Minutes of the Meeting of the Joint Planning Board of Avon Township & the City of Avon
October 26, 2026

Call to Order: Chair Jim Read called to order the meeting of the Joint Planning Board (JPB) of Avon Township and the City of Avon at 7:00 PM, in the Avon Township Hall, 16881 Queens Road, Avon (MN). The meeting was available via Zoom (*https://us02web.zoom.us/j/8325486945. Passcode: AvonTown*)

Introductions/Roll Call: Present – Mark Schulzetenberge (*City Council*), Jim Read (*City Planning Commission)*, Kelly Martini (*Township Planning Commission*), and Craig Blonigen (*Township Supervisor*). All present. There was a quorum.

Staff members Jodi Austing-Traut (*City/Clerk Administrator*) & Stephen Saupe (*Township Clerk*) were also present.

Minutes: Blonigen moved to approve the minutes of the Joint Planning Board from the July 31, 2025 meeting as presented. Martini second. All in favor. Motion carried.

Business:

1. **Spanier Plat –** Scott Spanier, 33633 Poverty Point Drive (Avon), was present via Zoom to request approval of the rearrangement of property lines between two parcels (33671 Poverty Point, PID 03.01515.9851 & 33633 Poverty Point, PID 03.01514.9850). He presented a survey, "Preliminary Plat of: Spanier Estates Plat 2," prepared by O'Malley & Kron (*appended*). Mr. Spanier said that this request is necessary because of the septic design prepared for his property. The plan is to move the septic site closer to the main residence. He also said that he owns both properties, he was not planning to sell either property, he doesn't anticipate a future sale of either property, and that all setbacks have been met. Schulzetenberge stated he has no concerns with the plan and moved to recommend to the Avon Township Supervisors approval of revised property lines for Scott Spanier. Blonigen second. All in favor. Motion carried. Saupe will provide Spanier with a copy of the township Certificate of Compliance form.

2. **Short Term Rentals** – a complaint was received from Diane Schiffler (33548 Shorewood Drive, Avon) regarding a short-term rental property rental owned by Amanda Birnie at 33526 Shorewood Drive, Avon (PID 03.01485.0000). Ms. Schiffler stated that the rental lowered property values, was an invasion of privacy, and affected the quality of life in the neighborhood. Chair Read summarized the history of this rental property and stated that the Joint Planning Commission recommended to the County the approval of a short-term rental permit in March 2025. Read also said that there is another rental on Middle Spunk Lake, which is in the City. Although the City enacted a moratorium on further rentals, the existing rental was grand-parented in. Read said the Township also has the legal option to enact a moratorium if desired, and noted that other townships had done so.

   Mark Olson, 33518 Shorewood Drive, a neighbor of the property appeared at the meeting to speak in favor of the rental property. He said that he was in support of Amanda & James Birnie and that he has not experienced any problems with rental guests. He said that there have been no problems with cars parked on the road, including no one parked more than 48 hours. He thought that most guests were locals or those coming for local events such as a Saint John's football game or wedding. He said that the Birnie's are a great family and he 100% supports them. He didn't think property values have been affected by the rental because two recent properties on the street sold for $900,000 and $500,000, and a search on ChatGPT suggested that rental properties have little impact on property values.

   Katie Olson, 33518 Shorewood Drive, neighbor, agreed with her husband. She also said that she thought the complaint comments were very generic. She suggested that anyone with complaints should take them directly

to the Birnie's. Ms. Olson was also supportive of the Birnie's renting the property as a way to financially keep the property in the family.

Amanda Birnie, owner of the property, appeared via Zoom, and also said that she thought the comments were not specific and that she would address any complaints they received. She said that they rented the home 64 days in 2025 and 56 days to date in 2026. She said that they essentially screen renters and that many are from Avon and Albany who know their family. She said she supports the community by recommending local places such as Fisher's Club and the Buckhorn. Ms. Birnie also said that most renters are not city dwellers coming to party, but are local neighbors.

James Birnie, husband of Amanda, also appeared via Zoom. He said that they are following the rules and work to respect the neighbors. He urged those with complaints to come directly to them.

Schulzetenberge said he had heard no complaints about the property from anyone. He inquired whether the road was ever blocked. Mr. Olson said there was always plenty of room to drive through. Schulzetenberge also inquired if there had been calls to the police or fire department. Mr. Birnie did not know of any, and that the first complaint he had heard of was the email forwarded regarding this meeting. Blonigen noted that a maximum of 8 people are permitted at night and no more than 1.5x that many (12) are allowed during the day.

