



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:** DECEMBER 14, 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** Pine Creek Kennels, LLC, Jake Kline
- ITEM #4** Summer Breeze Resort, Scott Hass
- ITEM #5** Approved December 14, 2017 Meeting Minutes

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





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# **Le Sueur County, MN**

**Thursday, December 14, 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](http://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:** DECEMBER 14, 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 **DECEMBER 4, 2017**.

**ITEM #1: PINE CREEK KENNELS, LLC, MONTGOMERY, MN, (APPLICANT); JAKE KLINE, MONTGOMERY, MN, (OWNER):** Request that the County grant a Conditional Use Permit to allow the applicant to expand an existing dog kennel to include training, boarding, and breeding in an Agriculture "A" District. Property is located in the SW 1/4 NE 1/4, Section 32, Lanesburgh Township.

**ITEM #2: SUMMER BREEZE RESORT, CLEVELAND, MN, (APPLICANT); SCOTT HASS, CLEVELAND, MN, (OWNER):** Request that the County grant a Conditional Use Permit to allow the applicant to expand an existing campground (Commercial Planned Unit Development) in a Recreational Commercial "RC" District, on a Recreational Development "RD" lake, Lake Jefferson. Property is located in the SE 1/4, Section 31, Cordova 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



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# **Le Sueur County, MN**

**Thursday, December 14, 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:** December 14, 2017

**MEETING PLACE:** Le Sueur County Environmental Service

**Beginning Time:** 7:00 P.M.      **Ending Time:** Approx. 8:00 P. M.

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

**AGENDA:**

Meeting Called  
to Order.

**ITEM #1: PINE CREEK KENNELS, LLC, MONTGOMERY, MN, (APPLICANT); JAKE KLINE, MONTGOMERY, MN, (OWNER):** Request that the County grant a Conditional Use Permit to allow the applicant to expand an existing dog kennel to include training, boarding, and breeding in an Agriculture "A" District. Property is located in the SW 1/4 NE 1/4, Section 32, Lanesburgh Township.

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**DISCUSSION;**

**MINUTES-WARRANTS**

**ADJOURN      8:00 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.



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# Le Sueur County, MN

Thursday, December 14, 2017

Regular session

## Item 1

**Pine Creek Kennels, LLC, Jake Kline**

Staff Contact: Kathy Brockway or Michelle Mettler

# STAFF REPORT

## GENERAL INFORMATION

**APPLICANT/OWNER:** PINE CREEK KENNELS, LLC--JAKE KLINE

**PROJECT DESCRIPTION:** To allow the applicant to expand an existing dog kennel to include training, boarding, and breeding in an Agriculture "A" District. *(Conditional Use Permit granted in 2010 to establish and operate a kennel at this location)*

**SECTION 8.** Animal hospitals, veterinary clinics, animal crematoriums and related facilities for the care and breeding of animals including kennels.

### ZONING PURPOSE:

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:

The current Land Use Plan as adopted in 2007 does not make reference to the establishment and operation of Animal hospitals, veterinary clinics, animal crematoriums and related facilities for the care and breeding of animals including kennels. However, it is addressed as a Conditional Use Permit within the Agricultural District.

## SITE INFORMATION

**LOCATION:** 5.08 acre parcel in the Section 32, Lanesburgh Township

**ZONING:** "A" Agricultural

**GENERAL SITE DESCRIPTION:** Existing Building Site

**ACCESS:** Existing driveway access off Township Road

**EXISTING LAND USE WITHIN ¼ MILE:**  
North: AG/WETLANDS      South: AG/WETLANDS      East: AG      West: AG/WOODED

## TOWNSHIP BOARD REVIEW

The applicant notified Tony Kubes, Lanesburgh Township Board member in August of 2017.

