

Joint Planning Board Meeting – In Person & Via Virtual Zoom  
September 28, 2021

The meeting of the Joint Planning Board of LeSauk Township and the City of Sartell was called to order by Chairman Dan Heim at 6:00 p.m. with LeSauk Township members in person at the Sartell Community Center and the City of Sartell members joining virtually.

**PRESENT: LeSauk Township Supervisors Dan Heim, Jeff Westerlund and Shawn Omann, City of Sartell Joint Planning Board members, Jeff Kolb, Sartell Assistant Administrator Scott Saehr, Recording Secretary Marlyce Plante and 20 interested parties. Joint Planning Board member, Ryan Fitzthum, joined later in the meeting.**

**AGENDA: DAN HEIM MOTIONED TO APPROVE THE AGENDA AS PRESENTED, SECOND BY JEFF WESTERLUND, UPON ROLL CALL VOTE TAKEN:**

HEIM – AYE, OMANN – AYE, WESTERLUND - AYE, KOLB – AYE, motion passed 4-0.

**Township Parcels Zoning Change from U-1 (Urban Service District) to R-1 (Town Residential District)**

Dan Heim read the public hearing notice to change the zoning classification of township parcels from U-1 to R-1. The list contained approximately 52 parcels. He briefly explained that himself and Scott Saehr, Sartell City Assistant Administrator, have reviewed township parcels whose size would better fit the zoning classification of R-1. He stated one of the main concerns of the smaller sized parcels that were rezoned to U-1, is that they would not be able to meet the side or rear yard setbacks of the U-1 or Urban Service District zone. The parcel size would be better suited to the R-1 zoning regulations. Mr. Heim also felt this was an oversight on the township & city's part when drafting a new orderly annexation agreement and new zoning map which included the rezoning of areas of the township. The agreement and zoning map were adopted in April of 2020.

**Joe Novak, 31191 62<sup>nd</sup> Ave., St. Cloud** – Mr. Novak stated he is against and rejects any changes that are being proposed to his properties zoning classification.

**Travis Hietala, 32165 61st Ave., St. Cloud** – Mr. Hietala questioned who suggested this zoning change? Dan Heim explained that it came to the light of the township when a parcel owner who had an approximate 1-acre lot and could not construct a new accessory building or addition to his home due to the restrictions of the U-1 zoning side and rear yard setbacks.

**Mark Overfors, 6048 322<sup>nd</sup> St., St. Cloud** – Mr. Overfors wanted to know the purpose of the zoning changes and what exactly those changes are.

Dan Heim explained the main change to the list of parcels whose zoning would change, is that it will allow those parcel owners an easier process to build or add on to their home and be able to meet the setbacks that are currently a part of R-1 zoning. The regulations of the R-1 zoning fit the smaller parcels that were changed to the U-1 zone. The Urban Service District zoning has much stricter regulations.

**Scott Saehr, City of Sartell Assistant Administrator** – Mr. Saehr stated this was an oversight on both the township and city's part when discussions were held while drafting the new orderly annexation agreement and zoning map. There are too many restrictions on parcel owners which were put in the U-1 zoning and they should have remained in the R-1 zoning.

DAN HEIM MOTIONED TO CLOSE THE PUBLIC HEARING, SECOND BY JEFF WESTERLUND, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, KOLB – AYE, the motion passed 4-0.

DAN HEIM MOTIONED RECOMMENDED APPROVAL OF RESOLUTION 2021-23 APPROVING AMENDMENTS TO THE LESAUKE ZONING MAP, REZONING PARCELS WITHIN THE TOWN FROM U-1, URBAN SERVICE DISTRICT TO R-1 TOWN RESIDENTIAL, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, KOLB – AYE, the motion passed 4-0.

Joint Planning Board member, Ryan Fitzthum joined the meeting.

**Mary Sakry, 2668 Winnebago Road – Public Hearing – Conditional Use Permit – Pole-Type Accessory Building**

Dan Heim read the public hearing notice regarding an application filed by Mary Sakry, 2668 Winnebago Road, Sartell, MN. Ms. Sakry has applied for a conditional use permit to construct a pole-type 30 X 56 square foot accessory building. The public hearing was opened to the floor.

Ms. Sakry stated she has received variance approval already for the accessory building which will have 16-ft side walls to accommodate her RV camper, but due to costs constructing a stick-built building versus a pole-type building, the pole-type is less expensive. She is now applying for a conditional use permit to construct a pole-type or post-frame building in a residential district.

**Mike Windschitl, 2648 Winnebago Road** – Mr. Windschitl lives 2 homes to the south of the Sakry home. He put together copies of township regulations regarding pole-type buildings in a residential zone. Dan Heim reviewed the copies, but stated they were older regulations that have since been updated. Mr. Windschitl stated he printed them from the website – Clerk Plante will check into this since she thought all ordinances on the township's website were up to date.

