Planning Advisory Commission
September 25, 2025
CUP-25-009

POPE COUNTY MINNESOTA

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STAFF REPORT

Applicant Information

Applicant: Ryan & Corrina Rost

Application: Conditional Use Permit (CUP-25-009)

Zoning: Agriculture Protection (A-2)

Location: Part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼), Section 11, Township 125 (Grove Lake), Range 36, Pope County, Minnesota

Background

The applicants are seeking the right to operate a mobile repair business on a parcel located in the Agriculture Protection (A-2) zoning district which requires a conditional use permit to be issued for commercial uses. A new shop/storage structure is being proposed onsite which is for both personal storage and use as well as for use and storage associated with the owner's business venture. The business is a mobile repair business specializing in agricultural and industrial machinery as well as commercial/fleet/semi-truck type vehicles.

Applicable Statutes

Local Ordinance

- Pope County Land Use Controls Ordinance
  - Section 7 Agriculture Protection (A-2)
    - 7.3 Conditional Uses:
      - P. Other uses of the same general character as those identified, provided they are uses that are not more concentrated or intensive than the uses identified, produce no greater impact on the neighborhood than those identified, and are not incompatible with existing adjacent uses.
  - Section 11.5 Conditional & Interim Use Permits *(criteria and procedures)*

State Statute/Rule

- Minnesota Statute Chapter 394 Planning, Development, Zoning *(enabling legislation)*
- Minnesota Administrative Rules Chapter 6120.3300 *Zoning Provisions*
- Minnesota Administrative Rules Chapter 1341 Accessibility for Buildings and Facilities
- Minnesota Administrative Rules Chapter 1800, Part 1800.5200 unless exempted by Part 1800.5900
- Minnesota Administrative Rules Chapter 7011, Standards for Stationary Sources

Code of Federal Regulations (CFR)

- 36 CFR Part 1191 and 1192

Staff Comments

Based on the review of the application, Staff offers the following comment:

Land uses associated with this property are subject to Agriculture Protection (A-2) zoning standards. Section 7.3 Conditional Uses identifies which uses may be permittable including, *"Other uses of the same general character… provided they are uses that are not more concentrated or intensive …, produce no greater impact on the neighborhood…, and are not incompatible with existing adjacent uses" (*section 7.3.P.). Section 7.3.C. identifies uses such as Manufacturing/Processing-light that are allowable by C.U.P. While 7.3.H. allows for motor vehicle salvage facilities. A mobile repair business is not dissimilar nor more impactful than these other allowable uses. Therefore, this application is processed as a use that is consistent with other allowable uses as described in Section 7.3 of the Pope County Land Use Controls Ordinance.

Because of the commercial use component that may take place in the building, consideration has to be given to accessibility according to the Minnesota Accessibility Rules (Minnesota Administrative Rules, Chapter 1341) and Federal ADA Regulations and Standards (36 CFR 1191), which could include providing accommodations for parking, bathroom facilities, doorway widths, signage, etc.

The submitted structure layout plan reveals that door openings are specified at 36 inches, which comply with the prescribed minimum clear opening requirement of greater than 32 inches. As proposed, the structure appears to comply with the Minnesota Accessibility Rule. However, a more complete review will be undertaken as part of the structure permitting process.

Compliance with ADA is mandatory if the facility falls under either of the following two categories

1 Places of public accommodation (business that have store fronts, restaurants, hotels, public buildings and parks, government housing, etc.)

2 Commercial facilities that need to be accessed by people with disabilities.

So, if this business does not have a store front and there are no employees with disabilities that work at the facility then the facility is **not required** to be fitted with ADA compliant features.

Also to be considered is whether plans and specifications as prepared and certified by an architect or engineer are required per Minnesota Administrative Rules, Chapter 1800, Part 1800.5200. According to the Minnesota State Fire Code, Occupancy Classifications, the proposed building would be considered under Group S - Storage. Under Minnesota Administrative Rules, Chapter 1800, Part 1800.5900, a building classified as Storage and Group S *"Not greater than one story with no basement; and Not greater than 3,000 GSF"* are excepted out from the above-stated requirement to have plans or specifications prepared and certified by an architect or engineer. As the accessory structure is proposed to be approximately 2,576 square feet, it would

be under the aforementioned threshold, therefore an architect or engineer would not be required to prepare building plans for the building as proposed.

