.

BARRIER FREE: All Joint Planning Board meetings are accessible to the handicapped. Attempts will be made to accommodate any other individual need for special services. Please contact City Hall (320) 243-3714 early, so necessary arrangements can be made.

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Joint Planning Board

Committee/Council Meeting Date: October 28, 2013

Agenda Section: Consent

Originating Department:

Item Number: II - A

ITEM DESCRIPTION: Minutes

Prepared by: Staff

COMMENTS:

Please review the attached minutes from the April 24, 2013 Joint Planning Board meeting.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to approve the minutes from the April 24, 2013 Joint Planning Board meeting.

**MINUTES
JOINT PLANNING BOARD**

APRIL 24, 2013

Chairperson Don Pietsch called the Joint Planning Board meeting to order at 8:30 a.m. Members present were Donavan Mayer, Don Pietsch, Don Wiese, and Renee Eckerly. Also present was Keith Dombrovski.

Motion was made by Wiese to approve the minutes of the November 13, 2012 Joint Planning Board meeting. Seconded by Mayer and unanimously carried.

APPOINTMENT OF AT LARGE MEMBER

Jeff Bertram formerly served in this position. The Board discussed whether or not to appoint Bertram as the At Large Member. The Township's concern is that the At Large Member be able to see both sides regarding annexation. The reason Bertram was the At Large Member was because of his experience on the County Planning Commission. The Board discussed this further and this will be tabled until the next meeting at which time the City and Township will present three nominations each.

Motion was made by Wiese to elect Jeff Bertram as the At Large Member. Seconded by Wiese and failed (Wiese, yes; Pietsch, yes; Eckerly, no; and Mayer no).

ELECTION OF OFFICERS

Motion was made by Eckerly to elect Don Pietsch as Chairperson; Mayer as Vice Chairperson; and Eckerly as Secretary. Seconded by Wiese and unanimously carried.

MEETING SCHEDULE

The Board consented to keep the meetings on an as needed basis. The next meeting will be held on Monday, May 6, 2013 at 8:30 a.m. to discuss the At Large Member position.

KEITH DOMBROVSKI – DETACHED ACCESSORY SHED

Keith Dombrovski would like to construct a detached accessory shed for agriculture use. Dombrovski already has an 8x16 shed, but this would replace that one. No variance is needed and the Township has already approved this contingent upon the Joint Planning Board's approval.

Motion was made by Mayer to approve the Dombrovski Site Permit and recommend such to the City Council. Seconded by Wiese and unanimously carried.

INDUSTRIAL AREA

There is an area in the Township zoned R-10 south of the Airport land. The Township has been contacted by a developer for 130 acres and re-zone it to industrial.

There being no further business, the meeting was adjourned at 8:53 a.m.



REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Joint Planning Board

Committee/Council Meeting Date: May 6, 2013

Agenda Section: Old Business

Originating Department:

Item Number: IV - A

ITEM DESCRIPTION: Election of At Large Member

Prepared by: Staff

COMMENTS:

Jeff Bertram has served in the At Large position of the Board in the past and was appointed on an annual basis.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to appoint _____ to the At Large position of the Joint Planning Board.

Notice of Public Hearing
Paynesville Township

The Paynesville Township board of supervisors will hold a public hearing at 8:15 p.m., on Tuesday, November 12, 2013 at the township office at 28780 Koronis Drive.

Purpose of the hearing is to hear from citizens of the township that are in favor of or opposed to rezoning application from Wilbert A. Scheel Trust to rezone 23 acres to commercial, which presently involves 13 acres zoned Urban Expansion and 10 acres zoned Agricultural.

This property is located in that part of the W1/2NW1/4 of Section 17 in Paynesville Township. The property parcel ID's are 26.15542.0000 and 26.15542.0010

Anyone wishing to be heard may attend the said hearing or submit written comments to the township board prior to the hearing.

Donald D. Wiese, Clerk
Paynesville Township

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S/ho
CSRE.
10/15/09

FILED
OCT 19 2009
RANDY R. SCHREIFELS
COUNTY AUDITOR

OFFICE OF COUNTY RECORDER
STEARNS COUNTY, MINNESOTA

Document # **1300669**
Certified, Filed, and/or Recorded on
10-19-2009 at 11:54 AM



DIANE GRUNDHOEFER
STEARNS COUNTY RECORDER

26.15542.0000
Grantor Parcel Identification Number(s)

Grantee Parcel Identification Number(s)

**CERTIFICATE OF TRANSFER OF DEVELOPMENT RIGHTS
AND
DECLARATION OF RESTRICTIONS**

THIS Certificate of Transfer of Development Rights and Declaration of Restriction is executed this 3rd day of July, 2009, by Wilbert A. Scheel, as Trustee of the Wilbert A. Scheel Irrevocable Trust dated September 20, 2006, hereinafter referred to as "Grantor(s)" for the purpose of transferring residential development rights to Wilbert A. Scheel, as Trustee of the Wilbert A. Scheel Irrevocable Trust dated September 20, 2006, "Grantee(s)".

