

Le Sueur County, MN

Thursday, January 10, 2019
Regular session

Item 2

Warner Packet

Staff Contact: Joshua Mankowski or Michelle R. Mettler

TAFF REPORT

GENERAL INFORMATION

APPLICANT/OWNER:

'Merle & Kari Warner

OWNER:

Seven & Nancy Olson

911 ADDRESS:

18976 Westbay Lane, Waterville, MN

PROJECT DESCRIPTION:

An After-The-Fact Conditional Use Permit to allow grading, excavating, and filling of 28.2 cubic yards within the shore impact zone, 28.2 cubic yards within the bluff, total

28.2 cubic yards on the lot for the construction of a retaining.

PARCEL NUMBER:

14.820.0030 & 14.431.0030

CUP NUMBER:

18316

SITE INFORMATION

LOCATION:

Lot 3, Block 1, Warner Tetonka Addition & Lot 3, Hidden Hills CIC #24

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, bluff, existing developed lot

ACCESS:

Existing access off Westbay Lane

EXISTING LAND USE WITHIN 1/4 MILE:

North: Lake Tetonka

South: Residential development

East: Residential development

Residential development West:

BACKGROUND INFORMATION

Application is for after-the-fact retaining wall construction within the shore impact zone and within the bluff that included 28.2 cubic yards of grading, excavating or filling. The existing retaining wall was deteriorating and was in need of repair or replacement. The work was completed prior to obtaining a conditional use permit.

TOWNSHIP BOARD NOTIFICATION

Public Notice sent to Township via mail. Darwyn Slechta from Waterville Township was contacted on October 23, 2018 by applicant.

NATURAL RESOURCES INFORMATION

SHORELAND:

The proposal is located within the Shoreland District.

LAKE:

Lake Tetonka, Recreational Development

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.

1

WETLANDS: According to the National Wetlands Inventory, Type 1 and Type 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, Holly Kalbus letter, photographs, engineer letter

STAFF FINDINGS

ZONING ORDINANCE SECTIONS:

Section 13, Shoreland; 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 and bluff

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 1:

The County should continue its preservation of significant bluff areas and river valleys through its use of a

Conservancy Zone.

Objective 2:

Utilize shorelands on Recreational Development Lakes (RD) for housing but with focus on development design that protects the resource.

Action 1:

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

DNR GUIDANCE LETTERS

Administration, Compliance, and Enforcement

pg. 1

2. Grading & Filling within Shoreland Areas

pg. 3

Bluffs and Steep Slopes 3.

pg. 11

ENVIRONMENTAL PERFORMANCE STANDARDS-SECTIONS 13 & 18

RETAINING WALLS: Inconspicuous location and vegetative screening as viewed from the water, assuming summer, leaf-on

BLUFF:

- 1. All development shall conform to the natural limitations presented by the topography and soil as to create the best potential for preventing soil erosion.
- No structure shall be constructed in any bluff or bluff impact zone as defined in this Ordinance. Essential Services shall be
- Filling and cutting activity in any bluff or bluff impact zone shall be considered a conditional use. In no case shall cutting or filling be allowed for the purpose of establishing a site for the erection of a structure.
- If the adjacent bluff is actively eroding, the Department may increase the setback requirement.

GRADING, EXCAVATING, OR FILLING:

There shall be no substantial environmental impact or that such impact shall be alleviated through the County's Erosion Control Standards and other conditions of the permit.

2

- 2. There shall be no substantial adverse impact on surrounding properties.
- 3. Grading, excavating or filling activities within a shoreland district shall conform to the regulations of this Ordinance.

DRAINAGE:

- Any proposed development of land shall not increase the runoff rate of stormwater so as to cause an adverse effect upon adjacent lands.
- Any public tile that is affected by development activity shall be replaced in accordance with Minnesota Statute 103, as amended from time to time when applicable.
- Any private tile line that is impacted by development activity shall be repaired and rerouted with the same or larger pipe size
 and pipe grade as the existing tile.

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.
- Whether such use would inherently lead to or encourage disturbing influences in the neighborhood.
- 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.

