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Phone (507) 238-9461

CITY OF FAIRMONT – 100 Downtown Plaza – Fairmont, MN 56031  
[www.fairmont.org](http://www.fairmont.org) ♦ [citygov@fairmont.org](mailto:citygov@fairmont.org)

Fax (507) 238-9469

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**To:** Planning Commission

**From:** Peter Bode, Planner & Zoning Official

**Subject:** **Agenda – Regular Meeting**  
**Tuesday, May 2, 2023 at 5:30 p.m.**  
**City Council Chambers, City Hall, 100 Downtown Plaza**

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- 1) Approval of Agenda
- 2) Approval of Minutes – April 4, 2023

New Business

- 3) Public Hearing – Preliminary and Final Plat – Lee Prentice Addition

Old Business

None

- 4) Adjournment

## MINUTES OF THE FAIRMONT PLANNING COMMISSION

### Regular Meeting

April 4, 2023 at 5:30 p.m.

City Council Chambers, City Hall, 100 Downtown Plaza

**Members present:** Tyler Benschoter, Angela Grafstrom, Tom Mesich, Rin Porter, Council Liaison Britney Kawecki

**Members absent:** Tom Lytle

**Staff present:** City Administrator Cathy Reynolds

Chair Mesich called the meeting to order at 5:30 p.m.

**Approval of Agenda:** Motion by Porter and second by Grafstrom to approve the agenda as presented. Motion carried.

**Approval of Minutes:** Motion by Grafstrom and second by Benschoter to approve the March 7, 2023 minutes as presented. Motion carried.

**Public Hearing – 221 Krahmer Dr – CUP for a Water Oriented Accessory Structure:** Chair Mesich opened the public hearing. Reynolds presented a request by John Lund at 221 Krahmer Drive for a Conditional Use Permit to place a Water Oriented Accessory Structure at least 12 feet from OHWL. Reynolds stated that staff's findings supported granting the permit with the conditions listed in staff's report.

There were no public comments.

Motion by Porter and second by Grafstrom to close the public hearing. Motion carried.

Members discussed the proposal.

Motion by Grafstrom and second by Porter to approve Planning Commission Resolution 2023-1 recommending to City Council that the permit be approved with the conditions contained in staff's report. Motion carried.

**Old Business:** *None*

**Adjournment:** There were no additional agenda items. Chair Mesich adjourned the meeting at 5:38 p.m.

*Respectfully submitted,*

*Peter Bode*



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## MEMORANDUM

**TO:** Planning Commission  
**FROM:** Peter Bode, Planner & Zoning Official  
**DATE:** May 2, 2023  
**RE:** **1703 N State St – Lee Prentice Preliminary and Final Plat**

American Legion Post 36 has applied to subdivide their parcel at 1703 North State Street. The current unplatted parcel is approximately 3.4 acres in size and located at the corner of State Highway 15 and East Margaret Street. This parcel is zoned B-3 General Business and the proposed subdivision intends to keep the current zoning, consistent with the Comprehensive Plan.

With the attached preliminary and final plats, the subdivider proposes to split the lot into two blocks with one lot each. Between them would extend Lowenberg Drive from the north to intersect with East Margaret Street.

Community Development and Engineering staff have reviewed the proposal for conformance with the Subdivisions (Chapter 24) and Streets and Sidewalks (Chapter 23) chapters of City Code. Staff find that the preliminary and final plats meet the intent of Code and include the required design standards.

Staff provided the Lee Prentice preliminary and final plats to Minnesota Department of Transportation (MnDOT) for their comment as required by state statute. MnDOT offered one comment related to access to the site. As can be seen on the attached satellite photo, a service road currently exists within the MnDOT right-of-way. MnDOT intends to remove this service road because of updated statewide design standards for highways.

As such, MnDOT requested access to Block 2 Lot 1 of the subdivision be achieved from the south or west of the lot instead of the current driveway connecting to the service road. The subdivider proposes restricting access to the service road with this plat. If the plat is approved, future development here will require a new access point to East Margaret Street or Lowenberg Drive should it be improved.

Staff find the plat conforms to the design standards set forth in Chapter 24 of the City Code, conforms to the Comprehensive Plan, and is in accordance with all requirements and laws of the state.

