

Minutes of the Dodge County  
**PLANNING COMMISSION MEETING**  
**October 3, 2007**

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The regular meeting of the Planning Commission was called to order by Galen Johnson at 7:00 PM on Wednesday, October 3, 2007. Present were Planning Commission members Galen Johnson, Jon Balzum, Rhonda Toquam, Larry Schmeling, Harlan Buck, and Richard Wolf. Also present were County Commissioner Don Gray, Dave Erickson, Dave Hanson, Klaus Alberts, Lyle Tjosaas and Planning Director Duane Johnson.

Motion by Harlan Buck, seconded by Jon Balzum, to approve the agenda and the September 2007 minutes. Motion passed unanimously.

**Betty Rothen – CUP #07- 26**

The first public hearing is to consider an application for a Conditional Use Permit to establish a non-farm dwelling in the Agricultural District. The property is 84 acres located in the NW 1/4 of NW 1/4, of Section 1, Milton Township. Betty Rothen is the applicant and the property owner.

Betty Rothen was present to explain her plan for the proposed site. She has plans to split off 10 acres for a new building site from the 84 acres. The 84 acres will be sold in November.

Ron Durst, Milton Township has no objection to this proposal.

Duane Johnson stated the property abuts 520<sup>th</sup> St., which is the Goodhue, Dodge County line. The feedlot is owned by Betty Rothen and has been de-activated. There is a 12% slope on this property and if a home is built on this slope an Erosion Control Plan must be submitted before building. A driveway and access permit must be obtained from the Highway dept. Septic permit must be obtained also from the County.

Galen Johnson inquired if the Erosion Control Plan must be submitted before they build.

Duane Johnson if they build on the slope they must present the plan before they build.

Harlan Buck inquired if Betty Rothen was not planning for this to be her home.

Betty Rothen stated the property will be auctioned off for sale in November.

Motion by Rhonda Toquam, seconded by Harlan Buck, to close the public hearing. Motion passed unanimously. Motion by Rhonda Toquam seconded by Larry Schmeling, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. The Agricultural Covenant shall be signed and recorded.
2. The septic system must meet the County's septic ordinance.
3. Driveway access permits and address be obtained from the Dodge County Hwy Dept.
4. Submit an Erosion Control Plan per Dodge County Ordinance Section 1617.

The motion was passed unanimously

### **Sherman Stoflet – CUP #07- 27**

The second public hearing is to consider an application for a Conditional Use Permit to establish a non-farm dwelling in the Agricultural District. The property is 6.5 acres located in the NW 1/4 of NW 1/4, of Section 24, Milton Township. Sherman Stoflet is the applicant and the property owner.

Sherman Stoflet was present to explain his plan for the proposed site. Countryside Builders purchased this property about a year ago. It was a vacant building site with an old home and out buildings. They cleaned up the site by removing everything including the house, but did leave the big oak trees to make a nice site for new home.

Ron Durst, Milton Township has no objection to this proposal.

Duane Johnson gave a history of the site being auctioned off a little over a year ago with the building site split for the original parcel. The old home was standing and a replacement home permit could be issued for a new home. After the old home was removed for a length of 12 months it becomes a non-conforming use.

Motion by Harlan Buck, seconded by Jon Balzum, to close the public hearing. Motion passed unanimously. Motion by Harlan Buck, seconded by Richard Wolf, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. The Agricultural Covenant shall be signed and recorded.
2. The septic system must meet the County's septic ordinance.
3. Driveway access and permits be obtained from the Township.
4. Submit an Erosion Control Plan per Dodge County Ordinance Section 1617.

The motion was passed unanimously

**Terry Campbell – CUP #07- 28**

The third public hearing is to consider an application for a Conditional Use Permit to establish an indoor handgun range in the Agricultural District. The property is 200 acres located in the NE 1/4 of SE 1/4, of Section 19, Milton Township. Terry Campbell is the applicant and the property owner.

Terry Campbell was present to explain his plans for the proposal of the indoor handgun range reopening.

Ron Durst stated that Milton Township has toured the site on August 29<sup>th</sup> for a hand on look at the outdoor shooting structure and indoor shoot range. On September 4<sup>th</sup> the Milton Board met to discuss their concerns with the shooting range. They came together with recommendations that Ron reviewed with the Planning Commission. The township had concerns on the tires that were there.

Nugget Fields supports of the Minute Man indoor handgun range. She uses the facility and feels the indoor handgun range is very safe. The staff is always helpful with any questions she might have. Would like to see it open again.

Ed Garris, Federal Firearms Instructor has trained individuals at this range, and is in support of range opening up again.

