



**Planning Commission –AGENDA  
April 13, 2026 – 5:30 P.M.  
Foley City Hall**

1. Approve the agenda.
2. Approve the Planning Commission Minutes.
  - February 9, 2026
3. City Council Update
4. City of Foley – South Fairway Estates – Rezoning Request
  - Staff did not have you review this for rezoning from A-1 to R-1 – so I will need the planning commission to work through the findings on this. I do have a public hearing scheduled for 4/21 at the council level.
5. Discussion on zoning ordinance changes
  - Steel Roof Fasteners – Exposed vs. Concealed
  - New House Setbacks – Current front yard is 30 feet – any interest in reducing this distance to create larger backyards?
6. Other Items – In Progress
  - Duane Foss Variance
    - i. Application determined incomplete for inadequate drainage plan.
  - Benton County – Minor Subdivision
7. Next Meeting Date
  - TBD
8. Adjourn

**Current Planning Members:**

Bill Bronder, Candice Kantor, Jeff Gondeck, Rosalie Musachio, Deb Mathiowetz, Jonathan Brenny

**Planning Commission Meeting**  
**February 9, 2026 -5:30 p.m.**  
**Foley City Hall**

**Overview**

This document consolidates minutes from several Planning Commission and related meetings, primarily focusing on property development and city code updates. Key topics include the election of new commission officers, city council updates on projects like downtown parking and a new disaster preparedness grant, and specific property development proposals. The commission recommended approval for a new sign at St. John's Church and the final plat for the South Fairway Estates development. A significant portion of the discussion is dedicated to a pre-application and subsequent variance request for a property on Norman Avenue South, where the owner plans to build a new home and repurpose existing outbuildings, raising issues related to building placement, drainage, and color codes. Other city business includes parking regulations for semi-trucks, nuisance ordinances, and potential adjustments to setback requirements in new developments.

**Meeting Opening & Officer Elections**

- The agenda and minutes from the November 10, 2025 meeting were approved.
- The commission held its yearly election of officers.
  - Candice Kantor was nominated and elected as Chair.
  - Jonathan Brenny was nominated and elected as Vice Chair.
  - Sarah Brunn was nominated and elected as Secretary.

**City Council and Code Updates**

- The City Council made its yearly appointments at its last meeting.
- Ordinance 487 for downtown parking was addressed.
- Five new filter replacements for the city pool will be purchased to replace an outdated system.
- The wastewater project is progressing well with initial bugs resolved.
- The city received a grant for \$4,330.52 from the Initiative Foundation for disaster preparedness and recovery.

- A 48-hour parking lot has been approved for the south lot. It was confirmed that semi-trucks are permitted to park there, which was part of the original intent to move them out of residential districts.
- A full new ordinance is being developed to address nuisance and vacant buildings.
- There was a discussion about shrinking front yard setbacks for new lots on the south side, particularly in phase two, to create larger, more attractive backyards.
- A counterpoint was raised that shorter setbacks could reduce driveway length, making it harder for residents to park their vehicles on a hard surface off the street.
- The current ordinance limits residential lots to six vehicles parked on a hard surface in the front.

#### **St. John's Church Signage CUP Amendment**

- The commission reviewed a request from St. John's Church to amend its Conditional Use Permit (CUP) to add a new sign.
- The sign is slightly larger than the 12 square feet typically allowed in a residential district, which is why the CUP amendment is required.
- The proposed location was reviewed by staff to ensure it is outside the sight triangle and does not interfere with snow removal.
- The sign will be illuminated by ground-level lighting.
- The project is being led by a student, Angel Goble, as part of an Eagle Scout project.
- The commission determined the use would not create an excessive burden, impede development, cause a traffic hazard, or negatively impact the area.
- The motion to recommend approval of the CUP amendment was passed. The item will go to the City Council for a final decision.

