

BROWN COUNTY PLANNING & ZONING COMMISSION
June 13, 2023

The Brown County Planning & Zoning Commission held a regularly scheduled public meeting at Brown County Commissioners Room on June 13, 2023, at 9:00 AM. Planning Commission members present: Joe Stadheim, Dennis Potter, Lisa Fischer, Dan Lendt, and Commissioner Tony Berg. Also present: Charles Hanson, County Attorney; Sam Hansen, Administrator; Robert Santaella, Zoning Administrator; and Amanda Lang, Assistant Zoning Administrator. Members of the public included: Donald Mathiowetz, Dora Cook, Danielle Wersal, Brad Sprenger, Alan Johnson.

The meeting was called to order by Chairman Stadheim at 9:00 AM.

The Minutes from May 9, 2023 were reviewed. A motion to approve with corrections was made by Fischer and Seconded by Berg. Motion carried 5-0 on a unanimous vote.

The first item of business was a Conditional Use Permit Application APP-C-0166

Application filed by Brian Aschenbrenner on the property owned by Brian & Teresa Aschenbrenner described as the NE ¼ of the SW ¼ & the NW ¼ of the SE ¼, Section 32, Township 109 North, Range 32 West, Stark Township, Brown County, Minnesota. Application is to allow up to 693 AU in a beef cattle operation, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Background was provided by Santaella. Santaella stated no comment was received on the application.

Finding of Fact Sheet was completed.

Motion was made by Berg and seconded by Lendt to recommend approval to the County Board with conditions in the packet. Motion was passed on a 5-0 unanimous vote.

The Second item of business was a Conditional Use Permit Application APP-C-0167

Application filed by Alan Johnson on the property owned by Alan M Johnson described as Lot 1, Block 1, Johnson's 2nd Subdivision, Section 4, Township 108 North, Range 33 West, Mulligan Township, Brown County, Minnesota. Application is to allow an annual special event campground to accommodate a maximum of 55 campsites, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Background was provided by Santaella. Santaella stated questions and comments were received on the application, but none in writing to this Commission. Cook, a land owner across from property, stated concerns of people trespassing onto their property and the volume of people attending the event. Johnson stated that no alcohol or drugs are allowed at the event or on the property and he will ensure attendees will not enter other properties. Johnson also stated that there are bands scheduled to play and will not go late. Stadheim asked what the event is with Johnson replying that it is a Clean and Sober Bike Rally and was held in Sanborn, MN in 2022. Fischer asked what the attendance was last year and how the event is advertised. Johnson responded that 60-70 people attended and they

advertise with flyers and on Facebook. Stadheim asked what the dates are for 2023, and Johnson said July 13th-16th. Cook stated concerns about trash and fires. Johnson then stated that there will be one fire ring used, not one at each individual site, and that dumpsters and portable restrooms are lined up. Mathiowetz stated concerns of the volume of people attending. Hanson and Stadheim clarified with applicant what types of campers vs. tents there will be and how many. Johnson responded that there would only be 6-8 large pull behind campers with most being tents and small campers that can be pulled by a motorcycle. Hanson asked if there were any complaints or issues in 2022 and if quiet hours could be established. Johnson said there were no complaints from the year prior and that quiet hours can be enforced once bands are done playing and this is a family friendly event. Sprenger voiced concerns of people wondering and entering the property to the South. Fischer asked if the CUP stays with the property, and it was clarified by Santaella that the CUP would stay with the property and is to allow camping at the event and on the property, not the event itself. Hanson recommended the board consider adding conditions regarding quiet hours and limiting number of campers and tents. Potter asked what the size of the property is with Johnson answering that it is approximately four (4) acres. Lendt asked is there is a president or similar CUP to refer to and Santaella said this is a unique application. Mathiowetz asked why the event is not being held in Sanborn, MN again? Johnson answered that it is due to cost, takes place too close to their towns festival, and they will have better control of the space being drug and alcohol free since it is not a public space.

Finding of Fact sheet was completed.

Further discussion: Potential condition details were considered regarding quiet hours and security. Hanson advised modifying suggested condition number one to read "State laws, statutes, rules, and regulations" so that any additional requirements by the State be met.

Motion was made by Berg and seconded by Fischer to recommend approval to the County Board with the conditions from the packet and "quiet hours shall be observed from 12:00 AM until 8:00 AM. Motion was passed on a 5-0 unanimous vote.

The third item of business was a Final Plat Application APP-P-0129

Application filed by Brenda Anderson on the property owned by Fay Williams and Warren B Lee known as F.D. Willimas Subdivisions Lot 1 (5.44 Acres) on the property described as the E ½ of the SW ¼; SW ¼; & NW ¼ of SE ¼ and the W ½ of the SW ¼, Section 33, Township 108 North, Range 32 West, Albin Township, Brown County, Minnesota. Application is to split building site from tillable land, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Santaella provided background on the application. Santaella stated no comment was received on the application.

