

Le Sueur County, MN

Thursday, July 12, 2018 Regular session

Item 1

Olson Packet

Staff Contact: Joshua Mankowski or Michelle R. Mettler

STAFF REPORT

GENERAL INFORMATION

APPLICANT/OWNER:

Troy & Kayla Olson

911 ADDRESS:

27684 Maple Lane, Madison Lake, MN

PROJECT DESCRIPTION:

To allow grading, excavating, and filling of 607 cubic yards of material for the

construction of a walkout basement dwelling and for the construction of a 10 x 40 beach

sand blanket.

PARCEL NUMBER:

13.760.0180

CUP NUMBER:

18100

SITE INFORMATION

LOCATION:

Lot 7, Block 2, Roy's Landing, Section 3, Washington Township

ZONING DISTRICT:

Recreational Residential

ZONING DISTRICT PURPOSE:

The intent of the Recreational Residential (RR) District is to preserve areas which have natural characteristics suitable for both passive and active recreational usage. Also, it is the intent of this district to manage areas suitable for residential development of varying types, including permanent and seasonal housing. Some non-residential uses with minimal impacts on residential uses are allowed if properly managed under conditional use procedures.

GENERAL SITE DESCRIPTION:

Shoreland, new plat, undeveloped lot

ACCESS:

New off Maple Lane, approved by Township. Minimum width 14 feet, more than 150

feet in length required to have a 60 x 60 turnaround.

EXISTING LAND USE WITHIN 1/4 MILE:

North: Lake Jefferson, Type 1 wetland

South: Residential Development, Maple Lane

Residential Development, Type 1 wetland

West:

Residential Development

BACKGROUND INFORMATION

This parcel is an undeveloped lot in Roy's Landing Subdivision. Landowners wish to construct a single-family dwelling with a walkout-out basement. The existing topography of the lot does not lend itself to accommodate this type of construction without a Conditional Use Permit (CUP). Grading, Excavating, and Filling beyond 50 cubic yards of material on the parcel that is not part of a permitted use, requires a CUP. The proposal includes the use of four retaining walls, all of which are no more than 3 feet in height. The proposal also includes a request for a 10 x 40 beach sand blanket. Le Sueur County SWCD has approved a wetland exemption to allow filling within the wetland up to a maximum of 400 square feet.

TOWNSHIP BOARD NOTIFICATION

Public Notice sent to Township via mail. Robert Kaveney from Washington Township was contacted on May 7, 2018 by the applicant.

NATURAL RESOURCES INFORMATION

SHORELAND:

The proposal is located within the Shoreland District.

LAKE:

Lake Jefferson, Recreational Development Lake

Recreational Development Lake - Lakes that usually have between sixty (60) and two hundred twenty five (225) acres of water per mile of shoreline, between three (3) and twenty five (25) dwellings per mile of shoreline, and are more than fifteen (15) feet deep.

WETLANDS:

According to the National Wetlands Inventory, Type 1 wetland is located in the quarter-quarter section where the

ATTACHMENTS

Application, description of request, site plan (survey), aerial photo, Findings of Fact sheet, Holly Kalbus Letter, Wetland Exemption approval, Erosion Control Plan, house plans, access approval

STAFF FINDINGS

ZONING ORDINANCE SECTIONS:

Section 13, Shoreland Alterations and Recreational Residential District; Section 18, Environmental Performance Standards; Section 19, Land Use Performance Standards; Section 21, Conditional Use Permits

GOALS & POLICIES: The current Land Use Plan as adopted in 2007 does make reference to shoreland development design for housing on Recreational Development Lakes.

GOAL #2:

Le Sueur County should adopt and enforce land use goals and policies that conserve and restore its natural resources, bring protections to the ecological systems of the natural environment, and prevent the premature development of natural resources areas.

Objective 2:

Utilize shorelands on Recreational Development Lakes (RD) for housing but with focus on development design

Action 1:

Continue utilizing the minimum state shoreland regulations to determine housing densities and development

DNR GUIDANCE LETTERS

Administration, Compliance, and Enforcement

Grading & Filling within Shoreland Areas

pg. 1

pg. 3

ENVIRONMENTAL PERFORMANCE STANDARDS-SECTION 13 & 18

WETLAND:

Filling within a wetland exemption approved by Le Sueur County SWCD for a maximum of 400 square feet for the construction of a 10 x 40 beach sand blanket.

BLUFF:

There is not a bluff located on this lot.

GRADING, EXCAVATING, OR FILLING:

Grading, excavating, and filling of 607 cubic yards of material for the construction of a single-family dwelling with a walk-out basement and a 10×40 beach sand blanket. Beach sand blanket maximum of 10 feet in depth from OHWL, maximum depth of sand 6 inches.

EROSION CONTROL:

Erosion Control measure must be installed and kept in place until vegetation is established.

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

2

- 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.

SHORELAND DISTRICT-EVLAUATION CRITERIA

- 1. The prevention of soil erosion or other possible pollution of public waters, both during and after construction.
- The visibility of structures and other facilities as viewed from public waters is limited.
- 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.

SHORELAND DISTRICT CONDITIONS

- 1. Increased setbacks from the ordinary high water level.
- 2. Limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted.
- 3. Special provisions for the location, design, and use of structures, sewage treatment system, watercraft, launching and docking areas, and vehicle parking areas.

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LE SUEUR COUNTY ENVIRONMENTAL SERVICES 88 SOUTH PARK AVE. LE CENTER, MINNESOTA 56057-1600

Phone (507) 357-8540 (direct line)

Fax (507) 357-8541

Date: 7/3/2018

To: Le Sueur County Planning and Zoning Commission

From: Holly Kalbus, Environmental Resources Specialist

Applicant:

Troy and Kayla Olson

Property owner:

Troy and Kayla Olson

Property:

13.760.0180

Description:

Application for a Conditional Use Permit to allow Grading, Excavating, and Filling of approximately 607 cubic yards of material from the construction of a walkout basement dwelling and for the construction of a 10 x 40 beach sand blanket in a Recreational Residential "RR" District on, a Recreational Development "RD" lake, Lake Jefferson.

Recommendation:

It would be my recommendation to approve the application with the following condition(s) listed below. Construction of the dwelling will take place out of the shore impact zone and thus will minimize any impacts to the lake.

Condition(s):

- The Beach Sand Blanket shall not be greater than 6 inches thick and shall not exceed Le Sueur County SWCD's recommendation of a maximum 400 square feet.
- 2. Maintain protection of the steep slope by allowing native vegetation to continue to grow.

Sincerely,

Holly Kalbus Le Sueur County

Environmental Resources Specialist

CONDITIONAL USE PERMIT

LE SUEUR COUNTY PLANNING AND ZONING 88 SOUTH PARK AVENUE LE CENTER MN 56057

Direct Dial (507) 357-8538 Fax (507) 357-8541

APPLICATION OF THE APPLICANT	ING DAT	E: 8/7/201	18	PERMIT NUMI	BER: 18100 NER: TROY & K		-REFUNDABLE	
ADDRESS:		ERICK DR		ADDRESS			Y	
CITY:	MANKAT	O'		CITY:	MADISON			
STATE:	MN	ZIP:	56001	STATE:	MN	ZIP:	56063	
PHONE:	507-720-2	025		PHONE:	320-894-31			
911: _{27684 M}	APLE LN. M	IADISON LAI	ΚE					
PARCEL #:	13.760.0180				TOWNSHI	D. WAS	HINGTON	
SEC:	3	SUBDIV:	ROYS LA	NDING			HINGTON	
TWP:	109	LOT:	7		DISTRICT	: RR		
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LE SUEUR COUNTY CONDITIONAL USE PERMIT CRITERIA

Conditional Use Permit #: 18100

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Le Sueur County

Conditional Use Application-Grading, Excavating & Filling

Activities that involve topographic alterations in all districts shall conform to the standards in Section 18 of the Le Sueur County Zoning Ordinance. Activities within a shoreland district shall conform to the standards in Section 13 of the Le Sueur County Zoning Ordinance.

