

ZONING OFFICE

Government Center
555 – 18th Avenue Southwest
Cambridge, MN 55008
763-689-5165
763-689-8319 fax
www.co.isanti.mn.us



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
August 11, 2022
Isanti County Government Center

Members present: Teresa Jones, Lyle Reynolds, Bruce Mickelson, Dave Ringstad, Bruce Bloomgren, Mike Warring, Larry Fredlund, Kathy Skiba

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

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

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

A motion was made by Dave Ringstad and seconded by Bruce Bloomgren to approve the minutes of the July 14, 2022 meeting as presented. Motion carried unanimously.

1. The request of MG&D Properties LLC, 27530 Dahlia Court NW, Isanti, MN 55040 & Landform Professional Services, LLC, 105 South 5th Avenue, Suite 513, Minneapolis, MN 55401 to present a preliminary plat of Dahlia Shores. Legal description is Pt. of Govt. Lot 1 & the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, Township 34, Range 24, Stanford Township.

Darin Lazan, Landform Professional Services was present for this request representing MG&D Properties LLC. Trina Bergloff stated that this property is zoned Shoreland located on a Natural Environment Lake and Agriculture/Residential beyond 1,000 of the lake. This preliminary plat is for 14 lots and an Outlot. Lot 1 Block 1 – 3.50 acres, Lot 2 Block 1 – 3.49 acres, Lot 3 Block 1 – 3.06 acres, Lot 4 Block 1 – 2.79 acres, Lot 5 Block 1 – 5.69 acres, Lot 1 Block 2 – 2.95 acres, Lot 2 Block 2 – 1.96 acres, Lot 3 Block 2 – 1.88 acres, Lot 4 Block 2 – 3.76 acres, Lot 5 Block 2 – 3.58 acres, Lot 6 Block 2 – 2.56 acres, Lot 7 Block 2 – 2.54 acres, Lot 8 Block 2 – 2.19 acres, Lot 9 Block 2 – 2.74 acres and an Outlot – 11.32 acres (lake). Ms. Bergloff stated this is a non-meandered lake. This is an unnamed lake 30-71. There is an existing single family dwelling on Lot 2 Block 1. This property is accessed by an easement. A variance was granted on August 11, 2022 to exceed two cul-de-sacs lengths longer than the 600' requirement. One being 1623' (Dahlia Court NW) and the other being 1319' (Dahlia Street NW) with the following condition: 1. The south 66' easement must be recorded when the final plat is recorded and must be constructed to Stanford Township road specifications. A new septic system was installed for a four bedroom house on Pt Govt Lot 1 December 2021. Soil borings have been completed for all the lots. There are wetlands and floodplain that have been identified on these properties. Stanford Township has no objections to this preliminary plat. The required lot size is 80,000 square feet with 200' lot width in the Shoreland District and one acre

minimum, three acres maximum with 150' of lot width in the Agriculture/Residential District. Darin Lazan stated that the property to the south has a quit claim deed to Stanford Township. The cul-de-sacs will be constructed to the Stanford Township road standards. **A motion was made by Larry Fredlund and seconded by Dave Ringstad to recommend approval of this request to present a preliminary plat of Dahlia Shores with the following conditions: 1. The access deed to Stanford Township must be recorded concurrently with the final plat (mylar). 2. All roads must be constructed to Stanford Township standards. 3. Must follow all the recommendations of the County Surveyor.** Motion carried unanimously.

2. The request of Ronald Nelson, 3903 Stark Road NE, Cambridge, MN 55008 to present a preliminary plat of Nelson Estates. Legal description is Pt. of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and Part NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 36, Range 23, Cambridge Township.

