

## MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENTS MEETING

Tuesday, October 11, 2022 7:00 P.M. COMMISSIONERS ROOM, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN.

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

OTHERS PRESENT: L. Olson. B. Benz, M. Benz, Crowley

ABSENT: None

C. Olson 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 Louwagie to approve the agenda as presented. All in favor, motion carried

Minutes for the August 9, 2022 meeting reviewed, Sleiter moved, second by Muelebroeck to approve the minutes as presented. All in favor motion carries.

*L. Olson: Reads Notice of Public Hearing Request from September 28<sup>th</sup>, 2022.*

**BOARD OF ADJUSTMENTS:** A REQUEST HAS BEEN MADE to the Lyon County Planning and Zoning Administrator by 5 Family Ranch for a Conditional Use Permit Request to establish a Wedding Barn. The area representing the request is zoned Highway Commercial. The property is currently owned by Jeffrey and Susan Farber (approximately 4 acres will be sold to 5 Family Ranch) and is described as follows:

All that part of the Northwest Quarter (NW 1/4) of Section Twenty-three (23), Township One-hundred Eleven (111) North, Range Forty-One (41) West of the 5<sup>th</sup> Principal Median Lyon County, Minnesota.

*L. Olson: Introduces Tom Carlson of 5 Family Ranch.*

*Carlson: Four (4) acres of land off of County Road 6 to be sold to 5 Family Ranch for a fifty (50) by one-hundred and fifty (150) foot, two story event center with a forty (40) foot driveway. Seating capacity will be 450. Hoping to be completed by August 2023.*

*L. Olson: Reads comments from Joel VandePutte of Lake Marshall Township. Township had concern of traffic into parking lot before and after receptions. Lyon County Highway Engineer believes traffic will not be impacted with the current road situation.*

*Crowley: Will there be a Liquor License request with the County?*

*Carlson: Yes, but no food will be prepared there.*

*L. Olson: Rural Water will be servicing this venue and septic system will consist of three (3) 2500 gallon storage tanks (SE side of property). John Biren and local septic designer estimated 4000-5000 gallons of sewage per weekend. All tanks will serve as holding tanks with third tank serving as backup. MPCA reviewed and approved this design. All setbacks within the highway commercial district are met with current design. Department of Health has approved the proposed food and beverage plans.*

*Meulebroeck: Is tile line on property county tile? No, it's private tile.*

*Louwagie: A lot of water comes into this area by the parking lot, how will this be accounted for?*

*L. Olson: A graded swale from culvert down to retention pond will be constructed.*

*Carlson: If needed, tile lines will be placed to drain into proposed retention pond.*

*Meulebroeck: Is there water coming from the north?*

*L. Olson: Yes, a twenty-four (24) inch centerline culvert under the road. The ten (10) inch concrete tile was plugged north of the County Road 6 right-of-way and replaced with eight (8) inch tile through a conservation project to the north.*

*Meulebroeck: Will smell, dust and noise be an issue for attraction to the venue?*

*Carlson: Talked with nearby landowners – there is an understanding from all parties involved that agricultural practices will not be held off for events.*

*Louwagie: Will parking lot space be sufficient? How many parking spaces?*

*Carlson: Ninety (90) parking spots are planned. Grass used for overflow parking.*

*Meulebroeck: How many parking spots at the Barn in Sioux Falls this design is based off of?*

*Carlson: Eighty-seven (87) in Sioux Falls, overflow has only been used once since it opened.*

*Meulebroeck: Are you going to have Law Enforcement/Bouncers/Security at this venue?*

*Carlson: No, but proper insurance is in the plans. Will abide by all laws/rules & regulations.*

*Steiter: Will the full bar be on the property or will that be catered in too?*

*Carlson: Plan is to apply for a liquor license for a full bar. Talking to Lyon County Auditor Office to bring this to the County Commissioners. Bar will be facing the banquet area and offshoot will act as outdoor bar.*

*C. Olson: Is there an elevator to get to the top level?*

*Carlson: All handicap accessible on main floor, but based on square footage of top level an elevator is not required. Handrails will be installed on the steps to assist, but no elevator is planned. Second floor balcony ceremonies can be viewed from ground level.*

*C. Olson: Any other questions? None.*

*C. Olson: Moves to finding of facts.*

*C. Olson: Read through finding of Facts.*

*C. Olson: No major lights that could be distracting will go up?*

*Carlson: No, street-lamp style possibly being looked into and an arch over driveway for signage.*

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

*C. Olson – Read proposed motion for Board of Adjustments- To recommend to Lyon County Board of Commissioners to grant a conditional use permit to 5 Family Ranch for a Wedding Barn. The area representing the request is zoned highway-commercial. The property is described as follows:*

*All that part of the Northwest Quarter (NW 1/4) of Section Twenty-three (23), Township One-hundred Eleven (111) North, Range Forty-One (41) West of the 5<sup>th</sup> Principal Meridian Lyon County, Minnesota.*

With the following stipulations:

1. Site may be inspected to ensure compliance of all applicable regulations. The Permit Holder shall comply with all governmental laws, rules, and regulations as they apply to the project.
2. Potential nuisances including but not limited to: noxious weeds, loud noises, litter, garbage, food waste, and waste water, must be controlled legally in such matter that it does not constitute an annoyance.
3. The applicant maintains the use as described in the application. Changes to the use require an amendment or new conditional use permit.
4. Business sign permitted according to Zoning Ordinance Article Sixteen (16).
5. All necessary licenses and permits need to be kept current and valid
6. Parking must be in accordance with Article 15.2K of the Lyon County Zoning Ordinance.
7. Copy of the recorded deed to be submitted to the Planning and Zoning Office prior to issuing a land use permit.
8. Access including road traffic needs to be approved by road authority.
9. If business is inactive for one year, the conditional use permit will be revoked.
10. Adopt "Finding of Facts" as part of this motion.
11. A copy of the Lyon County Board of Commissioners 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 Louwagie to approve the recommendation to Lyon County Board of Commissioners to grant a conditional use permit to 5 Family Ranch for a Wedding Barn.

VOTING FOR: Sleiter, Meulebroeck, DeBaere, C. Olson and Louwagie

OPPOSED: None

ABSTAINED: None

ABSENT: None

All in favor, motion carried.

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

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Board of Adjustments/Planning Commission  
Chair

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John Biren, Lyon County P&Z Administrator