In addition any activities in any type wetland shall be evaluated in accordance with the Wetland Conservation Act (WCA) regulations, as administered by the Le Sueur County Soil & Water Conservation District (SWCD).

I.		plicant: ame Troy & Kayla Olsen			
	M	lailing Address 27684 Maple Lane, Madi	ison Lake MN F6063		_
	C	ity hone #	State	Zin	_
	Р	hone #	Phone # 507	'-720-2025 or 320-894-3125	_
					_
II.		ndowner:			
	N	ame Same			
	IVI	alling Address			_
	C	ailing Address ity	State	Zip	
	Pi	roperty Address 27684 Maple	Lane. Madison	Lake MN 56063	
	Ci	ity	State	Zip	
	Pl	none #	Phone #		_
III.	Par	cel Information:	_		
	Ρá Λ+	arcel Number <u>13.760.0180</u> tach Full Legal Description (<u>NOT</u>	Parce	el Acreage ^{1.5}	
	Al	Township Washington	_abbreviated desc	cription from tax statement)	
		Subdivision Roys Landing Lot-007 Blo	nck-0021 ot	Section	_
		- toje zanamy zet oor zic	<u> </u>	block	_
IV.	Tow	nship Notification: Township n	nust be notified	of proposed use prior to ap	plication.
		WashingtonTow (Township Name) Pard MemberBob Kaveney (Name) Intities and Submittal Formats:	vnshin notified o	on 5/7/18	
		(Township Name)	mornp nounca o	(Date)	_
	Po	and Mambar Bob Kayanay			
	ВС	(Name)	rega	irding the proposed use	CEIVE
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				n Ju	JN 0.8 2010
V.	Qua	ntities and Submittal Formats:			2010
	a.	One (1) reproducible 8.5" x 11" cop	y of the request	t and all other supporting docur	nents.
	b.	Twenty Three (23) copies must be	submitted if any	v dogumento ere in celer, en e-	
	٠.	larger than 8.5" x 11" in size.	submitted, if any	y documents are in color, an ac	erial, or
	C.	Electronic version of any supporting	g documents if a	available.	
	C.	Additional copies may be requested	d as deemed ne	cessary by the Department.	
	d.	Application must be made in per	son by the appli	icant and/or landowner no late	r than 12
		P.M. on the date of application dea	dline.		
	e.	Appointment is necessary.			
	f.	Applications will not be accepted	l by mail		

6	Conditional Use Permit \$ 750 After-The-Fact fee is doubled . Filing Fee \$ 46
	Additional Fees: Special Meeting \$ 2,000 After-The-Fact Penalty \$ 1,500 OR 10% of improvement, whichever is greater
VII.	Type of Request: Grading, Excavating or Filling.
	□ Non-Shoreland □ Within Bluff Impact Zone □ Within Bluff □ Within Bluff □ Cubic yards of material movement: □ Cubic yards of material movement: □ TOTAL cubic yards of material movement: □ TOTAL cubic yards of material movement:
	☑ Shoreland- Outside Shore Impact Zone Cubic yards of material movement: 600 ☑ Within Shore Impact Zone Cubic yards of material movement: 7.4 ☑ Within Bluff Impact Zone Cubic yards of material movement: Cubic yards of material movement: ☐ Within Bluff Cubic yards of material movement: 607.4
	☐ Assurance security shall be required for projects that are >1500 cubic yards.
VIII.	Description of Request:
	a. A full description of request with detailed information including what operations are to occur and what general types of equipment may be used in the operation must be attached.
	b. Complete the following in relationship to the proposed Conditional Use Permit.
	1. ENVIRONMENTAL IMPACT:SEE ATTACHED
	2. ADVERSE IMPACT ON SURROUNDING AREAS: SEE ATTACHED
	3. STORMWATER RUNOFF: SEE ATTACHED
	4. DOES ANY PART OF THE PROJECT EXTEND BELOW OHWL: NO
	5. WETLAND IMPACT: SEE ATTACHED
	6. SLOPE STABILITY:SEE ATTACHED
	7. CERTIFICATE OF INSURANCE:SEE ATTACHED
	8. MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS: (For example additional licensing and/or permitting) Zoning/Building Permit pending CUP Approva
IX.	Site Plan: Shall include but not limited to the following:
	 Parcels < 5 AC = 2-foot contours depicting existing and proposed topography. Parcels 5-20 AC = 5-foot contours depicting existing and proposed topography. Parcels >20 AC = 10-foot contours depicting existing and proposed topography. Location of grading, excavating, and/or filling sites. Location of areas for obtaining fill or disposing of excavated materials. Tree inventory of all trees, indicating trees to be cut or removed. (Caliper of 6 inches or greater measured 4.5 feet from ground level). North point Lake Existing Structures Septic system
	 Setbacks Property Lines Road Right-Of-Way Landscape, screening and buffering Proposed Structures Proposed Structures Lot Dimensions Ponds Easements Drainage
	a Site plan 8 As Built must be completed by a supplementation of the state of the s

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

• Site plan & As-Built must be completed by a surveyor or professional engineer.

s , **X.** Restoration Plan: Shall include but not limited to the following: SEE ATTACHED

- Areas of restoration shall include the application of a minimum of 4 inches of topsoil or similar material that will support plant growth. (Must be included in cubic yards calculation of material.)
- Reseeded areas indicated with type of vegetation. (Shall meet minimum standards by the SWCD))
- Tree replacement plan. (Areas located within the Bluff Impact Zone, Bluff, Shoreland & Conservancy Distircts)
 - Root zone of existing trees shall be preserved and protected during development.

	 Replace one tree for every tree that is removed. Replacement trees shall have a minimum caliper of 2 inches at 4.5 feet from ground level.
XI.	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. Restoration Plan-See Part X for full details and requirements. i. Approved Stormwater Pollution Prevention Plan
XII.	-Must meet NPDES requirements and prepared by a licensed professional engineer. 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 finings and 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.

XIII. Signatures:

I hereby certify with my signature that all data contained here correct to the best of my knowledge.	in as well as all supporting data are true and
Kayla Olsen	6/8/18
Applicant signature	Date
I hereby certify with my signature that all data contained here correct to the best of my knowledge.	ein as well as all supporting data are true and
Kayla Olsen Property Owner signature	6/8/18
Property Owner signature	Date

3

	OFFIC	E USE ONLY		
Request: GRADING, E.	XCAVATING & F	ILLING		
☐ Non-Shoreland☐ Within Bluff Impact Zone☐ Within Bluff		Cubic yards of mat	terial movemer	nt: nt: tt:
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☐ Shoreland - Outside ☐ Within Shore Im ☐ Within Bluff Imp ☐ Within Bluff	pact Zone act Zone	Cubic yards of mat Cubic yards of mat Cubic yards of mat	erial movemen erial movemen erial movemen	nt:
Pre-App Date 1-8-18 Meeting Date 7-12-(8 60 Day 8-7-8 Zoning District 12	Lake Classification Lake FEMA Panel # 27079 Flood Zone	RV e (ferson CO 265	_ Feedlot _ Wetland Typ _D Water cours _ Bluff	
Request Description	Access App	roval	☑ Septic	Comp Insp / Design
Site Plan	Erosion Con	trol Plan	Meeting (Reg / ATF / Spec
Full Legal			□ Fee	s celle 796-
Ordinance	□ Other		- □ Penalty	\$

