

To: Planning Commission
From: Land Use Management
Meeting Date: September 16, 2024
Report date: September 6, 2024

PUBLIC HEARING: Request for IUP for a Commercial/Industrial Use Primarily Intended to Serve the Ag. Community

Request, submitted by Mark Beachy (Owner) for an Interim Use Permit (IUP) to operate a tractor and agricultural equipment repair business on property zoned A-1 (Agricultural Protection District).

Application Information:

Applicant: Mark Beachy (Owner)
Address of zoning request: 37888 280th AVE Goodhue, MN 55027
Parcel(s): 26.023.0600
Abbreviated Legal: Part of the S ½ of the SW ¼ of Section 23 TWP 111 Range 14 in Belvidere Township
Township Information: Belvidere Township signed acknowledgment of the proposal on August 23, 2024, and did not add any additional comments
Zoning District: A-1 (Agricultural Protection District)

Attachments and links:

Application and submitted project summary
Site Map(s)

Background:

Mark Beachy (Owner) is requesting an Interim Use Permit to continue operating a tractor and agricultural equipment repair business (Ag Iron Repair) on property in Belvidere Township. The business currently operates out of an existing 40' x 64' pole building. The Applicant has also requested consideration of a future building addition that would be 40' x 88' in size.

All Commercial/Industrial uses primarily intended to serve the agriculture communities in Goodhue County are required to obtain a Conditional Use Permit.

Goodhue County Zoning Ordinance: Article 4 Conditional/Interim Uses

No CUP/IUP shall be recommended by the County Planning Commission unless said Commission specifies facts in their findings for each case which establish the proposed CUP/IUP will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, will not substantially diminish and impair property values within the immediate vicinity, will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area, that adequate measures have been, or will be, taken to provide utilities, access roads, drainage, and other necessary facilities, to provide sufficient off-street parking and loading space, to control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Project Summary:

Property / Building Information:

- The subject property consists of a single parcel comprising approximately 4.17 acres.
- The business currently operates out of an accessory building on the property which is 2,560 square feet in size.
- The property and adjacent land on all sides are zoned A-1 (Agricultural Protection District). Adjacent land uses consist of row crop agriculture and feedlot operations among low-density residential uses.
- Section 23 of Belvidere Township is limited to 4 dwellings as an A-1 zoned section. There are currently 4 dwellings in Section 23 therefore there is no additional dwelling density available.
- The property also contains the Applicant's dwelling and a small yard shed. The business use of the property does not qualify as a Home Business due to restrictions on outdoor storage (none allowed for Tier 2 Home Businesses), maximum structure size (3,400 square feet for Tier 2 Home Businesses), and minimum parcel size (5 acres for Tier 3 Home Businesses).
- The Applicant has proposed to add 3,520 square feet to the existing accessory building resulting in a 6,080 square foot building. The Applicant has indicated some space within the expanded building may be used for personal storage.
- The property is located approximately 0.1 miles from County 9 BLVD (asphalt surface) on 280th Avenue (aggregate surface) and is accessed via a U-shaped driveway. No dwellings are located in this 0.1-mile area.
- Exterior storage of tractors and other implements associated with the business is located on the north side of the accessory building on an existing gravel parking area. The property is well-screened from 280th Avenue by existing trees.

Business Information:

- The business (Ag Iron Repair) currently operates out of an accessory building on the property. The Applicant proposes to continue repairing tractors and other agricultural equipment out of the existing space and has proposed to add a 40' x 88' addition in the future for additional business space and personal storage. The addition may include a drive-over pit to more easily work under and wash equipment.
- Primary hours of operation are year-round, Monday through Friday from 7:30 AM to 5:30 PM. The Applicant occasionally works outside of these hours because he lives on-site.
- The Applicant has two non-resident employees.
- No equipment creating noise, odor, or dust uncommon to the area is used at the business.
- No traffic beyond that which is reasonable for the local transportation network occurs due to the business and is not anticipated to occur after any building expansion.
- The Zoning Administrator has determined a minimum of 5 parking spaces are currently required for the business. After the proposed addition is constructed there will need to be space for 12 parking spaces. The existing parking and driving area is large enough to accommodate these parking needs and exterior storage of equipment.
- There is an existing sign on the accessory building. No additional signage is proposed to be installed.

