



Le Sueur County, MN

Tuesday, July 25, 2017

Board Meeting

Item 5

9:55 a.m. Kathy Brockway, Zoning Administrator (10 minutes)

CUPs

Staff Contact:

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
July 13, 2017

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

OTHERS PRESENT: Kathy Brockway, Amy Beatty, Commissioner Rohlring

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

ITEM #1: NOVEL ENERGY SOLUTIONS, ROCHESTER, MN, (APPLICANT); VETTER ENTERPRISES LLC, ST PETER, MN, (OWNER): Request an extension for an existing Conditional Use Permit #16155 to allow the applicant to construct a 3MW solar garden in an Agricultural "A" District. Property is located in the SW1/4, Section 16, Kasota Township.

Kathy Brockway presented power point presentation. Paula Fitzgerald, representing Novel Energy Solutions was present for application.

TOWNSHIP: no comments DNR:N/A LETTERS: none

PUBLIC COMMENT: no comments

Discussion was held regarding: Working with Xcel Energy, all easements are in place, planning to start construction within the next month or two, will meet the completion of the project within the 1-year extension.

Motion was made by Don Reak to approve the application for a 1-year extension. Seconded by Doug Krenik. Motion approved. Motion carried.

ITEM #2: LONE OAK FARM INC, LE SUEUR, MN, (APPLICANT); GREGORY & JOAN SCHWARZ, LE SUEUR, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to expand an existing 444.6 animal unit feedlot to a total of 981 animal unit feedlot in an Agriculture "A" District. Property is located in the NE 1/4 SE 1/4, Section 4 & 9, Sharon Township.

Kathy Brockway presented power point presentation. Jeff Bauman, Anez Consulting, was present for application.

TOWNSHIP: Notified through the application process. DNR: N/A LETTERS: none

PUBLIC COMMENT: Ed Fahey, adjoining landowner, questioned the possibility of future expansions, odor and dust control. He did meet with the applicant to go over his concerns. No objections to the expansion request.

Discussion was held regarding: type of ventilation, new technology, under threshold of state permit, type of floor installed in new barns vs. the old barns, more sq.ft. for birds, chemicals used to wash down the barns, engineered tanks installed, spreading of manure vs. hauling to a facility, air emissions permits, odor plan, difference between short term vs permanent stockpiling, no complaints on file.

Findings by majority roll call vote:

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity. Agreed.*
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. Agreed.*
3. *Adequate utilities, access roads, drainage and other facilities are being provided. Agreed.*
4. *Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use. Agreed.*

5. *Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.* Agreed.
6. *Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?* Agreed.
7. *Is the Conditional Use Permit consistent with the Comprehensive Land Use Plan?* Agreed.

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

ITEM #3: LONE OAK FARM INC, LE SUEUR, MN, (APPLICANT); GREGORY & JOAN SCHWARZ, LE SUEUR , MN, (OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of approximately 18,097 cubic yards of material in an Agriculture “A” District. Property is located in the NE 1/4 SE 1/4, Section 4 & 9, Sharon Township.

Kathy Brockway presented power point presentation. Jeff Baumann, Anez Consulting was present for application.

TOWNSHIP: Notified through the application process. DNR: N/A LETTERS: none

PUBLIC COMMENT: no comments

Discussion was held regarding: the grading, excavating, and filling for the project is above and beyond the permitted use for construction of the facility, construction of infiltration basins, erosion control methods will be in place.

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 Pam Tietz to approve the application as requested. Seconded by Don Rynda. Motion approved. Motion carried.

ITEM #4: BLUE SKY DAIRY LLC, COURTLAND, MN, (APPLICANT\OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to expand an existing animal feedlot from 1499.8 animal units to 1505.8 animal units in a Conservancy “C”, Agriculture “A”, and Special Protection District . Property is located in the SW 1/4, Section 26, Cleveland Township.

Kathy Brockway presented power point presentation. Jeff Baumann, Anez Construction, and Steve Smith, co-owner of facility, were present for the application.