## NATURAL RESOURCES INFORMATION

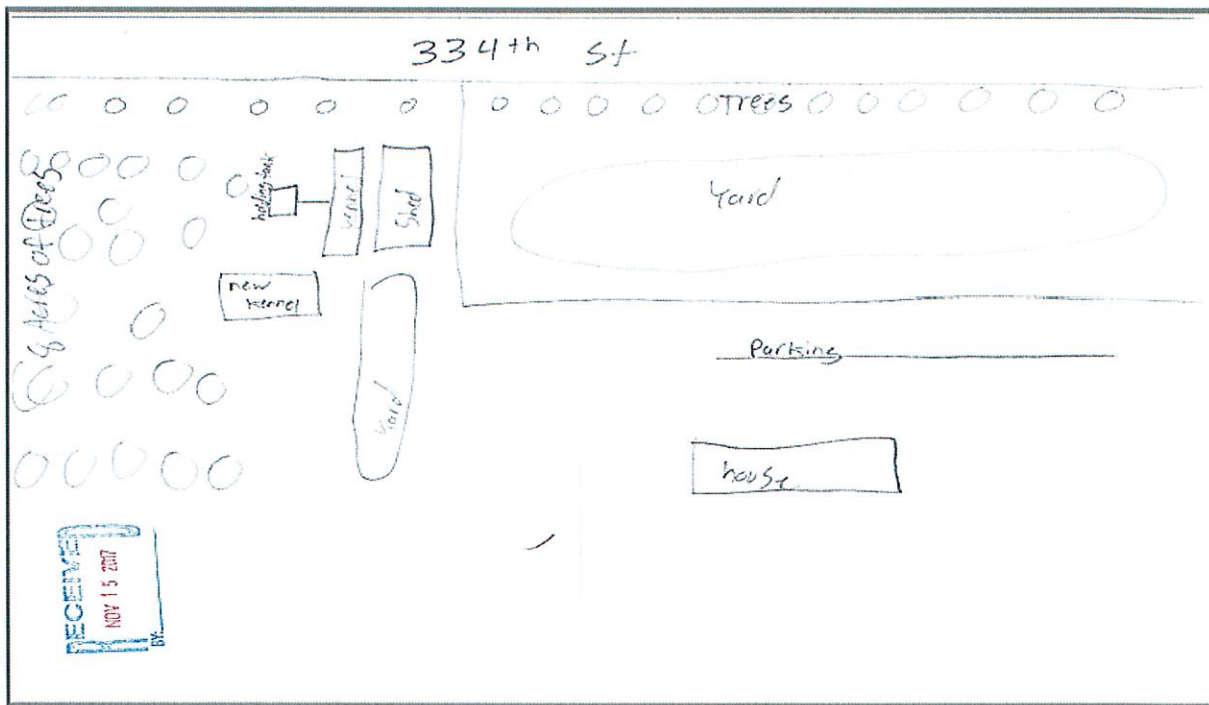
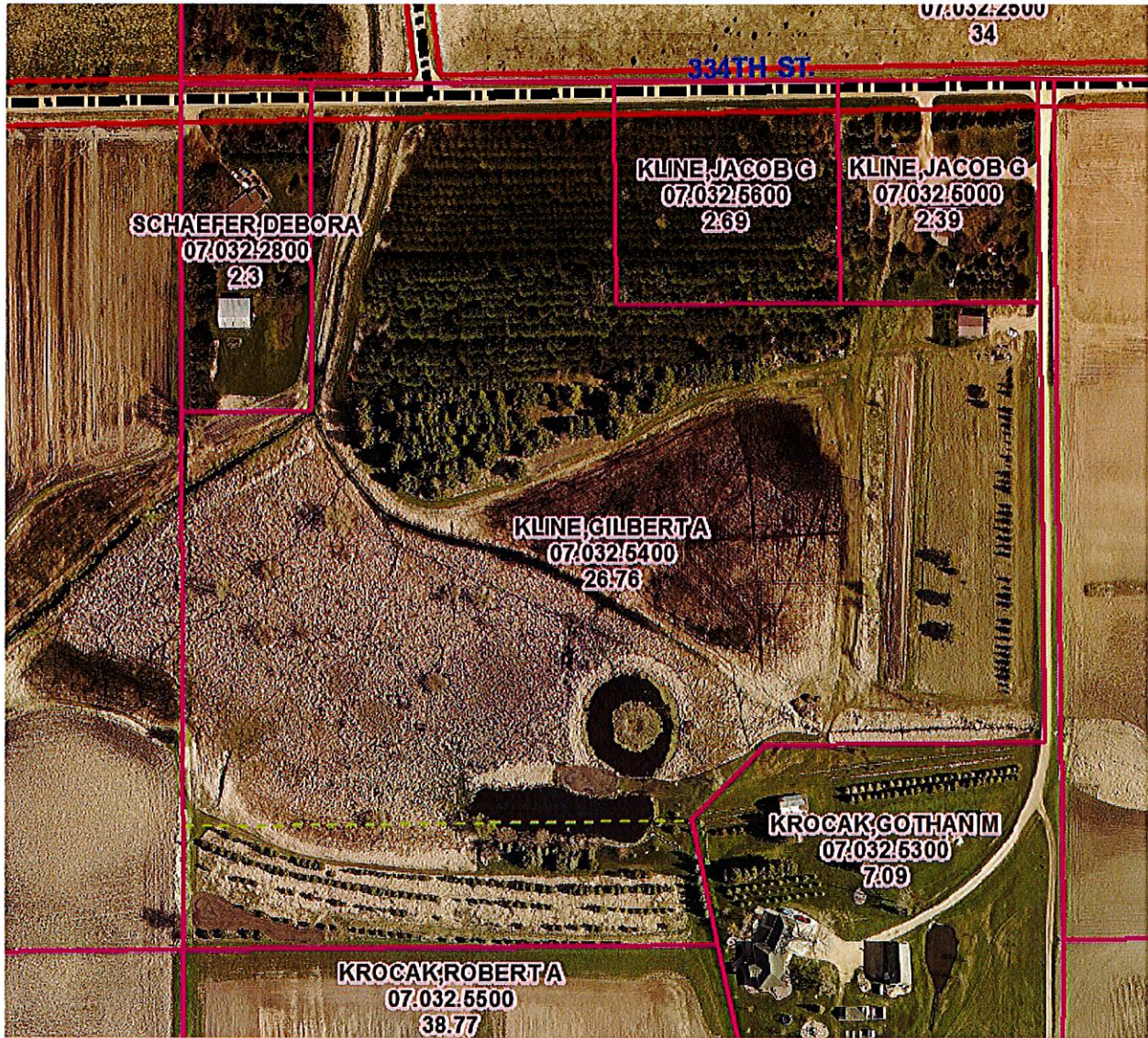
**SHORELAND:** The proposal is not located within the Shoreland District.