#### **South Fairway Estates Final Plat Approval**

- The commission reviewed the final plat for Phase One of the South Fairway Estates development.
- The plans and stormwater design are approximately 95% complete.
- The county engineer has reviewed the plans and is fine with the project moving forward, pending the submission of utility and entrance permits.

- Phase One will not impact any wetlands. Dirt for this phase will be sourced by excavating a hill within the property and from digging the stormwater pond.
- The city is still working on establishing a potential path to the golf course to improve safety and avoid golf cart traffic on the county road.
- The motion to recommend approval of the final plat was passed. This item will also go to the City Council.

### **311 Norman Avenue South Application & Variance**

- Duane Foss presented a pre-application concept for a property at 311 Norman Avenue South, which is approximately 60,000 square feet (an acre and a quarter).
- The plan is to build a new single-story, handicap-accessible rambler house on the lot. The house will face Norman Street, with the garage doors also likely facing Norman. It will feature a "farmstead" style.
- An existing barn-shaped, poured-wall structure (Building A) will be repurposed into a secondary garage and "man cave." The current vinyl siding will be replaced with prefinished LP siding to match the new house.
- The owner intends to remove the existing "lean-to" additions from the barn structure to preserve its core look. Another building (Building D) will be moved and repurposed as a workshop, and one building (Building E) will be removed entirely.
- The applicant's goal is to position the new house and repurposed outbuildings to create a private backyard space with features like a pond and waterfall.
- A zoning variance is required because the plan places an accessory building (the renovated barn) closer to Norman Street than the new primary residence. Justifications include the barn being an existing structure and the new residence having an improved setback.
- The owner expressed that attaching the barn to the house to bypass the issue would require a complete redesign.
- The new house is expected to be white or cream-colored, while the workshop will be bright red. This may require a variance due to a city code requiring "complementary colors," which is noted as being vague.
- A primary concern is managing water drainage. The owner plans to add fill and create a ditch to direct all water flow toward Highway 25, avoiding negative impacts on neighbors.

- The owner is considering a horseshoe-style driveway with two entrances. The new building will not have a serviceable door facing Norman Avenue but may feature a decorative "dummy door."
- The new house will require an extension of city water and sewer services. There is an existing well on the property that the owner plans to keep for irrigation.
- The commission engaged in a casual discussion to provide initial feedback before a formal variance application is submitted.

### **Open Issues & Risks**

- The establishment of a path from the South Fairway Estates to the golf course is still in progress and requires final verification.
- It is unclear if a variance will be officially required for the proposed building colors (red, brown, and white/cream) to meet the city's "complementary color" code. The code's definition of "complementary" is vague.
- It is unclear how drainage and grading will be formally documented, though it was noted that a detailed commercial-style plan may not be necessary.
- It is unclear if the property owner's application, which requires an engineer's input, will be completed in time for the March meeting, as the timeline is considered aggressive.
- The planning commission needs to consider how to handle unique circumstances and potentially adjust building pad locations in a new development phase where steep backyards are an issue.

## City of Foley Subdivision Development Plat Review Application

Street Location of Property: County Road 51 (55th Street)

Legal Description of Property: See attached

Current Zoning of Property: A-1 Proposed Zoning: R-1

Type of Request: Preliminary Plat - 17 new lots as part of Phase 1 of new subdivision (City owned)

**\*\*\* (Attach narrative describing details of project scope) \*\*\***

Rezoning from A-1 to R-1 to allow for housing development.

