



CITY OF FAIRMONT – 100 Downtown Plaza – Fairmont, MN 56031
www.fairmont.org

Phone (507) 238-9461

Fax (507) 238-9469

TO: Planning Commission

FROM: Peter Bode, Planner & Zoning Official

DATE: September 30, 2022

SUBJECT: **Agenda – Regular Meeting**
Tuesday, October 4, 2022 at 5:30 p.m.
City Council Chambers, City Hall, 100 Downtown Plaza

- 1) Approval of Agenda
 - 2) Approval of Minutes – August 2, 2022
- New Business
- 3) Public Hearing – Conditional Use Permit at 221 Krahmer Dr
 - 4) Public Hearing - Conditional Use Permit at 420 Lake Aires Rd
 - 5) Public Hearing – Whitetail Ridge Second Addition

Old Business

None

- 6) Adjournment

MINUTES OF THE FAIRMONT PLANNING COMMISSION

Regular Meeting

August 2, 2022 at 5:30 p.m.

City Council Chambers, City Hall, 100 Downtown Plaza

Members present: Ron Davison, Tom Lytle, Jon Omvig, Rin Porter, Council Liaison Britney Kaweck

Members absent: Tom Mesich

Staff present: City Administrator Cathy Reynolds, Planner & Zoning Official Peter Bode

Chair Lytle opened the meeting at 5:30 p.m.

Approval of Agenda: Motion by Omvig and second by Davison to approve the meeting agenda as presented. Motion carried.

Approval of Minutes: Members discussed the minutes from April 5, 2022. Motion by Davison and second by Porter to approve the April 5, 2022 minutes as presented. Motion carried with Omvig voting nay.

Public Hearing - Rezoning of 93 acres north of George Lake and west of Holland St: Chair Lytle opened the public hearing at 5:38 p.m. Bode presented a proposal by Carlson Walters Group (CWG) to rezone a portion of their land of 93 acres north of George Lake and west of Holland Street, PIN 23.037.0150 from R-1 Single Family Residential to A Agriculture Transition. Bode stated that staff's findings support denial of the request because the proposal approached a subdivision more than a simple rezone and that the A Agriculture Transition district is not consistent with the Comprehensive Plan.

Brandon Edmundson, representing CWG, spoke on behalf of the group to introduce the proposal.

Jeff Schuett, residing at 1306 Holland St, spoke against the request.

Jolynne Bockman, residing at 1321 Holland St, spoke and wrote against the request.

Ken and Kathy Simmering, residing at 1404 Holland St, spoke and wrote against the request.

Chair Lytle entered written comments received into the record, all members having read them. Written comments included:

Tom Mesich, residing at 509 Day St, wrote against the request.

Susan Barnes, residing at 129 W Anna St, wrote against the request.

Kathy Gronewald, residing at 414 W Anna St, wrote against the request.

Ryan and Arin Meyer, residing at 1211 N Main St, wrote against the request.

Angela Simmering, residing at 203 W Christina St, wrote against the request.

A group of 28 residents hand-signed a petition against the request.

There were no further public comments. Motion by Davison and second by Porter to close the public hearing. Motion carried and the public hearing closed at 6:02 p.m.

Members discussed the proposal.

Motion by Omvig and second by Lytle to approve and recommend to City Council that the western portion of the lot be rezoned to A Agriculture Transition as requested with the finding that A allows some uses which are compatible with the Comprehensive Plan. Chair Lytle called a roll call vote. Members voting aye: Davison, Lytle, Omvig. Members voting nay: Porter. Motion carried.

Old Business: *None*

Adjournment: There were no additional agenda items. Chair Lytle adjourned the meeting at 6:35 p.m.

*Respectfully submitted,
Peter Bode*

John Lund
221 Krahmer Drive
Fairmont, MN 56031

Dear Planning Commission-

I am requesting to place a boat house in my back yard near Hall Lake. It would be approximately 12 feet by 14 feet. It would be at least 12 feet from the OHWM and the property line. It would be finished with siding and shingles to match the house. It would have no impact on the lake nor the shoreline.

Thank-you for your consideration.

Sincerely- John Lund

A handwritten signature in cursive script that reads "John Lund". The signature is written in black ink and is positioned below the typed name.

Hall Lake



Boat Shed \approx 12 FT X 14 FT
12 FT from East property line
~~12 FT~~ from OHWM

Lot is approximately 6 FT above beach, over \approx 18 FT; slopes to beach \approx 6 FT. Depression within slope, flat area where boat shed would be.



25 FT \approx 1 inch

100 FT.

221

Summer Drive

John Lund
736-6974

Minnesota Department of Natural Resources
Southern Region
21371 State Hwy 15
New Ulm, MN 56073
507-359-6000

Todd Piepho MN DNR Area Hydrologist
50507 Sakatah Lake State Park Rd.
Waterville, Mn 56096

9/29/2022

Peter Bode
Planner and Zoning Official City of Fairmont

Re: Lund/Kearney CUP applications

Good Morning Peter:

Thank you for sharing the CUP applications for the Lund and Kearney sites. It is understood that Fairmont considers these proposed structures boathouses, per local ordinance and requires a CUP for such proposals. MN Rule 6120 Shoreland and Floodplain Management has a slightly different definition of boathouse as defined below;

Boathouse- a structure designed and used solely for the storage of boats or boating equipment.

