



Le Sueur County, MN

Thursday, May 21, 2015

Regular Session

Item 2

Vargason Packet

Staff Contact: Kathy Brockway or Michelle Mettler

VARIANCE STAFF REPORT

GENERAL INFORMATION

APPLICANT/OWNER: **Randall & Ann Vargason**

911 ADDRESS: **50373 Moores Ln, Waterville MN**

VARIANCE REQUEST: **To allow the applicant to construct a single-family dwelling 44 feet from a private road ROW, an existing septic tank 4 feet from the property line, a new pump tank 5 feet from the property line, an existing septic drainfield absorption area 7 feet from the proposed attached garage, new drainfield absorption area 16 feet from the proposed attached garage and 5 feet from the property line.**

VARIANCE NUMBER: **15053**

PARCEL NUMBER: **14.420.0050**

SITE INFORMATION

LOCATION: **Lot 5, Auditor's Subdivision Part of Government Lots 3 & 4 Section 28, Township 109 North, Range 23 West, Le Sueur County, Minnesota.**

ZONING & 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.

The **Mineral Resources Overlay District** is intended to protect areas with existing significant mineral resources including sand, gravel, limestone and sandstone deposits, as shown in the Le Sueur County Aggregate Resources Inventory completed pursuant to Minnesota Statutes Chapter 84.94.

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

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

GENERAL SITE
DESCRIPTION: **Shoreland, residential**

ACCESS: **Existing access off Moore's Lane**

LAKE: **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.

RFPE: **Regulatory Flood Protection Elevation: 1006.08 Lowest floor must meet RFPE.**

ATTACHMENTS

Application, Written Detail of Request, Survey, Surveyor Certification, Aerial photo, Findings of Fact, Septic Certificate of Compliance, House plans, Erosion control plan

STAFF FINDINGS

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

- | 1. <u>Variance:</u> | <u>Request:</u> | <u>Required:</u> | <u>Ordinance:</u> | <u>Page:</u> |
|---|-----------------|------------------|------------------------------|--------------|
| a. Structure to road ROW: | 44 feet | 65 feet | Section 13. Subdiv. 5.B.3. | 13-43 |
| b. Structure to road ROW: | 44 feet | See Ordinance | Section 13, Subdiv. 5.B.10 | 13-44 |
| c. Septic tank to property line: | 4 feet | 10 feet | Section 17, Subdiv. 4.D.2. | 17-9 |
| d. Pump tank to property line: | 5 feet | 10 feet | Section 17, Subdiv. 4.D.2. | 17-9 |
| e. Drainfield absorption area to prop line: | 5 feet | 10 feet | Section 17, Subdiv. 4.D.2. | 17-9 |
| f. Drainfield absorption area to structure: | 7 feet | 20 feet | Section 17, Subdiv. 4.D.1.a. | 17-9 |
| g. Drainfield absorption area to structure: | 16 feet | 20 feet | Section 17, Subdiv. 4.D.1.a. | 17-9 |
2. Refer to DNR Guidance Letters:
- a. The Role of the Variances in Shoreland Management Ordinances pg. 9
 - b. Limiting Impervious Surface pg. 15
 - c. Non-conforming Lots of Record in Shoreland Areas pg. 19
 - d. Structure Setback Requirements pg. 21
3. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official controls and are consistent with the comprehensive plan.
4. A Variance may be granted **only** where the strict enforcement of the official controls will result in a **practical difficulty**.
5. It is the responsibility of the **applicant** and/or landowner to prove evidence that a practical difficulty exists.
6. A determination that a **practical difficulty exists** upon the consideration of the **findings of fact**.

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.
2. **Considerations For the Flood Plain Overlay District:** No variance shall have the effect of allowing in any district uses prohibited in that district, permit a lower degree of flood protection than the regulatory flood protection elevation for the particular area, or permit standards lower than those required by state law. The following additional variance criteria of FEMA must be satisfied:
- a. Variances shall not be issued by the County within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
 - b. Variances shall only be issued by the County upon the following:

1. A showing of good and sufficient cause.
 2. A determination that failure to grant the variance would result in exceptional hardship to the applicant.
 3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- c. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

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: 4/17/2015
60 DAY RULING DATE: 6/15/2015

PERMIT NUMBER 15053

FEE: \$646.00

APPLICANT: RANDALL & ANN VARGASON
ADDRESS: 2102 6TH AVE NE
CITY: OWATONNA
STATE: MN
PHONE: 651-485-2015

ZIP: 55060

PROPERTY OWNER: RANDALL & ANN VARGASON
ADDRESS: 2102 6TH AVE NE
CITY: OWATONNA
STATE: MN
PHONE: 651-485-2015

ZIP: 55060

PARCEL NO: 14.420.0050

TOWNSHIP: WATERVILLE

911: 50373 MOORES LANE WATERVILLE M

SEC: 28

SUBDIV: AUDITOR'S SD Lots 3+4

TWP: 109

LOT: 5

ZONE: RR/FF/MR

RANGE: 23

BLOCK:

FEMA PANEL #: 27079C0430D

Q/Q:

ROAD: PVT

FLOOD ZONE: AE

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 applicants to construct a SFD 44' to the ROW of a private road.

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:

Randall W Vargason Ann J Vargason
APPLICANT/PROPERTY OWNER

4-17-15
DATE

Kathy Brockway
LE SUEUR COUNTY PLANNING AND ZONING AUTHORITY

4-17-15
DATE

** FEES ARE NON-REFUNDABLE**

ON-SITE TOUR DATE: 5/21/2015	
PUBLIC HEARING DATE: 5/21/2015	ACTION: _____
<input type="checkbox"/> AS WRITTEN	<input type="checkbox"/> WITH CONDITIONS

BOARD OF ADJUSTMENT CHAIRMAN

DATE

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

VARIANCE FINDINGS OF FACT

Name of Applicant: RANDALL & ANN VARGASON

Variance # 15053

Variance Request: To allow the applicants to construct a SFD 44' to the ROW of a private road.