Property Owner: City of Foley 320-968-7260

*Name*  
251 4th Avenue N, PO Box 709  
*Address*  
Foley, MN 56329

*Phone*  
320-968-6325  
*Fax*  
sbrunn@ci.foley.mn.us  
*Email*

Applicant: City of Foley 320-968-7260

*Name*  
251 4th Avenue N, PO Box 709  
*Address*  
Foley, MN 56329

*Phone*  
320-968-6325  
*Fax*  
sbrunn@ci.foley.mn.us  
*Email*

**Type of Request & Fee Amount:**

<input checked="" type="checkbox"/>	Rezoning/Amendment	\$250.00
<input type="checkbox"/>	Conditional Use Permit	\$250.00
<input checked="" type="checkbox"/>	Variance	\$250.00
<input type="checkbox"/>	Planned Unit Development	\$250.00

<input checked="" type="checkbox"/>	Preliminary Plat	\$500.00
<input type="checkbox"/>	Final Plat	\$
<input type="checkbox"/>	Annexation	\$400.00 +
<input type="checkbox"/>	Site Plan Review/Other	
<b>Total Fees Paid</b>		<b>\$</b>

Has a request been made previously on this property?  Yes  No Explain: \_\_\_\_\_

***This application must be completed in full, be typewritten or clearly printed, and must be accompanied by all information, supporting documents and plans as required by applicable City Ordinance provisions. A determination of completeness of the application shall be made within ten business days of the application submittal. A written notice of application deficiencies shall be mailed to the applicant.***

*This is to certify that I am making application for the described action by the City and that I am responsible for all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application. I have attached a copy of proof of ownership (either copy of Owner's Duplicate Certificate of Title, Abstract of Title or purchase agreement), or I am the authorized person to make this application and the fee owner has also signed this application.*

- Supporting Documents Attached
- Appropriate Fees Paid
- Review by City Staff
- Completed Application Accepted

Application Filed: 10/27/25


Date Fees Paid: N/A

Staff Initials: SB

Date Application Accepted: 10/27/25

  
\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of Fee Owner

\_\_\_\_\_  
Date



# City of Foley

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251 4<sup>th</sup> Avenue North • P.O. Box 709  
Foley, Minnesota 56329  
(320) 968-7260 • Fax (320) 968-6325  
[www.ci.foley.mn.us](http://www.ci.foley.mn.us) • email: [contactus@ci.foley.mn.us](mailto:contactus@ci.foley.mn.us)

April 8, 2026

Dear Property Owner,

Enclosed you will find a Notice of Public Hearing scheduled for 5:30 p.m. on April 21, 2026 on the application of the City of Foley to obtain approval for the rezoning from A-1 to R-1 of South Fairway Estates located near 12991 55<sup>th</sup> Street NE, Foley, MN 56329.

You are receiving the enclosed Notice of Public Hearing according to the zoning ordinance regulating rezoning where individual property owners within 350 feet of the property included in the request shall receive written notice of the public hearing's time, place and purpose for the opportunity to comment on the request.

If you have any questions concerning this notice, please contact the Foley City Hall, 968-7260. Thank you for your time in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Sarah A. Brunn".

Sarah A. Brunn  
City Administrator

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF  
PRELIMINARY PLAT IN THE CITY OF FOLEY

Notice is hereby given that on the 21<sup>st</sup> day of April, at 5:30 P.M. or as soon thereafter, the City Council and the Planning Commission will hold a joint public hearing to consider the preliminary plat request of the City of Foley. The hearing will be located at 251 4<sup>th</sup> Avenue N, Foley, MN 56329.

The property under consideration is the South Fairway Estates plat that is currently being processed and located near 12991 55<sup>th</sup> Street NE, Foley, MN. The original parcel is legally described as:

