

BROWN COUNTY PLANNING & ZONING COMMISSION
January 10th, 2012

The Brown County Planning & Zoning Commission held their regular meeting open to the public on January 10th, 2012 at 9:00 AM in the Commissioners Room 204 of the Brown County Courthouse. Commission members present: Brian Tohal, Anita Mohr, Leo Wilfahrt, Loren Renberg and Andrew Lochner. Also present: Laine Sletta, Zoning Administrator; Desiree Hohehstein, Assistant Zoning Administrator & Chuck Enter, County Administrator. Members of the public present included Gary Schenk, Sanborn and Peter Blethen of Bolton and Menk representing Charles & Karen Beranek.

The meeting was called to order by Chairman Wilfahrt at 9:00 a.m.

The **first item of business** was the election of officers for 2012 as follows:

Chairman	Leo Wilfahrt	Motion by Brian Tohal, seconded by Loren Renberg carried on a 5-0 vote.
Vice Chairman	Brian Tohal	Motion by Loren Renberg, seconded by Andrew Lochner carried on a 5-0 vote.
Secretary	Anita Mohr	Motion by Brian Tohal, seconded by Loren Renberg carried on a 5-0 vote.

It was noted that the Assistant Zoning Administrator, Desiree Hohenstein, will be taking and submitting notes and minutes on behalf of the Brown County Planning Commission.

A motion was made by Tohal and seconded by Lochner to approve the minutes of the December 12th, 2011 meeting as submitted. The motion passed unanimously.

The **second item of business** was the scheduled hearing for a conditional use permit application by **Gary and Mary Schenk** on property described as part of the N2 of NW4, Sec 31, 108N, R35W, Stately Township, Brown County for the purpose of renewing existing CUP # C-43 to continue to allow a private campground adjacent to Mound Creek Park with a maximum of 4 sites with one camping unit per site in the A-1 Agricultural Protection Zoning District.

Discussion: Sletta provided background information regarding this application and noted that the septic system for the campground was compliant (a holding tank is being used currently). Lochner asked if there were problems with the connection to the park after hours. Schnek said it's never been an issue and all campers are informed that they can't enter the park when the gate is closed.

Motion was made by Lochner and seconded by Renberg **to recommend approval** to the County Board with the following **conditions**:

1. Applicant / Owner must meet any applicable rules of the Minnesota Department of Health in regard to campgrounds.
2. The Minnesota Department of Health must approve any source of potential drinking water provided for the campers.
3. The campground is limited to four sites with one camping unit per site.

4. There will be no access to Mound Creek County Park by campers before or after closing of the park (8:00 am to sunset).
5. There will be no access to Mound Creek County Park by campers before or after the county established seasonal opening and closing of the park.
6. The CUP is effective for a period of ten (10) years from the date of issuance. If there is a change of ownership of this site, at any time, the new owner must apply for a new CUP.
7. CUP #C-43 is null and void.

The motion passed unanimously on a 5-0 vote.

The **third item of business** was the review of **Final Plat # P-00136** application for a multi (2) lot split by **Charles & Karen Beranek** known as Beranek Second Subdivision, on property described as part of the NW4, SW4, Sec 18, T109N, R30W, Cottonwood Township, Brown County Minnesota. The property being platted is an existing homestead to be split into two (2) lots to allow construction of a new home for a family member.

Discussion: Sletta provided background information regarding this application and noted that the 2nd access will only be constructed if the back lot (lot 2) was sold to someone other than a family member. He also stated that he spoke with the County Highway Engineer, Wayne Stevens, and was told there is nothing the highway department can do to prohibit a second access point so close to the first.

Motion was made by Lochner and seconded by Tohal **to recommend approval** to the County Board. The motion passed unanimously on a 5-0 vote.

Other Business:

- A. **Retail trade in the I-1 Limited Industry Zoning District.** Sletta noted that staff was in contact with Braun Oil regarding the renewal of their CUP and noticed that surrounding businesses (Steve's Feed, River Region) did not have a CUP. It was then discovered that the Zoning Ordinance does not contain a definition for retail trade. Staff is requesting guidance regarding how to handle these businesses. It was decided to wait on the renewal for this CUP until a definition for retail trade has been placed in the Zoning Ordinance and then all businesses meeting this definition will be treated equally.
- B. **Changes to the Subdivision Regulations.** Sletta noted that staff has been working on updating the subdivision regulations since they have not been revised for several years. The main concern was regarding the use of another department's definition or classification for agriculture which does not meet the intent of the language currently in the subdivision regulations. Hoehenstein went through the changes in the propose document that was included in the packets for the commission members. These include: a new definition for agriculture land, removal of ag land(s) being used as "green space" in large subdivisions, and the requirement of electronic CAD or GIS files to be submitted with the final plat(s).
- C. **Changes to the Brown County Zoning Ordinance.** Sletta noted that the Ordinance is going through multiple changes and requested that a subcommittee

be formed to assist staff with said changes. Hohenstein noted that the areas to be updated include variances (due to state statute change in 2011), building permit language to zoning permit, time frame on all application language (ensure it is compliant with "60 day rule"), WECS, signs, feedlots, and definition for retail trade. Tohal, Lochner and Enter will all be part of the subcommittee. Sletta also noted that there is interest to remove the time frame requirements/conditions from CUPs that are not for limited resources (removal from feedlots, businesses, etc). Enter asked staff to check with Scott Anderson on the Statute notation being used as the recommendation to remove this portion of the language from the ordinance.

The **final item of business** was to set **Friday, February 17th, 2012 as the next meeting** of the Planning Commission.

There being no further business, a motion was made and seconded to adjourn the meeting.

Respectfully submitted

Desiree Hohenstein
Asst. Zoning Administrator