

ZONING OFFICE

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Trina Bergloff, Zoning Administrator/Solid Waste Officer
Holly Nelson, Deputy Zoning Administrator
Dennis Ginter, Building Official
Terry Lakin, Septic Specialist
Darrick Wotachek, Water Planner/Wetland Specialist
Erica Wilson, Administrative Assistant/Permit Technician

Isanti County Planning Commission
Public Hearing
January 13, 2022
Isanti County Government Center

Members present: Teresa Jones, Lyle Reynolds, Bruce Mickelson, Dave Ringstad, Bruce Bloomgren, Dave Oslund, Larry Fredlund

Other members present: Trina Bergloff, Zoning Administrator, Holly Nelson, Deputy Zoning Administrator, Tim Nelson, Chief Deputy County Attorney

Members not present: Angela Kersting, Dennis Haubenschild, Kathy Skiba, Shaun Fiedler

Tim Nelson, Chief Deputy County Attorney called the meeting to order at 6:00 p.m.

1. Organizational Meeting for 2022.

Tim Nelson called for nominations for Chairperson. A motion was made by Teresa Jones and seconded by Dave Ringstad to nominate Bruce Mickelson as Chairperson of the Planning Commission. A motion was made by Lyle Reynolds and seconded by David Ringstad for nominations to cease. Motion carried unanimously. **As there were no further nominations, Bruce Mickelson was named Chairperson.** Motion carried unanimously.

Bruce Mickelson called for nominations for Vice Chairperson. A motion was made by Dave Ringstad and seconded by Teresa Jones to nominate Lyle Reynolds as Vice Chairperson. A motion was made by Teresa Jones and seconded by Dave Ringstad for nominations to cease. Motion carried unanimously. **As there were no further nominations, Lyle Reynolds was named Vice Chairperson.** Motion carried unanimously.

Bruce Mickelson called for nominations for Secretary. A motion was made by Larry Fredlund and seconded by Lyle Reynolds to nominate the Zoning Office as Secretary. A motion was made by Dave Oslund and seconded by Dave Ringstad for nominations to cease. Motion carried unanimously. **As there were no further nominations, The Zoning Office was named Secretary.** Motion carried unanimously.

Bruce Mickelson called for nominations for the Planning Commission Representative to the Board of Adjustment. A motion was made by Dave Ringstad and seconded by Lyle Reynolds to nominate Larry Fredlund as the Planning

Commission Representative to the Board of Adjustment. A motion was made by Lyle Reynolds and seconded by Dave Oslund for nominations to cease. Motion carried unanimously. **As there were no further nominations, Larry Fredlund was named Planning Commission Representative to the Board of Adjustment.** Motion carried unanimously.

Trina Bergloff informed the Planning Commission that the County Board of Commissioners will be rotating Commissioners representing the Isanti County Board of Commissioners on the Planning Commission for 2022.

A motion was made by Dave Ringstad and seconded by Bruce Bloomgren to approve the minutes of the December 9, 2021 meeting as presented. Motion carried unanimously.

2. Draft Accessory Dwelling Unit Ordinance by the Task Force.

Susan Morris updated the Planning Commission members on the Draft Accessory Dwelling Unit (ADU) Ordinance. This is the third time this draft ordinance has been discussed with the Planning Commission members. Susan Morris supplied a draft ordinance from the city of Oak Grove for discussion. She suggested the draft ordinance to only apply to the Agriculture/Residential District at this time. One of the concerns that Valerie Marty-Anderson, Stanchfield Township were driveways. Susan Morris suggested adding one driveway per parcel to our draft ordinance. The discussion of addressing using Suite A and Suite B for each separate dwelling on the parcel was considered. Also including language that states the ADU and the associated principal single family dwelling unit must meet all current state building, plumbing, electrical, mechanical, and fire code provisions. It was also discussed to add language stating that a property with an ADU may not be subdivided or segregated to provide separate ownership. Mike Miller, Oxford Township stated at their township meeting on January 11, 2022 the Oxford Township Board had the discussion of the proposed draft Accessory Dwelling Unit Ordinance and they would like Accessory Dwelling Units to be no more than 800 square feet and that the Accessory Dwelling Unit complies with the Americans with Disabilities Act (ADA) standards prior to construction or acquiring the Accessory Dwelling Unit. Jim Fridstrom, Cambridge Township stated that Cambridge Township has concerns with the proposed ordinance being that the ADU's are a permanent structure and not temporary on the property which they feel is increasing the density of the quarter quarter section. They feel there is a need for ADU's but temporary in nature to help family members only. Larry Fredlund suggested that an ADU Task Force meeting be scheduled and invite the townships to the meeting.

