

MINUTES
HUTCHINSON AREA JOINT PLANNING BOARD
Wednesday, July 15, 2009
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Lauer at 5:30 p.m. with the following members present: Larry Karg, Grant Knutson, Mr. Haugen, and Chairman Lauer. Absent: Tom Wirt and Garrett Luthens. Also present: Rebecca Bowers, City Planning Director and Marc Telecky, McLeod County Assistant Zoning Administrator.

2. APPROVAL OF MINUTES

a) Consideration of minutes dated June 17, 2009.

Mr. Haugen made a motion to approve the minutes of June 17, 2009. Seconded by Mr. Knutson the motion carried unanimously.

3. PUBLIC HEARINGS

a) VARIANCE FOR LOT SIZE AND WIDTH IN THE NATURAL ENVIRONMENTAL SHORE LANDAREA IN LOT 5, WOOD VIEW ACRES, SECTION 25, ACOMA TWP., REQUESTED BY WAYNE JOHNSON

Chairman Lauer opened the hearing at 5:35 p.m. with the reading of publication # 7763 published in the Hutchinson Leader on Thursday, July 2, 2009.

Mr. Telecky provided an overview of the request by Wayne Johnson for a variance for lot area and lot width for two lots. The variance request for lot 2 would be to allow a lot area of 47,813.4 square foot (1.1 acre), rather than the required 87,120 square feet (2 acres) for a non-riparian natural environment lakeshore lot. The variance for lot 1 would be to allow 82,537.2 square feet (1.89 acre). Mr. Johnson is also requesting a variance to reduce the lot width from 250' to 181.8' in a natural environment lake shore area.

Wood View Acres final plat was approved on May 8, 1984. The original 6 lots were platted prior to the existence of the Hutchinson Joint Planning Area. Lots 4, 5, & 6 were platted large enough for future subdivision potential per the current ordinances (except shore land regulations). Section 5 of the Hutchinson Area Joint Planning Ordinance requires 1 acre for a build-able lot in the Rural Residential District (2 acre lots in a natural environment lake shore land area). These lots shall be a minimum depth of 250' and a minimum width of 150' (200' width in natural environment shore land area). The overall lot shall be wider or deeper than the stated minimums to accommodate the 1 acre requirement in Rural Residential District, (87,120 square feet = 2 acres) in natural environment shore land area).

However, MN Rule 6120, which is also Hutchinson Area Joint Planning Ordinance Section 9, requires all lots created within 1,000' (defined shore land area) of a natural environment lake (that are un-sewered) be required to be 2 acres in size and 250' wide. This request does not meet those requirements and a variance is required. The sketch plan was approved by McLeod County Board of Commissioners July 7, 2009. Mr. Telecky reviewed the variance standards.

Dean Sabacky, 20957 Skyview Avenue, Hutchinson, who lives west of the property, spoke on the request. He stated his only concern is that development on the lot would not be detrimental to his property. He wants to assure that there would be restrictive covenants to limit what could go onto the property. Discussion occurred on whether there were any restrictive covenants currently. Mr. Sabacky stated that Woodview 4th addition had covenants and he would like the property to have those covenants at a minimum, with size and structure requirements. He doesn't have issue with the lot size, but is concerned about what type of home would be allowed on the lot.

Mr. Johnson said he would not have a problem with having covenants on the property and would be willing to do so. The neighbors will work on determining what was previously established and if it was recorded. Mr. Telecky stated that if the covenants were not recorded, they don't exist yet.

Mr. Knutson moved to close the hearing. Seconded by Mr. Karg. The hearing closed at 5:52 p.m. Mr. Karg clarified that only one lot would be built on, the other lot has a home on it already. Mr. Karg asked what the reason is for the location of the lot line. The lot line was established based upon a natural tree line. Discussion was held on the various lake classifications.

Mr. Knutson made a motion to recommend approval of the request with staff recommendations, with the hardship being that the original plat was created prior to the shoreland ordinance requirements. Acoma Township Board stated there was no objection from the Board. Motion seconded by Mr. Karg. The motion carried unanimously. Mr. Telecky stated this item would be forwarded to the County Board of Adjustment and placed on their agenda , July 23rd , 2009.

4. **NEW BUSINESS**

5. **OLD BUSINESS**

6. **COMMUNICATION FROM STAFF**

Discussion was held on agenda item placement on the County Board and changes that have recently occurred. Discussion occurred on next steps for the Johnson

Minutes

Joint Planning Board – July 15, 2009

Page 3

preliminary plat and whether the final plat would need to come back to Joint Planning Board.

7. ADJOURNMENT

There being no further business the meeting adjourned at 6:05 p.m. Motioned by Mr. Karg, seconded by Mr. Haugen.