Planning Advisory Commission
September 24, 2026
CUP-26-012

POPECOUNTY MINNESOTA

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STAFF REPORT

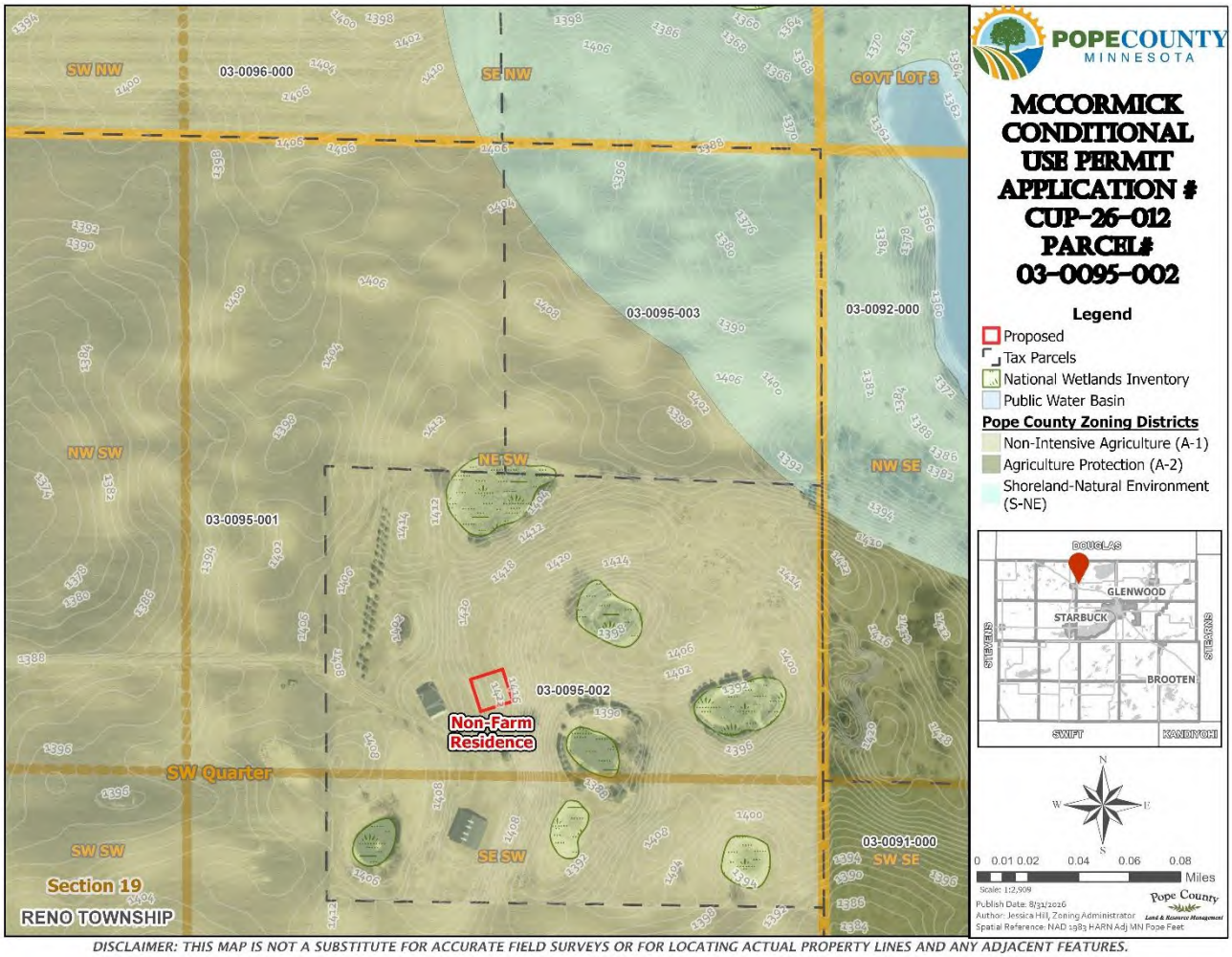
Applicant Information

Applicant: Shawn & Sharon McCormick

Application: Conditional Use Permit (CUP-26-012)

Zoning: Non-Intensive Agriculture (A-1)

Location: Part of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼), Section 19, Township 126 (Reno), Range 38, 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 applicants are requesting a Conditional Use Permit to establish a non-farm single-family residence on Parcel 03-0095-002 in the Non-Intensive Agriculture (A-1) zoning district. Section 6.3.K of the Pope County Land Use Controls Ordinance allows a non-farm single-family dwelling in the A-1 District as a conditional use when the applicable performance standards are satisfied.

