

Mower County Planning Commission

Minutes Mower County Planning Commission

Members Present: Diane Benson, Oliver Hillier, Meri Jo Lonergan, Len Miller, Don Olson, Keith Voorhees.

Members Absent: Harold Boverhuis, Greta Kraushaar.

Others Present: Lee Bonorden (Austin Daily Herald), Daryl W. Franklin.

Chair Len Miller called the regular meeting to order at 7:00 p.m. on Tuesday, June 27, 1995, in the Conference Room of the Mower County Courthouse, Austin, Minnesota. Minutes of the May 30, 1995; meeting were approved as mailed on a motion by Keith Voorhees, seconded by Oliver Hillier. The motion passed unanimously.

Chair Miller departed from the agenda to discuss CUP #303 from Wallace Bustad for an extension of his demolition landfill expiration date. Mr. Miller stated that the Planning Commission received a letter from the MPCA reporting on violations at the landfill. The Planning Commission also received a letter from Evan Larson (Mr. Bustad's attorney) asking that the request be tabled until the August meeting or until the MPCA questions are resolved. A motion was made by Don Olson, seconded by Oliver Hillier, to table the request until the issues are resolved with MPCA. The motion passed unanimously.

Renewal of Conditional Use Permit #424 - Ulland Bros. Inc./Orris Strum - Renewal of conditional use permit applicable to Section 14-51(i) of the Mower County Zoning Ordinance for a gravel and sand pit in section 7, Racine Township. Reference was made to the on-site investigation by Don Olson and Oliver Hillier on June 21, 1995. Staff report was presented. After some discussion, a motion was made by Don Olson, seconded by Keith Voorhees to recommend approval of CUP #424 for the gravel and sand pit because it was in accordance with Section 14-31 of the Mower County Zoning Ordinance with the following conditions:

1. Excavation must be in accordance with site and plan drawings and cross sections.
2. Excavation must be 40 feet from the road right-of-way.
3. This permit shall expire December 31, 2005.
4. Petitioner will file and maintain a \$9,500 Restoration Bond on the site until June 31, 2006.
5. Petitioner must comply with Section 14-143 Land Rehabilitation.

Motion passed unanimously.

Robert Keske - Request to re-build a destroyed non-conforming use with the 40 foot front setback in section 34 of Red Rock Township - Reference was

made to the on-site investigation. Staff Report was presented. Mr. Keske explained that his old garage was destroyed by a fire and that he wanted to rebuild a garage on the same spot. Mr. Keske reported that he was going to use a laminate pole construction, place the poles on the existing concrete and secure them with heavy angle iron bolted into the concrete. He presented a drawing of the 30 x 48 building. After some discussion, a motion was made by Keith Voorhees, seconded by Don Olson, to recommend that the structure be re-built because it was in accordance with Section 14-16(a) of the Mower County Zoning Ordinance with the following conditions:

1. Secure Zoning Permit from Mower County Planning Office.
2. The building can be no closer than existing concrete slab.
Poles can not exceed beyond concrete slab.
3. Submit plan or drawing for new building to the Mower County Planning Office.
4. Building must be completed within 12 months to the satisfaction of the Mower County Planning Office.

Motion passed unanimously.

It was stated that these two petitions will be heard at 9:00 a.m. at the July 5, 1995, Mower County Board of Commissioners meeting for final approval.

Lance Pogones - "Concept" Plat in Section 32 of Lansing Township - Background information was provided on the land that Lance Pogones has petitioned for platting in Section 32 of Lansing Township. The Planning Commission was able to review a "concept plat" since the preliminary plat was not completed as of this date. Mr. Pogones reported that he proposed approximately 16 lots ranging in size from 3 to 9 acres and that he has received inquiries from people interested in purchasing them. Reference was made to double frontage lots and that they might not be appropriate according to county code. Jim Frank, a neighbor, stated that he would prefer that the double frontage lots because then all the lots would not have a driveway on the township road. Mr. Frank felt that to maintain the rural character of the area that there should be fewer lots. Darwin Viker, a neighbor, was opposed to the plat and that it should not be allowed by the Planning Commission because the subdivisions would not work well with the farms in the area. Dave Reynen, a neighbor, was concerned about the number of lots and the access road which would be leading into his front yard. No further action was taken on the plat. Mr. Pogones wanted to know what other options were available to sell off three or four lots. It was explained that he could apply for variances under the Mower County Zoning Ordinance (Section 14-50).

Discussion of CUP for the Subdivision of Land - The Planning Commission discussed an amendment to the Mower County Zoning Ordinance to require a conditional use permit before platting in the agricultural district could be done. The Planning Commission reviewed the draft ordinance prepared by consultant Fred Hoisington. Many of the citizens present were supportive of the change. Carlton Thompson, Lansing Township, did not feel that the regulations were necessary. Don Olson stated that this would give the Township Board, Planning Commission and County Board the right to deny a plat. Staff was requested to

bring to the next Planning Commission a revision of the Ordinance to include all agricultural district (A) and rural residence districts (R) of Mower County. Another change will be to reference platting limits of 1/4 mile from feedlots and landfills. Also platting must comply with the Shoreland and Floodplain Management Ordinances. This item was tabled until the next meeting.

Discussion of Amendment to Zoning Ordinance to allow for Board & Lodging Facilities/Health Care Facilities in the Agricultural (A) Rural Residence (R) Zone - Information was presented to the Planning Commission on two proposed amendments to allow for the board & lodging facilities/health care facilities conditional uses in the Agricultural and Rural Residence Zone. Don Olson stated that he felt that this was an oversight and should be included in the Zoning Ordinance. Mr. Olson stated that this is not a permitted use but a conditional use. A motion was made by Keith Voorhees, seconded by Don Olson, to recommend to the Mower County Board of Commissioners the following additions to the Mower County Zoning Ordinance:

Section 14-51. Conditional Uses

(v) Board & Lodging Facilities and Health Care Facilities

Section 14-56. Conditional Uses

(e) Board & Lodging Facilities and Health Care Facilities

The motion passed unanimously.

Other Business - Lee Bonorden of the Austin Daily Herald requested that Planning Commission members turn in their questionnaires for the Herald article on the Planning Commission. Mr. Bonorden was invited to attend the investigation committee when they do the investigations.

Request from Bureau of Alcohol, Tobacco, and Firearms - A request was received from the Bureau of Alcohol, Tobacco, and Firearms for compliance of local gun dealers in the Agricultural (A) and Rural Residence (R) zones. A discussion took place on this issue. The Planning Commission requested that Sheriff Barry Simonson give his input on this issue. This will be discussed further at the next meeting.

There being no further business, the meeting adjourned at 8:25 p.m. on motion by Don Olson, seconded by Diane Benson. The motion passed unanimously.

Respectfully Submitted,



Daryl W. Franklin
Planning Director