

TO: Douglas County Commissioners
FROM: Land and Resource
RE: Agenda Items for February 4, 2014
DATE: January 29, 2014

**1. 2014/2015 BOARD OF WATER AND SOIL RESOURCES NATURAL RESOURCES
BLOCK GRANT AGREEMENT**

ACTION – APPROVAL TO ENTER INTO AN AGREEMENT

2. PLAT OF SAILOR CROSSING

Proposed changes to restrictive covenants and developers agreement

ACTION – APPROVE OR DENY CHANGES TO RESTRICTIVE COVENANTS AND
DEVELOPERS AGREEMENT

3. Licenses:

Excavator/Landscaper License:

Bitzan Backhoe; 14360 Co Rd 24 NW; Evansville MN 56326
Hvezda Excavating; 5228 County Rd 21 SW; Alexandria MN 56308

ACTION – APPROVE OR DENY LICENSES

4. ERIC W AND DEBRA A MOHR

Permit to allow 100% credit for pervious pavers with an approved stormwater plan.

ACTION – APPROVE WITH CONDITIONS:

1. The applicant must follow the submitted stormwater management plan by implementing the design as specified in the plan. Specifically:
 - a. The pervious paver system for the driveway must be installed by a licensed landscaper or paver company following the plan and specifications submitted. Any deviation from the plan or design must be approved by the Land & Resource Management Director.

2. That the applicant submits an annual inspection report of the function and condition of all stormwater management techniques implemented to the Land & Resource Management Office for the next three years.

5. PENTA, LLC LEASED BY BRYON CHISHOLM

Permit to allow outdoor display of vehicles and equipment for sale.

ACTION – APPROVE WITH CONDITIONS:

1. Parking shall not be allowed on any public roadway, right-of-way, or easement.
2. The display area may not exceed 70,000 sq ft.
3. All items displayed must be setback 35-ft from all rights-of-way and 25-ft from side property boundaries.
4. A spacing of 10-ft must be left between items displayed.
5. A waste compliance audit from the MPCA must be submitted within 30 days of the approval of this application.
6. All vehicles, machinery, equipment and other items displayed in the open must be whole, fully-enclosed if intended to be so at time of original manufacture, and safe such as not to pose a risk to human health and safety.
7. The provisions of the MN Noxious Weed Law must be followed on all areas of the property.
8. All lighting installed in the lot must be hooded and directed straight down.
9. Any sign located on the property must meet all requirements of the zoning ordinance and may only advertise the businesses located on the premises.
10. A properly designed and permitted septic treatment system must be installed if any waste water generating facilities are constructed or placed on the parcel. (Portable bathrooms are exempt from this condition.)
11. Approval of this permit by the Douglas County Board of Commissioners shall repeal Special Use Permit No. 1994-37 recorded as Document No. 143509 by the Douglas County Recorder. The use for which the permit was granted has ceased for more than five years. According to the Douglas County Zoning Ordinance Section VII.G.2.g, “ a conditional use permit...shall expire if the conditional use ceases for more than one year for any reason”.

6. MATHEW A AND CINDEE A KAKAC

Amendment to CUP #2007-24 to allow the expansion of an existing dog boarding facility of 30 new kennels and the addition of dog grooming services with two full time employees.

ACTION – APPROVE WITH CONDITIONS:

1. That there may be no more than 30 additional single-dog kennels. All kennels must be located completely within the enclosed building on the property.
2. All boarded dogs must be inside of the building between the hours of 8 pm to 7 am.
3. Dog waste must be stockpiled or flushed into the dedicated septic treatment system.

4. The following must be completed for the septic treatment system for the kennel prior to the addition being occupied by any animals:
 - a. An SSTS designer must either verify that the existing system is sized adequately for the addition or a design for an upgraded system must be developed and the system or upgrades installed.
 - b. A management plan must be written for the system and submitted to the Land & Resource Management Department
5. Outside exercise areas must be fenced to contain the animals.
6. Dogs must be supervised at all times when outside in the exercise areas.
7. There may be no more than 5 employees.
8. Three or more confirmed reports of a boarded dog “at-large” will result in potential suspension, revocation, or other enforcement action deemed appropriate by the Douglas County Board. Reports must be confirmed by law enforcement agent, township or county official, or through the Humane Shelter.
9. Any confirmed report of a dog “at-large” doing damage to person or property will result in suspension, revocation, or other enforcement action deemed appropriate by the Douglas County Board.
10. Any expansion of the number of kennels, dogs boarded, employees or additional buildings (related to the kennel business) shall require a new or revised conditional use permit.

7. BECHTOLD FAMILY LIMITED PARTNERSHIP

Permit to allow an electronic changeable copy sign (digital).

ACTION – APPROVE AS PRESENTED.

8. PRELIMINARY PLAT OF FREYAS FARM

ACTION – APPROVE WITH CONDITION:

1. The proposed East property line must be at least 10 feet from the driveway.



**FY 2014 & 2015 STATE OF MINNESOTA
BOARD OF WATER and SOIL RESOURCES
NATURAL RESOURCES BLOCK GRANT AGREEMENT**

Vendor:	0000197326	VN#:	
PO#:	3000003950	Date Paid:	

Amount	Account Code	Fund Code	Financial Department ID	Appropriation Code	FY	Appropriation Description
\$37,900	441302	2001	R9P32SST	R9PNRS3	2014	MPCA SSTS Upgrade
\$36,941	441302	2001	R9P32FDL	R9PFDL3	2014	MPCA County Feedlot
\$12,077	441302	1000	R9P32LAW	R9PNRB1	2014	Local Water Management
\$21,641	441302	1000	R9P32WCA	R9PNRB1	2014	Wetland Conservation Act
\$8,544	441302	1000	R9P32SLD	R9PNRB1	2014	DNR Shoreland
\$18,600	441302	2001	R9P32SST	R9PNRS3	2014	MPCA SSTS
\$1,400	441302	2001	R9P32SST	R9PNRS3	2014	MPCA SSTS Add-On

For BWSR Use Only

This Grant Agreement is between the State of Minnesota, acting through its Board of Water and Soil Resources (Board) and **Douglas County, 305 8th Ave W Alexandria Minnesota 56308.**

<i>This grant is for the following Grant Programs:</i>		
P14-9081	2014 - Septic Treatment Systems Upgrade - NRBG (Douglas County)	\$37,900
P14-8399	2014 - Feedlot Program - NRBG (Douglas County)	\$36,941
P14-7983	2014 - Local Water Management - NRBG (Douglas County)	\$12,077
P14-4284	2014 - Wetland Conseration Act - NRBG (Douglas County)	\$21,641
P14-6773	2014 - Shoreland-NRBG (Douglas County)	\$8,544
P14-9252	2014 - Septic Treatment Systems - NRBG (Douglas County)	\$20,000
Total Grant Awarded: \$137,103		

Recitals

1. The 2013 Legislature in Laws of Minnesota 2013, Chapter 114, Article 3, Sec. 5, appropriated funds for the Natural Resources Block Grants (NRBG), to assist with the implementation of Comprehensive Local Water Plans (LWM), the Wetland Conservation Act (WCA), and Shoreland Programs; and in Sec. 3, Subd. 2, Subsurface Sewage Treatment Systems (SSTS), and County Feedlot Permit Programs, and in Chapter 137, Article 2, Section 5 (j), Subsurface Sewage Treatment Systems.
2. The 2013 Legislature in Laws of Minnesota 2013, Chapter 137, Article 2, Sec. 5 (j), authorizes the MPCA to use Clean Water Funds for SSTS Upgrade Grants.
3. Minnesota Statutes 103B.101 subd. 9 (1), and 103B.3369, subd. 5 authorize the Board to award grants.
4. The Grantee has met the criteria established by statute, the Board, the DNR, and MPCA, and is eligible to receive NRBG grant funds.
5. The Grantee has agreed to appropriate the required local match.
6. The Grantee represents that it is duly qualified and agrees to perform all services described in this grant contract to the satisfaction of the State.
7. As a condition of the grant, Grantee agrees to minimize administration costs.

Authorized Representative

The State's Authorized Representative is David Weirens, BWSR Land and Water Section Administrator, 520 Lafayette Road North, Saint Paul, MN 55155, 651-297-3432, or his successor, and has the responsibility to monitor the Grantee's performance and the

authority to accept the services and performance provided under this Grant Agreement.

The Grantee's Authorized Representative is **Bev Bales, Chairperson**
305 8th Ave. West
Alexandria, MN 56308
320-762-3873

If the Grantee's Authorized Representative changes at any time during this grant contract, the Grantee must immediately notify the State.

Grant Agreement

1 Term of Grant Agreement

- 1.1 **Effective date:** October 1, 2013, or the date the State obtains all required signatures under Minn. Stat. § 16B.98, Subd.5, whichever is later. **The Grantee must not begin FY 2014 work under this Grant Agreement until this agreement is fully executed and the Grantee has been notified by the State's Authorized Representative to begin the work. The Grantee must not begin work under FY 2015 grants until Grantee has received Notice of Payment from BWSR.**
- 1.2 The Grantee and BWSR signatures below signify approval to the terms of this Agreement for FY 2014 **and the yet to be determined FY 2015 Natural Resources Block Grants.**
- 1.3 **Expiration date:** December 31, 2016, or until all obligations have been satisfactorily fulfilled, whichever comes first.
- 1.4 **Survival of Terms:** The following clauses survive the expiration or cancellation of this grant contract: 7. Liability; 8. State Audits; 9. Government Data Practices; 11. Governing Law, Jurisdiction, and Venue; 15. Intellectual Property Rights.

2 Grantee's Duties

The Grantee is responsible for the specific duties for the NRBG, as follows:

- 2.1 **Match:** The Grantee's participation in the NRBG is conditioned upon Grantee expenditures to match the NRBG as required by the Board on the BWSR website.
- 2.2 **Reporting:** All data and information provided in a Grantee's report shall be considered public.
 - 2.2.1 The Grantee will submit an annual progress report to the Board by February 1 of each year on the status of program implementation by the Grantee. Information provided must conform to the requirements and formats set by the Board.
 - 2.2.2 Display on its website the previous calendar year's detailed information on the expenditure of grant funds and measurable outcomes as a result of the expenditure of funds according to the format specified by the BWSR, by March 15 of each year.
 - 2.2.3 The Grantee will submit a final progress report to the Board by February 1 of 2017. Information provided must conform to the requirements and formats set by the Board.
 - 2.2.4 A late or incomplete annual progress or final report will result in the withholding of any future NRBG allocations.
- 2.3 **Compliance:** The Grantee will comply with Minnesota Statutes Section 103B.3361 through 103B.3369 (LWP), Minnesota Rules Chapter 8420 (WCA); Minnesota Statutes Section 103F.201 and Minnesota Rules Chapter 6120 (Shoreland); and Minnesota Rules Chapter 7020 (Feedlot); Minnesota Rules Chapter 7082.0040 through 7082.0700 (SSTS); and amendments thereto, for Comprehensive Water Planning, Wetland Conservation Act, Shoreland Management, Subsurface Sewage Treatment Systems, and County Feedlot Programs.
- 2.4 **Wetland Conservation Act Funds Transfer:** As required by the Board, the Grantee's participation in the NRBG is conditioned upon a transfer of funds to the Soil and Water Conservation District (SWCD) for Wetland Conservation Act activities, or such greater amount as agreed upon by the county and SWCD. This transfer must occur within 30 days of receipt of NRBG funds by the Grantee. This amount is listed on the BWSR website.

3 Time

The Grantee must comply with all the time requirements described in this Grant Agreement. In the performance of this Grant Agreement, time is of the essence.

4 Terms of Payment

- 4.1 Payment of the FY 2014 grant amount will be made in one installment promptly after execution of the grant agreement.
- 4.2 Payment of FY 2015 allocations for the above stated grant programs will also be made under authority of this agreement

promptly after July 1, 2015.

- 4.3 Any grant funds remaining unspent after the end of the expiration date stated above will be returned to the Board within one month of that date.
- 4.4 The Board must consult with the approving authority before granting an amendment to the grant agreement, or a component thereof.
- 4.5 The obligation of the State under this Grant Agreement will not exceed the amount stated above for each grant program.
- 4.6 This grant is an advance payment. Advance payments allow the grantee to have adequate operating capital for start-up costs, ensure their financial commitment to landowners and contractors, and to better schedule work into the future.

5 Conditions of Payment

All services provided by the Grantee under this Grant Agreement must be performed to the State's satisfaction, as determined at the sole discretion of the State's Authorized Representative and in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations. The Grantee will not receive payment for work found by the State to be unsatisfactory or performed in violation of federal, state, or local law.

The Minnesota Department of Administration's Office of Grants Management Policy on Grant Closeout Evaluation (Policy 08-13), requires the Board to consider a grant applicant's past performance before awarding subsequent grants to them. The Board must consider a grant applicant's performance on prior grants before making a new grant award of over \$5,000. The Board may withhold payment on this and grants from other programs if the Grantee is not in compliance with all Board reporting requirements.

6 Assignment, Amendments, and Waiver

- 6.1 **Assignment.** The Grantee may neither assign nor transfer any rights or obligations under this Grant Agreement without the prior consent of the State and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this Grant Agreement, or their successors in office.
- 6.2 **Amendments.** Any amendment to this Grant Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Grant Agreement, or their successors in office.
- 6.3 **Waiver.** If the State fails to enforce any provision of this Grant Agreement, that failure does not waive the provision or its right to enforce it.

7 Liability

The Grantee must indemnify, save, and hold the State, its agents, and employees harmless from any claims or causes of action, including attorney's fees incurred by the State, arising from the performance of this Grant Agreement by the Grantee or the Grantee's agents or employees. This clause will not be construed to bar any legal remedies the Grantee may have for the State's failure to fulfill its obligations under this Grant Agreement.

8 State Audits

Under Minn. Stat. § 16B.98, subd. 8, the Grantee's books, records, documents, and accounting procedures and practices of the Grantee or other party relevant to this Grant Agreement or transaction are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this Grant Agreement, receipt and approval of all final reports, or the required period of time to satisfy all State and program retention requirements, whichever is later.

- 8.1 The books, records, documents, accounting procedures and practices of the Grantee and its designated local units of government and contractors relevant to the NRBG, and match and grant expenditures, may be examined at any time by the Board or Board's designee and are subject to verification. The Grantee or delegated local unit of government will maintain records relating to the receipt and expenditure of grant and match funds.
- 8.2 The Grantee or designated local unit of government implementing this Agreement will provide for an audit that meets the standards of the Office of State Auditor. The audit must cover the duration of the Agreement Period and be performed within one year after the end of the Agreement Period or when routinely audited, whichever occurs first. Copies of the audit report must be provided to the Board if requested.

9 Government Data Practices

The Grantee and State must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data provided by the State under this grant contract, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Grantee under this Grant Agreement. The civil remedies of Minn. Stat. § 13.08 apply to the

release of the data referred to in this clause by either the Grantee or the State.

If the Grantee receives a request to release the data referred to in this Clause, the Grantee must immediately notify the State.

10 Workers' Compensation

The Grantee certifies that it is in compliance with Minn. Stat. § 176.181, subd. 2, pertaining to workers' compensation insurance coverage. The Grantee's employees and agents will not be considered State employees. Any claims that may arise under the Minnesota Workers Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the State's obligation or responsibility.

11 Governing Law, Jurisdiction, and Venue

Minnesota law, without regard to its choice-of-law provisions, governs this Grant Agreement. Venue for all legal proceedings out of this grant contract, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

12 Termination

The State may cancel this Grant Agreement at any time, with or without cause, upon 30 days' written notice to the Grantee. Upon termination, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

13 Data Disclosure

Under Minn. Stat. § 270C.65, Subd. 3, and other applicable law, the Grantee consents to disclosure of its social security number, federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Grantee to file state tax returns and pay delinquent state tax liabilities, if any.

14 Prevailing Wage

It is the responsibility of the Grantee or contractor to pay prevailing wages on construction projects to which state prevailing wage laws apply (Minn. Stat. 177.42 – 177.44). All laborers and mechanics employed by grant recipients and subcontractors funded in whole or in part with these state funds shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality.

