
Le Sueur County, MN

Tuesday, June 24, 2014

Board Meeting

Item 3

9:20 AM Kathy Brockway, Zoning Administrator

Conditional Use Permits: Veroeven, Vail, Valiant/Thompson, Lake Emily Lake Association/Lake & Links Homeowners Association

Staff Contact:

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
June 12, 2014

MEMBERS PRESENT: Jeanne Doheny, Don Rynda, Chuck Retka, Steve Olson, Doug Krenik, Pam Tietz

MEMBERS ABSENT: Don Reak, Betty Bruzek, Al Gehrke, Shirley Katzenmeyer

OTHERS PRESENT: Kathy Brockway, Commissioners: Connolly, Wetzel, & Rohlfing

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

ITEM #1: JOHN VEROEVEN, (APPLICANT/OWNER); MANKATO MN: Requests that the County grant a Conditional Use Permit to allow grading, excavating, and filling of approximately 6 cubic yards of material in the bluff for the construction of stairways in a Recreational Residential "RR" District and a Flood Fringe "FF" Overlay District on a Recreational Development "RD" Lake, Lake Jefferson. Property is located at Lot 5, Block 1, Kluntz Lakewood Knoll Subdivision, Section 1, Cleveland Township.

Kathy Brockway presented power point presentation. John Veroeven was present for application.

TOWNSHIP: Kathy Brockway read email into the record from Susan Ely, Cleveland Township Clerk
DNR: no comments LETTERS: none

PUBLIC COMMENT: none

Discussion was held regarding: lot is presently being used for recreational purposes, would like to have a safer access to the lake, has a dock and boat, no tree removal, only material movement is for step placement, landscape around steps, small amount of vegetation removal, steps are screened from public view, plans to build a single family dwelling in about 5 years, characteristics of neighborhood, consistent with neighbors slope.

Findings by majority roll call vote:

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

Motion was made by Doug Krenik to approve the application as written. Seconded by Chuck Retka. Motion approved. Motion carried.

ITEM #2: LINDEN VAIL, (APPLICANT/OWNER); WATERVILLE MN: Requests that the County grant a Conditional Use Permit to allow grading, excavating, and filling of 1409 cubic yards of material for the construction of a ravine stabilization project in a Recreational Residential "RR" District on

a Recreational Development Lake, Lake Sakatah. Property is located at Lots 1, 2, 3, & 4, Vail's Estate on Lake Sakatah, Section 24, Waterville Township.

Kathy Brockway presented power point presentation. Hugh Valiant, Val Vail, and Curt Kloss were present for application.

Discussion was held regarding: New information received from the SWCD Engineer today (June 12, 2014) in regards to the application, therefore, staff is recommending the application be tabled as the Planning Commission nor the applicants had time

Val Vail, the parents were not notified of the changes from the SWCD Engineer. Val Vail was notified by the consultant Hugh Valiant of the proposed changes by the SWCD Engineer.

Motion was made by Chuck Retka to table the application. Seconded by Doug Krenik. Motion approved. Motion carried.

ITEM #3: HUGH VALIANT, (APPLICANT); WATERVILLE MN, GWENDOLYN THOMPSON, (OWNER), SPRING LAKE MN: Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of 154 cubic yards of material in the shore impact zone for a shoreline stabilization project in a Recreational Residential "RR" District on a Recreational Development "RD" Lake, Lake Washington. Property is located at Lot 7, Gurnis Lakers Haven, Section 18, Kasota Township.

Kathy Brockway presented power point presentation. Hugh Valiant was present for application.

TOWNSHIP: Kasota Township notified DNR: No Comments LETTERS: Lauren Klement, LSC Resource Specialist

PUBLIC COMMENT: None

Discussion was held regarding: remove the existing steel retaining wall, restoring the shoreline, improvement to the lake, consistent with DNR regulations, land is eroding behind the existing retaining wall, safety issues, small sand blanket, timeframe for construction mid-September, will take about 2 weeks to complete the project, slope will not exceed 3:1, will match up with the neighbors lot.

Findings by majority roll call vote:

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

Motion was made by Doug Krenik to approve the application with the condition that appropriate DNR permits be obtained. Seconded by Steve Olson. Motion approved. Motion carried.

ITEM #4: LAKE EMILY LAKE ASSOCIATION, (APPLICANT), LAKE & LINKS HOMEOWNERS ASSOCIATION (OWNERS), ST. PETER MN.; Request that the County grant a Conditional Use Permit to allow grading, excavating and filling of 561 cubic yards of material for the construction of a rain garden in a Recreational Residential “RR” District, on a Recreational Development “RD” Lake, Lake Emily. Property is located at the Outlot of Lakes and Links Subdivision, Section 26, Kasota Township.

Kathy Brockway presented power point presentation. Ken Britz, President of Homeowners Association, Hugh Valiant (consultant) and Curt Kloss (Engineer) were present for application.

TOWNSHIP: contacted the Kasota Township Board DNR: no comments LETTERS: Lauren Klement LSC Resource Specialist (see file).

PUBLIC COMMENT: Paul Schwichtenberg, discussed maintenance agreement requirements, establishment of plants.

