



CITY OF FAIRMONT – 100 Downtown Plaza – Fairmont, MN 56031

Phone (507) 238-9461

[www.fairmont.org](http://www.fairmont.org)

Fax (507) 238-9469

**TO:** Planning Commission

**FROM:** Peter Bode, Planner/Code Enforcement Technician

**DATE:** February 25, 2021

**SUBJECT:** Agenda – Regular Meeting  
Tuesday, March 2, 2021 at 5:30 p.m.  
Fairmont City Council Chambers, 100 Downtown Plaza

<b>Virtual attendance:</b>	<b>1-408-650-3123</b> <b>587-907-925</b>
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- 1) Approval of Agenda
  - 2) Approval of Minutes – February 2, 2021
- New Business
- 3) Public Hearing – Home Occupation Permit for 625 W Interlaken Rd
- Old Business
- None
- 4) Adjournment

## MINUTES OF THE FAIRMONT PLANNING COMMISSION

### Regular Meeting

February 2, 2021 at 5:30 p.m.

City Council Chambers, City Hall, 100 Downtown Plaza

**Members present:** Ron Davison, Tom Lytle, Tom Mesich, Jon Omvig

**Members absent:** Adam Smith, Council Liaison Britney Kawecki

**Staff present:** City Administrator Cathy Reynolds, Planner/Code Enforcement Technician Peter Bode

Chair Lytle called the meeting to order at 5:30 p.m.

**Approval of Agenda:** Motion by Omvig and second by Davison to approve the February 2, 2021 meeting agenda as presented. Motion carried.

**Approval of Minutes:** Motion by Davison and second by Mesich to approve the December 1, 2020 meeting minutes as presented. Motion carried.

**Election of Chair and Vice Chair:** Lytle opened the floor to nominations for chair and vice chair. Omvig nominated Lytle for chair. Davison seconded. Motion carried and Lytle was elected chair.

Lytle nominated Omvig for vice chair. Davison seconded. Motion carried and Omvig was elected vice chair.

**Annual CUP/HOP Review:** Bode presented a list of 32 conditional use and home occupation permits that staff recommended for another year's approval. Bode stated that staff found violations with Car Parts Direct's permit to operate a salvage yard at 440 Winnebago Avenue.

Chair Lytle opened the public hearing. Commissioners discussed the permit for Car Parts Direct with staff and the property owner, James Johnson. Bode stated that staff recommend that the permit be revoked, and that time should be provided for the property owner to apply for new conditional use permits. Johnson disagreed with some of staff's findings and stated that he wished to amend the conditions of the permit.

Motion by Mesich and second by Omvig to close the public hearing. Motion carried.

Motion by Mesich and second by Lytle to continue the conversation and provide Car Parts Direct with 90 days to bring the property in compliance and/or apply for new or amended conditional use permits for any property where the business is active. Motion carried.

Motion by Omvig and second by Mesich to approve the other 32 presented permits for their 2021 annual review. Motion carried.

**Old Business:** *None*

**Adjournment:** There were no additional agenda items. Chair Lytle adjourned the meeting at 6:45 p.m.

*Respectfully submitted,*

*Peter Bode*

*Planner/Code Enforcement Technician*

### **GENERAL INFORMATION**

Applicant: Doug Abel

Property Owner: Doug & Joan Abel

Request: Home Occupation Permit for a fur finishing business

Address: 625 W Interlaken Rd

Parcel Number(s): 23.150.0160

Zoning: Single Family Residential (R-1), Shoreland Overlay District Tier B (SOD-B)

Surrounding Land Use: Single Family Residential (R-1)

Application Date: January 31, 2021

Review Date: March 2, 2021

### **BACKGROUND**

Doug Abel has applied for a Home Occupation Permit to operate a fur finishing business at his residence at 625 West Interlaken Road. This parcel is zoned Single Family Residential (R-1) and is surrounded by residential uses.

The applicant proposes that customers unload both skinned and unskinned furs from their vehicle in the driveway into the residence's garage. Once the furs are located in the garage, the applicant proposes to skin, dry, and process them inside the garage until a time in which a single buyer arrives to purchase them. The applicant proposes that the business will only be active from November until March of every year and that steps will be taken to control odor.

