

**City of Pine Island**  
**Planning and Zoning Commission**  
**Agenda**  
**Tuesday – June 18, 2013**  
**6:00 PM**  
Second Floor – City Hall  
250 South Main Street

- I. Roll Call
- II. Pledge of Allegiance.
- III. Minutes of April 9, 2013.
- IV. Public Hearing – Variance request from Hilda Gravenish for a zero side lot line setback at 220 & 222 NW First Street to allow termination of the Condo Association and continue the in-use building with a shared party wall.
- V. Adjourn.

**City of Pine Island**  
**Planning and Zoning Commission**  
**Minutes**  
**Tuesday, April 09, 2013**  
**7:00 PM – City Hall**

Roll Call: Meeting called to order by Chairman Hames at 7:00 PM

Present: Roy Larson, Ken Hames and Harlan Pahl.

Absent: T.J. Schutz and Grant Friese,

Also present: Council Liaison Randy Bates, Ken Markham, Karen Doll, Bill Taylor and Jon Eickhoff.

Minutes of October 9, 2012. Motion by Larson and second by Pahl. Approved 3-0-0.

Chairman Hames opened Public Hearing – Variance request from Land O’ Lakes, Inc. for a setback to allow the construction of an addition to an existing building located at 206 Second ST NE.

Bill Taylor from Land O’Lakes spoke on application and project, and why variance is needed and their commitment to stay in Pine Island. He amended the application to clarify question 1 and 2 as yes.

Ken Hames, Karen Doll and Randy Bates spoke in support.

Motion to close the public hearing by Larson and second by Pahl. Approved 3-0-0.

P&Z Commission discussed their findings and all three members found in favor of the variance on questions 1 through 3 of the decision criteria.

Motion by Larson and second by Pahl to recommend to council to approve variance. Approved 3-0-0.

Motion to adjourn at 7:31 PM by Larson, second by Pahl. Approved 3-0-0.

Respectfully Submitted,  
Jon Eickhoff

**OHLY LAW OFFICES**  
1850 NORTH BROADWAY  
ROCHESTER, MINNESOTA 55906

LOUIS M. OHLY  
PAUL M. OHLY  
JAMES C. OHLY  
TRAVIS M. OHLY

TELEPHONE  
507/289-4529  
FAX 507/289-0987  
paul@ohlylaw.com  
jim@ohlylaw.com  
travis@ohlylaw.com

May 31, 2013

Mr. Jon Eickhoff, Finance Director  
City of Pine Island  
250 S. Main Street  
PO Box 1000  
Pine Island, MN 55963


Re: Petition For Variance

Dear Mr. Eickhoff,

Please find enclosed a petition for a zero lot line variance. As we have discussed, my client's property is currently a condo that was created on September 29, 1993, by Gerald and Carol Koenig. The Condo consists of two side by side units identified on the attached survey. My client, Hilda Gravenish is the owner of Unit 222, and Ruby Gronseth is the owner of Unit 220. Both parties purchased their units for cash in 1993.

My client is in the process of selling her Unit and the lender providing the financing has objected to a Condominium consisting of two units without reserves or any of the other traditional trappings of a Condo. To address this problem I am in the process of terminating the Condo Association, deeding the individual Units to the property owners (see proposed legal descriptions attached) and executing a shared party wall and driveway agreements. I will bring these executed documents to the June 18 zoning and City Council meetings. If you need anything further, do not hesitate to contact me.

Sincerely,

  
Travis M. Ohly

**PROPOSED DESCRIPTION FOR UNIT 222  
(222 1<sup>ST</sup> STREET NW, PINE ISLAND)**

**THE WEST EIGHTY FEET (80') OF LOT FIVE (5), BLOCK EIGHT (8),  
IN THE VILLAGE, NOW CITY OF PINE ISLAND, GOODHUE COUNTY,  
MINNESOTA.**