Discussion was held regarding: proposing to construct a rain garden in order to control stormwater runoff to the lake, 18 lot owners within the development each own 1/18 of the lot, dock will be placed off to the side of the lot for lake access, walkway not a road, property owners share in the maintenance of the lot, discussion regarding the existing tile/culverts, rainfall events, connection to the existing tile will be with a Y and not a T, Y connect will allow for a better flow, very little debris on the lot, should not present any maintenance issues, improvement to the water quality, plant care, funding, active homeowners group, therefore, maintenance and plant care will not be an issue.

Findings by majority roll call vote:

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

Motion was made by Pam Tietz to approve the application with the condition that the Homeowners Association provides a maintenance agreement to the LSC Resource Specialist for approval. Seconded by Don Rynda Motion approved. Motion carried.

Motion was made by Pam Tietz to approve the minutes from the May 8, 2014 meeting by Seconded by Steve Olson. Motion approved. Motion carried.

Motion to adjourn meeting by Chuck Retka. Seconded by Don Rynda Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,

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

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
June 24, 2014

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

The Planning Commission recommends your action on the following items:

ITEM #1: JOHN VEROEVEN, (APPLICANT/OWNER); MANKATO MN: Requests that the County grant a Conditional Use Permit to allow grading, excavating, and filling of approximately 6 cubic yards of material in the bluff for the construction of stairways in a Recreational Residential "RR" District and a Flood Fringe "FF" Overlay District on a Recreational Development "RD" Lake, Lake Jefferson. Property is located at Lot 5, Block 1, Kluntz Lakewood Knoll Subdivision, Section 1, Cleveland Township.

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

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

ITEM #2: HUGH VALIANT, (APPLICANT); WATERVILLE MN, GWENDOLYN THOMPSON, (OWNER), SPRING LAKE MN: Request that the County grant a Conditional Use Permit to allow grading, excavating, and filling of 154 cubic yards of material in the shore impact zone for a shoreline stabilization project in a Recreational Residential "RR" District on a Recreational Development "RD" Lake, Lake Washington. Property is located at Lot 7, Gurnis Lakers Haven, Section 18, Kasota Township.

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

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

- Applicant is required to obtain the appropriate permits from the DNR prior to starting the project.

ITEM #4: LAKE EMILY LAKE ASSOCIATION, (APPLICANT), LAKE & LINKS HOMEOWNERS ASSOCIATION (OWNERS), ST. PETER MN.: Request that the County grant a Conditional Use Permit to allow grading, excavating and filling of 561 cubic yards of material for the construction of a rain garden in a Recreational Residential "RR" District, on a Recreational Development "RD" Lake, Lake Emily. Property is located at the Outlot of Lakes and Links Subdivision, Section 26, Kasota Township.

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

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

- The Homeowners Association shall provide a management plan to the LSC Resource Specialist for approval.

ACTION: ITEM #1: _____

ITEM #2: _____

ITEM #3: _____

DATE: _____

COUNTY ADMINISTRATOR'S SIGNATURE: _____

FINDINGS OF FACT

WHEREAS, JOHN VEROEVEN, (APPLICANT/OWNER); MANKATO MN: has applied for a Conditional Use Permit to allow grading, excavating, and filling of approximately 6 cubic yards of material in the bluff for the construction of stairways in a Recreational Residential “RR” District and a Flood Fringe “FF” Overlay District on a Recreational Development “RD” Lake, Lake Jefferson. Property is located at Lot 5, Block 1, Kluntz Lakewood Knoll Subdivision, Section 1, Cleveland Township.

WHEREAS, the Le Sueur County Planning and Zoning Commission held on public hearing on June 12, 2014, in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

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

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

WHEREAS, On June 24, 2014, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners approved/denied the Conditional Use Permit application as requested by John Veroeven.

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the June 24, 2014, Le Sueur County Board meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

1. **The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.**
2. **The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**
3. **Adequate utilities, access roads, drainage and other facilities have been or are being provided.**
4. **Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.**

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, a Conditional Use Permit to allow grading, excavating, and filling of approximately 6 cubic yards of material in the bluff for the construction of stairways in a Recreational Residential “RR” District and a Flood Fringe “FF” Overlay District on a Recreational Development “RD” Lake, Lake Jefferson is approved.

ATTEST:

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

Darrell Pettis, Le Sueur County Administrator

DATE: _____

FINDINGS OF FACT

WHEREAS, HUGH VALIANT, (APPLICANT); WATERVILLE MN, GWENDOLYN THOMPSON, (OWNER), SPRING LAKE MN; has applied for a Conditional Use Permit to allow grading, excavating, and filling of 154 cubic yards of material in the shore impact zone for a shoreline stabilization project in a Recreational Residential “RR” District on a Recreational Development “RD” Lake, Lake Washington. Property is located at Lot 7, Gurnis Lakers Haven, Section 18, Kasota Township.

WHEREAS, the Le Sueur County Planning and Zoning Commission held on public hearing on June 12, 2014, in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

WHEREAS, the Le Sueur County Planning and Zoning Commission, acting as an advisory board to the Le Sueur County Board of Commissioners recommends approval of the application with the following condition: Appropriate DNR permits be obtained.

