



**LE SUEUR COUNTY PLANNING AND ZONING
BOARD OF ADJUSTMENT
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
(507) 357-8538**

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD

DATE: MARCH 19, 2015

TIME: 3:00 PM

PLACE: ENVIRONMENTAL SERVICES BUILDING, 515 SOUTH MAPLE AVE LE CENTER MN

PURPOSE: To hear testimony from interested parties and consider Variance Applications as provided by the Zoning Ordinance of Le Sueur County as described below:

ITEM #1 Board of Adjustment Notice of Public Hearing

ITEM #2 Board of Adjustment Agenda

ITEM #3 Le Sueur County Parks Department Packet

ITEM #4 02-19-15 APPROVED Minutes

INFORMATION AVAILABLE FOR REVIEW AT THE ENVIRONMENTAL SERVICES DEPARTMENT
APPLICANT OR REPRESENTATIVE MUST BE PRESENT IN ORDER FOR THE APPLICATION TO BE HEARD.
ONSITE VISIT WILL BE MADE BY THE BOARD OF ADJUSTMENT March 19, 2015.

KATHY BROCKWAY, LE SUEUR COUNTY PLANNING & ZONING ADMINISTRATOR



Le Sueur County, MN

Thursday, March 19, 2015

Regular Session

Item 1

Board of Adjustment Notice of Public Hearing

Staff Contact: Kathy Brockway or Michelle Mettler

**LE SUEUR COUNTY PLANNING AND ZONING
BOARD OF ADJUSTMENT
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
(507) 357-8538**

TO WHOM IT MAY CONCERN: NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD

DATE: MARCH 19, 2015

TIME: 3:00 PM

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

PURPOSE: To hear testimony from interested parties and consider Variance and Appeal Applications, as provided by the Zoning Ordinance of Le Sueur County, as described below.

Applications are available for review at the Environmental Services Building during normal business hours and on the website on or after **MARCH 10, 2013**.

ITEM #1: POSTPONED

MARK PERKINS, CLEVELAND, MN, (APPLICANT/OWNER): Requests that the County grant a Use Variance from the Le Sueur County Zoning Ordinance to allow the applicant to expand a legal non-conforming feedlot operation in an Agriculture "A" District. Property is located in SE 1/4 NW 1/4, Section 28, Cleveland Township. **VARIANCE IS FOR EXPANSION OF A LEGAL NON-CONFORMING USE.**

ITEM #2: POSTPONED

MARK PERKINS, CLEVELAND, MN, (APPLICANT/OWNER): Requests that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to construct an addition to an existing animal feedlot confinement structure 25 feet from the road Right-Of-Way (ROW) and 29 feet from the property line; construct feed structures 30 feet from the road ROW; Suitable area acreage in an Agriculture "A" District. Property is located in SE 1/4 NW 1/4, Section 28, Cleveland Township. **VARIANCE IS FOR SETBACKS TO ROAD ROW & PROPERTY LINE AND SUITABLE AREA ACREAGE SIZE.**

ITEM #3: LE SUEUR COUNTY PARKS DEPARTMENT, (APPLICANT); LE SUEUR COUNTY, (OWNER): Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to construct an addition to a non-conforming structure 58 feet from the road Right-Of-Way (ROW) and 141 feet from the Ordinary High Water Level (OHWL) in a Special Protection "SP" District, on a Recreational Development "RD" lake, Lake Jefferson. Property is located in Government Lot 2, Section 5, Elysian Township. **VARIANCE IS FOR EXPANSION OF A NON-CONFORMING STRUCTURE, ROAD ROW AND OHWL SETBACKS.**

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

ONSITE VISIT WILL BE MADE BY THE BOARD OF ADJUSTMENT March 19, 2015

KATHY BROCKWAY, LE SUEUR COUNTY PLANNING & ZONING ADMINISTRATOR
MICHELLE R. METTLER, ASSISTANT PLANNING & ZONING ADMINISTRATOR



Le Sueur County, MN

Thursday, March 19, 2015

Regular Session

Item 1

Board of Adjustment Agenda

Staff Contact: Kathy Brockway or Michelle Mettler

LE SUEUR COUNTY BOARD OF ADJUSTMENT

Le Sueur County Environmental Services, 515 South Maple Ave, Le Center, MN.

MEETING AGENDA

Meeting Date: March 19, 2015

Meeting Time: 3:00 pm

Onsite Date: March 19, 2015

Onsite Time: 1:45 pm

ITEM #1: Perkins Use Variance

ITEM #2: Perkins

ITEM #3: Le Sueur County Parks Department

Discussion Items: Minutes

ADJOURN

Board of Adjustment Hearing Procedure: The Chairman calls the meeting to order, then calls the item to be heard and asks the Applicant or representative present to come to the podium to answer any questions or present any comments. The Chairman opens the meeting to the public. Each speaker comes to the podium and states their name for the record prior to making a statement or posing a question. All questions or comments are to be directed **to the board, not the applicant.** After the public comments the Board of Adjustment publicly discusses the information and reviews the findings before making a motion. All meetings are recorded.



Le Sueur County, MN

Thursday, March 19, 2015

Regular Session

Item 1

Le Sueur County Parks Department Packet

Staff Contact: Kathy Brockway or Michelle Mettler

VARIANCE STAFF REPORT

GENERAL INFORMATION

APPLICANT: Le Sueur County Parks Department-Geldner Saw Mill
OWNER: Le Sueur County
911 ADDRESS: 46542 Beaver Dam Rd
VARIANCE REQUEST: To allow the applicant to construct an addition to a non-conforming structure 58 feet from the road Right-Of-Way (ROW) 141 feet from the Ordinary High Water Level (OHWL).
VARIANCE NUMBER: 15020
PARCEL NUMBER: 04.999.0030

SITE INFORMATION

LOCATION: Part of Government Lot 2, Section 5, Elysian Township
ZONING & PURPOSE: Special Protection

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

GENERAL SITE DESCRIPTION: Shoreland , recreational
ACCESS: Existing off County Road 13, Beaver Dam 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 meet RFPE.

ATTACHMENTS

Application, Written Detail of Request, Survey, Surveyor Certification, Aerial photo, Findings of Fact, SWCD email

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. Structure to road ROW:	38 feet	60 feet	Section 13, Subdiv. 5.A.1.	13-30
b. Structure to OHWL:	141 feet	150 feet	Section 13, Subdiv. 5. E. 1.	13-31
2. Refer to DNR Guidance Letters:				
a. The Role of the Variances in Shoreland Management Ordinances				pg. 9

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**.

