

RECEIVED

JUN 11 2020

City of Columbus

60-Day Deadline = 08.10.2020  
120-Day Deadline = 10.09.2020



COLUMBUS  
Rural Nature. Urban Access.

16319 Kettle River Blvd. • Columbus, MN 55025  
phone: (651) 464-3120  
website: ColumbusMN.us

RECEIVED

FEB 28 2020

City of Columbus

60 Day Deadline  
Tuesday, April 28, 2020  
Receipt #: 21915

Incomplete  
03.09.20  
+  
03.17.20

APPLICATION FOR CONSIDERATION OF CONDITIONAL USE PERMIT, INTERIM USE PERMIT  
RE-ZONING, SITE PLAN REVIEW, VARIANCE

APPLICANT:

Name: OUTFRONT MEDIA LLC Phone: 763-251-1954 (Alt.): 612-701-5164  
Address: 901 Marquette Ave, Ste 600 Email: John.Bodger@outfrontmedia.com  
City: Minneapolis State: MN Zip: 55402

OWNER: (If other than applicant)

Name: Donald Steinke Phone (work) \_\_\_\_\_ (Alt.) \_\_\_\_\_  
Sonja Axness  
Address: 8423 Lake Dr. NE Email: donald.steinke@plantpioneer.com  
City: Forest Lake State: MN Zip: 55025

Legal description of property: 24-32-22-43-0002

Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Additions(s) \_\_\_\_\_

Existing use of property: Billboard-Vacant Present zoning: C5-Commercial Showroom

Action Requested: Please check (✓) Re-zoning  Site Plan Review  Variance

Conditional Use Permit  Interim Use Permit  SSTS Administrative Variance

Other (fill in) \_\_\_\_\_

Description of and reason for request (attach additional information and requirements if necessary)

Interim Use Permit Renewal to allow a large off-premises sign to remain on the property, conforming to the updated code,

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision Ordinances and current administrative procedures. I further acknowledge the explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

SIGNATURE OF APPLICANT: John Bodger for Outfront DATE: 2-27-20

SIGNATURE OF OWNER: X DATE: X



February 28, 2020

Mr. Ben Gutknecht  
City Planning Technician  
City of Columbus  
16319 Kettle River Boulevard  
Columbus, MN 55025

RE: Interim Use Permit Applications

Dear Mr. Gutknecht:

Enclosed are two Interim Use Permit billboard applications for your review. The applications meet the amended Chapter 7B, Section 7B-310 for the I-35 Corridor Large Off-Premises Signs. A check in the amount of \$3,400.00 is included, \$1,700.00 for each application.

The two signs have been on the sites for 20 years and are still in excellent condition. The only changes needed are the addition of support column covers to meet the amended code. Photos and drawings of the sign pole covers and City Logo are attached with each application. The use of imitation stone panels works the best when covering an existing sign pole for weight and wind loads, since the pole was not originally designed for a cover.

Please contact me if you require additional information, thank you.

Sincerely,

A handwritten signature in blue ink that reads "John Bodger". The signature is fluid and cursive.

John Bodger  
Real Estate Manager

901 Marquette Avenue, Suite 600, MN 55402

T 763.251.1954 E [John.Bodger@outfrontmedia.com](mailto:John.Bodger@outfrontmedia.com) C 612.701.5164



16319 Kettle River Blvd. • Columbus, MN 55025  
 phone: (651) 464-3120  
 website: ColumbusMN.us

APPLICATION FOR CONSIDERATION OF CONDITIONAL USE PERMIT, INTERIM USE PERMIT  
 RE-ZONING, SITE PLAN REVIEW, VARIANCE

APPLICANT:

Name: OUTFRONT MEDIA LLC Phone: 763-251-1954 (Alt.): 612-701-5164  
 Address: 901 Marquette Ave, Ste 600 Email: John.Bedger@outfrontmedia.com  
 City: Minneapolis State: MN Zip: 55402

OWNER: (If other than applicant)

Name: Donald Steinke  
Senja Axness Phone (work) \_\_\_\_\_ (Alt.) \_\_\_\_\_  
 Address: 8423 Lake Dr, NE Email: donald.steinke@plantpioneer.com  
 City: Forest Lake State: MN Zip: 55025  
 Legal description of property: 24-32-22-43-0002

Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Additions(s) \_\_\_\_\_

Existing use of property: Billboard-Vacant Present zoning: CS-Commercial Showroom

Action Requested: Please check (✓) Re-zoning  Site Plan Review  Variance

Conditional Use Permit  Interim Use Permit  SSTS Administrative Variance

Other (fill in) \_\_\_\_\_

Description of and reason for request (attach additional information and requirements if necessary)

Interim Use Permit Renewal to allow a large off-premises sign to remain on the property, conforming to the updated code.

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision Ordinances and current administrative procedures. I further acknowledge the explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

SIGNATURE OF APPLICANT: John Bedger for Outfront DATE: 2-27-20

SIGNATURE OF OWNER: X Donald Steinke DATE: X 2-28-20



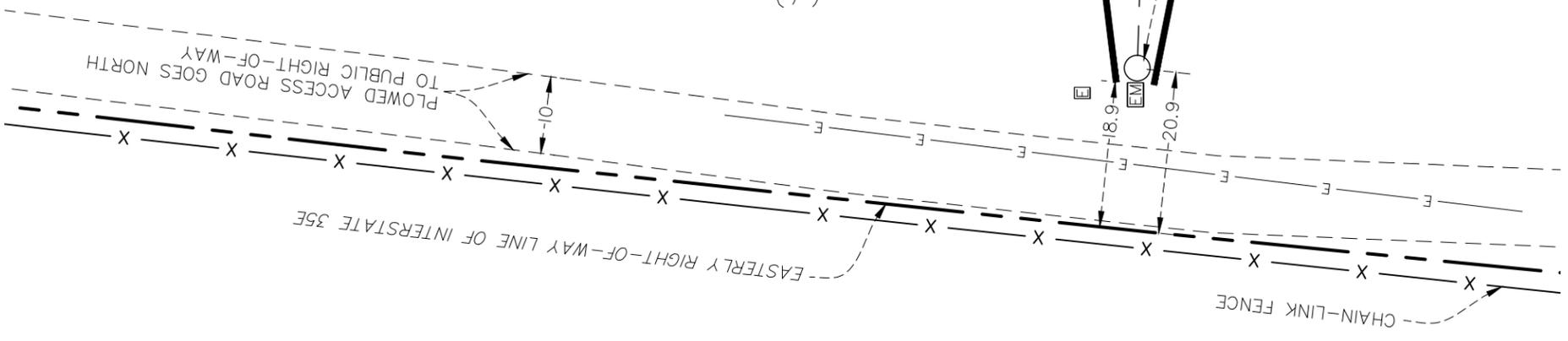
# SURVEY FOR OUTFRONT MEDIA

## PARENT PARCEL DESCRIPTION

All that part of the South Half of the South East Quarter (S 1/2 of SE 1/4) Section 20-4 (24), Township Thirty-Two (32) North, Range Twenty-Two (22) West, line Westerly of the center line of County Road No. 21 as now laid out and established, and Easterly of the right-of-way of Interstate 35 acquired by the State of Minnesota, excepting the following described tract:

Commencing at the intersection of the center line of Old County State Aid Highway No. 21 with the South line of said Section Twenty Four (24), said point being One Thousand Three Hundred Thirty-Seven and Ninety Eight Hundredths (1337.98) feet West from the South East corner of said Section Twenty Four (24) as measured along said South line; thence South Eighty-Eight degrees (88°), Nineteen Minutes (19), Thirty Seconds (30") West along said South line a distance of Three Hundred Twenty and Ninety Hundredths (320.90) feet; thence on a bearing due North a distance of Seven Hundred Four (704.0) feet; thence North Eighty Nine degrees (89°), Fifty-Three minutes (53"), Fifty seconds (50") East a distance of Three-Hundred Seventy-One and Ten Hundredths (371.10) feet to its intersection with the center line of said County State Aid Highway, as now laid out and traveled; thence South Eleven degrees (11°), Twenty-Eight minutes (28"), Fifty-Five seconds (55") West and along said center line a distance of Ten and Nine Hundredths (10.09) feet; thence Southerly on a tangential curve concave to the East having a radius of Two Thousand Three Hundred Fifty-Five (2353.06) feet for a distance of Four Hundred Fifty-Eight and Fifty-Four Hundredths (458.54) feet; thence South zero degrees (0°), Nineteen minutes (19) West and tangent to said curve a distance of Two Hundred Thirty (230.0) feet to the point of commencement. Subject to an easement for highway purposes over the Easterly Fifty (50) feet thereof as measured at right angles of said center line.

INTERSTATE 35 E

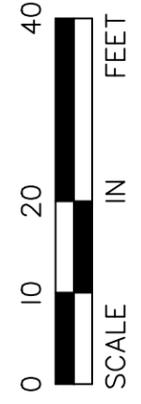


## NOTES

1. This survey was prepared without the benefit of a title commitment and may not depict all easements, appurtenances, and encumbrances affecting the property.
2. The locations of underground utilities are depicted based on information from Gopher State One Call system for a "Boundary Survey locate". The information was provided by a combination of available maps, proposed plans or city records and field locations which may not be exact. Verify all utilities critical to construction or design.
3. All distances are in feet.
4. See sheet 2 of 2 sheets for vicinity map and depiction of access to public right-of-way.

## LEGEND

- ELECTRIC BOX
- ELECTRIC METER
- UNDERGROUND ELECTRIC
- CHAIN-LINK FENCE
- MNDOT RIGHT-OF-WAY



Design File: 200020	Checked By: PG	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.	
Scale: 1" = 20'	Drawn By: DPE	<b>PETER COEBS</b> Print Name	Signature
Date: 3/16/2020	Field Crew: CE		Date 3/16/2020 License Number 44110

**COLUMBUS BILLBOARD SIGN**  
(NORTH)  
COLUMBUS, MINNESOTA

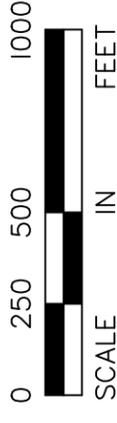
Alliant Engineering, Inc.  
733 Marquette Ave, Ste 700  
Minneapolis, MN 55402  
612.758.3080 MAIN  
612.758.3099 FAX  
www.alliant-inc.com

# SURVEY FOR OUTFRONT MEDIA



## NOTES

- The sign is located:
- ±834 feet from Sign A.
  - ±1181 feet from Sign B.
  - ±851 feet from Sign C.
  - ±531 feet from Sign D.
  - ±820 feet from Sign E.