Finally, as the proposed business may require the handling and storage of gases, oils and other potentially hazardous substances, the operator must manage these materials in conformance with MPCA standards.

The business will operate from the proposed accessory structure that is to be constructed onsite directly adjacent to the existing residential structure. The property and location are rural in nature with agriculture being the primary land use. Grove Lake Township is the identified local road authority having jurisdiction over 175th street. As of the time of writing, there has been no comments or concerns received from the township relative to the proposed land use.

Staff Recommendation

Approve with Conditions

Based on the findings of fact presented in this report the Staff recommends approving the application with the following conditions:

1. That prior to use/occupancy, that a SSTS (septic) design be completed by a MPCA Licensed Septic Designer, a septic permit applied for, the permitted septic system be installed by a MPCA Licensed Septic Installer, and inspected by Pope County.
2. All outside lighting must be hooded and directed straight down.
3. Any sign advertising the business must be located outside of the road right-of-way, may be no larger than 48 sq. ft. on each side, and may be no more than 15 ft. in total height. The sign may not be lighted except for ground-level, flagpole-type lighting.
4. Signage and advertising are limited to the onsite business.
5. Operating hours should be posted and adhered to.
6. Any change in the use (other than the permitted uses in the zoning district or what is included in this permit) or expansion of the business shall require a conditional use permit.
7. If the business expands to include employees, then ADA compliance must be verified.
8. That prior to any construction activities or placement of signage, that all necessary permits are secured from Township, County and State agencies.
9. That prior to business operations, that all other state and local permits, licenses and approvals shall be obtained for the operation of the business.

Staff Findings

The Staff offers the following findings:

1. **The project is in compliance with the setback and other provisions of this ordinance unless a variance has been granted:**

   Finding: Any proposed structure and/or use will necessarily be in compliance with the provisions of the Pope County Land Use Controls Ordinance as a condition of the permitting unless a variance has been granted.

2. **The use is not in conflict with the County Comprehensive Land Use Plan:**

   Finding: The current Comprehensive Plan includes goals that state a recognition of diverse and existing land uses throughout the county. It is noted that not all uses are compatible and that there should be consideration as to separation, siting, development requirements and operating standards. The Comprehensive Plan also states that the ground and surface water resources should be protected for future use and enjoyment and that there should be ample overview, regulation and standards to prevent activities that are not sound from an environmental perspective. Based on the proposed land use including distance from sensitive environmental features, roadway and neighboring properties, the proposed use is not in conflict with the County Comprehensive Plan.

3. **That the use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish or impair neighborhood property values in the area and will not interfere with the best interest of the surrounding area or the community as a whole:**

   Finding: The proposed use is located south of 175th Street, approximately 9 miles east of Glenwood. The land to the west, south and east is in the Conservation Reserve Program (CRP) or a similar program. The land north of the proposed site is in agricultural use. There should be no negative impact on these existing uses.

4. **The use will not create an excessive burden on parks, schools, streets, water supply, public drainage systems and other public facilities and utilities which serve or are proposed to serve in the area:**

   Finding: This land use is not expected to have a significant negative impact on public infrastructure.

5. **The structure and sites shall have an appearance that will not have an adverse effect on adjacent properties:**

   Finding: The site is expected to remain neat and orderly in appearance.

6. **The road on which the project is proposed is adequate to handle increased traffic during operation, and that the use will not cause traffic hazards or congestion:**

   Finding: The road network is adequate to handle traffic associated with the operation of the business.

7. **Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare, odor, or general unsightliness:**

   Finding: There should not be any negative impacts related to the intrusion of noise, glare, odor or general unsightliness upon nearby existing businesses.

8. **That the establishment of the use will not impede the normal and orderly development and improvement of surrounding vacant property uses predominant to the area:**

   Finding: The proposed land use will not conflict with existing uses in the area.

9. **That adequate utilities, drainage and other necessary facilities have been or are being provided:**

   Finding: Any necessary utilities, drainage or other facilities will be addressed prior to and as a condition of issuance of any construction activities permit.