CONSIDERATIONS

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.

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: 2/17/2015
60 DAY RULING DATE: 4/17/2015

PERMIT NUMBER 15020

FEE: \$646.00

APPLICANT: LE SUEUR COUNTY
ADDRESS: 88 SOUTH PARK AVE
CITY: LE CENTER
STATE: MN
PHONE: 507-357-2251

ZIP: 56057

PROPERTY OWNER: LE SUEUR COUNTY
ADDRESS: 88 SOUTH PARK AVE
CITY: LE CENTER
STATE: MN
PHONE: 507-357-2251

ZIP: 56017

PARCEL NO: 04.999.0030

TOWNSHIP: ELYSIAN

911: 46542 BEAVER DAM RD

SEC: 5

SUBDIV: NA

TWP: 109

LOT: NA

ZONE: SP

RANGE: 24

BLOCK: NA

FEMA PANEL #: 27079C0300D

Q/Q:

ROAD: CNTY

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 an addn on a non-conforming structure 58 ft from the ROW and 141 ft from the OHWL.

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:

Don Peak, PARKS

APPLICANT/PROPERTY OWNER

2/17/15

DATE

Le Sueur County Planning and Zoning Authority

LE SUEUR COUNTY PLANNING AND ZONING AUTHORITY

2/17/15

DATE

** FEES ARE NON-REFUNDABLE**

ON-SITE TOUR DATE: _____

PUBLIC HEARING DATE: 3/19/2015

ACTION: _____



AS WRITTEN



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: LE SUEUR COUNTY

Variance # 15020

Variance Request: To allow the applicant to construct an addn on a non-conforming structure 58 ft from the ROW and 141 ft from the OHWL.

- 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?

Explain _____

JM	JW	JD	CH	FC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Explain _____

JM	JW	JD	CH	FC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Explain _____

JM	JW	JD	CH	FC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Explain _____

JM	JW	JD	CH	FC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Explain _____

JM	JW	JD	CH	FC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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?

Explain _____

JM	JW	JD	CH	FC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Explain _____

JM	JW	JD	CH	FC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

() APPROVED

() DENIED

CONDITIONS:

Applicant response to conditions:

Agree ()

Disagree ()

Reasons:

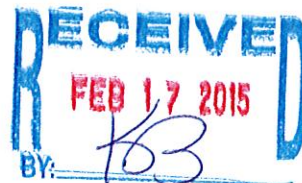
Board of Adjustment Chairman

Date

Le Sueur County

Variance Application

- I. **Applicant:**
Name LE SUEUR COUNTY
Mailing Address 88 SOUTH PARK AVE
City LE CENTER State MN Zip 56057
Phone # 507-357-8201 Phone # _____
- II. **Land Owner (s), if different from above:**
Name SAM
Property Address _____
City _____ State _____ Zip _____
Phone # _____ Phone # _____
- III. **Parcel Information:**
Parcel Number 04-999-0030 Parcel Acreage 4.44
Legal Description-Full legal description must be attached (not from tax statement)
Attached
- IV. **Variance Request:**
THE COUNTY WOULD LIKE TO ADD ON AN ADDITION TO THE SOUTH END OF THE EXISTING BOILER ROOM. THIS NEW ADDITION WOULD HOUSE THE NEW BOILER. THE OLD BOILER WOULD STAY RIGHT WHERE IT IS, WOULD NOT BE USED
- V. **Township Notification:** Township must be notified of proposed request prior to application.
ELYSIAN Township notified on OCTOBER 16, 2014
(Township Name) (Date) TOWNSHIP IS OK WITH VARIANCE
Board Member DOUG SWEDBERG regarding the proposed request.
(Name)
- VI. **Quantities and Submittal Formats:**
- One (1) reproducible 8.5" x 11" copy of the request and all other supporting documents.
 - Ten (10) copies must be submitted, if in color, an aerial, or larger than 8.5" x 11" in size.
 - Electronic version of any supporting documents if available.
 - Additional copies may be requested as deemed necessary by the Department.
 - Application must be made in person by the applicant and/or landowner no later than 12 P.M. on the date of application deadline. Appointment is necessary.
 - All required information must be correct and submitted at the time of application, or the application will not be accepted.
 - Applications will not be accepted by mail.



VII. Site Plan-must be a survey and shall include but not limited to the following:

- North point
- Setbacks
- Property lines
- Road Right-Of-Way
- Easements
- Access
- Impervious Surface -- Itemized current & proposed with total percentages (If in Shoreland)
- Location of significant trees to be removed (If in Shoreland) *NONE*
- Note how disturbed areas will be restored (If in Shoreland)
- Landscape, screening and buffering (If applicable)
- Lakes
- Rivers
- Wetlands
- Streams
- Ponds
- Existing structures (*within and adjacent to project area*)
- Proposed Structures
- Lot Dimensions
- Septic System *NONE*
- Well *NONE*

Building site shall be physically staked by the surveyor or the application will be tabled.

VIII. Attachments shall include but not limited to:

- ☒ a. Site Plan-*survey*
- ☒ b. Full legal description
- ☒ c. Access approval *SAME: NO CHANGE*
- ☒ g. Surveyor Certification
- ☐ d. Floor plans and/or blue prints (For structures)
- ☒ e. Septic System Compliance Inspection *NONE*
- ☒ f. Erosion control plan
- ☒ g. Written Detail of Variance

THERE IS NO SEPTIC SYSTEM AT SDW MILL

IX. Fee: Must be paid at the time of application.

Variance: \$ 600
Filing Fee: \$ 46
After-The-Fact meeting fees are doubled.

Additional Fees:

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

X. Procedure:

The Board of Adjustment shall hold a public hearing on the proposed Variance at a regularly scheduled Board of Adjustment meeting.

The Board of Adjustment has the authority to determine Variance approval or denial.

The Planning & Zoning Administrator shall notify the applicant and/or landowner in writing of the Board of Adjustment decision.

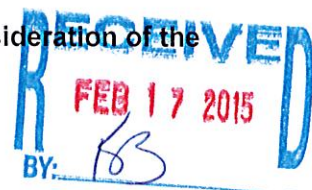
A zoning permit is required prior to starting construction; however zoning permits will not be available the day of the Board of Adjustment meeting.

