

WATERVILLE PLANNING AND ZONING COMMISSION  
PUBLIC HEARING  
July 27, 2016, 7:00 p.m.

There was a meeting of the Waterville Planning and Zoning Commission held at 794 Reed Street South, Waterville and reconvened in Council Chambers at 7:00 p.m. on July 27, 2016.

Present: James Hennan, Tim Smith, James Fallon and Chairperson Don Jacobsen

Absent: None

Also Present: Administrator/Clerk Teresa Hill and Jason Moran, City Attorney

Also Absent: None

**1. Call to Order.** Chairperson Jacobsen called the meeting to order at 794 Reed Street South, Waterville, MN noting that all Planning and Zoning members were present. Also present City Administrator Teresa Hill and Jason Moran City Attorney.

**2. Site Visit – Arnold Krautkremer,** 794 Reed Street South. Planning and Zoning Commissioners, Ms. Hill and City Attorney Moran viewed the property lines, inspected inside all the trailers on the property as well as inside the building. At 7:30 Chairperson Jacobsen recessed the meeting and advised that we would reconvene in Council Chambers. Meeting reconvened in Council Chambers at 7:35 p.m.

**3. Minute Approval – June 28, 2016.** Motion by Smith, seconded by Fallon to approve the minutes of June 28, 2016. Unanimous vote. Motion carried.

**4. Conditional Use Permit – Arnold Krautkremer.** Arnold Krautkremer, 704 Reed Street South, Waterville MN applied for a Conditional Use Permit to allow for outside storage of inventory. The property is currently zoned Limited Industry and is described as follows: Parcel ID #: 24.470.0090, Brown & Hall Plat. Sec 27, 4.75 acres South one-half of Lot M 4.75 acres. Mr. Arnold Krautkremer was present at the public hearing. At the last public hearing Mr. Krautkremer was advised to come up with a plan regarding his inventory. Mr. Krautkremer said that he is going to start liquidating as much as he can and as fast as he can. One person will be taking two loads out and that should be out by fall. The yellow truck will be gone and the school bus will be gone. Chairperson Jacobson said that at the last meeting we requested that something be put in writing on a definite plan. Mr. Smith asked what kind of progress has been made since the last meeting. Mr. Moran said that he has been out to the property on a number of occasions and he has to say that today is without question the nicest it has ever been. Mr. Krautkremer has made a significant amount of improvement in cleaning it up. There was an old boat that had a registration missing and that is off the property. Refrigerators back on George Weaver's property is off the property. There has been a lot of trimming and a lot of mowing and a lot of organization. Mr. Moran said he does not know how many snowmobiles were scattered around the property but that has been taken care of. Everything is pretty neat and organized in his opinion. Mr. Moran said that Mr. Krautkremer has made significant progress over the past month or two. It is in the best condition that he has ever seen it. Mr. Moran said that the Planning and Zoning Commissioners are here for a conditional use permit tonight, you have done your property inspection and you have seen what is in the trailers. What the P & Z now

needs to be doing is focusing on whether you are going to grant the conditional use permit and if so on what conditions. Mr. Moran did circulate a memo to them that contained some ideas on what some conditions may look like. If you were to grant a conditional use permit that would run with the land it would be recorded and be binding on any future owners. You can set conditions that are reasonable and are necessary to prevent blight. Some of those conditions are allowing “x” number of boats, allowing “x” number of outside storage containers and you can get as detailed or simplistic as you want. The focus should be on blight. Mr. Moran said his June 29<sup>th</sup> memo to the P & Z accomplished a lot of that. Mr. Moran said you do not have to act on the conditions here tonight, you had your inspection tonight and if you want to bring it back for another meeting and think about what kind of conditions you want to put on the property you could. Discussion held regarding granting an interim conditional use permit and revisit it a number of months down the road. Mr. Moran will research an interim conditional use permit. Mr. Krautkremer was given the proposed conditions for a conditional use permit. The conditions can be negotiated with Mr. Krautkremer. Motion by Fallon, seconded by Hennan to table the Arnold Krautkremer conditional use permit for one month. Unanimous vote. Motion carried.

