

Applicant

Greg Stevens
52482 115th Lane
Amboy MN 56010

Request and Location

The applicants are requesting to change the official zoning classification of 5.68 acres of A, Agricultural Zoned property to HB, Highway Business Zoned Property. Located in a portion of the NE ¼ of Section 22, Shelby Township.

Legal Description for Re-zoning

A tract of land in the Northeast Quarter (NE ¼) of Section twenty-two (22), Township One Hundred Five (105) North, Range Twenty-eight (28) West, Blue Earth County, Minnesota described as follows: Commencing at the Southeast corner of the Northeast Quarter of Section 22, Township 108 North, Range 28 West thence North 00 degrees 00 minutes west along the East line of said Northeast Quarter of said Section 22 a distance of 1,320.50 feet; thence South 89 degrees 24 minutes West a distance of 1,156.5 feet to the point of beginning of the tract herein conveyed, thence continuing on said last described course a distance of 100 feet; thence South 00 degrees 54 minutes East a distance of 295 feet; thence West 340 feet; thence North 630 feet; thence 440 feet and thence South 335 feet, more or less to the point of beginning of the tract herein conveyed together with an easement for ingress and egress over the following described strip of land; a strip of land 2 rods wide, one rod of either side of the centerline, which is the following described:

Commencing at the Southeast corner of the Northeast Quarter of Section 22, Township 108 North, Range 28 West, thence North 00 degrees 00 minutes West along the East line of said Northeast Quarter of Section 22 for a distance of 1,320.5 feet to the point of beginning of the land herein described; thence South 89 degrees 24 minutes West for distance of 1,156.5 feet and from that point 2 rods wide on the south side of a line continuing on the same course a further distance of 100 feet to the point of termination.

Together with all hereditaments and appurtenances belonging thereto.

Zoning

The current zoning classification of the property is A, Agricultural.

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

The property is currently zoned A, Agricultural and consists of a 5.68 acre parcel.

The existing property was once Steven's Seed Farm. They cleaned, bagged and sold seed from the site. Now the property, the five cold storage buildings and grain handling equipment is used for storage and warehousing. The owners of the site use one building and part of another for personal storage, the rest is rented out.

Re-zoning a site that is currently used for commercial purposes does conflict with the Land Use Plan from the standpoint that urban utilities will not likely be extended to the property anytime in

the near future. However, the current use of the property is generally found in the HB, Highway Business Zoned District. Staff does not consider the proposed map amendment to be a "spot zone" as adjacent parcels to the East are zoned HB, Highway Business. Therefore, staff believes the current use of the parcel supports a map amendment to re-zone the property from the A, Agricultural to HB, Highway Business.

Existing Land Use within 1/4 Mile

North: Cropland, State Hwy 30 and an Implement Dealer

East: One Residence, One Building Site, Cropland, State Hwy 169, Amboy City Limits and the Amboy Convenience Store

South: Wetlands, Woodland and Cropland

West: Wetlands and Woodland

Access

Access to the site is to and from 115th Lane, a Township Road.

NATURAL RESOURCES INFORMATION

Topography

The topography of the area is fairly flat to gently rolling.

Floodplain

The proposal is not within a floodplain area.

Shoreland

The proposal is not within a shoreland area.

Wetland

According to the National Wetlands Inventory, there are no know wetlands on the property.

Township Review

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

STAFF REVIEW

Environmental Health Review

Septic Review - The change of a map classification for the zoning of an area does not require a septic compliance inspection. If the change in zoning allows for a change in use of the business, a compliance inspection is required as per County Ordinance Chapter 6, Article V, Division 6, Section 2.05, item 5: a compliance inspection or certificate of compliance shall be required "any time there is a change in use of the property being serviced by an existing SSTS which may impact the performance of the system".

Well Review - The site plan submitted by the applicant shows two wells on the properties. Blue Earth County recently issued a permit on the second well drilled in the NE corner of one of the large storage buildings. The proposed use for this well was to serve a new building site located on an adjoining property and to be used as a back up well for the other house and buildings on these two parcels. The County has no information on the other well located west of the house.

This proposed re-zone should not have a negative impact on the wells located on these two parcels.

Wetland Review - All buildings and development are existing; there is just a change of use. The rezone is to accommodate the change in use therefore no wetlands should be impacted.

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."

16. The proposed map amendment (if approved) will bring the current use of the property into compliance with the County Code.

17. The Map Amendment should not have a detrimental effect on neighboring properties, nor will it interfere with the ability of neighboring property owners to develop their properties for permitted uses in the neighboring zoning districts.