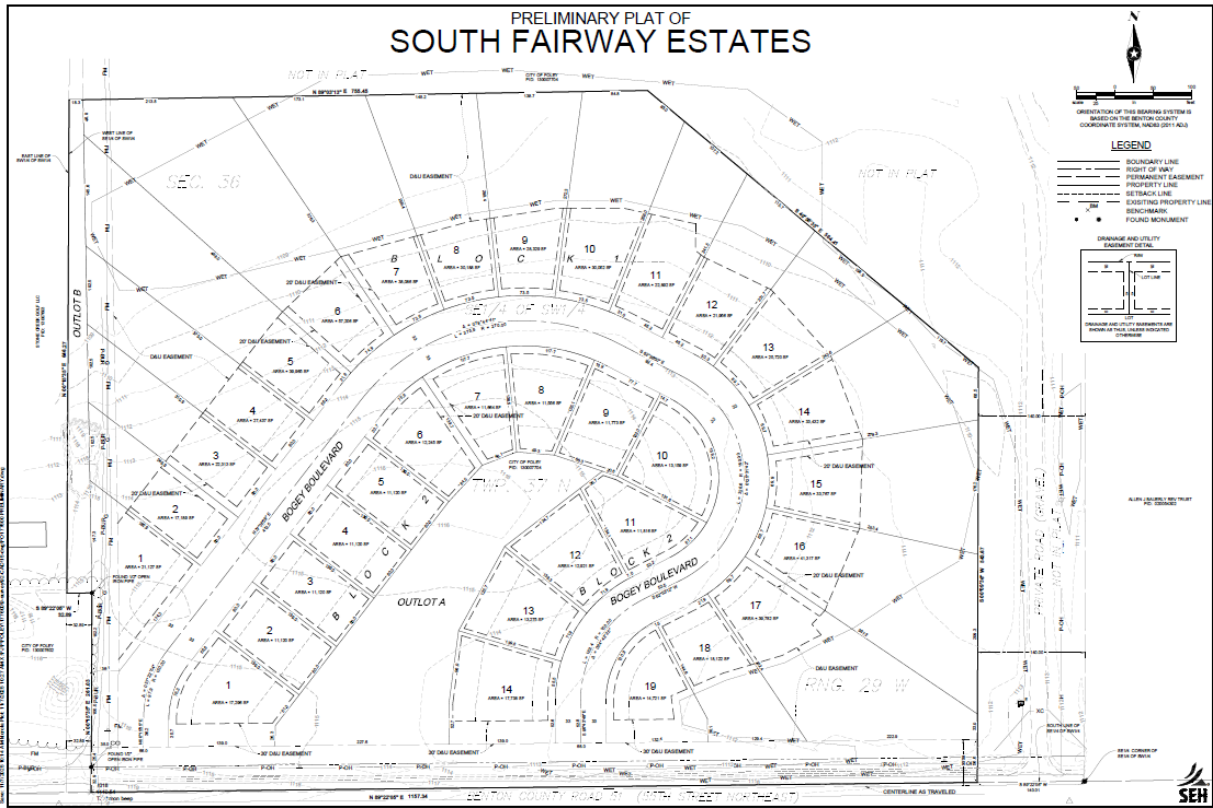
All that part of the Southeast Quarter of the Southwest Quarter of Section 36, Township 37 North, Range 29 West, Benton County, Minnesota described as follows:

Commencing at the southeast corner of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 22 minutes 05 seconds West, along the South line of said Southeast Quarter of the Southwest Quarter, a distance of 140.01 feet to the Point of Beginning; thence continue South 89 degrees 22 minutes 05 seconds West, 1157.34 feet to the East line of the West 32.89 feet of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 15 minutes 35 seconds East, along said East line of the West 32.89 feet, a distance of 261.03 feet to the North line of the South 261.00 feet of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 22 minutes 05 seconds West, along said North line of the South 261.00 feet, a distance of 32.89 feet to the West line of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 15 minutes 35 seconds East, along said West line, a distance of 646.27 feet; thence North 89 degrees 03 minutes 13 seconds East, 755.45 feet; thence South 49 degrees 58 minutes 35 seconds East, 564.41 feet to the East line of the West 140.00 feet of said Southeast Quarter of the Southwest Quarter; thence South 00 degrees 09 minutes 36 seconds West, along said East line of the West 140.00 feet, a distance of 543.67 feet to the point of beginning and terminating thereat.

