

**Conditional Use Permit to operate a composite auto body manufacturing and automotive repair business in a Light Industrial Zoned District. The property is located in the NW ¼ of the SE ¼ of Section 33, Danville Township.**

**Owner**

Tim Daly  
10272 614<sup>th</sup> Ave  
Minnesota Lake, MN 56068

**Operator**

Dan Schoneck  
12844 565<sup>th</sup> Ave  
Minnesota Lake, MN 56068

**Request and Location**

Conditional Use Permit to operate a composite auto body manufacturing and automotive repair business in a Light Industrial Zoned District in the NW ¼ of the SE ¼ of Section 33, Danville Township.

**Project Proposal**

The property consists of one commercial style building. This building has been used for commercial type uses since the 1990's. The pre-existing commercial use was a legal non-conforming use. Recently the commercial use of the property changed to an automotive type use. As a result, a request was presented to the Planning Commission and approved by the County Board on October 27, 2009, to change the zoning classification of the property from Rural Residential to Light Industrial. A number of properties immediately south of the site were zoned Light Industrial. Therefore the action was not considered a spot zone.

The commercial style building is used by the owner for storage of farm machinery. It is also used by Mr. Schoneck as the home of his business. The primary business is the manufacturing of fiberglass composite auto body parts used in the car racing industry. The business also includes occasional automotive repair work.

The shop area used for the business portion of the building consists of a 56' by 60' heated work area. This area consists of a paint booth, materials storage areas and open floor space for working areas. Little or no activity takes place outside with the exception of occasional delivery and shipping vehicles. There is also some vehicle traffic from customers dropping off and picking up repair vehicles. The requested hours of operation are from 8:00 a.m. to 6:00 p.m. Monday through Saturday.

**SITE INFORMATION**

**Zoning**

The lot is zoned Light Industrial.

**Applicable Sections of the County Code**

Sec. 24-252. Uses.

(b) Conditional Uses

(5) Automotive, truck and other internal combustion engine equipment repair.

(20) Any manufacturing, production, processing, cleaning, storage, servicing, repair and testing of materials, goods or products similar to those listed as permitted or conditional uses which conform with the performance standards of this LI district.

### **Land Use Plan**

This proposed use does not conflict with the Land Use Plan.

### **Access**

Access to the lot will be to and from County State Aid Highway 14, a paved road. There is one access point. The construction of any additional access point or the improvement of the existing access point must be approved by the County Hwy Department.

### **Existing Land Use within 1/4 Mile**

**North:** A vacant lot, one residence at approximately 200 feet, 103<sup>rd</sup> Street (a Township Road), and cropland.

**Northwest:** Cropland, residences at approximately 250 and 425 feet, 103<sup>rd</sup> Street and additional cropland.

**South:** One residence at approximately 30 feet, a commercial business, one residence at approximately 1,000 feet and the City Limits of Minnesota Lake.

**Southwest:** Cropland, a building site without a dwelling, and the City Limits of Minnesota Lake at approximately 1,320 feet.

**Southeast:** CSAH14, cropland, a farmstead with a dwelling at approximately 375 feet and additional cropland.

**East:** CSAH 14, crop land and a State Wildlife Management Area.

**West:** Crop land.

### **NATURAL RESOURCES INFORMATION**

#### **Topography**

The topography of the area is fairly flat.

#### **Floodplain**

The property is not located in a floodplain.

#### **Shoreland**

The property is not located within a shoreland district.

#### **Wetlands**

According to the National Wetlands Inventory there are no wetlands in the immediate area that will be impacted by the proposal.

#### **Township Review**

At the time this report was created, no comment had been received from the Township.

### **City of Minnesota Lake Review**

In an email dated December 18, 2009, the City Clerk indicated that the city has no issue with the request.

### **Blue Earth County Waste and Recycling Staff Review**

*After review of materials used by Dan Schoneck at his business, and the discussion I had with him in our office, there would be no real concern of problems with Hazardous Waste. In the future if he needs to dispose of any Hazardous Waste he will need an identification number from the State of Minnesota. I can help him with this when needed and is only required if he needs to dispose of Wastes. The way he operates now does not generate a Hazardous Waste except the Acetone that he mixes with the used oil. That is then recycled or reused and not needing disposal.*

*Ken Frederick – County Waste and Recycling Specialist*

### **Blue Earth County Environmental Health Review**

See attachment.

