



**LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
507-357-8538**

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD.

DATE: MARCH 9, 2017

TIME: 7:00 PM

PLACE: ENVIRONMENTAL SERVICES BUILDING, 515 SOUTH MAPLE AVE, LE CENTER, MN

PURPOSE: To hear testimony from interested parties and consider Rezoning and Conditional Use Permit Applications and other questions pertaining to and as provided by the Zoning Ordinance of Le Sueur County as described below. *Information regarding the applications is available for review at the Environmental Services Building during normal business hours.*

- ITEM #1** Planning and Zoning Commission Notice of Public Hearing
- ITEM #2** Planning and Zoning Commission Agenda
- ITEM #3** Braun
- ITEM #4** Planning Commission Draft Meeting Minutes-02-09-2017

APPLICANT OR REPRESENTATIVE MUST BE PRESENT IN ORDER FOR THE APPLICATION TO BE HEARD.

KATHY BROCKWAY, LE SUEUR COUNTY PLANNING & ZONING ADMINISTRATOR
MICHELLE R. METTLER, ASSISTANT PLANNING & ZONING ADMINISTRATOR



Le Sueur County, MN

Thursday, March 9, 2017

Regular session

Item 1

Planning and Zoning Commission Notice of Public Hearing

Staff Contact: Kathy Brockway or Michelle Mettler

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
507-357-8538
www.co.le-sueur.mn.us

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD.

DATE: MARCH 9, 2017

TIME: 7:00 P.M.

PLACE: Le Sueur County Environmental Services, 515 South Maple Ave, Le Center, MN.

PURPOSE: To hear testimony from interested parties and consider Rezoning, Amendments and Conditional Use Permit Applications, as provided by the Zoning Ordinance of Le Sueur County, as described below.

Applications are available for review at the Environmental Services Building during normal business hours and on the website on or after **FEBRUARY 27, 2017**.

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.

APPLICANT OR REPRESENTATIVE MUST BE PRESENT IN ORDER FOR THE APPLICATION TO BE HEARD.

KATHY BROCKWAY, LE SUEUR COUNTY PLANNING & ZONING ADMINISTRATOR
MICHELLE R. METTLER, ASSISTANT PLANNING & ZONING ADMINISTRATOR



Le Sueur County, MN

Thursday, March 9, 2017

Regular session

Item 1

Planning and Zoning Commission Agenda

Staff Contact: Kathy Brockway or Michelle Mettler

**LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
MEETING AGENDA**

ORGANIZATION: LE SUEUR COUNTY PLANNING/ZONING COMMISSION

MEETING DATE: March 9, 2017

MEETING PLACE: Le Sueur County Environmental Service

Beginning Time: 7:00 P.M. **Ending Time:** Approx. 7:30 P.M.

If you CANNOT be at the meeting, contact MINDY at 357-8538

AGENDA:

Meeting Called
to Order.

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.

DISCUSSION; Election of Officers- April Meeting

MINUTES-WARRANTS

ADJOURN 7:30 P.M.

Planning & Zoning Commission Public Hearing Procedure: The Chairman calls the meeting to order, then calls the item to be heard and asks the Applicant or representative present to come to the podium to answer any questions or present any comments. The Chairman opens the meeting to the public. Each speaker comes to the podium and states their name for the record prior to making a statement or posing a question. **All questions or comments are to be directed to the board, NOT THE APPLICANT.** After the public comments the Planning Commission publicly discusses the information and reviews the findings before making a motion. All meetings are recorded.



Le Sueur County, MN

Thursday, March 9, 2017

Regular session

Item 1

Braun

Staff Contact: Kathy Brockway or Michelle Mettler

STAFF REPORT

GENERAL INFORMATION

APPLICANT: JOSEPH BRAUN

OWNER: GLENDON BRAUN

911 ADDRESS: New off 340th St.

PROJECT DESCRIPTION: Transfer the development right from the in an Agriculture “A” District.

ZONING ORDINANCE SECTIONS: Sections 8, 19

ZONING DISTRICT PURPOSES: The Agriculture (A) District is established for areas where agriculture uses are seen as the best and highest long term use of the land. The land itself needs to be preserved for primarily agricultural activities. These areas should avoid existing cities, residential zones and subdivisions. They should be large contiguous land areas with mostly prime soils. Rezoning should only be considered on the zone's borders in order to maintain the Zoning integrity of the District. Dwellings that are allowed should be on the edges of the open farmland where possible or utilize existing abandoned farm sites. The total number of Dwellings shall not exceed sixteen (16) per section of land with the exception of Transfer of Development Right and lots of record. **Transfer of development rights may be utilized to exceed the permitted housing density of one dwelling per quarter-quarter section (40 acres), provided that the density does not exceed four dwellings per quarter-quarter section in the receiving quarter-quarter section.** Lots of Record, shall be exempt from density standards.

GOALS AND POLICIES:

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.

SITE INFORMATION

LOCATION: 6 acre site, Section 36, Tyrone Township

ZONING: Agriculture “A” District

GENERAL SITE DESCRIPTION: Ag land

ACCESS: Off 340th St. Approved by the Township

EXISTING LAND USE WITHIN ¼ MILE:

North: Ag land, Type 1-Wetlands	South: Ag Land, Type 1-Wetlands
East: Ag Land, woods, building site	West: Ag Land, Type 1-Wetlands

TOWNSHIP BOARD NOTIFICATION

Notified the Tyrone Township Board on May 9, 2016.

