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# Le Sueur County, MN

Thursday, August 16, 2018

Regular Session

## Item 2

### Griep Packet

Staff Contact: Joshua Mankowski or Michelle Mettler

# VARIANCE STAFF REPORT

## GENERAL INFORMATION

**APPLICANT/OWNER:** Steven Griep

**911 ADDRESS:** 24835 French Drive, Cleveland, MN

**VARIANCE REQUEST:** To construct a dwelling addition 7 feet from the east property line, 46 feet from the Ordinary High Water Level (OHWL), 24 feet & 28 feet from the road ROW; create impervious surface within the shore impact zone; and driveway width of 9 feet.

**VARIANCE NUMBER:** 18143

**PARCEL NUMBER:** 04.510.0170

## SITE INFORMATION

**LOCATION:** Lot 22 & 23, French Addition, and Lot 24 Auditor's Subdiv, Section 6, Elysian Township.

**ZONING & PURPOSE:** Recreational Residential and Flood Fringe Flood Plain

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.

**Floodplain Overlay District.** It is the purpose of this Section to designate an overlay district that will maintain the County's eligibility in the National Flood Insurance Program and to minimize potential loss of life, loss of property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare of the County.

**Flood Fringe (FF) District:** The Flood Fringe District shall include those areas designated as floodway fringe, which shall include the areas shown on the Flood Insurance Rate Map, adopted in this Section as being within Zone AE but being located outside of the floodway. For lakes, wetlands and other basins (that do not have a floodway designated), the Flood Fringe District shall include those areas designated as Zone A and Zone AE on the Flood Insurance Rate Map panels adopted in this Section that are below the one percent (1%) annual chance flood elevation (100-year flood elevation) but above the ordinary high water level as defined in Minnesota Statutes, Section 103G.005, subdivision 14, as amended from time to time.

**GOALS AND POLICIES:** The current Land Use Plan as adopted in 2007 makes reference to shoreland development and stormwater.

<b>GOAL #2:</b>	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.
<b>Objective 2:</b>	Utilize shorelands on Recreational Development Lakes (RD) for housing, but with a focus on development design that protects the resource.
<b>Action 1:</b>	Continue utilizing the minimum state shoreland regulations to determine housing densities and development design.
<b>Action 2:</b>	Adopt the water quality protections standards and design standards specified under goal #3, actions #1 & #2 to protect lake water quality.

<b>GOAL #3:</b>	<b>Improve water quality in Le Sueur County.</b>
<b>Objective 1:</b>	The County will undertake actions to help protect groundwater as well as surface water features.
<b>Action 1:</b>	The County will adopt and implement the goals, objectives and actions of the County's Local Water Management Plan.
<b>Action 6:</b>	In addition to traditional stormwater designs, the use of new technologies in dealing with on-site stormwater should be reviewed and considered for use, such as: <ul style="list-style-type: none"> <li>a. Use of individual on-site rain gardens.</li> <li>b. Permeable pavers for use in traditionally large impermeable surface areas;</li> <li>c. Other new technologies, as identified.</li> </ul>

**GENERAL SITE**

**DESCRIPTION:** Shoreland, clustered residential development

**ACCESS:** Existing off French Drive to cabin, New off French drive to proposed detached garage on lot across the road.

**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.

**RFPE:** Regulatory Flood Protection Elevation: 1022.86 Lowest floor must be at or above RFPE.

**BACKGROUND INFORMATION**

Property is on both sides of French Drive. Proposed detached garage on the north side of the road and cabin on south side of the road. Proposal is a new detached garage with a 9-foot wide driveway to reduce imperious surface. Proposed detached garage meets all setbacks. Cabin addition will include removing the existing detached garage on the south side of the road. Proposed dwelling addition extends into the shore impact zone.

**ATTACHMENTS**

Application, Written Detail of Request, Survey, Surveyor Certification, Aerial photo, Findings of Fact, Holly Kalbus letter, house plans, erosion control plan.

**STAFF FINDINGS**

Staff findings per Le Sueur County Ordinance, the following findings have been developed for this request:

1. <u>Variance:</u>	<u>Request:</u>	<u>Required:</u>	<u>Ordinance:</u>	<u>Page:</u>
a. Driveway width:	9 feet	14 feet	Section 13.2, Subdiv. 7. B. 1.	13-49
b. Dwelling to property line:	7 feet	10 feet	Section 13.2, Subdiv. 5. D. C. 2.	13-44
c. Dwelling to OHWL:	46 feet	50 feet	Section 13.2 Subdiv. 5. A.	13-43
d. Dwelling to road ROW:	24 & 28 feet	37.1 feet	Section 13.2 Subdiv. 5.A.	13-43
e. Impervious surface:	within SIZ	prohibited	Section 13.2, Subdiv. 5.A. 1. f.	13-43
f. Impervious surface:	within SIZ	prohibited	Section 13, Subdiv. 5. A. 10. d.	13-16
2. <b>Refer to DNR Guidance Letters:</b>				
a. Administration, Compliance, and Enforcement				pg. 1
b. The Role of the Variances in Shoreland Management Ordinances				pg. 9
c. Bluffs and Steep Slopes				pg. 11
d. Limiting Impervious Surface				pg. 15

- e. Non-conforming Lots of Record in Shoreland Areas pg. 19
  - f. Structure Setback Requirements pg. 21
3. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official controls and are consistent with the comprehensive plan.
  4. A Variance may be granted **only** where the strict enforcement of the official controls will result in a **practical difficulty**.
  5. It is the responsibility of the **applicant** and/or landowner to prove evidence that a practical difficulty exists.
  6. A determination that a **practical difficulty exists** upon the consideration of the **findings of fact**.

<b>CONSIDERATIONS</b>
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1. The following shall be considered at the hearing:
  - a. There are special circumstances or conditions affecting the land, structures or use referred to in the Variance.
  - b. The granting of the application will not be a detriment to the public health, safety, and general welfare or injurious to property or improvements in the area adjacent to the property of the applicant/landowner.
  - c. Consider sewage treatment and water supply capabilities or constraints of the lot and shall deny the variance if adequate facilities cannot be provided.
2. **Considerations For the Flood Plain Overlay District:** No variance shall have the effect of allowing in any district uses prohibited in that district, permit a lower degree of flood protection than the regulatory flood protection elevation for the particular area, or permit standards lower than those required by state law. The following additional variance criteria of FEMA must be satisfied:
  - a. Variances shall not be issued by the County within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
  - b. Variances shall only be issued by the County upon the following:
    1. A showing of good and sufficient cause.
    2. A determination that failure to grant the variance would result in exceptional hardship to the applicant.
    3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
  - c. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
3. **Additional Considerations:**
  - a. Property is in a floodplain district however the proposed addition is not located within the floodplain.
  - b. Side yard setback in RR is 15 feet. Exemption allows non-conforming lots to be 10 feet from property line.
  - c. Exemption allows additions to existing structures to be closer to front, side or rear yard without variance if the addition is no closer than the existing structure and at least ½ required the setback and is not located within the shore impact zone.

## CONDITIONS

1. In granting any Variance, the Board of Adjustment may designate such conditions in connection that will secure substantially the objectives of the Ordinance, regulation or provision to which the application is granted.
2. Conditions must be directly related to and bear a rough proportionally to the impact created by the Variance.
3. *If approved*, construction must be completed **prior to the Variance expiration**, Section 22; Subdivision 7.
4. *If approved*, a **zoning permit** must be purchased prior to starting construction, Section 26.
5. **Extension** must be requested 30 days prior to Variance expiration, Section 22; Subdivision 7.

# VARIANCE

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

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

APPLICATION DATE:	8/9/2018	PERMIT NUMBER:	18143	FEE:	\$646.00
60 DAY RULING DATE:	9/15/2018	911:	24/835 FRENCH DR, CLEVELAND		
APPLICANT:	STEVEN GRIEP	LAND OWNER:	STEVEN GRIEP		
ADDRESS:	24835 FRENCH DR	ADDRESS:	24835 FRENCH DR		
CITY:	CLEVELAND	CITY:	CLEVELAND		
STATE:	MN	STATE:	MN	ZIP:	56017
PHONE:	612-968-2215	PHONE:	612-968-2215		

TOWNSHIP:	ELYSIAN	PARCEL NO:	04.510.0170		
SEC:	6	SUBDIV:	FRENCH ADDN & AUD		
TWP:	109	LOT:	22, 23, 24	ZONE:	RR. FF
RANGE:	24	BLOCK:	FEMA PANEL # 27079C0270D		
Q/Q:		ROAD:	PVT	FLOOD ZONE:	X OUTSIDE

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


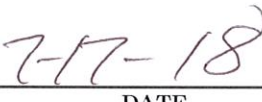
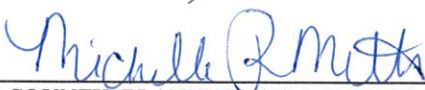
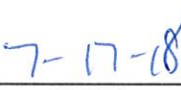
**1.) Reason for Requested Variance:**

TO ALLOW THE APPLICANT TO CONSTRUCT A DWELLING ADDITION 7' TO THE E PROP LINE, 46' TO THE OHWL, 24' & 28' FROM THE ROAD ROW; CREATE IMPERVIOUS SURFACE W/IN SIZ, DRIVEWAY WIDTH 9 FEET.

