

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: August 1, 2023

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present:

Dewey Severson, Eric Johnson, Robert Burns, Bob Schuldt, and Greg Myhre

Others Present: Auditor/Treasurer Donna Trehus, Reporter Rachel Stock, Reporter Charlene Selbee, Finance Director Carol Lapham, Board Clerk/EDA Director Allison Wagner, Environmental Services Director Martin Herrick, Human Resources Director Theresa Arrick-Kruger, Engineer Brian Pogodzinski, Deputy Auditor/Treasurer Mark Bennett, Deputy Auditor/Treasurer Eliana Babinski, Building Maintenance Foreman Greg Olson, and Franci Palen

Presiding: Chairperson Severson

Call to order.

Pledge of Allegiance.

Motion was made by Commissioner Burns, seconded by Commissioner Myhre, motion unanimously carried to approve the agenda with the change.

Motion was made by Commissioner Myhre, seconded by Commissioner Johnson, motion unanimously carried to approve the meeting minutes from July 25, 2023.

Public Comment:

None.

APPOINTMENTS

None.

CONSENT AGENDA

Motion by Commissioner Johnson, seconded by Commissioner Schuldt, motion unanimously carried to approve the consent agenda.

- 1) Initiate a competitive search for a 1.0 FTE Deputy Auditor/Treasurer, B22.
- 2) Amend Patricia Goetzinger Krall's resignation date to an effective date of 08/26/2023.

- 3) Approve using the recent Jailer/Dispatcher search to fill the Jailer/Dispatcher vacancy resulting from the Goetzinger Krall resignation.
- 4) Adopt Resolution No. 23-24 Authorize ESB Banking Powers for remaining 2023.
- 5) Adopt Resolution No. 23-25 Authorize Merchants Bank, N.A. for remaining 2023.
- 6) Adopt Resolution No. 23-26 Authorize Rushford State Bank for remaining 2023.

ACTION ITEMS

File No. 1 – Commissioners discussed quotes for the Historical Courthouse HVAC systems with Building Maintenance Foreman Greg Olson and Human Resources Director Theresa Arrick-Kruger. They discussed the need for the new systems as the current system was failing. The lowest quote had been received from Winona Controls for a total of \$128,000 for needed units. Commissioner Myhre moved, Commissioner Burns seconded, motion unanimously carried to accept the quotes from Winona Controls for replacement of two of the Historical Courthouse HVAC systems.

DISCUSSION ITEMS

Commissioner Burns said he had asked Environmental Services Director Martin Herrick to attend the meeting as he had some questions for Herrick regarding a Board of Adjustment meeting that had taken place the week prior. Commissioner Burns said there had been frustration from an applicant regarding time passing and the applicant being given information. Commissioner Burns said it had taken ten weeks to get an answer from the department. Two months after an initial meeting with the applicant a letter had been sent. Commissioner Burns said he believed the time frame had been too long, and asked if there was a staffing issue in the department. Herrick agreed saying it had taken him too long to respond to the applicant. Burns said there had also been some confusion on the request. Herrick said there had been some “extra history from the past” that “threw me off”. The County Environmental Services/Zoning department had eventually recommended the Board of Adjustment deny the request. The requested variance was denied by the Board of Adjustment. Commissioner Johnson said the problem was that the applicant had gotten the impression that the variance was going to be approved. Commissioner Johnson said he had reviewed the packet and a letter had been sent from Herrick to the applicant on June 26th 2023 recommending the applicant apply for a variance. Commissioner Johnson said the letter also said that the fee for the requested variance would be waived. Commissioner Johnson asked why the applicant did not have to pay the fee. He said this should not have happened. Commissioner Myhre said in his years of involvement with the board applicants always needed to pay application fees if their application went before the board regardless of if variances were approved or denied. The fees helped cover the cost of advertisement, etc. Commissioner Burns asked Herrick what could be done to prevent confusion from happening again in the future. Herrick said in the future he would send more emails.

Commissioners discussed recent meetings including a Planning Commission, Jail, and SELCO meeting.

Commissioner Schuldt said the Sheriff's office had several vacancies and was "really tight on staff" on the jail/dispatch side. The Jail Committee was continuing to meet to discuss options. Terminating the Winona contract early had been discussed, but the same amount of staff would still be needed with or without the contract. County staff had spoke with Winona County about the possibility of possibly getting some help from Winona to assist with court appearances, etc. Kruger said it was hard to get applicants to apply to work in the jail as there were concerns about the possibility of the jail closing from applicants. There were also new facilities in the area that would be opening, and that were recruiting applicants.