Michelle 2 Muldar Le - 8 - 18
Planning & Zoning Department Signature Date

Application Complete _



Le Sueur County Conditional Use Permit Application Attachments Troy & Kayla Olsen June 8, 2018

VIII. Description of Request

- a. We request to move approximately 607.4 cubic yards of material on our 1.5-acre lot. The excavation will be approximately 3' deep on the NW side of the house, extending 30' to the East and approximately 70' to the North. There will be 6' of excavation in the NE corner for the walkout portion, approximately 25' wide by 70' long, the excavation will taper from 6' down to 0', moving to the NE. We would be moving most of the dirt from the North side of the property to the South side for the construction of the driveway. We would move the rest of the dirt to the East side for the garage foundation. By moving the dirt, it will allow us to build a partial walkout, partial day light basement. The more detailed measurements are as follows:
 - 266 cubic yds for 60x60 turnaround driveway
 - 93 cubic yds for 120x14 driveway
 - 75 cubic yds for E side of garage
 - 31 cubic yds for N side of garage
 - 133 cubic yds for S side of house

We will also need to construct 4 retaining walls on the North side of the property, which will be approximately 30 cubic yards and will be constructed of boulders. The first one will start 10' South of the NE corner of the basement and extend at a 45-degree angle for approximately 30'. The second one will start 3' to the South of that. They will both be approximately 3' tall on the West side and will slope down to approximately 1.5' on the East side. The third will also start near the NE corner of the house, but off the West side of the proposed basement patio door. It will extend to the North for approximately 30' and will be 3' tall. The fourth retaining wall will start from the NW corner of the house and will extend 30' to the North. It will be 3' tall. We also spoke with Mike Schultz with the SWCD on 6/7/18 regarding the construction of a sand blanket near the shoreline on the NE side of the property. He approved stating that it could be a maximum of 400 square feet, and we would fill out a wetland exempt form when we are ready to proceed. The sand blanket will total approximately 7.4 cubic yards or 40'x10'x6".

JR Bruender Construction will be using an excavator, skid loader, and manual labor to perform the work.

b. Environmental Impact

The environmental impacts of our project will be short-term. While in process, the project could likely alter the path of water run-off and more erosion than normal could be a concern. We will mitigate these impacts by installing a silt fence around the perimeter (see Site Plan drawing) as well as using mulch on the temporarily exposed areas. If any dirt is stockpiled, it will be surrounded by a silt fence and covered with plastic. The proposed work will not have an adverse effect on the shoreland area or the lake.

Adverse Impact on Surrounding Areas

Per Section 13.2 of the Le Sueur County Shoreland Management document, our project is within a recreational residential zone, so we do not believe that we will adversely impact the surrounding area. Looking more specifically within our property, the path of water run-off will be impacted. Natural gravity allows run-off to flow on a gradual slope to the East/North East of the property, but there will be a greater concentration of flow since the water will now go

around the house on each side, rather than just down the gradual slope as it would with no structure in the way.

Stormwater Runoff

Natural gravity allows run-off to flow on a gradual slope to the East/North East of the property, but there will be a greater flow since the water will now go around the house on each side, rather than just down the gradual slope as it would with no structure in the way.

Wetland Impact

The sand blanket is the only piece of the project in a wetland area. This has been approved by Mike Schultz with the SWCD on 6/7/18. The impact is a change in the area from wetland grasses to sand.

Slope Stability

There is a steep slope on the property, but the stability of the slope will not be adversely affected. There will be a silt fence halfway down the slope for added protection. There are also a variety of living trees on the slope that help to protect the land.

