



Le Sueur County, MN

Thursday, September 14, 2017

Regular session

Item 6

Scott Hass

Staff Contact: Kathy Brockway or Michelle Mettler

STAFF REPORT

GENERAL INFORMATION

APPLICANT: SCOTT AND CINDY HASS- SUMMER BREEZE RESORT
OWNER: JAMES LOSINSKI

911 ADDRESS: NEW OFF SUMMER BREEZE LANE

PROJECT DESCRIPTION: Rezone approximately 4.61 acres from Recreational-Residential "RR" District to a Recreational-Commercial "RC" District on a Recreational-Development lake, Lake Jefferson.

ZONING DISTRICT PURPOSES:

CURRENT ZONING:

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.

REQUESTED CHANGE:

The intent of the **Recreational Commercial (RC) District** is to provide suitable locations for, and to encourage the development of, water orientated commercial recreation facilities in those areas of Le Sueur County which benefit the recreational needs of both residents and tourists, to avoid land use conflicts with residential areas and restrict incompatible commercial and industrial uses.

ZONING ORDINANCE SECTIONS: Sections 13.2, 13.3, 23

Per the Le Sueur Comprehensive Land Use Plan as adopted July 24, 2007.

- a. Whether the land is marginal agricultural land or not:
 - i. Land proposed for rezoning is on an irregular parcel;
 - ii. Land soils are poor production quality, including highly erodible lands;
 - iii. Treed or forested areas; and
 - iv. Soil suitability ratings are good for urban type development.
- b. Is the rezoning request for land that is adjacent to another high density housing development area?
- c. Is the rezoning request for land that has access to a suitable public road, as determined by the appropriate road authority?
- d. Does the land proposed for rezoning intrude onto valuable natural resource areas, such as aggregate resource deposits, wetland areas, or other natural areas deemed to be worth protecting?
- e. Is the land proposed for rezoning too remote and/or the development threshold too large or too small for cost efficient public service delivery? This would include police, fire, emergency vehicles, and school district services.
- f. Is the rezoning request for land and the type or scope of development proposed too close to existing feedlot operations?
- g. Is the bulk of the development cost for construction of access, management of stormwater, and other development related issues paid for by the developer and not the public?
- h. Is the development occurring on land that is shown to be a potential source for aggregate resources (see aggregate resource map)? If it is and the area under consideration for development is not in an aggregate protection overlay district, the County should require test borings on the potential site to more firmly identify the quality of the aggregate resource.

SITE INFORMATION

LOCATION: SE ¼, Section 31, Cordova Township.

GENERAL SITE DESCRIPTION: Ag

ACCESS: Existing

EXISTING LAND USE WITHIN 1/2 MILE:

North:	Ag	South:	Residential
East:	Summer Breeze Resort/Residential/Lake	West:	Residential

TOWNSHIP BOARD

The applicant notified Harry Mach, Cordova Township Board member on August 15, 2017.

NATURAL RESOURCES INFORMATION

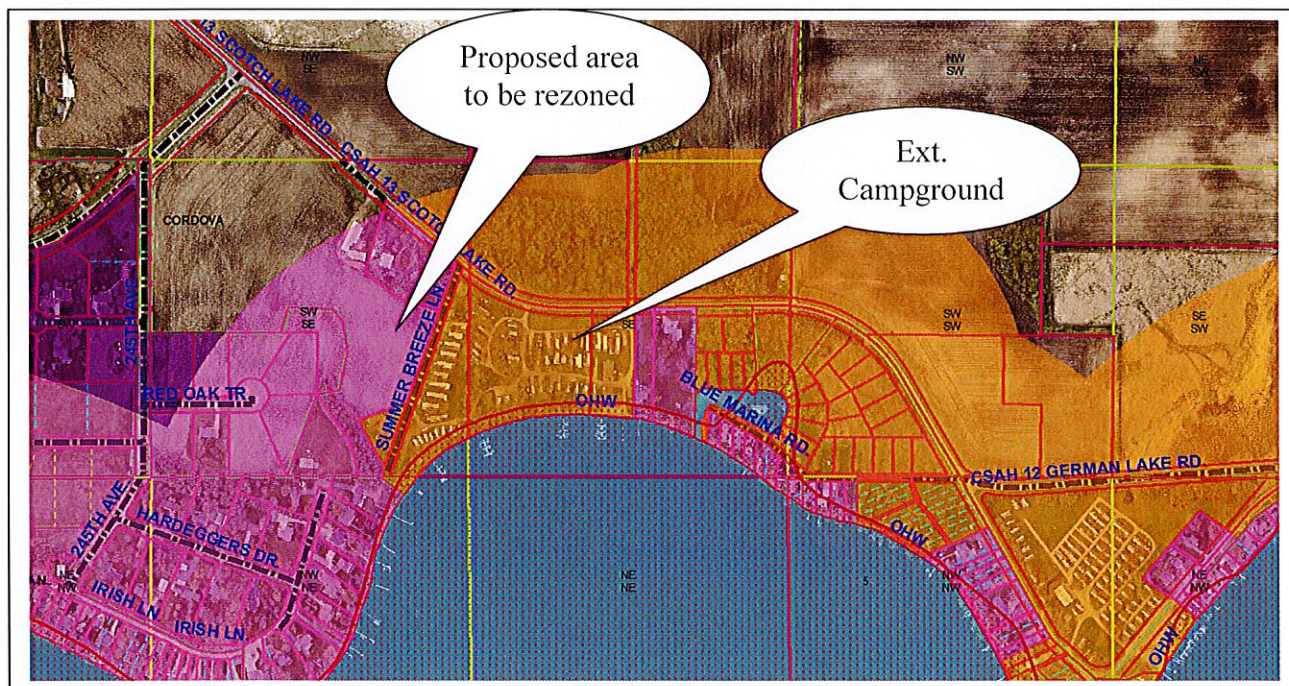
SHORELAND: The proposal is located within the Shoreland District.

