Chisago County, MN
PLANNING COMMISSION
Meeting Agenda
November 2, 2023 | 7:00 pm

Chisago County Government Center | 313 N. Main Street | Center City, MN 55012

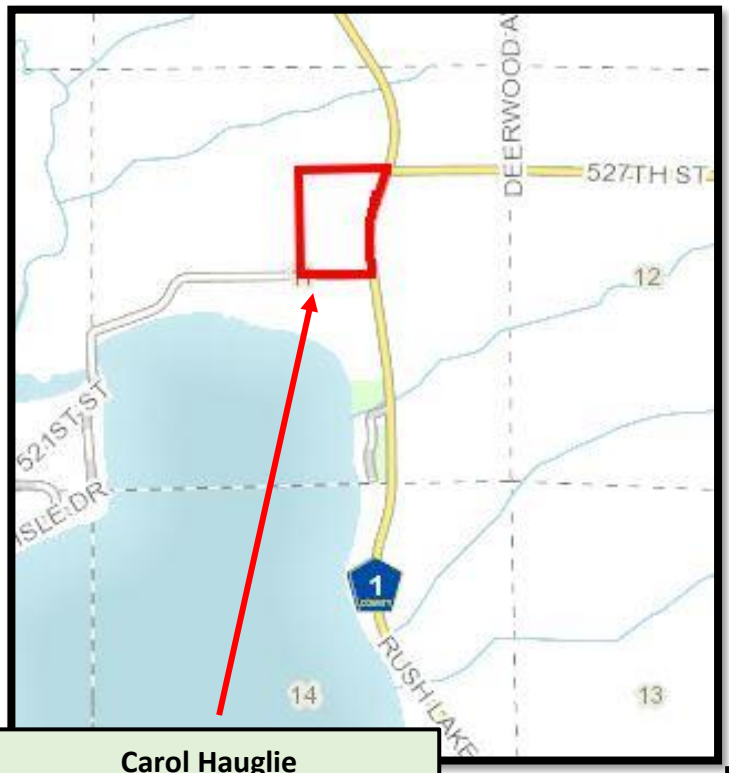
Tour Details: Wednesday, November 1, 2023 at 9:00 am
Departing from Chisago County Highway Department, 31325 Oasis Road, Center City, MN

1. **Call to Order – Pledge of Allegiance**
2. **Roll Call: Determination of a Quorum**
3. **Approval of Agenda**
4. **Approval of Minutes**
   a. September 21, 2023 Special Work Session
   b. October 5, 2023 Regular Meeting
5. **Receive all Materials and Submittals into Record**
   Previously Distributed:
   a. Complete meeting packet including staff reports with attachments for agenda items 6a, 6b, and 6d
6. **Public Hearings – New Applications**
   a. **Sunrise Township** – Property owner Sunrise Township is requesting a Conditional Use Permit (CUP) allowing Local Government and Administration Buildings. The request involves the construction of a new town hall and maintenance building on property located at 1xxxx Sunrise Road / CSAH 9 in Sunrise Township. The 10.50± acre subject site is zoned Agricultural (AG) District and generally located two-tenths (.20) of a mile northerly of the intersection of Sunrise Road / CSAH 9 and Olson Road on the easterly side of Sunrise Road / CSAH 9, S5, T35, R20 (PID 09.00041.20).
   b. **Carol Hauglie** – Property owner Carol Hauglie is requesting approval of the Preliminary Plat of Autumn Woods Cottages involving the creation of six lots ranging in size from 2.3 acres to 8.11 acres from a 28.20± acre tract of land. The subject site is zoned Rural Residential II (RRII) District and generally located at the northwest corner of Rush Lake Trail / CSAH 1 and Belle Isle Drive in Nessel Township, S11, T37, R22 (PID 06.00235.20).
   c. ~~**Darrick & Debra Jorgensen and Justin Jorgensen –** Property owners Darrick & Debra Jorgensen and applicant Justin Jorgensen are requesting approval of the Preliminary Plat of Nordstjernen involving the creation of one 5.5-acre lot from a 110.00± acre tract of land. The subject site is zoned Agricultural (AG) District and generally located at the northeast corner of 360th Street and Vlach Avenue in Amador Township, S34, T35, R19 (PID 01.00200.10).~~ WITHDRAWN
   d. **Sheryl Bearhart and Jordan Waggoner** – Applicant Sheryl Bearhart and property owner Jordan Waggoner and are requesting an Interim Use Permit (IUP) allowing a Residential and Commercial Kennel on 40.00± acres in the Agricultural (AG) District. Proposed Kennel activities include but may not be limited to the keeping, boarding, breeding, and grooming of dogs. The subject site is located at 450 Badger Boulevard in Fish Lake Township, S4, T36, R22 (PID 03.00041.00).
7. **Public Hearings – Continued Hearings**
8. **Old Business**
9. **New Business**
   a. October 25, 2023 CCATO Meeting and Township Feedback on Rural Village Center (RVC) District
10. **Communications and Reports**
    a. County Board Liaison Report / Update

11. **Miscellaneous**

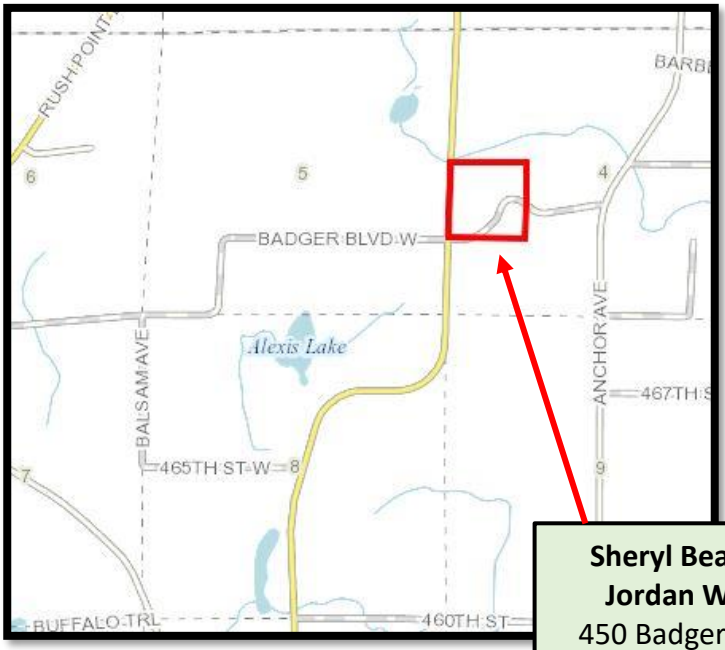
12. **Adjourn Meeting**
    - The next special work session is scheduled for Thursday, November 16, 2023 at 6:00 pm.
    - The next regular meeting is scheduled for Thursday, December 7, 2023 at 7:00 pm.

Planning Commission
Tour Date and Time:
Wednesday, November 1, 2023 at 9:00 am
Departing from Chisago County Highway Department
31325 Oasis Road, Center City, MN 55012

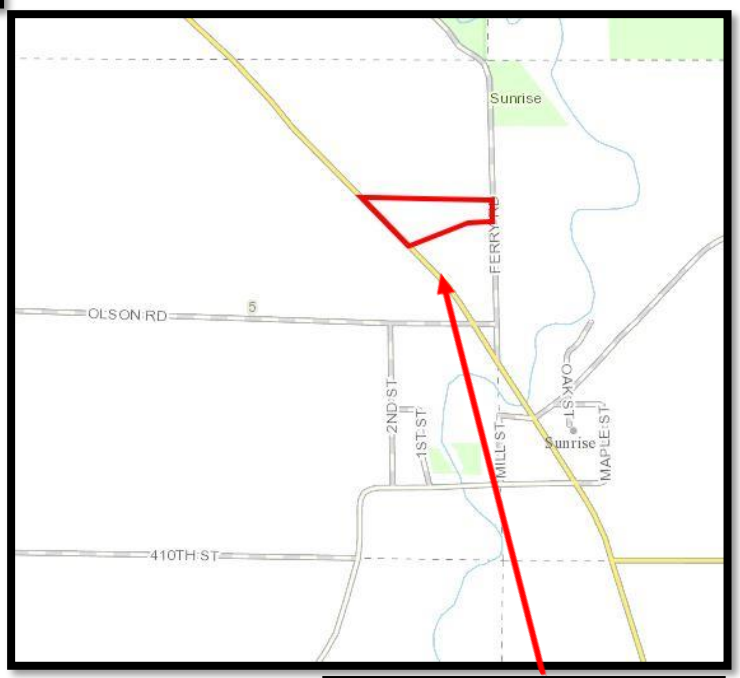




Carol Hauglie
Preliminary Plat of Autumn Woods Cottages
PID 06.00235.20



Sheryl Bearhart and Jordan Waggoner
450 Badger Boulevard
Fish Lake Township
PID 03.00041.00



Sunrise Township
1xxxx Sunrise Road
Sunrise Township
PID 09.00041.20

CHISAGO COUNTY
PLANNING COMMISSION
Special Work Session
September 21, 2023

The Chisago County Planning Commission met for a special work session at 6:00 pm on Thursday, September 21, 2023 at the Chisago County Government Center.

