

MOWER COUNTY

AUSTIN, MINNESOTA



July 28, 1981

MINUTES OF THE MOWER COUNTY PLANNING COMMISSION REGULAR MEETING

Members Present: Joe Monson, John Hill, Jen Ulwelling, Conrad Stemson, Ray Capella

Members Absent: Roger Peck, Robert Finbraaten

Others Present: Julie Lewon, Dan Rogness

As the Chairman and Vice-Chairman were both absent, Mr. Rogness called the meeting to order at 8:00 p.m., Tuesday, July 28, 1981 in the Commissioners Room of the Mower County Courthouse. A motion was made by Mr. Stemson to have Mr. Monson act as chairman for the meeting. The motion was seconded by Mrs. Ulwelling and passed unanimously. Minutes of the May 26, 1981 meeting were approved as mailed on a motion by Mr. Hill, seconded by Mrs. Ulwelling and passed unanimously.

Conditional Use Permit #105 Renewal/Used Car Lot - Ervin Dietrich: A petition from Mr. Dietrich for the renewal of his permit allowing a used car lot on 3.04 acres in Outlot 21, Section 29, Le Roy Township was read to the planning commission. Mr. Capelle, the Vice-Chairman, arrived late and the chairmanship was passed to him. Mr. Stemson was on the investigation committee and stated that all the conditions were being kept. There was discussion on making the permit permanent and it was felt that Mr. Dietrich had continually met all the conditions. A motion was made by Mr. Monson to recommend approval of the permit on a permanent basis. Mr. Stemson seconded the motion and it passed unanimously.

Conditional Use Permit #65 Renewal - Gravel Pit - Ulland Brothers, Inc.: A petition from Ulland Brothers, Inc. for the renewal of their permit allowing a gravel pit on the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 14, Lansing Township, was read to the planning commission. No one representing Ulland Brothers was present. Mr. Stemson stated that he had been on the investigation committee and that all the conditions were being met except the one requiring signs posted at the entrance warning drivers of trucks hauling. This was mentioned during the investigation and the committee was assured that signs would be posted. There was discussion on whether or not to require a \$2000 performance bond from Ulland Brothers and it was decided that all permits for a gravel pit should be treated equally and performance bonds required for all. The planning commission also discussed making the permit permanent. Mr. Monson stated that he felt the permit should not be permanent but renewable at least every three years. The reason being there are so many conditions on the permit that having it renewable would give the planning commission a chance to see that the conditions are being met. A motion was made by Mr. Monson and seconded by Mr. Hill to recommend approval of the permit with the same conditions for a three year period to be renewed in July of 1984. The motion passed unanimously.

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Conditional Use Permit #22A Renewal/Sale of Mobile Homes - Ernest Durst: A petition from Mr. Durst for the renewal of his permit allowing the sale of mobile homes on 1.49 acres in the SE Corner, 240' x 270' on the 633' of W $\frac{1}{2}$, NW $\frac{1}{2}$, Section 4, Windom Township, was read to the planning commission. No one was present to represent Mr. Durst. Mr. Stenson was on the investigation committee and stated that all conditions were being met. There was discussion on the unlicensed cars parked on the property and if they were for sale. As no one was present to answer any of the questions Mrs. Ulwelling made a motion to table the petition until the August meeting. The motion was seconded by Mr. Monson and passed unanimously.

Review of Outdoor Recreation Plan: There was some discussion on the use of the plan and the county planning commission's jurisdiction of reviewing the plan. Mr. Rogness stated that they would act only on that part of the plan pertaining to Mower County with the exclusion of the city of Austin. After further discussion, a motion was made by Mr. Hill, seconded by Mr. Stenson to recommend approval of the plan with the change that more emphasis be placed on maintaining the recreational land in the county, less on acquiring additional recreational land. The motion passed unanimously.

Review of "Junk-yard" Definition: Several definitions of a junk-yard were presented to the planning commission for their review. Mr. Rogness stated that having a definition of a junk-yard in the zoning ordinance would provide a better background for judging what was and was not a junk-yard. After further discussion a motion was made by Mr. Hill, seconded by Mr. Monson to recommend that the definition recommended by the staff be incorporated into the County Zoning Ordinance. The motion passed unanimously.

Complaint on Henry Peters: A letter was presented to the planning commission from Mr. Buckley, County Sanitarian, regarding Mr. Peters' illegal septic system on his property in Section 11, Nevada Township. In October, 1980, the planning commission ordered Mr. Peters to correct his system by August, 1981. Mr. Buckley was requesting authorization to sign a complaint against Mr. Peters if he does not comply with the planning commission orders by August 1, 1981.

After some discussion Mr. Monson made a motion to authorize Mr. Buckley to sign a formal complaint against Mr. Peters and take him to court if he does not comply with the planning commission's orders by August 1, 1981. Mrs. Ulwelling seconded the motion. The motion failed on a 4-1 vote with Mr. Monson voting aye and Mr. Hill, Mr. Stenson, Mr. Capelle, and Mrs. Ulwelling voting nay.

Following further discussion on the rephrasing of the motion to not mention taking Mr. Peters to court, Mr. Hill made a motion to give Mr. Buckley the authority to sign a formal complaint against Mr. Peters if he does not comply with the planning commission's orders by August 1, 1981. The motion was seconded by Mr. Stenson and passed unanimously.

The meeting was adjourned at 9:50 p.m. on a motion by Mr. Hill.

Respectfully submitted,

Julie Lewon
Julie Lewon, Secretary
Mower County Planning Commission