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# **Le Sueur County, MN**

**Thursday, May 19, 2016**

**Regular Session**

## **Item 1**

**Brix**

Staff Contact: Kathy Brockway or Michelle Mettler

# VARIANCE STAFF REPORT

## GENERAL INFORMATION

APPLICANT/OWNER: RUSSELL BRIX

911 ADDRESS: 46077 Jefferson Lake Dr, Cleveland MN 56017

VARIANCE REQUEST: To allow the applicant to construct a 10 x 18 four-season porch & a 10 x 12 deck 47 feet from the Ordinary High Water Level (OHWL) & create impervious surface within the shore impact zone in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Jefferson.

VARIANCE NUMBER: 16042

PARCEL NUMBER: 01.600.0200

## SITE INFORMATION

LOCATION: Property is located at Lot 20, Jefferson Highlands, Section 2, Cleveland Township.

ZONING & PURPOSE: Recreational Residential

The intent of the Recreational Residential (RR) District is to preserve areas which have natural characteristics suitable for both passive and active recreational usage. Also, it is the intent of this district to manage areas suitable for residential development of varying types, including permanent and seasonal housing. Some non-residential uses with minimal impacts on residential uses are allowed if properly managed under conditional use procedures.

GOALS AND POLICIES: See enclosed Goals and Policies

GENERAL SITE DESCRIPTION: Shoreland, residential

ACCESS: Existing access off Jefferson Lake Road

LAKE: Lake Jefferson, Recreational Development Lake

RFPE: Regulatory Flood Protection Elevation: 1022.86 Lowest floor must meet RFPE.

## ATTACHMENTS

Application, Written Detail of Request, Survey, Surveyor Certification, Aerial photo, Letter from Joshua Mankowski, LSC Resource Specialist, Findings of Fact.

## STAFF FINDINGS

Staff findings per Le Sueur County Ordinance, the following findings have been developed for this request:

1. Variance:	Request:	Required:	Ordinance:	Page:
a. Structure to OHWL	47 feet	100 feet	Section 13.2, Subd 5. E 1.	13-45
b. * Impervious Surface within the Shore Impact Zone				

**\*SHORE IMPACT ZONE** - Land located between the ordinary high water level of public waters and a line parallel to it at a setback of fifty (50) percent of the structure setback.

2. **Refer to DNR Guidance Letters:**

- a. The Role of the Variances in Shoreland Management Ordinances pg. 9
  - b. Bluffs and Steep Slopes pg. 11
  - c. Limiting Impervious Surface pg. 15
  - d. Non-conforming Lots of Record in Shoreland Areas pg. 19
  - e. Structure Setback Requirements pg. 21
3. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official controls and are consistent with the comprehensive plan.
  4. A Variance may be granted only where the strict enforcement of the official controls will result in a **practical difficulty**.
  5. It is the responsibility of the applicant and/or landowner to prove evidence that a practical difficulty exists.
  6. A determination that a practical difficulty exists upon the consideration of the **findings of fact**.

<b>CONSIDERATIONS</b>
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The following shall be considered at the hearing:

1. There are special circumstances or conditions affecting the land, structures or use referred to in the Variance.
2. The granting of the application will not be a detriment to the public health, safety, and general welfare or injurious to property or improvements in the area adjacent to the property of the applicant/landowner.
3. Consider sewage treatment and water supply capabilities or constraints of the lot and shall deny the variance if adequate facilities cannot be provided.

<b>CONDITIONS</b>
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1. In granting any Variance, the Board of Adjustment may designate such conditions in connection that will secure substantially the objectives of the Ordinance, regulation or provision to which the application is granted.
2. Conditions must be directly related to and bear a rough proportionally to the impact created by the Variance.
3. *If approved*, construction must be completed prior to the Variance expiration, Section 22; Subdivision 7.
4. *If approved*, a **zoning permit** must be purchased prior to starting construction, Section 26.
5. **Extension** must be requested 30 days prior to Variance expiration, Section 22; Subdivision 7.

# VARIANCE FINDINGS OF FACT

Name of Applicant: RUSSELL BRIX

Variance # 16042

**Variance Request:** TO ALLOW THE APPLICANT TO CONSTRUCT A 10 X 18 4-SEASON PORCH & A 10 X 12 DECK 47' TO THE OHWL; CREATE IMPERVIOUS SURFACE WITHIN THE SIZ.

- A. No Variance may be granted that would allow any use that is prohibited in the Zoning District in which the subject property is located.
- B. Facts supporting the answer to each question must be documented below, and are hereby certified to be the Findings of Fact of the Board of Adjustment.
- C. A Variance may be granted only where the strict enforcement of the official control will result in a practical difficulty.
- D. It is the responsibility of the applicant / landowner to prove evidence that a practical difficulty exists.
- E. A determination that a practical difficulty exists upon the consideration of the following criteria.

Y N 1. Does the property owner propose to use the property in reasonable manner?

Explain \_\_\_\_\_

JM	JW	JD	CH	FC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Y N 2. Is the alleged practical difficulty unique to the property?

Explain \_\_\_\_\_

JM	JW	JD	CH	FC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Y N 3. Were the circumstances causing the practical difficulty created by someone other than the applicant / landowner?

Explain \_\_\_\_\_

JM	JW	JD	CH	FC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Y N 4. Will the issuance of the Variance maintain the essential character of the locality?

Explain \_\_\_\_\_

JM	JW	JD	CH	FC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Y N 5. Does the alleged practical difficulty involve more than economic considerations?

Explain \_\_\_\_\_

JM	JW	JD	CH	FC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

F. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official controls.

Y N 6. Is the Variance consistent with and supported by the statement of purposes, policies, goal and objectives in the Ordinance?

Explain \_\_\_\_\_

JM	JW	JD	CH	FC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Y N 7. Is the Variance consistent with the Comprehensive Plan?

Explain \_\_\_\_\_

JM	JW	JD	CH	FC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

G. IF ALL THE ANSWERS ARE "YES", THE CRITERIA FOR GRANTING THE VARIANCE HAVE BEEN MET.

( ) APPROVED

( ) DENIED

CONDITIONS: \_\_\_\_\_

Applicant response to conditions:

Agree ( )

Disagree ( )

Reasons: \_\_\_\_\_

Board of Adjustment Chairman

Date



# AERIAL PHOTO



NOT TO SCALE



# ***Le Sueur County Land Use Goals and Policies***

Le Sueur County will adopt and enforce the following land use goals and policies to enhance land use regulation efficiencies, use County resources to meet County residents' needs, and protect County residents' health, safety, and welfare.

**Goal 1: Le Sueur County contains some of the most productive agricultural soils in Minnesota and should adopt and enforce land use goals and policies that conserve and protect agricultural resources and uses.**

Policy: The County will protect the best of its agricultural land as a resource for long term agricultural use.

