

**Owner**

Gordy and Mary Kuznia  
PO Box 96  
Crystal, MN 56055

**Applicant**

Key City Bald Eagles  
Radio Controlled Model Flying Club Lake  
19224 517<sup>th</sup> Lane  
Lake Crystal, MN 56055

**Request and Location**

Request for a conditional use permit to create an air strip for the purpose of hosting a radio controlled model airplane flying facility, located in the Agricultural Zoned District in the NW ¼ of the SE ¼ in Section 23, Judson Township.

**Legal Description**

The Northwest Quarter of the Southeast Quarter of Section 23, Township 108 North, Range 28 West, consisting of 37 acres more or less. Subject to roads, highways, and easements for title and utilities of record.

**Zoning**

Agricultural

**General Site Description, Site History and Land Use Information**

This private airstrip is located in Section 23, Judson Township approximately 240 feet south of State Highway 60. This site was historically a gravel pit, which was recently reclaimed. If the request is approved the applicant will be grooming the site to accommodate the facilities needed. The potential air strips will be located in a north-south alignment heading south from State Highway 60. This location is currently quite flat. If approved, the applicant will construct two run ways side by side, one grass and one canvas, each 30 X 300 feet. In the future the club would like to construct a small shelter for bystanders and picnic tables, also a storage shed for lawn mower storage.

The applicant is proposing that the average number of vehicles on the site on a nice summer day would be two (2) -10. For an event the average number of vehicles would grow to be about 25. They applicant would be using the site when the snow melts in the spring until it returns in the fall, weather permitting. All members are required to be members of the Academy of Model Aeronautics (AMA). The AMA has guidelines of the sound of model engines and the club adheres to these guidelines. The club will not operate any model aircrafts before 9 AM on any day. Porta-potties and trash dumpsters will be provided as needed on the site. The applicant has provided the County a narrative of activities that will be conducted if this request is approved and is attached to this report. The applicant has also provided drawings of where activities will take place, also attached to this report. In this map you will see that the fly space crosses property lines, the applicants have talked to all other property owners and no one has a problem with the proposal or retrieving downed aircrafts from neighboring properties.

The Blue Earth Country Code of Ordinances states in Sec 24-112 (b): The following uses may be allowed in the Agriculture district as a conditional use as regulated in article VIII of this chapter. (10) Private-commercial landing fields and associated facilities.

**Access**

No change in access points is proposed. Access is provided by an existing driveway off of State Highway 60.

**Existing Land Use within ¼ Mile**

**North:** Cropland  
**South:** Cropland  
**East:** Cropland and Welch Heritage Farms  
**West:** Cropland

**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 their May 2010 Township Board meeting, the Judson Township Board expressed no concern with the proposal and recommend approval of the request.

**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 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 for a conditional use permit to create an air strip for the purpose of hosting a radio controlled model airplane flying facility, located in the Agricultural Zoned District in the NW ¼ of the SE ¼ in Section 23, Judson Township with conditions listed in Section 24-3446 conditions developed by staff:

1. Model aircraft shall avoid flying over State Highway 60. Low model airplane flights over State Highway 60 present a potential to distract the traveling public and cause motor vehicle accidents.
2. Hours of operation shall be from 9:00 a.m. to dusk.

3. Allowable signage shall be limited to a 32 square foot sign, non-illuminated, and located on the property.
4. That construction permits will be obtained prior to commencement of construction activities.
5. The Conditional Use Permit shall be effective for a period of five (5) years following County Board approval, whereupon it may be reviewed by the Board.
6. Portable toilet shall be in place for the use of the property as well as method for garbage disposal.