Draft Findings of Fact:

The following staff findings shall be amended to reflect concerns conveyed during the PAC meeting and public hearing.

1. The business and proposed building addition do not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted, nor would it substantially diminish and impair property values in the immediate vicinity. The business has been operating for several years without complaint.
2. The business and proposed building addition are not anticipated to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The use appears compatible with existing adjacent land uses.
3. A review of the Applicant’s submitted project summary indicates adequate utilities, drainage, and other necessary facilities are available to accommodate the use. The building addition will be reviewed by County staff prior to construction for compliance with building code, well/septic codes, and grading and erosion control provisions.
4. The property has ample room to provide sufficient off-street parking and loading space to serve the use and meet the Goodhue County Zoning standards.
5. The business is primarily conducted within the existing structure. Exterior storage is well-screened by existing trees from the right-of-way. Any odor, fumes, dust, noise, or vibration created by the business is not uncommon in the agricultural area.

Staff recommendation is based on the review of the submitted application and project area prior to the public hearing.

Staff Recommendation:

LUM Staff recommends the Planning Advisory Commission

- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend the County Board of Commissioners **APPROVE** the request submitted by Mark Beachy (Owner) for an IUP to continue operating a business primarily intended to serve the agricultural community (tractor and agricultural equipment repair).

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this IUP;
2. On-street parking, loading, and off-loading are prohibited;
3. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
4. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 21 (Agricultural Protection District);
5. A structure addition no greater than 3,520 square feet shall be permissible without amending this IUP;
6. The Applicant shall obtain building permit approval and well/septic approval from Goodhue County prior to constructing any structure addition(s); and
7. This IUP shall expire upon the sale of the property.





GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 26.023.0600

Permit# 24-0041

PROPERTY OWNER INFORMATION

Last Name Beachy First Mark Email: [REDACTED]
 Street Address 37888 230th Ave Phone: [REDACTED]
 City Goodhue State MN Zip 55027 Attach Legal Description as Exhibit "A"
 Authorized Agent _____ Phone _____
 Mailing Address of Landowner: Same as above
 Mailing Address of Agent: _____

PROJECT INFORMATION

Site Address (if different than above): _____
 Lot Size 4.2 acres approx Structure Dimensions (if applicable) New proposed addition (40x38)
 What is the conditional/interim use permit request for? addition to existing building (40x64)
 Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized
We operate an ag repair shop and with equipment getting bigger and wishing to stock more parts I would like more space, and also possibly some storage space in this for service truck and/or some personal things.

DISCLAIMER AND PROPERTY OWNER SIGNATURE

I hereby swear and affirm that the information supplied to Goodhue County Land Use Management Department is accurate and true. I acknowledge that this application is rendered invalid and void should the County determine that information supplied by me, the applicant in applying for this variance is inaccurate or untrue. I hereby give authorization for the above mentioned agent to represent me and my property in the above mentioned matter.

Signature of Landowner: Mark E Beachy Date 08-20-2024
 Signature of Agent Authorized by Agent: _____

TOWNSHIP INFORMATION

Township Zoning Permit Attached? If no please have township complete below:
 By signing this form, the Township acknowledges being made aware of the request stated above. In no way does signing this application indicate the Township's official approval or denial of the request.
 Signature _____ Title _____ Date _____

Comments: _____

COUNTY SECTION

COUNTY FEE \$400 RECEIPT # 18515 DATE PAID 8-22-2024
 Applicant requests a CUP/IUP pursuant to Article _____ Section _____ Subdivision _____ of the Goodhue County Zoning Ordinance
 What is the formal wording of the request?
 Shoreland _____ Lake/Stream Name _____ Zoning District _____
 Date Received _____ Date of Public Hearing _____ DNR Notice _____ City Notice _____
 Action Taken: _____ Approve _____ Deny _____ Conditions: _____

Land Use Management

AUG 22 2024

RECEIVED



GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

PROJECT SUMMARY

Please provide answers to the following questions in the spaces below. If additional space is needed, you may provide an attached document.

1. Description of purpose and planned scope of operations (including retail/wholesale activities).

Repair shop involves in and out jobs and stocking some parts and filters, etc.

