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# Le Sueur County, MN

Thursday, August 13, 2015

Regular session

## Item 2

**July 9 2015 Draft Minutes**

Staff Contact: Kathy Brockway or Michelle Mettler

**LE SUEUR COUNTY PLANNING AND ZONING COMMISSION**  
**88 SOUTH PARK AVE.**  
**LE CENTER, MINNESOTA 56057**  
**July 09, 2015**

**MEMBERS PRESENT:** Don Rynda, Chuck Retka, Shirley Katzenmeyer, Steve Olson, Doug Krenik, Al Gehrke, Betty Bruzek, Pam Tietz

**MEMBERS ABSENT:** Jeanne Doheny, Don Reak

**OTHERS PRESENT:** Kathy Brockway, Commissioner Connolly,

The meeting was called to order at 7:00PM by Vice-Chairman, Steve Olson.

**ITEM #1: HUGH VALIANT, WATERVILLE, MN, (APPLICANT); MARTY & CHRISTINA SIMONETTE, ST PETER, MN (OWNER):** Request that the County grant a Conditional Use Permit to allow grading, excavating and filling of approximately 71 cubic yards of material for a shoreline restoration project within the shore impact zone in a Recreational Residential "RR" District on a Recreational Development "RD" lake, Lake Washington. Property is located at Lot 5, Block 1, Connors Point Subdivision, Section 7, Washington Township.

Kathy Brockway presented power point presentation. Curt Kloss, Engineer representing the applicant was present for application.

TOWNSHIP: Notified through the application process. Greg Davis, Washington Township, Township has some concerns and would like to address them with the applicants at their next meeting on Monday, July 13, 2015. DNR: no comments LETTERS: none

PUBLIC COMMENT: none

Discussion was held regarding: Erosion problem along the shoreline, entire project is above the Ordinary High Water Level, no DNR permits required, but will place rip rap along shoreline per the DNR standards, pickup trucks will be used for hauling of material, timeframe of the project; mid-August, several weeks to complete the project, depends on weather, sand blanket area is a play area.

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. N/A*
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 Doug Krenik to approve the application with the condition that the applicants work with the township to address the township concerns. Seconded by Chuck Retka. Motion approved. Motion carried.

**ITEM #2: BERNARD & HELEN BAUMANN, SHAKOPEE, MN, (APPLICANT\OWNER):** Request that the County grant a Conditional Use Permit to allow the applicant to construct a 26 x 36 detached garage that does meet the Regulatory Flood Protection Elevation "RFPE" to allow flood-proofing in a Recreational Residential "RR" District and a Flood Plain, Flood Fringe "FF" Overlay District on a Recreational Development "RD" lake, Lake Tetonka. Property is located at Lots 32, 33 & 34, Tetonka Beach Subdivision, Section 24, Elysian Township.

Kathy Brockway presented power point presentation. Sam Brockhaus, I & S Engineering, representing the applicant was present for application.

TOWNSHIP: Notified through the application process DNR: no comments LETTERS: none

PUBLIC COMMENT: none

Discussion was held regarding: FEMA standards, garage is only to be used for parking of vehicles and storage; utilities must be elevated above the RFPE; Flood Damage-resistant materials must be used below the RFPE; A minimum of 2 openings on the exterior walls below the RFPE, there will be 5; Openings will be located on 3 of the 4 exterior walls of the garage; sensors are used to open the vents; storage of hazardous material; ordinance regulations; Seasonal use dwelling on site.

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 will be taken to provide sufficient off-street parking and loading space to serve the proposed use. N/A*
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 Al Gehrke to approve the application as presented with the condition that the applicant abides by FEMA regulations and Section 6 of the LSC Ordinance. Seconded by Don Rynda. Motion approved. Motion carried.

Motion was made by Betty Bruzek to approve the minutes from the May 14, 2015 meeting by Seconded by Pam Tietz. Motion approved. Motion carried.

**Discussion:** Election of Officers at the August 2015 meeting.

Motion was made by Chuck Retka to approve the minutes from the June 11, 2015 meeting by Seconded by Al Gehrke with the change as stated on page 3. Motion approved. Motion carried.

Motion to adjourn meeting by Shirley Katzenmeyer. Seconded by Pam Tietz Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,

Shirley Katzenmeyer  
By Kathy Brockway

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