

Applicant

Owner

Jadd Seppmann
54043 State Hwy 68
Mankato MN 56001

Request and Location

Request for conditional use permit to place more than fifty cubic yards of fill in the Agricultural Zoned District in the SW ¼ of the NE ¼ of Section 18, South Bend Township.

Legal Description

That part of the South Half of the Northeast Quarter of Section 18 Township 108 North Range 27 West, Blue Earth County, Minnesota described as:

Commencing at the Northwest corner of Alice Acres, according to the plat thereof on file and of record with the Blue Earth County Recorder; (the West line of Alice Acres to have an assumed bearing of North 00 degrees 00 minutes 00 seconds East); thence North 69 degrees 31 minutes 00 seconds West, along the centerline of Minnesota Trunk Highway No. 68 a distance of 334.48 feet to the point of beginning; thence South 20 degrees 29 minutes 00 seconds West, 399.47 feet; thence South 00 degrees 00 minutes 00 seconds West, 13.80 feet; thence South 86 degrees 20 minutes 00 seconds West, 1452.96 feet; thence North 00 degrees 00 minutes 00 seconds East, 665 feet more or less to a point on the North line of the South Half of the Northeast Quarter of Section 18; thence easterly along said North line, 1008 feet more or less to the point of intersection with the centerline of Minnesota Trunk Highway No. 68; thence South 69 degrees 31 minutes 00 seconds East, along said highway centerline, 625 feet to the point of the beginning.

Excepting therefrom the following described tract: Commencing at the SE corner of the SE ¼ of the NE ¼ of Section 18, T108N, R27W; thence, N00 00' W along the East line of said SE ¼ of NE 1/4, 908.00 feet to the centerline of Minnesota T. H. 68; thence N69 31' W along the centerline of said Minnesota T.H. 68, 644.00 feet to the actual point of beginning; thence S20 29' W, 383.00 feet; thence S85 47' 28" W, 877.44 feet; thence N00 00' West, 536.00 feet; thence N87 33' E, 635.00 feet to a point on the centerline of said T.H. 68; thence S69 31' E along said centerline, 399.97 feet to the actual point of beginning. Containing 11.0 Acres.

Zoning

Agricultural

General Site Description, Site History, and Land Use Information

The intended work area lies immediately to the West of the outbuildings on the adjacent property. The entire project will include the placement of approximately 4,000 cubic yards of fill. The area of disturbed soil surface will be less than one acre. Therefore, an MPCA Storm Water Permit is not required.

The site currently has stockpiles of clay and black dirt. The contractor uses the stockpiled items for their business activities-mainly installation of septic systems.

Access

No change in access points is proposed. Access is provided by an existing driveway off of State Hwy 68.

Existing Land Use within 1/4 Mile

North: Cropland, one residence, woodland and State Hwy 68
South: Cropland and one residence
East: The applicant's home, one residence, woodland and cropland
West: Cropland and one residence

NATURAL RESOURCES INFORMATION

Topography

The working area is flat to gently rolling.

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 South Bend Township meeting in May, the board recommended approval of this request.

Environmental Health Review – See attachment A-3.

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 with 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 place more than fifty cubic yards of fill in the Agricultural Zoned District in the SW ¼ of the NE ¼ of Section 18, South Bend Township with the following conditions:

1. That adequate silt fence or comparable erosion control measures be installed as needed.
2. That all erosion control measures shall be maintained throughout the process and until an adequate vegetative cover can be established. This will include, but is not limited to, the removal of silt as needed and repairing any washouts that form in the slopes.
3. That following the final grading all exposed areas will be immediately seeded into an appropriate seed mix.
4. That if needed, an MPCA Storm Water Permit be obtained prior to exceeding one acre of disturbed soil.

Attachments

- A-1 General Site Location
- A-2 Site Map
- A-3 Environmental Health Comments



Attachment A-2 General Site Map - 2009 Aerial Photo

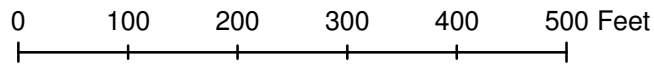


Stockpile

68

State Hwy 68

 Stockpile
 Parcel



Prepared By: Blue Earth County
Environmental Services
May 17, 2010

Source: Aerial Photo - April 2009 BEC
Parcels BEC Taxpayer Services

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 / Sanitarian Report

May 21, 2010

Environmental Health Comments/Questions

R50.08.18.200.009

Jadd Seppmann- Conditional Use Permit to stockpile more than 50 cubic yards of fill in the Agricultural Zoned District in the SW ¼ of the NE ¼ of Section 18, South Bend Township.

General: This is an empty parcel of land adjacent to the parcel with the house and business.

Septic System: There is no septic on this property

Water Wells: This property is not serviced by any wells.

Wetlands: There is a waterway, an agricultural ditch, on the property. There may be wetland areas adjacent this. There must not be any fill in that area. Protection of the waterway in the form of silt barriers must be maintained for the duration of this use of the property.

Environmental Health Recommendation: Approval