- 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 ()

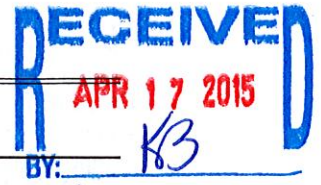
Reasons: _____

Board of Adjustment Chairman

Date

Le Sueur County

Variance Application



I. Applicant:

Name Randall W. + Ann J. Vargason
Mailing Address 2102 6th Ave NE
City Owatonna State MN Zip 55060
Phone # 651-485-2015 Phone # 507-456-6307

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

Name RANDALL W. + Ann J. Vargason
Property Address 50373 moore's Ln
City Waterville State MN Zip 50696
Phone # 651-485-2015 Phone # 507-456-6307

III. Parcel Information:

Parcel Number 14.420.0050 Parcel Acreage .43
Legal Description-Full legal description must be attached (not from tax statement)
See Attached

IV. Variance Request:

To Construct a new dwelling with an attached garage 44 feet from the private road on the south side of the property versus the 65 feet required per the ordinance.

V. Township Notification: Township must be notified of proposed request prior to application.

Waterville Township Township notified on 4-16-15
(Township Name) (Date)

Board Member Fritz Cummins 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.**

VIII. The 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)
- 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
- Well

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
- ☒ g. Surveyor Certification
- ☒ d. Floor plans and/or blue prints (For structures)
- ☒ e. Septic System Compliance Inspection *Emailed*
- ☒ f. Erosion control plan
- ☒ g. Written Detail of Variance

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

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

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.

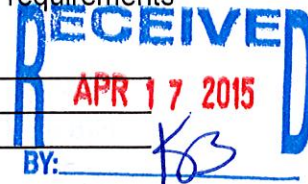
A Variance may be granted only where the strict enforcement of the official control will result in a practical difficulty.

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.

See Attached



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

See Attached

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

See Attached

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

See Attached

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

See Attached

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

See Attached

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

See Attached

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

See Attached

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

See Attached

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.

Randall W. Vargen
Applicant signature

Date

4-16-15

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.

Randall W. Vargen
Land Owner signature

Date

4-16-15

OFFICE USE ONLY

Date received 4/16/15 Present Zoning Classification RR/ME Feedlot within 500' 1000' (N)
Meeting date 5/21/15 Lake Classification RD Erosion Control Plan (Y) N
60 Day 6/15/15 Lake Tetonka Water courses (Y) N
FEMA Panel # 27079C0430 Flood Zone X outside / AE Bluff Y (N)
☒ Surveyor Certificate ☒ Ordinance ☒ Septic (C) DESIGN
☒ Site Plan -survey ☒ Access approval ☒ Fee \$ 646 ATF / SPEC MTG
☒ Full legal ☒ Blue Prints ☐ Other _____
☒ Application complete ☒ Written Detail of Var
Brockway 4/16/15 15053
Planning & Zoning Department Signature Date Permit #

04-15-13

HK 1003.08

RFPE 1006.08

DHAWL 1000.5

Written Detail of Variance:

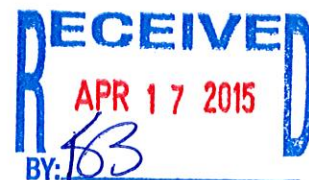
We would like to construct a new dwelling with attached garage on our lot that currently contains a dwelling and a detached garage. In determining the placement of the new structure, we took into consideration the required setbacks from the north (lake side), on the east and west side, the septic system, well placement and existing trees that would be affected. Based on the fact that we would potentially lose 5 mature oak trees on the north side of the house, and to stay back from the setback line, we determined the best placement of the new structure would be approximately 24 feet behind the NW corner and 14 feet behind the NE corner of the existing structure. This would save the five oak trees on the north side and would mean that three pine trees, one ash (nearly dead) and one oak on the south side plus one hollow and leaning oak on the east side would come down. In either case we would lose the trees on the south and east side, thus saving 5 mature oak trees with the proposed placement.

With this placement, the south side of the garage is 44 feet from the private road versus the 65 feet required. The private road is a dead end with minimal traffic use. Beyond our lot to the east, there are only 4 homes.

We feel the placement of the structure as proposed further back from the lake provides a greater buffer zone to the lake. Keeping the mature trees on the lake side will result in less disturbance of the soil.

In addition we have made the commitment to use pervious products to replace concrete and gravel for the driveway and other surfaces, thus being able to meet the 25% impervious requirement.

Currently we have a 2 stall detached garage that is within less than 10 feet of the road. This will be demolished as part of this project.



Variance Application Questions & Answers - Vargason

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

This request for the setback from the road to be 44 feet allows the lakeside setback to be increased providing additional green space and buffer zone from the lake. In addition, 5 mature oak trees are saved on the lake side.

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

In order to meet setback requirements on the lake side, there is just simply not enough depth of the lot to meet the 65 setback to the road.

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

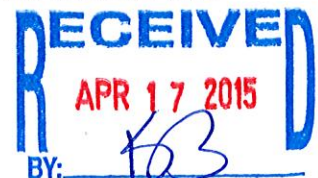
The sizing of the original lot many years ago created a footprint that makes complying with setback rules that were changed since the original structures were built very difficult to comply with.

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

On the lake side, it will be enhanced by adding additional green space with the proposed setback of the new dwelling. We will also be able to save the 5 oak trees on the lakeside. On the south side, both the existing garage and gravel parking area will be replaced by either grass or pervious surface.

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

Yes, choosing the setback from the lake with all of its benefits versus the setback from road.



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

Yes, *this house is being built in a residential district.*

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

The increased green space with the set back on the lake side will provide additional buffer zone for run off before it gets to the lake.

