

**OFFICIAL PROCEEDINGS OF THE  
RICE COUNTY PLANNING COMMISSION  
Commissioner's Room / Government Services Building  
Thursday, April 4, 2024 at 6:00 PM**

**I. Call to Order**

**A. Roll Call**

The meeting was called to order both in-person and electronically by Chair Charlie Peters at 7:30p.m.

Members present were: Charlie Peters, Julia Hogan, Garrett Johnson, Matt Purfeerst, Kenneth Engen.

Staff present were: Director Julie Runkel (*via Zoom*), Zoning Administrator Trent McCorkell, Planner Jeremy Edwards, Administrative Coordinator Anna Aguilar, Clerk MacKenzie Klett.

Commissioners present: Jeff Docken.

Others present: see Sign-in Sheet and Registrant List.

**B. Motion by Garrett Johnson, seconded by Ken Engen, Reading of Notice**

RESULT: Approved, AYES: Charlie Peters, Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen,  
NAYS: None

**C. Motion by Ken Engen, seconded by Julia Hogan, Approval of the Agenda**

RESULT: Approved, AYES: Charlie Peters, Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen,  
NAYS: None

**D. Motion by Matt Purfeerst, seconded by Garrett Johnson, to approve the minutes of March 7, 2024.**

RESULT: Approved, AYES: Charlie Peters, Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen,  
NAYS: None

**II. New Business**

**1. Conditional Use Permit/Novak - Section 15, Wheatland Township**

Tim Novak, on behalf of Novak Properties LLC, has applied for an amendment to a Conditional Use Permit (CUP) for an agricultural orientated manufacturing business. The amendment is proposed to add onto an existing building. The property is described as: Lot 1, Block 1, Novaks Garage Addition and Part of the NE1/4 of the NW1/4, Section 15, Wheatland Township, Rice County, Minnesota. PID#s 01.15.2.01.001 & 01.15.2.25.014. The property address is: 9766 50th St W, Veseli, MN 55046. The properties are Zoned VMU, Village Mixed Use and A, Agricultural.

**Motion by Garrett Johnson, seconded by Matt Purfeerst, to recommend approval of the Conditional Use Permit with the following conditions and findings for Tim Novak, on behalf of Novak Properties LLC. The property is located in Section 15 of Wheatland Township.**

RESULT: Approved, AYES: Charlie Peters, Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen,  
NAYS: None

**CONDITIONS OF APPROVAL – Novak – Conditional Use Permit (CUP)**

1. The applicant is to follow all Federal, State, County and Local rules and regulations.
2. The conditional use permit is for an agricultural orientated equipment manufacturing and repair business. Changes to the business are not permitted without approval of a new/amended permit.
3. The submitted site plan shall be followed.
4. Outdoor storage and parking shall be screened to neighboring residential properties. Screening shall be equal to two offset rows of evergreen trees of 6-ft in height or a 6-ft solid wooden appearing fence.
5. All vehicles and trailers stored/parked outside shall be operable and have a current license.
6. All buildings shall meet building code for the intended use.

7. Parcels 01.15.2.01.001 and 01.15.2.25.014 shall be combined onto a single deed prior to onsite construction. Any proposed future splitting/subdivision of the property shall comply with all County Zoning and Subdivision regulations.
8. Prior to issuance of building permits it must be show that the onsite septic system is in compliance with County/State regulations.
9. Failure to comply with conditions may result in revocation of the conditional use permit.

#### **Hearing Minutes:**

Zoning Administrator Trent McCorkell (TM) presented the request to the Planning Commission (PC).

The PC asked the applicant, Tim Novak (TN), to come forward to add comments or answer questions regarding the request.

TN - I am part owner of Novak Properties and Novak Companies in Veseli. We want to add a 70'x120' addition on to the back of our existing building. Not straight with it, kind of offset because there is still a main door that we use on the existing building that we are going to keep open. So it is going to be offset maybe 20-30 feet, that's about it. It won't be as high as our original building because they are only 70 feet wide, the original is 80 feet.

CP - Are you aware of the 9 conditions?

TN - Yes, we looked through all of that.

Chair Peters opened the public testimony portion of the item to the public and no one spoke.

Chair Peters closed the public testimony portion of the item to the public.

Discussion:

KE - Pretty straight forward.

GJ - Looks like a business expanding.

