



# **Le Sueur County, MN**

**Thursday, December 14, 2017**

**Regular session**

## **Item 2**

**Summer Breeze Resort, Scott Hass**

Staff Contact: Kathy Brockway or Michelle Mettler

# STAFF REPORT

## GENERAL INFORMATION

**APPLICANT/OWNER: SCOTT AND CINDY HASS- SUMMER BREEZE RESORT**

**PROJECT DESCRIPTION:** Expand an existing campground (Commercial Planned Unit Development) in a Recreational Commercial "RC" District, on a Recreational Development "RD" lake, Lake Jefferson.

*Rezoning of the property was granted in September of 2017*

*Variance granted in November of 2017 to allow an additional 6 seasonal sites in Tier 1.*

### ZONING DISTRICT PURPOSES:

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: 13.3

**DEFINITION:** CAMPGROUND - An area of property used on a daily, nightly or weekly basis upon which a tent, pickup camper, motor home, pop-up camper, or trailer, made for camping where proper sanitation facilities and spacing of camp units are provided and maintained.

### GOALS AND POLICIES:

The current Land Use Plan as adopted in 2007 does not make reference to the establishment and operation of Campgrounds. However, it is addressed as a Conditional Use Permit within the Recreational Commercial District.

## 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 October 9, 2017.

## NATURAL RESOURCES INFORMATION

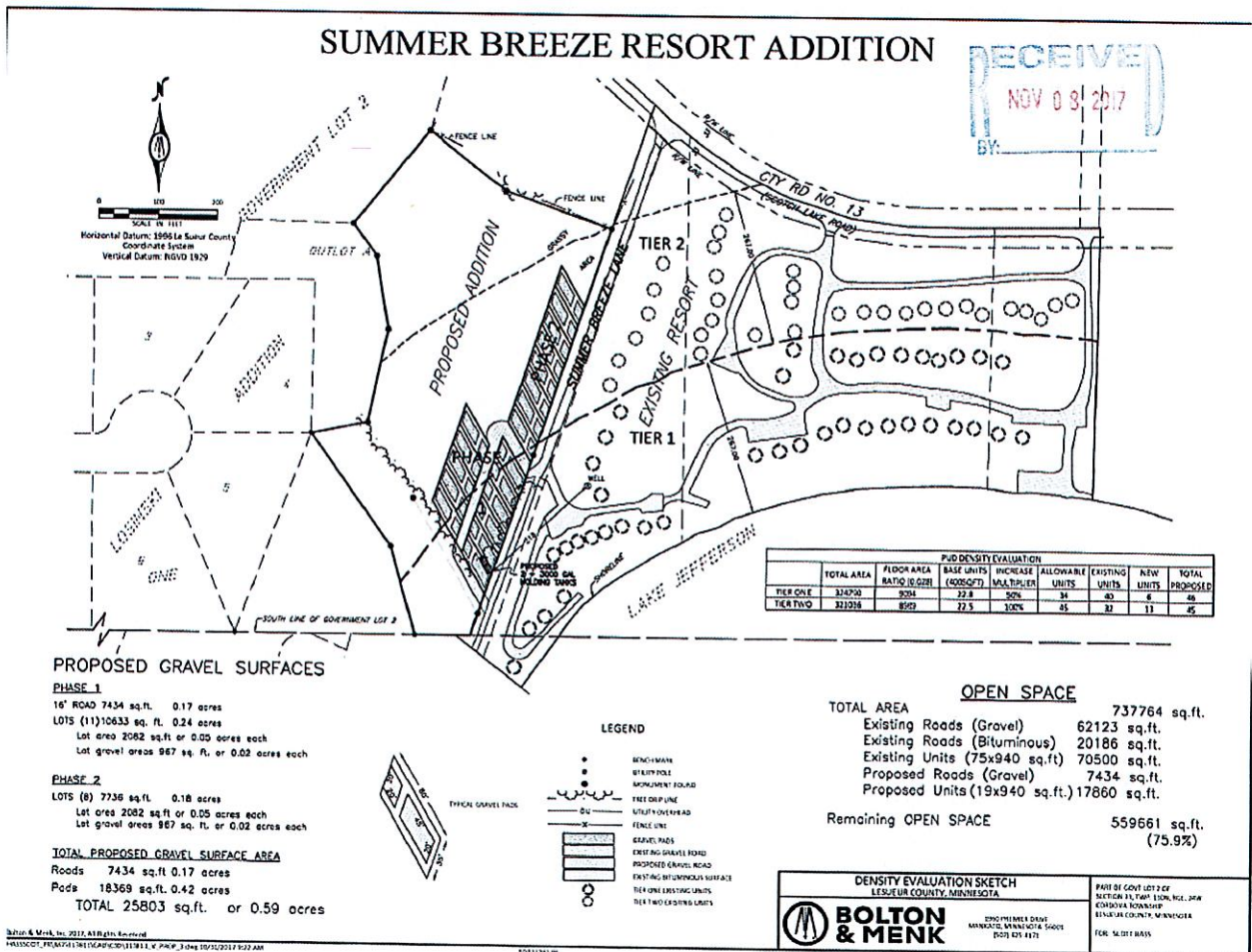
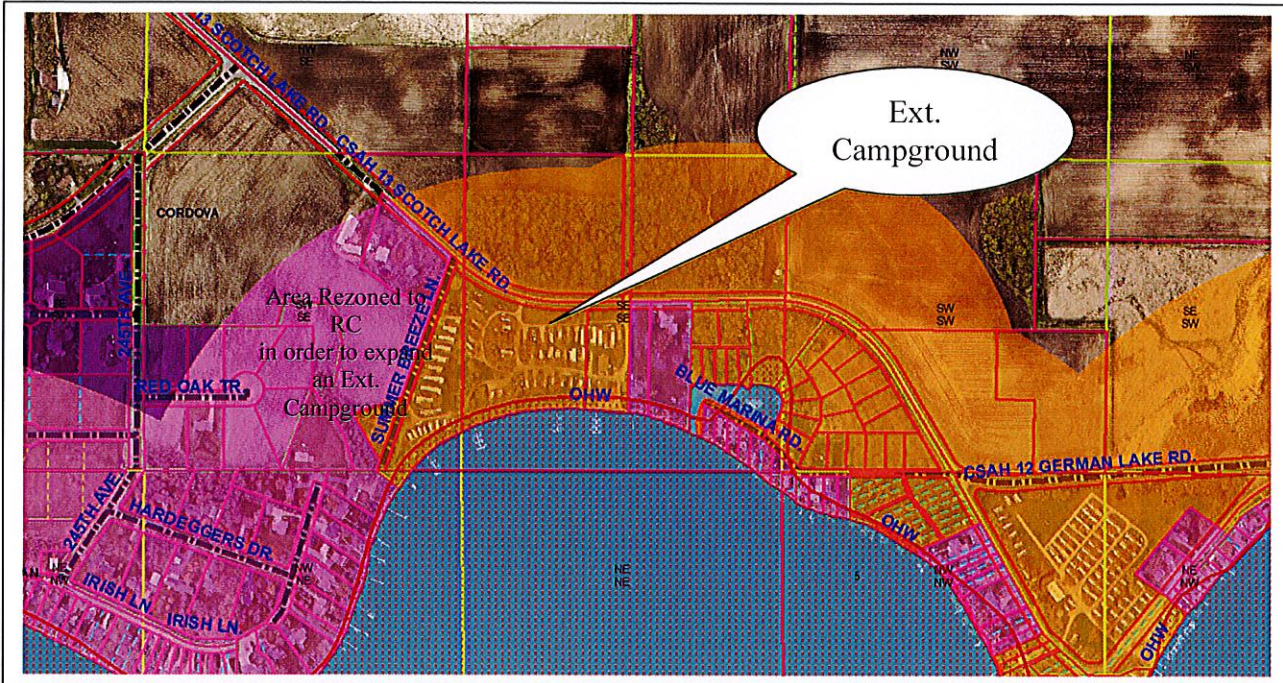
**SHORELAND:** The proposal is located within the Shoreland District.