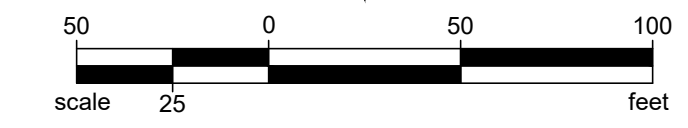
Anyone wishing to appear with reference to the above will be heard at this meeting.

Sarah A. Brunn  
City Administrator

# Map of Property



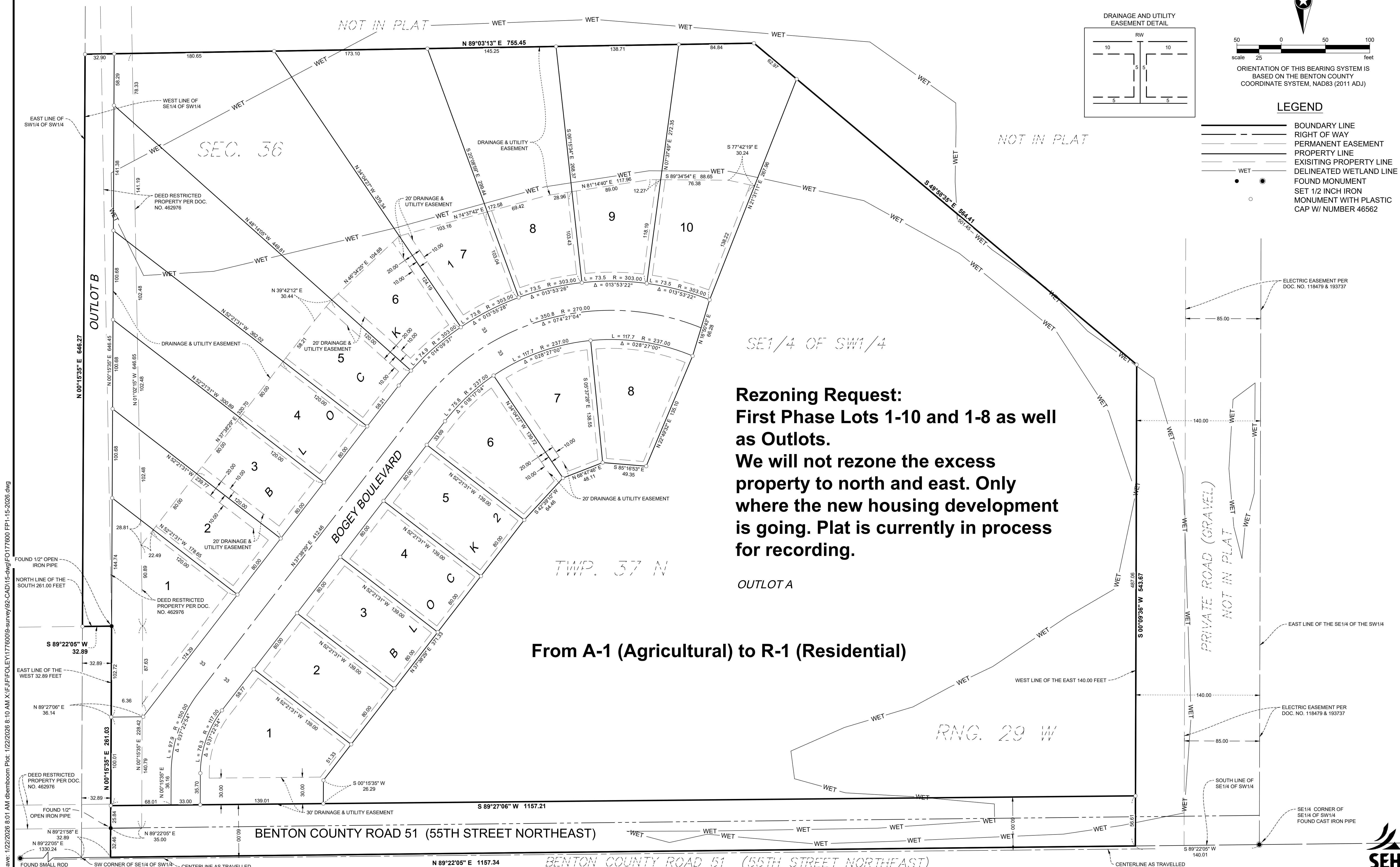
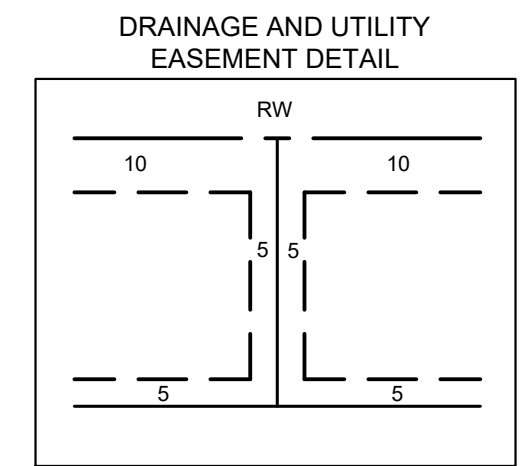
# SOUTH FAIRWAY ESTATES



