

Mower County Planning Commission

Minutes of the Mower County Planning Commission – February 25, 2003

Members Present: Dave Hillier, Myles Bendtsen, Brian McAlister, Diane Benson, Harold Boverhuis, Margaret Kirchner

Members Absent: Barb Hovde, Sheldon Lukes

Others Present: Daryl W. Franklin, Citizens

Dave Hillier called the regular meeting to order at 7:00 p.m. on Tuesday, February 25, 2003, in the Board of Commissioners Room at the Mower County Courthouse, 201 1st Street NE, Austin, Minnesota. Minutes of the January 21, 2003, meeting were approved as mailed on a motion made by Myles Bendtsen and seconded by Brian McAlister. The motion passed unanimously.

CUP #622 – Randy Horan: Conditional Use Permit #622 to allow the operation of an agricultural-oriented business including tractor and automotive repair business on the property pursuant to Section 14-51(L), (O) and (T) of the Mower County Zoning Ordinance on property located at: E 238.36 ft. W 1841.02 ft. S 253.27 ft. S ½ SW ¼, Section 29, Udolpho Township (PIN #18-029-0030) Mower County, Minnesota.

Staff Presentation: Reference was made to the site investigation performed by Myles Bendtsen on February 19, 2003. The Staff Report was presented with conditions and background information noted. The Minnesota Dept. of Transportation sent an e-mail stating they didn't have a problem with the request.

Applicant's Presentation: Randy Horan spoke and talked about the proposal.

Statement from the Public: None

Conclude the Public Hearing: Dave Hillier closed the public hearing. After some discussion, a motion was made by Harold Boverhuis and seconded by Diane Benson to recommend approval of CUP #622 with the following conditions because it is in accordance with Section 14-31 of the Mower County Zoning Regulations and adopting the following Findings of Fact.

RANDY HORAN – CUP #622

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 Randy Horan for an an agriculturally-oriented business will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted considering the repair will be conducted inside an existing structure.

- (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.

The normal and orderly development of property in the Horan area is farmland. This is an existing farmstead and existing buildings will be used. Therefore, it will not impede the normal and orderly development and improvement of vacant property for uses predominant in the area.

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

This is an existing farmstead. There is a large area for working, maneuvering and storage of vehicles.

- (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 existing 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 the agriculturally-oriented business will not contribute any excessive odor, fumes, dust, noise or vibration and therefore will not constitute a nuisance to adjoining properties since Mr. Horan will be following State and Federal guidelines. There will not be lighted signs on the property.

The following are conditions of Conditional Use Permit #622:

- 1) Comply with MPCA Rules and Regulations for this type of facility.
- 2) Any floor drain must do one of the following:
 - a. be discharged to the surface in an area that does not drain to a natural waterway or ditch;
 - b. be discharged to a holding tank and not connected to an Individual Sewage Treatment System, or
 - c. be discharged to a system approved as a Class V injection system by the EPA..
- 3) Batteries, used oil, antifreeze, etc. All business waste must be stored, recycled or disposed of in accordance with applicable MPCA solid and hazardous waste rules.
- 4) If construction of new buildings and gravel lots or driveways disturbs more than one acre of land, then the business must apply for a construction stormwater permit.
- 5) For aesthetics, the business may not accumulate more than ten customer vehicles or equipment on the property at any given time.

- 6) Comply with E.P.A. Pamphlet 816-R-00-018 "Class IV Auto Disposal System" dated November, 2000.

Summary of Roll Call: 5 Yeas; 0 Nays Motion passed unanimously. Chair Dave Hillier does not vote.

It was stated that the County Board would be acting on this petition at the Monday, March 4, 2003 meeting at 3:00 p.m. at the Mower County Courthouse.

There being no further business, the meeting adjourned at 7:18 p.m. on a motion by Harold Boverhuis, seconded by Myles Bendtsen. The motion passed unanimously.

Respectfully submitted,

Daryl W. Franklin
Mower County Planning Director