Chair Yeager called the special work session to order. Commissioners Present: Chris DuBose, Eric Leivian, Jim McCarthy, Dave Whitney, Jolene Wille and Chip Yeager. Commissioners Absent: John Sutcliffe.

Staff Present: Environmental Services Director Kurt Schneider and Land Services Coordinator Beth Gervais.

Others Present: Ex Officio County Commissioner Rick Greene, Haila Maze of Bolton & Menk, and Kelsey Zaavedra.

Shoreland Management Ordinance Discussion

A. **Lake Classification System** – Maze provided an updated list of lake classifications and Schneider volunteered to review the list for accuracy and/or have the DNR review the list for accuracy.

B. **DNR Review Process** – Gervais explained that the DNR offered an optional preliminary review of draft ordinance amendments which could be submitted along with a Notice of Intent to amend an existing ordinance. Gervais shared that the Notice of Intent form included an estimated schedule for the County's review process, including public hearing(s) and date of adoption. The Work Group generally agreed that the draft ordinance should be submitted to the DNR in its current form with the estimated schedule beginning in December 2023.

C. **Open Space Requirements** – Whitney reintroduced the topic of open space requirements for subdivisions in the Shoreland Management District, noting that the Subdivision Ordinance also required 5% for park dedication and he felt that the 5% should be part of the overall open space dedication for subdivisions in the Shoreland Management District rather than in addition to the overall open space dedication. McCarthy responded by suggesting that if the subdivision was located in the Shoreland Management District, it would only be subject to the open space dedication requirements of the Shoreland Management Ordinance and not subject to the open space dedication requirements of the Subdivision Ordinance. Whitney requested that language be added to the ordinance to make this point clear. Whitney also suggested that Transfer Development Credits (TDCs) could be used to satisfy up to 20% of the total open space dedication requirement. Fellow Work Group members hypothesized that the DNR's intent was to preserve and protect land adjacent to public bodies of water and may not agree to the use of TDCs for this purpose. Whitney responded that the County's goal should be to preserve the best types of land, which included more than just land adjacent to water.

D. **Application of Shoreland Management Ordinance** – Whitney expressed concern over and questioned how the Shoreland Management Ordinance would be applied in situations where part of the land being subdivided was located within the Shoreland Management District and partly located outside of the Shoreland Management District. Schneider suggested adding language to the ordinance clarifying and providing direction on which ordinance – Shoreland Management

Ordinance or Subdivision Ordinance – would be used in this scenario. Maze added that, upon completion, the ordinances would cross-reference each other for clarity.

Zoning Ordinance Discussion

A. **Major Home Occupations – Varying Lot Sizes Revisited** – Maze reintroduced draft language stating that "the County reserves the right to increase or decrease the minimum required lot size based on the size, intensity, and performance standards of the Major Home Occupation and impose as a condition of approval" and sought feedback. Maze added that she and her team had researched Home Occupation language from other jurisdictions and only found examples with either no minimum lot size or a minimum lot size but no other examples which left it to the discretion of the governing body. DuBose offered support for incorporating language which allowed the County to increase the lot size to be something more than 5 acres but felt that anything less than 5 acres should only be allowed with Variance approval. The Work Group discussed the term "intensive" and how it could be defined / applied when determining the required lot size, with some suggestions including number of employees, amount of truck traffic, road type / surface, noise generated, and specific Home Occupation activity. General consensus of the Work Group was to require that Major Home Occupations be located on properties at least 5 acres in size and to not include any language allowing the County to increase or decrease the lot size.

   Maze commented that the Work Group had previously discussed road classification and surfacing in relation to Major Home Occupations and questioned whether Major Home Occupations should be required to be on paved roads as opposed to unpaved roads. The Work Group discussed traffic in terms of customers, deliveries, and/or number of trips per day.

B. **Adding Duplexes and Townhomes** – Maze reintroduced the topic of allowing duplexes and townhomes within certain zoning districts, noting that, if the Work Group supported these housing types, definitions would need to be added to the Zoning Ordinance. The Work Group offered support for duplexes and townhomes and generally supported these uses in the RVC, UF and RR Districts. Schneider questioned the difference between a duplex and an ADU and, in response, the group acknowledged that they were very similar yet they did not want to allow both a duplex / townhome and an ADU on a single property. Given the proposed minimum lot size for RVC District properties (11,500 sf) and the need to have sufficient space for septic systems, the group discussed increasing the minimum lot size in relation to the number of units. The Work Group reached consensus that each unit should be required to meet the minimum lot size, so that if, for example, a two-unit dwelling structure (i.e., duplex) was proposed in the RVC District where the minimum lot size was 11,500 sf, the two-unit dwelling structure would be required to be on a property at least 23,000 sf in size, and, likewise, a four-unit dwelling structure (i.e., townhome) would be required to be on a property at least 46,000 sf in size. The group also reached consensus that duplexes and townhomes should not be allowed in the AG District. The group had a lengthy discussion about the differences and similarities between duplexes and ADUs. Finally, the group reached consensus that duplexes and townhomes should be a Permitted Use within the RVC, UF, and RR Districts as opposed to a Conditional Uses, with the understanding that properties with duplexes and townhomes would not be allowed to have ADUs.

C. **Dimensional Standards** – Maze commented that more work was needed on dimensional standards and she suggested that she and her team would focus on this task.

D. **Energy Storage Facilities** – Maze shared that definitions for Electric Vehicle (EV) Charging Station and Energy Storage Facility were added to the current draft ordinance, based on the Work Group's previous discussions. The group briefly discussed Chisago County being an attractive location for

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Solar Energy Systems / power generation and Energy Storage Facilities given the 750 Kv line and large substation. The consensus of the Work Group was to allow Energy Storage Facilities as a Conditional Use in the AG and CLI Districts.

E. **Campground Park Model Discussion** – Based on the Work Group's August 17, 2023 discussion, Maze reintroduced the topic of park models. Gervais commented that the Planning Commission visited a large campground in Nessel Township, as part of a CUP Amendment request, on September 6, 2023 and witnessed several park models where the existing CUP strictly prohibited them. Schneider noted that the Zoning Ordinance did not define Park Model and adding a definition would be helpful for administration and enforcement. The group discussed the implications of allowing park models, including property taxes, similarity to manufactured home parks (permanent use vs. seasonal use), and the tendency for people to add other structures to the park models (i.e., decks, porches, roofs). Given that the Work Group was aware of at least one campground which had park models, the consensus of the group was to add a definition for Park Model to the Zoning Ordinance. It was also suggested by Whitney that the Zoning Ordinance define what types of units were allowed within campgrounds and what types of units were allowed within manufactured home parks, with the goals of preventing campgrounds from becoming locations for permanent residency and providing clear ordinance language to support enforcement efforts. After much discussion and debate, the Work Group ultimately reached consensus that campgrounds should be allowed to have recreational vehicles, including park models, so long as all recreational vehicles had a current license / current tabs and remained road worthy.

F. **Accessory Dwelling Units (ADUs)** – Whitney questioned draft ADU language requiring that ADUs be located in the rear yard of the primary residence, commenting that it was too restrictive and may not always be practical. The Work Group discussed options for ADU locations and reached consensus that the draft language (Section 4.10, D.) should be eliminated entirely.

Comments from Kelsey Zaavedra – Zaavedra was present to address the Planning Commission Work Group. Zaavedra reminded Work Group members that she went through the Conditional Use Permit process in 2021 which, in part, allowed her to reside in, what she referred to as, a tiny home. Zaavedra urged the Work Group to recognize that people didn't generally choose to live in manufactured homes because they wanted to but, rather, because it may have been their only option. Zaavedra commented on the current real estate market and median home price in Chisago County, noting that there was no such thing as a starter home anymore and sometimes manufactured homes and tiny homes were the only option for people. Zaavedra urged the Work Group to remember that they were serving the entire County, not just those with financial resources and options, and encouraged them to be part of the housing solution.

