
ALEXANDRIA TOWNSHIP

PLANNING COMMISSION

MEETING PACKET FOR
July 27, 2016



PRELIMINARY AGENDA
Alexandria Township Planning Commission
July 27, 2016
6:00 p.m. – Township Conference Room

Call to Order

Adopt Agenda

Approve Minutes

February 22, 2016

Public Hearing

1. Interim Use Request to continue operation of an existing cabinet shop business in the Urban Residential district, Jeremy and Bethany Olson, applicants. Property is located at 3430 Hazel Hill Road SE. Property ID: 03-2178-700

Zoning Administrator's Report

Old Business:

New Business:

Adjournment

**NOTE: This is a preliminary agenda, subject to change at any time.

STAFF REPORT

Application: Interim Use Permit request to continue operation of an existing cabinet shop business in the Urban Residential district.

Applicant: Jeremy and Bethany Olson

Agenda Item: 4(a)

Background Information:

- Proposal:** The applicants are proposing to continue operating a cabinet shop that has been operating at the site for 10+ years. The owners indicate that when they built the house and attached shop, Douglas County Land & Resource staff noted that the use of the building for a cabinet shop was not regulated and they could do so. Since Township Staff was unable to find any evidence of this, and because the Township ordinance requires an interim use permit for a use such as a cabinet shop being operated from a dwelling site, the applicant has applied for the interim use permit to continue operating.
- Location:**
 - o Property Address: 3430 Hazel Hill Road SE
 - o Sec/Twp/Range: 34-128-37
 - o Partial Legal Description: 7.13 AC IN THE NW COR OF NW4NW4
 - o Parcel Number(s): 03-2178-700
- Zoning:** Urban Residential (UR)
- Lot size:** Approx. 7.13 acres
- Septic System Status:** There is an existing sewer system on the property (tank and drainfield) installed and approved in October 2004. That system was inspected and found compliant in September 2013. No additional compliance inspection would be required at this time.
- Natural Features:**
 - Floodplain: The property is not within an identified floodplain.
 - Bluff/Steep Slopes: The site is relatively flat and does not contain any bluffs or steep slopes.
 - Wetlands: There do not appear to be any wetlands on the property that would impact the proposal.
 - Trees: The existing lot does not contain a significant number of trees. The proposed use would not require alteration of any land or buildings or the removal of any trees at this time.
- Permit History:**
 - o 2004 - Installation of sewer system
 - o 2004 - Construction of 40' x 40' dwelling and 46' x 39' attached garage.
 - o 2013 - Construction of 28' x 32' detached garage

- 2013 – Sewer system compliance inspection

Applicable Statutes/Ordinances:

SECTION III. ZONING DISTRICT REGULATIONS

- B. Uses Permitted. The following set of tables establishes the uses permitted, permitted by conditional or interim use permit, or not permitted. **All uses are subject to the requirements or performance standards of this ordinance.** Performance standards applicable to uses in all zoning districts are given in Section V.

RESIDENTIAL USES	RCR	RR	UR	RS	CS	C-U	C-R	I
Home Occupations, Low Activity ¹	P	P	P	P	P	X	X	X
Home Occupations, Moderate Activity ¹	IU	IU	IU	IU	IU	X	X	X
Home Occupations, High Activity ¹	IU	IU	X	X	IU	X	X	X

SECTION V. PERFORMANCE STANDARDS

B. OUTDOOR STORAGE.

In all zoning use districts, all materials and equipment shall be stored within a building or fully screened so as not to be visible from adjoining properties and/or a public road except for the following: operable equipment for recreational use and equipment being temporarily used on the premises, agricultural equipment and materials if they are used or intended for use on the premises, off-street parking of operable passenger automobiles and pick-up trucks and storage of firewood for home heating.

D. SCREENING.

Where any business or industry (i.e., building, parking or storage) is located adjacent to property zoned for residential use or where residential housing exists or where it is located adjacent to a public or private institution or park and recreational area, that business or industry shall provide appropriate screening along the boundary of the residential property. Screening shall also be provided where a business or industry is across the street from a residential zone or residential housing.

The screening required in this section shall consist of earth mounds, berms or ground forms; fences and walls; landscaping (plant materials) or landscaped fixtures (such as timbers) used in combination or singularly so as to block direct visual access to an object. The use of discarded tires is an inappropriate form of screening material.

¹ Amended 3/21/2011 (Resolution #11-02)

E. PARKING REQUIREMENTS.

1. Minimum Size Regulations

- a. Each space shall contain a minimum area of not less than three hundred thirty-five (335) square feet, a width of not less than nine (9) feet and a depth of not less than twenty (20) feet. Each space shall be adequately served by an access drive of at least twenty-six (26) feet in width.

2. Reduction and Use of Parking Space.

- a. On-site parking facilities existing at the effective date of this Ordinance shall not be reduced to an amount less than that required under this Ordinance for a similar new building or use. On-site parking facilities provided to comply with the provisions of this Ordinance shall not be reduced below the requirements of this Ordinance. Such required parking space shall not be used for the storage of goods or for storage of vehicles that are inoperable or for sale or rent.

3. Computing Requirements.

- a. In computing the number of parking spaces required, the following rules shall govern:
 - (1.) Floor space shall mean the gross floor area of the specific use.
 - (2.) When fractional spaces result, the parking spaces required shall be construed to be the nearest whole number.
 - (3.) The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature, as determined by the Zoning Administrator or the Township Planning Commission.

5. Yards.

- a. On-site parking requirements shall not be subject to front, side and rear yard regulations for the district in which parking is located, except that:

In any commercial or industrial district, no parking shall be located within ten (10) feet of any property line that abuts any residential (UR, RR, RCR) or shoreland district.