NATURAL RESOURCES INFORMATION

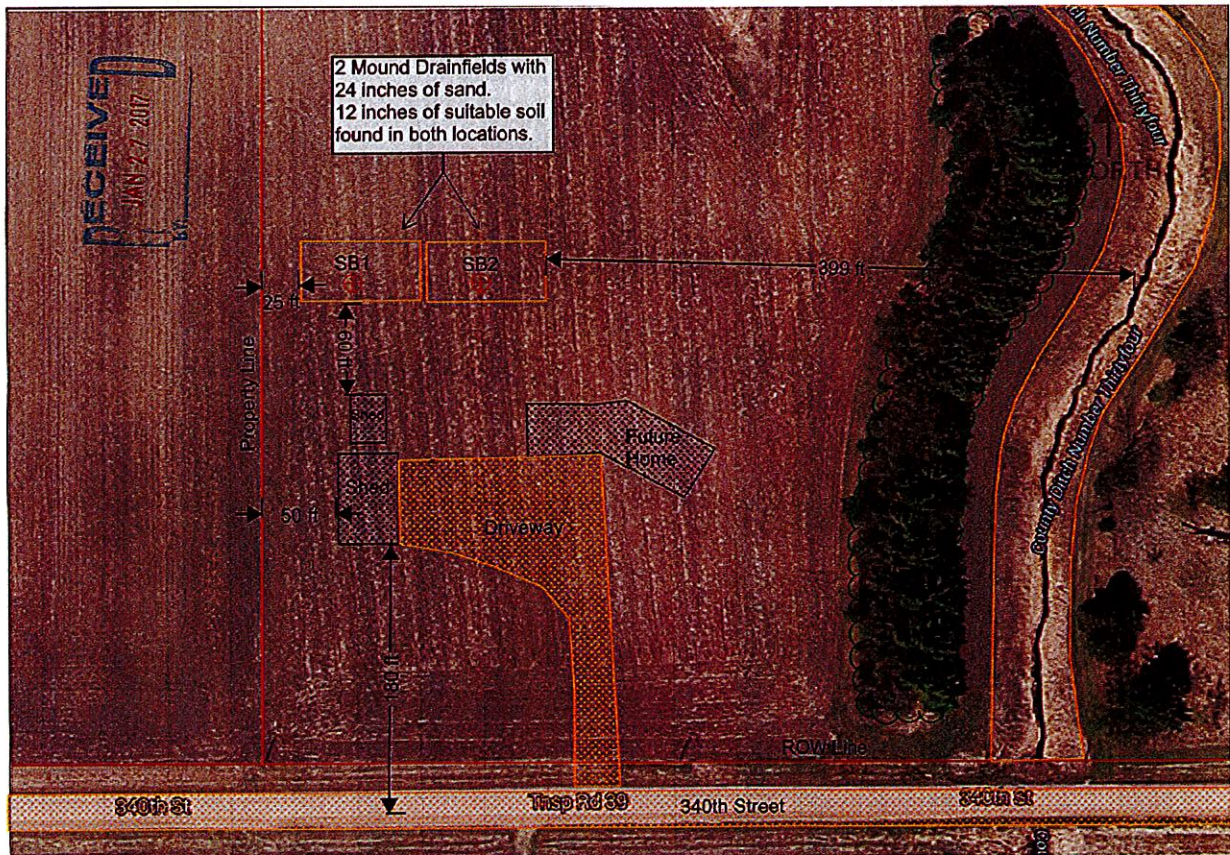
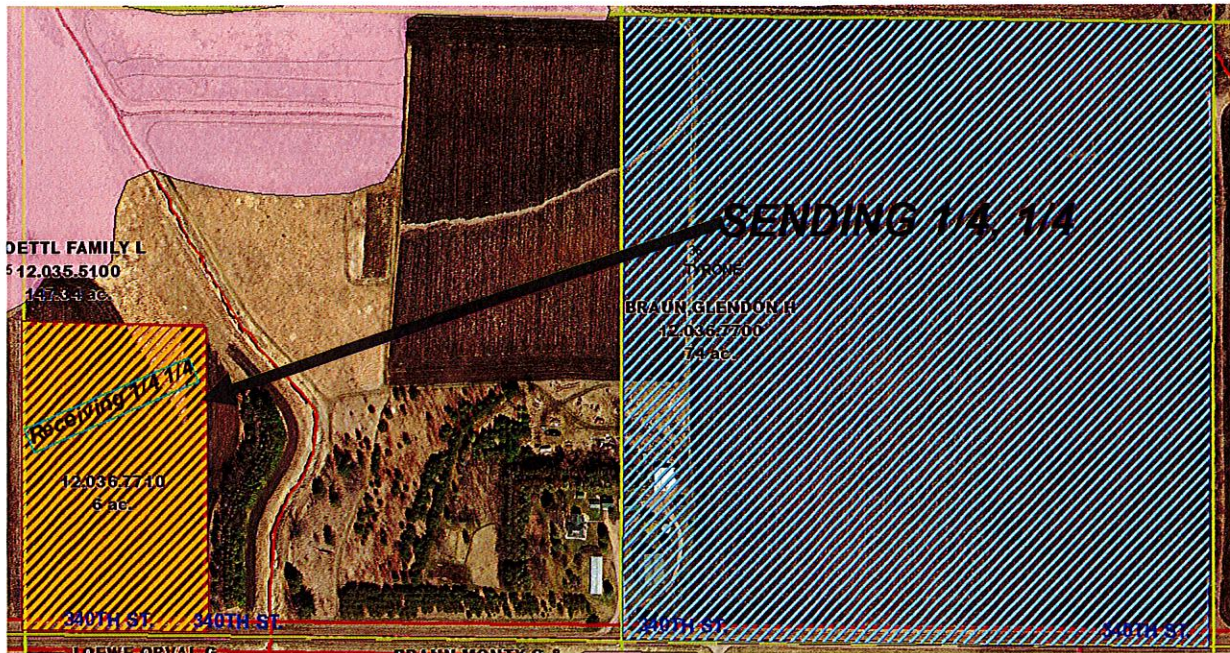
SHORELAND: The proposal is not located within the Shoreland District.

