

Coordinated Development In

MOWER COUNTY

AUSTIN, MINNESOTA

55912



507-437-9527

AUSTIN-MOWER COUNTY PLANNING DEPARTMENT

Minutes of the Mower County Planning Commission Meeting

Members Present: Herb Hanson, Gary Braaten, Jen Ulwelling, Oliver Hillier, Bob Shaw

Members Present: Bob Werner, Steve Wieland,

Others Present: Katie Losness

Acting Chair Ulwelling called the meeting to order at 8:05 p.m. on Tuesday, July 26, 1988, in Conference Room I of the Mower County Courthouse in Austin, Minnesota. The minutes of the June 28, 1988, meeting were approved as mailed on a motion made by Mr. Braaten, seconded by Mr. Shaw and passed unanimously.

Election of Chair and Vice-Chair - Acting Chair Ulwelling opened up the floor for nominations to fill the vacancy of Chair. Mr. Hillier nominated Mrs. Ulwelling for Chair and was seconded by Mr. Braaten. Mr. Hanson made a motion that nominations cease and a unanimous ballot be cast which was seconded by Mr. Shaw and passed unanimously.

Chair Ulwelling opened up the floor for nominations for Vice-Chair. Mr. Braaten nominated Mr. Hanson which was seconded by Mr. Hillier. Mr. Shaw made a motion that nominations cease and a unanimous ballot be cast. The motion was seconded by Mr. Hillier and passed unanimously.

Rezoning from Rural to Commercial - Donovan Hague: Mr. Hague, Rt. 1 Brownsdale is requesting that his property be rezoned from Rural to Commercial (N 175 ft, 2 412.5 ft, W 412.5 ft, SW 1/4, Section 22, exc Hwy, Red Rock Township). Petitioner is currently operating a business repairing and selling cars. The surrounding land use is agricultural and zoning is rural.

Mr. Hague was present to explain to the Commission about his operation. He has been operating at the present site with a dealership license from the State of Minnesota since 1980. He wanted to remain in the area that he grew up. He thought he had been legal until the Planning Department became aware of the operation and told him that he must be in a commercial zone to operate such a business. He said that the cost of putting his cars for sale on property already zoned commercial would be prohibitive and if his current property is not rezoned his bank would have an auction and he would lose everything.

Page Two
Mower County Planning Commission Minutes
July 26, 1988

Mrs. Ulwelling asked if staff had heard any opposition. Ms. Losness replied that they had not received any calls. Mrs. Ulwelling told Mr. Hague that it was not that they distrusted him or his operation, the issue is the fact that it would be a spot zone that goes with the property and could be used in the future for any commercial use. Mr. Hillier also said that he would like to help Mr. Hague but that his hands are tied.

Mr. Hillier asked if the land could be rezoned back to rural if and when Mr. Hague was through with his operation. Ms. Losness told the Commission that rezoning is based on the compatibility of the land uses in the area and not because of a certain property owner. If the rezoning was challenged in court it would most likely not be upheld.

Mr. Hanson asked about the zoning of a similar operation in Elkton. He was told that the property had been annexed to the City of Elkton so that the person could operate it and therefore, it was out of the County's jurisdiction.

Ms. Losness told Mr. Hague that he has the option of applying for a conditional use permit for repairing the cars as a home occupation in an accessory building and sell his cars at another site that is zoned commercial.

Mr. Shaw told him that this was an advisory board that only makes recommendations to the County Board who makes the final decision. The Board would be meeting on his request August 2, 1988, at 1:30 p.m.

Mr. Hanson made a motion to recommend denial of the rezoning from Rural to Commercial. He said that although the county needs good businesses, the area is agricultural and the rezoning would constitute a spot zone which the Planning Commission has a policy against. The motion was seconded by Mr. Braaten and passed unanimously.

Other Business: Chair Ulwelling initiated a discussion on limiting the number of Planning Commission members through attrition. Some members felt that a smaller number would be appropriate as it is only an advisory board and that they could still make fair decisions even if they weren't from the particular area. Others felt that a larger Commission would provide a better cross-section of people. Mr. Shaw felt that the issue should have been brought up before Commissioner Finbraaten had started to look for replacements for the vacant seats or wait until the next seat is to become vacant.

There being no further business to discuss, the meeting adjourned at 8:50 p.m. on a motion made by Mr. Hillier, seconded by Mr. Braaten and passed unanimously.

Respectfully submitted,


Katie Losness