The applications for the Lund and Kearney sites appear to be a water oriented accessory structure, per MN Rule 6120, definition below-assuming they intend to store more than just boats or boating equipment;

Water Oriented Accessory Structure or facility- a small, above ground building or other improvement, except stairways, fences, docks, and retaining walls, which, because of the relationship of its use to a surface water feature, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures and facilities include boathouses, gazebos, screen houses, fish houses, pump houses, and detached decks.

With that said, my comments on the applications are as follows;

1. These structures cannot be designed for human habitation-no water supply or sewage treatment can be installed. Both of these applications do not mention any intent of this, I believe they should be good there. I bring this up as an option to add conditions or language to the CUP if approved that do not allow this to take place in the future after approval of the CUP.
2. The structure should be screened from the view of the public waters and adjacent shorelands. Planting of native trees/shrubs is generally a recommendation I make as a condition of the permit approval through the local LGU for screening.

3. Water oriented accessory structures need to be a minimum of 10' from the OHWL. It appears both of these structures will meet that setback.
4. Size limit for water oriented accessory structures is 250' square feet, bot applications appear to meet this requirmenet.

If you have any additional questions please feel free to email or call.

Sincerely,

A handwritten signature in cursive script that reads "Todd Piepho".

Todd Piepho
MN DNR Area Hydrologist

cc:

Todd Kolander-Southern District Manager
Dan Girolamo-Area Hydrologist

**CITY OF FAIRMONT
Planning & Zoning
Application Form**

NOTE TO APPLICANT: This is a comprehensive application form. Only those items related to your specific type of development are to be completed. All items applicable must be included prior to acceptance of the application.

Name of Applicant: Keith Kearney Address: 420 Lake Ames Rd Fairmont, MN Phone#: 612-327-7801

Street Address of Proposal: 420 Lake Ames Rd, Fairmont, MN 56031

Legal Description of Property: A. STADE W. AMBER LAKE LOT-001 Block-001 *see also 1986 pkt description.*

Existing Use of Property: Residential

Proposed Use of Property: Residential

Type of Application	Fee	Submission Requirements (Attached)
<input type="checkbox"/> Appeal/Code Amendment	\$150.00	7
<input type="checkbox"/> Administrative Appeal	50.00	8
<input checked="" type="checkbox"/> Conditional Use Permit	150.00	4, 6(d-g)
<input type="checkbox"/> Home Occupation Permit	30.00	9
<input type="checkbox"/> Minor Plat	90.00	2(a), 5 (a-b)
<input type="checkbox"/> Planned Unit Development	150.00	1, 4, 6(d-g)
<input type="checkbox"/> Preliminary Plat	150.00	5 (b), 6
<input type="checkbox"/> Rezoning	150.00	1
<input type="checkbox"/> Variance	90.00	2,3

I HEREBY CERTIFY THAT THE INFORMATION AND EXHIBITS HERewith SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Keith Kearney
Owner's Name(Printed) [Signature]
Owner's Signature

Keith Kearney
Applicant's Name (Printed) [Signature]
Applicant's Signature

City Staff Use Only

DATE FILED: _____
 DATE FEE PAID: _____
 MEETING DATE: _____
 NOTICES SENT (DATE): _____
 NOTIFICATION OF EXTENSION (LETTER SENT): _____

To: Peter Bode, Planning & Zoning
Board of Zoning Appeals

From: Keith Kearney 
420 Lake Aires Rd
Fairmont, MN 56031
(612) 327-7801

Subj: Conditional Use Application to Install Boathouse Accessory Structure.

Date: September 20, 2022

Dear Board-

We would like to install a boathouse (storage container) to store our canoe and accessories to avoid having to carry our gear up and down the hill. Unfortunately, our perfect location is 30' from the lakeshore so we are requesting conditional use to allow the boathouse within the 50' structure setback from ordinary high-water mark. The proposed 8x20 container would be used to store our 17' canoe and accessories.

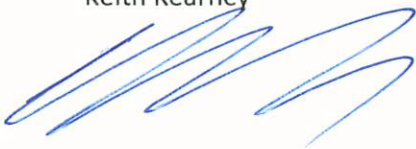
We live on a uniquely-shaped .75 acre city lot that includes both a corner and lakefront, located on the southernmost edge of Fairmont city limits (across the street from us is County). The proposed location is fairly flat, but setting it further back would be steeper elevation and require disturbing a hillside. The proposed 30' offset will not disturb shoreline nor the hill and won't change lot permeability ratios. The proposed location is out of sight from the street, lake, and neighbors (over 90' to the nearest neighbor's property plus another 70' vacant parcel they have between our parcel and their home). It is also behind an established tree line, etc. The one and only adjoining neighbor, Mike and Linda Katzenmeyer, have verbally approved of our request and can validate/confirm if requested.

We have chosen an attractive new navy-blue storage container that blends with the décor and is guaranteed waterproof and pest-proof. It will be placed on a wood base (not an impervious concrete pad), will cause no pollution, and will be delivered with minimal disruption. A storage container is also semi-permanent so could be easily removed if no longer needed.