G. **Agricultural (AG) District** – Whitney suggested adding language to the AG District's Permitted Uses requiring that trees be planted so that they maintained a 15' setback from property boundaries at maturity so as not to intrude on neighboring properties. Whitney noted that the suggestion had been made in the past and the current draft ordinance included a note that this suggested requirement would not be enforceable, but he believed that the added language could be used as a guideline for property owners so that trees didn't cause boundary line disputes or cause negative impacts to neighboring crop fields. Schneider commented that it may be suitable language if worded as a recommendation rather than a requirement due to this suggested requirement putting the County in the middle of countless property boundary disputes and requiring property owners to obtain a survey to verify property boundary locations. Schneider added that the County had ability to require that trees be planted with a setback as part of Conditional Use Permits and Interim Use Permits, but it wouldn't be a practical requirement for the general public. As a compromise, the

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Work Group discussed adding a 15' setback requirement to all existing landscaping references within the Zoning Ordinance where a Conditional Use Permit or Interim Use Permit was required (i.e., Rural Retail Tourism, Solar Energy Systems, Planned Unit Developments, etc.). Commissioner Greene spoke about a personal issue he had with a neighboring property owner who planted trees on the property boundary and those trees impacted his field, and encouraged a setback requirement. Maze sought clarification on which zoning districts this new language should be applied to – in the case of landscaping as part of Conditional Use Permits and Interim Use Permits – and the consensus of the Work Group was that it should be applied to all districts. The Work Group also generally agreed that the language should state that trees be planted no less than 15' from adjacent property boundaries at time of planting.

H. **Rural Village Center (RVC) District** – Maze and Schneider shared that applicable townships received materials from the Environmental Services Department on behalf of the Work Group in an attempt to solicit feedback on the RVC District regulations and district boundaries. Schneider added that two townships – Franconia and Shafer Townships – also received materials and a request for feedback pertaining to the Highway 8 corridor and opportunity to establish new RVC Districts. The group discussed efforts to share information with the townships regarding the more significant proposed changes to the County's ordinances, acknowledging that township feedback would be helpful and their buy-in crucial.

   Leivian shared that Sunrise Township had questioned why government buildings were only allowed with Conditional Use Permit approval in the AG District when they were a Permitted Use in the RVC District. The Work Group briefly discussed impacts of government buildings (i.e., parking, traffic, large events, loss of tax revenue) and no action was taken to allow government buildings as a Permitted Use in the AG or RR Districts.

Timeline for Review

Maze noted that the ordinance update effort was nearing the end and sought feedback from the Work Group on how they wished to move into the final review phase. Noting that RVC District feedback was requested from townships by October 31, 2023, after the scheduled October 19, 2023 work session, and due to other scheduling conflicts, the Work Group canceled the October 19th work session and confirmed that the next work session would be held on November 16, 2023. Further, the Work Group asked that township feedback be presented to the Planning Commission at its regular November 2, 2023 meeting. The Work Group discussed scheduling public hearings and/or public forums for review of the draft ordinances, with no specific timeline established.

With no further business to discuss, the work session adjourned at 8:12 pm.

_____ ATTEST: _____

Chip Yeager
Chair

Beth Gervais
Land Services Coordinator

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CHISAGO COUNTY
PLANNING COMMISSION OFFICIAL PROCEEDINGS
October 5, 2023

The Chisago County Planning Commission met in regular session at 7:00 p.m. on Thursday, October 5, 2023 at the Chisago County Government Center.

Staff Present: Kurt Schneider, Environmental Services Director; Beth Gervais, Land Services Coordinator; and Nikki Garner, Office Support Specialist.

Chair Yeager called the meeting to order and led the assembly in the Pledge of Allegiance. A roll call of Board members was taken. Commission members present: Dave Whitney, Chris DuBose, Eric Leivian, Chip Yeager, Jim McCarthy, John Sutcliffe, and Jolene Wille. Absent: None. A quorum was established with all members present. Also present: Ex Officio County Commissioner Rick Greene.

Approval of Agenda – ***Motion*** by Sutcliffe to approve the agenda as presented; second by Wille. **Motion passed** 7-0.

Approval of Minutes – ***Motion*** by DuBose to approve the September 7, 2023 regular meeting minutes as presented; second by Leivian. **Motion passed** 7-0.

Receive all Materials and Submittals into Record - *Motion* by Whitney to accept all materials and submittals into the record; second by Sutcliffe. **Motion passed** 7-0. Materials distributed to the Planning Commission in advance of the meeting for their review included staff reports with attachments for agenda items 6a and 6b. Copies of all correspondence and meeting materials were made available for the public.

Public Hearings – New Applications
William & Beverly Payne and Keith Payne – Coordinator Gervais provided a brief background on the request for Interim Use Permit (IUP) allowing a Contracting Business Owned and Operated by Persons Residing at the Property as requested by property owners William & Beverly Payne and applicant Keith Payne, explaining that the proposed business would offer lawn care and landscaping services from the 20.00± acre subject site located at 38575 Kost Trail in Sunrise Township (PID 09.00225.10). Gervais provided detail about the subject site and surrounding area and explained that the Paynes wished to operate a family-owned contracting business, known as Finishing Touch Lawn Care and Landscape, LLC, from their residence, noting that the business was owned and operated by William Payne and Keith Payne (father and son) who both resided on the subject site.

Gervais reviewed details of the application materials. The Paynes employed a total of eight individuals, including seven part-time employees and one full-time employee. Three of these employees currently resided on the subject site and five resided elsewhere. Employees reported to the office / subject site first before going to a job site. The business would operate year-round with hours during spring, summer, and fall being 7:00 am to 9:00 pm with equipment that may be running from 6:00 am to 10:00 pm. Work would rarely occur outside of this time range, with application materials suggesting that it may happen once or twice a year. The business would operate around the clock during the winter, as they would offer snow removal and ice management services. Services offered in the spring included clean-up and removal of yard debris and waste, fertilization and weed control services, and coordination of irrigation

services. Services in the summer would include complete grounds maintenance services, fertilization and weed control services, coordination of irrigation services, and landscape installation/repairs. Services in the fall would include clean-up and removal of yard debris and waste and coordination of irrigation services. The business would offer residential and commercial snow removal and ice management services during winter months. Additionally, the business would offer tree removal and trimming services on an as-needed basis year round.

The main office building, which was currently under construction and was 12' x 28' (336 sf), was located approximately 30' west of the dwelling and immediately north of the employee parking area. A recently constructed 22' x 25' (550 sf) salt bin was located immediately adjacent to the southernmost pole building. One or both pole buildings would be used for off-season equipment storage, equipment maintenance and repair. The site plan showed that all structures were at least 210' and as much as 970' from the nearest property boundary. The employee parking area was 88' x 25' in size and located on the west / southwest side of the dwelling. The equipment parking area was located adjacent to the two pole buildings and could accommodate four pick-up trucks, 2-5 trailers, a bobcat, and occasionally 1-2 lawnmowers.

In terms of screening, the application materials suggested that sloping elevations between the roadway and structures as well as existing vegetation to the north, south and east provided screening to surrounding property owners. The proposed office building would not include sanitary facilities. Instead, the dwelling would be made available for this purpose. Gervais noted that the County Sanitarian had not expressed any concerns with the intent to use the dwelling's sanitary facilities for business purposes and added that the existing septic system – serving the dwelling – was inspected on September 21, 2023 and found to be compliant.

The Technical Review Committee met with applicant Keith Payne on September 13, 2023 and it was revealed to staff that the business had been operating for three years, with employees and equipment for the past 1 ½ years. Gervais noted that the request for IUP was not a result of code enforcement efforts but, rather, the business owners' desire to bring the business into compliance after learning that an IUP was required. The Committee did not identify any other concerns. The Sunrise Town Board considered the request on September 21, 2023 and recommended approval with no conditions. The 60-day review period was scheduled to expire on November 5, 2023.

Gervais concluded by offering a recommendation of approval with draft Findings of Fact and conditions, and reviewed options available to the Planning Commission.

Chair Yeager invited the applicant to address the Planning Commission. Applicant Keith Payne stepped forward and asked for clarification on recommended conditions pertaining to the number of employees and storage of hazardous waste. Payne stated that most of his employees were part-time and were not all scheduled at one time, so it may be difficult to keep the total number of employees to 10. DuBose asked Payne about current and future employee levels and, in response, Payne stated that there were currently nine employees in addition to himself but he envisioned having as many as 15 employees in the future. Whitney suggested that 10 full-time equivalent (FTE) employees may be a better term for employee count. In regard to the storage and generation of hazardous waste, Payne explained that fertilization and weed control services required chemicals that were currently kept in a dry, locked room in a pole shed with a concrete floor.

Chair Yeager opened the public hearing and sought comment.

Richard Berthiaume of 38406 Kost Trail, Sunrise Township stepped forward and expressed concern over pesticide usage and the licensure required to apply pesticides. In response, Payne confirmed that certain employees had the required license.