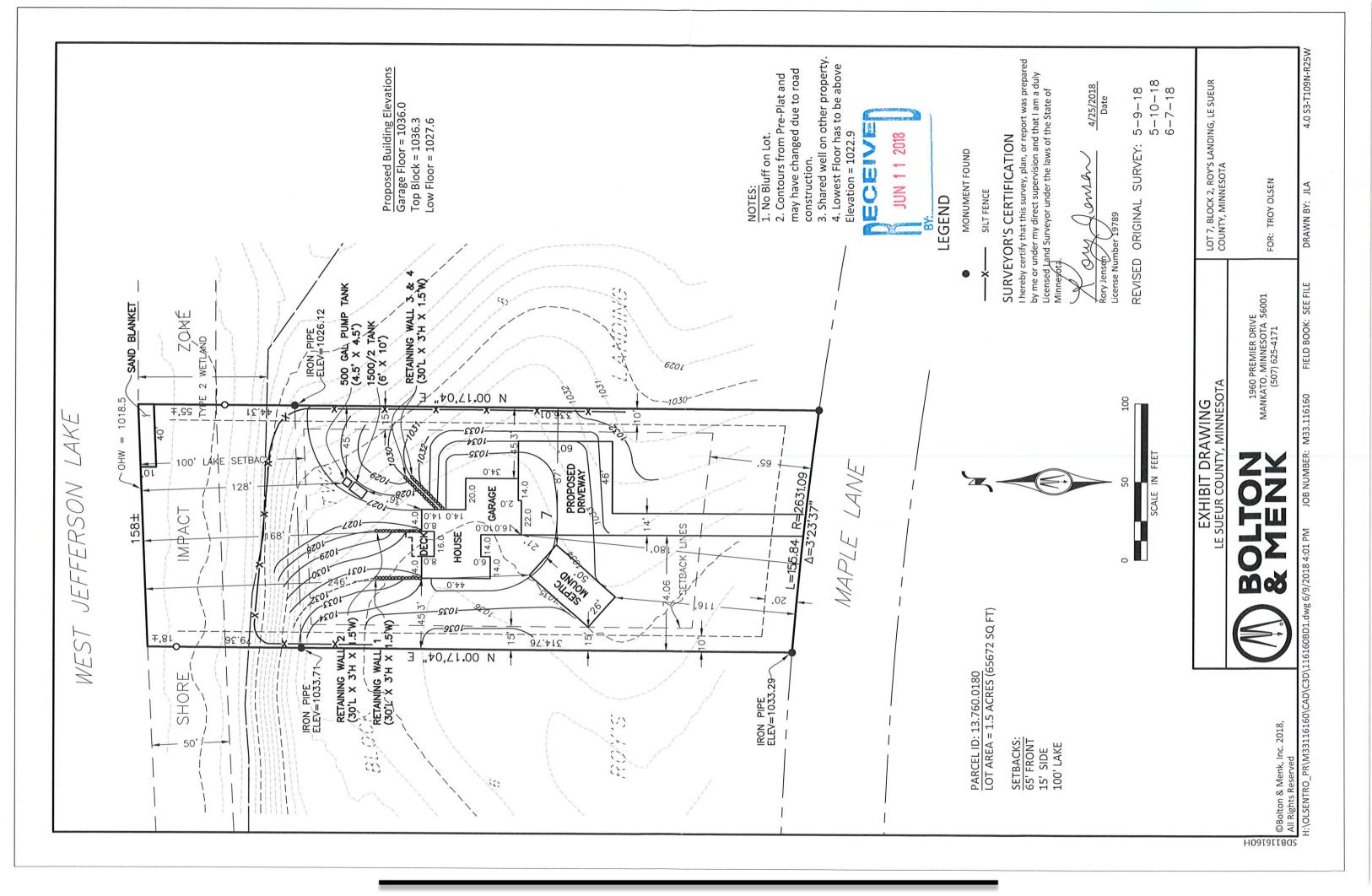
X. Restoration

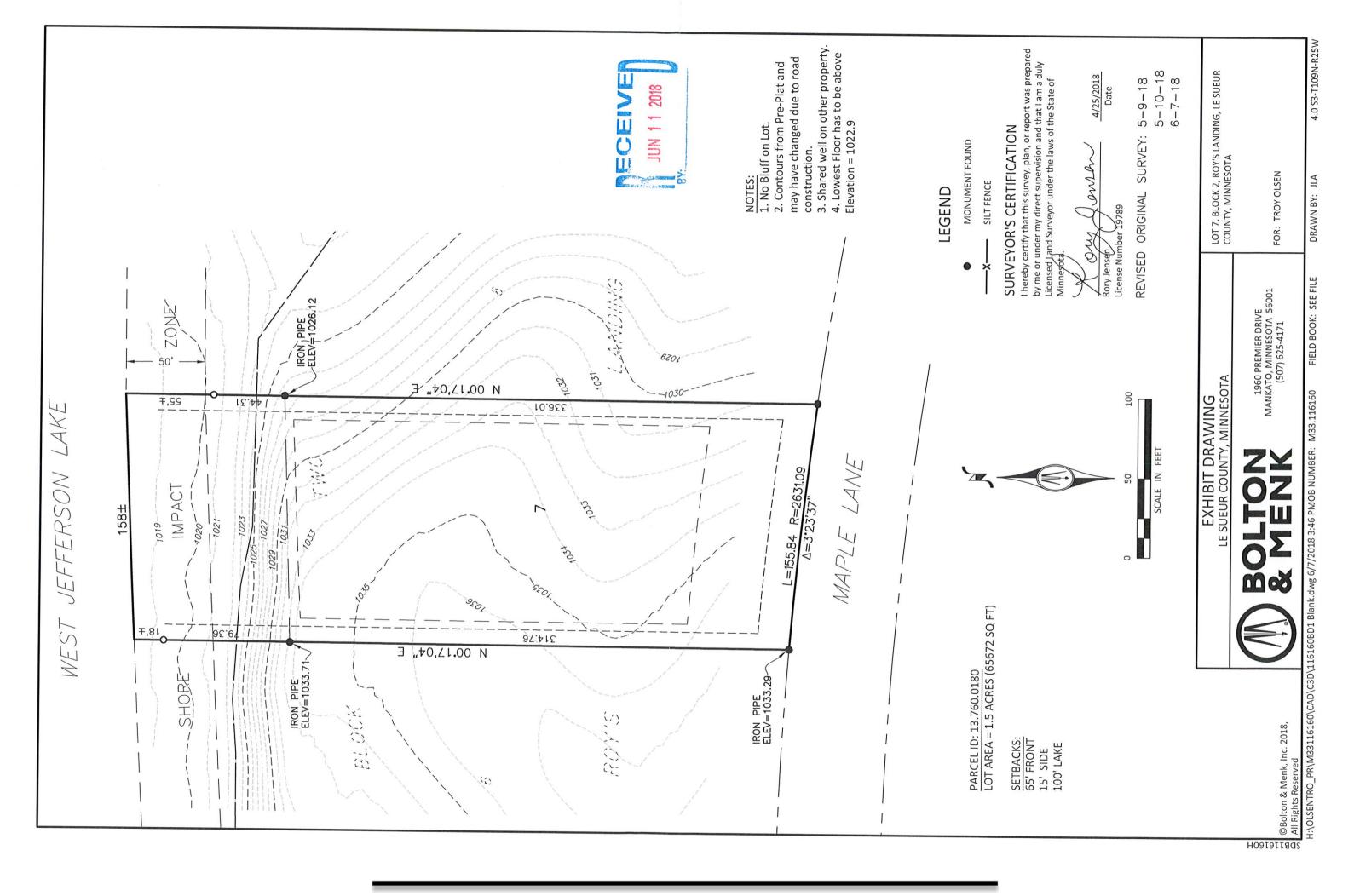
a. Upon completion of the project, Kentucky Bluegrass or similar product will be added in the affected areas.