Design File:	200020	Checked By:	PG
Scale:	1" = 20'	Drawn By:	DFE
Date:	3/16/2020	Field Crew:	CE

## VICINITY MAP

**COLUMBUS BILLBOARD SIGN  
(NORTH)**  
COLUMBUS, MINNESOTA



Alliant Engineering, Inc.  
733 Marquette Ave, Ste 700  
Minneapolis, MN 55402  
612.758.3080 MAIN  
612.758.3099 FAX  
www.alliant-inc.com

48'

**ANOKA COUNTY** - JULY 23<sup>RD</sup> - 28<sup>TH</sup>

**FAIR**

[www.AnokaCountyFair.com](http://www.AnokaCountyFair.com)

**FIREWORKS**  
Wed.,  
July 24<sup>th</sup>!



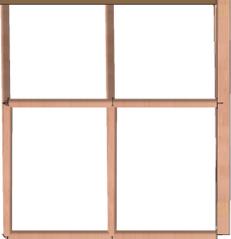
14'

**OUTFRONT/**

COLUMBUS

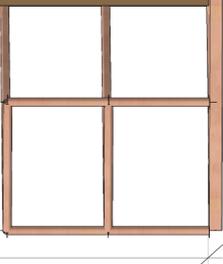
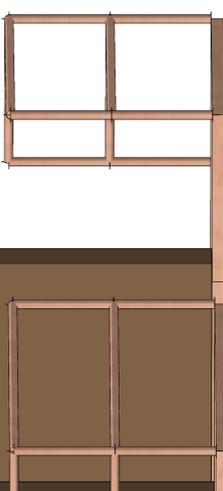
4'

4'

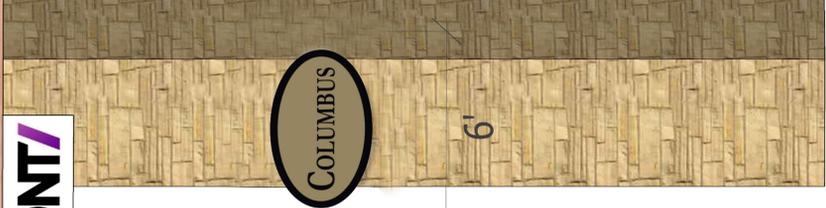


48'

14'



**OUTFRONT**



COLUMBUS

6'

4'



40'

8'



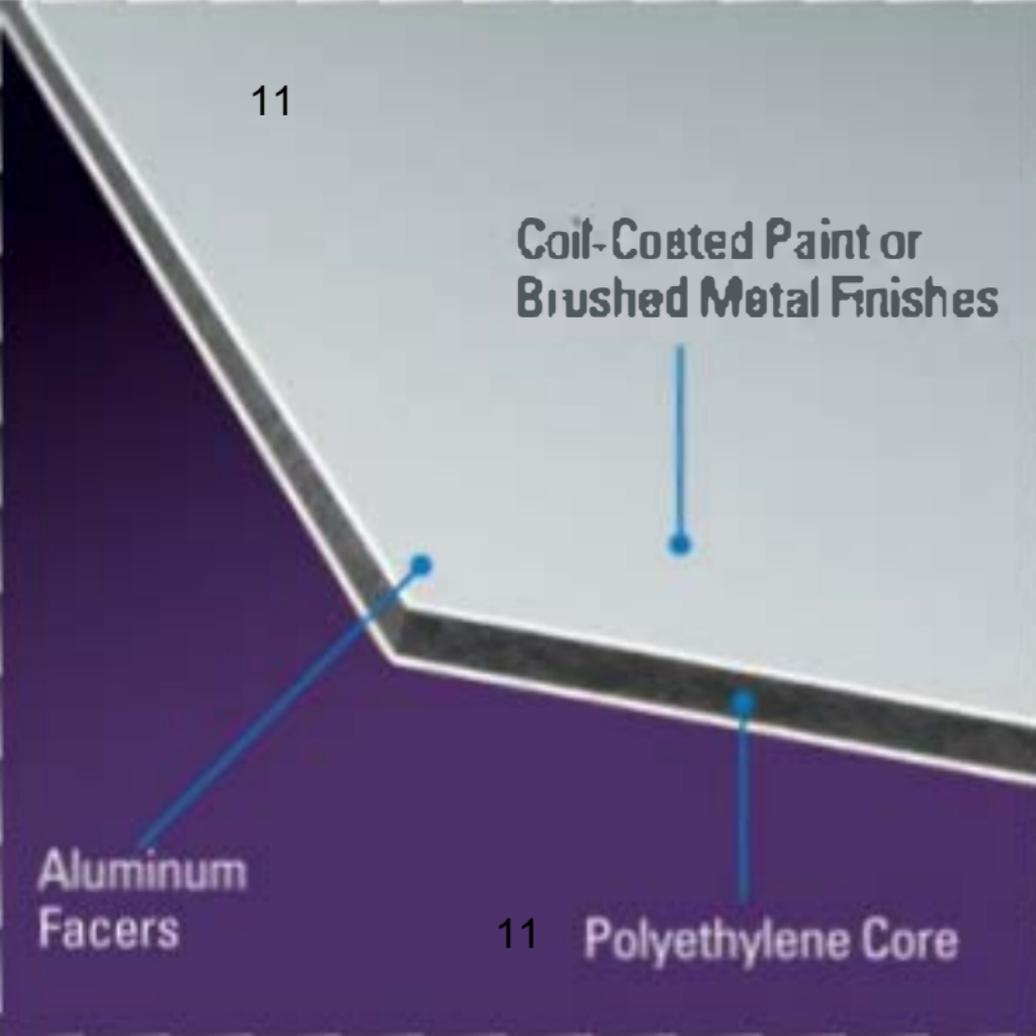
11

**Coil-Coated Paint or  
Brushed Metal Finishes**

**Aluminum  
Facers**

11

**Polyethylene Core**



## Billboard stone pole surrounds

Bodger, John <john.bodger@outfrontmedia.com>

Wed 7/8/2020 10:37 AM

To: Ben Gutknecht <planningtech@ci.columbus.mn.us>

 1 attachments (3 MB)

Outdoor Advertising Pole Surrounds - Look Book.pdf;

Ben, an example of one of the pole cover suppliers. In some cases imitation stone 4'x8' panels are used to mount on the pole frame, which can be purchased at Menards.