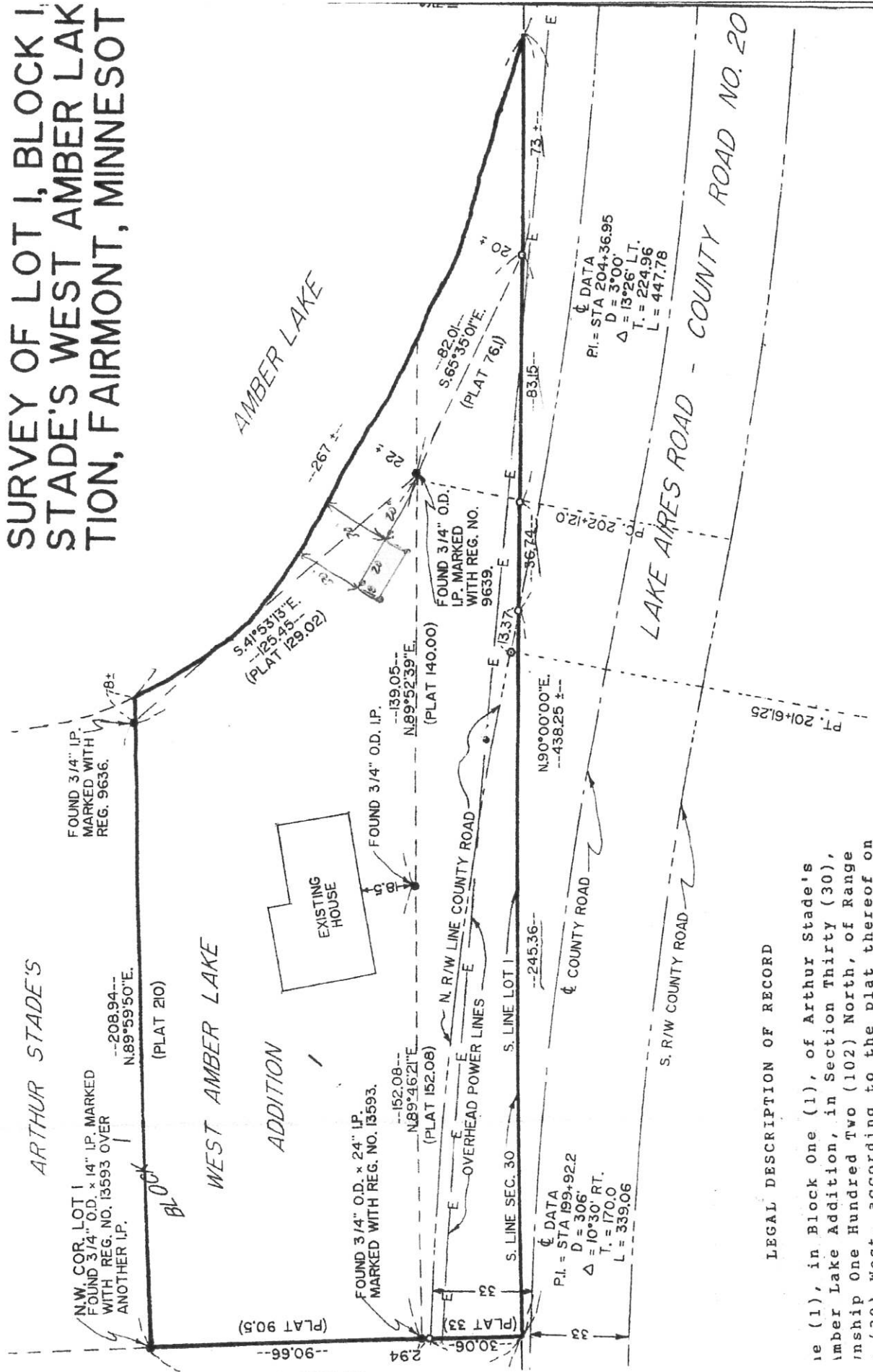
We take pride in our home and the city of Fairmont, are active in local civics, and have been responsibly updating & improving our home since purchase in September of 2020. Thank you for your consideration, we appreciate your support of this conditional use to improve the aesthetics of our little corner of Fairmont. Thank you.