Due to the following findings:

1. **The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.**
2. **The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**
3. **Adequate utilities, access roads, drainage and other facilities have been provided.**
4. **Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.**

WHEREAS, On June 24, 2014, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners approved the Conditional Use Permit application as requested by the **HUGH VALIANT, (APPLICANT); WATERVILLE MN, GWENDOLYN THOMPSON, (OWNER), SPRING LAKE MN.**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the June 24, 2014, Le Sueur County Board meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

1. **With the imposition of an appropriate condition as stated, the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.**
2. **With the imposition of an appropriate condition as stated, the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**
3. **With the imposition of an appropriate condition as stated, adequate utilities, access roads, drainage and other facilities have been or are being provided.**
4. **With the imposition of an appropriate condition as stated, 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.**

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, a Conditional Use Permit to allow grading, excavating, and filling of 154 cubic yards of material in the shore impact zone for a shoreline stabilization project in a Recreational Residential “RR” District on a Recreational Development “RD” Lake, Lake Washington. Property is located at Lot 7, Gurnis Lakers Haven, Section 18, Kasota Township is approved with the following condition: Appropriate DNR permits be obtained.

ATTEST:

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

Darrell Pettis, Le Sueur County Administrator

DATE:

FINDINGS OF FACT

WHEREAS, LAKE EMILY LAKE ASSOCIATION, (APPLICANT), LAKE & LINKS HOMEOWNERS ASSOCIATION (OWNERS), ST. PETER MN:, has applied for a Conditional Use Permit to allow grading, excavating and filling of 561 cubic yards of material for the construction of a rain garden in a Recreational Residential “RR” District, on a Recreational Development “RD” Lake, Lake Emily. Property is located at the Outlot of Lakes and Links Subdivision, Section 26, Kasota Township.

WHEREAS, the Le Sueur County Planning and Zoning Commission held on public hearing on June 12, 2014, in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

WHEREAS, the Le Sueur County Planning and Zoning Commission, acting as an advisory board to the Le Sueur County Board of Commissioners recommends approval of the application with the condition that The Homeowners Association shall provide a management plan to the LSC Resource Specialist for approval.

Due to the following findings:

1. **The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.**
2. **The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**
3. **Adequate utilities, access roads, drainage and other facilities have been provided.**
4. **Adequate measures will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.**

WHEREAS, On June 24, 2014, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners approved the Conditional Use Permit application as requested by the **LAKE EMILY LAKE ASSOCIATION, (APPLICANT), LAKE & LINKS HOMEOWNERS ASSOCIATION (OWNERS), ST. PETER MN:**,

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the June 24, Le Sueur County Board meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

1. **With the imposition of appropriate conditions as stated, the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.**
2. **With the imposition of appropriate conditions as stated, the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**
3. **With the imposition of appropriate conditions as stated, adequate utilities, access roads, drainage, and other facilities have been or are being provided.**
4. **With the imposition of appropriate conditions as stated, 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.**

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, a Conditional Use Permit to allow grading, excavating and filling of 561 cubic yards of material for the construction of a rain garden in a Recreational Residential “RR” District, on a Recreational Development “RD” Lake, Lake Emily. Property is located at the Outlot of Lakes and Links Subdivision, Section 26, Kasota Township is approved with the condition that the Homeowners Association shall provide a management plan to the LSC Resource Specialist for approval.

ATTEST:

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

Darrell Pettis, Le Sueur County Administrator

DATE:

STAFF REPORT

GENERAL INFORMATION

APPLICANT/OWNER: JOHN VEROEVEN **911 ADDRESS:** 26003 Island Road, Cleveland MN 56017

PROPERTY LOCATION: Property is located at Lot 5, Block 1, Kluntz Lakewood Knoll Subdivision, Section 1, Cleveland Township.

PROJECT DESCRIPTION: To allow grading, excavating, and filling of approximately 6 cubic yards of material in the bluff for the construction of stairways in a Recreational Residential “RR” District and a Flood Fringe “FF” Overlay District on a Recreational Development “RD” Lake, Lake Jefferson.

ZONING DISTRICT PURPOSES: 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.

ZONING ORDINANCE SECTIONS: Section 6, Subdivision 5, Section 13, Subdivision 5 (page 13-13), Section 13, Section 13.2, (page 13-40 N), Section 21, (pages 21-2 thru 21-5)

DEFINITIONS: **BLUFF** - A topographic feature such as a hill, cliff, or embankment in which the slope rises at least fifteen (15) feet from the toe of the bluff to the top of the bluff and the grade of the slope from the toe of the bluff to the top of the bluff averages 18 percent or greater. The percent of the slope is defined as the change in elevation (rise) over a distance (run).

BLUFF, TOP - The top of the bluff shall be determined to the upper end of the highest ten (10) foot segment that exceeds eighteen (18) percent.

GOALS & POLICIES: Le Sueur County will adopt and enforce the following land use goals and policies to enhance land use regulation efficiencies, use County resources to meet County residents’ needs, and protect County residents’ health, safety, and welfare.

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.

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

SITE INFORMATION

LOCATION: Lot 5, Block 1, Kluntz Lakewood Knoll, Subdivision, Section 1, Cleveland Twp.

