

**City of Rock Creek
Planning Commission
Approved Minutes
January 21, 2025**

Chair Curt Kubesh called the Planning Commission meeting to order at 7:03PM.

Members present:

Curt Kubesh, Dillon Barton, Oliver Rauschnot, Donnie Peterman III, Nancy Rys

Members Absent:

Josh Froelich, Chad Pasch

Others present:

Ashley Rauschnot, Don Burger, Craig Saari, Nancy Rys, Amy Thompson, Loreal Lindstrom, Sam Christenson, William Scherado, Don Ramberg

Pledge of Allegiance

Public Forum

[Approval of Minutes](#) – December 16 2024

Oliver Rauschnot motioned seconded by Dillon Barton to approve the December 16, 2024 minutes as sent. Motion passed with all ayes.

Public Hearing: Ron Christenson || Application for Re-Zoning

[PUBLIC NOTICE](#) was read.

Presentation/Summary

[Supporting Documents](#)

To more easily identify what parcel is being spoken about, the following will apply for these minutes:

R43.0115.001 || **PARCEL 1**

R43.5051.000 || **PARCEL 3**

R43.5050.000 || **PARCEL 2**

R43.5052.000 || **PARCEL 4**

On April 29, 2024, the City Office received an anonymous complaint that there was a shed being built on **Parcel 2** and they were wondering if there was a permit obtained to do so. A friendly letter was sent out to Ron Christenson.

Shortly after, Ron Christenson came to the City Office and this when the following was discovered:

1. Ron owned **Parcels 2, 3, and 4** in the Ostrands St. Croix Vista development,

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- located in the R-2 District, which adjoined his landlocked **Parcel 1** - located in the Rec-1 District.
2. Ron's primary use of **Parcel 2** was to access **Parcel 1**, which was landlocked.
 3. Ron built an accessory structure on **Parcel 2** without a primary structure first, which is against City Ordinance.

In order to come into compliance, it was decided that Ron Christenson would need to vacate **Parcels 2, 3, and 4** from the Ostrands St. Croix Vista development and permanently attach them to **Parcel 1**.

On August 6, 2024 Ron Christenson submitted an Application for a Zoning Amendment.

Ron Christenson hired Kevin Hofstad to assist him in the legal vacating of **Parcels 2, 3, and 4**. There was a court hearing for this and all documentation has been submitted to the City showing the completion of the vacation of parcels.

Chair Curt Kubesh called the Public Hearing to Order: Ron Christenson – Application for Re-zoning at 7:06PM

Don Burger: This is Don Burger, um Ostrand's St. Croix Vista & former Christenson Lot Rezoning Ostrand's is within a heavily wooded area of the Chengwatana State Forest. Uh, we live directly to the north on Lot 5 - Block 3 and agree with the practicality of rezoning back to the original Recreational District. Some related Factors for future consideration: Most of the remaining Ostrand properties are vacant and the number of unimproved lots maintain a usage more compatible with the proposed expansion of the Recreational District here. Ostrand's density cannot expand into the adjacent properties in either Rec. or R-2 designation. Christenson's zoning change suggests usage compatibility with the remaining parcels within Ostrand's. Ostrand's current irregularities of usage would benefit from the addition of interim use on p.159 Subd. 4 / C. in the Recreational District Ordinance Temporary Dwellings and Sewer Plans. Thank you very much.

Curt Kubesh: Any other comment?

Chair Curt Kubesh closed the Public Hearing for Ron Christenson – Application for Re-zoning at 7:09PM

Planning Commission members all agreed that this is a pretty simple cut and dry case and that it makes sense to go ahead with the re-zoning.

Donnie Peterman II motioned, seconded by Oliver Rauschnot to recommend for

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approval to the City Council the Re-zoning Application for Ron Christenson. Motioned passed with all ayes.

Public Hearing: William Scherado || Application for Variance

[PUBLIC NOTICE](#) was read.

Presentation/Summary

[Supporting Documents](#)

William Scherado purchased a property knowing that there was a garage that was partially on the neighbor's property. This was not an issue with either party and so they didn't worry about it at the time. But William Scherado has had limited access to the garage because of the location and he would like to move the garage up by the house and add on to it. The only problem is that there is a significant drop-off in elevation on this property and the location of the septic is also not ideal for this move. William has requested a variance to allow him to place the garage 65 feet from the center line of the road instead of the 75 feet required by Ordinance. John Anderson did response (see supporting documents) and agrees that this would qualify as a hardship.

