

BROWN COUNTY PLANNING & ZONING COMMISSION
July 17th, 2012

The Brown County Planning & Zoning Commission held their regularly scheduled public meeting on July 17th, 2012 at 9:00 AM in the Commissioners Room 204 of the Brown County Courthouse. Commission members present: Anita Mohr, Leo Wilfahrt, Brian Tohal, Loren Renberg and Andrew Lochner. Also present: Laine Sletta, Zoning Administrator; Desiree Hohenstein, Assistant Zoning Administrator and Chuck Enter, County Administrator.

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

A motion was made by Lochner and seconded by Renberg to approve the minutes of the June 12th, 2012 meeting as submitted. The motion passed unanimously.

The **first item of business** was the conditional use permit application C-00326 by **Northern Con-Agg (Riverland Acres Owner)** on property described as part of the NE4, Sec 33, T112N, R33W, North Eden Township, Brown County for the purpose of renewing CUP #C-00210 and to continue to allow use of the property for the extraction of Kaolin clay from the bed of an intermittent watercourse located in the A-1 Agricultural Protection Zoning District.

Discussion: Sletta provided background on the application and stated there had been no comments or complaints with regard to this application.

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

1. Petitioner must provide a performance bond in the amount of \$20,000 payable to Brown County, to guarantee compliance with the end use land rehabilitation plan (proposed final contours drawing number 8826-10.2 dated 10/1/1996), including no finished slope exceeding twenty-five percent (25%) in grade.
2. Surface water from the mining operation must be controlled by the petitioner to prevent run-off onto properties of neighboring landowners.
3. Any new approaches onto County Road #10 must be approved by the Brown County Highway Engineer.
4. Dust control must be provided on County Road #10 as reviewed and approved by the Brown County Highway Engineer.
5. Soil stockpiles must be a minimum of 50' from the county road right of way.
6. The plans and specifications of conditional use permits #6630, #5939, #7882, #C-00015, #C-00107 and #C-00210 are incorporated into conditional use permit #C-00326 by reference.
7. This CUP is valid for three (3) years from the date of issuance. If there is a change in ownership, at any time, the new owners must apply for a new permit.
8. CUP #C-00210 is null and void.

The motion passed unanimously on a 5-0 vote.

The **second item of business** was a preliminary plat application P-00144 for a single lot split by **Tom Anderson** known as **Anderson's Second Subdivision** on property described as part of the NW4, Sec 12, T109N, R34W, Burnstown Township, Brown County. The property being platted is an existing home site being split off from the farm site, to give sole title.

Discussion: Sletta provided background information on the plat application. Access to the farm buidlings was discussed and determined that an easement will be required for the final plat.

Motion was made by Lochner and seconded by Renberg **to recommend approval** to the County Board with the condition that an easement be added to the plat for access to the livestock facility and other outbuildings.

The motion passed unanimously on a 5-0 vote.

The **third item of business** was a final plat application P-00141 for a single lot split by **D&M Properties of Southern Minnesota** known as **Helling's Second Addition** on property described as part of the NE4, Sec 31, T108N, R31W and part of NW4, Sec 32, T108N, R31W, Lake Hanska Township, Brown County. The property being platted is an existing building site being split off from the tillable land.

Discussion: Sletta provided background information on the plat application and stated there had been no changes from the preliminary.

Motion was made by Tohal and seconded by Mohr **to recommend approval** to the County Board.

The motion passed unanimously on a 5-0 vote.

The **fourth item of business** was a final plat application P-00142 for a single lot split by **Norman Krienke** known as **Krienke Second Subdivision** on property described as part of the S2, Sec 27, T110N, R32W, Home Township, Brown County. The property being platted is an existing building site being split off from the tillable land.

Discussion: Sletta provided background information on this plat application and noted that the northern boundary was adjusted to be in the center of CD4.

Motion was made by Lochner and seconded by Mohr **to recommend approval** to the County Board.

The motion passed unanimously on a 5-0 vote.

Under **other business** revisions to the **Brown County Subdivision Regulations and Brown County Zoning Ordinance** were presented and discussed:

Hohenstein highlighted the major changes to the **Brown County Subdivision Regulations** which included the addition of GIS language, and the removal of using the

assessor's ag classification for determining when a metes and bounds description for a parcel under 10 acres is sufficient.

A **motion** was made by Tohal and seconded by Renberg to **request the county board establish a public hearing date for these changes**. The motion passed unanimously.

Hohenstein also went through the major changes made to the Brown County Zoning Ordinance. These included the sections on Board of Adjustment, Variances (both statute changes), Feedlot, WECS (statute change), Sign Regulations and the addition of Section 736 on Communication Towers.

A **motion** was made by Tohal and seconded by Renberg to **request the county board establish a public hearing date for these changes**. The motion passed unanimously.

The **final item of business** was to set **Tuesday, August 14th, 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