

MINUTES - PLANNING COMMISSION/BOARD OF ADJUSTMENT MEETING

TUESDAY, JANUARY 8, 2013, 7:00 P.M., COMMISSIONER ROOMS, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MINNESOTA

MEMBERS PRESENT: Chalmers, Thooft, Nassif, Ludeman, Sanow, Zimmer and Biren

MEMBERS ABSENT: Steen, Anderson

OTHERS PRESENT: Luke Olson

PLEDGE OF ALLEGIANCE TO THE FLAG

IDENTIFY ANY CONFLICT OF INTEREST - None

CORRECT/APPROVE MINUTES FROM THE NOVEMBER 13, 2012, MEETING – Motion by Thooft seconded by Chalmers to accept minutes as presented. All voted in favor. Motion carried.

AMEND/APPROVE AGENDA – Motion by Ludeman, seconded by Thooft to approve agenda as presented. All voted in favor. Motion carried.

BOARD OF ADJUSTMENT:

Public Hearing, Kenneth Weedman for a road right-of-way variance to construct a machine shed fifty (50) feet from the road right-of-way line of a township road. This is a fifty (50) foot variance request. The area representing the request is zoned agricultural. The affected property is described as a ten (10) acre tract of land located in the Northeast Quarter (NE1/4), Section Nineteen (19) of Amiret Township. Kenneth Weedman was present. Biren showed map of building site. Structure will be built south of waterway. Machine Shed 54'x105'. Fifty feet off right-of-way. Nassif – somewhere else to build on site? Weedman – no room in yard, hard with big farm machinery, cannot go further north because of waterway. Thooft – another driveway? Weedman – along road right-of-way, son lives east of my building site. Nassif – issue with driveway? Biren – township is road authority. Oakland – township board approved of variance request, returned comment form, no comments. Nassif - no other discussion. Board reviewed Findings of Fact. Attached are the Findings.

Ludeman moved, seconded by Nassif to grant a road right-of-way variance to Kenneth Weedman to construct a machine shed fifty (50) feet from the road right-of-way line of a township road. This is a fifty (50) foot variance request. The area representing the request is zoned agricultural. The affected property is described as a ten (10) acre tract of land located in the Northeast Quarter (NE1/4), Section Nineteen (19) of Amiret Township. With the following stipulations:

1. That if any of the work performed as allowed by the granting of this variance is ever impacted or required to be removed, the cost of such impact shall be borne by the landowner, including removal and/or relocation of property and facilities.
2. Applicant must obtain a land use permit prior to construction.
3. The purpose of which the variance was granted shall be undertaken by the applicant within 18 months of the granting of the variance. For good cause, the Zoning Administrator may grant an administrative extension of up to 12 months. Said extension shall be in writing. If the

applicant fails to establish use of the variance within said time limits, the variance shall expire.

4. Adopt Findings of Fact as part of this Motion.
5. A copy of this Motion shall be filed with the County Recorder's Office along with the legal description of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.

VOTING FOR: Nassif, Ludeman, Thooft, Chalmers

OPPOSED: None

ABSTAINED: None

ABSENT: Steen

Motion carried.

PLANNING COMMISSION: None

CONDITIONAL USE PERMIT/PUBLIC HEARING – MINNESOTA SESSION LAW 2000 – MINN. STAT. §116.07, SUBD. 7(J), FEEDLOT: None

RENEWAL - CONDITIONAL USE PERMITS – DECEMBER:

Adam Willert, Manufacture and Recycle Pallets, N1/2NE1/4, Section 36, Fairview Township. Rural-Oriented Commercial Use. December 2007 (recorded, review and inspect annually). Biren – Pallet recycling and making new pallets. Has a couple of buildings, 4 employees plus self. Long range plan, residence out there. No issues.

RENEWAL – CONDITIONAL USE PERMITS – JANUARY:

Precision Auto Body, SE1/4, Section 32, Lucas Township. Issued: January 1993, January 2008 recorded. Inspect Yearly. Biren – Jon not around today when I stopped there. Shop door locked. Through the window could see two car bodies that he is rebuilding. No issues.

Biren - introduced Luke Olson, SWCD Technician. Has a background in Planning and Zoning. Good addition to our office. Ludeman – explain office setup. Biren - SWCD prior staff either resigned or retired. SWCD Board wanted their office at USDA location. I manage SWCD. Payroll, insurance and bookkeeping done by Auditor's Office now. Deal with dollars spent on conservation practices. County Board is having a study done on building at the Fairgrounds. An Engineer is looking at space needs for DNR, BWSR, Area II, USDA and SWCD. Todd and Carol are at Public Works. Not enough space for Todd, Todd also helps with snowplowing. He has access to pipe and backhoe, etc. from the Highway Department. Ludeman – Carol keeps things running. Nassif – this is my last meeting, enjoyed last 9 years. Biren – last year County Board Chairman choose committee appointments, not sure how it will be done this year. Ludeman – on behalf of Board thanked Nassif for his service.

Nassif adjourned meeting at 7:25 p.m.

Respectfully submitted,

Mike Nassif, Chairman
Planning and Zoning/Board of Adjustments

Carol Oakland, Secretary
Planning and Zoning/Board of Adjustments