

**SPECIAL JOINT PLANNING BOARD  
CITY HALL CONFERENCE ROOM  
NOVEMBER 7, 2019  
6:00 P.M.**

**AGENDA**

- I. CALL TO ORDER
- II. CONSENT AGENDA
  - A. Minutes (page 1)
- III. NEW BUSINESS
  - A. Ratification of Township Board Zoning Actions (page 4)
- IV. OLD BUSINESS
  - A. Larry & Lynae Kern – Accessory Building (page 6)
  - B. Update On:
    - 1. Spanier Project
    - 2. Lieser Project
  - C. Next Meeting Date – November 12, 2019 will not work as it is the City Council meeting
- V. INFORMATIONAL
- VI. ADJOURN

***Reminder: 6:15 p.m. Larry & Lynae Kern Accessory Building Public Hearing***

**\*\*\*Please contact Renee Eckerly at 320-243-3714 ext. 227 or at [renee@paynesvillemn.com](mailto:renee@paynesvillemn.com) if you can't attend the meeting.\*\*\***

**Members: Township - Don Wiese & Butch Mueller, City – Shawn Reinke (Alternate – Alicia LaBeau), Renee Eckerly (Alternate – Jennifer Welling), At Large Member – Gerry Mehr**

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: November 7, 2019

Agenda Section: Consent

Originating Department:

Item Number: II - A

**ITEM DESCRIPTION: Minutes**

Prepared by: Staff

**COMMENTS:**

Please review the minutes from the October 21, 2019 Joint Planning Board meeting.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to approve the minutes from the October 21, 2019 Joint Planning Board meeting.

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**MINUTES  
JOINT PLANNING BOARD**

**OCTOBER 21, 2019**

The Joint Planning Board meeting was called to order by Shawn Reinke, Chairperson at 9:08 a.m. Members present were Don Wiese, Gerry Mehr, Butch Mueller, and Renee Eckerly, City Administrator (9:40 a.m.). Bill Spooner, City Attorney was also in attendance.

**Motion was made by Mehr to approve the minutes from the July 22, 2019 Joint Planning Board meeting. Seconded by Wiese and unanimously carried.**

**ZONING & SUBDIVISION ORDINANCES**

**Motion was made by Mehr approve Zoning Ordinance No. 1. Seconded by Mueller and unanimously carried.**

**Motion was made by Mehr to approve the summary of the Zoning Ordinance and publish such summary. Seconded by Reinke and unanimously carried.**

**Motion was made by Mehr to approve the Subdivision Ordinance No. 2. Seconded by Mueller and unanimously carried.**

**Motion was made by Mehr to approve the summary of the Subdivision Ordinance No. 2 and publish such summary. Seconded by Wiese and unanimously carried.**

**Motion was made by Mueller to approve the Orderly Annexation Map dated 11-3-2010. Seconded by Mehr and unanimously carried.**

**APPLICATIONS, FEES, EXPENSES, APPOINTING ZONING ADMINISTRATOR, ETC FOR THE JOINT ORDERLY ANNEXATION AREA RESOLUTION**

**Motion was made by Mehr to approve the fees presented in Resolution 2019-1 plus \$50.00 per hour for inspection fees. Seconded by Mueller and unanimously carried.**

**Motion was made by Mehr to accept the fees for the pending matters and split all expenses equally. Seconded by Mueller and unanimously carried.**

**NEXT MEETING**

The next meeting will be a special meeting on Thursday, November 7, 2019 at 6:00 p.m. Agenda will include public hearings at:

- 6:05 p.m.     Curtis Spanier     Site Permit
- 6:10 p.m.     Bill Lieser             Variance
- 6:15 p.m.     Larry Kern             Accessory Building

Other agenda items may include:

- Stoneburner                     Platting
- Imdieke                             Storage Sheds

(Renee came at 9:40 a.m.)

### **FUTURE MEETING SCHEDULE**

**Motion was made by Reinke to meet the second Tuesday of each month at 6:00 p.m. Seconded by Mehr and unanimously carried.**

The next regular meeting is Tuesday, November 12, 2019 at 6:00 p.m.