### **JOHN BODGER**

Real Estate Manager

**T** 763.251.1954

901 Marquette Ave. Ste 600 Minneapolis, MN 55402





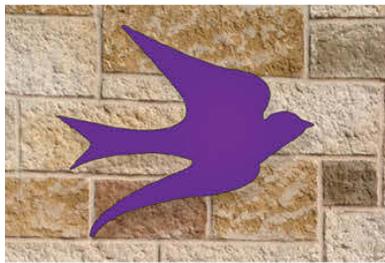
PROUDLY USING



BRAZOSTONE®

# LOOK BOOK

OUTDOOR ADVERTISING POLE SURROUNDS



**DALE THOMAS**

972.400.8174

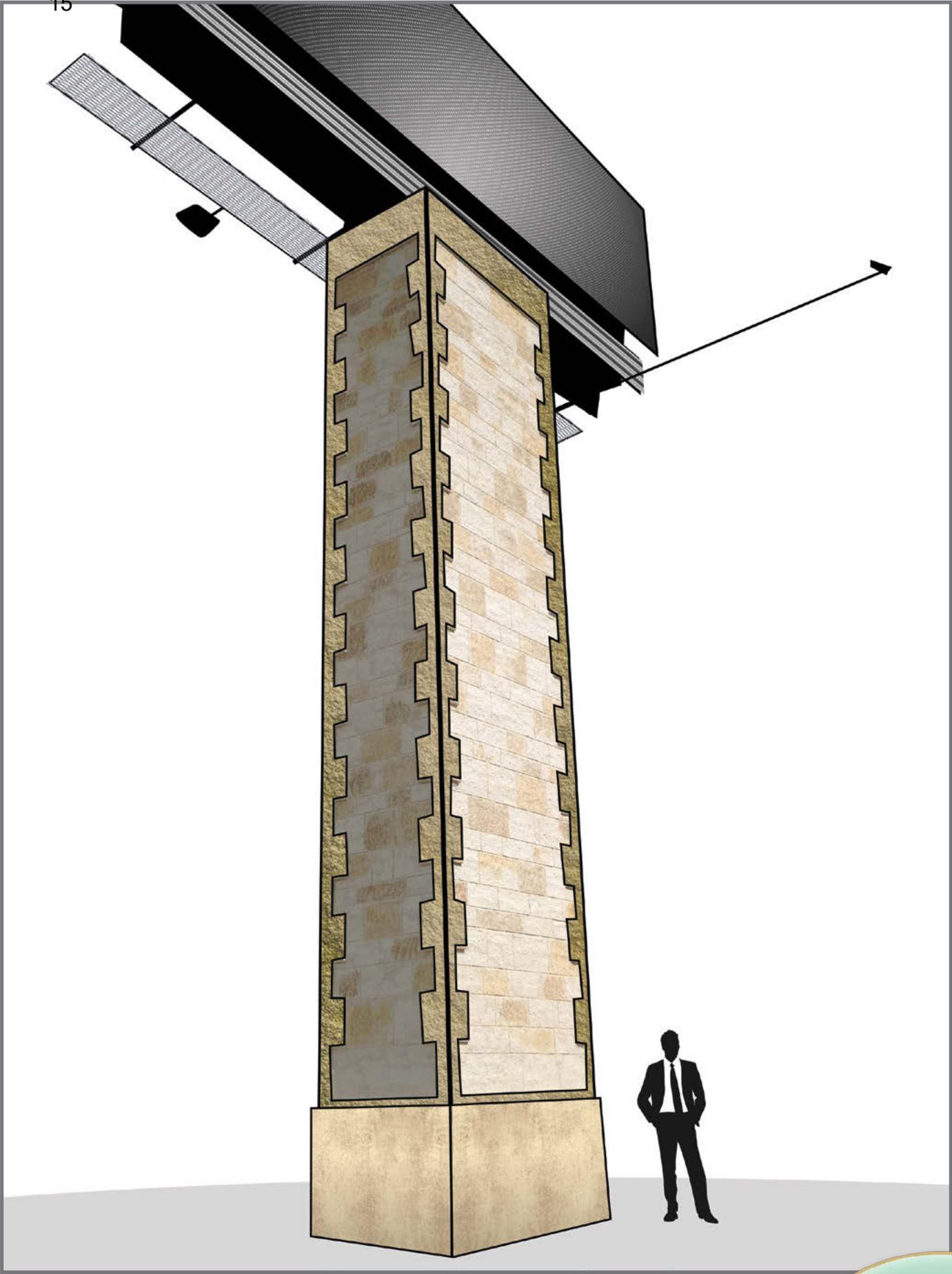
DALE@VALSTONEART.COM

**SHAZ SCHADT**

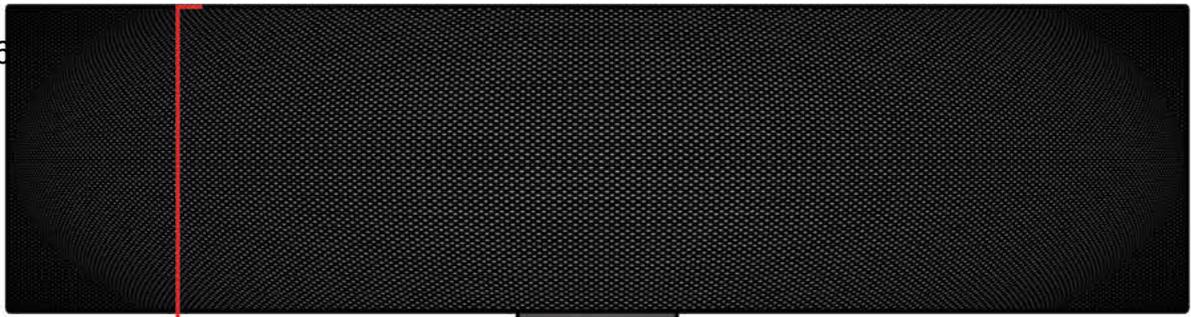
336-944-5578

SHAZ@BRAZOSTONE.COM

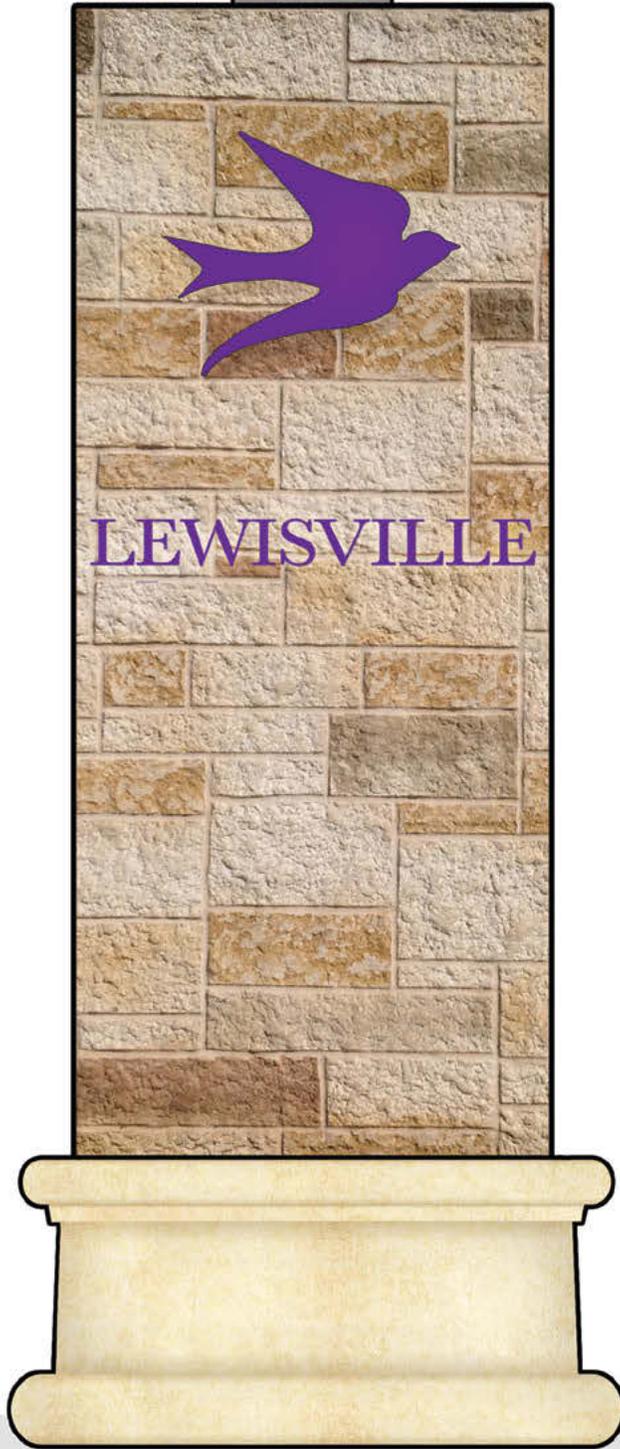




16



30'



LEWISVILLE



6'

12' square











## Outfront billboard lighting and City of Columbus logo sign

Bodger, John <john.bodger@outfrontmedia.com>

Tue 6/9/2020 11:23 AM

To: Ben Gutknecht <planningtech@ci.columbus.mn.us>

 3 attachments (1 MB)

Sign-Vue LED fixtures.pdf; Outfront Media Columbus Sign 3.20.jpg; ACM.jpg;

Ben, we use Sign-Vue LED II light fixtures on our signs, these fixtures have been on the Steinke location sign for over 3 years. The City of Columbus logo sign is painted aluminum, see attached. I believe you have the completed survey for the application. Thanks, John

**JOHN BODGER**

Real Estate Manager

**T** 763.251.1954

901 Marquette Ave, Ste 600

Minneapolis, MN 55402

**OUTFRONT** 

**From:** [Bodger, John](#)  
**To:** [Ben Gutknecht](#)  
**Subject:** City of Columbus existing led light fixtures info  
**Date:** Tuesday, March 17, 2020 10:10:51 AM

---

Ben, 4 led lights per sign face, 120 V at 11.7W per unit, our standard exterior sign lighting equipment on timers, John.

**JOHN BODGER**  
Real Estate Manager

**T** 763.251.1954  
901 Marquette Ave, Ste 600  
Minneapolis, MN 55402

**OUTFRONT** 

---

**From:** Yang, Andy  
**Sent:** Monday, March 16, 2020 1:06 PM  
**To:** Bodger, John <[john.bodger@outfrontmedia.com](mailto:john.bodger@outfrontmedia.com)>  
**Subject:** RE: Incomplete Letter: IUP Application\_Rehbein Properties

John,

The lights run off 120v at 111.7W per unit. And each face has 4 light fixtures. Im not sure where we get the Logo's from but I can see if Luke can refer me to where he got it from. Thanks

**Andy Yang**  
Operations Manager

**Office 763.540.0031**  
**Mobile 612-968-9623**  
815 Hwy 169 North, Minneapolis, MN 55441

**OUTFRONT** 



To: City of Columbus Planning Commission

From: Ben Gutknecht, City Planning Technician

Date: July 6, 2020: Revised July 16, 2020

RE: Interim Use Permit for a Large Off-Premise Sign: Outfront Media

**Background:** The applicant (Outfront Media) is applying for an Interim Use Permit (IUP) for a Large Off-Premise Sign (billboard). The purpose of the IUP application is twofold. First, the existing IUP permitting the billboard has expired. Secondly, the IUP application includes improvements to the existing billboard that are consistent with recent Chapter 7B amendments. The Chapter 7B Section 310 amendments were the result of a moratorium on Billboards established in 2018 through 2019 to research and review the current standards and specifications for billboards in the City of Columbus. The City Council adopted the amended Chapter 7B on November 13, 2019 with amendments to include the requirement for column support improvements, decreasing the length of an approved IUP, additional standards for dynamic billboards, among other changes. As a result, the applicant is coming forward with an IUP application that contains proposed column cover improvements for review and approval. The Planning Commission has made the determination that they will review each application and design for consistency with the amended Chapter 7B of the City Code. This is the first *formal* IUP application to come to the Planning Commission since the amendment.

After review of the Interim Use Permit Application for an improved Large Off-Premise Sign along Interstate 35, the City of Columbus Planning Staff provides the following Findings of Fact and Recommendations:

### Findings of Fact

1. The Interim Use Permit (IUP) application for a Large Off-Premise Sign (billboard) owned by Outfront Media, LLC (Outfront) was received on February 28, 2020 and upon review was deemed incomplete for review with a letter sent on 03.09.20. Additional materials were submitted on 03.16.20 and the application was again deemed incomplete with a letter sent 03.17.20.
2. The applicant submitted additional materials 06.09.20, and upon review was deemed complete with a letter sent 06.11.20.
3. The 60-day review deadline is August 11, 2020.
4. The 120-day review deadline is October 9, 2020.
5. The billboard is located within a leased area on "Property" that is approximately 19 acres (PIN: 24-32-22-43-0002) on property legally described as part of South Half of Southeast

Quarter (S ½ of SE ¼ ) of Section 24, Township, 32, Range 22, Lying Westerly of Center Line of Hornsby St and Easterly of Right of Way of I35.

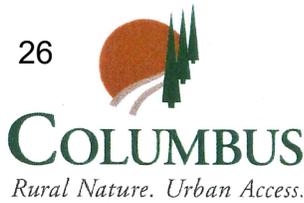
6. The Property is zoned as the Community Retail (C/R) district.
7. The use of erecting a Billboard is an interim use in the CR District, subject to the conditions and requirements of Section 7B-310 of the City Code.
8. The existing billboard is static and has been in place approximately 20 years. The first IUP for the billboard was approved on February 16, 2000.
9. The neighboring property due east consists of a legal nonconforming residential land use, the neighboring properties to the north and south are both commercial land uses. Due west is Interstate 35.
10. Outfront Media currently owns and operate five (5) billboards in the City of Columbus, all of which are permitted via IUP.
11. Two (2) of the five (5) billboard IUPs expired as of February 16, 2020.
12. Initially, Outfront applied for two IUPs for billboards currently operating with an expired IUP. However, one of the two applications was withdrawn by Outfront on 05.05.2020 and a demolition permit application was sent shortly after.
13. The proposed column enclosure consists of an imitation stone panel. According to the applicant's narrative dated 02.28.20, this has been found to be most successful when covering an existing pole while not increasing weight or wind loads.
14. The imitation stone is proposed to extend the entire length the support pole, with the oval "Columbus" sign situated near the top of the column. The "Columbus" sign, illustrated on a drawing dated 06.09.20, will be constructed of aluminum with a coil-coated paint or brushed metal finish.
15. The lighting on the billboard will remain the "Sign-Vue LED II" which was installed on this billboard three (3) years ago.
16. The design appears to fulfill the intent of Section 7B-310 (E.16.a-d.) of the City Code. However, the proposed design does require Planning Commission approval in conjunction with the IUP application approval process as outlined in Section 7B-310 (E.16.a)
17. The Planning Commission held a public hearing to consider the Interim Use Permit on July 15th, 2020.

