

Applicants

Tracey Torke
1584 11th Ave
Granite Falls MN 56241

Owner

Brady Kuiper
Kuiper Enterprise LLC.
317 Meadow Woods Dr
Mankato MN 56001

Request and Location

Request for a Conditional Use Permit to operate an auto, ATV and marine sales and repair business in the Highway Business Zoned District in the SW ¼ of the NE ¼ of Section 19, South Bend Township.

Legal Description

Commencing at the Center of Section 19, Township 108 North, Range 27 West; thence North 0 degrees, 27 minutes East and along the North-South Quarter line of said Section a distance of 78.00 feet; thence due East a distance of 430.00 feet to the place of beginning; thence continuing due East a distance of 200.00 feet; thence North 0 degrees, 27 minutes East a distance of 450 feet; thence due West a distance of 200.00 feet; thence South 0 degrees 27 minutes West; a distance of 450.00 feet to the place of beginning. Also the tract of land adjacent to and southerly from the above described tract which measures 33 feet from North to South and 200 feet from East to West and lies between the first described tract and the right of way of Highway #169.

Zoning

Highway Business

General Site Description, Site History, and Land Use Information

The site is located on the north side of State Highway 60 at the State Highway 60 and US Highway 169 junction. Adjacent properties in this area are also businesses that are similar in use to the proposed request. The site was previously granted a CUP in 1999 to Northern Light Truck and Auto, an auto sales lot for late model repairable autos. Also a CUP was granted in 2004 to Kuiper Enterprises for motorcycle, snowmobile, ATV and marine dealership. Mr. Kuiper is still in the building however the building has been sectioned into 3 units and Mr. Torke is renting a unit from Mr. Kuiper to operate his business.

The Mr. Torke will be buying, doing minor repair work and make presentable used automobiles, ATV's, personal watercraft and motorcycles for resale. Any painting or major repairs will be subcontracted to other local shops with the necessary equipment to do such work.

The business will also do DOT inspections on commercial vehicles. Mr. Torke is a certified DOT inspector. Most of the DOT inspections will be done off this site. There will be vehicles displayed for sale in the space out front of the building. Such vehicles will be in good repair visually as well as mechanically. Any vehicles not ready for resale will be stored inside the building or the fenced in secure storage lot directly behind the building out of site from passerby.

The staff will consist of 1 employee, the owner until such time would warrant an increase in staff. Then open business hours will be 9:00 am to 5:00 pm Monday through Friday.

Access

No change in access points is proposed. Access is provided by an existing driveway off of Township Road 208th Lane.

Existing Land Use within 1/4 Mile

North: Crop land and one business
South: Crop land, 3 businesses, one cell tower, State Highway 60 and US Highway 169 junction
East: Crop land, two businesses and one residence
West: Cropland, Woodland, CSAH 69, one business and two residences

NATURAL RESOURCES INFORMATION

Topography

The site is fairly flat.

Floodplain

The proposal is not within a floodplain area.

Shoreland

The proposal is not within a shoreland area.

Wetlands

According to the National Wetlands Inventory, there are no wetlands on the property.

Township Review - At the time this report was written, no input had been received from the Township.

Environmental Health Review – See attachment A-4.

Opinions

Based on the information submitted by the applicant, contained in this report, and as required in Sec. 24-46 of the County Code, the following opinions have been developed for this request:

1. That the proposed use conforms to the county land use plan.
2. The demonstrated need for the proposed use.
3. That the proposed use will not degrade the water quality of the county.
4. That the proposed use will not adversely increase the quantity of water runoff.
5. That soil conditions are adequate to accommodate the proposed use.
6. That the proposed use does not create a potential pollution hazard.

7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
9. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.
10. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
11. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.
12. That adequate measures have been or will be taken to prevent or 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.
- NA 13. That the density of proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable zoning district.
14. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals and general welfare.
- NA 15. That the intensity of the proposed residential development is not greater than the intensity allowed in the Agricultural Zoning District. Section 24-111 of the Agricultural District States: "Owners of property, residents, other users of property in the agricultural zone, and neighboring properties adjacent to the agricultural zone may be subjected to inconvenience or discomfort arising from normal and accepted agricultural practices and operations including, but not limited to; noise, odors, dust, operation of aircraft and late night operation of farm machinery, the storage and application of manure, fertilizers, soil amendments, herbicides, and pesticides associated with normal agricultural operations."

