

Request for a conditional use permit to place 550 cubic yards of fill in a Conservation Zoned District located in the SW Qtr of the NW Qtr of Section 5, Medo Township.

Applicant

John Ward
16207 605th Lane
Janesville, MN 56048

Legal Description

W ½ of the SW ¼ of the NW ¼ of Section 5, Medo Township.

Zoning

Conservation

General Site Description and Project Description

The proposed site consists of crop land. The applicant intends to construct an earthen berm approximately eight feet wide and four and one half feet tall at the crest. The east west portion of the berm will be approximately 275 feet long and the north south portion approximately 115 feet. The project will include approximately 550 cubic yards of fill. Once in place, the berm will be seeded into a grass mix to stabilize the slopes. The purpose of the project is to reduce the threat of flood waters moving out into the farm field. Although the site is located in an area of proposed floodplain, it is not located in floodplain as currently regulated by the DNR and county. The area DNR Hydrologist, Leo Getsfried, has been contacted regarding this matter. Mr. Getsfried expressed no concern with the proposal provided the project stays out of existing floodplain areas.

Access

No access is required. Construction equipment and trucks hauling in fill will access the site from across the farm field once the crop has been harvested.

Existing Land Use, 1/4 Mile

North: Crop land
South: Crop land, wetland, drainage ditch, and the Little Cobb River
East: Wetland and crop land
West: Crop land, the applicant's home and 605th Lane, a township road

Land Use Plan

The proposal does not conflict with the Land Use Plan.

Township Review

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

Environmental Health Review – See Attachment A4

Minnesota Department of Natural Resources Review

In an email dated July 26, 2011, DNR Area Hydrologist Leo Getsfried indicated he had no objections to the proposal as it is not in currently designated floodplain and the proposal does not include a home or other structure.

Opinions

Standards for Granting a Conditional Use Permit (Section 24-466 of the Code of Ordinances)

Staff believes the request will meet the following standards required for the granting of a conditional use permit:

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. (NA) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
8. (NA) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
9. (NA) 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. (NA) 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. (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 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** contingent upon the following:

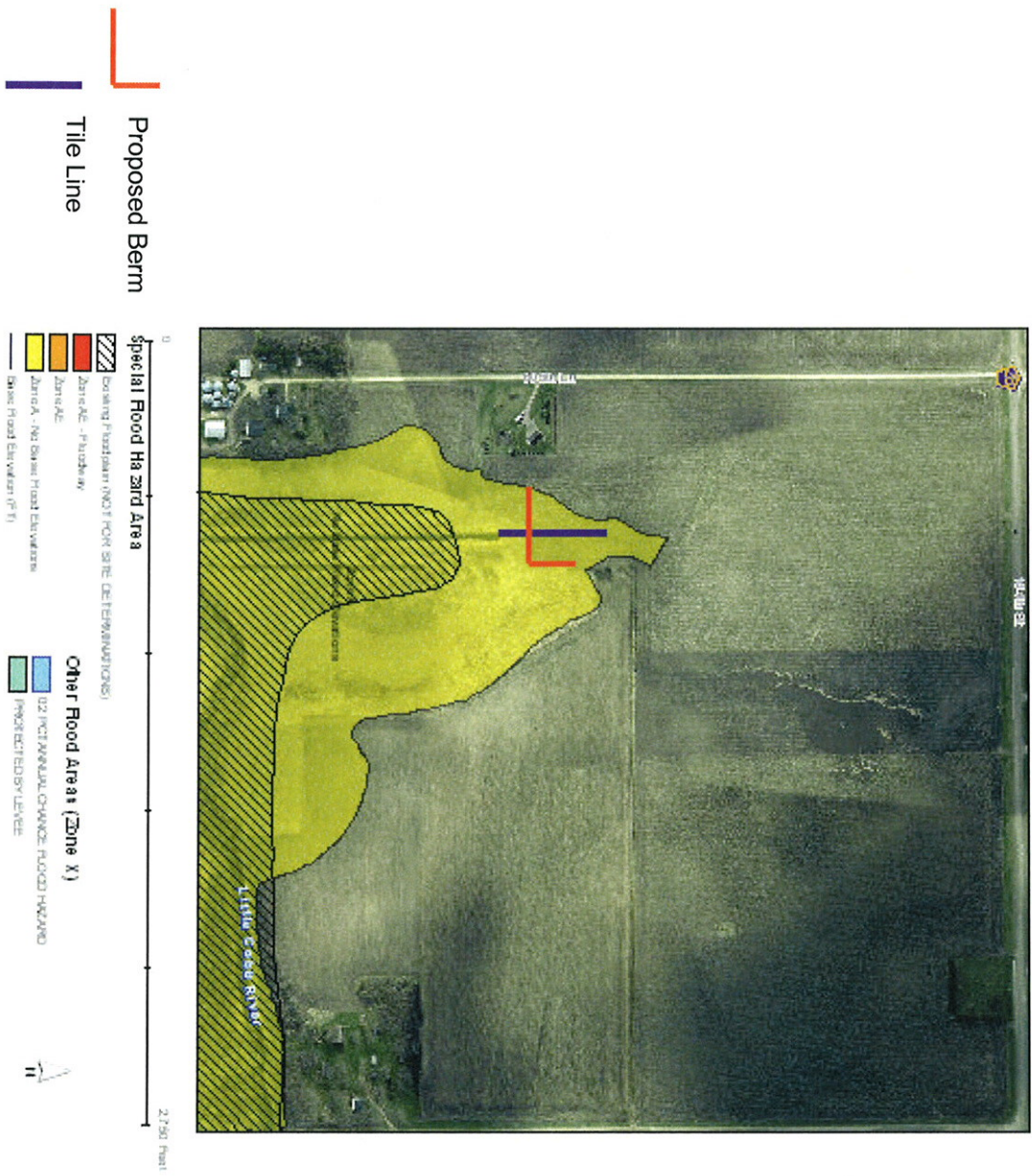
1. That adequate erosion control is installed in all work areas susceptible to erosion prior to commencement of the project and maintained until sufficient vegetation is established. This may include, but is not limited to, temporary seeding, silt fencing, placement of fiber blanket, mulching, staked straw or hay bales etc.