WETLANDS: According to the National Wetlands Inventory, Type I wetlands located in the quarter-quarter section where the project is proposed.

ATTACHMENTS

Application, Narrative, Legal Description, Survey, Letter from Septic Contractor, Site Plan, Driveway approval, Aerial Photo

SITE PLAN/AERIAL PHOTO



LAND USE & PERFORMANCE STANDARDS- SECTION 19, LE SUEUR COUNTY ZONING ORDINANCE

1. Development rights may be transferred to a contiguous quarter-quarter section in the Agricultural District, upon obtaining a conditional use permit.
2. For the purpose of this Subdivision contiguous shall mean quarter-quarter sections that are touching along a boundary or at a point. Quarter-quarter sections that are separated by a road shall be considered contiguous.
3. Development rights shall not be transferred from one township to another township.
4. The sending quarter-quarter shall have a building eligibility, as defined by this Ordinance, in order to transfer development rights.
5. The transferred development right shall meet the registered feedlot separation requirements of this Ordinance, including transferred Lot of Record building eligibilities.
6. The transfer shall not allow the establishment of more than four (4) dwellings in a quarter-quarter section, with the exception of non-transferred lots of record and existing building sites.
7. There shall be no maximum number of building eligibilities in the sending quarter-quarter section.
8. Upon approval of the Conditional Use Permit for transfer of development rights, the building site shall not be required to be established and shall be exempt from the one (1) year completion requirement for the conditional use permits as set forth in this Ordinance.
9. The transfer shall be memorialized in a document that is recorded against both the sending and receiving property.

Right to Farm-Per Section 19, Subdivision 11.

PLANNING AND ZONING COMMISSION CONSIDERATIONS

The Planning Commission and staff shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to reduce such adverse effects. Its judgment shall be based upon the following factors to include, but not limited to:

1. Relationship to County plans.
2. The geographical area involved.
3. Whether such use will negatively affect surrounding properties in the area in which it is proposed.
4. The character of the surrounding area.
5. The demonstrated need for such use.
6. Whether the proposed use would cause odors, dust, flies, vermin, smoke, gas, noise, or vibration or would impose hazards to life or property in the neighborhood.
7. Whether such use would inherently lead to or encourage disturbing influences in the neighborhood.
8. Whether stored equipment or materials would be screened and whether there would be continuous operation within the visible range of surrounding residences.
9. Abatement of Environmental Hazards as regulated in this Ordinance
10. Other factors impacting the public health, safety and welfare.

PLANNING AND ZONING COMMISSION CONDITIONS

The Planning Commission shall recommend such conditions relating to the granting of said Conditional Use Permit, as they deem necessary to carry out the intent and purpose of this Ordinance or recommend that the request be denied. Such recommendation shall be in writing. The conditions may include, but are not limited to the following:

1. Increasing the required lot size or yard dimension.
2. Limiting the height, size, or location of the structures.
3. Controlling the location, size, and number of vehicle access points.
4. Increasing the street width.
5. Increasing the number of required off-street parking space.
6. Limiting the number, size, location, or lighting of signs.
7. Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.
8. Designating sites for open space.

PLANNING AND ZONING COMMISSION FINDINGS

Based on the information submitted by the applicant, contained in this report, and as required by the Le Sueur County Zoning Ordinance, the following findings have been developed for this request:

(Please circle one for each item: Agree, Disagree, Not Applicable.

- 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. Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?*
- 7. Is the Conditional Use Permit consistent with the Comprehensive Land Use Plan?*

Recommend (circle one) approval / denial / table / of Conditional Use Permit.

LE SUEUR COUNTY CONDITIONAL USE PERMIT CRITERIA

Permit # 17006

Name of Applicant: JOSEPH M. BRAUN

Conditional Use Permit #: 17006

Name of Property Owner: GLENDON BRAUN

Conditional Use Permit Request: TRANSFER THE DEVELOPMENT RIGHT FROM THE SE 1/4 SW 1/4 TO THE SW 1/4 SW 1/4

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.

	CR	AG	PT	DR	BB	JD	SO	SK	DK	DRY	TOTAL
1.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Explain _____

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.

	CR	AG	PT	DR	BB	JD	SO	SK	DK	DRY	TOTAL
2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Explain _____

3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.

	CR	AG	PT	DR	BB	JD	SO	SK	DK	DRY	TOTAL
3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Explain _____

4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to service the proposed use.

	CR	AG	PT	DR	BB	JD	SO	SK	DK	DRY	TOTAL
4.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Explain _____

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.

	CR	AG	PT	DR	BB	JD	SO	SK	DK	DRY	TOTAL
5.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Explain _____

6. The conditional use is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.

	CR	AG	PT	DR	BB	JD	SO	SK	DK	DRY	TOTAL
6.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Explain _____

7. The conditional use is consistent with the Comprehensive Land Use Plan.

	CR	AG	PT	DR	BB	JD	SO	SK	DK	DRY	TOTAL
7.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Explain _____

If all answers are "YES" by a majority of the Planning Commission, the criteria for granting of the Conditional Use Permit request have been met. The Conditional Use Permit will meet the goals of safety, health and the general welfare of the public.