2. Planned use of existing buildings and proposed new structures associated with the proposal.

We would continue to use the main shop and spread into the new section. Possibly we would put a drive over pit in to work under/wash equipment.

3. Proposed number of non-resident employees.

2

4. Proposed hours of operation (time of day, days of the week, time of year) including special events not within the normal operating schedule.

Monday-Friday 7:30-5:30 All major holidays we take off. I work some evenings because I live here

5. Planned maximum capacity/occupancy.

3 or 4 people

6. Traffic generation and congestion, loading and unloading areas, and site access.

Large lane so shouldn't be an issue

7. Off-street parking provisions (number of spaces, location, and surface materials).

35 spaces, Class 5 rock

8. Proposed solid waste disposal provisions.

Lake City Disposal

9. Proposed sanitary sewage disposal systems, potable water systems, and utility services.

If need be we'd like to hook into existing septic, and water and electric are to shed already

10. Existing and proposed exterior lighting.

Dusk to dawn light one place now. Possibly add another

11. Existing and proposed exterior signage.

One sign on existing shop. None to be added

12. Existing and proposed exterior storage.

As it is now tractors parked in a row

13. Proposed safety and security measures.

What is needed. We take safety ~~to~~ very important

14. Adequacy of accessibility for emergency services to the site.

Very adequate

15. Potential for generation of noise, odor, or dust and proposed mitigation measures.

None that I am aware of

16. Anticipated landscaping, grading, excavation, filling, and vegetation removal activities.

We will need to add some fill to the building site by pushing part of the bank to the north behind the shop and grade so water flows correct.

17. Existing and proposed surface-water drainage provisions.

This will need graded to make it drain correctly around the addition

18. Description of food and liquor preparation, serving, and handling provisions.

None

19. Provide any other such information you feel is essential to the review of your proposal.

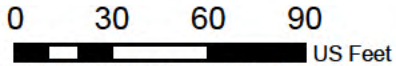
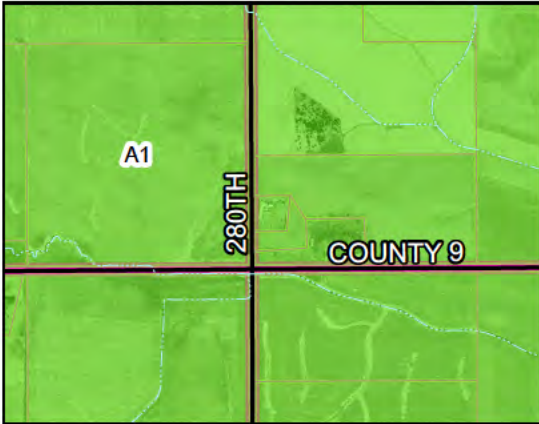


SITE PLAN

State the use of the property. Show the size, shape and location of structures with distance to property lines and location of ALL wells and septic systems.

Legend

- Intermittent Streams
- Protected Streams
- Lakes & Other Water Bodies
- Shoreland
- National Wetland Inventory
- Parcels
- Registered Feedlots
- Dwellings
- Municipalities
- Blufflands**
- 30% Slope or Greater
- Bluffland Protected Soils
- FEMA Flood Zones**
- 2% Annual Chance
- A
- AE
- AO
- Floodway



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2024 Aerial Imagery
Map Created August, 2024 Samantha Pierret