Commissioner Severson thanked Auditor/Treasurer Donna Trehus for her years of service to the County. He said he hoped she would enjoy her retirement. The Commissioners agreed. Trehus thanked the Commissioners and said she appreciated what they do for the County, too.

There being no further business at 9:53 a.m. motion was made by Commissioner Myhre, seconded by Commissioner Johnson motion unanimously carried to adjourn the meeting. The next meeting would be a regular meeting on August 8, 2023.

BOARD OF COUNTY COMMISSIONERS

HOUSTON COUNTY, MINNESOTA

By: _____
Dewey Severson, Chairperson

Attest: _____
Polly Heberlein, Auditor/Treasurer

**HOUSTON COUNTY
AGENDA REQUEST FORM
August 8, 2023**

Date Submitted: August 3, 2023

By: Tess Kruger, HRD/Facilities Mgr.

ACTION

NONE

APPOINTMENT REQUEST

- **NONE**

HR CONSENT AGENDA REQUEST

Sheriff's Office

- **Hire Matthew Kuehl, as a 1.0 FTE probationary Lead Jailer/Dispatcher, B32 Step 6, effective 08/27/2023 conditioned upon successful completion of Sheriff's Office background check**
- **Hire Derek St Mary as a 1.0 FTE probationary Jailer/Dispatcher, B23 Step 1, effective 08/27/2023 conditioned upon successful completion of Sheriff's Office background check**

<u>Reviewed by:</u>	<input checked="" type="checkbox"/> HR Director	<input checked="" type="checkbox"/> Sheriff
	<input checked="" type="checkbox"/> Finance Director	<input type="checkbox"/> Engineer
	<input type="checkbox"/> IS Director	<input type="checkbox"/> PHHS
	<input type="checkbox"/> County Attorney	<input type="checkbox"/> (indicate
	<input type="checkbox"/> Environmental Svcs	<input type="checkbox"/> other dept)
<u>Recommendation:</u>		
<u>Decision:</u>		

Houston County

Agenda Request Form

This form is not intended for the general public. It is intended for use by county department heads, representatives of other governmental units or vendors/agencies who contract with Houston County. Members of the public may address the Board during the Public Comment Period. (See Policy for Public Comment Period).

Date Submitted: 8/1/2023 for 8/8/2023

Person requesting appointment with County Board: Martin Herrick

Issue:

CUP Approval/Denial:1) Sean Mazzei to have a cabin in the ag district in Winnebago Township.

Justification:

Agenda, Hearing Notices, Board Packets and Findings are attached

Action Requested:

Final Approval by the County Board.

For County Use Only

Reviewed by:

_____ County Auditor	_____ County Attorney	_____ Zoning Administrator
_____ Finance Director	_____ County Engineer	_____ Environmental Services
_____ IS Director	_____ Other (indicate dept)	

Recommendation:

Decision:

All agenda request forms must be submitted to the County Auditor by 4:00 p.m. on Monday in order to be considered for inclusion on the following week's agenda. The Board will review all requests and determine if the request will be heard at a County Board meeting.

**HOUSTON COUNTY
BOARD OF ADJUSTMENT AND
PLANNING COMMISSION
Thursday, July 27, 2023**

Hearings are in the Houston County Commissioner's Room.
Please enter through the west entrance. Doors will open at 4:45 pm.

PLANNING COMMISSION

Approve Minutes for July 25, 2023

CONDITIONAL USE HEARING:

5:00 pm ***Sean Mazzei – Winnebago Township***
Conditional Use Permit to have a cabin in an agricultural district (14.3 Subd. 1(5)).

BOARD OF ADJUSTMENT

Approve Minutes for May 25, 2023

VARIANCE HEARING:

5:30 pm ***Darcey & Lyle Lemke – La Crescent Township***
1) Variance of setback requirements to reduce side yard setbacks for an existing accessory building (15.7 Subd. 1).
2) Variance to allow an existing accessory building to exceed the height of the principal building on the lot (29.14 subdivision 1 (3)).
3) Variance to allow an existing accessory building to exceed 1500 square feet and a door height in excess of 10 feet (29.14 subdivision 1 (5)).

5:50 pm ***Daniel Smith & Nieves Seaman – Money Creek Township***
Variance to of setback requirements for a septic system to be placed nearer to accessory buildings than allowed (29.22 Subd. 7).