*Respectfully submitted,*  
*Peter Bode, Planner & Zoning Official*

**Attachments:** Satellite photo of the area  
Application for subdivision  
Preliminary plat  
Final plat

230370130

2333800

230390490

233380030

N STATE ST

CENTER CREEK DR

230980010

23173

230380190

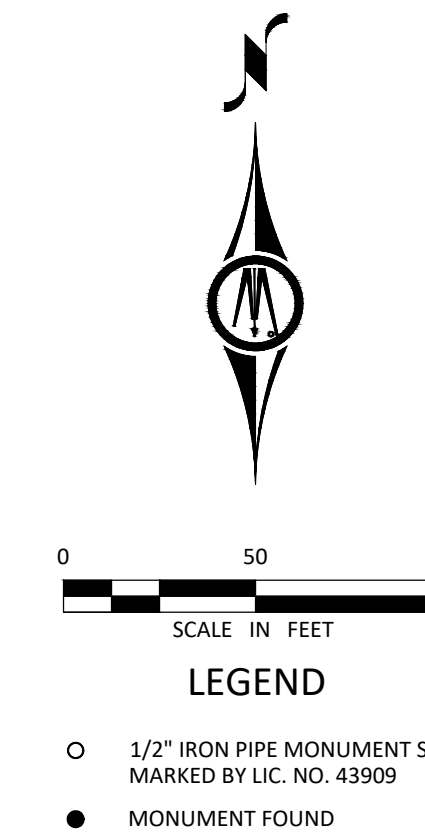
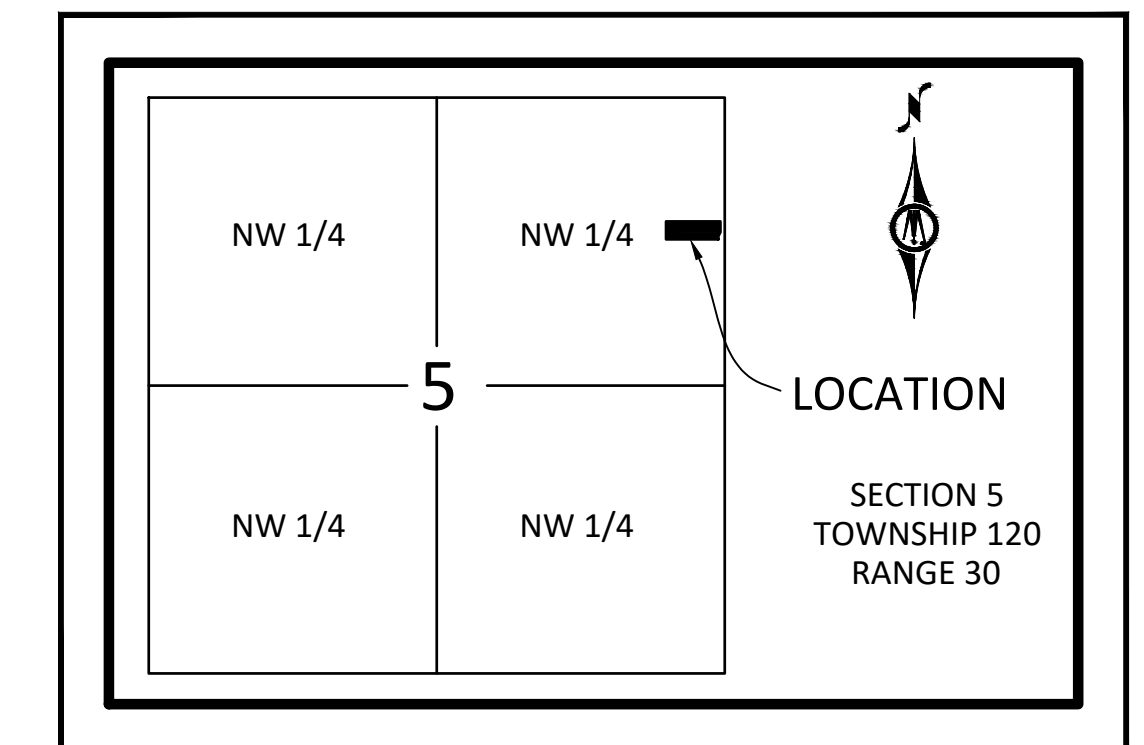
N SB

