

**LE SUEUR COUNTY PLANNING AND ZONING COMMISSION**  
**88 SOUTH PARK AVE.**  
**LE CENTER, MINNESOTA 56057**  
January 9, 2020

**MEMBERS PRESENT:** Don Reak, Doug Krenik, Jeanne Doheny, Shirley Katzenmeyer, Al Gehrke, Pam Tietz, Scott Vonlehe, Commissioner O'Keefe

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Joshua Mankowski

1. The meeting was called to order at 7:00 p.m. by Chairperson Jeanne Doheny.
2. Agenda. Motion to approve agenda was made by Doug Krenik. Second by Shirley Katzenmeyer. Approved.
3. Minutes from December 12, 2019 Meeting. Motion to approve minutes was made by Al Gehrke. Second by Scott Vonlehe. Approved.
4. Applications:

**ITEM #1: MIKE & LINDA FINLEY, JANESVILLE, MN, (APPLICANT/OWNER):** Request that the County grant an After-The-Fact Conditional Use Permit to allow the applicant grading, excavating and filling of approximately 123.35 cubic yards of material for the construction of retaining walls, pervious patio, and beach sand blanket in the shore impact zone and within the bluff in a Recreational Residential "RR" District and a Flood Fringe "FF" Floodplain Overlay District, on Lake Francis, a Recreational Development "RD" lake. Property is located in Government Lot 1, Section 34, Elysian Township.

Joshua Mankowski presented the PowerPoint presentation.

Wayne James (James Brothers Construction) and Linda Finley were present for the application.

TOWNSHIP Notified. Response: None.

DNR Notified. Response: None.

LETTERS: Holly Kalbus, Environmental Resources Specialist, stating her recommendation to table the application until outstanding concerns with the completed project are addressed.

PUBLIC COMMENT: Mike Scott stated that he lives three to four houses down from the property. There was a lot of erosion on the site and the project had enhanced the property.

Discussion was held regarding: Discussion was had about why the project was constructed differently than originally approved. Issues with runoff due to wet weather and that, once wall construction had begun, it was determined that increasing the wall height would be more desirable were discussed. The reason the applicant needed to apply for an After-The-Fact Conditional Use Permit was conversed. The differences between the originally approved design and finished product were talked about.

Findings by majority roll call vote:

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 be concerned with the quality and protection of the bluffs.***
7. *The Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

Motion was made by Don Reak to Approve the application. Conditions: Add native forbs to the rock area on each side of the project.

Seconded by Al Gehrke. Motion approved. Motion carried.

5. Discussion Items: We need to setup a time to continue Zoning Ordinance revisions.
6. Warrants/Claim-Signatures.
7. Motion to adjourn meeting by Don Reak. Second by Doug Krenik. Motion approved. Motion carried.

Respectfully submitted,

Joshua Mankowski

**APPROVED FEBRUARY 13, 2020**

***Tape of meeting is on file in the  
Le Sueur County Environmental Services Office***