

**CITY OF EYOTA  
PLANNING COMMISSION MINUTES  
MAY 18, 2016**

**Present:** Members: Lief Hughes, Chad Ohl, Janet Hughes and Casey Johnson  
Council Reps: Ray Schuchard Secretary: Marlis Knowlton

**Absent:** Council Rep Bryan Cornell

**Guests:** Adam and Amanda Rabe, Wes Bussell

**Call to Order:** Chair Lief Hughes called the meeting to order at 7:00 p.m.

**Approve Agenda:** Motion was made by Ohl and seconded by Johnson to approve the agenda as presented. Ayes 4, Nays 0. Motion carried.

**Minutes:** Motion was made by Ohl and seconded by Janet Hughes to approve the March 16, 2016 regular meeting minutes and joint meeting with the Council minutes. Ayes 4, Nays 0. Motion carried.

**Public Hearing – 319 7 ST SW Zoning Variance:** Request to approve a conditional use permit for an accessory building on a vacant lot adjacent to 602 South Avenue SE, owned by Adam and Amanda Rabe. Description of property: City Lands 106-12-14 PIN 62.14.42.076372. See “Exhibit A”

Motion was made by Johnson and seconded by Ohl to close the regular meeting. Ayes 4, Nays 0. Motion carried.

Motion was made by Ohl and seconded by Janet Hughes to open the public hearing. Ayes 4, Nays 0. Motion carried.

Adam explained they want to build a small shed to store miscellaneous items and place it closer to the driveway for easy access for the snow blower, not way back in their yard and not too close to the neighbors. It would be sided to match the existing house.

Schuchard questioned what the setback requirements would be to allow Speltz (neighbor owning the agricultural field to the east) enough room to mow hay. Knowlton, set back would be seven and one half feet.

Lief Hughes questioned what kind of problems this would cause if Sixth Street SE was ever to be extended. Amanda stated there is a recorded access easement for the driveway from Whitcomb’s when they purchased their lot.

Ohl questioned Rabe’s if they were okay with moving the shed if needed at a later date. Amanda stated they have been maintaining this lot and asked why the City had not bought it if they thought they needed it for a future street; and when will it be developed?

Through more questioning, Rabe's stated they would be willing to move it.

Wes Bussell explained he bought this lot when he built his house (670 South Avenue SE) because Whitcomb's did not want or need it anymore. Bussell said when he was Mayor there were no plans to extend Sixth Street. If the permit is obtained, in the future the developer could negotiate with Rabes and purchase it. If the permit is not approved, the lots could be combined and then the opportunity to easily extend the street would be gone. Bussell also thought if he remembered the master plan (to develop part of Whitcomb's field) it did not include extending Sixth Street. Schuchard said he thought it showed a street behind these homes because Olmsted County would not permit another access on to South Avenue SE (County Road 142).

Amanda said they had talked to the neighbors and they are fine with this. It was verified that no other public comments had been submitted for the hearing. Ohl stated the public had received notice, had their chance to comment and he interpreted that as being in favor of the permit.

Lief Hughes asked if there were any other comments. There were none.

Motion was made by Ohl and seconded by Johnson to close the public hearing.

Ayes 4, Nays 0. Motion carried.

Motion was made by Ohl and seconded by Johnson to open the regular meeting.

Ayes 4, Nays 0. Motion carried.

Motion was made by Ohl and seconded by Janet Hughes to approve the conditional use permit for a twelve by fifteen foot accessory shed and said it to the Council for approval.

Ayes 4, Nays 0. Motion carried.

Finding of Facts: Motion was made by Ohl and seconded by Janet Hughes to state the findings that there was no neighborhood opposition and the owners are willing to move the shed if Sixth Street SE ever is extended. Ayes 4, Nays 0. Motion carried.

**Commission Member Application:** John Chesney submitted an application to fill the vacated seat held by Barry Karsjens, which will expire December 31, 2016.