**WETLANDS:** According to the National Wetlands Inventory, Type 3 wetlands located in the quarter-quarter section where the kennel is proposed.

## ATTACHMENTS

Application, Narrative, Site Plan.





## 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 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. *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.*

**VII. Type of Request:**

- Self Service Storage
- School/Church/Cemetary
- Retail Nursery/Greenhouse
- Other Dog Kennel
- 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: M-5 7-5
- 2. ESTIMATED NUMBER OF PERSONS TO ATTEND PLACE OF BUSINESS/LOCATION ON A DAILY OR WEEKLY BASIS: 3
- 3. LIST OF PUBLIC HEALTH PLANS:
  - i. Water Supply: Own well
  - ii. Toilet facilities: 1
  - iii. Solid Waste Collection: Get Pumped
- 4. FIRE PREVENTION: Yes
- 5. SECURITY PLANS: Yes
- 6. RETAIL SALES: Some
- 7. FOOD OR ALCOHOL SERVED OR FOR SALE: NO
- 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:  
None
- 10. EXTERIOR LIGHTING: very little
- 11. PARKING AND LOADING: -
- 12. SIGNAGE: -
- 13. ROAD ACCESS: (Approved by the road authority) \_\_\_\_\_
- 14. CERTIFICATE OF INSURANCE: \_\_\_\_\_
- 15. MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS: (For example additional licensing and/or permitting) None

**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)

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- Self Service Storage
- School/Church/Cemetery
- Retail Nursery/Greenhouse
- Other Dog Kennel
- Value Added Agriculture
- Antique Sales/Service/Repair
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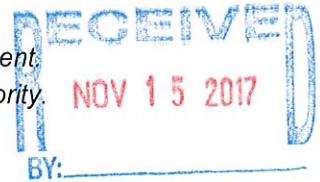
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- Landscape, screening and buffering (if applicable to application)
- Location of significant trees to be removed (if applicable to application)

**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.*

Joe Kim 11-15-17  
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.*

Joe Kim 11-15-17  
Property Owner signature Date

**OFFICE USE ONLY**

**Request:**

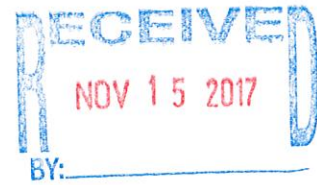
Pre-App Date <u>8.2017</u>	Lake Classification <u>NE</u>	Feedlot	500'	1000'	<input checked="" type="radio"/>
Meeting Date <u>12.14.17</u>	Lake <u>SP</u>	Wetland Type	1-2	3-8	N
60 Day	FEMA Panel # 27079C0 <u>200</u>	Water courses			<input checked="" type="radio"/> Y N
Zoning District <u>AG/SP</u>	Flood Zone <u>x outside</u>	Bluff			Y <input checked="" type="radio"/> N