## Recommendations

Based upon the above Findings of Fact, the Interim Use Permit for Outfront Media LLC should be approved subject to the following Recommendations:

1. The IUP is subject to the review and recommendations of the Building Official.
2. The IUP is subject to the review and recommendations of the City Attorney.
3. The IUP shall comply with and is subject to all provisions of the City's Zoning Ordinance regarding Large Off-Premises Signs, including but not limited to the provisions of Section 7B-310.

4. The IUP shall be valid for a term of ten (10) years from the date of approval, subject to earlier expiration or revocation as otherwise provided herein.
5. Upon expiration of the Interim Use Permit, the applicant may apply for another Permit or appropriately notice the Zoning Administrator of plans to remove the billboard, as outlined in Section 7B-310 (F) of the City Code.
6. The billboard shall be updated with improved column cover design, dated 02.28.20, and "Columbus" ~~sign logo~~, dated 06.09.20, and located as indicated on the Certified Survey dated 03.16.20.
7. The "Columbus" sign shall be placed on the column over at two thirds (2/3) the height of the billboard column.
8. Any plans to convert the static sign to a dynamic sign during the term of this Permit must follow the amendment process outlined in Section 7B-310 (F.3.) of the City Code.
9. In the event the City Council determines, in its sole discretion, that the billboard is not being conducted in accordance with any term or condition contained herein, the Permit may be revoked by the City Council upon proper notice and a hearing.
10. The applicant shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the Permit, including reasonable attorney's fees and consultant fees.
11. The Permit provided herein is issued solely for the benefit of Outfront Media LLC and may not be sold, assigned, or otherwise transferred in any manner whatsoever.
12. The applicant shall reimburse the City for all out of pocket expenses incurred in the review and issuance of the IUP and for all ongoing inspections and enforcement actions required for the IUP.



16319 Kettle River Blvd.  
Columbus, MN 55025  
Phone: (651) 464-3120 Ext.1008  
Website: [www.ColumbusMN.us](http://www.ColumbusMN.us)

APPLICATION FOR CONSIDERATION OF: VARIANCE REQUEST

RECEIVED

Application Information Form

JUN 25 2020

City of Columbus

APPLICANT:

Name: Matt Greene Phone: 612-868-1672 (Alt.): \_\_\_\_\_  
Address: 16941 Kettle River Blvd Email: mgreene@flaschools.org  
City: Columbus State: MN Zip: 55025

OWNER: (If other than applicant)

Name: \_\_\_\_\_ Phone (work) \_\_\_\_\_ (Alt.) \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Legal description of property: 12-32-22-23-0009, Houle-Kittock Estates

Lot(s) <sup>1</sup> \_\_\_\_\_ Block(s) <sup>2</sup> \_\_\_\_\_ Additions(s) \_\_\_\_\_

Existing use of property: Lean-to 16'x26' Present zoning: Residential R-1

Action Requested: Please check (√): Variance

Brief description of and reason for request (this does not serve as the narrative requirement)

Would like to build a 16'x26' addition onto side of existing garage.  
The zoning ordinance setback is now 75 feet and when existing garage  
was built the setback was 50 feet.



16319 Kettle River Blvd.  
 Columbus, MN 55025  
 Phone: (651) 464-3120 Ext.1008  
 Website: [www.ColumbusMN.us](http://www.ColumbusMN.us)

**Submittals Check List:**

Application Information Sheet (Permit)	<input checked="" type="checkbox"/>	Information Recommended by Zoning Administrator:
Read and Understood the "Variance Information" sheet attached to this Application.	<input checked="" type="checkbox"/>	
Scaled Site Drawing (Showing all current and proposed site conditions)	<input checked="" type="checkbox"/>	
Certified Survey (if applicable)	<input type="checkbox"/>	
Narrative Statement (What code are you requesting a variance from, what is the practical difficulty placed on you by the current City Code, why should the variance be granted, etc.)	<input checked="" type="checkbox"/>	
Required Fees Paid	<input checked="" type="checkbox"/>	
Watershed Approval/Permit (if applicable)	<input checked="" type="checkbox"/>	
Additional Information (further information that you believe is relevant and helps explain your request)	<input checked="" type="checkbox"/>	
<p><i>Note: this checklist is an outline intended to provide a general statement of the required submittals for a Variance. For exact requirements you should refer to the Columbus City Ordinance (Section 7A-524) found in the Zoning Code available on the City website <a href="http://www.ColumbusMN.us">www.ColumbusMN.us</a></i></p>		

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision Ordinances and current administrative procedures. I further acknowledge the explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

SIGNATURE OF APPLICANT: Matt Greene DATE: 6/25/2020

SIGNATURE OF OWNER: Matt Greene DATE: 6/25/2020

<b>For Office Use Only</b>			
Date Application Received	<u>06.25.20</u>	PC #	60-Day Deadline <u>08.24.2020</u>
Permit Fee	<u>\$150.00</u>	Escrow Amount	<u>\$500.00</u> Total Amount Paid <u>\$650.00</u>
Date Paid	<u>06.25.2020</u>	Check #	<u>3300</u> Receipt # <u>21175</u>



Matthew Greene <[mgreene@flaschools.org](mailto:mgreene@flaschools.org)>

---

**[external] RE: Addition**

1 message

---

**Anna Grace** <[AGrace@ricecreek.org](mailto:AGrace@ricecreek.org)>  
To: Matthew Greene <[mgreene@flaschools.org](mailto:mgreene@flaschools.org)>

Wed, Jun 3, 2020 at 4:44 PM

Good Afternoon Matt,

Thank you for reaching out.

Based on your plans provided for the project, a RCWD permit will not be required for your proposed construction of a 26' x 16' garage addition on your property at [16941 Kettle River Blvd NE, Columbus, MN](#).

It appears that an area less than 10,000 ft<sup>2</sup> will be disturbed. Additionally, no wetland impacts or floodplain fill are proposed; therefore, a RCWD permit is not required.

Please note that this decision does not indemnify you from enforcement action if the scope of the project changes, or a violation of District Rules or other laws is found to have occurred as a result of this project. Please take care to ensure that no sediments are deposited down gradient of the site, and that any soils disturbed during construction are stabilized within 14 days of project completion. Permits may be required from other agencies including, but not limited to, the City of Columbus.

Thank you,

**Anna Grace**

Regulatory Technician

Rice Creek Watershed District

[4325 Pheasant Ridge Dr. NE, #611](#)

[Blaine, MN 55449-4539](#)

Direct: (763) 398-3071

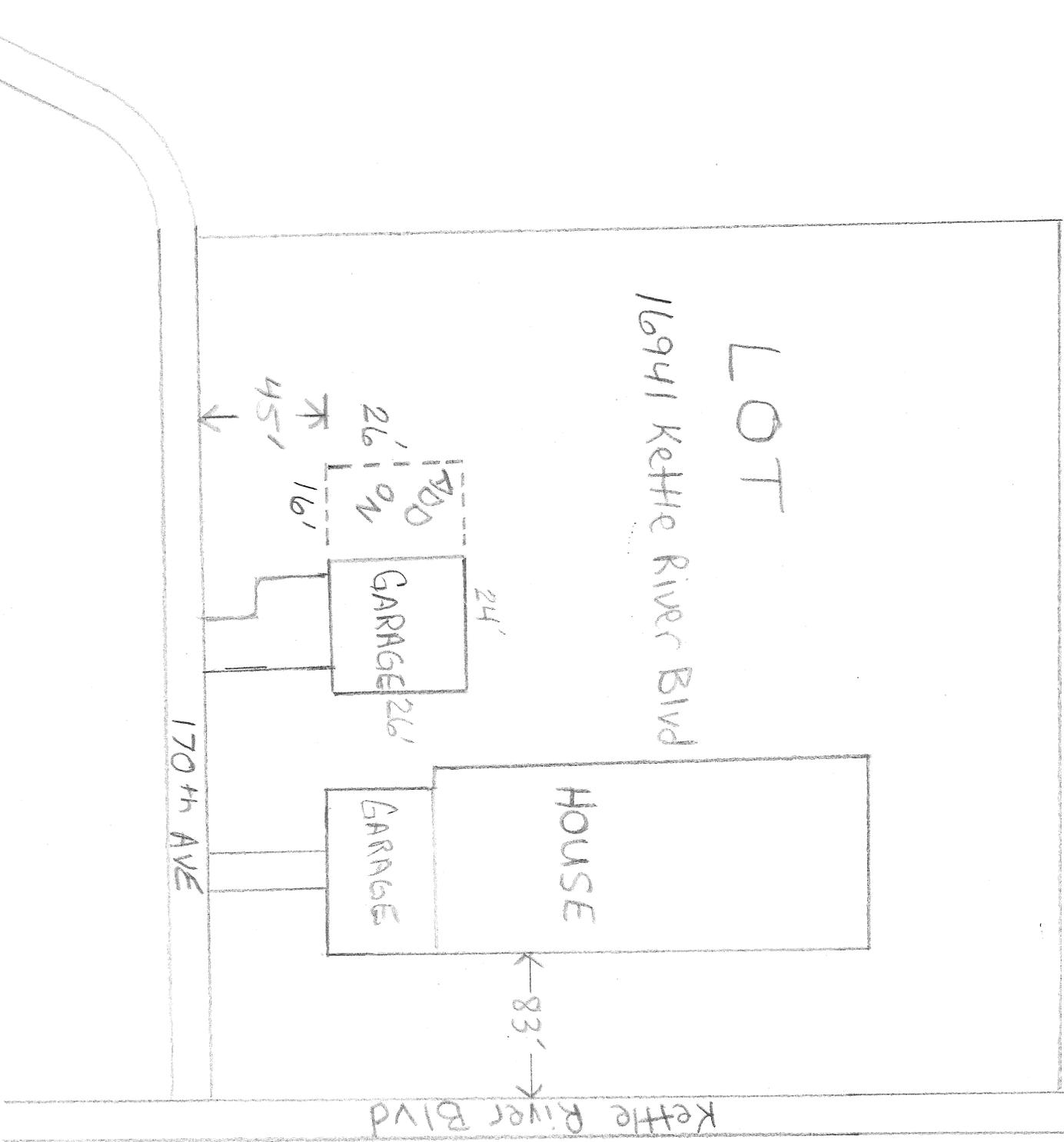
[agrace@ricecreek.org](mailto:agrace@ricecreek.org)



  
NARRATIVE

The zoning ordinance setback is now 75 feet and when the existing garage was built the setback was 50 feet.