10. **That adequate measures have been or will be taken to prevent or control rodents, insects, offensive odors, fumes, dust, noise, and vibration in order that none of these will constitute a nuisance, and that adequate measures have been or will be taken to prevent negative impacts on surface water, groundwater, and air quality, and that measures have been taken to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result:**

    Finding: The site is expected to remain neat and orderly in appearance. As such, the site should not have a negative impact on neighboring properties with noise, dust, appearance, and other nuisances or impacts.

REPORT APPENDIX

- **Routing Sheet** *(Comments, concerns and conditions)*
- **Public Notice**
- **Supplemental Information**
  - **Attachment 1:** *Conditional Use Permit Application (Ryan & Corrina Rost, 15 August 2025)*
  - **Attachment 2:** *Floor Plan (Ryan & Corrina Rost, 8 April 2025)*

Routing Sheet

Comments, Concerns and Conditions

County Department

Assessor	*COMMENTS: Shop would be classified as commercial for property tax purposes.* *PROPOSED CONDITIONS: none*
Attorney	No comment received.

Township

Grove Lake	No comment received.

Other Comments Received

No comment received.

Public Notice

POPE COUNTY LAND & RESOURCE MANAGEMENT
POPE COUNTY COURTHOUSE
130 E. MINNESOTA AVENUE, SUITE 113
GLENWOOD, MINNESOTA 56334
(320) 634-7791

POPE COUNTY PLANNING ADVISORY COMMISSION
NOTICE OF PUBLIC HEARING FOR
CONDITIONAL USE REQUEST

Notice is hereby given that a Public Hearing will take place in conjunction with the Planning Advisory Commission meeting to be held at 6:00 pm or shortly thereafter on Thursday, September 25th, 2025 in the Pope County Courthouse to consider the following conditional use request.

Description of Request: Conditional Use hearing for an application by Ryan & Corrina Rost (CUP-25-009, Parcels#10-0050-001), if granted would allow applicants to operate a commercial mobile repair business in an Agriculture Protection (A-2) zoning district per section 7.3.P of the Pope County Land Use Controls Ordinance.

Legal Description/Site Location: Part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼), Section 11, Township 125 (Grove Lake), Range 36, Pope County, Minnesota.

Public participation will include an opportunity to:

1) submit written concerns and comment prior to the scheduled meeting. All such communications will be shared with the Planning Advisory Commission prior to or during the meeting;
2) submit concerns and comments via Pope County's Public Comment web map (https://popecounty.maps.arcgis.com/apps/webappviewer/index.html?id=22a203912a864a77b4cdabe672e35e3f)
3) review the staff prepared report via Pope County website;
4) observe and/or participate in the proceedings of the Planning Advisory Commission meeting.

Interested parties and citizens may contact the Land and Resource Management office for further information as to how to participate in the meeting. Thank you for your patience and consideration in this matter.

Dated: September 5, 2025
By: Jessica Hill, Zoning Administrator, Land & Resource Management

Supplemental Information

Supplemental Information Attachment 1:

Conditional Use Permit Application
(Ryan & Corrina Rost, 15 August 2025)

CONDITIONAL/INTERIM USE PERMIT APPLICATION

POPECOUNTY MINNESOTA

L&RM FORM 17

S:\0. ADMIN\1. Forms\Form 17. CUP-IUP Application\L&RM Form 17. CUP-IUP Application.docx

CONDITIONAL /INTERIM USE PERMIT APPLICATION BUSINESS

A conditional or interim use is permitted within a zoning district only when allowed by the County Board of Commissioners or their legally designated agent after public hearing provided certain conditions are met which eliminate or minimize the incompatibility with other permitted uses of the district. A Conditional Use or Interim Use permit may be denied if the use is deemed incompatible with other permitted uses of the district.

Prior to submission of this application, please discuss your request with the Land and Resource Management department.

CUP-25-009

Applicant Information

Applicant Names: Ryan + Corrina Bost

[redacted]

Property Description

[redacted]

Township Name: Grove Lake

Parcel No.	10	-	0050	-	001	Associated Parcel No.	11	-	125	-	36
							Section ↑		Twp ↑		Range ↑

Project Narrative

What is the conditional / interim use permit application for? shop/storage for mobile repair business

Provide written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized:

Service truck, machines (hose/clamp hydraulic hose maker, welder, etc) and parts storage for repair business. Package delivery drop off site for orders pertaining to mobile repair business. Infrequent/outlier customer contact point, as most is mobile repair.