6:10 pm ***Jeff and Julie Seeley – Jefferson Township***
Variance from non-conforming use requirement (9 Subd. 3) and the one dwelling per quarter-quarter section requirement (14.2 Subd 1(4)).

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE:

That an application has been made by Sean Mazzei, 11701 134th Ave N, Dayton, MN 55327, for a Conditional Use Permit to place a cabin in an agricultural district (Section 14 – 14.3 Conditional Uses, Subdivision 1, Subsection 5) in Winnebago Township on the following premises, to-wit:

PT SW1/4 SW1/4, Section 03, Township 101, Range 5, Houston County, Minnesota. (Parcel 16.0024.005)

Said applicant standing and making application is as fee owner of said described lands.

A hearing on this application will be held at the Houston County Commissioner's Room, City of Caledonia, Minnesota at 5:00 p.m. on Thursday, July 27, 2023.

All persons having an interest in the matter will be given the opportunity to submit comments relative to the granting or denying of said application. Comments should be mailed to the Environmental Services Dept., 304 South Marshall Street, Caledonia, MN 55921, or emailed to martin.herrick@co.houston.mn.us, and must be received by Wednesday, July 19, 2023. Comments in regard to the petition received by this date will be part of the public record and will be made available for review by the Planning Commission prior to the meeting.

HOUSTON COUNTY PLANNING COMMISSION

By Martin Herrick
Zoning Administration

ADV: July 17, 2023



HOUSTON COUNTY

ENVIRONMENTAL SERVICES

Solid Waste • Recycling • Zoning
304 South Marshall Street – Room 209, Caledonia, MN 55921
Phone: (507) 725-5800 • Fax: (507) 725-5590



STAFF REPORT

7/19/2023

Application Date: 6/29/2023
Hearing Date: 7/25/2023
Petitioner: Sean Mazzei
Reviewer: Martin Herrick
Zoning: Ag Protection
Address: TBD County Rd. 14
Township: Winnebago
Parcel Number: 16.0024.005
Submitted Materials: CUP Application

OVERVIEW

REQUEST

The petitioner is requesting a Conditional Use Permit to construct a cabin in the agricultural protection district of Winnebago Township.

SUMMARY OF NOTEWORTHY TOPICS

The Houston County Zoning Ordinance provides the following requirements for cabins in the agriculture protection district:

14.3 CONDITIONAL USES

Subdivision 1. Conditional Uses. In the Agricultural Protection District, the following uses may be allowed only after obtaining a Conditional Use Permit in accordance with the provision of this Ordinance.

(5) *Cabins.* Cabins, subject to the following:

(a) *Not more than one (1) cabin per quarter of a quarter section shall be allowed.*

(b) *A cabin shall not have a permanent foundation or basement, or otherwise be permanently attached to the ground.*

- (c) A cabin shall be for transient use only and shall not be used as a permanent, year-around dwelling.*
- (d) No cabin shall have a gross floor area exceeding 400 square feet.*
- (e) Cabins shall not be connected to modern utilities, including electricity, telephone service, and septic.*

Figure 1. shows the proposed location for the cabin. Figure 2 shows the road access and Figure 3 is the proposed cabin to be brought in.

