

MOWER COUNTY

AUSTIN, MINNESOTA

55912



August 27, 1985

MINUTES OF THE MOWER COUNTY PLANNING COMMISSION REGULAR MEETING:

Members Present: Gary Braaten, Ray Capelle, John Hill, Mary Keenan, Joe Monsen, Jen Ulwelling, Bob Werner

Member Absent: None

Others Present: Daryl W. Franklin, Craig Eliason

Chairman Capelle called the meeting to order at 8:00 p.m. on Tuesday, August 27, 1985 in the Commissioners Conference Room of the Mower County Courthouse. Minutes of the May 28, 1985 meeting were approved as mailed on a motion by Mrs. Ulwelling, seconded by Mr. Monsen and passed unanimously.

Petition for Conditional Use Permit for an Auto Storage Lot -

Michael Schubert: Mr. Franklin read the staff report.

Petitioner runs cars in demolition derbies in the summer. He would like to store these cars on his property which is located on 1.5 acres in the NE corner of Outlot 66, except .59 acres highway and W 375' N 230' of Outlot 66, except W 20' and E 254.6' N 32' of Outlot 67, Section 9, Red Rock Township. Therefore, he's asking for a conditional use permit for a auto storage lot. The property is zoned commercial.

Mr. Schubert was present and stated that a chain link fence is already in place and he has plans to erect a solid wood fence. He stated that the area would be strictly for storage of the cars.

Mr. Braaten asked how many cars were there at the present time and how many sides he had planned to erect a fence on. Mr. Schubert answered there were 19 cars present and 11 would be moved out in the near future. He had planned to erect the fence on the side facing Highway 56.

Chuck Schubert, Michael's brother, was present to state at least 11 of cars will be moved out in the near future and the reason they had not erected the solid wood fence yet was because they were waiting to see what would be required.

Mr. Mike O'Connor, who lives directly south of the Schubert property, was present to speak against the petition. He presented a petition signed by the neighboring landowners. Chairman Capelle read the petition and made note that there were 21 names on it. Chairman Capelle also made note of a letter from Jerry MacVey voicing his opposition to the petition.

Page Two
Mower County Minutes
September 4, 1985

Mr. Schubert presented a letter from one of the persons who had signed the petition against the proposed action. Mr. Schubert stated that when he had talked to the person and explained what he was proposing to do, they had changed their mind and were no longer against the auto salvage lot.

Mr. Monsen asked why the cars couldn't be stored in the pole shed located on the property. Mr. Schubert answered that he had leased out the shed for 10 years.

After further discussion, a motion to recommend approval of the conditional use permit was made by Mr. Monsen with the following conditions:

- 1.) An eight (8) foot, solid wood, painted fence be put up on the east, south and west sides of the designated 90'X100' area;
- 2.) A maximum of ten cars will be allowed;
- 3.) The remaining portion of land must be kept free of car parts, debris, etc.;
- 4.) The permit will be reviewed in one year to see if the conditions are being met.

The motion was seconded by Mrs. Ulwelling and passed unanimously.

Mr. Franklin announced that the petition will be reviewed by the County Board of Commissioners at 3:30 p.m. on September 3, 1985.

Petition for Rezoning from Rural to Commercial - Leonard Soltau:

Mr. Franklin read the staff report. The petitioner wishes to conduct a business of selling used and repairable cars and trucks on the property located on Outlots 14 and 15 of Section 34, LeRoy Township. This will not be a salvage yard. The property is about a quarter mile south of the LeRoy city limits. There are several residential sites between this property and the City of LeRoy. The land to the west is ag land.

Mr. Soltau was present and stated that he would like to change the petition because he only needed one acre to display the vehicles. Mr. Franklin read the allowed use in a commercial zone.

After some discussion, a motion to recommend denial of the rezoning because it would set a precedent for spot zoning was made by Mrs. Ulwelling, seconded by Mrs. Keenan and passed unanimously.

Mr. Franklin announced that the petition would go before the County Board of Commissioners at 3:30 p.m. on September 3, 1985.

Page Three
Mower County Minutes
September 4, 1985

Petition for a Conditional Use Permit for a Gravel Pit - Everett Haney: Mr. Franklin read the petition. The petitioner wishes to extract gravel from this site located on 22 acres in the NW1/4 NW1/4, Section 31, Lansing Township. This site had been a gravel pit many years ago. However, a conditional use permit is required since the pit has been unused for more than one year.

Mr. Haney was present and stated his concern that Ulland Brothers did not carry out their responsibilities as had been spelled out in the contract.

Duwayne Harrington, a neighbor, was present to speak against the petition, stating that he had nothing against the gravel pit per se but his house is located very near the road and he was concerned about the dust problem they had been experiencing.

Mr. & Mrs. Roy Orth, also neighbors to the Haney's, were present to state their concerns about the excessive dust and the speed and frequency of the trucks hauling material and what effect they would have on the school buses now that school had started.

Bob Oberg, another area resident, was present to state the excessive dust problem caused extremely dangerous driving conditions.

Steve Munger, another area resident, was present to state that the frequency of the trucks was every 10 minutes or less and that the dust problem makes living in the area difficult. He said he had tried to contact the Lansing Town Board members but was unsuccessful in doing so.

After further discussion, a motion to table the conditional use permit until September 10 was made by Mrs. Keenan. She stated that Ulland Brothers Construction be asked to attend the meeting along with a representative from the Lansing Town Board to address the problems concerning traffic and dust. The motion was seconded by Mr. Hill and passed unanimously.

There being no further business, the meeting adjourned at 9:40 p.m. on a motion by Mr. Monsen, seconded by Mr. Hill and passed unanimously.

Respectfully submitted,

Craig Eliason
Secretary