

## **MINUTES - PLANNING COMMISSION/BOARD OF ADJUSTMENT MEETING**

**TUESDAY, June 11th, 2013, 7:00 P.M., COMMISSIONER ROOMS, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MINNESOTA**

**MEMBERS PRESENT:** Steen, Ludeman, Thooft, Sturrock, Chalmers, Anderson, Biren, Zimmer, and Olson.

Ludeman opened meeting at 7:00 p.m.

### **PLEDGE OF ALLEGIANCE TO THE FLAG**

**IDENTIFY ANY CONFLICT OF INTEREST.** None.

**AMEND/APPROVE AGENDA.** Motion made by Thooft to approve agenda, seconded by Chalmers. All in favor, motion carries.

**CORRECT/APPROVE MINUTES FROM THE MAY 14, 2013 MEETING.** Motion made by Chalmers to approve the minutes, seconded by Sturrock. All in favor, motion carries.

### **BOARD OF ADJUSTMENT:**

#### **VARIANCE:**

1. Public Hearing, Greg Bladholm request for a variance to construct a storage shed that will be built 21 feet from the road right-of-way line of 190<sup>th</sup> Avenue. This is a 79 foot variance request. Also, the storage shed will be located 42 feet from the ordinary high water mark of the Redwood River. This is a 68 foot variance request. This is zoned Shoreland and is located in the NW ¼ of Section 33, Lynd Township. Greg Bladholm is present. Biren- explains the property purchase, that 190<sup>th</sup> Avenue used to go about one mile north of County Highway 25 roughly 40 years ago, now the road ends just north of Mr. Bladholm's property. Redwood Cottonwood River Control Area (RCRCA) was contacted to design the rock riprap and shoreland stabilization structure on the eroded slope of the river. The purpose is to prevent the river as it bends from cutting further into the hillslope. Bladholm-purchased the house this spring (2013), just moved in, and simply need more space. Part of the shed will be cold storage and the south side will be a heated shed. A greenhouse and several small sheds were already taken down.

Chalmers asks if the area behind the trees, south of the home would be suitable for the shed. Bladholm indicates this area slopes too much towards the river.

Ludeman asks Biren if the riprap was properly positioned. Biren- yes, it is

designed to catch water off the bend. Chalmers asks if the DNR permitting was satisfied. Biren- yes. Sturrock asks Biren if RCRCRA offers permitting and designs. Biren- RCRCRA offers engineering design and consulting while the DNR offers permitting. Thooft asks Biren if the flooding will be away from the house. Biren- building site is out of the floodplain. Ludeman moves to finding of facts. Sturrock mentions that he is taking several buildings out and putting up one, not really changing the character. Sturrock makes a motion to approve the variance, Thooft seconds motion. All in favor, motion carries.

### **PLANNING COMMISSION:**

### **CONDITIONAL USE PERMIT/PUBLIC HEARING:**

1. Public Hearing, Joe Andries with Jan 2 Limited Partnership has applied for a conditional use permit to operate a gravel pit including general processing, crushing and a potential asphalt on land zoned agricultural located in S ½, NW ¼ of Section 17, Lyons Township. Joe Andries is present. Biren explains the project outline. D&G Excavating will be using County Highway 59 to Hwy 23 most often but will also be brining material to Russell as well. Andries- purchased the property at the end of last year. Mining operation already existed on the property, wants to reclaim the remaining rock and gravel.

Ludeman moves to the finding of facts. Chalmers asks Andries if a lease agreement has been drafted. Andries indicates that he is in the process of meeting with D&G Excavating to come to terms on a lease agreement. Biren indicates that if gets a road or operational complaint; he will call the lease holder first. Andries indicates that once he cleans the area out, he will turn it back to pastureland. Sturrock make a motion to approve the conditional use permit while designating County Highway 59 to Highway 23, County Highway 59 to County Rd 15, and 180<sup>th</sup> Avenue to 190<sup>th</sup> Street as haul roads under a condition, seconded by Steen. All in favor, motion carries.

### **RENEWAL - CONDITIONAL USE PERMITS – APRIL: None**

### **RENEWAL - CONDITIONAL USE PERMITS – MAY: None**

Sturrock asks Biren how often after the fact permits appear. Biren- Assessors will often catch after the facts in the fall. An after the fact violation doubles the cost for the permit.

Ludeman mentions that James Albee's equipment on his lot, at the SE corner of County Highway 9 and County Rd 6, is creeping further and further into the road right-of-way. He gives staff direction to make sure that Mr. Albee understands the setback and the safety concern at hand. Biren will talk with Mr. Albee.

Thooft makes a motion to recess until the June 20<sup>th</sup> tour, seconded by Steen. All vote in favor, motion passes.

Meeting adjourned at 7:40 p.m.

Respectfully submitted,

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Planning and Zoning/Board of Adjustments

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Luke Olson, Planning Assistant  
Planning and Zoning