### **ENTITY RESPONSIBILITIES**

The City will continue to create and send out the meeting agendas. The Township's permit applications will be used. The Township will collect all applications and fees for all permits (site, variance, conditional use, lot split, re-zone, vacation, platting). The Township will send, post, and publish all public hearing notices.

There being no further business, the meeting was adjourned at 10:00 a.m.

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME: Joint Planning Board**

Committee/Council Meeting Date: November 7, 2019

Agenda Section: New Business

Originating Department:

Item Number: III - A

**ITEM DESCRIPTION: Ratification Of Township Board Zoning Actions**

Prepared by: Staff

**COMMENTS:**

Please review the email language received from the Attorney, Mike Couri; Paynesville Township Board's Attorney:

"The motion that we discussed yesterday regarding Town Board approval of zoning actions for properties that have been in the OAA (and where such zoning actions should have been approved by the Joint Planning Board) should read as follows:

"Motion to ratify the past actions of the Paynesville Town Board in approving and denying conditional use permits, interim use permits, variances and site plans for properties within the orderly annexation area as set out in the orderly annexation agreement between the City of Paynesville and Paynesville Township, adopted by the Township on September 12, 2005 and adopted by the City on September 28, 2005."

Also, the zoning ordinance requires the Zoning Administrator to approve site plans. It does not hurt to put the site plans in front of the Joint Planning Board for approval before the Zoning Administrator approves them if that is what the Joint Planning Board wants to do, but it is not required by the ordinance."

**ADMINISTRATOR COMMENTS:**

The Joint Planning Board will need to decide if the Board wishes to see each site permit prior to approval by the Zoning Administrator or only those that do not meet the zoning requirements and need to apply for a Conditional Use Permit, Interim Use Permits, Variance, Lot Split, Vacation, Re-Zone, or Platting.

**COMMITTEE/COUNCIL ACTION:**

Motion to ratify the past actions of the Paynesville Town Board in approving and denying conditional use permits, interim use permits, variances and site plans for properties within the orderly annexation area as set out in the orderly annexation agreement between the City of Paynesville and Paynesville Township, adopted by the Township on September 12, 2005 and adopted by the City on September 28, 2005."

Motion to have the Joint Planning Board REVIEW/NOT REVIEW all site permits prior to approval by the Zoning Administrator.

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## Jennifer Welling

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**From:** don wiese <dwiese001@hotmail.com>  
**Sent:** Tuesday, October 29, 2019 12:56 PM  
**To:** Jennifer Welling  
**Subject:** Fw: Ratification of Town Board zoning actions

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**From:** Mike Couri <mike@couriruppe.com>  
**Sent:** Tuesday, October 29, 2019 9:39 AM  
**To:** Don Wiese <dwiese001@hotmail.com>  
**Subject:** Ratification of Town Board zoning actions

Don,

The motion that we discussed yesterday regarding Town Board approval of zoning actions for properties that have been in the OAA (and where such zoning actions should have been approved by the Joint Planning Board) should read as follows:

“Motion to ratify the past actions of the Paynesville Town Board in approving and denying conditional use permits, interim use permits, variances and site plans for properties within the orderly annexation area as set out in the orderly annexation agreement between the City of Paynesville and Paynesville Township, adopted by the Township on September 12, 2005 and adopted by the City on September 28, 2005.”

Also, the zoning ordinance requires the Zoning Administrator to approve site plans. It does not hurt to put the site plans in front of the Joint Planning Board for approval before the Zoning Administrator approves them if that is what the Joint Planning Board wants to do, but it is not required by the ordinance.

Michael C. Couri  
Couri & Ruppe, P.L.L.P.  
705 Central Avenue East  
P.O. Box 369  
St. Michael, MN 55376  
763-497-1930

## REQUEST FOR COMMITTEE/COUNCIL ACTION

**COMMITTEE/COUNCIL NAME:** Joint Planning Board

Committee/Council Meeting Date: November 7, 2019

Agenda Section: Old Business

Originating Department:

Item Number: IV- A

**ITEM DESCRIPTION:** Variance - Larry & Lynae Kern – Accessory Building

Prepared by: Staff

### **COMMENTS:**

Larry Kern wants to add back a 600 foot building that he had to remove to get the last building built.