Read noted that there had been some bad behavior in one of the city rental properties which led to the moratorium. Blonigen said that VRBO and AirBnB make efforts to avoid complaints and won't list properties in which they receive significant numbers of complaints. He also said that unruly guests are potentially denied future rentals. Austing-Traut suggested that there should be policy if a future complaint is received and that a major concern is whether or not the rental is in compliance with pertinent ordinances. Read said that there are questions about how many rentals would be too many and how close rental properties should be to one another.

The general consensus of the JPB is that if there is a future complaint regarding breaking laws (legal issues), it should be directed to the sheriff. If there is a complaint about compliance, it should be directed to the County. The Clerk (and City Administrators) could also follow up with the owners.

3. **Orderly Annexation Agreement (OAA) Update** – Read summarized the current situation with the OAA. He said it was due for renewal this year. The major change from the previous version is that there is a revised list of properties and a change to 55% approval (rather than 60%) for annexation.

   Austing-Traut reported that she is working with the State on approval of the agreement but has been frustrated because it has been rejected due to technicalities. She noted that there is no agreement currently in place but the City and Town have been acting together in good faith. Once the final version is ready, she will publish the agreement. Then, 10 days or more later the City and Town take action, which will likely/hopefully occur at their respective December meetings.

Common Interest Issues/General Information Sharing

Private Septic Systems – Read noted that he supported moving people from private well and septic systems to community ones. He wasn't sure of the best way especially considering the cost for homeowners (and the City). Blonigen suggested lake water quality would be a motivating factor, though Austing-Traut reported that the quality actually seemed to be improving.

Beach Improvements – Austing-Traut said that the City is considering upgrades to the beach and wondered if the Township had park funds that could be donated to the project. Saupe will check into it.

Announcement of Next Scheduled Meeting: The next meeting is tentatively scheduled for April 12th, the 2nd Monday in April per Orderly Annexation Agreement. If there is no business, it may be postponed until later in the year.

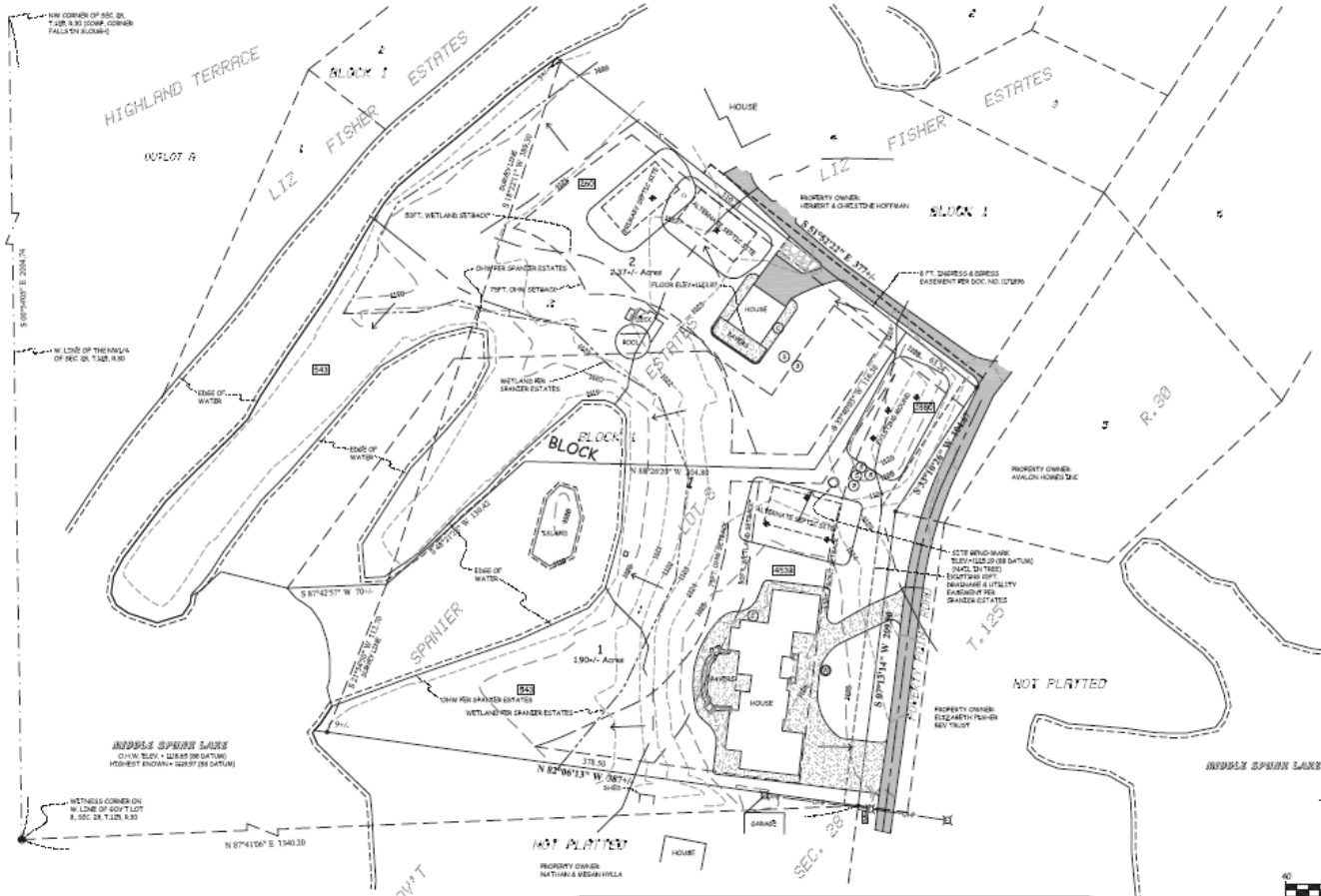
Adjournment: Read adjourned the meeting at about 8:00 PM.

