

MOWER COUNTY

AUSTIN, MINNESOTA



February 24, 1981

MINUTES OF THE MOWER COUNTY PLANNING COMMISSION REGULAR MEETING

Members Present: Jen Ulwelling, Conrad Stemson, Roger Peck, Joe Monson, Ray Capelle, John Hill
Members Absent: Robert Finbraaten
Others Present: Dan Rogness, Julie Lewon

Chairman Peck called the meeting to order at 8:05 p.m., Tuesday, February 24, 1981 in the Commissioners Room of the Mower County Courthouse. Minutes of the December 30, 1980 meeting were approved as mailed on a motion by Mr. Hill, seconded by Mr. Capelle, and passed unanimously.

Conditional Use Permit #286 - Second Farm Dwelling - Richard Gerber: A petition from Richard Gerber for a conditional use permit to allow a second farm dwelling on 1.5 acres in the northeast corner of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 13, Adams Township, was read to the planning commission. Mr. Gerber stated that he is farming in partnership with his father who owns the above described property and that this property is currently being farmed. He also stated that the existing driveway would be used for the new dwelling. Mr. Monson stated that he had been on the investigation committee and that the property was a good building site, having a grove and a fence surrounding it. Mrs. Ulwelling made a motion to grant the conditional use permit for a second farm dwelling on the reasoning that the following conditions were met:

1. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.
2. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
4. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
5. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

The motion was seconded by Mr. Monson and passed unanimously.

Discussion of Rock Quarry in Section 9, Frankford Township: A memo from the planning staff was read concerning Osmundson's quarry northeast of Grand Meadow. Dan Rogness stated that he and Joe Monson had investigated the site and the problem concerned the deep drop-off at the right-of-way lines on the township and county road. Mr. Peck showed pictures of the drop-off and explained that Mr. Steen of Grand Meadow had been trying to get the problem resolved for three years, and had not had much luck. He then contacted Mr. Peck and requested that the county planning commission look at

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the problem. Mr. Capelle stated that the quarry is very deep, from 40 to 70 feet down, and the sides are not sloped at all. He further stated that the fence there now would stop nothing. There was discussion concerning Frankford Town Board's unsuccessful attempts to get the problem resolved. Dan Rogness stated that Commissioner Finbraaten had indicated to the staff that there was no need for the planning commission to act, as the County Board was in the process of resolving the problem. Following discussion on this information, the planning commission decided to go ahead and make a recommendation to the County Board, as they felt strongly that it was a definite safety hazard. A motion was made by Mr. Capelle and seconded by Mr. Monson to recommend to the County Board that on both the township road and county road, Osmondson's be made to put up a chain link (or similar) type fence six feet, that would be strong enough to stop a snowmobile, and that Osmondson's or the County Board put up a guard rail in addition. Also, that warning signs be posted along this part of the road. The reasons for this being the deep drop-off is a definite safety hazard; because Section 14.37, Article IV, Extractions of Earth Products Regulations states that, "It is the purpose of this article to minimize the adverse effects mining operations may have on adjacent properties, to effect certain safety measures during operations and to effect restoration measures before such areas are abandoned."

Section 14.39 (a) states that, "Extracting, quarrying, mining and stockpiling operations shall be set back from property lines and road rights-of-way such distances as the county planning commission and county board shall prescribe in the special permit, and the county planning commission and the county board may also define slopes in the permit, all having due regard for the health, safety and welfare of the public, the need for lateral support, and considering the nature of the material being extracted, and the area and community involved."

Section 14.39 (b) states that, "Fencing shall be erected and maintained around the entire site or portions thereof where, in the opinion of the county planning commission and the county board of commissioners, such fencing is necessary for the protection of the public safety and shall be of a type specified by the county planning commission and the county board of commissioners."

The motion passed unanimously.

Amendment to the Rural Zone - To Allow Exclusive Agricultural and Exclusive Residential Uses as Permitted Uses: The staff report was read recommending that an amendment be made to the Rural Zone to allow two-family dwellings. Dan Rogness stated a two-family dwelling would be a suitable use in a Rural Zone. He explained that there are areas that are platted residential but not zoned residential where a person may want to build a duplex, but would not be allowed to because of the way the Rural Zone is now written. The proposed amendment would solve this problem. After further discussion, a motion was made by Mr. Hill and seconded by Mr. Capelle to allow two family dwellings in a Rural Zone and to amend the ordinance to include such. The motion passed unanimously.

Other Business: Dan Rogness told the planning commission that this coming Thursday, February 26, 1981, will be the last land use planning class. An evaluation of the class will be filled out at this class. Mr. Rogness also asked that if any of the planning commission members would like to see anything changed or added after attending the land use planning class to please contact the planning office.

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There being no further business, the meeting was adjourned on a motion by Mr. Monson seconded by Mr. Hill and passed unanimously.

Respectfully submitted,

Julie Lewon

Julie Lewon, Secretary
Mower County Planning Commission