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

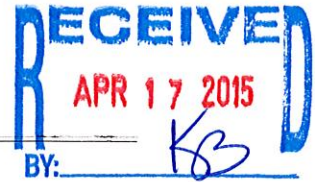
The current septic system is compliant for the existing structure and James Brothers have reviewed the plans for the new structure and will submit a plan at the time of the Zoning Application. The existing well is under the current structure and will be sealed. A new well will be drilled by Bemis Well Drilling.

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

Based on the depth of the lot and the positive environmental impact by having increased lakeside setback of the new structure, we feel this is the minimum variance amount to afford relief.



Le Sueur County



Surveyor Certification

I. Applicant: Name RANDALL VARGASON

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

Name _____
Property Address _____
City _____ State _____ Zip _____

III. Parcel Information:

Parcel Number 14.420.0050

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
- setbacks
- property lines
- road right-of-way
- easements
- 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)
- lakes
- rivers
- wetlands, ponds
- streams
- well
- existing structures (within and adjacent to project area)
- proposed structures
- lot dimensions
- septic system
- access

VI. The proposed improvements have been physically staked onsite then surveyed on 1/22/15 to reflect an accurate account of current and proposed conditions of the property identified above.

HOUSE STAKING to be done By May 8, 2015

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.

Roy Jensen
Surveyor's signature

4/15/15
Date

19789
Lic #

4/16/15
Date received

OFFICE USE ONLY
Brockway
Planning & Zoning Authority signature

10-01-11

EXISTING CONDITIONS

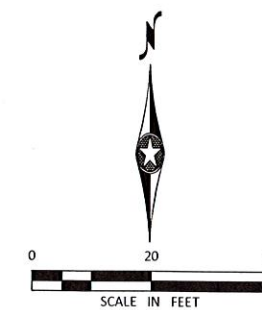
TOTAL LOT AREA (RANDY VARGASON)
19,524 SQ FT TO OHW

EXISTING IMPERVIOUS SURFACE	
HOUSE W/ OVERHANG	1585 SQ FT
GARAGE W/ OVERHANG	725 SQ FT
DECK	1022 SQ FT
BOAT HOUSE	634 SQ FT
GRAVEL SURFACE	1678 SQ FT
BOAT HOUSE DECK	145 SQ FT
RETAINING WALL 1	33 SQ FT
RETAINING WALL 2	25 SQ FT
RETAINING WALL 3	9 SQ FT
CONCRETE & CONCRETE W/STEPS	520 SQ FT
TOTAL	6376 SQ FT (32.6%)

REGULATORY FLOOD PLAIN
ELEVATION (RFPE = 1006.1)

LEGEND

- 3/4" IRON PIPE MONUMENT SET
MARKED BY REG. NO. 19789
- MONUMENT FOUND
- ✱ CONIFEROUS TREE
- ✱ DECIDUOUS TREE
- ⊙ SANITARY MANHOLE
- ⊞ ELECTRIC PEDESTAL
- OU — UTILITY OVERHEAD
- UTILITY POLE



