

DICKINSON COUNTY PLANNING AND ZONING COMMISSION

Monday, December 21, 1009

1:00 P.M.

The Dickinson County Planning and Zoning Commission met Monday, December 21, 2009 at 1:00 p.m. in the community room of the courthouse.

Members present were Sally Nielsen, Tony Weber, Tim Fairchild, Duane Moser, and Jon Gunderson. Absent were Bob Chaffin and Mike Roach.

Sally Nielsen called the meeting to order at 1:00 p.m.

First on the agenda was approval of the minutes of September 21, 2009. Weber moved to approve the minutes as written. Fairchild seconded. All were in favor.

Second on the agenda was Kevin and Heidi Kies, rezoning application from Heavy Industrial District to A-1 Agricultural District, NE ¼, Section 11, Okoboji Township.

Mr. Kies said they bought this property with the intention of using it as agricultural farm land with future plans to build a house and later automotive or farm equipment repair. They purchased 32 acres. There are 8 acres in the NE corner that is zoned R-1 residential. All surrounding land is A-1 agricultural.

Kies said this ground is being farmed right now. There are about three acres of gravel that are no longer being mined. There is some pasture. About ¾ of the acreage is tillable ground. The county owns the 40 acres on the south.

Kohlhaase said the existing zoning is Heavy Industrial and the future land use map shows Heavy Industrial, but the diversity around this property supports the A-1 zoning request.

Kies said he understood that Clark Limestone owned the property before with the intention to mine the limestone, but ran into snags with the DNR.

Moser asked if Kies does equipment repair, does it meet the zoning requirements of a small business.

Kohlhaase said he could have a repair shop in the A-1 district under farm home occupations. He said Kies would be going to a less sensitive zoning from the Heavy Industrial.

There had been no phone calls or letters received.

After brief discussion, Fairchild moved to vote on the rezoning application. Weber seconded. All were in favor. The vote was recorded as all approve.

Third on the agenda was old or unknown business.

Kohlhaase informed the commission that Emmet County had adopted the Dickinson County WECS ordinances with some changes. One of those was regarding damages to county roads. Emmet County included the ongoing maintenance phase, not just initial construction phase. Also some counties require that a wind turbine cannot overhang an adjacent property line without an easement agreement with the adjoining property owner.

Moser said farmers tear up roads hauling grain too. He was concerned with being more restrictive with one group and not another.

Kohlhaase said regarding the road maintenance, if a road has to be widened, the contractor has to get a work in the right of way permit from the county engineer.

Discussion followed. The Planning and Zoning members said the committee who drafted the WECS ordinance put a lot of time and effort into the wording. They didn't recommend any changes at this time.

Kohlhaase said the NextEra Energy (FPL) which is planning a wind farm in Westport Township has said they are coming with applications any day. Northstar and Redrock projects are still on hold.

Moser said there is a new requirement by the county that anyone being reappointed to a county board needs to fill out a formal application.

Kohlhaase explained the process, and that the state legislature is going to require that all county boards be gender equal by 2012. Discussion followed

Tony Weber moved to adjourn. The meeting was adjourned at 1:47 p.m.