Planning Advisory Commission
February 26, 2026
CUP-26-001

POPECOUNTY MINNESOTA

S:\3. BOA-PAC\2026\2. 26 February 2026\6. PAC - 3 Items\3. 12-0150-601 Landwehr CUP-26-001\3. Staff Report\PAC.V.B.1. Landwehr CUP-26-001 Staff Report.docx

STAFF REPORT

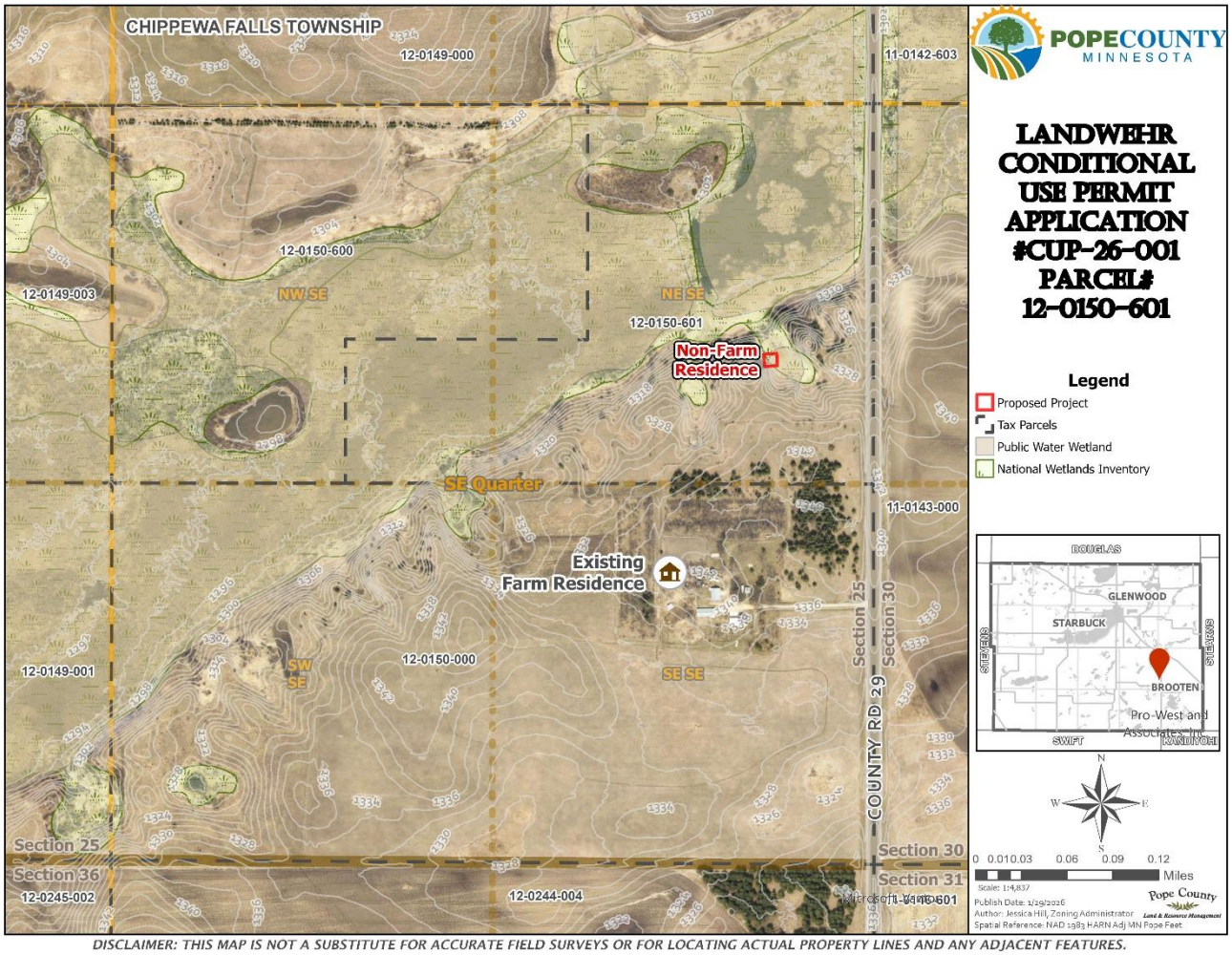
Applicant Information

Applicant: Gordon and Karen Landwehr

Application: Conditional Use Permit (CUP-26-001)

Zoning: Agriculture Protection (A-2)

Location: Part of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼), Section 25, Township 124 (Chippewa Falls), Range 37, Pope County, Minnesota



DISCLAIMER: THIS MAP IS NOT A SUBSTITUTE FOR ACCURATE FIELD SURVEYS OR FOR LOCATING ACTUAL PROPERTY LINES AND ANY ADJACENT FEATURES.

