

Applicants

Martin & Shelly Leenhouts
51654 164th Street
Garden City, MN 56034

Request

Conditional use permit to operate an organized group camp in the Conservation Zoned District in the NW ¼ of the SW ¼ of Section 33, Garden City Township.

Legal Description

Part of the NW ¼ of the SW ¼ of Section 33, Garden City Township.

Zoning

Conservation and Shoreland

General Site Description, Site History, and Land Use Information

The site is a rural building site located near the Watonwan River in Garden City Township. The property consists of the applicant's dwelling and two out buildings. One of the out buildings accommodates the applicants business of providing woodcarving and scrapbooking workshops to the public. A conditional use permit was reviewed and approved for the business in 2007.

The applicant is requesting a conditional use permit to operate the facility as an organized group camp. Organized group camps are listed as a conditional use in the Conservation and Agricultural Zoned Districts.

The business plan provided by the applicants indicates that up to 22 people could attend a day camp without meals. A group of 18 people could attend a day camp with meals. A group of 11 people could attend a day camp and overnight stay without meals. A group of 10 people could attend a day camp and overnight stay with meals. And a group of 90 people could attend an assembly event during the day. There would be no food preparation on site. All food would be catered in. The plan also indicates that the facility will be alcohol-free. Activities offered include carving, crafts, instruction, and clubs.

There is no definition of "organized group camp" in the County Code of Ordinances. Therefore a request was presented to the County Board of Adjustment on June 2, 2010 for an interpretation of "organized group camp." The June 2, 2010 Board of Adjustment hearing was continued to July 7, 2010. The ruling by the Board of Adjustment on the definition of an organized group camp shall be the basis for what activities can and cannot be offered by the organized group camp and what segments of the public constitute an organized group.

Access

No change in access points is proposed. Access is provided by an existing driveway off of County Road 129.

Existing Land Use within 1/4 Mile

North: Watonwan River and crop land

South: Crop land

East: Watonwan River and crop land
West: Crop land and one residence at approximately 1200 feet

NATURAL RESOURCES INFORMATION

Topography

The site is fairly flat.

Floodplain

The proposal is not within a floodplain area. The property includes some areas listed as floodplain. However, the activities and services offered and the locations of structures are not located within the floodplain.

Shoreland

The property does include land within the shoreland district. Organized group camps are not listed as a permitted or conditional use in the shoreland district. Therefore, all structures and activities associated with the proposal may not encroach within 300 feet of the ordinary high water level of the Watonwan River.

Wetlands

According to the National Wetlands Inventory, there are no wetlands on the property with the exception of the Watonwan River.

Township Review – The applicants have indicated that they have discussed their proposal with the Township Board. At the time this report was written, no report had been received from the Township.

Environmental Health Review – See attachment A-4.

Applicable Sections of the County Code of Ordinances

Section 24-147

- (b) *Conditional uses*. The following uses may be allowed in the C conservation district as a conditional use and subject to the provisions of article VIII of this chapter:
- (2) Organized group camps.

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 operate an organized group camp on the applicant's property with the following conditions:

1. That the activities and services offered shall conform to the interpretation of an "organized group camp" as defined by the County Board of Adjustment on June 2, 2010.
2. If directed by the Planning Commission, the applicant shall revise the business plan to reflect the type, frequency, and combinations of activities that will be allowed to occur on any given day. Said revised business plan shall be reviewed and approved by the County Board as part of the conditional use permit request.