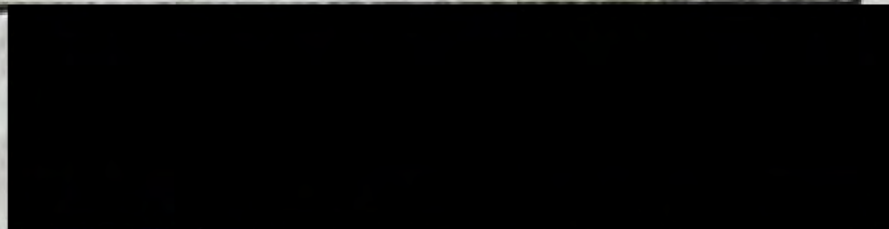


TOWNSHIP ZONING APPLICATION

TOWNSHIP NAME Belvidere

Goodhue County

Parcel # T-111-N

APPLICANT INFORMATION			
Last Name	<u>Beachy</u>	First	<u>Mark</u>
Street Address		M.I.	
<u>37888 280th Ave</u>		Phone	
City	<u>Goodhue, MN</u>	State	<u>MN</u>
ZIP		<u>55021</u>	
Email Address			
Township	Range	Section	
	<u>R-14-W</u>	<u>23</u>	
PROJECT INFORMATION			
Site Address <u>Same</u>			
Zoning District	Lot Size	Structure Dimensions <u>40x88</u>	
Type of Project	Proposed Use		
Structure Type <u>Shed</u>	Replacement?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Variance # _____	Conditional Use Permit # _____		
Name of Property Owner:			
DISCLAIMER AND SIGNATURE			
<p><i>I hereby apply for a zoning permit and I acknowledge that the information above is complete and accurate, that the work will be in conformance with the ordinances and codes of Goodhue County. The applicant also understands by signing this application he / she could be held responsible as representative of this project for any violation of compliance with all applicable laws and ordinances of Goodhue County. This permit may be suspended or revoked if the permit has been issued in error or on the basis of incorrect information supplied or in violation of any ordinance or regulation of Goodhue County. All provisions of law and ordinances governing this type of work will be complied with whether specified herein or not.</i></p>			
Signature <u>Mark E Beachy</u>		Date <u>08-23-2024</u>	
TOWNSHIP APPROVALS			
<p><i>I hereby certify by signing that I am authorized to act on the behalf of the Township Board, and the structure and use will meet all Township Codes and Ordinances if constructed as indicated.</i></p>			
Signature <u>[Signature]</u>		Title <u>clerk</u>	Date <u>8/23/24</u>
Signature		Title	Date
Application fee _____		Receipt Number _____	

MAP 01: PROPERTY OVERVIEW



PLANNING COMMISSION

PAC Meeting
September 16, 2024

Mark Beachy (Owner)

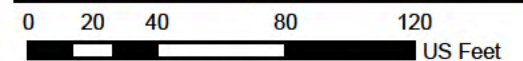
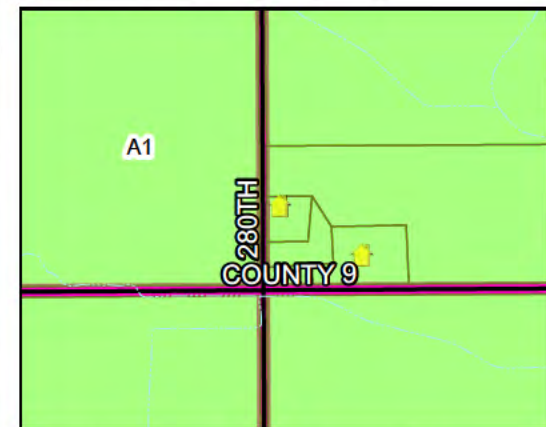
A1 Zoned District

Part of the S 1/2 of the SW 1/4 of Section
23 TWP 111 Range 14 in Belvidere Township

Request for IUP to operate a tractor and
agricultural equipment repair business on
property zoned A-1

Legend

Intermittent Streams	Blufflands
Protected Streams	30% Slope or Greater
Lakes & Other Water Bodies	Bluffland Protected Soils
Shoreland	FEMA Flood Zones
Historic Districts	2% Annual Chance
Parcels	A
Registered Feedlots	AE
Dwellings	AO
Municipalities	X



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MAP 01: PROPERTY OVERVIEW



PLANNING COMMISSION

PAC Meeting
September 16, 2024

Mark Beachy (Owner)

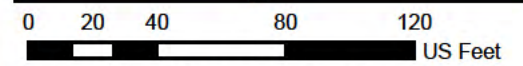
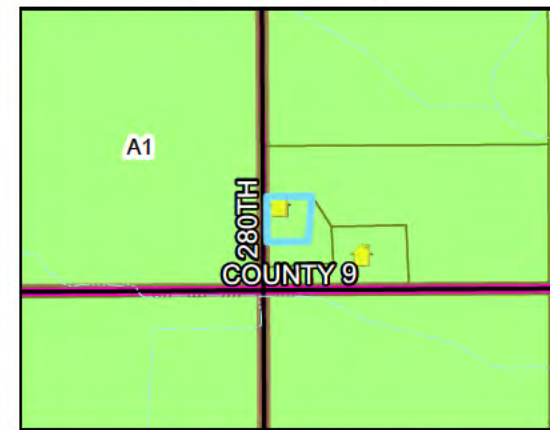
A1 Zoned District