Date: _____ APPROVED _____ DENIED _____ PZ Chairperson _____

COUNTY BOARD MEETING DATE _____

Le Sueur County

Conditional Use Permit Application



I. Applicant:

Name Joseph Braun
Mailing Address 25471 340th St
City LeCenter State MN Zip 56057
Phone # 612-298-5367 Phone # 507-665-2066

II. Landowner:

Name Glen Braun
Mailing Address 25842 340th St
City LeCenter State MN Zip 56057
Property Address West of 25842 340th St
City LeCenter State MN Zip 56057
Phone # 612-298-5367 Phone # 507-665-3758

III. Parcel Information:

Parcel Number 12.036.7700 Parcel Acreage 80

Attach Full Legal Description (NOT abbreviated description from tax statement)

Township Tyrone Section 34
Subdivision _____ Lot _____ Block _____

IV. Township Notification: Township must be notified of proposed use prior to application.

Tyrone Township notified on 5-9-16
(Township Name) (Date)

Board Member Keith Lammers / Glen Braun regarding the proposed use.
(Name)

V. Quantities and Submittal Formats:

- a. **One (1)** reproducible 8.5" x 11" copy of the request and all other supporting documents.
- b. If any documentation is in color, an aerial photo, photographs, or larger than 8 ½ x 11, then **twenty three (23)** copies must be submitted.
- c. Electronic version of any supporting documents *if available*.
- c. Additional copies may be requested as deemed necessary by the Department.
- d. Application must be made **in person** by the applicant and/or landowner no later than 12 P.M. on the date of application deadline.
- e. **Appointment is necessary.**
- f. **Applications will not be accepted by mail.**

VI. Fees: Must be paid at the time of application.

Conditional Use Permit \$ 750 After-The-Fact fee is **doubled**
Filing Fee \$ 46
Additional Fees:
Special Meeting \$ 2,000 (**Additional fee**)
After-The-Fact Penalty \$1500 OR 10% of the improvement whichever is greater.

VII. Type of Request:

- | | |
|--|--|
| <input type="checkbox"/> Self Service Storage | <input type="checkbox"/> Value Added Agriculture |
| <input type="checkbox"/> School/Church/Cemetery | <input type="checkbox"/> Antique Sales/Service/Repair |
| <input type="checkbox"/> Retail Nursery/Greenhouse | <input type="checkbox"/> Substation/Transmission Line etc. |
| <input type="checkbox"/> Other _____ | |

VIII. Description of Request:

- a. A full description of request with detailed information must be attached.
- b. Complete the following in relationship to the proposed Conditional Use Permit.

1. PROPOSED DAYS AND HOURS OF OPERATION: NA
2. ESTIMATED NUMBER OF PERSONS TO ATTEND PLACE OF BUSINESS/LOCATION ON A DAILY OR WEEKLY BASIS: NA
3. LIST OF PUBLIC HEALTH PLANS:
 - i. Water Supply: Drilled well
 - ii. Toilet facilities: Mound system
 - iii. Solid Waste Collection: _____
4. FIRE PREVENTION: NA
5. SECURITY PLANS: NA
6. RETAIL SALES: NA
7. FOOD OR ALCOHOL SERVED OR FOR SALE: NA
8. DESCRIBE IF THE APPLICANT REQUESTS THE COUNTY TO PROVIDE ANY SERVICES OR COUNTY PERSONNEL: (For example, pedestrian and/or vehicular traffic control.)
NA
9. SOUND AMPLIFICATION, PUBLIC ADDRESS SYSTEM, PLAYING OF MUSIC:
NA
10. EXTERIOR LIGHTING: NA
11. PARKING AND LOADING: NA
12. SIGNAGE: NA
13. ROAD ACCESS: (Approved by the road authority) Drive way approach
14. CERTIFICATE OF INSURANCE: NA
15. MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS: (For example additional licensing and/or permitting) NA

IX. Site Plan: Shall include but not limited to the following:

- | | | | |
|---------------------|-----------|-----------------------|----------------------------|
| • North point | • Lake | • Existing Structures | • Septic system |
| • Setbacks | • River | • Proposed Structures | • Well |
| • Property Lines | • Wetland | • Lot Dimensions | • Access (size & location) |
| • Road Right-Of-Way | • Stream | • Ponds | • Easements |
- Parking (Size & location-if applicable to application)
 - Landscape, screening and buffering (if applicable to application)
 - Location of significant trees to be removed (if applicable to application)

X. Attachments: shall include but not limited to:

- a. **Description of Request**-See Part VIII for full details and requirements.
- b. **Site Plan**-See Part IX for full details and requirements.
- c. **Full legal description**-Not abbreviated description from tax statement.
- d. **Access approval**-Attach approval in writing from proper road authority.
- e. **Township Notification**-See Part IV for details and requirements.
- f. **Septic System Compliance Inspection**
- g. **Erosion control plan**-Attach completed and signed plan including map.
- h. **Floor plans and/or blue prints**



XI. Procedure:

The Planning & Zoning Commission shall hold a public hearing on the proposed Conditional Use Permit at a scheduled Planning and Zoning Commission meeting.

The Planning and Zoning Commission is an advisory board to the County Board of Commissioners and will make a recommendation to the County Board.

The Department shall report the findings and the recommendations of the Planning Commission to the County Board for final decision.

Action by the County Board shall be a majority vote of its members.

The Department shall notify the applicant and/or landowner in writing of the County Board decision.

A certified copy of the Conditional Use Permit shall be filed with the Le Sueur County Recorder by the Department.

XII. 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] 5-6-16
Applicant signature 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.