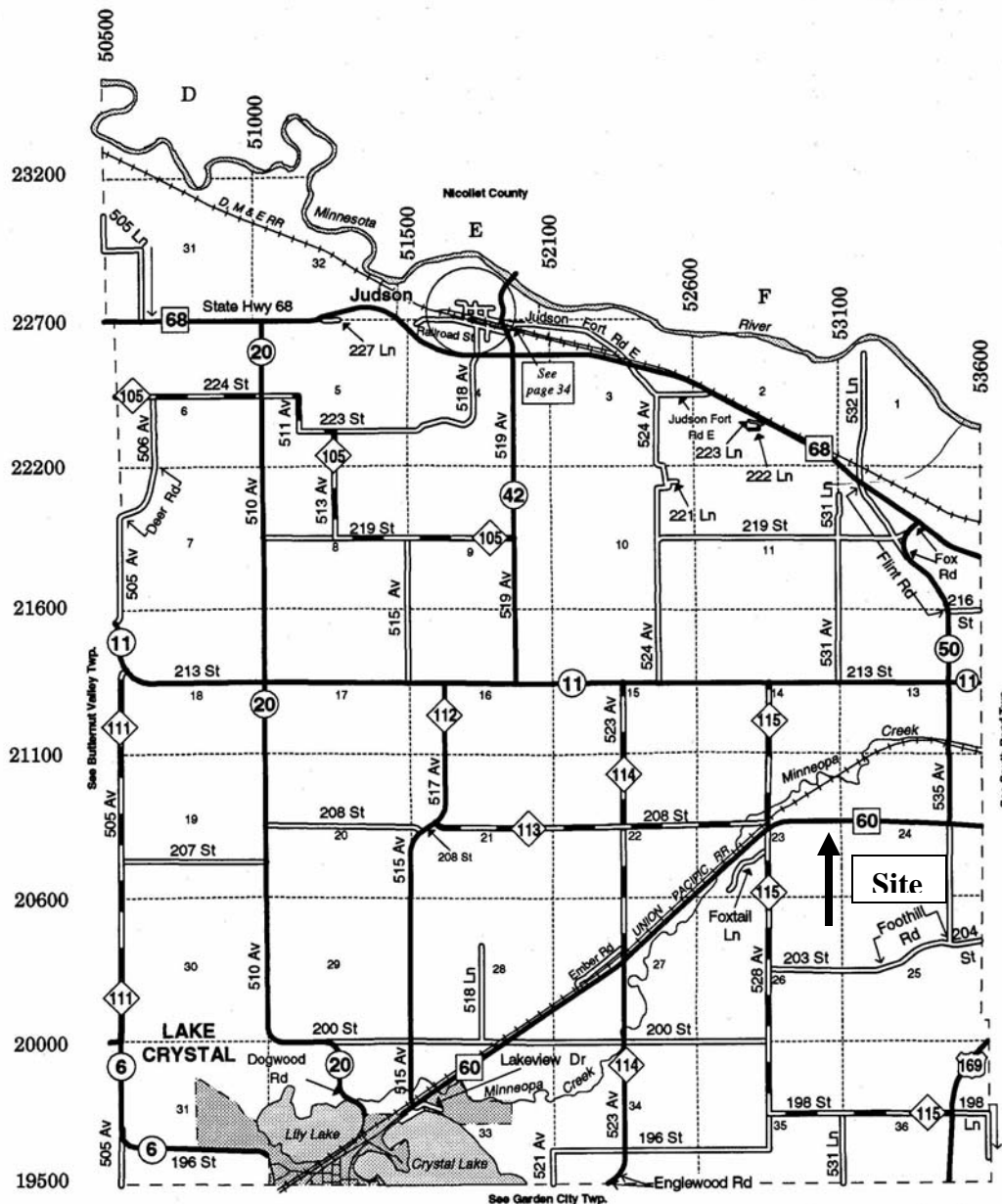
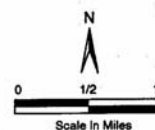
**ATTACHMENTS**

- A-1, General Location Map
- A-2, Map of Activities
- A-3, Narrative from Applicant
- A-4, Environmental Health Comments