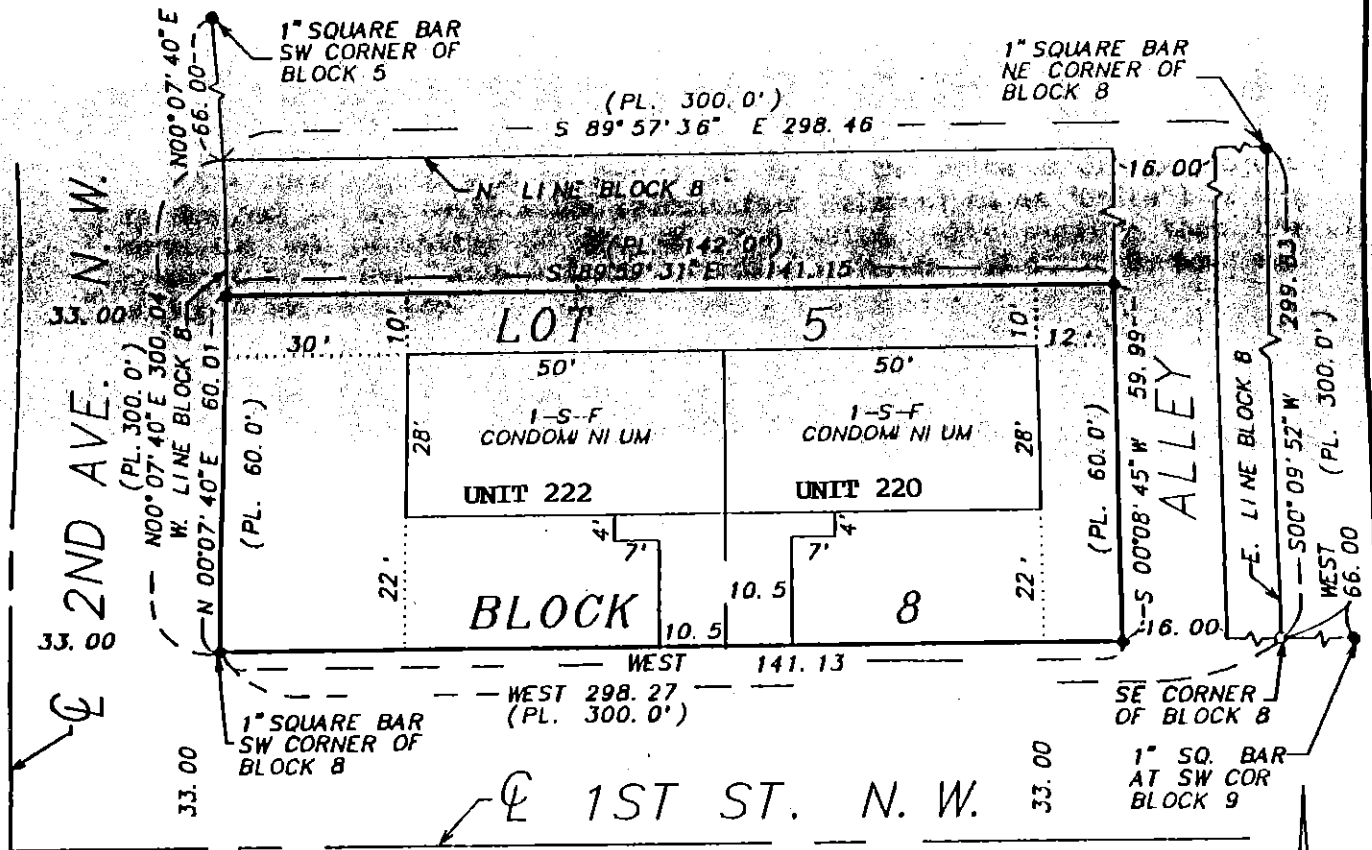
**PROPOSED DESCRIPTION FOR UNIT 220  
(220 1<sup>ST</sup> STREET NW, PINE ISLAND)**

**THE EAST SIXTY-TWO FEET (62') OF LOT FIVE (5), BLOCK EIGHT  
(8), IN THE VILLAGE, NOW CITY OF PINE ISLAND, GOODHUE  
COUNTY, MINNESOTA.**

undivided 50% in the common elements of the condominium.