Alendon Braun 5-27-16
Property Owner signature Date

OFFICE USE ONLY

Request: _____

Pre-App Date <u>3-9-16</u>	Lake Classification <u> </u>	Feedlot	500'	1000'	<u>N</u>
Meeting Date <u>3-9-16</u>	Lake <u> </u>	Wetland Type	1-2	3-8	<u>N</u>
60 Day <u> </u>	FEMA Panel # <u>27079C0 BSD</u>	Water courses			<u>Y</u>
Zoning District <u>AG</u>	Flood Zone <u>Xoutside</u>	Bluff			<u>Y</u>

- | | | | |
|---|--|----------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> Request Description | <input checked="" type="checkbox"/> Access Approval | <input type="checkbox"/> Septic | Comp Insp / Design |
| <input checked="" type="checkbox"/> Site Plan | <input checked="" type="checkbox"/> Erosion Control Plan | <input type="checkbox"/> Meeting | Reg / ATF / Spec |
| <input checked="" type="checkbox"/> Full Legal | <input type="checkbox"/> Blue Prints <u>NH</u> | <input type="checkbox"/> Fee | \$ <u>796</u> |
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Other <u> </u> | <input type="checkbox"/> Penalty | \$ <u> </u> |

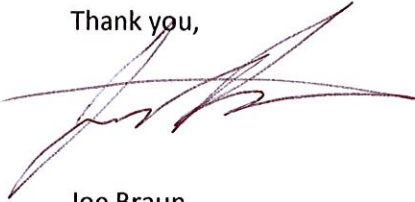
Application Complete Kathy Brockway 1/27/17 17006
Planning & Zoning Department Signature Date Permit #

To whom it may concern,

I am requesting a transfer of development rights in order to build a private residence and a shed in Tyrone Township near the address of 25842 340th St, Le Center.

Glen Braun has agreed to transfer development rights to us for a 6.0 acer parcel of his land from an adjoining quarter-quarter section to the East, in Tyrone Township.

Thank you,



Joe Braun

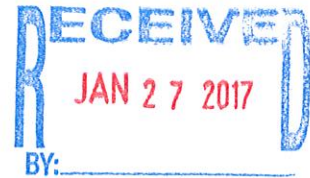


Exhibit "A"

Legal Description



That part of the South Half of the Southwest Quarter, Section 36, Township 112 North, Range 25 West, Le Sueur County, Minnesota, described as follows:

Beginning at the southwest corner of the Southwest Quarter of said Section 36; thence South 89 degrees 19 minutes 54 seconds East, assumed bearing, along the south line of said Southwest Quarter, a distance of 396.82 feet; thence North 00 degrees 08 minutes 11 seconds West, parallel with west line of said Southwest Quarter, a distance of 659.14 feet; thence North 89 degrees 19 minutes 54 seconds West, parallel with south line of said Southwest Quarter, a distance of 396.82 feet to the west line of said Southwest Quarter; thence South 00 degrees 08 minutes 11 seconds East, along the west line of said Southwest Quarter, a distance of 659.14 feet to the point of beginning.

RECEIVED
 JAN 27 2017
 BY:

SURVEY FOR: **Joe Braun**

SURVEYED: July 3, 2016

DRAFTED: July 13, 2016

LEGAL DESCRIPTION:

The South Half (S1/2) of the Southwest Quarter (S1/4) of Section Thirty-Six (36), Township One Hundred Twelve (112), Range Twenty-Five (25), Le Sueur County, Minnesota.

PROPOSED LEGAL DESCRIPTION:

That part of the South Half of the Southwest Quarter, Section 36, Township 112 North, Range 25 West, Le Sueur County, Minnesota, described as follows:

Beginning at the southwest corner of the Southwest Quarter of said Section 36; thence South 89 degrees 19 minutes, 54 seconds East, assumed bearing, along the south line said Southwest Quarter, a distance of 396.82 feet; thence North 00 degrees 08 minutes 11 seconds West, parallel with west line of said Southwest Quarter, a distance of 659.14 feet; thence North 89 degrees 19 minutes 54 seconds West, parallel with south line of said Southwest Quarter, a distance of 396.82 feet to the west line of said Southwest Quarter; thence South 00 degrees 08 minutes 11 seconds East, along the west line of said Southwest Quarter, a distance of 659.14 feet to the point of beginning.

SURVEY NOTES:

- 1) This survey was performed without the benefit of a title commitment. There may or may not be easements of record encumbering the subject property.
- 2) The above mentioned legal description has been provided by the client.
- 3) The subject property contains 261,532 Sq. Ft. or 6.00 Acres.
- 4) All distances shown hereon are in feet and tenths or hundredths of a foot.
- 5) Coordinate System is referenced to the Le Sueur County Coordinate System, NAD83 (1996 Adj.).
- 6) For the purposes of this survey the south line of the Southwest Quarter is assumed to have a bearing of South 89 degrees 19 minutes 54 seconds East.