ZONING: Recreational Residential “RR”

GENERAL SITE DESCRIPTION: Shoreland/platted subdivision

ACCESS: Existing

EXISTING LAND USE WITHIN ¼ MILE:

North: Ag South: Lake East: Wooded, Residential, Ag West: Residential, Wooded

BACKGROUND INFORMATION

The applicant applied for a Conditional Use Permit in order to construct a stairway within the bluff to gain access to the lake. The applicant will place approximately 66 steps made from 4’ railroad ties from the top of the slope to the bottom of the slope. They will be placed 1-1 ½ feet apart on the slope. The railroad ties will be nailed into place by ½” rebar, 2 ft long that will be drilled in the middle of the railroad tie. The steps will be located on the slope where only a few trees will need to be removed to the ground level. The steps will be under tree canopy, which should be mostly hidden from public view in the summer months.

TOWNSHIP BOARD NOTIFICATION

Contacted Susan Ely, Cleveland Township Clerk, via email on May 13, 2014.

NATURAL RESOURCES INFORMATION

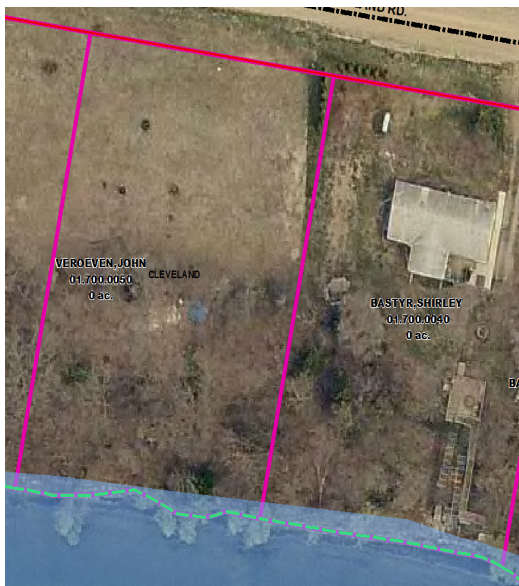
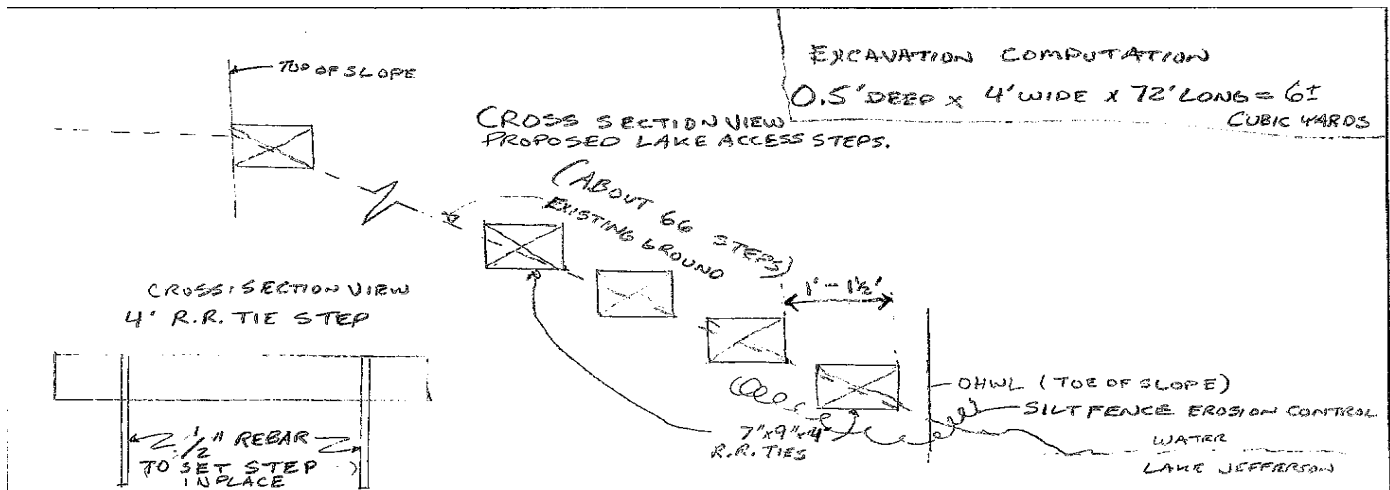
SHORELAND: The proposal is located within the Shoreland District.

