

MINUTES-PLANNING COMMISSION/BOARD OF ADJUSTMENTS MEETING

Tuesday, March 10, 2026 7:00 P.M. COMMISSIONERS ROOM, LYON COUNTY GOVERNMENT CENTER, MARSHALL, MN.

MEMBERS PRESENT: Louwagie, Sleiter, Olson

OTHERS PRESENT: Biren, Crowley, Graupmann, Davin Wiesen & Isaac Anderson, Midwest Contracting, Francis Bot, Ward Wyffels

ABSENT: Meulebroeck, DeBaere

Biren opened the meeting at 7:00 p.m.

All present recited the Pledge of Allegiance

Identify any conflicts of interest: None

AMEND/APPROVE AGENDA: Sleiter moved, seconded by Louwagie to approve the agenda as presented. All in favor, motion carried.

Election of 2026 Officers – Chairman - Cody Sleiter Vice Chairman – Carolyn Olson

Minutes for the December 9, 2025 meeting reviewed. Louwagie moved, seconded by Olson to approve the minutes. All in favor, motion carried.

BOARD OF ADJUSTMENTS:

Biren – Reads Variance Permit for Midwest Contracting, LLC for a variance from the standard one hundred (100) foot road right-of-way setback. The request is to construct an addition onto an existing building. The addition is 100' x 30' and is proposed to be located twenty (20) feet from the road right-of-way of MN DOT Frontage Road. This represents an eighty (80) foot variance. The property is zoned Highway Commercial.

A REQUEST HAS BEEN MADE to the Lyon County Planning and Zoning Administrator by Midwest Contracting, LLC for a variance from the standard one hundred (100) foot road right-of-way setback. The request is to construct an addition onto an existing building. The addition is 100' x 30' and is proposed to be located twenty (20) feet from the road right-of-way of MN DOT Frontage Road. This represents an eighty (80) foot variance.

The area representing the request is zoned highway commercial. The property is described as follows:

All that part of the Northwest Quarter of the Southwest Quarter (NW 1/4, SW 1/4) of Section Twenty-six (26), Township One Hundred Twelve (112) North, Range Forty-One (41) Fairview Township, Lyon County, MN.

Biren – Received one email from MN Dot supporting the Variance. introduces Davin Wiesen and Isaac Anderson from Midwest Contracting, LLC and has them explain the project.

Wiesen – Current shop roof is falling down. It needs to be repaired and the scenarios have been to add on to fulfill our needs. Will not be going any bigger. The septic system will also be updated.

Biren – When Hwy 23 was built – this frontage road had been put in. The road in front of Ralco is gravel. Originally it was talked about returning the road to the owners, but that has not happened. If the board doesn't have any questions, move on to the findings of fact.

Crowley – If you go with a new part, would you tear down the existing

Wiesen - Not right now.

Sleiter – Move on to Findings of Facts. Board goes over Findings of Facts.

Board moves onto motions. Biren reads motions into record.

Olson moved, seconded by Louwagie to grant a variance request to *construct an addition onto an existing building. The addition is 100' x 30' and is proposed to be located twenty (20) feet from the road right-of-way of MN DOT Frontage Road. This represents an eighty (80) foot variance.*

The property described as follows:

The West Half of the Northwest Quarter of Section 33, Township 112 North, Range 42 West, Grandview Township, Lyon County, MN

With the following stipulations:

1. That if any of the work performed as allowed by the granting of this variance is ever impacted or required to be removed, the cost of such impact shall be borne by the landowner, including removal and/or relocation of property and facilities.
2. Must obtain a building permit prior to construction.
3. The purpose of which the variance was granted shall be undertaken by the applicant within 18 months of the granting of the variance. For good cause, the Zoning Administrator may grant an administrative extension of up to 12 months. Said extension shall be in writing. If the applicant fails to establish use of the variance within said time limits, the variance shall expire.
4. Adopt Findings of Fact as part of Motion.
5. A copy of this Motion shall be filed with the County Recorder's Office along with the legal description of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.

VOTING FOR: Sleiter, Olson, Louwagie

OPPOSED: None

ABSTAINED: None

ABSENT: Meulebroeck, DeBaere

Date: March 10, 2026

PLANNING COMMISSION:

Biren – Introduces Francis Bot and reads Conditional Use Permit request to process sand and gravel.