Recommendations

Staff recommends **approval** of the request to operate an auto, ATV and marine sales and repair business contingent upon the following conditions:

1. Hours of operation shall be from 8:00 am to 9:00 pm Monday through Saturday.
2. Junkyards and scrap yards are prohibited.
3. Allowable signage shall be limited to a 32 square foot sign, non-illuminated, and located on the property.

4. There shall be no indication of offensive noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line.
5. Materials and equipment shall be stored in an enclosed building or screened area. However vehicles, ATV's, marine and motorcycle items for sale may be kept outside as long as not stored in the right of way of State highway 60.
6. That all waste fluids are disposed of according to County and Minnesota State Pollution Control Agency standards.
7. This Conditional Use Permit shall be effective for a five year period (August 31, 2015) after which it will be reviewed by the Blue Earth Planning Commission and County Board.

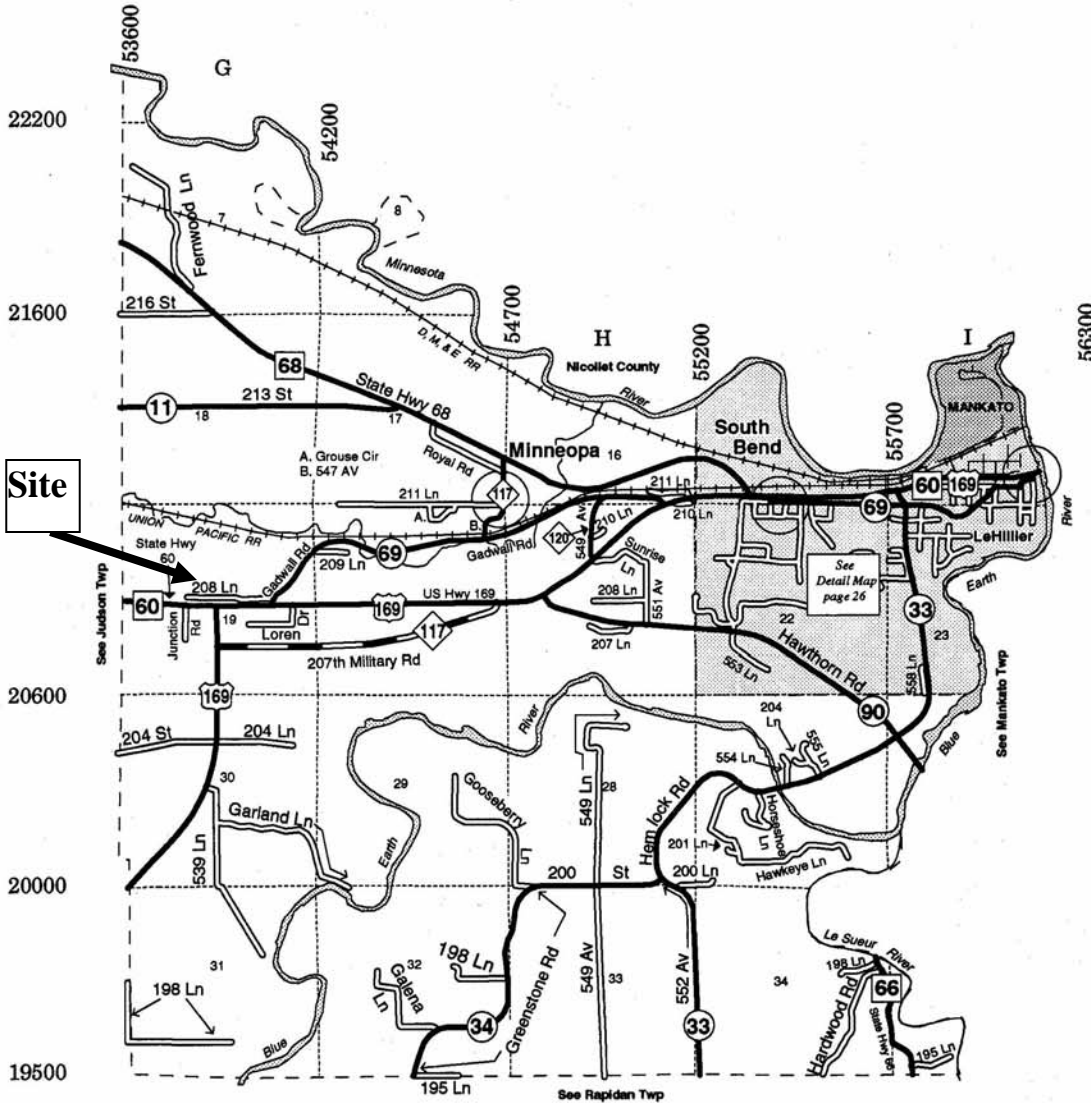
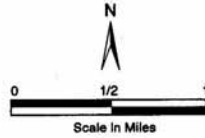
Attachments

