

Mower County Planning Commission

Minutes of the Mower County Planning Commission – February 27, 2001

Members Present: Raymond Tucker, Beverly Weness, Harold Boverhuis,
Vance Larson, Diane Benson, Brian McAlister

Members Absent: Myles Bendtsen, Sheldon Lukes

Others Present: Denise Mudra, Citizen; Daryl W. Franklin, Glen Jacobsen

Chair Ray Tucker called the regular meeting to order at 7:00 p.m., on Tuesday, February 27, 2001 in the Board of Commissioners room at the Mower County Courthouse, 201 1st Street NE, Austin, Minnesota. Minutes of the December 26, 2000 meeting were approved as mailed on a motion made by Brian McAlister and seconded by Harold Boverhuis. The motion passed unanimously.

Election of Vice-Chair:

Chair Tucker explained the need to elect a Vice-Chair. A motion was made by Diane Benson to nominate Brian McAlister. Ray Tucker called for additional nominations three times. A motion was made by Diane Benson and seconded by Vance Larson to cast a unanimous ballot for Brian McAlister. The motion passed unanimously.

CUP #572 – EUGENE REED: Conditional Use Permit #572 to allow an additional dwelling per farm operation pursuant to Section 14-51(g) of the Mower County Zoning Ordinance on property located at NE ¼ exc. W 325 ft S 1335 ft. N 1900 ft. 150 ac, Section 19, Racine Township, Mower County, Minnesota. PIN #15-019-0050.

Staff Presentation: Reference was made to the site investigation performed by Brian McAlister and Diane Benson on February 21, 2001. The staff Report was presented with conditions and background information noted.

Applicant's Presentation: Mr. Reed explained that it was temporary housing for his daughter and family and that they would be helping him with his farm operation.

Statement from the Public: None

Conclude the Public Hearing: Ray Tucker closed the public hearing. After some discussion a motion was made by Brian McAlister and seconded by Diane Benson to recommend approval of CUP #572 with the conditions listed on the staff report, because it is in accordance with Section 14-31 of the Mower County Zoning Regulations and adopting the following Findings of Fact.

EUGENE L. REED – CUP #572

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 Permit to Reed's 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.

- (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, this dwelling would not impede that development since it is part of an existing farmstead.

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

The Reed's will be applying for an ISTS permit and must install a new septic system by December 1, 2003, which will be in accordance with County rules and regulations. The access road is currently from the County 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 proposed building site, 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 #572:

- 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 December 31, 2003.
- 2) The CUP will expire ten years from the date the Mower County Board of Commissioners approve the CUP.

Roll Call for CUP #572

Beverly Weness - Yes
Vance Larson - Yes
Diane Benson - Yes

Harold Boverhuis - Yes
Brian McAlister - Yes

Summary: 5 Yeas; 0 Nays. Motion passed unanimously. Chair, Raymond Tucker does not vote.

It was stated that the County Board would be acting on this petition at the Tuesday, March 13, 2001 meeting at 10:30 a.m. at the Mower County Courthouse.

CUP #573 – JERRY & SUSAN MARR: Conditional Use Permit #573 to allow an additional dwelling per farm operation so their daughter and grandchildren can help with the farm operation pursuant to Section 14-51(g) of the Mower County Zoning Ordinance on property located at E ½ NW ¼ & NW ¼ NW ¼ exc. 10 rds & E 9 rds SW ¼ NW ¼ - 119.5 ac., Section 24, Frankford Township, Mower County, Minnesota. PIN #06-018-0040.

Staff Presentation: Reference was made to the site investigation performed by Brian McAlister and Diane Benson on February 21, 2001. The Staff Report was presented with conditions and background noted.

Applicant's Presentation: Mr. Marr explained that their daughter and family would be helping with their farm operation. Chair Tucker asked if they were aware of the race track and noise concern. Mr. Marr said they were and that it wasn't a problem.

Statement from the Public: Ron Vogt and Diane Benson, from the Frankford Township Board, spoke and indicated they didn't have any concerns on the petition. They felt it was an appropriate location for a new dwelling.

Conclude the Public Hearing: Ray Tucker closed the public hearing. After some discussion, a motion was made by Diane Benson and seconded by Vance Larson to recommend approval of CUP #573 with the conditions listed on the staff report because it is in accordance with Section 14-31 of the Mower County Zoning Regulations and adopting the following Findings of Fact.

JERRY & SUSAN MARR - CUP #573

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 Permit to Marr's 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.

- (d) 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, this dwelling would not impede that development since it is part of an existing farmstead.

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

The Marr's will be applying for an ISTS permit and must install a new septic system by December 1, 2003, 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 proposed building site, 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 #573:

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 December 31, 2003.

Roll Call for CUP #573

Beverly Weness - Yes
Vance Larson - Yes
Brian McAlister - Yes

Harold Boverhuis - Yes
Diane Benson - Yes

Summary: 5 Yeas; 0 Nays. Motion passed unanimously. Chair, Raymond Tucker does not vote.

It was stated that the County Board would be acting on this petition at the Tuesday, March 13, 2001 meeting at 10:30 a.m. at the Mower County Courthouse.

Soil Erosion Ordinance:

John Voz, Mower County Soil & Water Conservation District, presented information on the proposed change in the Mower County Soil Erosion Ordinance.

After some discussion, a motion was made by Vance Larson, seconded by Brian McAlister to recommend that the County Board of Commissioners amend the Soil Erosion Ordinance which would adopt the "Revised Universal Soil Loss Equation" (RUSLE) and replace the Universal Soil Loss Equation (USLE). The motion passed unanimously.

There being no further business, the meeting adjourned at 7:45 p.m. on a motion by Vance Larson, seconded by Diane Benson. The motion passed unanimously.

Respectfully submitted,



Daryl W. Franklin
Mower County Planning Director

km