

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
May 12, 2022
Isanti County Government Center

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

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

Members not present: Shaun Fiedler, Angela Kersting

Bruce Mickelson, Chairperson called the meeting to order at 6:00 p.m.

A motion was made by Lyle Reynolds and seconded by Teresa Jones to approve the minutes of the April 14, 2022 meeting as presented. Motion carried unanimously.

1. The request of Cantlin Lake Properties, LLC, 28551 127th Street NW, Zimmerman, MN 55398 to present a preliminary plat of Lake Fannie Acres. Legal description is the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ Fct & Pt SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 10, Township 35, Range 23, Cambridge Township.

Brad Schumacher was present for this request representing Cantlin Lake Properties, LLC. Trina Bergloff stated that the property is zoned Shoreland District located on Lake Fannie which is a Recreational Lake. This property is 37 acres. The ordinary high water mark for Lake Fannie is 947.50. This preliminary plat is for six lots. Lot 1 – 12.31 acres, Lot 2 – 4.85 acres, Lot 3 – 4.32 acres, Lot 4 – 3.31 acres, Lot 5 – 2.31 acres and lot 6 – 8.90 acres. Soil borings have been completed. There is floodplain on this property. The wetlands have been delineated on this preliminary plat. The required lot size is 40,000 square feet with 150' lot width at the ordinary high watermark of the lake, setback lines and 100' at the road and setback line. The Township has concerns with the number of driveways for this plat. They are proposing to have lots 1 & 2 share an access, lots 3 & 4 and lots 5 & 6 would share an access for a total of three access drives off the Township Road. Tom Howard, a neighbor stated his concerns with the driveways and the wetland. He had no objections with this proposed plat. **A motion was made by Lyle Reynolds and seconded by Dave Ringstad to recommend approval of this request to present a preliminary plat of Lake Fannie Acres with the following condition: 1. Lots 1 & 2, lots 3 & 4, and 5 & 6 must share an access for a total of three accesses off the Township Road. Motion carried unanimously.**

2. The request of Robert & Katherine Scott, 2555 Highway 95 NW, Cambridge, MN 55008 to present a preliminary plat of Scotties Place. Legal description is Pt SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28, Township 36, Range 24 & the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, Township 36, Range 24, Springvale Township.

Don Hansen, Hansen Surveying was present for this request representing Robert & Katherine Scott. Trina Bergloff stated that this property is zoned Agriculture/Residential District. This preliminary plat is for three lots. Lot 1 Block 1 – 2.99 acres, Lot 2 Block 1 – 8.52 acres and Lot 1 Block 2 – 17.89 acres. There is an existing single family dwelling on Lot 2 Block 1. One building right is being transferred from the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, Township 36, Range 24 and transferred to Pt. of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ (Lot 1 Block 2) of Section 28, Township 36, Range 24 lying northerly of State Trunk Highway No. 95. One building right is to remain with the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (Lot 1 Block 2) of Section 10, Township 36, Range 24. Soil borings have been completed. Springvale Township has no objection to this preliminary plat. The required lot size is a minimum of one acre, maximum of three acres with 150' lot width. Thomas Cruikshank, Minnesota Department of Transportation commented that the 33' easement shown in the site plan would be sufficient for shared driveway accesses, since additional accesses might not be allowed. Greg Willhite, a neighbor stated his concerns with viewing houses from his front yard. **A motion was made by Dave Ringstad and seconded by Bruce Bloomgren to recommend approval of this request to present a preliminary plat of Scotties Place with the following condition: 1. Must receive approval from MN DOT for the approach for the driveway prior to application of the final plat.** Larry Fredlund abstained from the vote. Motion carried.

3. The request of Brady Mullins, 35279 Xenon Street NW, Princeton, MN 55371, for an Interim Use Permit for a limited rural business and for an extended home occupation conducted within an accessory building for a trucking operation. Legal description is the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ Except W 792' of S 165' of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14, Township 36, Range 25, Wyanett Township.