3. The request of Toni & Don John & Donald & Dawn John, 26362 Lyons Street NE, Stacy, MN 55079 to present a preliminary plat of Lyons Addition. Legal description is Pt. of the NE ¼ of the SE ¼ & the SE ¼ fct. of Section 12, Township 34, Range 22, Oxford Township.

This agenda item was tabled at the December 9, 2021 Planning Commission meeting and remains tabled until the February 10, 2022 meeting.

4. The request of Merle & Laura Mauer, 4828 Pine Lake Road, Cambridge, MN 55008 to present a preliminary plat of Mauer Acres. Legal description is the N ½ of the NE ¼ of the SE ¼ of Section 36, Township 36, Range 23, Cambridge Township.

Merle Mauer was present for this request. Trina Bergloff stated that this property is zoned Agriculture/Residential District. The property is 20 acres in area. Ms. Bergloff stated this parcel has two development rights. This preliminary plat is for two lots. Lot 1 – 3.00 acres and Lot 2 – 15.73 acres. There is an existing house on Lot 1. The house was built in 1890. A compliance septic system inspection for Lot 1 was completed on 5/4/21 and the septic system is in compliance. Soil borings have been completed for an alternate site for Lot 1 and soil borings for Lot 2. Cambridge Township reviewed this preliminary plat at their August 9, 2021 Township Board meeting with no objections to this preliminary plat. The required lot size is a minimum of one acre, a maximum of three acres with 150' of lot width. William King, a member of the audience stated that he is in favor of this request. **A motion was made by Lyle Reynolds and seconded by Teresa Jones to recommend approval of this request to present a preliminary plat of Mauer Acres. Motion carried unanimously.**

5. The request of William & Theresa King, 31147 Tulip Street NW, Cambridge, MN 55008 to present a preliminary plat of Preserves of Bradford. Legal description is the NW ¼ of the SE ¼ excepting the South 18 rods of Section 8, Township 35, Range 24, Bradford Township.

William King was present for this request. Trina Bergloff stated that this property is zoned Agriculture/Residential District. This property is 30 acres. This preliminary plat is for three lots. Lot 1 – 23.90 acres, Lot 2 – 3.26 acres and Lot 3 – 3.00 acres. A variance was granted on 11/10/21 to exceed the maximum lot size of three acres for one newly created lot being 3.27 acres. There is an existing house on Lot 3. A noncompliant septic system dated 9/3/21 has been received for Lot 3. The septic system will need to be upgraded prior to June 3, 2022. Soil borings have been completed for lots 2 and 3. Bradford Township has no objections to this preliminary plat. The required lot size is a minimum of once acre, maximum of three acres with 150' of lot width. Ms. Bergloff stated that all the development rights for this 30 acres will be utilized with these three lots. **A motion was made by Larry Fredlund and seconded by Dave Ringstad to recommend approval of this request to present a preliminary plat of Preserves of Bradford with the following condition: 1. The noncompliant septic system must be upgraded by June 3, 2022. Motion carried unanimously.**

6. The request of David & Becky Moritz, 7104 253rd Avenue NW, St. Francis, MN 55070 to present a preliminary plat of Stoeckel Farm 2. Legal description is Outlot A Stoeckel Farm of Section 22, Township 34, Range 25, Stanford Township.

David Moritz was present for this request. Trina Bergloff stated that this property is zoned Agriculture/Residential District. This property is 11.95 acres. This preliminary plat is for one lot. Stoeckel Farm was originally platted in 2008 and this lot is an outlot. The density at that time was two parcels per quarter quarter section; it has since changed to four parcels per quarter quarter section in which gave this parcel a building right. Soil borings have been completed for this lot. At the Stanford Township Board meeting December 6, 2021 the township reviewed this preliminary plat with no objections. Lyle Reynolds abstained from voting due to the fact that he knows the applicant. **A motion was made by Dave Oslund and seconded by Bruce Bloomgren to recommend approval of this request to present a preliminary plat of Stoeckel Farm 2. Motion carried.**

7. The request of Jason Semler, 30636 Polk Street NE, Cambridge, MN 55008 to amend the Isanti County Zoning Ordinance, Section 11, Shoreland District, Subdivision 2 Subdistrict, Special Protection (S) to allow non-retail commercial home office in the Shoreland District on a Natural Environment Lake as an Interim Use Permit.

Trina Bergloff stated that Jason Semler has withdrawn his request.

8. The request of Amanda Eklund, 1791 313th Avenue NE, Cambridge, MN 55008, for an interim use permit for a short term rental. Legal description is That Part of Lot 3 of Section 8, Township 35, Range 23, Isanti Township.