6. Buffer Fences and Planting Screens.

- a. On-site parking areas near or abutting a residential (UR, RR, RCR) or shoreland district shall be screened by a buffer fence of adequate design or a

planting buffer screen. Plans of such screen or fence shall be submitted for approval as part of the site plan, and such fence or landscape shall be installed as a part of the initial construction.

7. Required Number of On-Site Parking Spaces.

- a. On-site parking area of sufficient size to provide parking for patrons, customers, suppliers, visitors and employees shall be provided on the premises for each use. The minimum number of required on-site parking spaces for the following uses shall be as follows:

Land Use	Number of Parking Spaces	Unit Measure
Storage, Wholesale and Warehousing	That space which is solely used as office shall comply with the office use requirements.	
	+1	750 Sq. Ft. Floor Area
	+1	Company owned Truck (if not stored inside building).

8. Loading and Unloading Requirements.

- a. Loading and unloading areas for goods, supplies and services shall be sufficient to meet the requirement for each use.

U. HOME OCCUPATIONS²

The purpose of these regulations is to permit and regulate the use of buildings, structures and property in non-commercial and non-industrial zoning districts for business or other purposes not typically associated with residential uses and in such a manner that they will not be incompatible with the quiet enjoyment of residential properties in the surrounding areas.

Moderate and High Activity home occupations are considered interim uses, which means that they are only granted for limited periods of time and may not be renewed if the proposed home occupation becomes incompatible with the surrounding properties due to a change in conditions.

Examples of changes in conditions may include, but are not limited to, rezoning to a zoning district allowing for greater housing density, the platting of adjacent or nearby lands into residential lots, a general increase in housing or population density, increases in traffic volumes or characteristics, or amendments to the Zoning Ordinance or other Township ordinances which would make the proposed use less compatible with the surrounding area and the intent of said ordinances.

Buildings and other improvements associated with an allowed home occupation shall be of a size and nature such that they can be easily removed from the property or will conform to zoning regulations for permitted or conditional uses should the interim use permit expire.

1. Definitions

² Added 3/21/2011 (Resolution #11-02)

This ordinance establishes three general categories of “home occupations,” which shall include any business or other use not typically associated with residential use or which would generate nuisance characteristics beyond those normally expected in a residential setting. Activities conducted as a hobby shall not constitute a home occupation. The three general categories are defined as follows:

- a. **Home Occupation, Low Activity (LAHO).** Any non-residential use where there is effectively no evidence of the activity taking place on the property which is visible or audible from neighboring properties or from a public road right-of-way. Such uses shall be clearly incidental and secondary to the primary use of the property for residential purposes.
- b. **Home Occupation, Moderate Activity (MAHO).** Any non-residential use where there is only indirect evidence of the activity taking place on the property which is visible or audible from neighboring properties or from a public road right-of-way. Such uses shall be clearly secondary to the primary use of the property for residential purposes.
- c. **Home Occupation, High Activity (HAHO).** Any non-residential use where there is direct evidence of the activity taking place on the property which is visible or audible from neighboring properties or from a public road right-of-way or which generates regular and sustained nuisance characteristics beyond those normally associated with residential properties in the same or similar neighborhood.

2. Exemptions³

- a. The following uses shall not be considered a home occupation for the purposes of this ordinance:
 - i. The display for sale of up to no more than two (2) motor vehicles, trailers, pieces of farm machinery or similar items, or any combination of such items, at any given time.

3. Performance Standards

- a. Customer Activity
 - i. LAHO - no attempt, either through advertising or signage, shall be made to bring potential or actual customers onto the property.
 - ii. MAHO - may attempt to attract potential or actual customers to physically enter the property but only by appointment and such that limited numbers of customer vehicles are present on the property at any one time.
 - iii. HAHO - may attempt to attract potential or actual customers to physically enter the property, whether “walk-in” customers or by appointment.

³ Added 8/4/2014 (Resolution #14-02)

- b. Pickups and Deliveries – Pickup and delivery activities shall not block traffic or pose a safety hazard.
 - i. LAHO –by standard delivery van, US postal service or passenger vehicle only.
 - ii. MAHO and HAHO – any pickups or deliveries of products, supplies, equipment or other materials by vehicles larger than 26,000 lbs. GVW shall be limited to no more than one per week and only between the hours of 7:30 am and 7:30 pm unless otherwise determined by the Planning Commission.
- c. Location and Residency Requirement – All home occupations must be located on the homestead of the business operator or on an adjacent lot under the same ownership. For the purposes of this section, a lot shall be considered “adjacent” if any portion of the lot is within 100 feet of any portion of the homestead lot, unless otherwise approved by the Township.
- d. Minimum Lot Size and Setbacks to Nearby Dwellings
 - i. LAHO and MAHO – no minimum lot size or setback requirements from nearby dwellings unless specifically required by the Planning Commission
 - ii. HAHO – minimum lot size of ten (10) acres and a minimum setback from nearby occupied dwellings of five hundred (500) feet, except that the Township may waive or reduce the setback requirement to no less than two hundred and fifty (250) feet should appropriate screening or other practices be put into place to mitigate likely or potential nuisances.
- e. Outside Storage
 - i. LAHO – no outside storage of supplies, equipment, business vehicles or maintenance items shall be allowed; all work and work related items shall be kept in an enclosed structure or building such that they are not visible from neighboring properties or from a public road right-of-way.
 - ii. MAHO – no outside storage of supplies, equipment or maintenance items shall be allowed, except that up to two business-related vehicles (under 26,000 lbs GVW) may be stored outdoors; all other work and work related items shall be kept in an enclosed structure or building such that they are not visible from neighboring properties or from a public road right-of-way.
 - iii. HAHO – supplies, equipment, business vehicles or maintenance items may be stored outside of a building or structure, but shall be limited to a combined area of no more than 4,000 square feet and shall be screened from view of neighboring properties or from a public road right-of-way via fences, berms, natural vegetation or other appropriate material as determined by the Township.