Attachment A-1  
General Location Map

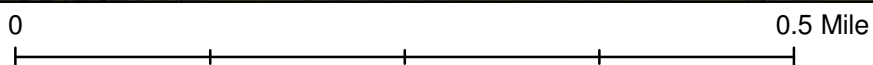
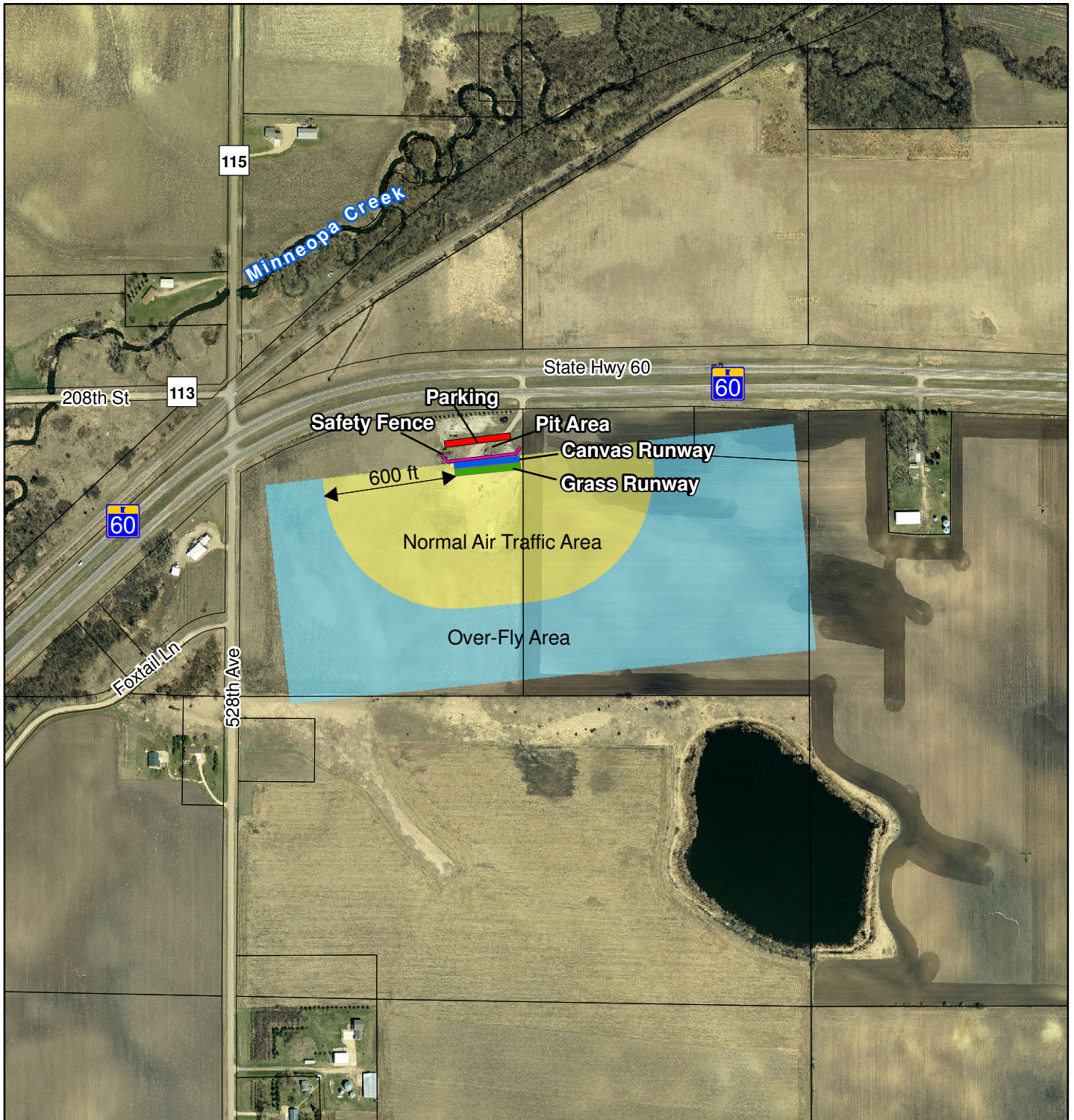
# Judson







T 108 / 109 N - R 28 W



# Attachment A-2

## Proposed Site Map - April 2009 Aerial Photo



	Parcel		Normal Air Traffic Area
	Canvas Runway		Over-Fly Area
	Grass Runway		Safety Fence
	Parking		



Prepared By: Blue Earth County  
Environmental Services  
June 24, 2010

Source: April 2009 BEC Aerial Photo  
Parcels - BEC Taxpayer Services  
Proposed Facilities - Applicant

## Key City Bald Eagles Narrative to land use

**Intent of organization:** To secure an area of land free from obstruction, with minimal impact to environment, that can be operated safely and to benefit the communities regarding the operation of model aircraft.

