

MOWER COUNTY

AUSTIN, MINNESOTA



April 28 1981

Minutes of the Mower County Planning Commission Regular Meeting

Members Present: Joe Monson, Roger Peck, Jen Ulwelling, Conrad Stemson, John Hill, Ray Capelle

Members Absent: Robert Finbraaten

Others Present: Dan Rogness, Julie Lewon, William Buckley

Chairman Peck called the meeting to order at 8:00 p.m., Tuesday, April 28, 1981 in the Commissioners Room of the Mower County Courthouse. Minutes of the March 31, 1981 meeting were approved as mailed on a motion by Mr. Monson, seconded by Mr. Stemson, and passed unanimously.

Conditional Use Permit #288 - Waiver of Platting - Spencer Yentsch: A petition from Mr. Yentsch for a conditional use permit to allow the waiving of platting requirements for a 17-acre parcel, located in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 4, Udolpho Township, was read to the planning commission. Mr. Yentsch was previously granted a waiver of platting for a two acre lot to be subdivided from a 17 acre parcel. He now wants to split off another lot from the 17 acre parcel which would make a total of three lots

One of the lots equaling 12 acres will be sold to an adjoining farmer for ag land. The other two lots have existing non-farm dwellings on them. A motion by Mr. Monson, seconded by Mr. Stemson to approve the waiver of platting requirements as no new building lots would be created, was passed unanimously.

Determination of Need for a Junk Yard Conditional Use Permit, Section 5, Austin Township - Elmer Klapperick: The staff report was read to the planning commission concerning the determination of need for a junk yard conditional use permit on property owned by Mr. Klapperick. Complaints had been filed at the planning office in the past concerning an excessive accumulation of junk on the property of Mr. Klapperick. The Mower County Zoning Ordinance requires a conditional use permit for a junk yard operation, but does not define "junk yard." Mr. Klapperick was not applying for a conditional use permit, but the complaint was being brought before the planning commission to determine if a conditional use permit was needed in this case.

Mr. Hill stated that he had been on the investigation committee and that the accumulation didn't look like more than any farmer would have. Residents of the area were present to voice their complaints about the junk, which they felt was a junk yard. Mr. Jim Dodd presented a letter and pictures of the site to the planning commission. Mr. Dodd felt that the material on the Klapperick property constituted a junk yard, and that Mr. Klapperick should be made to apply for a conditional use permit.

John Gilbert, an Austin Township official, stated that there are lots of other "junk" piles in the county and that the planning commission could be creating a bigger problem if they try to restrict this type of thing.

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After further discussion, a motion was made by Mr. Hill and seconded by Mr. Stemson that Mr. Klapperick did not need a junk yard conditional use permit and that the complaints should be handled through the courts by a private or public nuisance complaint process. The motion failed to pass with the following vote: Aye - Hill, Stemson; Nay - Capelle, Ulwelling, Monson, with Mr. Peck abstaining.

Mr. Monson stated that he felt a hobby is at someone's own home, not on property away from the home. A motion was then made by Mr. Monson and seconded by Mrs. Ulwelling that Mr. Klapperick does have a junk yard, and that he be required to obtain a conditional use permit for it. The motion passed on the following vote: Aye - Capelle, Ulwelling, Monson; Nay: Hill, Stemson with Mr. Peck abstaining.

Conditional Use Permit #289 - Auto Salvage Yard - Gerald Crews: A petition from Gerald Crews for a conditional use permit to allow an auto salvage yard to be located on the W $\frac{1}{2}$, SE $\frac{1}{4}$, Section 32, Red Rock Township, was read to the planning commission. Mr. Kermit Mahan, Director of the Austin Housing and Redevelopment Authority, presented the history of the case. The Austin HRA is the administrative agency for the Nielsen Addition relocation. Mr. Crews auto salvage yard is currently located in Nielsen Addition, and is proposing to relocate his business to the site of the closed Red Rock land fill. Mr. Crews would utilize 25 acres for the storage of cars and a small area for a pole building. The remaining area would be left to the current uses, pasture, tilled land, and a home site.

Many residents of the area were present to voice their opposition. Their major concerns included a possible decrease in property values, the salvage yard being incompatible with the mainly residential area, possible pollution problems, and noise from the crushing of cars. Mr. William Buckley, county sanitarian, stated that any residual gas or oil from the cars would not cause as much problem as what is there now from the land fill. Mr. Crews stated that cars would be crushed about three times a week using a tractor and loader, and that there would be no more noise than there was with the land fill. There was a question of why Mr. Crews' salvage yard could not remain in Nielsen Addition now that the people were gone. Mr. Mahan said that a commitment had been made to clear the whole area, not just the people. After further discussion, a motion was made by Mr. Monson and seconded by Mr. Capelle to deny the conditional use permit as it would not be compatible with the surrounding area. The motion passed unanimously.

Plans from David Steininger for a building to be erected in a commercial zone, located at the intersection of old 218 South and new 218 South, for the business, Boiler Control, were presented to the planning commission for approval. A motion was made by Mrs. Ulwelling and seconded by Mr. Hill to approve the plans as submitted. The motion passed unanimously.

There being no further business, a motion was made by Mr. Hill, seconded by Mr. Monson, to adjourn. The motion passed unanimously and the meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Julie Lewon

Julie Lewon, Secretary
Mower County Planning Commission