0380110

# PRELIMINARY PLAT OF LEE PRENTICE ADDITION

IN THE  
CITY OF FAIRMONT  
MARTIN COUNTY, MINNESOTA

FAIRMONT TOWNSHIP, MARTIN COUNTY, MINNESOTA



OWNER  
AMERICAN LEGION POST 36  
PO BOX 1051  
FAIRMONT, MN 56031

**LEGAL DESCRIPTION**  
Starting at a point on the South line of the North Half (N1/2) of the Northeast Quarter (NE1/4) of Section Five (5), Township One North, of Range Thirty (30) West of the Fifth Principal Meridian on the West right-of-way line of Minnesota Trunk Highway West of the Southeast corner of said North Half (N 1/2) of the Northeast Quarter (NE 1/4), aforesaid; running thence West on the said North Half (N1/2) of the Northeast Quarter (NE1/4), aforesaid, 817.8 feet, more or less, to the East line of the right-of-way of St. Paul, Minneapolis and Omaha Railroad; running thence North 214.8 feet on the said East right-of-way line of the Chicago, St. Minneapolis and Omaha Railroad; running thence East 817.8 feet, more or less, parallel with the South line of said North Half (N1/2) Northeast Quarter (NE1/4) to the West line of Minnesota Trunk Highway No. 15; running thence South for a distance of 214.8 feet, less, along the West line of said Minnesota Trunk Highway No. 15 right-of-way, to the point of commencement, EXCEPTING therefrom South Thirty-three (33) feet of the above described tract of land.

### UTILITY & SITE DATA

All Zoning and Setback information was obtained from the City of Fairmont Code. For detailed zoning information and specific interpretation of code requirements, contact the City of Fairmont.

**ZONING:**  
Subject property - B-3, General Business District

**B-3 SETBACKS:**  
Front Yard - 30 feet minimum

Corner Yard - 30 feet minimum

Interior Side Yard - equal to 10% of Lot width are required with not less than 10 feet permitted, with not more than 30 feet required.

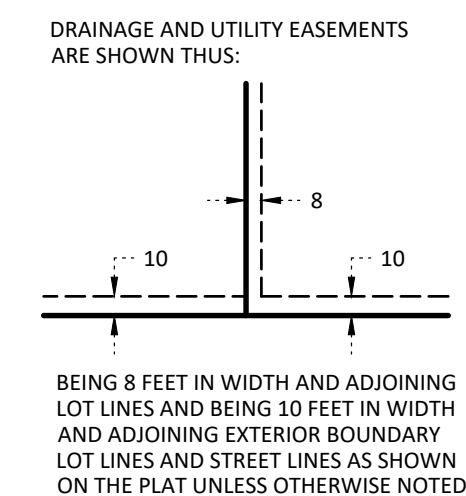
Side Yard - adjacent to R district, 25 feet minimum.

Rear Yard - 15% of Lot depth but not more than 30 feet required.

Lot Area (minimum) = 12,000 sq.ft.  
Lot Width (minimum) = 100 feet  
Maximum Height = 80 feet

**TOTAL SUBDIVISION AREA**  
2.90 TOTAL ACRES  
(0.28 ROAD ACRES)

**NOTES:**  
1) Horizontal Datum: Minnesota County Coordinate System Martin County Zone - HARN NAD83 - 2011  
2) Vertical Datum: NAVD 1988