The applicants state that the property historically contained a farm homesite. After acquiring the property, they removed dilapidated buildings, concrete, fencing, and other materials and restored portions of the property to grassland. Two Morton-type accessory buildings have subsequently been constructed, and the applicants now propose to construct a residence within the previously developed former homesite portion of the property.

The property is surrounded primarily by agricultural land, with a waterfowl production area to the east. The applicants describe the property as hilly and containing four ponds, which limits its suitability for agricultural production. The proposed residence would utilize an area already associated with the existing driveway and accessory structures.

Applicable Statutes

Local Ordinance

- Pope County Land Use Controls Ordinance
  - Section 6.3 Non-Intensive Agriculture (A-1) 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 two residential structures (farm or non-farm) being located within any division, subdivision, or other "split" of any quarter quarter section (40 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 Administrator and made available to the public. The disclosure forms shall be on file in the office of the 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

The subject property is located in the Non-Intensive Agriculture (A-1) zoning district. The applicants propose to establish a non-farm single-family residence, which requires a Conditional Use Permit pursuant to Section 6.3.K.

The applicants indicate that the property was historically developed as a homesite, and presently contains an established driveway and two accessory buildings. The applicants indicate that the property was cleaned up following acquisition and that portions of the former homesite have been restored to grassland. The proposed residence would be located within this previously developed area rather than extending residential development into the surrounding actively cultivated agricultural land.

Staff conducted a site visit on September 14, 2026. The site photographs show an established driveway, existing accessory structures, grassed/open areas surrounding the structures, and actively cultivated agricultural land beyond the developed portion of the property.

Farmland Classification

The farmland-classification mapping shows that the parcel contains a mixture of farmland classifications. The proposed residential location is within an area mapped as not prime farmland, while other portions of the property and surrounding lands include prime farmland, farmland of statewide importance, and other classifications. The proposed location therefore directs the residential use toward an existing developed/non-cropped portion of the property rather than toward areas of the property and surrounding land mapped with higher farmland classifications.

Feedlot Analysis

The Feedlot Officer identified an existing feedlot containing approximately 106 animal units southeast of the proposed residence. The proposed residence meets the applicable 1,320-foot setback from that feedlot. The Feedlot Officer noted that an existing residence southwest of the feedlot may already limit its ability to expand and that the proposed residence could further affect potential future expansion.

The feedlot analysis map depicts the applicable reciprocal setback areas and shows the relationship between the proposed residence, existing residences, and nearby feedlots.

The applicants have stated that they are willing to execute a setback waiver intended to address future feedlot expansion. The proposed residence currently meets the applicable feedlot setback; therefore, the applicants' stated willingness to execute a waiver is not necessary for approval of the proposed residence under the current setback requirements.

Wetlands

Several small wetlands are present on the property. The County WCA Officer reviewed the proposal and stated that the planned development should result in little to no negative impact on wetlands and identified no WCA concerns with the proposal.

Section 6.3.K Evaluation

Section 6.3.K requires compliance with requirements concerning the agricultural suitability of the proposed residential site, its relationship to existing non-farm residential development, and the applicable residential-density limitation.

The proposed dwelling is located within an existing developed portion of the property containing an established driveway and accessory structures. The applicants have restored portions of the former homesite to grassland, and the proposed residential location is mapped as not prime farmland. The September 14, 2026 site visit further documents that the proposed development area is presently maintained as open/grassed land rather than active cropland. Accordingly, Staff finds that the proposed dwelling location satisfies the requirement that the residence be located on woodland, fallow, otherwise untilled, or land unsuitable for raising crops.

The property contains substantial topographic and natural constraints, including hills and multiple ponds, while the proposed location takes advantage of the existing driveway and previously developed portion of the property. Locating the residence in this area minimizes additional conversion or fragmentation of surrounding agricultural land.

Based upon the parcel configuration, existing development, agricultural land surrounding the property, farmland classification, natural features, and existing residential development in the surrounding area, Staff finds that the proposed location is as near as practical to existing non-farm residential development and otherwise satisfies the siting requirements of Section 6.3.K.