Sincerely,

Keith Kearney



SURVEY OF LOT I, BLOCK I, STADE'S WEST AMBER LAKE ADDITION, FAIRMONT, MINNESOTA



ARTHUR STADE'S

WEST AMBER LAKE

ADDITION

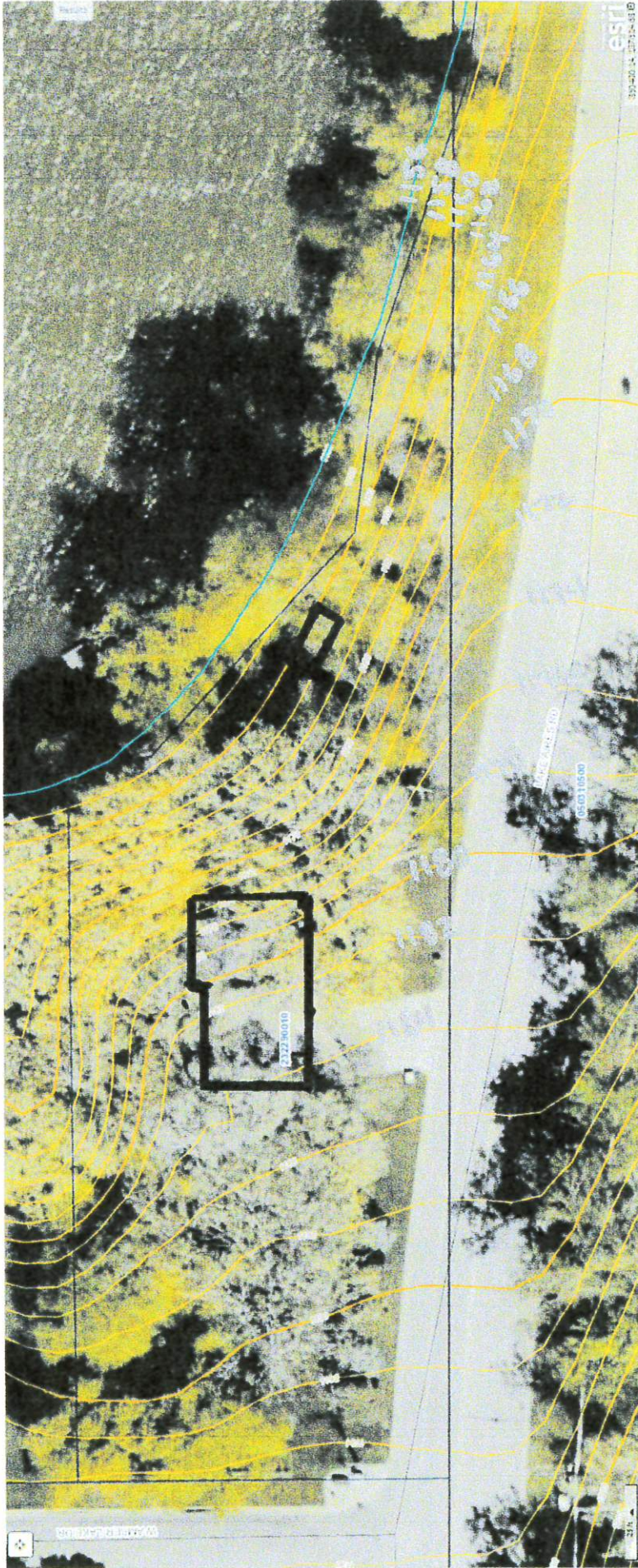
EXISTING HOUSE

LAKE AIRES ROAD - COUNTY ROAD NO. 20

LEGAL DESCRIPTION OF RECORD

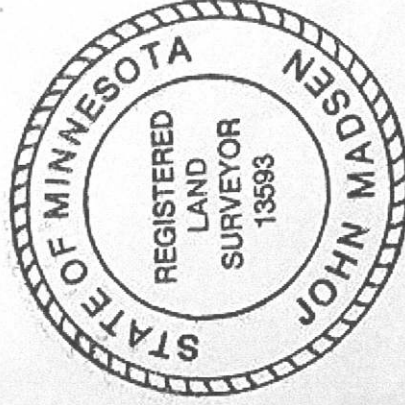
Block One (1), of Arthur Stade's West Amber Lake Addition, in Section Thirty (30), Township One Hundred Two (102) North, of Range (30) West, according to the plat thereof on record in the office of the Register and for said County and State.

420 Lake Aires Rd
Fairmont, MN



LEGAL DESCRIPTION OF RECORD

Lot One (1), in Block One (1), of Arthur Stade's West Amber Lake Addition, in Section Thirty (30), of Township One Hundred Two (102) North, of Range Thirty (30) West, according to the plat thereof on file and of record in the office of the Register of Deeds in and for said County and State.



3,

SSUMED TO

Minnesota Department of Natural Resources
Southern Region
21371 State Hwy 15
New Ulm, MN 56073
507-359-6000

Todd Piepho MN DNR Area Hydrologist
50507 Sakatah Lake State Park Rd.
Waterville, Mn 56096