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.
- 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:

60 DAY RUL			18 PE	RMIT NUMBER	: 18316	FEE: \$3,046.00
ADDITOANO	·		019		*FEI	ES NON-REFUNDABLE
		VARNER JR		LAND OWNER	: MERLE JR & KA	RI WARNER
ADDRESS:		STBAY LN		ADDRESS:	18976 WESTBAY	LN
CITY:	WATERV	. ——		CITY:	WATERVILLE	
STATE:	MN	ZIP:	56096	STATE:	MN	ZIP: 56096
PHONE:	507-380-77			PHONE:	507-380-7793	•
911: _{18976 W}	ESTBAY LN	. WATERVIL	LE MN 56096			
PARCEL #:	14.820.0030/	14.431.0030			TOWNSHIP:	WATERVILLE
SEC:	19	SUBDIV:	WARNERS T	ETONKA ADD		·
TWP:	109	LOT:	3		DISTRICT:	RR
RANGE:	023	BLOCK:	1		FEMA PANEL #	£ 27079C0425
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LE SUEUR COUNTY CONDITIONAL USE PERMIT CRITERIA

Conditional Use Permit #: 18316

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	Don Rk	Pam	Doug	Jeanne	Shirley	Don Ry	Al	TOTAL
Exp	olain						· ·	
2.						oede the no es predomin		orderly development and area.
	Don Rk	Pam	Doug	Jeanne	Shirley	Don Ry	ΑI	TOTAL
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Ехр	olain							
3.		utilities, ad	ccess road	s, drainage	e and other	r facilities ha	ave been	or are being provided.
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			.l		<u>L</u> ,			
Exp	olain							
4.	Adequate service the	measures proposed	have beer d use.	or will be	taken to p	rovide suffic	ient off-s	treet parking and loading space to
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5.	vibration, s	o that nor	ne of these	will consti	tute a nuis		o control	fensive odor, fumes, dust, noise and lighted signs and other lights in such a
	Don Rk	Pam	Doug	Jeanne	Shirley	Don Ry	At	TOTAL
Ехр	lain			•				
6.	The condit objectives			nt with and	supported	by the stat	ement of	purposes, policies, goals and
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7.	The condit	ional use i	is consiste	nt with the	Comprehe	ensive Land		1.
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PLANNING AND ZONING COMMISSION 88 SOUTH PARK AVE LE CENTER MN 56057

Date: 12/31/2018

To: Le Sueur County Planning and Zoning Commission

From: Holly Kalbus, Environmental Resources Specialist

Applicant:

Merle & Kari Warner

Property owner:

Merle & Kari Warner

Property:

14.820.0030

Description:

Application for an After-The-Fact Conditional Use Permit to allow grading, excavating, and filling of 28.2 cubic yards within the shore impact zone, 28.2 cubic yards within the bluff, total 28.2 cubic yards on the lot for the construction of a retaining wall in a Recreational Residential "RR" District, on Lake Tetonka, a Recreational Development "RD" lake.

Recommendation:

It would be my recommendation to approve the application with the condition listed below. The existing retaining wall was failing, and did not fulfill the intent of preventing and reducing erosion, and thus it need to be replaced.

Condition(s):

1. Maintain the native vegetation that is currently growing on the bluff. The native vegetation will help with slope stability and reducing runoff and erosion.

Sincerely,

Holly Kalbus Le Sueur County

Environmental Resources Specialist

CRITERIUM-SCHIMNOWSKI ENGINEERS
161 DUNBAR WAY
MAHTOMEDI, MN 55115
TEL 651 779-7700
FAX 651 779-7114
www.criterium-schimnowski.com

November 19, 2018

Jared Kanz Versa-lok Retaining Walls 6348 Highway 36, Suite 1 Oakdale, MN 55128

RE:

Segmental Retaining Wall Evaluation

Project Location: 18976 West Bay Lane, Waterville MN

Project No. 18-3598

Dear Mr. Kanz.:

This letter is being sent per your request regarding the recently constructed segmental retaining walls at the above listed property. This evaluation is based on: observations of photos provided by you in an email dated November 19, 2018, and statements made to me by you regarding construction means and methods, also provided via email dated November 19, 2018.

From my examination of photos and information provided, the construction of the retaining walls appears to be structurally stable and in general conformance with the wall manufacturer's specifications and recommendations. Typical construction details such as use of drainage elements and soil reinforcement appear to be followed correctly. As is normal for segmental retaining walls of this type, some seasonal and long-term wall movement and backfill soil settlement should be expected. I recommend that concentrated areas of surface water be directed away from the walls. The construction progress and wall completion photos that were provided are attached.