Please see the minutes from the June 26, 2017 meeting as well as the action sheet and attachments from that meeting.

### **ADMINISTRATOR COMMENTS:**

### **COMMITTEE/COUNCIL ACTION:**

Motion to APPROVE/DENY the Variance for Larry & Lynae Kern.

Notice of Variance Hearing  
Paynesville Joint Planning Board

The Joint Planning Board of the City of Paynesville and Paynesville Township will meet and hold a public hearing 6:15 p.m., on Thursday, November 7, 2019 at the Paynesville City Hall Conference Room at 221 Washburne Ave., Paynesville MN. 56362

Purpose of the hearing is to hear from citizens of the township that are in favor of or opposed to variance application from Larry & Lynae Kern to move in an unattached accessory building on their property. The structure is 20 x 30 for a total of 600 square ft. With a total of 3792 square ft. of 2 (two) existing unattached structures and 600 ft. new structure for a total of three (3) structures with a total of 4392 square ft.

The Joint Planning Zoning Ordinance limits the total combined total size of 1800 square feet of unattached structures in a residential district of less than 9.5 acres and a combined total of no more than two (2) unattached structures . The variance would be for a structure of an additional 600 square feet in size and to allow one more structure than is allowed.

This property is located at 17257 Northwood Drive, on parcel 26.16153.0102, on Lots 7, 8 and 9 BLK all in Block 001 of Subdivision CD Name Heatherwood Section 15 Township 122 Range 032 all in Paynesville Township.

Anyone wishing to be heard may attend the said hearing or submit written comments to the Paynesville Joint Planning Board prior to the hearing.

Donald D Wiese,  
In behalf of the Paynesville Joint Planning Board.

Paynesville Joint Planning Board  
221 Washburne Ave.  
Paynesville, MN 56362



**MINUTES  
JOINT PLANNING BOARD**

**JUNE 26, 2017**

Chairperson Don Pietsch called the Joint Planning Board meeting to order at 11:00 a.m. Members present were Jeff Thompson, Don Wiese, Renee Eckerly, City Administrator; and Gerry Mehr.

**Motion was made by Thompson to approve the minutes from the November 16, 2016 Planning Board meeting. Seconded by Wiese and unanimously carried.**

**AT LARGE MEMBER APPOINTMENT**

**Motion was made by Thompson to appoint Gerry Mehr to the At Large position of the Joint Planning Board. Seconded by Wiese and unanimously carried.**

**ELECTION OF OFFICERS**

**Motion was made by Thompson to elect Pietsch as Chairperson, Thompson as Vice Chairperson, and Eckerly as Secretary. Seconded by Wiese and unanimously carried.**

**MEETING SCHEDULE**

The Board consented to meeting on an as needed basis.

**LARRY KERN ACCESSORY BUILDING**

Larry Kern lives on Lot 7 with his drain field on Lot 8; he also owns Lots 9 & 10. Mr. Kern will remove a shed. His barn is on Lot 9 and a chicken coop is on Lot 10.

Mr. Kern wants to build a large shed on Lots 8 & 9 which will equal 192 square feet of accessory buildings. Mr. Kern will combine Lots 7, 8, & 9. These are half acre lots therefore, allows him 1,200 square feet of accessory structures.

The Township gave Kern a variance for the 192 feet with the condition of removing the other shed. No letter of opposition was received for the Township Variance.

**Motion was made by Thompson to grant the Variance and site permit for Larry Kern. Seconded by Mehr and unanimously carried.**

There being no further business, the meeting was adjourned at 8:10 a.m.

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME: Joint Planning Board**

**Committee/Council Meeting Date: June 26, 2016**

**Agenda Section: New Business**

**Originating Department:**

**Item Number: III - D**

**ITEM DESCRIPTION: Larry Kern Accessory Building**

**Prepared by: Staff**

**COMMENTS:**

Larry Kern is interested in constructing a large accessory building. Mr. Kern has four lots. The Township has stated that Mr. Kern is out of zoning compliance; therefore, would have to remove the chicken coop and two other structures and combine two the four lots to be able to do what he wishes. The septic system is on a different lot.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to \_\_\_\_\_.