15 Intellectual Property Rights

The State owns all rights, title, and interest in all of the intellectual property rights, including copyrights, patents, trade secrets, trademarks, and service marks in the Works and Documents *created and paid for under this grant*. Works means all inventions, improvements, discoveries (whether or not patentable), databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, and disks conceived, reduced to practice, created or originated by the Grantee, its employees, agents, and subcontractors, either individually or jointly with others in the performance of this grant. Works includes "Documents." Documents are the originals of any databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, disks, or other materials, whether in tangible or electronic forms, prepared by the Grantee, its employees, agents, or subcontractors, in the performance of this grant. The Documents will be the exclusive property of the State and all such Documents must be immediately returned to the State by the Grantee upon completion or cancellation of this grant at the State's request. To the extent possible, those Works eligible for copyright protection under the United States Copyright Act will be deemed to be "works made for hire." The Grantee assigns all right, title, and interest it may have in the Works and the Documents to the State. The Grantee must, at the request of the State, execute all papers and perform all other acts necessary to transfer or record the State's ownership interest in the Works and Documents.

***IN WITNESS WHEREOF**, the parties have caused this Grant Agreement to be duly executed intending to be bound thereby for FY 2014 and FY 2015 Natural Resources Block Grants.*

Approved:

Douglas County

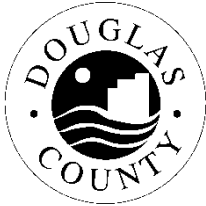
BY: _____
TITLE: _____
DATED: _____

Board Of Water and Soil Resources

BY: _____
TITLE: Land & Water Section Administrator
DATED: _____

Attachment: FY 2015 Addendum – Notice of Payment (to be provided after July 1, 2015.)

H:1415SWCDG
A



LAND AND RESOURCE MANAGEMENT
Environment, Planning, Water, Solid Waste & Zoning

MEMORANDUM

TO: Board of Commissioners; Al Lieffort

FROM: David Rush, Director

A handwritten signature in black ink that reads "DR" with a stylized flourish.

DATE: January 31, 2014

RE: Changes to the Plat of Sailor Crossing covenants and developer agreement.

In 2007 the County approved the final plat of Sailor Crossing, a 49-lot development on the east-side of Lake Le Homme Dieu in Carlos Twp. The development also contained two Outlots. The purpose of the Outlots was for a stormwater collection and treatment pond and a private park for the development.

Because the development was proposed with a private park, the developer requested a reduction in the required \$300 park dedication fee. County staff supported a 50% reduction in the overall fee that was approved by the County Board. In return, the County required in the developer's agreement that "[t]he Developer shall provide land and facilities for a private park in the subdivision at the Developer's expense. The park will include at least a public water supply with a drinking fountain, access pathways with stable surfacing, and established vegetative ground cover."

In approving the development, the County also required covenants that established a fund for the maintenance of the park and the stormwater conveyances. This resulted in the need for a homeowners association and the collection of annual dues. However, in the process of approving the development at the preliminary plat stage, the County allowed that if a suitable entity could be identified to maintain the stormwater infrastructure, a homeowner association would not be necessary.

In the past few months, the current owner of Sailor Crossing has been working to have Carlos Township take responsibility for the maintenance of the stormwater infrastructure and to eliminate the private park. In September, Carlos Township agreed to take ownership of and responsibility for the stormwater ponds and ditches within the development. The developer has also shared a plan to

eliminate the private park and either deed portions of Outlot A or grant use-easements over it to the adjacent lots. With these proposed changes, the owner would like to have the Developer's agreement and Declaration revised to remove the articles that require an association for maintenance of a park and stormwater facilities. Staff recommends that the County agree to these changes under the following conditions:

- That the developer reimburse the County for the 50% reduction in park dedication fees
- The no additional lots may be created by subdivision of the Outlots

For the association to be eliminated, the County Board must take the following actions:

- Agree to revise the Developers Agreement to eliminate articles #10 and #11 and replace with a condition to require repayment of the waived park dedication fee of \$6600.
- Agree to an Amendment of the Declaration for Sailor Crossing revising Section 15 of the Declaration (dated June 11, 2007, recorded June 11, 2007 as Document No. A295849 in the Office of the Douglas County Recorder), so as to remove and release the requirement for consent of the Douglas County Board of Commissioners with respect to any amendment to the Declaration.

Please do not hesitate to contact me if you have any questions or concerns about this request for Board action.

APPLICATION FOR CONDITIONAL USE PERMIT

DOUGLAS COUNTY, MINNESOTA

Date December 11, 20 13 Parcel No. 27-1325-000 Application No. 31

Legal Description of Land Lot 10, Block 1, Sprucewood

Section 22 Township LaGrand Present Zoning RS(GDS)

Lake Latoka Lakeshore (X) Yes () No Covenants () Yes (X) No

Sketch or Drawing Submitted? () Yes (X) No Photos Submitted? () Yes (X) No

Proposed Use of Land to allow 100% credit for pervious pavers with an approved stormwater plan.

Signed by [Signature] Applicant

(Note: If not owner's signature, a copy of a signed purchase agreement will be needed.) Signature confirms applicant has read and understands procedure sheet.

Owner: Eric W and Debra A Mohr

Buyer: Jon Haabala Construction

Address: 899 W Katoka Dr SW Alexandria MN 56308

Address:

Phone No.: (320) 762-1389

Phone No.: (320) 808-5507

Email Address:

Email Address: jon@haabalaconstruction.com

Property address: 899 W Latoka Dr SW

Application taken by dbr FEE: \$300.00 (non-refundable) Receipt # 82016

Date of Hearing January 28, 20 14.

Special Conditions Attached:

This application was previewed on January 17, 2014. At the January 28, 2014, Planning Advisory Commission meeting this application was recommended for approval with the staff findings of fact and the following conditions:

- The applicant must follow the submitted stormwater management plan by implementing the design as specified in the plan. Specifically:
a. The pervious pavers system for the driveway must be installed by a licensed landscaper or paver company following the plan and specifications submitted. Any deviation from the plan or design must be approved by the Land and Resource Management Director.
- That the applicant submits an annual inspection report of the function and condition of all stormwater management techniques implemented to the Land and Resource Management Office for the next three years.

This application is hereby recommended for approval by the Douglas County Planning Advisory Commission.

Chairperson

Approved/Denied by the Board of County Commissioners of Douglas County this day of , 20 .

Chairperson

Conditional Use Permit issued in accordance with existing and special regulations this day of , 20 .

Clerk of the Board

STAFF REPORT

Applicant: Eric W and Debra A Mohr

Application: Permit to allow 100% credit for pervious pavers with an approved stormwater management plan.

Location: Lot 10, Block 1, Sprucewood. Ac. .58. Section 22 (LaGrand Township)
Zoning RS(GDS) Lake Latoka.

Background: The applicant is planning redevelopment of a lakeside lot. The applicants would like to install and receive 100% credit for pervious pavers to replace a portion of the driveway. A stormwater management plan has been completed for the property.



Staff Recommendation: *Approve with conditions*

Based on the findings of fact presented in this report, the Staff recommends approval of the application, with the following conditions:

1. The applicant must follow the submitted stormwater management plan by implementing the design as specified in the plan. Specifically:
 - a. The pervious paver system for the driveway must be installed by a licensed landscaper or paver company following the plan and specifications submitted. Any deviation from the plan or design must be approved by the Land & Resource Management Director.
2. That the applicant submits an annual inspection report of the function and condition of all stormwater management techniques implemented to the Land & Resource Management Office for the next three years.

Applicable Statutes: This application is subject to the criteria applicable to all conditional use permits listed on page ii of this staff report, including those applicable to shoreland areas.

L. ADDITIONAL PROVISIONS WITHIN THE RESIDENTIAL SHORELAND DISTRICT.

4. Storm Water Management.
 - a. The following general and specific standards shall apply:
 - (1.) General Standards.
 - (a.) When possible, existing natural drainageways, wetlands, and vegetated soil surfaces must be used to convey, store, filter, and retain storm water runoff before discharge to public waters.
 - (b.) Development must be planned and conducted in a manner that will minimize the extent of disturbed areas, runoff velocities, erosion potential, and reduce and delay runoff volumes. Disturbed areas must be stabilized and protected as soon as possible and facilities or methods used to retain sediment on the site.
 - (c.) When development density, topography features, and soil and vegetation conditions are not sufficient to adequately handle storm water runoff using natural features and vegetation, various types of constructed facilities such as diversions, settling basins, skimming devices, dikes, waterways, and ponds may be used. Preference must be given to designs using surface drainage, vegetation, and infiltration rather than buried pipes and man-made materials and facilities.
 - (d.) Landowners may only drain surface water upon neighboring land if they act in good faith and;
 - i. there is a reasonable necessity for the drainage;
 - ii. care is taken to avoid unnecessary injury to the neighboring land;

- iii. the utility or benefit accruing to the drained land outweighs the gravity of the harm resulting to the burdened land; and
- iv. the drainage is accomplished by reasonably improving and aiding the natural drainage system, or if, in the absence of a practical natural drain, a reasonable and feasible artificial drainage system is adopted.

(2.) Specific Standards.

(a.) Impervious surface coverage of lots must not exceed twenty-five (25) percent of the lot area or twenty (20) percent of the lot area in Natural Environment Shoreland Zoning. For the purposes of this section, twenty-five (25) percent of the total area covered by pervious paver systems designed to allow the infiltration of water between pavers may be considered pervious by conditional use permit provided that:

- i. The pervious pavement system shall be designed and certified by a registered engineer or landscape architect and installed by someone qualified in the particular system used, or the installation shall be overseen by a product representative to ensure its proper long-term function;
- ii. The pervious pavement designer shall include maintenance instructions to the property owner along with a maintenance schedule, with a copy to the Land & Resource Office to be filed along with the permit;

(b.) When constructed facilities are used for storm water management, documentation must be provided by a qualified individual that they are designed and installed consistent with the field office technical guide of the local soil and water conservation districts.

1. New constructed storm water outfalls to public waters must provide for filtering or settling of suspended solids and skimming of surface debris before discharge.

(a.) Impervious Surface Replacement.

1. Purpose: The purpose of the regulations in this subsection is to prevent excessive amount of runoff that will be generated during a rainstorm by an enlarged impervious area. Such excessive runoff causes erosion

and transport of pollutants to public waters thereby degrading water quality. Existing properties exceeding the standards for impervious surface coverage present a distinct management challenge from that of newly developed properties and there is a need to establish clear and consistent guidelines for how re-development of these lots may occur.

ii. Standards: Parcels that exceed the maximum allowed impervious surface may construct additional impervious surfaces without a variance or conditional use permit if the proposed new impervious surface meets all setback, height and other regulations of this ordinance and if one of the two following conditions are met:

1. The applicant removes existing impervious surfaces at a ratio of one and one-half (1.5) square feet removed for every one (1) square foot added and restores these areas to a permeable surface.

a. Permeable pavement systems are encouraged in the management of sites currently over the impervious surface limit and shall be credited as twenty-five (25) percent pervious for these sites when installed according to the requirements of Section V.L.4.a.(2).(d).iii. Applicants are encouraged to replace existing impervious surfaces with natural vegetation at the 1.5 to 1 ratio listed above; however, permeable pavement systems may also be used. In these cases they are to replace existing impervious surfaces at a ratio of at least four (4) square feet converted for every one (1) square foot of new impervious surface being added;

2. The applicant removes existing impervious surfaces at a 1:1 ratio and restores those areas to a permeable surface and in addition, submits a comprehensive stormwater management plan that emphasized infiltration and onsite retention of stormwater for at least the two year 24-hour storm even through a combination of methods including buffer strips, swales, rainwater gardens, permeable pavement systems and other low impact development methods. The stormwater management plan must be designed by a registered engineer or landscape architect

and installed as designed by a qualified professional.

3. Permeable pavement systems may be considered as 100% pervious when submitted as part of a stormwater management plan consistent with this section.

Staff Findings: The Staff proposes the following findings of fact for consideration by the Planning Advisory Commission:

1. **Compatible with the surrounding neighborhood:** The proposed stormwater plan and use of pervious pavers will improve infiltration and is specifically designed prevent runoff from impacting neighboring properties.
2. **Appearance not a detriment:** The proposed pervious pavement systems are designed to blend with the type of construction and enhance the appearance of the lot.
3. **Consistent with the zoning ordinance:** Section V.L.4 of the Ordinance permits additional impervious surface on lots that exceed the impervious limit if specific standards are met. The applicant has met these standards by completing a stormwater management plan.
4. **The prevention of soil erosion or other possible pollution of public waters, both during and after construction.** The stormwater management plan, which includes the pervious pavement system, was developed with the intent of reducing and/or filtering runoff that would enter public waters.

Staff Comments: Based on the review of the application, Staff offers the following comments:

1. Lake Latoka is a 776-acre lake located about four miles west of Alexandria. It is a deep, clear-water lake with habitat best suited for northern pike, bluegill and walleyes. Latoka is close proximity to Alexandria and its clear water make it popular with boaters and anglers alike. Shoreline development density (homes per mile of shoreline) is the fourth highest in Douglas County at 30.2 homes per mile of shoreline. Approximately 40 percent of the shoreline has been altered from its natural state.

**STORMWATER
MANAGEMENT PLAN**

FOR

**MOHR PROPERTY
899 W LATOKA DRIVE SW
DOUGLAS COUNTY, MN**

Prepared for:

Mr. Jon Haabala
Haabala Construction
Alexandria, MN 56308


Landteam Project Number GE1347
December 2013

STORMWATER MANAGEMENT PLAN

**MOHR PROPERTY
899 W LATOKA DRIVE SW
DOUGLAS COUNTY, MN**

Landteam Project No. GE1347

I hereby certify that this stormwater management plan was prepared by me or under my direct supervision and that I am a Certified Professional in Erosion and Sediment Control (CPESC) and I am a Certified Professional in Storm Water Quality (CPSWQ)


Darren J. Hungness, CPESC, CPSWQ

CPESC Reg. No. 3291
CPSWQ Reg. No. 0061

Date: 12/6/13

STORMWATER MANAGEMENT PLAN

MOHR PROPERTY

INTRODUCTION

This document is provided as the stormwater management plan for the Mohr property located at 899 W Latoka Dr SW, La Grand Township (Section 22, T128N, R38W). The property fronts Lake Latoka. In the redevelopment of this lot, the applicant proposes to use engineered pervious paver systems to address impervious surface requirements in accordance with Douglas County ordinances. Pervious pavers will be used in the replacement of an existing driveway and the construction of a new driveway surface.

The lot is generally rectangular with approximately 100 feet of frontage on Lake Latoka. Drainage is generally northwest to southeast across the lot and towards the lake. Little run-on to the property from off-site sources is apparent.

SOILS

Soils in the area are Nebish sandy loams (Soil Survey of Douglas County, 1975, and the NCSS Web Soil Survey). Nebish soils are deep, well drained soils formed in glacial till on glacial moraines and till plains. Permeability is considered moderate. The typical profile for Nebish soil is 0-8 inches-sandy loam, 8-30 inches-sandy clay loam, and 30-60 inches-loam. Loamy soils such as these generally display an infiltration rate between 0.3 inches/hour and 0.6 inches/hour and greater. The system has been modeled using a conservative infiltration rate of 0.4 inches per hour.

DESIGN CRITERIA

The site was assessed using standard TR-55 Urban Hydrology for Small Watersheds (SCS, 1986) and Hydrocad® computer modeling. TR-55 utilizes the runoff curve number (CN) method to estimate runoff from a rainfall event. This method uses factors such as hydrologic soil group, ground cover type, treatment, hydrologic conditions, and antecedent runoff conditions to determine the predicted runoff amount. In general terms, the higher the CN, the higher potential for runoff. The 2-year, 24-hour storm event (2.4 inches for the Alexandria area) was used per Douglas County ordinance. The results generated by Hydrocad® are then used to complete the PC-SWMMPP® and Lockpave® models.

EXISTING CONDITIONS		
Surface Type	Area (Square Feet)	CN
Impervious	6,972	98
Pervious	18,247	69
Total	225,219	77

PROPOSED CONDITIONS		
Surface Type	Area (Square Feet)	CN (weighted)
Impervious	6,954	98
Pervious	16,346	69
Pervious (Paver System)	1,919	39
Total	25,219	75

STORMWATER MANAGEMENT

Peak flow (runoff) from the site during the design storm event for the pre- and post project conditions are shown in the following table:

Site Condition	Runoff rate (cfs)	Runoff Volume (cu ft)
Pre-project	0.79	1,556
Post-project	0.68	1,347

The pervious paver system is capable of capturing and infiltrating the design storm event. The system has 728 cubic feet of storage; there is no discharge of stormwater from the system other than via infiltration during this storm event. The storage volume provided in the pervious paver system is provided by **10** inches of angular to subangular coarse aggregate sub-base (typical 2 to 3 inch size), calculated at 40% void space, and **4** inches of angular to subangular base material, also assuming 40% void space.