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE BENTON COUNTY COORDINATE SYSTEM, NAD83 (2011 ADJ)

### LEGEND

- BOUNDARY LINE
- RIGHT OF WAY
- PERMANENT EASEMENT
- PROPERTY LINE
- EXISTING PROPERTY LINE
- DELINEATED WETLAND LINE
- FOUND MONUMENT
- SET 1/2 INCH IRON MONUMENT WITH PLASTIC CAP W/ NUMBER 46562



**Rezoning Request:**  
**First Phase Lots 1-10 and 1-8 as well as Outlots.**  
**We will not rezone the excess property to north and east. Only where the new housing development is going. Plat is currently in process for recording.**

**From A-1 (Agricultural) to R-1 (Residential)**

Save: 1/22/2026 8:01 AM dbombom Plot: 1/22/2026 8:10 AM X:\JFR\OLEV\1776009-survey\92-CAD\15-dwg\F0177600 FP1-15-2026.dwg



**City of Foley**  
**Zoning Amendment**  
**Findings & Order**

Date: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Property Location: \_\_\_\_\_

Zoning of Property: \_\_\_\_\_

Zoning Request: \_\_\_\_\_

*The following conditions apply to the property request:*

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_

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**THE FOLEY PLANNING COMMISSION RECOMMENDS:**

Approved        Not Approved   

Comments: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Chair, Foley Planning Commission*

**THE FOLEY CITY COUNCIL DETERMINES:**

Approved        Not Approved   

Date of Public Hearing: \_\_\_\_\_ Time: \_\_\_\_\_

Results: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Mayor*



**Concealed  
Fastener**

**Exposed  
Fastener**

**SECTION 13**  
**"R-1" SINGLE AND TWO FAMILY RESIDENTIAL DISTRICT**

**Subdivision 1: INTENT**

The intent of the R-1 District is to permit the development of single and two family dwellings in the community; to provide reasonable standards for such development; to avoid overcrowding; and to prohibit the use of land which would be incompatible with or detrimental to the essential residential character of such a district.

**Subdivision 2: PERMITTED USES**

1. Single and two family dwellings.
2. State licensed residential facilities or housing with services establishment registered under Minnesota Statutes Chapter 144D, as amended, serving six (6) or fewer persons at one time.
3. State licensed day care or nursery school facilities serving twelve (12) or fewer persons at one time.
4. Group family day care facilities properly licensed under Minnesota Rules serving fourteen (14) or fewer children except a residential facility whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct violating criminal statutes relating to sex offenses.
5. Public Parks and playgrounds.
6. Essential Services.
7. Agricultural crop production or gardening (not including the raising and keeping of livestock).