Amanda Eklund was present for this request. She stated that she would like to rent out her home for a short term rental. She will have a minimum of a three night stay and a maximum of a thirty (30) day stay. The single family dwelling is 1 story with two bedrooms, two bathrooms, laundry, kitchen, living room, dining room, and two additional sleeping spaces. The maximum number of people to stay will be six (6). No large parties or events allowed. Quiet hours will be from 11:00 p.m. to 7:00 a.m. on weekends and 10:00 p.m. to 7:00 a.m. weeknights. The property lines are marked by fencing on the east and west side, the south side of the property is 313th Avenue and the north side is Florence Lake. A welcome book will be providing to guests with rules and instructions. For privacy screening there are 30' tall evergreens and 10' tall full lilac bushes lining the east and west side of the property. The single family dwelling will be rented out seven months of the year (April through November). She will reside on the property when it is not rented out as her primary residence. The designated parking area is 2,581 square feet located in front of the house and garage with a maximum of six vehicles onsite. The imperious surface of the lot is 16.02 percent. The septic system had a compliance septic inspection 10/1/19 and found to be in compliance. Trina Bergloff stated that this property is zoned Shoreland District located on Florence Lake (Paul's Lake) which is a Recreational Lake. She went through the regulations of the zoning ordinance for short term rentals. Ms. Bergloff stated the definition of a short term dwelling rental per the zoning ordinance is *a single family dwelling that is rented out on a short term*

basis for a fee. A short term rental under this definition shall be a rental for any period of time less than thirty (30) consecutive days. A motion was made by Larry Fredlund and seconded by Dave Ringstad to approve this request for an interim use permit for a short term rental with the following conditions:

- 1. The dwelling must meet the setbacks within the Shoreland District.**
- 2. Capacity not to exceed six people per stay.**
- 3. All occupancy must be in the dwelling.**
- 4. An address sign must be visible from the access road.**
- 5. This short term rental must not create an increased demand upon existing services or amenities.**
- 6. No on street parking allowed.**
- 7. No more than six vehicles on site at one time.**
- 8. All renters must be given a house manual that outlines the property lines which are marked with red tape and reflective device around it.**
- 9. "How to stay neighborly brochure" must be given to all guests.**
- 10. For privacy screening there are 30' tall evergreens and 10' tall full lilac bushes lining the east and west side of the property. Privacy screening must remain in place and maintained.**
- 11. Must not have an appearance that is inconsistent or incompatible with the surrounding area.**
- 12. Must protect public and private property and the natural resources.**
- 13. Noise, fumes, dust, odors, vibration, or light generated as a result of the proposed use will at the property line, be below the volume, frequency, or intensity such that they do not unreasonably interfere with the enjoyment of life, quiet, comfort, or outdoor recreation of an individual of ordinary sensitivity and habits in amounts not inconsistent with Minnesota Statutes. The standard shall not apply to incidental traffic parking, loading and construction, farming, or maintenance operations.**
- 14. Must obtain and maintain all applicable local, state, and federal statutes, regulations, licenses and permits.**
- 15. Owner must provide their name and telephone contact information to anyone within a quarter mile of the property with a maximum two hour response time.**
- 16. Impervious surface coverage must not exceed twenty-five (25) of the lot area, this lot is currently at 16.02 percent impervious surface coverage.**
- 17. A septic compliance report dated October 1, 2019 has been received by the Isanti County Zoning Office indicating the septic system is in compliance and is adequate for up to six people.**
- 18. This Interim Use Permit for a short term rental will terminate once Amanda Eklund no longer owns the property and/or the business ceases for one consecutive year.**
- 19. Quiet hours will be from 11:00 pm. To 7:00 a.m. on weekends and 10:00 p.m. to 7:00 a.m. weeknights.**
- 20. This short term stay rental will be operating from April – November yearly.**
- 21. These conditions apply when using the property as a Short Term Rental.**

Findings:

- 1. Quiet hours will be from 10:00 p.m. to 7:00 a.m. on weeknights and 11:00 p.m. to 7:00 a.m. on weekends and the applicant will provide a "How to be a good neighbor" brochure along with the existing screening on the property so that the interim use will not be injurious to the use and enjoyment of other property in the immediate vicinity for**

the purpose already permitted nor substantially diminish and impair property values within the immediate vicinity. 2. Off street parking is provided and on street parking is not allowed so that adequate utilities, access roads, drainage and other necessary facilities have been or being provided. 3. There is a provided parking area for a maximum of six vehicles so that adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. 4. Noise, fumes, dust, odors, vibration, or light generated as a result of the proposed use will at the property line, be below the volume, frequency, or intensity such that they do not unreasonably interfere with the enjoyment of life, quiet, comfort, or outdoor recreation of an individual of ordinary sensitivity and habits in amounts not inconsistent with Minnesota Statutes. The standard shall not apply to incidental traffic parking, loading and construction, farming or maintenance operations so that adequate measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. **Motion carried unanimously.**