Respectfully submitted, **Date**: October 28, 2026

Stephen Saupe, Clerk
Avon Township
clerk@avontownship.org

Jodi Austing-Traut, City Administrator
City of Avon
jodi.a@cityofavonmn.com

PRELIMINARY PLAT OF: SPANIER ESTATES PLAT 2



LEGAL DESCRIPTION

SPANIER ESTATES, according to the recorded plat thereof, Stearns County, Minnesota.

SETBACKS:
Front = 30' from Right of Way or 63' from centerline
Side = 10' from property line
Rear = 75' from property OHW line

-Surface Drainage Arrow =

-Septic sites on Lot 1 located per C.W. Lunser Company Inc. (320-246-2262)
-site shown at 27' x 50'
-Septic sites on Lot 2 located per Watab Inc. (320-363-1300)
-sites are shown at 25' x 50'
(P)=Primary Septic Site
(A)=Alternate Septic Site
= Soil Boring
*Septic sites and soil borings are shown per plans done by Watab Inc. in 2013.

-Total plat area = 4.26 Acres+/-
-Existing zoning is R-1 Residential, General Development Lake in Shoreland Overlay District
-Existing use is single family residence
-Proposed use is single family residence

-Existing soils:
260 - Duelm loamy sand, 0 to 2% slopes
453B - DeMontreville loamy sand, 2 to 8% slopes
543 - Markey muck, occasionally ponded, 0 to 1% slopes
2880 - Mortlake mucky silt loam

Impervious Surface Calculations for Proposed Lot 1
- House/Porch = 1,725 sq.ft. +/-
- Concrete/Pavers = 7,570 sq.ft. +/-
- Total Impervious = 12,635 sq.ft. +/-
- Total Lot Area (above OHW) = 82,586 sq.ft. +/-
- Impervious Surface Percentage (Above OHW) = 20.2%

Impervious Surface Calculations for Proposed Lot 2
- House = 899 sq.ft. +/-
- Concrete/Pavers = 1,129 sq.ft. +/-
- Pavement = 983 sq.ft. +/-
- Deck = 240 sq.ft. +/-
- Pool = 472 +/- sq.ft. +/-
- Total Impervious = 3,733 sq.ft. +/-
- Total Lot Area (Above OHW) = 80,402 sq.ft. +/-
- Impervious Surface Percentage (Above OHW) = 4.6%

Surveyor's Notes:
1. The existing or proposed improvements included within the impervious surface calculation are graphically listed. Items such as landscaping, retaining walls, roof overhang, and trip rap are not included within the calculations.

This proposed plat of SPANIER ESTATES PLAT 2 was examined and approved by the Avon City/Township Joint Planning Board this _____ day of _____, 20__.

_____
Chairperson = City/Township Board

_____
Attest Clerk = City/Township Board

JOB NO: 2024-371
FILE NAME: 2024-371.DWG
LOCATION: 28-125-30

PRELIMINARY PLAT PREPARED FOR:
SCOTT SPANIER

NOTE: THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED FOR AND SHOULD NOT BE RELIED UPON BY ANY OTHER PARTY OR FOR ANY OTHER PURPOSE. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.

1004 2nd ST. SE
WILLMAR, MN 56201
PH. 320-235-4012

340 CHAPEL HILL RD.
COLD SPRING, MN 56320
PH. 320-685-5905

1250 HWY 15 SOUTH
HUTCHINSON, MN 55350
PH. 320-234-1223

PRELIMINARY PLAT PREPARED BY:
O'MALLEY & KRON LAND SURVEYORS, INC.

UPDATED: 8-24-2026 (REVISED PROPOSED LOT LINES)

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: 07-26-2024

DANIEL M. SILVERS
MINNESOTA REGISTRATION NO. 57969

SHEET 1 OF 1