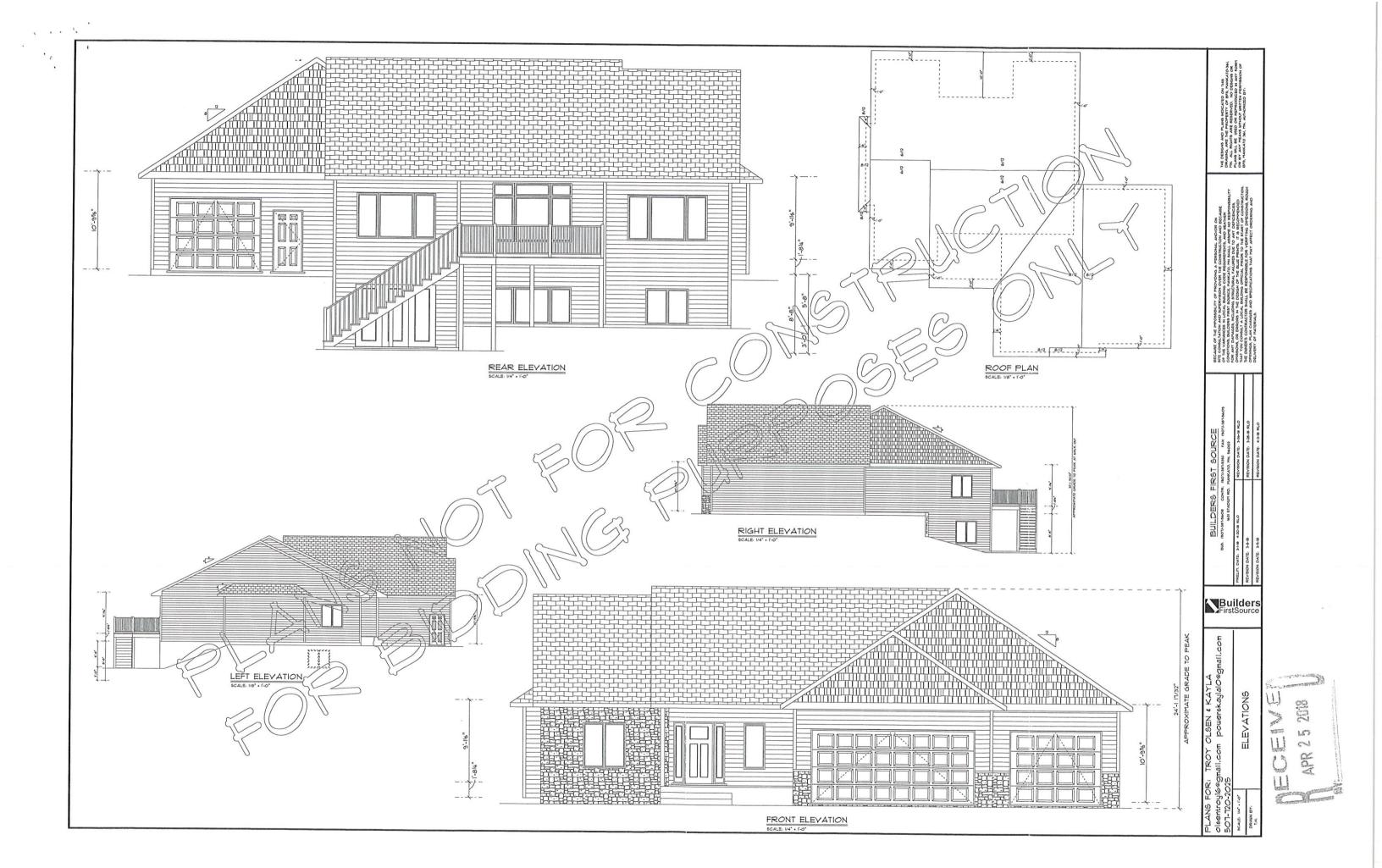
Other

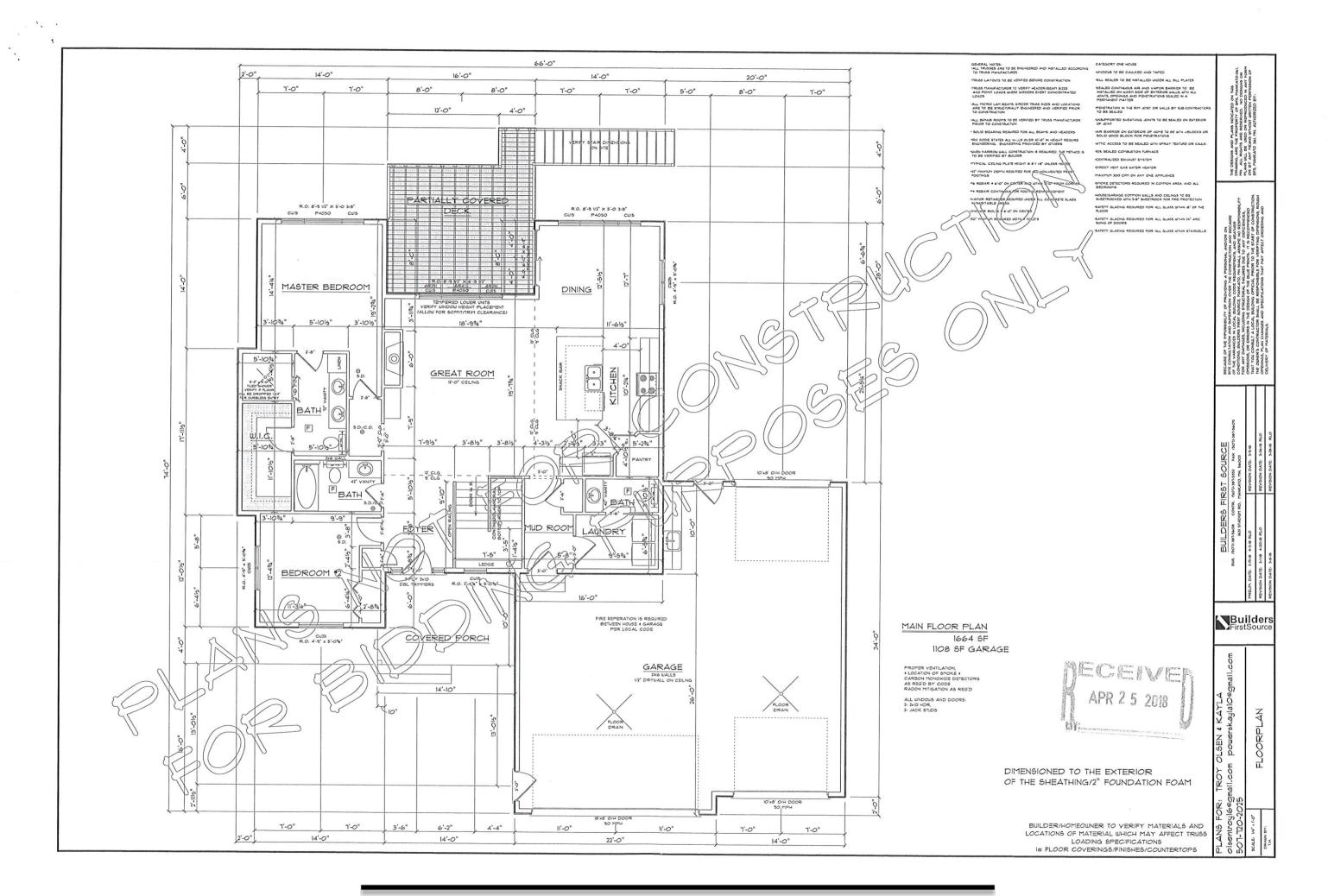
A Stormwater Pollution Prevention Plan is not applicable to our project.