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

**3.) Special Conditions of Variance:**

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

	
APPLICANT/PROPERTY OWNER	DATE
	
LE SUEUR COUNTY PLANNING AND ZONING AUTHORITY	DATE

**\*\* FEES ARE NON-REFUNDABLE\*\***

ON-SITE TOUR DATE:	8/9/2018	
PUBLIC HEARING DATE:	8/9/2018	ACTION: _____
<input type="checkbox"/> AS WRITTEN		<input type="checkbox"/> WITH CONDITIONS

_____	_____
BOARD OF ADJUSTMENT CHAIRMAN	DATE

BUILDING SITE MUST BE STAKED OUT THE MONDAY PRIOR TO THE MEETING OR THE APPLICATION WILL BE TABLED.

# VARIANCE FINDINGS OF FACT

**Name of Applicant:** STEVEN GRIEP

**Variance #** 18143

**Variance Request:** TO ALLOW THE APPLICANT TO CONSTRUCT A DWELLING ADDITION 7' TO THE E PROP LINE, 46' TO THE OHWL, 24' & 28' FROM THE ROAD ROW; CREATE IMPERVIOUS SURFACE W/IN SIZ, DRIVEWAY WIDTH 9 FEET.

- A. No Variance may be granted that would allow any use that is prohibited in the Zoning District in which the subject property is located.
- B. Facts supporting the answer to each question must be documented below, and are hereby certified to be the Findings of Fact of the Board of Adjustment.
- C. A Variance may be granted only where the strict enforcement of the official control will result in a practical difficulty.
- D. It is the responsibility of the applicant / landowner to prove evidence that a practical difficulty exists.
- E. A determination that a practical difficulty exists upon the consideration of the following criteria.

Y N 1. Does the property owner propose to use the property in reasonable manner?

Jim M	<input type="checkbox"/>	John W	<input type="checkbox"/>	Jeanne D	<input type="checkbox"/>	Colin H	<input type="checkbox"/>	Fritz C	<input type="checkbox"/>	Majority	<input type="checkbox"/>
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Explain \_\_\_\_\_

Y N 2. Is the alleged practical difficulty unique to the property?

Jim M	<input type="checkbox"/>	John W	<input type="checkbox"/>	Jeanne D	<input type="checkbox"/>	Colin H	<input type="checkbox"/>	Fritz C	<input type="checkbox"/>	Majority	<input type="checkbox"/>
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Explain \_\_\_\_\_

Y N 3. Were the circumstances causing the practical difficulty created by someone other than the applicant / landowner?

Jim M	<input type="checkbox"/>	John W	<input type="checkbox"/>	Jeanne D	<input type="checkbox"/>	Colin H	<input type="checkbox"/>	Fritz C	<input type="checkbox"/>	Majority	<input type="checkbox"/>
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Explain \_\_\_\_\_

Y N 4. Will the issuance of the Variance maintain the essential character of the locality?

Jim M	<input type="checkbox"/>	John W	<input type="checkbox"/>	Jeanne D	<input type="checkbox"/>	Colin H	<input type="checkbox"/>	Fritz C	<input type="checkbox"/>	Majority	<input type="checkbox"/>
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Explain \_\_\_\_\_

Y N 5. Does the alleged practical difficulty involve more than economic considerations?

Jim M	<input type="checkbox"/>	John W	<input type="checkbox"/>	Jeanne D	<input type="checkbox"/>	Colin H	<input type="checkbox"/>	Fritz C	<input type="checkbox"/>	Majority	<input type="checkbox"/>
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Explain \_\_\_\_\_

F. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official controls.

Y N 6. Is the Variance consistent with and supported by the statement of purposes, policies, goal and objectives in the Ordinance?

Jim M	<input type="checkbox"/>	John W	<input type="checkbox"/>	Jeanne D	<input type="checkbox"/>	Colin H	<input type="checkbox"/>	Fritz C	<input type="checkbox"/>	Majority	<input type="checkbox"/>
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Explain \_\_\_\_\_

Y N 7. Is the Variance consistent with the Comprehensive Plan?

Jim M	<input type="checkbox"/>	John W	<input type="checkbox"/>	Jeanne D	<input type="checkbox"/>	Colin H	<input type="checkbox"/>	Fritz C	<input type="checkbox"/>	Majority	<input type="checkbox"/>
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Explain \_\_\_\_\_

G. IF ALL THE ANSWERS ARE " YES", THE CRITERIA FOR GRANTING THE VARIANCE HAVE BEEN MET.

ACTION: ( ) APPROVE ( ) DENY

CONDITIONS: \_\_\_\_\_

Applicant response to conditions: Agree ( ) Disagree ( )

Reasons: \_\_\_\_\_

Board of Adjustment Chairman \_\_\_\_\_

Date \_\_\_\_\_

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: 08/07/2018

To: Le Sueur County Planning and Zoning Board of Adjustment

From: Holly Kalbus, Environmental Resources Specialist

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**Applicant:**

Steve Griep

**Property owner:**

Steve Griep

**Property:**

04.510.0170

**Description:**

Variance request to allow the applicant to construct a dwelling addition 7 feet from the east property line, 46 feet from the Ordinary High Water Level (OHWL), 24 feet & 28 feet from the road Right-Of-Way (ROW); create impervious surface within the shore impact zone; and driveway width of 9 feet in a Recreational Residential "RR" District, on Lake Jefferson, a Recreational Developmental "RD" lake.

**Recommendation:**

My recommendation is to approve the application with the condition listed below. Both lots are below the 25% allocated impervious surfaces. The new additions that are proposed will utilize the locations of the existing structures within the shore impact zone. The proposed square footage of structure that is located within the shore impact zone is reduced from the current existing conditions.

**Condition(s):**

Install a 100 square foot rain garden on the property located north of the road near the shed. Plant vegetation that is native to Minnesota within the rain garden. The rain garden should assist with erosion and runoff issues from the adjacent agricultural field and prevent additional runoff and erosion continuing across the road.

Sincerely,



Holly Kalbus  
Le Sueur County  
Environmental Resources Specialist



# Variance Application

**I. Applicant:**  
 Name Steven Griep  
 Mailing Address 24835 French Drive  
 City Cleveland State MN Zip 56017  
 Phone # 612-968-2215 Phone # \_\_\_\_\_

**II. Landowner:**  
 Name Steven Griep  
 Property Address 24835 French Drive  
 City Cleveland State MN Zip 56017  
 Phone # 612-968-2215 Phone # \_\_\_\_\_

**III. Parcel Information:**  
 Parcel Number 04.510.0170 Parcel Acreage .359  
 Township 109 Section 6  
 Subdivision \_\_\_\_\_ Lot 22, 23, 24 Block \_\_\_\_\_

Full Legal Description must be attached.  
 (Full legal description can be found on deed, not abbreviated legal description from tax statement).

**IV. Variance Request:** List requested alternative to development standard(s)  
Driveway addition: 7ft to east property line, 24ft x 28 ft to road ROW. 40ft x 10ft. 0ft w/ Create impervious surface with in SI 2, 9ft driveway to proposed detach garage.

**V. Description of Request:**  
 a. A full written description of the proposed variance request with detailed information must be attached.

**VI. Township Notification:**  
 Township must be notified prior to application. (County Commissioners are not the Township Board.)

