

The meeting was held in-person, participation via Zoom was not available.

1. **CALL TO ORDER** – Chair Kris Kopitzke called the meeting to order at 7:00 pm.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL** – Present: Doug Parker, Justin Sykora, Kris Kopitzke, Kate McGinn, Chris Bursack, Kuchen Hale, Christian Dawson. Absent was Sally Doherty, Alison Miller (both excused). A quorum was present.

ALSO IN ATTENDANCE – City Administrator Ron Mourse, Council Member Annie Perkins, City Planner Emily Herald.

4. **APPROVAL OF AGENDA** –
Motion/Second Sykora/Parker to approve the agenda for the April 6, 2026 Planning Commission meeting. Passed 7-0.

5. **APPROVAL OF MINUTES** –
Motion/Second Sykora/Hale to approve the minutes of the March 2, 2026 Planning Commission meeting. Passed 6-0-1 (Dawson abstain).

6. **REPORTS AND PRESENTATIONS**

None

7. **PUBLIC HEARINGS**

A. Variance Application for an Accessory Building at 5698 Oakridge Court South

Chair Kopitzke opened the public hearing at 7:03 PM.

Emily Herald, City Planner, provided a summary of the application which is for a property (5698 Oakridge Ct S) which is zoned Agriculture and measures 5.5 acres in size. The property owner has requested a 50-foot variance in order to build a 1,800 ft² detached garage within 50 feet of the side (eastern) property line. Per § 153.077 and § 153.051, accessory structures up to 2,000 ft² are permitted on Agriculture-zoned parcels of this size, though buildings over 1,500 ft² must have a side yard setback of 100 feet rather than the 50 feet required of smaller buildings. According to the applicant, the only reasonable location for the garage that meets the 100-foot setback is further north into the wooded area, but this would require the removal of dozens of mature trees and the addition of unnecessary impervious surfaces. Afton's Comprehensive Plan and municipal code emphasize the importance of preserving existing forests, so that placement would not be favorable under City policy. The applicant has stated that practical difficulty comes from the physical constraints of the property, including an existing drainage easement that runs through the lower middle portion of the property and mature tree coverage on the northern half of the lot.

Aaron Waller, applicant, was present for questions and explained why he was requesting the variance.

Craig Erickson, 5686 Oakridge Ct, stated he has concerns about the size of the building and location close to the property line. There are no trees, it is a prairie area so it will be very visible.

Aaron Waller, applicant, stated he has a different proposal to move the building further back and slightly smaller in size.

Craig Erickson, stated there are at least 3 houses who would be able to see the building at the proposed location.

No other public comments

Motion/Second Sykora/Bursack to close public hearing. Passed 7-0.

Public hearing closed at 7:10 PM

Dawson asked for clarification of the zoning and the PLCD requirements, and to be sure the conservation easement is not being infringed on.

60% of each lot was to remain in woods or other natural vegetation.

55 Chair Kopitzke stated that the setbacks would be the same if it was zoned rural residential. The concern would
56 be the 60%. The building would be compliant if made smaller.
57 Sykora stated that a variance would not be needed if the building is smaller.
58 General discussion was held on setback rules and that they may need to be reviewed in the future.
59 **Motion/Second Sykora/Bursack to recommend denial of the variance application for an accessory**
60 **building at 5698 Oakridge Ct S as the hardship is based on building size of the owner's choice. Passed**
61 **7-0.**

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64 B. Sketch Plan Review for a 4-lot Subdivision of a 94.4 Acre Property at the East End of 10th Street,
65 with PID#s 05.028.20.44.0004, 05.028.20.43.0001, 08.028.20.11.0001 and 08.028.20.12.0002

66 Chair Kopitzke opened the public hearing at 7:21 PM

67 Emily Herald, City Planner, provided a summary of the application which is a sketch plan review which is a
68 preliminary process is intended to identify relevant ordinance requirements, environmental constraints, and
69 design issues before formal plat preparation. Following the sketch plan process, the applicant will submit a
70 preliminary plat application, which will include much more detail regarding grading, drainage, septic
71 systems, etc. The subject area consists of four parcels in north-central Afton, all zoned Agricultural and
72 totaling 94.4 acres in size. All four lots are currently used as agricultural fields that are accessible from an
73 informal driveway extending east from the 10th St S cul-de-sac, over which the City has a public use
74 easement, though the cul-de-sac is entirely contained within the two abutting residential properties. As a
75 result, the parcels are functionally landlocked with no direct frontage on a public street.

76 The applicant is proposing to develop these four subject parcels into four homesites/farms that are accessible
77 to the 10th St S cul-de-sac via two shared driveways (one connecting the two northern parcels and one
78 connecting the two southern parcels). The lot lines would be adjusted and the development would also
79 contain walking trails, significant swaths of restored meadow, and retention of the area's existing mature tree
80 coverage.

81 Cousins Bob & Steve Abber, applicants, explained their concept and were present for questions.

82 No other public comments

83 **Motion/Second Parker/Hale to close public hearing. Passed 7-0**

84 Public hearing closed at 7:30 PM.

85 A recommendation was made regarding the shared driveway layout and not to connect the driveways. City
86 Council could look at potential to connect 10th St.

87 The commission felt that overall this is a good plan. Discussion was held on conservation easements, soil prep,
88 prairie plantings.

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91 **8. NEW BUSINESS**

92 A. Planning Commission Response When New, Substantive Information is Provided by an Applicant at a
93 Planning Commission Meeting.

94 Sykora stated that at the last meeting during application review, more information was brought that was
95 not in the packet. The question came up that if it's not in the packet can it be considered and also
96 implications of the 60 day rule.

97 Administrator Moorse provided the following background information and the commission discussed it
98 further:

99 At its March 17, 2026 meeting, the Council discussed with the City Attorney the topic of how the
100 Planning Commission should respond when new, substantive information is provided by an applicant at
101 the Planning Commission meeting. One alternative discussed was to table the application to the next
102 Planning Commission meeting to enable both staff and the Planning Commission to have complete and
103 correct information for the staff report and for the Planning Commission's review prior to the next
104 Planning Commission meeting.

105 The City Attorney advised that a more conservative alternative is to recommend denial of the
106 application due to the lack of timely, correct information, so that the Council has the ability to also deny
107 the application, rather than not receiving the application for action until after the next Planning

108 Commission meeting. If the application is denied, the applicant would then need to submit a new
109 application with the correct information.
110 The main reason for the City Attorney’s advice was that the continuation of the application adds a
111 month to the timeline of the Council’s action on the application, which would in most cases exceed the
112 statutory 60 day timeline for the city’s action on a land use application. While the city can unilaterally
113 extend the statutory 60 day timeline, it requires a letter to the applicant with the notification of the 60
114 day extension. Also, if there is another need to further extend the 60 day timeline, the further extension
115 requires the approval of the applicant. In general, the preference is not to be in a position to need any
116 extension of the 60 day timeline.
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118 **9. OLD BUSINESS -**

119 A. Update on City Council Actions

120 Council member Perkins provided a summary of the March 17, 2026 Council meeting.
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123 **10. ADJOURN –**

124 **Motion/Second Dawson/Hale to adjourn. Passed 7-0.**

125 Meeting adjourned at 8:09 PM.
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130 Respectfully submitted by:

131 JY

132 _____
133 Julie Yoho, City Clerk
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136 To be approved on

137 May 4, 2026 as (check one): Presented: _____ X _____ or Amended: _____
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