### **POLICY CONSIDERATIONS**

Article IX of the Fairmont Zoning Code permits certain uses as home occupations in residential zones. These include uses which are unimpactful and compatible with the surrounding residential neighborhood. Agricultural production, like fur finishing, is not a use that is specifically permitted by Article IX. Generally, agricultural production is permitted in the City's Agricultural Transition (A) and Light/Heavy Industrial (I-1, I-2) districts.

Article IX prohibits certain uses as home occupations that are incompatible with residential neighborhoods. These include mortuaries, manufacturing, and on-site storage of goods for redistribution. The proposed agricultural production will include deceased animals, processing of agricultural products, and storage of furs for redistribution.

Article IX does allow uses which are not specifically listed to be permitted if they meet the same performance standards as those that are specifically listed.

## **REVIEW OF PERFORMANCE STANDARDS**

*Section 26-705* of the Fairmont Zoning Code provides performance standards of which Home Occupation Permits should be evaluated:

- (a) No more than one person other than a member of the immediate family occupying the dwelling shall be employed on the premises at any one time.**

The applicant proposes that he would be the only employee.

- (b) Identification signs shall conform with the provisions of Article X.**

The applicant does not propose any identification signs.

- (c) In no way shall the appearance of the structure be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, advertising signs, or by the emission of sounds, odors, noises, vibrations, heat, glare, or electrical disturbances.**

The applicant proposes that customers back up to the garage to unload skinned and unskinned furs. This commercial activity, in which furs will be in the open, will differ from the residential character of the neighborhood.

The applicant proposes to process skinned and unskinned furs inside the garage. This commercial activity may emit sound and odor disturbances in the residential neighborhood.

- (d) Home occupations which require entrance of the general public shall comply with all applicable regulations of the Uniform Building and Fire Codes as adopted by the state.**

The applicant proposes to comply with this standard.

- (e) Home occupations shall be an accessory use of the principal structure and shall not occupy more than two rooms within the building.**

The applicant proposes to only use the garage for the use.

- (f) The use shall not create substantial traffic. More than twenty vehicles coming to the dwelling unit for service or products during any one day shall be considered substantial additional traffic. Any need for parking shall be met off the street and other than in a required front yard.**

The applicant proposes that traffic will not exceed twenty vehicles per day and that any parking will be in the driveway.

- (g) No home occupation shall cause an increase in sewer or water usage so that the combined total use for dwelling and home occupation purposes exceeds the normal range for residences in the city.**

The applicant proposes that sewer and water usage will not exceed the normal range for residences in the city.

- (h) There shall be no storage or display of any kind connected with the home occupation visible from the outside of the dwelling unit.**

The applicant proposes to unload skinned and unskinned furs into the garage. When the garage is open, storage of goods will be visible.

- (i) Any construction, alteration, electrical or mechanical equipment, or chemicals or materials, shall not change the fire rating of the structure or the fire district in which the structure is located.**

The applicant does not propose operations which would change the structure's fire rating.

- (j) The operation of the home occupation shall begin no earlier than 6:00 a.m. and end no later than 10:00 p.m.**

The applicant proposes to begin the operation after 6:00 a.m. and end before 10:00 p.m.

- (k) Home occupations shall not be permitted in any building containing three (3) or more dwelling units.**

The applicant's home is single-family.

- (l) Discontinuance of a home occupation for more than a six-month period shall void the permit.**

- (m) Any other standard deemed necessary by the zoning administrator to preserve the residential character of the neighborhood shall apply.**

In the interest of preserving the residential character of the neighborhood, staff apply an additional standard:

- 1. The use does not require a change in the structure's Uniform Building Code classification to a type inconsistent with a residential neighborhood.**

The applicant's proposed use would require that the garage's Uniform Building Code classification be changed to Factory (F) because it is used to manufacture agricultural products. This classification is inconsistent with the residential neighborhood.

## RECOMMENDATION

Staff's findings are that the proposed home occupation is not specifically permitted by City Code, closely resembles expressly prohibited uses, and would not meet the performance standards required by Code.

Agricultural production is a use permitted in the Agricultural Transition (A) and Light/Heavy Industrial (I-1, I-2) districts. It is prohibited in the Single Family Residential (R-1) district because it is inconsistent with the character of the neighborhood. This is evidenced by the proposal's inconsistency with performance standards.

Staff's findings support denying the permit.