Grantor(s) hereby transfer(s) to the Grantee(s) the residential development rights for ONE (1) residential dwelling sites from the following described property which shall be referred to as the "Grantor Site":

That part of the W1/2 NW1/4 of Section 17, Township 122 North, Range 32 West, Stearns County, Minnesota described as follows: Commencing at the northwest corner of said W1/2 NW1/4; thence South. 00°39'53" West, (assumed bearing) along the west line of said W1/2 NW1/4, a distance of 448.35 feet; thence South 73°48'51" East, a distance of 650.00 feet to the point of beginning of the land to be described; thence South 00°39'53" West, parallel with said west line, a distance of 254.00 feet; thence South 89°24'27" West, a distance of 626.45 feet to said west line; thence South 00°39'53" West, along said west line, a distance of 885.93 feet to the northwest corner of WILGLO ACRES ADDITION, Block Three, according to the recorded plat thereof on file and of record in the office of the County Recorder, Stearns County, Minnesota; thence South 89°24'27" East, along the north line of said WILGLO ACRES ADDITION, a distance of 1312.31 feet to the northeast corner of said WILGLO ACRES ADDITION; thence North 00°33'49" East, along the west line of Block One of said WILGLO ACRES ADDITION, a distance of 461.16 feet; thence North 73°48'51" West, a distance of 606.00 feet; thence

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North 00°33'49" East, a distance of 951.00 feet to the southerly right of way line of State Highway No. 55; thence North 73°48'51" West, along said right of way line, a distance of 103.49 feet; thence South 00°39'53" West, parallel with said west line a distance of 450.00 feet to the point of beginning.

The residential development rights are transferred to the following described property which shall be referred to as the "Grantee Site":

That part of the W1/2 NW1/4 of Section 17, Township 122 North, Range 32 West, Stearns County, Minnesota described as follows: Commencing at the northwest corner of said W1/2 NW1/4; thence South 00° 39' 53" West, (assumed bearing) along the west line of said W1/2 NW1/4, a distance of 448.35 feet to the point of beginning of the land to be described; thence South 73° 48' 51" East, a distance of 650.00 feet; thence South 00° 39' 53" West, parallel with said west line, a distance of 254.00 feet; thence South 89° 24' 27" West, a distance of 626.45 feet to the west line of said W1/2 NW1/4; thence North 00° 39' 53" East, along said west line, a distance of 441.68 feet to the point of beginning.

DECLARATION

WHEREAS, Sections _____, Stearns County Zoning Ordinance Number 209, or successor ordinances require that the Grantor Site area of 23.78 acres be restricted from additional residential development.

NOW, THEREFORE, the Grantors make the following Declaration of Restrictions. The restrictions described below shall apply to the Grantor Site and shall run with the land and shall be binding on all parties and all persons claiming under them:


1. That use of the property described herein as the Grantor Site, or any part thereof, for a residential dwelling site shall be prohibited.
2. That use of the property, described herein as the Grantor Site, for the determination of additional residential dwelling site density under the provisions of Stearns County Zoning Ordinance Number 209; or successor ordinances, shall be prohibited.

BE IT FURTHER RESOLVED, that:

1. This Declaration of Restriction shall remain in effect so long as Stearns County Land Use and Zoning Ordinance Number 209, or successor ordinances, is not amended to affect the status of the Grantor Site for use as a residential building site.
2. This Declaration of Restriction shall be enforced by Stearns County.

IN WITNESS WHEREOF, the Grantors have executed this Transfer of Development Rights and Declaration of Restriction on the date and year above written.

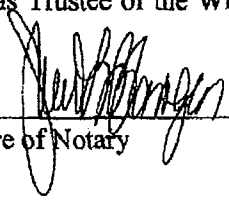
GRANTOR



Wilbert A. Scheel, as Trustee of the Wilbert A. Scheel
Irrevocable Trust dated September 20, 2006

STATE OF MINNESOTA)
) ss.
COUNTY OF STEARNS)

The foregoing instrument was acknowledged before me this 31st day of July, 2009, by Wilbert A. Scheel, as Trustee of the Wilbert A. Scheel Irrevocable Trust dated September 20, 2006, Grantor.