Kyle Roddy, LHB Surveying was present for this request representing Ronald Nelson. Trina Bergloff stated that this property is zoned Agriculture/Residential District. This preliminary plat is for 1 lot. Lot 1 – 8.9 acres. This property is in two quarter-quarter sections. The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 36, Range 23. This property needs to be platted in order to gain the last building right due to an improper split that occurred in 1991. Soil borings have been completed. The required lot size is a minimum of one acre, maximum of three acres with 150' of lot width. Justin Bergerson, County Engineer comments were: 1. The current entrance location on the east side of Lot 1 for access to County Road 2 is acceptable. The existing field entrance shall be improved to the current standards set forth by the highway department as part of the Isanti County Highway Department Access Permitting Process. 2. A new entrance location would only be approved on the condition that the existing entrance is removed and the proposed new location is approved by the County Engineer. 3. The existing entrance would be required to be improved prior to the plat being recorded and an access permit is required through the Highway Department. Tammy Hoffman, a neighbor questioned how many lots are being created. **A motion was made by Lyle Reynolds and seconded by Larry Fredlund to recommend approval of this request to present a preliminary plat of Nelson Estates with the following conditions: 1. The current entrance location on the east side of Lot 1 for access to County Road 2 is acceptable. The existing field entrance shall be improved to the current standards set forth by the highway department as part of the Isanti County Highway Department Access Permitting Process. 2. A new entrance location would only be approved on the condition that the existing entrance is removed and the proposed new location is approved by the County Engineer. 3. The existing entrance would be required to be improved prior to the plat being recorded and an access permit is required through the Highway Department.** Motion carried unanimously.

3. The request of Jerady Olson, 505 8th Avenue South, Princeton, MN 55371 to present a preliminary plat of Woodland Hills Phase 2. Legal description is Outlot D Woodland Hills of Section 26, Township 36, Range 24, Springvale Township.

Kyle Roddy, LHB Surveying was present for this request representing Jerady Olson. Trina Bergloff stated that this property is zoned Agriculture/Residential District. This property is 39.9 acres. This preliminary plat is for 1 lot. Lot 1 – 39.9 acres. This property gained additional buildings right when the density in the Agriculture/Residential District went to four parcels per quarter quarter section. This property will be accessed by an easement. On July 14, 2022 a variance was granted to plat a lot (40 acres in size) that is accessed by a private road easement that is not the last remaining building right and the last remaining building right will be transferred to another parcel or buildable only if the private road easement became a Township Road. Soil borings and a septic design have been completed for this lot. Springvale Township comments were that this has access off a private road named 338th Avenue NW so the town board stated that no driveway permit is needed due to not accessing a township road. The required lot size is a minimum of one acre, maximum of three acres with 150' lot width. **A motion was made by Theresa Jones and seconded by Dave Ringstad to recommend approval of this request to present a preliminary plat of Woodland Hills Phase 3.** Motion carried unanimously.

4. The request of Shaun Fiedler, 37627 Hastings Street NE, Stanchfield, MN 55080 to present a preliminary plat of Grandy Pines Preserve. Legal description is the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ & the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 33, Township 37, Range 23, Stanchfield Township.

Kyle Roddy, LHB Surveying was present for this request representing Shaun Fiedler. Trina Bergloff stated that is property is zoned Agriculture/Residential District. This preliminary plat is for 5 lots and an Outlot. Lot 1 Block 1 – 30.00 acres, Lot 1 Block 2 – 3.00 acres, Lot 2 Block 2 – 3.00 acres, Lot 3 Block 2 – 3.00 acres, Lot 4 Block 2 – 21.00 acres. The Outlot is located on the west side of Hastings Street which is 0.69 acres in size. They are utilizing the transfer of development rights transferring two building rights from the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ (sending parcel) to the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ (receiving parcel – Lot 1 & Lot 2 Block 2). Soil borings have been completed for this preliminary plat. There are wetlands and floodplain on this property. The required lot size is a minimum of one acre, maximum of three acres with 150' lot width. Stanchfield Township comments were that there are currently two driveways in place with an additional driveway splitting off within the road right of way on an existing driveway. This split driveway will need a driveway permit along with four new driveways and the existing driveway into the gravel pit will also require a permit when a home is built to get their address, 911 sign and mailbox support. There was a question regarding the driveway into Lot 4 Block 2 going through the wetlands. Mr. Roddy stated that they were aware of this and will follow the replacement wetland rules, but that lot will most likely utilize 375th Avenue NE. Stanchfield Township has no objection to this preliminary plat with the acceptance of all driveway placements. The wetlands have been identified on the property. Ms. Bergloff stated Stanchfield Township has requirements on how many properties can be added on an easement before it needs to be brought up to Township Standards. **A motion was made by Lyle Reynolds and seconded by Bruce Bloomgren to recommend approval of this request to present a preliminary plat of Grandy Pines Preserve.** Motion carried unanimously.