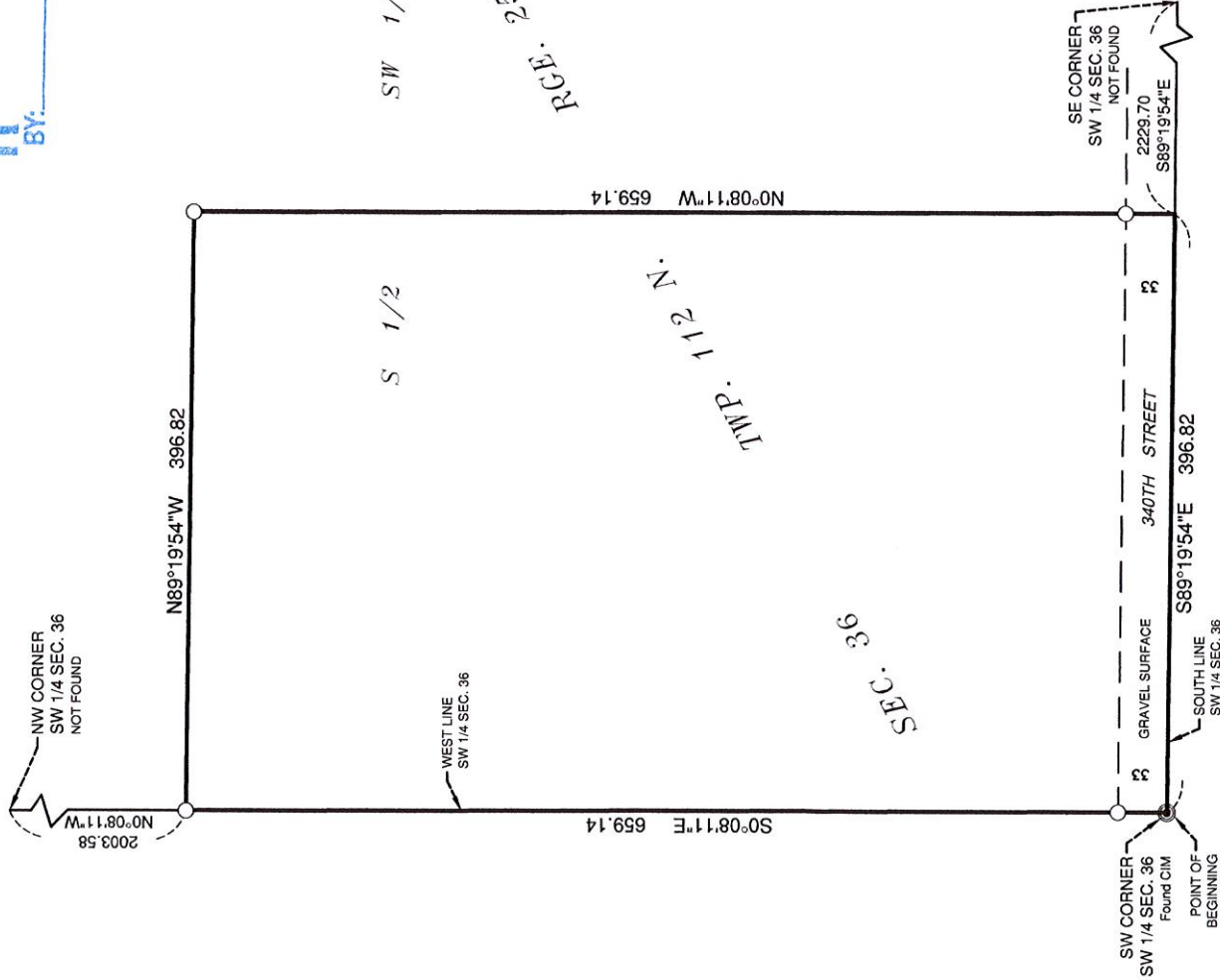
CERTIFICATION:

I hereby certify that this plan, specification, report or survey 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.

Signature: *Michael P Koller* Typed Name: Michael P. Koller

Land Surveyor No.: 48987

Date: July 3, 2016



GRAPHIC SCALE



(IN FEET)
1 inch = 80 feet.

LEGEND:

- FOUND SECTION CORNER
- SET IRON PIPE



Burns Construction Inc.

32762 333rd Ave. • Le Sueur • 56058

May 6, 2016

Joe Braun



RE: Suitable Area for Primary and Secondary Septic System for Joe Braun TDR.

Mr. Braun,

On May 5, 2016 I went onsite and took soil samples to determine if you would have suitable areas for a primary and secondary drainfield for your future residence. This site has ample space for drainfields that would meet all required setbacks. I have included a map showing the area where the two drainfields could go. This does not mean the drainfields have to go there, it just shows that there is two areas suitable for a septic system so you can move forward with your transfer of development rights process.

When you get closer to building we can come back onsite and determine the actual location you would like to have your septic system and create a design for your property.

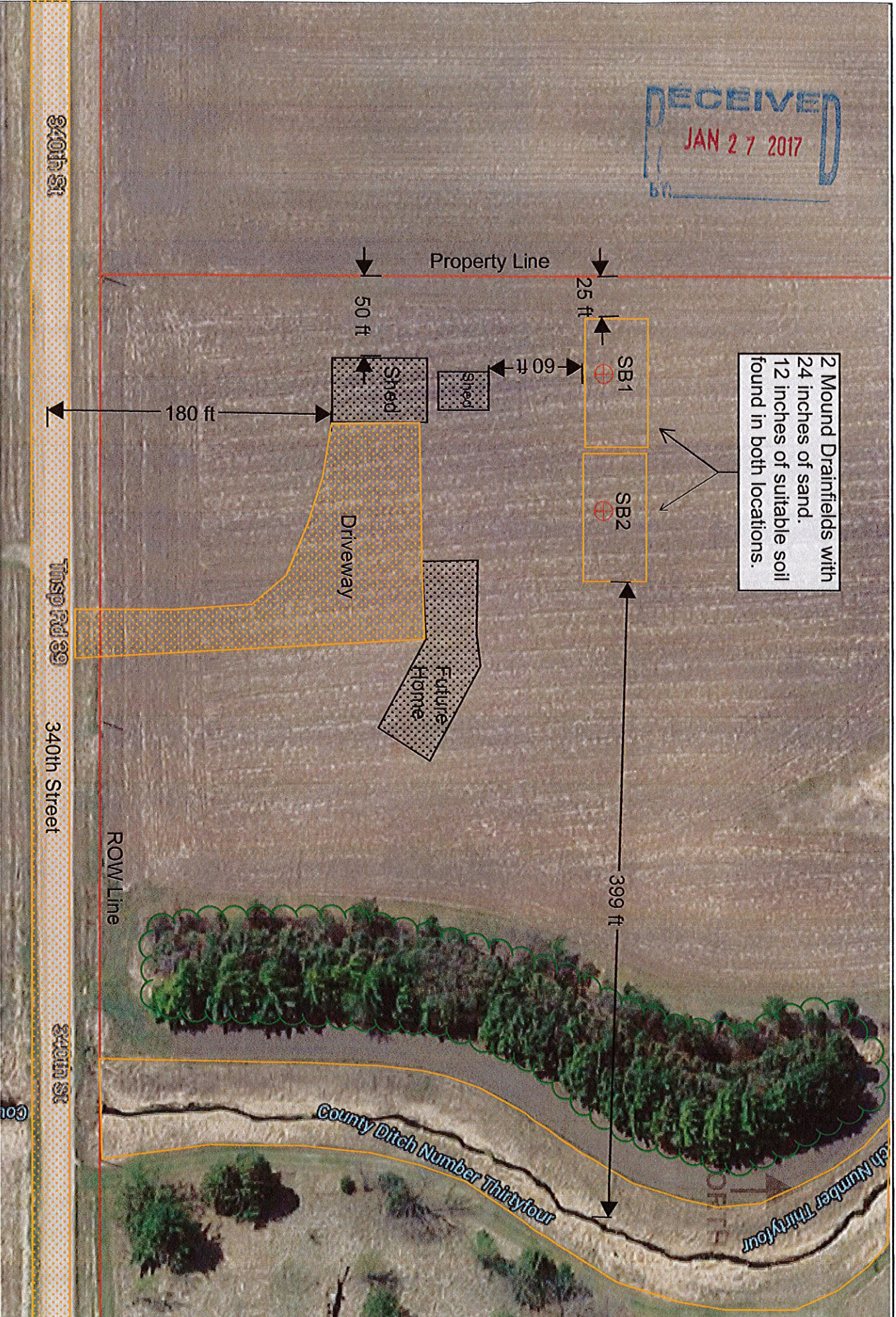
If you have any questions, please feel free to contact me at (612) 382-7491.