3. That the activities and services offered are strictly limited to those approved by the County Board.
4. That prior to offering any activities associated with the organized group camp, all structures and facilities used by the public shall meet or exceed requirements of the State of Minnesota regarding accessibility code and fire code.
5. That prior to offering any activities associated with the organized group camp, all requirements of the Minnesota Department of Health shall be met.
6. That prior to offering any activities associated with the organized group camp, requirements of the State Well Code shall be met.
7. That prior to offering any activities associated with the organized group camp, all components of the SSTS serving the site shall meet or exceed the requirements the Blue Earth County Septic Ordinance and the regulations of the State of Minnesota.
8. That any and all waste generated on the site shall be disposed of by acceptable methods. Burning of any waste product is strictly prohibited.
9. All activities, services and structures used as part of the organized group camp must take place outside the shoreland district of the Watonwan River. The shoreland district includes all land within 300 feet of the ordinary high water level of the river.
10. Such use shall be clearly incidental and secondary to the use of the property for residential purposes. Total maximum floor use area shall be 5,000 square feet.
11. Allowable signage shall be limited to one non-illuminated sign not to exceed 32 square feet, and located on the property.
12. There shall be no indication of offensive noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line.
13. That all food requiring preparation be provided by off-site catering services.
14. That no alcohol be allowed in association with services or activities offered by the organized group camp.
15. That prior to offering of any additional services or activities beyond what is approved by the County Board on July 27, 2010 for this specific request, formal review shall be brought before the County Planning Commission and Approved by the County Board.
16. A compliance inspection is required for the residential house on this property.
17. Maintain water usage records and available for inspection upon request by the County Environmental Health Staff.

18. Obtain approvals for overnight lodging (if applicable) from the Minnesota Department of Health

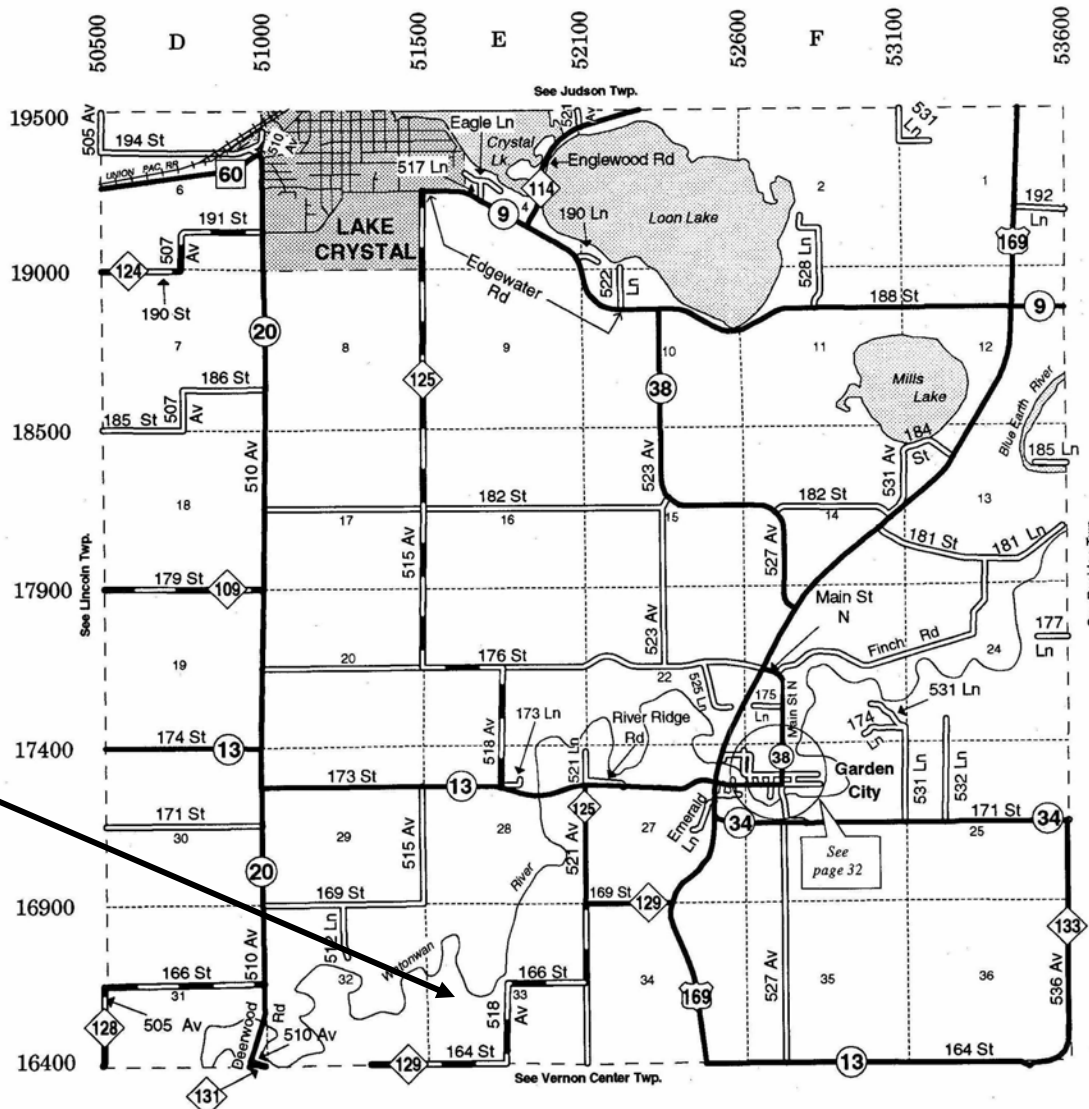
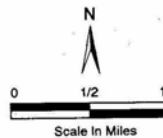
Attachments

