

MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENTS MEETING

Tuesday, May 10, 2022 7:00 P.M. COMMISSIONERS ROOM, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN.

MEMBERS PRESENT: Sleiter, DeBaere, Meulebroeck, C. Olson

OTHERS PRESENT: Biren, Springstead, Giles, James Albee

ABSENT: Louwagie

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

All present recited the Pledge of Allegiance

Identify any conflicts of interest: None

AMEND/APPROVE AGENDA: Sleiter moved, seconded by Meulebroeck to approve the agenda as presented. All in favor, motion carried

Minutes for the April 12, 2022 meeting reviewed, Meulebroeck moved, second by Sleiter to approve the minutes as presented. All in favor motion carries.

Biren: Reads Variance Request from James Albee

BOARD OF ADJUSTMENTS: James Albee has applied for a variance request to construct a Home Addition, Seventy-five (75) feet from the road right-of-way of County Road 6. This is a Twenty-five (25) foot variance request. The area representing the request is zoned agricultural and describes as follows:

All that part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section Nineteen (19), Township One hundred eleven (111), Range Forty (40), Clifton Township, Lyon County, MN.

Biren: Introduces James Albee. James proceeds to explain project.

Olson: So this is not extending past the existing trees?

Albee: We had to take out an existing tree so that it would not fall on the house.

Biren: Explain James why this is the best option for you

Albee: There is a guest cottage behind, and not attached, but getting older and can't do steps as well, so this will give us more room. Best place to put it is on the front and side.

Olson: Any other questions? None

Open the floor to public comment - No comments. No comment from Lyon County Highway Engineer

Biren: Clifton Township board – town board has no comment.

Biren: Closes public comment. Moves to finding of facts.

Olson - Read through Findings of Facts

Board agrees with all findings of fact and answers yes to all of the findings of facts.

Biren – Read proposed motion for Board of Adjustments- James Albee Variance request to construct a Home Addition 75' from the Road right-of-way. This represents a 25' Variance. The area representing the request is zoned agricultural. The property is described as follows:

All that part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section Nineteen (19), Township One hundred eleven (111), Range Forty (40), Clifton Township, Lyon County, MN.

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. Must obtain a building 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 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.

Motion by Sleiter, 2nd by Meulebroeck to approve the Variance Permit request.

VOTING FOR: Sleiter, Meulebroeck, DeBaere, Olson

OPPOSED: None

ABSTAINED: None

ABSENT: Louwagie

All in favor, motion carried.

PLANNING COMMISSION: Minnesota Model Floodplain Ordinance - review model ordinance – Handout – Ordinance has been developed to be consistent with Minnesota Statutes, Chapter 103F, Minnesota Rules and FEMA technical bulletins and policies.

This model includes the three primary types of floodplain districts: Floodway, Flood Fringe and General Floodplain. As presented, it incorporates ordinance provisions for a community that has all three districts present on their Flood insurance Rate Maps.

Will have to hold a public hearing to change the Floodplain Ordinance. Would like to look at having this as a stand-alone Ordinance and not restructure our whole ordinance right now.

Will bring forward in the future to discuss final changes to the Floodplain Ordinance.

Motion to adjourn by Sleiter second by Meulebroeck all in favor, motion carried.

Board of Adjustments/Planning Commission
Chair

John Biren, Lyon County P&Z Administrator