Planning Advisory Commission
April 23, 2026
CUP-26-004

POPECOUNTY MINNESOTA

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STAFF REPORT

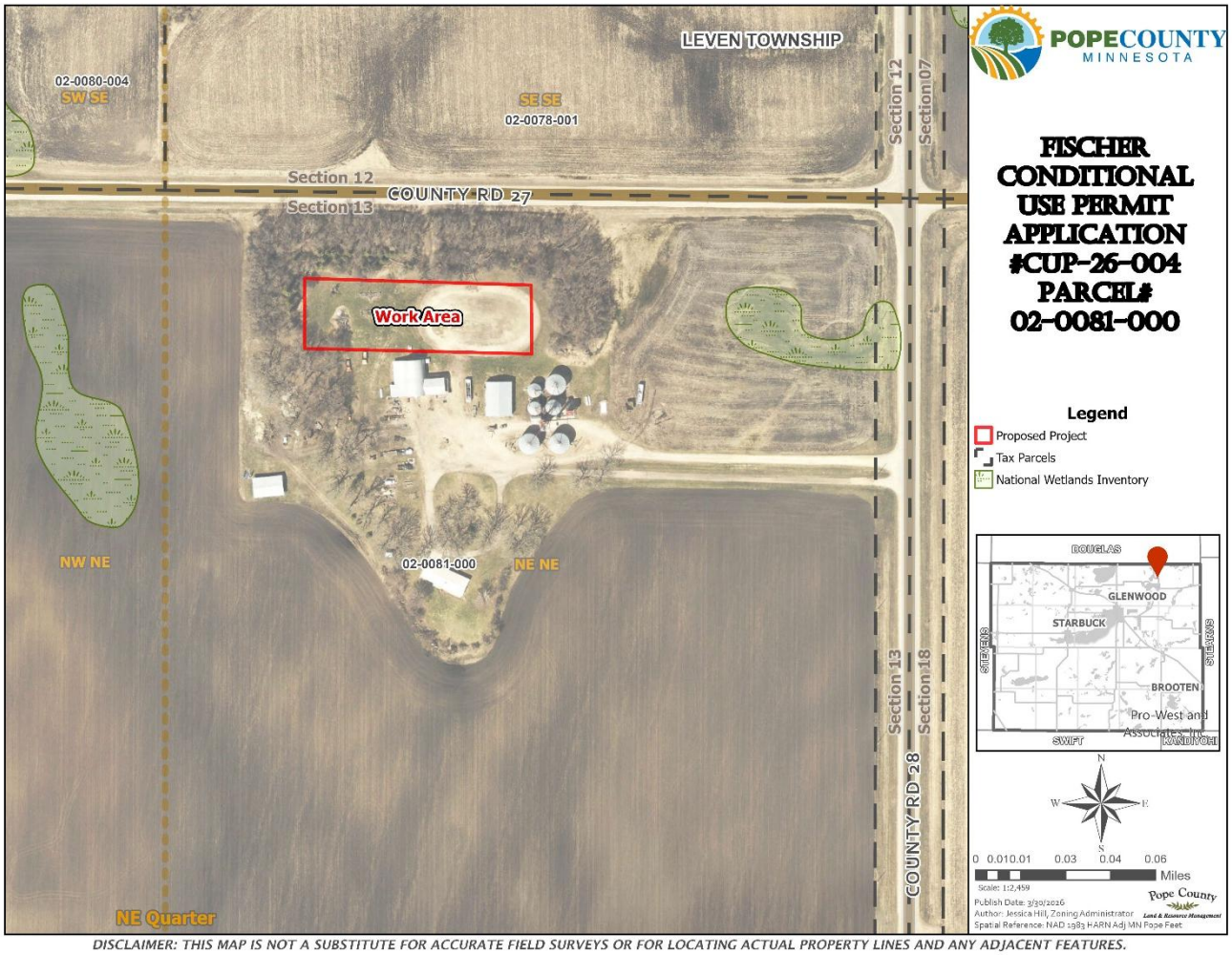
Applicant Information

Applicant: Rickie Fischer

Application: Conditional Use Permit (CUP-26-004)

Zoning: Non-Intensive Agriculture (A-1)

Location: Part of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼), Section 13, Township 126 (Leven), 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 proposes to operate a salvage and repair facility that specializes in the repair of agricultural trailers such as hoppers, grain dumps, bail, livestock, etc. All work will take place onsite at the owner's property located at 16044 County Road 28 in Leven Township. This parcel is in a Non-Intensive Agriculture (A-1) zoning district. Repairs may include removing and re-installing new sheet metal, re-riveting, and welding. Scrap metals will be periodically removed and transported off-site to a recycling facility such as Northern Metal. The applicant does not indicate any set working hours.