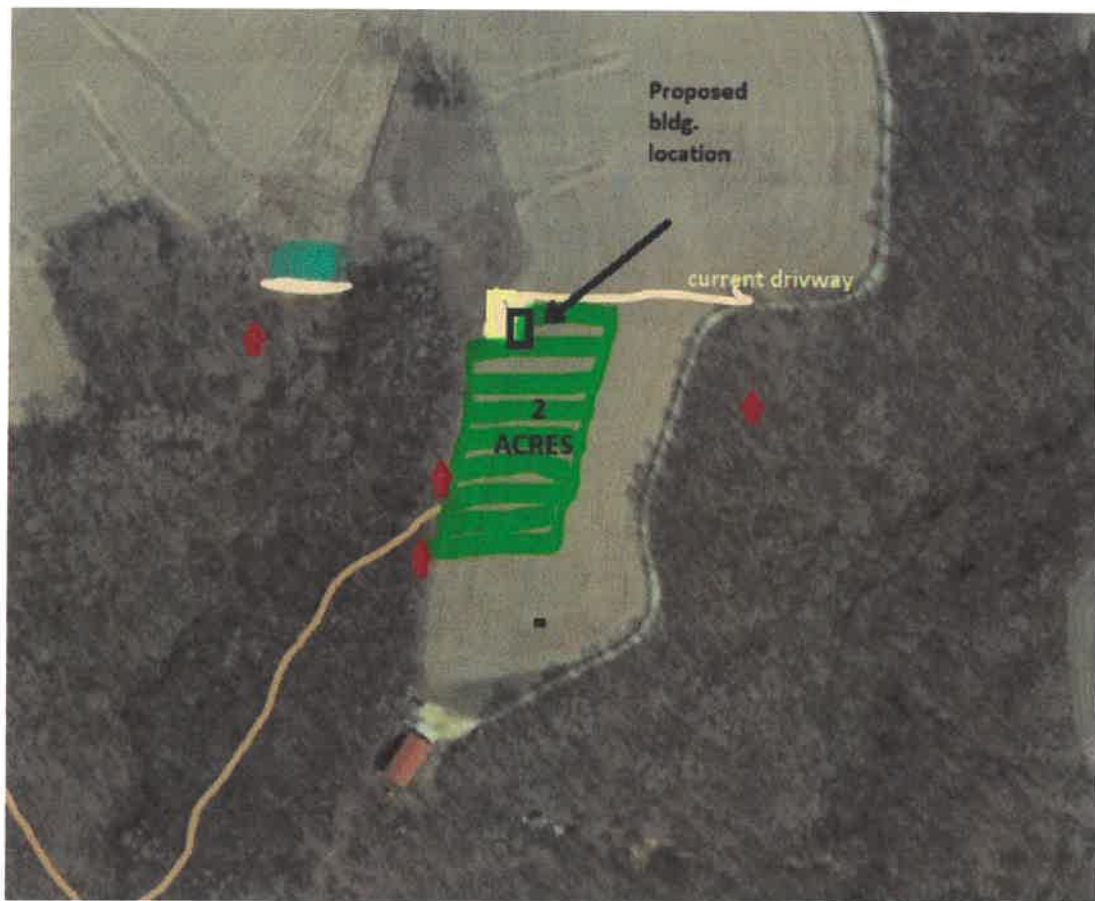


Figure 1. Proposed cabin location:

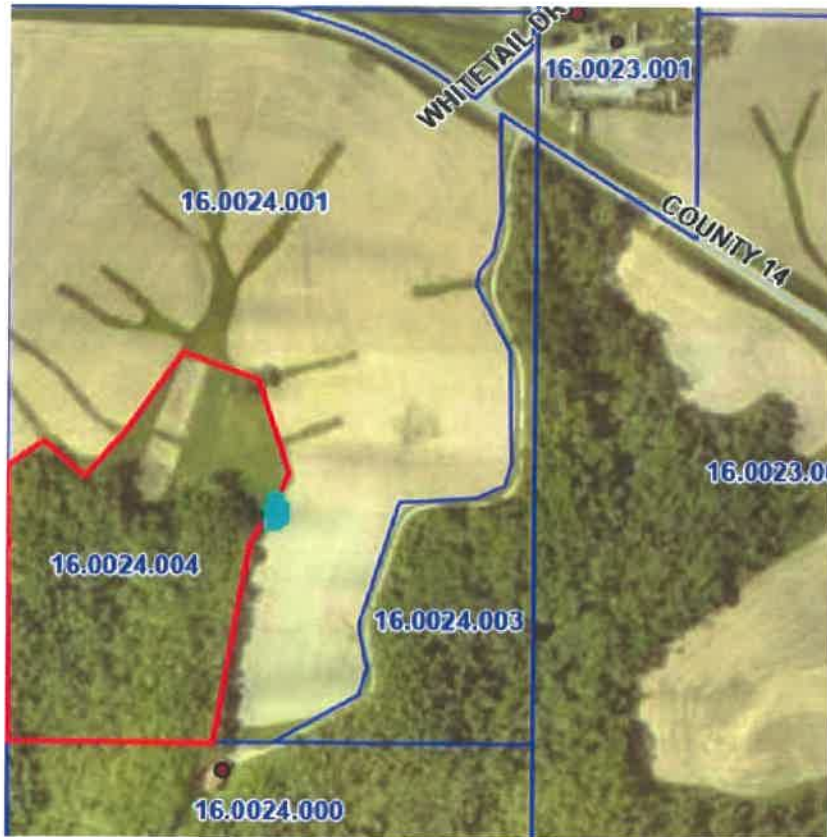


Figure 2. Cabin location and road access



Figure 3. Proposed Cabin

TOWNSHIP AND NEIGHBORHOOD COMMENTS

Notice was sent to Winnebago Township and the ten closest property owners. No comments have been received for the revised conditional use permit.