Policy: An adequate supply of healthy livestock is essential to the well being of Le Sueur County. The location of livestock feedlots and non-feedlot uses too close to one another can cause conflicts. An effort to combine local needs with state feedlot regulations will ensure local involvement in this issue, help provide minimal disruption to existing agricultural businesses, and help provide rules to protect the environment.

**Goal 2: Le Sueur County should adopt and enforce land use goals and policies that conserve and restore its natural resources, bring protections to the ecological systems of the natural environment, and prevent the premature development of natural resource areas.**

Policy: The County should continue its preservation of significant bluff areas and river valleys through its use of a Conservancy Zone.

Policy: Utilize shorelands on Recreational Development Lakes (RD) for housing, but with a focus on development design that protects the resource.

Policy: Preserve shorelands on Natural Environment Lakes (NE) and Tributary Rivers as open space or wildlife areas.

**Goal 3: Improve water quality in Le Sueur County.**

Policy: The County will undertake actions to help protect groundwater as well as surface water features.

**Goal 4: Le Sueur County should adopt and enforce land use goals and policies that provide a wide range of opportunity for Urban and Rural Housing Development.**

Policy: Le Sueur County should allow non-farm development to occur in agricultural areas, but with guidelines meant to reduce conflicts with agricultural operators.

**Goal 5: The County needs to establish closer land use planning efforts with its urbanized cities for reasons of economic efficiencies and to reduce conflicts and confusion.**

**LE SUEUR COUNTY ENVIRONMENTAL SERVICES  
88 SOUTH PARK AVE.  
LE CENTER, MINNESOTA 56057-1600**

Phone (507) 357-8540 (direct line)

Fax (507) 357-8541

Date: 05/09/2016

To: Le Sueur County Planning and Zoning Commission

From: Joshua Mankowski, Environmental Resources Specialist

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**Applicant:** Russell Brix

**Property owner:** Russell Brix

**Property:** 01.600.0200

**Description:**

Requests that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to construct a 10 x 18 four-season porch and a 10 x 12 deck 47 feet from the Ordinary High Water Level (OHWL) and create impervious surface within the Shore impact Zone (SIZ).

**Recommendation:**

**Porch:**

It is recommended that this application should be approved with the condition that the applicant/owner work with the Environmental Resource Specialist (ERS) to install an approved BMP to mitigate the impervious surface in the SIZ created by the porch. This can entail but is not limited to a rain barrel or small rain garden.

**Deck:**

As for the installation of the new deck, there is no practical difficulty for installing the structure within the SIZ. This is not part of the original structure and will creating addition impervious surface within the SIZ. The applicant should resize the deck to comply with the Le Sueur Count Zoning Ordinance.

**Condition(s):**

If the application is approved as is, I would recommend the condition be applied stating that the applicant/owner work with the Environmental Resource Specialist to install an approved BMP to mitigate the impact to the lake of installing impervious surface within the SIZ. This could entail but is not limited to the installation of a medium sized rain garden, conducting a shoreline restoration or other practice so approved by the Environmental Resource Specialist.

Sincerely,



Joshua Mankowski  
Le Sueur County  
Environmental Resources Specialist



# Variance Application

## I. Applicant:

Name Russell Brix  
Mailing Address 46077 Jefferson Lake DR.  
City Cleveland State MN. Zip 56017  
Phone # 507-340-4329 Phone # \_\_\_\_\_

## II. Landowner:

Name Russell Brix  
Property Address 46077 Jefferson Lake DR.  
City Cleveland State MN. Zip 56017  
Phone # 507-340-4329 Phone # \_\_\_\_\_

## III. Parcel Information:

Parcel Number 01.6000.0200 Parcel Acreage ✓  
Township Cleveland Section \_\_\_\_\_  
Subdivision Jefferson Highlands Lot 20 Block \_\_\_\_\_

Full Legal Description must be attached.

(Full legal description can be found on deed, not abbreviated legal description from tax statement).

## IV. Variance Request: List requested alternative to development standard(s).

Remove old screened in deck and install a 4-season porch and deck, 47 feet to the lake.

## V. Description of Request:

a. A full written description of the proposed variance request with detailed information must be attached.

## VI. Township Notification:

Township must be notified prior to application. (County Commissioners are not the Township Board.)

Cleveland Township notified on 4/14/16  
(Township Name) (Date)

Board Member Susan Ely regarding the proposed request.  
(Name)

## VII. Site Plan - Shall be a Certificate of Survey to include, but not limited to:

- North point
- Lakes
- Well
- Access
- Setbacks
- Rivers
- Septic System
- Easements
- Property lines
- Wetlands
- Proposed Structures
- Road Right-Of-Way
- Streams
- Existing structures - *Within and adjacent to project area.*
- Lot Dimensions
- Ponds
- Location of trees to be removed - *Shoreland Districts.*

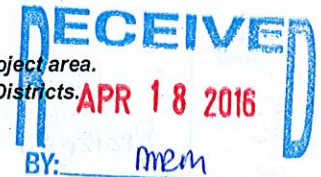
### • Impervious Surface

- Required for *Shoreland, Business, & Industrial Districts.*
- Itemized current & proposed impervious surfaces to include total percentages.
- Examples include but are not limited to: *rooftops, sidewalks, patios, decks, driveways, parking lots, storage areas and concrete, asphalt, or gravel roads, or tightly compacted soils.*

\*Site shall be physically staked, then surveyed.

\*Stakes shall be in place at the time of onsite visit/meeting, or the application will be tabled.

\*Stakes must remain in place until construction commences.





# VIII. Practical Difficulty:

- a. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official controls and are consistent with the comprehensive plan.
- b. A Variance may be granted only where the strict enforcement of the official control will result in a practical difficulty.
- c. It is the responsibility of the applicant and/or landowner to prove evidence that a practical difficulty exists.
- d. A determination that a practical difficulty exists upon the consideration of the following criteria:

1. Describe how the Variance request is reasonable compared to the ordinance requirements being varied from.

THE 4-SEASON PORCH AND DECK WOULD NOT BE ANY CLOSER TO THE LAKE THEN THE EXISTING WAS. THE OLD DECK WAS IN UNSAFE SHAPE.

2. What are the unique circumstances of this property that prevent compliance with the Zoning Ordinance that will result in a practical difficulty?

THE HOUSE IS BUILT TOO CLOSE TO THE LAKE. 4-SEASON PORCH AND DECK WOULD BE TOO CLOSE TO THE LAKE ACCORDING TO THE SETBACKS.

3. Describe how the unique circumstances causing the practical difficulty were created by someone other than the applicant/landowner.

N/A

4. How will the request maintain the essential character of the locality?

THE OLD SCREENED IN DECK WAS IN BAD SHAPE. THE NEW 4-SEASON PORCH AND DECK WILL MATCH THE HOUSE SIDING. THE 4-SEASON PORCH WITH AND DECK WOULD BE LIKE OTHER HOUSES IN AREA.