Scope of Service and Limitations

The purpose of this inspection and report is to evaluate the condition of the recently constructed or partially constructed retaining wall. The report is not to be considered a guarantee of condition and no warranty is implied. Our observations are non-destructive, and limited to those portions of the site/wall that could be visually examined without excavation. Our scope of services did not include an exhaustive technical investigation. No material sampling, analytic tests, precise measurements or engineering calculations were performed. This includes but is not limited to: compaction testing, soil sampling, global stability calculations. We did not determine whether the wall and its operation or use conform to any city codes, or regulations, or restrictions that may be enforced within the jurisdiction. For construction phase services, it is understood that the Contractor, not ENGINEER, is responsible for the construction of the project, and that ENGINEER is not responsible for the acts or omissions of any contractor, subcontractor or material supplier; for safety precautions, programs or enforcement; or for construction means, methods, techniques, sequences and procedures employed by the Contractor. As Professional Engineers, it is our responsibility to evaluate available evidence relevant to the purpose of this

LICENSED PROFESSIONAL ENGINEERS

HOME & BUILDING INSPECTIONS
STRUCTURAL EVALUATIONS
ASSOCIATION RESERVE/TRANSITION STUDIES
RESIDENTIAL/COMMERCIAL
RETAINING WALL DESIGN & EVALUATIONS

18976 West Bay Lane, Waterville MN November 19, 2018 Page 2 of 3

inspection. We are not, however, responsible for conditions that could not be seen or were not within the scope of our service at the time of the inspection. See also, Terms and Conditions below.

This evaluation was performed using the design guidelines presented in the third edition of the "Design Manual for Segmental Retaining Walls" (DMSRW) published by NCMA in 2009. If soil conditions, proposed layouts, or other design parameters vary from that assumed, a revised analysis might be needed. Please call me if you have any questions or need more information. Thank you.

Sincerely,

Paul Schimnowski, PE

MN PE# 40126

CRITERIUM - SCHIMNOWSKI ENGINEERS TEL 651 779-7700

TERMS AND CONDITIONS

1. Standard of Service

Services performed by ENGINEER under this agreement shall be performed in a manner consistent with the skill and care ordinarily used by members of the engineering profession practicing under similar conditions at the time and in the locality the services are performed.

- Client recognizes that interpretations and recommendations of ENGINEER are based solely on the information available to the company.
- ENGINEER will be responsible for those interpretations and recommendations, but shall not be responsible
 for the interpretation by others of the information developed
- Services provided reflect the professional judgment of ENGINEER, to the best of ENGINEER's knowledge, information, and belief as of the date hereof.
- No other warranty or guarantee, express or implied, is made.

2. Scope of Service

Said design is based entirely on and expressly limited by the scope of services ENGINEER has been employed by Client to perform and as described in WALL PROVISIONS and LIMITATIONS.

If the ENGINEER is hired for any construction phase services or site visits, it is understood that the Contractor, not the ENGINEER, is responsible for the construction of the project, and that ENGINEER is not responsible for the acts or omissions of any contractor, subcontractor or material supplier; for safety precautions, programs or enforcement; or for construction means, methods, techniques, sequences and procedures employed by the Contractor.

3. Independent Contractor

In providing services to Versa-Lok, Engineer will be acting as an independent contractor and not as an employee or agent of Versa-Lok. Engineer agrees to assume liability for the services it provides under this Agreement, limited to the amount of professional liability insurance being carried by Engineer. Attached is the Certificate of Insurance indicating the following limits: \$2,000,000 per Claim; \$4,000,000 aggregate.

4. Ownership of Documents

All reports, field data, field notes, calculations, estimates and other documents ('reports') prepared by Engineer, as instruments of service, shall remain the property of Engineer. Client agrees that all reports furnished to Client or his agents, which are not paid for, will be returned upon demand and will not be used by Client for any purpose whatever. Engineer will retain all pertinent records relating to the services performed for a period of five years following submission of the report, during which period the records will be made available to Client at all reasonable times.

5. Copies of Documents

Engineer agrees to furnish an electronic PDF digital copy of the report, drawings, or documents relating to the services performed. Three paper copies may be provided upon request.