5. 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.

Mr. Mullins put in a formal request to have this request tabled until the September 8, 2022 Planning Commission meeting. **A motion was made by Bruce Mickelson and seconded by Lyle Reynolds to recommend tabling this request 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 until the September 8, 2022 Planning Commission meeting.** Motion carried unanimously.

6. The request of Ty Torgerson, 3382 Highway 95 NW, Cambridge, MN 55008, for a Conditional Use Permit for a rural tourism request for a one day mega truck event. Legal description is the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 29, Township 36, Range 24, Springvale Township.

Ty Torgerson was present for this request. Ty Torgerson stated that he would like to hold a one day event Saturday September 24, 2022 for mega trucks to race. The racing would take place from 12:00 p.m. to 5:00 p.m. No engines to run before 10:00 a.m. or after 5:30 p.m. The race would be featuring mega trucks only. No four-wheelers. There will be no live music. No minors would be allowed except for accompanied by an adult. There will be no alcohol distributed. There will be no food trucks or vendors. Four to five portable restrooms will be placed on the property for sanitary use. He has placed 12' to 15' berms around the track for noise control. He would run two trucks at one time on the track. The Dalbo Fire Department would be on site during the event. Trina Bergloff stated that this property is zoned Agriculture/Residential District. The purpose and goals of Rural Tourism is to preserve and celebrate Isanti County's archaeological properties, rural and agriculture heritage, and historical landscapes, to recognize Isanti County's scenic features, exceptional rural ambience, historic sites as desirable local amenities which will draw outside revenue from visitors that is vital to the local economy. It is also to enhance Isanti County's appeal to visitors who are drawn to its rural atmosphere and provide opportunities for new economic growth through Rural Tourism businesses. Rural Tourism requests shall include things as farm or other historical heritage attractions, single family residential rental properties for retreats, crafting, weddings, receptions, bed & breakfasts, wineries, craft breweries and distilleries, special event or music festivals, corn mazes, holiday celebrations and harvest festivals, country-craft/antique shops, unique local venues providing for the sale and serving of locally produced raw and/or value-added agricultural products, good and services, and other reasonably related merchandise, and other uses determined by the Zoning Administrator to be similar in nature and scope. Mr. Torgerson applied for this request last year August 12, 2021 with the Planning Commission recommending approval. The Board of Commissioners denied this request at their September 14, 2021