Applicable Statutes

Local Ordinance

- Pope County Land Use Controls Ordinance
  - Section 6.3 Conditional Uses

    S. 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.

    H. Motor vehicle salvage facility, subject to performance standards in Section 10.14.
  - Section 10.14 Motor Vehicle Salvage Facilities
  - Section 11.5 Conditional & Interim Use Permits: *(criteria and procedures)*
- Pope County Solid Waste Disposal Ordinance

State Statute/Rule

- Minnesota Statutes Chapter 394. Planning, Development, Zoning *(enabling legislation)*
- Applicable State Regulations (as triggered by use)
  - MPCA rules related to air emissions, waste handling, and stormwater (as applicable)

Staff Comments

The subject property is located within the A-1 (Non-Intensive Agriculture) zoning district. The proposed use is not explicitly listed as a permitted or conditional use but may be considered under Section 6.3.S, which allows uses of a similar character provided they are not more intensive, do not create greater impacts, and are compatible with surrounding uses.

The proposed use most closely aligns with motor vehicle salvage facilities (Section 6.3.H), as it involves repair and temporary storage of equipment and scrap materials. Accordingly, evaluation of this request includes consideration of applicable performance standards under Section 10.14.

The Planning Advisory Commission must determine whether the proposed use:

1. *Is similar in nature to listed conditional uses;*
2. *Is not more intensive than comparable uses;*
3. *Will not create greater impacts on the surrounding area; and*
4. *Is compatible with existing and planned land uses.*

Staff Recommendation

Approve with Conditions

Based on the application materials, site review, and the findings set forth below, staff recommends approval of Conditional Use Permit, CUP-26-004, subject to the conditions listed herein.

The proposed use is reviewed under Section 6.3.S of the Pope County Land Use Controls Ordinance as a use of similar character to those listed, most closely aligning with Section 6.3.H (Motor Vehicle Salvage Facilities). The Planning Advisory Commission must determine that the proposed use is not more intensive, does not create greater impacts, and is compatible with surrounding land uses.

Approval is recommended upon a finding that, with the conditions imposed, the proposed use meets the applicable standards of the Ordinance and Minnesota Statutes Chapter 394.

1. The use shall comply with all applicable provisions of the Pope County Land Use Controls Ordinance, including but not limited to Section 10.14 (Motor Vehicle Salvage Facility performance standards), whether explicitly stated herein or not.

2. All salvage materials, inoperable equipment, and scrap shall be:
    a. Stored in an orderly manner;
    b. Limited to areas designated on an approved site plan; and
    c. Screened from adjacent properties and public rights-of-way by natural vegetation, fencing, or other approved screening methods.
3. The following activities are prohibited:
    a. Vehicle crushing;
    b. Tire grinding;
    c. Burning of materials;
    d. Disposal of hazardous materials on-site.
4. All scrap and waste materials shall be regularly removed and transported to a licensed recycling or disposal facility. No long-term accumulation beyond normal business operations shall occur.
5. The owner/operator shall comply with all applicable Minnesota Pollution Control Agency (MPCA) regulations, including air emissions, stormwater, and waste handling requirements. Documentation of required permits or registrations shall be provided to the County upon request.
6. All exterior lighting shall be fully shielded and directed downward to prevent light trespass onto adjacent properties.
7. The site shall be maintained free of debris, excessive noise, odor, dust, or other conditions that constitute a public nuisance under County or State law.
8. County staff may enter the property at reasonable times to verify compliance with permit conditions.
9. That the property owner is responsible for reaching out to the Township to assure compliance with any Township standards.
10. All other local, state and federal permits and approvals shall be obtained and maintained for the operation of the business.
11. Any change in the use (other than the permitted uses in the zoning district or what is included in this permit), hours of operation, or expansion of the business (including construction of additional buildings) shall require a conditional use permit or amendment of the current conditional use permit.
12. Failure to comply with these conditions may result in revocation of this permit in accordance with the Pope County Land Use Controls Ordinance.