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

4-15-15
Date

Horizontal Datum: HARN 1996 County Coordinate System

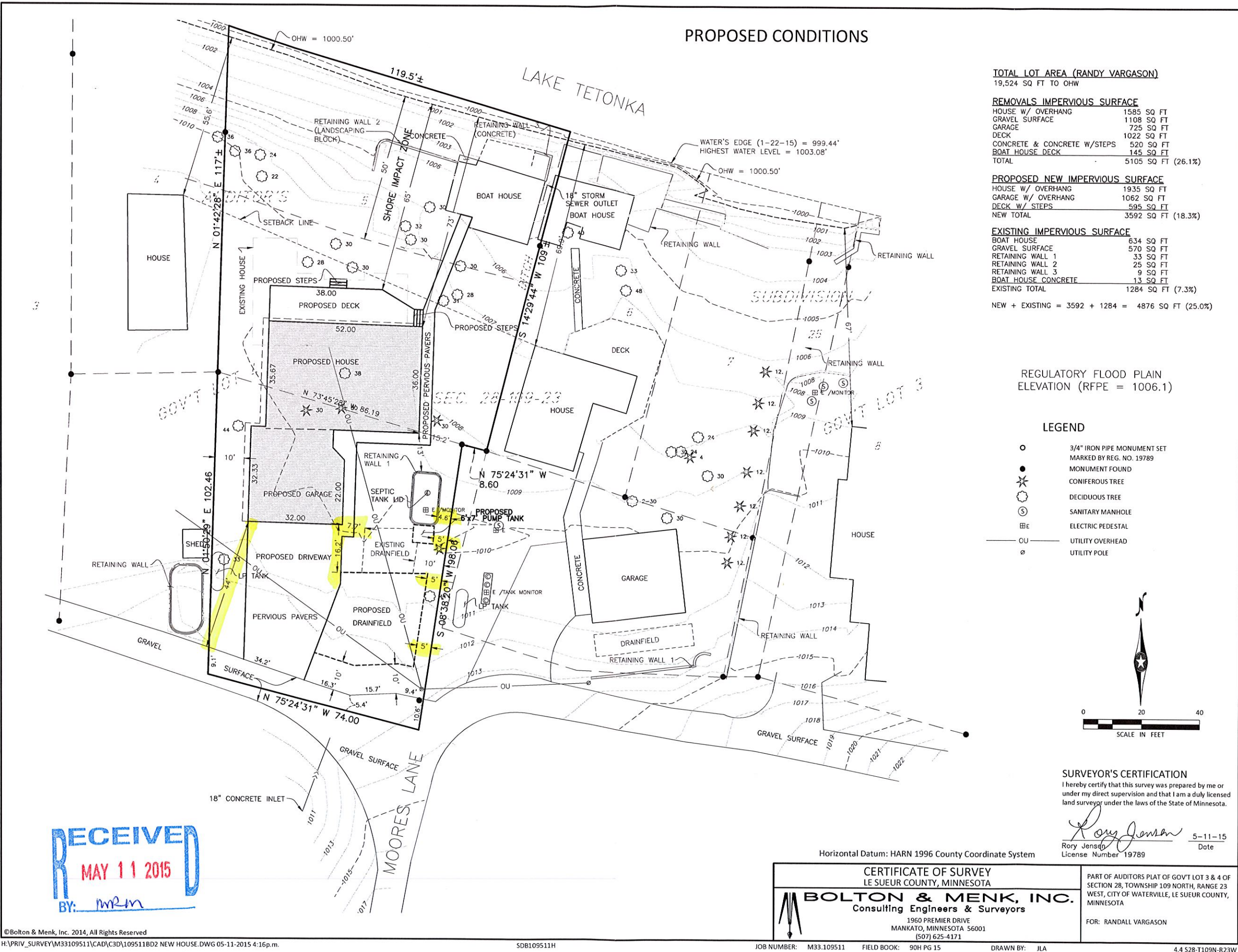
CERTIFICATE OF SURVEY
LE SUEUR COUNTY, MINNESOTA

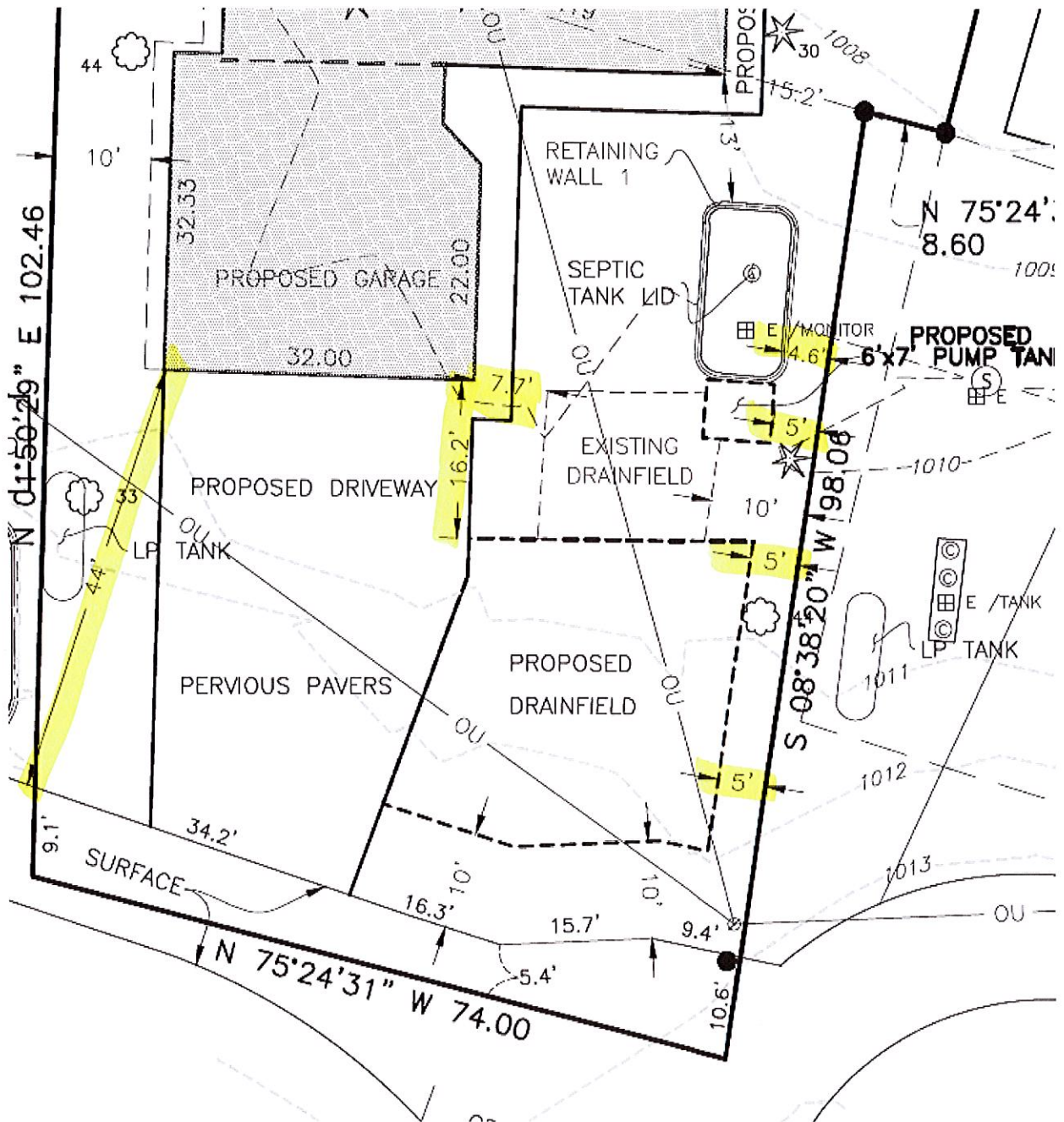
BOLTON & MENK, INC.
Consulting Engineers & Surveyors
1960 PREMIER DRIVE
MANKATO, MINNESOTA 56001
(507) 625-4171

PART OF AUDITORS PLAT OF GOV'T LOT 3 & 4 OF
SECTION 28, TOWNSHIP 109 NORTH, RANGE 23
WEST, CITY OF WATERVILLE, LE SUEUR COUNTY,
MINNESOTA

