

**MINUTES - SPECIAL MEETING
ORONOCO TOWN BOARD
SEPTEMBER 16, 2019 6:30 PM**

The Pledge of Allegiance was recited.

A Special Meeting of the Oronoco Town Board was called to order on September 16, 2019 by Chair Neil Stolp. Supervisors Neil Stolp, Charlie Lacy and Ken Mergen; Treasurer Kim Stanton and Clerk Lucy Shonyo were present.

The posted purpose of the special meeting was to hold a public hearing for #OR2019-005VAR, applicant Nelson.

Variance #OR2019-005VAR, applicant Vicki Nelson

Chair Neil Stolp opened the public hearing.

Kristi Gross from Olmsted County Planning was present to describe the requested variance, applicable ordinances and staff findings. The information below is from the staff report of the Olmsted County Planning Department. [The complete Olmsted County Planning Staff Report can be found at <https://www.co.olmsted.mn.us/yourgovernment/twp/oronoco/Pages/tb.aspx> Go to the bottom of the page and select #OR2019-005VAR.]

The property is located at 13233 Sunset Bay Rd NE in the Kurths Bay Subdivision located in the NW 1/4 of the NW 1/2 Section 2 Oronoco Township.

The property is zoned R-1 Low Density Residential zoning district.

The request is for the following variances:

1. A variance to allow an addition on a dwelling that does not meet required ordinary high water mark setbacks
2. Variance to allow an addition on a dwelling and a detached garage to be located within 15 feet of a drainfield.
3. A variance to allow a detached garage in the R-1 Zoning district on a lot less than 2 acres to be greater than 1,000 square feet.

Planning Staff Recommendation:

Based on the findings of fact Planning Staff recommends the Oronoco Town Board the following:

1. Approve the variance for an addition to a dwelling that does not meet the required setbacks to the ordinary high water mark.
2. Deny the variance to allow an addition on a dwelling and a detached garage to be located 15 feet from a drainfield.
3. Deny the variance to allow the garage to be greater than 1,000 square feet.

Regarding requested variance 1: Ms. Gross explained that the requested addition slopes away from the OHWM (ordinary high water mark) and approval is recommended. The DNR concurs.

Variance 2: Ms. Gross noted that the drainfield drains toward the proposed foundation of the addition to the dwelling. Planning staff initially recommended denial of this variance but will waive that with the understanding that the applicant understands and assumes the risk.

Variance 3: Ms. Gross noted the requested detached structure is 1800SF. The maximum size allowed in the R-1 zone for properties under 2 acres is 1000SF. The location of this proposed structure uses an area designated as the secondary sewage treatment site. A smaller structure would preserve the space for the required secondary sewage site. The applicants stated they will purchase land across the road to be used as their secondary sewage treatment site. Ms. Gross noted that this land acquisition (by sale or easement) should be a condition of the variance if approved by the board.

Neil Stolp asked 3 times for comments for or against granting the variances.

A neighbor asked about the actual location of Sunset Bay Road compared to the map. Ms. Gross said it was about 30' off, that the center of the road was about on the right of way line. The applicants reiterated that they were purchasing land across the road for their secondary sewage treatment site.

Neil Stolp made a motion to close the public hearing. Ken Mergen seconded. Motion carried unanimously.

Ken Mergen made a motion to approve the three requested variances based on Planning Staff recommendations, and dependent upon the recording of the purchase or easement of property for their secondary sewage treatment site before a building permit is granted. The size of the requested detached garage is similar to others in the neighborhood and is not a detriment to the neighborhood. Neil Stolp seconded, motion passed unanimously.

Ken Mergen made a motion to adjourn at 7:00. Charlie Lacy seconded, motion carried unanimously.

Respectfully Submitted,

Lucy Shonyo, Clerk

Neil Stolp, Chair