5. Does the alleged practical difficulty involve more than economic considerations?

NO

6. Is the request consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?

YES

7. Describe how the request is consistent with the Comprehensive Land Use Plan.

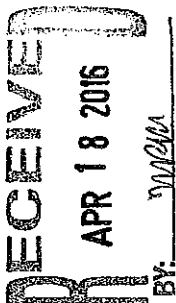
NEW 4-SEASON PORCH AND DECK WILL NOT BE ANY CLOSER TO THE LAKE.

8. Describe the properties current, and any proposed, onsite sewage treatment and water capabilities.

PROPERTY WILL HAVE NEW SEPTIC SYSTEM INSTALLED BY DECEMBER 2017.

9. Explain why this request is the minimum variance amount to afford relief.

WITHOUT THE VARIANCE I WOULD NOT BE ABLE TO ENJOY THE VIEW OF THE LAKE FROM THE DECK OR 4-SEASON PORCH. I CANNOT PUT THE 4-SEASON PORCH IN BACK TOWARDS ROAD BECAUSE THERE IS NO DRIVEWAY AND THE SEPTIC SYSTEM IS BACK THERE.



**IX. Attachments shall include but not limited to:**

- |                                                                 |                                                                                                 |
|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> a. Site Plan- <b>survey</b> | <input checked="" type="checkbox"/> e. Floor plans and/or blue prints ( <i>For structures</i> ) |
| <input checked="" type="checkbox"/> b. Surveyor Certification   | <input checked="" type="checkbox"/> f. Septic System Compliance Inspection                      |
| <input checked="" type="checkbox"/> c. Access approval          | <input checked="" type="checkbox"/> g. Erosion control plan                                     |
| <input type="checkbox"/> d. Full legal description              | <input checked="" type="checkbox"/> h. Description of request                                   |

*The Department may request additional information regarding the application.*

**X. Quantities and Submittal Formats:**

- One (1) reproducible copy of the request and all other supporting documents.
- Ten (10)** copies must be submitted for documents larger than 11 x 17, documents in color, aeriels or photographs.
- Electronic version of any supporting documents if available.
- Additional copies may be requested as deemed necessary by the Department.

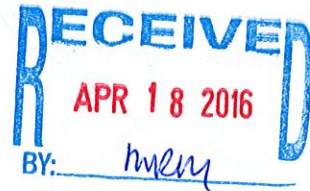
**XI. Fees:**

Variance: \$ 600  
Filing Fee: \$ 46

Variance for Clusters: \$ 600 + \$200 per household  
Filing Fee: \$ 46

**Additional Fees:**

Special Meeting: \$1,200  
After-The-Fact meeting fee: Doubled + After-The-Fact Penalty.  
After-The-Fact Penalty: \$1,500 OR 10% of the improvement, whichever is greater.



***Fees must be paid at the time of application, cannot be accepted by mail, and are non-refundable. Cash or check. Credit cards will not be accepted.***

**XII. Procedure:** See Section 22 of the Zoning Ordinance for full details.

- Pre-application meeting is recommended prior to making application to ensure submittal completion. **Appointment is necessary.**
- Application must be made in person by the applicant and/or landowner prior to 12 P.M. on the date of application deadline. **Appointment is necessary.**
- All required information must be correct and submitted **at the time of application,** or the application will not be accepted.
- Fees **will not** be accepted by mail and must be paid at the time of application.
- Notification will be sent to all landowners within 500 feet of the affected property, (minimum of 10 landowners) as well as the affected Town Board, any municipality within 2 miles, and other applicable agencies.
- Notice will be published in the newspaper of general circulation in the area concerned and the official newspaper of the County.

- g. The Board of Adjustment may conduct an onsite visit to the affected property prior to the scheduled meeting. Any conversation with the Board of Adjustment during the onsite visit is prohibited.
- h. The Board of Adjustment shall hold a public hearing on the proposed Variance at a scheduled Board of Adjustment meeting.
- i. The applicant or representative must appear before the Board of Adjustment in order to answer questions concerning the request, or the application will be tabled.
- j. The Board of Adjustment has the authority to request additional information or designate conditions.
- k. The Board of Adjustment has the authority to determine Variance approval or denial. No Variance may be granted that allow any use that is prohibited in the Zoning District in which the property is located.
- l. The Department shall notify the applicant and/or landowner in writing of the Board of Adjustment decision.
- m. The Department will file a certified copy of any order or decision issued by the Board of Adjustment with the County Recorder.
- n. A zoning permit is required prior to starting construction however zoning permits will not be available the day of the Board of Adjustment meeting. Zoning permit application must be approved prior to obtaining a zoning permit.

### XIII. Signatures:

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

[Signature]  
Applicant signature

4/18/16  
Date

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

[Signature]  
Landowner signature

4/18/16  
Date

#### OFFICE USE ONLY

Date received <u>4-18-16</u>	Present Zoning Classification <u>RR</u>	Feedlot within 500' <u>1000'</u> <u>(N)</u>
Meeting date <u>3-19-16</u>	Lake Classification <u>RD</u>	Erosion Control Plan <u>(Y)</u> <u>N</u>
60 Day <u>6-17-16</u>	Lake <u>Jefferson</u>	Water courses <u>Y</u> <u>(N)</u>
RFPE <u>1022.86</u>	FEMA Panel # <u>2707900</u>	Bluff <u>Y</u> <u>(N)</u>
<input checked="" type="checkbox"/> Site Plan -survey	Flood Zone <u>outside</u>	Other _____
<input checked="" type="checkbox"/> Surveyor Certificate	<input checked="" type="checkbox"/> Full legal description	<input checked="" type="checkbox"/> Septic <u>10/22/15</u>
<input checked="" type="checkbox"/> Floor plans/blue prints	<input type="checkbox"/> Access approval	COC <u>NONC/Waiver</u> Design
<input checked="" type="checkbox"/> Description of Request	<input type="checkbox"/> Blue Prints	<input checked="" type="checkbox"/> Fee \$ <u>646</u>
<input type="checkbox"/> Application complete	<u>Michelle R. Mott</u> Planning & Zoning Department Signature	ATF / SPEC MTG <u>16042</u>
		Date <u>4-18-16</u> Permit # _____

01-15-16

RECEIVED  
APR 18 2016  
BY: miRm



Russell Brix

46077 Jefferson Lake Drive

Cleveland, Mn. 56017

I needed to remove the old covered deck because of safety reasons. The deck boards were getting rotten and the roof was sagging real bad. My plan is to build a new 18 x 10 four season porch and a 12 x 10 deck to the side of the four season porch. I will not be going any closer to the lake then the existing covered deck was.

Thanks!