**Jacki Windschitl, 2648 Winnebago Road** – Ms. Windschitl questioned how a post frame/pole-type building could look like her home since the type of siding is completely different and the buildings are also different. Ms. Windschitl and those present, are also concerned about the lighting on the building and whether there will be any type of business being conducted out of the building. Ms. Sakry stated her home will be resided with 100% maintenance free siding, when the accessory building is constructed, no lights will be directed at neighboring homes and no business will operate out of the building – it is to store all the items she presently has outside and accommodate her RV/camper.

Dan Heim has discussed the post-frame building construction with the township building inspector who states the post-frame construction is very similar to stick-built construction. Mr. Heim added that Ms. Sakry must match her siding of the accessory building to her home as stated in the township regulations.

**Jeff Windschitl, 290 22<sup>nd</sup> St. No.** – Mr. Windschitl felt the accessory building should be stick-built, why switch and allow a pole-type building in a residential area.



Shawn Omann stated the changes in township regulations have been ongoing for quite some time due to the many requests the town board has for either larger accessory buildings, a second building etc. He discussed Ms. Sakry's parcel, which is approximately 2 acres, she meets the side yard setback and it is a reasonable request. She is going through all the necessary application process for the construction of this accessory building.

**Shirley Windschitl, 2654 Winnebago Road** – Ms. Windschitl had presented a petition signed by neighboring parcel owners objecting to the construction of the accessory building – she questioned whether the petition means anything? She stated her concern that the building will be very close to her present home, as well as the removal of mature trees on the property.

Ms. Windschitl was informed that Ms. Sakry meets the side yard setbacks and they only plan to remove as few mature trees as possible. Where the building is being placed, they are looking at possibly only needing to remove one mature tree.

**Jeff Windschitl, 290 22<sup>nd</sup> St. No.** – Mr. Windschitl felt the roofing & siding of the building and the home, is being done backwards and he is not in agreement with allowing the building.

DAN HEIM MOTIONED TO CLOSE THE MARY SAKRY PUBLIC HEARING, SECOND BY SHAWN OMANN, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, KOLB – AYE, FITZTHUM – AYE, the motion passed 5-0.

Ms. Sakry stated she plans to put grey siding on the new accessory building as well as the home with white windows accenting it. The building is being constructed 16 feet from the property line with plans to have all lighting facing away from neighboring parcels and no business will be conducted out of the accessory building.

**Jeff Windschitl, 290 22<sup>nd</sup> St. No.** – Mr. Windschitl also was concerned with the run off from the roof line with a two-foot overhang. With a 16-foot setback from the side yard, this should not be an issue.

SHAWN OMANN MOTIONED TO APPROVE RESOLUTION 2021-21 GRANTING A CONDITIONAL USE PERMIT TO MARK SAKRY ALLOWING A POST-FRAME/POLE-TYPE ACCESSORY BUILDING, ADDING THAT ALL LIGHTING ON THE OUTSIDE OF THE BUILDING MUST BE DIRECTED AWAY FROM NEIGHBORING PARCEL OWNERS AND NO BUSINESS IS ALLOWED WITHIN THE BUILDING, SECOND BY JEFF WESTERLUND, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, KOLB – AYE, FITZTHUM – AYE, the motion passed 5-0.

**Paul Clark, 3106 Riviera Road – Site Plan** – Mr. Clark is replacing a deck which will remain the same footprint, the lower-level patio and increasing the size of a 10 X 10 sq ft patio near the river to 10 X 20 sq ft. Since Mr. Clark's property is located on the Mississippi River, the site plan was reviewed by Stephen Grittmann of Northwest Associate Consultant's so that it meets all regulations relating to the Shoreland Ordinance. Mr. Grittmann approved the site plan, but the lower-level patio can not be larger than 250 square feet and a minimum of 20 feet from the river.

DAN HEIM MOTIONED TO APPROVE THE SITE PLAN PRESENTED BY PAUL CLARK, REPLACING THE EXISTING DECK AND THE LOWER-LEVEL PATIO AND INCREASING THE 10 X 10 SQUARE FOOT PATIO NEAR THE RIVER TO 10 X 20 SQUARE FEET, BUT MUST REMAIN A MINIMUM OF 20 FEET FROM THE RIVER, SECOND BY JEFF WESTERLUND, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, KOLB – AYE, FITZTHUM – AYE, the motion passed 5-0.

**MINUTES REVIEW:** DAN HEIM MOTIONED TO ACCEPT THE 8-24-21 JOINT PLANNING BOARD MEETING MINUTES AS PRESENTED, SECOND BY JEFF WESTERLUND, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, FITZTHUM– AYE, the motion passed 4-0. Jeff Kolb did not attend the 8-24-21 meeting.

**Future Joint Planning Board (JPB) Meetings** – Discussion was held on future JPB meetings whether they be virtual or in-person. Decisions on those meetings will be made depending on whether changes are made regarding COVID protocols.

**ADJOURNMENT:**

RYAN FITZTHUM MOTIONED TO ADJOURN THE MEETING, SECOND BY JEFF KOLB, UPON ROLL CALL VOTE TAKEN:

HEIM – AYE, OMANN – AYE, WESTERLUND – AYE, KOLB – AYE, FITZTHUM – AYE, the motion passed 5-0.

Respectfully submitted,



Marlyce L. Plante,  
Joint Planning Board Recording Secretary