- Search
- Home
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- My Applications
- Legend
- Home

By ZIP Code

By City/Town

By Assessor's Office

RESULTS

26161530006 - 17107 NOKWOOD

Property Information

Parcel ID: 26161530006

Address: 17257 NORTHWOOD DR  
PAYNESVILLE  
56362

Neighborhood: HEATHERWOOD

Owner: LAWRENCE J KERIN

Address: 17257 NORTHWOOD RD  
PAYNESVILLE MN  
56362-9427

County: 079

Assessor's Office: 15122 032

Parcel Type: R

Special Assessment: R

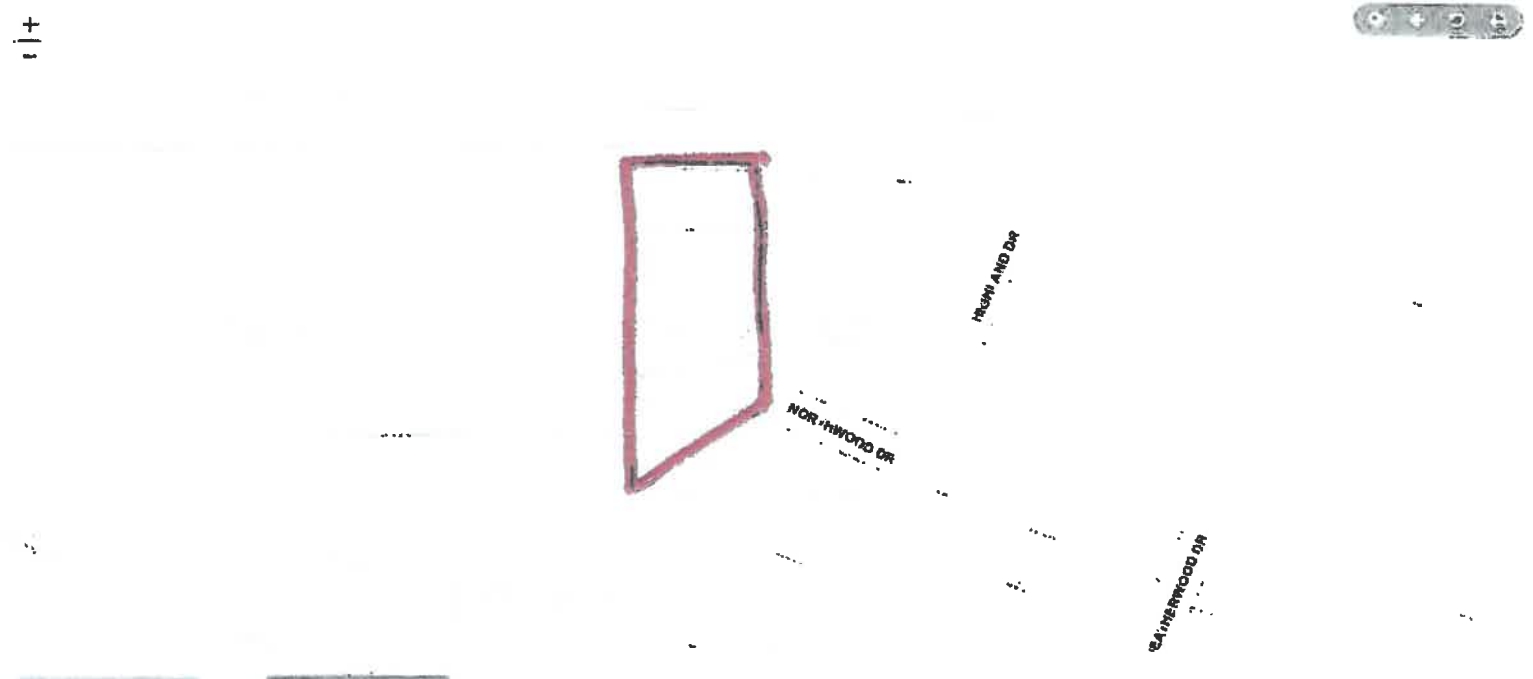
Valuation: 100

Property Classification: 030

Tax Districts

County: ISD 0791 PAYNESVILLE

Neighborhood: NORTH FORK LRCW R  
WD



View Property Information | View Property Information

- Taxes (8)
- Special Assessments (0)
- Valuation (4)
- Property Classification (5)

Handwritten mark resembling a stylized 'D' or '10'.