A REQUEST HAS BEEN MADE to the Lyon County Planning and Zoning Administrator Bot Farms, LLC, for a Conditional Use Permit request to process sand and gravel. The area representing the request is zoned agricultural.

The land is described as follows:

The West Half of the Northwest Quarter of Section 33, Township 112 North, Range 42 West, Grandview Township, Lyon County, MN

Biren - The pit has been in existence for many years. Portion was owned by State of Minnesota, and now has been acquired by Bot Farms, LLC. Gravel Pit will be expanded to include the newly purchased land. Grandview Township has called and asked that dust and maintenance of road be added to conditions. As long as that happens, they are in favor of the Gravel Pit. Any questions from the Board?

Louwagie - Haul Road? Where does it all travel along?

Biren – We didn't want to go south. 190th Ave North to County Rd 76 will be North. County Road 76 is a gravel road. Bob Tolk will be using to haul.

Wyffels – When was it last permitted?

Biren – We couldn't find it. Had to be at least 20 years ago

Wyffels – I think it has been 11 to 12 years ago when McLaughlin & Schulz operated. That was only permitted for 5 years.

Biren - Since I've been here, we haven't permitted for a period of time, but for the use. There isn't anything on the deed.

Wyffels – It has been 11 years in use. Should have a dust suppressant put on the road

Bot – I asked Tolk to add water to the road.

Biren – One of the negatives is that when you blade it, it can blade it off.

Wyffels – Dust control need to be part of it.

Biren – When we come up with the motions, it is to protect the use and the county. I don't know what has happened in the past, but there will be on the deed after this.

Olson – On the dust suppressant, and run-off concerns

Biren – Haven't been made aware of anything.

Wyffels – if they blade it, they will have to reapply.

Crowley – The whole road to apply or just by building sites?

Biren – There are some counties that have interim uses, our County does not do that. We can't put a time frame on it. It is for the life of the use.

Wyffels – Is there going to be an asphalt plant?

Bot - Tolk is just going to use for gravel – State of MN said 40,000 ton of material. Tolk would like to get clay out, it's close to the pipeline.

Biren – discussion of adding dust control to the motions and hours of operation.

Wyffels – I'm not trying to stop this, just wanted to show my concerns

Biren: Let's move on to the Findings of Facts. Board goes over Findings of Facts.

Board moves onto motions. Biren reads motions into record.

Louwagie moved, seconded by Olson to recommend to the Lyon County Board of Commissioners to grant a Conditional Use Permit to Bot Farms, LLC, to process sand and gravel. The area representing the request is zoned agricultural and described as:

The West Half of the Northwest Quarter of Section 33, Township 112 North, Range 42 West, Grandview Township, Lyon County, MN

Conditional Use Permit will be reviewed annually.

1. Conditional Use Permit is granted for the life of the operation and not to exceed Forty acres of working area.
2. Top soil will be stockpiled and used for reclaiming and leveling.
3. Reclaiming and leveling of land is to be done as work progresses.
4. Grade site after extraction is completed so as to render it usable, seeding required avoiding erosion and an unsightly mar of the landscape.
5. Must maintain a backslope of 4:1 or flatter.
6. Responsible for maintenance and dust control on roads that trucks will be hauling on. Chemical dust control to be applied at a minimum at least once per year or as approved by Lyon County Zoning Administrator.
7. Owner must notify Lyon County when work is complete.
8. Haul Roads: 190th Ave North to County Rd 76
9. Must obtain permits from appropriated agencies.
10. Hours of operation 6:30 a.m. to 6:30 p.m. No work on Sunday.
11. Adopt Findings of Fact as part of Motion.
12. A copy of the County Board's Motion shall be filed with the County Recorder's Office along with the legal description of the property. Additional fees to be paid by the applicant for the actual costs incurred by the county for the recording fees.

VOTING FOR: Olson, Sleiter, Louwagie

OPPOSED: None

ABSTAINED: None

ABSENT: Meulebroeck, DeBaere

DATED: March 10, 2026

Motion to adjourn by Olson second by Louwagie. All in favor, motion carried.

Board of Adjustments/Planning Commission
Chair

John Biren, Lyon County P&Z Administrator