

## REDWOOD COUNTY ENVIRONMENTAL OFFICE

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*Planning & Zoning • Parks & Trails • GIS  
Aquatic Invasive Species • Septic Inspector  
Drainage Inspector • Agricultural Inspector*

### REDWOOD COUNTY BOARD OF ADJUSTMENT

#### MINUTES

**Meeting Date: March 9<sup>th</sup>, 2016**

A meeting of the Redwood County Board of Adjustment convened on Wednesday, the 9<sup>th</sup> day of March, 2016. The meeting consisted of one public hearing. The meeting was convened at the residence and farm building site located at 29354 250<sup>th</sup> Street, Wabasso, MN 56293, owned by Arnold Knott. The following Board of Adjustment members were present: Dan Tauer, John Rohlik, and John Schueller. The following individuals were also present: Glen Knott (applicant), James Knott, Arnold Knott, Zoning Administrator Scott Wold, and Land Use & Zoning Supervisor Nick Brozek.

At 8:30 a.m., the meeting was called to order by Chair Dan Tauer.

The first item of business was the election of officers for 2016. On a motion by Rohlik, seconded by Tauer, John Schueller was elected Chair of the Board of Adjustment for 2016.

Chair Schueller opened a public hearing on an *Application for Variance*, Permit Application No. 1-16v, submitted by Glen Knott. Prior to the Board of Adjustment meeting, the Board of Adjustment members were provided an informational packet which included the following information regarding the *Application for Variance*:

1. A public hearing will be held on March 9<sup>th</sup>, 2016, at 8:30 a.m. regarding an *Application for Variance* filed by Glen Knott, o/b/o Arnold Knott, landowner, pursuant to Section 26 of Redwood County Ordinance, requesting a variance of 140' from the required one quarter (1/4) mile setback from a dwelling set forth at Sec. 17, Subd. 4, Paragraph 3, Subp. A(6) of Redwood County Ordinance. Mr. Knott is proposing to expand an existing feedlot by constructing a 65' by 100' concrete lot with concrete walls. The expanded feedlot will house 299 animal units in the new concrete lot, existing open lots, and existing cattle sheds and hog barn on the following described property, situated in the County of Redwood, State of Minnesota, to wit: The East Half of the Northwest Quarter (E1/2 NW1/4) of Section 20, Township 111 North, Range 36 West, New Avon Township.
2. Mr. Knott currently operates a feedlot on the site, consisting of 200 cattle in open lots and barns. The feedlot is located on land owned by Mr. Knott's father, Arnold Knott. The feedlot currently utilizes a 40' x 76' cattle shed, a 40' x 56' cattle shed, a 100' x 150' open lot, a 90' x 25' open lot, and a 100' open lot, the north 60' of which is 20' side and the south 40' is 40' wide. Additionally, liquid manure is collected on the open lots and pumped into and stored in a 40' x 80' deep pitted hog barn. No animals are currently kept in the hog barn. Mr.



Knott is proposing to increase the number of head to 299 finishing cattle. Additionally, he wants to have the option of keeping calves or hogs in the hog barn in the future.

3. There is one dwelling within ¼ mile of Mr. Knott's feedlot. The dwelling is located 1180 feet northwest of the hog barn, which is the closest part of the feedlot to the dwelling. The required setback between a feedlot and a dwelling is one quarter of a mile, or 1320 feet. The proposed new concrete lot will be located about 1350 feet from the dwelling. The dwelling is owned and occupied by John Schueller.
4. Section 17, Subdivision 4.2.C. states that "*any expansion creating a feedlot greater than 100 animal units must meet all new feedlot setback requirements.*" Mr. Knott's proposal creates a feedlot greater than 100 animal units and is therefore required to meet the setbacks. Consequently, Mr. Knott was advised that he needs to apply for and obtain a variance prior to increasing the animal units on his site. He will also need to apply for a Conditional Use Permit.
5. The hearing will be held at Mr. Knott's feedlot site located at 29354 250<sup>th</sup> Street, Wabasso, MN 56293. A copy of the *Application for Variance* is enclosed for your review.
6. Mr. Knott intends to construct the concrete lot and walls himself. The pad will be reinforced with ½ inch rebar placed 3 foot x 3 foot on center. The walls will be 5 or 6 feet tall, poured concrete, 8 inches thick. The walls will be reinforced with 1-inch sucker rods set vertically every ten feet. The sucker rods will be set 5 feet deep in the ground in 18" holes, which will serve as a concrete footing. ½ inch rod will be welded horizontally to the vertical sucker rods.
7. Mr. Knott's variance is proposed to be written to allow him to increase the animal units on the feedlot up to the next MPCA permitting threshold (499) animal units) without needed to apply for an additional variance. Consequently, the animal unit number proposed in the variance is 399 animal units. The Ordinance requires that a feedlot be brought into conformity with the setbacks in the event that the animal units are increased by 100. The Conditional use permit will accomplish the same thing, since the Ordinance allows an increase of 200 animal units before you must apply for a new CUP (299 + 200 = 499).
8. The following conditions are proposed to be attached to the variance:
  - a. The existing 40' x 80' hog barn may be used to house calves or hogs in the future, subject to the 499 animal unit maximum for the site.
  - b. Expansion of the feedlot up to 499 animal units will not require a new variance. Other triggers in the Zoning Ordinance that require the feedlot to conform to the setbacks will remain in effect. Expansion over 499 animal units will require a new variance.
  - c. Any proposed construction expansion of the feedlot must be approved by the MPCA.
9. Pursuant to Redwood County Ordinance, written notice shall be provided to all property owners of record within five hundred (500) feet of the affected property via U.S. Mail as to