**Please consider:** Model Aviation has been around in one form or another since before the first man even took to flight. Many people young and old, male and female, even physically handi-capped can participate and are intrigued by flight, and having a facility locally that could supply knowledge and the opportunity to actually experience the thrill would greatly enhance the community in general. Having a facility to operate models in a controlled environment could actually improve the safety of the hobby as many enthusiasts in the Blue Earth County area now operate planes off of county blacktops and city streets as there just isn't a good place to take them. The Key City Bald Eagle owns and operates planes devoted to the instruction of new RC pilots to help them get started safely and without harm to themselves, their equipment and bystanders watching.

**Amount of use:** Going back in the history of the Key City Bald Eagles as well as many other clubs in the area, the activity level at the average field on a nice summer day will be around two to ten cars a day. If the club were to grow to levels back in the "98" we may get as high as one hundred and fifty cars in a single day if we hold an event, but we haven't seen that kind of participation in the last ten years. The normal attendance now is around twenty five cars at an event. We start flying when the snow melts and go till it returns in the fall. Of course week days and windy or rainy days will see little to no activity.

**Use of space:** Starting with the run ways, there will be two of them side by side, one of them grass for those that prefer flying off of grass, and one will consist of a canvas material for the planes that have small wheels that are unable to use a grass strip. Each runway will be three hundred feet long and thirty feet wide. Pilots will stand with our backs to Hwy 60, facing south and no plane shall pass farther north than the edge of the runway. That gives approximately 240' of no fly zone between our flight path and the road. The runways will line up parallel to hwy 60 so no model will be flying over the road at any time. Very little flying farther than two hundred yards off the end of the runway is done, because the planes get small pretty quick.

**Building and Storage:** We would like in the future to construct a small roof to shade a couple picnic tables to protect people from the sun. At this point, there are no plans to add electricity to the site, but would like the option to stay open as we may want it in the future. Also, the club owns a lawn mower, and a small portable structure to house it would be something we should consider to protect it from theft.

**Insurance and Liability:** All members of the Key City Bald Eagles are required to be members of the (AMA) Academy of Model Aeronautics. This organization is devoted to

the purpose of promoting model aviation, insuring flying sites and land owners in case of any mishaps involving the use of model aircraft, and helping to secure and keep flying sites. AMA provides guidelines and standards for safety and insurance. The coverage for our last site has been included so as to give the amounts that will be covered at this field. ALL flyers at this field must show proof of membership in the AMA in order to use the club field, and will need to be members of the Key City Bald Eagles in order to use the field unless attending a special event.

**Over Fly Zone:** Model aircraft very rarely get farther than 600' feet from the end of the runway as shown by the oval on the map and will never be allowed to go past the rectangle as this will be a no fly zone outside of that box. The model aircraft may not pass behind the flight line at any time that runs parallel to the runway to the end of the no fly zone.

**Sound of Aircraft:** The AMA has guidelines of the sound of model engines and we adhere to these guidelines. Highway 60 will probably make much more sound than the use of model aircraft. Also, we do not operate model aircraft before 9AM on any day.

**Pit Area and Set Up:** There is to be one grass runway 30' x 300', adjacent to the grass runway, a removable canvas runway 30' x 300' will be installed. There will be a Thirty foot set back to the safety fence and the pit area directly behind the safety fence where tables and sun canopies can be set up. Parking will be directly behind the pit area.

The Key City Bald Eagles follows all rules and regulations of safe flying and promoting a good standing in the community as well as encouraging all whom have an interest to join in the fun.