9/29/2022

Peter Bode
Planner and Zoning Official City of Fairmont

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Sincerely,

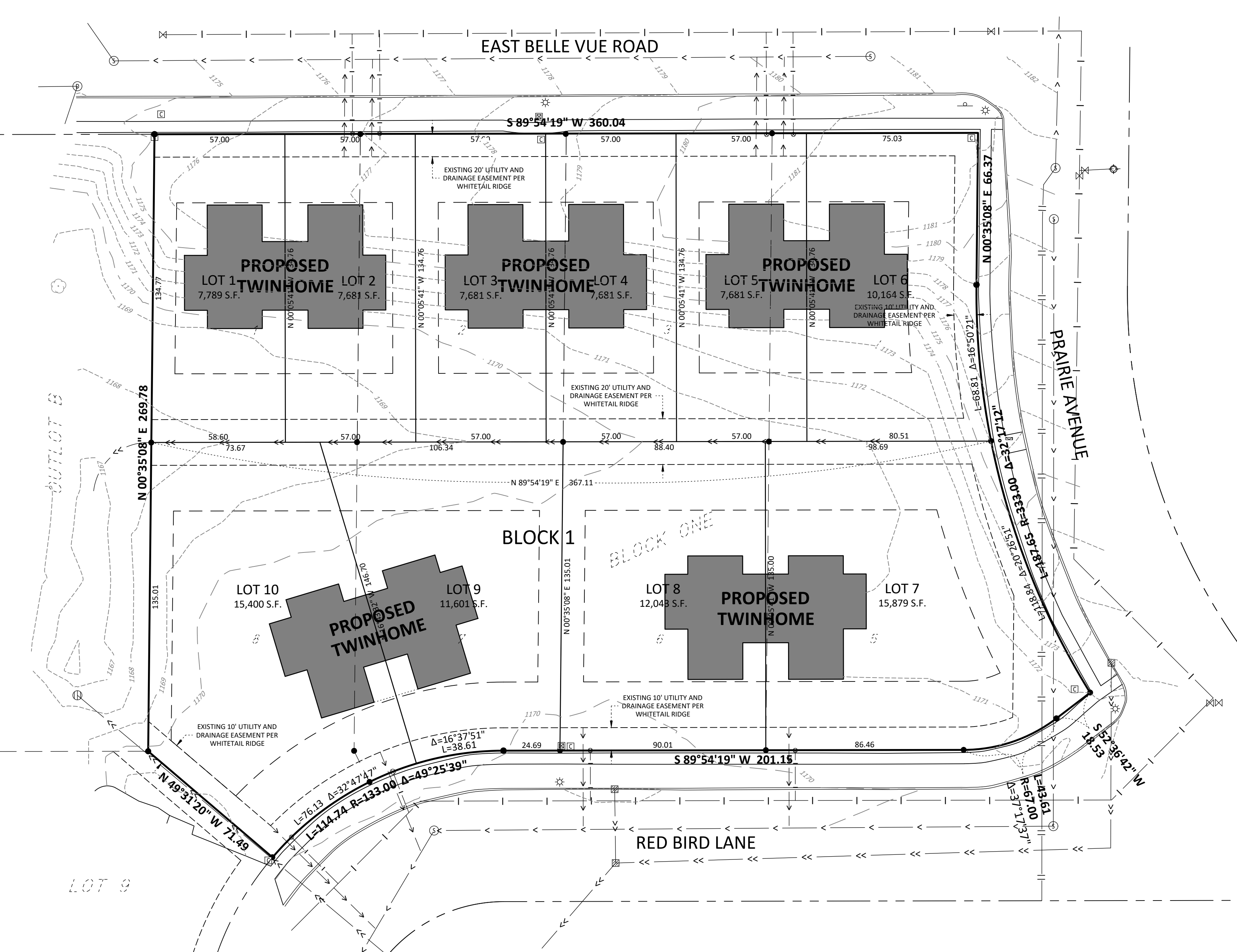


Todd Piepho
MN DNR Area Hydrologist

cc:

Todd Kolander-Southern District Manager
Dan Girolamo-Area Hydrologist

PRELIMINARY PLAT OF
**WHITETAIL RIDGE
 SECOND ADDITION**
 IN THE
 CITY OF FAIRMONT, MARTIN COUNTY, MINNESOTA



TOTAL SUBDIVISION AREA

2.38 ACRES

Horizontal Datum: HARN 2011 County Coordinate System
 Vertical Datum: NAVD 1988

PROPERTY DESCRIPTION

Lots 1 thru 8, Block 1, of Whitetail Ridge in Section 20, Township 102 North, Range 30 West, Martin County, Minnesota.

OWNERS:
 CITY OF FAIRMONT, ED A

CURRENT ZONING:
 R-1 Single-Family Residential District

SETBACKS:
 FRONT YARD - 30 feet minimum.
 INTERIOR SIDE YARD - 10% of lot width not more than 10 feet required
 CORNER YARD - 25 feet minimum.
 REAR YARD - not less than 25 percent of lot depth.