TOWNSHIP: Notified through the application process. DNR: no comments LETTERS: none

PUBLIC COMMENT: none

Discussion was held regarding: The facility is under the MPCA State Permit, state inspects the facility, no county inspections, reason for expansion and request for permanent stockpile site, is part of a corrections plan with the MPCA, timeline to complete project is with the MPCA, expansion area is to house calves, manure land applied in the fall, new owners of facility; Steve Smith, Jeff Warektin, Steve Schenta, and Roger Flugal, no complaints on file, Variance granted in May of 2017 to expand a legal non-conforming use.

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 have been provided. Agreed.*
4. *Adequate measures have been 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 Al Gehrke to approve the application as requested. Seconded by Don Rynda Motion approved. Motion carried.

ITEM #5: MANKATO LANDSHAPES, EAGLE LAKE, MN, (APPLICANT); STEVE & ELIZABETH BOOTS, MADISON LAKE, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of approximately 12.5 cubic yards of material within a bluff for a bluff stabilization project and stairs in the bluff in a Recreational Residential “RR” District, on a Recreational Development “RD” lake, Lake Washington. Property is located at Lot 4, Block 3, Connors Point Subdivision, Section 7, Washington Township.

Kathy Brockway presented power point presentation. Steve and Elizabeth Boots were present for application.

TOWNSHIP: Notified through the application process, email received stating to objections to the proposal.
DNR: no comments LETTERS: Joshua Mankowski

PUBLIC COMMENT: none

Discussion was held regarding: due to a heavy rain event in 2016 bluff started to erode, control runoff, natural ground cover, construction of a safer stairway to access the lake, working with landscaper and engineer, construction to start as soon as possible if approved in order to control the eroding of the bluff.

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

Motion was made by Shirley Katzenmeyer to approve the application with the conditions of Joshua Mankowski, Le Sueur County Resource Specialist.

1. *Use special care to protect holes for footings, keep covered when not actively working on the footings.*
2. *Plant disturbed areas and the Filtrexx Bank Stabilization with native vegetation as discussed.*

Seconded by Don Reak. Motion approved. Motion carried.

Motion was made by Doug Krenik to approve the minutes from the June 8, 2017 meeting. Seconded by Shirley Katzenmeyer. Motion approved. Motion carried.

Discussion: For the record-Pam Tietz, Don Reak and Doug Krenik will not attend the August 10, 2017 meeting due to prior commitments.

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

Respectfully submitted,
Kathy Brockway for
Pam Tietz-PZ Secretary.

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

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
July 25, 2017

TO: LE SUEUR COUNTY BOARD OF COMMISSIONERS
FROM: LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
SUBJECT: "REQUEST FOR ACTION"

The Planning Commission recommends your action on the following items:

ITEM #1: NOVEL ENERGY SOLUTIONS, ROCHESTER, MN, (APPLICANT); VETTER ENTERPRISES LLC, ST PETER, MN, (OWNER): Request an extension for an existing Conditional Use Permit #16155 to allow the applicant to construct a 3MW solar garden in an Agricultural "A" District. Property is located in the SW1/4, Section 16, Kasota Township.

Based on the information submitted by the applicant, as required by the Le Sueur County Zoning Ordinance, the Planning Commission recommends a 1-year extension as requested.

ITEM #2: LONE OAK FARM INC, LE SUEUR, MN, (APPLICANT); GREGORY & JOAN SCHWARZ, LE SUEUR, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to expand an existing 444.6 animal unit feedlot to a total of 981 animal unit feedlot in an Agriculture "A" District. Property is located in the NE 1/4 SE 1/4, Section 4 & 9, Sharon Township.

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

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

ITEM #3: LONE OAK FARM INC, LE SUEUR, MN, (APPLICANT); GREGORY & JOAN SCHWARZ, LE SUEUR, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of approximately 18,097 cubic yards of material in an Agriculture "A" District. Property is located in the NE 1/4 SE 1/4, Section 4 & 9, Sharon Township.

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

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

ITEM #4: BLUE SKY DAIRY LLC, COURTLAND, MN, (APPLICANT/OWNER): Request that the County grant a Conditional Use Permit to allow the applicant to expand an existing animal feedlot from 1499.8 animal units to 1505.8 animal units in a Conservancy "C", Agriculture "A", and Special Protection District. Property is located in the SW 1/4, Section 26, Cleveland Township.