SITE CHARACTERISTICS

This parcel is in Winnebago Township. The parcel is tillable acreage. Slopes are under 12% grade and a driveway is established. Both soil classifications found on the parcel are the Blackhammer-Southridge complex with the 580 D2 and 580 C2 having land capability classifications of 4e and 3e respectively. The 580C2 soil is prime ag soils, which is actively tilled. Figure 4 shows the line separating the respective soil classifications. The existing road as shown in figures 1 and 2 can be routed to stay under the 12% slope requirement and connect to County Highway 14. The footprint for the cabin's supports as shown in figure 3 is estimated to be 364 square feet and will not exceed the 400 square ft maximum to be considered as such in the Houston County Ordinance. The cabin will be brought in by trailer. The cabin will be unimproved without amenities such as water or septic. The cabin will be orientated north south to work with the contours of the site and the limitations created by the prime ag soils.

The closest dwelling is approximately 1600 ft feet from the proposed location. The adjacent neighbor has a shop located within the same quarter-quarter and a common driveway is used.

There are no mines in the area and the nearest feedlot is greater than 2500 ft away. There are no concerns for wetland, floodplain, shoreland or bluff land for this proposal.

EVALUATION

Section 11.05 of the Houston County Zoning Ordinance requires the following:

Subdivision 1. Findings. The Planning Commission shall not recommend a conditional use permit unless they find the following:

1. That the proposed use conforms to the County Land Use Plan.

Staff Analysis: Cabins are conditionally allowed in the Agriculture Protection District. This protects agricultural interests, which is a primary goal of the Comprehensive Land Use Plan.

2. That the applicant demonstrates a need for the proposed use.

Staff Analysis: The applicant indicates the cabin is for recreational purposes and storage of equipment used to manage the site. This demonstrates a need for the proposed use.

3. That the proposed use will not degrade the water quality of the County.

Staff Analysis: The cabin will not have a water supply or a septic system and will have minimal impact on water quality.

4. That the proposed use will not adversely increase the quantity of water runoff.

Staff Analysis: The cabin footprint is minimal and will not substantially influence the quantity of water runoff.

5. That soil conditions are adequate to accommodate the proposed use.

Staff Analysis: The soil survey indicates that prime ag soils are not being built on. The cabin will conform to the natural slope of the land. A septic system will not be installed so soil permeability is not a major consideration.

6. That potential pollution hazards have been addressed and that standards have been met.

Staff Analysis: There are no anticipated pollution hazards.

7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Staff Analysis: No modern amenities will be installed with the cabin and access is from County Highway 14.

8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Staff Analysis: NA

9. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.

Staff Analysis: NA

10. That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

Staff Analysis: There is one neighbor's shop, which is approximately 600 ft from the proposed dwelling. The addition of a limited use cabin is not anticipated to negatively affect the use of neighboring properties.

11. That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.

Staff Analysis: The predominant land use is agriculture and forest, the continuation of which will not be impacted by the cabin. Much of the area continues to be tillable acreage and woodland. The cabin should not impact neighboring landowners' ability to utilize their properties for existing uses.

12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Staff Analysis: NA

13. That the density of any proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable Zoning District.

Staff Analysis: NA

14. That the intensity of any proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable Zoning District.

Staff Analysis: NA

15. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals, and general welfare.

Staff Analysis: Public health, safety, morals, and general welfare are not anticipated to be impacted.

RECOMMENDATION

The Planning Commission must consider the criteria above. Should the permit be granted, staff recommend requiring the following conditions:

1. The Permittee shall comply with all federal, state, and local laws and regulations.
2. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.

Proposed motion: To recommend approval of a conditional use permit for a cabin in the agricultural protection district.

Conditional Use Request	Fees Paid
2023-CUP-145504	\$746.00
Applicant	Created
sean mazzei	June 29, 2023

Number
2023-CUP-
145504

MAZZEI,SEAN P 160024005
Submitted by sean mazzei on
6/29/2023



Applicant

sean mazzei

6123285099

seanmazzei@hotmail.com

Search Parcel Data

 Completed On 6/29/2023 9:44 AM EST by AmyS

ParcelID	Address	City	OwnerName	Acres
160024005			MAZZEI,SEAN P	2.000

CONDITIONAL USE INTRO

 Completed On 6/29/2023 9:44 AM EST by AmyS

A Conditional Use is a land use or development that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon a finding that specific criteria are met, as outlined in Section 6.5 of the ordinance.

