



Cass County
Planning Commission/Board of Adjustment

February 10, 2014

The Cass County Planning Commission/Board of Adjustment conducted a regular meeting February 10, 2014 in the meeting room of the Cass County Land Department in Backus.

Sundberg called the meeting to order at 10:30 a.m.

Members present: Anderson, Fitch, Froehlig, LaPorte, Moore and Sundberg.

Staff Present: Berg, Fairbanks, Ringle and Wright.

Citizens Present: Gerald Bader, Bruce Eveland, Jack Johnson, Jude Johnson, Helen Mankenberg, Lauri Moe and Dan Switzer.

MS/P Moore/Anderson to approve the minutes of the 01/13/14 PC/BOA meeting as presented.

MS/P Moore/Froehlig to unanimously select Susan Sundberg Chairperson 2014.

MS/P Fitch/Froehlig to unanimously select Tim Moore Vice-Chairperson 2014.

Conditional Use Permit

Johnson, Delyle for Johnson, Catherine Revocable Trust, Becker Township on property described as N $\frac{1}{2}$ of NW, Section 28-134-32, PID #03-028-2200 located at 11147 County 32 SW. An application submitted to reclassify 7.1 acres of the parcel from Agriculture/Forestry (AF) to Rural Residential 5 (RR-5) which will reduce minimum lot size from 40 acres to 5 acres which requires a conditional use permit (CUP). Section 903, 1000 and 1001 of the Land Use Ordinance (02/15/13) establish various land use categories and criteria. Section 705 of the Land Use Ordinance (02/15/13) establishes CUP review criteria. The property contains 82.12 acres non-riparian (AF).

25 notices of the application were mailed. No response was received from any persons or governmental entities notified. The application was discussed and reviewed with the applicant's representative Mr. Jack Johnson.

MS/P Fitch/LaPorte to approve the application to reclassify from AF to RR-5 the portion described submitted with the application to be located in the NW $\frac{1}{4}$ of PID #03-028-2200

based upon review of the criteria contained in Sections 705, 903, 1000 and 1001 of the Land Use Ordinance (02/15/13) with the following findings and conditions:

Findings:

1. The 7.12 acres proposed for reclassification is insignificant when compared with the total acreage of the township.
2. No response or objection has been received from any persons or governmental entities notified of the application.
3. There is no reason to expect that one 7.12 acre parcel will cause adverse effects to adjoining property.
4. One 7.12 acre parcel will have no impact to the demand for governmental services.
5. Existing roadways will be utilized with no need to expand exiting public infrastructure.
6. No wetland or critical habitat will be disturbed by reclassification.
7. No scenic or historic features will be affected by reclassification.
8. No threat to public health, safety and welfare can be expected by reclassification.
9. The change in zoning classification is below mandatory EAW threshold.
10. There is no reason to expect that one 7.12 acre parcel will have any effect to surface water or ground water quality.
11. The remaining 75 acres remain unchanged as AF.

Conditions:

1. An agricultural management easement as described in Appendix B-1 of the Land Use Ordinance shall be recorded in conjunction with the newly described parcel in order to be compliant and eligible for land use permits.
2. Unless recorded or otherwise extended or revised by the Planning Commission this approval shall be effective until 02/10/16.

1st Reading

Revisions to Subsurface Sewage Treatment System Ordinance (SSTS)

ESD Director Ringle presented proposed revisions to the SSTS Ordinance to the PC and several audience members. Mr. Ringle reminded everyone that the proposed revisions are minor and that the vast majority of the ordinance remains unchanged. Discussion of proposed revisions was mainly confined to various tank capacities.

MS/P LaPorte/Moore to adopt the proposed revised SSTS on first reading to recommend adoption by the County Board.

MS/P Anderson/Froehlig at 12:03 pm, to adjourn.

P. Fairbanks