Downspouts from structures can be directed to this area to the greatest extent practical.

PERVIOUS PAVER SYSTEM INSTALLATION

A. General

A variety of proprietary pervious paver blocks are available. A landscape contractor or other professional familiar with the installation of this type of system must install the pervious paver system. All design criteria must be met or exceeded. In addition, base material, bedding material, and paver blocks must meet manufacturer's specifications, and installation must be performed according to manufacturer's specifications. These specifications are intended to augment manufacturer's specifications and not supersede them.

B. Subgrade Preparation

When the installation area is excavated to the appropriate depth, the subgrade shall be scarified to a depth of **(6) inches** and subsequently compacted with a mechanical compactor, if necessary.

C. Sub-Base Course Installation

The sub-base layer shall consist of **10 (ten) inches** of hard, crushed, angular stone ranging from 2 inch to 3 inch in diameter. The sub-base shall be installed in four to six inch lifts and compacted.

D. Base Course Installation

The base layer shall consist of **four (4) inches** of hard, crushed angular stone ranging from 0.5 inch to 1.5 inch in diameter. The base shall be installed in one lift and screeded flat.

E. Bedding Course Installation

The bedding layer shall consist of 1/4 to 3/8 inch crushed stone chips and shall be screeded to a uniform depth of **1 to 2 inches**. Sand, which is commonly used in traditional interlocking paver installation, **shall not** be used for the bedding layer.

F. Paver Installation

Pavers shall be installed on the screeded bedding layer and compacted with a plate compactor. After initial compaction, the joints and voids are filled with 1/4 to 3/8 inch crushed stone and compacted again. Edge restraints **must** be utilized along all outside edges of the system.

G. Permitting and Maintenance

Permitting and approval of this system are the responsibility of the landowner and the local unit of government—in this case Douglas County. In order to ensure the proper functioning of the system, proper maintenance is required. The County requires a maintenance plan as a component of the permitting process. The following are the minimum maintenance measures required to ensure proper function and longevity of the paver system; this summary includes common inspection items, maintenance issues, and corrective actions. This should be considered the maintenance plan for this particular system, unless applicants private the County with an acceptable alternate plan. Documentation of maintenance may be a requirement of the permitting authority; homeowner is responsible for verification of maintenance requirements with the permitting authority if so.

- Inspection for, and removal of, debris and sediment on paver area (at least monthly)
 - Debris and sediment should be removed when noticed. If performed regularly, this task can be accomplished with simple tools such as a push broom, shop vacuum, and/or a leaf blower.
- Inspection of adjacent vegetated areas for evidence of erosion and sediment run-on (monthly)
 - If sediment is being introduced to the system from adjoining land areas, these areas must be stabilized as soon as possible with seed and mulch, or other equally effective stabilizing methods.
- Verification that system dewateres between storms (after storm events)
 - If there is standing water or pooling areas on the pavement after a storm event, this may indicate that the system's infiltration capacity has become damaged to the point where the system can no longer infiltrate runoff. This may require a landscape professional to remove the block and bedding material, rescarify the bottom, and replace the system.
- Inspect for surface deterioration and rutting or spalling (annually)
 - Individual or small areas of block may be replaced as necessary. If large areas are noted, this should be addressed by a landscape professional.
- Note: At some point during the life of the system, it may be necessary to remove the crushed stone in the joint/void spaces. This is to be done via a vacuum-sweeper. Clean, crushed stone of the same nature and size (3/8th inch) as that used in the initial installation must be replaced in the joint/void spaces.

ADDITIONAL CONSTRUCTION NOTES

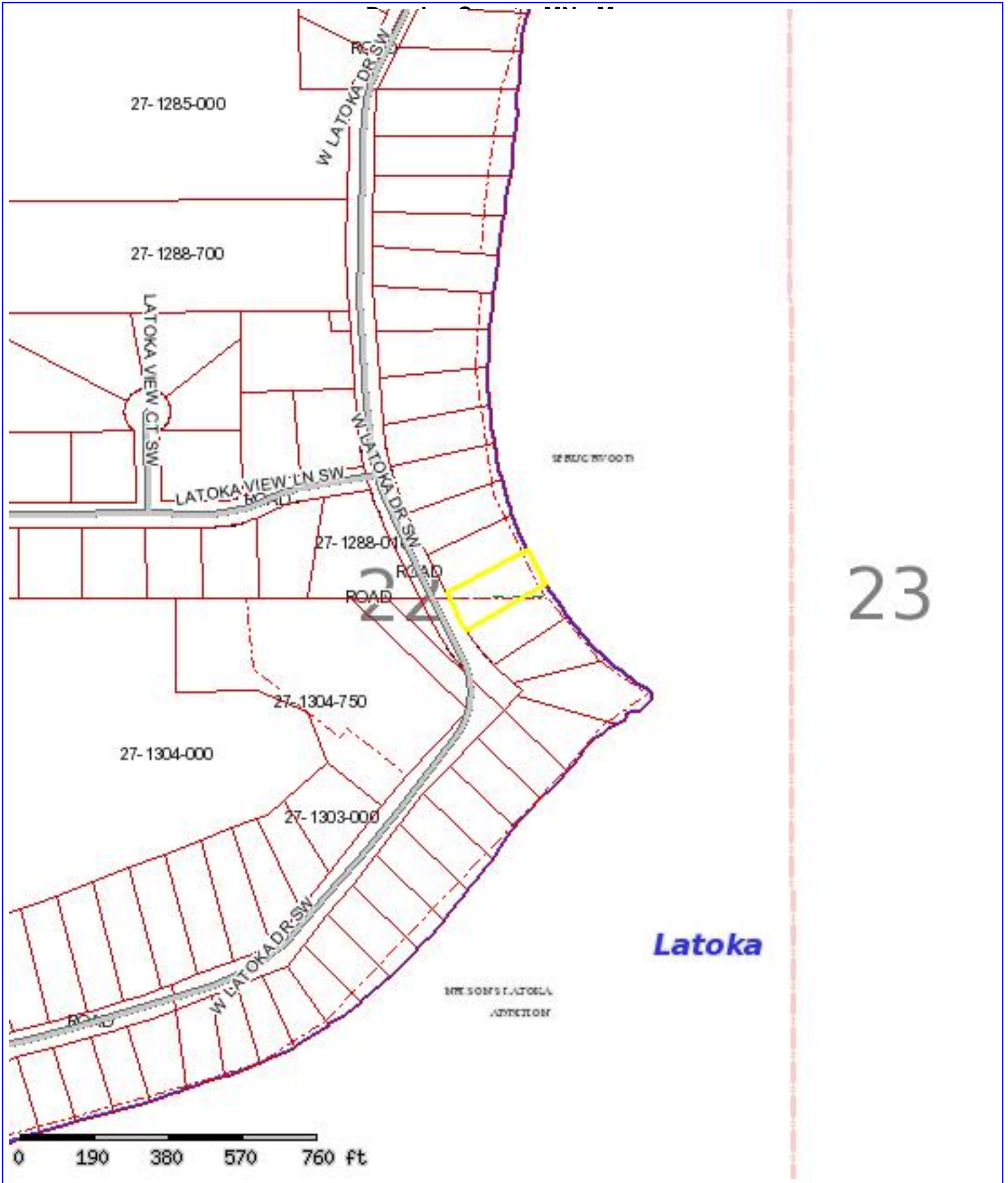
- Excavation areas shall be protected from sediment introduction in the event that excavation is not immediately followed by subsequent construction activities;
- Vegetative establishment on all disturbed areas shall be concurrent with, or immediately after, land disturbing activities;
- It is the responsibility of the contractor to verify the existence and location of all underground utilities prior to commencement of work.

CONCLUSION

The design of this pervious paver system was completed following a basic assessment of the infiltration capacity of the native soils on the site, then utilizing computer software and manufacturer's design guidance criteria to determine the proper design. Proper installation and maintenance are vital to ensure the system functions as designed.

APPENDICES AND EXHIBITS

Douglas County, MN - Map



Disclaimer: Douglas County does not warrant or guarantee the accuracy of the data. The data is meant for reference purposes only and should not be used for official decisions. If you have questions regarding the data presented in this map, please contact the Douglas County GIS Department.

Map created on Dec 2, 2013 8:52. This information is to be used for reference purposes only. Copyright © 2006 Douglas County GIS, All Rights Reserved



Douglas County, MN - Map

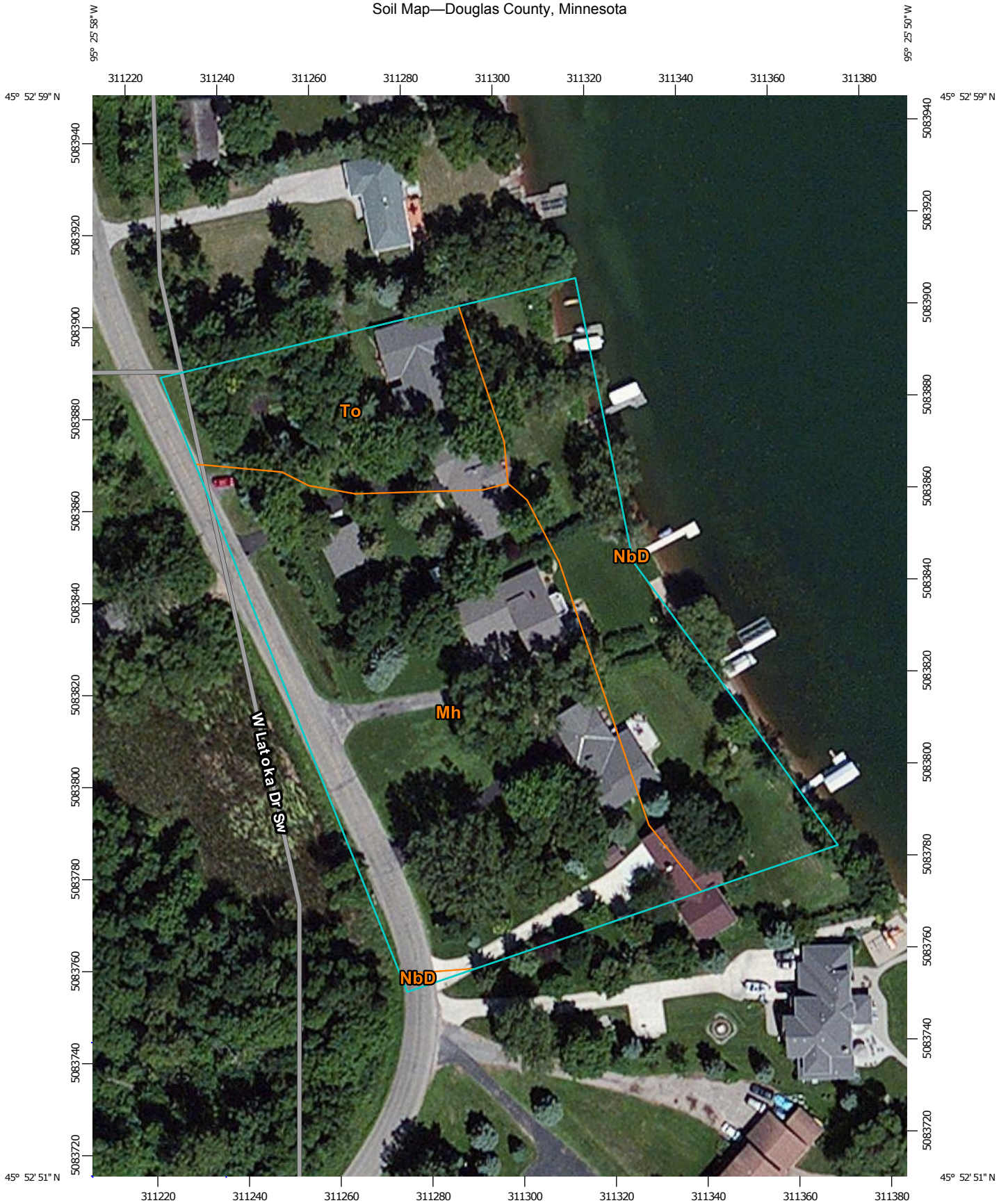


Disclaimer: Douglas County does not warrant or guarantee the accuracy of the data. The data is meant for reference purposes only and should not be used for official decisions. If you have questions regarding the data presented in this map, please contact the Douglas County GIS Department.

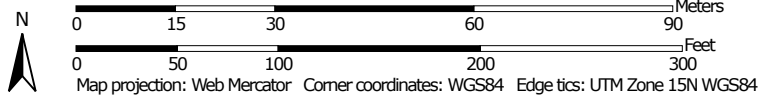
Map created on Dec 2, 2013 8:59. This information is to be used for reference purposes only. Copyright © 2006 Douglas County GIS, All Rights Reserved



Soil Map—Douglas County, Minnesota




Map Scale: 1:1,140 if printed on A portrait (8.5" x 11") sheet.




MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Douglas County, Minnesota
 Survey Area Data: Version 9, May 31, 2012

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 6, 2011—Aug 17, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Douglas County, Minnesota (MN041)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Mh	Marsh	1.7	56.0%
NbD	Nebish sandy loam, 12 to 18 percent slopes	0.8	26.7%
To	Tonka loam	0.5	17.3%
Totals for Area of Interest		3.1	100.0%

Douglas County, Minnesota

NbD—Nebish sandy loam, 12 to 18 percent slopes

Map Unit Setting

Elevation: 980 to 1,640 feet

Mean annual precipitation: 24 to 28 inches

Mean annual air temperature: 39 to 45 degrees F

Frost-free period: 95 to 150 days

Map Unit Composition

Nebish and similar soils: 90 percent

Minor components: 10 percent

Description of Nebish

Setting

Landform: Hillslopes on moraines

Landform position (two-dimensional): Backslope, shoulder, summit

Down-slope shape: Convex

Across-slope shape: Linear

Parent material: Loamy glacial till

Properties and qualities

Slope: 12 to 18 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water

(Ksat): Moderately high to high (0.57 to 1.98 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 15 percent

Available water capacity: High (about 9.5 inches)

Interpretive groups

Farmland classification: Not prime farmland

Land capability (nonirrigated): 4e

Hydrologic Soil Group: B

Typical profile

0 to 8 inches: Sandy loam

8 to 30 inches: Sandy clay loam

30 to 60 inches: Loam

Minor Components

Nebish, moderately eroded

Percent of map unit: 5 percent

Areas with stony surfaces

Percent of map unit: 2 percent

Shooker

Percent of map unit: 1 percent

Landform: Drainageways, flats

Soils with gravelly surface and subsurface layers

Percent of map unit: 1 percent

Beltrami

Percent of map unit: 1 percent

Data Source Information

Soil Survey Area: Douglas County, Minnesota

Survey Area Data: Version 9, May 31, 2012

PCSWMM for Permeable UNI ECO-STONE® Pavements

File: MOHR.PCS

Date: 12/2/2013 12:19:37 PM

1.0 Input Parameters

Paver Description:

Clogging Potential	Medium
Void condition	New Installation
Infiltration rate	7.82 in/hr
Area	1919 ft ²
Slope	0.5 %
Length of overland flow	50 ft

Run-on Description:

Type of surface	Asphalt
Area	1919 ft ²
Slope	0.5 %
Length of overland flow	2178000 ft
Manning's n	0.012
Depression storage	0.02 in

Base Description:

Base material	Open graded
Depth of base	10 in
Porosity	0.38
Saturated H.K.	3500 in/hr
Field capacity	0.05
Curve fitting parameter	10
Tension / soil moisture	15 ft/fraction
Initial moisture content	5 %
Initial depth of water	0 in

Drainage Description:

Drainage type	No drainage
Threshold elevation	0 in
Flow coefficient	0 in/hr-ft ^{exp}
Flow exponent	0

Subgrade Description:

Subgrade soil type	Silty Gravels to Silts (GM,SM,ML,MH,OL)
Percolation coefficient	0.4 in/hr

Design storm:

Rainfall time step	5 minutes
Rainfall values (in/hr)	0.5, 0.5, 0.5, 1.18, 1.89, 4.66, 2.52, 1.18, 1.18, 0.5, 0.5, 0.5

Evaluation Criteria:

Allowable surface runoff	5 % (20.80249 ft ³)
Allowable base water depth	85 % (8.5 in)

2.0 Computational Results

Maximum depth of groundwater in base material: 3.696 in

Overall runoff coefficient (C=R/P): 0

Surface summary:	Volume	Depth
Total rainfall	416.0498 ft ³	1.301 in
Total infiltration	207.6377 ft ³	0.649 in
Total evaporation	1.719808 ft ³	0.005 in
Total runoff	0 ft ³	0.000 in
Remaining surface storage	205.745 ft ³	0.643 in

