



# Sibley County Zoning

Property Assessing & Zoning Department  
400 Court Avenue - P.O. Box 532  
Gaylord, MN 55334  
Phone: (507) 237-4091  
TDD: (507) 237-4330  
Zoning@co.sibley.mn.us

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**Sibley County**  
**Planning & Zoning Commission/Board of Adjustments**  
**Public Hearing Minutes**  
**February 1, 2021**

The Sibley County Planning & Zoning Commission and Board of Adjustments convened via conference call due to COVID-19 concerns on Monday, February 1, 2021 at 6 p.m. pursuant to notice given as required by law.

Members of the Planning & Zoning Commission Present: Bruce Lilienthal, Terry Morrison, Bruce Froehlich, Joy Cohrs, Brad Perschau, Darrel Mosel

Members of the Planning & Zoning Commission Absent: None

Members of the Board of Adjustment Present: Mike Mueller, Paul Creighton, Darrel Mosel

Members of the Board of Adjustment Absent: None

Also Present: Laura Hacker, County Assessor; David Schauer, County Attorney; Geoff Beranek, Property Assessing and Zoning

Guests Present: Steve Herschmann-Severance Township, Allan Albrecht, Bob Fischer, Ryan Hillmann, Steve Saxton, Greg Hartmann

The meeting was called to order and roll call was taken.

Bruce Lilienthal was voted Chairman and Brad Perschau was voted Vice Chairman of the Planning and Zoning Commission for 2021.

Darrel Mosel was voted Chairman and Mike Mueller voted Vice Chairman of the Board of Adjustment for 2021.

A motion to approve the Planning & Zoning Commission meeting minutes from the November 2, 2020 meeting was made by Joy Cohrs, second by Brad Perschau and passed unanimously.

Terry Morrison commented he would like to see the conditions for approved permits listed in the meeting minutes in the future.



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A motion to approve the Board of Adjustment meeting minutes for the December 7, 2020 meeting was made by Mike Mueller, second by Darrel Mosel and passed unanimously.

Geoff Beranek introduced Conditional Use Permit #1158 submitted by Jerry Hillmann to allow for a salvage yard in the I-Industrial district. Stating the CUP was being applied for as the deadline to remove the scrap materials onsite had passed.

Ryan Hillmann stated they would like the application to be tabled to allow for the continuation of the clean-up of the scrap materials at the site. He also stated they are not wanting to operate a salvage yard.

The public hearing was opened.

Geoff Beranek stated the applicant had submitted weight tickets to show scrap material had been hauled to a recycling site and the applicant is actively working on cleaning up the site.

Bruce Lilienthal asked what the timeline was for getting the site cleaned up.

Ryan Hillmann stated the goal was to have the site cleaned up by the Planning & Zoning Commission's March 1, 2021 meeting.

Terry Morrison questioned what materials are there and what is being hauled away and what materials would remain onsite.

Ryan Hillmann stated mostly scrap iron and appliances were being hauled away and materials left onsite would be the material used for their excavating and tiling business.

Terry Morrison questioned if the CUP were to be denied what controls are in place to ensure the site doesn't return to its current condition.

Geoff Beranek stated if the site were to be used as a salvage yard without a CUP granting the use it would be an ordinance violation.

Bruce Froehlich voiced concerns of ground contamination in regards to oil and antifreeze and asked if that was a problem on the site.

Geoff Beranek stated he did not notice anything while onsite.



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Ryan Hillmann stated there are junk vehicles onsite but to his knowledge there was no contamination.

Terry Morrison asked if the junk vehicles were still onsite.

Ryan Hillmann stated there were some onsite and in the sheds.

Geoff Beranek stated at the time of his site visit the number of unlicensed vehicles outside were under the 5 unlicensed vehicle threshold.

Terry Morrison questioned Severance Township not making a recommendation to approve or deny the CUP application.

Steve Hershmann stated the Township provided a statement in regards to the permit.

Geoff Beranek stated the Township was not required to make a recommendation, the requirement is the Township be notified of the application.

Brad Perschau asked the applicant if there were future plans for scrapping on the property.

Ryan Hillmann stated scrap material would be hauled away when a load was present onsite but they have no interest in being a scrap yard.

Terry Morrison asked if the Township would still like a fence, gate and weed control if the site is cleaned up.

Steve Hershmann stated if the site was cleaned up they would not like to see a fence and the weed control would be the same as any other property.

Geoff Beranek clarified any crushing and recycling of road materials would fall under a salvage yard and proper permit would need to be granted.

Bruce Froehlich stated if the site is cleaned up but returns to its current state it should be brought before the Planning & Zoning Commission again to address if a fence is needed.

Brad Perschau commented if a salvage yard is permitted that close to a city a fence should be required.



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Geoff Beranek discussed the possible actions the Planning & Zoning Commission may take.  
Terry Morrison asked the applicant if the plan is do any crushing onsite.

Ryan Hillmann responded no, they would just haul it away.

Greg Hartmann asked the applicant if the old excavation equipment would be removed also or if they were needed for parts.

Ryan Hillmann stated he would like to remove anything that is no longer needed but the goal currently is to get the scrap materials removed.

Steve Saxton commented that tabling the application to allow more time to get the site cleaned up is a good idea.

The public hearing was closed.

A motion to table Conditional Use Permit #1158 until the March 1, 2021 meeting was made by Terry Morrison, second by Brad Perschau and passed unanimously. Geoff Beranek is to conduct a site visit prior to the March 1, 2021 meeting.

Geoff Beranek introduced Variance #482 submitted by Engelmann-Albrecht Properties to allow for the reduction in the minimum acreage requirement for a new home on a new site in the A-General district.

Allan Albrecht stated there is little tillable on the site and it would make a nice building site.

The public hearing was opened.

Brad Perschau question why more of the 60-acre parcel was not being added to the new parcel to meet the 40-acre minimum.

Geoff Beranek responded an existing building site used the remaining eligibility of the 60-acre parcel.

Brad Perschau commented he would like to see the Board of Adjustment deny the variance application and apply the rules in the Ordinance that protect agricultural and wildlife land.

Geoff Beranek commented the wetlands on the proposed site would need to remain intact and where a potential dwelling could be placed due to the feedlot to the East of the property.



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Geoff Beranek stated the Township did recommend approval of the variance.

Discussion of the Ordinance requiring a two-year time limit on Zoning permits was had.

Attorney Schauer questioned if there was enough room for two soil treatment areas to meet the septic requirement.

Geoff Beranek stated the amount of acreage should allow for two areas but a septic designer would be needed to verify that.

Discussion on remaining eligibilities for the quarter section took place.

Allen Albrecht gave an explanation on the reasoning behind the variance application.

The public hearing was closed.

The findings for granting a variance were reviewed and found to be met.

A motion to approve Variance #482 was made by Mike Mueller, second by Paul Creighton and passed unanimously.

Geoff Beranek gave a staff update.

A motion to adjourn the meeting was made by Joy Cohrs, second by Bruce Froehlich and passed unanimously.

Meeting was adjourned at 6:50pm.

Attest:

Bruce Lilienthal  
Board of Adjustment, Chair

March 2 2021  
Date

Darrel H. Moxel  
Planning & Zoning Commission, Chair

Mar 2 2021  
Date



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