EXHIBIT "B"

Lot 5, Block 8, Original Plat of Pine Island, Minnesota, Goodhue County.



● = FOUND 1/2" PIPES

SCALE: 1" = 30'  
NOTE: BEARING SYSTF  
IS ASSUMED DATA.

PETITION FOR VARIANCE

Date 5/30/2013

Person(s) applying for variance Hilda Gravenish

Address 222 1<sup>st</sup> Street NW Pine Fork, MN 55963

Telephone # 507-358-6101

Legal description of property: Lot: See Attached Block: \_\_\_\_\_

Plat/Parcel# 68.345.0020 Addition. \_\_\_\_\_

Reason for variance. Property built as a twin home  
one .93'. Has a zero lot line w/ 220 1<sup>st</sup> Street NW

Names and addresses of the property owners abutting directly on  
the property described in this application

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. Are there exceptional or extraordinary circumstances to  
the properties which do not apply generally to other properties  
in the same zone or vicinity and result from lot size or shape,  
topography or other circumstances over which you, as owner, have  
had no control Yes  No \_\_\_\_\_

Comment Purchased property As currently Constructed

2. Do you declare the special conditions or circumstances  
have not resulted from your actions

Yes  No \_\_\_\_\_

Comment \_\_\_\_\_

3. Is the variance requested the minimum variance which  
would alleviate the hardship? Economic conditions alone are not  
considered a hardship. Yes  No \_\_\_\_\_

Comment \_\_\_\_\_

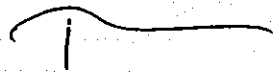
4. Will the proposed variance be sufficiently compatible so as to not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or substantially diminish or impair property values within the neighborhood.

Yes X No \_\_\_\_\_

Comment \_\_\_\_\_

Does not change use or density

Signature \_\_\_\_\_



Attorney for Applicant

**For Planning and Zoning Commission Use Only**

**PETITION FOR VARIANCE**

1. Is it concluded the literal interpretation of the provisions of the Zoning Chapter will not deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Chapter?

Yes \_\_\_\_\_ No \_\_\_\_\_

Comment \_\_\_\_\_

2. Is it concluded that granting the variance will not confer on the applicant any special privilege that is denied by the Zoning Chapter to owners of other lands, structures or buildings in the same district?

Yes \_\_\_\_\_ No \_\_\_\_\_

Comment \_\_\_\_\_

3. Is it concluded the variance would not be materially detrimental to the purpose of the Zoning Chapter, or to other property in the same zone