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# APPLICATION FOR VARIANCE

Stearns County Environmental Services Department  
http://co.stearns.mn.us/Environment/LandUseandSubdivision  
Administration Center Rm 343 - 705 Courthouse Square - St. Cloud, MN 56303  
320-656-3613 or 1-800-450-0852 - Fax 320-656-6484

Application Fee: \$ \_\_\_\_\_ File #: \_\_\_\_\_ SSTS Cert # \_\_\_\_\_ Receipt #: \_\_\_\_\_

Property Owner LARRY KENN Phone 320-250-5605  
 Address of Property 17257 Northwood Dr Parkville MN 56362  
 Mailing Address \_\_\_\_\_  
 Property Owner Email Larry @ Actfarm Service . com  
 Applicant (if different than above) \_\_\_\_\_ Phone \_\_\_\_\_  
 Applicant Mailing Address Same  
 Applicant Email \_\_\_\_\_  
 Parcel ID Number(s) 26.16153.0102

## APPLICANT(S) MUST ANSWER AND SUBMIT THE FOLLOWING:

1. State exactly what is intended to be done on or with the property and why it does not conform with current Ordinances.

Add 3 Rd Shed 600

2. Describe, as shown on your site plan, what setback or size variances(s) you are requesting.

Dimensions 20 x 30 Lot Size 1.93 Impervious Lot Coverage \_\_\_\_\_  
 Total Height \_\_\_\_\_ Sidewall Height \_\_\_\_\_ Proposed Use Storage

Setbacks from:

Road centerline and right-of-way N/A Property Line 10 ft Existing structures 4224  
 Ordinary high water level N/A Bluff none SSTS tank \_\_\_\_\_  
 SSTS drainfield N/A Other \_\_\_\_\_

3. What reasonable use of your property is lost (practical difficulties) by the strict enforcement of the related Ordinance.

4. Demonstrate how you attempted to minimize the degree of deviation necessary from the standard you are requesting a variance from and what alternatives exist.

5. I have reviewed the *Potential Variance Mitigation Requirements in Stearns County* information sheet included in the application packet, and have discussed any concerns or questions with staff. YES  NO

6. Submit all information noted on the variance checklist that has been marked as required for this variance request.

7. Variance Granted By Township? (attach a copy) YES  NO

I hereby swear and affirm that the information supplied to Stearns County Environmental Services is accurate and true. I acknowledge that this application is rendered invalid and void should the County determine that information supplied by me, the applicant, in applying for this variance, is inaccurate or untrue. Additionally, I acknowledge the continued validity of any variance that may be granted is contingent upon the compliance of all work being done according to the information herewith submitted and approved. Incomplete applications shall expire six (6) months from the date of application. Signature of this application authorizes Environmental Services Staff to enter upon the property to perform needed inspections. Entry may be without prior notice.

Lang R  
Property Owner(s)'s Signature

6-18-19  
Date

Applicant's Signature (if different)

Date

Applicant requests variance from Section(s) 15 Of Stearns County

Ordinance(s) No(s)

The intended use that does not comply with the ordinance(s) is:

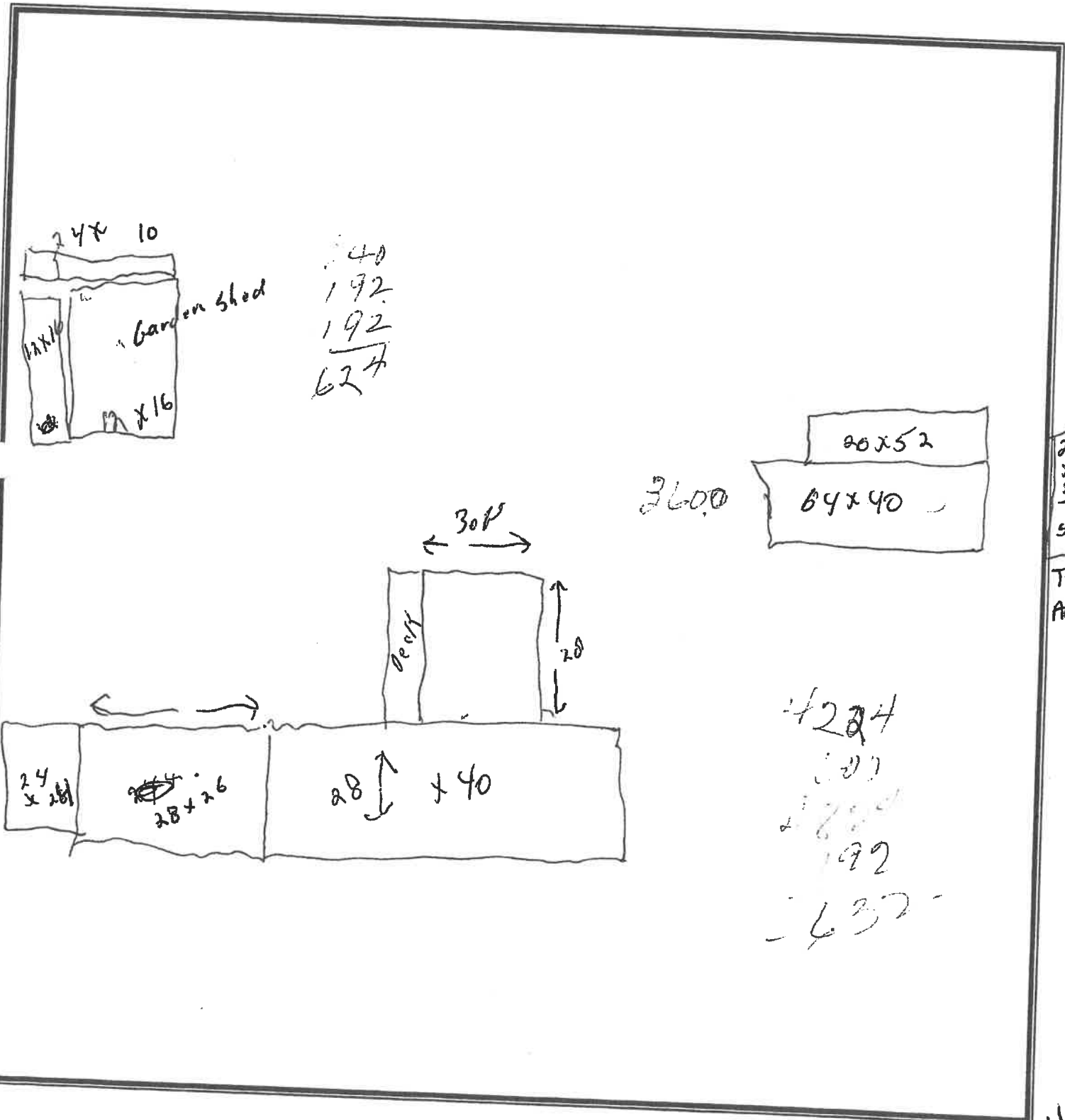
3rd Building

Parcel #: \_\_\_\_\_

### Site Plan

Indicate in the space below the following:

1. Dimensions of existing and proposed structures.
2. Setbacks from: OHWL (ordinary high water level), front yard, rear yard, side yard, encroachments, road right-of-way, centerline, bluff.