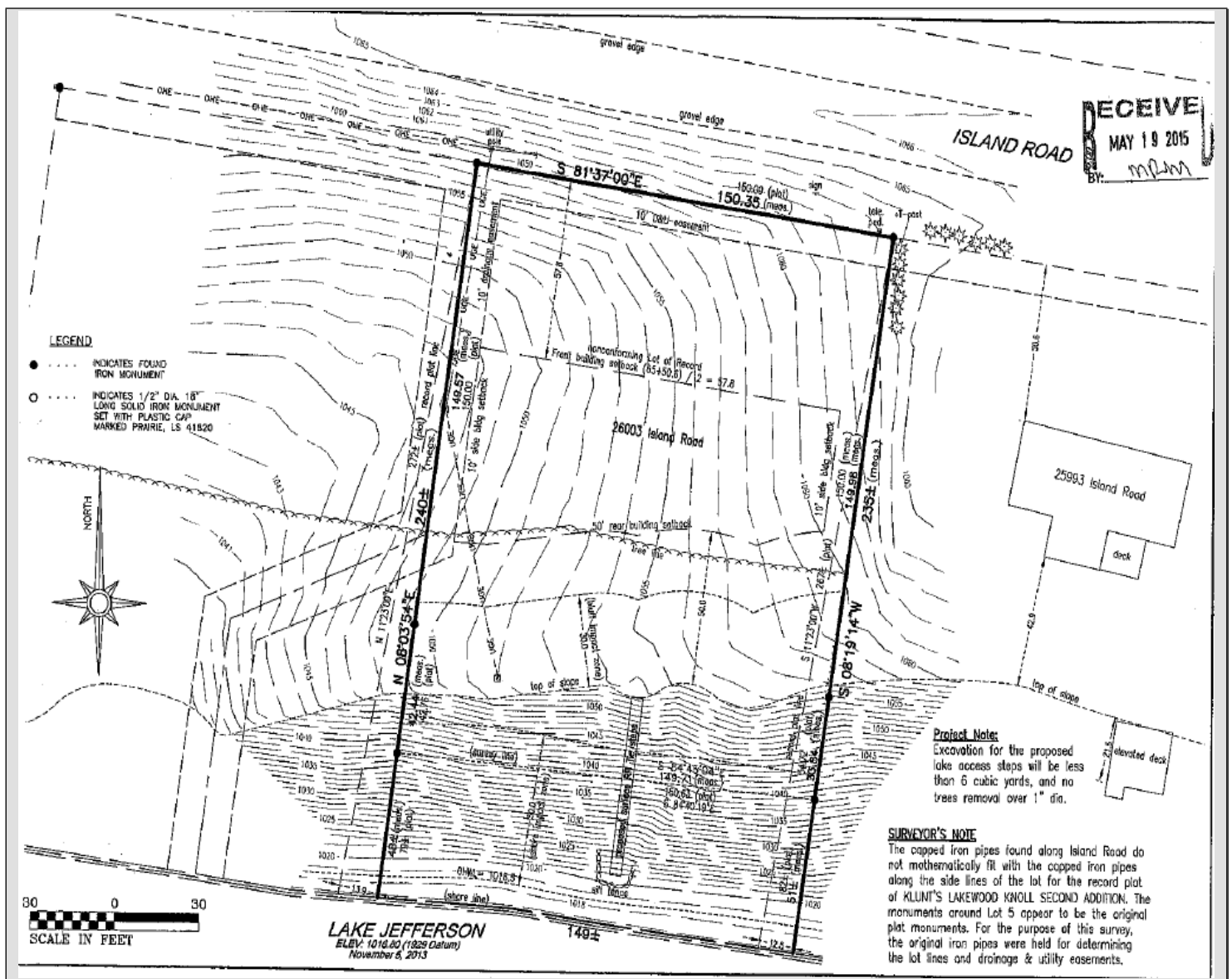
WETLANDS: According to the National Wetlands Inventory, No wetlands located in the quarter-quarter section where the project is proposed.

LAND USE APPLICATION PERFORMANCE STANDARDS

- Name and Address of Applicant and Landowner: John Veroeven, 1047 E Main St. Mankato MN 56001
- Legal Description- Attached
- Environmental Impact- none
- Adverse Impact on surrounding area- none
- Stormwater runoff- none
- Does any part of the project extend below the Original High Water Level- no
- Wetland Impact – none
- Slope Stability – will be an improvement
- Certificate of Insurance- N/A
- Meets all applicable state and federal regulations- yes

SITE PLAN





ATTACHMENTS

Survey, Narrative, Site Sketch, Erosion Control Plan, Letter from Lauren Klement, LSC Resource Specialist

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.

PLANNING AND ZONING COMMISSION FINDINGS

Based on the information submitted by the applicant, contained in this report, and as required by the Le Sueur County Zoning Ordinance, the following findings have been developed for this request:

(Please circle one for each item: Agree, Disagree, Not Applicable.)

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. **A D NA**
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. **A D NA**
3. The adequate utilities, access roads, drainage and other facilities have been or are being provided.
A D NA
4. The adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. **A D NA**
5. The 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. **A D NA**

COMMENTS:

Recommend (circle one) approval / denial / table / of Conditional Use Permit.

STAFF REPORT

GENERAL INFORMATION

APPLICANT: HUGH VALAINT

OWNER: GWENDOLYN THOMPSON

911 ADDRESS: 3714 Sioux Lane, Madison Lake MN 56063

PROPERTY LOCATION: Lot 7, Gurnis Lakers Haven, Section 18, Kasota Township.

PROJECT DESCRIPTION: to allow grading, excavating, and filling of 154 cubic yards of material in the shore impact zone for a shoreline stabilization project in a Recreational Residential "RR" District on a Recreational Development "RD" Lake, Lake Washington.

ZONING ORDINANCE SECTIONS: Section 13, (Pages 13-16 & 13-17) Section 13.2, Section 21 (pages 21-2 thru 21-5)

ZONING DISTRICT PURPOSES: 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.

GOALS & POLICIES: Le Sueur County will adopt and enforce the following land use goals and policies to enhance land use regulation efficiencies, use County resources to meet County residents' needs, and protect County residents' health, safety, and welfare.