Yes \_\_\_\_\_ No \_\_\_\_\_

Comment \_\_\_\_\_

Planning and Zoning Approved \_\_\_\_\_ Denied: \_\_\_\_\_

Signature \_\_\_\_\_

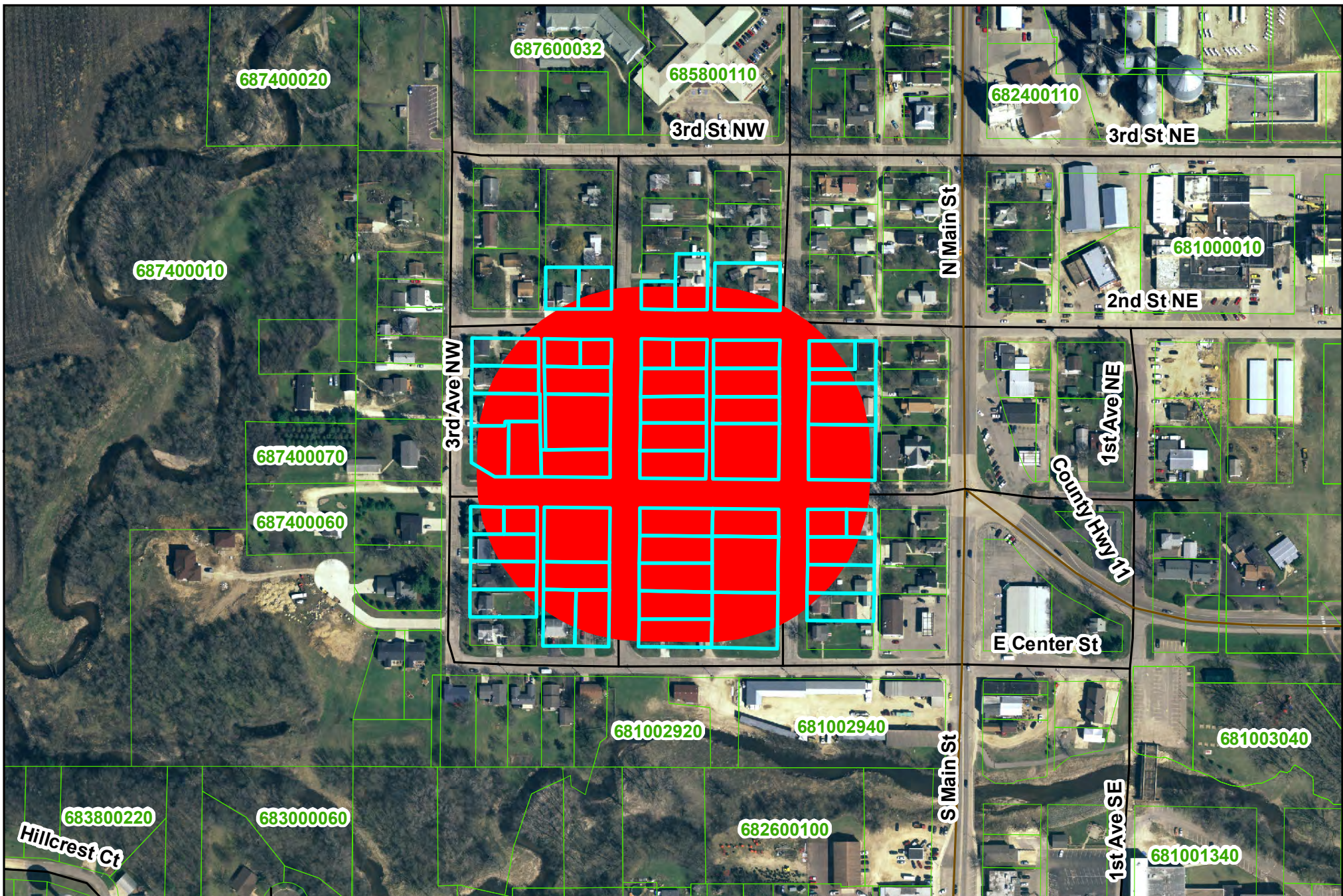
Date of Publication. \_\_\_\_\_ Date of P&Z meeting \_\_\_\_\_