With no other persons wishing to speak, ***motion*** by DuBose to close the public hearing; second by Sutcliffe. **Motion passed** 7-0.

Chair Yeager asked the Planning Commission if they had any additional questions or comments. DuBose offered that he would be agreeable to a maximum of 15 employees, similar to what was allowed for Major Home Occupations, or 10 FTE. Whitney also offered support for 10 FTE. McCarthy asked for clarification on how the hazardous materials and waste would be disposed of and/or stored. Schneider commented that he believed the business would be storing the hazardous materials on-site to be used elsewhere as needed so there wouldn't be a problem with storing of hazardous waste much like a farmer would store fertilizer and pesticides. There was no required County license but there were best practices for handling.

Motion by DuBose to add a condition requiring that all insecticides and fertilizers and similar materials used for business purposes be stored indoors in accordance with accepted practices and State guidelines; second by Whitney. **Motioned passed** 7-0.

Motion by DuBose to amend the recommended condition pertaining to employees in a manner that would allow up to 10 FTE employees; second by McCarthy. **Motion passed** 7-0.

Whitney sought clarification from the applicant about the method for disposal of debris from tree removal services, explaining that he was concerned about debris accumulation. Payne explained that tree removal service was very limited and typically only included removal of small limbs to allow for ease of landscaping services. Payne added that limbs were either dropped off at a composting site in the metro area or brought back to the subject site and burned.

Motion made by DuBose to add a condition requiring that all wood debris be disposed of off-site within 15 days; second by Whitney. **Motion passed** 7-0.

Motion by McCarthy to add a condition requiring the installation of additional screening on the west side of the equipment parking area between the driveway and the salt shed, with allowable screening options including a privacy fence or a staggered double row of 6'+ tall trees spaced 16-foot on center and meeting or exceeding 75% opacity within three years of the approval date; second by Whitney. **Motion passed** 6-1 (Nays: Leivian).

Motion by Whitney to amend the recommended condition pertaining to hours of operation in a manner that would allow the business to operate 24 hours a day, seven days a week during the winter; second by Wille. **Motion passed** 7-0.

Motion by Whitney to eliminate the recommended condition which prohibited the use of back-up alarms on the subject site; second by DuBose. **Motion passed** 6-1 (Nays: McCarthy).

Motion by DuBose to adopt Resolution No. PC2023-1001, a resolution of the Planning Commission of Chisago County, Minnesota, recommending approval of an Interim Use Permit allowing a Contracting Business Owned and Operated by Persons Residing at the Property on property located at 38575 Kost Trail in Sunrise Township, with Findings of Fact as presented and conditions as amended; second by Leivian. **Motion passed** 7-0.

Conditions as Amended:

1. This Interim Use Permit grants approval for the operation of a lawn care and landscaping Contracting Business Owned and Operated by Persons Residing at the Property, as specifically described in the application materials dated received August 24, 2023 and kept on file with the Department of Environmental Services, except as specifically conditioned herein. No commercial or retail activity, apart from the activities described in the application materials shall be permitted as part of this approval.
2. The Contracting Business shall be allowed to operate Monday through Saturday (no Sundays) year-round with hours of operation being 7:00 am to 9:00 pm during spring, summer, and fall. Equipment may begin warming up on site no earlier than 7:00 am and shall not run on site later than 9:00 pm. Winter hours will vary depending on weather conditions, which means that the business may operate 24 hours a day, seven (7) days a week and equipment may run on site as needed when snow and ice conditions exist.
3. Noise generated from the approved use shall be subject to the Chisago County noise standards. No undue or objectionable noise resulting from said uses shall be transmitted beyond the subject site's property boundaries.
4. To mitigate potential adverse impacts related to noise:
   a. ~~No back-up alarms shall be utilized on the subject site, including when equipment is used, loaded, or off-loaded.~~
   b. The permit holder shall maintain existing vegetation (large stands of trees) – and replace dying, dead, or downed vegetation – located between the area of business operations and the surrounding property boundaries.
5. The permit holder shall install screening for the equipment storage area. The screening shall be located on the west side of the equipment storage area extending from the driveway to the salt shed. Allowable screening options include a privacy fence and/or two (2) staggered rows of six foot (6') tall coniferous trees planted no greater than sixteen feet (16') on center which meet or exceed 75% opacity within three (3) years of the approval date.
6. In addition to the business owners, the permit holder may employ up to ten (10) full-time equivalent (FTE) employees.
7. Except for the outdoor parking of equipment (i.e., trucks, trailers, and heavy machinery), there shall be no outdoor storage of lawn care and/or landscaping goods or materials used in conjunction with the approved Contracting Business.
8. Any signage shall be installed in accordance with the Chisago County Zoning Ordinance.
9. No hazardous waste shall be generated or stored on the subject site.
10. Any fuel storage at the subject site shall be in accordance with MPCA regulations.
11. All insecticides and fertilizers and similar materials used for business purposes shall be stored

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indoors in accordance with accepted practices and State guidelines.

12. Wood debris shall be disposed of off-site within fifteen (15) days.
13. This Interim Use Permit shall expire at such time that the property is no longer owned and occupied by either William Payne or Keith Payne.
14. Any expansion of the use – including, but not limited to, the construction of new structures used for the Contracting Business, the expansion of the number of employees / hours of operation, or other expansion as determined by the Department of Environmental Services – shall only be allowed upon further review by the Planning Commission and approval by the Board of Commissioners by way of an Interim Use Permit Amendment.
15. Annual certification of the Interim Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the Interim Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval. Failure to maintain certification may be a basis to revoke the Interim Use Permit. The property shall be made open and available for regular inspection at any time during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.

Mackenzie & Megan Johnston – Gervais provided a brief background on property owners' Mackenzie & Megan Johnston's request for an after-the-fact CUP for Major Home Occupation to operate and expand their business known as East Central Sports on their 23.50± acre property located at 4840 Rush Lake Road / CSAH 1 in Nessel Township (PID 06.00058.00). Gervais provided detail about the subject site and surrounding area. Gervais noted that East Central Sports had a 2,000 sf retail location in downtown North Branch and, according to the website, the business specialized in the sale of ATVs and snowmobiles. The owners of East Central Sports resided at the subject site and used it in conjunction with their business activities.

Gervais reviewed details of the application materials. The Johnstons utilized the subject site as their warehouse storage facility. Products were assembled and stored in the existing 60' x 120' pole building and typically transported to the North Branch location. As part of the CUP request, the property owners were proposing a new 60' x 80' (4,800 sf) structure to be used as a cold storage facility. This structure would warehouse crated and unassembled units. Gervais noted that, while the subject site had a split zoning classification of Rural Residential I (RRI) District and Agricultural (AG) District, the proposed structure would be located entirely within the AG District, as was the existing pole building, where there was no limit on the square footage of accessory structures.

The current hours of operation were Monday through Friday, 9:00 am to 6:00 pm. The Johnstons currently employed two full-time employees and one part-time seasonal employee. Gervais commented that the written narrative later suggested that the Johnstons employed a total of five in addition to themselves and suggested that the Planning Commission seek clarification from the applicants on this matter. The site plans showed that there were five customer parking spaces, three employee parking spaces, and two ADA accessible parking spaces located immediately south of the existing pole building. The plans also showed two truck and trailer parking spaces southwest of the existing pole building / south of the proposed structure. The Johnstons believed that they had sufficient space for all customer and employee parking needs.

The Technical Review Committee met with Mac Johnston on September 13, 2023. Johnston shared with the Committee that the subject site was primarily used for storage and assembly of product, with an average of 2-3 customers per day and 1-2 deliveries per week. Johnston added the proposed structure would not increase the number of customers, employees, or traffic. The County Sanitarian recommended a septic compliance inspection. Gervais noted for the Planning Commission that a septic compliance inspection had been completed prior to the October 5, 2023 Planning Commission meeting. Gervais also commented that the request for CUP was not a result of code enforcement efforts but, rather, the business owners' desire to bring the business into compliance and expand the business by constructing a new structure. The Nessel Town Board considered the request on September 12, 2023, and recommended approval with no conditions. The 60-day review period was scheduled to expire on November 5, 2023.

Gervais concluded by offering a recommendation of approval with draft Findings of Fact and conditions, and reviewed options available to the Planning Commission.

Chair Yeager invited the applicants to address the Planning Commission. Property owners Mac and Megan Johnston came forward. DuBose sought clarification from the applicants on the number of employees and if staff's recommended condition limiting the business to five employees on-site at any given time would be sufficient. Mac Johnston responded that there were two full-time employees and one part-time employee in addition to his wife and himself, and the recommended condition would be sufficient. Whitney questioned the types of motorized equipment that East Central Sports sold, why a customer would go to the subject site to pick up equipment rather than the North Branch location, and if there would be any testing of equipment at the subject site. The Johnstons both answered that they sold ATVs, golf carts, dirt bikes, parts, and basically anything that could be categorized as motorsports; their customers would come to the subject site to pick up a particular order that wasn't at the North Branch location; and, they didn't allow any testing of equipment at either the North Branch or Nessel Township location.