Background

The applicant is requesting consideration to construct/locate a non-farm residential structure in an Agriculture Protection (A-2) zoning district. The Pope County Land Use Controls Ordinance section 7.3.K. requires a Conditional Use Permit to locate a non-farm residence in the A-2 zoning district.

The proposed home location is described as being on the west side of County Road 29 and in the Northeast quarter of the Southeast quarter of Section 25 in Chippewa Falls Township. This proposal would be considered the first non-farm residence to be located in the Southeast Quarter in Section 25; a farm residence is located in the Southeast quarter of the Southeast quarter of Section 25.

Applicable Statutes

Local Ordinance

- Pope County Land Use Controls Ordinance
  - Section 7.3 Agriculture Protection (A-2) Zoning District *(conditional uses)*

    K. Non-farm single family residential dwelling units to be placed or constructed on land which is woodland, is fallow, or is otherwise untilled or unsuitable for raising crops and which is located as near as practical to existing non-farm residential development, provided, however, that the construction of non-farm single family residential structures is prohibited if the proposed structure will result in more than one non-farm residential structure being located within any quarter section (160 acres plus or minus fractional amounts to account for survey anomalies, loss to public roadway use, etc.) Prior to the issuance of a conditional use permit for a non-farm dwelling, the owner of the property shall be required to sign a statement of acknowledgement containing an "Acknowledgement of Agriculture Protection Zone Designation" disclosure. The acknowledgement shall be on a form provided by the Zoning Administrator and made available to the public. The disclosure forms shall be on file in the office of the Pope County Zoning Administrator.
  - Section 11.5 Conditional & Interim Use Permits *(criteria and procedures)*

State Statute/Rule

- Minnesota Statute Chapter 394 Planning, Development, Zoning *(enabling legislation)*

Staff Comments

Based on the review of the application, Staff offers the following comments relating to the proposed land use on this quarter section (160 acres) of land located in the Southeast Quarter of Section 25 in Chippewa Falls Township. This parcel of land is located in an A-2 zoning district where nonfarm homesteads are limited in each quarter section. All applications for non-farm residential housing are required to secure a Conditional Use Permit (CUP) as approved by the Board of County Commissioners. Specific to this quarter section (SE), there is one other farm residence in existence. The land use on this parcel is open space, agricultural or recreational in nature with a large portion of the parcel's acreage designated as a public water wetland and shown as having areas designated under the National Wetlands Inventory. The lands adjacent and nearby include agricultural uses, wetland areas and open space.

According to the Natural Resources Conservation Service (NRCS) Web Soil Survey, the proposed location for the non-farm residence is covered by a few soil types, Sandberg loamy coarse sand (D8E), 6 to 30 percent slopes with the farmland classification "Not prime farmland"; Arvilla sandy loam (EvB), 2 to 6 percent slopes with the farmland classification "Farmland of statewide importance"; and Arvilla sandy loam (EvA), 0 to 2 percent slopes with the farmland classification "Farmland of statewide importance".

As noted by the Pope County Feedlot Officer,

> *The non-farm proposal does not directly impact existing feedlots in the area. However, it may impact the feedlot if it were to expand in the future. The closest feedlot to the proposal is northwest. Given the location of the feedlot in an agricultural zoning district, it may go up to 2000 animal units (a.u.) through a conditional use process. If the feedlot were to expand to the max allowable in that district, not factoring additional performance standards in this scenario, they would need a setback waiver agreement from 2 existing residence; the proposal would make it 3.*
>
> *To break it down, if the feedlot was to expand to 1300 A.U., they would need to secure a waiver from the existing residence. If the feedlot was to expand to 1500 A.U., they would need to secure a waiver from the existing and proposed residence. If the feedlot was to expand to 2000 A.U., they would need to secure 3 setback waiver agreements.*

Staff Recommendation

Approve with Conditions

Based on the findings of fact presented in this report, staff does not object to a recommendation of approval of the application to the County Board conditioned upon:

1. That the Agriculture Zone (Right-to-Farm) Acknowledgement form be signed and returned to the Land & Resource Management office prior to the issuance of a Land Use permit for the construction of the non-farm residence.
2. That the property owner is responsible for reaching out to the Township to assure compliance with any Township standards.
3. That prior to any construction activities, all necessary permits are secured from County and State agencies.