Part of the S 1/2 of the SW 1/4 of Section
23 TWP 111 Range 14 in Belvidere Township

Request for IUP to operate a tractor and
agricultural equipment repair business on
property zoned A-1

Legend

Intermittent Streams	Blufflands
Protected Streams	30% Slope or Greater
Lakes & Other Water Bodies	Bluffland Protected Soils
Shoreland	FEMA Flood Zones
Historic Districts	2% Annual Chance
Parcels	A
Registered Feedlots	AE
Dwellings	AO
Municipalities	X



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MAP 02: VICINITY MAP



PLANNING COMMISSION

PAC Meeting
September 16, 2024

Mark Beachy (Owner)

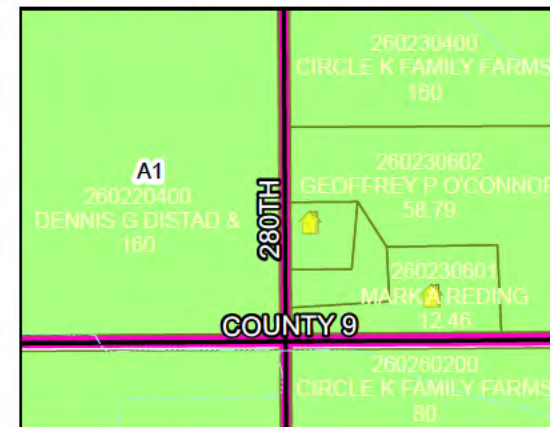
A1 Zoned District

Part of the S 1/2 of the SW 1/4 of Section 23 TWP 111 Range 14 in Belvidere Township

Request for IUP to operate a tractor and agricultural equipment repair business on property zoned A-1

Legend

Intermittent Streams	Blufflands
Protected Streams	30% Slope or Greater
Lakes & Other Water Bodies	Bluffland Protected Soils
Shoreland	FEMA Flood Zones
Historic Districts	2% Annual Chance
Parcels	A
Registered Feedlots	AE
Dwellings	AO
Municipalities	X



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MAP 03: ELEVATIONS



PLANNING COMMISSION

PAC Meeting
September 16, 2024

Mark Beachy (Owner)

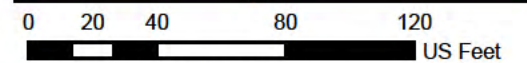
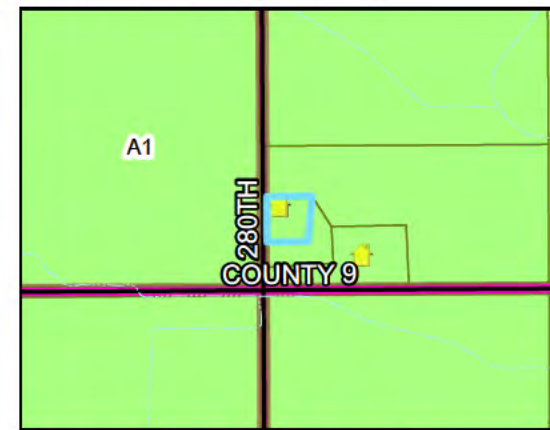
A1 Zoned District

Part of the S 1/2 of the SW 1/4 of Section
23 TWP 111 Range 14 in Belvidere Township

Request for IUP to operate a tractor and
agricultural equipment repair business on
property zoned A-1

Legend

Intermittent Streams	Blufflands
Protected Streams	30% Slope or Greater
Lakes & Other Water Bodies	Bluffland Protected Soils
Shoreland	FEMA Flood Zones
Historic Districts	2% Annual Chance
Parcels	A
Registered Feedlots	AE
Dwellings	AO
Municipalities	X



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