Galen Johnson asked Ed Garris if he does certification of the building.

Ed Garris address that he only does certification on individuals, but does know someone that does certification on buildings.

Duane Johnson gave a brief history on the Minute Man handgun range. In 2001 a permit was issued for an indoor handgun range. The dairy parlor was retrofitted for the indoor range. In 2002 there was a fire in the building and it was rebuilt. There has been no compliant until this last summer. Terry has allowed the County Board, Planning Commission and staff to review the site. Duane reviewed the 9 conditions of recommendations with the Planning Commission.

Galen Johnson asked Terry Campbell if he had any questions.

Terry indicated that he did not.

Jon Balzum inquired if the tires have been removed.

Terry Campbell indicated that the ones that could be removed have been done, but the ones that he could not remove he buried.

Motion by Jon Balzum, seconded by Larry Schmeling, to close the public hearing. Motion passed unanimously. Motion by Harlan Buck, seconded by Jon Balzum, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. The request meets the ordinance requirements and the “Criteria to Apply to C.U.P.”
2. Remove all outdoor shooting equipment on both or all outdoor shooting range locations; in particular the outdoor shooting range to the north of the building used for indoor shooting.
3. Equipment to be removed from outdoor shooting ranges includes;
  - Berm on north side of indoor shooting range used to restrict bullets.
  - Posts
  - Signs that advertise outdoor shooting ranges; *Signs that meet the County sign ordinance 1601 are allowed that indicate indoor handgun shooting range business only. Future signage will need to be reviewed by the County and issued a sign permit.*
  - Benches and counter rests (target on west side of Hwy 57).
  - Tires north of indoor shooting range that have been used for backstops.
4. Zero tolerance; any further outdoor shooting on this premise or outside of the terms and conditions of this permit will be grounds for revoking the permit and permanent closure of the this site as a gun range.
5. Prior to allowing the business to start, the building be inspected and approved by a State certified inspector to determine whether it meets the indoor handgun range Industry and County requirements for safety and health.
6. A copy of Standard Operating Procedures and Certificate of Liability Insurance provided to the County prior to the start of business.
7. The indoor range be inspected as per Standard Operating Procedures Criteria or annually whichever is greater.
8. This CUP is reviewed in 36 months.
9. Meets the requirements of Minnesota Statutes 87A.02.

The motion was passed unanimously

#### **Doug VanZuilen – CUP #07-29**

The fourth public hearing is to consider an application for a Conditional Use Permit to expand an existing feedlot to capacity of 4000 head finishing hogs or 1600 animal units. The expansion will include two new confinement buildings approximately 41 x 200 feet with a beneath barn 8 foot concrete pit for manure storage for 2000 head of hogs. The property is 5.74 acres located in the NW 1/4 of SW 1/4, of Section 2, Claremont Township. Doug VanZuilen is the applicant and the property owner.

Doug VanZuilen was present to explain his plan for expansion of his feedlot. In 1990 the original buildings were built and now he wants to expand them. The expansion will be to the east of the existing buildings.

Kent Schmidt, Claremont Township has no objection with this proposal.

Duane Johnson gave a brief history of the site. When Doug was visiting with him, Doug indicated that trees will be planted to the east of the new buildings and the new barns fitted with bio-filters. There is a dead animal management in place now that will continue.

Ken Folie addressed the issue on the manure storage pits. MPCA will be issuing the feedlot permit for this site.

Richard Wolf commented that Doug's sites are well run and managed.

Motion by Rhonda Toquam, seconded by Jon Balzum, to close the public hearing. Motion passed unanimously. Motion by Larry Schmeling, seconded by Harlan Buck, to recommend approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. The Feedlot Advisory Report dated September 25, 2007.
2. Zoning Permit obtained before building.
3. Update County Animal Feedlot Registration Form.

The motion was passed unanimously

### **Other Business**

#### **Susan & Gary Johnson – CUP #07-01 (extension)**

Susan Johnson was present to explain her need for the extension.

Motion by Rhonda Toquam, seconded by Jon Balzum, to recommend approval for an extension of CUP #07-01 for 1 (one) year based on reasons stated in the letter from new owner, Susan Johnson dated September 15, 2007. Motion passed unanimously.

The CUP #07-01 would be extended from January 9, 2008 to January 9, 2009 with the following conditions:

1. The Ag Covenant shall be signed and recorded.
2. The septic system must meet the County's septic ordinance.
3. Driveway access and permits be obtained from the Township.

### **Adjourn**

Motion by Rhonda Toquam, seconded by Harlan Buck, to adjourn. Motion passed unanimously. The meeting was adjourned at 8:10PM.