<input checked="" type="checkbox"/> Request Description	<input checked="" type="checkbox"/> Access Approval	<input type="checkbox"/> Septic	<input checked="" type="checkbox"/> <b>Comp Insp</b> Design
<input checked="" type="checkbox"/> Site Plan	<input type="checkbox"/> Erosion Control Plan	<input type="checkbox"/> Meeting	<input checked="" type="checkbox"/> <b>Reg</b> / ATF / Spec
<input checked="" type="checkbox"/> Full Legal	<input type="checkbox"/> Blue Prints	<input type="checkbox"/> Fee	\$ <u>796.00</u>
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Other _____	<input type="checkbox"/> Penalty	\$ _____

Application Complete K Brockway 11.14.17 17449  
Planning & Zoning Department Signature Date Permit #

Jake Kline  
17391 334th Street  
Montgomery, Minnesota 56069  
952-292-2055



Jkpinecreekkennels@gmail.com

Re: Conditional use permit for expanding my dog training and boarding facility

Located at: Sect-32, Twp-112, Range-23

For September 14, 2017 planning and zoning commission meeting consideration

Please accept this as our narrative for our application for a conditional use permit to expand our dog training business

**Notes:**

All dogs will have to be current on vaccinations (rabies, dhlp, and bordetella). The maximum number of dogs the new building can hold would be twenty. The total number of dogs on the property would be forty. The kennel runs would be 4 by 6 foot individual kennel runs inside a climate controlled building. Safety is our first priority and all kennels will be inspected daily to make sure there are no issues. Whenever a dog is out of its kennel, it will be under supervision. I have been training dogs here at this location for seven years now without any kind of problems. I am hoping to add on and expand my business.

I spoke with Lansburgh township board on August 7, 2017. They had no concerns on this proposal.

**Written explanation of how the proposed conditional use permit will comply with each standard:**

- 1. Burden of public facilities: The use will not create an excessive burden on existing public parks, schools, streets and other facilities and utilities which serve or are proposed to serve the area.**

There are no public facilities near the planned kennel site or training grounds.



**2. Compatible with surrounding uses: The use will be sufficiently compatible with, separated by sufficient distance or screened from adjacent agricultural or residential zoned or land uses so that there will be no deterrence to the use or development of adjacent land and uses.**

All Land that will be used to train the dogs or exercise them is either mine or Gilbert Kline's. I spoke with Gilbert and he had no concerns on this proposal.( I have attached a signed letter). All other land around me is farm or crp, which i will have no effect on.

**3. Appearance: The structure and/or site is designed and constructed that it is not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the adjacent properties.**

This structure will be new construction that will match the surrounding buildings. It will be all brown tin with a white service door, tan garage door and 6 white windows. The building will be insight from my house and I will do some landscaping around it. There is ten acres of trees butting up to north,south and west side of new building. The east side would be facing my home so little to none of the building would be visible.

**4. Zoning district purpose: The use in consistenit with the purpose of the ordinance and the purpose of zoning district in which the applicant tends to locate the proposed use.**

Per section 8-agriculture districts a-subdivision 3-conditional uses-number 17 as outlined: Veterinary and animal clinics and related facilities for the care and breeding of animals including kennels.

**5. Comprehensive plan: the use is not in conflict with the comprehensive land use plan of Le Sueur County.**

The use of this facility is not in conflict with the comprehensive land use plan of Le Sueur County.

**6. Traffic, access parking: Adequate measures have been taken to provide sufficient on-site parking, provide adequate access to public roads.**

The parking is outlined in the site plan. There is plenty of room to park in my driveway. There should never be more than two customers here every half hour. The drive way provides adequate access to 334th street which is gravel and should be adequate.

**7. Erosion control and stormwater: Erosion control and/or storm-water management are provided in accordance with applicable standards (erosion control plan and/or stormwater plan required).**

We will comply with the erosion and sediment control plan.

**8. Sewer and water: The site is adequate for water supply and sewage treatment.**

There is a 2000 gallon holding tank for the cleaning and liquid disposal. An independent water line will be installed directly into the facility for cleaning and watering. The building will have a foot wide gutter running through center for drainage.

**9. County needs: The use is reasonably related to the overall needs of the county and to the existing land use.**

Yes, there is a need for a training/boarding facility, as well as to increase tax base and job creation.

**10. Nuisance mitigation: Plan related to noise, odors, glare, dust or similar nuisance needs.**

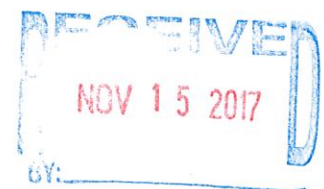
**Noise:**

All dogs will be kept in a climate controlled building which will be well insulated. The closest home is approximately 400 yards away. There are many mature trees around to help control the noise. The facility is 50 ft from my home. Any noise issues will be addressed immediately.