KE - Nothing wrong with expanding businesses.

MP - There is no one here to voice a complaint so it must mean they are doing pretty good in town and that says something right there.

CP - It is a huge lot so it make sense.

GJ - I move to approve with the 9 conditions.

MP - I second.

Motion to recommend approval with stated conditions and findings made by Garrett Johnson, seconded by Matt Purfeerst, and approved unanimously.

#### **2. Waiver of Plat/Clemens - Section 12, Webster Township**

Brandon Clemens, on behalf of himself and landowner Tim McNearney, has requested approval of a waiver of plat to add 2.5-acres onto an existing 2.5-acre parcel created through the use of a Transfer Development Right (TDR). The property is described as: Part of the NW1/4 of the SE1/4, Section 12, Webster Township, Rice County, Minnesota. PID#s 02.12.4.25.008, 02.12.4.25.007, & 02.12.4.25.009. The properties are Zoned A, Agricultural.

**Motion by Garrett Johnson, seconded by Julia Hogan, to recommend approval of the Waiver of Plat with the following conditions and findings for Brandon Clemens, on behalf of himself and landowner Tim Mcnearny. The property is located in Section 12 of Webster Township.**

RESULT: Approved, AYES: Charlie Peters, Julia Hogan, Garrett Johnson, Matt Purfeerst, Ken Engen, NAYS: None

#### **CONDITIONS OF APPROVAL – Clemens (McNearney) – Waiver of Plat (WOP)**

1. The new 5.0-acre Transfer Development Right (TDR) receiving parcel shall contain one principle single family dwelling.
2. Any new construction on the parcels is to adhere to all Rice County codes and ordinances.
3. The remaining parcel and TDR receiving parcel shall not be further subdivided or combined

with other land(s) unless approved under the Rice County subdivision regulations.

4. Within one year of this approval and prior to any onsite construction the applicant(s) shall record new deeds at the Rice County Records Office, with one containing the full combined TDR receiving parcel and the other all the remaining land.

### **Hearing Minutes:**

Zoning Administrator Trent McCorkell (TM) presented the request to the Planning Commission (PC).

MP – Sorry, can you explain that again TM, about the conservation easement?

TM - A lot of times you'll have the transfer right receiving area next to the conservation easement areas, and if we were modifying that it requires an amendment of that conservation easement at the same time. That is not the case for this one, so it is a little bit simpler. I am sure we will be seeing a few of those others that have that amendment required with them, we had one actually even after the old rules towards the end of the year, Vandenheuvel's. If you remember that, it required modification of their easement.

JH - So what happens to that parcel ending in .007?

TM - That actually was always a part of the .009 parcel for deeds, but for this, we did make it so they need to combine this into a single tax parcel as well.

The PC asked the applicant, Brandon Clemens (BC), to come forward to add comments or answer questions regarding the request.

BC - This is just a site that I purchased from Tim McNearney, I learned about the 2.5 to 5 acre change, and I am trying to create a buffer between myself and the highway. The highway I would say is about 1/4 mile from the property and on the East side of the high way, which obviously the wind comes from the West. So I am trying to create a buffer. The plan is to continue to buy property from Tim McNearney as ag or livestock property and not for building use. This will be a single family dwelling that I am going to be building.

MP - You were just a month too early, two months too early.

Chair Peters opened the public testimony portion of the item to the public and no one spoke.

Chair Peters closed the public testimony portion of the item to the public.

Discussion:

JH - I am sure we will be seeing more of these with that change to 5 acres. I think it is a reasonable ask.

GJ - We made it, they are going to use it.

JH - Yeah and I mean understandable with the interstate directly West, that can get a bit noisy I'm sure.

GJ - I will make a motion to approve with the 4 conditions.

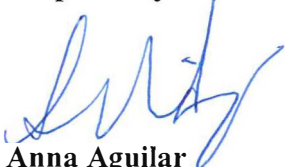
JH - I second.

Motion to recommend approval with stated conditions and findings made by Garrett Johnson, seconded by Julia Hogan, and approved unanimously.

### **III. Adjournment**

Hearing no other items before the PC, a motion was made by GJ, second by MP, to adjourn the meeting at 7:46 pm. Motion carried 5-0.

**Respectfully Submitted**



**Anna Aguilar**  
**Administrative Coordinator**

**Planning Commission**



**Charlie Peters, Chair**