9. The request of Eva Slattery, 1407 Albert Street N, St. Paul, MN 55108 (Property address: 1431 County Road 6 NW, Stanchfield, MN 55080) for an interim use permit for a short term rental. Legal description is Pt. SW ¼ of the SW ¼ of Section 2, Township 36, Range 24, Springvale Township.

Eva Slattery was present for this request. She stated that she is requesting to have a short term rental. The property was owned previously by her grandparents. She now owns the property. The property is 1.16 acres. It is located on Stanchfield Creek. Ms. Bergloff stated this property is zoned in the shoreland district within 300' of Stanchfield Creek. *She stated on September 9, 2021 a variance was granted for a proposed short term rental to be 70' from the ordinary high watermark of the creek. On November 10, 2021 a variance was granted to exceed two people per bedroom plus two additional people with a maximum occupancy of fourteen (14) people with the following condition: 1. There must be a parking area with Class 5 gravel for a turnaround area and a turnaround only sign.* There is an existing four (4) bedroom house that was built in 1979. Ms. Slattery is requesting to be able to rent the dwelling 365 days per year. This property has a failing septic system. She does have a new septic system design and will be installing it in the spring. The impervious surface of the lot is 21.02 percent. Sheldon Johnson, a member of the audience questioned the failing septic system. Ms. Bergloff stated that one of the performance standards in the zoning ordinance states *the septic system must be adequate for the proposed use and a compliance septic inspection.* The septic system must be upgraded and in compliance for the proposed use before this can be used for this use. **A motion was made by Teresa Jones and seconded by Lyle Reynolds to approve this request for an interim use permit for a short term rental with the following conditions: 1. A variance was granted on September 9, 2021 for this short term rental to be 70' from the ordinary high water mark**

of the creek otherwise the dwelling meets all other setbacks in the shoreland district. 2. Capacity not to exceed fourteen (14) people per stay. 3. All occupancy must be in the dwelling. 4. An address sign must be visible from the access road. 5. This short term rental must not create an increased demand upon existing services or amenities. 6. No on street parking allowed. 7. No more than eight vehicles on site at one time. 8. All renters must be given a house manual that outlines the property lines which are marked with red tape and a reflective device around it. 9. "How to stay neighborly brochure" must be given to all guests. 10. Screened or able to be screened adequately, or are sufficiently separated from adjacent development or land, to prevent undue negative impact on nearby neighbors. 11. Must not have an appearance that is inconsistent or incompatible with the surrounding area. 12. Must protect public and private property and the natural resources. 13. Noise, fumes, dust, odors, vibration, or light generated as a result of the proposed use will at the property line, be below the volume, frequency, or intensity such that they do not unreasonably interfere with the enjoyment of life, quiet, comfort, or outdoor recreation of an individual of ordinary sensitivity and habits in amounts not inconsistent with Minnesota Statutes. The standard shall not apply to incidental traffic parking, loading and construction, farming, or maintenance operations. 14. Must obtain and maintain all applicable local, state, and federal statutes, regulations, licenses and permits. 15. Owner must provide their name and telephone contact information to anyone within a quarter mile of the property with a maximum two hour response time. 16. The septic system must be adequate for the proposed use and in compliance. 17. Impervious surface coverage must not exceed twenty-five (25) percent of the lot area, this lot is currently at 21.02 percent impervious surface coverage. 18. A new septic system must be installed by August 16, 2022 and meet all the Minnesota Pollution Control Agency Onsite Subsurface Sewage Treatment requirements. No short term rentals until the septic system is compliant. 19. This Interim Use Permit for a short term rental will terminate once Eva Slattery no longer owns the property and/or the business ceases for one consecutive year. 20. There must be a parking area with Class 5 gravel for a turnaround area and a turnaround only sign. 21. Retroactive building permits must be acquired prior to renting the house for a short term rental. 22. These conditions apply when using the property as a Short Term Rental.