**Odors:**

All solids will go into the holding tank and pumped out as needed.

**Building:**





30x100 building single story,slab on grade with footing to code. All brown tin with 6 white windows a white service door and tan overhead door.

**Electrical,water and drainage:**

This building will have independent electrical panel and water. There will be a 1 foot wide gutter running through the center of building for proper drainage to holding tank. All solids will enter the holding tank and pumped out as needed.

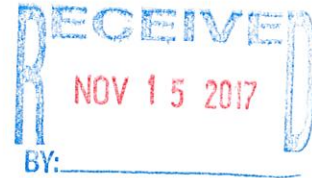
**Contractors**

To be determined

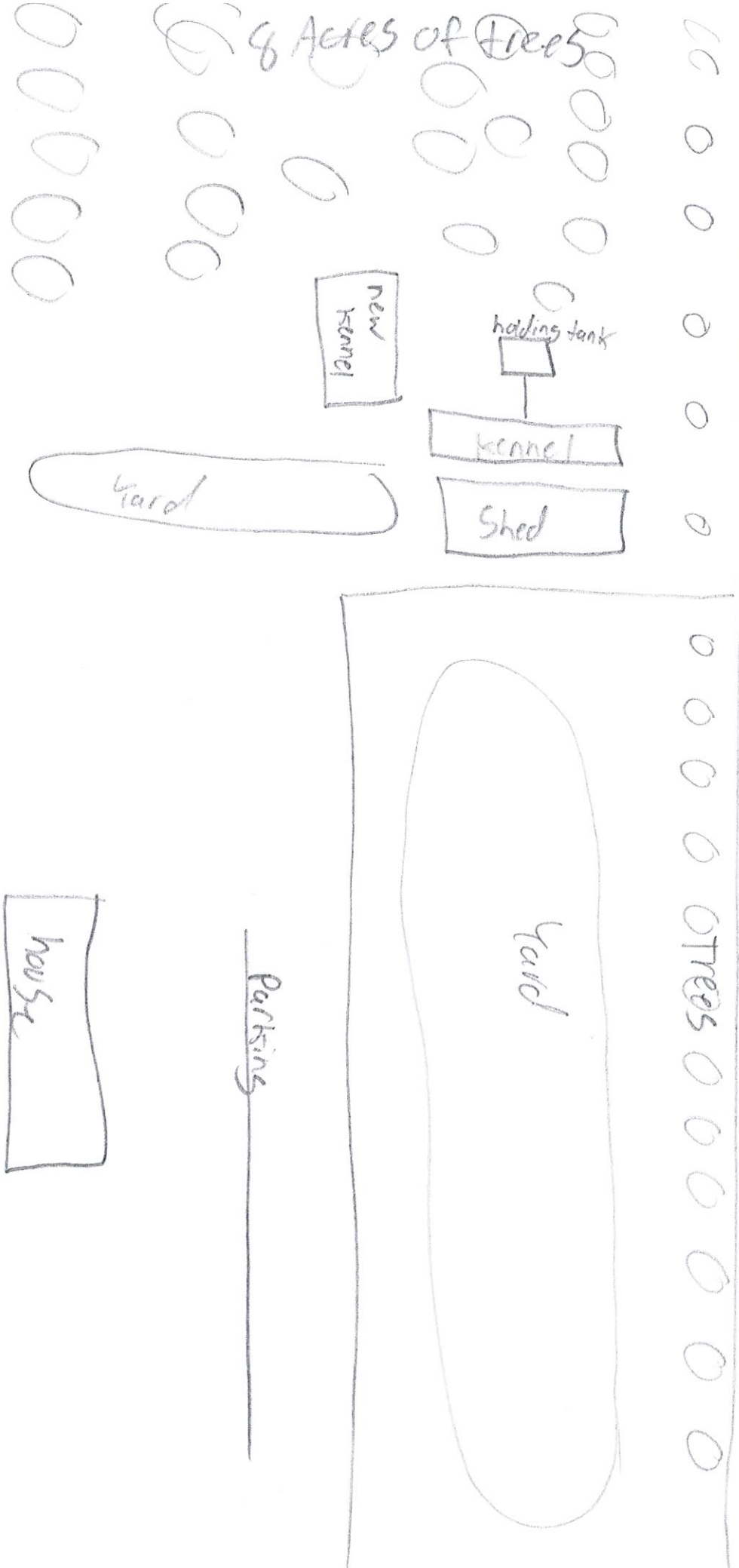
Kadada and sons, concrete

Kaderlick well drilling,water

Electrical, myself



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BY: \_\_\_\_\_

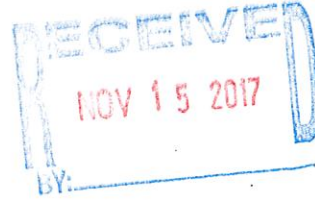


334th St

313 Lyndale Ave  
New Prague, Mn. 56071  
Phone (612) 232-9737  
Fax (952) 758-6278

**Advanced OnSite,  
Inc.**

# Memo



**To:** Jacob Kline  
**From:** Tom Klanchnik  
**Date:** September 4, 2017  
**Re:** Septic Comp. Insp: 17391 334<sup>th</sup> Street Montgomery, MN. 56069

## KENNEL BUILDING HOLDING TANK

Hi,

Please find the enclosed M.P.C.A. Compliance Inspection forms for your 2010 Kennel Building Holding Tank at the above noted location. The Inspection was completed on August 26, 2017.

A physical inspection of the entire system area and its components was conducted. **NO EVIDENCE OF DISCHARGE OF ANY KIND WAS OBSERVED.**