**Further information:**

[www.Keycitybaldeagles.com](http://www.Keycitybaldeagles.com) for basic club information

[www.modelaircraft.org](http://www.modelaircraft.org) for the AMA website

# Certificate of Insurance

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER.  
THIS CERTIFICATE DOES NOT AMEND, EXTEND, OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW.

NAME AND ADDRESS OF AGENCY/BROKER

CERTIFICATE NO.

COMPANIES AFFORDING COVERAGE

**THE HARRY A KOCH CO.**  
P.O. Box 45279  
Omaha NE 68145-0279

COMPANY LETTER **A** Wesichester Surplus Lines Insurance Company

COMPANY LETTER **B**

COMPANY LETTER **C**

COMPANY LETTER **D**

COMPANY LETTER **E**

NAME AND ADDRESS OF INSURED

*The Academy of Model Aeronautics, Inc. and/or Affiliated and/or  
Associated Chartered Clubs, Chapters, and Members thereof.*  
5161 E. Memorial Drive  
Muncie, IN 47302-9252

This is to certify that policies of insurance listed below have been issued to the insured named above and are in force at this time. Notwithstanding any requirement, term, or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.

CO LETTER	TYPE OF INSURANCE	POLICY NUMBER	POLICY PERIOD	LIMITS OF LIABILITY	
A	<b>GENERAL LIABILITY</b>		This certificate cancels and supersedes any previously issued certificate of insurance under this policy number.	GENERAL AGGREGATE PER LOCATION	\$1,000,000
	<input checked="" type="checkbox"/>	COMMERCIAL FORM		EACH OCCURRENCE	\$1,000,000
	<input checked="" type="checkbox"/>	PREMISES-OPERATIONS			
	<input checked="" type="checkbox"/>	EXPLOSION AND COLLAPSE HAZARD			
	<input checked="" type="checkbox"/>	UNDERGROUND HAZARD			
	<input checked="" type="checkbox"/>	CONTRACTUAL INSURANCE			
<input checked="" type="checkbox"/>	CLAIMS MADE FORM				
<input checked="" type="checkbox"/>	PERSONAL INJURY				
<input checked="" type="checkbox"/>	OCCURRENCE FORM				
A	<b>EXCESS LIABILITY</b>			GENERAL AGGREGATE PER LOCATION	\$4,000,000
	<input checked="" type="checkbox"/>	OTHER THAN UMBRELLA FORM		EACH OCCURRENCE	\$1,500,000
	<b>WORKERS' COMPENSATION and EMPLOYERS' LIABILITY</b>			STATUTORY	\$ (EACH ACCIDENT)

DESCRIPTION OF OPERATIONS/LOCATIONS/SPECIAL ITEMS.

ADDITIONAL INSURED: THIS INSURANCE IS PRIMARY AND NON-CONTRIBUTING AS RESPECTS TO ANY ADDITIONAL INSURED SET FORTH.

MAILING ADDRESS OF CERTIFICATE HOLDER

CANCELLATION: SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY ITS AGENTS OR REPRESENTATIVES.

DATE ISSUED

*Larry Johnson*  
AUTHORIZED REPRESENTATIVE

**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**

June 24, 2010

***Environmental Health Comments/Questions***

**R38.07.23.400.001**

**Gordy Kuznia/Key City Bald Eagles-** Conditional Use Permit to operate a model airplane air strip in the Agricultural Zoned District in the NW ¼ of the SE ¼ of Section 23, Judson Township.

***General:*** The use of this property of large events will dictate the handling of septic waste and water usage. As there are currently no amenities for either, the services will need to be brought in for events and for general use.

***Septic System:*** There are no septic systems associated with this property. Portable toilets shall be utilized for the seasonal use by this group.

***Water Wells:*** There are no wells associated with this property.

***Wetlands:*** Upon review of the aerial photograph there appears to be no wetlands on the property affected by this proposal.

***Environmental Health Recommendation: Approval***

**Conditions for approval:**

- 1. Portable toilet shall be in place for the use of the property.**
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