- f. Parking - Parking areas shall be limited in size so as not to exceed that typical of the surrounding neighborhood, except where specifically allowed by the Township. In such cases, the Township may impose requirements for screening or landscaping of the parking area so as to minimize its impact on the neighborhood character.
- g. Noise - Excessive or sustained noise levels are prohibited. Excessive or sustained noises shall be those in violation of Alexandria Township Ordinance 94-17 (Ordinance Regulating Noise).
- h. Lot Coverage - Shall comply with the limitations of the underlying zoning district.
- i. Water and Sanitary Facilities - The site must be capable of supporting adequate on-site sanitary (sewer and water) facilities to serve both the primary dwelling and the activities of the home occupation.
- j. Pollutants and Waste - The operator of a home occupation shall properly dispose of all liquid, gaseous or other pollutants and solid waste including but not limited to garbage, decayed wood, sawdust, shavings, bark, lime, sand, ashes, oil, tar, chemicals, offal, and all other waste materials.
- k. Hours of Operation - No business activities associated with a MAHO or HAHO shall occur between the hours of 7:00 pm and 7:00 am, unless otherwise stated in the interim use permit.
- l. Signage
 - i. LAHO - No signage allowed.
 - ii. MAHO - No signage allowed.
 - iii. HAHO - One sign, no larger than 35 square feet shall be allowed, whether placed on a building or free-standing. Such signs shall not be located anywhere within a public road right-of-way or so as to interfere with normal traffic and road maintenance activities.
- m. Impacts on Public Roads
 - i. Weight Limits - All posted weight limits for roads shall be obeyed.
 - ii. Dust Control - If located along a township road, a home occupation shall enter into a written agreement with the Township relating to additional dust control measures created by the home occupation
- n. Employees - A home occupation may not have any on-site employees beyond those who reside in the home, in excess of the following:
 - i. LAHO - None (0), unless otherwise approved by the Town Board.
 - ii. MAHO - None (0), unless otherwise approved by the Town Board.
 - iii. HAHO - Two (2), unless otherwise approved by the Town Board.

SECTION VI. ADMINISTRATION

H. INTERIM USE PERMIT⁴.

1. Purpose.

The purpose of an interim use permit is to allow a temporary use that is not designated as permitted or conditionally permitted but is acceptable for a limited period of time subject to conditions set forth in this section. An interim use is granted to a particular individual or other applicant and does not accrue to the subject property.

An interim use is intended to allow a use that is presently acceptable but that, with anticipated development, will not be acceptable in the future, or will be replaced in the future by a permitted or conditional use allowed within the respective zoning district. Buildings and other improvements allowed by interim use shall be of a size and nature such that they can be easily removed from the property or will conform to zoning regulations for permitted or conditional uses should the interim use permit expire.

2. Criteria for Granting Interim Use Permits.

- a. In granting an interim use permit, the Alexandria Town Board shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety and general welfare of occupants or surrounding lands. The criteria used for reviewing conditional use permit shall also be used when considering interim use permits, along with the following additional considerations:

- (1.) The use will conform to the applicable zoning regulations, including any dimensional restrictions the regulations may impose on buildings or uses; and
- (2.) The use will terminate upon a date or event that can be identified with certainty and/or clarity; and
- (3.) The use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and
- (4.) The use will be subjected to, by agreement with the property owner, any conditions that the Town Board deems appropriate in allowing the proposed interim use, including a condition that the owner will provide an appropriate surety to cover costs that would be necessary to eliminate the interim use from the property, including removal of buildings, equipment, restoration of the landscape to a suitable condition or other appropriate and necessary costs.

3. Termination of an Interim Use Permit.

- a. An interim use permit shall terminate upon the occurrence of any of the following events, whichever comes first:

⁴ Entire section added 12/7/2009 (Resolution #09-05)

- (1.) Five (5) years from the initial approval of an interim use, unless a shorter time period is specified in the initial approval. After the initial approval period and if a renewal is approved by the Township, the interim use permit shall terminate upon the date or event stated in the permit approval; or
- (2.) When the use has been discontinued for one year or more; or
- (3.) When there is a change in ownership of the property of any kind, unless the Town Board approves such change in ownership as not substantially changing who is operating and/or managing the use and property. Such requests must be presented to the Planning Commission for a recommendation to the Town Board, but need not require a public hearing; or
- (4.) Within 24 months of the date of an amendment to the Zoning Ordinance that no longer allows the use as an interim or permitted use.
- (5.) When any of the conditions have not been adhered to and the applicant has not corrected the violation upon written notice of the violation from the Zoning Administrator within the timeframe specified in such written notice;⁵ or
- (6.) When there have been more than two separate violations of any condition of approval (such violations need not be of the same condition), even if the previous violations have been corrected upon written notice from the Zoning Administrator.⁵

4. Renewal or Amendment of Interim Use Permit.

- a. Renewal: An application to extend an interim use permit may be renewed within 24 months prior to the date or event upon which it is to expire. The application shall be processed and administered as if it were a new application. Should such application to renew be denied, the applicant shall be allowed to continue the use until the expiration of the interim use permit provided all conditions of the original approval are being met. If the application to renew is approved, the Township shall specify a new date or event on which the renewed permit will expire. There shall not be a limit on the number of times an interim use permit may be extended. Application fees for renewal of an interim use permit shall be as established in the Township fee schedule.
- b. Amendment: Any change in an approved interim use permit involving more than minor structural alterations, enlargement, intensification of use, or similar changes not specifically permitted by an interim use permit, as determined by the Zoning Administrator, shall require an amended interim use permit to be reviewed as if it were a new interim use permit.