Board Meeting with the following findings: 1. MNDOT's concerns of Highway 95 being closed for reconstruction and the Isanti County Road system not being able to handle the traffic stress from this event. 2. Concerns with MNDOT raised was that a traffic control device does not exist that would adequately address the traffic needs and a right turn lane is not in place. 3. There was an unauthorized mud truck event held in 2020 at this property. In addition, the request to reapply for this conditional use must be done yearly thereafter. Keith Peterson, MNDOT comments were: MNDOT has no objection to your event on September 24, however we would like you to apply for a permit to place traffic event signing on TH95. You can forward a traffic signing plan to us for comments when you apply for the permit. Dale Campbell, neighbor to the south stated his concerns regarding the noise, parking, neighborhood disturbance, the lack of screening to protect neighboring properties, erosion control and the traffic hazard. Todd Moos, neighbor to the west stated that he does not hear the trucks and has no issues with this request. Michelle Offspry, neighbor to the northwest stated that she is in support of this request. **A motion was made by Larry Fredlund and seconded by Bruce Bloomgren to approve this request for a Conditional Use Permit for a rural tourism request for a one day mega truck event with the following conditions: 1. This will be for a one time, one day mega truck race event held specifically on September 24, 2022. 2. The hours of operation will be 10:00 a.m. to 5:30 p.m. 3. Maximum occupancy of 300 people on site at any given time. 4. No alcohol to be served. 5. All lighting must be retained on site with full cut off fixtures and no glare lighting with zero foot-candles at the property line. 6. Camping prohibited including overnight. 7. Signage according to the Isanti County Zoning Ordinance identifying the driveway, no lighted sign. 8. Adequate parking for employees and customers shall be provided onsite and meet the standards of Section 14, Subdivision 2 of the Isanti County Zoning Ordinance. Parking area must be 30' from the property lines and from the right of way of all roads. No on-street parking will be allowed. 9. No amplified music. 10. Outdoor garbage cans must be covered to control the debris. 11. Must comply with all Federal, State and Local regulations, licenses and codes. 12. Owner must be present on site during the event. 13. No paper lanterns and must follow state statues if fireworks are used on site. 14. Must maintain the natural screening of trees on the property. 15. Must have prior approval from the Minnesota Department of Transportation for traffic control and to follow their recommendations for signage. 16. The berms must be maintained and at least 12' to 15' in height. 17. Only two trucks can race at one time.** Findings: 1. This is a one-time event where berms have been constructed to reduce the noise and there are leaves on the trees in September to help buffer the noise so the conditional use will be injurious to the use and enjoyment of the 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 one day event so that 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. The access road is his personal access driveway and he is self-contained for drainage so that

adequate utilities, access road, drainage and other necessary facilities have been or are being provided. 4. There is a large field dedicated for the parking area 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 are no lighted signs, the event is during daytime hours and the Dalbo Fire Department will be on site during the event 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. Rural Tourism Additional Findings: 1. The Dalbo Fire Department will be onsite and will follow all MNDOT permitting and signage on Highway 95. 2. There are 12' to 15' berms placed and the property is screened with trees to the east and he will maintain the natural screening so it is screened adequately, or are sufficiently separated from adjacent development or land, to prevent undue negative impact to nearby properties. 3. The property has agriculture farm fields other than the berms so it does not have an appearance that is inconsistent or incompatible with the surrounding areas. 4. The property maintains its own drainage naturally so it protects public and private property and the natural resources from damage resulting from storm-water runoff and erosion. 5. A parking plan has been submitted that meets the ordinance so that adequate parking for employees and customers shall be provided on site and shall meet the parking standards of Section 14, Subdivision 2 of this Ordinance. The parking area must be located a minimum of 30' from property lines and public road right of way. No on-street parking will be allowed. 6. Must follow all MNDOT recommendations and will obtain a permit so that will not cause a traffic hazard. 7. Only two trucks will run at one time and there are hours set for this event so there are no 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. This standard shall not apply to incidental traffic parking, loading, construction, farming, or maintenance operations. In venues where there could be elevated noise issues the applicant shall provide a designed noise abatement plan. Teresa Jones abstained. Motion carried.

7. 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. As requested at last month's meeting; Sterns County currently does not have any regulation on the number of unlicensed and/or licensed vehicles on properties in their County. Barry Wendorf, Environmental Division Leader stated that the language must be easy to regulate and enforce. Ms. Bergloff indicated the Isanti County Comprehensive Plan is underway so this language could be discussed at that time. The Planning Commission concurred with that suggestion.

8. 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 amend the Isanti County Zoning Ordinance 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 the verbage could be difficult to come up with. Larry Fredlund stated that Administrative Variances should be reviewed. Tim Nelson stated that the proper language is important so it does not strip property rights from the property owners. Trina Bergloff stated that the language could fit into the amended Isanti County Zoning Ordinance Section 14, General Regulation, Subdivision 14, recorded documented # A471269 dated November 1, 2017. Trina Bergloff suggested that this may be an item that is reviewed at the comprehensive plan process. The Planning Commission concurred with that suggestion.

A motion was made by Dave Ringstad and seconded by Larry Fredlund to adjourn the meeting at 8:35 p.m. Motion carried unanimously.

Trina Bergloff
Zoning Administrator

TB: hn