### SURVEYOR'S CERTIFICATION

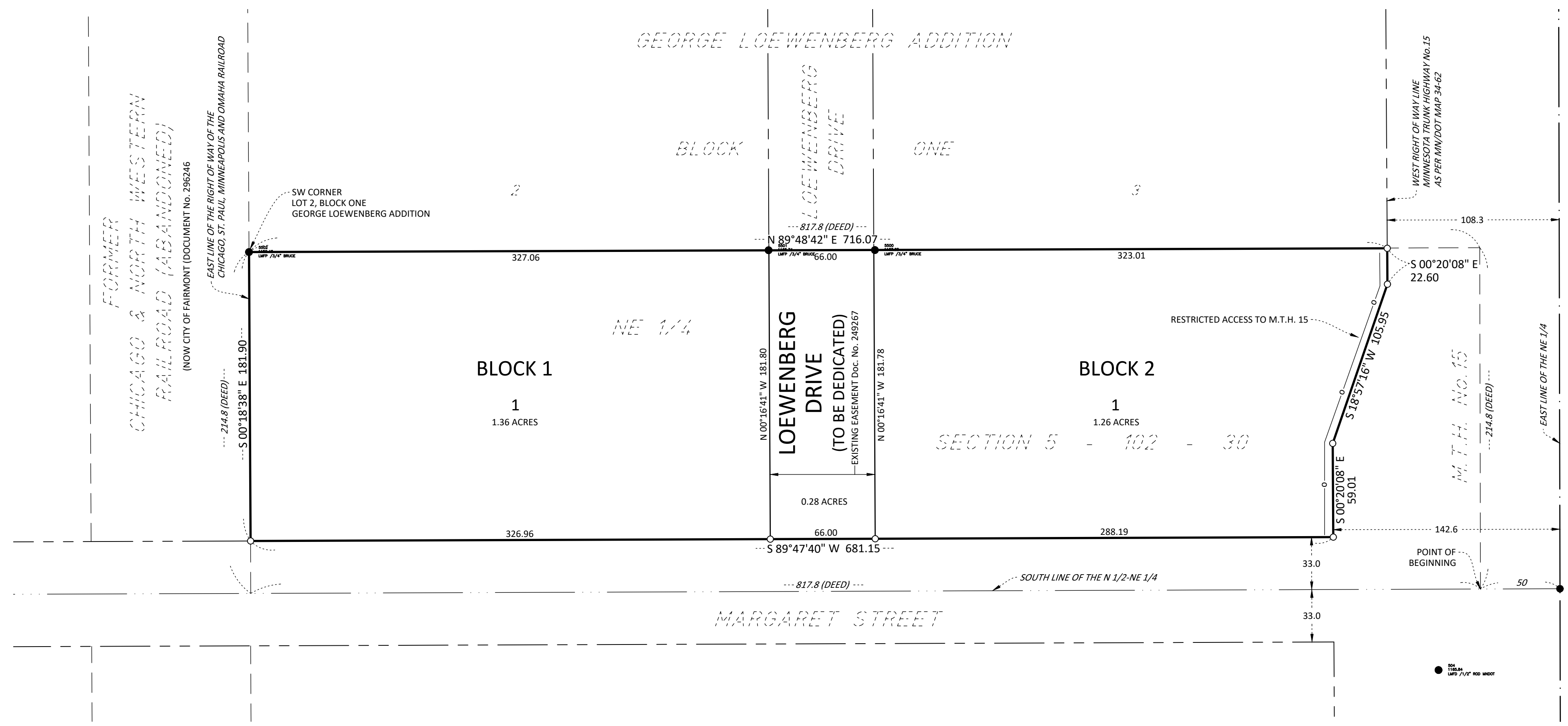
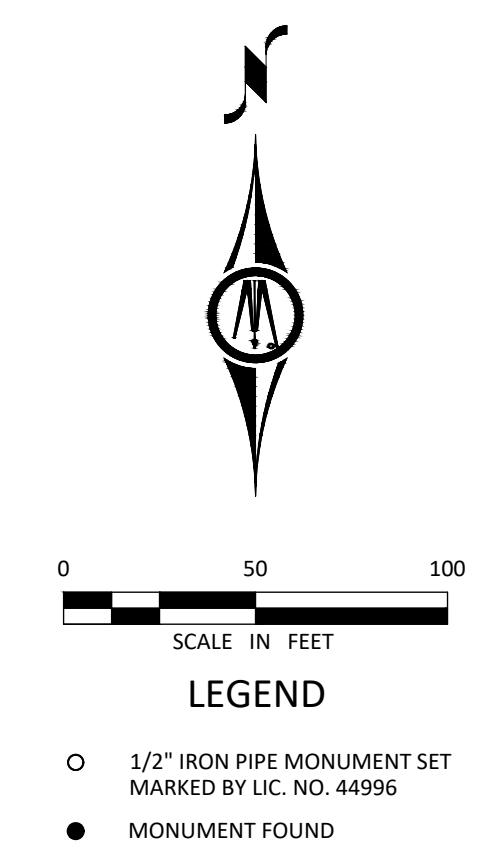