My Parent's bought the house in the mid 1970's and built a unattached 24'X26' garage in 1984. I bought the house from my parent's in 1995. 3 1/2 years ago I built a 16'X26' lean-to with a concrete floor onto the east side of the existing garage with at that time the variance was waved and a permit was granted. I would like to now build a 16'X26' addition onto the garage with a trussed roof in place of the lean-to. The foot print of the addition would be the same setback as the existing garage. Therefore I feel that a variance should be granted.





*[Handwritten scribble]*

32



32

COLUMBUS TOWNSHIP  
PLANNING COMMISSION

The C.T.P.C. held their regular meeting at the town hall on Wednesday evening, June 17, 1981. Chairman Don Maroschek called the meeting to order at 8:06 P.M. Other members present were John Lee, Cheryl Bengtson, Geri Stace, and Karen Otto, secretary. Paul Schmidt arrived at 8:50 P.M. Town Board members in attendance were Tom Klassen, Jerry Dupre, Dorothy Sampson, and Betty Simonson.

Secretary read aloud the minutes of the last regular meeting and Bengtson made motion to accept as read. Seconded by Stace and carried with all votes yes.

Schmidt and Maroschek had made the site inspections for the last two week period.

Steve Lillie, 9627 Howard Lake Drive, made building permit app for a 14x16½ deck to his existing home. The deck is approximately 6 feet off the ground and will not interfere with the septic system in any way. Motion by Maroschek and seconded by Bengtson to approve. Carried. All votes yes.

•Jeffrey Linnerooth, made building permit application for a single family dwelling at 13715 W. Freeway Drive. Motion by Lee and seconded by Stace to approve the building permit app with the 108 ft. setback. Carried. All votes yes.

Dale Stoffel, 16708 Iverson St., made building permit application for garage. Maroschek made motion to approve, seconded by Lee, carried. All votes yes.

Bernard Lewis, 9342-170th, appeared to ask about the motor home that is being lived in on the David Wendt property, 17018 Dimaggio St. He was advised that this matter is already turned over to the Town Board and he has been sent a letter to appear at the next Town Board meeting and explain. Lewis was satisfied with this and will attend that meeting, also.

The Richard Greene public hearing was discussed thoroughly and Maroschek moved to recommend to the Town Board to disapprove a variance for Greene for a 71 ft. setback. No second. Motion died. Lee made motion to recommend to the Town Board to approve the 71 ft. setback for Greene, seconded by Bengtson, with votes as follows: Lee-yes, Stace-yes, Bengtson-yes, Maroschek-no. Motion approved. Following is the finding of facts:

POSITIVE:

1. Development was a plan put in before 1979 ordinance and does not conform to some of the ordinances we have.
2. No one against it at the Public Hearing.
3. Kettle River is legal frontage with 170th the side street so garage is technically on side street.
4. Garage does not block back yard view from kitchen window
5. Position of present house and garage make this a unique situation.
6. It will be landscaped so as to hide the 4 ft. difference.

## NEGATIVE:

1. New garage will stick out ahead of old garage and house.
2. Building could be shortened as to not block the kitchen window.

Don Fraley appeared for his mother, Denise Fraley on Camp Three Road. Mrs. Fraley wishes to sell 5 acres of her existing 25 acres. This is a one time split and any further would go thru sub-division. Don stated he understood all of this and Maroschek stated we will approve with 33 ft. easement across North edge. The next split will have to have road frontage.

The committee had met and worked on the Excavating Ordinance and it was agreed to delete Ordinance 98B (amendment-1978) Schmidt made motion to recommend to the Town Board to delete the 98B amendment Excavating Ordinance. Seconded by Lee, carried. All votes yes.

The facts are as follows;

1. We feel it was not necessary to charge per ton because of enforcement problems.
2. A S.U.P. should be required for each excavating permit.
3. Board should carefully study the amount of bond for each permit.
4. Renewal fee should be changed to \$25.00
5. PC does not feel it is necessary to re-write the ordinance, except for these recommendations.

Public hearing for Glenn Mishke for rezoning of 20 acres will be held on July 14, 1981, at the town hall at 7:30 P.M.

Maroschek made motion to change the June 3, 1981 minutes for El Rehbein in paragraph 7 to read pre sketch plan in both places that read pre plot. Seconded by Schmidt. Carried. All votes yes.

PC secretary asked the PC to consider compensation to secretary for Public Hearings she is required to attend on the same night as regular PC meetings. Secretary states she was hired in November, 1979 at the rate of \$16.00 per meeting and feels the Public Hearings are separate and apart from regular meetings. There has been no salary increase for this position since she was hired, although she requested it be reviewed in November, 1980. Bengtson made motion to recommend to the Town Board she gets compensated. Seconded by Lee. Carried. All votes yes.

Schmidt made motion to adjourn at 10:10 P.M. Seconded by Bengtson. Carried. All votes yes.

Respectfully submitted,  
*Karen M. Otto* 6/18/81  
Karen M. Otto, secretary

kmo

Dorothy Sampson made a motion to accept the Planning Commission recommendation to allow variance for Richard Greene to build a garage with 71 ft. instead of 108 ft setback. Tom Klassen seconded it. Motion carried. The hardship of putting garage 108 ft back would put garage in back of house and obstruct windows. Betty Simonson disagreed with hardship but voted aye.

Chairman Dupre made a motion to instruct Planning Commission to release building permit for Cort Wyss. Dorothy Sampson seconded it. Motion carried. The easement has been recorded in Anoka.

The clerk explained when Jon Bauman paid the attorney's fees to get easement for Cort Wyss, she forgot to deduct his \$50 deposit. A claim will be made out for the next meeting.

After break, a secret ballot vote was taken for a Town Board Supervisor to replace Gerald Pierre. Candidates were John Lee and James Proulx. The vote was tied, 2 for Lee and 2 for Proulx. The clerk voted to break the tie. Not knowing much about John Lee and the fact that Proulx had run in the March elections, the vote went to Proulx. Dorothy Sampson made a motion to appoint James Proulx to the Town Board. Gerald Dupre seconded it. Motion carried.

The clerk read resume of Richard Galena for township attorney. Terry Chmielewski submitted the name of Wm. Goodrich who was previously interviewed by previous board. The clerk will contact him for a resume and also Mr. Babcock who indicated he was interested but hasn't sent resume yet. Tom Klassen made a motion to set up interview for attorneys at 7 p.m. on July 22. Dorothy Sampson seconded it. Motion carried.

The Planning Commission secretary has requested compensation for coming early for public hearings held on Planning Commission meeting nights. Her present salary is \$16 for meetings, plus \$4 an hour for typing. Tom Klassen made a motion to pay Planning Commission secretary fee and add \$4 for a public hearing held on meeting nights. Gerald Dupre seconded it. Motion carried.

Tom Klassen made a motion to hold public hearing for M.A.T. Properties on July 14 at 7:30 p.m. Betty Simonson seconded it. Motion carried.

Tom Klassen made a motion to approve off sale non intoxicating malt liquor license for Muzzy's Mart. Betty Simonson seconded it. Motion carried.

The clerk read a letter from P.E.R.A. dated June 17, 1981 stating they received Social Security refund toward Fred Haubles P.E.R.A. and explained where the account stands at present.

Arlen Logren, 14063 Furman St., has not paid for his building permit. Gerald Dupre made a motion to have clerk send him a letter to apply for a building permit or there will be a fine. Dorothy Sampson seconded it, motion carried.

Fire number signs have been increased to \$16.50 to cover the cost of getting them.

Harold Schatvet, 17939 Kettle River Blvd., has paid the money for his fine and building permit but has not contacted the building inspector for a permit or inspection. He must get a permit for the records. Tom Klassen will contact him to contact building inspector for permit and inspection. Hauble will inspect and note what he can and cannot inspect due to its being finished.

Loren Braun, TKDA engineer, presented a letter to the board explaining cost to correct drainage problem on Kettle River Blvd. The county will pay for culverts. It affects 2 or 3 property owners and the cost of \$2800 or \$5100 would have to be assessed back to them if the township has to do it. A letter will be sent to Mark Sjoblad, 17402 Kettle River Blvd., who originally complained to the county,

**City of Columbus Variance  
Staff Report  
16941 Kettle River Blvd. NE  
08.05.20**

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**Project Name:** Variance for an Expansion of Non-Conforming Garage

**Applicant:** Matt Greene

**Property Owner:** Matt Greene

**Legal Description of property:** HOULE-KITTOCK ESTATES LOT 1, BLOCK 2, HOULE-KITTOCK ESTATES (SUBJ TO EASEMENTS AS SHOWN ON PLAT), ANOKA COUNTY, MN

**Property Identification #(s):** 12-32-22-23-0009

**Property Zoning:** Rural Residential (RR) District

**Report approved by:** Elizabeth Mursko, City Administrator

**Date of Application:** 06.25.20  
**Date Application found incomplete:** N/A  
**Materials missing:** None  
**Date Application complete:** 07.01.20  
**Date of Public Hearing:** 08.05.20  
**Date notice published:** 07.23.20  
**Date notice mailed / posted:** 07.23.20  
**60-limit for action:** 08.24.20  
**60-day extension / letter sent:** N/A

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**Project Description:**

The applicant is seeking a variance to City Code Section 7A-470 and 7A-801 to repair and expand an existing legal nonconforming structure consisting of a detached 24'X26' accessory building with a 16'X26' attached covered "lean-to" forty-five (45) feet from the front property line. The lean-to was erected and retroactively permitted post construction on October 12, 2016. The property is located at 16941 Kettle River Blvd NE ("Property") is zoned Rural Residential (RR) District. The Property is a corner lot at the south west corner of the intersection of Kettle River Blvd NE and 170<sup>th</sup> Avenue NE. In the RR District, an accessory building conforming to all standards and specifications outlined in Section 7A-801 and 7A-805 are permitted accessory to the principal use. The existing accessory building is currently not compliant with Section 7A-801 (D); however, the structure was lawfully constructed by means of a variance approved for and granted in 1981. City Code Section 7A-470 allows repair and maintenance of legally nonconforming uses and structures not to exceed fifty percent (50%) of the structure's value, based on the current tax assessed value, and not to increase the volume or square footage of the structure. The applicant believes

the variance should be approved as the proposed project will not increase the existing footprint from what has previously existed as of 1984, and what has been approved in 2016. The project consists of replacing the single stall lean-to attached to the accessory building with a trussed roof garage stall, without expanding the existing 16'X26' cement footprint. None of the proposed improvements impede on the required side and rear yard setbacks in the Rural Residential district. The applicant's lot is approximately 1.02-acre legal nonconforming residential lot in the Rural Residential district. The neighboring parcels in all cardinal directions are similar sized legal nonconforming residential lots.