Motion was made by Potter and Seconded by Berg to recommend approval to the County Board. Motion was passed 5-0 on a unanimous vote.

The fourth item of business was a Final Plat Application APP-P-0131

Application filed by Sam Niemela of EG Rud and Sons Inc. on the property owned by David J Berle known as Reimiger Subdivision Lot 1 (4.61 acres), Lot 2 (2.50 Acres) and Lot 3 (2.98 acres) on the property described as W ½ of the NW ¼, Section 10, Township 109 North, Range 32 West, Stark Township, Brown County, Minnesota. Application is to split building sites from tillable land, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Santaella provided background on the application. Santaella stated no comment was received on the application.

Motion was made by Berg and Seconded by Lendt to recommend approval to the County Board. Motion was passed 5-0 on a unanimous vote.

The fifth item of business was a Preliminary Plat Application APP-P-0132

Application filed by Scott Haala on the property owned by Scott J Haala known as Haala's 13th Subdivision Lot 1 (14.70 Acres) on the property described as the Haala's Twelfth Subdivision and part of the balance of Lot N in the SE ¼, Section 32, Township 110 North, Range 32 West, Home Township, Brown County, Minnesota. Application is to replat the Haala's 12th Subdivision and part of the balance of Lot N in the SW ¼ into one plat, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Santaella provided background on the application. Santaella stated no comment was received on the application.

Motion was made by Potter and Seconded by Fischer to recommend approval to the County Board. Motion was passed 5-0 on a unanimous vote.

The sixth item of business was a Preliminary Plat Application APP-P-0133

Application filed by Tony Fleck on the property owned by Anthony Fleck known as Fleck's Second Subdivision Lot 1 (0.75 Acres) and Lot 2 (0.24 Acres) on the property described as part of Government Lots 1 & 2 commencing at the NW corner of Lot 1, Block 1 Fleck Subdivision filed as Doc #210857, Section 19, Township 110 North, Range 31 West, Milford Township, Brown County, Minnesota. Application is to replat existing lots into sellable lots, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Santaella provided background on the application. Santaella stated no comment was received on the application.

Motion was made by Berg and Seconded by Fischer to recommend approval to the County Board. Motion was passed 5-0 on a unanimous vote.

The seventh item of business was a Preliminary Plat Application APP-P-0134

Application filed by Karen Hacker on the property owned by Karen K Hacker known as Hacker Subdivision Lot 1 (7.73 Acres) on the property described as W ½ of the NE ¼, Section 18, Township 111 North, Range 33 West, Eden Township, Brown County, Minnesota. Application is to split building site off from tillable land, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Santaella provided background on the application. Santaella stated no comment was received on the application. Potter expressed concerns about the South East corner being oddly cut out. Discussion was had about how this does not differ from recent application that were approved.

Motion was made by Berg and Seconded by Stadheim to recommend approval to the County Board. Motion was passed 4-1 vote as such: Lendt – yes, Stadheim – yes, Berg – yes, Fischer – yes, Potter – no.

The eight item of business was a Preliminary Plat Application APP-P-0135

Application filed by Monica Hillesheim on the property owned by Monica M Hillesheim known as Hillesheim 4th Subdivision Lot 1 (5.89 Acres) on the property described as tract of land in the NW ¼ of the SW ¼, Section 6, Township 109 North, Range 30 West, Cottonwood Township, Brown County, Minnesota. Application is to split building site off from tillable land, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Santaella provided background on the application. Santaella stated no comment was received on the application.

Motion was made by Potter and Seconded by Fischer to recommend approval to the County Board. Motion was passed 5-0 on a unanimous vote.

The final item of business was a Preliminary Plat Application APP-P-0136

Application filed by Larry Domeier on the property owned by Donald E Domeier Living Trust known as Domeier 3rd Subdivision Lot 1 (2.5 Acres) on the property described as SE ¼ Except Domeier Subdivision (2.50 Acres), Section 30, Township 109 North, Range 31 West Sigel Township, Brown County, Minnesota. Application is to home from other buildings and tillable land, all located in the A-1 Agricultural Protection Zoning District.

Discussion: Santaella provided background on the application. Santaella stated no comment was received on the application.

Motion was made by Fischer and Seconded by Berg to recommend approval to the County Board. Motion was passed 5-0 on a unanimous vote.

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

Motion passed unanimously.

Respectfully submitted,
Amanda Lang, Assistant Zoning Administrator