Russell Brix/ *Russell Brix*



## Surveyor Certification

I. Applicant:  
Name JOHN VEROEVEN

II. Landowner:  
Name RUSSELL D BRIK  
Property Address 46077 JEFFERSON DRIVE  
City CLEVELAND State MN Zip 56017

III. Parcel Information:  
Parcel Number 01.600.0200

IV. Site Plan - Shall be a Certificate of Survey to include, but not limited to:

- North point
- Setbacks
- Property lines
- Road Right-Of-Way
- Lot Dimensions
- Lakes
- Rivers
- Wetlands
- Streams
- Ponds
- Well
- Septic System
- Proposed Structures
- Existing structures - *Within and adjacent to project area.*
- Location of trees to be removed - *Shoreland Districts*
- Access
- Easements
- Impervious Surface
  - Required for *Shoreland, Business, & Industrial Districts.*
  - Itemized current & proposed impervious surfaces to include total percentages.
  - Examples include but are not limited to: *rooftops, sidewalks, patios, decks, driveways, parking lots, storage areas and concrete, asphalt, or gravel roads, or tightly compacted soils.*

\*Site shall be physically staked, *then* surveyed.

\*Stakes shall be in place at the time of onsite visit/meeting, or the application will be tabled.

\*Stakes must remain in place until construction commences.



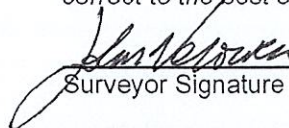
V. Quantities and Submittal Formats:

- a. One (1) reproducible copy of the request and all other supporting documents.
- b. Ten (10) copies must be submitted for documents larger than 11 x 17, documents in color, aerials or photographs.
- c. Electronic version of any supporting documents if available.
- d. Pre-application meeting is recommended prior to making application to ensure submittal completion. Appointment is necessary.
- e. Application must be made in person by the applicant and/or landowner prior to 12 P.M. on the date of application deadline. Appointment is necessary.
- f. All required information must be correct and submitted at the time of application, or the application will not be accepted.

VI. Signatures:

The proposed improvements have been physically staked onsite then surveyed on 04/11/2016, to reflect an accurate account of current and proposed conditions of the property identified above.

*I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.*

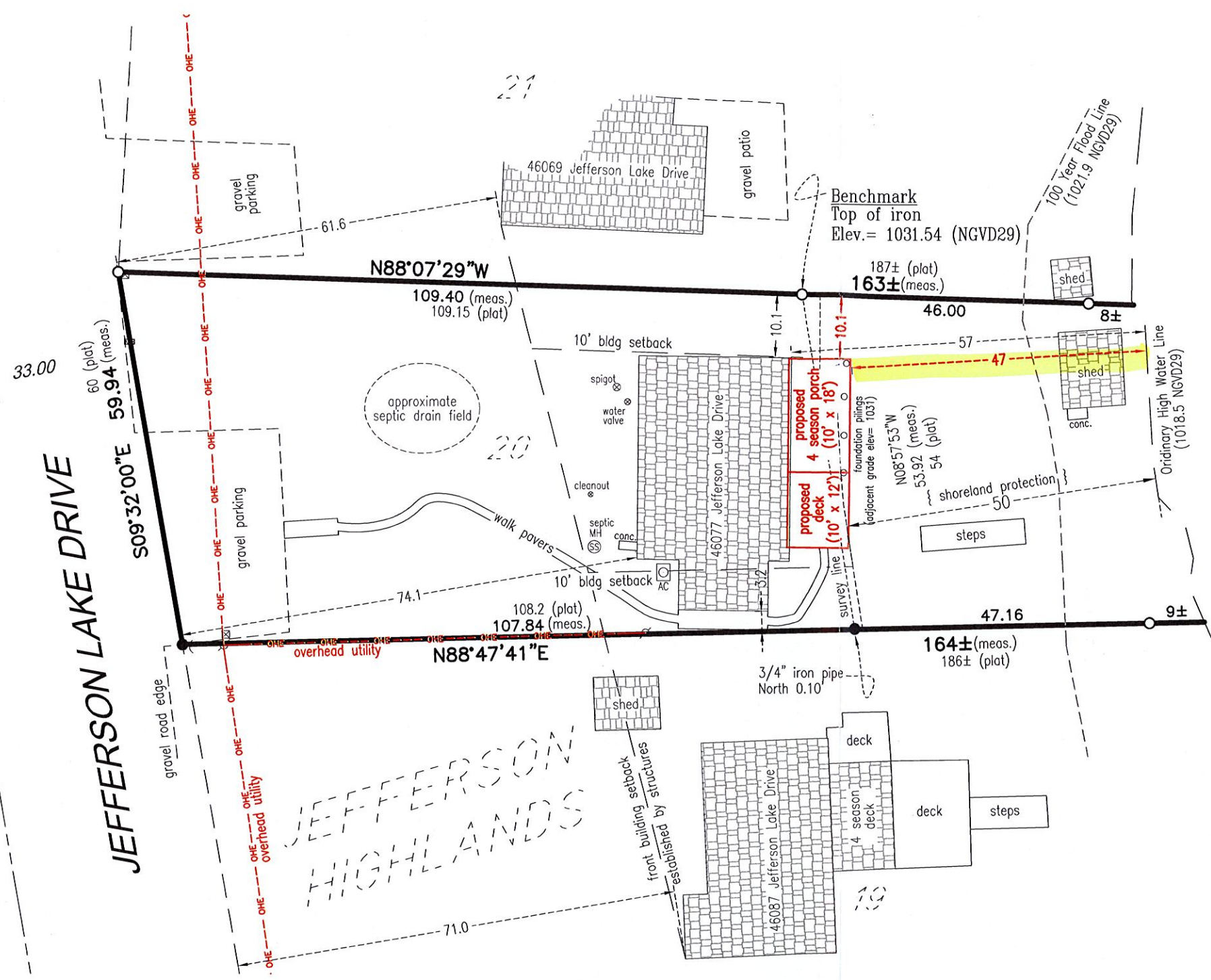
 Surveyor Signature      04/13/2016 Date      41820 Lic #

OFFICE USE ONLY

4-13-16  
Date Received

  
Planning & Zoning Department Signature





AREA COMPUTATION  
Existing parcel ( 8880.8 sqft )  
Allowed 25% Impervious Surface (2220.2 sqft)

Existing House: 901.1 sqft  
Existing Shed: 121.6 sqft  
Gravel Parking: 638.2 sqft  
Existing Walk/Concrete/Steps: 245.8 sqft  
Proposed Deck: 120.0 sqft  
Proposed 4 Season: 180.0 sqft  
Total Impervious: 2206.7 sqft  
2206.7 / 8880.8 = 24.8%

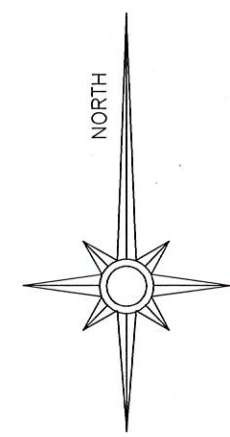
LEGEND

- . . . . INDICATES FOUND IRON MONUMENT
- . . . . INDICATES 1/2" DIA. 18" LONG SOLID IRON MONUMENT SET WITH PLASTIC CAP MARKED PRAIRIE, LS 41820

20 0 20  
SCALE IN FEET

NOTE:  
Property has a benefit of a shared well agreement record Document No. 244704. Well is located and maintained on Lot 29, Jefferson Highlands, address 45991 Jefferson Lake Drive, Cleveland, MN.