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

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

ITEM #5: MANKATO LANDSHAPES, EAGLE LAKE, MN, (APPLICANT); STEVE & ELIZABETH BOOTS, MADISON LAKE, MN, (OWNER): Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of approximately 12.5 cubic yards of material within a bluff for a bluff stabilization project and stairs in the bluff in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Washington. Property is located at Lot 4, Block 3, Connors Point Subdivision, Section 7, Washington Township.

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

Therefore, the Planning Commission recommends approval of the application with the following conditions:

- 1. Use special care to protect holes for footings, keep covered when not actively working on the footings.*
- 2. Plant disturbed areas and the Filtrex Bank Stabilization with native vegetation as discussed.*

ACTION: ITEM #1: _____
 ITEM #2: _____
 ITEM #3: _____
 ITEM #4: _____
 ITEM #5: _____

DATE: _____

COUNTY ADMINISTRATOR'S SIGNATURE: _____

FINDINGS OF FACT

WHEREAS, LONE OAK FARM INC, LE SUEUR, MN, (APPLICANT); GREGORY & JOAN SCHWARZ, LE SUEUR, MN, (OWNER): has applied for a Conditional Use Permit allow the applicant to expand an existing 444.6 animal unit feedlot to a total of 981 animal unit feedlot in an Agriculture "A" District.

WHEREAS, the Le Sueur County Planning and Zoning Commission held on public hearing on July 13, 2017, in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

WHEREAS, the Le Sueur County Planning and Zoning Commission, acting as an advisory board to the Le Sueur County Board of Commissioners recommends approval of the application due to the following findings:

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
- 3. Adequate utilities, access roads, drainage and other facilities are being provided.*
- 4. Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
- 5. Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
- 6. The Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
- 7. The Conditional Use Permit consistent with the Comprehensive Land Use Plan.*

WHEREAS, On July 25, 2017, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners APPROVED/DENIED the Conditional Use Permit application as requested by **LONE OAK FARM INC, LE SUEUR, MN, (APPLICANT); GREGORY & JOAN SCHWARZ, LE SUEUR, MN, (OWNER).**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the July 25, 2017 Le Sueur County Board meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
- 3. Adequate utilities, access roads, drainage and other facilities are being provided.*
- 4. Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
- 5. Adequate measures 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. The Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*

7. *The Conditional Use Permit consistent with the Comprehensive Land Use Plan.*

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, a Conditional Use Permit to allow the applicant to expand an existing 444.6 animal unit feedlot to a total of 981 animal unit feedlot in an Agriculture "A" District. Property is located in the NE 1/4 SE 1/4, Section 4 & 9, Sharon Township, is APPROVED/DENIED.

ATTEST:

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

Darrell Pettis, Le Sueur County Administrator

DATE: _____

FINDINGS OF FACT

WHEREAS, LONE OAK FARM INC, LE SUEUR, MN, (APPLICANT); GREGORY & JOAN SCHWARZ, LE SUEUR, MN, (OWNER): has applied for a Conditional Use Permit to allow grading, excavating, and filling of approximately 18,097 cubic yards of material in an Agriculture "A" District.

WHEREAS, the Le Sueur County Planning and Zoning Commission held on public hearing on July 13, 2017, in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

WHEREAS, the Le Sueur County Planning and Zoning Commission, acting as an advisory board to the Le Sueur County Board of Commissioners recommends approval of the application due to the following findings:

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
- 3. Adequate utilities, access roads, drainage and other facilities are being provided.*
- 4. Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
- 5. Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
- 6. The Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
- 7. The Conditional Use Permit consistent with the Comprehensive Land Use Plan.*

WHEREAS, On July 25, 2017, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners APPROVED/DENIED the Conditional Use Permit application as requested by **LONE OAK FARM INC, LE SUEUR, MN, (APPLICANT); GREGORY & JOAN SCHWARZ, LE SUEUR, MN, (OWNER).**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the July 25, 2017 Le Sueur County Board meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
- 3. Adequate utilities, access roads, drainage and other facilities are being provided.*
- 4. Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
- 5. Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
- 6. The Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
- 7. The Conditional Use Permit consistent with the Comprehensive Land Use Plan.*

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, a Conditional Use Permit Permit to allow grading, excavating, and filling of approximately 18,097 cubic yards of material in an Agriculture "A" District. Property is located in the NE 1/4 SE 1/4, Section 4 & 9, Sharon Township, is APPROVED/DENIED.