When submitting an application, the information requested in this form is required. You may be asked to provide additional information as deemed necessary by the Zoning Office, the Planning Commission, or the County Board.

A non-refundable application fee and recording fee are required before an application is considered complete.

Prior to completing this form, a pre-application meeting with County Zoning is strongly recommended.

Application Fee:

Conditional Use Application Fee

\$700.00

Recording Fee:

Recording Fee

\$46.00

Application Type:

Conditional Use

APPLICANT INFORMATION

 Completed On 6/29/2023 9:44 AM EST by AmyS

Applicant Name

MAZZEI,SEAN P

Telephone Number

612-328-5099

Address

11701 134th Ave N

City

Dayton, MN

Zip

55327

Parcel Tax ID

160024005

Legal Description

SW1/4 SW1/4

Section-Township-Range

03-101-005

Do you own additional adjacent parcels

Yes

Township of:

Winnebago

Applicants are required to inform township boards of their application. Please reference the table below and contact the official for your township.

I understand I am required to inform my township of my application.

Yes

Township Contacts

TOWNSHIP	NAME	PHONE
Black Hammer	Clayton Johnson	507-450-6384
Brownsville	Christine Novak	507-459-0636
Caledonia	Donise Becker	507-724-5163
Crooked Creek	David Winnes	507-542-4515
Hokah	Delayne Vogel	608-397-6516
Houston	John Beckman	507-896-3106
Jefferson	Anne Falken	320-493-8629
La Crescent	Jason Wieser	507-429-0133
Mayville	Erin Hammell	608-225-1830
Money Creek	Adam Florin	608-797-2515
Mound Prairie	Colleen Tracy	507-459-3573
Sheldon	Wayne Runningen	507-450-0065
Spring Grove	Mike Wiste	507-450-4638
Union	Craig Frederick	608-769-9541
Wilmington	Melissa Schroeder	608-780-3998
Winnebago	Luke King	507-725-8816
Winnebago	Joyce Staggemeyer	507-542-4637

Yucatan

Deb Dewey

507-896-3566

CONDITIONAL USE REQUEST Completed On 6/29/2023 9:46 AM EST by AmyS[Click here to view the Houston County Zoning Ordinance](#)**Describe in detail your request.**

Would like to relocate a cabin to proposed site on recently purchased (2) Acres.

See attached overview.

Citation of Ordinance Section from which the Conditional Use is requested:

14.3 Subd.1 (5)

Requested Dimension:

16 x 28'

Please upload any supporting documents:

[Shed Loc Sattillite.gif](#)

CONDITIONAL USE FINDING OF FACTS Completed On 6/29/2023 9:50 AM EST by AmyS[Click here to view the Houston County Zoning Ordinance](#)

Findings Required:

The Planning Commission shall not recommend a Conditional Use Permit unless they find that the requirements below are satisfied. As the applicant, it is your responsibility to demonstrate that your proposal satisfies these requirements. For each of the 15 criteria, please select the appropriate response and provide a detailed explanation.

1. That the proposed use conforms to the County Land Use Plan.

Yes

Comments:

Location is in center of both the prior and recently purchased property's.

2. That the applicant demonstrates a need for the proposed use.

Yes

Comments:

Standard will all new application requirements.

3. That the proposed use will not degrade the water quality of the County.

Yes

Comments:

Plenty of non cultivated vegetation buffer between location and down grade and watershed.

4. That the proposed use will not adversely increase the quantity of water runoff.

Yes

Comments:

Plenty of non cultivated vegetation buffer between location and down grade and watershed.

5. That soil conditions are adequate to accommodate the proposed use.

Yes

Comments:

Plenty of non cultivated vegetation buffer between location and down grade and watershed.

6. That potential pollution hazards have been addressed and standards have been met.

Yes

Comments:

No hazards

7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Yes

Comments:

Yes

8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Yes

Comments:

N/A

9. That adequate facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.

Yes

Comments:

N/A

10. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

Yes

Comments:

I own the adjacent property down grade from proposed site also.

11. That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.

Yes

Comments:

None effected

12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Yes

Comments:

N/A

13. That the density of any proposed residential development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable zoning district

Yes

Comments:

That's the point of this application.

I am hoping to place a shed in the middle of nowhere so I have somewhere to put my stuff to keep it dry.

14. That the density of any proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable zoning district.

Yes

Comments:

That's the point of this application.

I am hoping to place a shed in the middle of nowhere so I have somewhere to put my stuff to keep it dry.

15. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals, and general welfare.

Yes

Comments:

Yes, yes...

SITE PLAN INFORMATION

Completed On 6/29/2023 9:54 AM EST by AmyS

A site plan MUST accompany all Applications. You may either upload a drawing or use the interactive map below.

Upload Site Plan

[Shed Loc Sattelite.gif](#)

Use the Interactive Map to Create a Site Plan. Map tools: Click the plus and minus buttons in the upper left of the map window, to zoom in/out. Navigation Mode - Scroll up to zoom in, scroll down to zoom out. Click and hold to pan around map. Text Mode - To place text on the map, click on the "Add Text" tool, click the place on the map where you would like the text to be displayed, then enter the text in the box that appears at the top of the screen, click ok to display the text on the map. Draw a point - Click once on the map where you would like the point to be. Draw a Line - Click once on map to start drawing a line, double click to stop drawing line. Draw a Polyline - Click once on map to start drawing a polygon, click map at each vertex and double click to finish polygon drawing. Draw a Rectangle - Click once on the map where you would like the rectangle to be. The rectangle will appear on the map. Click on the Select tool and click on the rectangle to resize (click an outside square and drag to resize), rotate (click, hold and drag the circle on top of the rectangle to rotate) or delete (click the rectangle and hit the delete button). Measure - Click once on map to start draw a line with a measurement, click map at each vertex and double click to finish drawing. If you double click near starting point area measurement will also be calculated. Undo Last Edit - Click tool to undo last drawing edit. Undo All Edits - Click tool to undo all drawing edits.

☒ Sketch Layer +

☐ Reference Layer -

Mapproxy



Powered by Esri

Use the space below to include site plan comments, if necessary

APPLICATION SUBMITTAL Completed On 6/29/2023 9:54 AM EST by AmyS

By checking this box, I grant Houston County access to my property for the purpose of evaluating this application.

Yes

By checking this box, I certified that I have notified my town board of my application.

Yes

By checking this box, I certify that the information provided in this application is true and accurate to the best of my knowledge.

Yes

Signature

Date Signed:

6/29/2023

Check this box if Staff Signature on behalf of Applicant.

Yes

APP SUBMITTED/PAYMENT SELECTION Completed On 6/29/2023 9:55 AM EST by AmyS

Fees Paid

[VIEW RECEIPT](#)

Fee Name	Recipient	Amount
Conditional Use Application Fee	Planning & Zoning	\$700.00

Recording Fee

Recorder

\$46.00

Confirmation Data

Payment Method

Check

Confirmation Number

28543

Amount Paid

\$746.00

WINNEBAGO TOWNSHIP REVIEW Completed On 6/29/2023 9:55 AM EST by AmyS**Notice to Township**

An email notification of information provided in the application will now be sent to Winnebago Township for review. Townships have seven days to provide comments on this application.

Date email sent:

6/29/2023

APPLICATION DATE Completed On 6/29/2023 9:57 AM EST by AmyS**What Stage Is the Application At?**

Application reviewed and determined complete.

Application Date (Complete Application)

06/29/2023

Date of Notice of Incomplete Application**Comments****Please upload any supporting documents:****External Notes****Documents****Internal Notes****Documents**

Houston County Agenda Request Form

Date Submitted: August 3, 2023

Board Date: August 8, 2023

Person requesting appointment with County Board: Brian Pogodzinski

Issue:

The grant offer for the FAA to approve funding for the Taxi-lane project and the land purchase is being prepared for signature. Timing is important and we hope to receive this grant agreement in the mail on Monday, August 7, 2023 for signatures at the board meeting.

Attachments/Documentation for the Board's Review:

Grant agreement will be available, Monday, August 7, 2023.

Justification:

The taxi-lane project has already been bid out and is waiting for this funding. Tied to this grant offer is the reimbursement for the land purchase.

Action Requested:

Signature of Board Chair and the County Auditor Treasurer on the grant agreement.

For County Use Only

Reviewed by:

_____ County Auditor	_____ County Attorney	_____ Zoning Administrator
_____ Finance Director	_____ County Engineer	_____ Environmental Services
_____ IS Director	_____ Other (indicate dept)	

Recommendation:

Decision:

All agenda request forms must be submitted to the County Auditor by 4:00 p.m. on Monday in order to be considered for inclusion on the following week's agenda. The Board will review all requests and determine if the request will be heard at a County Board meeting.