The proposed 4 season porch is being constructed in the approximate location of previously deteriorate structure.



Lake Jefferson  
Water Elevation 04/10/2016 = 1018.4 (NGVD29)

RECEIVED  
APR 13 2016  
BY: mkm

CERTIFICATE OF SURVEY  
RUSSEL D. BRIX

46077 Jefferson Lake Dr., Cleveland, MN 56017  
Lot 20, Jefferson Highlands, Le Sueur Cnty, MN  
Record Deed Document No. 401974

FIELD BOOK: JLV  
CRD FILE: 1455 Brix JOB No: 16-1455  
FILING: Le Sueur County, NW/4 Section 2-109-25  
REV. DATES:

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

John Veroyen  
DATE: 04-13-2016

LICENSE NO. 41820

Prairie Land Surveying

- Boundary
  - Construction
  - Subdivisions
  - ALTA
  - Topographic
- 1047 East Main Street  
Mankato, MN 56001  
jveroyen@charter.net  
(507) 469-5997  
PrairieLandSurveying.com

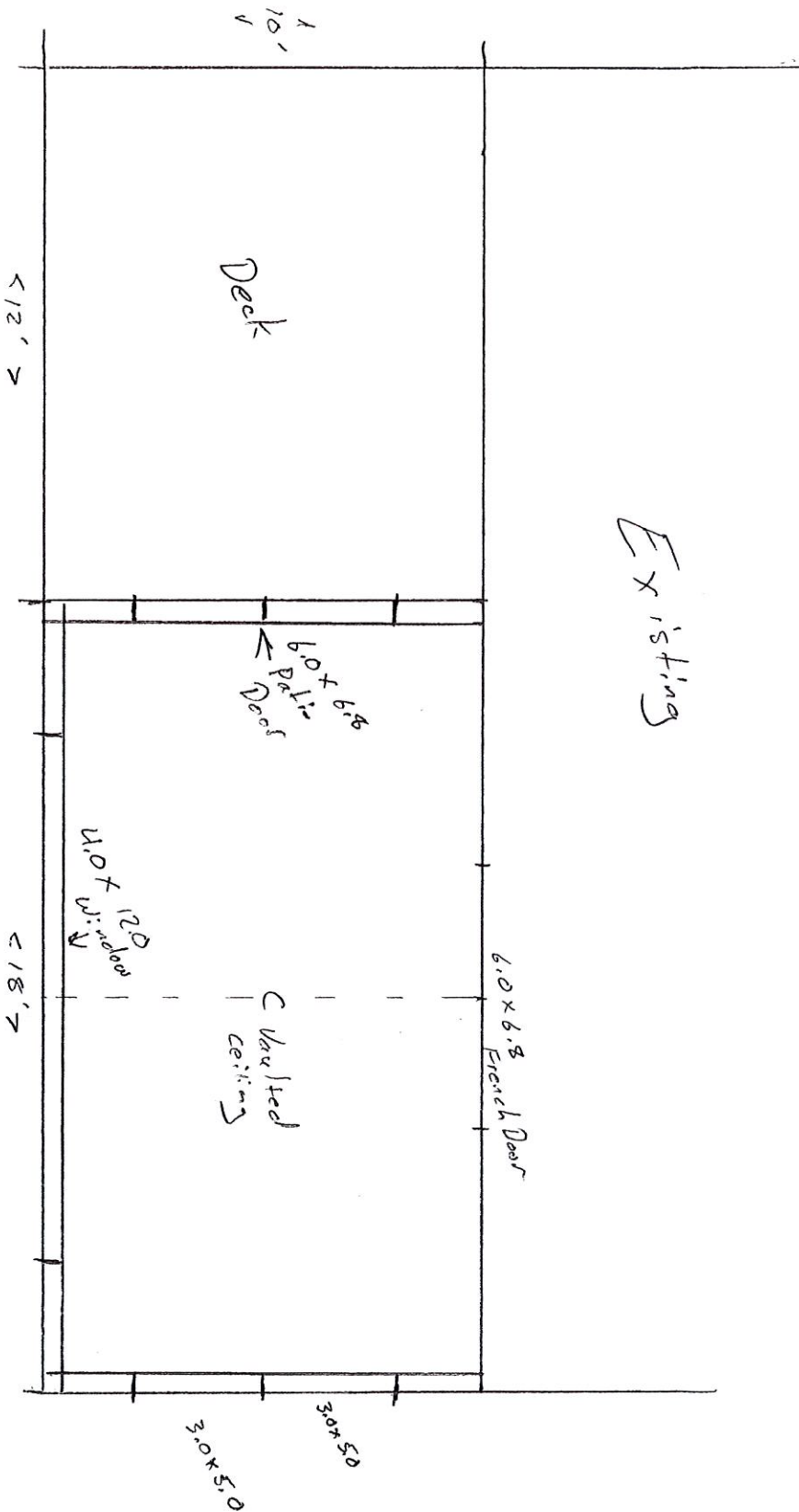


Reliable, On-Time Surveys.