Nancy Rys asked the question as to where is his secondary septic system located? All members agreed that they don't want to impede on his future secondary septic site.

There was much discussion on this factor.

Due to the elevation changes on the property and the wetlands, there is limited room available.

Chair Curt Kubesh called the Public Hearing to Order: William Scherado - Application for Variance at 7:23PM

- **Don Ramberg:** Probably a dumb question but is there any change of buying a chunk of land from the neighbors and moving the property line?
- **William Scherado:** Not, No
- **Don Ramberg:** That's not an option? Oh Ok
- **WS:** It's all low land to the south there and um there's the um property that goes, part of that property is the driveway, part of that driveway he owns into my yard and it's his driveway and he owns 40 acres and it's all swamp on that side and it's his driveway that goes to his house, that's the access to the garage now. So if he ever

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sold, somebody buys it new, technically they could put a gate in the driveway and tell me I don't have access to my own garage.

- **DR:** Oh ok
- **WS:** Because when you look at the yard it's so confusing. I think the map shows it. Do you see the driveway
- **DR:** Right, but it looks like there's room to move the property line just by looking at that. Oh but maybe it's not that simple.
- **WS:** No because then there still would be the case that if he moved it and I bought some of his property or whatever it is
- **DR:** You still wouldn't have access
- **WS:** I still wouldn't have access. If the new buyer buys his house, he still would have the right to close off that driveway, it's a private driveway and he owns both sides.
- **DR:** Sure
- **WS:** It's when you look at my yard, it looks like a lot of it is, is it's all my yard. But most of I maintain it and mow it and all of that, but a good portion of it is the neighbor's property
- **OR:** Ok
- **DR:** The second sewer site though when you've got wetlands and stuff, that's an issue. You'd hate to wreck that
- **WS:** And that was, I learned something new
- **DR:** I mean if it, I mean you could put one in the same place if that's your only choice, but it's not a great option
- **CK:** Ok, anybody else for public testimony

Chair Curt Kubesh closed the Public Hearing for William Scherado – Application for Variance at 7:26PM

Oliver Rauschnot said that there was not any information that he could see in the Parcel ID folder that showed where the secondary site would go.

Oliver Rauschnot suggested getting a designer out to the property to locate a secondary site for his own peace of mind.

Nancy Rys then brought up a statue that if we allow the variance, the building would be

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considered non-conforming, and you cannot add on to a non-conforming building.

Nancy Rys asked about whether the Office uses a Variance Worksheet – with 5 questions to ask. Ashley Rauschnot said that there is not a worksheet, but she will look into it.

During the discussion after the public hearing, William Scherado withdrew the Variance Application. No action taken.

Old Business:

Ordinance 2004-23: Standard Roads Specifications for New Roads in Developments.

The Planning Commission has been discussing amending this ordinance for a year now. Members would like the Ordinance to apply to ALL roads in the City, not just new roads in developments. This is the first amended draft:

[Ordinance 2004-23: Standard Road Specifications](#)

Discussion:

Planning Commission members had no additions or changes to make.

Dillon Barton motioned, seconded by Oliver Rauschnot to recommend the draft to the City Council for them to review before a Public Hearing is held to officially change the ordinance. Motion passed with all ayes.

New Business:

Amending Ordinance 1991-21: Subdivision and Platting – Minimum Soil testing Area Requirements

The Planning Commission has been trying to clarify this portion of the Ordinance Book for over a year now. This is the first draft of suggested changes.

[1st Draft: Amending Ordinance 1991-21: Subdivision and Platting, Subd. 4.01.10](#)

After much discussion between the Planning Commission Members, Don Ramberg, Sam Christenson, and Amy Thompson, this is the final draft that was agreed upon:

[Final Draft: Amending Ordinance 1991-21: Subdivision and Platting, Subd. 4.01.10](#)

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Several factors went into the changes made above including;

- Rock Creek is smaller than Chisago County (8,000 square feet came from that ordinance and everyone agreed that was too big),
- This portion of wording is in the Subdivision Ordinance and should be limited to subdivisions, not sewer requirements at the time of installation.

Curt Kubesh motioned, recommended by Oliver Rauschnot to recommend this ordinance amendment to the City Council for review before a Public Hearing is held. Motion passed with all ayes.

Donnie Peterman III motioned seconded by Dillon Barton to adjourn at 8:26PM. Motion passed with all ayes.

Ashley Rauschnot
Deputy Clerk