Jake Peterson, McKinnis & Doom, P.A. was present to represent Brady Mullins. Jake Peterson stated that Brady Mullins operates a trucking business (Boss Enterprises Inc.) The business engages in the transportation of Agricultural fertilizing and land application. They do not manufacture or store any products on site. They currently have 2 employees with an expansion up to 4 employees. Requested hours of operation would be 5:00 a.m. to 8:00 p.m. but are on call 24 hours per day 7 days a week. They have one employee who comes to the shop daily to pick up a truck and then leaves to the job site and then returns at the end of the day. The business has 4 semi-trucks, 6 tankers, 2 roll off trucks, 1 dump truck and 1 storage van. The property is screened by a hill and mature trees. All parking is on the property with no on street parking. Trina Bergloff stated that this property is zoned Agriculture/Residential District. The property is 77 acres. County Ditch # 16 runs through the eastern part of this property. The Extended Home Occupation

standards are that the principal operator of the home occupation must reside on the parcel and have homestead status on the parcel. A separate accessory building may be devoted solely to the home occupation activities, all materials and vehicles, incidental to the use, shall be stored within the accessory building and adequate off-street parking shall be provided, but not more than three parked vehicles may be present at one time. A letter was received from Myrl Bohn, stating her concerns with the road condition, extra traffic and the trucking business. Brady Mullins stated that the agriculture products he hauls is 100 percent organic matter. The product contains animal manure, cow hair, tanning hide and lime sludge. He is a Technical Operator 4 and an Agriculture Operator that can operate waste treatment facility. He reports to the Minnesota Pollution Control Agency annually. He also land applies on his own property and has a personal farm. Dennis Haubenschild stated that the company holds the permit to spread the product. Mike Harrington, a neighbor stated his concerns with the loud trucks and is concerned with what is being applied on Mr. Mullins fields. LeRoy Pfaff, a neighbor stated his concerns with the road, the smell of the product he hauls and spreads and the trucks running all hours of the night. Nancy Sager, a neighbor stated her concerns with hauling the material all night and trucks parked on the township road. Peggy Sager, a neighbor stated her concerns with the new second driveway and the multiple times per day the trucks come and go on the property daily and it is unsafe with the trucks speeding down the road. Steve Walter, a neighbor stated his concerns with several trucks coming and going daily on the property. Brady Mullins stated that the driveway has been there prior to him purchasing the property. Mr. Haubenschild used to farm the parcel and he would have a copy of the driveway permit or Wyanett Township. He does store diesel on his property. Dennis Haubenschild stated he would locate the driveway permit. Trina Bergloff read the Isanti County Zoning Ordinance as it pertains to lime sludge it states that lime sludge from water treatment plants are found to be generally acceptable for land application as a beneficial soil amendment. Non-hazardous industrial sludge may be acceptable as a soil amendment if it has been properly treated. Sludge may also be a hazardous waste, as defined in Minnesota Statutes 115B.02, 116.06, and Minnesota Pollution Control Agency Regulation, and if so, must be managed as such. This substance usually originates from two primary sources: water treatment plants and industrial plants, some of which include manufacturing processes such as food processing facilities and cement plants, pollution control processes such as air pollution scrubbing devices, and land pollution control, including the stabilization of industrial hazardous and non-hazardous waste. Isanti County requires a permit. Bruce Mickelson stated that he would like to get more detailed regarding his business plan that includes a safety plan for drivers, show adequate space for trucks to turn onto property, separate the business and private uses. Mr. Mullins must sign a 60 day waiver. **A motion was made by Dave Ringstad and seconded by Lyle Reynolds to recommend tabling this request until the June 9, 2022 meeting for Mr. Mullins to provide more information regarding the business plan including a safety plan for drivers, approval of the driveway, provide a more detailed site plan of the property, show adequate space for trucks to turn onto the property, separate the business and private uses on the**

property and provide a permit for land application on this property. Motion carried unanimously.

4. The request of Brett Yerks, 30190 Roanoke Street NW, Cambridge, MN 55008, for an Interim Use Permit for a limited rural business and extended home occupation conducted within an accessory building for a woodworking business. Legal description is the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Excepting: N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13, Township 35, Range 25, Spencer Brook Township.

Brett Yerks was present for this request. Brett Yerks stated that he operates a woodworking business. He would like to construct a pole type structure and build custom furniture. Customers come to view the furniture and pick out stain colors. They also come pick up the finished product. No employees currently but in the future could expand to have four non family members. The customers come on site by appointment only. There is no sawmill. The hours of operation would be 8:00 a.m. to 8:00 p.m. Monday through Saturday. Mr. Yerks is requesting a sign. There would be a small showroom in the front corner of the structure. Customer parking is located in front of the proposed pole type structure with no more than 3 parked cars at one time. Mr. Yerks stated if there was a noise complaint he would close the windows and doors in his shop while working. This property is 30 acres. Spencer Brook Township Board indicated that they have no objection to this request. **A motion was made by Dave Ringstad and seconded by Bruce Bloomgren to approve this request for an Interim Use Permit for a limited rural business and extended home occupation conducted within an accessory building for a woodworking business with the following conditions: 1. This interim use permit is for a woodworking business. 2. Hours of operation to be 8:00 a.m. to 8:00 p.m. Monday through Saturday. 3. No more than four non family member employees. 4. One 35 square foot sign per the Isanti County Zoning Ordinance and if lighted adequate measures will be placed in such a manner that no disturbance to neighboring properties will result. 5. One accessory building will be utilized for the business. 6. Adequate off street parking shall be provided. 7. The principle operator of the Home Occupation must reside and have homestead status on this parcel. 8. This Interim Use Permit will cease once Brett Yerks no longer lives on the property and /or the business ceases for one consecutive year. 9. Must meet all local, state and federal regulations. 10. All materials and vehicles, incidental to the business shall be stored within the accessory building.** Findings: 1. There are no close residences 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. The property is heavily screened and buffered by evergreens and trees so that the establishment of the interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses

predominate in the area. 3. He will be constructing a structure for the business so that adequate utilities, access road, drainage and other necessary facilities have been or are being provided. 4. Up to three customers on site at one time and parking will be provided so that adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. 5. There will be one sign and if lit must be directed away from traffic and neighboring properties 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 sign and other lights in such a manner that no disturbance to neighboring properties will result. Motion carried unanimously.

5. The request of Pine Brook Investments, 4896 Highway 95 NW, Cambridge, MN 55008 for a Conditional Use Permit for a free standing on premise business sign. Legal description is Lot 1 Block 1 Sweningson 3rd Addition of Section 25, Township 36, Range 25, Wyanett Township.

Steve Hage was present for this request representing Pine Brook Investments. Steve Hage stated that they are requesting a 6' x 12' (72 square feet) free standing pylon sign. This sign is to advertise the storage business on the property. The sign will be double sided, internally LED illuminated, installed with 6" square tube posts. The sign will be 14.' 6" above ground. Trina Bergloff stated that this property is located in the Business District. She stated the sign must meet the 10' required setback from the road right of way. The property is 2.25 acres. Thomas Cruikshank, Minnesota Department of Transportation stated that they are okay with the sign as long as it does not encroach on the highway right of way and follow the county's sign requirements. **A motion was made by Dennis Haubenschild and seconded by Dave Oslund to approve this request for a Conditional Use Permit for a free standing on premise business sign with the following conditions: 1. This is for a 6' x 12' free standing on premise day/night sign. 2. Must obtain all necessary building permits. 3. Must meet all applicable setbacks. 4. No flashing lights. 5. The location of the sign to be as indicated per the submitted site plan. 6. The overall height of the sign not to exceed 15'.**

Findings: 1. The property is located in the Business District where signs already exist in the area so that the conditional 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. The property and the properties around are zoned Business District so the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. 3. There will no flashing lights and this has been reviewed by MN DOT 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 sign and other lights in such a manner that no disturbance to neighboring properties will result. Larry Fredlund abstained. Motion carried.

6. To discuss/amend the Isanti County Zoning Ordinance, in all zoning districts in regards to unlicensed and licensed vehicles for outdoor storage.

Trina Bergloff stated that on April 5, 2022 the County Board of Commissioners approved the Planning Commission to review the Isanti County Zoning Ordinance in regards to unlicensed and licensed vehicles in all zoning districts. The current ordinance does not address the number of unlicensed vehicles that can be stored on a property. It is not a permitted use. This has caused some enforcement issues. For example if someone has three unlicensed vehicles do we want to send them through the court proceedings? In the Isanti County Zoning Ordinance a person can have up to 25 licensed vehicles stored on their property. Lyle Reynolds suggested to staff to review other County Ordinances and see how those counties address this issue and to come up with language for the next Planning Commission meeting.

7. To discuss/amend the Isanti County Zoning Ordinance as it relates to parcels that are unbuildable due to lot size in a quarter quarter taking a building right.

Trina Bergloff stated that this topic of discussion was brought up at the April 14, 2022 Planning Commission meeting that there is a concern with unbuildable property (due to size of the parcel) taking a development right from a quarter quarter section. The process currently is to apply for a variance for these parcels to not take a building right from the quarter quarter and without the need to plat. April 19, 2022 the County Board of Commissioners approved the Planning Commission to recommend reviewing this topic as it relates to subdivisions of parcels that are unbuildable to not take a building right from the quarter quarter section. Lyle Reynolds stated that he would like to see these parcels not take a building right and that they be approved administratively. Lyle Reynolds recommended that staff come up with language for the next Planning Commission meeting.

A motion was made by Bruce Bloomgren and seconded by Dave Ringstad to adjourn the meeting at 9:29 p.m. Motion carried unanimously.

Trina Bergloff
Zoning Administrator

TB: hn