



**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: AUGUST 9, 2018

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 Commission Notice of Public Hearing
- ITEM #2** Planning Commission Agenda
- ITEM #3** Baker Packet
- ITEM #4** Approved August 9, 2018 Meeting Minutes

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



Le Sueur County, MN

Thursday, August 9, 2018

Regular session

Item 1

Planning Commission Notice of Public Hearing

Staff Contact: Joshua Mankowski or Michelle R. 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

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD.

DATE: AUGUST 9, 2018

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 **AUGUST 2, 2018**.

ITEM #1: KEVIN & SHANNON BAKER, CLEVELAND, MN, (APPLICANT\OWNER):
Request that the County grant a Conditional Use Permit to allow the applicant to transfer the development right from the SE quarter of the NW quarter to the SW quarter of the NW quarter in a Special Protection "SP" District on an Un-Named Natural Environment "NE" lake. Property is located in the NW quarter, Section 11, Washington Township.

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

JOSHUA MANKOWSKI, LE SUEUR COUNTY PLANNING & ZONING ADMINISTRATOR
MICHELLE R. METTLER, ASSISTANT PLANNING & ZONING ADMINISTRATOR



Le Sueur County, MN

Thursday, August 9, 2018

Regular session

Item 1

Planning Commission Agenda

Staff Contact: Joshua Mankowski or Michelle R. Mettler

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION AGENDA

MEETING DATE: August 9, 2018

PLACE: Le Sueur County Environmental Services Building
515 South Maple Ave, Le Center, MN

TIME: 7:00 P.M.

***Planning Commission Members if you CANNOT be at the meeting contact Mindy at 357-8538.*

1. Call to Order
2. Agenda: Additions/Corrections/Approval
3. Meeting Minutes: July 12, 2018 Additions/Corrections/Approval
4. Applications

ITEM #1: KEVIN & SHANNON BAKER, CLEVELAND, MN, (APPLICANT/OWNER):

Request that the County grant a Conditional Use Permit to allow the applicant to transfer the development right from the SE quarter of the NW quarter to the SW quarter of the NW quarter in a Special Protection "SP" District on an Un-Named Natural Environment "NE" lake. Property is located in the NW quarter, Section 11, Washington Township.

5. Discussion Items
6. Warrants/Claims
7. Adjourn

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.



Le Sueur County, MN

Thursday, August 9, 2018

Regular session

Item 1

Baker Packet

Staff Contact: Joshua Mankowski or Michelle R. Mettler

STAFF REPORT

GENERAL INFORMATION

APPLICANT/OWNER: Kevin & Shannon Baker
911 ADDRESS: 47261 271st Ave, Madison Lake MN
PROJECT DESCRIPTION: To allow the applicant to transfer the development right from the SE/NW to the SW/NW.
PARCEL NUMBER: 13.011.0200
CUP NUMBER: 18126

SITE INFORMATION

LOCATION: NW 1/4, Section 11, Washington Township
ZONING DISTRICT: Special Protection
ZONING DISTRICT PURPOSE: The intent of the **Special Protection (SP) District** is to guide the wise development and utilization of shorelands of public waters for the preservation of water quality, natural characteristics, economic values and the general health, safety and welfare of all public waters in the unincorporated areas of the County. Further, the purpose of this district is to manage areas unsuitable for development due to wet soils, steep slopes or large areas of exposed bedrock; and to manage areas of unique natural and biological characteristics in accordance with compatible uses.

GENERAL SITE DESCRIPTION: Existing building site, previous feedlot, farmground, shoreland.

ACCESS: Existing off 271st Ave, shared driveway, approved by road authority.

EXISTING LAND USE WITHIN ¼ MILE:

North: Ag land and scattered rural residences	South: Ag land, lake and scattered rural residences
East: Ag land and lake	West: Ag land, lake and rural scattered residences

BACKGROUND INFORMATION

The 30-acre parcel is an existing building site that was a previously a feedlot operation. The transfer will relocate the building eligibility from the SE/NW on the East side of the lake to the SW/NW on the West side of the lake. The new building site will be moved from ag land and will occupy land from the previous farmstead closer to the road. There is room for a primary and secondary Type 1 septic system and water supply for the new parcel. The septic system for the existing dwelling has recently been updated.

TOWNSHIP BOARD NOTIFICATION

Public Notice sent to Township via mail. Robert Kaveney from Washington Township was contacted on May 10, 2018 by applicant.

NATURAL RESOURCES INFORMATION

SHORELAND: The proposal is located within the Shoreland District.

LAKE: Un-named Natural Environment Lake

Natural Environment Lake - Lakes that usually have less than one hundred fifty (150) total acres, less than sixty (60) acres per mile of shoreline, and less than three (3) dwellings per mile of shoreline. They may have some winter kill of fish; may have shallow, swampy shoreline; and are less than fifteen (15) feet deep.

WETLANDS: According to the National Wetlands Inventory, Type 1, 3, & 4 wetlands located in the quarter-quarter section where the project is proposed.

ATTACHMENTS

Application, description of request, site plan, aerial photo, Findings of Fact sheet, house plans, septic site plan, shared access approval, erosion control plan

STAFF FINDINGS

ZONING ORDINANCE SECTIONS: Section 13.1, Section 21

GOALS & POLICIES: The current Land Use Plan as adopted in 2007 does make reference to preserving ag land, clustered development and development standards on Natural Environment lakes.

GOAL #1: Le Sueur County contains some of the most productive agricultural soils in Minnesota and should adopt and enforce land use goals and policies that conserve and protect agricultural resources and uses.

Objective 1: The County will protect the best of its agricultural land as a resource for long term agricultural use.

Action 1: The County will continue using an Agricultural District with the ultimate aim being to preserve large contiguous agricultural land tracts for agricultural use.

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 resource areas.