Elysian Township notified on 7-13-18  
 (Township Name) (Date)

Board Member Douglas Swedberg regarding the proposed request.  
 (Name)

- VII. Site Plan - Shall be a Certificate of Survey to include, but not limited to:**
- North point
  - Setbacks
  - Property lines
  - Road Right-Of-Way
  - Lot Dimensions
  - Lakes
  - Rivers
  - Wetlands
  - Streams
  - Ponds
  - Well
  - Septic System
  - Proposed Structures
  - Existing structures - *Within and adjacent to project area.*
  - Location of trees to be removed - *Shoreland Districts.*
  - Access
  - Easements
- Impervious Surface  
 - Required for *Shoreland, Business, & Industrial Districts.*  
 - Itemized current & proposed impervious surfaces to include total percentages.  
 - Examples include but are not limited to: *rooftops, sidewalks, patios, decks, driveways, parking lots, storage areas and concrete, asphalt, or gravel roads, or tightly compacted soils.*

**\*Site shall be physically staked, then surveyed.**  
**\*Stakes shall be in place at the time of onsite visit/meeting, or the application will be tabled.**  
**\*Stakes must remain in place until construction commences.**

**VIII. Practical Difficulty:**

- a. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official controls and are consistent with the comprehensive plan.
- b. A Variance may be granted only where the strict enforcement of the official control will result in a practical difficulty.
- c. It is the responsibility of the applicant and/or landowner to prove evidence that a practical difficulty exists.
- d. A determination that a practical difficulty exists upon the consideration of the following criteria:

1. Describe how the Variance request is reasonable compared to the ordinance requirements being varied from.

*See Attachment!*

2. What are the unique circumstances of this property that prevent compliance with the Zoning Ordinance that will result in a practical difficulty?

3. Describe how the unique circumstances causing the practical difficulty were created by someone other than the applicant/landowner.

4. How will the request maintain the essential character of the locality?

5. Does the alleged practical difficulty involve more than economic considerations?

6. Is the request consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?

7. Describe how the request is consistent with the Comprehensive Land Use Plan.

8. Describe the properties current, and any proposed, onsite sewage treatment and water capabilities.

9. Explain why this request is the minimum variance amount to afford relief.

**IX. Attachments shall include but not limited to:**

- a. Site Plan-*survey*
- b. Surveyor Certification
- c. Access approval
- d. Full legal description
- e. Floor plans and/or blue prints (*For structures*)
- f. Septic System Compliance Inspection
- g. Erosion control plan
- h. Description of request

*The Department may request additional information regarding the application.*

**X. Quantities and Submittal Formats:**

- a. One (1) reproducible copy of the request and all other supporting documents.
- b. **Ten (10)** copies must be submitted for documents larger than 11 x 17, documents in color, aerials or photographs.
- c. Electronic version of any supporting documents if available.
- d. Additional copies may be requested as deemed necessary by the Department.

**XI. Fees:**

Variance: \$ 600  
Filing Fee: \$ 46

Variance for Clusters: \$ 600 + \$200 per household  
Filing Fee: \$ 46

**Additional Fees:**

Special Meeting: \$1,200  
After-The-Fact meeting fee: Doubled + After-The-Fact Penalty.  
After-The-Fact Penalty: \$1,500 OR 10% of the improvement, whichever is greater.

***Fees must be paid at the time of application, cannot be accepted by mail, and are non-refundable. Cash or check. Credit cards will not be accepted.***

**XII. Procedure:** See Section 22 of the Zoning Ordinance for full details.

- a. Pre-application meeting is recommended prior to making application to ensure submittal completion. **Appointment is necessary.**
- b. Application must be made in person by the applicant and/or landowner prior to 12 P.M. on the date of application deadline. **Appointment is necessary.**
- c. All required information must be correct and submitted **at the time of application,** or the application will not be accepted.
- d. Fees **will not** be accepted by mail and must be paid at the time of application.
- e. Notification will be sent to all landowners within 500 feet of the affected property, (minimum of 10 landowners) as well as the affected Town Board, any municipality within 2 miles, and other applicable agencies.
- f. Notice will be published in the newspaper of general circulation in the area concerned and the official newspaper of the County.



## V. Description of Request

Our goal is to make a 1 bedroom ½ bath cabin into a 2 bedroom full bath home. Old bedroom and bathroom will be removed to make room for new bedrooms and bathroom. Old garage will be torn down, due to it is built on a floating slab. It will become the new living room and new garage will be built on rear lot to save on impervious surface. The cabin was built in the 50's and the garage in the 70's before there was much regulation on building in a rural/lake area, to keep the addition architecturally square it is not possible without 6 variances. 1) East wall addition will not be within 10 ft. setback it will be 7 ft. at north corner. 2) South wall addition will be 3 feet into the shore impact zone but we are creating more impervious surface with in the shore impact zone with the removal of pavers 2 and the deck. 3).New living room will be 24' from road ROW, but new living room was shortened to create more setback for ROW. 4) New bedrooms and bathroom will be 28' from road ROW. 5). Addition is 46' to OHWL. 6) Rear garage driveway width will be 9 ft. not 14 ft. do not want to remove a mature maple tree.

The majority of the new addition is being built on current impervious surface. Environmentally the removal of pavers 2 and the deck and reseeding it with grass will improve storm water runoff and increase impervious surface within shore impact zone. A second story was not considered due to the vicinity of mature trees next to the home. The open lot next to the current home was not considered due to the amount of mature trees on the lot and the area that was selected was due to the amount of current impervious surface that could be utilized and there are no trees to remove.



## Variance Application

D.1 Describe how the Variance request is reasonable compared to the ordinance requirements being varied from.

As you read through the answers I ask that you keep one thing in mind "Dealing with a home that was built in the 50's and a garage built in the 70's before there was much regulation on building in a rural/lake area".

East wall addition will be within 7 feet of property line. Hoping to keep the home looking architecturally square. Road Right of Way no matter what work I would be doing on the house/new addition I would have to ask for a variance. New garage is being built on back lot to save on impervious surface and the width of the driveway will be 9ft. hoping not to have to remove a mature Maple tree. South wall will be 3 feet into the shore impact zone, but the impervious surface will be increased in the shore impact zone with the removal of pavers 2 and the deck and architecturally I am trying to keep the home looking square.

D.2 What are the unique circumstances of this property that prevent compliance with the Zoning Ordinance that will result in a practical difficulty?

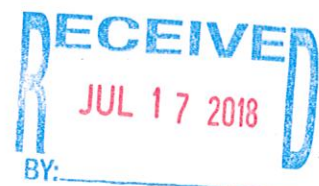
As previously stated "Dealing with a home that was built in the 50's and a garage in the 70's before there was much regulation on building in a rural/lake area". I hope not to have to remove or alter any mature trees.

D.3 Describe how the unique circumstances causing the practical difficulty were created by someone other than the applicant/landowner.

The home was built in the 50's and garage in the 70's before there was much regulation on building in a rural/lake area. The garage has to be torn down due to it is built on a floating slab not a foundation. Road was ran through middle of property instead of behind property.

D.4 How will the request maintain the essential character of the locality?

Environmentally there are no mature trees being removed. That is why a second story was not considered. With the removal of pavers 2 and the deck, the area that is in the shore impact zone will all be reseeded with grass helping protect the lake with storm water runoff and increase impervious surface. There will be an area in the back lot where a rain garden will be established.



D.5 Does the alleged practical difficulty involve more than economic considerations?

The overall beauty of the whole lot is what sold me the first time I looked at it. That is why a second story was out of question and the use of the open lot was not chosen, because I hope to not have to remove trees to build. I believe the plans I have will improve the lot environmentally. By building in the area we have chosen we are using current impervious surface and do not have to remove any trees.

D.6 is the request consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?

Dealing with a property that was built before building and zoning ordinances were enforced does make it challenging to meet the zoning and ordinances that are enforced today. The new addition we are hoping to build will comply and meet all the current ordinances while adding more protection and impervious surface to the shore impact zone.

D.7 Describe how the request is consistent with the Comprehensive Land Use Plan.

With the removal of pavers 2 and the deck, the area that is in the shore impact zone will all be reseeded with grass helping protect the lake from storm water runoff and increasing the impervious surface in the shore impact zone. A rain garden will be established in back lot next to garage to help with storm water runoff. The location of the addition was chosen because of the amount of current impervious surface that can be utilized and no trees have to be removed.

D.8 Describe the properties current, and any proposed, onsite sewage treatment and water capabilities.

Waste system is part of the French Cluster S.S.T.S, design flow 300 gallons per day, holding tank size 1000/500. One well supports 3 homes/cabins located at Rod and Lee Traxlers property 24813 French Drive. Well ID# 502722 drilled 05/22/1989.

D.9 Explain why this request is the minimum variance amount to afford relief.