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. 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 land use is located in a sparsely populated rural setting in Chippewa Falls Township. The dominant land uses in this area are open space and agricultural. This non-farm residential use should not create interference with future development on adjacent properties, nor is it expected to diminish or impair neighboring property values.

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: County Road 29 is adequate to handle traffic associated with a non-farm residence.

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 predominant neighboring land use is agricultural and natural open space. The residential use will not conflict with existing uses.

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

   Finding: Any necessary utilities, drainage, septic systems or other facilities will be addressed prior to and as a condition of issuance of any land use 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 (Gordon & Karen Landwehr, 12 January 2026)*
  - **Attachment 2:** *Submitted Site Plan(Gordon & Karen Landwehr, 12 January 2026)*
  - **Attachment 3:** *Proposed Non-Farm Residential Structure, Feedlot Analysis (A.Hughes (Feedlot Officer, Land Use Specialist), 5 February 2026)*
  - **Attachment 4:** *Landwehr CUP-26-001, Parcel#12-0150-601, Farmland Classification (J.Hill (Zoning Administrator), 19 February 2026)*
  - **Attachment 5:** *Site Visit Photos (L&RM Staff, 17 February 2026)*

Routing Sheet

Comments, Concerns and Conditions

Agency	
NRCS	No comment received.
SWCD-Pope	No comment received.
County Department	
Ag Inspector	*COMMENTS: No comment*
Assessor	No comment received.
Attorney	No comment received.
E911 Addressing	*COMMENTS: The Pope County E911 Rural Addressing Ordinance, Section 2.2.B. states, "Notice of New Construction. Every owner of real property in Pope County on which a structure is erected or placed after the effective date of this Ordinance shall notify the PCRA of the structure and obtain an E-911 address to be displayed as required per this ordinance."* *PROPOSED CONDITIONS: Applicant must apply for an E911 address in accordance with the Pope County E911 Rural Addressing Ordinance, Section 2.2.B.*
Feedlot Officer	*COMMENTS: The non-farm proposal does not directly impact existing feedlots in the area. However, it may impact the feedlot if it were to expand in the future.* *The closest feedlot to the proposal is northwest. Given the location of the feedlot in an agricultural zoning district, it may go up to 2000 animal units (a.u.) through a conditional use process. If the feedlot were to expand to the max allowable in that district, not factoring additional performance standards in this scenario, they would need a setback waiver agreement from 2 existing residence; the proposal would make it 3.* *To break it down, if the feedlot was to expand to 1300 A.U., they would need to secure a waiver from the existing residence. If the feedlot was to expand to 1500 A.U., they would need to secure a waiver from the existing and proposed residence. If the feedlot was to expand to 2000 A.U., they would need to secure 3 setback waiver agreements.* *I personally spoke with the owner of the facility that could be affected by this proposal. He does not feel like this would impact his facility and has a good relationship with the applicants due to previous permitting.* *Ariel Hughes, Pope County Feedlot Officer*

WCA Officer	*COMMENTS: There are extensive wetlands on the property, but they need not be a hindrance to properly sited residential development. However, the submitted sketch shows the proposed building site located in a wetland area. My guess is that the mark on the map was simply misplaced, and the preferred building site is actually the area of high ground west of the marked wetland. If, on the other hand, the low spot really is the preferred building site, that would be highly problematic. WCA TEP review would be required.* *PROPOSED CONDITIONS:* *- Site plan showing footprint of development and avoidance of potential wetland areas* *- Professional wetland delineation, if site plan shows potential for impact on wetland areas* *- Erosion control & stormwater management plan for prevention of sedimentation of wetlands*

Township

Chippewa Falls	*COMMENTS: Make sure that it is addressed in the conditional use permit with the Anderson Hog Barn, so that in the future it is not disputed.*

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, February 26th, 2026 in the Pope County Courthouse to consider the following conditional use request.

Description of Request: Conditional Use hearing for an application by Gordon and Karen Landwehr (CUP-26-001, Parcels#12-0150-601) to establish a non-farm residence in an Agriculture Protection (A-2) zoning district per section 7.3.K of the Pope County Land Use Controls Ordinance.