Objective 3: Preserve shorelands on Natural Environment Lakes (NE) and Tributary Rivers as open space or wildlife areas.

Action 1: Use the agricultural zone density controls for housing development standards in Natural Environment Lake special protection areas and tributary rivers.

Action 2: On Natural Environment Lakes where land is zoned residential, continue using the larger lot sizes and water setback standards that were set in the 1996 amendments.

GOAL #4: Le Sueur County should adopt and enforce land use goals and policies that provide a wide range of Opportunity for Urban and Rural Housing Development.

Objective 1: Le Sueur County should allow non-farm development to occur in agricultural areas, but with guidelines meant to reduce conflicts with agricultural operators.

Action 4: Single family housing development in the agricultural district should be encouraged to develop in a clustered fashion rather than as scattered single sites.

Action 6: Adopt a Transfer of Development Rights component to the zoning ordinance in which a property owner could transfer one development right from $\frac{1}{4}$ $\frac{1}{4}$ to an adjacent $\frac{1}{4}$ $\frac{1}{4}$.

DNR GUIDANCE LETTERS

1. Administration, Compliance, and Enforcement
2. Natural Shorelines

pg. 1
pg. 5

ENVIRONMENTAL PERFORMANCE STANDARDS-SECTION 18

WETLAND:

BLUFF:

EROSION CONTROL:

Type 1, 3, 4 wetlands are present on the property.

There is not a bluff on the proposed site.

Erosion control measures to be placed prior to construction and remain until vegetation is re-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 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.
11. **Additional considerations:**
 - a. The site is adequate for water supply and on-site sewage treatment.
 - b. The new building site will be a 6.31-acre parcel. The existing building site will be a 6.54-acre parcel.
 - c. Building eligibility is moving the eligibility from one side of the lake to the other in an SP district.

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.
- 9.

SHORELAND DISTRICT-EVLAUATION CRITERIA

1. The prevention of soil erosion or other possible pollution of public waters, both during and after construction.
2. The visibility of structures and other facilities as viewed from public waters is limited.
3. 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.

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 DATE: 6/29/2018	PERMIT NUMBER: 18126	FEE: \$796.00
60 DAY RULING DATE: 8/28/2018		<i>*FEES NON-REFUNDABLE</i>
APPLICANT: KEVIN & SHANNON BAKER	LAND OWNER: KEVIN & SHANNON BAKER	
ADDRESS: 47261 271 AVE	ADDRESS: 47261 271ST AVE	
CITY: MADISON LAKE	CITY: MADISON LAKE	
STATE: MN ZIP: 56063	STATE: MN ZIP: 56063	
PHONE: 507-381-4174	PHONE: 507-.81.6375	
911: NEW 271ST AVE. MADISON LAKE. MN		

PARCEL #: 13.011.0200	TOWNSHIP: WASHINGTON
SEC: 11 SUBDIV: NA	DISTRICT: SP
TWP: 109 LOT: NA	FEMA PANEL # 27079C0270D
RANGE: 25 BLOCK: NA	FLOOD ZONE: X OUTSIDE
QTR/QTR: NW ROAD: CR	

I (We), the undersigned, owner(s) and or applicant(s) of the property described herein, do hereby respectfully petition your Honorable Bodies to grant a Conditional Use Permit, as hereinafter designated, and in support thereof, the following facts are presented:

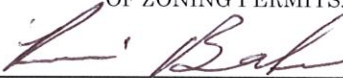
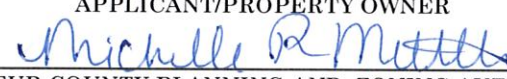
1.) Reason for Requested Conditional Use Permit.

TO ALLOW THE APPLICANT TO TRANSFER THE DEVELOPMENT RIGHT FROM THE SE/NW TO THE SW/NW.

2.) Reason for Approval or Denial of Request as Listed in Findings.

3.) Special Conditions of Conditional Use Permit.

RECORDED LEGAL DESCRIPTION OF PROPERTY MUST BE SUBMITTED PRIOR TO ISSUANCE OF ZONING PERMITS. ADDITIONAL CONDITIONS AS STATED IN RECORD.

 _____ APPLICANT/PROPERTY OWNER	6/29/18 _____ DATE
 _____ LE SUEUR COUNTY PLANNING AND ZONING AUTHORITY	6-29-18 _____ DATE

PUBLIC HEARING DATE: 8/9/2018	ACTION: _____
<input type="checkbox"/> AS WRITTEN	<input type="checkbox"/> WITH CONDITIONS
COUNTY BOARD DATE: 8/28/2018	ACTION: _____
<input type="checkbox"/> AS WRITTEN	<input type="checkbox"/> WITH CONDITIONS

_____ CHAIRMAN, LE SUEUR COUNTY PLANNING AND ZONING COMMISSION	_____ DATE
_____ CHAIRMAN, LE SUEUR COUNTY BOARD OF COMMISSIONERS	_____ DATE

LE SUEUR COUNTY CONDITIONAL USE PERMIT CRITERIA

Conditional Use Permit #: 18126

Applicant: KEVIN & SHANNON BAKER

Land Owner: KEVIN & SHANNON BAKER

Conditional Use Permit Request: TO ALLOW THE APPLICANT TO TRANSFER THE DEVELOPMENT RIGHT FROM THE SE/NW TO THE SW/NW.

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.

Don Rk	Pam	Doug	Jeanne	Shirley	Don Ry	AI	TOTAL

Explain _____

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.

Don Rk	Pam	Doug	Jeanne	Shirley	Don Ry	AI	TOTAL

Explain _____

3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.

Don Rk	Pam	Doug	Jeanne	Shirley	Don Ry	AI	TOTAL

Explain _____

4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to service the proposed use.

Don Rk	Pam	Doug	Jeanne	Shirley	Don Ry	AI	TOTAL

Explain _____

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.

