

Applicant

Duane Hubmer
17665 613th Ave
Janesville MN 56048

Request and Location

Conditional Use Permit to transfer a development right from the SW ¼ of the SW ¼ to the NW ¼ of the SW ¼ all of Section 21, McPherson Township.

Project Proposal

The applicant is requesting a transfer of development rights from the SW ¼ of the SW ¼ to the NW ¼ of the SW ¼ all of Section 21, McPherson Township. There is already one home in the receiving quarter-quarter, which triggers the need for this conditional use permit. Both quarter-quarters are currently tillable land.

Zoning

Both the receiving and the sending quarter-quarters are zoned Agricultural.

Land Use Plan

This proposal does not conflict with the Land Use Plan.

Access

Access to the proposed lot will be from a publically dedicated roadway.

Existing Land Use, 1/4 mile

North: Cropland and one residence.

East: Cropland and one residence.

South: Cropland.

West: Cropland.

NATURAL RESOURCES INFORMATION

Topography

The topography of the 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 Board Review

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

STAFF REVIEW

Environmental Health Comments – 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 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.
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.

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 Conditional Use Permit to Transfer the Development Rights contingent upon the following conditions:

1. That any future subdivisions will be processed pursuant to the Blue Earth County Subdivision regulations.
2. That construction and septic permits will be obtained prior to commencement of construction activities.

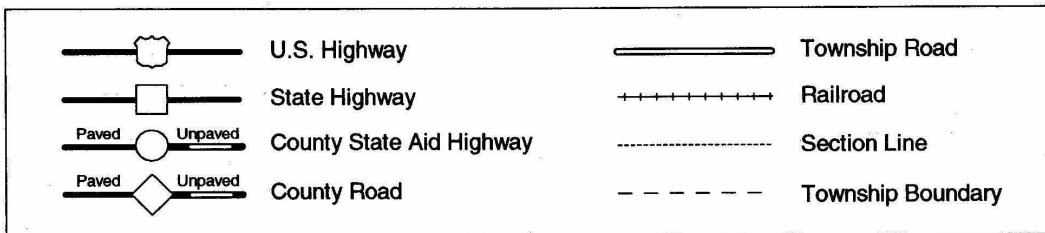
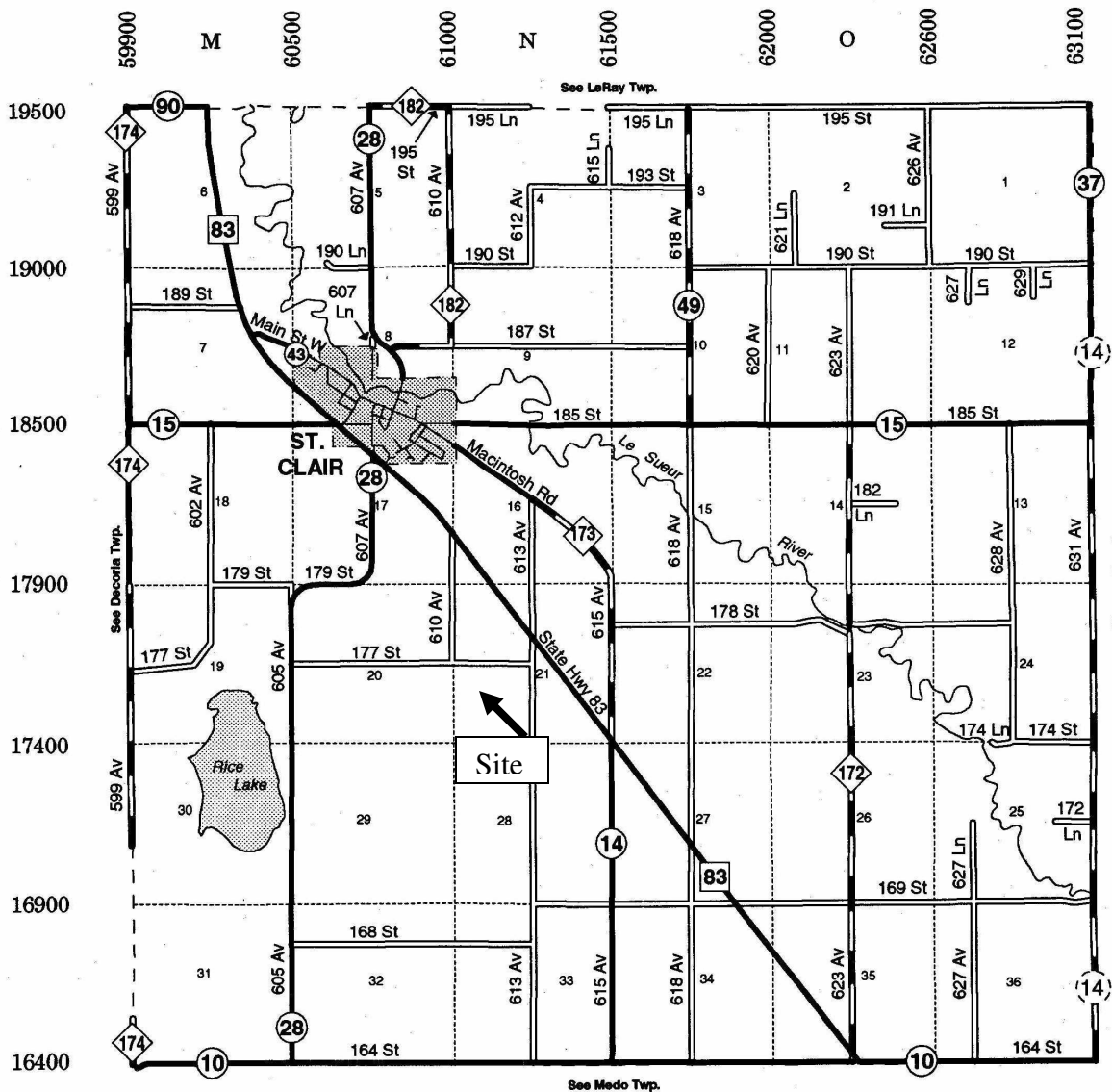
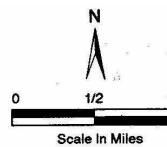
ATTACHMENTS

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

Attachment A-1 General Location Map

McPherson

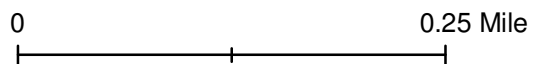
T 107 N - R 25 W



Attachment A-2 General Site Map



●	Existing Dwelling
	Development Right Being Transferred
	Parcel
	Quarter-Quarter Section



April 2009 BEC Aerial Photo

**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

March 25, 2010

Environmental Health Comments/Questions

General: R45.15.21.300.004

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Septic System: The sending quarter-quarter does not have any development historically and therefore does not have any know septic system. At time of new development in the receiving quarter-quarter there must be two septic system locations identified on the property.

Water Wells: There is one known well servicing the existing developed parcel in the receiving quarter-quarter. At time of development of the additional dwelling, a well or shared well agreement must be in place. A historic photo review does not indicate the presence of any former development in the sending or receiving quarter-quarter and therefore wells should not be present on the sending or receiving quarter-quarter' s.

Wetlands: The sending quarter-quarter has historically been agricultural land, there is surface and subsurface drainage present. There are areas of potential wetlands in both the sending and receiving quarter-quarter sections that will need to be address prior to any development or drainage changes to the receiving quarter quarter.

Environmental Health Recommendation: Approval