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### **Variance Findings:**

A variance is a legally permitted deviation from the literal requirements of the City Zoning Ordinance. Variances may be granted in instances where the landowner establishes that there are practical difficulties in complying with the Zoning Ordinance and the landowner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance. The Planning Commission, acting as the Board of Adjustment, must hold a public hearing and make a recommendation on the application to the City Council. In examining practical difficulties, pursuant to City Code Section 7A-525 the Board of Adjustment and City Council must make the following findings:

1. The landowner proposes to use the property in a reasonable manner.
2. The practical difficulty or plight of the landowner is unique to the subject property and is not created by the landowner.
3. The variance, if granted, will not alter the essential character of the neighborhood or City.
4. The terms of the variance are consistent with the Comprehensive Plan.
5. The variance, if granted, is in harmony with the purpose and intent of the Zoning Ordinance.
6. The practical difficulty is not created solely by economic considerations.

**Staff has analyzed the following variance application: A variance to City Code Section 7A-470 to repair and expand an existing legal nonconforming single-family dwelling in the C/I district to allow for the replacement and expansion of an attached two-car garage, and find the following facts:**

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#### **1. The landowner proposes to use the property in a reasonable manner.**

Staff finds that the landowner proposes to use the Property in a reasonable manner. The Property is developed as an existing single-family dwelling in an area of single-family residential uses. The proposed expansion is a reasonable use and consistent with the historic use of the Property, as well as the use of several surrounding parcels.

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#### **2. The plight of the landowner is due to circumstances unique to the property and is not created by the landowner.**

The Property is a corner lot and subject to frontage setbacks on the north and east. Due to

the nature of the Property being impacted by two seventy-five (75') foot ROW setbacks and the configuration of the existing single-family residence and accessory building, the front and rear lot lines distance has been reduced to a narrow width than most lots of this size. The original accessory building was not constructed by the applicant in 1984 and was approved by a granted Variance on June 24, 1981. Additionally, the current lean-to was granted a building permit post construction. These circumstances were not created by the landowner.

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### **3. Granting the variance is in harmony with the purpose and intent of the Zoning Ordinance.**

The purpose and intent of the RR District is to provide residents in Columbus's primary zoning category adequate areas and use restrictions for residential development that provides for pleasant living. Additionally, Section 7A-805 requires that accessory building's walls and roof being constructed of durable materials and be either pole building, slab or footing construction. The proposed variance will allow for the continued residential use of the Property and allow for a more durable construction of a modern accessory structure, consistent with these purposes and intent outlined in City Code.

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### **4. Granting the variance is consistent with the City's Comprehensive Plan.**

The City's 2040 Comprehensive Plan includes several Land Use Goals that support the application, including: preserving existing rural residential character and providing a range of land use that meets the needs of residents. While the Property does not conform to the current RR district standards for housing, specially lot size and the front yard setback requirement, it will continue to be reflective of the current residential character and the various range of residential housing and land uses.

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### **5. The variance if granted, will not alter the essential character of the neighborhood or City.**

The character of the neighborhood is largely made up of similarly size residential lots, ranging from one (1) to two and a half (2.5) acres, many of which have similarly legal nonconforming setback residences from the ROW. The majority of these lots also support accessory buildings of similar capacity as the applicant's proposal. If the variance is granted the essential character of the neighborhood and City will not be altered.

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### **6. The practical difficulty is not created solely by economic considerations.**

The practical difficulties necessitating the variance request are not created solely by economic considerations, but rather the legal nonconformity of the applicant's existing lot dimensions and accessory building location.

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**Staff Recommendation(s):**

Staff recommends that the Planning Commission and City Council adopt the above findings and **approve** the application for a variance to City Code Section 7A-470 to repair and expand an existing legal nonconforming accessory building in the RR district to allow for the replacement and vertical expansion of an attached lean-to as shown in the proposed drawings in the application packet dated 6/25/2020, subject to the following conditions of approval:

1. Applicant's proposed accessory building addition shall not exceed the current 16'X26' foundation footprint of the existing lean-to and shall not further increase the nonconforming front yard setback.
2. Applicant must meet all other standards outlined in Section 7A-805, including compliance with well and septic requirements, accessory building must be harmonious with the principal dwelling, accessory building size requirements, and meet requirements outlined by the City Building Official
3. The applicant must submit any and all other materials required by the building official to complete a Building Department review.

4823-0911-4310, v. 1

RECEIVED

MAY 28 2020

City of Columbus

60 Day Deadline - 07.27.2020

120 Day Deadline - 09.25.2020



COLUMBUS Rural Nature. Urban Access.

16319 Kettle River Blvd. • Columbus, MN 55025

phone: (651) 464-3120

website: ColumbusMN.us

Date paid 05/28/2020

Amount: 1700.00

(200.00 fee)

(1500.00 Essex)

R# 21110

APPLICATION FOR CONSIDERATION OF CONDITIONAL USE PERMIT, INTERIM USE PERMIT RE-ZONING, SITE PLAN REVIEW, VARIANCE

APPLICANT:

Name: Kendall Friese Phone: 612-991-7064 (Alt.):

Address: 16811 Notre Dame st Email: Kfriese@cfaitth.com

City: Columbus State: MN Zip: 55025

OWNER: (If other than applicant)

Name: Phone (work) (Alt.)

Address: Email:

City: State: Zip:

Legal description of property: Tessler Estates 11.32.22.42.0005

Lot(s) 1 Block(s) 2 Additions(s)

Existing use of property: Small Business Trucking Present zoning: Residential

Action Requested: Please check (✓) Re-zoning [ ] Site Plan Review [ ] Variance [ ]

Conditional Use Permit [ ] Interim Use Permit [X] SSTS Administrative Variance [ ]

Other (fill in)

Description of and reason for request (attach additional information and requirements if necessary)

per Existing Business Trucking And occasional trailers Repair or Fabrication.

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision Ordinances and current administrative procedures. I further acknowledge the explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

SIGNATURE OF APPLICANT: [Signature] DATE: 2-6-20

SIGNATURE OF OWNER: [Signature] DATE: 2-6-20

To the City of Columbus,

I have lived in Columbus, MN since 1992. I have been doing trucking and trailer repair since I have moved here. When I moved here I didn't have a shed to work on my equipment so in 1999 I built a pole shed to do my work in. The pole shed was really to small to get a semi trailer in and to be able to shut the doors. I did my best to limit the noise and was respectful to my neighbors regarding the noise. In June of 2017 my pole shed burnt to the ground. I then had the task of rebuilding.

I spoke to the city of Columbus on my options for building was.

I now have a building that helps me get my equipment in and the noise level is nothing per my neighbor who I asked if she can hear me working when she has her windows open and she said cant hear me.

The traffic for my business is very minimal to none. There is no equipment idling on my property. Any previous issues have been addressed since I have rebuilt by building.

I run a really low-key business that doesn't leave much of a footprint in the neighborhood.

Sincerely,  
Kendall Friese

### City of Columbus interim use permit questionnaire

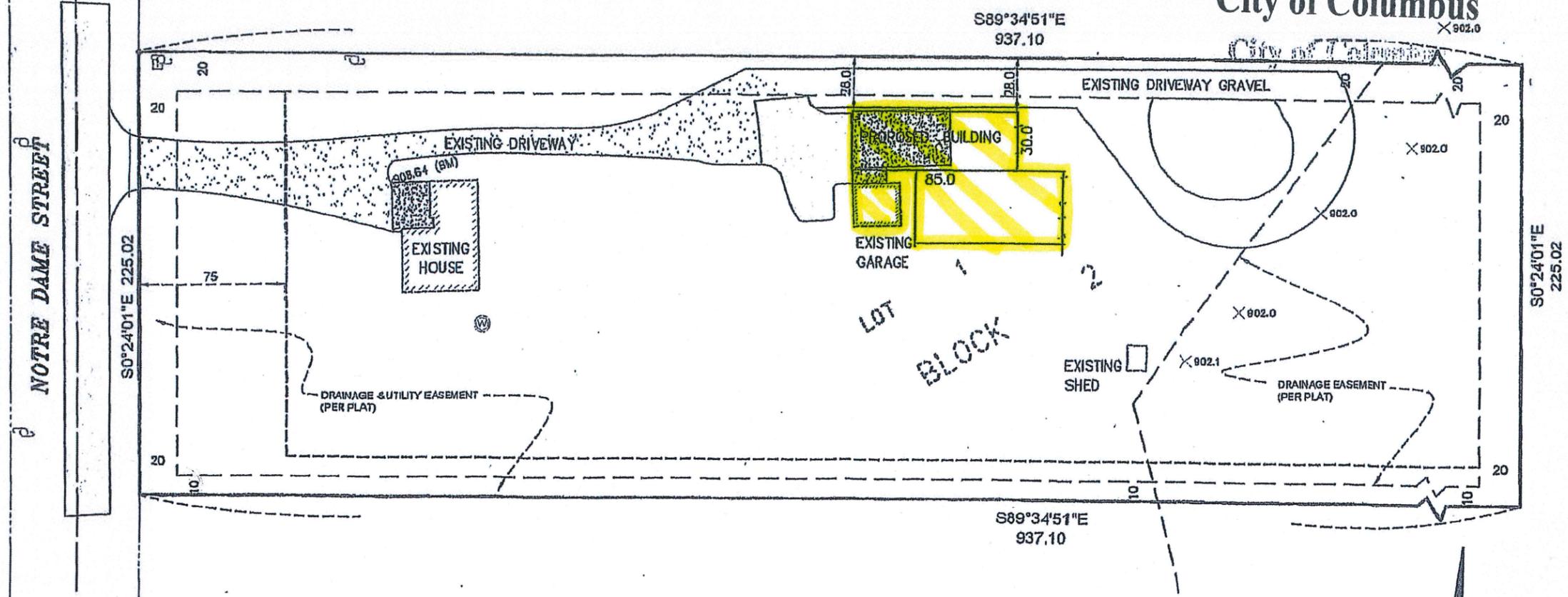
- A. Property 16811 Notre Dame St. is in zone RR district.
- B. Property 16811 Notre dame sty meets all minimum dimensional standards.
- E. The principal use of property is residential and owner  
Resides there.
- F. I do not have any outside employees at this time. I do not  
Have plans for any employees in the near future.
- G. Any waste is properly disposed of or recycled (metals/ aluminum} all equipment is licensed. I use the building to fix equipment or to house equipment during the cold weather. The building is used approximately 80% for business. The building is used 10 to 15 days a month or 1 to 2 weeks a month. The building used for operation is the building we just reconstructed, behind the homestead.
- H. The business complies with the City of Columbus codes  
Hours of operation are manly daylight hours. The noise issue has been addressed by  
now having a facility capable of putting equipment inside to elimatte the noise.
- I. Business operations occur within the building. No outside building operations is needed.  
The building has been built to house the equipment.
- J. The business is invisible to both my next-door neighbors. You can only see the house and  
the back building.
- K. I have no plans for any additions or renovations to the property.
- L. The daily routine is to walk to the shop and office and drive to town for parts or supplies 2  
to 3 times a week. Truck leaves once every 10 days. I have no clients or customers.
- M. Basically 7am to 7 pm are my operations hours. *days of the week?  
M-F*
- N. No additional parking is needed for this business.
- O. The business is out of sight of any close neighbors.
- P. No sign is needed for the business.