Subsurface summary:	Volume	Depth
Total lateral base drainage	0 ft ³	0.000 in
Total deep percolation	34.31983 ft ³	0.215 in
Initial storage in base	79.95833 ft ³	0.500 in
Final storage in base	252.8535 ft ³	1.581 in

Continuity errors in computation:

Surface continuity	0.228 percent
Channel continuity	0.000 percent
Groundwater continuity	-0.033 percent

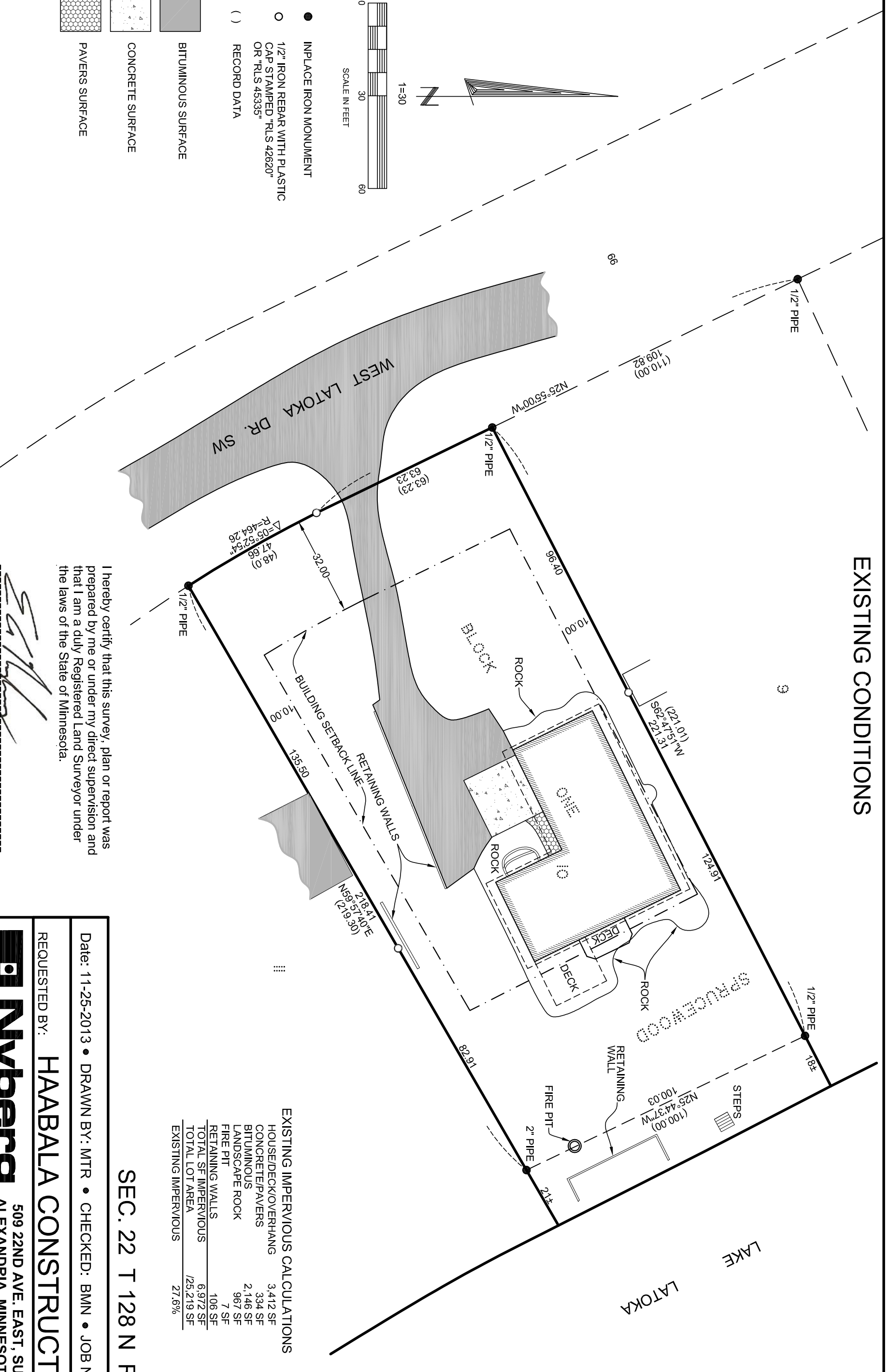
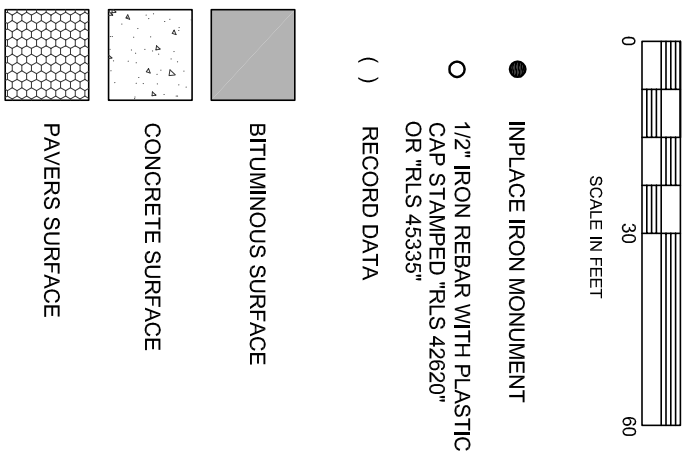
Notice:

The PCSWMM for Permeable Pavements software package is only a tool to aid design and for general guidance. The results given above are not a substitute for engineering skill and judgement and in no way replace the services of experienced and professionally qualified civil engineering consultants. Further, PCSWMM for Permeable Pavements is an interface for the USEPA Stormwater Management Model (SWMM) program - the results above are produced by the SWMM program and no guarantee is made by Computational Hydraulics Int. or F. VON LANGSDORF LICENSING LTD. as to the validity of these results. Full responsibility for the use of these results and this software package for any project remains wholly with the user.

UNI® and ECO-STONE® are trademarks of F. VON LANGSDORF LICENSING LTD.

PCSWMM™ is a trademark of Computational Hydraulics Int.

EXISTING CONDITIONS



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Eric G. Nyberg
Eric G. Nyberg

Date _____ License No. 45335

EXISTING IMPERVIOUS CALCULATIONS

HOUSE/DECK/OVERHANG	3,412 SF
CONCRETE/PAVERS	334 SF
BITUMINOUS	2,146 SF
LANDSCAPE ROCK	967 SF
FIRE PIT	7 SF
RETAINING WALLS	106 SF
TOTAL SF IMPERVIOUS	6,972 SF
TOTAL LOT AREA	125,219 SF
EXISTING IMPERVIOUS	27.6%

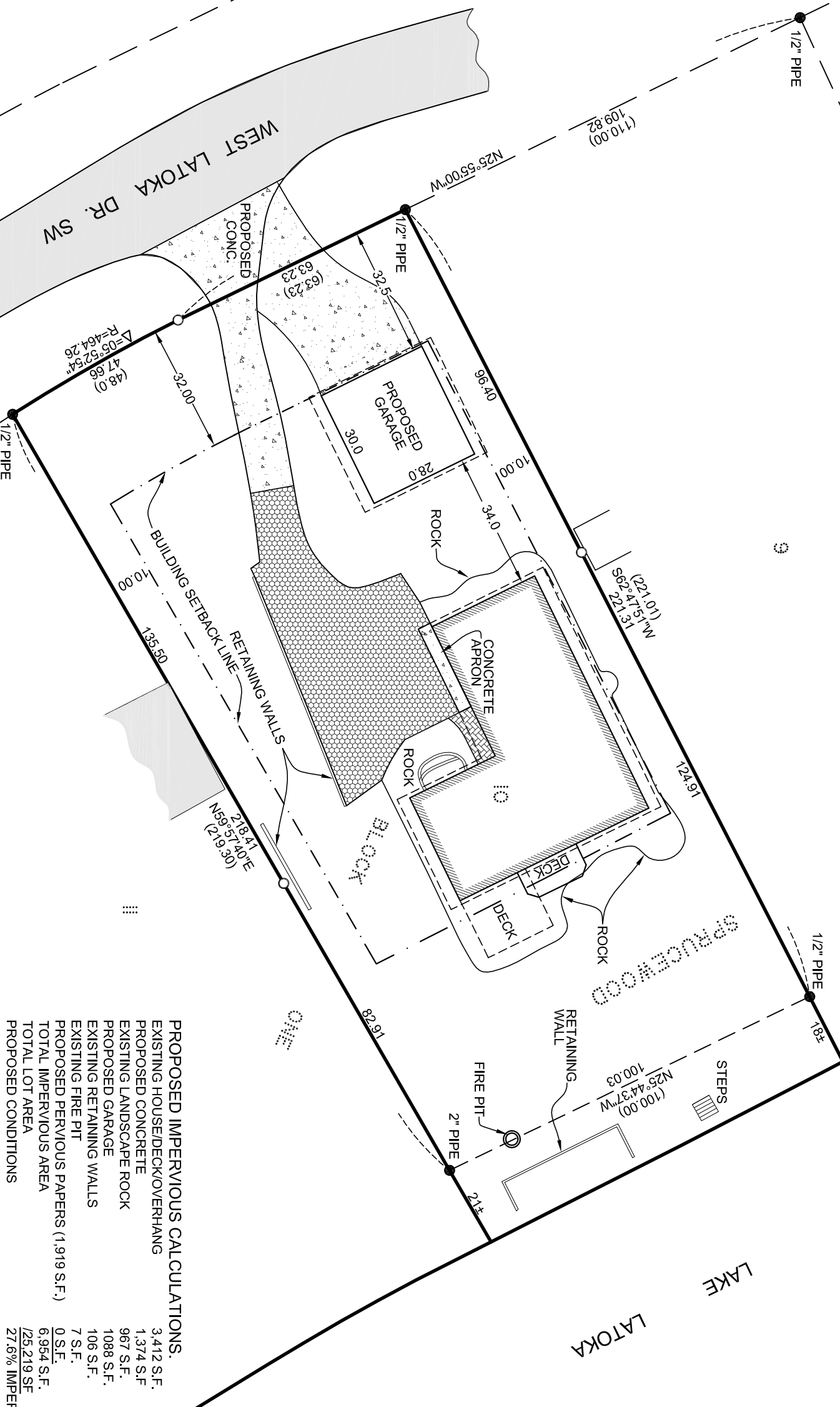
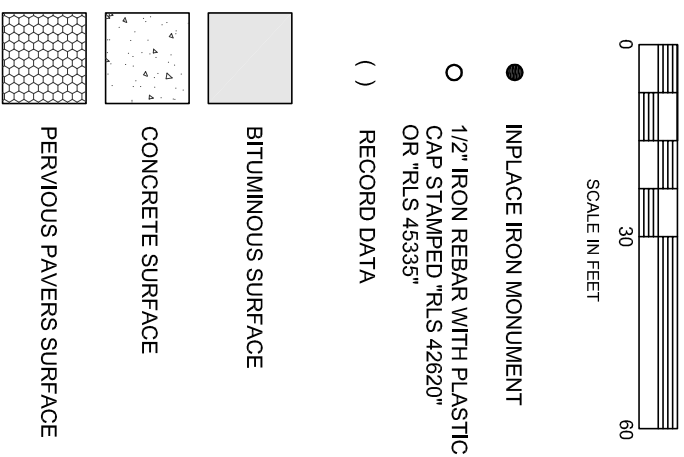
SEC. 22 T 128 N R 38 W

Date: 11-25-2013 • DRAWN BY: MTR • CHECKED: BMN • JOB NO. 8188

REQUESTED BY: **HAABALA CONSTRUCTION**

Nyberg
SURVEYING
509 22ND AVE. EAST, SUITE 101
ALEXANDRIA, MINNESOTA 56308
PH. (320) 762-4111 * FAX (320) 762-4112
www.nybergsurveying.com

PROPOSED CONDITIONS



PROPOSED IMPERVIOUS CALCULATIONS.

EXISTING HOUSE/DECK/OVERHANG	3,412 S.F.
PROPOSED CONCRETE	1,374 S.F.
EXISTING LANDSCAPE ROCK	967 S.F.
PROPOSED GARAGE	1,088 S.F.
EXISTING RETAINING WALLS	106 S.F.
EXISTING FIRE PIT	7 S.F.
PROPOSED PERVIOUS PAPERS (1,919 S.F.)	0 S.F.
TOTAL IMPERVIOUS AREA	6,954 S.F.
TOTAL LOT AREA	125,219 SF
PROPOSED CONDITIONS	27.6% IMPERVIOUS

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Eric G. Nyberg
Eric G. Nyberg

Date January 8th, 2014 License No. 45335

Date: 1-8-2014 • DRAWN BY: MTR • CHECKED: BMN • JOB NO. 8188

REQUESTED BY: **HAABALA CONSTRUCTION**

SEC. 22 T 128 N R 38 W

Nyberg
SURVEYING

509 22ND AVE. EAST, SUITE 101
ALEXANDRIA, MINNESOTA 56308
PH. (320) 762-4111 * FAX (320) 762-4112
www.nybergsurveying.com

APPLICATION FOR CONDITIONAL USE PERMIT

DOUGLAS COUNTY, MINNESOTA

Date January 6, 20 14 Parcel No. 48-0008-655 Application No. |

Legal Description of Land SE4 SW4 lying S of Hwy 94 Ex S 4 rods. Ac 8.50

Section 01 Township Orange Present Zoning Commercial

Lake N/A Lakeshore () Yes (X) No Covenants () Yes (X) No

Sketch or Drawing Submitted? (X) Yes () No Photos Submitted? () Yes (X) No

Proposed Use of Land to allow the outdoor display of vehicles and equipment for sale.

Signed by [Signature] Applicant

(Note: If not owner's signature, a copy of a signed purchase agreement will be needed.) Signature confirms applicant has read and understands procedure sheet.

Owner: Penta LLC

Lessee: BYRON Chisholm

Address: 1181 Co Rd 82 SE Osakis MN 56360

Address: 402 Central Ave Osakis MN 56360

Phone No.: () Area Code Number

Phone No.: (701) 388-4579 Area Code Number

Email Address:

Email Address:

Property address: Herberger Rd SE

Application taken by dbr FEE: \$300.00 (non-refundable) Receipt # 82304

Date of Hearing January 28, 20 14.

Special Conditions Attached:

This application was previewed on January 17, 2014. At the January 28, 2014, Planning Advisory Commission meeting this application was recommended for approval with the staff findings of fact and the following conditions:

- Parking shall not be allowed on any public roadway, right-of-way, or easement.
- The display area may not exceed 70,000 square feet.
- All items displayed must be setback 35-ft from all rights-of-way and 25-ft from side property boundaries.
- A spacing of 10-ft must be left between items displayed.
- A waste compliance audit from the MPCA must be submitted within 30 days of the approval of this application.
- All vehicles, machinery, equipment and other items displayed in the open must be whole, fully enclosed if intended to be so at time of original manufacture, and safe such as not to pose a risk to human health and safety.
- The provisions of the MN Noxious Weed Law must be followed on all areas of the property.
- All lighting installed in the lot must be hooded and directed straight down.

(over)

This application is hereby recommended for approval or denial by the Douglas County Planning Advisory Commission.

Chairperson

Approved/Denied by the Board of County Commissioners of Douglas County this day of , 20 .

Chairperson

Conditional Use Permit issued in accordance with existing and special regulations this day of , 20 .

Clerk of the Board

- Any sign located on the property must meet all requirements of the zoning ordinance and may only advertise the businesses located on the premises.
- A properly designed and permitted septic treatment system must be installed if any waster water genreating facilities are constructed or placed on the parcel.
(Portable bathrooms are exempt from this condition.)
- Approval of this permit by the Douglas County Board of Commissioners shall repeal Special Use Permit No. 1994-37 recorded as Document No. 143509 by the Douglas County Recorder. The use for which the permit was granted has ceased for more than five years. According to the Douglas County Zoning Ordinance Section VII.G.2g, "a conditional use permit . . . shall expire if the conditional use ceases for more than one year for any reason."