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

## ATTACHMENTS

Application, Narrative, Map, Survey

AERIALS/SURVEY



## PERFORMANCE STANDARDS- SECTION 19, LE SUEUR COUNTY ZONING ORDINANCE

### CAMPGROUNDS AND RESORTS (PAGES 19-31/32)

1. Campgrounds and Resorts shall be regulated by the Le Sueur County Manufactured Home Park and Recreational Camping Area Ordinance, as administered by Le Sueur County Community Health Department and as amended from time to time.
2. Any non-conformities with existing Campgrounds and Resorts will be allowed to continue in accordance with provisions of Sections 4, 13, and 24 of this Ordinance. **The expansion of the campgrounds and resorts will require a Conditional Use Permit and will require the implementation of the following standards in the expansion area.**
  - a. If located within a flood plain, the applicant shall submit an emergency plan for the safe evacuation of all vehicles and people in the event of a one hundred (100) year flood event. Said plan shall be prepared by a licensed professional engineer or surveyor and shall demonstrate that adequate time and personnel exist to carry out the evacuation.
  - b. **The applicant shall provide a written plan for the safe evacuation in times of severe weather conditions and shall be submitted to the Emergency Management Director and Community Health Department to have on file with the County.**
  - c. **A responsible attendant or caretaker shall be in charge of the recreational camping area and the duties of said attendant or caretaker shall be to maintain records of the park, and keep the facilities and the equipment in a clean, orderly and sanitary condition. The caretaker or attendant shall be the owner or operator of the camping area, or his/her appointed representative.**
  - d. One single-family dwelling shall be allowed for the owner in the Campground and/or Resort.
  - e. One (1) temporary dwelling shall be allowed for the attendant/caretaker.
  - f. For Resorts, manufactured homes less than twenty (20) feet in width shall be allowed as a single-family dwelling or for seasonal occupancy in the Recreational Commercial (RC) District.
  - g. **The campground and/or resort shall meet the Planned Unit Development standards as described in this Ordinance.**
  - h. **A drainage plan shall be approved by the County Engineer.**
  - i. Decks abutting campers located within the shore impact zone may be allowed with the following restrictions:
    1. Decks shall not be placed on permanent footings.
    2. Decks shall not exceed the door sill height of the camper, exclusive of safety rails, and cannot occupy an area greater than three hundred (300) square feet.
    3. Decks abutting campers located in a licensed campground shall be set back a minimum of twenty five (25) feet from the OIWL.
  - j. Decks abutting campers located outside the shore impact zone may be allowed with the following restrictions:
    1. Decks shall not be placed on permanent footings.
    2. Decks shall not exceed the door sill height of the camper, exclusive of safety rails, and cannot occupy an area greater than three hundred (300) square feet.
  - k. Campers located in a licensed campground shall be set back a minimum of twenty five (25) feet from the OHWL.

### 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:

**Shoreland District.** The following additional evaluation criteria and conditions apply within the Shoreland Districts of the County.

1. **Evaluation criteria.** A thorough evaluation of the water body and the topographic, vegetation, and soils conditions on the site must be made to ensure:
  - a. The prevention of soil erosion or other possible pollution of public waters, both during and after construction.
  - b. The visibility of structures and other facilities as viewed from public waters is limited.
  - c. The site is adequate for water supply and on-site sewage treatment.
  - d. The types, uses, and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate this watercraft.

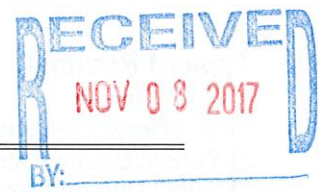
2. **Conditions attached to Conditional Use Permits in Shoreland Districts.** The Board of County Commissioners, upon consideration of the criteria listed above and the purposes of this Ordinance, shall attach such conditions to the issuance of the conditional use permits as it deems necessary to fulfill the purposes of this Ordinance. Such conditions may include, but are not limited to, the following:
- a. Increased setbacks from the ordinary high water level.
  - b. Limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted.
  - c. Special provisions for the location, design, and use of structures, sewage treatment system, watercraft, launching and docking areas, and vehicle parking areas.

<b>PLANNING AND ZONING COMMISSION FINDINGS</b>
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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 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?*



## Conditional Use Permit Application

### I. Applicant:

Name Scott Hass  
Mailing Address 46001 Haldeggers Lane  
City Cleveland State MN Zip 56017  
Phone # 952-290-4049 Phone # \_\_\_\_\_

### II. Landowner:

Name Scott Hass  
Mailing Address 46001 Haldeggers Lane  
City Cleveland State MN Zip 56017  
  
Property Address 45872 Summer Breeze Lane  
City Cleveland State MN Zip 56017  
Phone # 952-290-4049 Phone # \_\_\_\_\_

### III. Parcel Information:

Parcel Number \_\_\_\_\_ Parcel Acreage 4.61

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

Township Cordova Section 31  
Subdivision \_\_\_\_\_ Lot 2 Block \_\_\_\_\_

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

Cordova Township notified on 10/9/17  
(Township Name) (Date)

Board Member Harry Mack regarding the proposed use.  
(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 ½ 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.