- A-1 General Site Location
- A-2 Site Map
- A-3 Applicant's Business Plan
- A-4 Environmental Health Comments

**Attachment A-1
General Location Map**

Garden City

T 107 N - R 28 W

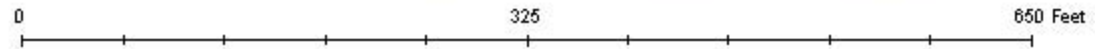


Site

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

A-2 General Site Map

— Approx 300'
Shoreland
Mark



May 11, 2010

Business Plan – Red Barn Retreats, Garden City, MN

Conditional Use permit request – Organized Group Camps (Sec.24-137, b, 2)

With an organized group camp conditional use permit, Red Barn Retreats will be able to successfully accommodate a wide variety of organized groups while at the same time maintaining the integrity of the purpose for the C Conservation District. (Sec.24-136. Purpose)

Organized groups that may utilize the facilities at Red Barn Retreats may include quilters, scrapbookers, woodcarvers, Boy Scouts, Girl Scouts, 4H, church groups, professional groups, and a variety of family groups who wish to gather for a family reunion, wedding reception, graduation, or any number of other family group events. The general public commonly recognizes groups like these along with many other groups not listed here. Whatever the type of group meeting at Red Barn Retreats, the use of the facility will remain the same and the impact on the environment and rural community will not change. A 4H group could gather and scrapbook, conduct a business meeting, and have a potluck meal together in the same way a local scrapbooking group would. The Girl Scouts could meet for their yearly meeting, invite friends and family, display their work from the past year in the same way a family group would invite family members to come for an annual reunion, discuss family business, share highlights from the past year, and enjoy a meal together. The purpose for organized groups meeting at Red Barn Retreats is very similar. The only difference is the name of the group.

A definition for an organized group camp is not stated in the code and no specific groups are named as being allowed or prohibited. Without a strict definition for an “organized group camp”, flexibility and versatility appear to be understood. Requiring a detailed list of which groups constitute an “organized group” would not only be impossible but also impractical. Defining certain groups as a “non-organized” group would be completely subjective and would come down to strictly a matter of personal opinion. The variety of organized groups using Red Barn Retreats will seamlessly function within the Conservation District code, experience the beauty of rural Blue Earth County, and provide an increase in revenue for Blue Earth County.

Occupancy at Red Barn Retreats is determined by septic system calculations in consultation with BEC Environmental Services, Peter Otterness. A group of 22 people will be able to attend a day camp w/o meals. A group of 18 people will be able to attend a day camp w/meals. A group of 11 people will be able to attend a day camp and overnight w/o meals. A group of 10 people will be able to attend a day camp and overnight w/meals. A group of 90 people will be able to attend an assembly event during the day. Red Barn Retreats will continue to record water use and monitor and record any septic alarms.