ATTEST:

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

Darrell Pettis, Le Sueur County Administrator

DATE: _____

FINDINGS OF FACT

WHEREAS, BLUE SKY DAIRY LLC, COURTLAND, MN, (APPLICANT\OWNER): has applied for a Conditional Use Permit to allow the applicant to expand an existing animal feedlot from 1499.8 animal units to 1505.8 animal units in a Conservancy “C”, Agriculture “A”, and Special Protection District.

WHEREAS, the Le Sueur County Planning and Zoning Commission held on public hearing on July 13, 2017 in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

WHEREAS, the Le Sueur County Planning and Zoning Commission, acting as an advisory board to the Le Sueur County Board of Commissioners recommends approval of the application due to the following findings:

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
- 3. Adequate utilities, access roads, drainage and other facilities are being provided.*
- 4. Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
- 5. Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
- 6. The Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
- 7. The Conditional Use Permit consistent with the Comprehensive Land Use Plan.*

WHEREAS, On July 25, 2017, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners APPROVED/DENIED the Conditional Use Permit application as requested by **BLUE SKY DAIRY LLC, COURTLAND, MN, (APPLICANT\OWNER).**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the July 25, 2017 Le Sueur County Board meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
- 3. Adequate utilities, access roads, drainage and other facilities have been provided.*
- 4. Adequate measures have been provided for 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.*

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, a Conditional Use Permit to allow the applicant to expand an existing animal feedlot from 1499.8 animal units to 1505.8 animal units in a Conservancy “C”, Agriculture “A”, and Special Protection District . Property is located in the SW 1/4, Section 26, Cleveland Township, is APPROVE/DENIED.

ATTEST:

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

Darrell Pettis, Le Sueur County Administrator

DATE: _____

FINDINGS OF FACT

WHEREAS, MANKATO LANDSHAPES, EAGLE LAKE, MN, (APPLICANT); STEVE & ELIZABETH BOOTS, MADISON LAKE, MN, (OWNER): has applied for a Conditional Use Permit to allow grading, excavating, and filling of approximately 12.5 cubic yards of material within a bluff for a bluff stabilization project and stairs in the bluff in a Recreational Residential “RR” District, on a Recreational Development “RD” lake, Lake Washington.

WHEREAS, the Le Sueur County Planning and Zoning Commission held on public hearing on July 13, 2017 in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

WHEREAS, the Le Sueur County Planning and Zoning Commission, acting as an advisory board to the Le Sueur County Board of Commissioners recommends approval of the application due to the following findings:

1. *With the imposition of the conditions, 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. *With the imposition of the conditions, 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. *With the imposition of the conditions, adequate utilities, access roads, drainage and other facilities are being provided.*
4. *With the imposition of the conditions, 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.*
5. *With the imposition of the conditions, the Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
6. *With the imposition of the conditions, the Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

WHEREAS, On July 25, 2017, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners APPROVED/DENIED the Conditional Use Permit application as requested by **MANKATO LANDSHAPES, EAGLE LAKE, MN, (APPLICANT); STEVE & ELIZABETH BOOTS, MADISON LAKE, MN, (OWNER).**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the July 25, 2017 Le Sueur County Board meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

1. *With the imposition of the conditions, 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. *With the imposition of the conditions, 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. *With the imposition of the conditions, adequate utilities, access roads, drainage and other facilities are being provided.*
4. *With the imposition of the conditions, 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.*

5. *With the imposition of the conditions, the Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
6. *With the imposition of the conditions, the Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, a Conditional Use Permit to allow grading, excavating, and filling of approximately 12.5 cubic yards of material within a bluff for a bluff stabilization project and stairs in the bluff in a Recreational Residential “RR” District, on a Recreational Development “RD” lake, Lake Washington. Property is located at Lot 4, Block 3, Connors Point Subdivision, Section 7, Washington Township, is APPROVED/DENIED.

ATTEST:

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

Darrell Pettis, Le Sueur County Administrator

DATE: _____