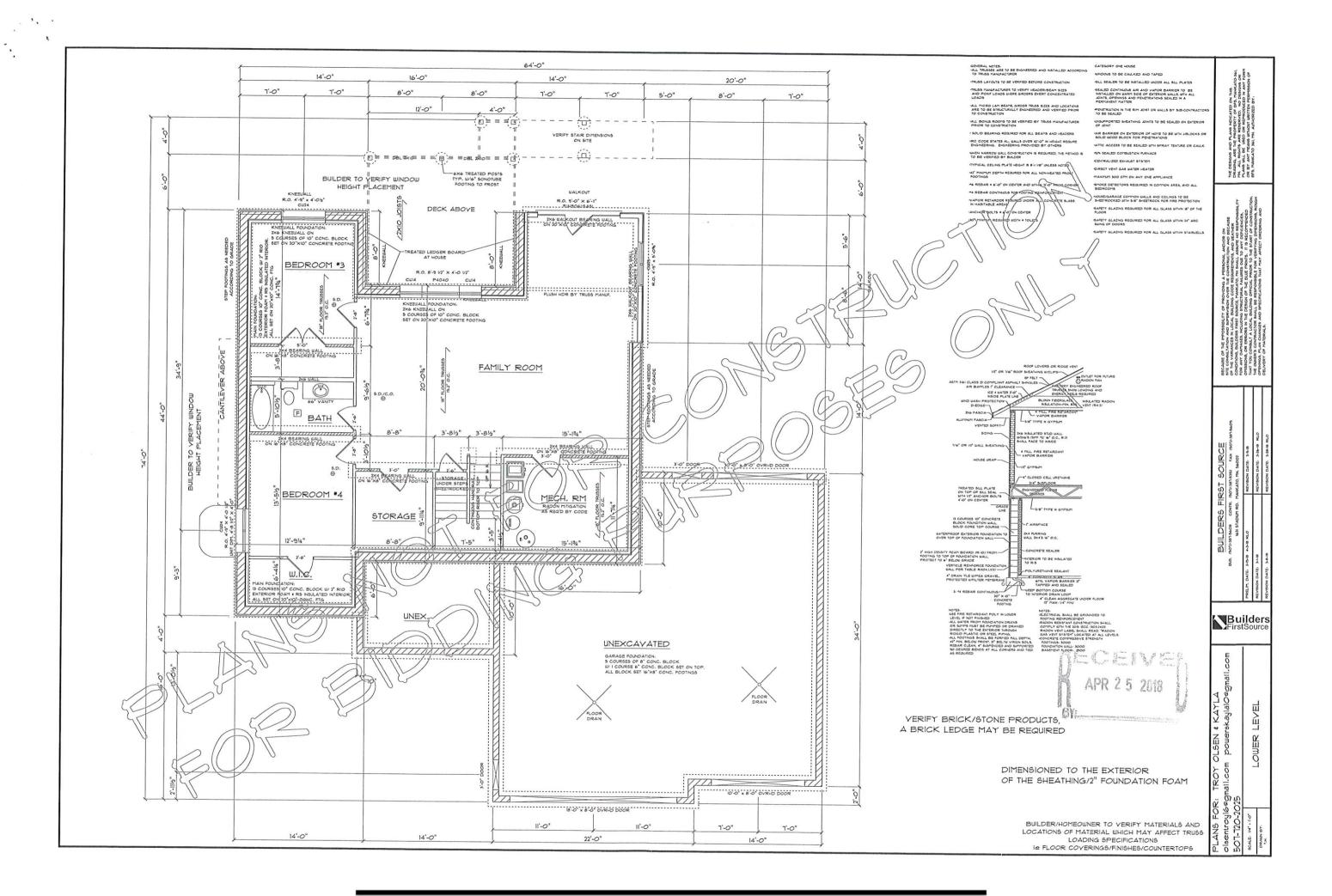












Minnesota Wetland Conservation Act **Notice of Decision**

Local Government Unit (LGU) Le Sueur SWCD		Address 181 W. Min	nesota Street	
		Le Center, N	VIn 56057	
1	. PROJECT INFORMA	ATION		
Applicant Name Kayla & Troy Olsen	Project Name Kayla & Troy Olsen Sa		Date of Application 6/13/201	Application Number 2-18
Attach site locator map.			* *************************************	
Type of Decision:				
☐ Wetland Boundary or Type	☐ No-Loss	Exemption	n \square	Sequencing
Replacemen	t Plan [Banking Pla	an	
Technical Evaluation Panel Findings	and Recommendation (if a	anv).		
Approve	Approve with condition			☐ Deny
Summary (or attach):				Delly
		- CO (1)		
	L GOVERNMENT UN	IT DECISIO	ON	
Date of Decision: 6/18/2018				
Date of Decision: 6/18/2018	L GOVERNMENT UN			Denied
Date of Decision: 6/18/2018	pproved with conditions (in	nclude below)		☐ Denied
Date of Decision: 6/18/2018 Approved A LGU Findings and Conclusions (atta The application for Kayla and Troy (pproved with conditions (in	nclude below) essary):		
Date of Decision: 6/18/2018	pproved with conditions (in	nclude below) essary):		
Date of Decision: 6/18/2018 Approved A LGU Findings and Conclusions (atta The application for Kayla and Troy (pproved with conditions (in	nclude below) essary):		
Date of Decision: 6/18/2018 Approved A LGU Findings and Conclusions (atta The application for Kayla and Troy (pproved with conditions (in	nclude below) essary):		
Date of Decision: 6/18/2018 Approved A LGU Findings and Conclusions (atta The application for Kayla and Troy (pproved with conditions (in	nclude below) essary):		
Date of Decision: 6/18/2018 Approved A LGU Findings and Conclusions (atta The application for Kayla and Troy (pproved with conditions (in	nclude below) essary): sq. ft. is appro	oved as identifi	ed in the
Date of Decision: 6/18/2018 Approved A LGU Findings and Conclusions (atta The application for Kayla and Troy (pproved with conditions (in	nclude below) essary): sq. ft. is appro		ed in the

BWSR Forms 7-1-10

	ns using credits from the	he State We	tland Bank:	
Bank Account #	Bank Service Area	County		Credits Approved for Withdrawal (sq. ft. or nearest .01 acre)
	Approval Conditions d Replacement Plan is			ditions specified by the LGU, the ring:
assurance specif	Assurance: For projection in the Foundation is a second to the LGU must and ty (List amount and ty	st be submi	itted to the LC	at is not in-advance, a financial GU in accordance with MN Rule
the BWSR "Dec	claration of Restriction	ns and Cov	enants" and "C	must be provided to the LGU that Consent to Replacement Wetland" e replacement-wetland-is-located.
Credit With BWSR has with replacement plan	hdrawn the credits fi	ment consist from the sta	sting of wetlan ate wetland ba	d bank credits, confirmation that nk as specified in the approved
Wetland	ls may not be impacte	ed until all a	applicable cond	litions have been met!
LGU Authorized Sig	nature:			
Subp. 5 provides not specified above. If a	ice that a decision was	made by the	e LGU under th	ts in accordance with 8420.0255, e Wetland Conservation Act as een provided to the landowner and
Name			Title	
Michael Schultz			Le Sueur SW District Mana	
Signature			Date	Phone Number and E-mail
1111 00			1/12/10	507-357-4879 x3 mschultz@co.le-sueur.mn.us
Mille			4/13/10	mschultz@co.le-sueur.mn.us
Additional approvals		l, state, and	federal agencie	TLAND CONSERVATION ACT. es may be required. Check with all
for appeal (30 days)		cision is rèv	ersed or revised	ion is started before the time period under appeal, the applicant may be
	id for three years from this notice of decision		f decision unles	s a longer period is advised by the JUN 13 2018
	2 APPF	AL OF T	HIS DECISIO	BY:
petition for appeal, i	ale 8420.0905, any ap	peal of thi	s decision can	only be commenced by mailing a ar days of the date of the mailing of
Check one:				
	GU staff decision. Send fee (if applicable) to:		petition and \$50 Executive Di Minnesota Be	rector oard of Water and Soil Resources te Road North

Page 2 of 3

Le Sueur County

4. LIST OF ADDRESSEES

SWCD TEP member: He	olly Kalbus, Water Plann	er & TEP member				
 ☑ BWSR TEP member: Alyssa Core ☐ LGU TEP member (if different than LGU Contact): ☑ DNR TEP member: Craig Soupir ☐ DNR Regional Office (if different than DNR TEP member) 						
☐ WD or WMO (if applica☐ Applicant and Landowne☐ Members of the public w	er (if different)					
Corps of Engineers Proje BWSR Wetland Bank Co	ect Manager pordinator (wetland bank pl	lan decisions only)	The second secon			
	Z MAN DIG DIE	ODM				
➤For a list of BWSR TEP repr	5. MAILING INF		koroas/WCA avana v 46			
>For a list of DNR TEP repres						
Department of Natural Resou		min.us/ wetranus/ wearDi	VIC_TET_COMacts.pdf			
NW Region:	NE Region:	Central Region:	Southern Region:			
Reg. Env. Assess. Ecol.	Reg. Env. Assess. Ecol.	Reg. Env. Assess. Ecol.	Reg. Env. Assess. Ecol.			
Div. Ecol. Resources	Div. Ecol. Resources	Div. Ecol. Resources	Div. Ecol. Resources			
2115 Birchmont Beach Rd. NE	1201 E. Hwy. 2 Grand Rapids, MN 55744	1200 Warner Road	261 Hwy. 15 South			
Bemidji, MN 56601	Orana Kapius, MN 55744	St. Paul, MN 55106	New Ulm, MN 56073			
For a map of DNR Administr	rative Regions, see: http://fr	lles.dnr.state.mn.us/abou	itdnr/dnr regions.pdf			
➤ For a list of Corps of Project or send to:						
	orps of Engineers					
	rict, ATTN: OP-R					
	East, Suite 700					
9	55101-1678					
For Wetland Bank Plan appli						
	oard of Water and Soil Res & Coordinator	ources				
	e Road North					
St. Paul, MN						
20. I day, 1911						
	6. ATTACHI	MENTS				
In addition to the site locator App	map, list any other attachm	ents:				
		FIVE				
			ECEIVER			
			IIIN 4 0 0010			
			JUN 1 3 2018			
DWCD Forms 7 1 10		B	y.			
BWSR Forms 7-1-10		D	Page 3 of 3			

PART ONE: Applicant Information

If applicant is an entity (company, government entity, partnership, etc.), an authorized contact person must be identified. If the applicant is using an agent (consultant, lawyer, or other third party) and has authorized them to act on their behalf, the agent's contact information must also be provided.

