

**AUSTIN  
MOWER COUNTY  
PLANNING DEPARTMENT**

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September 26, 1989

Minutes of the Mower County Planning Commission Regular Meeting

Members Present: Gary Braaten, Donald Olson, Herb Hanson, Bob Werner, Steve Wieland, Oliver Hillier, Keith Vorhees, Meri Jo Lonergan

Members Absent: Dick Cummings

Others Present: Katie Losness

Chair Hanson called the meeting to order at 8:00 p.m. on Tuesday, September 26, 1989, in the Commissioner's Conference Room of the Mower County Courthouse in Austin, Minnesota. The minutes of the September 5, 1989, meeting were approved as mailed on a motion by Mr. Wieland, seconded by Mr. Vorhees and passed unanimously.

CUP 403 - Conditional Use Permit for a Kennel in the Urban/Rural Expansion District - Michael Kruse: Ms. Losness read the staff report. Michael Kruse is requesting the permit for a kennel at 2309 12th Avenue SW (Lot 4, Block 4, Austin Acres, Austin Township). The petitioner would like to have up to 15 of his own dogs, including puppies, for sale and show. The existing land use is residential and zoning is Urban/Rural Expansion District. The surrounding land use and zoning is all residential and zoning is also Urban/Rural Expansion and Single Family Residential in the City of Austin. The area is slowly being annexed into the City of Austin.

Mr. Kruse told the Commission that the kennels are around the pole barn on the property and sometimes kept inside it. They wouldn't want to keep any more than 15 for show and pets.

Shirley Maxey, area resident, expressed her concern about the possibility this would lower their property values. Most of the area will be annexed into the City in the near future and she didn't feel this would be appropriate. Lambert Kulas, also from the area, stated that another of his neighbors was opposed but didn't come and he didn't feel this kennel should be permitted.

Chair Hanson told the Commission that he and Mr. Werner had visited the site and could see that the area was residential in nature and didn't feel that it was compatible with this surrounding use. Mr. Werner also agreed that even without any neighborhood opposition he was against kennels in a populated area. Kennels don't belong in a city unless they are completely enclosed in a building. While

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certain restrictions can be added it still leaves a number of issues open to debate which could lead to many problems. He felt that granting the CUP would impede the use and enjoyment of other property in the immediate vicinity.

Mr. Olson expressed his concern over the potential noise problems with kennels and even if it were in an agricultural area if there were close neighbors he would be opposed.

Mr. Kruse reiterated that his dogs are never let loose. He currently has six puppies and five adult dogs. Ms. Losness said that it is a permitted use to have up to three dogs over 4 months old.

After further discussion Mr. Werner made a motion to recommend denial of the conditional use permit based on his arguments mentioned previously. The motion was seconded by Mr. Olson and passed on a 7-1 vote with Mr. Wieland voting nay. Ms. Losness announced that the County Board hearing would be October 3, 1989, at 1:20 p.m.

There being no further business to discuss the meeting adjourned at 8:30 p.m. on a motion made by Mr. Wieland, seconded by Mr. Braaten and passed unanimously.

Respectfully submitted,



Katie Losness