Signature of Notary

THIS INSTRUMENT DRAFTED BY:
David T. Johnson, Esq.
Amundson & Johnson, P.A.
217 West James Street
P.O. Box 241
Paynesville, MN 56362
Phone: (320) 243-3878
Atty. Reg. No. 291055



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CSL
10/15/09

FILED
OCT 19 2009
RANDY R. SCHREIFELS
COUNTY AUDITOR

OFFICE OF COUNTY RECORDER
STEARNS COUNTY, MINNESOTA

Document # 1300668

Certified, Filed, and/or Recorded on

10-19-2009 at 11:54 AM

DIANE GRUNDHOEFER
STEARNS COUNTY RECORDER



Parcel No. 26-15542.0000

**DECLARATION OF RESTRICTIONS
FOR
CONVEYANCE FOR NON-BUILDING PURPOSES**

THIS Declaration of Restrictions for conveyance for non-building purposes "Declaration" is made this 31st day of July 2009 by the undersigned "Declarants".

WHEREAS, Wilbert A. Scheel, as Trustee of the Wilbert A. Scheel Irrevocable Trust dated September 20, 2006 hereinafter referred to as the "Declarants" are the fee owners of the following described property:

That part of the W1/2 NW1/4 of Section 17, Township 122 North, Range 32 West, Stearns County, Minnesota described as follows: Commencing at the northwest corner of said W1/2 NW1/4; thence South. 00°39'53" West, (assumed bearing) along the west line of said W1/2 NW1/4, a distance of 448.35 feet; thence South 73°48'51" East, a distance of 650.00 feet to the point of beginning of the land to be described; thence South 00°39'53" West, parallel with said west line, a distance of 254.00 feet; thence South 89°24'27" West, a distance of 626.45 feet to said west line; thence South 00°39'53" West, along said west line, a distance of 885.93 feet to the northwest corner of WILGLO ACRES ADDITION, Block Three, according to the recorded plat thereof on file and of record in the office of the County Recorder, Stearns County, Minnesota; thence South 89°24'27" East, along the north line of said WILGLO ACRES ADDITION, a distance of 1312.31 feet to the northeast corner of said WILGLO ACRES ADDITION; thence North 00°33'49" East, along the west line of Block One of said WILGLO ACRES ADDITION, a distance of 461.16 feet; thence North 73°48'51" West, a distance of 606.00 feet; thence North 00°33'49" East, a distance of 951.00 feet to the southerly right of way line of State Highway No. 55; thence North 73°48'51" West, along said right of way line, a distance of 103.49 feet; thence South 00°39'53" West, parallel with said west line a distance of 450.00 feet to the point of beginning. ✓

WHEREAS, Section 41 Stearns County Subdivision Ordinance Number 230, or successor ordinances, allows conveyances by metes and bounds description, provided the conveyance does not create additional building site density.

SCR 1 of 2

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NOW, THEREFORE, the Declarants make the following declaration of restrictions. The restrictions described below shall run with the land and shall be binding on all parties and all persons claiming under them:

- 1. That this conveyance is for a purpose other than to create a building site. Therefore, use of the property herein, or any part thereof as a building site shall be prohibited.

BE IT FURTHER RESOLVED that:

- 1. This Declaration shall remain in effect unless the property described herein is platted to meet all provisions of Stearns County Subdivision Ordinance Number 230; or successor ordinances.
- 2. This Declaration shall be enforced by Stearns County.

IN WITNESS THEREOF, the Declarants have executed this Declaration on the date and year above written.

DECLARANTS

Wilbert A. Scheel
 Wilbert A. Scheel, as Trustee of the
 Wilbert A. Scheel Irrevocable Trust
 dated September 20, 2006

State of Minnesota)
) ss.
 County of Stearns)

The foregoing instrument was acknowledged before me this 3rd day of July, 2009 by Wilbert A. Scheel, as Trustee of the Wilbert A. Scheel Irrevocable Trust dated September 20, 2006, Declarant

[Signature]
 Signature of Notary

This instrument drafted by:
 David T. Johnson - Amundson & Johnson, P.A.
 217 W. James Street; P. O. Box 241, Paynesville, MN 56362
 Phone: (320) 243-3878
 Atty. Reg. No. 291055



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<Map Title>

Green - 75' buffer = 3.2 acres
 Red - 50' buffer = 2 acres

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REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Joint Planning Board

Committee/Council Meeting Date: October 28, 2013

Agenda Section: Old Business

Originating Department:

Item Number: IV - A

ITEM DESCRIPTION: At Large Member Appointment

Prepared by: Staff

COMMENTS:

Jeff Bertram has served in the At Large position of the Board in the past and was appointed on an annual basis.

Township Nominees:

Gerry Mehr
Mike Jacobson
Bruce Stang

City Nominees:

Marv Niedan
Bert Stanley
Jeff Thompson

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to appoint _____ to the At Large position of the Joint Planning Board.

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