Applicant/Landowner Name: Kayla 4 Troy Usen Mailing Address: 27684 Maple Lane, Madison Lake MW 56063

Phone: 320-894-3125 or 507-720-2025

Powers kayla 10 eghail. con olsentroy 16 eghail. con

Authorized Contact (do not complete if same as above):

Mailing Address:

Phone:

E-mail Address:

Agent Name:

Mailing Address:

Phone:

E-mail Address:



PART TWO: Site Location Information

City/Township: Washing ton Township

Parcel ID and/or Address: 13.760.0180

Legal Description (Section, Township, Range): Lot 7, Black 2 Russ Landing

Lat/Long (decimal degrees):

Attach a map showing the location of the site in relation to local streets, roads, highways.

Approximate size of site (acres) or if a linear project, length (feet): $400 \, sq + 1$

If you know that your proposal will require an individual Permit from the U.S. Army Corps of Engineers, you must provide the names and addresses of all property owners adjacent to the project site. This information may be provided by attaching a list to your application or by using block 25 of the Application for Department of the Army permit which can be obtained at:

http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform 4345 2012oct.pdf

PART THREE: General Project/Site Information

If this application is related to a delineation approval, exemption determination, jurisdictional determination, or other correspondence submitted prior to this application then describe that here and provide the Corps of Engineers project number.

Describe the project that is being proposed, the project purpose and need, and schedule for implementation and completion. The project description must fully describe the nature and scope of the proposed activity including a description of all project elements that effect aquatic resources (wetland, lake, tributary, etc.) and must also include plans and cross section or profile drawings showing the location, character, and dimensions of all proposed activities and aquatic resource impacts.

Minnesota Interagency Water Resource Application Form February 2014

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PART FOUR: Aquatic Resource Impact¹ Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

Aquatic Resource ID (as noted on overhead view)	Aquatic Resource Type (wetland, lake, tributary etc.)	drain or	Impact	Size of Impact ²	Overall Size of Aquatic Resource ³	Existing Plant Community Type(s) in Impact Area ⁴	County, Major Watershed #, and Bank Service Area # of Impact Area ⁵
Wetland 1	Wetland	Fill	ρ	400 55 \$\$	NA	Fresh Mendow	8

¹If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".

If any of the above identified impacts have already occurred, identify which impacts they are	mo	the circumstances associ	atec
/···	1	JUN 1 3 2018	SO MAN

PART FIVE: Applicant Signature BY:

Check	ere if you are requesting a pre-application consultation with the Corps and LGU based on the information you have
provided.	egulatory entities will not initiate a formal application review if this box is checked.

By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to undertake the work described herein.

Signature: /

I hereby authorize

Date: 6/13/18

to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

Minnesota Interagency Water Resource Application Form February 2014

Page 4 of 11

²Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).

³This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

⁴Use Wetland Plants and Plant Community Types of Minnesota and Wisconsin 3rd Ed. as modified in MN Rules 8420.0405 Subp. 2.

⁵Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

¹ The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.

Attachment A Request for Delineation Review, Wetland Type Determination, or Jurisdictional Determination

By submission of the enclosed wetland delineation report, I am requesting that the U.S. Army Corps of Engineers, St. Paul District (Corps) and/or the Wetland Conservation Act Local Government Unit (LGU) provide me with the following (check all that apply): Wetland Type Confirmation Delineation Concurrence. Concurrence with a delineation is a written notification from the Corps and a decision from the LGU concurring, not concurring, or commenting on the boundaries of the aquatic resources delineated on the property. Delineation concurrences are generally valid for five years unless site conditions change. Under this request alone, the Corps will not address the jurisdictional status of the aquatic resources on the property, only the boundaries of the resources within the review area (including wetlands, tributaries, lakes, etc.). Preliminary Jurisdictional Determination. A preliminary jurisdictional determination (PJD) is a non-binding written indication from the Corps that waters, including wetlands, identified on a parcel may be waters of the United States. For purposes of computation of impacts and compensatory mitigation requirements, a permit decision made on the basis of a PJD will treat all waters and wetlands in the review area as if they are jurisdictional waters of the U.S. PJDs are advisory in nature and may not be appealed. Approved Jurisdictional Determination. An approved jurisdictional determination (AJD) is an official Corps determination that jurisdictional waters of the United States are either present or absent on the property. AJDs can generally be relied upon by the affected party for five years. An AJD may be appealed through the Corps administrative appeal process. In order for the Corps and LGU to process your request, the wetland delineation must be prepared in accordance with the 1987 Corps of Engineers Wetland Delineation Manual, any approved Regional Supplements to the 1987 Manual, and the Guidelines for Submitting Wetland Delineations in Minnesota (2013). http://www.mvp.usace.army.mil/Missions/Regulatory/DelineationJDGuidance.aspx



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Attachment B

Supporting Information for Applications Involving Exemptions, No Loss Determinations, and Activities Not Requiring Mitigation

Complete this part *if* you maintain that the identified aquatic resource impacts in Part Four do not require wetland replacement/compensatory mitigation OR *if* you are seeking verification that the proposed water resource impacts are either exempt from replacement or are not under CWA/WCA jurisdiction.

Identify the specific exemption or no-loss provision for which you believe your project or site qualifies:

Subp. 8 De minimu!, Sec. 3 (1) 400 sq. feat

st typ. 2 wetten & u/n shoreline wettend probable zone.

Provide a detailed explanation of how your project or site qualifies for the above. Be specific and provide and refer to attachments

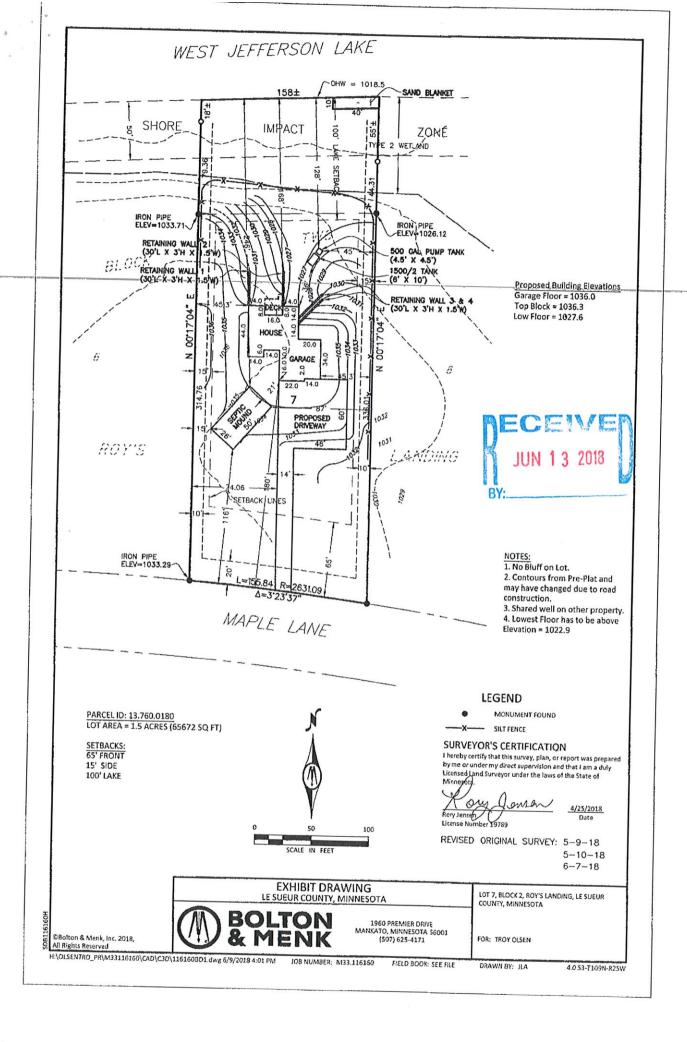
Provide a detailed explanation of how your project or site qualifies for the above. Be specific and provide and refer to attachments and exhibits that support your contention. Applicants should refer to rules (e.g. WCA rules), guidance documents (e.g. BWSR guidance, Corps guidance letters/public notices), and permit conditions (e.g. Corps General Permit conditions) to determine the necessary information to support the application. Applicants are strongly encouraged to contact the WCA LGU and Corps Project Manager prior to submitting an application if they are unsure of what type of information to provide:

see attached map. Site is above OHU but adjacent to west Sefferen lake. Impant will be 40° x 10° installation of a sand blanket.