⁵ Amended 3/21/2011 (Resolution #11-02)

5. Procedure.
 - a. An application for an interim use permit shall follow the same procedures applicable to a conditional use permit, as outlined in this Ordinance.
 - b. The township hereby reserves the right, upon approval of an interim use, to inspect the premises in which an interim use is being conducted to ensure compliance with the provisions of this section or any additional conditions imposed.
 - c. An interim use permit shall only be terminated by the Town Board after the Planning Commission has provided its recommendation following a public hearing.⁶

Staff Findings: The following findings of fact are presented by Staff for consideration by the Planning Commission:

1. **The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area:**

No. The business has been operating for more than 10 years and no significant or excessive burdens have been observed. The amount of deliveries by large “straight” trucks is limited to approximately 1-3 per week or less and customer traffic is limited to approximately 1-3 vehicles per week.
2. **The use will be sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land:**

Yes. The site is not located in a residential area. The property to the north across the road is a “grandfathered” scrap yard that is not currently operating. The remainder of the surrounding land is agricultural in nature.

On-site parking areas, the shop and vehicles stored outdoors are all largely screened from view by the dwelling/shop building itself or distance from the road.
3. **The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties:**

Yes. Currently, the property appears to be well-kept and would not appear to have an adverse impact on nearby residential properties. The greatest potential for such an impact would appear to be if the business were to start having significant outdoor storage that was in view of adjacent properties or the road. The business, to this point, has not had any outdoor storage of materials of which staff is aware.
4. **The use in the opinion of the Town Board is reasonably related to the overall needs of the Township and to the existing land use:**

⁶ Amended 3/21/2011 (Resolution #11-02)

Yes. The Township, through the Urban Residential Zoning district, is generally seeking for this area to be populated with single-family housing. In that sense, this proposal conflicts with that intent. However, home occupations of a moderate nature are allowed in this zoning district and the fact that any approval would be via an interim use (which has an expiration and the Township can choose not to renew the permit should conditions change in the area) helps ensure that the intent of the Town Board will be met.

5. The use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to located the proposed use:

Yes. The area of the proposed development has been zoned as “Urban Residential.” The purpose of this district is:

“The Urban Residential district is intended to provide opportunities for urban density (two to three dwelling units per acre) residential development in areas that are most readily served by urban infrastructure and services. Areas chosen for this district are within existing or planned public sewer district service areas. Proposed residential developments that would create oversized lots would be reviewed to facilitate an efficient and orderly transition to urban densities at a future date should landowners choose to do so.”

See discussion in Items #1-4 above. The semi-commercial use as a home occupation proposed for the property is consistent with the Urban Residential zoning district in which it lies given that such uses are specifically allowed by ordinance.

6. The use is in conformance with the Comprehensive Plan of the Township:

Yes. The comprehensive plan identifies the area of the proposed development in the Future Land Use Map as Transition Residential:

Transition Residential: The purpose of this land use category is to provide opportunities for residential development in areas not currently identified for provision of urban infrastructure, such as sewer, water, or storm drains, but that could efficiently accommodate urban housing densities within the next twenty-five (25) years as the population of the area increases. These areas may be developed at rural or semi-rural densities, but are intended to be designed in a manner than allows for a transition to urban densities of housing in an orderly and efficient manner as sewer, water, or other public infrastructure or services become available. This may be accomplished through ghost platting, conservation subdivision designs that cluster homes on urban-sized lots, provision of urban sewer or road infrastructure at the time of development, or by other appropriate means.

Where sensitive or unique natural or cultural resources are present, a conservation subdivision design that protects these resources may be required. Long-term commercial/industrial uses that are incompatible with residential uses should not be allowed in this district.

Typically, the intent of this district is not for long-term commercial uses if they are incompatible with residential uses. However, temporary (“interim”) home occupations are allowed and consistent with the Comprehensive Plan in that any request to continue renewing the interim use permit can be denied should conditions change and the use is no longer deemed compatible with the area.

7. The use will not create a traffic hazard or congestion:

Yes. The proposed cabinet shop will certainly have the potential to increase traffic to the point where it becomes a nuisance to neighboring property owners, and possibly to the point where it would require additional road maintenance by the County, but seems unlikely to be such that it would create a hazard or congestion. Hazel Hill road is a paved County road designed for relatively large levels of traffic and the road is currently being widened/improved to increase safety.

8. The use will conform to the applicable zoning regulations, including any dimensional restrictions the regulations may impose on buildings or uses:

Yes. The existing buildings conform to all applicable zoning regulations for height, size and setbacks. The use of the property for a home occupation is allowable as an interim use.

9. The use will terminate upon a date or event that can be identified with certainty and/or clarity:

Yes. The ordinance specifies that a termination date for all interim uses should be set. If the permit were granted, and then later not renewed, the buildings on the property would not be overly difficult to convert to typical residential use.

10. The use will not impose additional costs on the public if it is necessary for the public to take the property in the future:

Yes. The main potential for additional costs to the public would be if the site became filled with equipment, machinery, lumber etc... and was then abandoned by the owner. In such a case, the Township may incur clean up costs. However, with proper limitations on the amount of material/equipment that can be stored outside on the property, it would seem very unlikely that any clean-up costs would be excessive. The buildings and structures on the site, as noted above, would lend themselves to residential use that is typical in the neighborhood.

11. The use will be subjected to, by agreement with the property owner, any conditions that the Town Board deems appropriate in allowing the proposed interim use, including a condition that the owner will provide an appropriate surety to cover costs that would be necessary to eliminate the interim use from the property, including removal of buildings, equipment, restoration of the landscape to a suitable condition or other appropriate and necessary costs:

Needs discussion. If the Township so chooses, it could require a surety (e.g. bond or cash escrow) to cover the cost of removing materials or buildings from the site. Due to the nature of the proposed use, with very little equipment expected on the site, this may not be necessary.