Chair Yeager opened the public hearing and sought comment. No members of the audience were present to speak to this request. ***Motion*** by Sutcliffe to close the public hearing; second by Wille. **Motion passed** 7-0.

Motion by Whitney to eliminate the recommended condition which prohibited the use of back-up alarms on the subject site; second by DuBose. **Motion passed** 7-0.

Motion by Whitney to add a condition prohibiting an exterior track on site for testing or use of ATVs, snowmobiles, or other types of power equipment; second by Leivian. **Motion passed** 7-0.

Motion by DuBose to adopt Resolution No. PC2023-1002, a resolution of the Planning Commission of Chisago County, Minnesota, recommending approval of a Conditional Use Permit allowing a Major Home Occupation on property located at 4840 Rush Lake Road / CSAH 1 in Nessel Township, with Findings of Fact as presented and conditions as amended; second by Sutcliffe. **Motion passed** 7-0.

Conditions as Amended:

1. This Conditional Use Permit grants approval for a Major Home Occupation involving the use of detached accessory structures, as specifically described in the application materials dated received

August 31, 2023 and kept on file with the Department of Environmental Services, except as specifically conditioned herein.

2. Hours of operation shall be limited to Monday through Friday, 9:00 am to 6:00 pm.
3. The maximum number of employees – in addition to the permit holder – on-site at any given time is five (5). This condition is not intended to prohibit the permit holder from having more than five (5) employees but, rather, to limit the number of employees on-site.
4. Noise generated from the approved use shall be subject to the Chisago County noise standards. No undue or objectionable noise resulting from said uses shall be transmitted beyond the subject site's property boundaries.
5. To mitigate potential adverse impacts related to noise:
    a. ~~No back-up alarms shall be utilized on the subject site, including when equipment is used, loaded, or off-loaded.~~
    b. The permit holder shall maintain existing vegetation (large stands of trees) – and replace dying, dead, or downed vegetation – located between the area of business operations and the surrounding property boundaries.
6. The permit holder shall accommodate all customer, employee and delivery parking on-site. No such parking shall be allowed on Rush Lake Road / CSAH 1.
7. The permit holder shall ensure adequate year-round access and parking for emergency vehicles on-site, including space to maneuver/turn vehicles.
8. Any signage shall be installed in accordance with the Chisago County Zoning Ordinance.
9. No hazardous waste shall be generated or stored on the subject site.
10. Any fuel storage at the subject site shall be in accordance with MPCA regulations.
11. <u>There shall be no exterior track on site for customer testing or use of ATVs, snowmobiles, or other types of power equipment.</u>
12. Any expansion of the use – including, but not limited to, the construction of new structures used for the business activity (aside from the one proposed structure included in this request), the expansion of the number of employees / hours of operation, or other expansion as determined by the Department of Environmental Services – shall only be allowed upon further review by the Planning Commission and approval by the Board of Commissioners by way of a Conditional Use Permit Amendment.
13. Annual certification of the Conditional Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the Conditional Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval. Failure to maintain certification may be a basis to revoke the Conditional Use Permit. The property shall be made open and available for regular inspection at any time during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.

Public Hearing – Continued Hearings – None

Old Business – None

New Business – None

William & Beverly Payne and Keith Payne – REVISITED – DuBose shared that he believed the added screening requirement for the Payne IUP request was excessive and suggested that that the Planning Commission reconsider the number of trees required. After a lengthy discussion, ***motion*** by DuBose to reconsider the previously adopted motion pertaining to screening by allowing screening options to include either a privacy fence or a single row of 6'+ tall trees planted no greater than 16-foot on center and meeting or exceeding 75% opacity within three years of the approval date; second by Wille. **Motion passed** 4-3 (Ayes: Wille, DuBose, Sutcliffe, and Leivian. Nays: Whitney, McCarthy, and Yeager).

Condition as Amended:

5. The permit holder shall install screening for the equipment storage area. The screening shall be located on the west side of the equipment storage area extending from the driveway to the salt shed. Allowable screening options include a privacy fence and/or ~~two (2) staggered rows~~ one (1) row of six foot (6') tall coniferous trees planted no greater than sixteen feet (16') on center which meet or exceed 75% opacity within three (3) years of the approval date.

Communications and Reports – County Board Liaison Greene shared that the ribbon cutting for the extension of the Sunrise Prairie trail head in Harris would take place on October 13, 2023 beginning at noon. An Age Well event was scheduled for Friday, October 20, 2023 at the Chisago Lakes High School. A Chisago County Operation Community Connect event was scheduled for Thursday, October 19, 2023 from 11:30 am to 2:00 pm at the North Branch High School. Commissioner Greene also stated that the County's preliminary 2024 budget was down to a 3.34% increase over 2023, with budget efforts continuing.

Miscellaneous – Chair Yeager shared that staff incorporated new language into the draft Findings of Fact prepared for the October 5, 2023 meeting which referenced the Planning Commission's site visit. Being that the draft Findings were prepared in advance of the site visits, Yeager encouraged Commissioners to offer comments or suggested amendments during the regular Planning Commission meetings if they felt it necessary.

Adjourn Meeting – ***Motion*** by DuBose to adjourn the meeting; second by Leivian. **Motion passed** 7-0. The meeting was adjourned at 7:55 p.m.

_____ ATTEST:

_____

Chip Yeager — Beth Gervais
Chair — Land Services Coordinator

DRAFT

Staff Report

TO: Planning Commission
FROM: Beth Gervais, Land Services Coordinator
SUBJECT: Conditional Use Permit for Local Government and Administration Buildings
1xxxx Sunrise Road / CSAH 9, Sunrise Township
DATE: November 2, 2023

ACTION TO CONSIDER

The Planning Commission will conduct a public hearing to consider a Conditional Use Permit (CUP) allowing Local Government and Administration Buildings in the Agricultural (AG) District. The request involves the construction of a new town hall and maintenance building on property located at 1xxxx Sunrise Road / CSAH 9 in Sunrise Township.

SITE & APPLICATION INFORMATION

Applicant(s):	Sunrise Township
Property Owner(s):	Sunrise Township
Location:	1xxxx Sunrise Road / CSAH 9 Sunrise Township Section 5, Township 35, Range 20
PID:	09.00041.20
Property Area:	10.50± Acres
Current Zoning:	Agricultural (AG) District
Adjacent Zoning:	
North:	Agricultural (AG) District
South:	Agricultural (AG) District
East:	Rural Residential I (RRI) District
West:	Agricultural (AG) District
Date Application Received:	September 21, 2023
Date Application Complete:	October 3, 2023
60-Day Review Period:	December 2, 2023



BACKGROUND

Property owner Sunrise Township is requesting a CUP for Local Government and Administration Buildings, allowing for the construction of a new town hall and maintenance building on a 10.50± acre tract of land. The town hall facility will be used for regular monthly meetings, elections and occasional events, and will replace the existing town hall facility located at 41259 Oak Street in Sunrise Township.

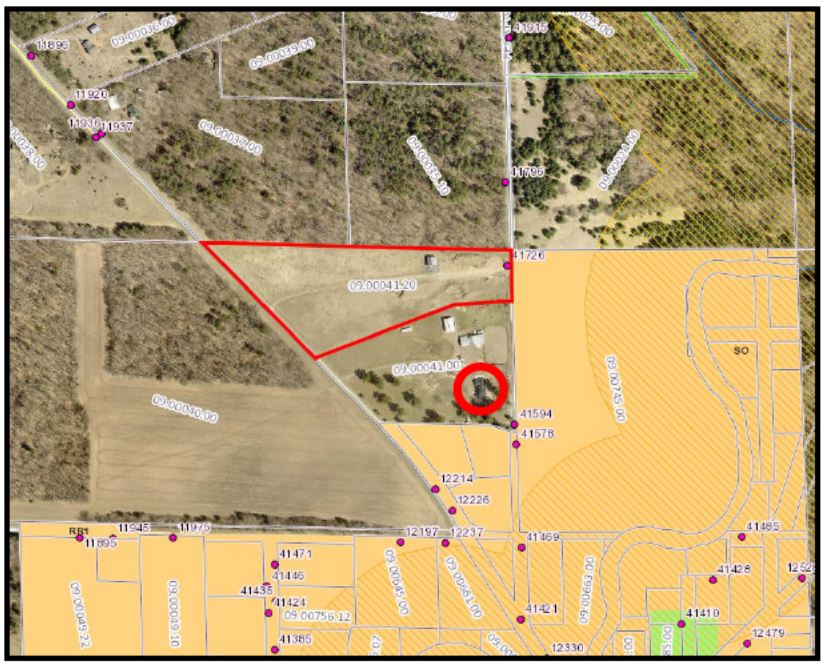
The subject site is currently developed with a single 40' x 40' (1,600 sf) structure located approximately 350' west of Ferry Road and approximately 35' south of the north property boundary. The structure was constructed in 2015 for the purposes of storing sand and salt for township road maintenance. Records show that Sunrise Township applied for and received a CUP for Local Government and Administration Buildings in 2015 for this structure. The application materials did not suggest or include any other structures; therefore, the township is required to obtain a new CUP for the proposed town hall and maintenance building.