WETLANDS: According to the National Wetlands Inventory, No wetlands located in the quarter-quarter section where the rezone is proposed.

ATTACHMENTS

Application, Narrative, Map, Survey, Concept Plan

AERIALS/SURVEY/CONCEPT PLAN



KEY: Gold-Recreational Commercial District
Pink- Recreational-Residential District

PLANNING AND ZONING COMMISSION CONSIDERATIONS

The Planning Commission and staff shall consider possible adverse effects of the proposed Rezone request 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 zoning district will negatively affect surrounding properties in the area in which it is proposed.*
4. *The character of the surrounding area.*
5. *Whether such zoning district would inherently lead to or encourage disturbing influences in the neighborhood.*
6. *Does the rezoning request for land have access to a suitable public road(s) as determined by the Road Authority.*
7. *Does other factors impacting the public health, safety and welfare.*

PLANNING AND ZONING COMMISSION FINDINGS
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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 proposal reflects and is consistent with the goals and polices of the Le Sueur County Land Use Plan.
2. The proposal is compatible with the overall character of existing development in the immediate vicinity of the affected property. Consideration shall be made if there are similar land uses nearby or if the proposed use would be isolated.
3. The proposal will not have an adverse effect on the value of adjacent properties.
4. The proposal will not be injurious to the use and enjoyment of other property in the immediate vicinity for the uses already permitted.
5. The proposal will not impede the normal and orderly development of surrounding vacant property for predominant uses in the area.
6. The density of the proposal is not greater than the density of the surrounding neighborhood or density indicated by the applicable Zoning District.
7. Adequate utilities, access roads, drainage, and other necessary infrastructure are being provided.
8. Soil conditions are adequate to accommodate the proposal.
9. The proposal will not create a potential pollution hazard.
10. The proposal will not degrade the water quality of the County.
11. The proposal will not have a negative impact upon natural resource areas such as bluffs, wetlands, water bodies, agricultural land, woodlands, and aggregate resource deposits.
12. The proposal will not negatively affect the protection of the public health, safety, and general welfare.

Recommend (circle one) approval / denial / table / of the Rezone Request

Le Sueur County

Rezone Application

I. Applicant:

Name Scott Hass Summer Breeze Resort
Mailing Address 46001 Hardocgars Ln -
City Cleveland State MN Zip 56017
Phone # 952 290 4049 Phone # _____

II. Landowner:

Name James Losinski
Mailing Address 24651 Scotch LAKE RD
City Cleveland State MN Zip 56017
Property Address New
City _____ State _____ Zip _____
Phone # _____ Phone # _____

III. Parcel Information:

Parcel Number 02.031, 5650 Parcel Acreage 61.60

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

Township Cordova Section 31

Subdivision _____ Lot _____ Block _____

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

Cordova Township notified on 8/15/17
(Township Name) (Date)

Board Member Harry Metch regarding the proposed rezone.
(Name)

V. Quantities and Submittal Formats:

- One (1) reproducible 8.5" x 11" copy of the request and all other supporting documents.
- If any documentation is in color, an aerial photo, photographs, or larger than 8 1/2 x 11, then twenty three (23) copies must be submitted.
- Electronic version of any supporting documents *if available*.
- Additional copies may be requested as deemed necessary by the Department.
- Application must be made **in person** by the applicant and/or landowner no later than 12 P.M. on the date of application deadline.
- Appointment is necessary.**
- Applications will not be accepted by mail.**

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

Rezone \$ 750
Filing Fee \$ 46
Special Meeting \$ 2,000 (Additional fee)

VII. Rezone Request:

4.61 acres from Rec. Res "RR" District to Recreational Comm. District

VIII. Description of Request:

- a. A specific written description of the area to be rezoned must be attached.
- b. Complete the following in relationship to the proposed rezone request.

