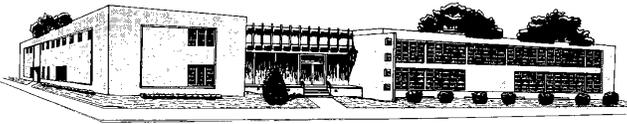


MOWER COUNTY

AUSTIN, MINNESOTA

55912



January 31, 1989

Minutes of the Mower County Planning Commission Meeting

Members Present: Gary Braaten, Steve Wieland, Herb Hanson, Don Olson, Oliver Hillier, Keith Vorhees, Dick Cummings

Members Absent: Bob Werner, Jen Ulwelling

Others Present: Katie Losness

Vice-Chair Hanson called the meeting to order at 2:00 p.m. on Tuesday, January 31, 1989, in the Commissioner's room of the Mower County Courthouse in Austin, Minnesota. The minutes of the December 27, 1988, meeting were approved as mailed on a motion made by Mr. Wieland, seconded by Mr. Braaten and passed unanimously.

CUp #393 - Conditional Use Permit for an Agriculturally-Oriented Business - Alva Andrews: Ms. Losness read the staff report. Alva Andrews is requesting a conditional use permit for an agriculturally-oriented business to allow him to repair and sell electrical apparatus on his property in Grand Meadow Township (E 473 ft - on south S 550 ft - on east - N 2010 ft, E 1/2 SE 1/4 of Section 12). Surrounding land use is agricultural and zoning is rural.

Mr. Hillier asked where the business was operated and Mr. Andrews told him it was contained within two buildings.

Mr. Hanson told the group that he and Mr. Olson had been to the site and could see no problem with the business. Mr. Olson said he felt the request meets all of the guidelines of the staff report, and therefore, made a motion to recommend approval of the conditional use permit which was seconded by Mr. Vorhees and passed unanimously. Ms. Losness announced that the County Board would hear the request on February 7, 1989, at 2:00 p.m.

Change of Zone 126 - Rural to Commercial - Vernon Neitzell: Ms. Losness read the staff report. Vernon Neitzell is requesting a rezoning from rural to commercial on property owned by James Dodd (12.5 ac NW 1/4 NE 1/4 exc. 3.68 ac hwy & exc. 1.3 ac S 1/2 NW 1/4 NE 1/4 in Section 5 of Austin Township). Petitioner would like to rezone a five acre parcel of the property for an office, indoor/outdoor storage and display area. The existing land use is a demolition landfill. Surrounding land use is as follows: North is Agricultural, South & East is I-90, West is residential and all zoning is rural.

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Mr. Neitzell showed photographs of the work he does in his business and told the Commission that he is not a heavy contractor and just wants an office and display area at a central location. He would store some small equipment and felt that since the property is next to the highway it should be a commercial area.

Larry Ashley, Rural Route 3, said the area is rural residential and the fact that it is next to the freeway is irrelevant. He does not feel the roads are suitable for business purposes. Don Johnson, 403 31st Street NW, said he's been before the Commission before to protect the area and there are areas already zoned commercial that the business should locate in.

John Register, 3204 2nd Avenue NW, said that the change in traffic patterns would greatly reduce the property values of their homes. Joe Nolan, 3302 2nd Avenue NW, said he is against any business in the area because there is no city water or sewer available. Harry Hansen, 604 31st Street NW, said there's enough traffic on those roads and they have enough trouble with the junk yard at Klappericks.

Ms. Losness read a letter from Steven and Cheryl Corey, 603 30th Street NW, informing the Commission that while they could not be at the meeting, they wanted to express their opposition as they bought their house because of its rural setting.

Larry Ashley said that once the property is rezoned they could end up with anything allowed in a commercial zone. Agnes Schultz, 504 31st Street NW, said that she lives alone and feels safe because it's a rural and not commercial area. Lloyd Larson, 601 30th Street NW, told the Commission that a commercial zoning would affect the view and beauty of the area.

Mr. Neitzell said that since the property has been used for a landfill there is little else the property would be good for. He's not looking for a "come and go" commercial, high traffic area; he's not interested in a big retail set up.

Mr. Wieland said that spot zoning is never a good idea even under the best circumstances and he felt that would not be the best place for Neitzell's operation. Mr. Olson didn't approve of the rezoning for the following reasons: the access is not very good to the site and changes would have to be made to improve the road; there isn't city water or sewer at the site; once it is zoned commercial the door is wide open for any commercial use; and it doesn't fit within the guidelines set for the Planning Commission's decision making.

Mr. Hanson said that they have denied spot zonings in the past because of the complications it can cause. Mr. Braaten felt he would be more successful in another area as there are areas more suited to his use. He also expressed his opposition to spot zoning. Therefore, Mr. Braaten made a motion to deny the rezoning which was seconded by Mr. Olson and passed unanimously. Ms. Losness announced that the County Board would meet on the petition on February 7, 1989 at 2:00 p.m.

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The Planning Commission then discussed the County Board's tabling of the Donovan Hague petition for rezoning and felt that the Board should deny this as it is clearly a spot zone and the Planning Commission had already decided not to expand the Ordinance to allow more commercial activities as conditional uses. Therefore, Mr. Wieland made a motion to again recommend to the Board that they deny the petition for rezoning on the Donovan Hague property. The motion was seconded by Mr. Braaten and passed unanimously.

There being no further business to discuss, the meeting adjourned at 2:40 p.m. on a motion made by Mr. Wieland, seconded by Mr. Hillier and passed unanimously.

Respectfully submitted,


Katie Losness