

LE SUEUR COUNTY PLANNING COMMISSION
August 26, 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: TYLER & CASSIE FELL, NEW PRAGUE, MN, (APPLICANT) JOHN HOEFS, NEW PRAGUE, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to transfer the development right from the SE ¼ of the NW ¼ to the SW ¼ of the NW ¼ in the Special Protection "SP" Shoreland District of Mud Lake, a Natural Environment Lake. The property is located in part of the NW ¼ of Section 18, Lanesburgh 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 SIGNATURE: _____

ITEM # 1 FINDINGS OF FACT

WHEREAS, John Hoefs and Tyler & Cassie Fell have applied for a Conditional Use Permit to allow the transfer of a development right from the SE ¼ of the NW ¼ to the SW ¼ of the NW ¼ of Section 18, Lanesburgh Township.

WHEREAS, the Le Sueur County Planning Commission held a special public hearing on August 26, 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 September 7, 2021, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners **APPROVED/DENIED** the Conditional Use Permit application as requested by **JOHN HOEFS AND TYLER & CASSIE FELL.**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the September 7, 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 Transfer of a Development Right from the SE ¼ of the NW ¼ to the SW ¼ of the NW ¼ of Section 18, Lanesburgh Township, is **APPROVED/DENIED**.

ATTEST:

Steven Rohlring, Chairman, Le Sueur County Board of Commissioners

Joseph Martin, County Administrator

DATE: _____