

LE SUEUR COUNTY PLANNING COMMISSION
February 11, 2021

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: STEVE AND EILEEN BOEHM, EAGAN, MN, (APPLICANT): Request that the County grant a Conditional Use Permit to allow the applicant grading, excavating, and filling of 34 cubic yards of which 14 will be in the bluff/bluff impact zone and 20 will be in the shoreland/shore impact zone to remove retaining walls and restore the land to a more natural slope in a Recreational Residential "RR" Shoreland District, West Lake Jefferson a Recreational Development "RD" lake. Property is located at Lot 29, 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. Plant deep rooted Minnesota native vegetation within the proposed native planting restoration area.

ITEM #2: CLAY MILLER, WELLS, MN, (APPLICANT/OWNER): Request that the County grant a Conditional Use Permit allow for a home addition using stem wall construction in a Recreational Residential "RR" Shoreland District, Tetonka Lake a Recreational Development "RD" lake. Property is located at Lot 36, Tetonka Beach Subdivision, Section 24, Elysian 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: _____
 ITEM #2: _____

DATE: _____

COUNTY ADMINISTRATOR'S SIGNATURE: _____

ITEM # 1 FINDINGS OF FACT

WHEREAS, STEVE AND EILEEN BOEHM, EAGAN, MN (APPLICANT/OWNER) has applied for a Conditional Use Permit to allow the applicant grading, excavating, and filling of 34 cubic yards to remove retaining walls and restore the land to a more natural slope. Of the 34 cubic yards 14 cubic yards will be in the bluff/bluff impact zone and 20 will be in the shoreland/shore impact zone. Only 13 of the 34 cubic yards require County approval. Property is located in a Recreational Residential “RR” Shoreland District, West Lake Jefferson a Recreational Development “RD” lake.

WHEREAS, the Le Sueur County Planning Commission held on public hearing on February 11, 2021 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 February 23, 2021, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners APPROVED/DENIED the Conditional Use Permit application as requested by **STEVE & EILEEN BOEHM, EAGAN, MN (APPLICANT/OWNER)**.

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the February 23, 2021 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 the applicant grading, excavating, and filling of 34 cubic yards to remove retaining walls and restore the land to a more natural slope. Of the 34 cubic yards 14 cubic yards will be in the bluff/bluff impact zone and 20 will be in the shoreland/shore impact zone. Only 13 of the 34 cubic yards require County approval. Project is located in a Recreational Residential “RR” Shoreland District, West Lake Jefferson a Recreational Development “RD” lake, and is APPROVED/DENIED.

ATTEST:

Steven Rohlfing, Chairman, Le Sueur County Board of Commissioners

Darrell Pettis, Le Sueur County Administrator

DATE: _____

ITEM # 2 FINDINGS OF FACT

WHEREAS, CLAY MILLER, WELLS, MN (APPLIANT/OWNER) has applied for a Conditional Use Permit to allow for a home addition using stem wall construction in a Recreational Residential “RR” Shoreland District, Tetonka Lake a Recreational Development “RD” lake.

WHEREAS, the Le Sueur County Planning Commission held on public hearing on February 11, 2021 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 February 23, 2021, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners APPROVED/DENIED the Conditional Use Permit application as requested by **CLAY MILLER (APPLICANT/OWNER)**.

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the February 23, 2021 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 for a home addition using stem wall construction in a Recreational Residential “RR” Shoreland District, Tetonka Lake a Recreational Development “RD” lake, is APPROVED/DENIED.

ATTEST:

Steven Rohlfig, Chairman, Le Sueur County Board of Commissioners

Darrell Pettis, Le Sueur County Administrator

DATE: _____