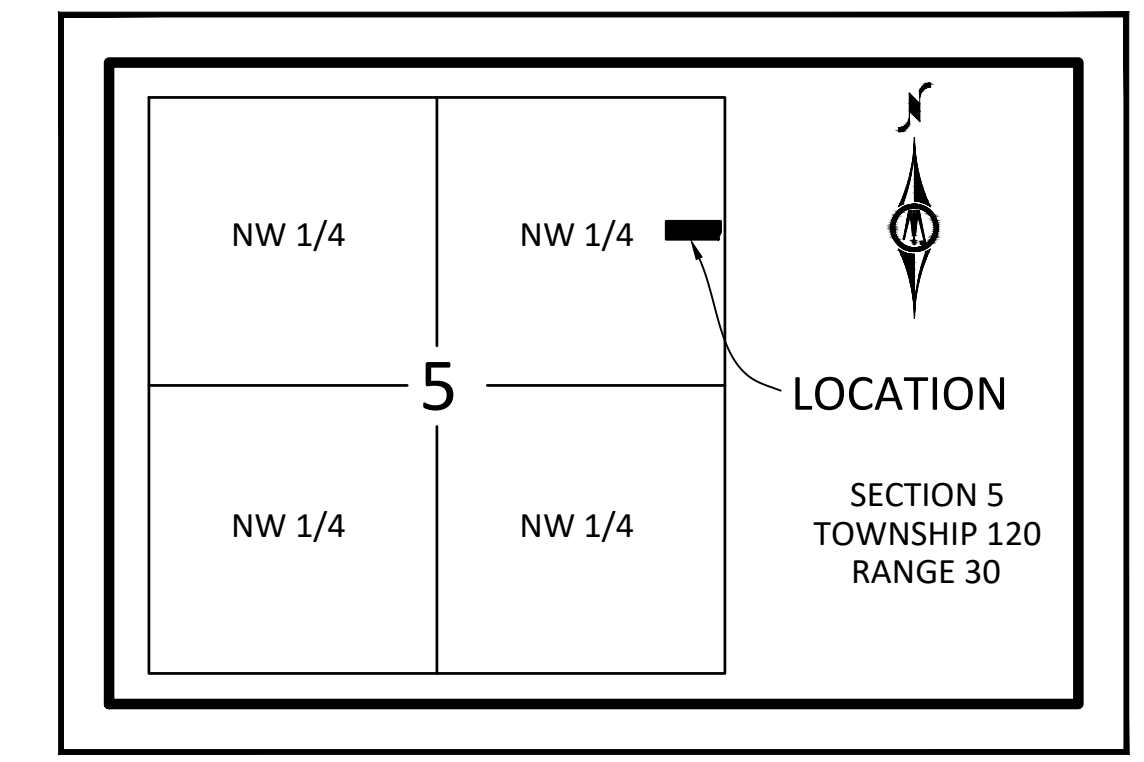
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