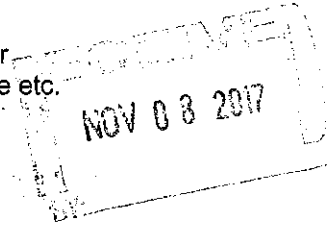
Conditional Use Permit \$ 750 After-The-Fact fee is **doubled**  
Filing Fee \$ 46

#### 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:**

- Self Service Storage
- School/Church/Cemetery
- Retail Nursery/Greenhouse
- Other RCA expansion
- Value Added Agriculture
- Antique Sales/Service/Repair
- Substation/Transmission Line etc.



**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: open 5 months May thru September
  - 2. ESTIMATED NUMBER OF PERSONS TO ATTEND PLACE OF BUSINESS/LOCATION ON A DAILY OR WEEKLY BASIS: 30 weekly basis
  - 3. LIST OF PUBLIC HEALTH PLANS:
    - i. Water Supply: Private well water
    - ii. Toilet facilities: Septic system - holding tanks
    - iii. Solid Waste Collection: serviced by LTP Enterprises, North Mankato
  - 4. FIRE PREVENTION: serviced by Cleveland Fire Department
  - 5. SECURITY PLANS: \_\_\_\_\_
  - 6. RETAIL SALES: N/A
  - 7. FOOD OR ALCOHOL SERVED OR FOR SALE: N/A
  - 8. DESCRIBE IF THE APPLICANT REQUESTS THE COUNTY TO PROVIDE ANY SERVICES OR COUNTY PERSONNEL: (For example, pedestrian and/or vehicular traffic control.)  
None
  - 9. SOUND AMPLIFICATION, PUBLIC ADDRESS SYSTEM, PLAYING OF MUSIC:  
N/A
  - 10. EXTERIOR LIGHTING: MVEC night lights
  - 11. PARKING AND LOADING: each campsite has a 20'x20' gravel pad
  - 12. SIGNAGE: existing
  - 13. ROAD ACCESS: (Approved by the road authority) existing
  - 14. CERTIFICATE OF INSURANCE: \_\_\_\_\_
  - 15. MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS:  
(For example additional licensing and/or permitting) County Board of Health RCA license

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

- North point
- Setbacks
- Property Lines
- Road Right-Of-Way
- Lake
- River
- Wetland
- Stream
- Existing Structures
- Proposed Structures
- Lot Dimensions
- Ponds
- Septic system
- Well
- Access (size & location)
- 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]*

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.*

Property Owner signature

Date

**OFFICE USE ONLY**

**Request:**

Pre-App Date <u>8/2017</u>	Lake Classification _____	Feedlot <u>500'</u> <u>1000'</u> <u>N</u>
Meeting Date <u>12/14/17</u>	Lake _____	Wetland Type <u>1-2</u> <u>3-8</u> <u>N</u>
60 Day <u>1/12/2018</u>	FEMA Panel # 27079C0 _____ D	Water courses <u>Y</u> <u>N</u>
Zoning District <u>RC</u>	Flood Zone _____	Bluff <u>Y</u> <u>N</u>
<input checked="" type="checkbox"/> Request Description	<input checked="" type="checkbox"/> Access Approval	<input checked="" type="checkbox"/> Septic
<input checked="" type="checkbox"/> Site Plan	<input checked="" type="checkbox"/> Erosion Control Plan	<input checked="" type="checkbox"/> Meeting
<input checked="" type="checkbox"/> Full Legal	<input type="checkbox"/> Blue Prints	<input type="checkbox"/> Fee
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Other _____	<input type="checkbox"/> Penalty
		Comp Insp / Design <u>7916.00</u>
		Reg / ATF / Spec