Motion was made by Janet Hughes and seconded by Johnson to recommend the Council appoint John Chesney as a Commission member. Ayes 4, Nays 0. Motion carried.

**Ordinance Codification Planning:** The Commission reviewed the proposal from the League of Minnesota Cities and American Legal Publishing Corporation to codify the ordinances. They talked in detail that this is major undertaking and will take a lot of time and decisions that will affect the future of the City. They also agreed that the zoning ordinances must be included in the codification.

Motion was made by Ohl and seconded by Janet Hughes to recommend to the Council to approve codification via the proposal from the League and Legal Publishing and it must include the zoning ordinances. Ayes 4, Nays 0. Motion carried.

**Other Business:**

**Rezoning of Second Street Wetland Acreage:** Ohl commented that the Commission had previously lain on the table to rezone the one acre parcel in the Second Street Wetlands for the development of brewery. Ohl questioned if the Commission should be doing something now, what is the status of that property. Knowlton said the one acre has been surveyed, the survey has not been approved by the Council or recorded, an appraisal is being done now and the next step would be to rezone it for sale/development. Schuchard questioned the timing of rezoning versus negotiating a sale; should it be rezoned before a potential buyer spends time on plans. The Council should decide if the property should be considered for rezoning now.

**Jake Brakes:** Lief Hughes questioned if any research has yet been done on putting up signs to prohibit jake braking. Knowlton has not yet looked in to that; Minnesota Department of Transportation would have regulations.

**Adjourn:** Motion was made by Ohl and seconded by Johnson to adjourn. Ayes 4, Nays 0. Motion carried. Meeting was declared adjourned at 7:50 p.m.

  
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Marlis Knowlton  
Clerk/Treasurer

**PLANNING COMMISSION  
CITY OF EYOTA  
EYOTA, MINNESOTA**

**NOTICE OF PUBLIC HEARING  
CONDITIONAL USE PERMIT**

**NOTICE IS HEREBY GIVEN**, that a public hearing will be held by the Planning Commission at Eyota City Hall on Wednesday, May 18, 2016 at 7:00PM. The purpose of the hearing is to consider and receive public comment on a conditional use permit application to allow for an accessory building to be erected on an R-1 (Low Density Residential District) nonconforming lot located on the following described premises:

Adam and Amanda Rabe, owners  
62.14.42.076372  
Section 14, Township 106, Range 12  
City Lands 106-12-14  
adjacent to 602 South Avenue SE

ALL OF THE LANDS BEING IN OLMSTED COUNTY, MINNESOTA

This notice is given pursuant to Ordinance #53, Section 11.10 of the Zoning Ordinance for the City of Eyota, Minnesota.

All interested persons are invited to attend or submit written comments to:  
Eyota City Hall at 38 South Front Street SW, PO Box 328, Eyota, Minnesota 55934.

/S/Marlis Knowlton  
Marlis Knowlton  
Clerk/Treasurer

"Exhibit A"

CITY OF EYOTA, MINNESOTA

TO: Zoning Administrator  
P.O. Box 328  
Eyota, MN, 55934

APPLICATION FOR A CONDITIONAL USE PERMIT

The undersigned hereby makes application for approval of a Conditional Use Permit under the provisions of Section 11.10 of the Zoning Code in accordance with the attached plans:

LOCATION OF PROPERTY:

Address: 602 South Avenue SE

Legal Description: 62.14.42.076372

Section 14 Township 106 Range 12

City Lands 106-12-14

adjacent to 602 South Avenue SE

REASON FOR CONDITIONAL USE PERMIT:

To put a shed up on a parcel w/out an existing home that is non-buildable because of size. I own the <sup>two</sup> ~~same~~ parcels that sit right next to each other.