Don Rk	Pam	Doug	Jeanne	Shirley	Don Ry	AI	TOTAL

Explain _____

6. The conditional use is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.

Don Rk	Pam	Doug	Jeanne	Shirley	Don Ry	AI	TOTAL

Explain _____

7. The conditional use is consistent with the Comprehensive Land Use Plan.

Don Rk	Pam	Doug	Jeanne	Shirley	Don Ry	AI	TOTAL

Explain _____

If all answers are "YES" by a majority of the Planning Commission, the criteria for granting of the Conditional Use Permit request have been met. The Conditional Use Permit will meet the goals of safety, health and the general welfare of the public.

Date: _____ APPROVED _____ DENIED _____ PZ Chairperson _____

COUNTY BOARD MEETING DATE _____

Le Sueur County

Conditional Use Application

I. Applicant:

Name KEVIN + SHANNON BAKER
Mailing Address 47261 271 Avenue
City Madison Lake State MN Zip 56063
Phone # 507-381-4174 Phone # 507-381-6375

II. Landowner:

Name KEVIN + SHANNON BAKER
Mailing Address 47261 271 Avenue
City Madison Lake State MN Zip 56063
Property Address same
City _____ State _____ Zip _____
Phone # _____ Phone # _____

III. Parcel Information:

Parcel Number 13.011.0200 Parcel Acreage _____
Attach Full Legal Description (**NOT** abbreviated description from tax statement)
Township Washington Section 11
Subdivision _____ Lot _____ Block _____

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

Washington Township notified on 5/10/2018
(Township Name) (Date)
Board Member Robert Kavaney 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.
- Twenty three (¹⁵23) copies must be submitted, if any documents are in color, an aerial, or larger than 8.5" x 11" in size.
- 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
After-The-Fact Penalty \$ 1,500 OR 10% of improvement, whichever is greater

VII. Type of Request:

- | | |
|----------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Self Service Storage | <input type="checkbox"/> Value Added Agriculture |
| <input type="checkbox"/> School/Church/Cemetery | <input type="checkbox"/> Antique Sales/Service/Repair |
| <input type="checkbox"/> Retail Nursery/Greenhouse | <input type="checkbox"/> Substation/Transmission Lines etc. |
| <input type="checkbox"/> School/Church/Cemetery | <input checked="" type="checkbox"/> Other <u>TDR</u> |

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: _____
2. ESTIMATED NUMBER OF PERSONS TO ATTEND PLACE OF BUSINESS/LOCATION ON A DAILY OR WEEKLY BASIS: _____
3. LIST OF PUBLIC HEALTH PLANS:
 - i. Water Supply: Shared Well
 - ii. Toilet facilities: _____
 - iii. Solid Waste Collection: Waste Management
4. FIRE PREVENTION: _____
5. SECURITY PLANS: _____
6. RETAIL SALES: _____
7. FOOD OR ALCOHOL SERVED OR FOR SALE: _____
8. DESCRIBE IF THE APPLICANT REQUESTS THE COUNTY TO PROVIDE ANY SERVICES OR COUNTY PERSONNEL: (For example, pedestrian and/or vehicular traffic control.)

9. SOUND AMPLIFICATION, PUBLIC ADDRESS SYSTEM, PLAYING OF MUSIC:

10. EXTERIOR LIGHTING: _____
11. PARKING AND LOADING: _____
12. SIGNAGE: _____
13. ROAD ACCESS: (Approved by the road authority) _____
14. CERTIFICATE OF INSURANCE: See attached
15. MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS:
(For example additional licensing and/or permitting) _____

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)

Attn: Le Sueur County Planning and Zoning Commission

Request: Conditional Use Permit to Transfer Development Right

Overview:

We have lived on our farm in Washington township Section 11 for 38+ years. We would like to sell our current farmhouse to our daughter and her family and build a home on the same property, but in an area that will preserve the prime agricultural land. The proposed site is in the Southwest Quarter of the Northwest Quarter of Section 11, Washington Township. Our current farmhouse is in this same quarter-quarter section. Per Special Protection District zoning, transfer of development rights may be utilized to exceed the permitted housing density of one dwelling per quarter-quarter section. This transfer would not exceed the four dwellings per quarter-quarter section limit.

DESCRIPTION OF REQUEST:

The proposal is to transfer development rights from:

The Southeast Quarter of the Northwest Quarter of Section 11, Washington Township

to:

The Southwest Quarter of the Northwest Quarter of Section 11, Washington Township

Building on the proposed site would preserve prime agricultural land (Goal #1 of Le Sueur County Land Use Goals and Policies) and would be consistent with Goals of preserving natural resources and water quality.

Additional Information:

We have been in contact with Planning and Zoning office and are assured that all other requirements for the requested building site are in compliance; including setbacks, sewage and water capabilities, lot dimensions, etc. We have received Variance # 18073 dated June 21, 2018 to allow new property line within 15 feet from existing shed.

