



REDWOOD COUNTY ENVIRONMENTAL OFFICE

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

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REDWOOD COUNTY PLANNING COMMISSION

MINUTES

Meeting Date: October 31, 2016

A meeting of the Redwood County Planning Commission convened on Monday, the 31st day of October, 2016, at the Redwood County Government Center.

The following members of the Redwood County Planning Commission were present: Mike Scheffler, Dave Mattison, Mark Madsen, Kent Runkel, and Commissioner Lon Walling. John Rohlik, Jr. was excused. Also present were the following individuals: Doris Cogelow, Steve TerSteege, Jess Stolp, Marvin Breitreutz, Redwood County Zoning Administrator Scott Wold, and Redwood County Land Use & Zoning Supervisor Nick Brozek.

At approximately 1:00 p.m., Chair Scheffler called the meeting to order. Chair Scheffler read aloud the rules of the meeting.

At 1:02 p.m. Chair Scheffler called to order a public hearing on a Conditional Use Permit submitted by Jess Stolp.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the Salfer application:

1. An *Application for Conditional Use Permit* has been filed by Jess Stolp for the operation of a business engaged in small engine service and repair on the following described property, situated in Westline Township, the County of Redwood, State of Minnesota, to wit:

All that part of the Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of Section Nine (9), Township One Hundred Eleven (111) North, Range Thirty-nine (39) West, described as follows: Beginning on the west line of said Section 9 at a distance of 1,680.00 feet on an assumed bearing at South 0°00' East from the Northwest corner of said Section 9; thence South 0°00' East along the west line of said Section 9 for 582.00 feet; thence North 90°00' East for 500.00 feet; thence North 2°45'16" East for 582.67 feet; thence South 90°00' West or 528.00 feet to the point of beginning, containing 6.87 acres, more or less. The West 100 feet of said tract is subject to state highway right-of-way.

2. The proposed use is located in the "A" Agricultural District and is an existing farm building site and residence owned and occupied by Jess and Rachel Stolp. The primary work of the business includes small engine repair for boats, ATVs, seed tenders, spray equipment, fire department equipment, elevator equipment, construction equipment, lawnmowers, chain saws, etc.
3. Mr. Stolp has operated the business on this property for approximately 8 or 9 years. Small engine repair is not listed as a permitted use in the Agricultural District (Redwood County Ordinance Section 7, the

current version of which has been in effect since January 15, 2006), and the use is not considered to be a Level I Home Occupation because it is housed in an outbuilding, instead of in the home. Small engine repair also is not listed on the conditional uses allowed in the Agriculture District. It does not qualify as a Level II Home Occupation because the business building is greater than 1000 square feet in area, though it may fit into the category of “agricultural related business related to farm tractor... repair.” The catch all provision in Subd. 3 of the Agricultural District Ordinance states that a party seeking to undertake a land use not listed in the Ordinance “shall file a request for a conditional use permit with the Redwood County Zoning Administrator.” Consequently, whether it falls under farm tractor repair or the catch-all, it is a conditional use in the Agricultural District.