SITE ANALYSIS

The 10.50± acre subject site is generally located two-tenths (.20) of a mile northerly of the intersection of Sunrise Road / CSAH 9 and Olson Road on the easterly side of Sunrise Road / CSAH 9, approximately one-half (1/2) mile northeast of the existing town hall facility. County records indicate that the site has a current address of 41726 Ferry Road; however, the application indicates that the site may be assigned a new Sunrise Road / CSAH 9 address as the public access will be from Sunrise Road / CSAH 9. The site has an existing driveway off of Ferry Road, which is used by the property owner to access the existing structure, and an unimproved field entrance off of Sunrise Road / CSAH 9. The site plan suggests that the existing field access will be improved and be used as the main public access.

Topography of the subject site includes fairly level elevations ranging from 835' near the southwest corner to 825' near the southeast corner, indicating a gentle slope from the west to the southeast. There are no wetlands and the site appears to be grass covered (i.e., few to no trees).

The subject site and surrounding properties to the north, west and south are located within the AG District, whereas properties directly east are located in the Rural Residential I (RRI) District. The adjacent image illustrates zoning of the subject site and surrounding properties.



Surrounding properties range in size from nine to 55 acres and appear to be used for both residential and agricultural purposes. The closest dwelling is directly south, situated on a nine acre tract of land, approximately 360' from the shared property boundary. This dwelling is shown circled in the image above.

PROPOSAL ANALYSIS

The property owners' written narrative explains that the proposed town hall facility will be designed for a maximum capacity of 100 people and will be used for regular monthly meetings (i.e., Town Board, Planning Commission, etc.), elections, and occasional events. The township's website indicates that the Town Board and Planning Commission each meet once monthly, but, as is common with boards and commissions, staff suspects that special meetings may be scheduled as deemed necessary. The narrative does not give any indication of how often or what types of other events may be held at the proposed facility.

The proposed town hall facility is shown on the site plan to be 3,228 sf in size (48' x 66' with a 5' x 12' vestibule) located approximately 190' easterly of Sunrise Road / CSAH 9 and slightly south of the existing gravel driveway which runs west to east through the property. Based on the site plan, staff estimates that the facility is approximately 175' from the south property boundary, which is the shared property boundary of the closest dwelling. Other setbacks are unknown but appear to far exceed the minimum required setbacks.

The proposed maintenance building is shown to be 4,800 sf (60' x 80') in size and located straight east of the proposed town hall facility and approximately 280' easterly of Sunrise Road / CSAH 9. Based on the site plan. staff estimates that the facility is approximately 120' from the south property boundary, which is the shared property boundary of the closest dwelling. Other setbacks are unknown but appear to far exceed the minimum required setbacks. The narrative suggests that the proposed maintenance building will be constructed within five years.

The written narrative states that the site will be improved with a septic system designed as a pressure fed in-ground system.

The application materials offer the following information:

- Building Plans – The property owner has submitted preliminary building plans for the proposed town hall facility. The plans include a "floor layout plan" showing that the facility will include an office, secure storage space, men's and women's bathrooms, a meeting room, a kitchen, closets, and a mechanical room.
- Anticipated Number of Visitors – The proposed town hall facility will be designed for a maximum occupancy of 100 people.
- Sanitary Facilities – The building plans show bathroom facilities located in the southwesterly corner of the proposed structure, each including three toilets and/or urinals.
- Parking – A parking lot, including 50 parking spaces, is shown to be located between Sunrise Road / CSAH 9 and the proposed town hall facility, approximately 58' east of the westerly property boundary / centerline of Sunrise Road / CSAH 9.
- Driveways – The site plan shows that the subject site has two accesses / driveways. It's staff's understanding the east driveway – the Ferry Road driveway – will continue to be used for township access to the existing sand and salt storage structure and the existing field access from Sunrise Road / CSAH 9 will be improved as the main access for the proposed town hall facility. Based on the site plan, staff estimates that the proposed improved access is 25' wide. Without specific detail provided by the property owner, staff is not entirely certain of the driveway specifications (i.e., width, surface material, etc.).

Staff notes that the application materials do not address such topics as: hours of operation, types and frequency of events, exterior / parking lot lighting, potential sound impacts related to the proposed structures and intended uses and methods used for sound mitigation, and screening. Staff has included recommended conditions of approval which address most of these issues. These recommended conditions are intended to facilitate discussion and should be modified or eliminated as the Commission deems appropriate.

REVIEW PROCESS

The Technical Review Committee met with Town Board member Greg Strom on October 11, 2023.

- The County Sanitarian did not express any concerns with the proposed septic system but did explain that a grease trap would be necessary due to a proposed kitchen within the proposed town hall facility.
- The County Engineer commented that the existing field access, which is proposed to become the main public access, should be improved / upgraded to handle the proposed level of traffic. The County Engineer offered support for the main access to be located on Sunrise Road / CSAH 9 rather than Ferry Road so as to cause less impact to the Ferry Road neighborhood.

The committee did not identify any other concerns.

The Sunrise Town Board reviewed the proposed CUP at its October 19, 2023 meeting and recommended approval with no conditions.

The application was submitted on September 22, 2023 and deemed complete on October 3, 2023. The State mandated 60-day review period expires on December 2, 2023.

WRITTEN TESTIMONY

Written testimony was received from William & Katie Campbell of 41594 Ferry Road, Sunrise Township (see attached).

FINDINGS OF FACT

Zoning Ordinance Section 8.04 (Conditional Use Permits) C. states that the Planning Commission shall consider possible effects of the proposed conditional use based upon, but not limited to, the general factors listed below. Staff has provided proposed findings, shown in *italics* below, for the Commission's consideration.

Factor #1 The [proposed action is consistent with the] Comprehensive Plan and development policies of the County;

Finding #1 *While the Chisago County Comprehensive Plan does not include goals and policies specifically related to the proposed use of Local Government and Administration Buildings, the County finds that the proposed use does not conflict with the Comprehensive Plan. And, being that the Chisago County Zoning Ordinance specifically identifies Local Government and Administration Buildings as an allowable Conditional Use within the Agricultural (AG) District, the County further finds that the proposed use is consistent with the development policies of the County.*

Factor #2 The proposed use will not create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;

Finding #2 *The proposed use will utilize a private well and septic system, will provide off-street parking for visitors, and will have direct access to well-established and well-maintained roadways, including Sunrise Road / CSAH 9 and Ferry Road (a township road). Further, the proposed use will not require use of or have impact on schools or other public facilities or utilities. Therefore, the County finds that the proposed use will not create any excessive demand on existing parks, schools or utilities which serve the subject site.*

Factor #3 The proposed use will be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;

Finding #3 *The subject site is located in a fairly sparsely developed portion of Sunrise Township. Therefore, the greatest impact is likely to be made on the property immediately south, which is the site of the closest dwelling. The County finds that by establishing conditions related to such concerns as hours of operation for private events, amplified music and vegetative screening, these potential impacts can be minimized or eliminated so as not to cause undue negative impacts to existing development or deter future development.*

Factor #4 The proposed use and site will have an appearance that will not have an adverse effect upon adjacent properties;

Finding #4 *While the County has not been provided with renderings of the proposed development, there is no evidence to suggest that the proposed town hall or maintenance building will have an appearance which would cause adverse effects upon adjacent properties. However, the greatest impact is likely to be made on the property immediately south, which is the site of the closest dwelling. The County finds that by establishing conditions related to screening, any potential adverse effects related to appearance can be minimized or eliminated.*

Factor #5 The proposed use, in the opinion of the County, is reasonably related to the overall land use goals of the County and to the existing land use;

Finding #5 *The County finds that the Chisago County Zoning Ordinance identifies Local Government and Administration Buildings as an allowable Conditional Use in the AG District, without any established performance standards, and is, therefore, related to the land use goals of the County.*

Factor #6 The proposed use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use;

Finding #6 *See Finding #5.*

Factor #7 The proposed use will not cause traffic hazard or congestion; and

Finding #7 *The subject site is shown to have two access points / driveways, an existing driveway from Ferry Road and a field entrance from Sunrise Road / CSAH 9 which will be upgraded and improved in order to be used as the main driveway for public use. The County recognizes that there will be periods of increased traffic – specifically during elections and special events – however, the County further recognizes that these noted events will occur infrequently. Further, the County Engineer, as Road Authority for Sunrise Road / CSAH 9, and Sunrise Township, as Road Authority for Ferry Road, have considered the request and have not identified any concerns related to traffic hazard or congestion.*

Factor #8 The proposed use will not adversely impact existing nearby properties by intrusion of noise, glare or general unsightliness.