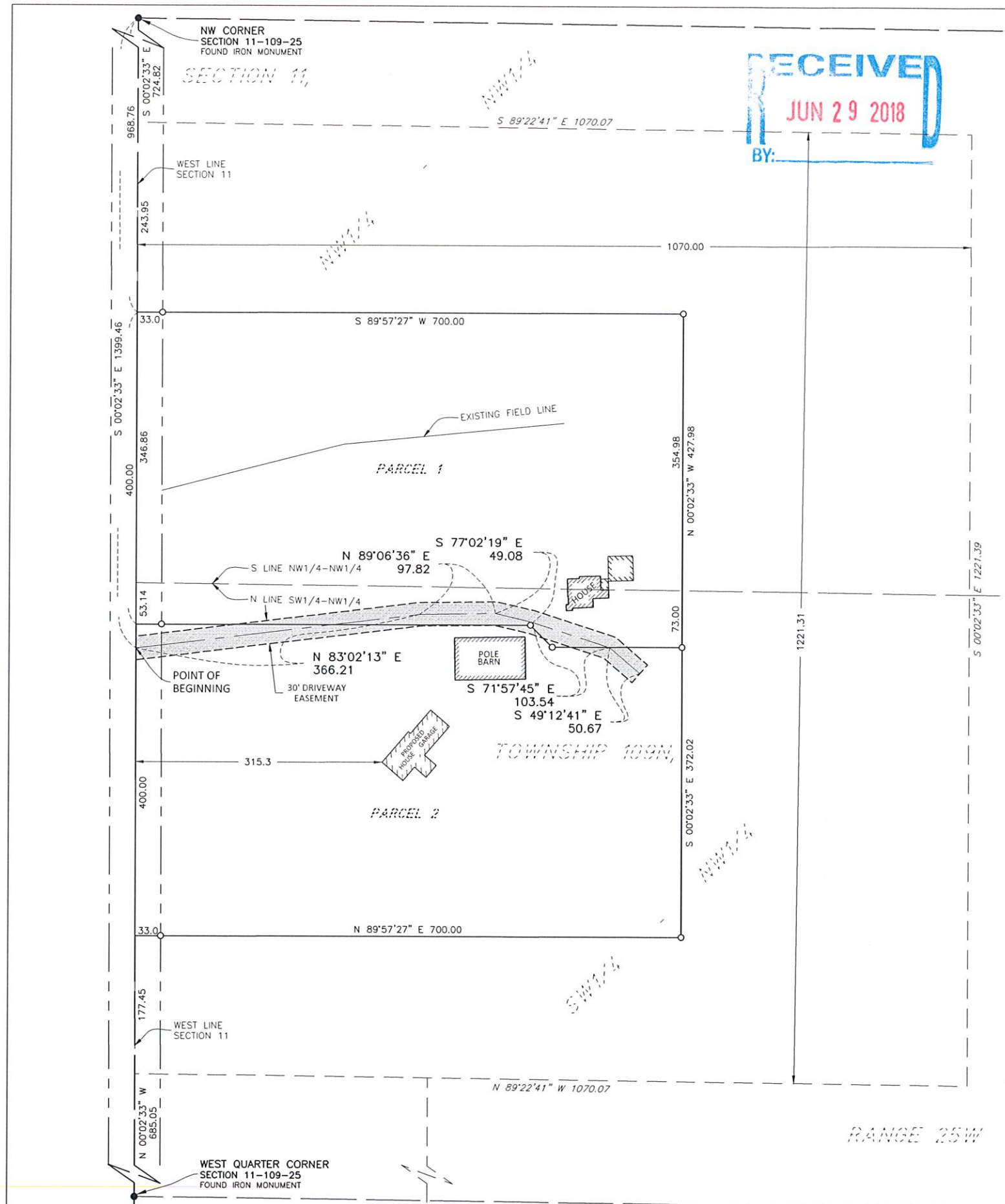
Summary:

Building in the proposed area would preserve prime agricultural farmland and allow us to pass the farmhouse to a family member in an affordable manner. We respectfully request your consideration of this conditional use permit.

Thank you,

Kevin Baker

Shannon Baker



PROPERTY DESCRIPTION

PARCEL 1

That part of The West 1070.00 feet of the North 1221.31 feet of the South 1906.31 feet of the West Half of the Northwest Quarter of Section 11, Township 109 North, Range 25 West, Le Sueur County, Minnesota, described as follows:

Commencing at the northwest corner of said Section 11; thence South 00 degrees 02 minutes 33 seconds East (Minnesota County Coordinate System, Le Sueur County, NAD83, 1996 adjustment) along the west line of said Section 11, a distance of 968.77 feet to the point of beginning; thence continuing South 00 degrees 02 minutes 33 seconds East along said west line, a distance of 400.00 feet; thence North 89 degrees 57 minutes 27 seconds East, a distance of 506.60 feet; thence South 45 degrees 02 minutes 33 seconds East, a distance of 39.54 feet; thence North 89 degrees 57 minutes 44 seconds East, a distance of 165.44 feet; thence North 00 degrees 02 minutes 33 seconds West parallel with said west line of said Section 11, a distance of 427.98 feet; thence South 89 degrees 57 minutes 27 seconds West, a distance of 700.00 feet to the point of beginning.

Contains 6.54 acres of land.

PARCEL 2

That part of The West 1070.00 feet of the North 1221.31 feet of the South 1906.31 feet of the West Half of the Northwest Quarter of Section 11, Township 109 North, Range 25 West, Le Sueur County, Minnesota, described as follows:

Commencing at the northwest corner of said Section 11; thence South 00 degrees 02 minutes 33 seconds East (Minnesota County Coordinate System, Le Sueur County, NAD83, 1996 adjustment) along the west line of said Section 11, a distance of 968.77 feet; thence continuing South 00 degrees 02 minutes 33 seconds East along said west line, a distance of 400.00 feet to the point of beginning; thence North 89 degrees 57 minutes 27 seconds East, a distance of 506.60 feet; thence South 45 degrees 02 minutes 33 seconds East, a distance of 39.54 feet; thence North 89 degrees 57 minutes 44 seconds East, a distance of 165.44 feet; thence South 00 degrees 02 minutes 33 seconds East parallel with said west line, a distance of 372.02 feet; thence South 89 degrees 57 minutes 27 seconds West, a distance of 700.00 feet to said west line of said Section 11; thence North 00 degrees 02 minutes 33 seconds West along said west line, a distance of 400.00 feet to the point of beginning.

Contains 6.31 acres of land.