### **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 odors, 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.

13. (NA) 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 the intensity of proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable zoning district.

15. 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.

### **RECOMMENDATIONS**

Staff recommends **approval** of the Conditional Use Permit to operate a composite auto body manufacturing and automotive repair business in a Light Industrial Zoned District in the NW ¼ of the SE ¼ of Section 33, Danville Township contingent upon the following conditions:

1. That normal hours of operation shall take place from 8:00 a.m. to 5:00 p.m. Monday through Friday. Provided no offensive noise, odor, or vibrations take place, hours of operation may extend to 6:00 p.m. and may also include work on Saturday.
2. That the disposal of all waste products generated on site shall conform to the regulations in place by the County and the Minnesota Pollution Control Agency.
3. That a floor plan showing the storage of all chemicals, paints, solvents, manufacturing components, waste products, etc. be updated as needed and maintained with the area serving fire department.
4. That future changes of operation or expansion of the business shall be brought back before the Planning Commission for review and approval by the County Board of Commissioners.

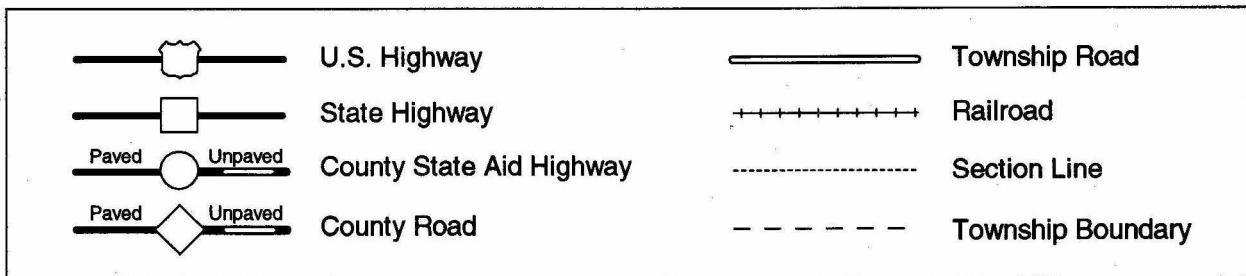
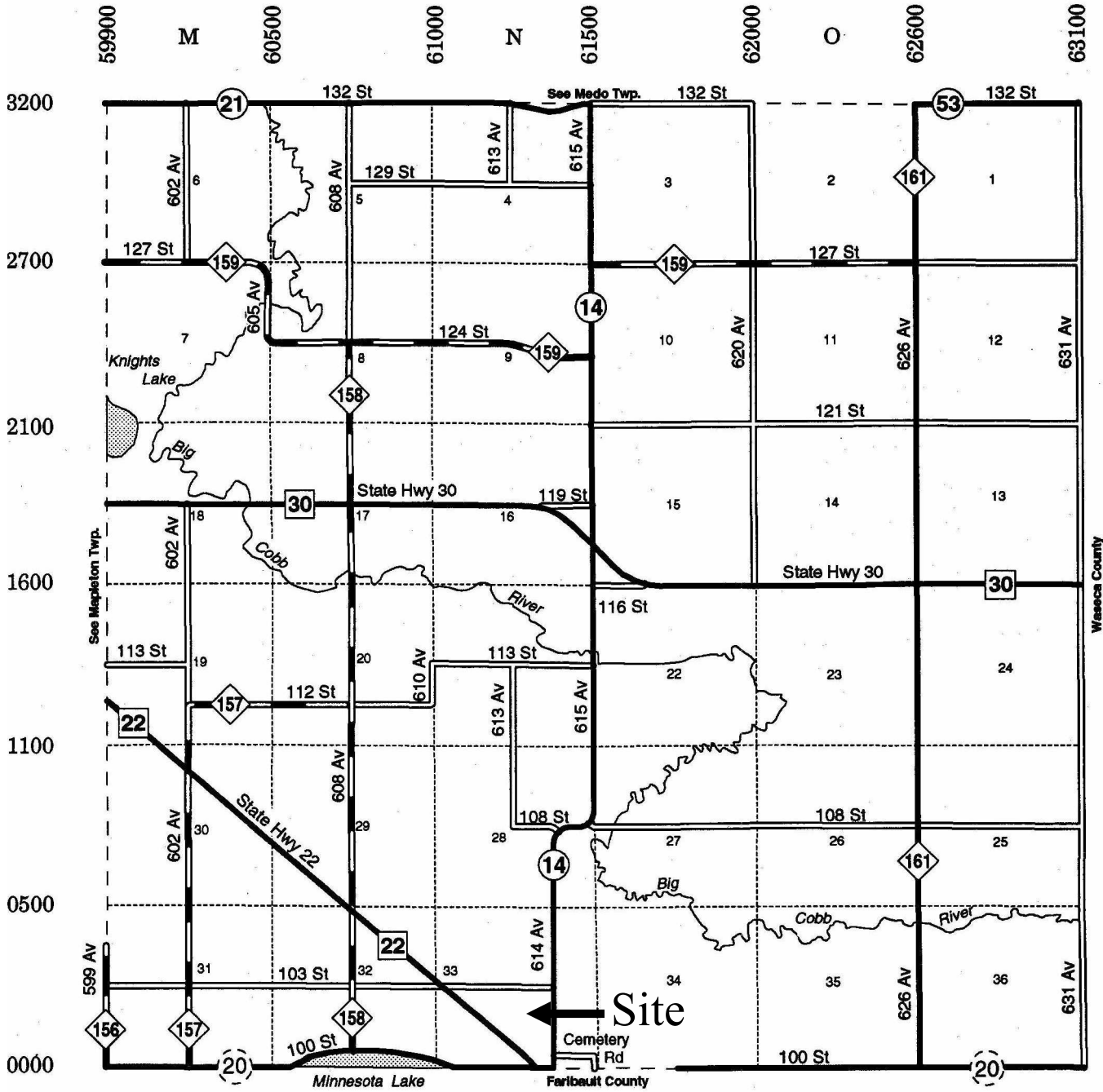
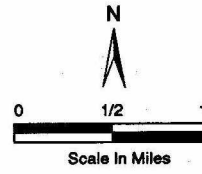
### **ATTACHMENTS**