Russell Brix  
46077 Jefferson Lake Dr

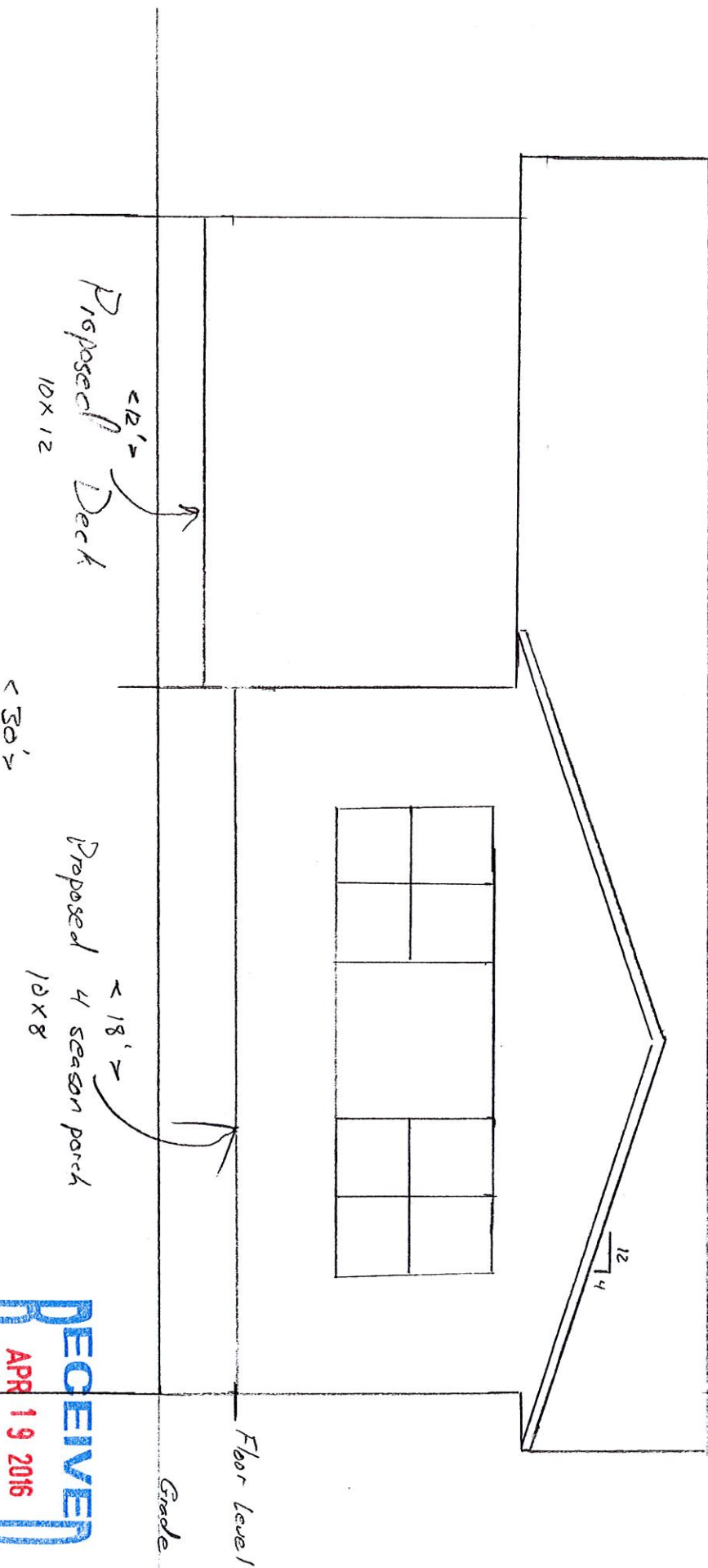
Scale  $\frac{1}{4}'' = 1'$  Floor Plan



RECEIVED  
APR 19 2016  
BY: mjm

Russell Brix  
46077 Jefferson Lake Dr.

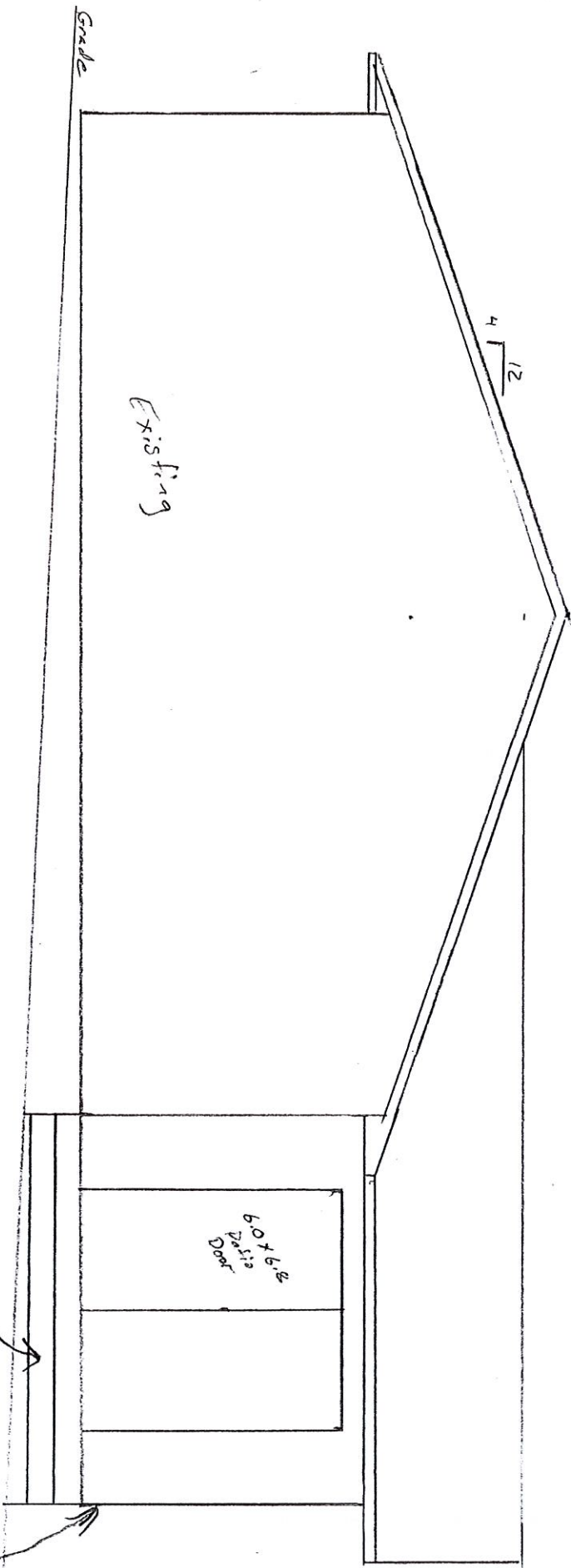
Scale 1/4" = 1' East Elevation



RECEIVED  
APR 19 2016  
BY: mkm

Russell Brix  
46077 Jefferson Lake Dr

Scale 1/4" = 1' South Elevation



RECEIVED  
APR 19 2016  
BY: m2m



**LE SUEUR COUNTY ENVIRONMENTAL SERVICES**  
**88 SOUTH PARK AVE.**  
**LE CENTER, MINNESOTA 56057-1620**  
**(507) 357-2251**  
**FAX (507) 357-8541**

**Erosion and Sediment Control Plan**

Goal: To control erosion and prevent sediment and other pollutants from entering the lakes, streams, wetlands, and storm drain systems during construction.

Property Owner: Russell Brix PID: \_\_\_\_\_  
Mailing Address: 46077 Jefferson Lake DR.  
Property Address: 46077 Jefferson Lake DR.  
Phone: (\_\_\_\_) \_\_\_\_\_ Mobile/Cell: (507) 340-4329

Responsible party for Implementation/Inspection: Russell Brix  
Address: 46077 Jefferson Lake DR.  
Phone: (\_\_\_\_) \_\_\_\_\_ Mobile/Cell: (507) 340-4329

**Erosion & Sediment Control Measures**

1. Maintain existing vegetation whenever possible and minimize the area of disturbance. Retain and protect trees to enhance future landscaping efforts and to reduce raindrop impact. (Vegetation is the best and most cost-effective erosion control practice).
2. Install all erosion and sediment control practices prior to any soil disturbing activities, when applicable.
3. Phase construction activities to minimize the areas disturbed at one time. This will also allow completed areas to be stabilized and re-vegetated before disturbing adjacent sites.
4. Maintain and protect all natural waterways. Retain at least a 20-foot wide strip of natural vegetation along all waterways to filter out sediment and other pollutants.
5. Minimize the use of impermeable surfaces such as roofs, driveways, parking lots and roads. The Environmental Resources staff must approve all storm water runoff plans.
6. Use rock rip-rap at both the outlet and inlet ends of culverts to prevent scour erosion.
7. Limit construction equipment to designated areas to control soil compaction.
8. Install silt fence on the down-slope perimeter of all disturbed areas according to the attached installation instructions. Sensitive areas such as wetlands, drainage swales and shoreland areas should also be protected with silt fence.
9. Install straw bale checks or rock check dams in areas of concentrated flow .
10. Cover any stockpiled topsoil with plastic or other impervious covering. Use stockpiled topsoil as earthen berms to serve as temporary sediment basins.