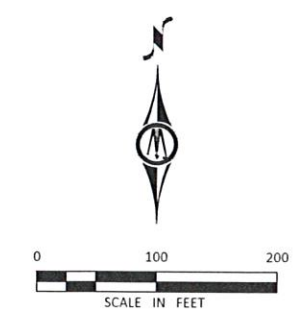
TOGETHER WITH AND SUBJECT TO

DRIVEWAY EASEMENT

A 30.00 foot wide easement for access purposes, over, under, and across the above described PROPERTY, being 15.00 feet on each side of the following described centerline:

Commencing at the northwest corner of Section 11, Township 109 North, Range 25 West, Le Sueur County, Minnesota; thence South 00 degrees 02 minutes 33 seconds East along the west line of said Section 11 (Minnesota County Coordinate System, Le Sueur County, NAD83, 1996 adjustment), a distance of 1399.46 feet to the point of beginning; thence North 83 degrees 02 minutes 13 seconds East, a distance of 366.21 feet; thence North 89 degrees 06 minutes 36 seconds East, a distance of 97.82 feet; thence South 77 degrees 02 minutes 19 seconds East, a distance of 49.08 feet; thence South 71 degrees 57 minutes 45 seconds East, a distance of 103.54 feet; thence South 49 degrees 12 minutes 41 seconds East, a distance of 50.67 feet to the point of termination.

Contains 0.46 acres of land.



PARCEL ID
13.011.0200

ADDRESS
47261 271ST AVE
MADISON LAKE

OWNER
KEVIN M & SHANNON M BAKER

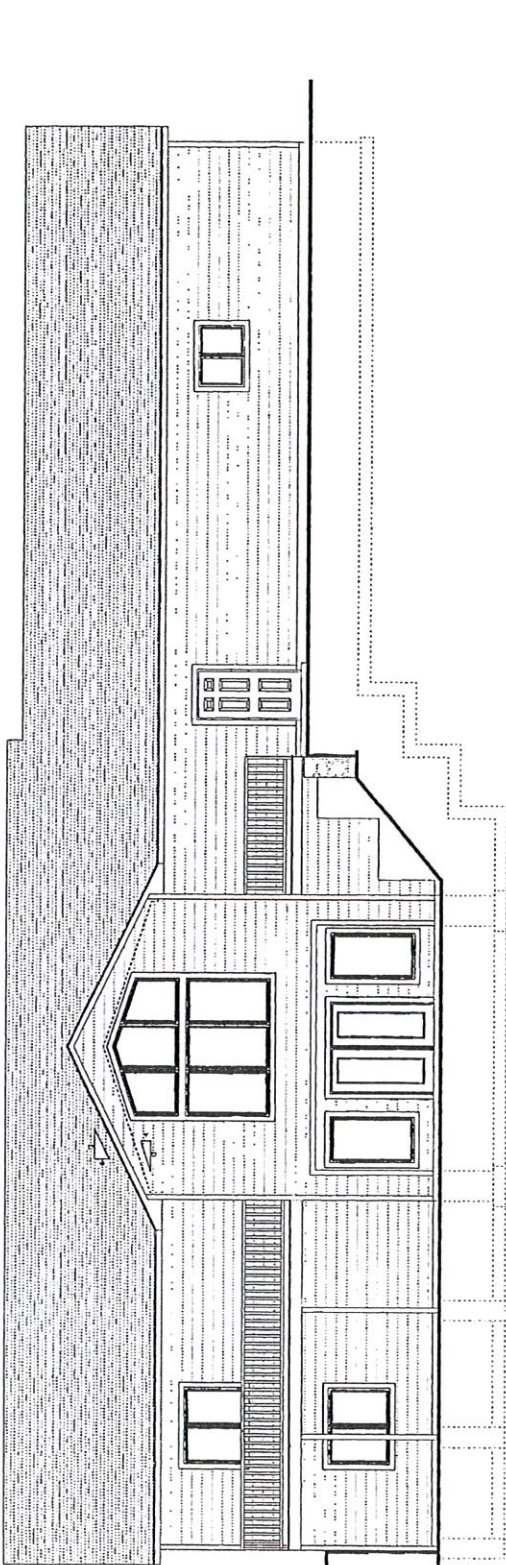
SURVEYOR'S CERTIFICATION

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

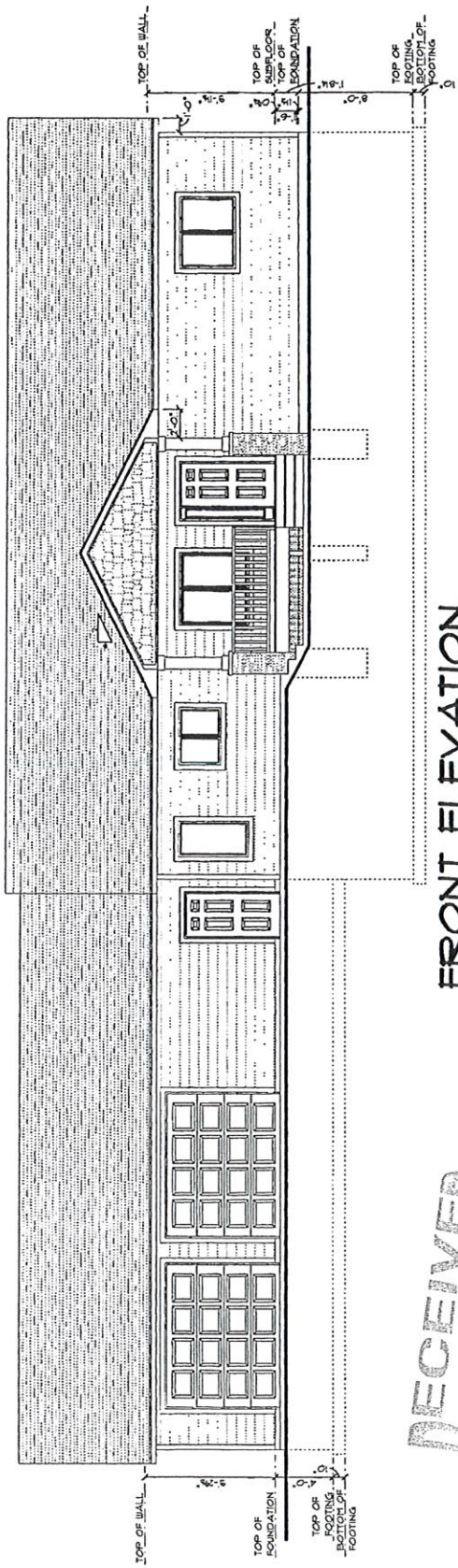
Rory Jensen
Rory Jensen
License Number 19789
06/29/2018
Date