XI. 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.

A Variance may be granted only where the strict enforcement of the official control will result in a practical difficulty.

It is the responsibility of the applicant and/or landowner to prove evidence that a practical difficulty exists.

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.

THE VARIANCE IS THE MINIMUM NECESSARY TO MEET OUR GOAL.
AT THIS POINT THERE IS NO OTHER WAY WE CAN DO THIS, EXCEPT TO
ADD A NEW BOILER ROOM.

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

THE STATE BOILER INSPECTORS WILL NOT ALLOW LESUEUR COUNTY TO
PUT THE NEW BOILER MAKE AT THE ORIGINAL PLACE IT IS AT NOW
NEW RULES PREVENT THE COUNTY TO PUT IT BACK THE WAY IT IS NOW.
NOT ENOUGH ROOM UNDER THE NEW LAWS.

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

NEW LAWS THAT REGULATES THE BOILER INDUSTRY THAT
PREVENTS LESUEUR COUNTY FROM USING THE ORIGINAL ROOM.
THE ORIGINAL BOILER ROOM IS TOO SMALL TO PUT NEW BOILER IN.
(SAME SIZE BOILER)

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

THE GELDER SAW MILL IS A HISTORICAL BUILDING AND IS
MONITORED BY THE STATE HISTORICAL SOCIETY. THEY WILL HAVE TO
APPROVE THE NEW ADDITION, WE WILL BE BUILDING IT TO LOOK MUCH
LIKE THE OLD PART OF THE SAW MILL.

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

YES, UNDER NEW LAWS, PREVENTS THE COUNTY FROM PUTTING
BOILER BACK THE WAY IT IS NOW. IT WILL ACTUALLY COST
MORE TO ADD THIS ADDITIONS.

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

I WOULD HAVE TO SAY YES TO THIS QUESTION. WE ARE NOT TAKING
ANY AGRICULTURAL LAND OUT OF PRODUCTION. ANY FEED LOTS IN THE AREA WILL
NOT MATTER TO THIS PROJECT. WE ARE NOT IN A BUFF AREA. WATER QUALITY IS
NOT A ISSUE. WE DO NOT HAVE A SEPTIC SYSTEM. ORDINANCE TALKS ABOUT PUBLIC
PARKS & OPEN SPACES FOR PEOPLE TO USE, AND THAT IS WHAT WE HAVE HERE.

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

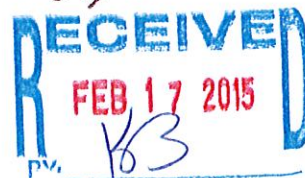
IN THE LESUEUR COUNTY LAND USE PLAN ON PAGE 26, GOAL #7 SAYS
PARKS AND OTHER COUNTY OWN OPEN SPACES ARE VALUABLE RESOURCES THAT NEED
TO BE IMPROVED AND DEVELOPED TO SERVE COUNTY RESIDENTS. THE GELDER SAW MILL
PROJECT DOES NEED IMPROVING TO SERVE COUNTY RESIDENTS. HISTORY OF OUR COUNTY

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

NO SEPTIC SYSTEM, NO WATER, WATER IS
BROUGHT IN THE DAYS THE SAW MILL IS RUNNING.
ON SITE PORT-A-JOHN IN SUMMER

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

WE ARE ONLY BUILDING THE ADDITION BIG ENOUGH TO FIT THE
BOILER IN IT. THE STATE INSPECTORS NEED THREE (3) FEET ON ALL
SIDES OF THE BOILER TO WALK AROUND IT. AND SEVEN FEET (7) OF
HEAD ROOM.



XII. 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.

Don Peak
Applicant signature

10/20/14
Date

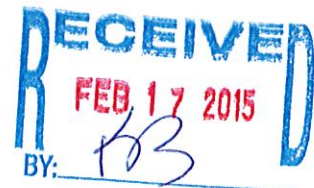
I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

Don Peak For LE SUEUR COUNTY
Land Owner signature

10/20/14
Date

OFFICE USE ONLY			
Date received <u>2/19/15</u>	Present Zoning Classification <u>SP</u>	Feedlot within 500' <u>1000'</u>	<u>(N)</u>
Meeting date <u>3/19</u>	Lake Classification <u>RD</u>	Erosion Control Plan	Y N
60 Day <u>4/19</u>	Lake <u>W</u>	Water courses	Y N
FEMA Panel # <u>270</u>	Flood Zone <u>X Outside (Addn)</u>	Bluff	Y <u>(N)</u>
<input checked="" type="checkbox"/> Surveyor Certificate	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Septic <u>NA</u>	CI / DESIGN
<input checked="" type="checkbox"/> Site Plan -survey	<input type="checkbox"/> Access approval <u>ext</u>	<input type="checkbox"/> Fee \$ <u>0</u>	ATF / SPEC MTG
<input checked="" type="checkbox"/> Full legal	<input checked="" type="checkbox"/> Blue Prints	<input type="checkbox"/> Other	
<input checked="" type="checkbox"/> Application complete	<input checked="" type="checkbox"/> Written Detail of Var		
<u>K Brockway</u> Planning & Zoning Department Signature	<u>2/17/15</u> Date	<u>2 15020</u> Permit #	

04-15-13



LE SUEUR COUNTY SAWMILL SURVEY

DESCRIPTIONS PROVIDED

PARCEL 1
That part of Government Lot 2, Section 5, Township 109, Range 24, Le Sueur County, Minnesota, described as follows: Commencing at meander corner No. 52; thence on an assumed bearing of East at right angles to the west line of said Section 5, a distance of 726.00 feet; thence South 05 degrees 16 minutes East, a distance of 173.75 feet to the point of beginning of the tract to be described; thence South 75 degrees 33 minutes East, a distance of 368.50 feet to the centerline of County Road No. 13; thence South 09 degrees 26 minutes East along said centerline of County Road No. 13, a distance of 57.80 feet; thence South 58 degrees 22 minutes West, a distance of 290.00 feet; thence North 32 degrees 33 minutes 20 seconds West, a distance of 383.85 feet; thence South 75 degrees 33 minutes East, a distance of 90.00 feet to the point of beginning. This tract contains 1.55 acres of land and is subject to right-of-way in existing County Road.