### **Subdivision 3: PERMITTED ACCESSORY USES**

1. Hoop/Tubular Frame Buildings shall not be permitted as a storage building or for any other use within any residential district within the City except when they are used for gardening.
2. Hoop/Tubular frame buildings are allowed with the following conditions:
  - a. They are private conservatories for plants and flowers (not including the sale thereof).
  - b. They are not to exceed 150 square feet in area and not higher than 8 feet in height.
  - c. They must be located in the rear yard of the property.
3. Private garages (not exceeding 2400 square feet in area) if the exterior covering materials on the roof and side walls are the same or similar to the roof and side wall materials on the principal structure. Private garage sizes are subject to the following conditions:

If Total Lot Size is under 9,000 square feet:

  - Maximum overall height of 18 feet.
  - Maximum sidewall height of 10 feet.

If Total Lot Size is 9,000 square feet or larger:

  - Maximum overall height of 25 feet.
  - Maximum sidewall height of 12 feet.
4. Home Occupations.
5. Private swimming pools and tennis courts with fencing that prohibits unauthorized entry.

6. Accessory Buildings (not exceeding 120 square feet in area) for storing domestic equipment and non-commercial recreational equipment.
7. Boarding and renting of rooms to not more than two (2) persons.
8. Gazebos and decks serving the principal residential structure.
9. Playhouses.
10. Kennels owned by the principal structure's occupants.
11. Fences as regulated by Section 6.
12. Off-street parking spaces and carports as regulated by Section 7.
13. Signs as permitted and regulated by Section 8.
14. Temporary buildings during periods of construction of principal structures and located on the property no longer than one (1) year.

#### **Subdivision 4: CONDITIONAL USES**

The following uses require a Conditional Use Permit based on the procedures set forth in Section 22 of this Ordinance:

1. Governmental, municipal and public utility buildings and structures necessary for the community's health, safety, and general welfare.
2. Public or semi-public recreational buildings and community centers.
3. Churches, public libraries, museums, primary and secondary schools, which are accredited by the State Department of Education, and hospitals.

4. Planned Unit Residential Developments regulated by Section 21 of this Ordinance.
5. Townhouses containing four (4) or fewer units whether in a single unit or on a combination of lots.
6. Essential Services structures.
7. Towers and Antennas as regulated by Section 9, including the placement of small wireless facilities and wireless support structures in the public right-of-way to accommodate small wireless facilities.
8. Uses the City Council determines to be substantially similar in nature to the conditional uses listed above and not detrimental to the City's general health and welfare.

**Subdivision 5: LOT, YARD, AREA AND HEIGHT REQUIREMENTS**

1. Lot Area.
  - A. Single Family Dwelling. Lot area for lots with a single-family dwelling must be at least 8,000 square feet.
  - B. Two-family Dwelling. Lot area for lots with a two-family dwelling must be at least 11,000 square feet.
  - C. Other Uses. Lot area for lots for other uses must be determined based upon meeting the maximum floor area ratio.
2. Lot Width. Lot width must be at least eighty (80) feet at the established building line.
3. Lot Depth. Lot depth must be at least one hundred (100) feet.

4. Setbacks.

A. Front Yard Setback. The front yard setback must be at least thirty (30) feet.

B. Side Yard Setback.

**1. Single and Two Family Structures.**

The side yard setback must be at least five (5) feet, except that the side yard setback on corner lots must be at least thirty (30) feet.

**2. Multi-Family and Other Uses.** Multi-family and other uses if approved, must have a side yard setback of at least ten (10) feet.

**3. Accessory Buildings.** Accessory Buildings must have a setback of at least five (5) feet.

C. Rear Yard Setback.

**1. Principal Structures.** Principal structures must have a rear yard setback of at least thirty-five (35) feet.

**2. Accessory Buildings.** Accessory Buildings must have a rear yard setback of at least five (5) feet.

**3. Garages Facing Rear Lot Line.**

Garages with vehicle entrances facing the rear lot line must have a rear yard setback of at least twenty (20) feet.

