

MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENT MEETING

TUESDAY, AUGUST 12, 2014, 8:01 P.M., ROOM 4 & 5, THIRD FLOOR, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MINNESOTA

MEMBERS PRESENT: Steen, , Chalmers, DeCock

OTHERS PRESENT: Ritter, Goodenow, Zimmer, and Olson

ABSENT: Ludeman, Sturrock, Biren

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 motioned, seconded by DeCock to approve the agenda. All voted in favor, motion carried.

CORRECT/APPROVE MINUTES FROM THE MARCH 10th and APRIL 14th SPECIAL MEETINGS. Steen clarifies that the property on which the mobile home will be placed for the Maronde conditional use permit is jointly owned by Jerry and Jeremy Maronde. Steen motioned, seconded by DeCock to approve the minutes as revised. All voted in favor, motion carried.

BOARD OF ADJUSTMENTS:

VARIANCE REQUEST:

Public Hearing, Larry Labat has applied for a variance to construct a home addition 68 feet from the road right of way. The required setback is 100 feet from the road right of way. This request represents a 32 foot variance. The land is zoned Agricultural and is located in part of the SW1/4, Section 18, Sodus Township, Lyon County, MN.

Larry Labat is present and explains that he wants to add a 32 by 18 foot family room addition to the east of his existing house. Constructing on the side of the house would not be closer to the road than the existing house. He plans also to reside the entire house as well. To the south, a machine shed and garage are already constructed closer to the road than the house. This was done prior to the zoning ordinance being established. Larry says the house was built in 1954/55 and he purchased the building site in the mid 1980's.

Chalmers opens the discussion to public comment. No comments. Olson received a letter from Sodus Township who were in support of the variance. Chalmers moves to finding of facts. Motion made by Steen, seconded by Decock. All vote in favor, motion carries.

Public Hearing, David Maertens and Bill Maertens have applied for a variance to construct a home addition and porch 44 feet from the road right of way. The required setback is 100 feet from the road right of way. The request represents a 56 foot variance. The land is zoned Agricultural and is located in the E 1/2, Section 34, Westerheim Township, Lyon County, MN.

Bill Maertens is present and clarifies that the addition would be to the west of the existing house, a covered deck would come out towards the road. The deck will be 10 feet to long by 26 feet long and the addition will be 31 feet to the back and 26 feet to the west of the house. Chalmers opens the discussion to public comment. No comments. Chalmers asks why the deck could not be built away from the road as opposed to towards. Bill explains that there is no access anywhere else. There is also an existing patio door where a porch in front used to be and was removed prior to him purchasing the house.

Chalmers moves to finding of facts. Chalmers questions the variance setback distances. Zimmer says that Biren's comments from the staff meeting indicated the house was 56 feet back from the road right of way. Olson states neither the Township or County Highway Engineer commented on the request. Chalmers justifies the 44 foot setback from the road and 56 foot variance request. The deck will be constructed 12 feet closer to the road than the existing house. Motion made by DeCock, seconded by Steen. All vote in favor, motion carries.

PLANNING COMMISSION:

CONDITIONAL USE PERMIT:

Public Hearing, Seth Willaims has applied for a conditional use permit to construct a new cattle barn on an existing feedlot site. The Odor OFFSET setback requirement is 94% and the proposed site meets all setbacks. The land is zoned Agricultural and is located in part of the NE1/4, Section 33, Coon Creek Township, Lyon County, MN.

Seth Williams is present and explains that he plans to expand his existing feedlot by building another cattle barn. This will be a monoslope barn, 60 feet by 300 feet. He intends on continuing to stock the old barn with 250 to 300 head also. The new barn will

consist of three pens whereas the old barn is a single pen. Brad Johnson, his nearest neighbor to the south, says he has no problems with the expansion.

Goodenow asks if the expansion will eliminate the need for the open lot. Seth said that it will not, that the open lot and old barn will still be used. DeCock asks if the odor offset setback is met at 94%. Chalmers also has the same question. Olson says Johnson's house is roughly 600 feet from the proposed construction. Zimmer points out that Biren, at the staff meeting, said that the request met all setbacks. Chalmers moves to finding of fact. Motion made by Chalmers, seconded by DeCock. All vote in favor, motion carries.

Motion made by Chalmers, Seconded by DeCock to adjourn at 8:30 pm. All vote in favor, motion carries.

Respectfully submitted,

Planning and Zoning/Board of Adjustments

Luke Olson, Lyon County Planning & Zoning