Application Complete

*[Signature]*  
Planning & Zoning Department Signature

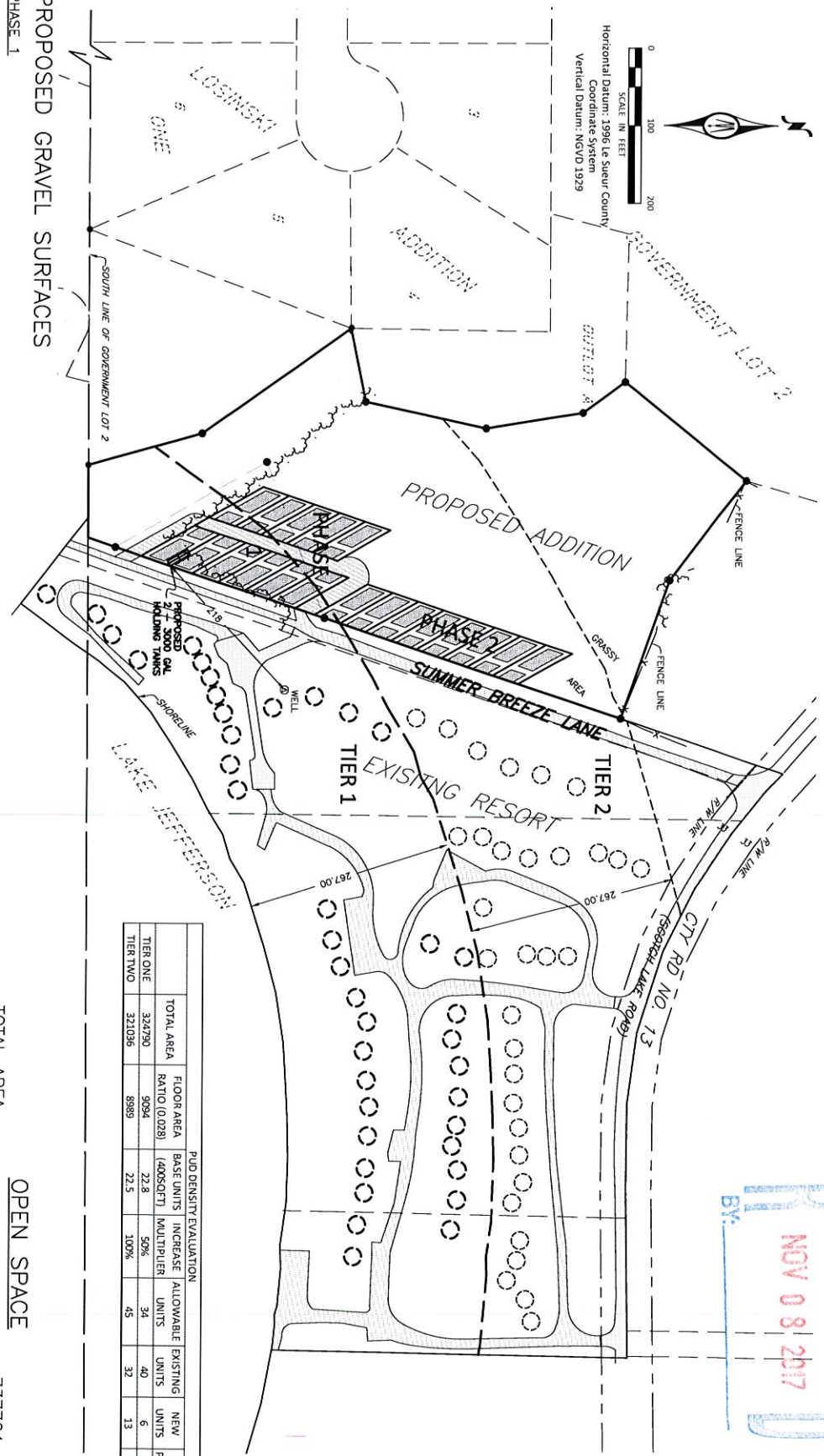
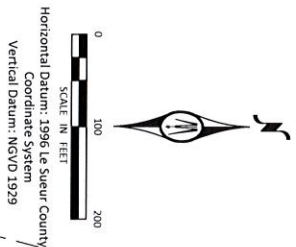
11.15.17  
Date