12. Specific Findings Relating to Home Occupation Regulations:

- Customer Activity: MAHO - may attempt to attract potential or actual customers to physically enter the property but only by appointment and such that limited numbers of customer vehicles are present on the property at any one time.
 - The applicant states that approximately 1-3 customer vehicles are present on the property in any given week. Customer activity in this amount would meet the above requirement.
- Pickups and Deliveries - Pickup and delivery activities shall not block traffic or pose a safety hazard: MAHO and HAHO - any pickups or deliveries of products, supplies, equipment or other materials by vehicles larger than 26,000 lbs. GVW shall be limited to no more than one per week and only between the hours of 7:30 am and 7:30 pm unless otherwise determined by the Planning Commission.
 - The applicant states that 1-3 delivery vehicles (or less) occur per week. Pickup and delivery activity in this amount would meet the above requirement.
- Location and Residency Requirement - All home occupations must be located on the homestead of the business operator or on an adjacent lot under the same ownership. For the purposes of this section, a lot shall be considered "adjacent" if any portion of the lot is within 100 feet of any portion of the homestead lot, unless otherwise approved by the Township.
 - The owners of the proposed home occupation live on the same property.
- Minimum Lot Size and Setbacks to Nearby Dwellings: LAHO and MAHO - no minimum lot size or setback requirements from nearby dwellings unless specifically required by the Planning Commission
 - The lot is over 7 acres in size and is adequate for the amount of space necessary for the proposed business, parking, deliveries, etc...
- Outside Storage: MAHO - no outside storage of supplies, equipment or maintenance items shall be allowed, except that up to two business-related vehicles (under 26,000 lbs GVW) may be stored outdoors; all other work and work related items shall be kept in an enclosed structure or building such that they are not visible from neighboring properties or from a public road right-of-way.
 - The applicant has not requested any outdoor storage and it does not appear that it has had any over the past 10+ years of operation.
- Parking - Parking areas shall be limited in size so as not to exceed that typical of the surrounding neighborhood, except where specifically allowed by the Township. In such cases, the Township may impose requirements for screening or landscaping of the parking area so as to minimize its impact on the neighborhood character.

- The lot currently has a relatively large parking area sufficient for the amount of traffic that has been occurring on the site and is anticipated.
- Noise – Excessive or sustained noise levels are prohibited. Excessive or sustained noises shall be those in violation of Alexandria Township Ordinance 94-17 (Ordinance Regulating Noise).
 - Staff is not aware of any noise complaints over the past 10+ years of operation and the noisy part of the operation should be adequately contained within the shop area.
- Lot Coverage – Shall comply with the limitations of the underlying zoning district.
 - The lot coverage maximum is 25% of the lot size. With a 7 acre lot, this is not – and should not- be a problem.
- Water and Sanitary Facilities – The site must be capable of supporting adequate on-site sanitary (sewer and water) facilities to serve both the primary dwelling and the activities of the home occupation.
 - The site is served with a private sewer system that is adequate for the use on the property. The cabinet shop would create only minimal additional sewage from employees (if any).
- Pollutants and Waste - The operator of a home occupation shall properly dispose of all liquid, gaseous or other pollutants and solid waste including but not limited to garbage, decayed wood, sawdust, shavings, bark, lime, sand, ashes, oil, tar, chemicals, offal, and all other waste materials.
 - These requirements will need to be met. Staff is not aware of any complaints of improper handling of such pollutants or waste.
- Hours of Operation – No business activities associated with a MAHO or HAHO shall occur between the hours of 7:00 pm and 7:00 am, unless otherwise stated in the interim use permit.
 - The applicant has proposed to operate within the 7am to 7pm hours, with only the possibility of occasional deliveries at around 6am.
- Signage: MAHO – No signage allowed.
 - The applicant has proposed a small sign (approx.. 6 sq ft or less). However, given a 2015 US Supreme Court ruling regarding sign regulations that largely prohibits a community from regulating the message on a sign, and the fact that the Township’s sign regulations exempt signs 6 sq ft or less in size, so long as the sign is 6 sq ft or less it cannot be regulated.
- Impacts on Public Roads
 - Weight Limits – All posted weight limits for roads shall be obeyed.

- Dust Control - If located along a township road, a home occupation shall enter into a written agreement with the Township relating to additional dust control measures created by the home occupation
 - The property is not located along, or served by, a Township road.
- Employees - MAHO - None (0), unless otherwise approved by the Town Board.
 - The applicant states that they have two (2) part time employees beyond family members. This will need to be specifically approved by the Township.

Planning Commission Direction: The Planning Commission may recommend approval of the proposed use as an interim use, denial of the request(s), or table the request(s) if the Commission should need additional information from the applicant. If the Commission should approve or deny the request, the Commission should state the findings which support either of these actions.

Staff Recommendation: Based on the findings of fact and discussion listed above Staff recommends approval of the requested interim use permit with the conditions as listed below.

If the interim use is approved, Staff recommends consideration of the following conditions of approval:

1. That the hours of operation of the cabinet shop be limited to between 7:00 am and 7:00 pm, with the exception that deliveries may be made between the hours of 6:00am and 9:00pm.
2. That the property maintains an appearance more like a residential setting than a business setting, consistent with the requirements of the ordinance. This shall include, at a minimum:
 - a. No outdoor storage of equipment, lumber or any other business-related materials for longer than 12 hours unless screened as required by the ordinance.
 - b. Any signage for the facility shall be limited to no more than 6 sq ft in size.
 - c. That the number of non-immediate family employees shall be limited to two (2) full time equivalents, but not more than four (4) persons.
3. That the interim use shall terminate 5 years after the date of its approval by the Town Board, unless one of the earlier events outlined in the Zoning Ordinance triggering a termination occurs first. (Note: Interim Uses are typically granted an initial period of five years, although the Township can establish any timeframe that it feels is necessary to protect the neighborhood and ensure compliance).