4. Aside from Mr. Stolp, one part-time helper is employed by the business.
5. The farm site buildings, including the building used for the business, are arranged around a graveled yard/parking area about 9000 square feet in size. This graveled area is available for customer and business parking and storage of equipment to be repaired, or repaired equipment to be picked up by customers. Specifically, the two areas indicated on the site plan attached to the permit application are designated for customer parking. Outdoor storage of equipment can be seen on the site plan as well. It is screened from the public road by the existing grove and the surrounding buildings.
6. The business will be housed in an existing 60’ by 50’ steel shop structure. The building includes a 20’ x 40’ area which is open to the public. This area is all on ground level with no steps, inclines or ramps and is accessed via a 36” wide outer door. There is a narrow concrete apron in front of the building and a roughly 30’ by 20’ concrete pad between the building and an old barn to the east. In addition to the shop building and outdoor storage, part of the shed on the west side of the yard is used for storage of customer equipment to keep it out of the weather. This shed is also used by Mr. Stolp for personal storage. The old barn on the east side of the yard is used for parts storage.
7. The business is open from 9 am till 5:30 pm and at other times for emergency repairs.
8. The business does not have a bathroom.
9. Glass, plastic, and metal waste produced by the business are recycled, as is waste oil. Paper and other non-hazardous wastes are burned on-site along with Mr. Stolp’s household waste. No other types of waste are produced apart from small amounts of waste fuel and other fluids which Mr. Stolp uses in his tractors. A permit condition is proposed to prohibit the burning of any business waste and require a dumpster for disposal of non-recyclable business waste. Staff has informed Mr. Stolp that such conditions are commonly applied to permits for business uses in the Agricultural District.
10. Mr. Stolp’s building site is located over 200 feet from the right-of-way line of MN Hwy 68 and screened therefrom by the existing grove.
11. Only one dwelling, other than the applicant’s, is located within one half of a mile of the conditional use: David & Rhonda Kirsh, 11990 270th Street, about 2100 feet northwest of the conditional use. There is an old building and grove site located about 2000 feet south of the conditional use, but it is not occupied.
12. No public drainage ditch or tile is located in the vicinity of the conditional use.
13. When Mr. Stolp purchased the property in 1997, the building site was surveyed and split off from the surrounding field. However, some of the farm buildings (mostly bins) were retained on the seller’s property for farm use. Consequently, Mr. Stolp’s east property line runs north to south between his barn and the neighbor’s bins. Possibly due to the surveyor being unaware of the 10 foot property line setback

requirement from any building, the property line runs right along the rear wall of the barn. This was confirmed by staff

14. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Jess Stolp was present to explain the project. Stolp made the following statements to the Planning Commission:

- Seeking CUP for his small engine shop.
- Started out the business part time, now it is his full time job.
- All business takes place in existing buildings, no new structures planned.
- Has only one employee – his brother.
- Buildings all handicapped accessible (brother is in wheelchair)

The Planning Commissioners had questions and Mr. Stolp provided the following responses:

- There is currently no signage advertising the business, but Stolp may put up a sign in the future.

Land Use & Zoning Supervisor Brozek provided the following information:

- Stolp must provide adequate off-street parking and building accessibility.
- Building inspection is required for accessibility. State statutes require the county to enforce the accessibility codes.

Chair Scheffler inquired if anyone was present to support the project. No one came forward.

Chair Scheffler inquired if anyone was present to oppose the project. No one came forward.

Chair Scheffler led the Planning Commission through filling out the Commissioner's individual finding of facts worksheets (attached).

Chair Scheffler closed the public hearing at 1:13 pm.

Chair Scheffler led the Planning Commission through filling out the Commissioner's individual finding of facts worksheets (attached).

Walling made a motion to recommend approval of Conditional Use Permit application #15-16, subject to the conditions proposed by staff. Mattison seconded the motion and it passed unanimously.

At 1:14 p.m. Chair Scheffler called to order a public hearing on a Conditional Use Permit submitted by Stephen TerSteege.

Prior to the Planning Commission meeting, the Planning Commission members were provided an informational packet, which included the following information regarding the TerSteege application:

1. Mr. TerSteege and his family, Mark TerSteege, Paul TerSteege, and Mike TerSteege, own property in Delhi Township Section 32 North, along the Minnesota River. The family purchased the property in the early 1960s. In 1974 a permit was obtained from Redwood County to place a mobile home on the property for use as a recreational residence. The family continues to use the property for recreation.
2. In early 2015, it came to the attention of the Redwood County Environmental Office that, over the years, additional buildings had been constructed on the property. Staff corresponded with the TerSteege family and

visited the site with Stephen and Mike in order to evaluate what actions and permitting were necessary to bring the property into compliance with the Zoning Ordinance, in particular with the Floodplain Ordinance. As part of this process, Mr. TerSteege applied for a conditional use permit for a sauna building that was constructed on the property a number of years ago.