17453  
Permit #



# SUMMER BREEZE RESORT ADDITION

RECEIVED  
NOV 08 2017  
BY: \_\_\_\_\_

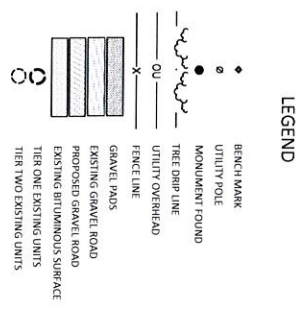
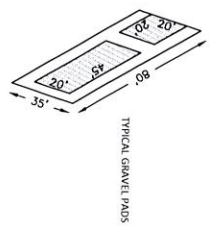


PUD DENSITY EVALUATION						
	FLOOR AREA RATIO (0.028)	BASE UNITS (4608 SQ FT)	INCREASE MULTIPLIER	ALLOWABLE UNITS	EXISTING UNITS	NEW UNITS
TIER ONE	324790	9094	22.8	207	40	6
TIER TWO	321036	8989	22.5	199	32	13
TOTAL			100%	406	72	19

**PROPOSED GRAVEL SURFACES**

**PHASE 1**  
16' ROAD 7434 sq.ft. 0.17 acres  
LOTS (11) 10633 sq. ft. 0.24 acres  
Lot area 2082 sq.ft. or 0.05 acres each  
Lot gravel areas 967 sq. ft. or 0.02 acres each

**PHASE 2**  
LOTS (8) 7736 sq.ft. 0.18 acres  
Lot area 2082 sq.ft. or 0.05 acres each  
Lot gravel areas 967 sq. ft. or 0.02 acres each



**OPEN SPACE**

TOTAL AREA 737764 sq.ft.  
Existing Roads (Gravel) 62123 sq.ft.  
Existing Roads (Bituminous) 20186 sq.ft.  
Existing Units (75x940 sq.ft) 70500 sq.ft.  
Proposed Roads (Gravel) 7434 sq.ft.  
Proposed Units (19x940 sq.ft.) 17860 sq.ft.

Remaining OPEN SPACE 559661 sq.ft. (75.9%)

**DENSITY EVALUATION SKETCH**  
LE Sueur COUNTY, MINNESOTA

**BOLTON & MENK**  
1960 PREMIER DRIVE  
MANAATO, MINNESOTA 56001  
(507) 925-4171

Job NUMBER: M33113811 FIELD BOOK: DRAWN BY: ANJ  
DATE: 10/23/17  
JOB NUMBER: M33113811 FIELD BOOK: DRAWN BY: ANJ  
DATE: 10/23/17

CUP Applicant:

Scott J. Hass  
46001 Hardeggers Lane  
Cleveland MN 56017  
ph# 952-290-4049



#### VIII Description of request

Proposed use of land: Used in the expansion of existing Summer Breeze Resort. This 4.61 acres will be utilized as follows. Phase #1, expansion of resort facilities to include 11 RV seasonal camping sites. In addition, erection of a maintenance building is proposed.

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, re-zoning and phase #1 expansion on the 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 11 lots.

Phase #2 will be implemented at a later date. Currently, many of the existing resort sites are occupied by older mobile homes. We are removing a few of these trailers each year and replacing with RV campers. We are evaluating how many we can remove in a year but also obtain a new tenant for that site. Once this is completed we will have the need for phase #2 RV sites.

Utilities: Land would be serviced by existing private well and a new septic holding tank system. MVEC is the electrical provider and has existing power adjacent to the proposed sites.

Access of the property is achieved by the use of existing resort owned private road on the West end of resort via County Road 13. The proposed expansion roads, site parking and rv pads will be crushed rock.

Landscaping: The land will be seeded in a grass mix. 18 each, 2" diameter hardwood trees, consisting of 5 different varieties will be utilized in various locations.

The land configuration allows for drainage occurring in two directions. Approximately 70% of the property drains towards a ravine that borders the southern part of the 4.61 acres. This ravine discharges into East Lake Jefferson. The remaining waters drains in a northeasterly direction, under County Road 13, east through a woods and then draining into East Lake Jefferson.

Storm shelter: The current resort utilizes the basement of an existing house, located on the East end of the resort. In event a person cannot make it to the basement in a timely manner the resort's fish cleaning building is located at the West end of the resort. This is a block reinforced structure. Our rules & regulations have this information listed in them.