County records indicate that the proposed dwelling would be the only residential structure, farm or non-farm, within the applicable quarter-quarter section. Accordingly, the proposal would not exceed the residential-density limitation established by Section 6.3.K.

Staff Recommendation

Approve with Conditions

Based upon the application, submitted site plan and narrative, agency comments, farmland classification, feedlot analysis, site visit, and findings of fact contained in this report, Staff recommends that the Planning Advisory Commission recommend approval of CUP-26-012 to the Pope County Board of Commissioners, subject to the following conditions:

1. The project shall be developed substantially in accordance with the submitted application, project narrative, and approved site plan. Any material change to the approved use or site plan shall be reviewed by the Land & Resource Management Department to determine whether additional land use approval is required.
2. Prior to issuance of the Conditional Use Permit, the property owner shall execute the "Acknowledgement of Agriculture Protection Zone Designation" required by Section 6.3.K of the Pope County Land Use Controls Ordinance. The executed acknowledgement shall be maintained on file with the Administrator.
3. The residence and associated development shall comply with all applicable requirements of the Pope County Land Use Controls Ordinance, including required setbacks and performance standards.
4. Development shall avoid identified wetlands. Any proposed wetland impact shall require all applicable determinations, approvals, permits, and mitigation required under federal, state, and local wetland requirements before the impact occurs.
5. The applicants/property owners shall obtain all required Township, County, State, Federal, and other applicable permits and approvals prior to undertaking the activity for which the permit or approval is required.

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: The proposed non-farm residence is a conditional use within the A-1 zoning district pursuant to Section 6.3.K. The application has been reviewed and Staff finds that the proposal meets applicable development setbacks, and no variance has been identified as necessary. The Feedlot Officer determined that the proposed residence meets the applicable 1,320-foot feedlot setback.

The proposed residential site is located within an existing developed/non-cropped portion of the property containing an established driveway and accessory structures, and the proposed residential location is mapped as not prime farmland. Based upon the parcel configuration, existing development, surrounding agricultural land, farmland classification, natural features, and existing residential development in the surrounding area, Staff finds that the proposed location is as near as practical to existing non-farm residential development. County records indicate that the proposed residence would be the only residential structure, farm or non-farm, within the applicable quarter-quarter section. Accordingly, the proposal would not exceed the residential-density limitation established by Section 6.3.K. Staff therefore finds that the proposal satisfies the applicable requirements of Section 6.3.K.

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

Finding: The proposed residence is located within a previously developed portion of the property rather than extending residential development into surrounding actively cultivated agricultural land. The location utilizes existing access and development and is within an area mapped as not prime farmland. The proposed location therefore directs residential development toward an existing developed/non-cropped area while minimizing conversion and fragmentation of surrounding agricultural land. Staff therefore finds that the proposal is not in conflict with the County Comprehensive Land Use 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 surrounding area consists predominantly of agricultural land, rural residential development, wetlands/open space, and a waterfowl production area. The proposal is limited to one single-family residence within an already developed portion of the property.

A 106-animal-unit feedlot is located southeast of the proposed residence. The proposed residence meets the applicable 1,320-foot feedlot setback. Although the Feedlot Officer noted that the residence could affect potential future feedlot expansion, the proposed dwelling complies with the presently applicable setback requirements.

No objection to the CUP was identified in the agency or Township comments received. The Agricultural Inspector reported no concerns, the Recorder identified no issues, the WCA Officer identified no wetland concerns, and Reno Township stated that it had no issues with the request.

Staff therefore finds that the proposed use will not be injurious to the use and enjoyment of surrounding property for purposes already permitted, will not substantially diminish or impair neighboring property values, and will not interfere with the best interests of the surrounding area or community as a whole.

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 proposal consists of one single-family residence on an existing parcel. The property already contains established access and accessory development. Staff finds that the proposal will not create an excessive burden upon public facilities, utilities, streets, schools, parks, or drainage systems.

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

   Finding: The proposed use is a conventional rural single-family residential use located within an existing developed portion of the property containing accessory structures and established vegetation. Based on the application and existing site conditions, Staff finds that the proposed residence will not have an adverse visual effect on adjacent properties.

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

   Finding: The property is addressed as 27995 County Road 28, Lowry, Minnesota. The proposal consists of one single-family residence and will generate traffic typical of a residential use. Based on the limited traffic associated with one residence and the existing access to the property, Staff finds that the roadway is adequate to accommodate traffic associated with construction and operation of the proposed residence and that the use will not create traffic hazards or congestion.