3. The sauna structure is located on the edge of a small pond in the floodway of the Minnesota River Floodplain District. Subdivision 4.3.A. of the Floodplain Ordinance states that accessory structures are a Conditional Use in the Floodplain District. The Ordinance allows accessory buildings under 500 square feet in area to be anchored to prevent flotation. Larger buildings are required to be elevated on fill.
4. The structure measures 10'6" wide by 9'6" long and is constructed of logs, with a wooden floor. It includes a small deck/dock on the pond side. The structure has no foundation, but is constructed on a steel skid frame and anchored to the ground via a buried steel beam and chain. The structure is used as a sauna and contains a wood-burning stove for heat. It has two small rooms: an outer entrance room and an inner room containing benches and the stove. The portion of the dividing wall behind the stove is constructed of brick for fire safety. The sauna is wired for electricity and has an electrical box.
5. The area around the TerSteege property is used primarily for recreation and farming. There are no residential dwellings within a half-mile of the site.
6. A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

Stephen TerSteege was present to explain the project. TerSteege made the following statements to the Planning Commission:

- TerSteege is representing himself and his three brothers.
- He is seeking a CUP for an existing sauna building on a pond on family property in Delhi Township.
- The sauna building is about 10' by 10' in size and is anchored to the ground.
- The sauna is located in the floodplain. The sauna has survived three floods since it was built in 1992.
- The anchoring system consists of a 10' long steel I-beam buried 10' under the ground surface. A logging chain is wrapped around the I-beam and also wrapped around the frame of the sauna structure under the floor.

Land Use & Zoning Supervisor Brozek provided the following information:

- All structures in the floodway of the floodplain district require a conditional use permit.

The Planning Commissioners questioned TerSteege regarding some of the permit details and TerSteege provided the following clarifications and responses:

- The sauna building takes on water during floods.
- The sauna is for private use only.
- There have been three floods in the past 20 years and the sauna has not moved.
- Electricity to the site is cut off by the power company during floods.

Chair Scheffler inquired if anyone was present to support the project. No one came forward.

Chair Scheffler inquired if anyone was present to oppose the project. No one came forward.

Chair Scheffler led the Planning Commission through filling out the Commissioner's individual finding of facts worksheets (attached).

Brozek informed the Planning Commission that the DNR had contacted him with questions about the TerSteege CUP, but that they had been satisfied with the details Brozek provided and would not be making any official statement on the matter.

Chair Scheffler closed the public hearing at 1:18 pm.

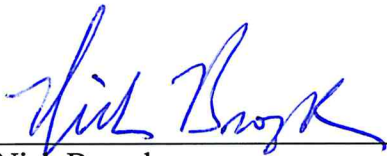
Runkel made a motion to recommend approval of Conditional Use Permit application #16-16, subject to the conditions proposed by staff. Madsen seconded the motion and it passed unanimously.

The Commissioners reviewed and discussed the minutes from the September 26th Planning Commission meeting. On a motion by Madsen seconded by Mattison the minutes from the September 26th Planning Commission meeting were unanimously approved.

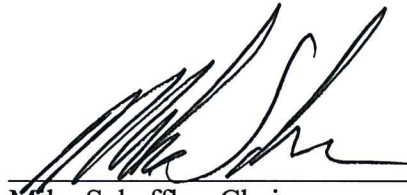
Brozek reported that he had discovered a typo in the minutes from the August 29th Planning Commission meeting. The entry in the minutes regarding approval of the previous meeting (July 25th) minutes had incorrectly referenced the August 29th minutes instead of the July 25th minutes. Brozek stated that he had crossed out August 29 and replaced it with July 25 and initialed the change.

Brozek informed the Planning Commission that dates and times of the 2017 Planning Commission regular meeting schedule will be set at the November 28th meeting. The Commissioners discussed possible dates and determined to continue scheduling meetings for the last Monday of the month.

On a motion by Mattison, seconded by Runkel, and passed unanimously, the meeting was adjourned at 1:30 p.m.



Nick Brozek
Land Use & Zoning Supervisor
Redwood County Environmental Office



Mike Scheffler, Chair
Redwood County Planning Commission

Redwood County Planning Commission Meeting

Date: 10-31-16

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