Findings: 1. This is a larger lot and there is a lack of hotels in the area so this is providing a need for the community so the interim use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the immediate vicinity. 2. This short term rental will have no impact to neighboring properties with the conditions in place so that the establishment of the interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. 3. There is adequate parking onsite with a maximum of eight vehicles on site at one time so that adequate utilities, access roads, drainage and other necessary facilities

have been or are being provided. 4. On street parking is not allowed so that adequate measure have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. 5. Noise, fumes, dust odors, vibration, or light generated as a result of the proposed use will at the property line, be below the volume, frequency, or intensity such that they do not unreasonably interfere with the enjoyment of life, quiet, comfort, or outdoor recreation of an individual of ordinary sensitivity and habits in amounts not inconsistent with Minnesota Statutes. The standard shall not apply to incidental traffic parking, loading and construction, farming or maintenance operations so that adequate measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Motion carried unanimously.

10. The request of Jeremy Wood, 6524 357th Avenue NW, Princeton, MN 55371 (Property Address: 35864 Nacre Street NW, Princeton, MN 55371) for an interim use permit for mining of minerals, sand, gravel, peat and black dirt (soil). Legal description is the SE ¼ of the SE ¼ of Section 9, Township 36, Range 25, Wyanett Township.

Tiffany Determan, Isanti County Soil and Water Conservation District was present for this request representing Jeremy Wood. She stated that this mining operation will be managed by the Isanti County Soil and Water Conservation District. This project is to improve water quality to Green Lake. An estimated five acres of type 2/6 wetland will be excavated to increase flood storage and promote biodiversity. A swale will be dug to allow the temporary drainage of the wetland. The request is to dig up to 15,000 cubic yards of topsoil. The hours of operation will be Monday-Friday 8:00 a.m. to 5:00 p.m. There will be approximately 80 loads per day hauled offsite. The project is proposed to start on January 18, 2022. The construction will take approximately no more than two (2) weeks. The Wetland Conservation Notice of Decision was issued December 10, 2021. Stockpiling of the spoils will be located at 6524 357th Avenue NW, Princeton, MN 55371. Trina Bergloff stated that the property is zoned Agriculture/Residential District. This property is 40 acres in size. She has some concerns regarding the stockpiling. It has come to her attention that the stockpiling will be stored on another site approximately quarter mile down the road. She indicated that usually the stockpiling happens on the same property as the mining operation. Tiffany Determan stated that there is not ample area on site to store the stockpiling. Larry Fredlund suggested that a location stockpile plan be submitted. **A motion was made by Dave Ringstad and seconded by Bruce Bloomgren to approve this request for an interim use permit for mining of minerals, sand, gravel, peat and black dirt (soil) with the following conditions: 1. The hours of operation will be Monday through Friday 6:00 a.m. to 8:00 p.m. 2. No stockpiling onsite. 3. No more than 15,000 cubic yards of material to be mined. 4. No more than 80 truckloads per day to be hauled offsite. 5. The excavated area to be mined is no more than three (3) acres in size and no deeper than five (5)'. 6. The haul route will be Nacre**

Street to 357th Avenue. 7. Must follow the seeding and restoration plan as per the submitted plan. 8. Any damage caused to the township roads due to this hauling operation shall be repaired at the permittee's expense. 9. The mining operation shall minimize as much as practical any adverse impact to the environment and comply with all local, state and federal standards. 10. The mining operation shall minimize any dust or noise produced so that it does not unreasonably annoy, injure, or endanger the safety, health, morals, comfort or response of any considerable members of the public. 11. The mining operation shall as much as practical coordinate truck and machinery traffic so that it does not interfere with, obstruct, or render dangerous for passage any public road or highway. 12. Must have an engineered storm water management plan. 13. Must obtain all necessary state, local and federal licenses/permits prior to construction. 14. This interim use permit for this project start date will be January 18, 2022 and the project end date will be March 15, 2022. 15. The stockpiles from this site is proposed to be stored at another location. A supplementary permit will be part of this permit for the stockpiled location for the removal of the stockpiles from the site must be submitted. 16. A stockpile plan needs to be submitted to the Isanti County Zoning Office. Findings: 1. This is located in the Agriculture/Residential District with wide open areas so that the interim use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the immediate vicinity. 2. This is a large agriculture area so there will be no impact to the neighboring properties so that the establishment of the interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. 3. There is an access plan provided for hauling so that adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. 4. There is an onsite area for trucks to park so that adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. The mining operation shall minimize any dust or noise produced so that it does not unreasonably annoy, injure, or endanger the safety, health, moral, comfort or response of any considerable members of the public so that adequate measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. **Motion carried unanimously.**

A motion was made by Dave Ringstad and seconded by Lyle Reynolds to adjourn the meeting at 8:51 p.m. Motion carried unanimously.

Trina Bergloff
Zoning Administrator

TB: hn