6. Termination and Assigns

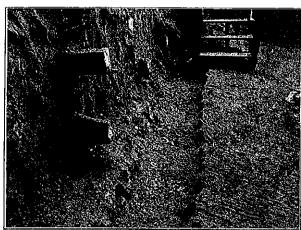
This agreement to perform engineering services may be terminated by either party by written notice. In the event of termination, Criterium - Schimnowski Engineers shall be paid for services performed and expenses incurred up to the termination notice date, plus any expenses or penalties resulting from the termination. Neither the Client nor Criterium - Schimnowski Engineers may delegate, assign, sublet or transfer his duties or interest in this agreement without the written consent of the other party.

7. Disputes

To the fullest extent permitted by law, Client and ENGINEER (1) waive against each other, and the other's employees, officers, directors, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to this site visit and written report, (2) agree that ENGINEER's total liability to Client shall be limited to the amount of professional liability insurance being carried by Engineer, and (3) if an action is brought against the ENGINEER and the ENGINEER prevails, ENGINEER shall be entitled to recover costs and expenses, including reasonable attorneys' fees and costs.



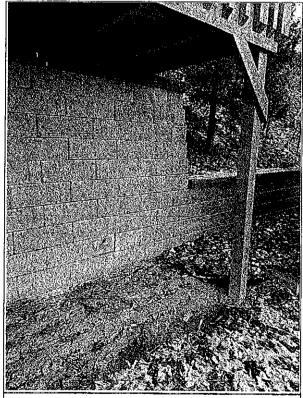
CRITERIUM - SCHIMNOWSKI ENGINEERS TEL 651 779-7700



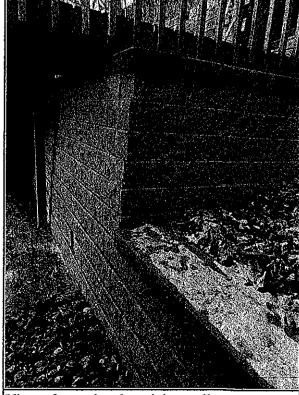
1 Construction progress photo with bottom of wall and excavation conditions shown.



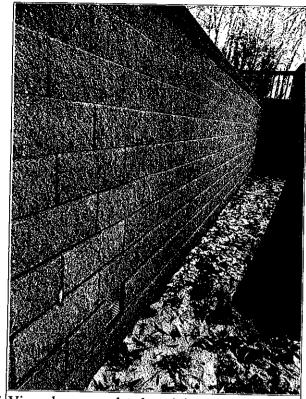
2 Construction progress photo with bottom of wall and excavation conditions shown.

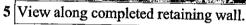


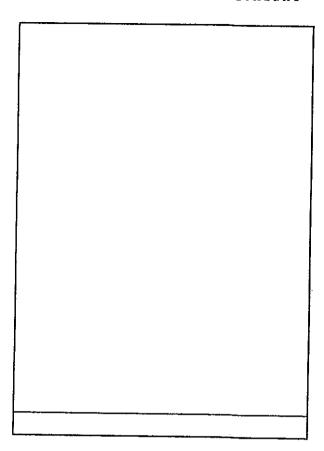
3 View of completed retaining wall.



4 View of completed retaining wall.







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.	N M C	plicant: ameNerle_Warner lailing Address 8976 Westbay In ity Waterville State MN Zip 56096 hone # 507-380-7793 Phone #
II.	N M	ameSteve_Olson ailing Address_18688_Shelby_Ct ity_WatervilleState_MNZip_56096
	Ci	roperty Address <u>1868 Shelby</u> (+ ity <u>Matex-vî Ne.</u> State <u>MN</u> Zip <u>56096</u> none # <u>507-390-0133</u> Phone #
III.	Pa	cel Information: arcel Number 14,431,0030 Parcel Acreage 1,47 tach Full Legal Description (NOT abbreviated description from tax statement) Township Water ville Section 19 Subdivision OIC 034 Hidsen Hill Lot Block
IV.		waship Notification: Township must be notified of proposed use prior to application. Water Ville Township notified on Oct 23, 2018 (Township Name) (Date) ward Member Danuar Stechta regarding the proposed use.
∕.	Qua	ntities and Submittal Formats:
	a.	One (1) reproducible 8.5" x 11" copy of the request and all other supporting documents.
	b.	Twenty Three (23) copies must be submitted, if any documents are in color, an aerial, or larger than $8.5" \times 11"$ in size.
	C.	Electronic version of any supporting documents if available.
	C.	Additional copies may be requested as deemed necessary by the Department.
	d.	Application must be made in person by the applicant and/or landowner no later than 12 P.M. on the date of application deadline.
	e.	Appointment is necessary.
	f.	Applications will not be accepted by mail. BY:

1

, VI.	Fees: Must be paid at the time	of application.	· \\\.
	Conditional Use Permit Filing Fee	\$ 750 After-The-Fact fee is doub \$ 46	led.
•	Additional Fees: Special Meeting After-The-Fact Penalty \$ 1,500 C	\$ 2,000 R 10% of improvement, whichever i	s greater NOV 1 3 2018
VII.	Type of Request: Grading, Exc		
	☐ Non-Shoreland ☐ Within Bluff Impact Zone ☐ Within Bluff TO	Cubic yards of material move Cubic yards of material move Cubic yards of material move TAL cubic yards of material move	ement:ement:
	Shoreland- Outside Shore Impact Mithin Shore Impact Zone Within Bluff Impact Zone SWithin Bluff TO	Zone Cubic yards of material move Cubic yards of material move Cubic yards of material move Cubic yards of material move	ement: <u>28.2</u> ement: <u>28.2</u>
	☐ Assurance security shall be red	uired for projects that are >1500 cu	bic yards.
VIII.	Description of Request:		
	a. A full description of request with a what general types of equipment	etailed information including what o may be used in the operation must t	perations are to occur and be attached.
	 b. Complete the following in relation 1. ENVIRONMENTAL IMPACT: 56 	ship to the proposed Conditional Use Attachment 1	se Permit.
			lerse impact on Surrounding
	. []	bod barrier was used du	uring construction. (Currently regetated.
		are no wettands in the	
	6. SLOPE STABILITY: Stabili		es, plants & vegetation
	CERTIFICATE OF INSURANCE:	_U N/A V	
	8. MEET ALL APPLICABLE COUNTY (For example additional licensing and	STATE & FEDERAL REGULATIONS: Nor permitting)	<u>/A</u>
IX.	Site Plan: Shall include but not limit	ed to the following:	
	 Parcels 5-20 AC = 5-foot conto Parcels >20 AC = 10-foot conto Location of grading, excavating, Location of areas for obtaining f Tree inventory of all trees, indication (Caliper of 6 inches or great 	ill or disposing of excavated materia ating trees to be cut or removed. ter measured 4,5 feet from ground I	d topography. ed topography. els. evel).
	 North point Setbacks Property Lines Road Right-Of-Way Landscape, screening and buffer 	and • Lot Dimensions m • Ponds	 Septic system Well Access (size & location) Easements Drainage
	- Olda minus O. A Deville		

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

X. Restoration Plan: Shall include but not limited to the following:

- 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:

\square	a.	Description of Request-See Part VIII for full details and requirements.
	b.	Site Plan-See Part IX for full details and requirements.
\square	C.	Full Legal Description-Not abbreviated description from tax state point.
	d.	Access approval-Attach approval in writing from proper road authority. Township Notification-See Part IV for details and requirements.
X X	e.	Township Notification-See Part IV for details and requirements.
又	f.	Septic System Compliance Inspection
	g.	Erosion Control Plan-Attach completed and signed plan including map.
区	h.	Restoration Plan-See Part X for full details and requirements.
	⁻i.	Approved Stormwater Pollution Prevention Plan Must meet NPDES requirements and prepared by a licensed professional engineer

XII. 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 herein as well as all supporting data are true and correct to the best of my knowledge.