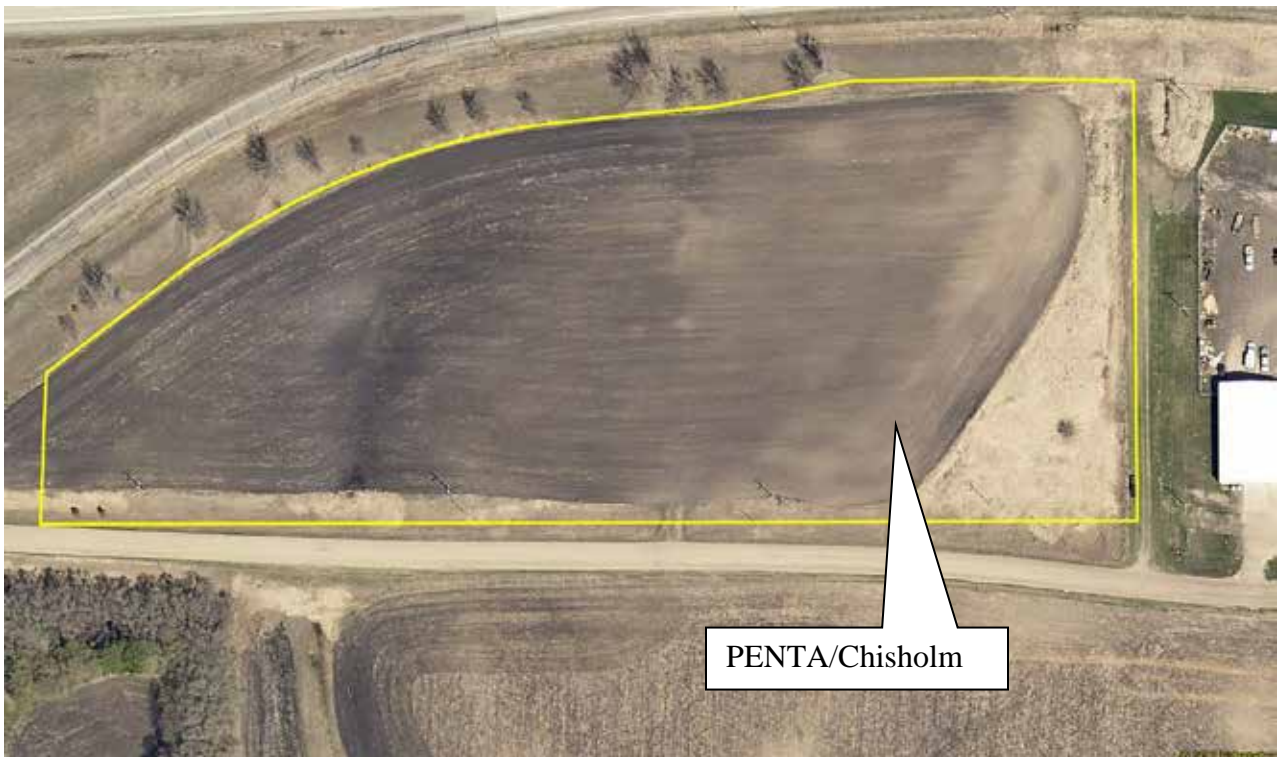
STAFF REPORT

Applicant: PENTA, LLC, leased by Byron Chisholm

Application: Conditional use permit to allow outdoor display of vehicles and equipment for sale.

Location: SE4SW4 lying S of Hwy 94 Ex S 4 rods. Ac. 8.50. Section 01 (Orange Township) Zoning Commercial.

Background: The applicant is requesting to display equipment and vehicles outside along Interstate 94. The vehicles will be for sale on an internet-based auction site. The applicant has stated the area will be located on the eastern portion of the parcel and will be temporary until the adjacent parcel is available.



Staff Recommendation: *Approve with conditions.*

Based on the findings of fact presented in this report, Staff recommends approval of the conditional use permit request. As conditions of the approval, Staff recommends the following:

1. Parking shall not be allowed on any public roadway, right-of-way, or easement.
2. The display area may not exceed 70,000 sq ft.
3. All items displayed must be setback 35-ft from all rights-of-way and 25-ft from side property boundaries.
4. A spacing of 10-ft must be left between items displayed.
5. A waste compliance audit from the MPCA must be submitted within 30 days of the approval of this application.
6. All vehicles, machinery, equipment and other items displayed in the open must be whole, fully-enclosed if intended to be so at time of original manufacture, and safe such as not to pose a risk to human health and safety.
7. The provisions of the MN Noxious Weed Law must be followed on all areas of the property.
8. All lighting installed in the lot must be hooded and directed straight down.
9. Any sign located on the property must meet all requirements of the zoning ordinance and may only advertise the businesses located on the premises.
10. A properly designed and permitted septic treatment system must be installed if any waste water generating facilities are constructed or placed on the parcel. (Portable bathrooms are exempt from this condition.)
11. Approval of this permit by the Douglas County Board of Commissioners shall repeal Special Use Permit No. 1994-37 recorded as Document No. 143509 by the Douglas County Recorder. The use for which the permit was granted has ceased for more than five years. According to the Douglas County Zoning Ordinance Section VII.G.2.g, “ a conditional use permit...shall expire if the conditional use ceases for more than one year for any reason”.

Applicable Statutes: This application is subject to the criteria applicable to all conditional use permits listed at the beginning of this staff report.

Staff Findings: Staff proposes the following findings of fact for consideration by the Planning Advisory Commission:

1. **Burden on Public Facilities:** The proposed business will result in an increase in the traffic on township road (Herberger Rd), but will not likely be a burden due to the limited amount of traffic and will be little more than the existing

- traffic.
2. **Compatibility with surrounding neighborhood:** The proposed business is located within the commercial zoning district. There is an existing commercial facility adjacent to this parcel and the properties front the Interstate and a township road.
 3. **Appearance not a detriment:** Based on the requirements of the zoning ordinance and any additional conditions attached to this permit, the property is expected to be operated in a neat and orderly manner and not be a detriment to the neighboring properties.
 4. **Related to Overall Needs:** Commercial uses are necessary to the economy of Douglas County. Commercial zoned areas are designated to be the most reasonable places for retail sales and outdoor storage and display.
 5. **Conformance with Comprehensive Plan:** The proposed use of the property to display used vehicles and equipment for sale is supported by the follow goals and policies of the Comprehensive Plan:
 - LU2.2: *Support small clusters of commercial...development in areas with existing development and at key intersections (nodes) within the County that do not impact nearby properties and do not require municipal infrastructure services.*
 - C/LI Goal: *[D]irect...commercial...development to existing commercial and light industrial nodes...Permitted uses include retail sales...*
 6. **Traffic hazard/congestion:** The business is likely to result in increased traffic from customers, employees, and delivery vehicles, but should not create an excessive traffic hazard or congestion.

Staff Comments: Based on the review of the application, Staff offers the following comments.

1. The business is currently operating within the city limits of Osakis. This location will provide the ability to expand the display lot and increase exposure.
2. The retail sales portion of the business is a permitted use within the Commercial Zoning District.

Douglas County, MN - Map



Disclaimer: Douglas County does not warrant or guarantee the accuracy of the data. The data is meant for reference purposes only and should not be used for official decisions. If you have questions regarding the data presented in this map, please contact the Douglas County GIS Department.

Map created on Jan 9, 2014 11:44. This information is to be used for reference purposes only.
 Copyright © 2006 Douglas County GIS, All Rights Reserved



APPLICATION FOR CONDITIONAL USE PERMIT

DOUGLAS COUNTY, MINNESOTA

Date January 6, 2014 Parcel No. 30-0513-000 Application No.

Legal Description of Land SW4NE4, S2S2NW4, NW4SE4, and the S 132' of E 660' of N2S2 NW4 being 2 Ac. Ac. 122.

Section 20 Township Lake Mary Present Zoning Rural Residential

Lake n/a Lakeshore () Yes (X) No Covenants () Yes (X) No

Sketch or Drawing Submitted? (X) Yes () No Photos Submitted? () Yes (X) No

Proposed Use of Land to allow an amendment to CUP #207-24 to allow the expansion of an existing dog boarding facility of 30 new kennels and the addition of dog grooming services with two full time employees

Signed by [Signature] Applicant

(Note: If not owner's signature, a copy of a signed purchase agreement will be needed.) Signature confirms applicant has read and understands procedure sheet.

Owner: Mathew A and Cindee A Kakac Address: 7281 Partridge Ln SW Alexandria MN 56308

Buyer: Address:

Phone No.: (320) 766-2237 Area Code Number

Phone No.: () Area Code Number

Email Address: mkakac@runestone.net

Email Address:

Property address: 7281 Partridge Ln SW

Application taken by dbr FEE: \$300.00 (non-refundable) Receipt # 82318

Date of Hearing January 28, 2014

Special Conditions Attached:

This application was previewed on January 17, 2014. At the January 28, 2014, Planning Advisory Commission Meeting, this application was recommended for approval with the staff findings of fact and the following conditions:

- That there may be no more than 30 additional single-dog kennels. All kennels must be located completely within the enclosed building on the property.
- All boarded dogs must be inside of the building between the hours of 8pm to 7am.
- Dog waste must be stockpiled or flushed into the dedicated septic treatment system.
- The following must be completed for the septic treatment system for the kennel prior to the addition being occupied by an animals:
a. An SSTS designer must either verify that the existing system is sized adequately for the addition or a design for an upgraded system must be developed and the system or upgrades installed.
b. A management plan must be written for the system and submitted to the Land and Resource Management Department.
- Outside exercise areas must be fenced to contain the animals.
- Dogs must be supervised at all times when outside in the exercise areas.
- There may be no more than 5 employees.

(over)

This application is hereby recommended for approval or denial by the Douglas County Planning Advisory Commission.

Chairperson

Approved/Denied by the Board of County Commissioners of Douglas County this day of , 20

Chairperson

Conditional Use Permit issued in accordance with existing and special regulations this day of , 20

Clerk of the Board

- Three or more confirmed reports of a boarded dog "at-large" will result in potential suspension, revocation, or other enforcement action deemed appropriate by the Douglas County Board. Reports must be confirmed by law enforcement agent, township or county official, or through the Humane Shelter.
- Any confirmed report of a dog "at-large" doing damage to person or property will result in suspension, revocation, or other enforcement action deemed appropriate by the Douglas County Board.
- Any expansion of the number of kennels, dogs boarded, employees or additional buildings (related to the kennel business) shall require a new or revised conditional use permit.

STAFF REPORT

Applicant: Mathew A and Cindee A Kakac

Application: Conditional use permit to allow an amendment to CUP #2007-24 to allow the expansion of an existing dog boarding facility of 30 new kennels and the addition of dog grooming services with two full time employees.

Location: SW4NE4, S2S2NW4, NW4SE4, and the S 132' of E 660' of N2S2NW4 being 2 Ac. Ac. 122. Section 20 (Lake Mary Township) Zoning Rural Residential.

Background: The applicant is requesting an expansion to an existing dog kenneling business with 30 additional kennels and dog grooming services. The expansion will include two additional full-time employees. The expansion is proposed to be an addition to the existing building.



Staff Recommendation: *Approve with conditions.*

Based on the findings of fact presented in this report, Staff recommends approval of the conditional use permit. Staff recommends the following as conditions of approval:

1. That there may be no more than 30 additional single-dog kennels. All kennels must be located completely within the enclosed building on the property.
2. All boarded dogs must be inside of the building between the hours of 8 pm to 7 am.
3. Dog waste must be stockpiled or flushed into the dedicated septic treatment system.
4. The following must be completed for the septic treatment system for the kennel prior to the addition being occupied by any animals:
 - a. An SSTS designer must either verify that the existing system is sized adequately for the addition or a design for an upgraded system must be developed and the system or upgrades installed.
 - b. A management plan must be written for the system and submitted to the Land & Resource Management Department
5. Outside exercise areas must be fenced to contain the animals.
6. Dogs must be supervised at all times when outside in the exercise areas.
7. There may be no more than 5 employees.
8. Three or more confirmed reports of a boarded dog “at-large” will result in potential suspension, revocation, or other enforcement action deemed appropriate by the Douglas County Board. Reports must be confirmed by law enforcement agent, township or county official, or through the Humane Shelter.
9. Any confirmed report of a dog “at-large” doing damage to person or property will result in suspension, revocation, or other enforcement action deemed appropriate by the Douglas County Board.
10. Any expansion of the number of kennels, dogs boarded, employees or additional buildings (related to the kennel business) shall require a new or revised conditional use permit.

Applicable Statutes: This application is subject to the criteria applicable to all conditional use permits listed at the beginning of this staff report.

Staff Findings: Staff proposes the following findings of fact for consideration by the Planning Advisory Commission:

1. **Burden on Public Facilities:** The proposed business will have a limited impact on public facilities. The property is served by a private well and septic system. There will be additional traffic of one to two cars daily on Partridge Lane (a township road), but the additional traffic is not anticipated to degrade the road significantly.
2. **Compatibility with surrounding neighborhood:** The surrounding area is zoned agricultural and is rural in character. The primary land uses in this location are agricultural, recreational (hunting land), and large lot rural residential. There are 5 residences (3 are non-farm) located within a half-mile of this property, with the nearest residence being 800 ft. from the proposed kennel. Potential impacts to the

- neighboring properties include noise from barking dog and potentially escaped boarded dogs. Given the current land uses and the few number of residences, and conditions that will be imposed to mitigate potential impacts, the use should be compatible with this area of Douglas County.
3. **Appearance not a detriment:** The appearance of the business and property is expected to remain neat and orderly and will not be visible from neighboring residences visible from only one neighboring property.
 4. **Consistent with the purpose of the Zoning Ordinance:** The proposed use of a dog kennel facility to be located within the agricultural zoning district is compatible with the purpose of that district, which is “to provide, maintain and enhance agricultural land in the County which has been historically farmed and to protect the agricultural and natural resource land from scattered residential development”. This use is considered a “home occupation” which is a conditionally permitted use in this zoning district. The use could also be considered a “commercial use which serves local permanent residents...” as it would provide dog boarding for the many dog owners in Douglas County.
 5. **Conformance with Comprehensive Plan:** The Comprehensive Plan identifies the future land use for this area as Agriculture Core. The primary goals of this land use classification are “to preserve productive farm land for future use, to protect agricultural activity from encroachment by incompatible uses, and to preserve open space within the community.” The following general land use goals support the approval of this business:
LU2.1. Promote low impact commercial and industrial uses (i.e., home-bases businesses or cottage industries) in area that can support development, do not impact nearby properties, and do not require municipal infrastructure.
 6. **Traffic hazard/congestion:** The business is likely to result in increased traffic from customers but should not create an excessive traffic hazard or congestion, dust or noise on the adjacent township roads

Staff Comments: Based on the review of the application, Staff offers the following comments.

1. The following information may be useful in determining the potential impact of dog barking on neighboring properties:
 - Research suggests that consistent dog barking can lead to psychological stress in humans over time.
 - Dog barking sound level at 10 meters is approximately 100 dB
 - Dog barking at this volume has been shown to cause hearing damage under consistent exposure.
 - Using the inverse square law, the sound level at 850 ft would be 60dB
 - The sound level of an average conversation at 1 meter is 60-65 dB

- This reduction does not take into account reductions due to air density, trees, barriers or other interferences that would contribute to the reduction of sound level over distance.
2. Staff has found no evidence indicating that the establishment of a dog boarding kennel diminishes the value of neighboring properties. Information from the Douglas County Assessor's office related to a 40-dog boarding kennel located in Lake Mary Township showed no reduction in the assessed value of the neighboring properties after the kennel and in operation. The nearest residence to the kennel is 800 ft away.
 3. This dog kennel has been in operation for nearly 7 years and the County has received no complaints concerning noise, escaped dogs, or other nuisances.

APPLICATION FOR CONDITIONAL USE PERMIT
DOUGLAS COUNTY, MINNESOTA

Date May 22, 20 07 Parcel No. 30-0513-000 Application No. 24

Legal Description of Land the SW4NE4, S2S2NW4, NW4SE4 and the S 132' of E 660' of N2S2NW4 being 2 Ac., Ac. 122.

Section 20 Township Lake Mary Present Zoning Rural Residential

Lake _____ Lakeshore () Yes (xx) No Covenants () Yes (xx) No

Sketch or Drawing Submitted? (xx) Yes () No Photos Submitted? () Yes (xx) No

Proposed Use of Land to allow an expansion of a dog/cat kennel business with 3 part-time employees, 27 additional kennels and a 30' x 187' building.

Signed by Mathew A. Kakac 5/22/07 Applicant (Note: If not owner's signature, a copy of a signed purchase agreement will be needed.) Signature confirms applicant has read and understands procedure sheet.