Also serving as personal storage for vechiles/items used that are not associated with the business.

Existing land surrounding all sides is in program (like CRP). Across road is farmland.

APPLICATION REQUIREMENTS

The following application requirements must be provided:	Description
1. The applicant for a Conditional or Interim Use Permit shall file an application in the office of the Administrator and pay a fee according to the fee schedule resolution of County Board of Commissioners.	***Two separate checks (made out to Pope County) must be provided:*** 1. ***Application Fee = $500*** 2. ***Recording Fee = $46***
2. Written description of the proposed activities, including:	
a. Type of business or activity (including scope of operations);	mechanic repair business that is mobile based
b. Proposed number of employees;	Owner operated, no employees
c. Days and hours of operation;	Mobile repair, no posted operating hours by appointment
d. Equipment and vehicles to be used for the activity;	service truck, machines for changing tires, building hydraulic hoses, smaller mechanic use tools machines
e. Proposed floor plan of any structure or use indicated;	storage shed/shop for combined personal/ business use storage
f. Sanitary sewer and water plan with estimated use per day;	use should stay close to same as existing personal use as its mobile, possible slight increase if anything
g. Any maintenance to take place on-site, including how hazardous materials and solid waste will be stored and disposed of; and	Hazardous materials stored in accordance with safety regulations & disposed of properly.
h. Proposed exterior lighting, signage and storage.	Minimal signage, exterior lights & yard light on private property.
3. Site plan (completed by a licensed land surveyor if applicable*) including, but not limited to: a. Property lines; b. Existing topography; c. Existing and proposed development (including roads, driveways, structures, septic components, wells, etc.); d. Distance from water body, road, property lines, septic components (tank and drainfield), well, neighboring feedlots, etc.; e. Finished grading and drainage plan; f. Existing and proposed screening; and g. Other requirements as deemed appropriate by the Administrator.	***Please <u>provide</u> on the <u>Site Plan page of this application</u> or <u>attach</u> to this application upon submittal.*** ***Please Note:** Applicants for Conditional Use Permit and Variance shall be required to submit a land surveyor's plot plan showing exact lot boundary and location of existing and proposed development as a part of application. Surveyor stakes shall be in place for site inspection of lot boundary and proposed development. Above policy shall be applicable for development on all lots of one acre or smaller. (ADOPTED 4 September 1985) (Land Use Controls Ordinance Section 11.6.2.H)*
4. Any additional information required by the Administrator.	

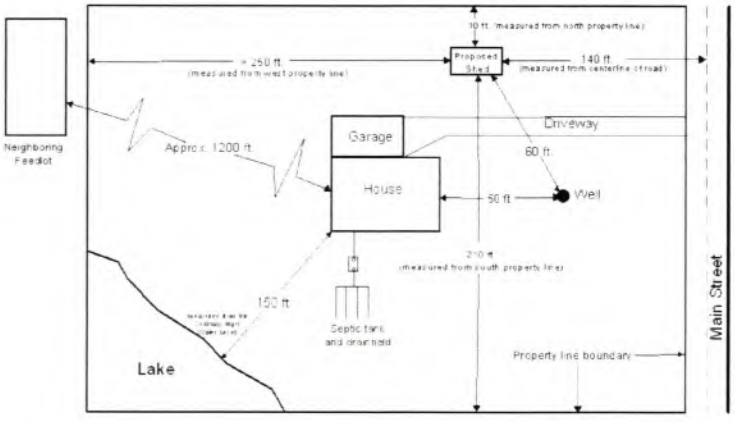
Pope County Land & Resource Management
130 East Minnesota Ave | Glenwood, Minnesota 56334 |
Phone: (320) 634-7791 | Email: pub lrm@popecountymn.gov
Website: https://www.popecountymn.gov/land-resource-management/

SITE PLAN

Provide the following information on a project site plan (to be completed by a licensed land surveyor if applicable):