Attachments

- A1 Location Map
- A2 Site Plan
- A3 Two-foot Contour Map
- A4 Environmental Health Review

Jack Ward Site Plan

Preliminary Flood Insurance Rate Map
April 20, 2011 Draft Data



A-3 Two-foot contour map



Parcel


Elevation Contour

Index (10 Ft)

Intermediate (2 Ft)

0 25 50 100 Feet



Proposed Berm 

Disclaimer: This map was created using Blue Earth County's GIS and was created for specific internal County uses. It is intended to be used for reference purposes only and does not represent a land survey. No liability is assumed for the accuracy of the data delineated herein, either expressed or implied by Blue Earth County or its employees.

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**BLUE EARTH COUNTY
ENVIRONMENTAL SERVICES**

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Environmental Health Section - Planning Application Reviews

Date Printed: August 31, 2011 **Permit Number:** PL20110054
Property Owner: WARD JOHN S **Applicant:** WARD JOHN S
Parcel Number: R46.20.05.100.010 **File ID:** PC 21-11

Application Description: Request for a conditional use permit to place 550 cubic yards of fill in a conservation zoned district located in the SW 1/4 of the NW 1/4 of Section 5, Medo Township.

Septic Review

Status: Complete - Comments Received

Comments: There needs to be a septic compliance inspection done. Records indicate that system was put in in 2000. Since there was no site plan attached to this application no further review can be done to assess the impact of the project to the septic system. potterness 08/11/2011 8:46 AMThe compliance inspection was performed and submitted by Perry Mortenson. The system was found to be compliant. The location of the proposed berm should not impact the septic system. S. Feser 08/25/2011 3:39 PM

Well Review

Status: Complete - Comments Received

Comments: This property has a house built in 2000. It is served by a well located on the property to the south. THis proposed project should not have a negative impact on any known wells. grant 08/16/2011 2:05 PM

Wetland Review

Status: Complete - Comments Received

Comments: Jack Ward has talked with Blue Earth County wetland specialist, Stacey Feser, and filed the appropriate wetland paperwork. The berm as proposed (located outside of the CRP but at the edge of the field) should not impact any wetland(s). S. Feser 08/18/2011 4:53 PM