Owner: Bonnie H and Mathew A Kakac
Address: 7281 Partridge Ln SW
Alexandria, MN 56308

Buyer: _____
Address: _____

Phone No.: (320) 283-5566
Area Code Number

Phone No.: () _____
Area Code Number

Property address: same

Application taken by db FEE: \$300.00 (non-refundable)

Date of Hearing June 12 20 07

Special Conditions Attached: This property was previewed on June 1, 2007. At the June 15, 2007 Planning Advisory Commission meeting this application was recommended for approval with the following conditions:
- the existing septic system must be inspected by a licensed septic inspector to determine if the existing system can accommodate septage from the kennel business. This report must be submitted to Land and Resource Management prior to issuance of a land use permit.
- if it is determined the current septic system cannot adequately handle additional waste water from the kennels, then a separate system must be designed and installed for the new kennel building. A design for the new system must be submitted with the land use permit application.
- if stray or abandoned animals are housed at the kennel, the applicant is required to get a permit from the Minnesota Department of Agriculture.
- this kennel business must meet the requirements of MN Boart of Animal Health.
(OVER)

This application is hereby recommended for approval or ~~denial~~ by the Douglas County Planning Advisory Commission.

James E Jensen
Chairperson

Approved ~~denied~~ by the Board of County Commissioners of Douglas County this 19th day of June, 20 07.

Gerald Johnson
Chairperson

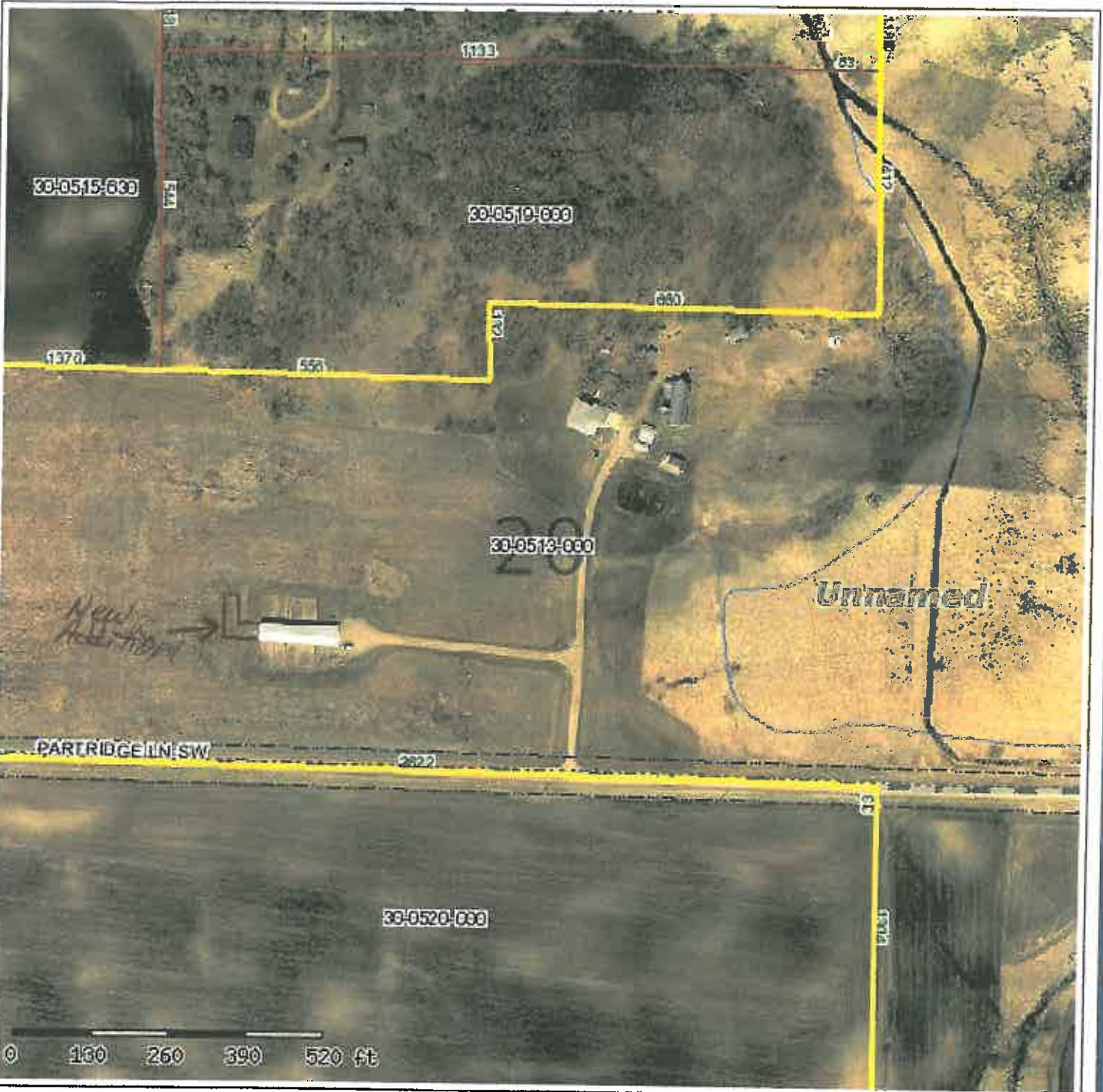
Conditional Use Permit issued in accordance with existing and special regulations this 19th day of June, 20 07.

William B. Schalow
Clerk of the Board

- a new conditional use permit will be required if the business expands to include more kennels
- no more than 3 part time employees can be employed on site.
- this permit shall also include limited retail sales.



Douglas County, MN - Map



PIN: 30-0513-000

Taxpayer: **KAKAC/MATHEW A & CINDEE A**

GIS Acres: 121.50

Water Acres: 44.86

ROW Acres: 4.07

Section: 20

Township: 127

Range: 38

Tax Desc.: SW4NE4, S2S2NW4, NW4SE4, AND THE S 132' OF
E 660' OF N2S2NW4 BEING 2 AC. AC 122

Plat Desc.:

Other Interest:

Disclaimer: Douglas County does not warrant or guarantee the accuracy of the data.

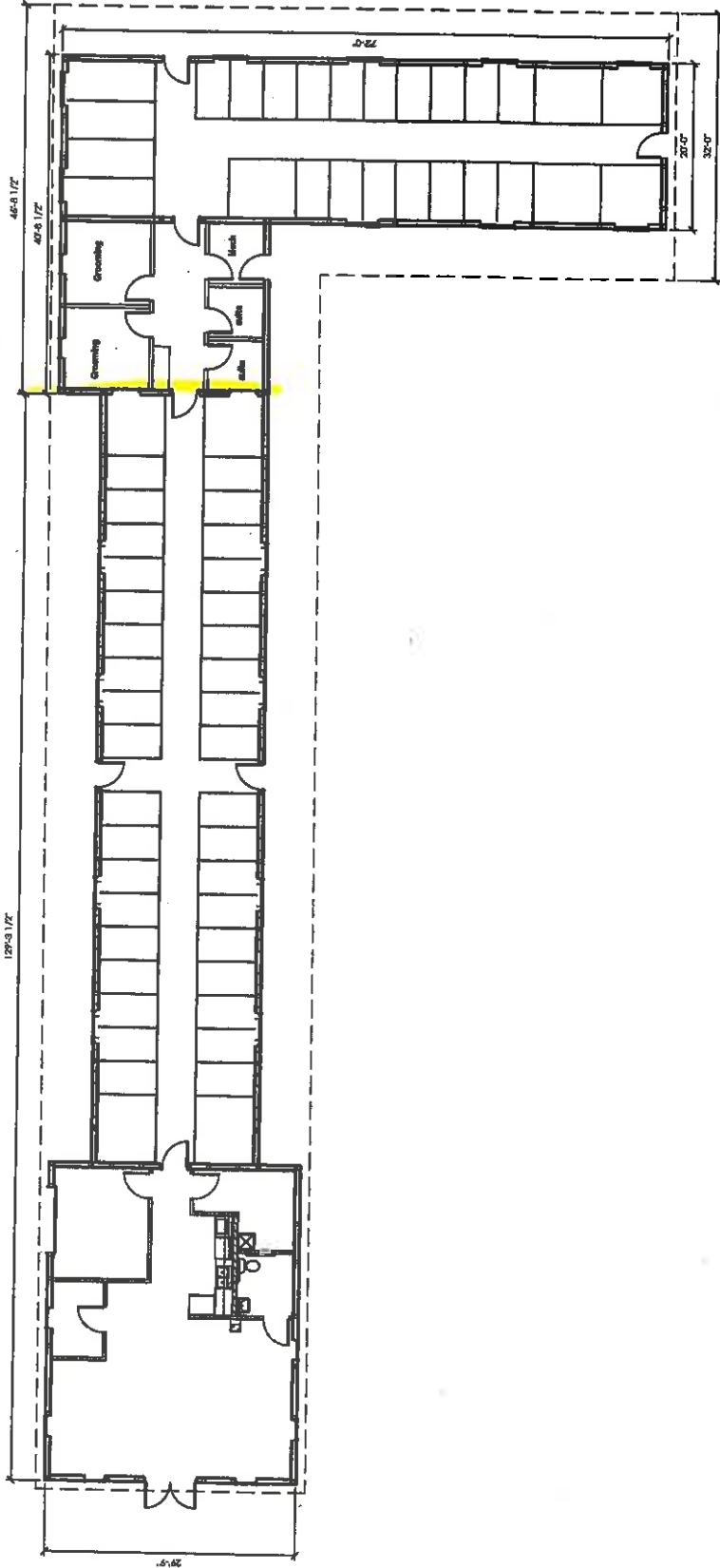
The data is meant for reference purposes only and should not be used for official decisions.

If you have questions regarding the data presented in this map, please contact the Douglas County GIS Department.

Map created on Aug 15, 2013 12:39. This information is to be used for reference purposes only.

Copyright © 2006 Douglas County GIS, All Rights Reserved





APPLICATION FOR CONDITIONAL USE PERMIT
DOUGLAS COUNTY, MINNESOTA

Date December 16, 20 13 Parcel No. 21-0101-000 Application No. 31
Legal Description of Land N 494.80' of S 1310.65' of W 922.94' of S2SW4 Ac. 10.47
Section 06 Township Hudson Present Zoning Commercial
Lake _____ Lakeshore () Yes (X) No Covenants () Yes (X) No
Sketch or Drawing Submitted? () Yes (X) No Photos Submitted? () Yes (X) No
Proposed Use of Land to allow an electronic changeable copy sign (digital).

Signed by Gary Laughlin
Applicant

(Note: If not owner's signature, a copy of a signed purchase agreement will be needed.) Signature confirms applicant has read and understands procedure sheet.

Owner: Bechtold Family Limited Partnership Contractor: Quick Signs of Willmar
Buyer: XXXX
Address: 725 20th Ave N Address: 919 1st St S (Gary Laughlin)
Sartell MN 56377 Willmar MN 56201

Phone No.: () _____ Phone No.: (320) 235-7411
Area Code Number Area Code Number

Email Address: _____ Email Address: gary@printmastersofwillmar.com

Property address: 6049 State Hwy 29 S

Application taken by dbr FEE: \$300.00 (non-refundable) Receipt # 82055

Date of Hearing January 28 20 14

Special Conditions Attached:
This application was previewed on January 17, 2014. At the January 28, 2014, Planning Advisory Commission Meeting, this application was recommended for approval with the staff findings of fact.

This application is hereby recommended for approval XXXXXX by the Douglas County Planning Advisory Commission.

Chairperson

Approved/Denied by the Board of County Commissioners of Douglas County this 4th day of February, 20 14.

Chairperson

Conditional Use Permit issued in accordance with existing and special regulations this 4th day of February, 20 14.

Clerk of the Board

STAFF REPORT

Applicant: Bechtold Family Limited Partnership

Application: Conditional use permit to allow an electronic changeable copy sign (digital)

Location: N 494.80' of S 1310.65' of W 922.94' of S2SW4, Ac. 10.47. Section 06 (Hudson Township) Zoning Commercial.

Background: The applicant is requesting to install an electronic changeable copy sign (digital) on a permanent freestanding sign post.



Staff Recommendation: *Approve as presented.*

Based on the findings of fact presented in this report, Staff recommends approval of the conditional use permit request.

Applicable Statutes: This application is subject to the criteria applicable to all conditional use permits listed at the beginning of this staff report and in Section V, subpart A of the Zoning Ordinance.

Section V. Performance Standards

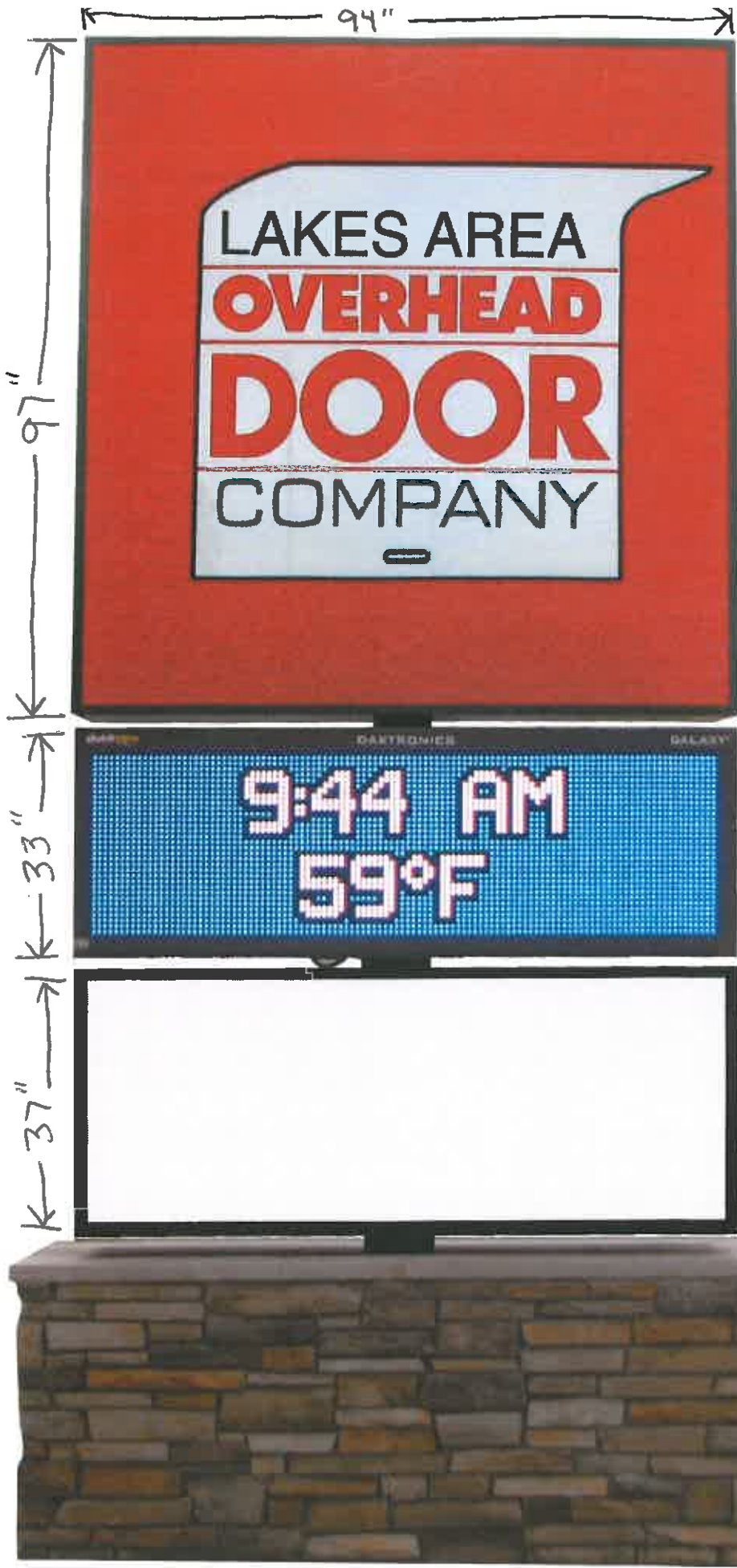
V. SIGNS

Staff Findings: Staff proposes the following findings of fact for consideration by the Planning Advisory Commission:

1. **Burden on Public Facilities:** After construction, the sign is not expected to be a burden on any public infrastructure.
2. **Compatibility with surrounding neighborhood:** The property is zoned commercial and digital signs are a conditional use. The area adjacent to where the signs are proposed is a mix of commercial and light industrial uses. The installation of the sign will not change the appearance of the area. In addition, there are other businesses in the area with signs, however none are digital at this time.
3. **Appearance not a detriment:** The appearance of the billboards and property is expected to remain neat and orderly.
4. **Related to Overall Needs:** The proposed billboards will be to advertise for the business located on State Hwy 29, a commercial corridor in Douglas County.
5. **Conformance with Comprehensive Plan:** The Comprehensive Plan identifies the future land use in this area as Commercial and the placement of the digital sign is supported by the following goals:
 - a. LU2.3: Discourage commercial strip development patterns along highways and roads within the County.
 - b. C\LI 6: Encourage commercial and light industrial uses within the County that do not require significant water and wastewater infrastructure and could be sited in locations where transportation and power infrastructure exist or can feasibly be extended without altering the character of the area.
6. **Traffic hazard/congestion:** The sign will be controlled so as not to distract drivers on the adjacent state highway.