1. PRESENT ZONING DISTRICT CLASSIFICATION: RR
2. PROPOSED ZONING DISTRICT CLASSIFICATION: RC
3. PROPOSED USE OF THE LAND: Expand existing campground
4. CONCEPT PLAN: (attach) See Attached - Campground Exp.
5. COMPATABILITY WITH THE LAND USE PLAN AND STATEMENT OF CONDITIONS WARRANTING CHANGES IN ZONING: The demand for seasonal RV camping in LeSueur County is growing each year. Re-zoning will complement an existing resort.
6. COMPATABILITY WITH THE OVERALL CHARACTER OF EXISTING DEVELOPMENT IN THE IMMEDIATE VICINITY: The requested re-zone is adjacent to the west end of existing resort.
7. ADEQUATE UTILITIES, ACCESS ROADS, DRAINAGE, AND OTHER NECESSARY INFRASTRUCTURE: Existing well & new septic system. There is an existing private road. The land configuration allows for drainage in 2 directions.
8. SOIL CONDITIONS ADEQUATE TO ACCOMMODATE THE PROPOSED REZONE: yes
9. WILL THE PROPOSAL CREATE A POLLUTION HAZARD OR DEGRADE WATER QUALITY? (describe): No A new septic system will be installed
10. DESCRIBE THE IMPACT ON NATURAL RESOURCES (bluffs, wetlands, water bodies, ag land, woodlands, aggregate resources, etc): NONE PART of the planning of developing the land is to plant approximately 50 to 65 trees.
11. WILL THE PROPOSAL NEGATIVELY AFFECT THE PROTECTION OF THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE?: NO
15. MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS: (For example additional licensing and/or permitting) yes

IX. Site Plan: A certified land survey of the property to be rezoned shall include but not limited to:

- Existing uses and structures of adjacent properties within 500 feet in the incorporated area and within 1/2 mile in the unincorporated area.
- Zoning of adjacent properties
- Location
- Lot Dimensions
- North point
- Setbacks
- Property Lines
- Road Right-Of-Way
- Existing Structures
- Septic system
- Well
- Water feature (if any)
- Access (size & location)
- Easements

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. **Concept Plan**

XI. Procedure:

The Planning & Zoning Commission shall hold a public hearing on the proposed Rezone 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 County Board decision 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.

Scott J. Hass 8/15/17
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.