the time and place of the public hearing. Further, written notice shall also be provided to the affected board of township supervisors and the municipal council of any municipality within two (2) miles of the affected property.

Chair Schueller explained that he is the neighbor to whom Mr. Knott's feedlot is too close. Consequently, Chair Schueller expressed his intent to abstain from voting on Knott's variance application, in order to avoid any appearance of conflict.

The following information was presented to and considered by the Redwood County Board of Adjustment at the public hearing:

Glen Knott was present to explain the project:

1. The Board was able to view the existing open cattle lot. Glen showed the Board the proposed location of the open lot expansion and explained his construction plan.
2. Knott will construct and pour a 100 foot by 65 foot concrete lot, surrounded by a 4 to 5 foot poured concrete wall.
3. The new lot will be adjacent to the existing lot. The west edge of the new lot will line up with the west edge of the existing cattle shed on the west side of the feedlot.
4. The number of head will increase from 200 to 299.

Schueller asked if the new lot will include a manure/runoff catch basin. Knot explained that the concrete wall will act to prevent runoff. The liquid manure and runoff will be pumped and stored in an existing hog barn pit before being field applied.

Tauer asked Schueller if Schueller has any objection to the variance, as the affected neighbor. Schueller stated that he has no objection to the variance.

Schueller referenced the affidavit of mailing prepared by staff, noting that Vail Township had been notified, but that the Knott property is actually located in New Avon Township. Brozek stated that New Avon should have been notified instead of Vail. Knott stated that his wife is on the New Avon Township Board and she notified the other supervisors at the most recent Township meeting.

Rohlik asked Brozek about the animal units referenced in the variance (399) and why the variance differed from the stated animal units proposed by Knott (299). Brozek explained that setting the variance at 399 would allow Knott to increase his herd to 499 animal units, which is the next permitting threshold with the MPCA, without needing to reapply for a variance. Otherwise, the County Ordinance requires a new variance for each additional hundred animal units. Also, this will bring it into line with the Conditional Use Permit requirement that a new permit be obtained when expanding by 200 animal units over the permitted amount ( $299 + 200 = 499$ ). Brozek stated that Glen's next step is to obtain a conditional use permit.

James Knott asked whether the variance was affected by the fact that he had previously had more animal units on the site. James explained that he had previously had the site registered with the MPCA for more than 299 animal units. Brozek asked whether that had been within the previous 5 years. James replied that it had not been within the previous 5 years.

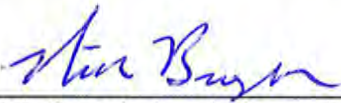


No members of the public appeared in opposition to the variance.

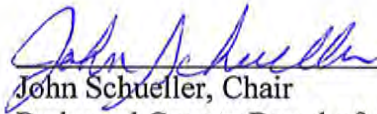
Tauer made a motion to approve the variance subject to the conditions as presented. Rohlik seconded the motion and it was passed by a 2-0 vote, with Schueller abstaining.

Discussion was held regarding the Minutes of the Board of Adjustment meeting held on the 11<sup>th</sup> day of August, 2015. On a motion made by Dan Tauer and seconded by John Rohlik, it was moved and passed by a 3-0 vote that said minutes be approved as presented.

On a motion by Rohlik, seconded by Tauer, the Board unanimously voted to adjourn the meeting.



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Nick Brozek, Land Use and Zoning Supervisor  
Redwood County Environmental Office



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John Schueller, Chair  
Redwood County Board of Adjustment

