



SCOTT COUNTY
PLANNING ADVISORY COMMISSION
MEETING MINUTES

Scott County Board Room
200 Fourth Ave West
Shakopee, Minnesota

Monday, October 10, 2022
Conference Room at 6:30 PM

I. ROLL CALL AND INTRODUCTIONS

Chair Vonhof opened the meeting at 6:30 PM with the following members present: Commissioner Johnson, Commissioner Picha, Commissioner Huber and Commissioner Watson.

County Staff Present: Brad Davis, Planning Manager, Marty Schmitz, Zoning Administrator; Greg Wagner, Principal Planner; Nathan Hall, Associate Planner, Tom Wolf, County Board Commissioner and Keri Wiscovitch, Deputy Clerk to the Board.

II. APPROVAL OF SEPTEMBER 12, 2022 PLANNING ADVISORY COMMISSION MINUTES

Motion by Commissioner Johnson; second by Commissioner Vonhof to approve the minutes of September 12, 2022 Planning Advisory meeting. The motion carried.

III. CONSENT AGENDA

3.1 PUBLIC HEARING 6:31 PM: KES REZONING (#PL2022-057)

A. Rezoning of 40.44 acres from A-1, Agricultural Preservation District, to A-3, Agricultural Preservation Density District

Location: Section 15
Township: Sand Creek
Current Zoning: A-1

Criteria for Approval:

1. *The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official County Comprehensive Plan.*
The proposed rezoning conforms to the goals and policies contained in the 2040 Comprehensive Plan for preservation of agricultural land.
2. *The proposed use is or will be compatible with present and future land uses of the area.*
The property use is not changing from the existing homestead and agricultural land, and while the home lot size is being reduced the overall density will not increase.
3. *The proposed use conforms to all performance standards contained in this Ordinance.*
The use of the property is not changing; the majority of the property will remain in agricultural production.
4. *The proposed use can be accommodated with existing and planned public services and will not overburden the County or Township's service capacity.*
The use is not changing or increasing development and therefore will not adversely impact public service capacity for local service providers.

5. *Traffic generation by the proposed use is within capabilities of streets serving the property.*
The proposal is not adding any additional residences or uses that would increase traffic above current levels on the property.

Chair Vonhof asked for a motion to approve the consent agent. Motion by Commissioner Watson; second by Commissioner Huber to approve the consent agenda. The motion carried unanimously.

3.2 IV. PUBLIC HEARING 6:34 PM: VEER INTERIM USE PERMIT (#PL2022-055)

A. Request for an Interim Use Permit for an Accessory Dwelling Unit for a Family Member

Location: Section 15
Township: Cedar Lake
Current Zoning: UER

Nathan Hall presented the staff report for this application. The specific details within the staff report and a video (*no video available for the 10/10/22 meeting due to technical difficulties*) are available on the official Scott County Website www.scottcountymn.gov under Government and then under County Board Agendas and Minutes by searching Planning Advisory Commission Meeting to download the packet file.

Commissioner Comment and Questions:

Commissioner Johnson asked three questions: will there be a basement or crawlspace to be used for a storm shelter, would the carport be turned into a full-size garage, would the office be turned into a bedroom and no longer be within the ADU standards?

Planner, Nathan Hall explained that the office was factored in when calculating the maximum habitable square feet of the structure and if it were converted to a bedroom, it would not cause the ADU to be in violation of the ADU standards. Daryn Veer, applicant and property owner, stated that the ADU is less than 150 feet away from their home if a storm shelter would be needed. The current plans only show a carport and not an attached garage as that is how he understood the ADU requirements.

Commissioner Huber asked if the ADU would need to be tore down or converted into something else if no longer occupied?

Planner, Nathan Hall explained the applicant has been advised regarding the requirements and the ADU can be converted for other permitted uses.

Commissioner Picha inquired on who is allowed to live in the ADU. Terms state someone who is related. Should it be changed to say Family Member?

Marty Schmitz explained the ordinance is clear and defines a family member as related by blood, marriage, or adoption, or single caregiver. No need to change the wording of the condition.

Commissioner Johnson asked if the ADU would require a separate address for 911 purposes.

Brad Davis explained that most ADU's do get a separate site address.

Chair Vonhof opened the floor for further comments. No one approached the podium.

Motion by Commissioner Watson to close the public hearing; second by Commissioner Huber. The motion carried unanimously.