The 1500 gallon DC Holding tank was probed to verify as **PRECAST WITH SOLID A BOTTOM.** This confirms As-Built data from LGU files.

Based upon my site evaluation of **August 26, 2017** this Kennel Building Holding tank system has been classified as a **passing** or **complying** system. Please note that no determination of future hydraulic performance has been nor can be made due to unknown conditions during system construction, abuse of the system, inadequate maintenance, or future water usage.

If you have any questions please feel free to contact me at (612) 232-9737.  
Thanks!

# **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



## 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.

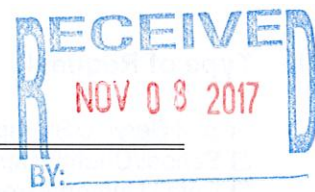
<b>PLANNING AND ZONING COMMISSION FINDINGS</b>
--

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

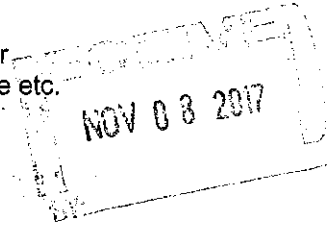
#### Additional Fees:

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 8/2017 Lake Classification \_\_\_\_\_ Feedlot 500' 1000' N  
 Meeting Date 12/14/17 Lake \_\_\_\_\_ Wetland Type 1-2 3-8 N  
 60 Day 1/12/2018 FEMA Panel # 27079C0 \_\_\_\_\_ D Water courses Y N  
 Zoning District RC Flood Zone \_\_\_\_\_ Bluff Y N

Request Description  Access Approval  Septic Comp Insp / Design  
 Site Plan  Erosion Control Plan  Meeting Reg / ATF / Spec  
 Full Legal  Blue Prints  Fee \$ 7916.00  
 Ordinance  Other \_\_\_\_\_  Penalty \$ \_\_\_\_\_