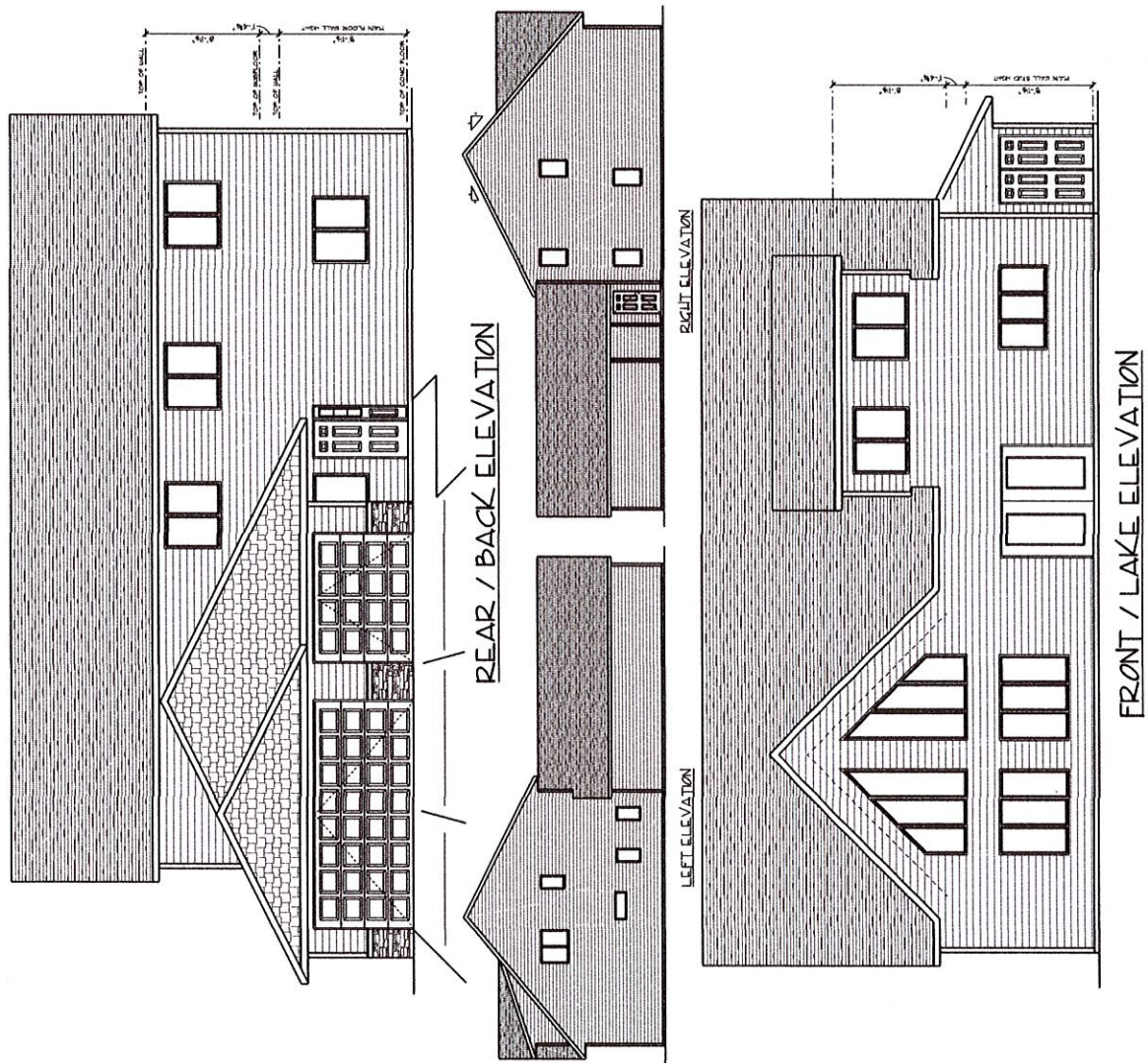
FOR: RANDALL VARGASON

PROPOSED CONDITIONS



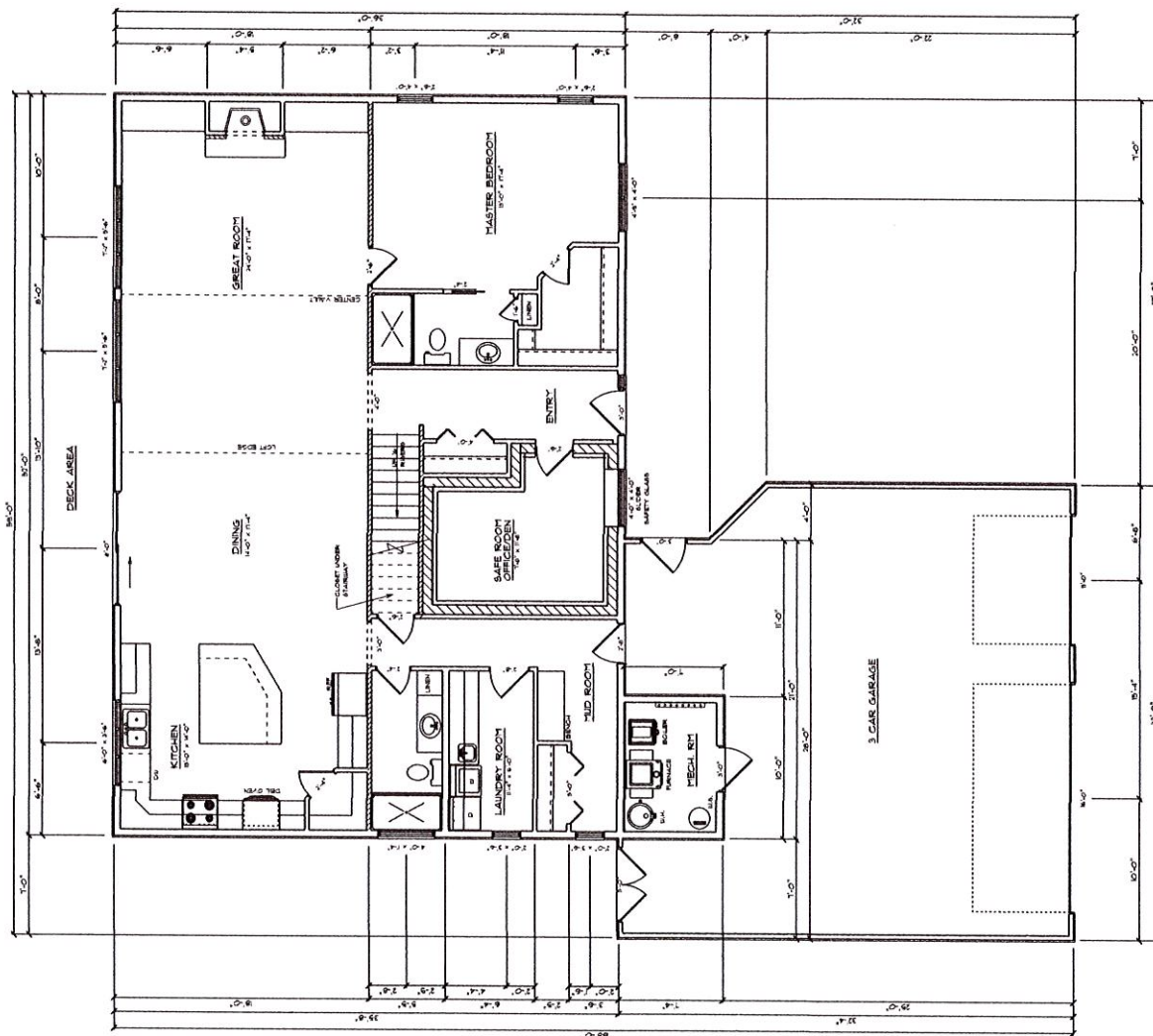


RECEIVED
MAY 11 2015
BY: *mm*

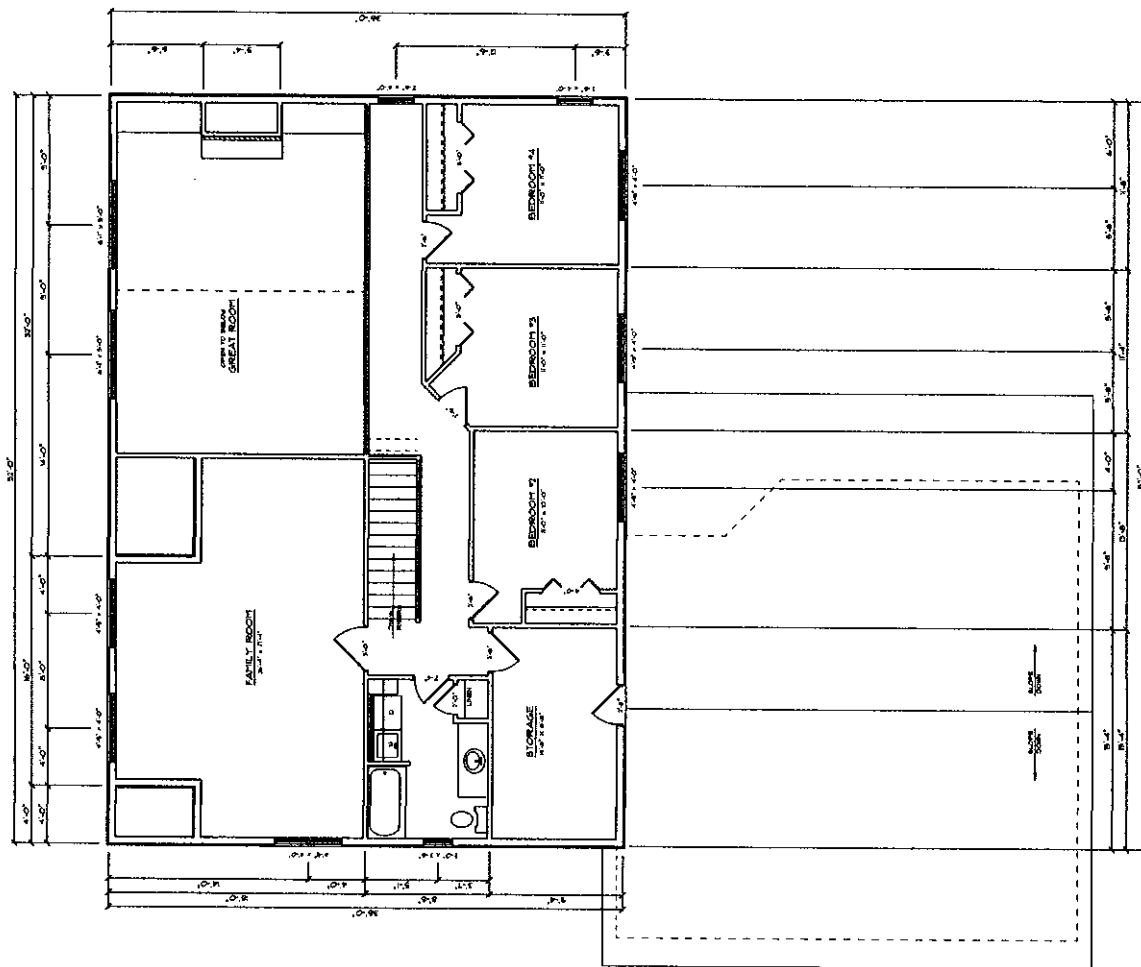


RECEIVED
APR 17 2015
 BY: *RB*

RECEIVED
 APR 17 2015
 BY: *JB*



MAIN FLOOR PLAN
 1ST FLOOR --- 1872 SQ. FT.
 VARGASON RESIDENCE
 2-13-15



SECOND FLOOR PLAN
 2ND FLOOR --- 1422 SQ FT
VARGASON RESIDENCE
 2-B-5

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: Randy Vargas PID: 14 420, 0050
Mailing Address: 2012 6th Ave NE, Duluth
Property Address: 58373 Mares Lane, Waterville
Phone: (651) 485 2015 Mobile/Cell: (507) 217 9774 / 507-6307

Responsible party for Implementation/Inspection: Steve James - James Bros Const.
Address: PO Box 59, Elyria
Phone: (507) 267-4789 Mobile/Cell: (507) 380-6326