Motion by Commissioner Watson; second by Commissioner Huber, based on the criteria for approval listed in the staff report, I recommend approval an

Interim Use Permit for an Accessory Dwelling Unit for a Family Member. It is also noted that Cedar Lake Township does not make recommendations for this type of request.

Chair Vonhof called for a roll call vote on the motion to approve the request as follows:

Commissioner Robbins: Absent
Commissioner Hentges: Absent With Notice
Commissioner Picha: Aye
Commissioner Huber: Aye
Commissioner Vonhof: Aye
Commissioner Johnson: Aye
Commissioner Watson: Aye

The motion passed unanimously with 5 Ayes.

Criteria for Approval:

1. *The use will not create a burden on public facilities and utilities, which serve or are proposed to serve the area.*

The proposed use will not have a significant impact to the public facilities that serve the property and the surrounding area.

2. *The use will be sufficiently compatible with, or separated by sufficient distance from, or screened from adjacent agricultural or residential land uses so that there will be no deterrence to the use or development of adjacent land and uses.*

The ADU will be behind the existing home and there will be limited visibility of the structure from neighboring properties.

3. *If improvements are made, they shall be so designated and constructed that they are not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the district wherein proposed.*

The proposed ADU is designed to look like a small residence and would not be unsightly.

4. *Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion, provide adequate access to public roads, and provide on-site parking.*

The property will continue to use the existing driveway to Jonquil Avenue.

5. *Adequate water supply, Individual Sewage Treatment System facilities, erosion control, and stormwater management are provided in accordance with applicable standards.*

The ADU will be connected to private well and septic. The proposal has been reviewed by the Environmental Services Department.

6. *All buildings/structures must meet the intent of the State Building Code and/or fire codes.*

The structure will require a building permit and will be reviewed by the County Building Official for State Building Code requirements.

Conditions of Approval:

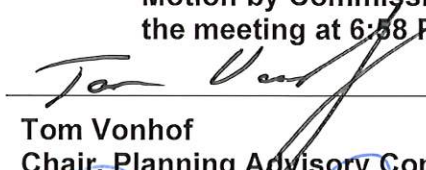
1. This IUP is issued to Daryn and Sherrie Veer for a detached Accessory Dwelling Unit (ADU) to be added to their property.
2. The applicant is to file with the Scott County Planning Office in January of each year a statement indicating that they are in compliance with the conditions of this Interim Use Permit. This shall include an annual verification that the persons living in the ADU are related to the applicant/owner.

3. This IUP may be annually reviewed by the Township at a time and in a manner as prescribed by the Cedar Lake Township Board.
4. The applicants shall pay an annual inspection fee for the IUP, if and when the County adopts an inspection fee ordinance.
5. The ADU shall be connected to a compliant septic drain field system as required by County Ordinance and Scott County Environmental Services.
6. The structure utilized for the ADU shall meet the requirements of the Scott County Building Official and the State Building Code.
7. The IUP shall be reviewed for termination when the property is sold, further subdivided, rezoned, or upon notification that the ADU is no longer occupied by family members.
8. Upon termination of the IUP, the ADU shall be removed from the property or modified in such a way that it no can no longer be described as a dwelling unit.

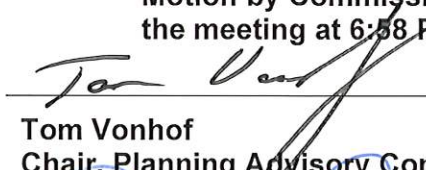
VI. PLANNING MANAGER UPDATE REPORT-Presented by Brad Davis

VII. GENERAL & ADJOURN

Motion by Commissioner Johnson; second by Commissioner Huber to adjourn the meeting at 6:58 PM. The motion carried unanimously.



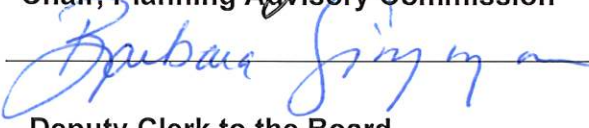
Tom Vonhof
Chair, Planning Advisory Commission



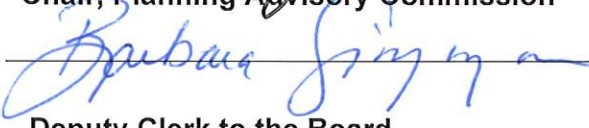
Date

11/14/2022

Date



Deputy Clerk to the Board



Date

11/14/2022

Date