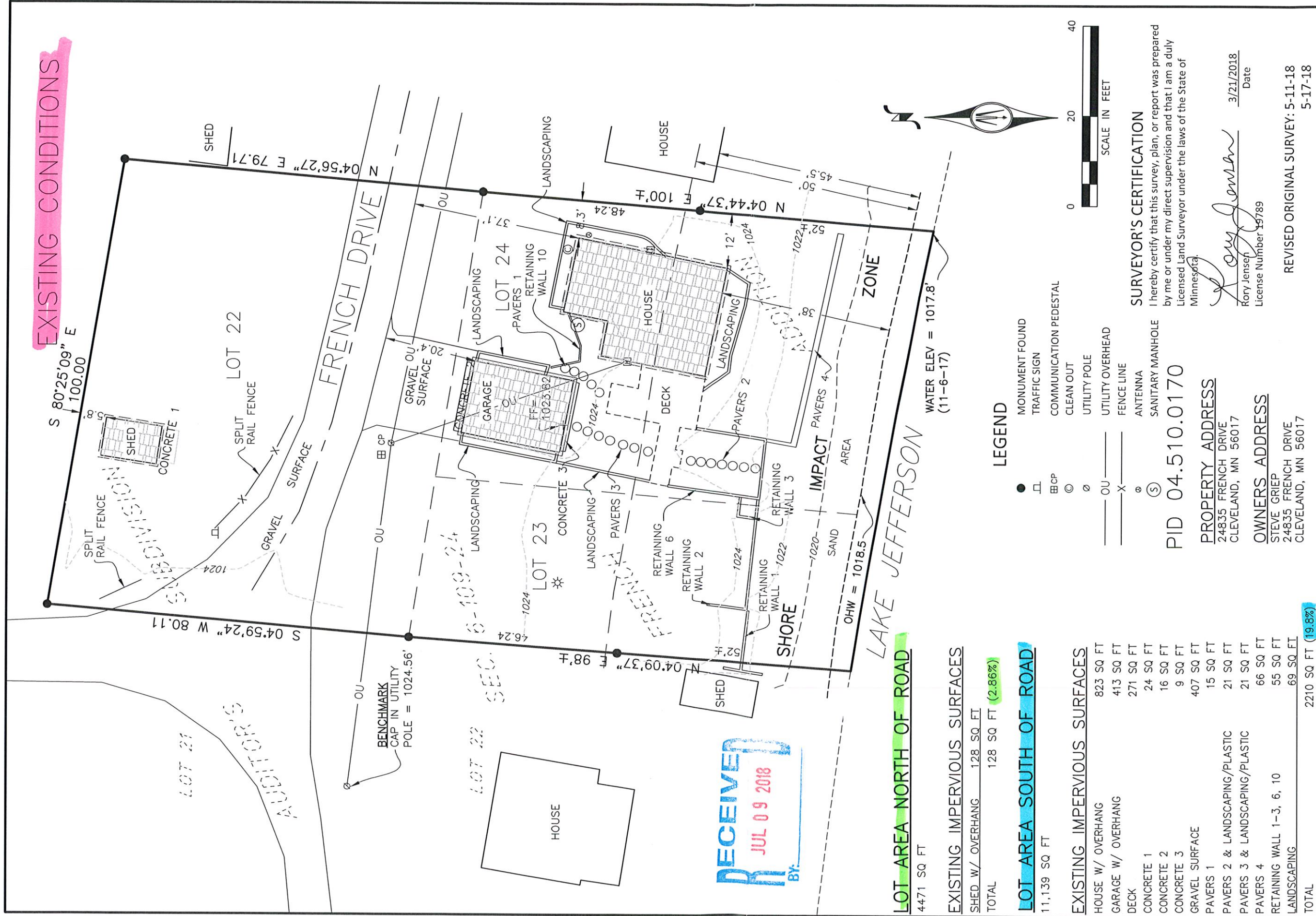
Our goal is to convert a 1 bedroom cabin with ½ bath to year around home that is 2 bedroom and full bath with garage built on back lot. I believe with our plan there will be minimum impact to the environment around the home /new addition and new garage in rear lot. And we are



helping protect the environment by improving the shore impact zone and establishing a rain garden in the rear lot. And we are utilizing current impervious surface for the new addition.

RECEIVED  
JUL 17 2018  
BY: \_\_\_\_\_





**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  
3/21/2018  
Date

REVISED ORIGINAL SURVEY: 5-11-18  
5-17-18

**PID 04.510.0170**

**PROPERTY ADDRESS**  
24835 FRENCH DRIVE  
CLEVELAND, MN 56017

**OWNERS ADDRESS**  
STEVE GRIEP  
24835 FRENCH DRIVE  
CLEVELAND, MN 56017

**CERTIFICATE OF SURVEY**  
LE SUEUR COUNTY, MINNESOTA

1960 PREMIER DRIVE  
MANKATO, MINNESOTA 56001  
(507) 625-4171

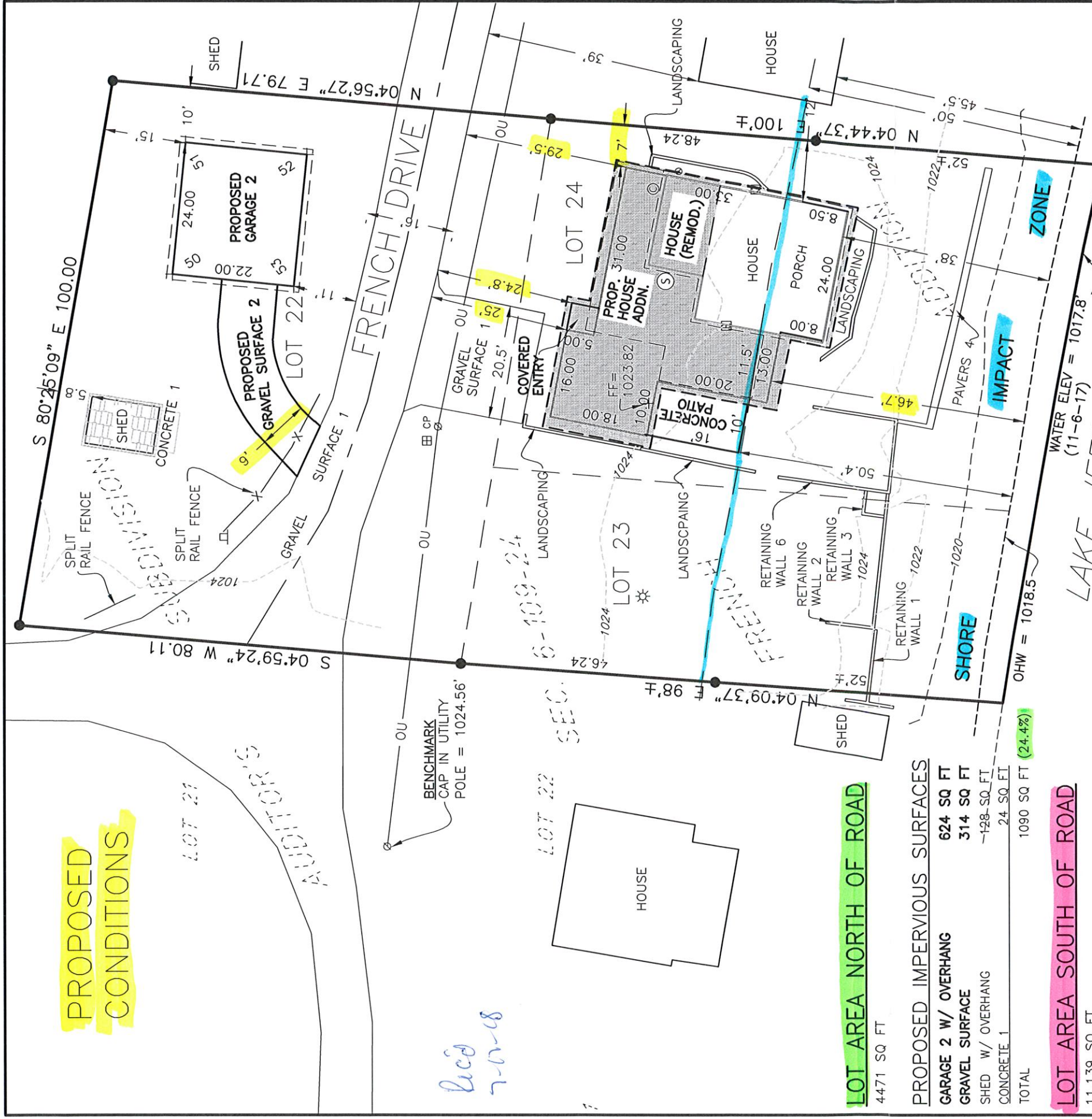
**BOLTON & MENK**

LOTS 23 & 24 FRENCH ADDITION & LOT 22  
AUDITORS SUBDIVISION OF BIG JEFFERSON,  
SECTION 6, TOWNSHIP 109 NORTH, RANGE 24  
WEST, LE SUEUR COUNTY, MINNESOTA