11. Mulch all disturbed areas at the rate of one 50-pound bale of straw per 500 square feet. On slopes 4:1 or steeper use the following erosion control blankets that have been pinned to the slope according to the manufacturer's instructions:

2:1 slopes or steeper	Straw/Coconut Blanket or High Velocity Wood Blanket
3:1 slopes or steeper	Wood or Straw Blanket with net on both sides
4:1 slopes or steeper	Wood or Straw Mulch blanket with net on one side
Flat areas	Straw Mulch w/disc anchoring

12. Seed all disturbed areas within seven days of final grading and temporary seed/mulch all areas that will be left inactive for more than seven days. Do not seed later than September 1<sup>st</sup>. Areas that need to be seeded after this date should be dormant seeded in late October or early November. See the attached instruction sheet for recommended mixtures and rates. The use of native plant materials, including trees and shrubs, is encouraged. Native species will provide good vegetative cover that is adapted to our soils and climate.
13. Apply fertilizer according to soil test recommendations.
14. Install water bars on access roads to prevent concentrated water from flowing down the road and eroding gravel.
15. Attach a site map showing the location of all erosion control practices, property lines, roads, lakes, watercourses, wetlands, on-site systems and building locations.

Note: To reduce mud transported onto paved roads, a rock construction entrance may be required. This will require a six-inch layer of 1-2 inch diameter washed rock a minimum of 50 feet in length.

#### Inspection and Maintenance

16. Inspect the construction site every 7 days and within 24 hours after every rain event to ensure the practices are working properly (i.e. silt fences, water bars).
17. Clean out the silt fences when they are 1/3 full of sediment or replace with functional silt fences within 24 hours.
18. Clean out sediment basins on a regular basis to maintain capacity.

I agree to install, inspect and maintain the above practices to accomplish the goal of preventing erosion.

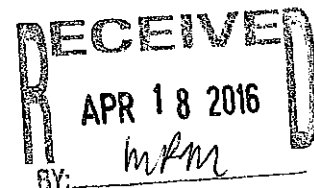
Harold Brix  
(Property Owner)

4/18/16  
(Date)

Harold Brix  
(Person Responsible for Implementation)

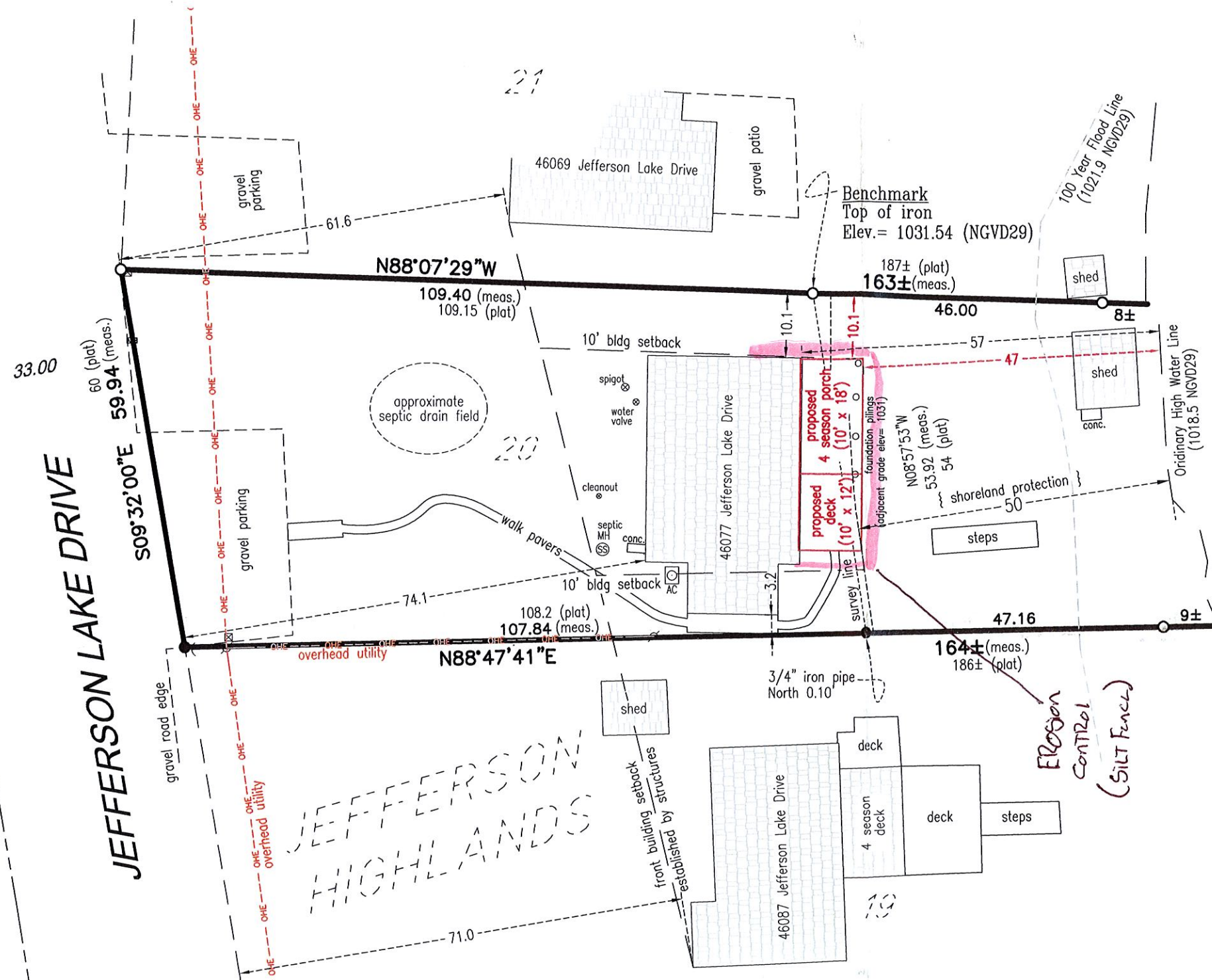
4/18/16  
(Date)

If you have any questions, please contact Environmental Services, at 507-357-8538.