Lawrence C. Hutch 8-15-17
Property Owner signature Date

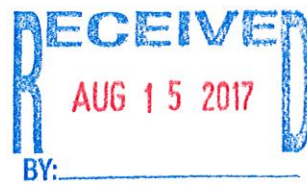
OFFICE USE ONLY

Request: _____

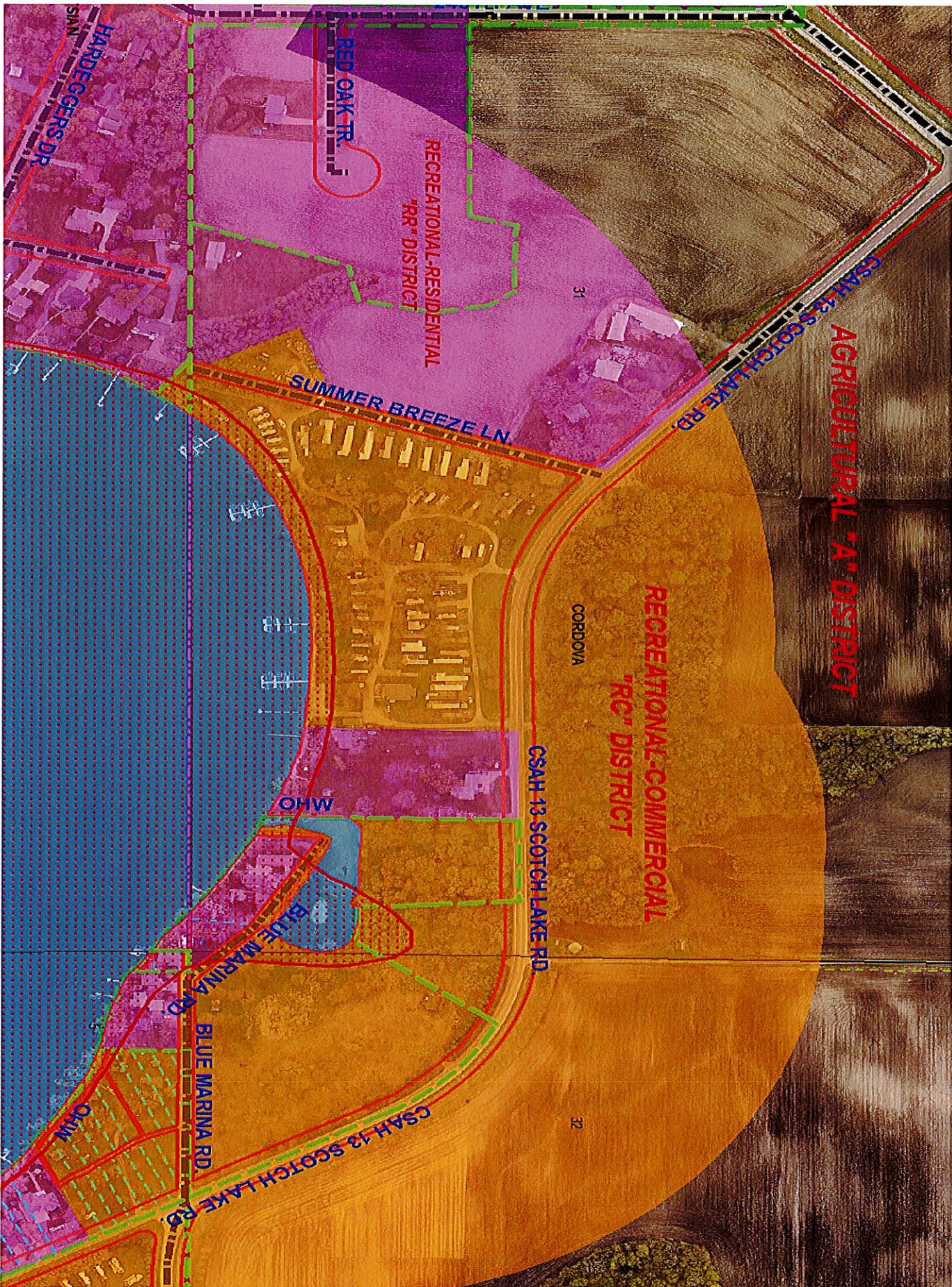
Pre-App Date <u>July 2017</u>	Lake Classification <u>RD</u>	Feedlot	<u>500'</u>	<u>1000'</u>	<u>N</u>
Meeting Date <u>Sept. 14</u>	Lake <u>Jelly</u>	Wetland Type	<u>1-2</u>	<u>3-8</u>	<u>N</u>
60 Day <u>Oct. 24</u>	FEMA Panel # <u>27079C0.270D</u>	Water courses			<u>Y</u> <u>N</u>
Zoning District <u>RR</u>	Flood Zone <u>X outside</u>	Bluff			<u>Y</u> <u>N</u>

<input checked="" type="checkbox"/> Request Description	<input type="checkbox"/> Access Approval <u>Ext. CUP</u>	<input type="checkbox"/> Septic	Comp Insp / Design
<input checked="" type="checkbox"/> Site Plan	<input checked="" type="checkbox"/> Concept plan	<input type="checkbox"/> Meeting	Reg / Spec
<input checked="" type="checkbox"/> Full Legal	<input type="checkbox"/> Other _____	<input type="checkbox"/> Fee	\$ <u>796.</u>
<input checked="" type="checkbox"/> Ordinance			

Application Complete Brookway 8/15/17 17290
Planning & Zoning Department Signature Date Permit #



Concept plan: Summer Breeze Resort has been owned and operated by the Hass family for 26 years and is currently operated on 12.91 acres with approximately 1,100 feet of lake frontage on the North shore of East Lake Jefferson. The demand for seasonal RV camping in LeSueur County is growing each year. The acquisition and re-zoning of the requested 4.61 acres lying adjacent to the West end of the current operating resort allows the business to expand its existing 75 seasonal sites, an additional 26 lots. In addition, part of this property will be utilized for upgrading the part of the existing resort's septic system.



Concept Plan

RECEIVED
AUG 15 2017
BY: _____

GOVERNMENT LOT 2

SW CORNER
DOC. NO. 351183

DOC. NO. 3511
2.25 ACRES

SOUTHERLY LINE
DOC. NO. 351183

SE CORNER
DOC. NO. 351183

Septic

NORTHERLY LINE
OUTLOT A

OUTLOT A

EASTERLY LINE
OUTLOT A

PARCEL
4.61 ACRES

SOUTHWEST CORNER
OUTLOT A

26 RU sites
35' x 80'

WESTERLY LINE
DOC. NO. 229579

DOC. NO. 229579

WESTERLY LINE
DOC. NO. 229579

POINT OF BEGINNING

SOUTH LINE OF GOVERNMENT LOT 2

SHORELINE