PARCEL 2
Commencing at Meander Corner Number 52, Section Number 5, Township 109 North, Range Number 24 West, Le Sueur County, Minnesota, thence East (Assumed Bearing) 726.00 feet to place of beginning; thence South 05 degrees 16 minutes East 173.75 feet; thence South 75 degrees 33 minutes East 368.50 feet to the center of County Road Number 13; thence North 09 degrees 40 minutes West on the center of said road, 475.00 feet; thence South 75 degrees 32 minutes West, 314.77 feet; thence South 05 degrees 16 minutes East, 125.17 feet to place of beginning. Contains 2.86 acres, RESERVING however unto parties of the first parties, and the survivor thereof, a life estate in and to the following described property; Commencing at Meander Corner Number 52, Section Number 5, Township Number 109 North, Range Number 24 West, thence East 726.00 feet; thence North 05 degrees 18 minutes West, 125.17 feet; thence North 75 degrees 32 minutes East, 186.32 feet to place of beginning; thence South 09 degrees 40 minutes East, 185.20 feet; thence North 80 degrees 20 minutes East, 128.00 feet to the center of County Road 13, thence North 09 degrees 40 minutes West on the center of said road, 197.00 feet; thence South 75 degrees 32 minutes West, 128.45 feet to place of beginning, containing 0.56 acres.

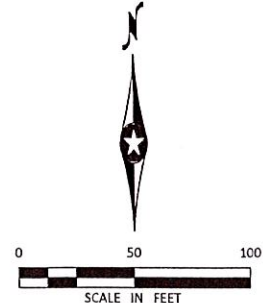
TOTAL LOT AREA	
160697 SQ FT (3.69 ACRES)	
EXISTING IMPERVIOUS SURFACE	
SAWMILL	1924 SQ FT
BUILDING 2 W/ OVERHANG	1157 SQ FT
GRAVEL SURFACE	7789 SQ FT
BITUMINOUS SURFACE	6440 SQ FT
DECK	49 SQ FT
RETAINING WALL	7 SQ FT
TOTAL	17366 SQ FT (10.8%)

SITE ADDRESS
46542 BEAVER DAM ROAD
CLEVELAND, MN 56017

PID 04.999.0030

OWNER ADDRESS
LE SUEUR COUNTY
88 PARK AVENUE SOUTH
LE CENTER, MN 56057

- LEGEND**
- MONUMENT FOUND
 - ✱ LIGHT POLE
 - ⊙ FLAG POLE
 - ⊙ UTILITY POLE
 - ⊙ POST FOR CHIMNEY
 - ⊙ HYDRANT
 - ⊙ TRAFFIC SIGN
 - ⊙ COMMUNICATION PEDESTAL
 - ⊙ ELECTRIC METER
 - OU — UTILITY OVERHEAD
 - X — FENCE LINE
 - (D) DEED BEARING



SURVEYOR'S CERTIFICATION
I hereby certify that this survey 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

10-28-14
Date

Horizontal Datum: 1996 Le Sueur County Coordinate System
Vertical Datum: NGVD 1929