Minnesota Interagency Water Resource Application Form February 2014

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LE SUEUR COUNTY ENVIRONMENTAL SERVICES 88 SOUTH PARK AVE.

LE CENTER, MINNESOTA 56057-1620

(507) 357-2251 FAX (507) 357-8541

Erosion and Sediment Control Plan

Goal: To control erosion and prevent sediment and other pollutants from entering the lakes, streams, wetlands, and storm drain systems during construction.

Property Owner: Kayla & Troy Olsen	13.760.0180 Roys Landing L	ot-007	Block-00)2
Mailing Address: 321 Maverick Dr, Mankato MN 56001				
Property Address: 27684 Maple Lane, Madison Lake MN 56063				
Phone:(Mobile/Cell:()	5		
320-894-3125 or 507-720-2025 Responsible party for Implementation/Inspection: Same as a Address:	bove		•	
Phone: Mobile/Cell:)			

Erosion & Sediment Control Measures

- Maintain existing vegetation whenever possible and minimize the area of disturbance. Retain and
 protect trees to enhance future landscaping efforts and to reduce raindrop impact. (Vegetation is
 the best and most cost-effective erosion control practice).
- 2. Install all erosion and sediment control practices prior to any soil disturbing activities, when applicable.
- 3. Phase construction activities to minimize the areas disturbed at one time. This will also allow completed areas to be stabilized and re-vegetated before disturbing adjacent sites.
- 4. Maintain and protect all natural waterways. Retain at least a 20-foot wide strip of natural vegetation along all waterways to filter out sediment and other pollutants.
- 5. Minimize the use of impermeable surfaces such as roofs, driveways, parking lots and roads. The Environmental Resources staff must approve all storm water runoff plans.
- 6. Use rock rip-rap at both the outlet and inlet ends of culverts to prevent scour erosion.
- 7. Limit construction equipment to designated areas to control soil compaction.
- 8. Install silt fence on the down-slope perimeter of all disturbed areas according to the attached installation instructions. Sensitive areas such as wetlands, drainage swales and shoreland areas should also be protected with silt fence.
- 9. Install straw bale checks or rock check dams in areas of concentrated flow.
- Cover any stockpiled topsoil with plastic or other impervious covering. Use stockpiled topsoil as earthen berms to serve as temporary sediment basins.

11. Mulch all disturbed areas at the rate of one 50-pound bale of straw per 500 square feet. On slopes 4:1 or steeper use the following erosion control blankets that have been pinned to the slope according to the manufacturer's instructions:

2:1 slopes or steeper

Straw/Coconut Blanket or High Velocity Wood Blanket

3:1 slopes or steeper

Wood or Straw Blanket with net on both sides

4:1 slopes or steeper

Wood or Straw Mulch blanket with net on one side

Flat areas

Straw Mulch w/disc anchoring

- 12. Seed all disturbed areas within seven days of final grading and temporary seed/mulch all areas that will be left inactive for more than seven days. Do not seed later than September 1st. Areas that need to be seeded after this date should be dormant seeded in late October or early November. See the attached instruction sheet for recommended mixtures and rates. The use of native plant materials, including trees and shrubs, is encouraged. Native species will provide good vegetative cover that is adapted to our soils and climate.
- 13. Apply fertilizer according to soil test recommendations.
- 14. Install water bars on access roads to prevent concentrated water from flowing down the road and eroding gravel.
- 15. Attach a site map showing the location of all erosion control practices, property lines, roads, lakes, watercourses, wetlands, on-site systems and building locations.

Note: To reduce mud transported onto paved roads, a rock construction entrance may be required. This will require a six-inch layer of 1-2 inch diameter washed rock a minimum of 50 feet in length.

Inspection and Maintenance

- 16. Inspect the construction site every 7 days and within 24 hours after every rain event to ensure the practices are working properly (i.e. silt fences, water bars).
- 17. Clean out the silt fences when they are 1/3 full of sediment or replace with functional silt fences within 24 hours.
- 18. Clean out sediment basins on a regular basis to maintain capacity.

I agree to install, inspect and maintain the above practices to accomplish the goal of preventing erosion.

(Property Owner)

(Date)

2 / Troporty Cymor)

5/4/18

(Person Responsible for Implementation)

(Date)

If you have any questions, please contact Environmental Services, at 507-357-8538.

Mettler, Michelle

From:

Bob Kaveney <bob@rohlfings.com>

Sent:

Monday, May 07, 2018 11:19 AM

To: Subject: Mettler, Michelle Kayla Olson

Michelle,

Kayla Olson has contacted Washington Township about a driveway approach to Maple Lane In Roy's Landing. The Township Board has approved it, requiring a 15" culvert.

Bob Kaveney

Washington Township Supervisor



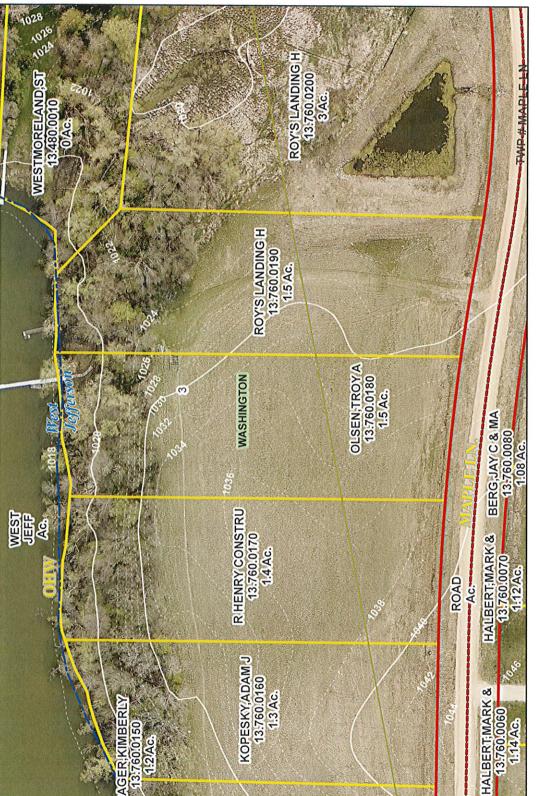
Virus-free. www.avast.com

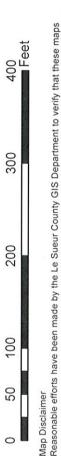
507-357-8538

27079C0**265D** Olson 13.760.0180 Recreational Residential x-outside 1022.86

NAME: PID: DATE: FIRM #: F-Zone:

District: RFPE:





accurately interpret the source data used in their preparation. However, a degree of error is inherent in all maps, These maps may contain omissions and errors in scale, resolution, rectification, positional accuracy, development methodology, interpretation of source data, and other circumstances.

CORDOVA

36

35 WELAND

34

33

These maps should not be used for navigational, engineering, legal, or any other site-specific use. "The maps are date specific and are intended for use only at the published scale.

Coordinate System: NAD 1983 HARN Adj MN Le Sueur Feet

Photo dated April/May 2017

18

13

4

15

16

Created By: MRM

Le Sueur County

LE SUEUR COUNTY ENVIRONMENTAL SERVICES