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.

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

SITE INFORMATION

LOCATION: Lot 7, Gurnis Lakers Haven, Section 18, Kasota Township.

ZONING: Recreational Residential "RR"

GENERAL SITE DESCRIPTION: Platted Subdivision/shoreland

ACCESS: Existing

EXISTING LAND USE WITHIN ¼ MILE:

North: Residential	South: Residential
East: Wetlands	West: Lake Washington

BACKGROUND INFORMATION

See attached narrative

TOWNSHIP BOARD NOTIFICATION

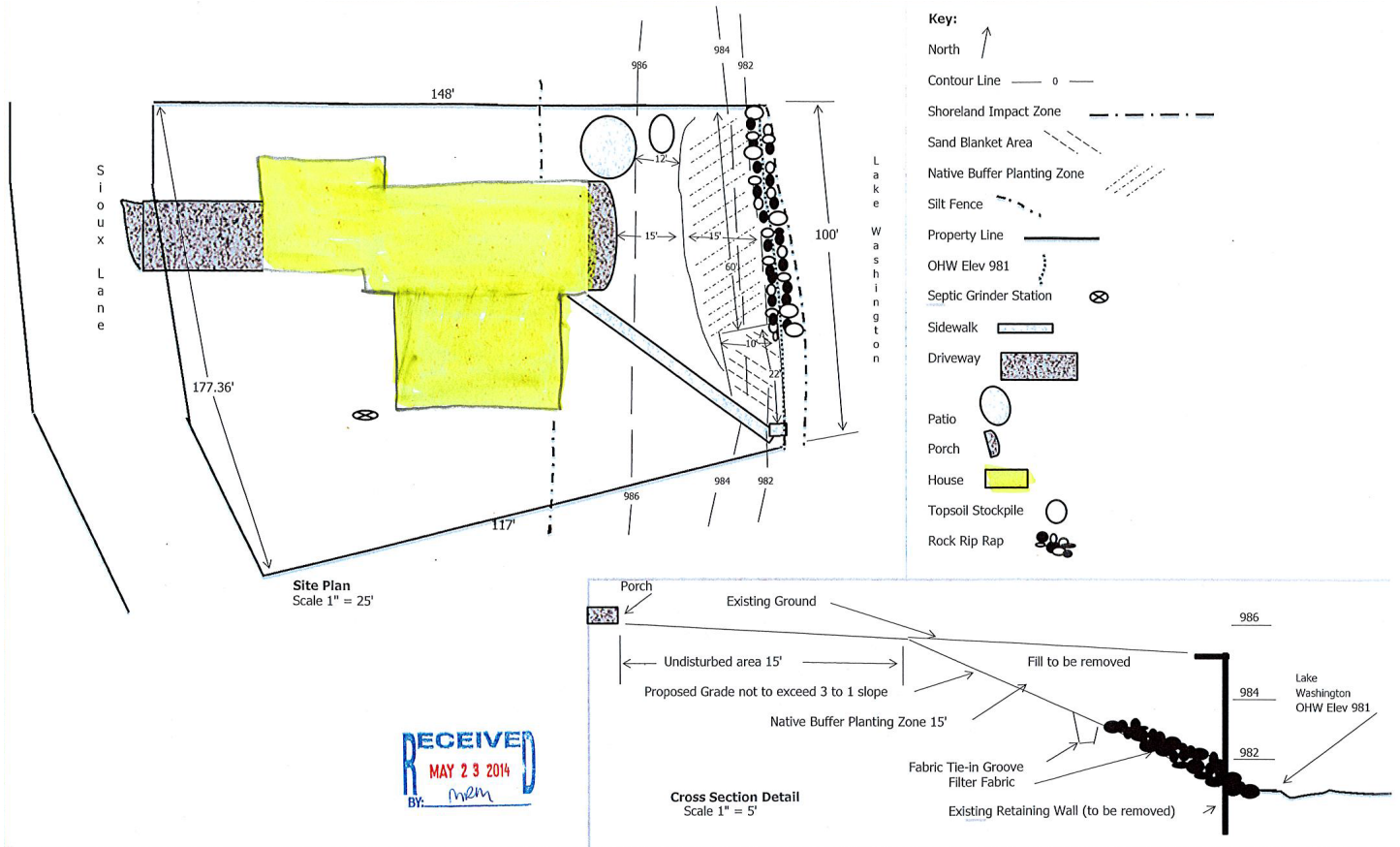
Applicant contacted Joe Kienlen and Daren Biehn, Kasota Township on April 7, 2014.

NATURAL RESOURCES INFORMATION

SHORELAND: The proposal is located within the Shoreland District.

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

SITE PLAN



AERIAL PHOTO



LAND USE APPLICATION PERFORMANCE STANDARDS

- Name and Address of Applicant and Landowner: Hugh Valiant, 10475 440th Ave, Waterville MN 56096
 - Gwendolyn Thompson, 2509 Ocean Ave, Spring Lake NJ 07762
- Legal Description- Attached
- Environmental Impact- The project will improve the water quality
- Adverse Impact on surrounding area-Improvement
- Stormwater runoff- A buffer will be established to treat stormwater runoff
- Does any part of the project extend below the Original High Water Level- yes, an application will be submitted to the DNR for review & permitting.
- Wetland Impact – none
- Slope Stability –Final grade will not exceed 3:1
- Certificate of Insurance- Upon request
- Meets all applicable state and federal regulations- yes

ATTACHMENTS

Narrative, survey, erosion control plan, letter LSC Resource Specialist

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.

