



SCOTT COUNTY
PLANNING ADVISORY COMMISSION
MEETING MINUTES

Scott County Government Center
County Board Room
200 Fourth Ave West
Shakopee, Minnesota

Monday, July 10, 2023
County Board Room at 6:30 PM

I. ROLL CALL AND INTRODUCTIONS

Chair Vonhof opened the meeting at 6:30 PM with the following members present: Ammar Husain, Jay Picha, Kent Robbins, Ray Huber, Tom Vonhof, Donna Hentges, and Lee 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 Rachel Nosbush-Deputy Clerk to the Board.

II. APPROVAL OF JUNE 12, 2023 PLANNING ADVISORY COMMISSION MINUTES

Motion by Commissioner Huber; second by Commissioner Robbins to approve the minutes of June 12, 2023 Planning Advisory meeting. The motion carried unanimously.

III. CONSENT AGENDA

There were no Consent Items for this Meeting.

IV. PUBLIC HEARING

4.1 PUBLIC HEARING 6:32 PM: SKLUZACEK INTERIM USE PERMIT (PL#2023-042)

- A. Request for Interim Use Permit to add a detached Accessory Dwelling Unit (ADU) in the Rural Residential Reserve (RR-1) District.

Location: Section 33

Township: Cedar Lake

Current Zoning: Rural Residential Reserve (RR-1)

Marty Schmitz presented the staff report for this application. The specific details within the staff report and a video are available at the Scott County Website link: [July 10, 2023 Planning Advisory Commission](#) Agenda Packet. The staff report can be found in the full agenda packet located by clicking Planning Advisory Commission.

The agenda packet can also be found by visiting the official county website at www.scottcountymn.gov and searching under >Government>then County Board Agendas and Minutes>then search Planning Advisory Commission.

Commissioner Comments and Questions:

Commissioner Robbins asked for clarification that the reason Cedar Lake Township did not make a recommendation is because this matter does not interfere with the Township roads.

Mr. Schmitz confirmed.

Commissioner Robbins asked if there would be someone living in this dwelling full time.

Mr. Schmitz explained the accessory dwelling will be use will be for visiting family.

Chair Vonhof opened the public hearing.

Public Comments and Questions at the Podium:

No one approached the podium.

Motion by Commissioner Robbins to close the public hearing; second by Commissioner Hentges. The motion carried unanimously.

Motion by Commissioner Watson; second by Commissioner Robbins, based on the criteria for approval listed in the staff report, I recommend approval of the Interim Use Permit for Daniel Skluzacek to construct a detached Accessory Dwelling Unit.

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

Commissioner Husain: Aye

Commissioner Picha: Aye

Commissioner Robbins: Aye

Commissioner Huber: Aye

Commissioner Vonhof: Aye

Commissioner Hentges: Aye

Commissioner Watson: Aye

The motion passed unanimously with 7 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 applicant is constructing an ADU that will be similar style to the existing home on the property. The building location is over 1,000 feet from the highway and the closest home is over 1,000 feet away.

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.*

As indicated, the structure will be designed similar in style to the existing home on the property so it will fit with the rural character of the surrounding properties and within the RR-1 zoning district in Cedar Lake Township.

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 Highway 19.

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

Adequate water supply and sewage treatment are available on site. The ADU will be connected to the existing well and existing septic drainfield system as required by the MN Department of Health and Scott County Environmental Health.

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

A building permit is required for the construction of the accessory building. The building will be constructed to all state and county codes.

Conditions for Approval:

1. This IUP is issued to Daniel Skluzacek for a detached Accessory Dwelling Unit (ADU) to be added to their property. This ADU shall only be occupied by a family member related by blood, marriage, or adoption.

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 family members.
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 applicant 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 Health.
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 a family member as outlined in condition #1 above.
8. Upon termination of the IUP, the ADU shall be removed from the property or modified in such a way that it can no longer be described as a dwelling unit.

4.2 PUBLIC HEARING 6:40 PM: SHEPILOV INTERIM USE PERMIT (PL#2023-021)

- A. Request for Interim Use Permit to add a detached Accessory Dwelling Unit (ADU) for a family member.

Location: Section 11

Township: Spring Lake

Current Zoning: Urban Expansion Reserve District (UER)

Nathan Hall presented the staff report for this application. The specific details within the staff report and a video are available at the Scott County Website link: [July 10, 2023 Planning Advisory Commission](#) Agenda Packet. The staff report can be found in the full agenda packet located by clicking Planning Advisory Commission.

The agenda packet can also be found by visiting the official county website at www.scottcountymn.gov and searching under >Government>then County Board Agendas and Minutes>then search Planning Advisory Commission.

Commissioner Comments and Questions:

Commissioner Watson commented on the concerned neighbor's letter that was received prior to the public hearing and asked for clarification on the noise coming from the property.

Mr. Hall explained the Applicant may work in the construction business but should not be running a construction company out of the property.

Commissioner Robbins has questions regarding the applicant making and building improvements on the property in light of concerns raised in the neighbor's letter.

Mr. Hall noted the Applicant had recently built their own home and had permits for additional buildings built but made clear he did not have all the information raised in the concerned neighbor's letter.

Commissioner Hentges asked if either the Applicant or the concerned neighbor who wrote the letter were present.

Mr. Hall noted that neither of them were present.

Chair Vonhof asked if a code enforcement officer could be sent out to verify if there was a construction company operating at the Applicant's property.

Mr. Hall confirmed they will talk with their code enforcement officer.

Chair Vonhof commented that due to the concerns from the letter, this issue of what else is going on at the property will need to be addressed.

Chair Vonhof opened the public hearing.

Public Comments and Questions at the Podium:

No approached the podium.