Legal Description/Site Location: Part of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼), Section 25, Township 124 (Chippewa Falls), Range 37, 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. ***Notices of Decision*** *will be posted* ***online*** *shortly after decision making at the following Pope County webpage:*

- *https://www.popecountymn.gov/land-resource-management/boa-pac-notices-of-decision/*

Thank you for your patience and consideration in this matter.

Dated: February 6, 2026
By: Jessica Hill, Zoning Administrator, Land & Resource Management

Supplemental Information

Supplemental Information Attachment 1:

Conditional Use Permit Application
(Gordon & Karen Landwehr, 12 January 2026)

CUP-26-001

CONDITIONAL/INTERIM USE PERMIT APPLICATION

POPE COUNTY 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

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.

Applicant Information

Applicant Names	Gordon & Karen Landwehr [redacted]

Property Description

Property Address	26829 Co Rd 29	City	Glenwood	State	MN	Zip	56334
Township Name	Chip Falls	Section	25	Twp		Range	
Parcel No.	~~12~~ 0150-000	Associated Parcel No.	12-0150-601				

Project Narrative

What is the conditional / interim use permit application for?	New Home (Single family) 2800 SQR FT

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

Our daughter and Son in law, Laura & Chase Kleinschmidt would be looking to build A New Single family home on this parcel. I Purchased 40 Acres this past year that Adjoins my current Dwelling Site (80 Acres.) I have been designated As "Agricultural" thus hopefully clearing the way for approval for A non-Ag New build on this Adjacent Property. At one time my Grandfather, Gene Landwehr, once owned All this Property So, to be able to buy Additional Acerage back is meaningful to the family.

Anderson Farms has been granted A Permit to build A Hog feedlot To the North of this position, I understand we would be Approved for being Above the Minimum distance allowed by Code, Y.L.

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/

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:	Future Building Site
a. Type of business or activity (including scope of operations);	N/A
b. Proposed number of employees; N/A	
c. Days and hours of operation; N/A	
d. Equipment and vehicles to be used for the activity; N/A	
e. Proposed floor plan of any structure or use indicated;	TBD In Progress Approx 2800 SQR feet
f. Sanitary sewer and water plan with estimated use per day;	TBD
g. Any maintenance to take place on-site, including how hazardous materials and solid waste will be stored and disposed of; and N/A	
h. Proposed exterior lighting, signage and storage. N/A	
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/

Supplemental Information Attachment 2:

Submitted Site Plan
(Gordon & Karen Landwehr, 12 January 2026)