Erosion & Sediment Control Measures

1. Maintain existing vegetation whenever possible and minimize the area of disturbance. Retain and protect trees to enhance future landscaping efforts and to reduce raindrop impact. (Vegetation is the best and most cost-effective erosion control practice).
2. Install all erosion and sediment control practices prior to any soil disturbing activities, when applicable.
3. Phase construction activities to minimize the areas disturbed at one time. This will also allow completed areas to be stabilized and re-vegetated before disturbing adjacent sites.
4. Maintain and protect all natural waterways. Retain at least a 20-foot wide strip of natural vegetation along all waterways to filter out sediment and other pollutants.
5. Minimize the use of impermeable surfaces such as roofs, driveways, parking lots and roads. The Environmental Resources staff must approve all storm water runoff plans.
6. Use rock rip-rap at both the outlet and inlet ends of culverts to prevent scour erosion.
7. Limit construction equipment to designated areas to control soil compaction.
8. Install silt fence on the down-slope perimeter of all disturbed areas according to the attached installation instructions. Sensitive areas such as wetlands, drainage swales and shoreland areas should also be protected with silt fence.
9. Install straw bale checks or rock check dams in areas of concentrated flow.
10. Cover any stockpiled topsoil with plastic or other impervious covering. Use stockpiled topsoil as earthen berms to serve as temporary sediment basins.



11. Mulch all disturbed areas at the rate of one 50-pound bale of straw per 500 square feet. On slopes 4:1 or steeper use the following erosion control blankets that have been pinned to the slope according to the manufacturer's instructions:

2:1 slopes or steeper	Straw/Coconut Blanket or High Velocity Wood Blanket
3:1 slopes or steeper	Wood or Straw Blanket with net on both sides
4:1 slopes or steeper	Wood or Straw Mulch blanket with net on one side
Flat areas	Straw Mulch w/disc anchoring

12. Seed all disturbed areas within seven days of final grading and temporary seed/mulch all areas that will be left inactive for more than seven days. Do not seed later than September 1st. Areas that need to be seeded after this date should be dormant seeded in late October or early November. See the attached instruction sheet for recommended mixtures and rates. The use of native plant materials, including trees and shrubs, is encouraged. Native species will provide good vegetative cover that is adapted to our soils and climate.
13. Apply fertilizer according to soil test recommendations.
14. Install water bars on access roads to prevent concentrated water from flowing down the road and eroding gravel.
15. Attach a site map showing the location of all erosion control practices, property lines, roads, lakes, watercourses, wetlands, on-site systems and building locations.

Note: To reduce mud transported onto paved roads, a rock construction entrance may be required. This will require a six-inch layer of 1-2 inch diameter washed rock a minimum of 50 feet in length.

Inspection and Maintenance

16. Inspect the construction site every 7 days and within 24 hours after every rain event to ensure the practices are working properly (i.e. silt fences, water bars).
17. Clean out the silt fences when they are 1/3 full of sediment or replace with functional silt fences within 24 hours.
18. Clean out sediment basins on a regular basis to maintain capacity.

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

Randy Vergason
(Property Owner)

Steve Johnson
(Person Responsible for Implementation)

4-15-15
(Date)

4/15/15
(Date)

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



Silt Fence



Vargason Legal Description for Parcel 14.420.0050

in the County of Le Sueur, State of Minnesota, to wit:

Lot Five (5) and that parcel of ground lying between Lots Five (5) and Six (6) designated as "Ditch" on the Plat of Auditor's Sub Division of a part of Government Lots Three (3) and Four (4), Section No. Twenty-eight (28), Township One Hundred Nine (109) North, Range Twenty-three (23) West, LeSueur County, Minnesota and that part of Government Lot Four (4) in

Section Twenty-eight (28) Township One Hundred Nine (109) North Range Twenty-three (23) West, described as:

Beginning at the Southwest corner of Lot Five (5) of said Auditor's Sub Division; thence South One Degrees Seventeen Minutes Zero Seconds (01° 17'00") West (assumed bearing) along the Southerly extension of the Westerly line of said Lot Five (5), a distance of One Hundred and Zero Hundredths (100.00) feet; thence South Seventy-five Degrees Fifty-eight Minutes Zero Seconds (75° 58'00") East, along a line parallel with the Southerly line of said Lot Five (5), a distance of Seventy-four and Zero Hundredths (74.00) feet; thence North Eight Degrees Four Minutes Fifty-one Seconds (08° 04'51") East, Ninety-eight and Six Hundredths (98.06) feet to the Southeasterly corner of said Lot Five (5); thence South Seventy-five Degrees Fifty-eight Minutes Zero Seconds (75° 58'00") East, along the Southerly line of the "Ditch" according to said Auditor's Sub Division, Eight and Sixty Hundredths (8.60) feet to the Southwesterly corner of Lot Six (6) of said Auditor's Sub Division; thence North Fourteen Degrees Four Minutes Sixteen Seconds (14° 04'16") East, along the Westerly line of said Lot Six (6), a distance of One Hundred (100) feet, more or less, to a point on the Southerly water's edge of Lake Tetonka; thence Westerly along said Southerly water's edge, One Hundred Twenty (120) feet, more or less, to the intersection with the Westerly line of Lot Five (5), Auditor's Sub Division; thence South One Degrees Seventeen Minutes Zero Seconds (01° 17'00") West, along said westerly line, One Hundred Ten (110) feet to the point of beginning.