Notices sent. \_\_\_\_\_

Date of Council meeting \_\_\_\_\_ Approved \_\_\_\_\_ Denied \_\_\_\_\_

City Administrator. \_\_\_\_\_

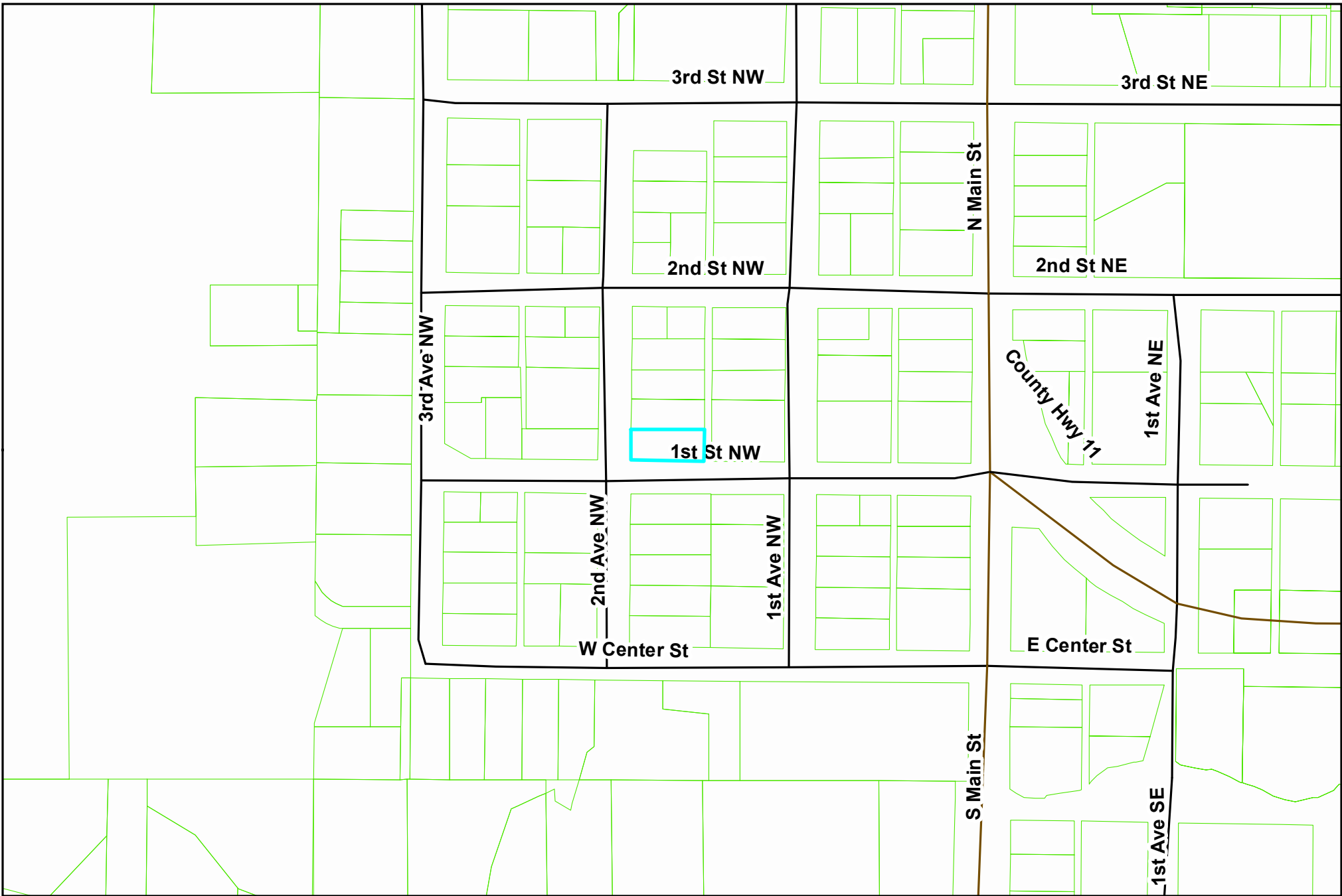




# Gravenish Variance

6/4/2013 4:11:26 PM

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

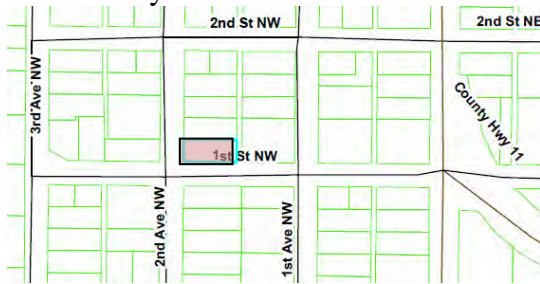


5/31/2013 3:46:42 PM

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

**CITY OF PINE ISLAND**  
**Planning & Zoning Commission**  
**NOTICE OF PUBLIC HEARING**  
**Tuesday, June 18, 2013**  
**6:00 PM**  
**Second Floor Pine Island City Hall**

Notice is hereby given that the Planning Commission of the City of Pine Island, MN will hold a public hearing on the above date and time to consider a Variance Application to allow for termination of condominium and allow two lots with a Zero Lot Line pursuant to city cod Sec. 11., located at 220 and 222 NW First Street. The application was submitted by Hilda Gravenish.



Any person wishing to comment upon this request may do so by submitting written comments to the Zoning Administrator, PO Box 1000, Pine Island, Minnesota 55963, or in person at the time and place of the hearing.

Jonathan A. Eickhoff  
Zoning Administrator

Publish June 5, 2013 and June 12, 2013