FOR: STEVE GRIEP

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**PROPOSED  
CONDITIONS**



*lco  
7-11-18*

**LOT AREA NORTH OF ROAD**

4471 SQ FT

**PROPOSED IMPERVIOUS SURFACES**

GARAGE 2 W/ OVERHANG	624 SQ FT
GRAVEL SURFACE	314 SQ FT
SHED W/ OVERHANG	-128-SQ-FT
CONCRETE 1	24-SQ-FT
TOTAL	1090 SQ FT (24.4%)

**LOT AREA SOUTH OF ROAD**

11,139 SQ FT

**PROPOSED IMPERVIOUS SURFACES**

HOUSE & PORCH W/ OH	608 SQ FT
HOUSE ADDITION W/ OH	1136 SQ FT
HOUSE (REMOD.)	166 SQ FT
CONCRETE PATIO	137 SQ FT
GRAVEL SURFACE 1	407 SQ FT
PAVERS 4	66 SQ FT
RETAINING WALL 1, 2, 3, & 6	50 SQ FT
LANDSCAPING	46-SQ-FT
TOTAL	2616 SQ FT (23.4%)

**REMOVED IMPERVIOUS SURFACES**

DECK	271 SQ FT
GARAGE W/ OVERHANG	413 SQ FT
HOUSE OVERHANG	33 SQ FT
CONCRETE 3	9 SQ FT
PAVERS 1	15 SQ FT
PAVERS 2	21 SQ FT
PAVERS 3	21 SQ FT
RETAINING WALL 10	5 SQ FT
CONCRETE 2	16 SQ FT
LANDSCAPING	8-SQ-FT
TOTAL	812 SQ FT (7.3%)

**LEGEND**

- MONUMENT FOUND
- ⊔ TRAFFIC SIGN
- ⊕ CP COMMUNICATION PEDESTAL
- ⊙ CLEAN OUT
- ⊘ UTILITY POLE
- OU — UTILITY OVERHEAD
- X — FENCE LINE
- Ⓢ SANITARY MANHOLE
- ⊙ ANTENNA

PID 04.510.0170

**PROPERTY ADDRESS**  
24835 FRENCH DRIVE  
CLEVELAND, MN 56017

**OWNERS ADDRESS**  
STEVE GRIEF  
24835 FRENCH DRIVE  
CLEVELAND, MN 56017

SCALE IN FEET  
0 20 40

**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  
3/30/2018  
Date

REVISED ORIGINAL SURVEY: 5-11-18  
5-17-18  
7-17-18

**CERTIFICATE OF SURVEY**  
LE SUEUR COUNTY, MINNESOTA



1960 PREMIER DRIVE  
MANKATO, MINNESOTA 56001  
(507) 625-4171

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LOTS 23 & 24 FRENCH ADDITION & LOT 22  
AUDITORS SUBDIVISION OF BIG JEFFERSON,  
SECTION 6, TOWNSHIP 109 NORTH, RANGE 24  
WEST, LE SUEUR COUNTY, MINNESOTA

FOR: STEVE GRIEF

SB115641H

Surveyor Certification

I. Applicant: Name STEVE GRIEP

II. Landowner: Name STEVE GRIEP, Property Address 24035 FRENCH DRIVE, City CLEVELAND, State MN, Zip 56017

III. Parcel Information: Parcel Number 04.510.0170

IV. Site Plan - Shall be a Certificate of Survey to include, but not limited to:

- North point, Lakes, Well, Access, Setbacks, Rivers, Septic System, Easements, Property lines, Wetlands, Proposed Structures, Road Right-Of-Way, Streams, Existing structures - Within and adjacent to project area, Lot Dimensions, Ponds, Location of trees to be removed - Shoreland Districts, Impervious Surface (Required for Shoreland, Business, & Industrial Districts, Itemized current & proposed impervious surfaces to include total percentages, Examples include but are not limited to: rooftops, sidewalks, patios, decks, driveways, parking lots, storage areas and concrete, asphalt, or gravel roads, or tightly compacted soils.)

\*Site shall be physically staked, then surveyed.
\*Stakes shall be in place at the time of onsite visit/meeting, or the application will be tabled.
\*Stakes must remain in place until construction commences.

V. Quantities and Submittal Formats:

- a. One (1) reproducible copy of the request and all other supporting documents.
b. Ten (10) copies must be submitted for documents larger than 11 x 17, documents in color, aerials or photographs.
c. Electronic version of any supporting documents if available.
d. Pre-application meeting is recommended prior to making application to ensure submittal completion. Appointment is necessary.
e. Application must be made in person by the applicant and/or landowner prior to 12 P.M. on the date of application deadline. Appointment is necessary.
f. All required information must be correct and submitted at the time of application, or the application will not be accepted.



VI. Signatures:

The proposed improvements have been physically staked onsite then surveyed on 6/10/18 to reflect an accurate account of current and proposed conditions of the property identified above.

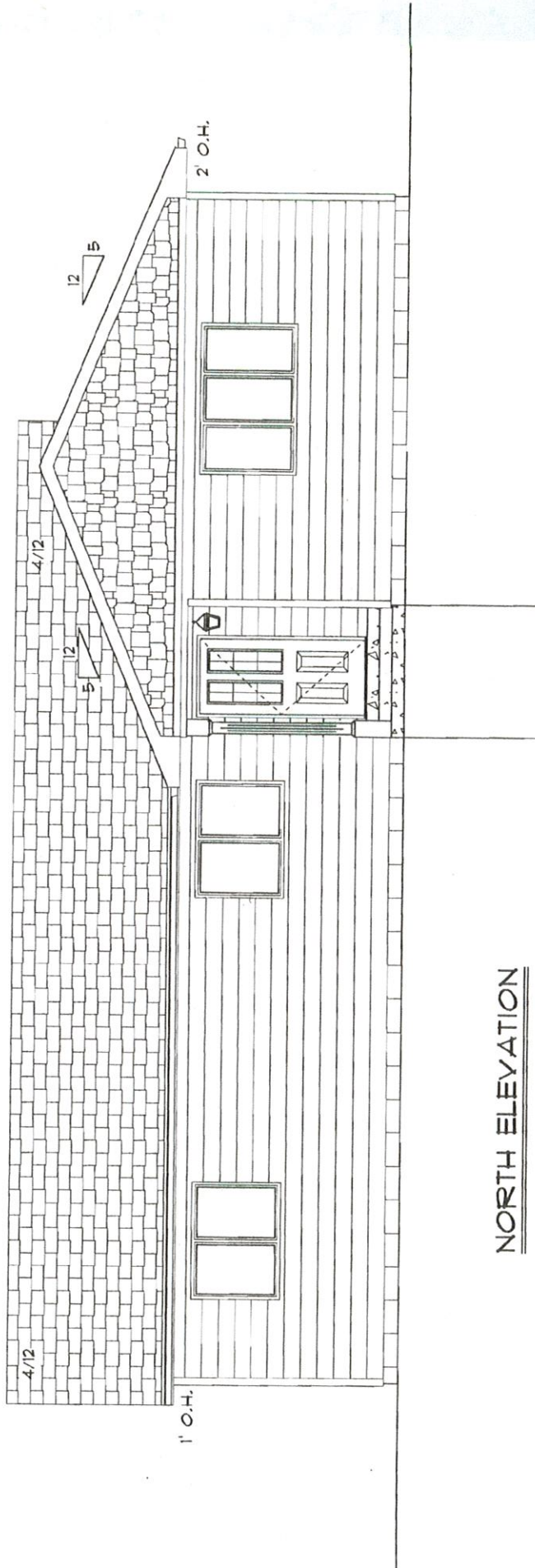
I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

Surveyor Signature Roy Jensen, Date 7/16/18, Lic # 19789

OFFICE USE ONLY

Date Received 7-9-18, Planning & Zoning Department Signature [Signature]

