

MOWER COUNTY

AUSTIN, MINNESOTA

55912



July 31, 1984

MINUTES OF THE MOWER COUNTY PLANNING COMMISSION REGULAR MEETING

MEMBERS PRESENT: Jen Ulwelling, Jo Monson, Conrad Stemson, Ray Capelle,
Richard Cummings, Bob Werner, John Hill

MEMBERS ABSENT: None

OTHERS PRESENT: William C. Buckley, Daryl W. Franklin

Vice Chairman Capelle called the meeting to order at 8:00 pm. on Tuesday, July 31, 1984 in the Commissioners Conference Room of the Mower County Courthouse in Austin, MN. Minutes of the May 29, 1984 meeting were approved as mailed on a motion by Mrs. Ulwelling, seconded by Mr. Cummings and passed unanimously.

Election of Officers - Vice Chairman Capelle explained that it was time for an election of officers and called for nominations. Mr. Monson nominated Mr. Capelle for Chairman. A motion was made by Mr. Monson and seconded by Mr. Cummings that nominations cease and the secretary be instructed to cast a unanimous ballot for Mr. Capelle. The motion passed unanimously. Chairman Capelle called for nominations for Vice Chairman. Mr. Stemson nominated Mr. Monson. A motion was made by Mr. Cummings and seconded by Mrs. Ulwelling that nominations cease and the secretary be instructed to cast a unanimous ballot. The motion passed unanimously.

Sewage Complaints - William C. Buckley presented part 2 of the continuing saga of the Sunset and Stardust Apartments sewage problems. He explained that he is working with both parties. It seems that the Sunset Motel system is now working properly, however, the Stardust Apartments have a problem. Mr. Buckley will work with them and keep the commission informed of the situation.

Petition for Rezoning from Rural to Commercial - Ernest Durst - The petition and staff report were presented. Mr. Capelle called for those speaking in favor of it. Mr. Ernest Durst explained that he needed the rezoning so he could establish a used car sale lot. Chairman Capelle asked if anyone was present who opposed the petition. Gary Hackbarth and Grace Dooly spoke in opposition to the petition saying it would have a detrimental effect on their neighborhood and the surrounding areas and would be a "spot zone". A motion was made by Mr. Monson, seconded by Mr. Stemson to deny the rezoning for the following reasons:

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1. The surrounding area is predominantly residential.
2. Rezoning to commercial would open the area to all businesses allowed in a commercial zone.
3. The rezoning is not in accordance with the adopted Mower County Comprehensive Plan.
4. The rezoning would be an obvious case of spot zoning.

The motion passed unanimously.

Petition for a Conditional Use Permit for an Additional Farm Dwelling - Corliss

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Jacobson - The petition and staff report were presented. The petitioner is proposing to construct an additional dwelling on his property. Mr. Jacobson will live in the new home, his daughter will live in the existing home. When the daughter moves out in the future, the old house will be torn down leaving only the new home. Chairman Capelle asked if anyone wanted to speak in favor of this petition. Mr. Jacobson spoke of the need for the home. Mr. William McCloud, Chairman of LeRoy Township, spoke on the value to the Township of the extra tax dollars to the Township. Chairman Capelle stated he was concerned about two homes on forty acres and the possibility that it could start a subdivision. After some discussion, a motion was made by Mr. Monson, seconded by Mr. Stenson that the additional farm dwelling be approved with the following conditions:

1. The existing dwelling must be occupied by persons associated with the farm operation, who are members of the Corliss Jacobson family.
2. The permit is void if building and sewer permits are not applied for and approved.

Mr. Jacobson stated that he had no problem with the conditions. The motion passed unanimously.

Petition for a Conditional Use Permit for an Additional Farm Dwelling - Alan

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Simonson - The petition and staff report were presented. The petitioner is requesting to move a mobile home onto his property. He lives in the existing home; the son will live in the mobile home. He will be associated with the farm operation. Mr. Capelle called for individuals speaking in favor or opposed to the petition. No one was present. A motion was made by Mr. Cummings, seconded by Mr. Monson to approve it with the following conditions:

1. The residents of this dwelling must be associated with the farm dwelling.
2. The permit is void if building and sewer permits are not applied for and approved.

The motion passed unanimously.

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The Planning Commission reviewed a proposed amendment to the Mower County Code in relationship to building permits. It was explained that this was requested by the Mower County Board of Commissioners and one Townboard. Members of the Frankford Townboard spoke that there was a need to have their local control on building permits. It was also discussed that there is going to be extra cost to the county permit for this and that the people applying for building permits are going to have to pay a fee to cover this cost. After some discussion, a motion was made by Mrs. Ulwelling, seconded by Mr. Stenson that Section 14.3 of the Mower County Code be amended as follows: If the Townboard wants to petition the Mower County Board of Commissioners, no building permit should be issued for construction purposes until the Townboard where the property is located has approved and signed the permit.

If the Townboard has not signed the building permit application within 30 days from the mailing of the permit to them, it will be assumed that the lack of action is approval of the permit. All applications will be sent certified to the Townboard Clerk. The motion passed unanimously.

333 Petition for a Conditional Use Permit for a Commercial Kennel - Kermit Nauman - The petition and staff report were presented. The petitioner is proposing to have a commercial kennel. The kennel will serve two purposes: 1) Quarters for Mr. Naumans breeding and raising of dogs; and 2) Boarding of others dogs. Mr. Capelle called for those speaking in favor or opposed to the petition. Austin Townboard member Oliver Hillier was concerned that the dogs would be noisy and a nuisance. Other questions were raised by the Planning Commission. After some discussion a motion was made by Mr. Hill, seconded by Mrs. Ulwelling to approve the conditional use permit for Mr. Nauman under the following conditions:

1. The number of dogs should be limited to 30 adult dogs over three months old.
2. All pups must be disposed of and gone from the site within three months of their birth.
3. All boarded dogs will be housed inside the current 30' x 40' building and Mr. Naumans dogs will have a fenced outside exercise area to run in.
4. This permit will be reviewed one year from the date of approval to see that all conditions are being met.

The motion passed unanimously.

Dave Ferguson - Building Permit Review - The building permit of Mr. Ferguson was reviewed and filed with the Planning Commission.

There being no further business, a motion to adjourn at 9:34 p.m. was made by Mr. Hill, seconded by Mr. Cummings and passed unanimously.

Respectfully submitted,


Daryl W. Franklin
Acting Secretary