*Respectfully Submitted,*

*Peter M. Bode*

*Planner/Code Enforcement Technician*

Attachments:      Permit application  
                         Aerial photo  
                         City Code  
                         Public notice

**CITY OF FAIRMONT**  
**Planning & Zoning**  
**Application Form**

**NOTE TO APPLICANT:** This is a comprehensive application form. Only those items related to your specific type of development are to be completed. All items applicable must be included prior to acceptance of the application.

Name of Applicant: Doug Abel Address: 625 W. Interlaken Phone#: 507-236-3129

Street Address of Proposal: 625 W. Interlaken Rd. Fairmont, MN.

Legal Description of Property: My Home (see attached)

Existing Use of Property: Live there

Proposed Use of Property: Finish Fur's

Type of Application	Fee	Submission Requirements (Attached)
<input type="checkbox"/> Appeal/Code Amendment	\$150.00	7
<input type="checkbox"/> Administrative Appeal	50.00	8
<input type="checkbox"/> Conditional Use Permit	150.00	4, 6(d-g)
<input checked="" type="checkbox"/> Home Occupation Permit	30.00	9
<input type="checkbox"/> Minor Plat	90.00	2(a), 5 (a-b)
<input type="checkbox"/> Planned Unit Development	150.00	1, 4, 6(d-g)
<input type="checkbox"/> Preliminary Plat	150.00	5 (b), 6
<input type="checkbox"/> Rezoning	150.00	1
<input type="checkbox"/> Variance	90.00	2,3

I HEREBY CERTIFY THAT THE INFORMATION AND EXHIBITS HERewith SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Douglas N. Abel  
 Owner's Name (Printed)

Douglas N. Abel  
 Owner's Signature

Douglas N. Abel  
 Applicant's Name (Printed)

