

MOWER COUNTY

AUSTIN, MINNESOTA

55912



April 30, 1991

Minutes of the Mower County Planning Commission Regular Meeting

Members Present: Gary Braaten, MeriJo Lonergan, Don Olson, Don Johnson, Oliver Hillier, Keith Voorhees, Herb Hanson, Julie Lura, Bob Werner

Members Absent: None

Others Present: Daryl W. Franklin

Chair Hanson called the meeting to order at 8:00 p.m. on Tuesday, April 30, 1991, in the Commissioner's Conference Room of the Mower County Courthouse in Austin, Minnesota. The minutes of the February 26, 1991, meeting were approved as mailed on a motion by Mr. Hillier, seconded by Mr. Werner and passed unanimously.

Conditional Use Permit #420 to Allow Gravel Extraction in the Agricultural District - David Hjelman: Mr. Franklin read the staff report. Mr. Hjelman is requesting a conditional use permit for gravel extraction on his property in Section 15 of Lansing Township (40 acres N 1/2 SE 1/4, except 10.5 acres). The current land use is agricultural and zoning is Agricultural District. The surrounding land uses and zoning are as follows: North: Agricultural, zoned Agricultural District; South: Drainage Ditch/Agricultural, zoned Agricultural District; East: Residential, zoned Agricultural and West: Residential, Agricultural and Creek, zoned Agricultural District.

David Hjelman explained that he was the owner and petitioner and that Wallace Bustad would operate the pit. He explained that they would dig down approximately six feet and the pit would be approximately 40 rods by 25 rods. Chair Hanson told the Commission that he and Mr. Voorhees had been out and viewed the site and were concerned about the surrounding land uses.

Harry Hayden, Route 1, Box 160, spoke in opposition stating he felt it would devalue surrounding property. Mr. Hayden also presented a letter of opposition from the Wilson's who were not able to attend the meeting. Mrs. Harold Ryther, RR1, Box 159, was concerned that it would have an adverse effect on the property values.

After continued discussion, a motion was made by Mr. Werner and seconded by Mr. Braaten to recommend that the permit be denied because the conditional use permit would be injurious to the use and enjoyment of other property owners in the immediate vicinity for the purposes already permitted and may diminish property values in the area. The motion passed unanimously. Mr. Franklin announced that the County Board would hold a hearing at 1:30 p.m. on May 7, 1991.

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Conditional Use Permit #421 for an Additional Farm Dwelling in the Agricultural District - Ted Frank: Mr. Franklin read the staff report. Ted Frank is requesting a conditional use permit for an additional farm dwelling at his father's farm operation in the Agricultural District to allow him to live on the farm. The existing and surrounding land uses are all agricultural and zoning is Agricultural District.

Mr. Frank provided background as to how he would be associated with the farm operation. Lavern Bergstrom, of the Dexter Town Board, spoke in favor of the conditional use permit. Chair Hanson and Mr. Voorhees explained that they were both at the site and saw no problems with the request. After some discussion, a motion was made by Mr. Johnson, seconded by Mr. Voorhees to recommend approval of the conditional use permit. The motion passed unanimously. Mr. Franklin announced that the County Board hearing would be held at 1:30 p.m. on May 7, 1991.

Conditional Use Permit #422 for an Additional Farm Dwelling in the Agricultural District - David & Cathy Severson: Mr. Franklin read the staff. David and Cathy Severson are requesting a conditional use permit to allow them to build a home on his father's farm where he will help out with the farm operation. The existing and surrounding land uses are all agricultural and zoning is Agricultural District.

Cathy Severson was present and explained that they have a four acre parcel with a well already on the property. They will be associated with the farm operation. Frank Severson spoke in favor of the petition. Representatives of the Pleasant Valley Town Board spoke in favor of the petition. The investigating committee explained that they had been out to the site and saw no problems with it. After some discussion, a motion was made by Mr. Braaten, seconded by Ms. Lonergan to recommend approval of the conditional use permit. The motion passed unanimously. Mr. Franklin announced that the County Board hearing would be held at 1:30 p.m. on May 7, 1991.

Conditional Use Permit #423 for Gravel Extraction in the Agricultural District - Ulland Brothers/Sandra Laganiere: Mr. Franklin read the staff report. Ulland Brothers is requesting the conditional use permit to allow gravel extraction on property owned by Sandy Laganiere (S 1/2, NE 1/4, Section 7, Racine Township). Ulland Brothers will be reconstructing nine miles of the eastbound land of Interstate 90 for the Minnesota Department of Transportation. The existing and surrounding land uses are all agricultural and zoning is Agricultural District.

Ken Johnson, Ulland Brothers, presented information and drawings to the Planning Commission on the proposed operation. Bill Henke, Racine Town Board, spoke in favor of the request. After some discussion a motion was made by Mr. Olson, seconded by Mr. Braaten to recommend approval of conditional use permit #423 with the following conditions:

1. The extraction of materials shall remain 40 feet from the adjacent property line and 40 feet from the road right-of-way.
2. A \$10,000.00 performance bond must be posted with the County Auditor.
3. This permit shall expire June 31, 1992 at which time the site shall be rehabilitated per Section 14-139 of the Zoning Ordinance.

The motion passed unanimously. Mr. Franklin announced that the County Board hearing would be held May 7, 1991, at 1:30 p.m.

Conditional Use Permit #424 for Gravel Extraction in the Agricultural District - Ulland Brothers/Orris Strum: Mr. Franklin read the staff report. Ulland Brothers is requesting a conditional use permit for gravel and sand extraction from Orris Strum's property (E 1/2 SE 1/4, Section 7, Racine Township) for reconstruction of nine miles of the eastbound land of I-90 for the Minnesota Department of Transportation. The existing land use and zoning is Agricultural. The surrounding land uses and zoning are as follows: North, South & East: Agricultural, zoned Agricultural District; and West: Interstate 90, zoned Agricultural District.

Ken Johnson, Ulland Brothers, explained the operation of the permit to the Planning Commission. The investigating committee explained that they were out to the site and didn't see any problems with the permit. After some discussion, a motion was made by Mr. Olson, seconded by Mr. Braaten to recommend approval of the permit with the following conditions:

1. The extraction of material shall remain 40 feet from the road right-of-way and 40 feet from Ms. Laganriere's property line until such time as a written letter is submitted from Ms. Laganriere explaining that she has no objection to bringing the gravel extraction on her property together with the old gravel pit on Strum's property.
2. A \$10,000.00 performance bond must be posted with the County Auditor.
3. Upon completion of the I-90 project, the petitioner must bring the Township road back to the previous conditions.
4. This permit shall expire June 31, 1993.

The motion passed unanimously. Mr. Franklin announced that the County Board hearing would be held at 1:30 p.m. on May 7, 1991.

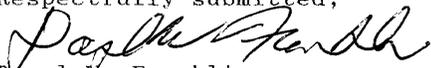
Proposed Amendment to Definition of Agricultural Uses: After reviewing the proposed amendment, a motion was made by Mr. Werner, seconded by Mr. Voorhees to recommend that the County Board proceed with setting a public hearing and making a change in the Zoning Ordinance as presented. The motion passed unanimously.

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Other Business: Oliver Hillier asked for an opportunity to speak and raised some of his concerns about the number of junk yards in the County and would like action taken on these. He also asked a question about how restrictive and what requirements the townships had for denying a permit.

There being no further business, the meeting adjourned at 9:15 p.m. on a motion made by Ms. Lonergan, seconded by Ms. Lura and passed unanimously.

Respectfully submitted,


Daryl W. Franklin
Planning Director