D. Existing Lots. Notwithstanding anything in this Section apparently to the contrary, for

Lots platted before this Ordinance's effective date, the setbacks will be as follows:

Ordinance's effective date, the setbacks will be as follows:

1. Front Yard = 20 feet
2. Side Yard = 5 feet

5. Building Height.

- A. Single and Two Family Dwellings. Single-family and two-family dwellings may not exceed thirty-five (35) feet in height.
- B. Other Principal Buildings. Principal buildings other than single and two family dwellings may not exceed forty (40) feet in height.
- C. Accessory Buildings. Accessory Buildings may not exceed eighteen (18-25) feet in height (depending on lot size – refer to Subdivision 3 – Private Garages). Accessory Dwelling Units as defined in Section 4 are allowed to be thirty-five (35) feet in height but no taller than the principal structure.

6. Floor-area-ratio. The floor-area-ratio may not exceed .30, which means not more than 30% of the lot area may be used for floor areas of all buildings on the lot. The floor-area-ratios for all other uses may not exceed .40, which means not more than 40% of the lot area may be used for floor areas of all buildings on the lot.

7. Green space. For buildings containing three (3) or more dwelling units there must be a minimum of two hundred (200) square feet of contiguous and usable green space per dwelling unit. Setback areas may not be counted toward the required green space.

8. Exterior Finish. Corrugated sheet metal siding shall not be permitted.

### **Subdivision 6: ACCESSORY BUILDINGS**

1. Location - Rear Yard. Detached Accessory Buildings may be located only in the rear yard. Notwithstanding the above restriction, detached garages accessory to single and two family residences may be located in the side yard provided they meet all setback requirements set out in this Ordinance.
2. Number. No lot may contain more than three (3) detached Accessory Buildings.
3. Size. Detached Accessory Buildings may occupy no more than twenty-five percent (25%) of the yard in which they are located.
4. Exterior. All Accessory Buildings must be compatible in design and be homogeneous in appearance to the principal structure and of the same or higher quality of materials as the principal structure. Corrugated metal siding is not permitted.
5. Accessory Building Setbacks.
  - A. Located Within 10 Feet of the Principal Building. If located within ten (10) feet of the principal building's, Accessory Buildings must comply with all yard requirements applicable to the principal building.
  - B. Located Outside 10 Feet of the Principal Building. If Accessory Buildings are to be located more than ten (10) feet from the principal building they must have a rear

and side yard setback of at least three (3) feet.

- C. Detached Accessory Buildings. All detached Accessory Buildings must be setback at least thirty (30) feet from all street right-of-way lines.
- D. Garages near alley. All garages must, if the vehicle entrance backs upon a public alley, be set back at least twenty (20) feet from the public alley right-of-way.

Sections 13 "R-I" Single and Two Family Residential District, Subd. 3 Permitted Accessory Uses was amended by Ordinance Number 428 adopted April 4, 2017, and published April 11, 2017.

Sections 13 "R-I" Single and Two Family Residential District, Subd. 3 Permitted Accessory Uses – Private Garages, Subd. 6 Accessory Buildings - Number was amended by Ordinance Number 429 adopted August 1, 2017, and published August 8, 2017.

Sections 13 "R-I" Single and Two Family Residential District, Subd. 4 Conditional Uses #7 was amended by Ordinance Number 434 adopted December 5, 2017, and published December 12, 2017.

Sections 13 "R-I" Single and Two Family Residential District, Subd. 3 Permitted Accessory Uses #1 and #2 for Hoop/tubular buildings was added by Ordinance Number 443 adopted May 7, 2019, and published May 14, 2019.

Section 13 "R-I" Single and Two Family Residential District, Subd. 5 Lot, Yard, Area and Height Requirements #1, #3, #4, #5, #6, #7, and #8 were amended by Ordinance Number 478 adopted on March 12, 2024, and published March 19, 2024.