

MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENTS MEETING

TUESDAY JULY 14, 2015 – 7:00 P.M. COMMISSIONERS ROOM, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MINNESOTA.

MEMBERS PRESENT: Chalmers, DeCock, Ludeman, Steen

OTHERS PRESENT: Stensrud, Ritter, Maes, Biren, Olson

ABSENT: Williams

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

PLEDGE OF ALLEGIANCE TO THE FLAG

IDENTIFY ANY CONFLICT OF INTEREST: Chalmers will abstain from the Prorok variance.

AMEND/APPROVE AGENDA: Chalmers motioned, seconded by DeCock. All vote in favor, motion carried.

CORRECT/APPROVE MINUTES: Several spelling changes in the minutes. DeCock motioned, seconded by Steen to approve the April 14th minutes with changes. All vote in favor, motion carried.

BOARD OF ADJUSTMENT:

Public Hearing, Ron & Melissa Prorok have applied for a variance to construct a shed in all that part of the Northwest Quarter of the Southeast Quarter (NW ¼ SE ¼) and Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) of Section Twenty-Seven (27) of Lynd Township, all located in Lyon County, Minnesota. The property is zoned Rural Residential.

Sydney Prorok was present and representing her parents. Biren highlighted that the proposed shed is approximately 24' x 40' with an 8' overhang. The shed will be located 30 feet from the road right of way and 15 feet from the property line. The required setback is 100 feet from the road right of way and 25 feet from the property line. The request represents a 70 feet variance from the road right of way and a 10 feet from the property line. Biren points out that this property is located just outside of the City of Lynd and shows how the topography and floodway are problematic in constructing elsewhere. Prorok says that the shed will be replacing an existing single car shed and will have 10 foot sidewalls and be a steel structure.

Ludeman opens the meeting to public comment. No comments from the public. Biren had neither calls nor comments from the Township on the variance. Ludeman moves to finding of facts. Biren states that sheds are an allowable use in the Rural Residential zoning district. Chalmers questions why this area is zoned Rural Residential versus Agricultural. Biren explains that the Rural Residential district is an overlay of the Agricultural zone, allowing for agricultural uses. The district was more set up to provide support for developers to established "Planned Unit Developments" in the Redwood River corridor. Motion made by DeCock, seconded by Ludeman to approve the variance request. Chalmers abstains. All vote in favor, motion carries.

PLANNING COMMISSION:

Public Hearing, Derek Moore has applied for a conditional use permit for an addition onto an existing monoslope cattle shed in the North half of the Southwest Quarter (N1/2, SW1/4) of Section Twenty-eight (28) of Nordland Township, all located in Lyon County, MN. The property is zoned Agricultural.

Derek Moore is present and highlights that the existing cattle shed is 11 or 12 years old. The 96' x 550' addition will be the final dimensions of the cattle barn with only 41' of new roof covering the open lot. The lot will be total confinement and will be permitted for 990 head of slaughter cattle. There will be concrete bunks along the south side of the shed with a concrete apron to feed from. Moore points out the building size will be capable of 40 square feet per head but will only be stocked for 45 square feet per head. Biren states that if a new well is dug to provide additional water, a DNR water appropriations permit will be required and that a certified well driller will catch that a permit is needed as well.

Ludeman asks if the Township had any comments. Biren indicated there were no comments from the Township or public prior to the meeting. Moore says that the lot will be total confinement. He also explains that an existing filter strip to the southwest of the barn will be left in place but little to no runoff is expected. DeCock asks for clarification on how water will be provided for the increased livestock. Moore says that the water will come from rural water and points out there is an existing well northwest of the existing barn that could be used if required. DeCock questions if the existing well have capacity for the livestock operation. Moore says that it will not and that a new well will require relocation and a DNR water appropriations permit which will be pursued if required.

Ludeman opens the discussion to public comment. None heard. Ludeman moves to finding of facts. Ludeman questions where the closest neighbors are. Moore has that Tim Neyens lives a half-mile to the north, Larry Sumerfelt lives a half-mile to the southwest, and Ken Gillund lives a half-mile to the northeast. Biren ran an odor offset model at these distances and determined that 98 percent would not find the odor annoying. Motion made by Chalmers, seconded by Steen to recommend approval of the conditional use permit by the County Board. All vote in favor, motion carries.

Chalmers questions whether odor controls at Staufackers are working. Currently, Staufackers have installed corncob bioreactors to control odor on the two curtain style hog barns to control odors as part of their conditional use permit. Biren said if odors continue to be intolerable, then staff will get a Jerome meter onsite to measure odors and regulate further.

Motion made by Chalmers, seconded by DeCock to adjourn at 7:40pm, All vote in favor, motion carries.

Meeting adjourned.

Respectfully submitted,

Planning and Zoning/
Board of Adjustments

Luke Olson, Lyon County Planning &
Zoning