Together with and subject to a non-exclusive easement for access purposes over and across the existing driveway, described as:

An easement for access purposes Thirteen and Zero Hundredths (13.00) feet in width lying over and across that part of Government Lot Four (4) in Section Twenty-eight (28), Township One Hundred Nine (109) North Range Twenty-three (23) West, LeSueur County, Minnesota, the center line of which is described as:

Commencing at the Southwesterly corner of Lot Five (5), Auditor's Sub Division of a part of Government Lots Three (3) and Four (4), Section No. Twenty-eight (28), Township One Hundred Nine (109) North, Range Twenty-three (23) West, Le Sueur County, Minnesota; thence South One Degrees Seventeen Minutes Zero Seconds (01° 17'00") West, (assumed bearing) along the Southerly extension of said Westerly line of said Lot Five (5), a distance of Ninety-six and Ninety-one Hundredths (96.91) feet to a point on the center line of the existing driveway; said point being the

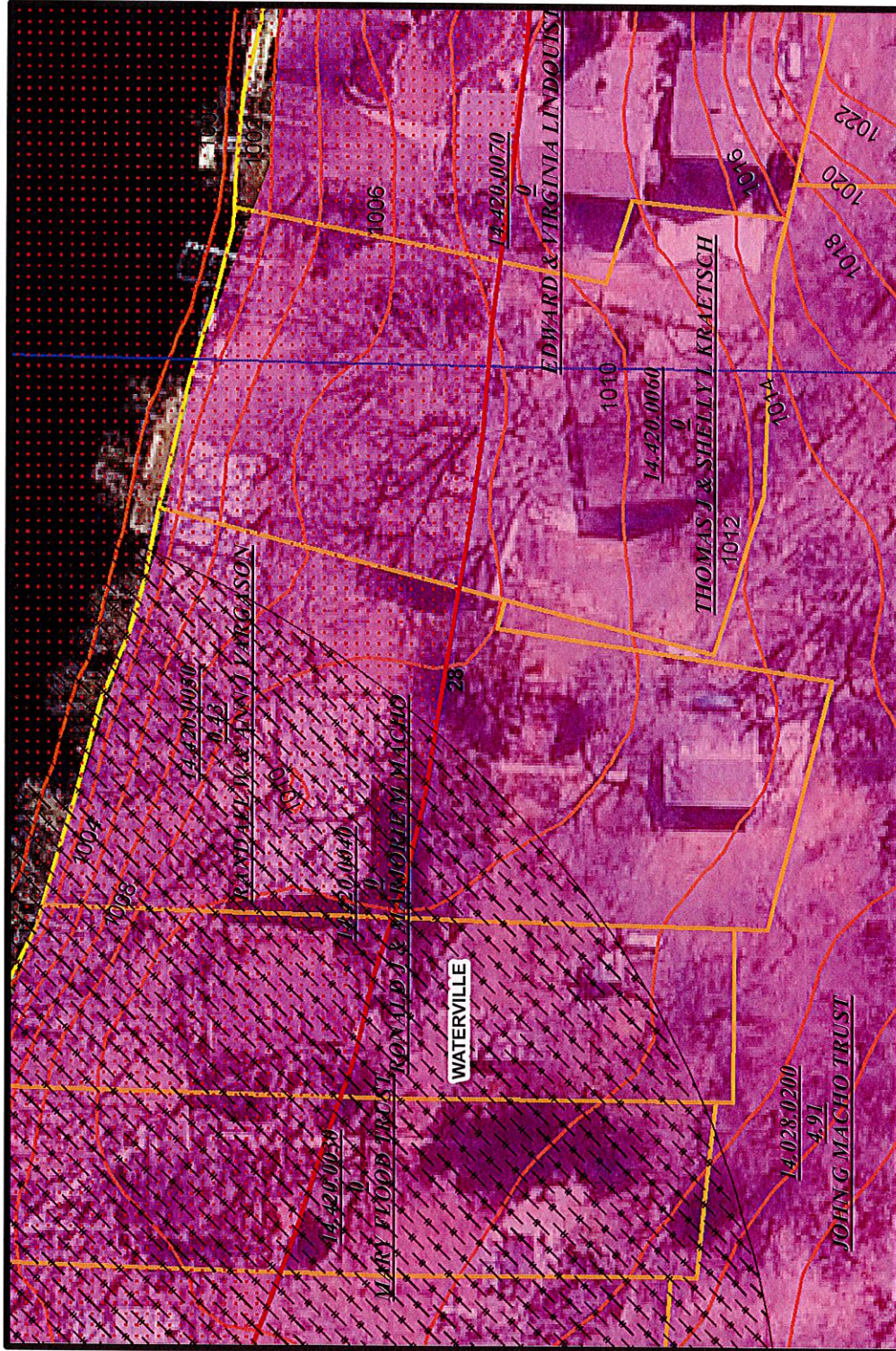


point of beginning; thence South Sixty-nine Degrees Forty-two Minutes Nineteen Seconds (69°42'19") East, along said center line, Thirteen and Thirty-two Hundredths (13.32) feet; thence South Fifty-six Degrees Forty-six Minutes Fifty-five Seconds (56°46'55") East, along said center line, Twenty-nine and Forty Hundredths (29.40) feet; thence South Forty-one Degrees Fifty-three Minutes Fourteen Seconds (41°53'14") East, along said center line, Twenty-seven and Fifty-five Hundredths (27.55) feet; thence South Twelve Degrees Thirty-two Minutes Twelve Seconds (12°32'12") East, along said center line, Thirty-nine and Twenty-six Hundredths (39.26) feet; thence South Eleven Degrees Forty-five Minutes Fifty Seconds (11°45'50") West, along said center line, One Hundred Eighteen and Fifty Hundredths (118.50) feet; thence South Seventeen Degrees Fifty-three Minutes Forty Seconds (17°53'40") West, along said center line, Five Hundred Thirty-two and Sixty Hundredths (532.60) feet; thence South Zero Degrees Twenty-two Minutes Forty-nine Seconds (00°22'49") West, along said center line, Forty-two and Ninety-one Hundredths (42.91) feet to the point of intersection with the center line of County Highway No. 14 and there terminating.



LE SUEUR COUNTY ENVIRONMENTAL SERVICES

NAME: Vargason
 PID: 14.420.0050
 DATE: 5-4-15
 FIRM #: 27079C0430D
 F-Zone: AE-100 yr Flood Zone
 RFPE: ELEVATION
 District: ZONING DISTRICT



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