Sincerely,

Stacey Feser
Burns Construction, Inc.
MPCA SSTS Certification #7549
MPCA SSTS License #29

RECEIVED
 JAN 27 2017

2 Mound Drainfields with
 24 inches of sand.
 12 inches of suitable soil
 found in both locations.



Burns Construction Inc.
 32762 333rd Ave.
 Le Sueur, MN 56058
 cell (612) 382-7491

Client:
Joe Braun
 TBD 340th Street
 Le Center, MN 56057

Project:
**Septic Location Map
 for TDR**

I hereby certify that this site plan was prepared by me.
 Stacey Feser
 Advanced Designer MPCA L#29
 5/6/2016

RECEIVED
JAN 27 2017
BY: _____

To whom it may concern,

I am requesting permission to install a driveway approach on Township RD 340th approximately 300 feet from the county ditch on the southeast corner of parcel number 12.036.7700. See attached drawing for details. If this is acceptable please print and sign your name at the bottom of this message.

Thanks,

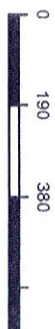
Joe Braun

TYRONE TOWNSHIP AGREEMENT
[Signature]
Kaia Lemmers
Joe Braun

Tract 554

2016 Program Year

Map Created January 25, 2017



Unless otherwise noted: crops are in

- Corn = yellow for grain
- Soybeans = common soybeans (S)
- Wheat = HRS for grain or HRW for flour
- Oats and Barley = Spring for grain
- Rye = for grain
- Peas = process
- Alfalfa, Mixed Forage AGM, GMA, IGS
- Beans = Dry Edible
- NAG = for GZ
- Canola = Spring for seed
- Sunflower = oil or non-oil for processing

Common Land Unit

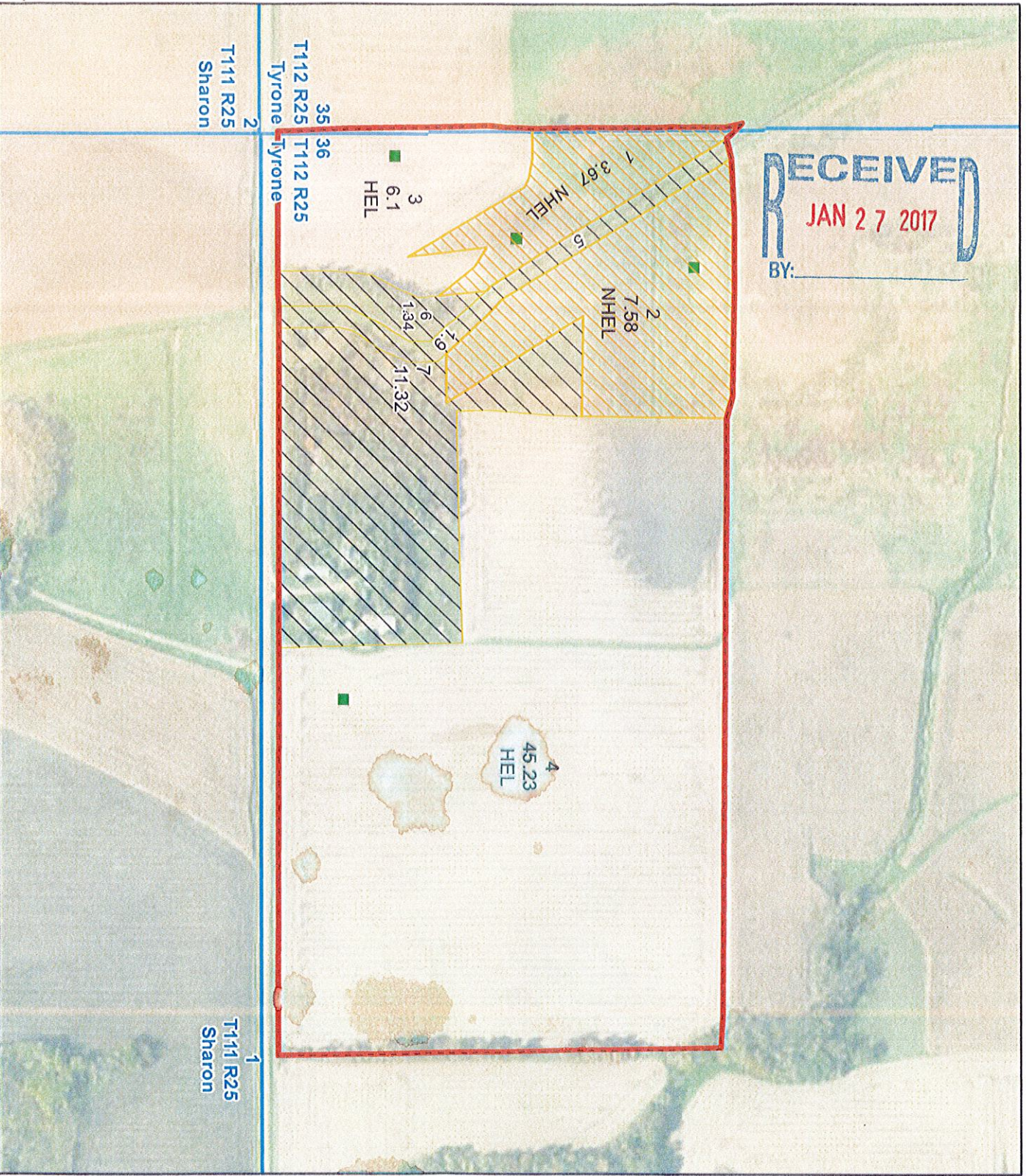
- Non-Cropland
- Cropland
- CRP
- Tract Boundary
- PLSS