CRITERIA FOR GRANTING CONDITIONAL USE PERMITS

NAME OF APPLICANT: **Sean Mazzei** DATE: **July 27, 2023**

C.U.P. REQUESTED: **To have a cabin in the agriculture protection district.**

The Planning Commission shall not recommend an interim use permit unless they find the following:

FINDINGS OF FACT

Section 11.05 of the Houston County Zoning Ordinance requires the following:

1. That the proposed use conforms to the Houston County Land Use Plan.

Staff Analysis: Cabins are conditionally allowed in the Agriculture Protection District. This protects agricultural interests, which is a primary goal of the Comprehensive Land Use Plan.

Board agreed to the finding by a unanimous vote.

2. That the applicant demonstrates a need for the proposed use.

Staff Analysis: The applicant indicates the cabin is for recreational purposes and storage of equipment used to manage the site. This demonstrates a need for the proposed use.

Board agreed to the finding by a unanimous vote.

3. That the proposed use will not degrade the water quality of the County.

Staff Analysis: The cabin will not have a water supply or a septic system and will have minimal impact on water quality.

Board agreed to the finding by a unanimous vote.

4. That the proposed use will not adversely increase the quantity of water runoff.

Staff Analysis: The cabin footprint is minimal and will not substantially influence the quantity of water runoff.

Board agreed to the finding by a unanimous vote.

5. That soil conditions are adequate to accommodate the proposed use.

Staff Analysis: The soil survey indicates that prime ag soils are not being built on. The cabin will conform to the natural slope of the land. A septic system will not be installed so soil permeability is not a major consideration.

Board agreed to the finding by a unanimous vote.

6. That potential pollution hazards have been addressed and that standards have been met.

Staff Analysis: There are no anticipated pollution hazards.

Board agreed to the finding by a unanimous vote.

7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Staff Analysis: No modern amenities will be installed with the cabin and access is from County Highway 14.

Board agreed to the finding by a unanimous vote.

8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Staff Analysis: N/A

9. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.

Staff Analysis: N/A

10. That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

Staff Analysis: There is one neighbor's shop, which is approximately 600 ft from the proposed cabin. The addition of a limited use cabin is not anticipated to negatively affect the use of neighboring properties.

Board agreed to the finding by a unanimous vote.

11. That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.

Staff Analysis: The predominant land use is agriculture and forest, the continuation of which will not be impacted by the cabin. Much of the area continues to be tillable acreage and woodland. The cabin should not impact neighboring landowners' ability to utilize their properties for existing uses.

Board agreed to the finding by a unanimous vote.

12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Staff Analysis: N/A

13. That the density of any proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable Zoning District.

Staff Analysis: N/A

14. That the intensity of any proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable Zoning District.

Staff Analysis: N/A

15. That site-specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals, and general welfare.

Staff Analysis: Public health, safety, morals, and general welfare are not anticipated to be impacted.

Board agreed to the finding by a unanimous vote.

Jim Wieser made a motion to accept the findings as presented. Greg Myhre seconded. Roll call vote was taken. All were in favor. Motion carried.

Jim Wieser made the motion to recommend the Houston County Board approve a conditional use permit for a cabin in the agricultural protection district with the following conditions:

1. The Permittee shall comply with all federal, state, and local laws and regulations.
2. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.

Greg Myhre seconded. Roll call vote was taken. All were in favor. Motion carried.

Houston County Agenda Request Form

Date Submitted: August 3, 2023

Board Date: August 8, 2023

Person requesting appointment with County Board: Brian Pogodzinski

Issue:

The grant offer for the FAA to approve funding for the Taxi-lane project and the land purchase is being prepared for signature. Timing is important and we hope to receive this grant agreement in the mail on Monday, August 7, 2023 for signatures at the board meeting.

Attachments/Documentation for the Board's Review:

Grant agreement will be available, Monday, August 7, 2023.

Justification:

The taxi-lane project has already been bid out and is waiting for this funding. Tied to this grant offer is the reimbursement for the land purchase.

Action Requested:

Signature of Board Chair and the County Auditor Treasurer on the grant agreement.

For County Use Only

Reviewed by:

_____ County Auditor	_____ County Attorney	_____ Zoning Administrator
_____ Finance Director	_____ County Engineer	_____ Environmental Services
_____ IS Director	_____ Other (indicate dept)	

Recommendation:

Decision:

All agenda request forms must be submitted to the County Auditor by 4:00 p.m. on Monday in order to be considered for inclusion on the following week's agenda. The Board will review all requests and determine if the request will be heard at a County Board meeting.