

BROWN COUNTY PLANNING & ZONING COMMISSION
November 13th, 2012

The Brown County Planning & Zoning Commission held their regularly scheduled public meeting on November 13th, 2012 at 9:00 AM in the Commissioners Room 204 of the Brown County Courthouse. Commission members present: Anita Mohr, Leo Wilfahrt, Loren Renberg and Andrew Lochner. Also present: Laine Sletta, Zoning Administrator, Charles Enter, County Administrator and Desiree Hohenstein, Assistant Zoning Administrator. Members of the public included Pat Kloeckl, Ronald Marquardt, Les Stadick, Don Schaefer, Jesse Zeig and Fritz Busch.

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

A motion was made by Mohr and seconded by Renberg to approve the minutes of the October 16th, 2012 meeting as submitted. The motion passed unanimously.

The **first item of business** was the conditional use permit application #C-00331 by **Flying Dutchman, Ron Marquardt representing** on property described as part of the SE4, Sec 11, T109N, R30W, Cottonwood Township, Brown County for the purpose of renewing and amending conditional use permit #C-00106 to allow Road Runs, Hill Climbs, Flat Track Races, and National Hill Climbs as approved by the American Motorcycle Association and other like events not to exceed a total of nine (9) events per year in the A-1 Agriculture Protection Zoning District.

Discussion: Sletta provided background on the application highlighting the letter from the Flying Dutchman Cycle Club and the letters from the Sheriff's Office regarding the lack of complaints at this location. The Commission requested Mr. Marquardt outline their request letter. The main points noted by Mr. Marquardt was the request for more flexibility with the type of events hosted each year (based on fiscal need and attendance) as well as current budget issues. He also stated that they may host fundraisers for groups like the New Ulm Fire Department and the Special Olympics but have had to decline requests in the past due to the current restrictions on the permit.

A question was raised regarding the scheduling of these events and Mr. Marquardt stated that they have to be applied for to the American Motorcycle Association (AMA) in Nov/Dec of the previous year, they then go to a sanction meeting and coordinate their proposed events with those that will be going on statewide in order to prevent conflicts. Commissioner Lochner asked if a hill climb event that took place over the weekend would be considered as one event or two. Mr. Marquardt stated that it would be viewed as two since it would be two days long (both Sat. and Sun.). A time frame for the permit was also discussed.

Mr. Schaefer addressed the commission regarding a drainage concern he has on his farm property to the south and stated that he had tried working with the club but hasn't ever gotten a response. It was noted by the commission that his concern is a private matter that isn't addressed by this permit and he should work to resolve this matter

outside of the County Planning Commission. The commission did think that his concern is a reason for keeping a time frame on the conditional use permit. Hohenstein requested that in the future if there are complaints or concerns they be shared with the Planning and Zoning Office as they were not made aware of the situation.

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

1. The hill climbing activities shall be restricted to one (1) day per week, not to exceed a total of four (4) days per month within the hours of 9:00 AM and 8:00 PM.
2. The annual hill climb, road run and flat track race events may be held on Saturday and/or Sunday within the hours of 9:00 AM and 8:00 PM.
3. Allow one (1), or multi year National hill climb event(s) to be held on one (1) weekend as approved by American Motorcycle Association.
4. All events/activities as listed above, or other like events/activities, will take place between May 1 and October 31 with the total number of **days** not to exceed nine (9) per year.
5. **This permit is valid for a period of ten years.** If there is a change in ownership, at any time, the new owner must apply for a new CUP.
6. CUP #C-00106 is null and void.

The motion passed unanimously on a 4-0 vote.

The **second item of business** was a final plat application P-00147 for a single lot split by **Patrick Kloeckl, owner Marcella Goblirsch** known as **Kloeckl First Subdivision** on property described as part of the NE4 of NE4, Sec 8, T108N, R30W, Linden Township, Brown County. The property being platted is an existing homesite being separated from the tillable acres.

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

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

The motion passed unanimously on a 4-0 vote.

The **third item of business** was a final plat application P-00148 for a single lot split by **Patrick Kloeckl** known as **Kloeckl Second Subdivision** on property described as part of the NE4 of NE4, Sec 1, T108N, R31W, Lake Hanska Township, Brown County. The property being platted is an existing building site being separated from the tillable ground.

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

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

The motion passed unanimously on a 4-0 vote.

The **fourth item of business** was a final plat application P-00149 for a single lot split by **Gary Richert (previous owner Virgil Kettner)** known as **Larson Subdivision** on property described as part of NE4 of NE4, Sec 6, T108N, R34W, Bashaw Township, Brown County. The property being platted is an existing building site being separated from the tillable ground.

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

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

The motion passed unanimously on a 4-0 vote.

The **fifth item of business** was discussion regarding a request from the Sheriff's Office for an ordinance that addresses business expansion(s)/construction in the rural portion of the county and the ARMER system. The concern is that in large, commercial structures in-building coverage on the portable radios isn't very good in some areas like BIC in Sleepy Eye. The concern is that law enforcement will need to use their radios in areas of low coverage to talk to dispatch (not use the scene of action channels like fire). Enter suggested that staff work with the Sheriff's Office to pursue a stand alone ordinance with regard to this issue.

The **final item of business** was to set **Tuesday, December 11th, 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