

## MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENTS MEETING

**Tuesday, September 12th, 2017 – 7:00 P.M. COMMISSIONERS ROOM, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN.**

**MEMBERS PRESENT:** DeCock, Steen, Vanoverbeke, Williams, Chalmers

**OTHERS PRESENT:** Crowley, Ritter, Olson, Ryan, Hammer, Springstead

**ABSENT:** None

Chalmers opened the meeting at 7:00 p.m.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**IDENTIFY ANY CONFLICT OF INTEREST:** None

**AMEND/APPROVE AGENDA:** Steen moved, seconded by Vanoverbeke to approve agenda. All in favor, motion carried.

### **BOARD OF ADJUSTMENT:**

- A VARIANCE REQUEST has been received by the Lyon County Planning and Zoning Administrator by Ross Vandamme, 1330 250th Street, Lynd, MN 56157, property is owned by Jim Vandamme, to construct a garage 55 feet from the road right of way. The required setback is 100 feet from the road right of way. This request represents a 45 foot variance. The land is zoned Agricultural and is described as:

***Part of the South Half of the Southwest Quarter (S 1/2 SW 1/4) of Section Sixteen (16), Township One Hundred Eleven (111), Range Forty-Three (43), Island Lake Township, all located in Lyon County, Minnesota.***

Ross Vandamme was present to explain project and reasoning behind the variance request.

**Public Comment** – None was received

**Township** – Township originally replied and did not support the variance due to snow removal issues and setting a precedence. Mike Williams of Island Lake township was present to reconsider decision and stated that the township does not have an issue with the variance.

Chalmers facilitated the Finding of Facts.

Williams moved, seconded by Steen to recommend the County Board to grant the Variance request for Ross Vandamme. All in favor, motion carried.

## **PLANNING COMMISSION:**

- A REQUEST HAS BEEN MADE to the Lyon County Planning and Zoning Administrator by Verizon for a Conditional Use Permit to construct a new 259' self-supported communication tower with an equipment compound that includes Verizon base station equipment. The area affected is zoned agricultural. The proposed tower to be located on a leased parcel of land owned by Orville and Marjorie Hennen and described as follows:

***Part of the West Half of the Southwest Quarter (W 1/2, SW 1/4) of Section Ten (10), Township One Hundred Twelve (112) North, Range Forty-two (42) West of the Fifth Principal Meridian, Lyon County, MN. Parcel # 07-010003-0.***

Karyn O'Brien of Verizon was present to explain project and reasoning behind request. O'Brien requested the Planning Commission to grant a 24-month sunset CUP. Springstead presented that the ordinance states the Planning Commission can only grant a 12-month CUP. The Planning Commission referred this decision to the County Board.

**Public Comment:** None was received.

**Township comment:** None was received.

Chalmers facilitated finding of facts.

DeCock moved, Vanoverbeke seconded to recommend the County Board to grant the Conditional Use Permit to Verizon.

Williams presented an amended motion to include the removal of tower and equipment compounds if not in use for one year.

All in favor, motion carried.

- **Buffer Ordinance Discussion** (Continued from August 2017 Meeting)  
Draft Buffer Ordinance (Changes from August 2017 meeting)

The board went over the Draft Buffer Ordinance changes from the August 2017 meeting. Springstead presented the suggestions from a prior meeting with County Attorney Rick Maes and Planning & Zoning staff. Springstead indicated that the draft was also presented to BWSR and gained their preliminary approval. Springstead stated that the preliminary plan is for the public hearing to occur on October 10<sup>th</sup>.

A motion was made by DeCock to adopt the draft buffer ordinance for the proposed public hearing, seconded by Steen.

An amended motion was proposed to include the proposed edits presented at current meeting, DeCock amended.

All in Favor, motion carried.

**Adjourn:** Williams moved, second by Vanoverbeke to adjourn meeting. All in favor, motion carried.

Respectfully submitted,

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Planning and Zoning/ Jon Chalmers  
Board of Adjustments

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John Biren, Lyon County Planning &  
Zoning