Recommendations

Staff recommends approval of the request to amend the Official Zoning Map of Blue Earth County by re-zoning the proposed property in Section 22, Shelby Township from A, Agricultural Zoned District to HB, Highway Business Zoned District.

The recommendation for approval is contingent upon the following conditions.

1. The re-zone will not be effective until 30 days have elapsed from the time this Map Amendment has been approved by the Blue Earth County Board of Commissioners and the Map Amendment approval has been published.

Attachments

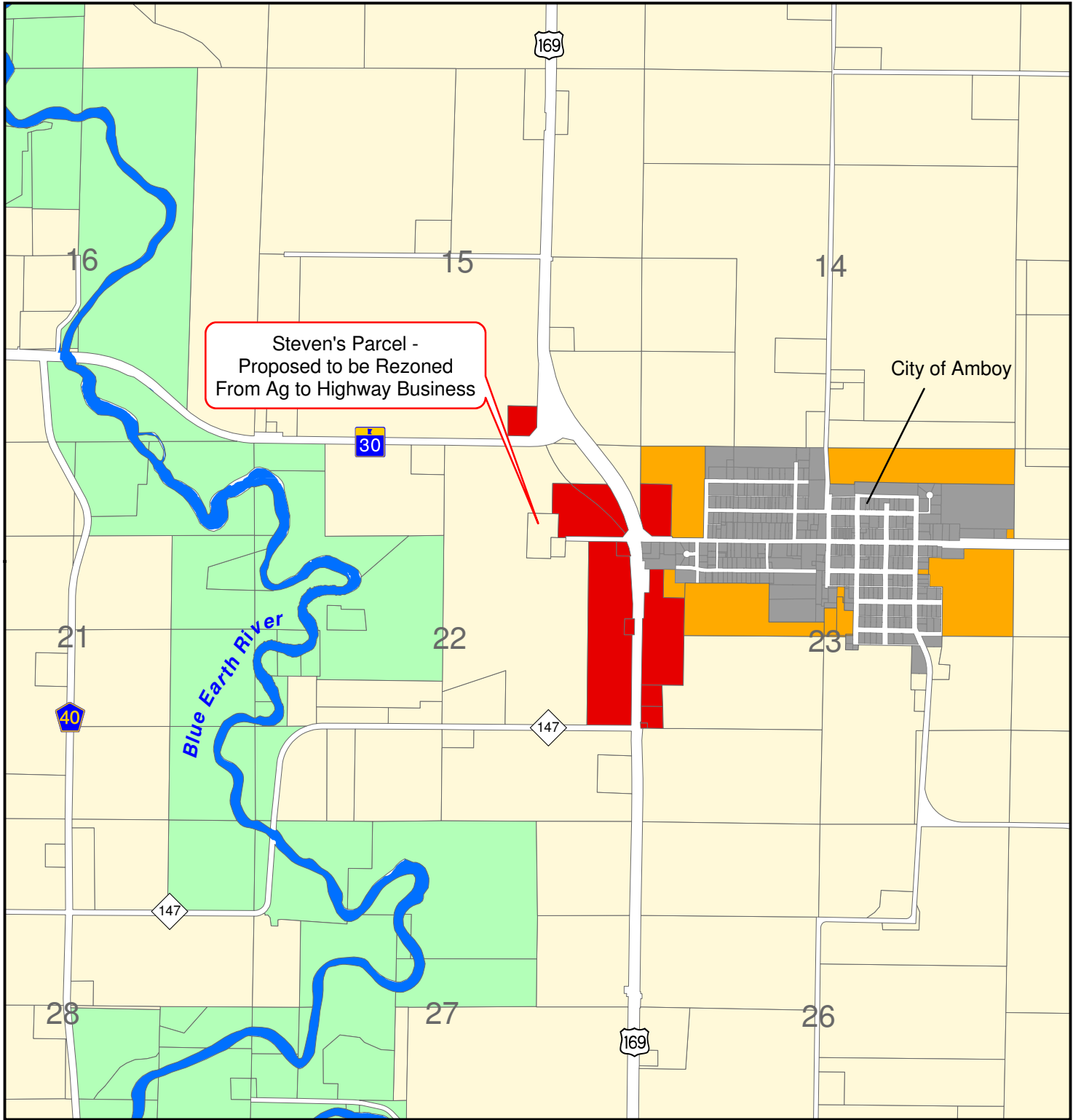
A-1 Current Zoning Map







A-2 Proposed Zoning Map

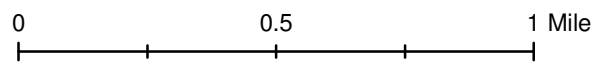
A-3 Aerial Photo

Attachment A-1 (PC 02-11)