Douglas N. Abel  
 Applicant's Signature

**City Staff Use Only**

DATE FILED: \_\_\_\_\_

DATE FEE PAID: \_\_\_\_\_

MEETING DATE: \_\_\_\_\_

NOTICES SENT (DATE): \_\_\_\_\_

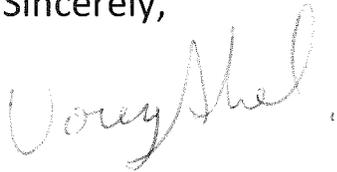
NOTIFICATION OF EXTENSION (LETTER SENT): \_\_\_\_\_

January 31, 2021

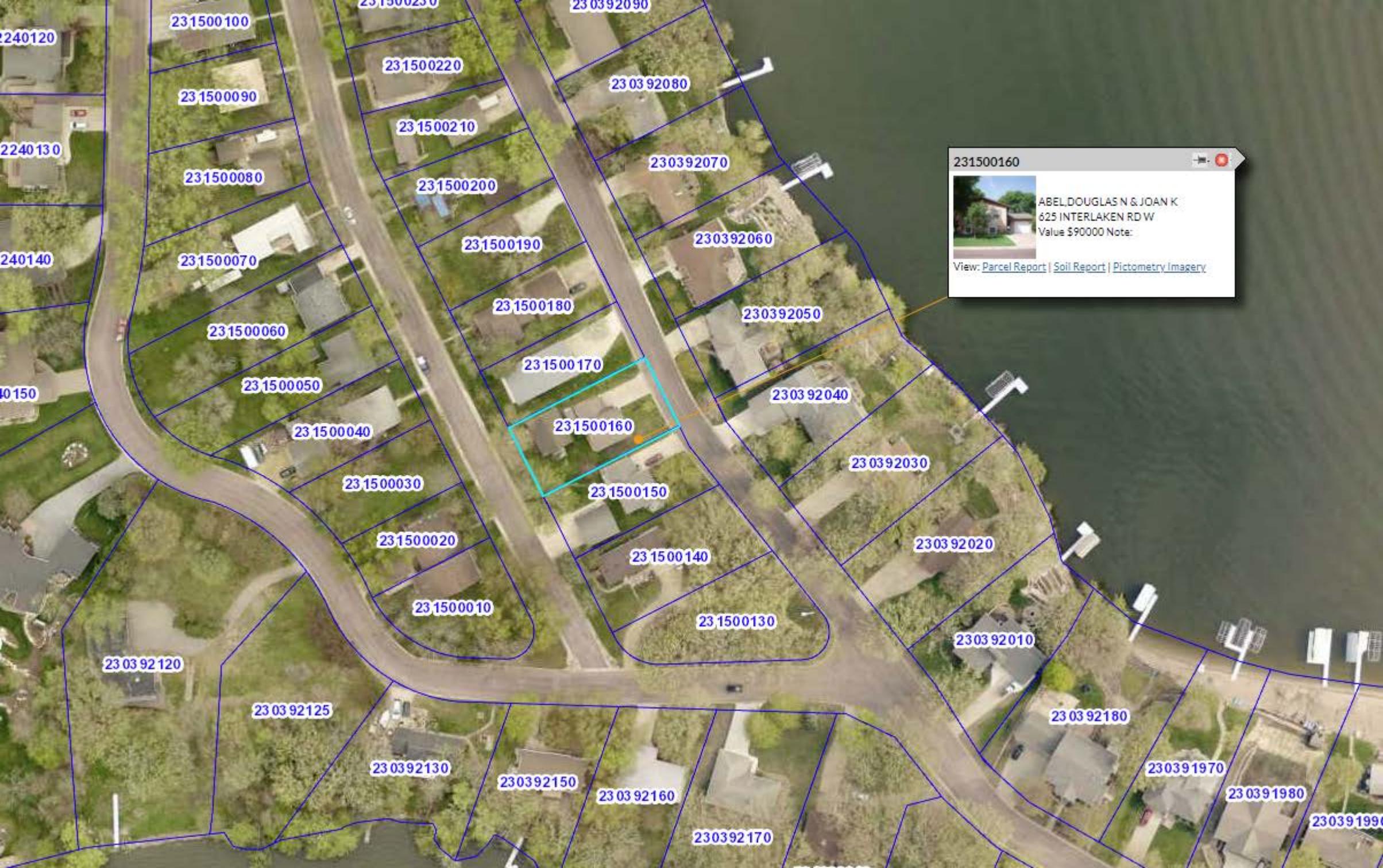
To whom it may concern:

I would like to finish furs of my own and some of my friends in my back garage. With the closing of our local fur buyer there is no other place to go. I will keep everything inside the garage and not have things outside to cause our neighbors' concern. The only thing seen outside will be furs coming into and going out of the garage. Thank you for understanding my situation. I will keep things looking good outside to eliminate any neighbors' complaints.

Sincerely,

A handwritten signature in cursive script that reads "Doug Abel".

Doug Abel



231500160



ABEL DOUGLAS N & JOAN K  
625 INTERLAKEN RD W  
Value \$90000 Note:

View: [Parcel Report](#) | [Soil Report](#) | [Pictometry Imagery](#)

2240120

231500100

231500220

230392080

231500090

231500210

230392070

2240130

231500080

231500200

230392060

240140

231500070

231500190

230392050

0150

231500060

231500180

231500170

230392040

231500050

231500040

231500160

230392030

231500150

231500030

231500020

231500140

230392020

231500010

231500130

230392010

230392120

230392125

230392180

230392130

230392150

230392160

230391970

230391980

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230391990

## DIVISION 1. - GENERALLY

## Sec. 26-701. - Generally.

The purpose of this article is to permit only those home occupations compatible with other permitted uses and with the residential character of neighborhoods. This article applies to home occupations.

(Ord. No. 86-4, § 7.10(A), 6-30-86)

## Sec. 26-702. - Existing home occupations.

Home occupations existing June 30, 1986, and authorized by previous issuance of a conditional use permit, shall apply for a home occupation permit. If those home occupations are able to conform with the performance standards listed in this section, they shall do so within six (6) months. Any conditional use permit, issued prior to June 30, 1986, for home occupations that meet the requirements of this section, including the performance standards set forth herein, shall thereafter be void. Any conditional use permit previously issued for a home occupation which is not permitted under the provisions of this chapter or cannot meet the performance standards set forth herein shall be allowed to continue. A violation of a permit condition shall void the permit and all proceedings shall be as set forth herein with respect to conditional use permits. No fee shall be charged in issuance of home occupation permits for authorized existing home occupations which meet the standards of this chapter.