Also, refer to Section 21 (pages 21-2 thru 21-5) for additional considerations within the Shoreland Districts

PLANNING AND ZONING COMMISSION FINDINGS

Based on the information submitted by the applicant, contained in this report, and as required by the Le Sueur County Zoning Ordinance, the following findings have been developed for this request:

(Please circle one for each item: Agree, Disagree, Not Applicable.)

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. **A D NA**
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. **A D NA**
3. The adequate utilities, access roads, drainage and other facilities have been or are being provided. **A D NA**
4. The adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. **A D NA**
5. The 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. **A D NA**

Recommend (circle one) approval / denial / table / of Conditional Use Permit.

STAFF REPORT

GENERAL INFORMATION

APPLICANT: Lake Emily Lake Association

OWNER: Lakes & Links Homeowners Association

PROPERTY LOCATION: Outlot A, Block 2 of Lakes and Links Subdivision, Section 26, Kasota Township.

PROJECT DESCRIPTION: To allow grading, excavating and filling of 561 cubic yards of material for the construction of a rain garden in a Recreational Residential “RR” District, on a Recreational Development “RD” Lake, Lake Emily.

ZONING ORDINANCE SECTIONS: Section 13, (Pages 13-16 & 13-17) Section 13.2, Section 21 (pages 21-2 thru 21-5)

ZONING DISTRICT PURPOSES: 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.

GOALS & POLICIES: Le Sueur County will adopt and enforce the following land use goals and policies to enhance land use regulation efficiencies, use County resources to meet County residents’ needs, and protect County residents’ health, safety, and welfare.

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.

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

SITE INFORMATION

LOCATION: Outlot A, Block 2, Lakes and Links Subdivision, Section 26, Kasota Township

ZONING: Recreational Residential “RR”

GENERAL SITE DESCRIPTION: Platted Subdivision/shoreland

ACCESS: N/A

EXISTING LAND USE WITHIN ¼ MILE:

North: Residential/Golf Course
East: Residential/Golf Course

South: Lake Emily
West: Residential/Lake Emily

BACKGROUND INFORMATION

See attached narrative

TOWNSHIP BOARD NOTIFICATION

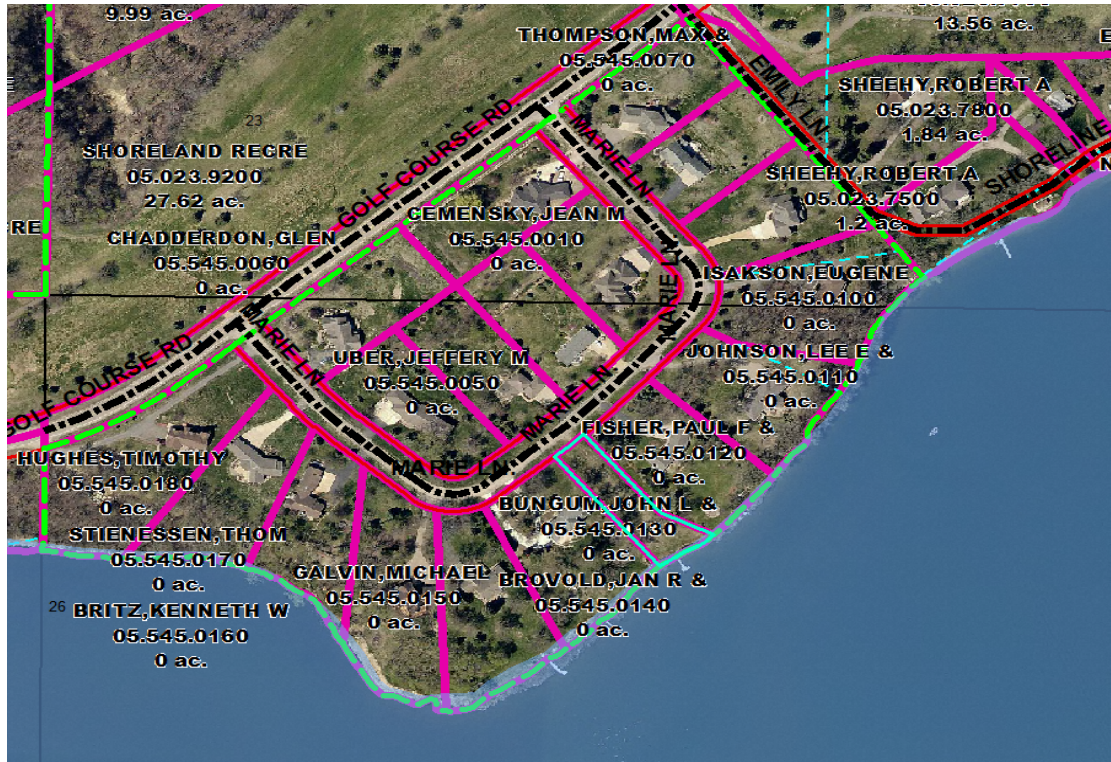
The applicant notified Joe Kienlen, Kasota Township on April 11, 2014