Staff Findings

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

   Finding: The proposed use qualifies for consideration under Section 6.3.S as a use similar in character to a motor vehicle salvage facility as defined in Section 6.3.H. With the conditions imposed, the use is not more intensive than permitted uses and complies with applicable performance standards.

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

   Finding: The proposed use is consistent with the Pope County Comprehensive Plan, which supports a mix of rural land uses while emphasizing compatibility, environmental protection, and appropriate siting.

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 use is located in a rural area characterized by agricultural, residential, and open space uses. With imposed conditions related to screening, hours, and operational controls, the use is compatible with surrounding properties.

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: The proposed use, as conditioned, will not be injurious to the use and enjoyment of nearby properties nor substantially diminish property values. Potential impacts such as noise, visual appearance, and storage are mitigated through conditions.

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

   Finding: The proposed use will not place an excessive burden on public infrastructure, including roads and utilities.

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 township road serving the property is adequate to accommodate anticipated traffic volumes associated with the use.

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: With compliance with MPCA requirements and County conditions, the use will not result in significant adverse impacts to air quality, groundwater, or surface water.

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: Conditions requiring screening, maintenance, and controlled storage will ensure the site does not adversely affect the visual character of the area.

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

   Finding: The proposed use will not impede the normal and orderly development of surrounding properties.

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 proposed use, as conditioned, is consistent with the promotion of public health, safety, and general welfare under Minnesota Statutes Chapter 394.

REPORT APPENDIX

- **Routing Sheet** *(Comments, concerns and conditions)*
- **Public Notice**
- **Supplemental Information**
  - **Attachment 1:** *Conditional Use Permit Application (Rickie Fischer, 18 March 2026)*
  - **Attachment 2:** *Submitted Site Plan (Rickie Fischer, 18 March 2026)*
  - **Attachment 3:** *Site Visit Photos (L&RM Staff, 13 April 2026)*

Routing Sheet

Comments, Concerns and Conditions

Agency	
SWCD-Pope	No comments received.
County Department	
Attorney	No comments received.
E911 Addressing	*COMMENTS: Parcel has been previously addressed, 16044 County Rd 28, Villard, MN. It would be advised that, if a structure is erected to conduct the proposed project activities, applying for a secondary E911 address would be recommended.*
Emergency Mgmt	No comments received.
Feedlot Officer	*COMMENTS: No comment from the feedlot program.*
WCA Officer	No comments received.
Municipality	
City of Villard	No comments received.
Township	
Leven	No comments received.
Other Comments Received	
	No comments 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, April 23rd, 2026 in the Pope County Courthouse to consider the following conditional use request.

Description of Request: Conditional Use hearing for an application by Rickie Fischer (CUP-26-004, Parcels#02-0081-000) to conduct semi-trailer repair and scrap metal recycling in a Non-Intensive Agriculture (A-1) zoning district per section 6.3.S of the Pope County Land Use Controls Ordinance.

Legal Description/Site Location: Part of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼), Section 13, Township 126 (Leven), 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: April 3, 2026
By: Jessica Hill, Zoning Administrator, Land & Resource Management

Supplemental Information

Supplemental Information Attachment 1:

Conditional Use Permit Application
(Rickie Fischer, 18 March 2026)

CUP-26-004

CONDITIONAL/INTERIM USE PERMIT APPLICATION

POPE COUNTY MINNESOTA

L&RM FORM 17

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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	Rickie Fischer
[redacted]	

Property Description

Property Address	same as above			City		State	Zip
Township Name	Leven			Section	13	Twp 126	Range 37
Parcel No.	02-00081-000			Associated Parcel No.			