Existing Zoning



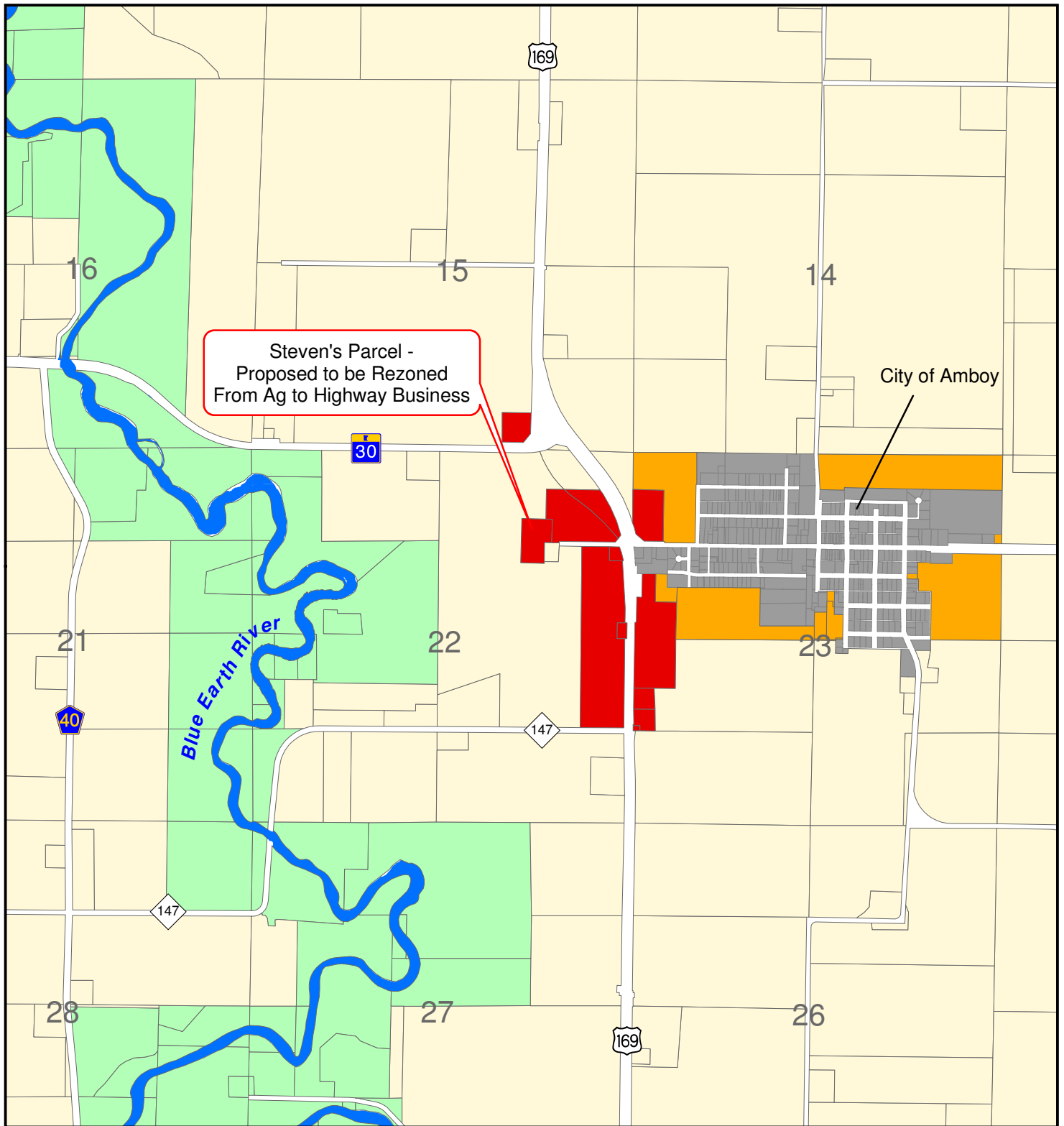
ZONING DISTRICTS					
	Agriculture		Rural Townsite		Municipality
	Conservation		Highway Business		Right of Way



Prepared By: Blue Earth County
Environmental Services
January 21, 2011

Attachment A-2 (PC 02-11)

Proposed Zoning



ZONING DISTRICTS

Agriculture	Rural Townsite	Municipality
Conservation	Highway Business	Right of Way

0 0.5 1 Mile

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Environmental Services
January 21, 2011

Attachment A-3 (PC 02-11)
2009 Aerial Photo



Steven's Parcel -
Proposed to be Rezoned
From Ag to Highway Business

0 500 1,000 Feet

 Parcel



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Environmental Services
January 21, 2011