*Jesse D. Zeig* 4/17/2023  
Jesse D. Zeig Date  
License Number 44996

PRELIMINARY PLAT FAIRMONT TOWNSHIP, MARTIN COUNTY, MINNESOTA		PART OF THE NE 1/4 SECTION 5-120-30
 <b>BOLTON &amp; MENK</b>		1243 CEDAR STREET NE SLEEPY EYE, MINNESOTA 56085 (507) 794-5541
JOB NUMBER: 051126648    FIELD BOOK:		DRAWN BY: RK    SEC. 5-120-30 (10)

PLAT OF  
**LEE PRENTICE  
 ADDITION**  
 IN THE  
 CITY OF FAIRMONT  
 MARTIN COUNTY, MINNESOTA

FAIRMONT TOWNSHIP, MARTIN COUNTY, MINNESOTA



**INSTRUMENT OF DEDICATION**

KNOW ALL MEN BY THESE PRESENTS: That the American Legion Post 36, a corporation, owner of the following described property:

Starting at a point on the South line of the North Half (N1/2) of the Northeast Quarter (NE1/4) of Section Five (5), Township One North, of Range Thirty (30) West of the Fifth Principal Meridian on the West right-of-way line of Minnesota Trunk Highway West of the Southeast corner of said North Half (N 1/2) of the Northeast Quarter (NE 1/4), aforesaid; running thence West on the said North Half (N1/2) of the Northeast Quarter (NE1/4), aforesaid, 817.8 feet, more or less, to the East line of the right-of-way of St. Paul, Minneapolis and Omaha Railroad; running thence North 214.8 feet on the said East right-of-way line of the Chicago, St. Minneapolis and Omaha Railroad; running thence East 817.8 feet, more or less, parallel with the South line of said North Half (N1/2) Northeast Quarter (NE1/4) to the West line of Minnesota Trunk Highway No. 15; running thence South for a distance of 214.8 feet, less, along the West line of said Minnesota Trunk Highway No. 15 right-of-way, to the point of commencement, EXCEPTING therefrom South Thirty-three (33) feet of the above described tract of land and also EXCEPTING the Minnesota Trunk Highway 15 right of way as shown on Minnesota Department of Transportation Right of Way Map 34-32.

Has caused the same to be surveyed and platted as LEE PRENTICE ADDITION and does hereby dedicate to the public for the public use Loewenberg Drive and the drainage and utility easement as created by this plat.

In witness whereof said American Legion Post 36, has caused these presents to be signed by its proper officer this \_\_\_\_ day of \_\_\_\_\_, 2023.

Signed: American Legion Post 36

\_\_\_\_\_  
 Steve Fosness, US Post 36 Commander

NOTARY'S CERTIFICATE  
 STATE OF MINNESOTA  
 COUNTY OF MARTIN

This instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2023 by Steve Fosness, US Post 36 Commander on behalf of the American Legion Post 36.

Printed Name:  
 Notary Public, MN.  
 My commission expires \_\_\_\_\_.

**SURVEYOR'S CERTIFICATE**

I, Jesse D. Zeig, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes Section 505.01, Subdivision 3, as of the date of this certificate are shown and labeled on this plat and that all public ways are shown and labeled on this plat.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
 Jesse D. Zeig, Licensed Land Surveyor  
 Minnesota License No. 44996

NOTARY'S CERTIFICATE  
 STATE OF MINNESOTA  
 COUNTY OF BROWN

This instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2023 by Jesse D. Zeig, Minnesota Surveyor License Number 44996.

\_\_\_\_\_  
 Judy Lynn Johnson  
 Notary Public, MN.  
 My commission expires 1-31-2026

**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 LEE PRENTICE ADDITION, 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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
 Martin County Treasurer

**COUNTY AUDITOR**

No delinquent taxes and transfer entered this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
 Martin County Auditor

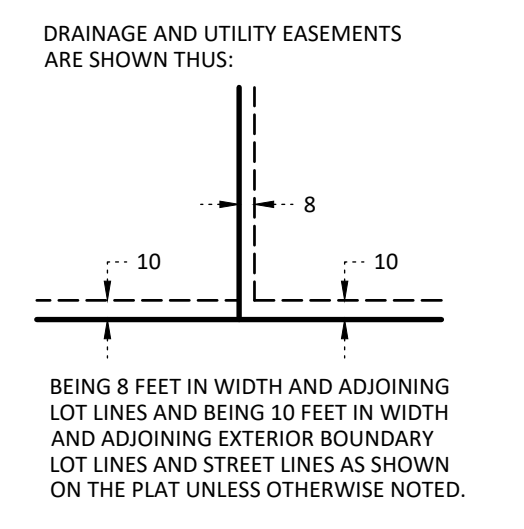
**COUNTY RECORDER**

I hereby certify that this plat was filed in this office this \_\_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_\_ o'clock \_\_\_\_m. as Document No. \_\_\_\_\_.

\_\_\_\_\_  
 Martin County Recorder

**TOTAL SUBDIVISION AREA**

2.90 TOTAL ACRES  
 (0.28 ROAD ACRES)



BEING 8 FEET IN WIDTH AND ADJOINING LOT LINES AND BEING 10 FEET IN WIDTH AND ADJOINING EXTERIOR BOUNDARY LOT LINES AND STREET LINES AS SHOWN ON THE PLAT UNLESS OTHERWISE NOTED.