Application Complete

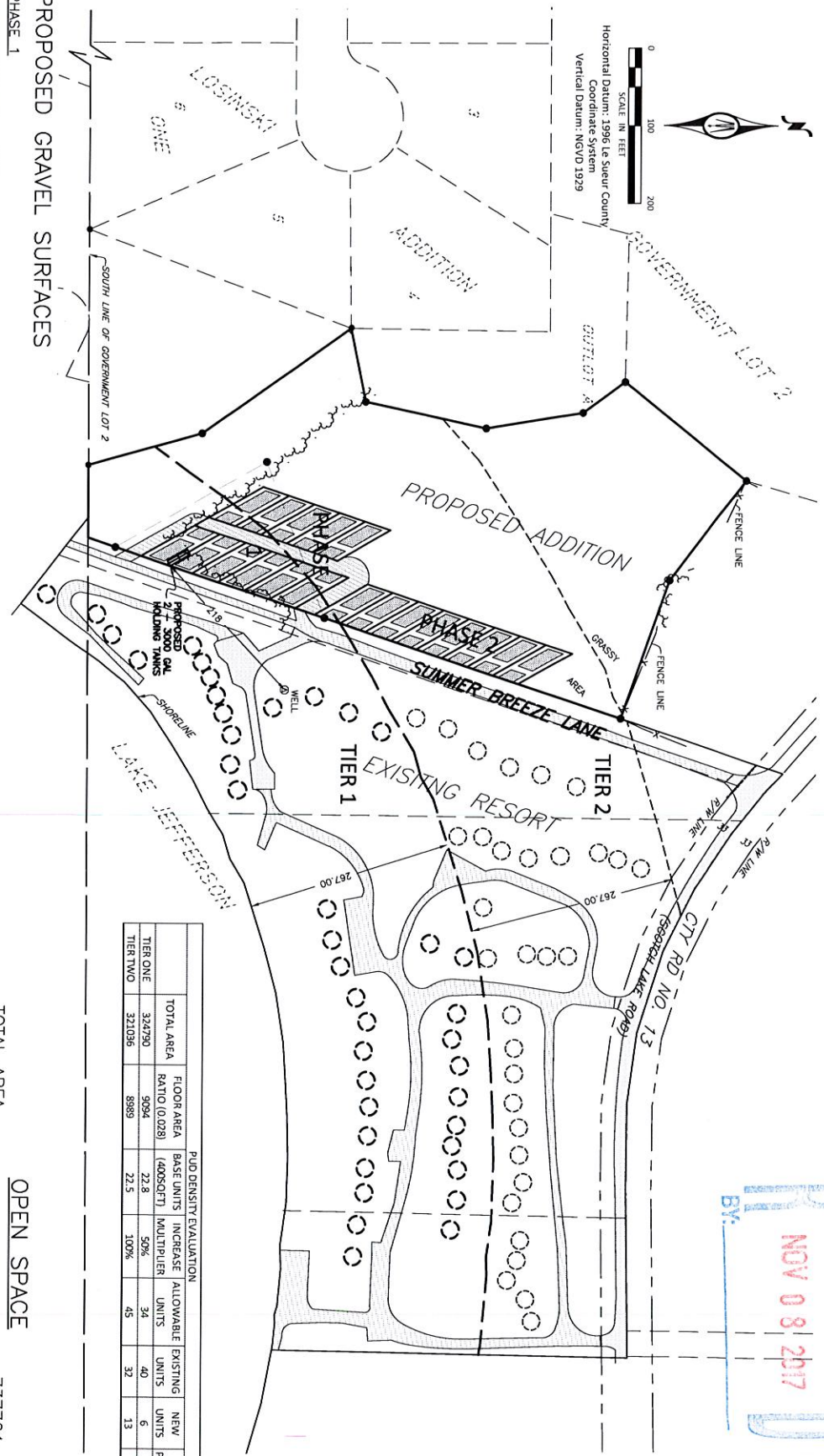
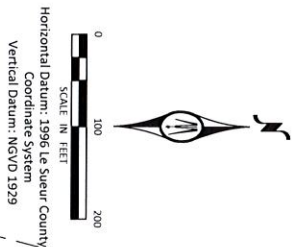
*[Signature]*  
 Planning & Zoning Department Signature

11.15.17  
 Date

17453  
 Permit #

# SUMMER BREEZE RESORT ADDITION

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



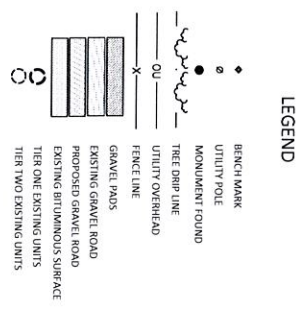
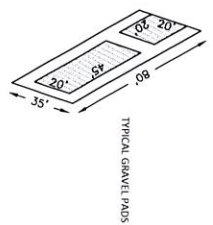
PDU DENSITY EVALUATION						
TIER	TOTAL AREA	FLOOR AREA RATIO (0.028)	BASE UNITS (4608 SQ FT)	INCREASE MULTIPLIER	ALLOWABLE UNITS	EXISTING UNITS
TIER ONE	324790	9094	22.8	50%	34	40
TIER TWO	321036	8989	22.5	100%	45	32
					45	13
					45	46

**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

**TOTAL PROPOSED GRAVEL SURFACE AREA**  
Roads 7434 sq.ft. 0.17 acres  
Pads 18369 sq.ft. 0.42 acres  
**TOTAL 25803 sq.ft. or 0.59 acres**



**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

1960 PREMIER DRIVE  
MANAATO, MINNESOTA 56001  
(507) 925-4171

PART OF GOVT LOT 7 OF SECTION 31, TWP. 110N., RGE. 24W. CORDOVA TOWNSHIP, LE Sueur County, MINNESOTA FOR SCOTT HASS

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 re-enforced structure. Our rules & regulations have this information listed in them.