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Cropland Total: 62.58

RECEIVED
JAN 27 2017
BY: _____



USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather, it depicts the information provided directly from the producer and/or the 2015 NAIP imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Program Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-Q26 and attached maps) for exact boundaries and determinations or contact NRCS.



Le Sueur County, MN

Thursday, March 9, 2017

Regular session

Item 1

Planning Commission Draft Meeting Minutes-02-09-2017

Staff Contact: Kathy Brockway or Michelle Mettler

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

MEMBERS PRESENT: Don Reak, Jeanne Doheny, Don Rynda, Shirley Katzenmeyer, Doug Krenik, Al Gehrke, Betty Bruzek, Pam Tietz

MEMBERS ABSENT: Chuck Retka, Steve Olson

OTHERS PRESENT: Kathy Brockway, Commissioners Rohlfing, Connolly, and Gliszinski.

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

ITEM #1: LE SUEUR COUNTY SOIL & WATER CONSERVATION DISTRICT, LE CENTER, MN (APPLICANT); CHARLES & LANA PUFFER, NEW PRAGUE, MN (OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of approximately 137 cubic yards of material for a bank stabilization project in a Special Protection "SP" District and a Flood Fringe "FF" Floodplain District on a tributary stream, Sand Creek. Property is located at Lot 2, Tom Topka Unrecorded Plat, SW 1/4 Quarter, Section 1, Lanesburgh Township.

Kathy Brockway presented power point presentation. Mike Schultz, SWCD, and Ryan Jones, SWCD were present for application.

TOWNSHIP: Notified through the application process. **DNR:** Notified through the application process, permit on file. **LETTERS:** Joshua Mankowski, LSC Resource Specialist, see file.

PUBLIC COMMENT: none

Discussion was held regarding: project identified as a priority within the Sand Creek Watershed, correct an erosion problem, cost share project, identified in both the Scott County and Le Sueur County Water Plans as a priority, landowners responsibility, slope stabilization, total project consists of 730 cubic yards of material, county jurisdiction is 137 cubic yards, DNR permit approved, Bruns Construction hired as contractor, road access approved by Highway Department, timeframe, start as soon as County approves the Conditional Use Permit, depends on weather, start to finish about 1-week, vegetation.

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.*
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 submitted. Seconded by Don Rynda. Motion approved. Motion carried.

ITEM #2: LYRA COMMUNITY SOLAR GARDENS, EDINA, MN (APPLICANT); LARRY & SOLVEIG THEIS, WATERVILLE, MN (OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of approximately 23,379 cubic yards of material in a Special Protection "SP" District on a Natural Environment Lake, Quiram's Slough. Property is located in the SW 1/4 SW 1/4, Section 10, Waterville Township.

Kathy Brockway presented power point presentation. Kara Bakke, representing Geronimo, and August Christenson, Westwood Engineering were present for application.

TOWNSHIP: Al Gehrke, Waterville Township Board member, township has no objections. Notified through the application process. **DNR:** No comments. **LETTERS:** Joshua Mankowski, LSC Resource Specialist (see file).

PUBLIC COMMENT: Jerry Gish, Gish Cemetery, Mae Stocker, Gish Cemetery, concerned with the Gish Cemetery, explained the notification process, this meeting had nothing to do with the cemetery, property owners within 1/4 mile receive notification.

Discussion was held regarding: fill from material on-site, no additional fill brought onto site, seeding mixture, construction of stormwater ponds, NPDES permit approved, general maintenance of ponds, seed mixture, noxious weeds, time frame, engineering plans, operations and maintenance plan submitted to the Department to include the general maintenance of the ponds due to the limited material movement outside the shore impact zone.

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 Don Reak to approve the application with the following conditions: Work with Joshua Mankowski as to the proper seed mixture for the site and a copy of the operation and maintenance plan for the storm water basins to be submitted to the Department. Seconded by Al Gehrke. Motion approved. Motion carried.

Motion was made by Al Gehrke to approve the minutes from the December 8, 2016 meeting by Seconded by Don Rynda. Motion approved. Motion carried.

Motion to adjourn meeting by Don Rynda. Seconded by Pam Tietz. Motion approved. Motion carried. Meeting Adjourned.

Respectfully submitted,
Shirley Katzenmeyer by
Kathy Brockway

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