Project Narrative

What is the conditional / interim use permit application for?	Semi Trailer repair and scrap metal recycling

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

To buy salvage trailers repair trailers for resale replace sheet metal and repair trailer frame pieces or structure as needed. Scrap metal to be hauled away

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/

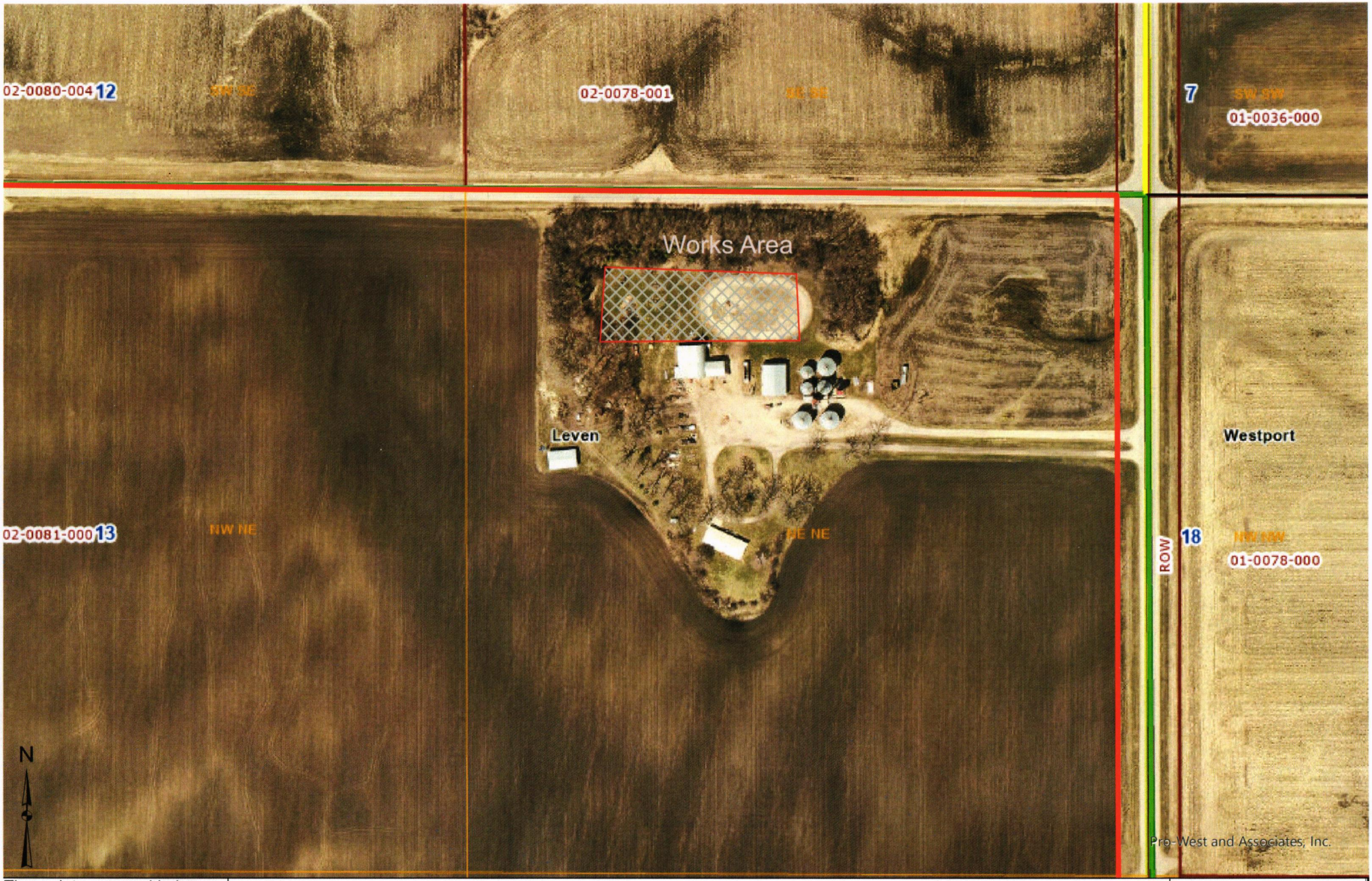
APPLICATION REQUIREMENTS

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:	Repair damaged semi trailer and recycle of scrap metal
a. Type of business or activity (including scope of operations);	semi trailer repair
b. Proposed number of employees;	0 (just owner)
c. Days and hours of operation;	normal
d. Equipment and vehicles to be used for the activity;	semi tractor and normal farm equipment
e. Proposed floor plan of any structure or use indicated;	see site sketch
f. Sanitary sewer and water plan with estimated use per day;	na
g. Any maintenance to take place on-site, including how hazardous materials and solid waste will be stored and disposed of; and	no hazardous waste
h. Proposed exterior lighting, signage and storage.	no special or additional lighting planned
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
(Rickie Fischer, 18 March 2026)