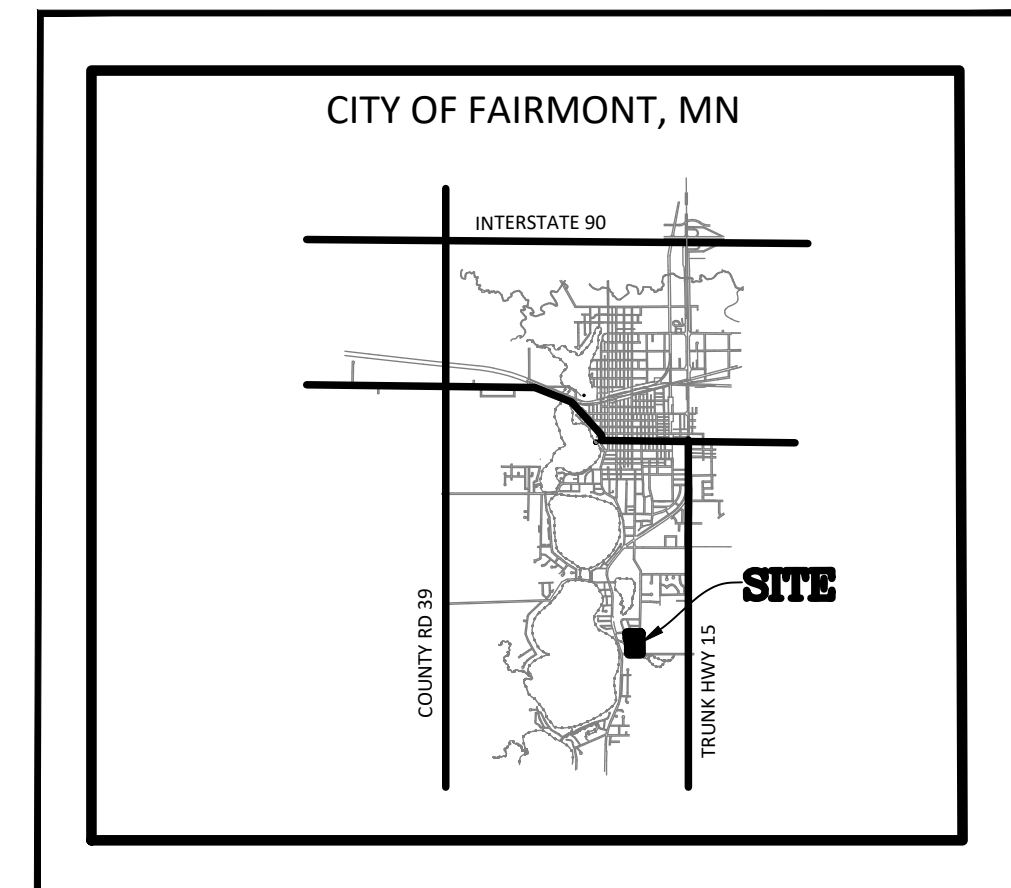
MINIMUM LOT REQUIREMENTS:
 LOT AREA - 8,500 square feet (single family) and 9,500 (two-family)
 LOT WIDTH - 85 feet
 EXCEPTION - for exempted use, no structure shall exceed 30 feet in height.

ZERO LOT LINE DWELLINGS - TWINHOMES:
 REQUIRED LOT AREA AND WIDTH minimum of one-half of the required lot area and width for attached single-family dwelling in the underlying zoning district
 FRONT YARD - 30 feet minimum.
 INTERIOR SIDE YARD - 10 feet minimum
 CORNER YARD - 25 feet minimum.
 REAR YARD - 30 feet minimum

