

CARVER COUNTY BOARD OF ADJUSTMENT
Regular Meeting – March 7, 2018
Minutes

Members Present: Scott Hoese, Richard Buetow, Michael Huang, Richard Kvittek, Virgil Stender, Mark Willems

Members Absent: None

Members Late: None

Staff Present: Emily Schmitz, Jennifer Tichey

Pursuant to due call and published notice thereof, the March 7, 2018, meeting of the Carver County Board of Adjustment was called to order by Chairman Hoese at 7:00 p.m.

Minutes – A motion was made by Stender and seconded by Huang to approve the minutes of the February 7, 2018, meeting, with 2 noted corrections. All voted aye. Motion carried.

Public Hearing - File # 20180004 – SSP Holdings, LLP –Chairman Hoese called the public hearing to order at 7:01 p.m. to consider the application of Aaron Peterson, representing SSP Holdings, LLP, pursuant to Chapter 152 of the County Code. The purpose of the public hearing was to consider a request for reduced access separation pursuant to Chapter 152 of the County Code. The property is located in Section 3 of San Francisco Township.

The following were present: Randy Kubes, Todd Johnson, Linda Johnson, Cal Haasken

The following items were entered into the hearing record:

Exhibit A - Legal Description

Exhibit B - Affidavit of Publication of the Hearing Notice

Exhibit C - Affidavit of Mailing of the Hearing Notice

Exhibit D – Site Plan

Exhibit E - Letter from the Applicant dated February 1, 2018

Exhibit F – Letter to the Board of Adjustment and San Francisco Township dated February 27, 2018, and all attachments

Exhibit G – Memo from Carver County Public Works Department dated March 6, 2018

Schmitz explained the applicant's request to construct a shared access for two future residential building sites which would not meet the required separation distance of 500 feet. The proposed access would have approximately 200 feet of separation. Schmitz used an aerial photo to illustrate the proposed access location and two residential lots. She stated the applicants indicated the required 500 foot separation requirement places the access closer to a road curve, creating increased safety concerns. Schmitz noted the memo from the Public Works Department and stated she also had several conversations with them about the safety concerns if the required separation distance is maintained. She confirmed that the Public Works Department would

support a shared access for the two proposed parcels. San Francisco Township has heard the request and recommended approval at their February 12, 2018 meeting. She read the conditions for consideration if the request is approved.

Doug Weber, San Francisco Township, confirmed the Township's recommendation for approval of the request and also noted the safety concern.

Todd Johnson, 10020 Dell Rd, stated he is the prospective buyer of the two residential lots. He wanted to acknowledge the concerns reflected by the landowner and said they very fairly represent his concerns also. He noted the increased safety in having the access further away from the road curve. He stated a shared access allows the opportunity to consolidate and have only one access for the two lots.

Kvitek asked for clarification in the memo from Public Works about the accesses, understanding that they recommended proposed parcels 1 and 3 would share and access, and that parcel 2 would use a current field access.

Schmitz replied there had been many conversations with the Public Works Department and that this was a second option, after the proposed shared access between parcels 2 and 3. She explained other options that had been discussed, but they all resulted in having an access that was closer to the curve, which was viewed as a safety concern.

Kvitek agreed it appeared to be safer to have an access further away from the curve.

Stender strongly urged a shared access agreement be established in writing to protect all future owners.

A motion was made by Buetow and seconded by Hoese to conclude the public hearing. All voted aye. Motion carried. The public hearing was concluded at 7:09 p.m.

A motion was made by Huang and seconded by Willems to **approve and issue Order PZ20180004** allowing for reduced access separation and the following conditions:

1. Applicant shall obtain all necessary building and/or driveway permit(s) prior to construction.
2. Installation of the entrance will be subject to appropriate permits, and compliance inspections by the road authority (Carver County Highway Department).

All voted aye. Motion carried.

Adjournment

Having completed the agenda items and seeing no other business, Chairman Hoese deemed the meeting adjourned at 7:10 p.m.