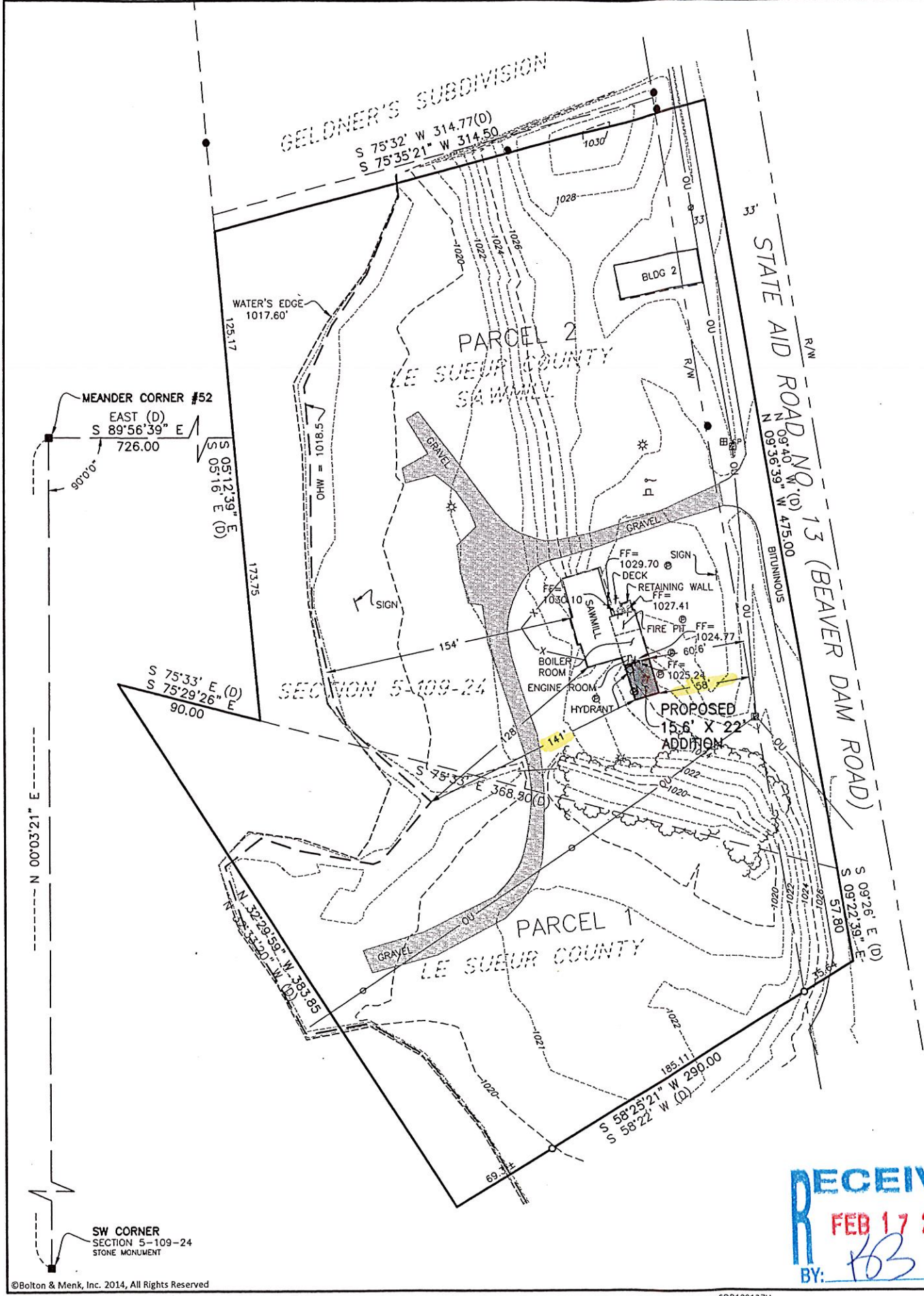
CERTIFICATE OF SURVEY
LE SUEUR COUNTY, MINNESOTA

BOLTON & MENK, INC.
Consulting Engineers & Surveyors

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

PART OF GOVT LOT 2 OF SECTION 5, TOWNSHIP 109 NORTH, RANGE 24 WEST, ELYSIAN TOWNSHIP, LE SUEUR COUNTY, MINNESOTA

FOR: LE SUEUR COUNTY PARKS DEPARTMENT



Le Sueur County

Surveyor Certification

I. Applicant:

Name Le Sueur County Parks

II. Property Owner (s), if different from above:

Name _____

Property Address _____

City _____ State _____ Zip _____

III. Parcel Information:

Parcel Number 04.999.0030

IV. Quantities and Submittal Formats:

- One reproducible 8.5" x 11" copy of the request and all other supporting documents.
- If in color, an aerial, or larger than 8.5" x 11" in size, 10 copies must be submitted.
- Electronic version of any supporting documents, if available.
- Additional copies may be requested as deemed necessary by the Planning & Zoning Department.
- All required information must be correct and submitted at the time of application, or the application will not be accepted.

V. Site Plan-must be a survey:

**BUILDING SITE SHALL BE PHYSICALLY STAKED BY THE SURVEYOR
OR THE APPLICATION WILL BE TABLED.**

Site plan shall include but not limited to:

- North point
- lakes
- existing structures (within and adjacent to project area)
- setbacks
- rivers
- proposed structures
- property lines
- wetlands, ponds
- lot dimensions
- road right-of-way
- streams
- septic system
- easements
- well
- access
- current & proposed impervious surface-Itemized with percentages (if in shoreland)
- landscape, screening and buffering (if applicable)
- location of significant trees to be removed (if applicable)
- note how disturbed areas will be restored (if applicable)

- VI. The proposed improvements have been physically staked onsite then surveyed on 10/28/14, to reflect an accurate account of current and proposed conditions of the property identified above.

VII. Signatures:

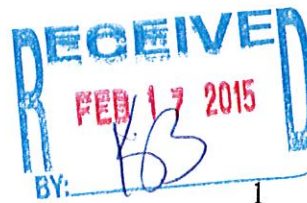
I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

[Signature] 10/28/14 19789
Surveyor's signature Date Lic #

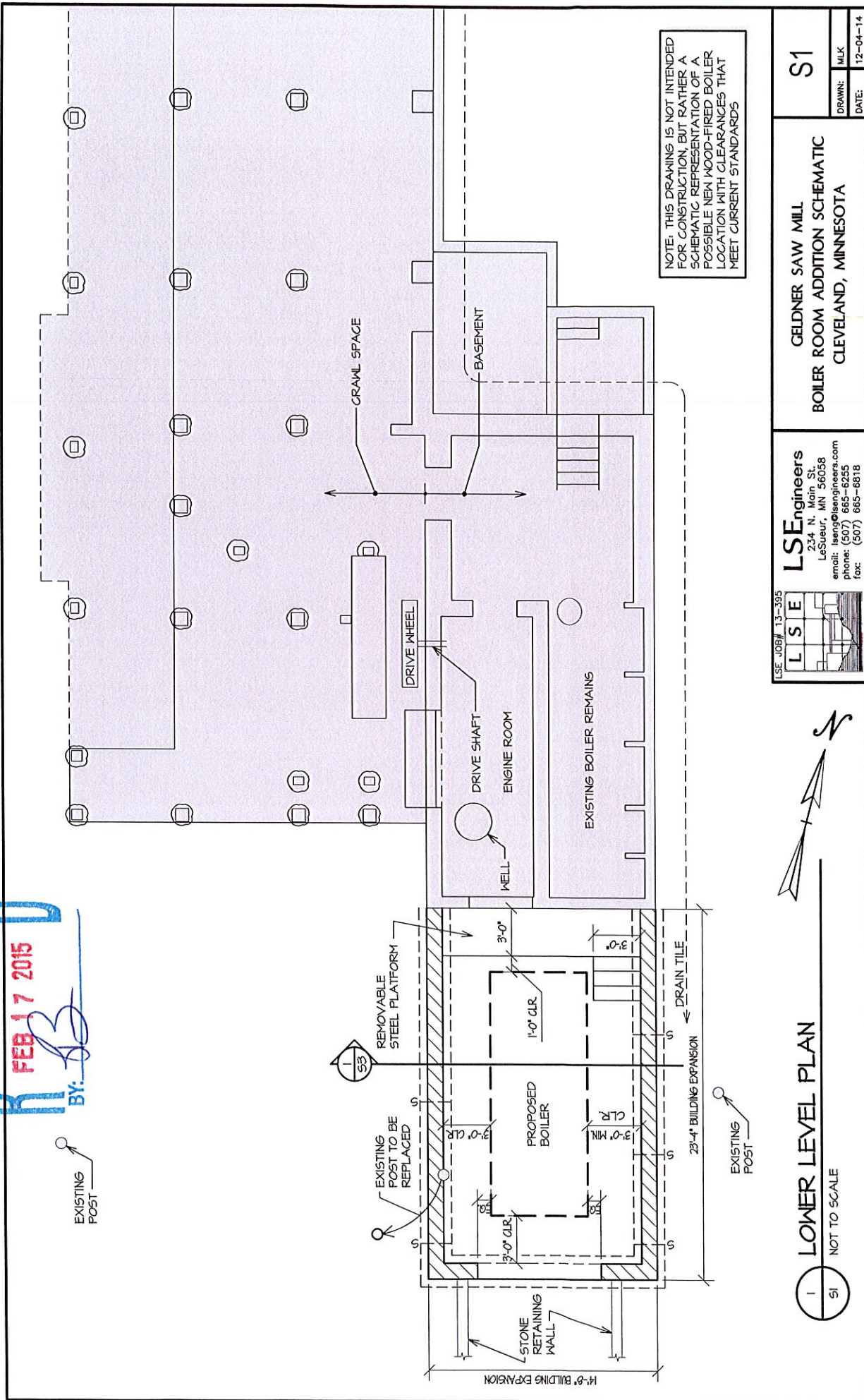
2/17/15
Date received

[Signature]
OFFICE USE ONLY
Planning & Zoning Authority signature

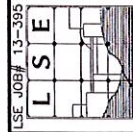
10-01-11



RECEIVED
FEB 17 2015
BY: *[Signature]*



NOTE: THIS DRAWING IS NOT INTENDED FOR CONSTRUCTION, BUT RATHER A SCHEMATIC REPRESENTATION OF A POSSIBLE NEW WOOD-FIRED BOILER LOCATION WITH CLEARANCES THAT MEET CURRENT STANDARDS