240  
192  
192  
624

2600

20x52  
64x40

26  
x  
30  
shed  
To  
Add

4224  
200  
2700  
192  
432



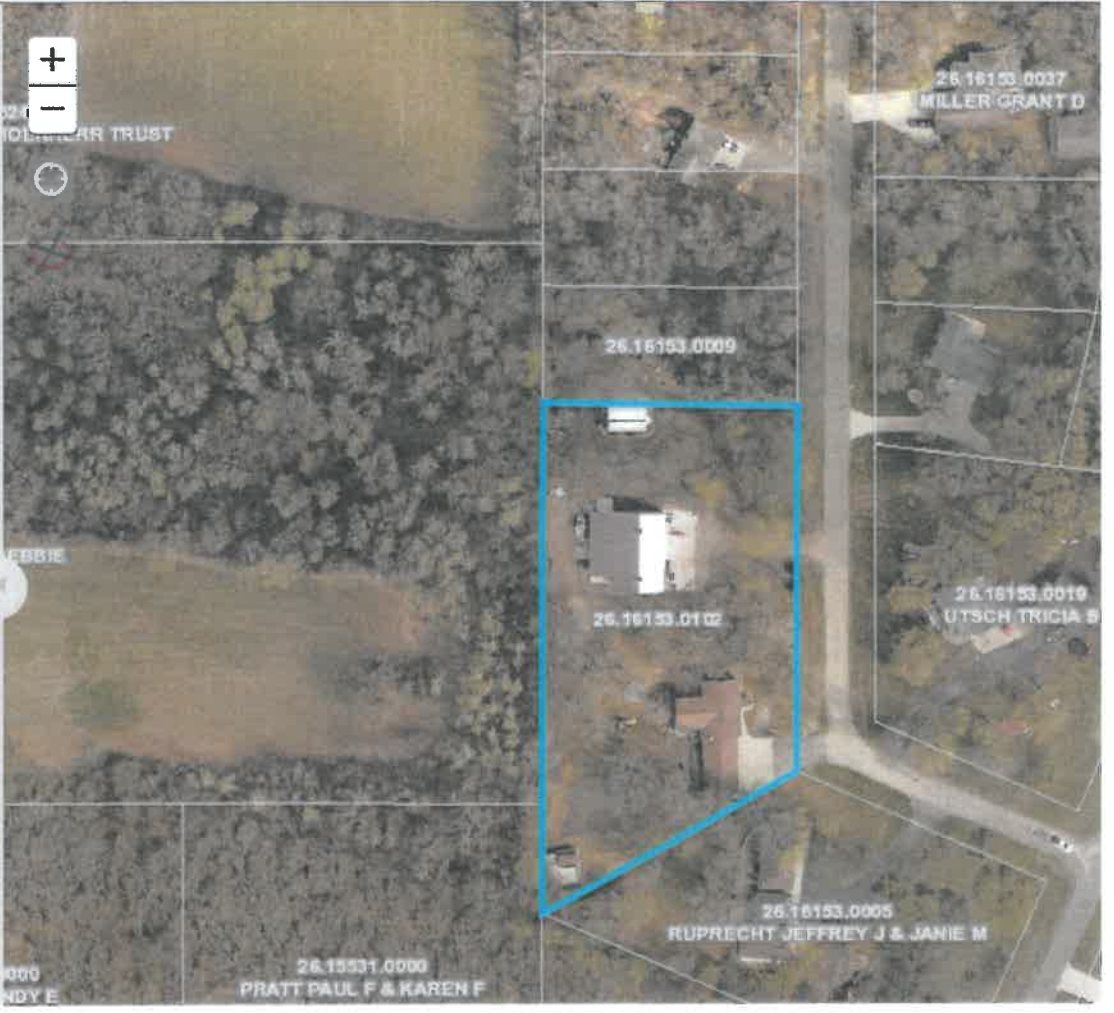
**Search**  
iConnectData  
<https://w6.iconnectdata.com/Login/logout>  
26.16153.0102

**By Address**

**RESULTS**  
Parcels (aerial overlay) ▾

**Property Information**

PARCEL:	26.16153.0102
SHAPE	Polygon
SHAPE.STAREA()	81984.658409
SHAPE.STLENGTH():	1220.6688
TAXPARCEL:	
ROLL:	
OWNERDISPLAY:	
CURLPR:	
OWNERATTNLINE:	
OWNER:	
OWNERADDR:	
OWNER_CITYSTATEZIP:	
PROP_HOUSE:	
PROP_ST_PREDIR:	



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