- A-1 General Site Location
- A-2 Site Map
- A-3 Business Plan and Shop Floor Plans
- A-4 Environmental Health Comments

**Attachment A-1
General Location Map**

South Bend

T 108 N - R 27 W



	U.S. Highway		Township Road
	State Highway		Railroad
	County State Aid Highway		Section Line
	County Road		Township Boundary

CAM Sales
53920 208th LN Suite #3
Mankato, MN 56001

This business will buy, do minor repair and make presentable used automobiles, ATV's, personal watercraft and motorcycles for resale. Any painting or major repairs will be subcontracted to other local shops with the necessary equipment to do such work. The business will also do DOT inspections on commercial vehicles by a Minnesota State Patrol certified DOT inspector, most inspections will be done at remote locations.

There will be vehicles displayed for sale in the space out front of the building. Such vehicles will be in good repair visually as well as mechanically. Any vehicles not ready for resale will be stored inside the building or the fenced in secure storage lot directly behind the building out of site from passersby.

The staff will consist of 1 employee The owner until such time would warrant an increase in staff. The open business hours will be 9:00am through 5:00pm Monday through Friday.

Tracey Torke
Owner: CAM Sales
2403 Woodhurst Dr.
Faribault, MN 55021
320 894-5517

Office Area

Display Area

Rest Room

Work
Bench

Shelving

Liquid
Storage

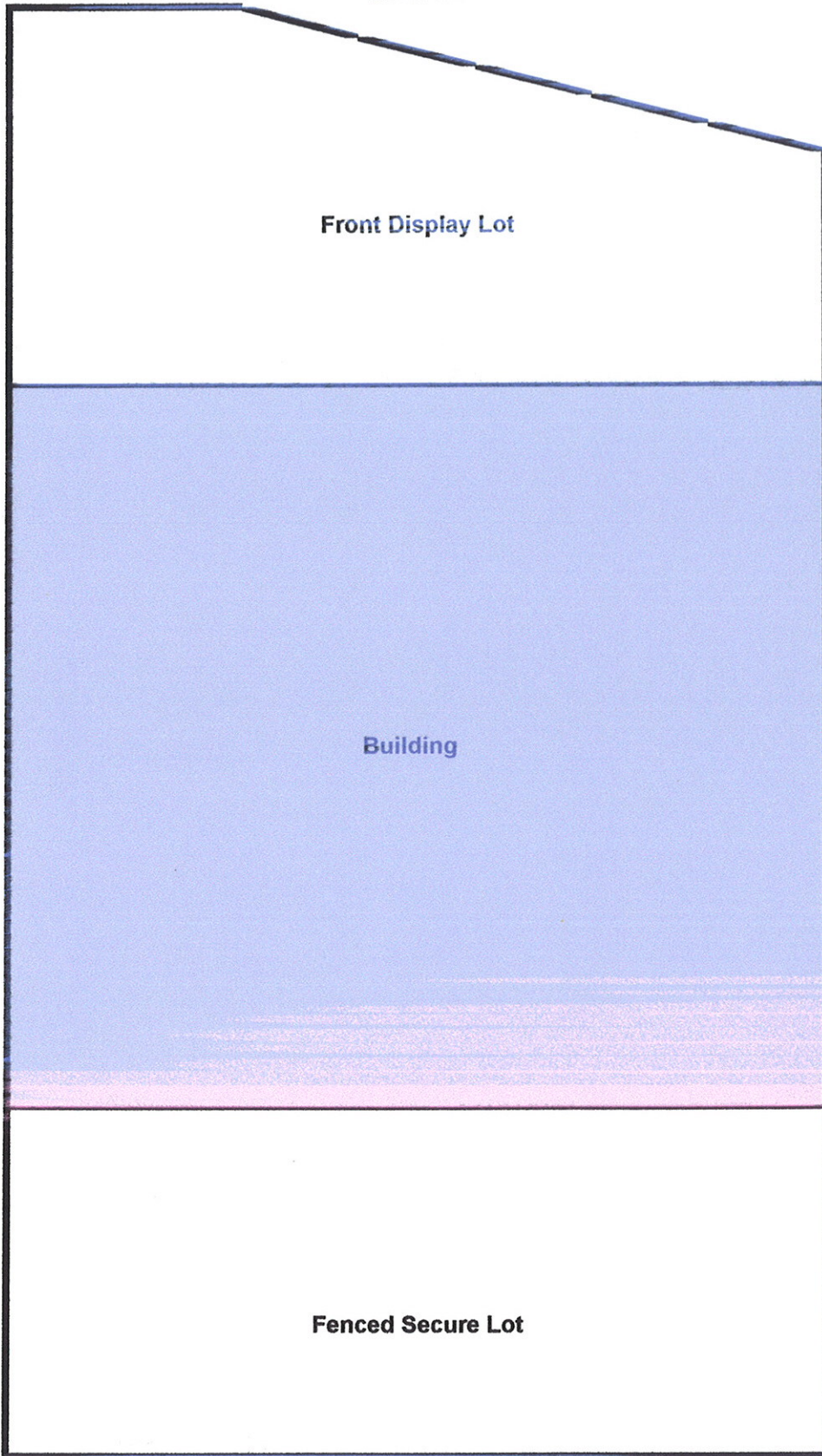
40 gals
Oil

208th LN

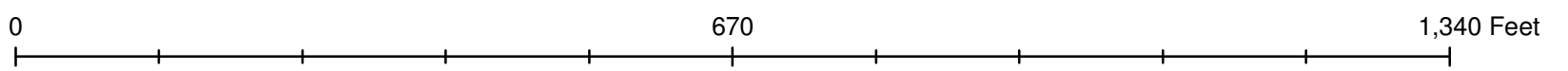
Front Display Lot

Building

Fenced Secure Lot



Kuiper Enterprises/Tracey Torke PC 14-10



**Blue Earth County Environmental Services Department
Land Use and Natural Resources Section