Gordon Landwehr
1/12/2026

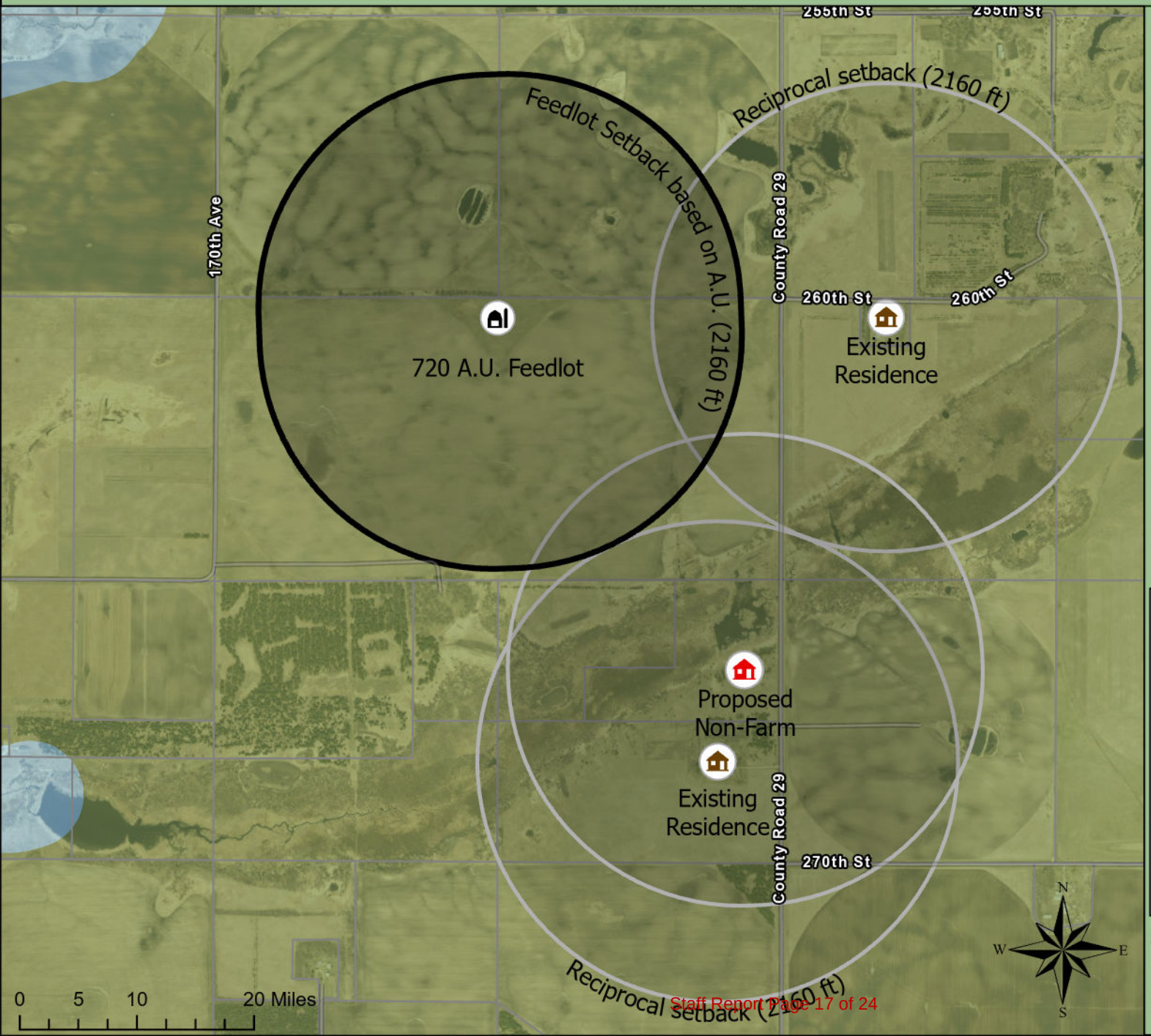
Supplemental Information Attachment 3:

Proposed Non-Farm Residential Structure, Feedlot Analysis
(A.Hughes (Feedlot Officer, Land Use Specialist), 5 February 2026)

Proposed Non-Farm Residential Structure

Feedlot Analysis

POPE COUNTY
MINNESOTA

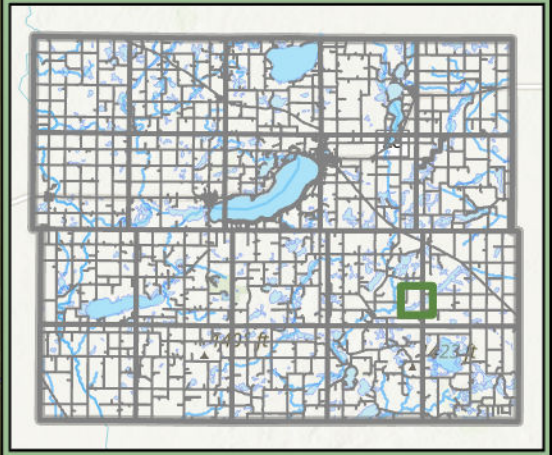


LANDWEHR CUP-26-001

Legend

- Registered Feedlots
- Existing Residences
- Feedlot Setback
- Residential Setbacks
- Proposed Non-Farm Residence