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: The proposed use consists of one single-family residence. The proposed residential use is not expected to generate noise, glare, odor, visual impacts, or other characteristics at a level that would adversely affect customer trade at nearby 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: Agricultural uses are predominant in the surrounding area. The residence is proposed within an existing developed/non-cropped portion of the parcel and meets the applicable feedlot setback. The proposed location does not extend residential development into actively cultivated land and is not expected to materially impede continued agricultural use or orderly development of surrounding property for uses predominant in the area.

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

Finding: The site contains existing access, and private water and sewage facilities are proposed to serve the residence, subject to applicable permitting requirements. Several small wetlands occur on the property; however, the County WCA Officer determined that the planned development should have little to no negative impact on wetlands and expressed no concerns from a WCA standpoint.

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: A single-family residence is not expected to generate unusual levels of rodents, insects, offensive odors, fumes, dust, noise, vibration, or lighting. Compliance with applicable sewage treatment, wetland, drainage, and other permitting requirements will provide measures to address potential impacts to surface water and groundwater.

The WCA Officer reviewed the proposal and identified no wetland concerns, provided that development occurs as planned. Staff therefore finds that adequate measures have been or will be taken to ensure that the proposed residential use will not create a nuisance or material adverse impact on surface water, groundwater, air quality, or neighboring properties.

REPORT APPENDIX

- **Routing Sheet** *(Comments, concerns and conditions)*
- **Public Notice**
- **Supplemental Information**
  - **Attachment 1:** *Conditional Use Permit Application (Shawn & Sharon McCormick – McCormick Family Living Trust, 19 August 2026)*
  - **Attachment 2:** *Submitted Site Plan (Shawn & Sharon McCormick – McCormick Family Living Trust, 19 August 2026)*
  - **Attachment 3:** *Project Narrative (Shawn & Sharon McCormick – McCormick Family Living Trust, 19 August 2026)*
  - **Attachment 4:** *Feedlot Analysis, Proposed Non-Farm Residential Structure, (A.Hughes (Feedlot Officer, Land Use Specialist), 2 September 2026)*
  - **Attachment 5:** *McCormick Conditional Use Permit Application #CUP-26-012, Parcel#03-0095-002, Farmland Classification (J.Hill (Zoning Administrator), 31 August 2026)*
  - **Attachment 6:** *Site Visit Photos (L&RM Staff, 14 September 2026)*

Routing Sheet

Comments, Concerns and Conditions

Agency	
SWCD-Pope	No comment received.
County Department	
Ag Inspector	*COMMENTS: No concerns*
Assessor	No comment received.
Attorney	No comment received.
E911 Addressing	*COMMENTS: Parcel 03-0095-002 has previously been assigned the E911 address 27995 County Rd 28, Lowry, MN 56349.* *PROPOSED CONDITIONS: None.*
Feedlot Officer	*COMMENTS: An existing feedlot with approximately 106 animal units is located southeast of the proposed house. The proposed house meets the required 1,320-foot setback. However, the existing house southwest of the feedlot may limit the feedlot's ability to expand, and the proposed house could further limit future expansion. See the attached Feedlot Analysis map.*
Recorder	*COMMENTS: From the Recorder's Office perspective; we don't see any issues with this request.*
WCA Officer	*COMMENTS: There are several small wetlands on the property, but there should be little to no negative impact on wetlands from the planned development. I have no concerns from a WCA standpoint.*
Township	
Reno	*COMMENTS: Reno township has no issues with this CUP request.*
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 24th, 2026 in the Pope County Courthouse to consider the following conditional use request.

Description of Request: Conditional Use hearing for an application by Shawn & Sharon McCormick (CUP-26-012, Parcel#03-0095-002) to establish a non-farm residence in a Non-Intensive Agriculture (A-1) zoning district per section 6.3.K of the Pope County Land Use Controls Ordinance.

Legal Description/Site Location: Part of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼), Section 19, Township 126 (Reno), Range 38, 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: September 4, 2026
By: Jessica Hill, Zoning Administrator, Land & Resource Management

Supplemental Information

Supplemental Information Attachment 1:

Conditional Use Permit Application
(Shawn & Sharon McCormick – McCormick Family Living Trust, 19 August 2026)

CUP-26-012

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.