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

Commissioner Hentges suggested tabling the matter as the Applicant and concerned neighbor who wrote the letter were not present and there is missing information concerning the letter that needs to be addressed.

Planning Manager Brad Davis informed the Commissioners they have an additional time to review the request if needed under the statutory deadlines.

Motion by Commissioner Watson; second by Commissioner Robbins, to table the matter to a future date until a code officer can investigate the concerns presented. A friendly amendment by Commissioner Hentges requesting Applicant and, if possible, the concerned neighbor, be present the next time this matter is back on the agenda to address the issues.

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

Commissioner Husain: Aye
Commissioner Picha: Aye
Commissioner Robbins: Aye
Commissioner Huber: Aye
Commissioner Vonhof: Aye
Commissioner Hentges: Aye
Commissioner Watson: Aye

The motion passed unanimously with 7 Ayes.

4.3 PUBLIC HEARING 6:50 PM: LAKE MARION MINI STORAGE CONDITIONAL USE PERMIT AMENDMENT (PL#2023-046)

- A. Request to amend Conditional Use Permit for Lake Marion Mini Storage LLC for a new 24,177 sq. ft. Storage building.

Location: Section 1
Township: New Market
Current Zoning: General Commercial District (C-1)

Greg Wagner presented the staff report for this application. The specific details within the staff report and a video are available at the Scott County Website link: [July 10, 2023 Planning Advisory Commission](#) Agenda Packet. The staff report can be found in the full agenda packet located by clicking Planning Advisory Commission.

The agenda packet can also be found by visiting the official county website at www.scottcountymn.gov and searching under >Government>then County Board Agendas and Minutes>then search Planning Advisory Commission.

Commissioner Comments and Questions:

Commissioner Hussain made comment for this to go forward the drainage system needs to be completed. Mr. Wagner confirmed that the County Engineer is working on the review of the stormwater management plan.

Chair Vonhof opened the public hearing.

Public Comments and Questions at the Podium:

No one approached the podium.

Motion by Commissioner Hentges to close the public hearing; second by Commissioner Picha. The motion carried unanimously.

Motion by Commissioner Huber; second by Commissioner Robbins, based on the criteria for approval listed in the staff report, I recommend approval of the Conditional Use Permit amendment for Lake Marion Mini Storage LLC, Gary Miller, applicant, to add a new indoor storage building, noting that this recommendation is subject to the conditions that must be satisfactorily addressed prior to County Board consideration of the project.

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

Commissioner Husain: Aye
Commissioner Picha: Aye
Commissioner Robbins: Aye
Commissioner Huber: Aye
Commissioner Vonhof: Aye
Commissioner Hentges: Aye
Commissioner Watson: Aye

The motion passed unanimously with 7 Ayes.

Criteria for Approval:

1. The proposed use does not create an excessive burden on public facilities.
2. The proposed use is compatible with commercial uses on adjacent lots and has been granted a variance for the setback to an adjacent residential property.
3. The proposed structures will be designed of materials that are not unsightly in appearance and of similar design and materials to the existing storage buildings.
4. The use is consistent with the purpose of the C-1 Zoning District.
5. The use is not in conflict with the Scott County 2040 Comprehensive Plan.
6. Adequate measures have been taken to provide ingress and egress, access to public roads and on-site parking.
7. Adequate water supply, sewage treatment systems, erosion control and storm water facilities have been approved by County Staff.
8. The proposed buildings will need to meet all Building Code requirements.

Conditions for Approval:

1. The applicant is to file with Scott County Zoning Administration in January of each year a statement stating that they are in compliance with the conditions of the Conditional Use Permit. Failure to do so may be a basis for revocation of the CUP.
2. This Conditional Use Permit is specifically issued to Lake Marion Mini Storage LLC, Gary Miller, applicant, for operation of an indoor storage space or garage rental facility.
3. If the property is sold or the use changes, said changes shall be reviewed by the Scott County Zoning Administration, Building Inspections and Environmental Services Departments and by the New Market Town Board to determine compliance with the Conditional Use Permit.
4. Any operational changes, such as future addition of outside storage (first requiring an ordinance amendment) will require review by the County Transportation Department to determine if road safety improvements are required due to additional trips generated.
5. The New Market Town Board may conduct an annual review of the business to ensure that they are in compliance with the CUP conditions.
6. The applicant shall pay an annual inspection fee for the CUP, if and when the County adopts an inspection fee ordinance.
7. The property shall be developed according to the approved project plans; any modifications to the approved plans must be reviewed and approved by Scott County Zoning Administration and by the New Market Town Board. (Current plan date is April 27, 2023)
8. All signage shall comply with the Scott County Sign Ordinance.

9. Oils, solvents and other hazardous wastes shall be managed in accordance with the Scott County Hazardous Waste Management Ordinance.
10. No outside storage of vehicles, recreational vehicles, trailers, or other equipment is permitted in the C-1 Commercial Zoning District.
11. The property shall be maintained in a neat and orderly manner.
12. Building permits shall be obtained for any proposed structures.

V. PLANNING MANAGER UPDATE PRESENTED BY BRAD DAVIS

Commissioner Hussain had a question regarding State funding for broadband in the school district and how to expand computer sciences in the local school districts.

Mr. Davis commented that state funding has been used to expand broadband service to the southern townships of Scott County and he will connect Commissioner Hussain with the point person at the County dealing with fiber and broadband to get more detailed information on this topic.

VI. WORKSHOP: Zoning Response to Cannabis Legislation

VII. GENERAL & ADJOURN

Motion by Commissioner Robbins; second by Commissioner Picha to adjourn the meeting at 7:03 PM. The motion carried unanimously.



Tom Vonnhof
Chair, Planning Advisory Commission



Date



Rachel Nosbush
Deputy Clerk to the Board



Date