

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: ZACK & RACHEL DIRKS, ST. PETER, MN (APPLICANT); BLAKE & JOELLEN DIRKS, ST. PETER, MN (OWNER): Request that the County grant a Conditional Use Permit to allow Grading, Excavating, and Filling of approximately 1,016 cubic yards and the construction of a retaining wall to accommodate a Walkout Single Family Dwelling. Property is located in the NE 1/4 of the SW 1/4, Section 2, Kasota 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 as written.

ACTION: ITEM #1: _____

DATE: _____

COUNTY ADMINISTRATOR'S SIGNATURE: _____

ITEM # 1 FINDINGS OF FACT

WHEREAS, ZACK & RACHEL DIRKS, ST. PETER, MN (APPLICANT); BLAKE & JOELLEN DIRKS, ST. PETER, MN (OWNER) has applied for a Conditional Use Permit to allow Grading, Excavating, and Filling of approximately 1,016 cubic yards and the construction of a retaining wall to accommodate a Walkout Single Family Dwelling. Property is located in the NE 1/4 of SW 1/4, Section 2, Kasota Township.

WHEREAS, the Le Sueur County Planning Commission held on public hearing on September 17, 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. **This property is a lot of record and buildable. Due to the fact that they are not moving dirt in the Bluff and Bluff Impact Zone.***
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 **ZACK & RACHEL DIRKS, ST. PETER, MN (APPLICANT); BLAKE & JOELLEN DIRKS, ST. PETER, MN (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. **This property is a lot of record and buildable. Due to the fact that they are not moving dirt in the Bluff and Bluff Impact Zone.***
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 approximately 1,016 cubic yards and the construction of a retaining wall to accommodate a Walkout Single Family Dwelling. Property is located in the NE 1/4 of SW 1/4, Section 2, Kasota Township, is APPROVED/DENIED.

ATTEST:

Steven Rohlfing, Chairman, Le Sueur County Board of Commissioners

Darrell Pettis, Le Sueur County Administrator

DATE: _____