CERTIFICATE OF EASEMENT LE SUEUR COUNTY, MN		PART OF THE WEST HALF OF THE NW QUARTER OF SECTION 11, TWP. 109N, RGE. 25W
BOLTON & MENK 1960 PREMIER DRIVE MANKATO, MINNESOTA 56001 (507) 625-4171	FOR: KEVIN BAKER	

©Bolton & Menk, Inc. 2018, All Rights Reserved
 H:\BAKERKEV_PR\M33114756\CAD\C3D\114756_V_PROP_4.dwg 6/29/2018 12:55 PM



REAR ELEVATION
 3/16" = 1'-0"



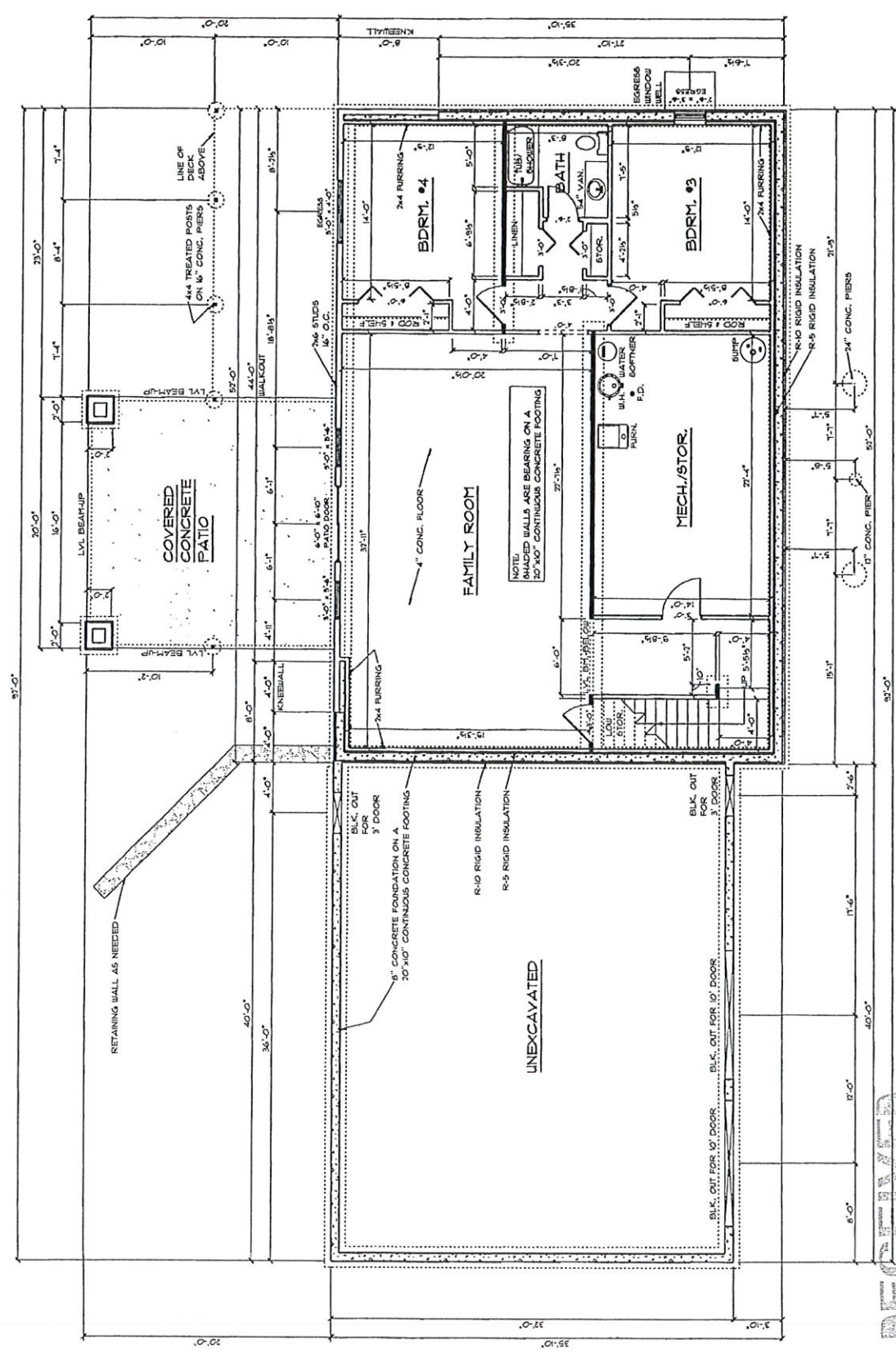
FRONT ELEVATION
 3/16" = 1'-0"

RECEIVED
 MAY 23 2018
 BY: _____

DESIGNED FOR: _____
 CONTRACTOR: KEVIN & SHANNON BAKER
 DATE: 2-14-2018
 REVISION DATE: 4-2018

DESIGNED FOR: _____
 CONTRACTOR: KEVIN & SHANNON BAKER
 DATE: 2-14-2018
 REVISION DATE: 4-2018

DESIGNED FOR: _____
 CONTRACTOR: KEVIN & SHANNON BAKER
 DATE: 2-14-2018
 REVISION DATE: 4-2018



NOTE: EXTERIOR DIMENSIONS ARE FROM OUTSIDE OF FOAM

FOUNDATION PLAN
 3/16" = 1'-0"
 1872 SQ. FT.