Post Office Box 3566
Mankato, Minnesota 56002-3566
Telephone: (507) 304-4381**

Environmental Health Review

July 26, 2010

R50.08.19.200.009

Tracey Torke and Brady Kuiper- Conditional Use Permit to operate a Auto, ATV & Marine Sales and Service Business in the Highway Business Zoned District in the SW ¼ of the NE ¼ of Section 19, South Bend Township.

General: The business plan as submitted indicates a very small amount of potential use from the well and into the septic. There are aspects of any type of automotive/engine repair business that may impact the environment and precautions must be made.

Septic System: A system alteration was done in 2006 to include the building in question. This building and the neighboring building that houses Peak Performance share a single septic system. This system was issued a certificate of compliance in 2006 for the entire system. This would be valid until 2011 without required inspection. With the proposed use of this system in combination with the use from the other business on the system, the combination is at a design flow lower than what was installed. If there are significant changes to the operation of either business, there may be need to alter the drainfield at that time.

Water Wells: This property is serviced by a well that should be regulated by the Minnesota Department of Health as a non-community public water supply. This well was removed from the registry in approximately 1998 and should be reestablished on the MDH list of wells.

There is no record of the well construction in the County or State listings.

Wetlands: There are no apparent wetlands on this property.

Environmental Health Recommendation: Approval without condition