Staff Comments: Based on the review of the application, Staff offers the following comments.

1. The County recently adopted a revised ordinance related to signs. This ordinance provides a much improved framework for the permitting of signs within the County, including more prescriptive standards for permitting, placement, type, size, and construction. In light of the revised ordinance, staff is recommending no conditions be placed on this application.



97"

33"

37"

94"

LAKES AREA
OVERHEAD
DOOR
COMPANY

9:44 AM
59°F

(97" X 94")

63.32 sf.

(33" X 94")

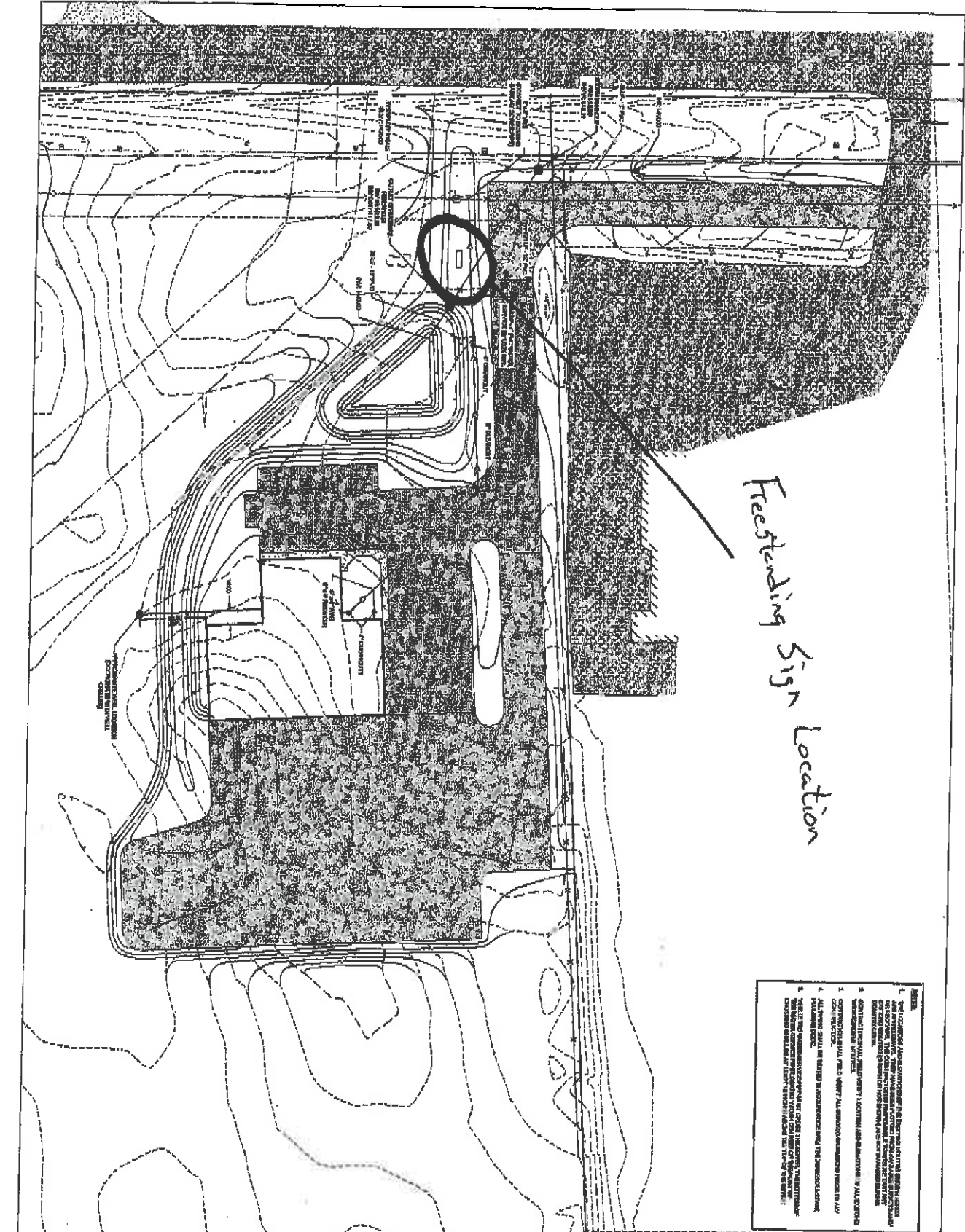
21.54 sf.

(37" X 94")

24.15 sf.

Free standing Sign Total Square Footage = 109

Bechtold



- NOTES:**
1. THIS LOCATION AREA IS SUBJECT TO THE EXISTING UTILITIES AND THE EXISTING STRUCTURES. THE EXISTING UTILITIES ARE SHOWN ON THIS PLAN AND THE EXISTING STRUCTURES ARE SHOWN ON THE EXISTING SITE PLAN. THE EXISTING UTILITIES AND STRUCTURES ARE TO BE MAINTAINED AND PROTECTED AT ALL TIMES.
 2. THE EXISTING UTILITIES AND STRUCTURES ARE TO BE MAINTAINED AND PROTECTED AT ALL TIMES. THE EXISTING UTILITIES AND STRUCTURES ARE TO BE MAINTAINED AND PROTECTED AT ALL TIMES.
 3. THE EXISTING UTILITIES AND STRUCTURES ARE TO BE MAINTAINED AND PROTECTED AT ALL TIMES. THE EXISTING UTILITIES AND STRUCTURES ARE TO BE MAINTAINED AND PROTECTED AT ALL TIMES.
 4. THE EXISTING UTILITIES AND STRUCTURES ARE TO BE MAINTAINED AND PROTECTED AT ALL TIMES. THE EXISTING UTILITIES AND STRUCTURES ARE TO BE MAINTAINED AND PROTECTED AT ALL TIMES.
 5. THE EXISTING UTILITIES AND STRUCTURES ARE TO BE MAINTAINED AND PROTECTED AT ALL TIMES. THE EXISTING UTILITIES AND STRUCTURES ARE TO BE MAINTAINED AND PROTECTED AT ALL TIMES.

Design Tree

Project Name: **LAKES OVERHEAD DOOR CO.**

Client: **ALEXANDRIA, MN**

Project No: **320-235-7149**

Scale: **AS SHOWN**

Revision: **4/11**

Author: **SM/S**

Checked: **SM/S**

Drawn: **SM/S**

THESE PLANS HAVE BEEN PREPARED BY THE ARCHITECT AND ENGINEER AND SHALL BE CONSIDERED VOID WITHOUT THEIR SIGNATURE AND SEAL. THE ARCHITECT AND ENGINEER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON AND FOR THE PROTECTION OF THE PUBLIC INTEREST.

LAKES OVERHEAD DOOR CO.

ALEXANDRIA, MN

UTILITY PLAN

C4.0

NO.	DATE	DESCRIPTION

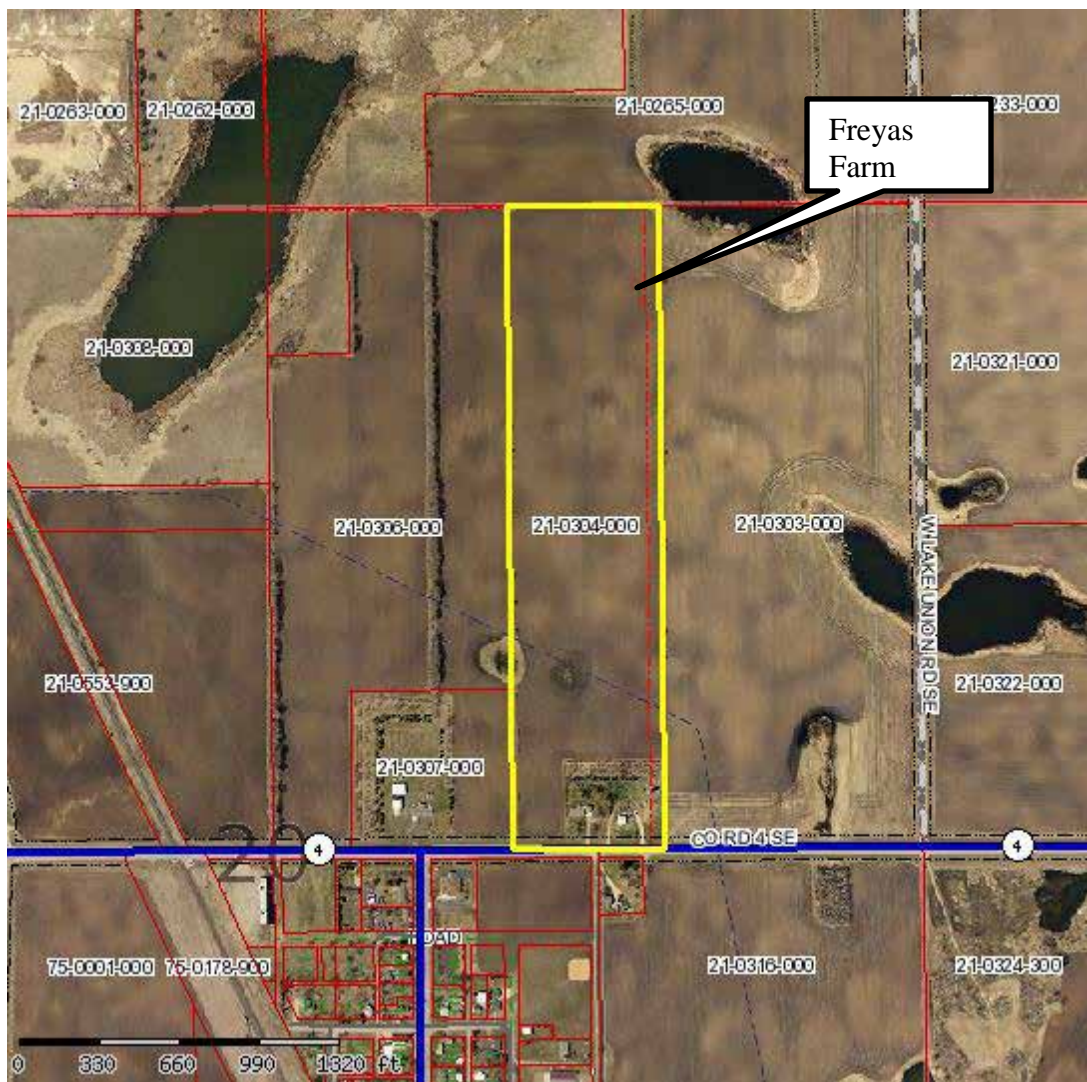
STAFF REPORT

Applicant: Owner/Subdivider: Janice L Shogren.

Application: Preliminary plat of Freyas Farm

Location: 1.75 Acres +/- located in the Northeast Quarter. Section 20 (Hudson Township)
Zoning Rural Residential.

Background: The applicant is requesting approval of a subdivision consisting a single lot to be served by a private sewer and well.



Staff Recommendation: *Approve with conditions:*

Based on the findings of fact presented in this report, the Staff recommends approving the preliminary plat with the following condition:

1. The proposed East property line must be at least 10 feet from the driveway.

Applicable Statutes: This application is subject to the criteria applicable to all subdivisions listed at the beginning of this staff report.

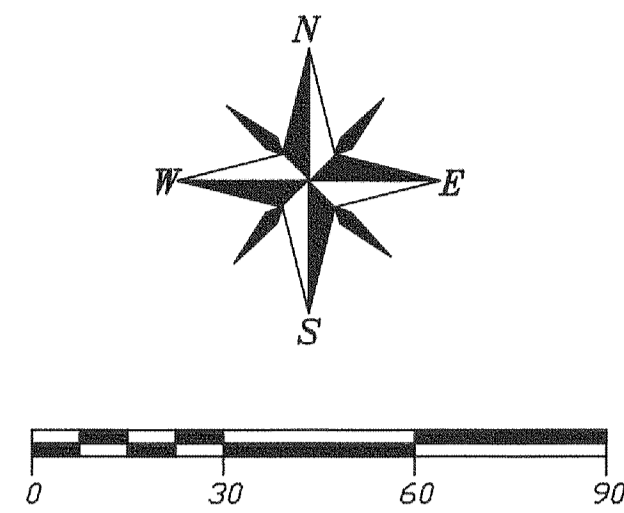
Staff Findings: The Staff proposes the following findings of fact for consideration by the Planning Advisory Commission:

1. **Coordination with existing nearby development:** The proposed subdivision will not interfere with the existing neighborhood or with future development that may occur on adjacent land.
2. **Consistent with Comprehensive plan.** The 2011 Comprehensive Plan identifies this area as being within the Rural Residential land use area. The major goals for this land use designation are to provide lower density residential development in the less developed areas of the county, provide for a combination of agriculture, hobby farms, home-based cottage industries, and large-lot residential are appropriate, provide a buffer between agricultural and residential uses, and provide for residential development opportunities not currently served by wastewater services.
3. **Land/soil suitability.** The soil survey shows the area to be generally suitable for development.
4. **Conformance to Applicable Rules and Regulations.** The proposed subdivision conforms to all minimum requirements for plated subdivisions.
5. **Self-Imposed Restrictions.** None are proposed.
6. **Adequate Public Facilities.** The lot will be accessed by CO RD 4 SE.
7. **Debris and Waste.** The applicant does not propose to use any area within the development to bury debris or waste and the development does not propose major topographic or natural features alterations.

Staff Comments: Based on the review of the application, Staff offers the following comments:

1. The driveway requirements can be met by removing the west-most in-drive on the remnant or moving the east property line of the proposed lot.
2. The septic system on the proposed lot was inspected and deemed compliant. The original designer of the septic system has provided a written statement that there is adequate room and soils for a replacement septic system.

**PRELIMINARY PLAT
OF
FREYAS FARM**
DOUGLAS COUNTY, MINNESOTA
STOECKEL-JAHNER SURVEYING FILE NO. 5729



DEVELOPMENT DATA:

OWNER: Janice Shogren
1709 Co Rd 4 SE
Alexandria MN 56308
(320) 763-9700

SURVEYOR: Stoeckel-Jahner Surveying Inc.
1206 3rd Avenue East
Alexandria MN 56308
(320) 763-6855

LOCATION: 1.75 Acres more or less located in Northeast Quarter
Section 20, Township 127 North, Range 37 West.

ROADS: Existing bituminous road (County Road 4). 200 linear feet of road

EXISTING CONDITIONS: Building site.

