

**LE SUEUR COUNTY PLANNING COMMISSION**  
**August 12, 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: TOM WETZELL, CLEVELAND, MN, (APPLICANT/OWNER):**

Request that the County grant an After-The-Fact Conditional Use Permit to allow grading, excavating, and filling of more than 10 cubic yards in the Shore Impact Zone and more than 50 cubic yards on a lot in a Recreational Residential "RR" Shoreland District of Lake Jefferson, a Recreational Development "RD" lake. The property is described as Lots 20 & 21 Edgewater Terrace, located in 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 as written.

**ITEM #2: TODD & KARI POTTINGER, WATERVILLE, MN, (APPLICANT/OWNER):**

Request that the County grant a Conditional Use Permit to allow the applicant to cut in the bluff for the construction of stairs in a Recreational Residential "RR" Shoreland District of Lake Tetonka, a Recreational Development "RD" Lake. The property is described as Lot 2 of the Hidden Hills CIC #24, located in Section 19, Waterville 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 SIGNATURE: \_\_\_\_\_

## ITEM # 1 FINDINGS OF FACT

**WHEREAS, TOM WETZELL** has applied for an After-the-Fact Conditional Use Permit to allow grading, excavating, and filling of more than 10 cubic yards in the Shore Impact Zone and more than 50 cubic yards on a lot in a Recreational Residential “RR” Shoreland District of Lake Jefferson, a Recreational Development “RD” lake. The property is described as Lots 20 & 21 Edgewater Terrace, located in Section 3, Cleveland Township.

**WHEREAS,** the Le Sueur County Planning Commission held a public hearing on August 12, 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 August 24, 2021, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners APPROVED/DENIED the Conditional Use Permit application as requested by **TOM WETZELL**.

**NOW, THEREFORE, IT IS HEREBY RESOLVED,** the following Findings of Fact were adopted at the August 24, 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 grading, excavating, and filling of more than 10 cubic yards in the Shore Impact Zone and more than 50 cubic yards on a lot in a Recreational Residential “RR” Shoreland District of Lake Jefferson, a Recreational Development “RD” lake. The property is described as Lots 20 & 21 Edgewater Terrace, located in Section 3, Cleveland Township, is APPROVED/DENIED.

ATTEST:

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Steven Rohlring, Chairman, Le Sueur County Board of Commissioners

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Joseph Martin, County Administrator

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

## ITEM # 2 FINDINGS OF FACT

**WHEREAS, TODD & KARI POTTINGER** have applied for a Conditional Use Permit to allow the applicant to cut in the bluff for the construction of stairs in a Recreational Residential “RR” Shoreland District of Lake Tetonka, a Recreational Development “RD” Lake. The property is described as Lot 2 of the Hidden Hills CIC #24, located in Section 19, Waterville Township.

**WHEREAS,** the Le Sueur County Planning Commission held a public hearing on August 12, 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 August 24, 2021, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners APPROVED/DENIED the Conditional Use Permit application as requested by **TODD & KARI POTTINGER**.

**NOW, THEREFORE, IT IS HEREBY RESOLVED,** the following Findings of Fact were adopted at the August 24, 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.*

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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 to cut in the bluff for the construction of stairs in a Recreational Residential “RR” Shoreland District of Lake Tetonka, a Recreational Development “RD” Lake. The property is described as Lot 2 of the Hidden Hills CIC #24, located in Section 19, Waterville Township, is APPROVED/DENIED.

ATTEST:

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Steven Rohlfig, Chairman, Le Sueur County Board of Commissioners

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Joseph Martin, County Administrator

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