Melo Warner Dec 14, 2018

Applicant signature Date

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

Property Owner signature Date

UPFICE USE UNLY

Request: GRADING, E	XCAVATING & F	ILLING	·	<u> </u>
□ Non-Shoreland □ Within Bluff Imp □ Within Bluff	Cubic yards of mater Cubic yards of mater Cubic yards of mater	ial movement: _		
	TOTAL c	ubic yards of materia	al movement: _	
☑ Shoreland - Outsid ☑ Within Shore Im ☑ Within Bluff Imp ☑ Within Bluff	ipact Zone	Cubic yards of mater Cubic yards of mater Cubic yards of mater Cubic yards of mater	iai movement: _	28.2
	TOTAL cu	bic yards of materia	l movement:	28.2
Pre-App Date Meeting Date 60 Day Zoning District CP	Lake Classification Lake <u>Tetu</u> 介にも FEMA Panel # 270790 Flood Zone <u>X</u> -のい	CO 425 D	Feedlot , Wetland Type Water courses Bluff	500' 1000' (N) 1-2 3-8 (N) Y (N) (Y) N
Request Description	☑ Access Appr	oval	Septic Co	omp Insp / Design
☑ Site Plan	Erosion Con	trol Plan	回Meeting Re	g /ATF / Spec
☑ Full Legal			Fee \$_	1592
☐ Ordinance	☐ Other	:		1500. 30 .93
Application Complete	Legge Scorling Departm	ent Signature	12/14/18 Date	14316 Permit#

Medi

160 20, auic

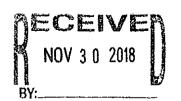
Le Sueur County Conditional Use Application - Grading, Excavating and Filling

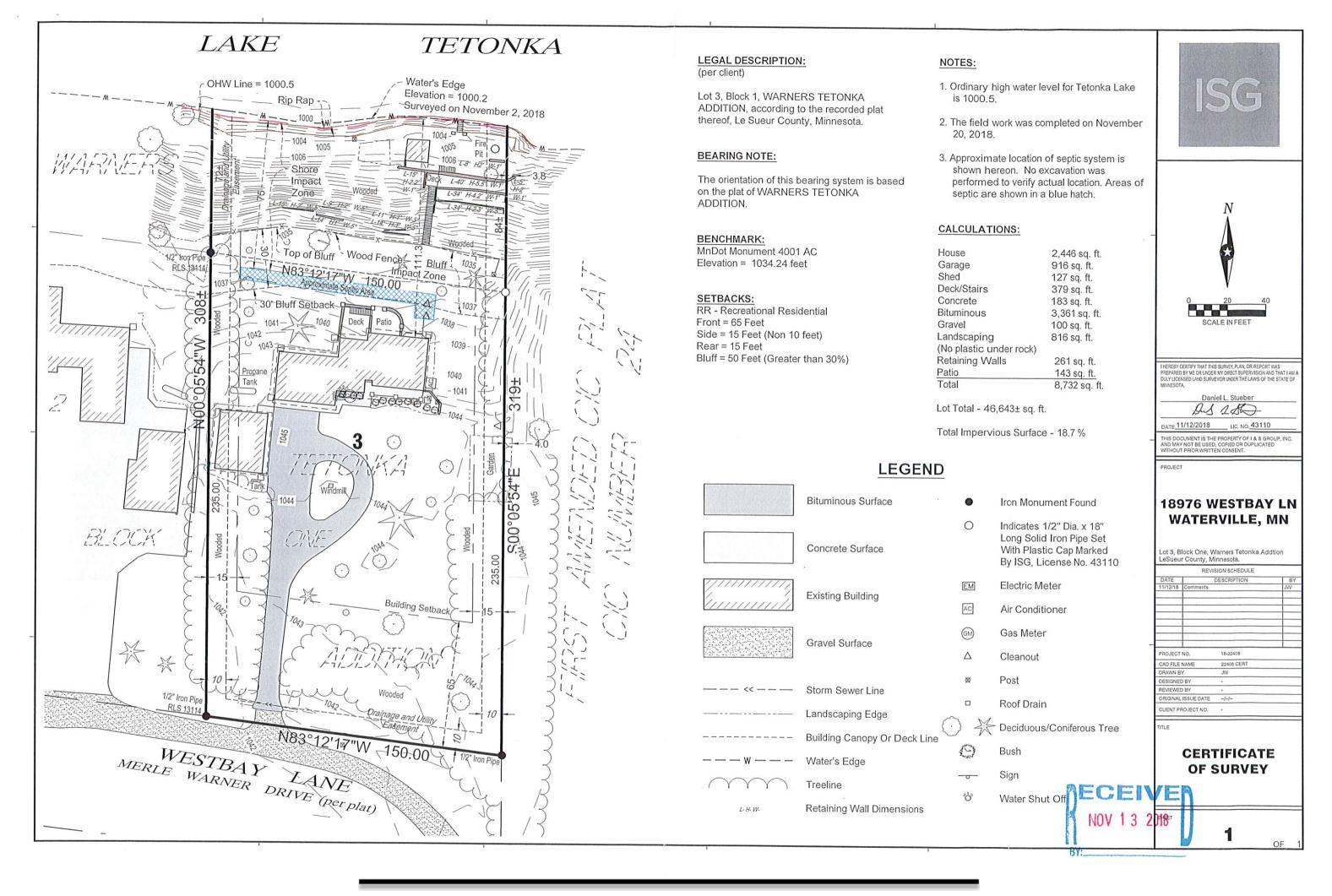
The legal description of our property is Lot 3 of Block 1, Warner's Tetonka Addition in Le Sueur County.