Application # <u>2016-0089</u>	Date Application Rec'd <u>7/5/16</u>	Fee Collected \$ <u>400.00</u>
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(for office use only)

**ALEXANDRIA TOWNSHIP
INTERIM USE APPLICATION**

Name of Applicant Jeremy & Bethany Olson Phone 320-815-3434

Property Address (E911#) 3430 Hazel Hill Rd SE

Mailing Address Local Phone
(if different than above) *(if different than above)*

City, State, Zip Alexandria, MN 56308

Applicant is:
 Legal Owner
 Contract Buyer
 Option Holder
 Agent
 Other

Title Holder of Property : *(if other than applicant)*
Jeremy / Bethany Olson
 (Name)
3430 Hazel Hill Rd SE
 (Address)
Alexandria MN
 (City, State, Zip)

Signature of Legal Owner, authorizing application (required): *Jeremy & Bethany Olson*
 (By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): _____
 (By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

Property ID # (9 digit # on Tax Statement) 03-2178-700

Full legal description of property involved in this request, including total acreage (required – attach separate sheet if necessary):

SECT 34 TWP 128 Range-37 7.13 AC in The NW Corn.
 OF NW4NW4 AC 7.13

Zoning District , Lake Name (if applicable)

What are you proposing for the property? State nature of request in detail:
TO CONTINUE operating our Hazel Hill Cabinetry LLC Business That we have been operating since 2007/2008

What changes (if any) are you proposing to make to this site?
 Building: None
 Landscaping: None
 Parking/Signs: would like to Add a small sign

Pursuant to the Alexandria Township Zoning Ordinance, Section VI.G.1, the applicant should be prepared at the public hearing to discuss the following issues by explaining how the proposed Interim Use will cause no significant adverse effects.

Please complete all of the following questions to the best of your ability (some questions may not apply, depending on the nature of your request):

1. List the date or event that you would like the interim use permit to expire. *NOTE: The Zoning Ordinance requires that the initial approval of an interim use permit must expire no later than five (5) years from the date it is approved. After that initial period, you may apply for renewal which may be allowed to continue for a different time period.*

From date of Approval 2016 5 years Forward in 2021

2. Describe the impact of the proposed use on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area. If there is no impact, explain why.

NO Impact we are not in proximity of view of any Public Facilities or utilities

3. Describe the impact of the proposed use on adjacent agricultural or residentially zoned or used land. Describe how the use will be sufficiently compatible or separated by distance or screening so that existing homes will not be depreciated in value and so that there will be no deterrence to development of vacant land. If there is no impact, explain why.

NO Impact - There are no homes within view of our Property, There are no known plans to Develop homes in view of our Property. Our cabinet business is not visible from CO RD 81

4. Describe whether the structure and site will have an appearance that would have an adverse effect upon adjacent residential properties. If there is no impact, explain why.

No Impact. Business is not visible from any Adjacent Residential Properties

5. Describe how the proposed use will be reasonably related to the overall needs of the Township and to the existing land use.

Proposed use is consistent with historical and adjacent land use - Property is directly across street from Jacks Recycling which has operated as a junk yard for entire existence of our business

Hours of operation 7 AM - 7 PM

Employees: 2 - Part Time

Deliveries 2-3 times average per week straight truck
2-3 times average per week speedy/UPS.
1-2 customers per week.

REV: APRIL 2012

6. Describe how the proposed use will be consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the use would be located.

Proposed use respects historic use of property and surrounding areas and businesses. Current zoning as urban Residential does not accurately reflect use of properties in town.

7. Discuss how the proposed use will be in conformance with the Comprehensive Plan of the Township.

Proposed use is in the spirit of ongoing economic support and growth of Alexandria Township
P.S. I was not able to find the Comprehensive Plan online.

8. Discuss whether the proposed use will create a traffic hazard or congestion. If there is no impact, explain why.

NO Impact. Traffic patterns will not change from current. Also with the addition of shoulders, safety on CU RD 81 has been enhanced.

If in Shoreland Areas, please complete all of the following questions:

1. Describe how soil erosion or other possible pollution of public waters will be prevented, both during and after construction.

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2. Describe how the visibility of structures and other facilities as viewed from public waters will be limited.

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3. Discuss whether the site is adequate for water supply and on-site sewage treatment. Describe why.

