

Mower County Planning Commission

Minutes of the Mower County Planning Commission – November 28, 2006

Members Present: Ray Tucker, Myles Bendtsen, Jim Risius, Barb Hovde, Harlan Peck & Margaret Kirchner

Members Absent: None

Others Present: Daryl W. Franklin, Citizens,

Chair Tucker called the regular meeting to order at 7:00 p.m. on Tuesday, November 28, 2006, in the Board of Commissioners Room at the Mower County Courthouse, 201 1st Street NE, Austin, Minnesota. Minutes of the October 31, 2006, regular meeting were approved as mailed on a motion made by Barb Hovde and seconded by Harlan Peck. The motion passed unanimously.

CUP #712 – Jon & Deb Lonneman: Conditional Use Permit #712 to allow an additional dwelling on property pursuant to Section 14-18.4 of the Mower County Zoning Ordinance on property located at: W 410 ft. N 540 ft. NW ¼ NW ¼ , Section 9, Udolpho Township, Mower County, Minnesota.

Staff Presentation: Reference was made to the site investigation performed by Myles Bendtsen and Margaret Kirchner on November 21, 2006. Both spoke and felt it was a good location. The Staff Report was presented with conditions and background information noted. A powerpoint presentation was shown, including photos of the surrounding area.

Applicant's Presentation: Jon & Deb Lonneman were present at the meeting and spoke about the CUP request to move in a mobil home on the property for Deb's father to live in.

Statements from the Public: The Rochester Minnesota Department of Transportation Office sent an e-mail stating the proposal will have no significant impact on MN/DOT roadways.

Daryl Peterson, Udolpho Township Chairman, spoke on behalf of the Township. Udolpho Township is requesting that a condition be added stating the new residence will be used for a family member only and not for rental property.

Conclude the Public Hearing: Ray Tucker closed the public hearing. After some discussion, a motion was made by Harlen Peck and seconded by Margaret Kirchner to recommend approval of CUP #712 with the following conditions because it is in accordance with Section 14-51 of the Mower County Zoning Regulations and adopting the following Findings of Fact.

JON & DEB LONNEMAN - CUP #712

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 development of this single parcel will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted nor will it substantially diminish or impair the property values in the immediate area.

- (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 development of this single residential parcel will not impede the normal and orderly development. The property in the area is wooded and by going through the CUP process, there will be adequate safeguards for the area.

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

By complying with the conditions of the CUP, there will be adequate utilities, access roads, and drainage to serve the area.

- (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 location, there is sufficient area for off-street parking and loading spaces.

- (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.

By following the requirements of the County there will be adequate measures taken to not contribute any excessive odor, fumes, dust, noise or vibration and this will not constitute a nuisance to adjoining properties.

The following are conditions of Conditional Use Permit #712:

1. A Zoning Permit and ISTS Permit must be obtained prior to construction.
2. The CUP shall become void on 12/31/08 if no construction has begun or the use has not been established.
3. Owner must sign a "Rural and Agricultural Home Owners Assumption of Risk Assessment Form" and have it recorded at the Mower County Recorder's Office.
4. The new residence will be used for a family member only and not for rental property.

The motion passed on a 5 – 0 vote.

It was stated that the County Board would be acting on this petition at their Thursday, December 7, 2006 meeting at 1:15 p.m. at the Mower County Courthouse.

There being no further business, the meeting adjourned at 7:13 p.m. on a motion by Jim Risius, seconded by Harlen Peck. The motion passed unanimously.

Respectfully submitted,

Daryl W. Franklin
Mower County Planning Director