

Mower County Planning Commission

Minutes of the Mower County Planning Commission

Members Present: Myles Bendtsen, Diane Benson, Vance Larson, Leonard Miller and Beverly Weness

Members Absent: Harold Boverhuis, Sheldon Lukes and Brian McAlister

Others Present: Citizens, Amy Olson (Austin-Post Bulletin), Denise Mudra Glen Jacobsen, Bill Buckley and Daryl W. Franklin

Chair Len Miller called the regular meeting to order at 7:00 p.m. on Tuesday, June 27, 2000 at the Mower County Courthouse, 201 1st Street NE, Austin, Minnesota. Minutes of the May 30, 2000 minutes were approved as mailed on a motion by Vance Larson seconded by Bev Weness. The motion passed unanimously.

CUP #563 – Lowell Franzen & Lynda Franzen. Conditional Use Permit #563 for an additional dwelling per farm operation pursuant to 14-51(g) of the Mower County Zoning Ordinance, W ½, SE ¼, Section 19, Lyle Township, T101N R18W, Mower County, Minnesota. PIN #11-019-0030.

Staff Presentation: Reference was made to the site investigation performed by Myles Bendtsen, Sheldon Lukes and Leonard Miller on June 21, 2000. It was explained that Mr. Franzen's son will be working on the farm and there is a need for an additional dwelling. **Applicant's Presentation:** Mr. Franzen explained that his mother will continue living in the current farm house and when she no longer wants to live there the farm house will be removed and a new house will be built for the son. This CUP would be for a three or four year period. Mr. Franzen also explained that his mother has been providing care to her ill daughter who lives in the South. She generally spends approximately six months a year with her daughter. When the situation with her daughter is resolved, one of the homes will be removed. When one of the homes is removed, a new sewer system will be installed. Bill Buckley stated that from his perspective this would be a reasonable approach. **Statement from the Public:** No comments from the public or townships were expressed. Myles Bendtsen and Leonard Miller stated that they reviewed the site and did not see any problems and felt it would be a good location. **Conclude the Public Hearing:** Len Miller closed the public hearing. A motion was made by Vance Larson, seconded by Myles Bendtsen to recommend approval of CUP #563 because it is in accordance with Section 14-31 of the Mower County Code based on following findings of facts that the individual Planning Commission members prepared and will become part of the record.

SECTION 14-31. FINDINGS

No conditional use shall be recommended by the Planning Commission unless said Commission shall find:

- (a) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.

The issuing of the Conditional Use to Franzens will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted since we will simply be allowing an additional farm dwelling in an area which is predominantly farm dwellings.

- (b) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant properties for uses predominant in the area.

Vacant property in the area would be primarily used for agricultural dwellings, this would not impede that development since this would be an agricultural dwelling .

- (c) That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.

The Franzens will be applying for an ISTS permit and must install a new septic system by September 1, 2004 which will be in accordance with County rules and regulations. The access road is currently from the township road and other electrical facilities are already present.

- (d) That adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed use.

Considering the size of the farm yard, there is ample room for off-street parking and loading space.

- (e) That adequate measures have been or will be taken to prevent or control

offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

The establishment of this additional dwelling per farm operation will not contribute any excessive odor, fumes, dust, noise or vibration and therefore will not constitute a nuisance to adjoining properties.

The following are conditions of Conditional Use Permit #563:

1. Secure zoning permit from the Mower County Planning Department for new dwelling and Individual Sewage Treatment System permit from Mower County Environmental Health Department prior to September 1, 2004.
2. Petitioner/Owner shall be required to cure the violations under procedures of the Mower County Zoning Ordinance as it exists or may hereafter be amended. Mower County shall have all rights to abate any violations by such remedies as may be available to it under any applicable statute.

Roll Call

Myles Bendtsen – Yes

Diane Benson - Yes

Vance Larson – Yes

Beverly Weness - Yes

Summary: 4 Yeas – 0 Nays. Motion passed unanimously. Chair, Leonard Miller does not vote.

It was stated that the County Board would be acting on the petition at the July 5th meeting at 1:30 p.m.

There being no further business, the meeting adjourned at 7:20 p.m. on a motion by Bev Weness, seconded by Diane Benson. The motion passed unanimously.

Respectfully Submitted,



Daryl W. Franklin
Mower Co. Planning Director

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