1. *Property Lines;*
2. *Existing topography;*
3. *Existing and proposed development (including roads, driveways, structures, septic components, wells, etc.);*
4. *Distance from water body, road, property lines, septic components (tank and drainfield), well, neighboring feedlots, etc.;*
5. *Finished grading and drainage plan;*
6. *Existing and proposed screening; and*
7. *Other requirements as deemed appropriate by the Administrator.*

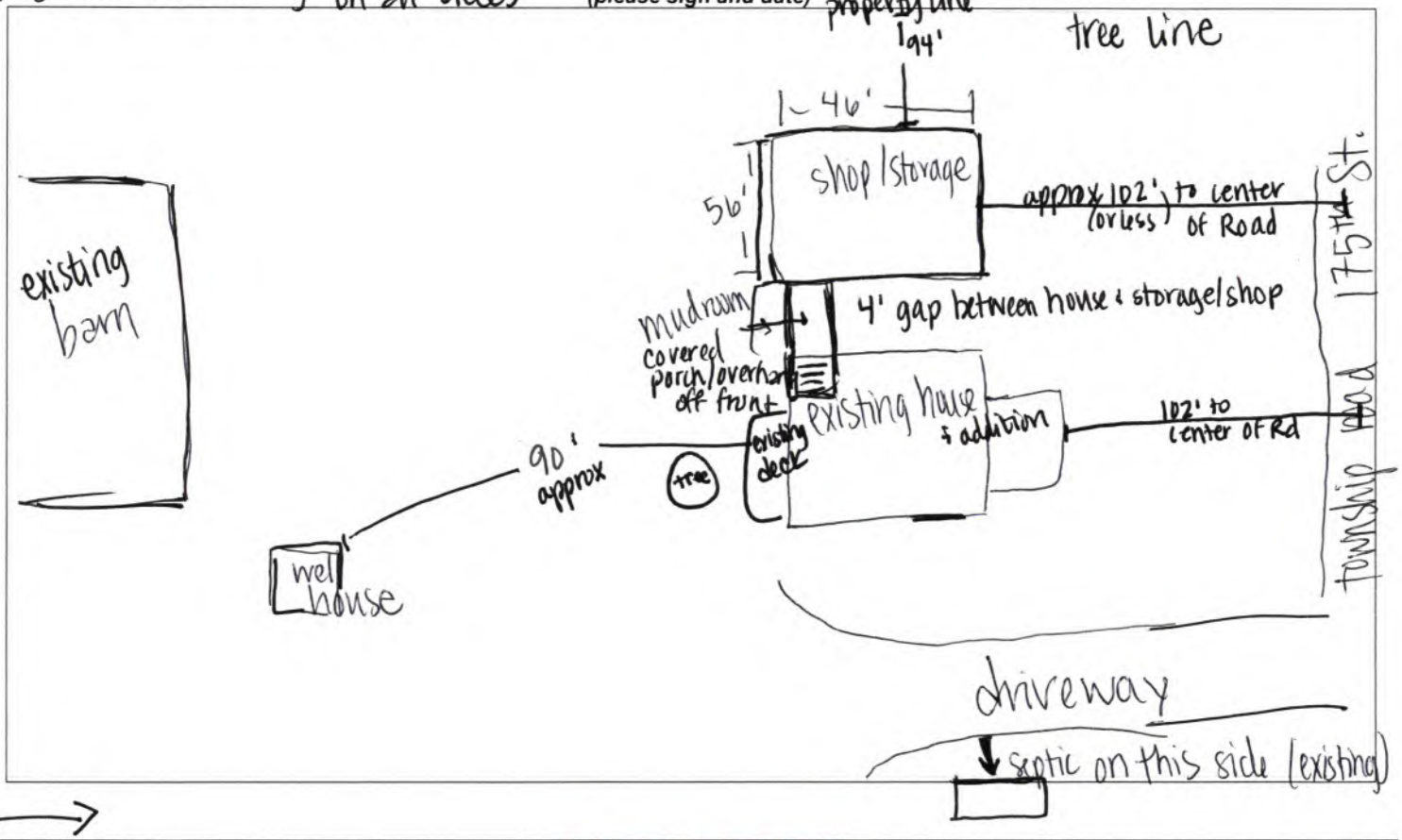
SITE DRAWING EXAMPLE - New Construction: Shed