Red Barn Retreats will do no food preparation. Groups can choose to bring in their own food or arrange catering. All group activities will take place outside the Shoreland District and beyond 300' from the Watonwan River.

Complete and unwavering support from Garden City Township and neighbors has been received.

Activities offered – carving, crafts, instruction, clubs

Services offered – alcohol-free meeting facility

Hours of operation – 24 hr.

Days of week – 7 days

Water use during the period of 08-22-09 to 05-06-10 has been recorded (see Red Barn Retreats Water Use below).

Red Barn Retreats Water Use

Date	Meter reading	Gallons used	Event	# people
		0		
08/22/09	0	0	Open house	200
09/11/09	92	92		
09/15/09	109	17	scrapbooking/quilting	7
09/18/09	137	28	meeting	7
10/08/09	205	68	carving- 3 days	3
10/23/09	225	20	carving- 3 days	1
11/05/09				
11/08/09	240	15	carving- 3 days	1
01/02/10			family group	18
01/30/10	314	74	scrapbooking/quilting	6
02/04/10	323	9		
02/24/10	343	20	carving- 5 days	1
03/15/10	368	25	carving- 3 days	1
03/21/10			4-H	18
03/29/10			scrapbooking/quilting	7
04/23/10	402	34	scrapbooking/quilting	9
04/24/10	416	14	singing	25
05/02/10			family group	20
05/06/10	422	6		
		422		324
Avg. gal/person				1.30

Sincerely,

Martin and Shelley Leenhouts
Red Barn Retreats
Garden City, MN 56034

**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 25, 2010

Environmental Health Comments/Questions

R36.12.33.300.004

Martin & Shelly Leenhouts – Conditional use permit to operate an organized group camp in the Conservation Zoned District in the NW ¼ of the SW ¼ of Section 33, Garden City Township.

General: This provision will create the ability to have increased use of an accessory structure on the property beyond the current conditional use. Increased number of people and overnight stays has been proposed. There are requirements from the Minnesota Department of Health for overnight stay and possibly for the well. These will need to be addressed pending the outcome.

Septic System: There is a residential designed septic system that was installed for the accessory structure in 2008. It was designed for 450 gallons per day (gpd). There was no consideration in the design for a nonresidential use. It is considered to be acceptable to operate a septic system at 70% of the design value. A reverse design consideration based on 337.5 gpd for occupancy was done with Mr. Leenhouts to generate the numbers he has presented. This is not the standard way of setting up the use of a septic system. Mr. Leenhouts does have a water meter installed on the waterline serving this structure to verify that his practices are not exceeding the design value at any time. This reading will need to be made accessible for inspection upon request of Environmental Services.

The ability to place specific numbers for occupancy for multiple uses is very problematic from a design standpoint. It is compounded when you attempt to do this in reverse. There are values that are provided in Minnesota Rule 7081 for other establishments that must be used in determining the design flow. The variety of services to be offered compounded by the possibility of multiple types of events on a single day will take considerable planning not to exceed the design of the system.

The only control in the use of the system is in the planning of the events to be held at the facility and the occupancy. To address this a revised business plan needs to lay out what the occupancy levels will be for each type of event as well as what events will be allowed to take place on any given day.

The residential property on this parcel is also serviced by an independent septic system. This system needs a compliance inspection to proceed with this conditional use permit. The requirements from that inspection will be a condition of the conditional use permit.

Water Wells: This property is serviced by a private well. If the usage of the facility increases to a level that requires MDH permitting, all necessary provisions from the MDH must be followed.

Wetlands: Upon review there appears to be no wetlands on the property in the vicinity of the accessory structure in question

Environmental Health Conditions for approval:

- 1. A compliance inspection is required for the residential house on this property.**
 - 2. Revise the business plan to reflect the type, frequency, and combinations of activities that will be allowed to occur on any given day.**
 - 3. Maintain water usage records and have them for inspection upon request.**
 - 4. Obtain approvals for overnight lodging (if applicable) from the Minnesota Department of Health**
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