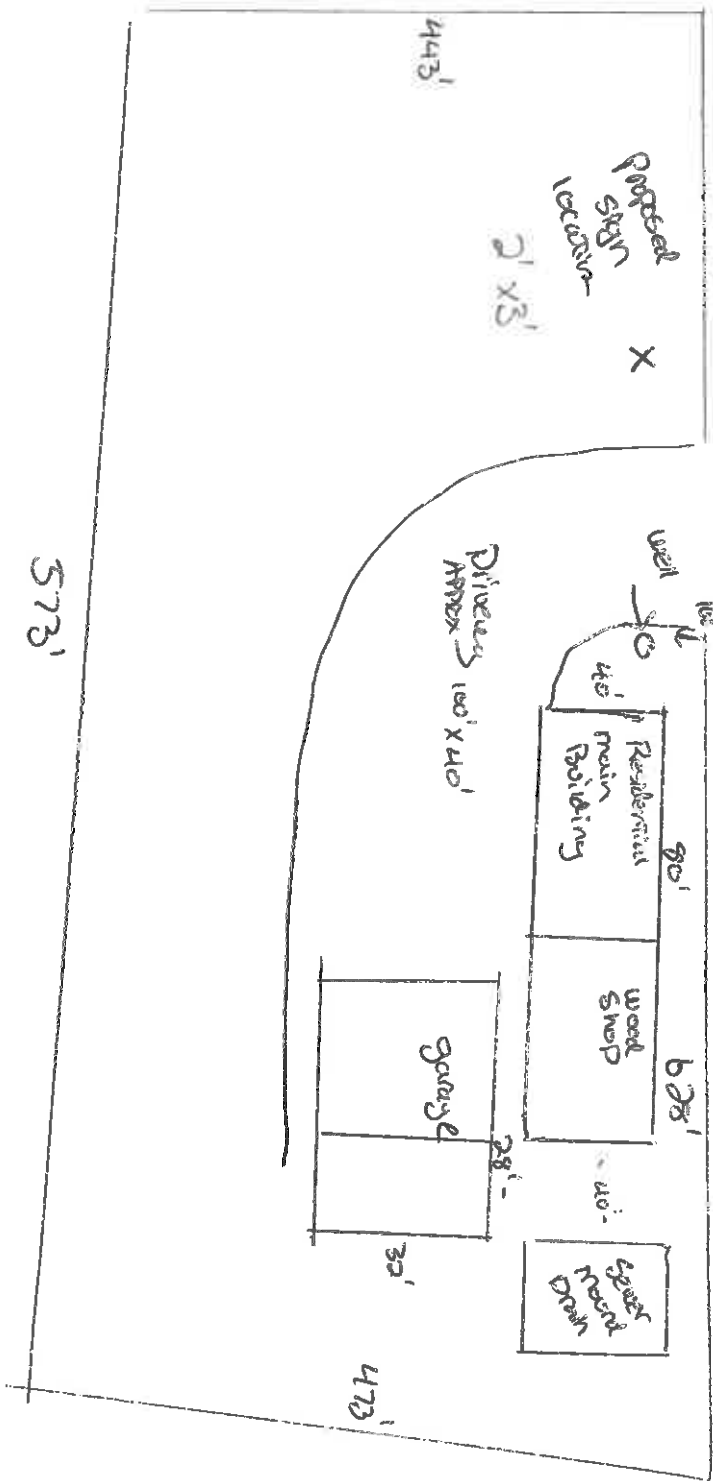
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4. Discuss whether the types, uses, and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft. Explain why.

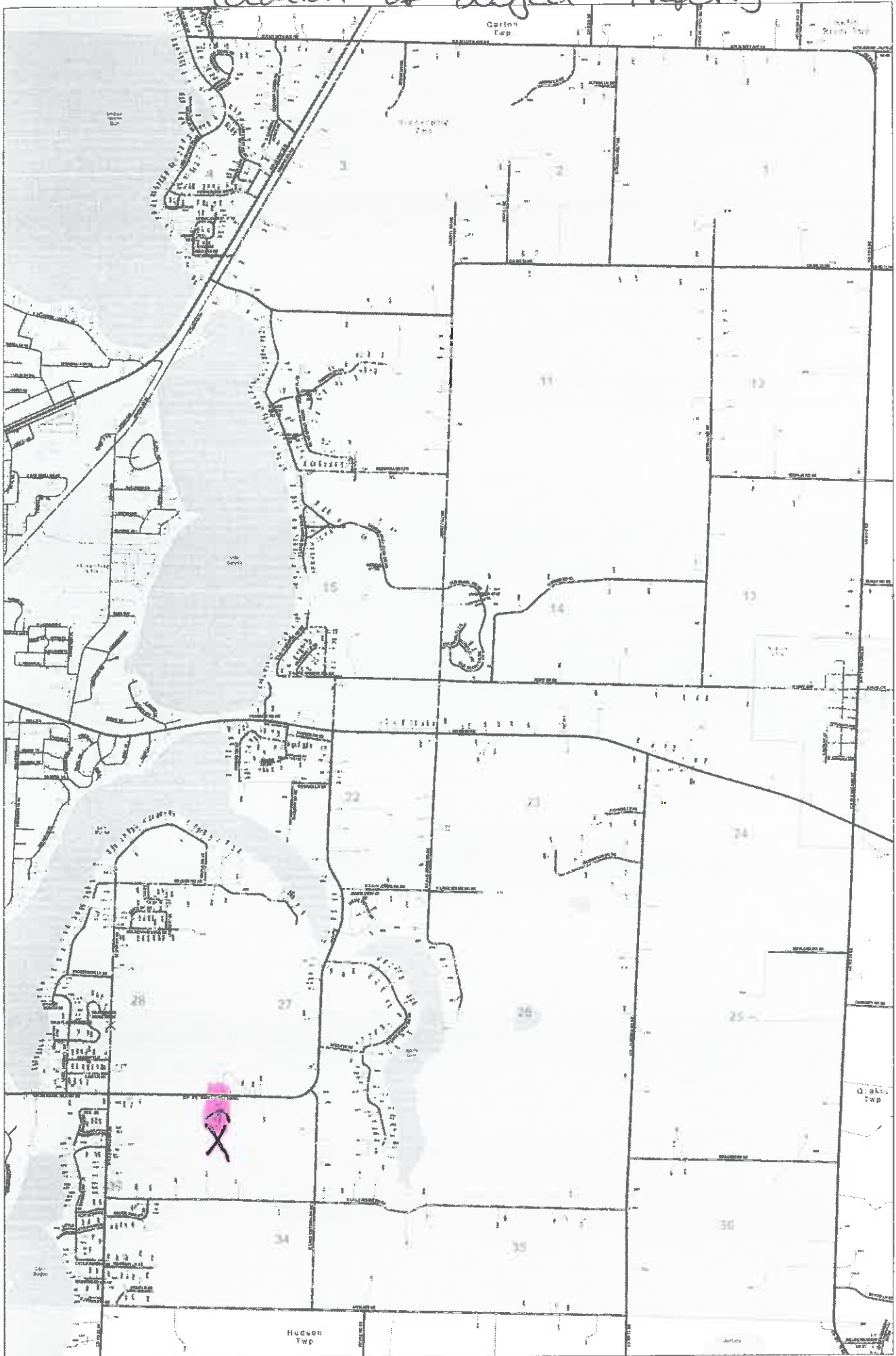
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Site plan for
 Sect 34 Twp-128 Rang 37 7.13 AC in the NW cor of NW4W4 AC 7.13
 Jeremy and Bethany Olson owners
 Parcel Dimensions 628' X 473'