RECEIVED AUG 19 2026 BY:

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

Applicant Information

Applicant Names	Shawn & Sharon McCormick -- McCormick Family Living Trust

[redacted]

Property Description

Property Address	27995 County Rd 28	City	Lowry	State	MN	Zip	56349
Township Name	Reno	Section	19	Twp	126	Range	38

Parcel No.	0 3 - 0 0 9 5 - 0 0 2	Associated Parcel No.	- -

Project Narrative

What is the conditional / interim use permit application for?	Building of residential home

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

Desire to build a home on property for residence. To my understanding, this property was a farm home site in the past. It was purchased with the intent to clean it up (eliminate dilapidated buildings, concrete, fencing, etc) and restore the grassland. Two Morton buildings have been constructed on the site and we would now like to take the final step to build a home.

The property is bordered by farm land on 3 sides and water foul production area land on the east. There should be no conflicts with these properties. The south east corner of the property is in proximity to a feed lot. The border of the property is approximately 1,200 feet from the designated feedlot. The building site for the house would be the west side of our property, which would add significantly more footage for the set back.

In addition to currently having adequate set-back from the feed lot, we are agreeable to signing a set-back waiver so the feed lot could be expended in the future with no set back issues.

This property is quite hilly and it has 4 ponds. This makes the property less than ideal for crop land. Given

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:	Building of a residential home.
a. Type of business or activity (including scope of operations);	
b. Proposed number of employees;	
c. Days and hours of operation;	
d. Equipment and vehicles to be used for the activity;	
e. Proposed floor plan of any structure or use indicated;	
f. Sanitary sewer and water plan with estimated use per day;	
g. Any maintenance to take place on-site, including how hazardous materials and solid waste will be stored and disposed of; and	
h. Proposed exterior lighting, signage and storage.	
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 provide on the Site Plan page of this application or attach 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
(Shawn & Sharon McCormick – McCormick Family Living Trust, 19 August 2026)

03-0095-003
Potential home site
03-0095-002
Reno
Well

Supplemental Information Attachment 3:

Project Narrative
(Shawn & Sharon McCormick – McCormick Family Living Trust, 19 August 2026)

Full Narrative for McCormick CUP

Desire to build a home on property for residence. To my understanding, this property was a farm home site in the past. It was purchased with the intent to clean it up (eliminate dilapidated buildings, concrete, fencing, etc) and restore the grassland. Two Morton buildings have been constructed on the site and we would now like to take the final step to build a home.

The property is bordered by farm land on 3 sides and water foul production area land on the east. There should be no conflicts with these properties. The south east corner of the property is in proximity to a feed lot. The border of the property is approximately 1,200 feet from the designated feedlot. The building site for the house would be the west side of our property, which would add significantly more footage for the set back.

In addition to currently having adequate set-back from the feed lot, we are agreeable to signing a set-back waiver so the feed lot could be expended in the future with no set back issues.

This property is quite hilly and it has 4 ponds. This makes the property less than ideal for crop land. Given the driveway and existing buildings, adding a home will have a minimal if any impact on any potential future use of the property for ag production purposes.