We are requesting a Conditional Use Permit (After the Fact) to replace a deteriorating retaining wall that was over 24 years old on a bluff within the shore impact zone. Due to the age of the original wall, it was no longer serving its purpose of holding the bluff away from Lake Tetonka. An updated block wall was installed in its place, the exact same location as the old one. Unfortunately, we were unaware that a permit would be required before beginning any work.

The project included moving 9.93 cubic yards of dirt along the retaining wall line, then returning it to that location to backfill. In addition, 8.28 cubic yards of drainage rock was added behind the wall. Two perforated drain pipes were installed along the base of the wall. The tile line is daylighted in front of the wall.

No heavy equipment was needed for the job and no trees were removed.





LE SUEUR COUNTY ENVIRONMENTAL SERVICES 88 SOUTH PARK AVE.

LE CENTER, MINNESOTA 56057-1620 (507) 357-2251 FAX (507) 357-8541

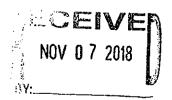
Erosion and Sediment Control Plan

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

Property Owner: Nevic	Warner PID:	
Mailing Address: 18976	Westhau In, Waterville MN	
Property Address: 18976	Westball in Waterville MN	
Phone: (501) 380-7793	Mbile/Céll:()	
Responsible party for Implements	ation/Inspection: Nerle Warner	
Address: 18976 West-	Day In Waterville MN	
Phone: (507) 380-7793	Mobile/Cell:()	

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.
- 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 Wood or Straw Mulch blanket with net on one side

4:1 slopes or steeper 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.

Merle Warner (Property Owner)

10v 7, 2018

Merle Waries

(Person Responsible for Implementation)

1017,2018

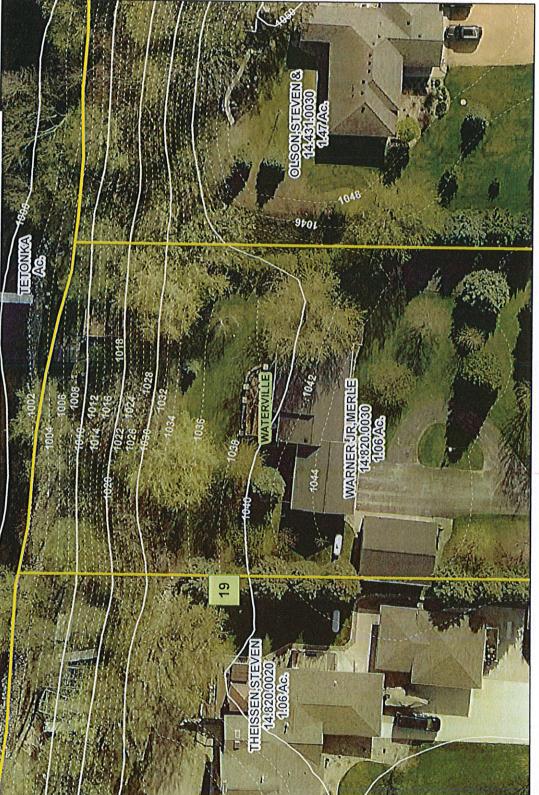
If you have any questions, please contact Environmental Services, at 507-357-8538.

NOV 0 7 2018

Recreational Residential -outside

District:

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





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Map Disclaimer

These maps may contain omissions and errors in scale, resolution, rectification, positional accuracy, development methodology, interpretation of source data, and other circumstances.

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*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

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Created By: MRM

Le Sueur County