NATURAL RESOURCES INFORMATION

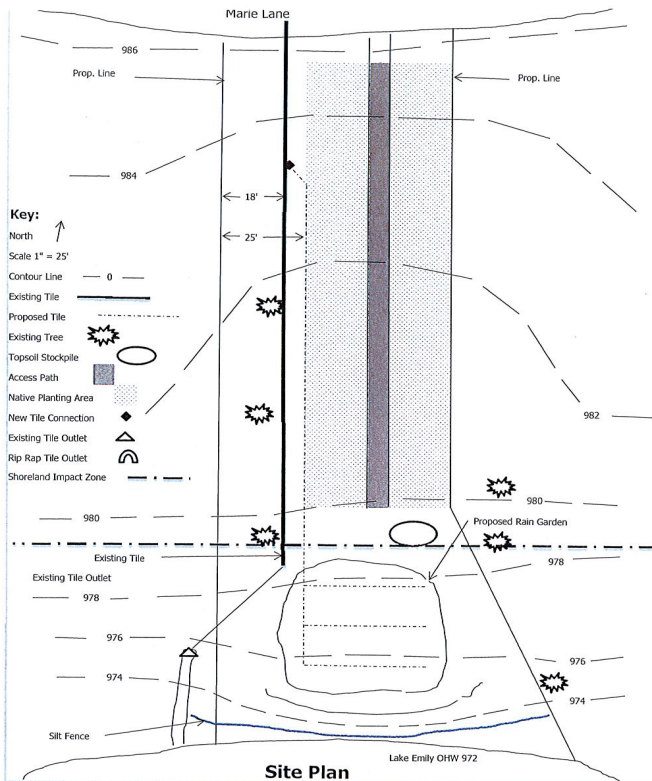
SHORELAND: The proposal is located within the Shoreland District.

WETLANDS: According to the National Wetlands Inventory, No wetlands located in the quarter-quarter section where the project is proposed.

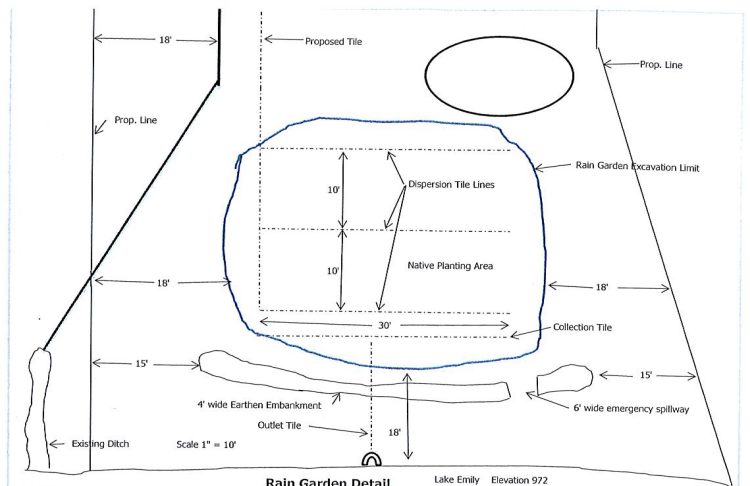
AERIAL PHOTO



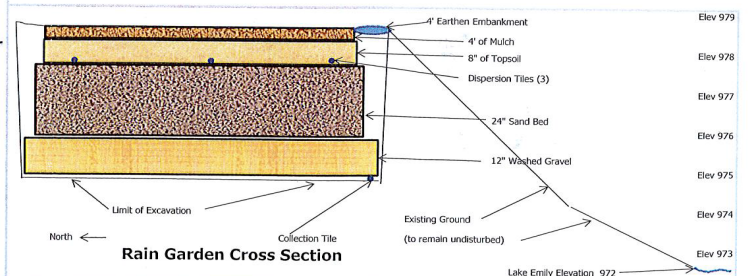
SURVEY



Lake Emily Project



Rain Garden Detail



Rain Garden Cross Section

Conservation Landscapes
10475 440th Avenue
Mapleville, MN 55066

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed professional engineer under the laws of the State of Minnesota.
Andrew R. Kline

LAND USE APPLICATION PERFORMANCE STANDARDS

- Name and Address of Applicant: Lake Emily Lake Association % Ken Britz
- Landowner: Lake & Links Homeowners Association % Ken Britz
- Legal Description- Attached
- Environmental Impact- Project will improve weather quality in Lake Emily
- Stormwater runoff- Project will reduce stormwater runoff
- Does any part of the project extend below the Original High Water Level- no
- Wetland Impact -No
- Slope Stability – Stability will be enhanced by this project
- Certificate of Insurance-upon request
- Meets all applicable state and federal regulations – yes
-

ATTACHMENTS

Narrative, Survey, Erosion Control Plan, Letter from LSC Resource Specialist

PLANNING AND ZONING COMMISSION CONSIDERATIONS

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PLANNING AND ZONING COMMISSION FINDINGS

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A D NA
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Recommend (circle one) approval / denial / table / of Conditional Use Permit.