JEFFERSON LAKE DRIVE



AREA COMPUTATION

Existing parcel ( 8880.8 sqft )  
Allowed 25% Impervious Surface (2220.2 sqft)

Existing House: 901.1 sqft  
Existing Shed: 121.6 sqft  
Gravel Parking: 638.2 sqft  
Existing Walk/Concrete/Steps: 245.8 sqft  
Proposed Deck: 120.0 sqft  
Proposed 4 Season: 180.0 sqft  
Total Impervious: 2206.7 sqft  
2206.7 / 8880.8 = 24.8%

LEGEND

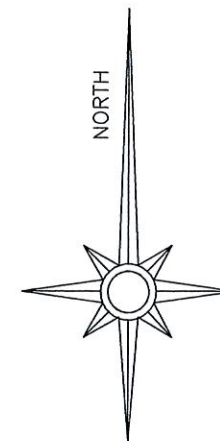
- . . . . INDICATES FOUND IRON MONUMENT
- . . . . INDICATES 1/2" DIA. 18" LONG SOLID IRON MONUMENT SET WITH PLASTIC CAP MARKED PRAIRIE, LS 41820



NOTE:

Property has a benefit of a shared well agreement record Document No. 244704. Well is located and maintained on Lot 29, Jefferson Highlands, address 45991 Jefferson Lake Drive, Cleveland, MN.

The proposed 4 season porch is being constructed in the approximate location of previously deteriorate structure.



Lake Jefferson  
Water Elevation 04/10/2016 = 1018.4 (NGVD29)

RECEIVED  
APR 18 2016  
BY: mkn

CERTIFICATE OF SURVEY

RUSSELL D. BRIX

46077 Jefferson Lake Dr., Cleveland, MN 56017  
Lot 20, Jefferson Highlands, Le Sueur Cnty, MN  
Record Deed Document No. 401974

FIELD BOOK: PLS DRAFTER: JDV  
CRD FILE: 1455 Brix JOB No: 16-1455  
FILING: Le Sueur County, NW/4 Section 2-109-25  
REV. DATES:

Prairie Land Surveying

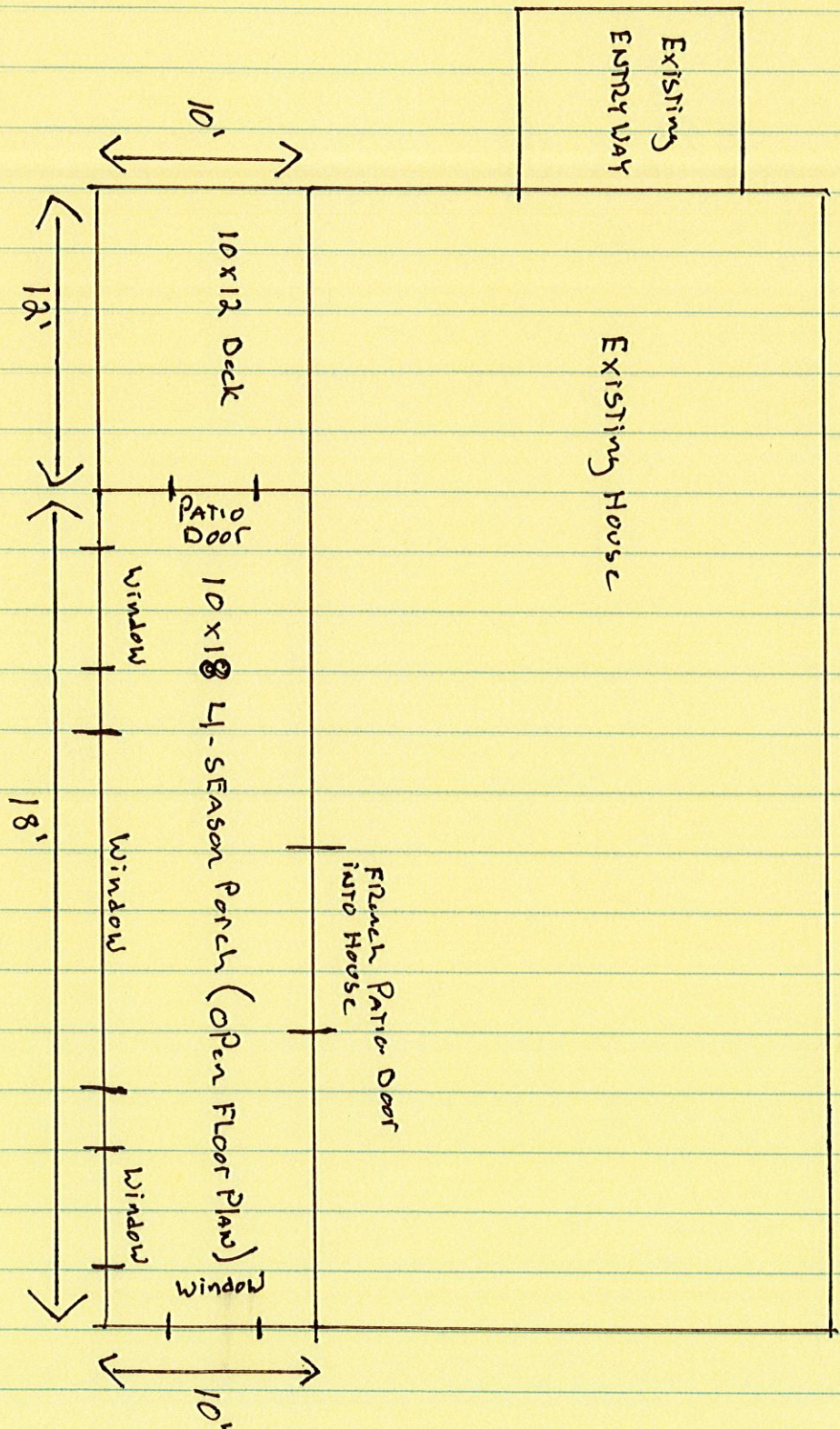
- Boundary
- Construction
- Subdivisions
- ALTA
- Topographic

1047 East Main Street  
Mankato, MN 56001  
jveroeven@charter.net  
(507) 469-5997  
PrairieLandSurveying.com

Reliable, On-Time Surveys.



Russell Brix - 46077 Jefferson Lake Dr.  
Cleveland, MN.



Lake

RECEIVED  
APR 18 2016  
BY: MEM

Brix  
01.600.0200



## **Mettler, Michelle**

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**From:** John Veroeven [jveroeven@charter.net]  
**Sent:** Wednesday, April 13, 2016 7:00 PM  
**To:** rbrix@hickorytech.net; Mettler, Michelle  
**Subject:** Certificate of Survey Map - 46077 Jefferson Drive.  
**Attachments:** 1455 Brix Cnty Survey Certificate 04-13-2016.pdf; 1455 Brix Survey 04-13-2016.pdf

Russell,

Please find the site plan create for variance application of the proposed 4 season porch and proposed deck to replace the previously deteriorated structure for the property located at 46077 Jefferson Drive, Cleveland, MN.

### **Prairie Land Surveying**

**John Veroeven, L.S.**

1047 East Main St.

Mankato, MN 56001

Phone: 507-469-5997

Web: [PrairieLandSurveying.com](http://PrairieLandSurveying.com)

Email: [jveroeven@charter.net](mailto:jveroeven@charter.net)