



Le Sueur County, MN

Tuesday, March 28, 2017

Board Meeting

Item 2

9:05 a.m. Kathy Brockway, Zoning Administrator (5 minutes)

Request for Action

Staff Contact: Kathy Brockway - Environmental and P & Z Director

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
March 9, 2017

MEMBERS PRESENT: Don Reak, Jeanne Doheny, Don Rynda, Shirley Katzenmeyer, Doug Krenik, Pam Tietz

MEMBERS ABSENT: Al Gehrke, Commissioner Wetzel

OTHERS PRESENT: Kathy Brockway, Commissioner Connolly

The meeting was called to order at 7:00 PM by Chairperson, Jeanne Doheny.

ITEM #1: JOSEPH BRAUN, LE CENTER, MN, (APPLICANT); GLENDON BRAUN, LE CENTER, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to transfer the development right (TDR) from the SE 1/4 SW 1/4 to the SW 1/4 SW 1/4 in an Agriculture "A" District. Property is located in the SW 1/4, Section 36, Tyrone Township.

Kathy Brockway presented power point presentation. Glendon Braun was present for application.

TOWNSHIP: Notified through the application process. Bill Krenik, Township Officer was present and stated that the township does not object to the proposal. **DNR:** N/A **LETTERS:** N/A

PUBLIC COMMENT: none

Discussion was held regarding: TDR, buildable area, septic systems, driveway access, planting of additional trees, 6 acre site, TDR's are a good thing for Le Sueur County, preserving farmland.

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. **AGREED***
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. **AGREED***
3. *Adequate utilities, access roads, drainage and other facilities are being provided. **AGREED***
4. *Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use. **AGREED***
5. *Adequate measures 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. **AGREED***
6. *Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance? **AGREED***
7. *Is the Conditional Use Permit consistent with the Comprehensive Land Use Plan? **AGREED***

Motion was made by Doug Krenik to approve the application as written. Seconded by Don Rynda. Motion approved. Motion carried.

Motion was made by Pam Tietz to approve the minutes from the February 9, 2017 meeting by
Seconded by Shirley Katzenmeyer. Motion approved. Motion carried.

Discussion: Upcoming workshop with land use attorney April 12, 2017.

Motion to adjourn meeting by Don Reak. Seconded by Shirley Katzenmeyer. Motion approved.
Motion carried.

Meeting Adjourned.

Respectfully submitted,
Kathy Brockway for
Shirley Katzenmeyer.

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

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
March 28, 2017

TO: LE SUEUR COUNTY BOARD OF COMMISSIONERS

FROM: LE SUEUR COUNTY PLANNING AND ZONING COMMISSION

SUBJECT: "REQUEST FOR ACTION"

The Planning Commission recommends your action on the following item:

ITEM #1: JOSEPH BRAUN, LE CENTER, MN, (APPLICANT); GLENDON BRAUN, LE CENTER, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to transfer the development right from the SE 1/4 SW 1/4 to the SW 1/4 SW 1/4 in an Agriculture "A" District. Property is located in the SW 1/4, Section 36, Tyrone Township.

Based on the information submitted by the applicant, as required by the Le Sueur County Zoning Ordinance, the Planning Commission developed the following findings for this request:

Therefore, the Planning Commission recommends approval of the application as written.

ACTION: ITEM #1: _____

DATE: _____

COUNTY ADMINISTRATOR'S SIGNATURE: _____

FINDINGS OF FACT

WHEREAS, JOSEPH BRAUN, LE CENTER, MN, (APPLICANT); GLENDON BRAUN, LE CENTER, MN, (OWNER), has applied for a Conditional Use Permit to allow the applicant to transfer the development right from the SE 1/4 SW 1/4 to the SW 1/4 SW 1/4 in an Agriculture “A” District. Property is located in the SW 1/4, Section 36, Tyrone Township.

WHEREAS, the Le Sueur County Planning and Zoning Commission held on public hearing on March 9, 2017, 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 and Zoning 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 are being provided.*
4. *Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures 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 consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?*
7. *The Conditional Use Permit consistent with the Comprehensive Land Use Plan?*

WHEREAS, On March 28, 2017, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners **APPROVED/DENIED** the Conditional Use Permit application as requested by **JOSEPH BRAUN, LE CENTER, MN, (APPLICANT); GLENDON BRAUN, LE CENTER, MN, (OWNER).**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the March 28, 2017 Le Sueur County Board 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 are being provided.*
4. *Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*

5. *Adequate measures 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 consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?*
7. *The Conditional Use Permit 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 transfer the development right from the SE 1/4 SW 1/4 to the SW 1/4 SW 1/4 in an Agriculture “A” District. Property is located in the SW 1/4, Section 36, Tyrone Township, is **approved/denied**.

ATTEST:

Steve Rohlfing, Chairman, Le Sueur County Board of Commissioners.

Darrell Pettis, Le Sueur County Administrator

DATE: _____