RECEIVED
 MAY 23 2018

BY: _____

Mettler, Michelle

From: Tiegs, David
Sent: Tuesday, May 22, 2018 10:05 AM
To: Mettler, Michelle
Cc: 'sbakerjgm@gmail.com'
Subject: FW: Baker, Kevin and Shannon parcel ID

Michelle, Shannon Baker contacted me regarding using the existing entrance to parcel 13.011.0200 as a shared entrance to a second home site. The use of the existing entrance as a shared entrance is fine with the County Highway Department. Should anything else be needed from the Highway Department please let me know.

Thanks,
Dave Tiegs
Le Sueur County
Highway Engineer

From: sbaker [mailto:sbakerjgm@gmail.com]
Sent: Tuesday, May 22, 2018 9:08 AM
To: Tiegs, David
Subject: Baker, Kevin and Shannon parcel ID

Hello,

The parcel ID is 13.011.0200.

The proposed building site is south of the shed slightly into the wooded area. Access would be gained from current driveway and just west of the shed.

Please let us know if you need anything else.

Thank you,

Shannon Baker

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

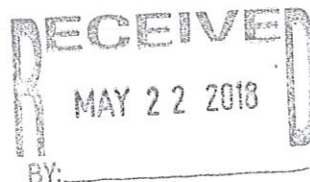
Goal: To control erosion and prevent sediment and other pollutants from entering the lakes, streams, wetlands, and storm drain systems during construction.

Property Owner: Kevin & Shannon Baker PID: _____
Mailing Address: 47261 271 Avenue Madison Lake, MN 56063
Property Address: 47261 271 Avenue Madison Lake, MN 56063
Phone: (____) _____ Mobile/Cell: (507) 381-4174

Responsible party for Implementation/Inspection: KEVIN BAKER
Address: 47261 271 Ave Madison Lake, MN 56063
Phone: (____) _____ Mobile/Cell: (507) 381-4174

Erosion & Sediment Control Measures

1. 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.
10. 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.

X Ken Bah

(Property Owner)

5/18/2018

(Date)

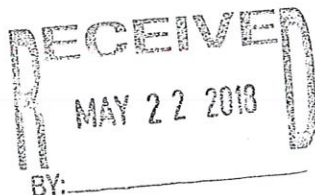
X Ken Bah

(Person Responsible for Implementation)

5/18/2018

(Date)

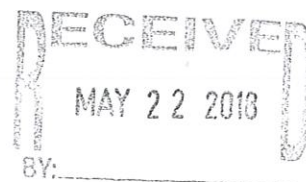
If you have any questions, please contact Environmental Services, at 507-357-8538.