# CERTIFICATE OF SURVEY

**RECEIVED**

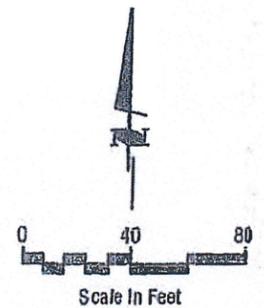
JUN 15 2020  
OCT 27 2017

City of Columbus



**DESCRIPTION**

PLAT RECORDS, Anoka County, Minnesota.



**LEGEND**

- FOUND PIPE
- ⊕ ELEC POLE
- ⊙ WATER WELL
- BUILDING SETBACK LINE
- [Stippled Box] BITUMINOUS SURFACE
- [Dotted Box] CONCRETE SURFACE
- [Gravel Box] GRAVEL SURFACE
- [Yellow Box] Existing Garage and Pole Building- Location of Business

ZONING: "RR" RURAL RESIDENTIAL DISTRICT

MINIMUM BUILDING SETBACKS:

FRONT YARD/R. O. W.	75
SIDE YARD	20
REAR	20

**SURVEY NOTES:**

- This orientation of this bearing system is based on the Anoka County Coordinate System NAD 83.
- The vertical datum is NAVD 88. On site bench mark, N.W. corner concrete slab at existing house = 908.64.
- Existing Parcel 16811 Notre Dame St., Columbus, MN 55025, Parcel ID 11.32.22.420005
- Property area = 210,847 Sq. Ft.

© 2017 WIDSETH SMITH NOLTING

DATE: October 18, 2017	DATE:	APPROVED BY:	BY:	PREPARED FOR: HENDALL FRIEDRICH
SCALE: AS SHOWN				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.
DRAWN BY: DJW-DF				
CHECKED BY: KJJ				
FILE NUMBER: 12050357 000				WIDSETH SMITH NOLTING Engineering   Architecture   Surveying   Environmental

---

**From:** Ben Gutknecht  
**Sent:** Monday, June 15, 2020 2:15 PM  
**To:** [kfriese@cfaith.com](mailto:kfriese@cfaith.com)  
**Subject:** Narrative Clarification and Site Plan Revision

Hi Kendall,

Thanks for speaking with me earlier, per our conversation I wanted to give you an opportunity to look at the small revision I made on your Site Plan and make sure you are agreeable to that. The highlighted portion is where you will be storing all equipment associated with your business and where you will be conducting your business correct? **Yes.**

Additionally, I would like to have you answer the following questions in a response just so that I can have it on record as a clarification for your narrative you provided earlier.

1. You will be the sole employer/employer and have no intentions of hiring someone in the future? **Correct.**
2. You will be driving your personal truck and making repairs to your personal truck and trailer with no plans to extend that repair business to other? **It is my personal Equipment..**

Again, thank you for your time earlier and let me know if you have any additional questions.

Ben Gutknecht

45

**From:** Kendall K Friese <kfriese@cfaith.com>**Sent:** Monday, July 6, 2020 2:49 PM**To:** Ben Gutknecht <planningtech@ci.columbus.mn.us>**Subject:** RE: Letter of Completeness\_ Interim Use Permit Application for a Residential Zone Business

----- Original Message -----

From: Ben Gutknecht &lt;planningtech@ci.columbus.mn.us&gt;

To: kfriese@cfaith.com

Sent: Thu, 25 Jun 2020 14:42:41 -0400 (EDT)

Subject: RE: Letter of Completeness\_ Interim Use Permit Application for a Residential Zone Business

Good afternoon Kendall,

I'm reaching out to see if you have had a chance to take a look at the questions I posed in the earlier attached email? I was also wondering if you would be able to further describe what kind of repairs you do to both the trucks and the trailers? General repair.. Etc. is what ever equipment needs for repair , to meet DOT specs.

Thank you for your time,  
Ben Gutknecht

*Ben Gutknecht, Associate Planner*[City of Columbus](#)*16319 Kettle River Blvd. N.E.**Columbus, MN 55025*

Main: 651-464-3120 ext. 1008

columbuslogo Logono city name

**From:** [Kendall K Friese](#)  
**To:** [Ben Gutknechtcht](#)  
**Subject:** RE: Letter of Completeness\_ Interim Use Permit Application for a Residential Zone Business  
**Date:** Thursday, June 25, 2020 5:51:15 PM

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----- Original Message -----

From: Ben Gutknechtcht <[planningtech@ci.columbus.mn.us](mailto:planningtech@ci.columbus.mn.us)>

To: [kfriese@cfaitth.com](mailto:kfriese@cfaitth.com)

Sent: Thu, 25 Jun 2020 14:42:41 -0400 (EDT)

Subject: RE: Letter of Completeness\_ Interim Use Permit Application for a Residential Zone Business

Good afternoon Kendall,

I'm reaching out to see if you have had a chance to take a look at the questions I posed in the earlier attached email? I was also wondering if you would be able to further describe what kind of repairs you do to both the trucks and the trailers? **General repair. [ NO oil changes]. I farm that messy stuff out.**

Thank you for your time,

Ben Gutknecht

*Ben Gutknecht, Associate Planner*

[City of Columbus](#)

*16319 Kettle River Blvd. N.E.*

*Columbus, MN 55025*

Main: 651-464-3120 ext. 1008



**From:** Kendall K Friese <kfriese@cfaith.com>  
**Sent:** Tuesday, July 7, 2020 3:08 PM  
**To:** Ben Gutknecht <planningtech@ci.columbus.mn.us>  
**Subject:** Re: Letter of Completeness\_ Interim Use Permit Application for a Residential Zone Business

----- Original Message -----

From: Ben Gutknecht <planningtech@ci.columbus.mn.us>  
To: Kendall K Friese <kfriese@cfaith.com>  
Sent: Tue, 07 Jul 2020 13:39:23 -0400 (EDT)  
Subject: Re: Letter of Completeness\_ Interim Use Permit Application for a Residential Zone Business

Good afternoon Kendall,

I appreciate you answering those older questions that I had sent on the 25th of June, but I was hoping you could answer the questions that we spoke about on July 1st, I had sent an email after our phone conversation, I apologize if it never reached you. The questions outlined in the July 1st email are as follows:

1. What do "general repairs" consist of for Trucks? Axle ,spring, suspension ,and air line and ac or electrical, and break and some tire work, and little exhaust work.
2. What do "general repairs" consist of for Trailers? Break ,air line , and suspension work. some trailers i repair rails or side panels, and a little roof work.
3. Do you do any body work (riveting for Trailers) and how often? I do some welding or riveting on trailers. it is maybe 10-20 hrs a year. very little..
4. How often will you be selling any of the trailers or trucks per year? If i buy or sell anything. it is through a dealer. not a sales lot here.
5. Will these sales happen on site? No
6. If yes you will have clients visiting the Property? No

Again, I really appreciate you doing this before the meeting, any information you can provide to the Planning Commission and myself prior to the meeting helps a lot.

Thanks again,

Ben Gutknecht



Aerial Photography of 16811 Notre Dame St NE  
(as of 04.08.2020)



Date: July 15, 2020  
 To: City of Columbus Planning Commission  
 From: Jessica Hughes, Public Communications Coordinator  
 RE: Complaint Record – 16811 Notre Dame Street NE

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Below is a record of complaints received for property located at 16811 Notre Dame Street:

<b>Date</b>	<b>Complaint</b>
September, 2015	Loud equipment and large vehicles on the property.
July, 2019	Business operating without a permit.
May, 2020	Business operating without a permit, many trailers on property, excessive noise.

I would first like to clarify to the Columbus city counsel that I am a driver I drive to California and back every other week. It is my livelihood. I used to have drivers for the last 15 years. I have since as of January 2020 went back to being a driver or owner operator.

I repair my own equipment and have some equipment that I have had which I am planning on fixing on the off weeks to finish repairing and selling to a dealer. The equipment is equipment I own. Now that I'm driving I will be eliminating most of the equipment as soon as I have time to finish them.

## Recommendations Corrections

1. I plan to comply with all provisions of the city zoning ordinance.
3. Residential zone Business limited to indoor storage and accessory repair. I have moved all moveable trailers out of sight and invisible to any neighbors, I have removed all rental trailers. I have my 2 daily driver trailers out of view to neighbors.
4. All work in progress trailers are stored off site that were in view of neighbors. I do not salage parts to sell to the Public !
5. All trailers that need work in yard will be repaired by 90 day timeline.
6. Now that I know which of my neighbors was having the issue with the noise. I will keep my backdoor shut while riveting. I did approx.. 1 hour of riveting in May 2020. I only rivet during the daytime hours . I have only did 1 hour of riveting from January to July 2020. Which is approx.. 2 hours a year.

