

LE SUEUR COUNTY PLANNING COMMISSION
September 22, 2020

TO: LE SUEUR COUNTY BOARD OF COMMISSIONERS
FROM: LE SUEUR COUNTY PLANNING COMMISSION
SUBJECT: "REQUEST FOR ACTION"

The Planning Commission recommends your action on the following items:

ITEM #1: DUSTIN & ALISA SCHIPPER, CLEVELAND, MN, (APPLICANT\OWNER):
Request that the County grant an After-The-Fact Conditional Use Permit to allow grading, excavating, and filling of 298 cubic yards of material outside the shore impact zone and additional 107.1 cubic yards of material in the shore impact zone for the construction of a beach sand blanket, path, rip rap and grading an ice heave in a Shoreland Special Protection "SP" District, German Lake, a Recreational Development lake. Property is located in Government Lot 2, Section 33, Cordova Township.

Based on the information submitted by the applicant, as required by the Le Sueur County Zoning Ordinance, the Planning Commission developed the attached findings for this request:

Therefore, the Planning Commission recommends Approval of the application with the following conditions:

1. Brush removal within the Wetland should only be done with a chainsaw and brush cutter. No heavy equipment should be used to minimize the amount of disturbance that occurs within the wetland.
2. Plant a continuous deep rooted Minnesota native vegetation buffer within the proposed ice heave area that is to be graded and behind the proposed riprap project(s).
3. Plant deep rooted Minnesota native vegetation along the proposed access grading area to help filter runoff and erosion from the road.
4. The proposed walking path should not exceed 4 feet in width. The remaining grading that is needed for the proposed project should only occur to create a gradual slope in order to access the dock.

ITEM #2: LAUREN SATROM, CLEVELAND, MN, (APPLICANT\OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of 330 cubic yards of material for the construction of 3 retaining walls and to accommodate a walkout basement in a Shoreland Recreational Residential "RR" District, Lake Jefferson, Recreational Development lake. Property is located at Lots 31 & 32, Edgewater Terrace, Section 3, Cleveland Township.

Based on the information submitted by the applicant, as required by the Le Sueur County Zoning Ordinance, the Planning Commission developed the attached findings for this request:

Therefore, the Planning Commission recommends Approval of the application with the following conditions:

1. Implement a best management practice that will be able to withstand the amount of stormwater runoff that is a result from the proposed garage, foyer, and driveway. Examples of practices that can be implemented include but not limited to: berms, French drains, grassed waterways, rain gardens, and dry creek bed.

ACTION: ITEM #1: _____
ITEM #2: _____

DATE: _____

COUNTY ADMINISTRATOR'S SIGNATURE: _____

ITEM # 1 FINDINGS OF FACT

WHEREAS, DUSTIN & ALISA SCHIPPER, CLEVELAND, MN, (APPLICANT\OWNER) has applied for a Conditional Use Permit to allow grading, excavating, and filling of 298 cubic yards of material outside the shore impact zone and additional 107.1 cubic yards of material in the shore impact zone for the construction of a beach sand blanket, path, rip rap and grading an ice heave in a Shoreland Special Protection “SP” District, German Lake, a Recreational Development lake. Property is located in Government Lot 2, Section 33, Cordova Township.

WHEREAS, the Le Sueur County Planning Commission held on public hearing on September 10, 2020 in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

WHEREAS, the Le Sueur County Planning Commission, acting as an advisory board to the Le Sueur County Board of Commissioners recommends Approval of the application due to the following findings:

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
3. *Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
1. *The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance. **Need to do something for lakeshore properties or they are going to lose property due to high water and rain. Somethings should be implemented due to all the rain we are getting.***
6. *The Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

WHEREAS, On September 22, 2020, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners **APPROVED/DENIED** the Conditional Use Permit application as requested by **DUSTIN & ALISA SCHIPPER, CLEVELAND, MN, (APPLICANT\OWNER).**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the September 22, 2020 Le Sueur County Board of Commissioners meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
3. *Adequate utilities, access roads, drainage and other facilities have been or are being provided.*

4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
6. *The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance. **Need to do something for lakeshore properties or they are going to lose property due to high water and rain. Somethings should be implemented due to all the rain we are getting.***
7. *The Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, a Conditional Use Permit to allow grading, excavating, and filling of 298 cubic yards of material outside the shore impact zone and additional 107.1 cubic yards of material in the shore impact zone for the construction of a beach sand blanket, path, rip rap and grading an ice heave in a Shoreland Special Protection “SP” District, German Lake, a Recreational Development lake. Property is located in Government Lot 2, Section 33, Cordova Township, is APPROVED/DENIED.

ATTEST:

Steven Rohlring, Chairman, Le Sueur County Board of Commissioners

Darrell Pettis, Le Sueur County Administrator

DATE: _____

ITEM # 2 FINDINGS OF FACT

WHEREAS, LAUREN SATROM, CLEVELAND, MN, (APPLICANT\OWNER) has applied for a Conditional Use Permit to allow grading, excavating, and filling of 330 cubic yards of material for the construction of 3 retaining walls and to accommodate a walkout basement in a Shoreland Recreational Residential “RR” District, Lake Jefferson, Recreational Development lake. Property is located at Lots 31 & 32, Edgewater Terrace, Section 3, Cleveland Township..

WHEREAS, the Le Sueur County Planning Commission held on public hearing on September 10, 2020 in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

WHEREAS, the Le Sueur County Planning Commission, acting as an advisory board to the Le Sueur County Board of Commissioners recommends Approval of the application due to the following findings:

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
- 3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
- 4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
- 5. Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
- 6. The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
- 7. The Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

WHEREAS, On September 22, 2020, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners APPROVED/DENIED the Conditional Use Permit application as requested by **LAUREN SATROM, CLEVELAND, MN, (APPLICANT\OWNER)**.

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the September 22, 2020 Le Sueur County Board of Commissioners meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
- 3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
- 4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*

5. *Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
6. *The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
7. *The Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, a Conditional Use Permit to allow grading, excavating, and filling of 330 cubic yards of material for the construction of 3 retaining walls and to accommodate a walkout basement in a Shoreland Recreational Residential “RR” District, Lake Jefferson, Recreational Development lake. Property is located at Lots 31 & 32, Edgewater Terrace, Section 3, Cleveland Township., is APPROVED/DENIED.

ATTEST:

Steven Rohlfing, Chairman, Le Sueur County Board of Commissioners

Darrell Pettis, Le Sueur County Administrator

DATE: _____