Finding #8 *Being that the general area surrounding the subject site is fairly sparsely developed and the greatest potential impact is likely to be made on the property immediately south, which is the site of the closest existing dwelling, the County finds that the establishment of conditions related to such concerns as hours of operation for private events, amplified music, and vegetative screening will minimize or eliminate any potential adverse impacts related to noise, glare and general unsightliness.*

STAFF RECOMMENDATION

Staff believes that the proposed use of Local Government and Administration Buildings complies with and is consistent with the intent of the Chisago County Zoning Ordinance and Comprehensive Plan. Barring any new or unknown evidence of compliance discovered after the completion of this report or during the course of the public hearing, **staff recommends approval** of the CUP with conditions and has prepared a resolution for the Commission's consideration.

Staff notes that, in an effort to address potential negative impacts to surrounding properties / property owners, the recommended conditions include suggested hours of operation for private events (see condition no. 2) and vegetative screening adjacent to the southerly property boundary / shared property boundary with closest dwelling (see condition no. 6).

Recommended Condition(s):

1. This Conditional Use Permit for Local Government and Administration Buildings allows for a town hall facility and maintenance building per the application materials dated received September 22, 2023 and kept on file with the Department of Environmental Services and in accordance with the conditions contained herein. Any significant deviation or expansion, as determined by Chisago County Department of Environmental Services staff, shall require further review by the Planning Commission and approval by the County Board of Commissioners.
2. There shall be no established hours of operation for government related activities; however, private events shall adhere to the following hours of operation:
   Monday through Thursday – 8:00 am to 9:00 pm
   Friday and Saturday – 8:00 am to 10:00 pm
   Sunday – 8:00 am to 9:00 pm
3. The maximum number of private events (i.e., facility rental by the general public for non-government activities) shall be two (2) per calendar month.
4. Noise generated from the approved use shall be subject to the Chisago County noise standards. No undue or objectionable noise resulting from said uses shall be transmitted beyond the subject site's property boundaries.
5. There shall be no outdoor amplified music at any time. Further, if there are events featuring indoor amplified music, all exterior doors shall remain closed so as to minimize the impact to surrounding properties.
6. The permit holder shall install vegetative screening adjacent to the southerly property boundary beginning no less than 60' from centerline of Sunrise Road / CSAH 9 (so as to be in-line with the west boundary of the parking lot) and ending at the point where the property boundary changes from a southwest-northeast orientation to a more east-west orientation (a total distance of approximately

630'). The screening shall be located no closer than 15' from the property boundary and shall consist of two (2) staggered rows of six foot (6') tall coniferous trees planted no greater than sixteen feet (16') on center which meet or exceed 75% opacity within three (3) years of the approval date.

7. The permit holder shall accommodate all parking on-site and no parking shall be allowed on Sunrise Road / CSAH 9 or Ferry Road.
8. The Sunrise Road / CSAH 9 access shall be upgraded and improved to a minimum width of 25'. The permit holder shall be responsible for obtaining any necessary permit(s) from the Chisago County Highway Department related to this access.
9. Any exterior lighting shall be designed so as to limit light visible from adjacent roadways and adjacent properties.
10. All refuse containers shall be fully screened or enclosed.
11. Any signage shall be installed in accordance with the Chisago County Zoning Ordinance.
12. The property and uses thereon are subject to all applicable local and State codes, including Zoning, Building and Septic Codes.
13. Annual certification of the Conditional Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the Conditional Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval. Failure to maintain certification may be a basis to revoke the Conditional Use Permit. The property shall be made open and available for regular inspection at any time during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.

OPTIONS

1. Recommend that the County Board **approve** the Conditional Use Permit with Findings of Fact and conditions presented or amended.
2. Should the Planning Commission determine that the proposed Conditional Use Permit does not comply with and/or is not consistent with the intent of County's Zoning Ordinance or Comprehensive Plan upon completion of the public hearing and/or upon discovery of any new or unknown evidence, recommend that the County Board **deny** the Conditional Use Permit based on factors deemed appropriate. *(Note: The Commission will need to include specific factor(s) for denial in its motion.)*
3. **Table** the request to allow for submission of additional supporting documentation and/or further review and consideration. If tabling the request, the Commission should also include in its motion a **60-day extension** of the review period.

ACTION REQUESTED

Motion to adopt Resolution No. PC2023-1101, a resolution recommending approval of a Conditional Use Permit allowing Local Government and Administration Buildings on property located at 1xxxx Sunrise Road / CSAH 9 in Sunrise Township, with Findings of Fact and conditions as presented or amended.

ATTACHMENTS

1. Application materials:
   a. Application
   b. Written narrative

c. Site plan
d. Building plans

2. Written testimony from William & Katie Campbell
3. Aerial location map (1) – subject property
4. Aerial location map (2) – vicinity map
5. Draft Resolution No. PC2023-1101

CC: Sunrise Township, property owner
County file

Chisago County Department of Environmental Services
Planning & Zoning Application

Permit # 23-1805

Township SUNRISE **S/T/R** SEC 5, T35N, R20W **PID#** 09.00041.20

Project Address XXXXX SUNRISE ROAD (CSAH#9)

Property Owner(s) SUNRISE TOWNSHIP 55056

Mailing Address (If Different from Project Address) 41259 OAK ST., P.O. BOX 933, NORTH BRANCH, MN

Phone# [redacted] **Email** [redacted]

Applicant(s) SUNRISE TOWNSHIP

Mailing Address (If Different from Project Address) SAME AS PROPERTY OWNER

Phone# _____ **Email** _____

Type of Request (Check All That Apply)

Board of Adjustment & Appeals
- ☐ Variance
- ☐ Administrative Appeal

Planning Commission
- ☒ Conditional Use Permit (CUP)
- ☐ Interim Use Permit (IUP)
- ☐ Amendment to CUP or IUP
- ☐ Preliminary Plat
- ☐ Rezoning
- ☐ Ordinance Amendment

Description of Request (Attach Separate Sheet if Necessary) CUP TO BUILD TOWNSHIP OWNED BLDGS. IN A6. ZONE.

Required Attachments (Additional Attachments May Be Required Based On The Specific Request)

- ☒ Full Legal Description EXHIBIT 'A'
- ☒ Detailed Site Plan
- ☒ Detailed Written Narrative
- ☒ ~~Plat Drawings~~

Applicant Signature — 9/21/23 Date of Application

I hereby certify that the above information is true and correct to the best of my knowledge, and that any knowingly false representations may invalidate any approvals. With my signature, I also grant permission to Chisago County Officials to enter upon the subject property for the purpose of such inspections as may be necessary.

Fees		Dates	
Base Fee	$ 525—	Application Received	9-22-23
Recording Fee	$ 46—	Application Complete	10-3-23
Plat Fee – No Road(s) / With Road(s)	$	(60) / 120 Day Review Period	12-2-23
Septic Compliance Fee	$	Extended Review Period	
Wetland Fee	$		
TOTAL FEE	$ 571—		

Chisago County Department of Environmental Services
Planning & Zoning Application

Township Presentation Form

Township SUNRISE **S/T/R** SEC 5, T35N, R20W **PID#** 09.00041.20

Project Address XXXXX SUNRISE ROAD (CSAH #9)

Property Owner(s) SUNRISE TOWNSHIP

Mailing Address (If Different from Project Address) 41259 OAK ST, P.O. BOX 933, NORTH BRANCH, MN 55056

Phone# _____ **Email** _____

Applicant(s) SUNRISE TOWNSHIP

Mailing Address (If Different from Project Address) SAME AS PROPERTY OWNER

Phone# _____ **Email** _____

Type of Request (Check All That Apply)

Board of Adjustment & Appeals	Planning Commission	
☐ Variance	☒ Conditional Use Permit (CUP)	☐ Preliminary Plat
☐ Administrative Appeal	☐ Interim Use Permit (IUP)	☐ Rezoning
	☐ Amendment to CUP or IUP	☐ Ordinance Amendment

Description of Request (Attach Separate Sheet if Necessary) CUP TO BUILD TOWNSHIP OWNED BLDGS IN AG ZONE

_____ _____

Applicant Signature **Date of Application**

I hereby certify that the above information is true and correct to the best of my knowledge, and that any knowingly false representations may invalidate any approvals. With my signature, I also grant permission to Chisago County Officials to enter upon the subject property for the purpose of such inspections as may be necessary.