LSEngineers
234 N. Main St.
LeSueur, MN 56058
email: lseng@lengineers.com
phone: (507) 685-6235
fax: (507) 685-6818



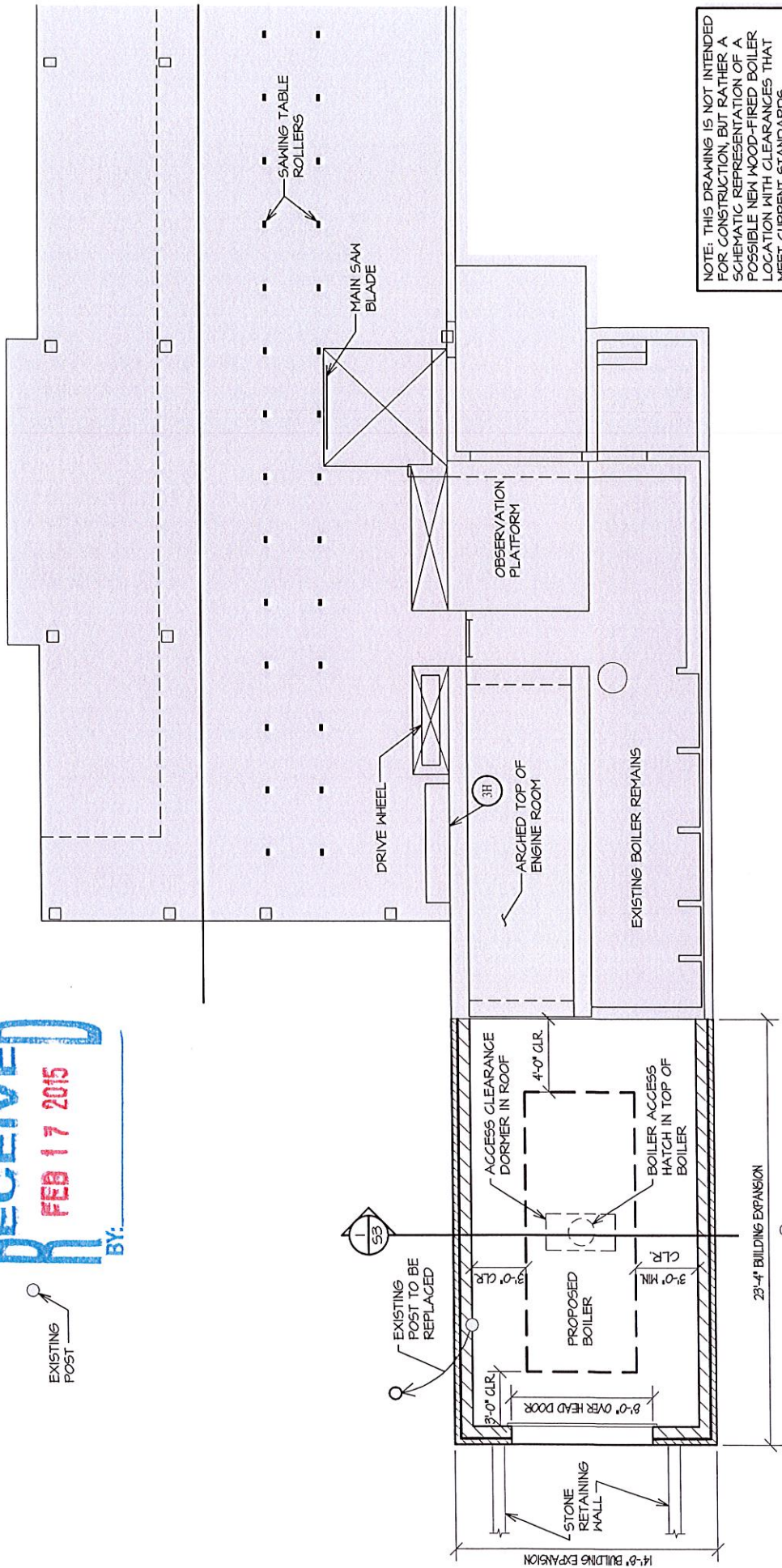
1
SI
LOWER LEVEL PLAN
NOT TO SCALE

S1

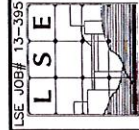
GELDNER SAW MILL
BOILER ROOM ADDITION SCHEMATIC
CLEVELAND, MINNESOTA

DRAWN:	MLK
DATE:	12-04-14

RECEIVED
FEB 17 2015
BY: _____



NOTE: THIS DRAWING IS NOT INTENDED FOR CONSTRUCTION, BUT RATHER A SCHEMATIC REPRESENTATION OF A POSSIBLE NEW WOOD-FIRED BOILER LOCATION WITH CLEARANCES THAT MEET CURRENT STANDARDS



LSEngineers
234 N. Main St.
LeSueur, MN 56058
email: lseng@lseengineers.com
phone: (507) 665-6255
fax: (507) 665-6818