EROSION CONTROL PLAN for HOUSE CONSTRUCTION

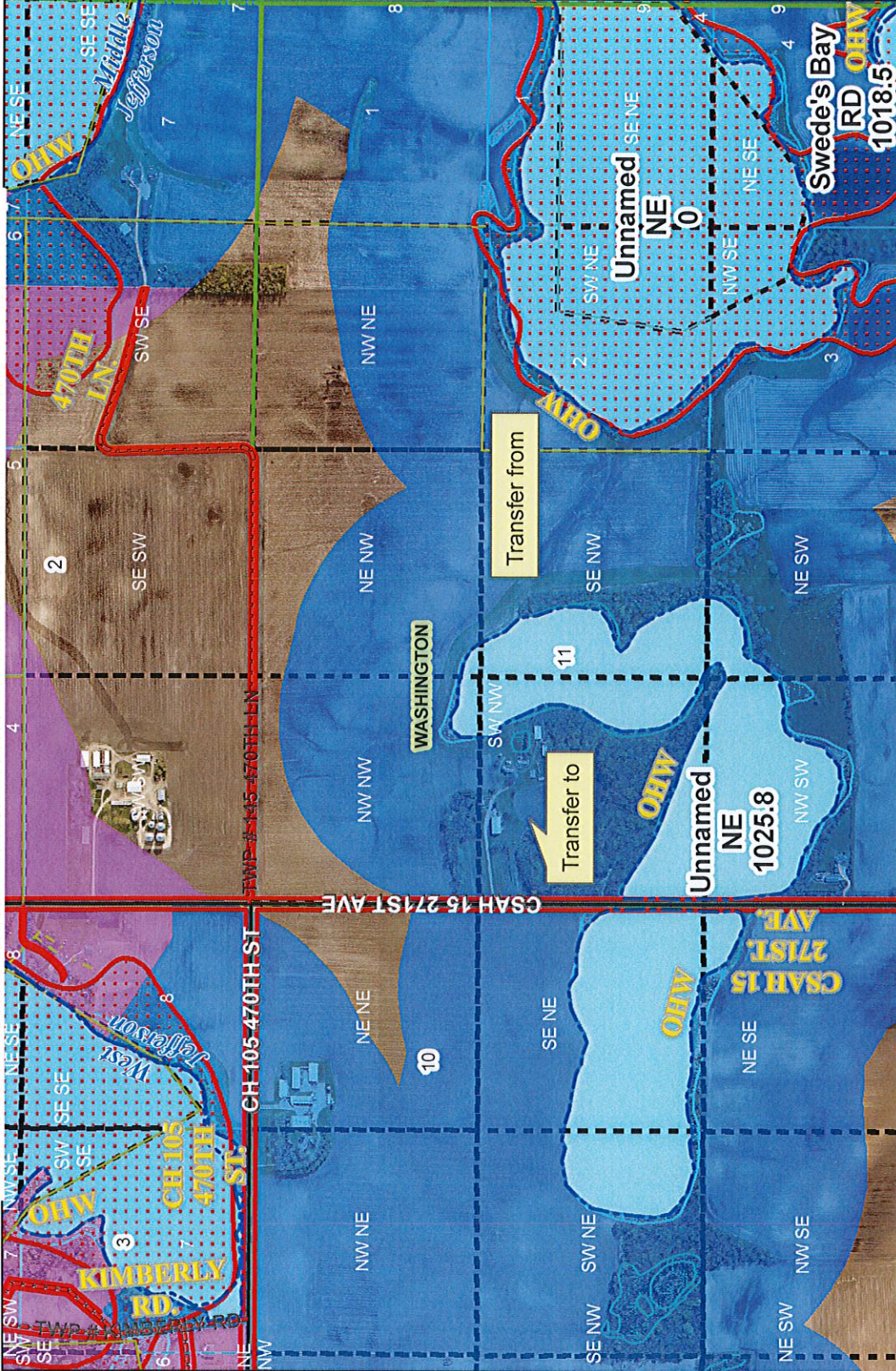
Kevin and Shannon Baker 2018

- Existing trees will be preserved as much as possible. Minimum number of trees to accommodate house and construction will be removed. Many of trees needing to removed will be replanted adjacent to construction area.
- Phases of construction will commence as follows:
 - Installation of septic and drain field
 - Installation of water line from existing on-site well
 - Excavation of building site
- A berm consisting of wood chips will be constructed adjacent to the downslope on the east side of building site. This berm will be inspected and maintained throughout entire construction project.
- Stockpiled topsoil will be covered with plastic.
- Any disturbed areas with slopes 4:1 or steeper will be mulched according to criteria set forth by Le Sueur County Environmental Services.
- Disturbed areas will be seeded per Le Sueur County requirements. Specific seeding times will be dependent upon timing of construction commencement and finish.
- Fertilizers will be applied per soil test recommendations.
- Current driveway will serve as access road to construction site.



LE SUEUR COUNTY ENVIRONMENTAL SERVICES

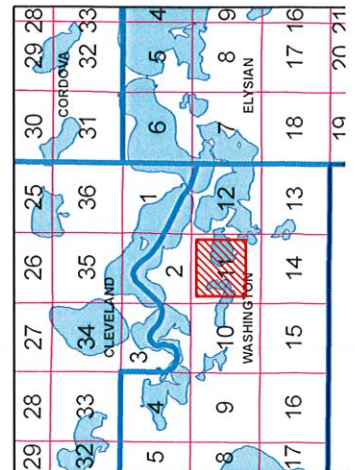
NAME: Kevin & Shannon
 PID: 13.011.0200
 DATE: 7-26-18
 FIRM #: 27079C0270D
 F-Zone: X-outside
 RFPE: 1028.8
 District: Special Protection



Map Disclaimer
 Reasonable efforts have been made by the Le Sueur County GIS Department to verify that these maps 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.
 *The maps are date specific and are intended for use only at the published scale.
 *These maps should not be used for navigational, engineering, legal, or any other site-specific use.

Coordinate System: NAD 1983 HARN Adj MN Le Sueur Feet

Photo dated April/May 2017 Created By: MRM



LE SUEUR COUNTY
 ENVIRONMENTAL SERVICES
 507-357-8538



Le Sueur County, MN

Thursday, August 9, 2018

Regular session

Item 1

Approved August 9, 2018 Meeting Minutes

Staff Contact: Joshua Mankowski or Michelle R. Mettler

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
Aug. 9, 2018

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

MEMBERS ABSENT:

OTHERS PRESENT: Joshua Mankowski

1. The meeting was called to order at 7:00 by Chairperson, Jeanne Doheny.
2. Agenda. Motion to approve agenda, was made by Doug Krenik. Second by Don Rynda. Approved.
3. Minutes from July 12, 2018 Meeting. Motion to approve minutes, was made by Shirley Katzenmeyer. Second by Pam Tietz. Approved.
4. Applications

ITEM #1: KEVIN & SHANNON BAKER, CLEVELAND, MN, (APPLICANT\OWNER):
Request that the County grant a Conditional Use Permit to allow the applicant to transfer the development right from the SE quarter of the NW quarter to the SW quarter of the NW quarter in a Special Protection "SP" District on an Un-Named Natural Environment "NE" Lake. Property is located in the NW quarter, Section 11, Washington Township.

Joshua Mankowski presented power point presentation. Kevin & Shannon Baker were present for the application.

TOWNSHIP: Notified. Response None

DNR: Notified. Response None

LETTERS: None

PUBLIC COMMENT: None

Discussion was held regarding: Don Reak commented that he believes these Transfer of Development Rights have been a good thing for the County. They help to keep farm land open while allowing development. Doug Krenik wanted to clarify that the old house will be going sold to the applicants' daughter, the house will remain, and the well will be shared. Kevin Baker replied with a yes, and added that the driveway will also be shared. Both the well and the access will be covered with easements.

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 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. *The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
7. *The Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

Discussion was held regarding: Doug Krenik asked if there was currently livestock. Kevin Baker responded that there was no longer livestock. They plan to use the building for other purposes

Motion was made by Don Reak to Approve the application.

Second by Al Gehrke. Motion approved. Motion carried.

5. Discussion Items: None.

Don Reak asked why the Transfer of Development Rights is a Conditional Use Permit. Joshua Mankowski stated that, if this was a permitted activity then residents would be allowed to transfer the development rights without notifying the County and without public notice. By requiring a Conditional Use Permit, people in the area and the County are notified.

6. Warrants/Claim-signatures.

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

Respectfully submitted,

Joshua Mankowski

APPROVED SEPTEMBER 13, 2018

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