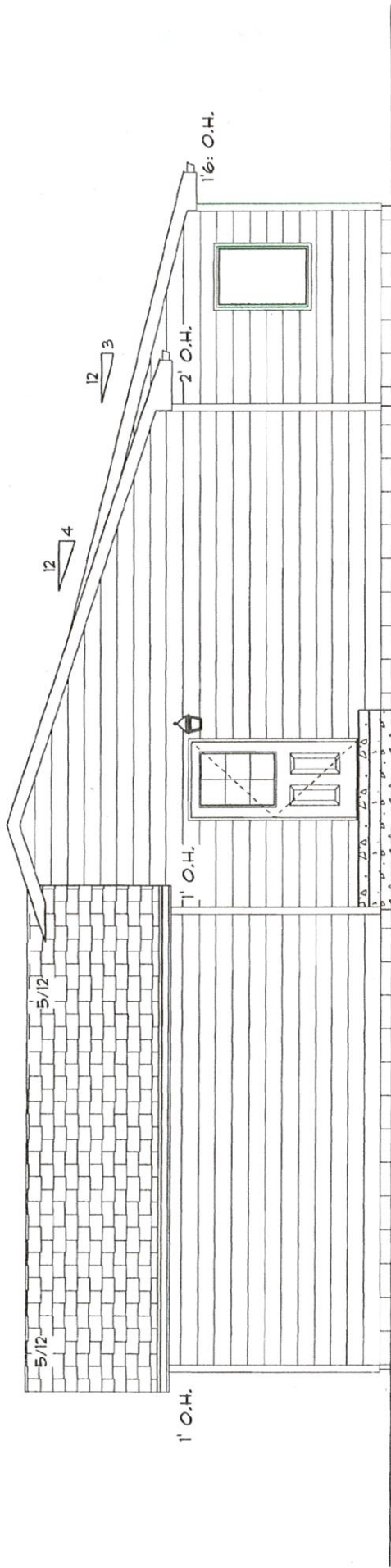
MR. & MRS.  
STEVE GRIEP  
LAKE HOME REMODEL  
JULY 16, 2018



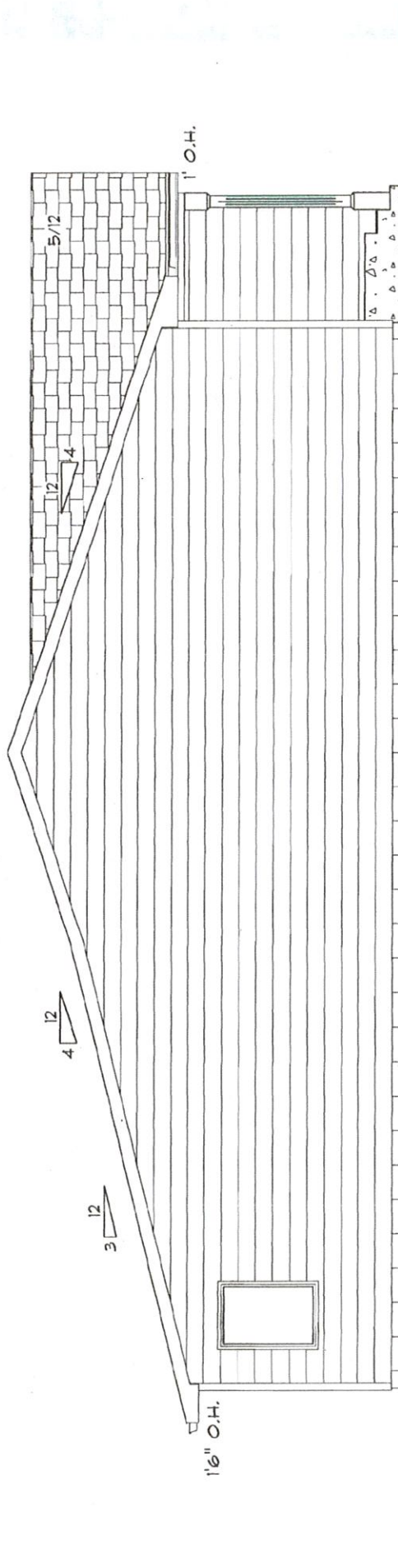
NORTH ELEVATION



SOUTH ELEVATION

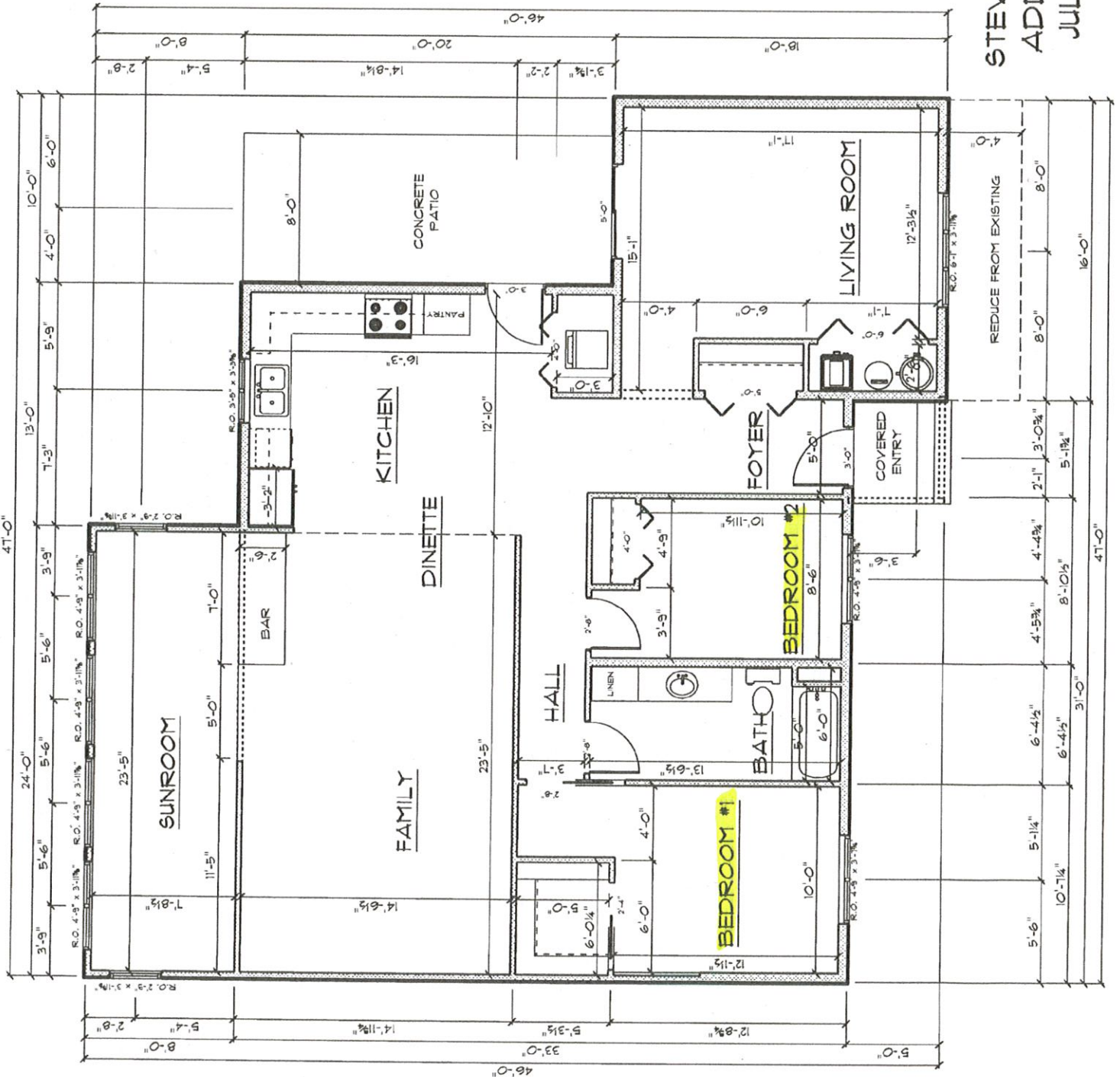


WEST ELEVATION

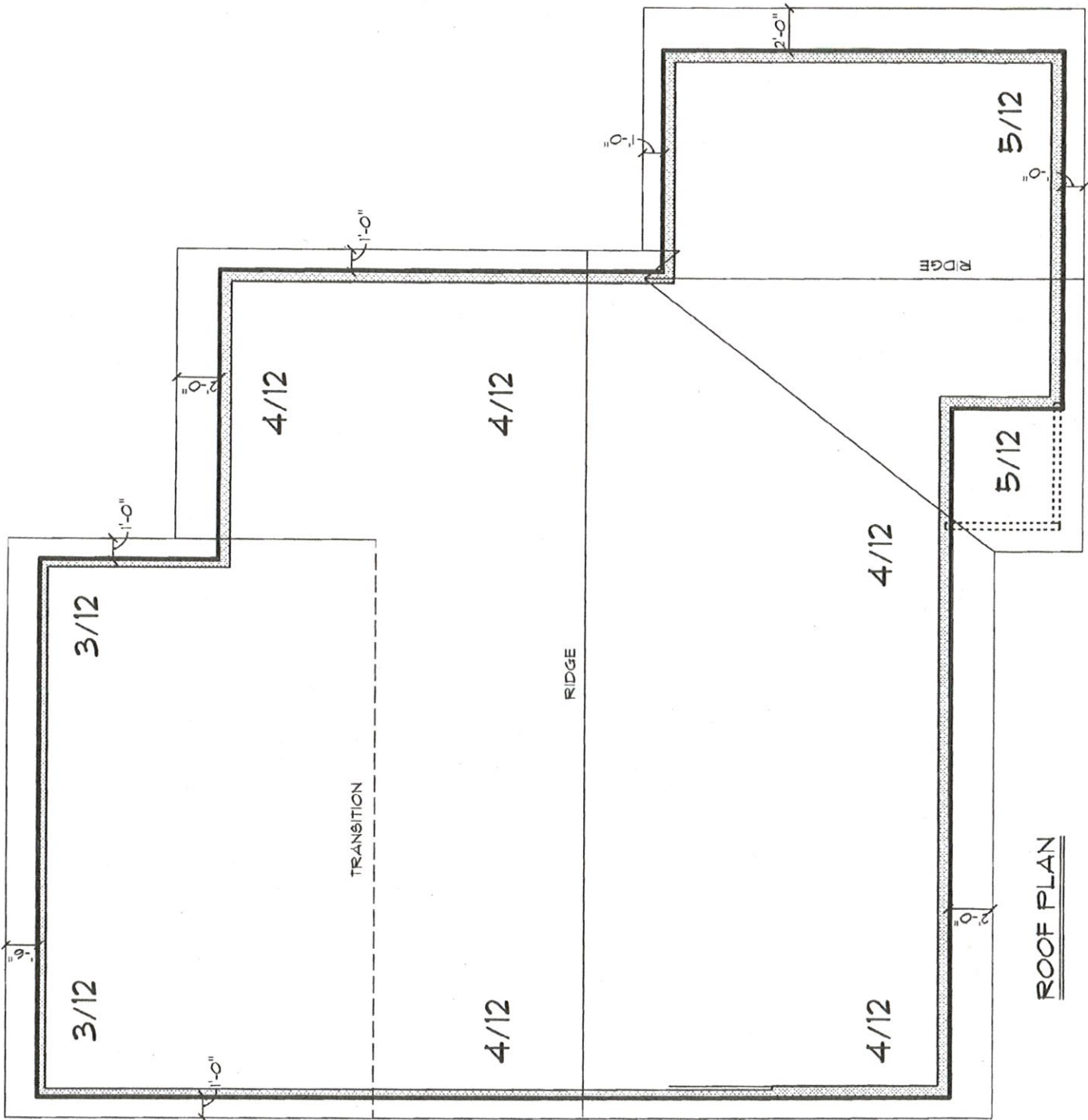


EAST ELEVATION

STEVE GRIEP  
 ADDITION  
 JULY 16, 2018

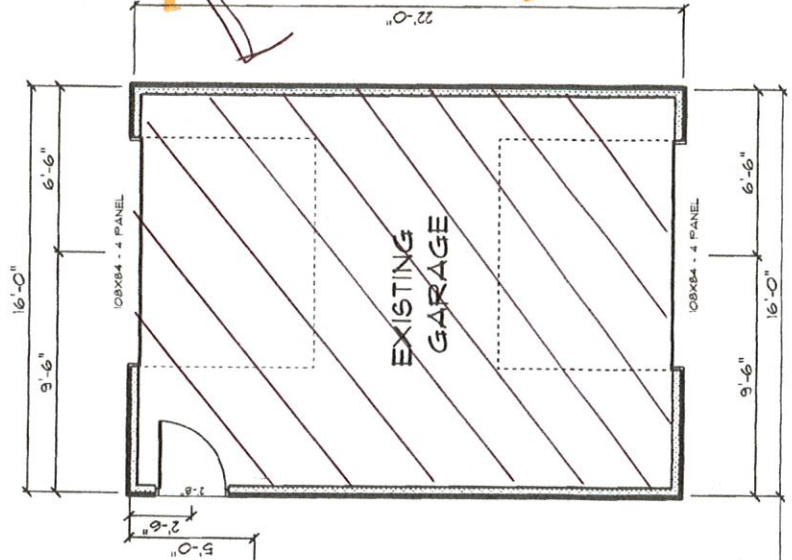
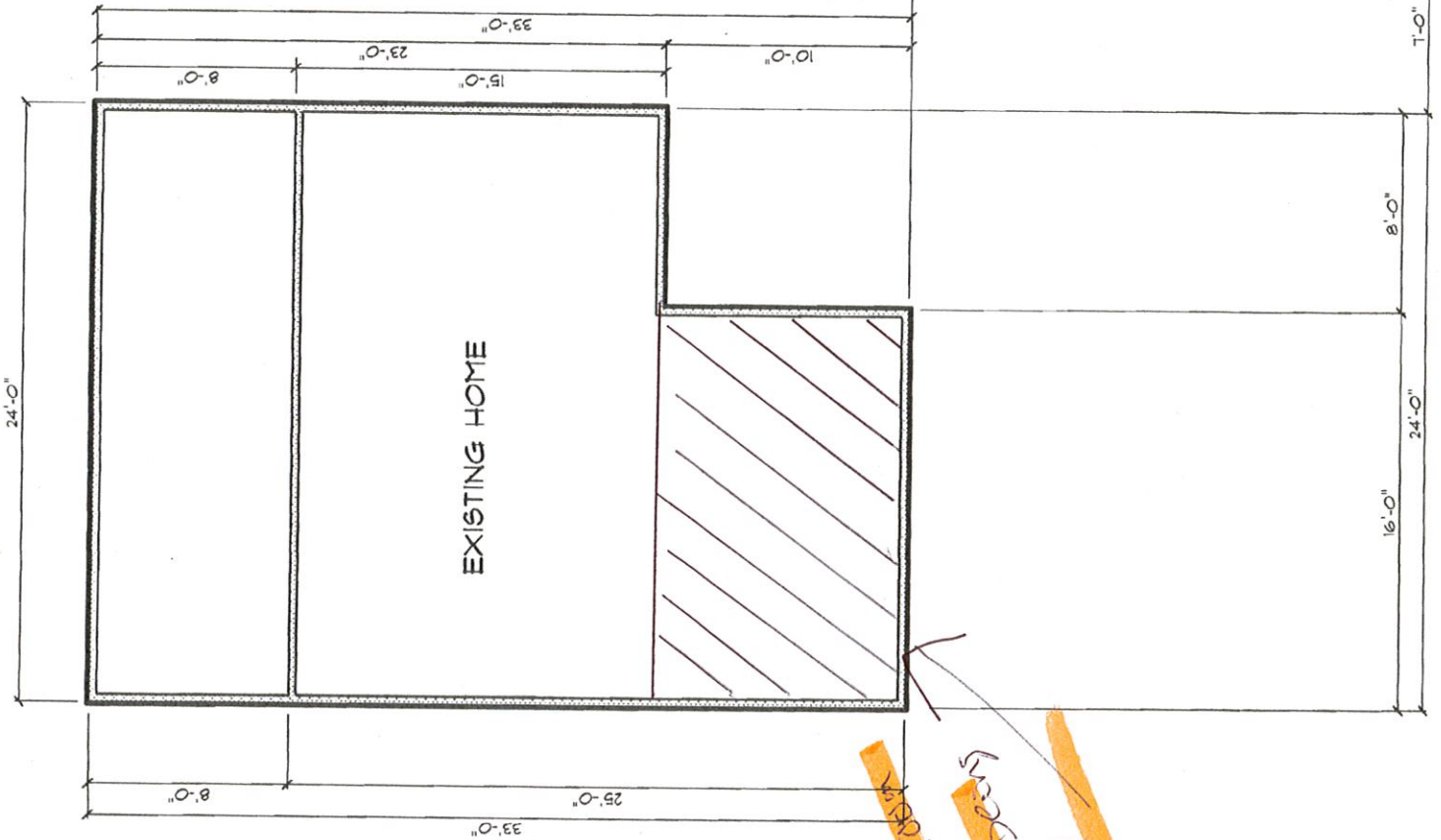






RECEIVED  
JUL 17 2018  
BY

STEVE GRIEP  
EXISTING HOME  
JULY 10, 2018



Garage being  
removed  
built on  
floating  
slab  
New living  
Room

Remove  
Old Bedroom  
New Bedroom

**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:** Steven Garp PID: \_\_\_\_\_  
**Mailing Address:** 24835 French Drive Cleveland MN  
**Property Address:** 24835 French Drive Cleveland MN  
**Phone:** (\_\_\_\_) \_\_\_\_\_ **Mobile/Cell:** (612) 968 2215

**Responsible party for Implementation/Inspection:** Steven Garp  
**Address:** 24835 French Drive Cleveland MN  
**Phone:** (\_\_\_\_) \_\_\_\_\_ **Mobile/Cell:** (612) 968 2215

**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 1<sup>st</sup>. 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.