UPPER LEVEL PLAN
NOT TO SCALE

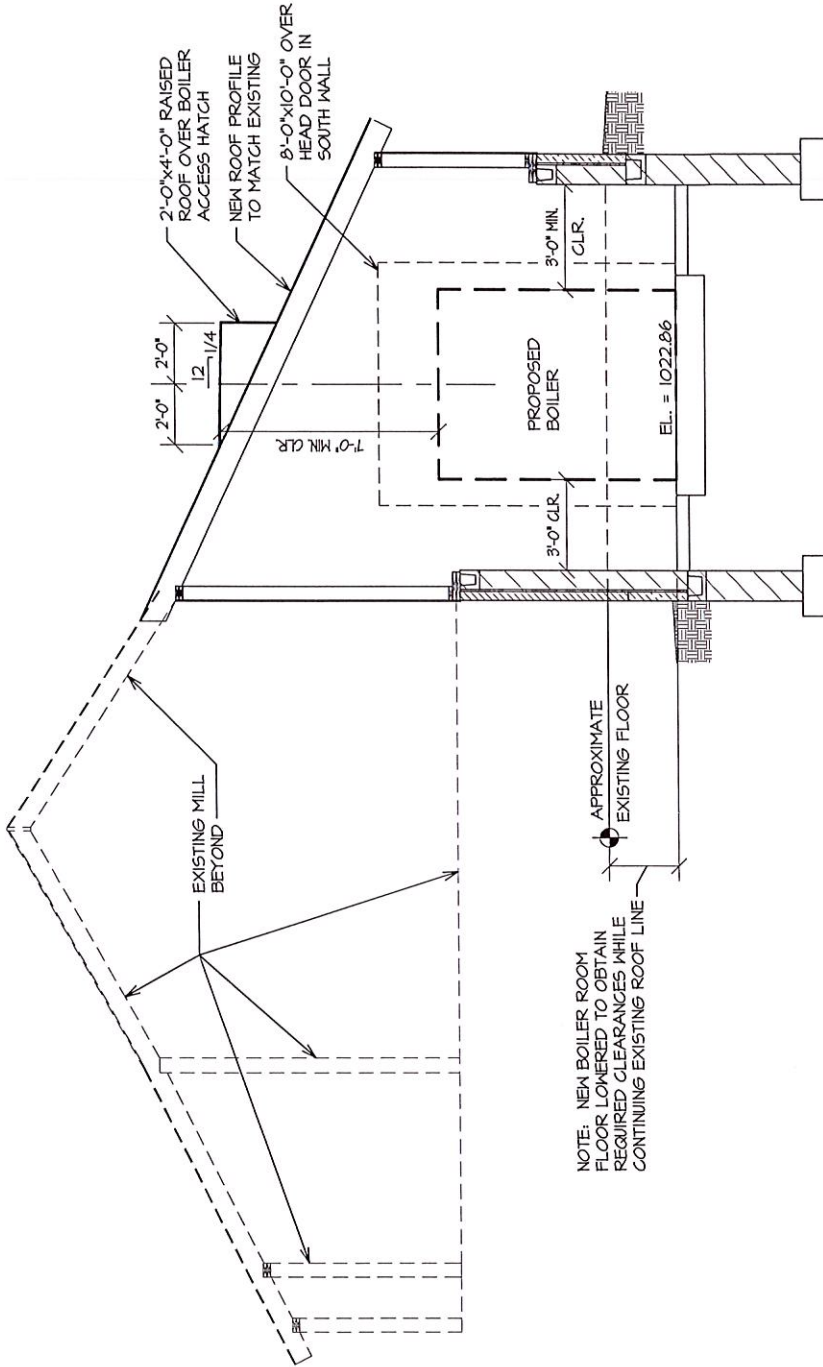
S2

**GELDNER SAW MILL
BOILER ROOM ADDITION SCHEMATIC
CLEVELAND, MINNESOTA**

DRAWN:	MLK
DATE:	12-04-14

RECEIVED
FEB 17 2015

BY: _____



NOTE: THIS DRAWING IS NOT INTENDED FOR CONSTRUCTION, BUT RATHER A SCHEMATIC REPRESENTATION OF A POSSIBLE NEW WOOD-FIRED BOILER LOCATION WITH CLEARANCES THAT MEET CURRENT STANDARDS

SECTION
S3
NOT TO SCALE



LSEngineers
234 N. Main St.
LeSueur, MN 56058
email: leeng@lseengineers.com
phone: (507) 665-6255
fax: (507) 665-6818

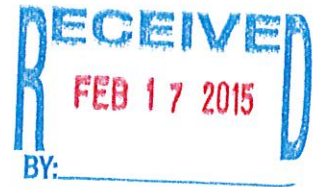
GELDNER SAW MILL
BOILER ROOM ADDITION SCHEMATIC
CLEVELAND, MINNESOTA

S3

DRAWN:	MLK
DATE:	12-04-14

Reak, Don

From: Schultz, Michael - NRCS-CD, Le Center, MN [Michael.schultz@mn.nacdnet.net]
Sent: Tuesday, December 02, 2014 1:20 PM
To: Brockway, Kathy; Reak, Don
Subject: Geldner Sawmill Addition
Attachments: 20120218193027673.pdf



Don and Kathy,

After a site visit the attached surveys OHW line represents where the type 3 wetland starts. I did not find any type 3 wetlands to the south, that is a drainage ditch from the east. So the 141' from the proposed addition would be the closest type 3 location.

If you have any further questions please let me know.

Michael Schultz | District Technician
Le Sueur SWCD | 181 W. Minnesota St. | Le Center, MN 56057
p. (507) 357-4879, ext 3 | f. (507) 357-6982 | michael.schultz@mn.nacdnet.net

www.lesueurswcd.org ■ www.co.le-sueur.mn.us

-----Original Message-----

From: ricoh@mn.usda.gov [<mailto:ricoh@mn.usda.gov>]
Sent: Saturday, February 18, 2012 7:30 PM
To: Schultz, Michael - NRCS-CD, Le Center, MN
Subject:

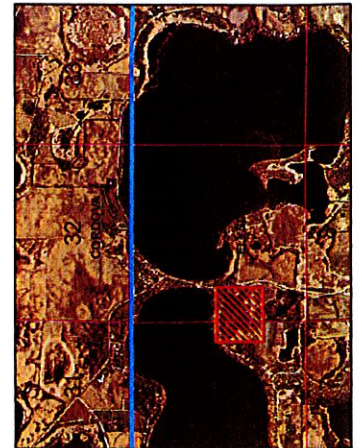
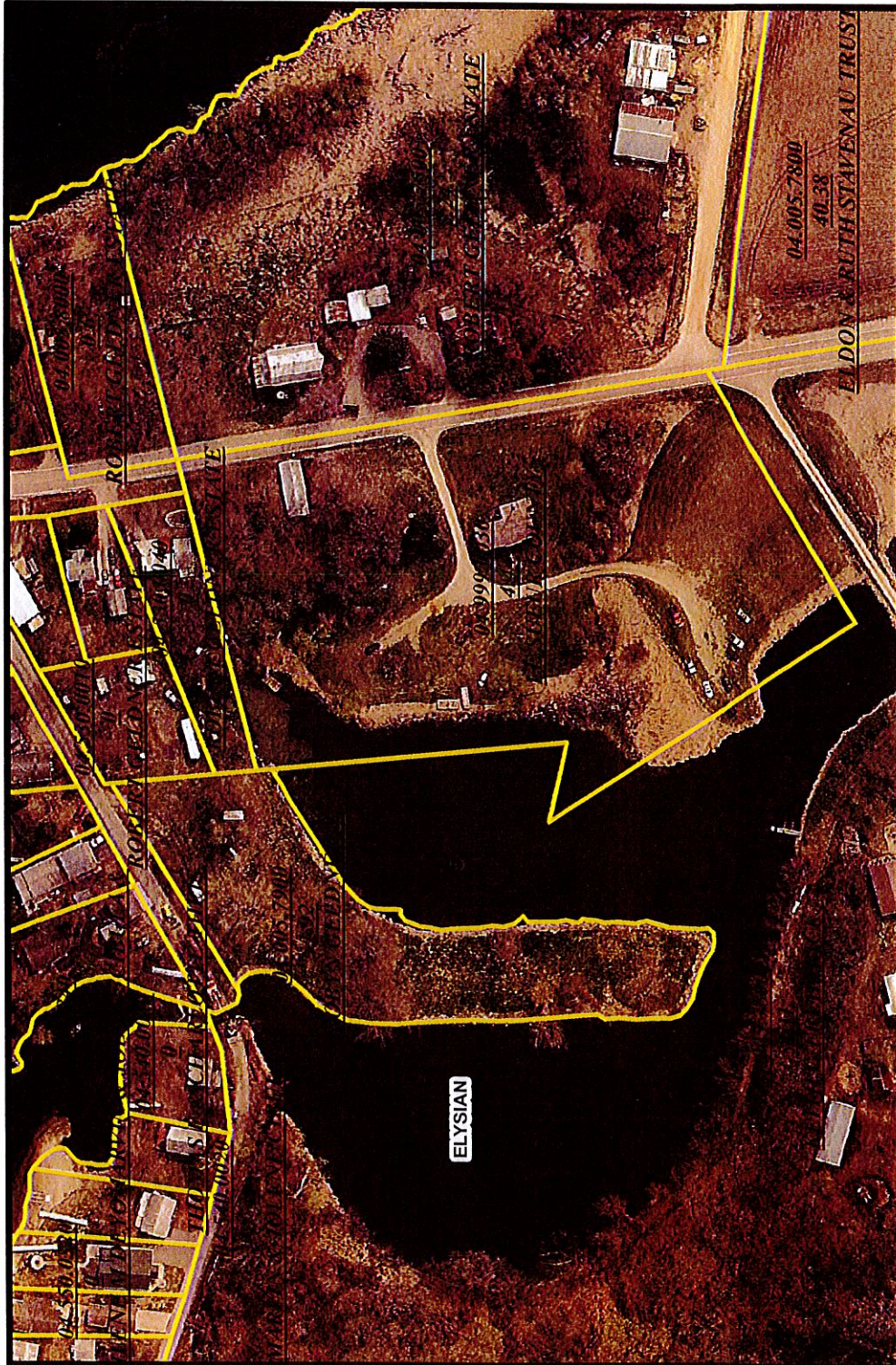
This E-mail was sent from "RNPE5AAE3" (Aficio MP C2800).

Scan Date: 02.18.2012 19:30:27 (-0600)
Queries to: ricoh@mn.usda.gov

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

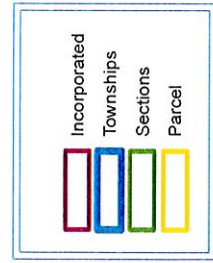
LE SUEUR COUNTY ENVIRONMENTAL SERVICES

NAME: LSC Parks Dept
 PID: 04.999.0030
 DATE: 3-4-15
 FIRM #: 27079C0300D
 F-Zone: X-outside
 RFPE: 1022.86
 District: Special Protection



Map Disclaimer

*Reasonable efforts have been made by the Le Sueur County GIS Department to verify that these maps accurately interpret the source data used in their preparation; however, a degree of error is inherent in all maps, and 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 2013

Created By: MRM

LE SUEUR COUNTY
 ENVIRONMENTAL SERVICES
 507-357-8538



Le Sueur County, MN

Thursday, March 19, 2015

Regular Session

Item 1

02-19-15 APPROVED Minutes

Staff Contact: Kathy Brockway or Michelle Mettler

**LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
BOARD OF ADJUSTMENT
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
February 19, 2015**

MEMBERS PRESENT: Colin Harris, Jeanne Doheny, Jim Mladek, Francis Cummins

MEMBERS ABSENT: John Wolf

OTHERS PRESENT: Kathy Brockway, Commissioner Connolly

The meeting was called to order at 3:00 PM by chairperson, Jeanne Doheny.

ITEM #1: BERNARD & HELEN BAUMANN, SHAKOPEE, MN, (APPLICANT/OWNER):
Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicants to construct a 26 x 36 detached garage with a 3-foot overhang (32 x 42 total) 56 feet from the Ordinary High Water Level (OHWL) in a Recreational Residential "RR" District on a Recreational Development "RD" lake, Lake Tetonka. Property is located at lots 32, 33 & 34, Tetonka Beach Subdivision, Section 24, Elysian Township. **VARIANCE IS FOR OHWL SETBACK.**

Bernard Baumann (applicant) and representative from I & S Engineering were present for the application. Township: Notified per application process. DNR: no response. Letters submitted: none. PUBLIC COMMENT: none

Discussion was held regarding: lengthy discussion regarding other options for placement of garage, relocate electrical pole, well location, access, overhang, aesthetics, wetland setback, detached garage or attached garage, lake setback.

Motion was made by Jim Mladek to table the application in order to look at alternative locations for placement of the garage. Seconded by Fritz Cummins. Motion approved. Motion carried.

Minutes: Additions or corrections-None. Motion to approve minutes by Jim Mladek. Seconded by Colin Harris. Motion approved. Motion carried.

Motion to adjourn meeting by Colin Harris. Seconded by Fritz Cummis. Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,
Kathy Brockway
February 19, 2015

APPROVED MARCH 19, 2015

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