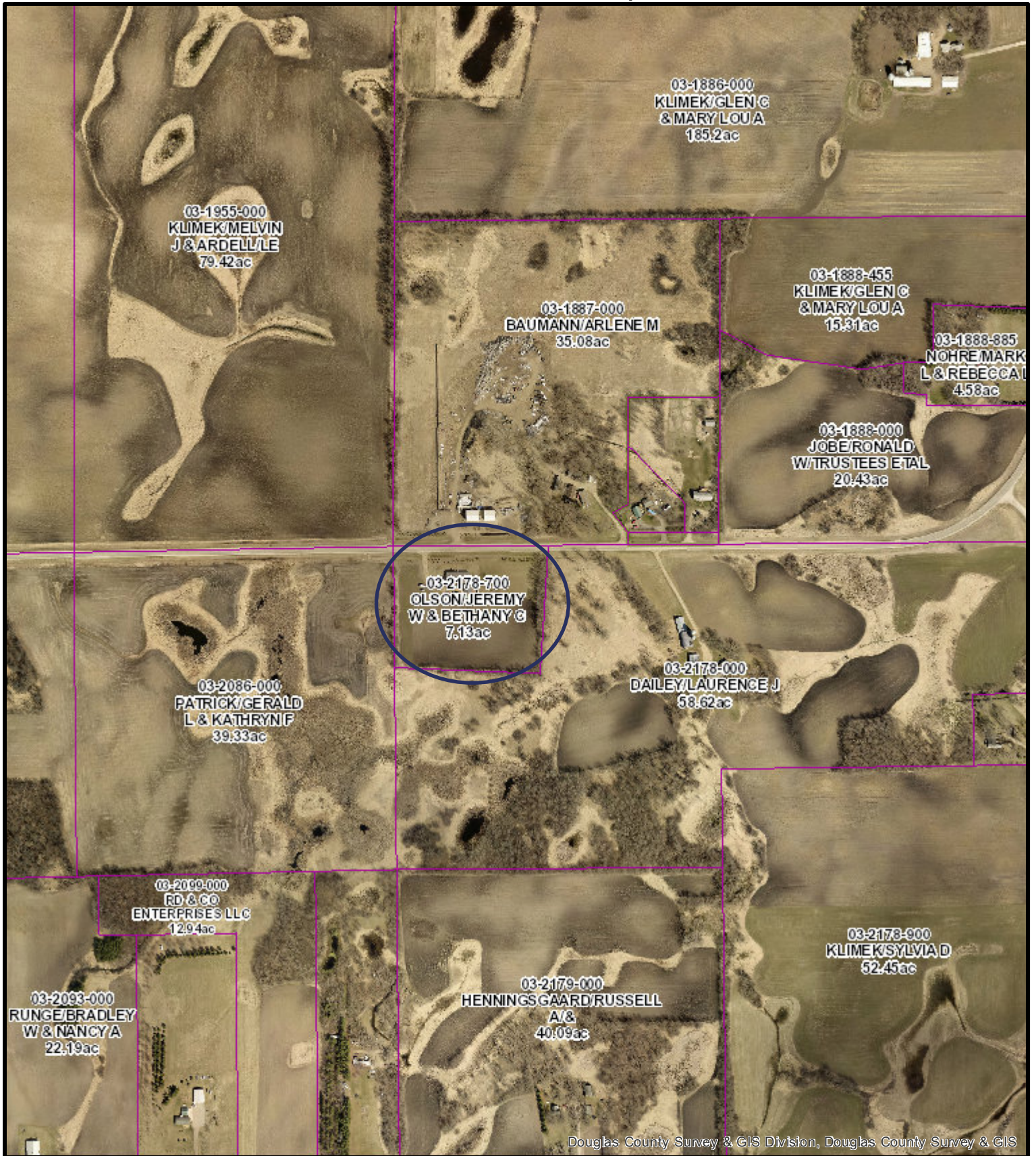
CD RD 81



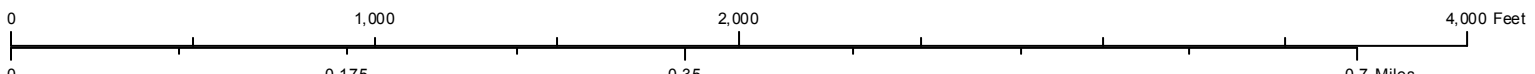
Location of subject Property




ArcGIS Web Map



Douglas County Survey & GIS Division, Douglas County Survey & GIS



 Douglas County Survey & GIS
526 Willow Drive, PO Box 398
Alexandria MN 56308
320-762-2999
survey@co.douglas.mn.us

1 inch = 527 feet
1:6,329
Coordinate System:
NAD 1983 HARN Adj MN Douglas Feet
July 21, 2016

Some layers might not appear in the map you have created.

<ul style="list-style-type: none"> State County Paved County Gravel Municipal State Aid Township Paved City Public 	<ul style="list-style-type: none"> Delmarco Waterline Essexville City of Way Survey Line Test Location Great River Energy Basements Subroad 	<ul style="list-style-type: none"> Crucians Water Course Local County Districts Central Lakes Trail Parole Pubs Sections CR ID Water 	<ul style="list-style-type: none"> City & Neighborhood Parks County Beach County Parks Non-Public Facilities Parks Open Space Jurisdiction of City State Parks and State Land Watershed Production Areas Wildlife Management Areas
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