# **Le Sueur County, MN**

**Thursday, December 14, 2017**

**Regular session**

## **Item 1**

**Approved December 14, 2017 Meeting Minutes**

Staff Contact: Kathy Brockway or Michelle Mettler

**LE SUEUR COUNTY PLANNING AND ZONING COMMISSION**  
**88 SOUTH PARK AVE.**  
**LE CENTER, MINNESOTA 56057**  
**December 14, 2017**

**MEMBERS PRESENT:** Don Reak, Jeanne Doheny, Don Rynda, Shirley Katzenmeyer, Doug Krenik, Al Gehrke, Pam Tietz, Commissioner Wetzel

**OTHERS PRESENT:** Kathy Brockway, Joshua Mankowski

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

**ITEM #1: PINE CREEK KENNELS, LLC, MONTGOMERY, MN, (APPLICANT); JAKE KLINE, MONTGOMERY, MN, (OWNER):** Request that the County grant a Conditional Use Permit to allow the applicant to expand an existing dog kennel to include training, boarding, and breeding in an Agriculture "A" District. Property is located in the SW 1/4 NE 1/4, Section 32, Lanesburgh Township.

Kathy Brockway presented power point presentation. Jake Kline, owner of Pine Creek Kennels, LLC, was present for application.

TOWNSHIP: Notified through the application process                      DNR:N/A              LETTERS: Amy Beatty, County Feedlot Officer-see file

PUBLIC COMMENT: None

Discussion was held regarding: Operating under a conditional use permit for the past 7 years, requesting to expand to full capacity, 2-full time employees, sufficient parking on site, no complaints on file, currently 18 kennels, 20-4x8 kennels proposed, all kennels are climate controlled, dogs under supervision while outside, all dogs are current with vaccinations, trees buffer site from neighbors, 100% training, holding tank for waste pumped by MS Excavating, need for boarding of dogs

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.*
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 have been taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures have been 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.*

Motion was made by Shirley Katzenmeyer to approve the application with the following conditions.

- When the tank is installed, it be tested for water-tightness and not be installed at a depth greater than allowed by the manufacturer.

- The land application of the dog waste onto property owned by Mr. Gilbert Kline does not create or maintain a pollution hazard (maintain setbacks to sensitive features during land application and apply at agronomic rates). Per the 2010 CUP application, the waste is allowed to be land applied on Mr. Gilbert Kline's property through a signed, written agreement.
- If the dog waste is not land applied, a written statement as to where the dog waste will be disposed of and service agreement shall be on file with the Planning and Zoning Department.
  - If it will be disposed of at a city's wastewater treatment plant, approval from the wastewater treatment plant's operator shall be on file with the Planning and Zoning Department

This disposal plan should meet the requirements of state rules and the County Zoning Ordinance based on the information provided to me.  
 Seconded by Doug Krenik.

**ITEM #2: SUMMER BREEZE RESORT, CLEVELAND, MN, (APPLICANT); SCOTT HASS, CLEVELAND, MN, (OWNER):** Request that the County grant a Conditional Use Permit to allow the applicant to expand an existing campground (Commercial Planned Unit Development) in a Recreational Commercial "RC" District, on a Recreational Development "RD" lake, Lake Jefferson. Property is located in the SE 1/4, Section 31, Cordova Township.

Kathy Brockway presented power point presentation. Scott Hass, owner of Summer Breeze Resort was present for application.

TOWNSHIP: Notified through the application process    DNR: No comments    LETTERS: None

PUBLIC COMMENT: None

Discussion was held regarding: Resort has been owned by the Hass's for 26 years, eliminating manufactured home sites, replacing with RVs, demand for seasonal camping sites in the County, all sites are approximately 2800 sq. ft., planting of trees along the property lines for screening, quiet times 11PM, normally open from late April with closing of grounds 1<sup>st</sup> week of October, installation of holding tanks, several options for storm shelters on the property.

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.*
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 provided.*
4. *Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures have been 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*

Motion was made by Al Gehrke to approve the application as requested. Seconded by Don Reak. Motion approved. Motion carried.

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



Kathy Brockway, Zoning Administrator thanked the board for their work/support over the years, as she is retiring as of December 29, 2017 from her position with the County. She introduced the board to the newly hired Environmental Services/Planning and Zoning Administrator, Joshua Mankowski.

Motion to adjourn meeting by Al Gehrke. Seconded by Pam Tietz. Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,  
Pam Tietz  
By Kathy Brockway

*Approved January 11, 2018*

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