DATE: 4/20/16

Respectfully submitted,

Adam Rabe  
(Owner or Corporation)

602 South Ave SE  
(Address)

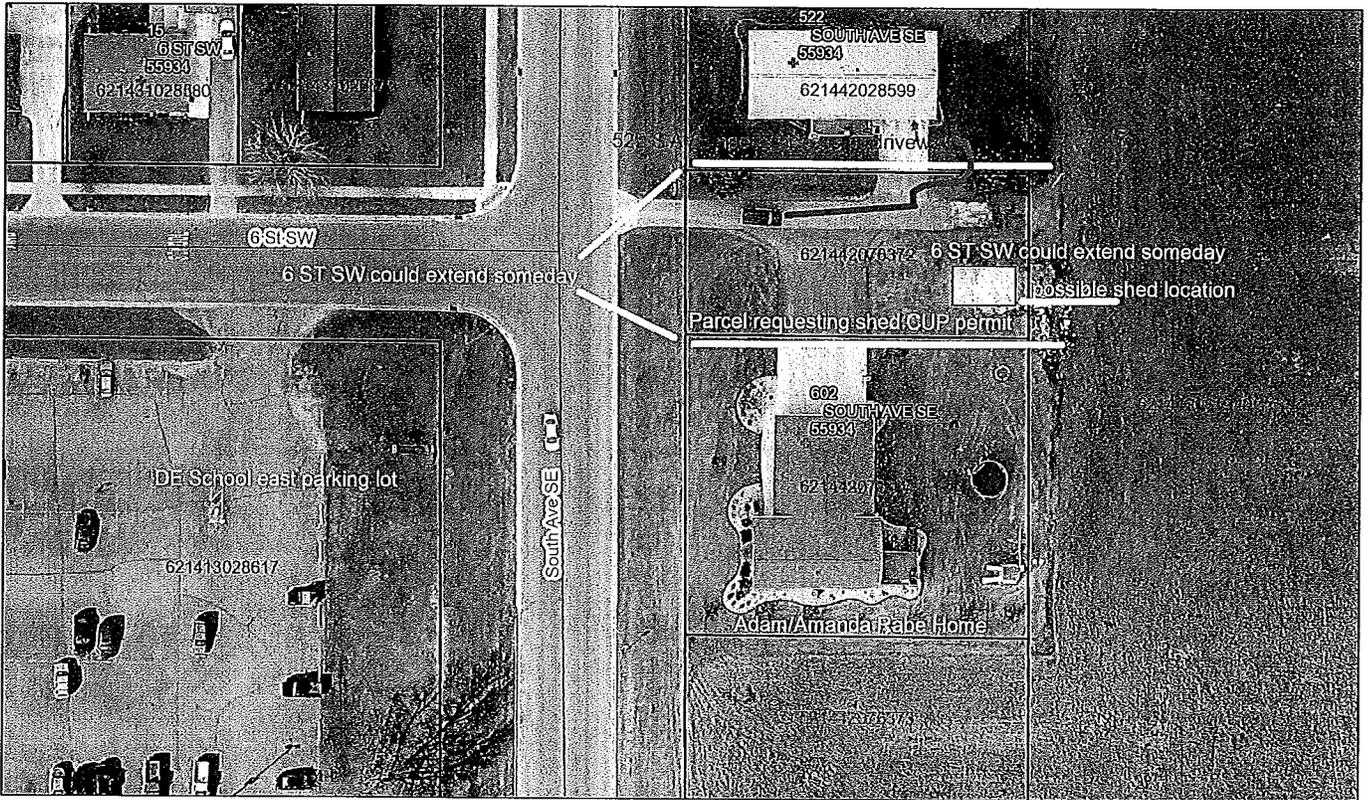
507 251 1942  
(Phone)

Instructions for Filing this Application:

1. This application must be typewritten and shall be filed with the Zoning Administrator.
2. The applicant shall submit sufficient plans and data with this application to enable a thorough review to be made by the appropriate city agencies. Applications for mobile home parks and other extensive conditional uses will require 18 copies of plans. Simple applications usually will require only about two copies of plans.

PAID APR 20 2016

\$325.00 Rabe CK 6647



May 3, 2016

✦ E911 Addresses