(Ord. No. 86-4, § 7.10(F), 6-30-86; Ord. No. 87-10, 8-10-87)

## Sec. 26-703. - Permitted home occupations.

The following uses are permitted as home occupations subject to section 26-705:

- (1) Dressmakers, seamstresses and tailors.
- (2) Music, art or dancing teachers (limited to not more than five (5) students at any one (1) time).
- (3) Artists, sculptors, authors or composers.
- (4) Office facility of physicians, dentists or other licensed medical practitioners.
- (5) Office facility of lawyers, architects, engineers, realtors, insurance agents, brokers, salesmen and members of similar professions.
- (6) Office facility of ministers, rabbis, priests or members of religious orders.
- (7) Home crafts, such as model-making, rugweaving and lapidary work.
- (8) Barber or beauty shops.
- (9) Limited photo developing or processing.
- (10) Limited upholstery.

(11) Limited carpentry work.

(12) Any occupation which meets the performance standards contained in section 26-705, and is approved by the planning commission.

(Ord. No. 86-4, § 7.10(H), 6-30-86; Ord. No. 94-1, 2-28-94)

Sec. 26-704. - Prohibited home occupations.

The following home occupations shall not be permitted:

- (1) Animal hospitals or pet shops.
- (2) Clinics or hospitals.
- (3) Mortuaries.
- (4) Private clubs.
- (5) Renting of trailers.
- (6) Auto repair, major or minor.
- (7) Repair shops or service establishments, except the repair of nonmotorized bicycles, electrical appliances, typewriters, cameras or other similar small items.
- (8) Restaurants.
- (9) Stables or kennels.
- (10) Painting and restoration of vehicles, trailers or boats.
- (11) Retail sales.
- (12) Manufacturing.
- (13) Warehousing or on-site storage of goods for redistribution.

(Ord. No. 86-4, § 7.10(I), 6-30-86; Ord. No. 94-1, 2-28-94)

Sec. 26-705. - Performance standards.

- (a) No more than one (1) person other than a member of the immediate family occupying the dwelling shall be employed on the premises at any one (1) time.
- (b) Identification signs shall conform with provisions of article X.
- (c) In no way shall the appearance of the structure be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, advertising signs, or by the emission of sounds, odors, noises, vibrations, heat, glare or electrical disturbances.
- (d) Home occupations which require entrance of the general public shall comply with all applicable regulations of the Uniform Building and Fire Codes as adopted by the state.
- (e) Home occupations shall be an accessory use of the principal structure and shall not occupy more

than two (2) rooms within the building.

- (f) The use shall not create substantial traffic. More than twenty (20) vehicles coming to the dwelling unit for service or products during any one (1) day shall be considered substantial additional traffic. Any need for parking shall be met off the street and other than in a required front yard.
- (g) No home occupation shall cause an increase in sewer or water usage so that the combined total use for dwelling and home occupation purposes exceeds the normal range for residences in the city.
- (h) There shall be no storage or display of any kind connected with the home occupation visible from the outside of the dwelling unit.
  - (i) Any construction, alteration, electrical or mechanical equipment, or chemicals or materials, shall not change the fire rating of the structure or the fire district in which the structure is located.
  - (j) The operation of the home occupation shall begin no earlier than 6:00 a.m. and end no later than 10:00 p.m.
- (k) Home occupations shall not be permitted in any building containing three (3) or more dwelling units.
- (l) Discontinuance of a home occupation for more than a six-month period shall void the permit.
- (m) Any other standard deemed necessary by the zoning administrator to preserve the residential character of the neighborhood shall apply.

(Ord. No. 86-4, § 7.10(D), 6-30-86)

Secs. 26-706—26-725. - Reserved.



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**CITY OF FAIRMONT  
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Fairmont Planning Commission will meet at the City Hall Council Chambers, 100 Downtown Plaza, Fairmont, MN 56031 at 5:30 p.m. on Tuesday, March 2, 2021 to conduct a Public Hearing to review the following item:

Doug Abel  
625 W Interlaken Rd (Parcel ID 23.150.0160)  
Home Occupation Permit for a fur finishing business

Due to the ongoing local emergency surrounding the COVID-19 pandemic and Governor Walz' orders, the Council Chambers can accommodate up to 15 attendees. Members of the public wishing to provide public comments may attend in person or by calling **1-408-650-3123** and entering the access code **587-907-925** at the time of the meeting. Written comments can also be submitted to City of Fairmont, attention Patricia Monsen, 100 Downtown Plaza, Fairmont, MN 56031.