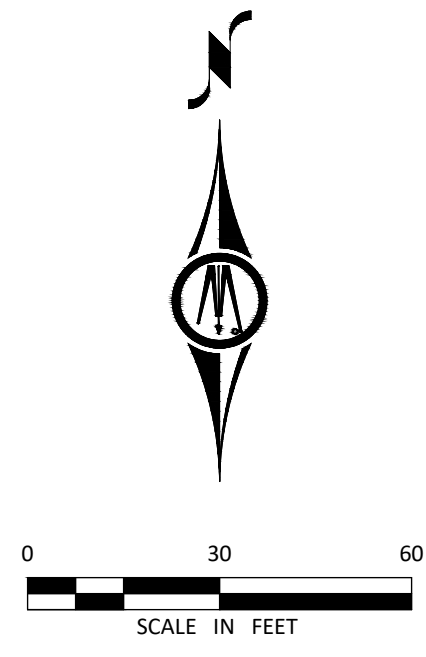
BENCH MARK

TOP OF HYDRANT PRAIRIE AVE.
 AND E. BELLE VUE ROAD
 ELEV=1182.89

VICINITY MAP



○	IRON PIPE MONUMENT SET	Ⓜ	METER
●	MONUMENT FOUND	Ⓜ	ORDER MICROPHONE
⊙	CAST IRON MONUMENT FOUND	Ⓜ	PARKING METER
⊠	STONE MONUMENT FOUND	Ⓜ	PAVEMENT MARKING
⊕	CONTROL POINT	Ⓜ	PEDESTAL-COMMUNICATION
⊖	BENCH MARK	Ⓜ	PEDESTAL-ELECTRIC
⊗	ACCESS GRATE	Ⓜ	PEDESTRIAN PUSH BUTTON
⊘	AIR CONDITIONER	Ⓜ	PICNIC TABLE
⊙	ANTENNA	Ⓜ	POLE-UTILITY
⊙	AUTO SPRINKLER CONNECTION	Ⓜ	POLE-BRACE
⊙	BARRICADE PERMANENT	Ⓜ	POST
⊙	BASKETBALL POST	Ⓜ	RAILROAD SIGNAL POLE
⊙	BENCH	Ⓜ	REGULATION STATION GAS
⊙	BIRD FEEDER	Ⓜ	SATELLITE DISH
⊙	BOLLARD	Ⓜ	SIGN NON TRAFFIC
⊙	BUSH	Ⓜ	SIGN TRAFFIC
⊙	CATCH BASIN	Ⓜ	SIGNAL CONTROL CABINET
⊙	CATCH BASIN	Ⓜ	SOIL BORING
⊙	CURB STOP	Ⓜ	SIREN
⊙	CLEAN OUT	Ⓜ	TELEPHONE BOOTH
⊙	CULVERT END	Ⓜ	TILE INLET
⊙	DRINKING FOUNTAIN	Ⓜ	TILE OUTLET
⊙	DOWN SPOUT	Ⓜ	TILE RISER
⊙	FILL PIPE	Ⓜ	TRANSFORMER-ELECTRIC
⊙	FIRE HYDRANT	Ⓜ	TREE-CONIFEROUS
⊙	FLAG POLE	Ⓜ	TREE-DEAD
⊙	FLARED END / APRON	Ⓜ	TREE-DECIDUOUS
⊙	FUEL PUMP	Ⓜ	TREE STUMP
⊙	GUY WIRE ANCHOR	Ⓜ	TRAFFIC ARM BARRIER
⊙	HANDHOLE	Ⓜ	TRAFFIC SIGNAL
⊙	HANDICAP PARKING	Ⓜ	TRASH CAN
⊙	IRRIGATION SPRINKLER HEAD	Ⓜ	UTILITY MARKER
⊙	IRRIGATION VALVE BOX	Ⓜ	UTILITY MARKER-COMMUNICATION
⊙	LIFT STATION CONTROL PANEL	Ⓜ	UTILITY MARKER-ELECTRIC
⊙	LIFT STATION	Ⓜ	UTILITY MARKER-FIBER
⊙	LIGHT POLE	Ⓜ	UTILITY MARKER-GAS
⊙	LIGHT-GROUND	Ⓜ	UTILITY VAULT
⊙	MAILBOX	Ⓜ	VALVE
⊙	MANHOLE-COMMUNICATION	Ⓜ	VALVE POST INDICATOR
⊙	MANHOLE-ELECTRIC	Ⓜ	VALVE VAULT
⊙	MANHOLE-GAS	Ⓜ	VAULT
⊙	MANHOLE-HEAT	Ⓜ	VENT
⊙	MANHOLE-SANITARY SEWER	Ⓜ	WATER SPIGOT
⊙	MANHOLE-STORM SEWER	Ⓜ	WELL
⊙	MANHOLE-UTILITY	Ⓜ	WETLAND-DELINEATED
⊙	MANHOLE-WATER	Ⓜ	WETLAND
⊙	COMMUNICATION UNDERGROUND	Ⓜ	WET WELL
⊙	DISTRICT HEAT UNDERGROUND	Ⓜ	YARD HYDRANT
⊙	ELECTRIC UNDERGROUND	Ⓜ	ACCESS CONTROL
⊙	FIBER UNDERGROUND	Ⓜ	ADJACENT
⊙	GAS UNDERGROUND	Ⓜ	EASEMENT
⊙	OVERHEAD UTILITY	Ⓜ	BUILDING SETBACK
⊙	OVERHEAD COMMUNICATION	Ⓜ	CENTERLINE
⊙	OVERHEAD ELECTRIC	Ⓜ	RIGHT OF WAY
⊙	SANITARY SEWER	Ⓜ	SIXTEENTH LINE
⊙	SANITARY FORCEMAIN	Ⓜ	QUARTER LINE
⊙	TILE LINE	Ⓜ	SECTION LINE
⊙	STORM SEWER	Ⓜ	INTERMEDIATE CONTOUR
⊙	WATER SYSTEM	Ⓜ	INDEX CONTOUR
⊙	FENCE	Ⓜ	FLOOD LINE
⊙	FENCE - DECORATIVE	Ⓜ	WATER EDGE
⊙	GUARD RAIL	Ⓜ	HIGHWATER LINE
⊙	CURB & GUTTER	Ⓜ	WETLAND EDGE
⊙	RETAINING WALL	Ⓜ	EDGE OF BUSHES
⊙		Ⓜ	EDGE OF TREES