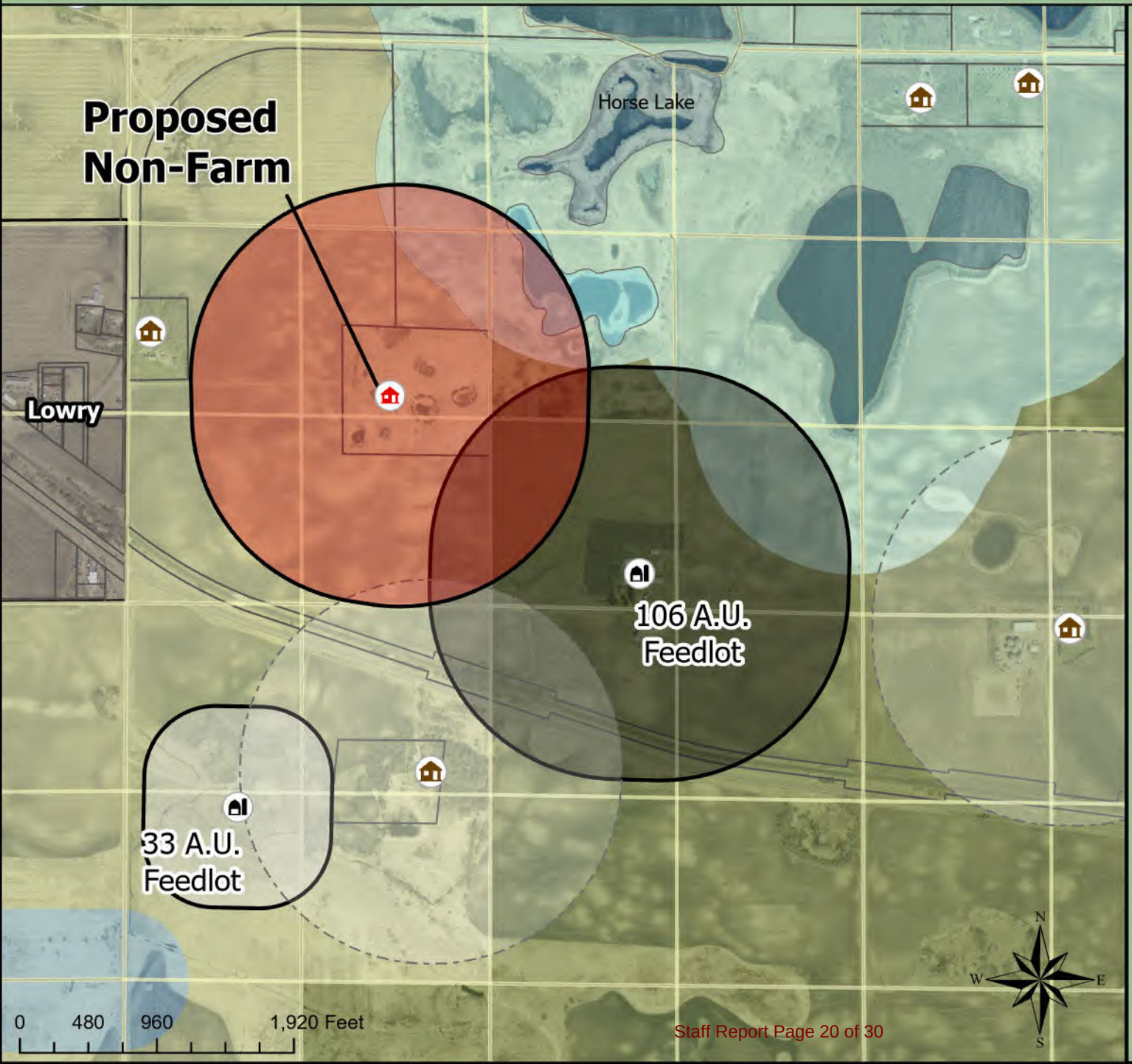
Supplemental Information Attachment 4:

Feedlot Analysis, Proposed Non-Farm Residential Structure, (A.Hughes (Feedlot Officer, Land Use Specialist), 2 September 2026)

FEEDLOT ANALYSIS

Proposed Non-Farm Residential Structure

POPE COUNTY MINNESOTA



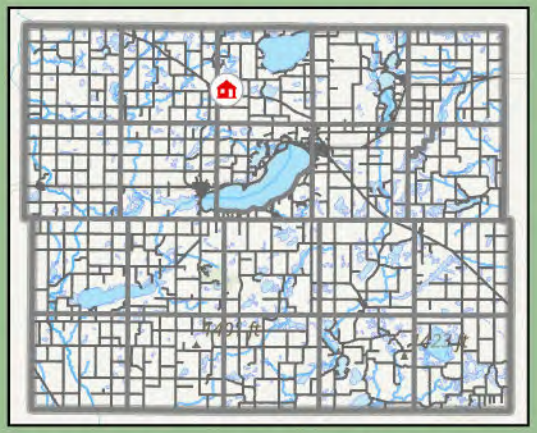
McCormick CUP-26-012

Legend

- Proposed residence
- Existing residences
- Proposed reciprocal setback (1320ft)
- Existing reciprocal setback (1320ft)
- Feedlot
- Agriculture-Non-Intensive (A-1)
- Feedlot setback (1320ft)
- Agricultural Protection (A-2)
- Feedlot setback (500ft)
- Shoreland -NE

Notes:

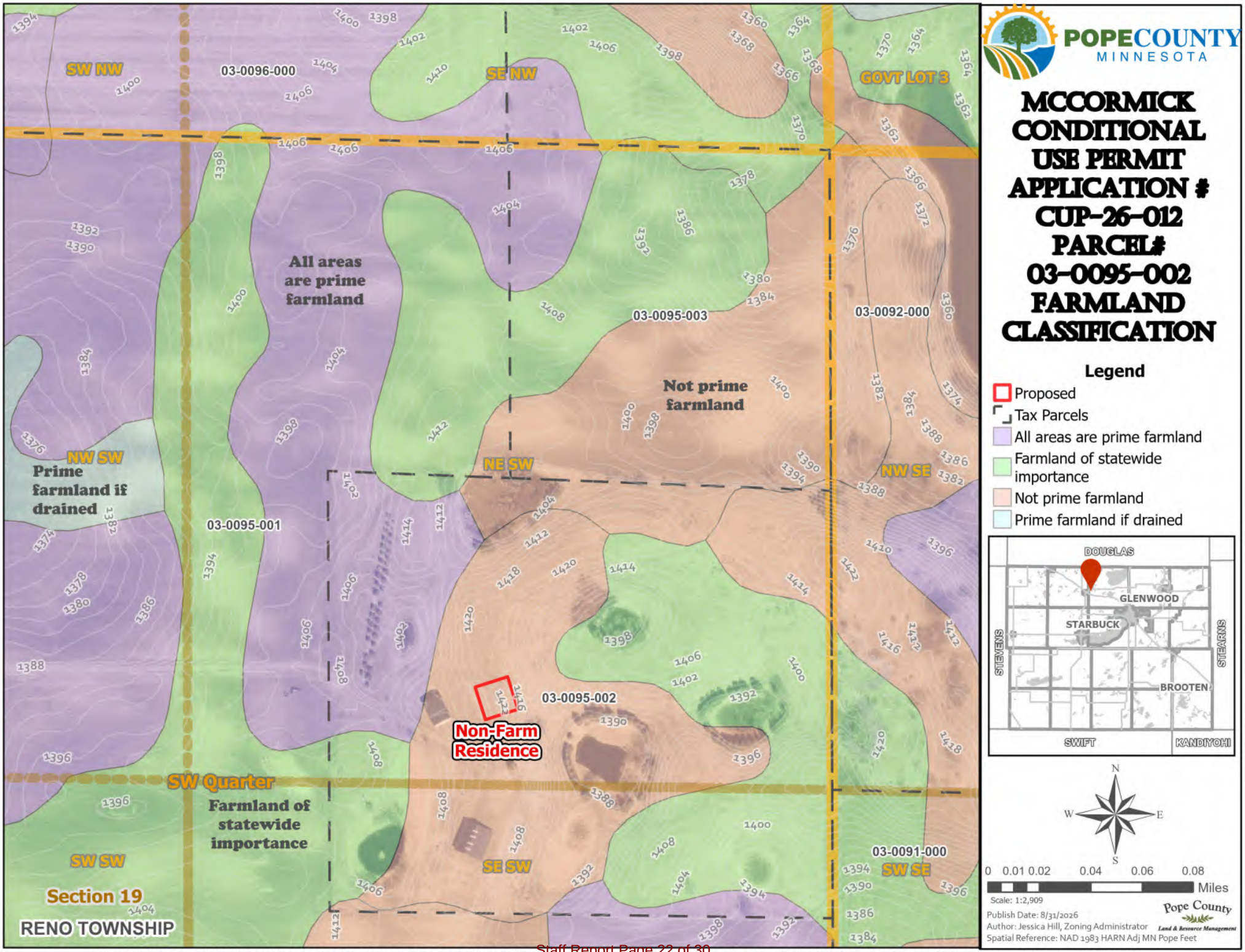
The 106 A.U. feedlot setback crosses A-1 and A-2 district boundaries; therefore, the more restrictive A-2 setback is shown for the proposed and existing non-farm residences.



Spatial Reference: NAD 1983 HARN Adj MN Pope Feet
Author: Ariel Hughes
Date Exported: September 02, 2026

Supplemental Information Attachment 5:

McCormick Conditional Use Permit Application #CUP-26-012, Parcel#03-0095-002, Farmland Classification
(J.Hill (Zoning Administrator), 31 August 2026)



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

Supplemental Information Attachment 6:

Site Visit Photos
(L&RM Staff, 14 September 2026)