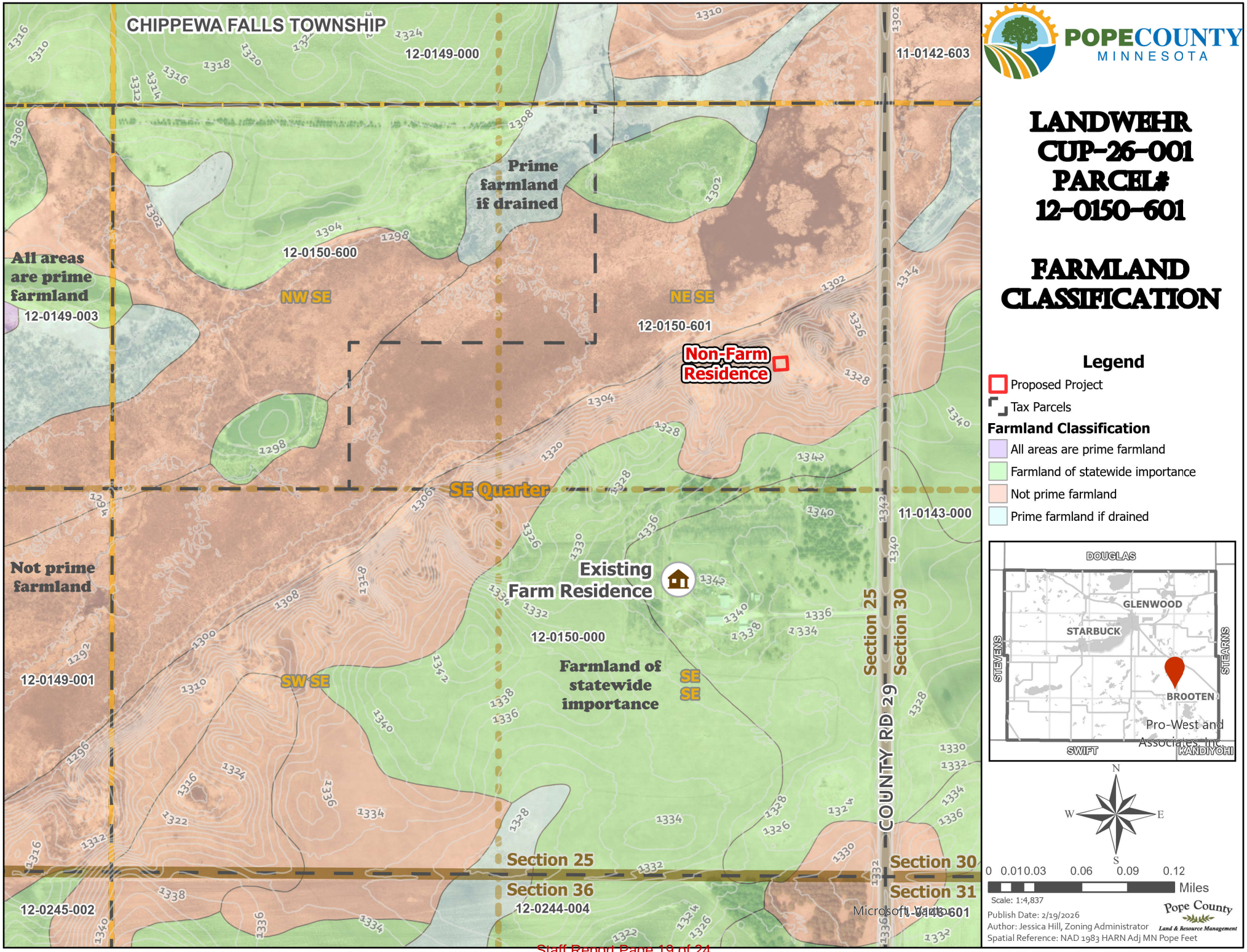
Notes:
An existing residence is closer to the feedlot than the proposed non-farm residence. However, the proposal will create a need for a waiver agreement if the feedlot proposes to significantly expand (1500 A.U. or more).



Spatial Reference
Name: NAD 1983 HARN Adj MN Pope Feet
Author: Ariel Hughes
Date Exported: February 05, 2026

Supplemental Information Attachment 4:

Landwehr CUP-26-001, Parcel#12-0150-601, Farmland Classification
(J.Hill (Zoning Administrator), 19 February 2026)



POPE COUNTY MINNESOTA

LANDWEHR CUP-26-001 PARCEL# 12-0150-601

FARMLAND CLASSIFICATION

Legend

- Proposed Project
- Tax Parcels

Farmland Classification

- All areas are prime farmland
- Farmland of statewide importance
- Not prime farmland
- Prime farmland if drained

Pro-West and Associates, Inc.

N W E S

0 0.01 0.03 0.06 0.09 0.12 Miles

Scale: 1:4,837

Publish Date: 2/19/2026

Author: Jessica Hill, Zoning Administrator

Spatial Reference: NAD 1983 HARN Adj MN Pope Feet

Pope County Land & Resource Management

DISCLAIMER: THIS MAP IS NOT A SUBSTITUTE FOR ACCURATE FIELD SURVEYS OR FOR LOCATING ACTUAL PROPERTY LINES AND ANY ADJACENT FEATURES.

Supplemental Information Attachment 5:

Site Visit Photos
(L&RM Staff, 17 February 2026)