Patricia Monsen  
City Clerk  
(Published in Fairmont Photo Press on February 17, 2021)



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Patricia Monsen  
City Clerk

**You are receiving this notice by mail as a neighboring property owner who could be affected by the proposed request. You have the right to provide comment.**

507 INVESTMENTS LLC  
102 CEDAR BLUFF DR  
FAIRMONT, MN 56031

ABEL, DOUGLAS N & JOAN K  
625 INTERLAKEN RD W  
FAIRMONT, MN 56031

ANDERSON, MARK W PHD & SUSAN, SU  
636 INTERLAKEN RD  
FAIRMONT, MN 56031

BEECH, DOUGLAS M & NANETTE J  
109 SYLVAN DR  
FAIRMONT, MN 56031

BLOMSTER, LANCE E  
614 INTERLAKEN RD  
FAIRMONT, MN 56031

BLOMSTER, WILLIAM E & JOYCE A  
630 INTERLAKEN  
FAIRMONT, MN 56031

BLOMSTER, WILLIAM E  
630 INTERLAKEN  
FAIRMONT, MN 56031

BULOCK, GENE M & MICHELE T  
623 INTERLAKEN RD  
FAIRMONT, MN 56031

CONE, JAMES & RONDA, % JAMES & RO  
640 INTERLAKEN RD  
FAIRMONT, MN 56031

DOROW, ERVIN N & S K  
44 COTTAGE ST  
FAIRMONT, MN 56031

FERGUSON, ELAINE M  
41 COTTAGE ST  
FAIRMONT, MN 56031

FRANZEN, JAMES & ROCHELLE  
33 COTTAGE ST  
FAIRMONT, MN 56031

FRANZEN, JAMES G  
33 COTTAGE ST  
FAIRMONT, MN 56031

HARNER, DENISE L V & DAVID G  
4402 40TH AVE  
SWEA CITY, IA 50590

HOOPER, VALERIE B  
654 W INTERLAKEN RD  
FAIRMONT, MN 56031

JOHNSON, DAWN L  
36 COTTAGE ST  
FAIRMONT, MN 56031

JOHNSON, LYLE E  
39 COTTAGE ST  
FAIRMONT, MN 56031

KOTEWA, RUSSELL & AMY  
45 COTTAGE ST  
FAIRMONT, MN 56031

LB PROPERTIES  
132 SAILOR ST  
BLUE EARTH, MN 56013

MONTESANO, NATALIE L, ELIZABETH L M  
% CHRISTINE MONTESANO  
9656 E HORIZON DR  
SCOTTSDALE, AZ 85262

MORTENSEN, DONALD W & IVA LEE  
28 COTTAGE ST  
FAIRMONT, MN 56031

PERSSON, D CHARLES & JENNIFER M  
600 INTERLAKEN RD  
FAIRMONT, MN 56031

PETROWIAK, PATRICIA A  
560 W INTERLAKEN RD  
FAIRMONT, MN 56031

POETTER, JEFFREY J & DENISE C  
3270 HWY 13  
EAGAN, MN 55121

SCHEPPMANN, EUGENE DALE, SURVIVC  
2375 E TROPICANA AVE #B  
LAS VEGAS, NV 89119

SIEMS, ROBERT J  
48 COTTAGE ST  
FAIRMONT, MN 56031

SILVERTHORN, JANE R  
40 COTTAGE ST  
FAIRMONT, MN 56031

SMESTAD, GERALD W  
207 SYLVAN DR  
FAIRMONT, MN 56031

STERLING, STEVEN A & ADRIANA  
5401 ST ANDREWS CT  
PLANO, TX 75093

SURVIVOR'S TRUST OF CIRCLE S, CIRCL  
2375 E TROPICANA AVE #B  
LAS VEGAS, NV 89119

SWEET,BRYAN  
219 SYLVAN DR  
FAIRMONT, MN 56031

SWEET,MARY BETH  
219 SYLVAN DR  
FAIRMONT, MN 56031

WERNER,ADAM R  
47 COTTAGE ST  
FAIRMONT, MN 56031

WINTER,KENNETH R & JONI L  
648 INTERLAKEN RD  
FAIRMONT, MN 56031