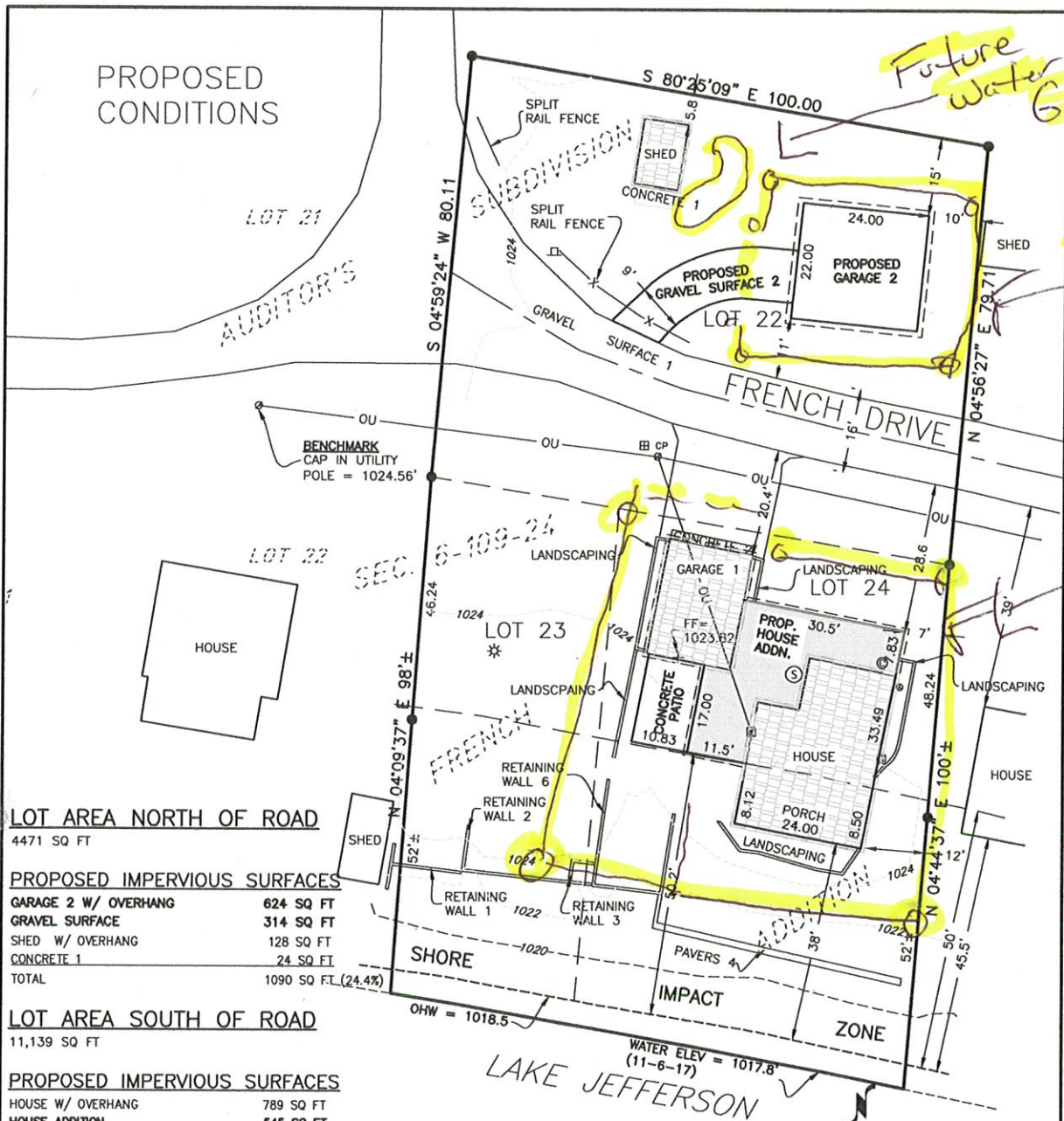
I agree to install, inspect and maintain the above practices to accomplish the goal of preventing erosion.

  
 \_\_\_\_\_  
 (Property Owner)  
  
 \_\_\_\_\_  
 (Person Responsible for Implementation)

7-17-18  
 \_\_\_\_\_  
 (Date)  
 7-17-18  
 \_\_\_\_\_  
 (Date)

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

PROPOSED CONDITIONS



**LOT AREA NORTH OF ROAD**

4471 SQ FT

**PROPOSED IMPERVIOUS SURFACES**

GARAGE 2 W/ OVERHANG	624 SQ FT
GRAVEL SURFACE	314 SQ FT
SHED W/ OVERHANG	128 SQ FT
CONCRETE 1	24 SQ FT
<b>TOTAL</b>	<b>1090 SQ FT (24.4%)</b>

**LOT AREA SOUTH OF ROAD**

11,139 SQ FT

**PROPOSED IMPERVIOUS SURFACES**

HOUSE W/ OVERHANG	789 SQ FT
HOUSE ADDITION	545 SQ FT
GARAGE 1 W/ OVERHANG	413 SQ FT
CONCRETE 2	16 SQ FT
CONCRETE PATIO	165 SQ FT
GRAVEL SURFACE 1	407 SQ FT
PAVERS 4	66 SQ FT
RETAINING WALL 1-3, 6, 10	50 SQ FT
LANDSCAPING	54 SQ FT
<b>TOTAL</b>	<b>2505 SQ FT (22.5%)</b>

**REMOVED IMPERVIOUS SURFACES**

DECK	271 SQ FT
GARAGE OVERHANG	12 SQ FT
HOUSE OVERHANG	33 SQ FT
CONCRETE 3	9 SQ FT
PAVERS 1	15 SQ FT
PAVERS 2	21 SQ FT
PAVERS 3	21 SQ FT
RETAINING WALL 10	5 SQ FT
<b>TOTAL</b>	<b>387 SQ FT (3.47%)</b>

**LEGEND**

- MONUMENT FOUND
- TRAFFIC SIGN
- ⊕ CP COMMUNICATION PEDESTAL
- ⊙ CLEAN OUT
- ⊙ UTILITY POLE
- OU — UTILITY OVERHEAD
- X- FENCE LINE
- ⊙ SANITARY MANHOLE
- ⊙ ANTENNA

PID 04.510.0170

**PROPERTY ADDRESS**  
24835 FRENCH DRIVE  
CLEVELAND, MN 56017

**OWNERS ADDRESS**  
STEVE GRIEP  
24835 FRENCH DRIVE  
CLEVELAND, MN 56017

**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  
Date 3/30/2018

REVISED ORIGINAL SURVEY: 5-11-18  
5-17-18

**CERTIFICATE OF SURVEY**  
LE SUEUR COUNTY, MINNESOTA

**BOLTON & MENK**

1960 PREMIER DRIVE  
MANKATO, MINNESOTA 56001  
(507) 625-4171

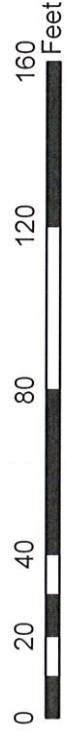
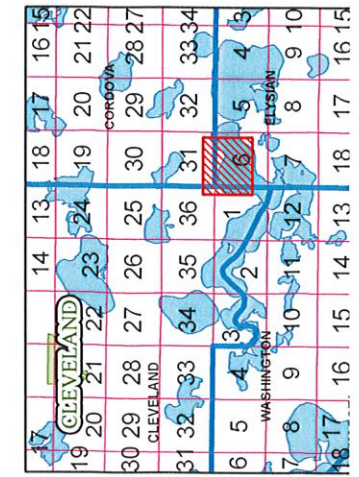
LOTS 23 & 24 FRENCH ADDITION & LOT 22  
AUDITORS SUBDIVISION OF BIG JEFFERSON,  
SECTION 6, TOWNSHIP 109 NORTH, RANGE 24  
WEST, LE SUEUR COUNTY, MINNESOTA

FOR: STEVE GRIEP

SDB115641H ©Bolton & Menk, Inc. 2018, All Rights Reserved H:\GRIEPSTE\_PR\M33115641\CAD\C3D\115641\_V\_PROP\_N1-PROPOSED.dwg 5/11/2018 2:20 PM JOB NUMBER M33.115641 FIELD BOOK:90A-1 PG 37 DRAWN BY: JLA 4.0 S6-T109N-R24W

# LE SUEUR COUNTY ENVIRONMENTAL SERVICES

NAME: Grieb  
 PID: 04.510.0170  
 DATE: 08-01-18  
 FIRM #: 27079C0270D  
 F-Zone: X-outside  
 RFPPE: 1022.86  
 District: Recreational/Residential



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