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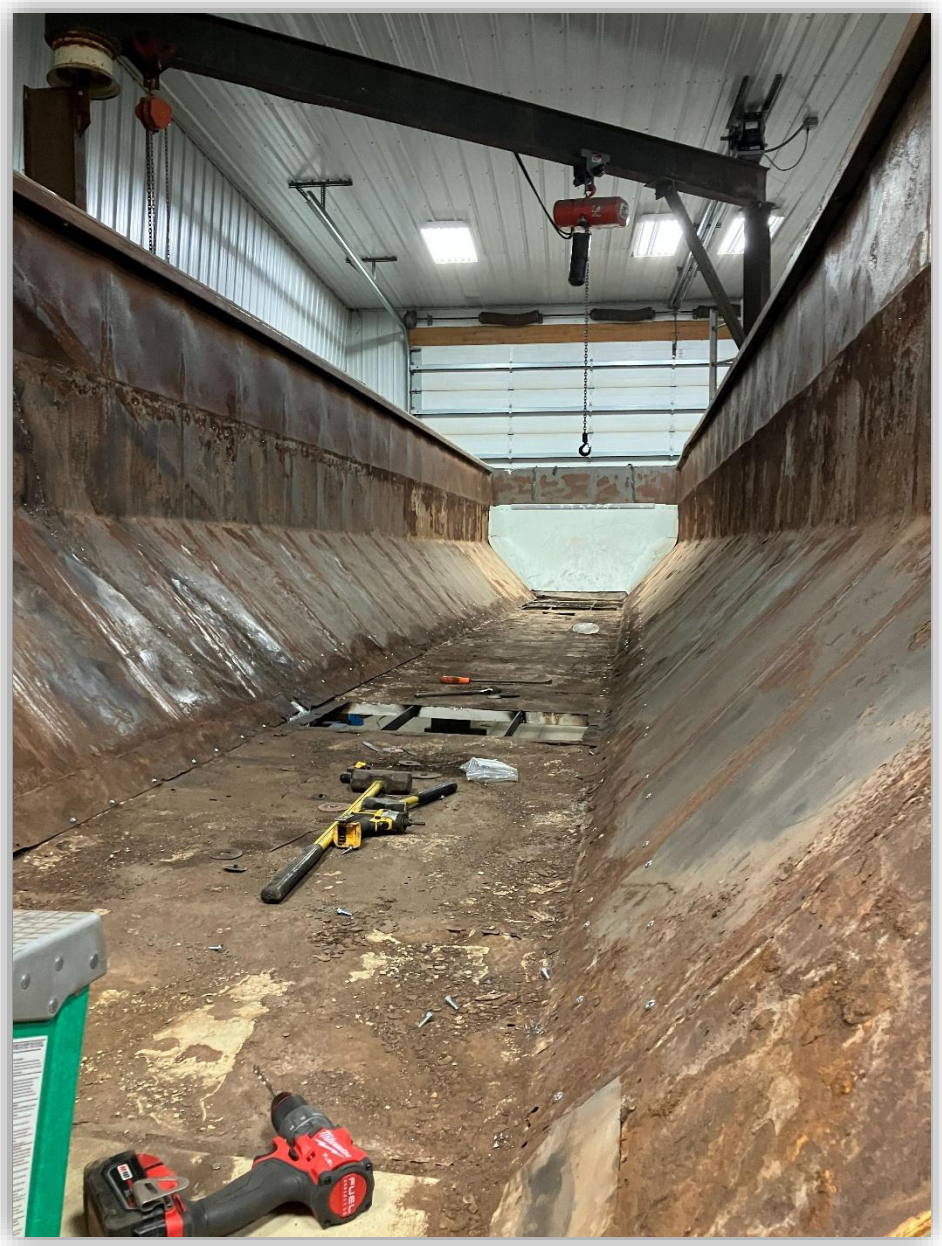
Date: 3/9/2026

POPE COUNTY MINNESOTA

Supplemental Information Attachment 3:

Site Visit Photos
(L&RM Staff, 13 April 2026)

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