8. Hours of operation 7am to 7pm m-f . Occasionally  
Emergency outings after hours.
9. Outdoor storage will be in compliance.
12. I am asking for a variance for a fence for height.  
So I can install a 100' to 150' fence in back of my  
Property so it will eliminate any chances of noise  
that has been disturbing my neighbors.  
I would like to build it 10' to 14' high.
13. We take all precautions from fumes or anything that  
will or would cause damage or harm to the  
neighbors , climate and country.





To: City of Columbus City Council

From: Ben Gutknecht, Associate Planner

Date: July 8, 2020. Revised: 07.24.20. Revised 08.05.20. Revised 08.07.20 Per Planning Commission Meeting Recommendations and Additional Comments by Staff.

RE: Kendall Friese Residential Zone Business Interim Use Permit

**Background:** The applicant (Kendall Friese) has been a Columbus resident since the early 1990's. Mr. Friese has been in the trucking industry since the 1980's and has also been practicing truck and trailer repair for the same amount of time. During the time 1999-2017 Mr. Friese had been working in a small accessory building on his residential property as well as storing associated equipment on said property. However, in 2017 a building fire burned the small accessory building beyond repair. A new building was erected in its place, the increased size of which allowed the applicant to conduct repairs and store equipment within the building. Recently (late 2019) it has come to the City of Columbus's attention that there continues to be on-site storage of vehicles associated with a Residential Zone Business (RZB), to remedy this and bring the operation into compliance the applicant was asked to apply for an Interim Use Permit (IUP) and made aware of the requirements outlined in City Code Section 7A-806 Residential Zone *Businesses*. The applicant made an Interim Use Permit Application with the City of Columbus on May 28, 2020 for a Residential Zone Business.

After review of the Interim Use Permit Application for a Residential Zone Business consisting of a trucking company and private truck and trailer repair, the City of Columbus Planning Staff provides the following Findings of Fact and Recommendations:

### Findings of Fact

1. The Interim Use Permit (IUP) application for a Residential Zone Business (RZB) operated by Kendall Friese was received on May 28, 2020.
2. The application was found complete for review with a letter sent on 06.17.20
3. The 60-day review deadline is July 27, 2020.
4. The 120-day review deadline is September 25, 2020.
5. Friese has been operating ~~the~~ *a small trucking* business on his residential Property for at least 20 years, first consisting of a small accessory building with outdoor storage of equipment, trucks, and trailers and repair and fabrication of semi-trailers. After a fire in 2017, a newly constructed accessory building of approximately 5,630 s.f. currently houses equipment and serves as a place to make semi-truck and trailer repairs indoors, noncompliant outdoor storage of trailers appears to have continued since the construction of the new building.

6. The Property is a total of 4.84 acres located at 16811 Notre Dame St NE, (PIN: 11-32-22-42-0005) on property legally described as Lot one, Block two, Tessier Estates, Subject to Easement of Record, Anoka County Minnesota (“Property”).
7. The Property meets dimensional standards outlined and required by Section 7A-806 (B.).
8. The Property is zoned Rural Residential (RR).
9. The neighboring properties in directly connected to the Property in all cardinal directions consist of residential properties of similar or larger acreage.
10. Residential Zone Businesses are an interim use in the RR District, subject to the conditions and requirements of Section 7A-806 of the City Code.
11. Friese currently resides on the Property, with the principal use being residential.
12. Currently Friese does not appear to be in compliance with City Code Section 7A-806 (G.), as it appears there is approximately two and a half (2.5) tractor trailers stored outside on the Property, as indicated by the applicant.
13. The applicant states that the nine (9) trailers *associated with the small trucking business* are now stored off site, located in the Commercial Industrial District, with the intention to complete repairs to the remaining three (3) trailers within the next ninety (90) days so they too can be removed from the premise. Currently the remaining trailers have been moved so to be better screened from view.
14. The current business operation *is named North Central-Pacific Services, Inc.* and consists of the following activities:
  - a. *Business consist of* Friese being dispatched from his ~~leaving the~~ property with the semi-truck once every ten (10) days.
  - b. Driving to town for parts and supplies two to three (2-3) times a week.
  - c. All truck and trailer repairs are entirely within the newly constructed accessory building, highlighted on site plan dated 06.15.20, with no repair operation being staged outside.
  - d. Trailer repairs consists of breaks, airline, and suspension work as well as riveting and fabrication of the outer shell on a semi-trailer. Friese spends approximately ten to twenty (10-20) hours per year on fabrication and has spent at most two (2) hours of riveting during 2020.
  - e. Truck repairs consist of axel, springs, suspension, airline, breaks, tire work, minor exhaust, and electrical work.
  - f. Approximately 80% of the accessory building is used for tractor and trailer repair. Typically, the building is used for the repair and storage operation ten to fifteen (10-15) days per month, or one to two (1-2) weeks a month, or during colder months for equipment storage.
  - g. Occasionally Friese will purchase or sell equipment once he has made repairs, but per correspondence on 07.07.20 and 07.24.20, this is done through a dealer and not on premise and he only anticipates conducting this activity two to five (2-5) times per year.
15. The operating hours for the repair shop portion of the business are 7:00 a.m. - 7:00 p.m. Monday through Friday, but Friese indicated he is flexible to reducing that. The operating hours for the over the road hauling portion of the business is 7:00 a.m. – 7:00 p.m. Monday through Friday, with occasional emergency outings.

16. ~~Friese~~ *The Applicant* is the only employee of the *small trucking business and trailer fabrication/repair with occasional sales* business, with no plans to hire any additional staff.
17. Friese does not expect the need for customer parking as he does not have any clients or customers.
18. Friese has stated that currently there is no need for a business sign.
19. There is no planned expansions or renovations to the accessory building in which the business takes place.
20. Any waste, such as metal/aluminum, produced by repairs and maintenance within the accessory building are properly disposed of or recycled.
21. All equipment used for the business is properly licensed.
22. In the narrative dated 05.28.20, Friese states the business does not generate noise and is low impact. Continuing that the business is invisible to all neighbors, who will only see the residence, and an accessory building.
23. The Planning Commission held a public hearing to consider the Interim Use Permit on July 15th, 2020.
24. The Planning Commission recommended denial of the Interim Use Permit on July 15<sup>th</sup>, 2020, on the basis that the applicant would be unable to meet the conditions outlined in the Staff Report dated 07.15.20.
25. Friese provided additional information and testimony at the July 22, 2020 City Council meeting, to which the City Council motioned the applicant testify to the Planning Commission on August 5<sup>th</sup>, 2020 with the additional information provided.
26. In an effort to reduce the impact of noise to neighbors, Friese has stated that going forward he will close the accessory building door when conducting repairs. Friese also proposes the construction of a ten to fifteen (10-15') high by one hundred to one hundred and fifty (100-150') foot long fence near the back of his property, as shown in updated materials dated 07.22.20, to further reduce noise.

## Recommendations

Based upon the above Findings of Fact, the Planning Commission recommends approval of the Interim Use Permit for Kendall Friese's Residential Zone Business to the City Council, subject to the following Recommendations:

1. The Residential Zone Business shall comply with and is subject to all of the provisions of the City's Zoning Ordinance regarding Residential Zone Business, including but not limited to the provisions of *Section 7A-806*.
2. The permit shall be valid for a term of two (2) years from the date of approval, subject to earlier expiration or revocation as otherwise provided herein.
3. The Residential Zone Business shall be limited to the parking of *one semi-truck and one commercial trailer and the indoor storage and accessory repair work of Semi-trucks and trailers, and with very limited trucking of commerce, approximately every other week. With all other equipment associated with the small trucking business (trucks) to be stored in the accessory building.*

4. All waste produced by the business shall be properly disposed of. The Property shall in no way be operated as a salvage yard.
5. All storage of vehicles, trailers, and related materials shall be stored indoors and out of public view.
6. The Residential Zone Business will be conducted entirely within the accessory building in the rear of the Property, indicated on the Site Plan dated 06.15.20. Additionally, the garage door shall remain closed while doing repairs to reduce any noise pollution.
7. The conduct of the *small trucking* business shall *consist of the parking of one commercial vehicle with an attached trailer and all other storage of equipment and materials associated with the business shall be in the accessory building. As well as very limited trucking dispatched from the residential property where commerce is not brought to or from the residential property. Additionally, the business shall consist of the indoor fabrication and repairs of semi-trucks and trailers and occasional sales of trailers, approximately 2-5 times per year. All fabrication and repairs shall be in the accessory building with the door closed, with no associated outdoor storage.* ~~be consistent with descriptions provided in Friese's correspondence with Staff, outlined in Findings of Fact numbers 13 and 14.~~
8. Business hours for repairs within the accessory building shall be 7:00 a.m. – 7:00 p.m., Monday through Friday, no weekends, or holidays.
9. Absolutely no outdoor storage or display of trucks, trailers, and equipment associated with the business shall be permitted and any associated vehicles or equipment currently on site shall be removed within 90 days of issuance of this permit. A compliance inspection shall be conducted 90 days after issuance of this permit.
10. No other business shall be conducted on the property.
11. Friese shall remain the sole employee of the Residential Zoned Business.
12. The Residential Zone Business shall comply with all relevant noise and pollution standards outlined by the Minnesota Pollution Control Agency (MPCA).
13. The Residential Zone Business shall not generate odors, gases, hazardous waste, fumes, or other conditions that interfere with or infringe upon the quiet possession and enjoyment of surrounding properties.
14. ~~Friese shall install a wooden fence, six (6) feet in height as permitted in the City Ordinance, located to the rear of the property as indicated in applicant submittals dated 07.22.20.~~
15. Friese shall comply with all local, State, and federal laws, regulations, and ordinances in the conduct of the Residential Zone Business.
16. In the event the City Council determines, in its sole discretion, that the Residential Zone Business is not being conducted in accordance with any term or condition contained herein, the Permit may be revoked by the City Council upon proper notice and a hearing.
17. Friese shall be obligated to pay all costs and expenses incurred by the City in connection with any proceeding to revoke the Permit, including reasonable attorney's fees and consultant fees.
18. The Permit provided herein is issued solely for the benefit of Friese and may not be sold, assigned, or otherwise transferred in any manner whatsoever.

19. The applicant shall reimburse the City for all out of pocket expenses incurred in the review and issuance of the IUP and for all ongoing inspections and enforcement actions required for the IUP.