→ surrounded by land that is in a program (such as CRP) on all sides

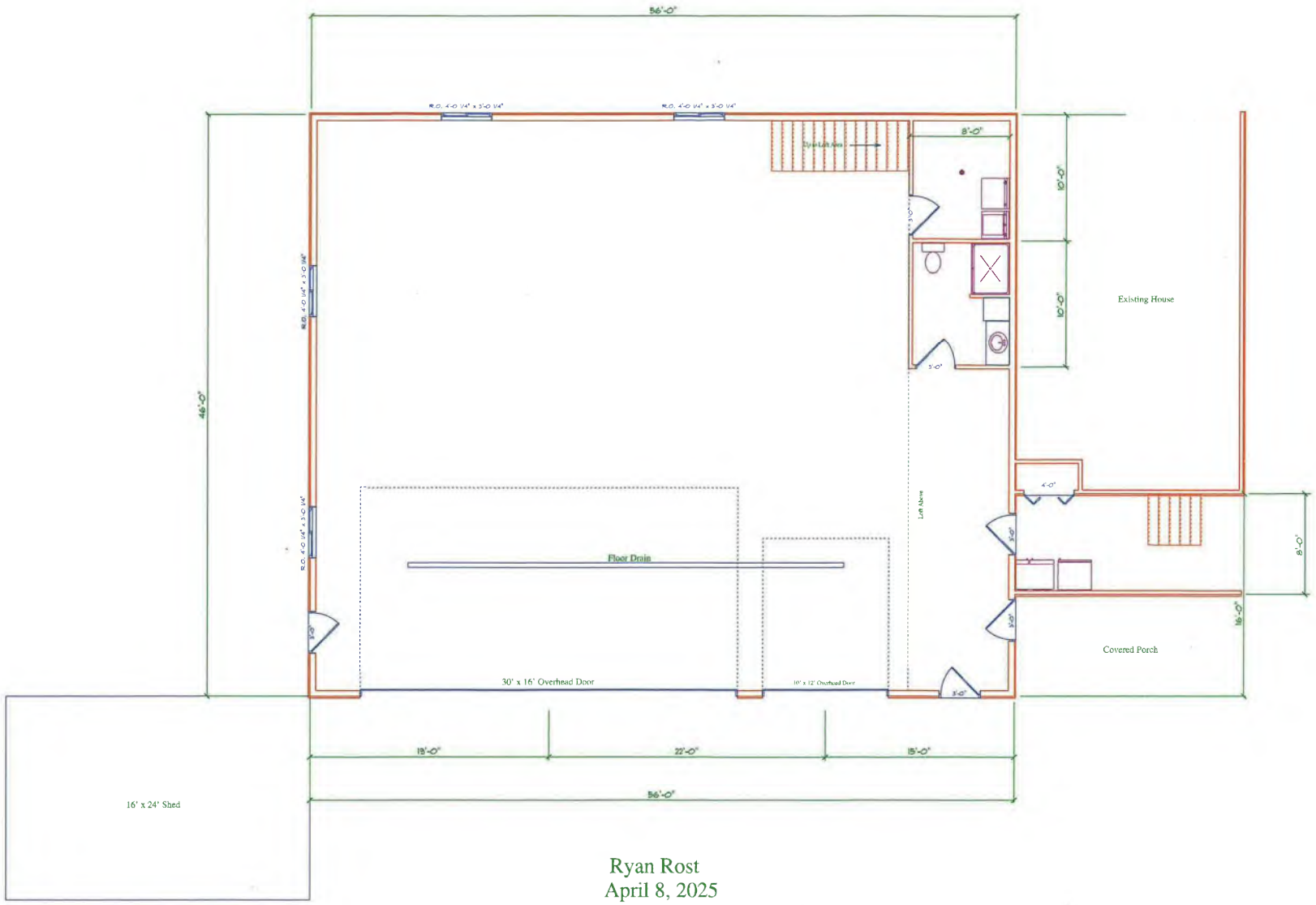
Applicant Site Plan

(please sign and date)



Supplemental Information Attachment 2:

Floor Plan
(Ryan & Corrina Rost, 8 April 2025)



Ryan Rost
April 8, 2025