**5. “Granny Pod” Ordinance – Opt Out Ordinance.** Chairperson Jacobson read the proposed Ordinance opting-out of the Requirements of Minnesota Statutes Section 462.3593. Ms. Hill advised that it would be a good idea to “opt-out” because you don’t know how many conflicts you would have with your current zoning ordinance itself. The state would take over automatically allowing for these to happen without taking into consideration your zoning regulations or any data practice issues that go on and how it will be handled. There have been 33 cities in the surrounding area that have already opted-out. If it is not opted-out it automatically goes into effect on September 1, 2016. Ms. Hill suggested that if they were thinking of considering it in the future you should still opt-out and then revisit it as your own land use issue. Discussion held regarding the “Granny Pod” Ordinance. Motion by Fallon, seconded by Smith to recommend that the Opt-Out Ordinance be adopted. Unanimous vote. Motion carried.

**6. Comprehensive Plan Land Use.** Mr. Smith said since we addressed this at our special meeting have there been any concerns. Ms. Hill said that there has not been anything presented to Council yet. Ms. Hill said the P & Z’s plans and findings will go forward to Council upon their recommendations. Mr. Smith said when we looked at the existing zoning of the areas and the potential for what they could be used for and we did not see a lot that needed immediate change. Mr. Smith asked Ms. Hill if she saw any areas that she thinks might be an issue. Ms. Hill said if people have concerns on whether they can build homes in agriculture holding she does get that question but housing is allowed in agriculture holding. The most questions she gets are transfers of property. Not people really pursuing to change a zoning. Mr. Smith said we looked at some of the regulations on agricultural holding and industrial those allowed for a limited number of housing so there wasn’t a big reason to change those at this point. Ms. Hill said if an individual wanted to try to make a change from agricultural holding to residential as long as it abuts a residential area that is something that could be considered. When you are looking at going out on the highway and somebody wants to come in and take 180 acre piece of property out there and subdivide it into smaller lots as long as it touches the boundary of an R-2 district that would be allowed. If you are expanding out by the highways that would be allowable change. Motion by Smith, seconded by Fallon that other than the noted language that

we talked about for the multi-family residential that the actual zoning areas that we have within the City remain the same at this point. Unanimous vote. Motion carried.

**7. Accessory Structure Ordinance Review.** Chairperson Jacobson said without a building code he thinks accessory structures can probably be built. Mr. Moran said some cities have passed accessory structure ordinances. They have had problems with people putting up a lot of detached accessory storage sheds and it was leading to some blight conditions. This ordinance is targeted for Waterville. It deals with two types of accessory structures, those that are attached to the house and detached accessory structures like storage sheds. This ordinance would limit detached accessory structures to three. The detached accessory structure must be made of the same quality and type material as the primary structure so that it blends nice and again eliminates some of the blight and it can't be any more than 120 square feet, basically 10' x 12' and that is a number that can be manipulated as well. Discussion regarding the proposed accessory structure ordinance. Ms. Hill said that currently all accessory structures require a permit. Ms. Hill said the accessory structures tend to pop up without obtaining a permit. Discussion regarding the City's current ordinance on detached accessory structures. Ms. Hill questioned #3 of the proposed ordinance for the square feet of any combination of accessory structures. Discussion regarding on how to regulate the maximum square feet of accessory structures that would be allowed. Mr. Smith said we may want to look at how we define what is acceptable for accessory structures as there are a lot of nice storage sheds and they would not be the same siding as the house. Mr. Hennan questioned if this ordinance had anything to do with carports. Ms. Hill said the canvas ones are more a temporary structure. The ones that are metal roofed or metal sided she would classify that as a permanent structure but there is no definition of a carport. Mr. Moran said we may want to look at a carport ordinance. Mr. Hennan said a lot are rentals that need a place to have a carport. Discussion regarding carports and accessory structures. Ms. Hill said that she will have MN COG do a survey on how other cities regulate their square footage of accessory structures. Motion by Smith, seconded by Fallon to table the accessory structure ordinance for 60 days in order to do some research and get some answers back and we will revisit it then. Unanimous vote. Motion carried.

**8. Adjourn.** Motion by Smith, seconded by Hennan to adjourn. Unanimous vote. Meeting adjourned 8:35 p.m.

---

Donald Jacobsen, Chairperson

---

Teresa Hill, Administrator/Clerk