

**BROWN COUNTY PLANNING & ZONING COMMISSION**  
**May 9<sup>th</sup> 2017**

The Brown County Planning & Zoning Commission held their regularly scheduled public meeting on May 9<sup>th</sup> 2017 at 9:00 am in the Commissioners Room 204 of the Brown County Courthouse. Commission members present: Anita Mohr, Brian Tohal, Brian Braun, John Rolloff, and Commissioner Dennis Potter. Also present: Charles Enter, County Administrator; Charles Hanson, County Attorney; Laine Sletta, Zoning Administrator; Robert Santaella, Assistant Zoning Administrator. Members of the public present were Nancy Lilleodden, Andy Lilleodden, Dean Sellner (Stark Township Supervisor), and Butch Hoffman.

The meeting was called to order by Chairman Tohal at 9:00 am.

A motion was made by Mohr and seconded by Rolloff to approve the minutes of the March 14<sup>th</sup> 2016 meeting with corrections. The motion passed unanimously 5-0.

The **first item of business** was a Conditional Use Permit Application APP-C-0050 by Andrew Lilleodden on the property described as Lot 1, Block 1, Lake Shore Farm First Subdivision, Section 29, Lake Hanska Township, Brown County, MN to allow the use of existing house as a short-term rental property, all located in the A-1 Agricultural Protection Zoning District.

**Discussion:** Sletta provided background on the application. Mohr asked what the size of the home was, Andy Lilleodden stated it is a large 3 bedroom home with 2,400 square feet. Potter asked about what other Counties do to regulate these types of properties, Sletta stated that our current ordinance has the nuisance ordinance and other areas that already provide regulation for things such as garbage. Braun asked about the process for renting and cleaning up, Andy Lilleodden stated that they are three miles from the house but after a renter leaves they will clean the house. Braun asked about any sort of quiet hours, Sletta stated the house is a quarter mile from the nearest neighbor so noise shouldn't be an issue. Tohal asked about regulating these, Hanson stated we have the County and State Nuisance Ordinance to take care of this already. A Finding of Fact was then completed.

**Motion** was made by Braun and seconded by Potter **to recommend approval** to the County Board with the following conditions.

1. Owner/ Operator must follow rules & regulations of all regulating agencies.
2. County Staff shall be provided access to the property to perform onsite inspections as needed to ensure compliance with all rules & regulations set forth for this operation.
3. If there is a change of ownership of this site, at any time, the new owner must contact the County Planning and Zoning Office and provide all necessary information to update the CUP file. County contact must be made within 30 days of official property transfer.

The motion passed unanimously on a 5-0 vote.

The **second item of business** was a **Conditional Use Permit Application #APP-C-0051**

Application by Holly Brisk of Knife River for Home Farm Partnership owner, on property described as the Southeast ¼ of the Southeast ¼ of Section 34, Township 110N, Range 32 W, Home Township, Brown County MN. To allow use of a previously permitted gravel mining operation to include extraction of gravel and processing to include screening, crushing, and a hot-mix plant, all located in the A-1 Agricultural Protection Zoning District.

**Discussion:** Sletta provided background on the application. Tohal asked about Holly Brisk's relationship to the operation, Hoffman stated she is from the Knife River company. Potter asked about hot-mix plant being on previous conditional uses, Hoffman stated that it had been on in the past, three years ago they put a hot-mix plant on the site. Hoffman stated that Knife River will be using permanent dust control on the gravel road and will have posted sign for speed entering the mine area. Tohal asked about work, Hoffman stated they only mine

& haul when they have a contract for the gravel and it's the same place they have their demo landfill. A finding of fact was completed. Tohal asked about the access to the mine and if an easement is required, Hanson stated they have common ownership so one would not be necessary.

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

1. The owner/operator must comply with all applicable state rules & regulations obtain & keep in good standing all required permits & shall submit copies of like to Brown County Planning and Zoning Office.
2. The CUP is effective for a period of three (3) years from the date of issuance
3. If there is a change in ownership of this site, at any time, the new owner must apply for a new CUP.

The Motion passed unanimously on a 5-0 vote.

The **third item of business** was a Conditional Use Permit Application APP-C-0052 Application by Holly Brisk of Knife River for Brian & Teresa Aschenbrenner owner, on property described as part of the East ½ of the Northeast ¼ of Section 32, Township 109N, Range 32 W, Stark Township, Brown County, MN to allow use of property for gravel mining operation to include pit run, screening, & crushing all located in the A-1 Agricultural Protection Zoning District.

**Discussion:** Sletta provided background on the application. Tohal asked about the area to be mined, Santaella stated on Map B the identified 2.5 acres is the area identified for mining and the 3 acres area is identified as a processing and stockpiling area. Tohal asked about comment from the public on the application, Sletta stated no comment was received by our office. Dean Sellner a Stark Township Supervisor stated they are not against the application just concerned with the road conditions and the path they are taking too and from the mine. Potter stated dust control can be a safety concern, we have required dust control in the past and this can be maintained with running water on the roads frequently, Santaella stated that in the cover letter form Knife River they state there dust control plan and route of access to the mine. Braun recommended adding a condition to include maintenance of the road and dust control, Hanson stated that can be required by the board. A Finding of Fact was completed.

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

1. The owner/operator must comply with all applicable state rules & regulations obtain & keep in good standing all required permits & shall submit copies of like to Brown County Planning and Zoning Office.
2. The applicant shall maintain to include gravel, grading, and applying dust control along the access route and the hauling route identified by applicant.
3. The CUP is effective for a period of three (3) years from the date of issuance
4. If there is a change in ownership of this site, at any time, the new owner must apply for a new CUP.

The motion passed unanimously on a 5-0 vote.

The **fourth item of business** was Final Plat Application APP-P-0018 A Multi-lots (9) split by Lorin Helget known as North Shore Seventh Subdivision on the property described as part of the SE ¼ of the NE ¼, & Government Lots 3 and 4, Section 14, Township 108 N, Range 32 W, Albin Township, Brown County, Minnesota. Parcels being platted are a realignment of existing platted lots known as North Shore Sixth Subdivision to create a 9 lot residential development, all located in the A-1 Agricultural / Shoreland Protection Zoning District.

**Discussion:** Sletta provided background on the application. Tohal asked about the access to the lots, Sletta confirmed the road was taken over by the township and is a township road.

**Motion:** was made by Mohr and seconded by Rolloff **to recommend approval** to the County Board

The Motion passed unanimously on a 5-0 vote.

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

Respectfully submitted

Robert Santaella, Asst. Zoning Administrator