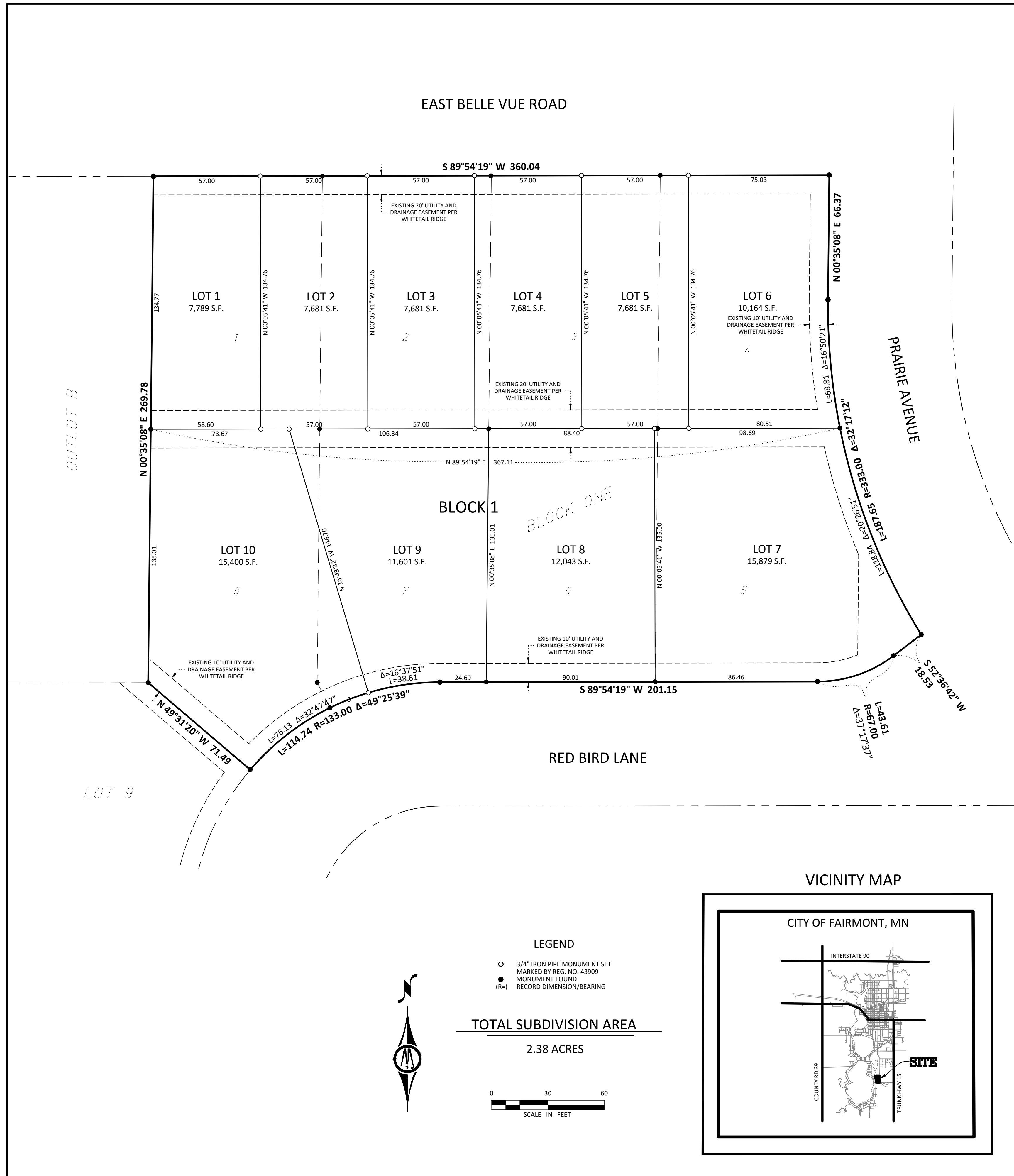


SURVEYOR'S CERTIFICATION
 I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Joseph A. Haefner
 Joseph A. Haefner
 License Number 43909

9/30/2022
 Date

PLAT OF
WHITETAIL RIDGE SECOND ADDITION
 IN THE
 CITY OF FAIRMONT, MARTIN COUNTY, MINNESOTA



INSTRUMENT OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That the Fairmont Economic Development Authority, owner of the following described property:

Lots 1 thru 8, Block 1, of WHITETAIL RIDGE in Section 20, Township 102 North, Range 30 West, Martin County, Minnesota.

Has caused the same to be surveyed and platted as WHITETAIL RIDGE SECOND ADDITION and does hereby dedicate to the public for the public use the public way(s) and the drainage and utility easement as created by this plat.

In witness whereof said Fairmont Economic Development Authority, has caused these presents to be signed by its proper officers this ____ day of _____, 2022.

Signed: Fairmont Economic Development Authority

Andy Noll, President
 Rich Johnson, Secretary

State of Minnesota)
 County of Martin) ss
 This instrument was acknowledged before me on this ____ day of _____ 2022 by Andy Noll, President and Rich Johnson, Secretary on behalf of Fairmont Economic Development Authority.

 Notary Public,
 Martin County, Minnesota,
 My Commission Expires _____.

SURVEYOR'S CERTIFICATE

I, Joseph A. Haefner, Registered Land Surveyor, certify that I have surveyed and platted the property described in this plat as WHITETAIL RIDGE and that this plat is a correct representation of the survey, that all distances are correctly shown on the plat in feet and hundredths of a foot, that all monuments have been correctly placed in the ground as shown or will be placed in the ground as designated; that the outside boundary lines are correctly designated on the plat; and that there are no wetlands as defined in MS 505.02, Subd. 1, or public highways to be designated other than as shown.

Joseph A. Haefner, Land Surveyor
 Minnesota License No. 43909

NOTARY'S CERTIFICATE
 State of Minnesota)
 County of Martin) ss
 The foregoing instrument was acknowledged before me this ____ day of _____, 2022, by Joseph A. Haefner, Land Surveyor, Minnesota License No. 43909.

Valerie Rae Ellis, Notary Public
 Martin County, Minnesota
 My Commission Expires 1-31-2024.

APPROVALS

Be it known that on the ____ day of _____, 2022, the Planning Commission of the City of Fairmont, Minnesota, did duly approve this plat.

Chair

Be it known that on the ____ day of _____, 2022, the City Council of the City of Fairmont, Minnesota, did duly approve this plat of WHITETAIL RIDGE, and is in compliance with the provisions of Minnesota Statutes, Section 505.03 Subd. 2.

Mayor Administrator

COUNTY TREASURER

All current 20__ taxes are paid in full as of this ____ day of _____, 2022

Martin County Treasurer

COUNTY AUDITOR

No delinquent taxes and transfer entered this ____ day of _____, 2022.

Martin County Auditor

COUNTY RECORDER

I hereby certify that this plat was filed in this office this ____ day of _____, 2022, at ____ o'clock ____ m. as Document No. _____.

Martin County Recorder