EXISTING ZONING: Rural Residential

SETBACKS: Rural County Road 100' from \odot
Township Road 65' from \odot (32' from ROW)
Side yard 10'
Rear yard 10'
Rear yard 10' Accessory Building
Minimum Sq. Ft. 25' Dwelling
1 acre

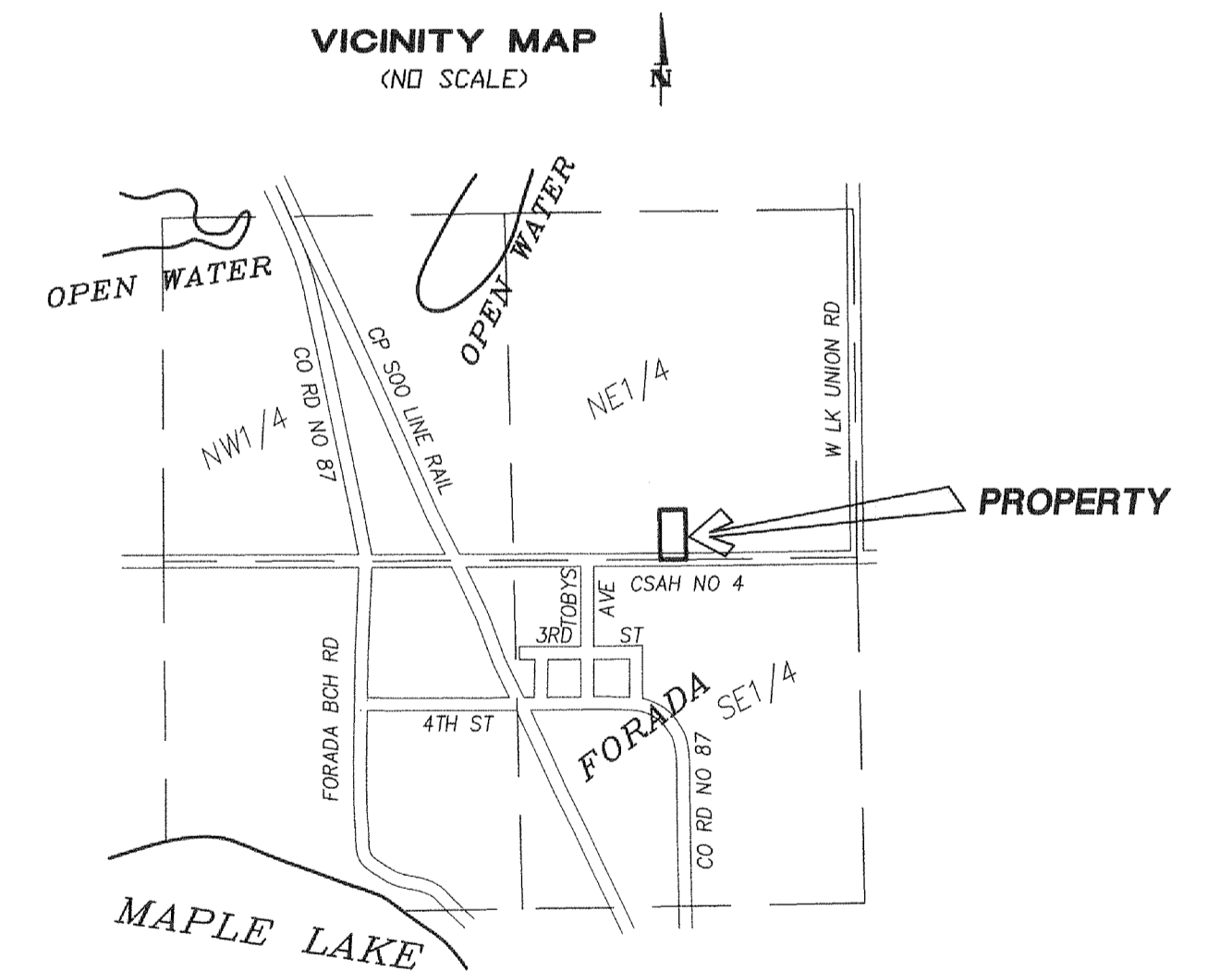
NOTE:

1) Contour information shown per Douglas County LIDAR

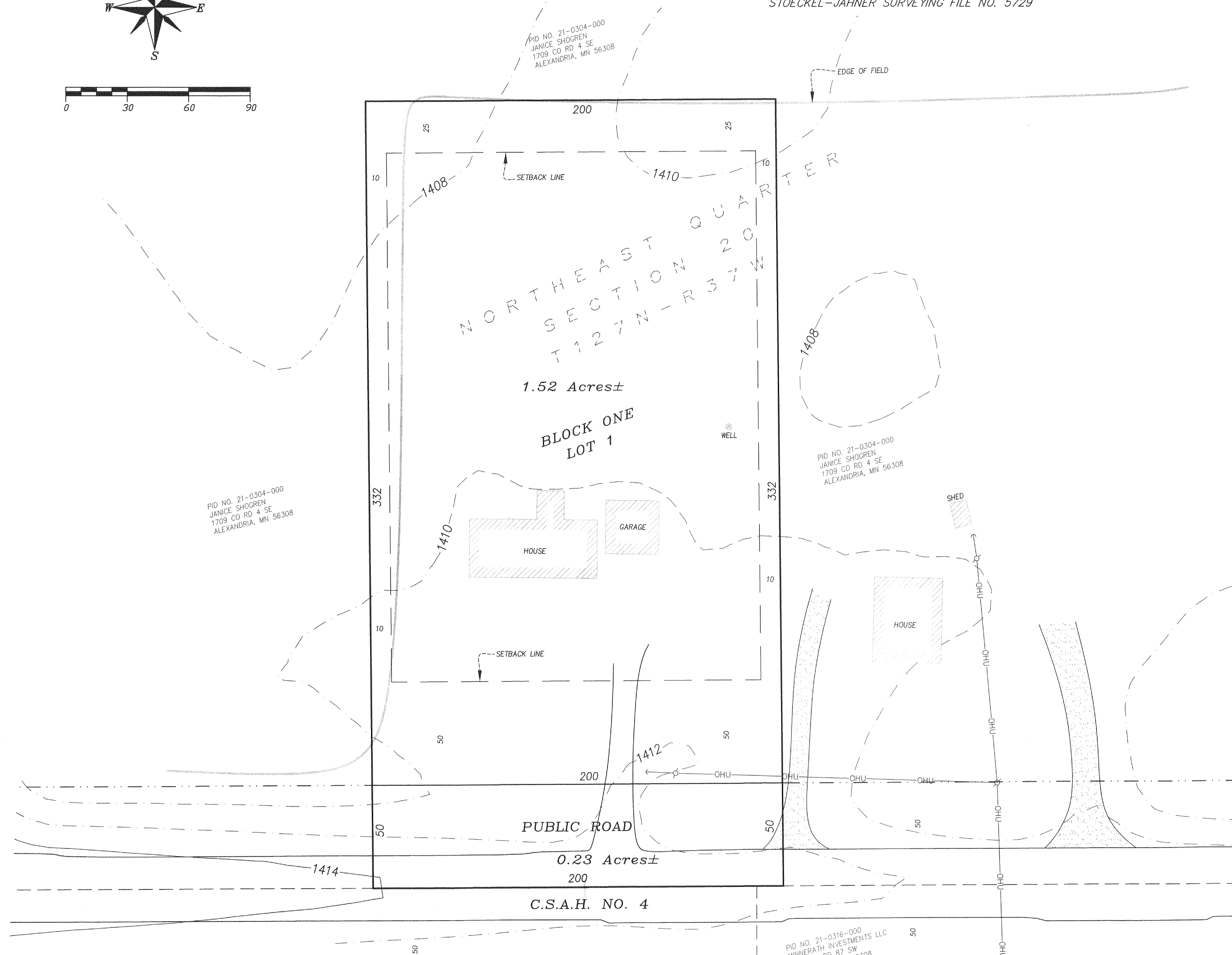
LEGEND

	CONTOUR LINE
	OVERHEAD UTILITIES
	POWER POLE
	GRAVEL SURFACE
	BITUMINOUS SURFACE

VICINITY MAP
(NO SCALE)



PROPERTY LOCATED IN SECTION 20,
TOWNSHIP 127 NORTH, RANGE 37 WEST,
DOUGLAS COUNTY, MINNESOTA



PID NO. 21-0304-000
JANICE SHOGREN
1709 CO RD 4 SE
ALEXANDRIA, MN 56308

PID NO. 21-0304-000
JANICE SHOGREN
1709 CO RD 4 SE
ALEXANDRIA, MN 56308

PID NO. 21-0304-000
JANICE SHOGREN
1709 CO RD 4 SE
ALEXANDRIA, MN 56308

PID NO. 21-0316-000
MINNERATH INVESTMENTS LLC
6325 CO RD 87 SW
ALEXANDRIA, MN 56308

PID NO. 75-0062-100
JOHN STELLNER
12435 STATE HWY 29 S
ALEXANDRIA, MN 56308

PID NO. 21-0317-000
WAYNE GILBERTSON
1752 CO RD 4 SE
ALEXANDRIA, MN 56308

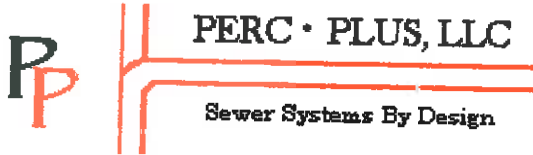
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

44493 License No. 01-03-14 Date

**STOECKEL
JAHNER**
SURVEYING INC.

PREPARED FOR: **JANICE SHOGREN**
MARK F. JAHNER - LICENSE NO. 44493
1206 3rd Avenue East P.O. Box 366 Alexandria, MN 56308
Phone 320-763-6855 Fax 320-763-6341
Website: mnsurveying.com Email: mark@msurveying.com

SEC. TWP. RNG: 20-127-37
DATE: 11-26-13
DRAWN BY: JN
CHECKED BY: MFJ
FILE NUMBER: 5729



Steve L. Schmidt, Designer
1001 Ruby Street NW
Alexandria, Minnesota 56308
1-800-630-5684
Mobile 320-760-5684
Home 320-763-7829

January 6, 2014

Douglas County Land & Resource Management
Douglas County Courthouse
305 8th Avenue West
Alexandria, MN 56308

RE: Janice Shogren
1709 Co Rd 4 SE
Alexandria, MN 56308

To Whom It May Concern:

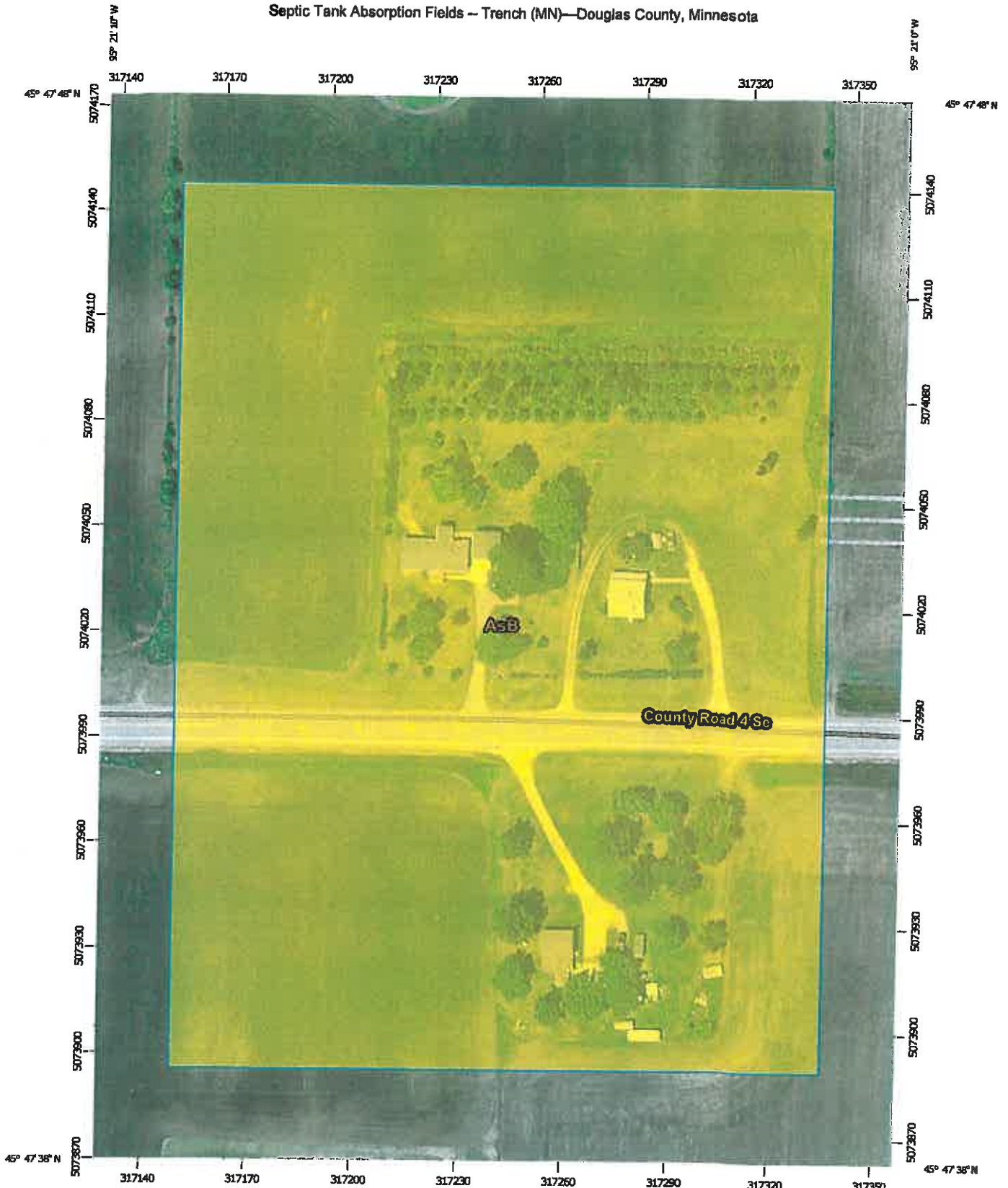
I have reviewed this plat located in Section 20 of Lake Mary Township, T.127.N – R.37.W. The soils are the same as indicated in the 1993 Design. The soils warrant different types of septic system designs. There should be enough room on each lot for two (2) septic sites. The criteria meets 7080 code as of January 6th, 2014

A copy of the soil boring and perc test are on file at Douglas County Land and Resource for this plat. If you have any questions or are in need of any other additional information please feel free to contact me at (320) 760-5684.

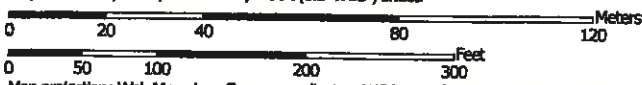
Sincerely,

Steve Schmidt
Perc Plus

Septic Tank Absorption Fields -- Trench (MN)—Douglas County, Minnesota



Map Scale: 1:1,480 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

WETLAND CONSERVATION ACT
NOTIFICATION OF WETLAND AREAS

The property with the legal description of

Which is preliminarily platted as

Freyas Farm

contains no wetlands and the Minnesota Wetland Conservation Act of 1991 does not apply. *

contains wetlands **


* This determination was done off of aerial photos and soils maps, no on site visit was made.

** if wetlands are present on the property, the Wetland Conservation Act regulates any filling, draining, and excavation in wetland areas. If you are proposing work in or near the wetland areas contact the Douglas Soil and Water Conservation District office for approval of your work.

Date: 1-8-14

Regulatory Agency: Douglas SWCD

Printed Name: Jessie Haggemiller

Signature: 

PRELIMINARY PLAT
OF
FREYAS FARM
DEGLAS COUNTY, MINNESOTA
STOECKEL-JAHNER SURVEYING FILE NO. 5729



DEVELOPMENT DATA:
 1. Name: Freyas Farm
 2. Date: 10/10/2011
 3. File No.: 5729
 4. Project No.: 1770

OWNER:
 JAHNER SURVEYING INC.
 100 W. WASHINGTON ST.
 MINNEAPOLIS, MN 55401
 (612) 338-0000

PREPARED BY:
 JAHNER SURVEYING INC.
 100 W. WASHINGTON ST.
 MINNEAPOLIS, MN 55401
 (612) 338-0000

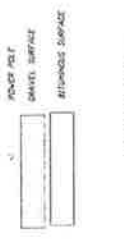
LEGAL DESCRIPTION:
 1.52 Acres, more or less, being Block One, Lot 1, of Freyas Farm, as shown on the plat of Block One, Freyas Farm, in Section 25, Township 127 North, Range 27 East, Deglas County, Minnesota.

LEGAL DESCRIPTION:
 0.23 Acres, more or less, being a portion of Block One, Freyas Farm, as shown on the plat of Block One, Freyas Farm, in Section 25, Township 127 North, Range 27 East, Deglas County, Minnesota.

NOTES:
 1. All measurements are in feet and inches.
 2. All bearings are true bearings.
 3. All distances are in feet and inches.
 4. All corners are marked with iron pins or other permanent monuments.

LEGEND:
 CENTER LINE
 OPEN END UTILITIES
 FENCE POLE
 GRAVEL SURFACE
 ASPHALT SURFACE

VICINITY MAP:
 1:25000 Scale
 Shows location of property in Section 25, Township 127 North, Range 27 East, Deglas County, Minnesota.



STOECKEL
JAHNER
 SURVEYING INC.

PREPARED FOR: **JANICE SHOIGREN**

DATE: 10/10/2011
 DRAWN BY: JN
 CHECKED BY: SJH
 FILE NUMBER: 5729

MINNESOTA SURVEYING BOARD REG. NO. 10000
 JAHNER SURVEYING INC. REG. NO. 10000
 JAHNER SURVEYING INC. REG. NO. 10000