- A-1, General Location Map
- A-2, General Site Map
- A-3, General Floor Plan of the Business Area
- A-4, Environmental Health Comments

# Attachment A-1

## Danville

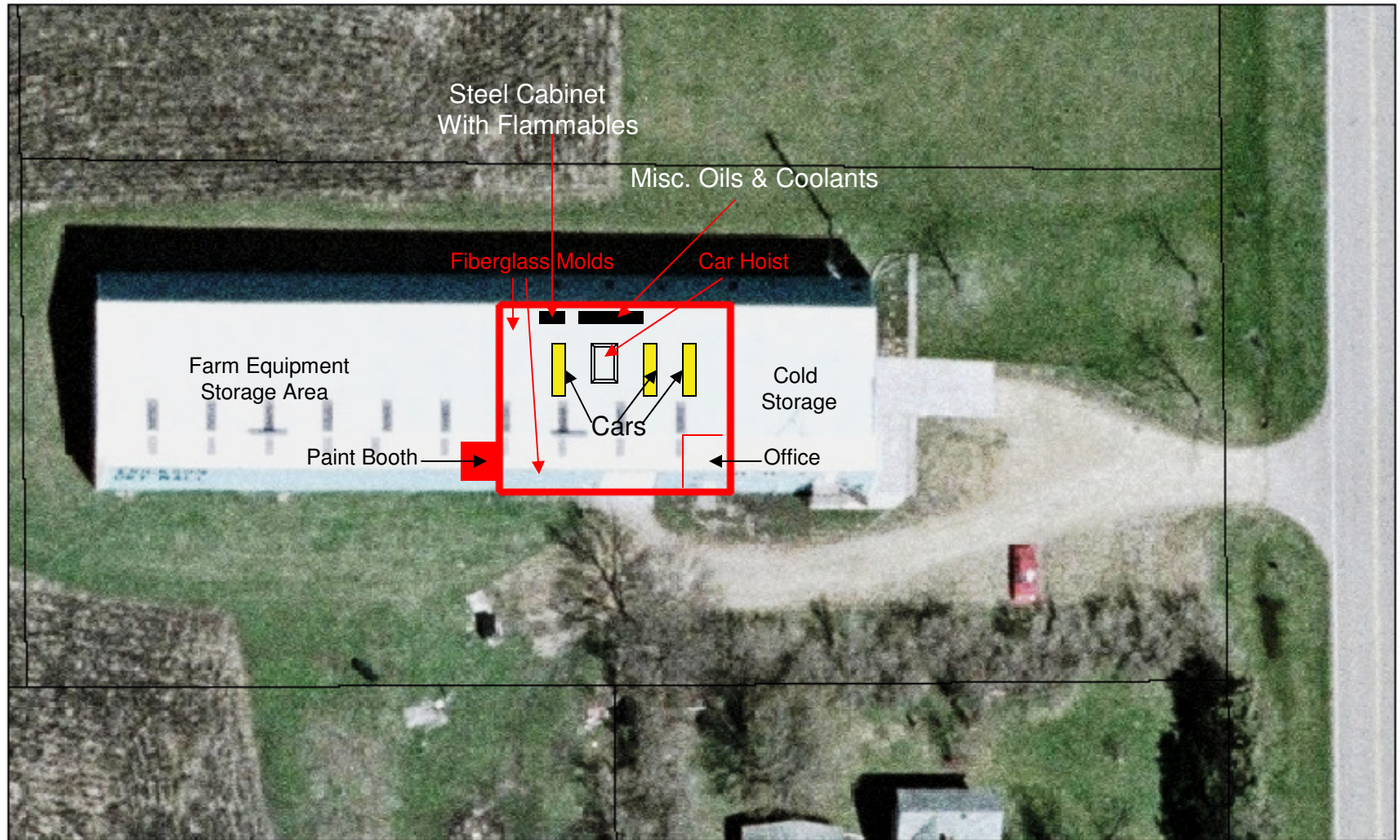
T 105 N - R 25 W



# A-2 General Site Map



### A-3, General Floor Plan of the Business Area



**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**

December 15, 2009

**The information presented is for the purpose of the hearing to consider the following application(s):**

**Tim Daly and Dan Schoneck** – Conditional Use Permit to operate a composite auto body manufacturing and automotive repair business in a Light Industrial Zoned District in the NW ¼ of the SE ¼ of Section 33, Danville Township.

***Environmental Health Comments/Questions***

***General:*** This type of business has the potential to generate and store on the premises different hazardous types of product and waste. This has very specific impacts on any well servicing this and neighboring properties as well as potential impacts to the septic system.

***Septic System:*** Currently we have on record a septic system that was installed in 1998, for Erickson Dry Wall, servicing the building permitted. As this facility is currently being used for an auto body shop, aspects of how wastes are handled are very important; especially in relationship to the septic system as this sewage water is ultimately discharged underground. This change in business would not change the requirements for the septic system serving the sanitary portion of the business facility. Although, if the facility has any floor drains they must be routed or rerouted to a holding tank because Minnesota Rules state that any commercial business must not daylight or incorporate into any tile system that subsequently daylights their floor drain waste nor are floor drains in a facility that have the potential for hazardous materials allowed to be incorporated into the septic system. This floor drain waste must be contained in a holding tank and disposed of properly at a licensed facility. Any holding tank that gets installed must receive a septic permit from our department and submit an EPA class V inventory form to the EPA.

***Water Wells:*** The well servicing this property is located on the neighboring property to the south, based on an existing septic system record. The placement of different types of chemicals must be done in a manner to not impact the setbacks to any well on the property or neighboring properties.

***Wetlands:*** No recorded wetlands are currently shown on this parcel, and after a brief aerial photo review, there are no apparent wetlands on site.

***Environmental Health Recommendation: Approval***

**Conditions for approval (2):**

- 1. Disclose types, quantities, and locations of all chemicals, paints, solvents or any other hazardous materials stored in the building to the Environmental Services Department.**
- 2. Disclose any and/or all floor drains and where they drain to. Potentially reroute drains to a holding tank depending on location and type of waste collected.**