****

Date of County Public Hearing NOV 2, 2023 **Date of Township Presentation** OCT 19, 2023

Township Action Taken (Township Use Only)

☒ Recommendation of Approval ☐ Recommendation of Denial

Recommended Conditions of Approval OR Legal Findings for Recommendation of Denial

_____

Signatures of Township Officials or Authorized Personnel

_____ _____ _____

_____ _____ _____

CUP APPLICATION

Sunrise Township

New Township Hall & Maintenance Bldg. in AG Zone

To: Chisago County & Sunrise Township

Sunrise Township is planning to build a new 48' x 66' Town Hall on a 10.4 acre parcel owned by the Township. The parcel is zoned Agriculture – a public building is allowed in an AG zone with a CUP. We request that the CUP also include a future 60' x 80' maintenance building that is projected to be built within five years.

The new Town Hall is to be used for regular monthly meetings, elections and occasional events. Designed for a max. 100-person capacity.

The new septic system has been designed as a pressure fed in-ground system. The system will be large enough to also accommodate the future maintenance bldg..

The proposed location of the well as shown on the site plan is 60' from the drainfield/septic facilities and 48' from the building.

Parking lot shown is 25' from the CSAH #9 (Sunrise Road) ROW. Existing drive way to be used – this driveway also connects to Ferry Road.

Thank you for your consideration.

Sunrise Township

Boundary Survey and Site Plan

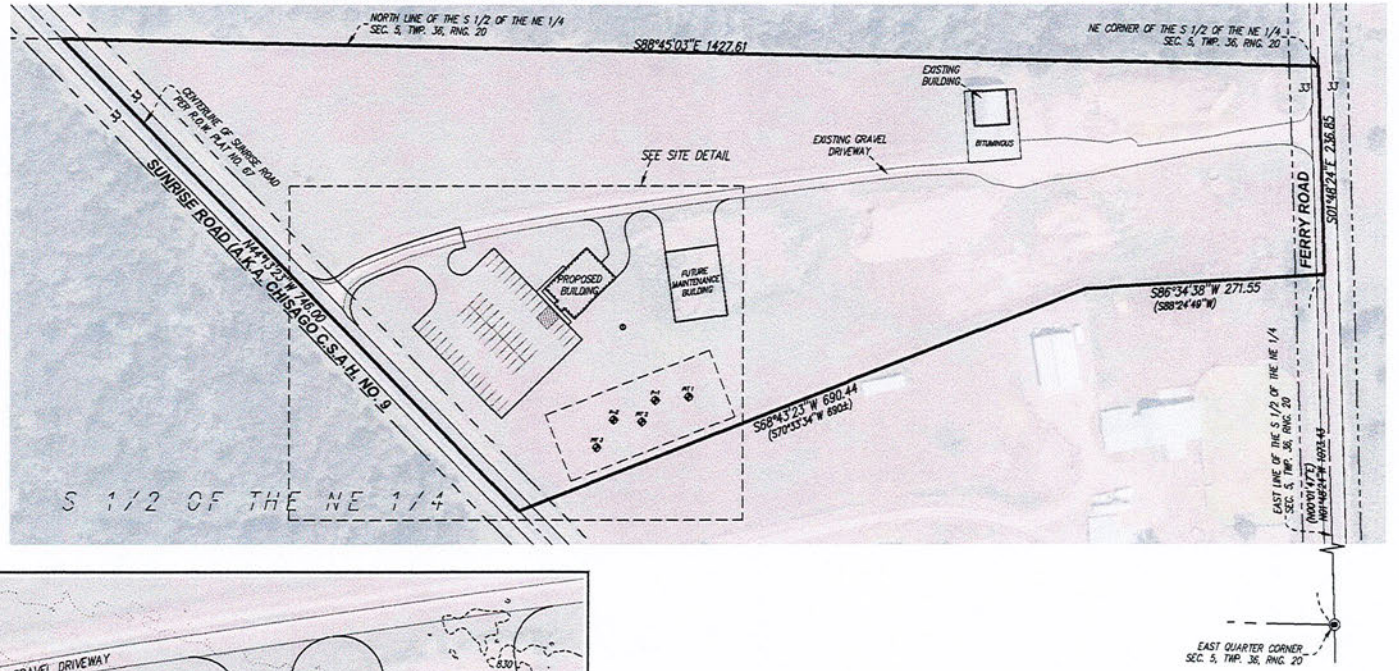
for:: Sunrise Township

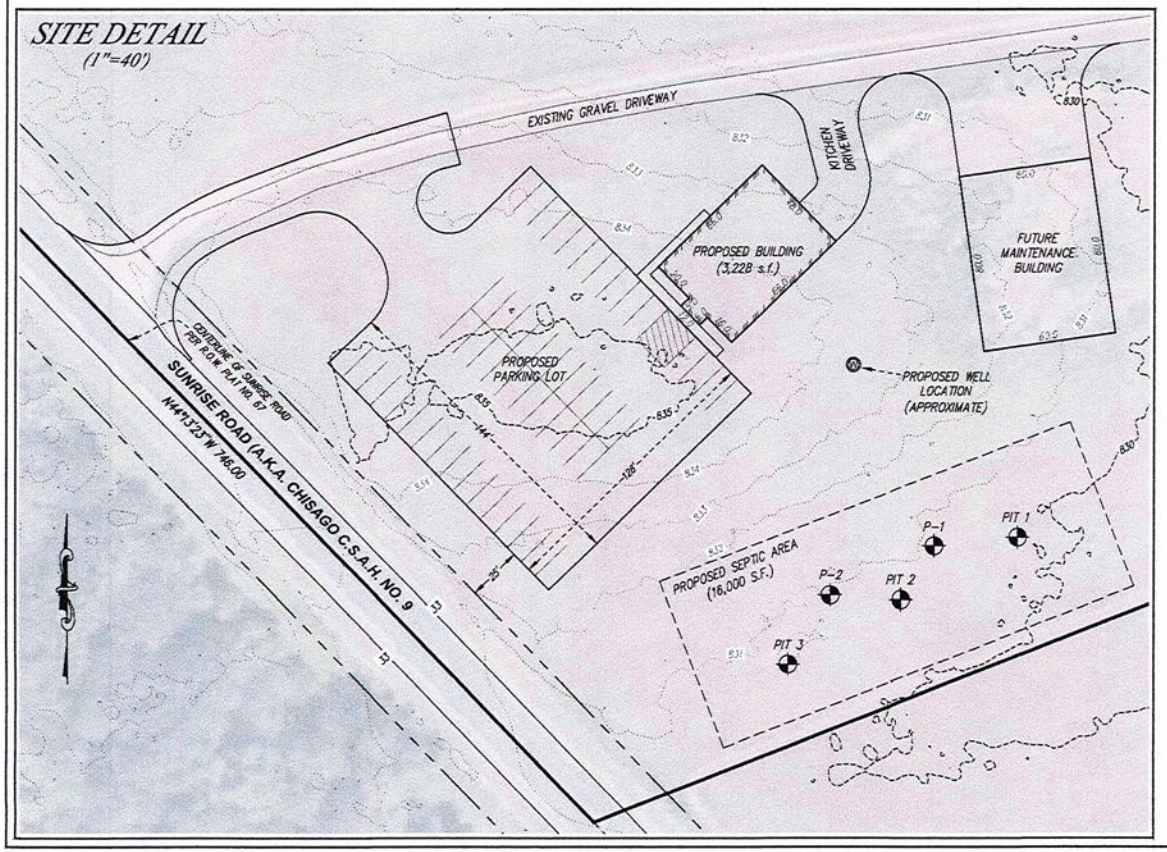
Part of the S 1/2 of the NE 1/4
Sec. 5, T33N, R20W of the 4th P.M.
Chisago County, Minnesota



LEGEND

- DENOTES SET ½"x14" IRON PIPE WITH CAP MARKED RLS 42627
- DENOTES CHISAGO COUNTY LAND CORNER MONUMENT





LEGAL DESCRIPTION:

That part of the South Half of the Northeast Quarter (S 1/2 of NE 1/4) of Section Five (5), Township thirty-five (35) North, Range Twenty (20) West, Chisago County, Minnesota, lying northeasterly of the center line of County State Aid Highway No. 9 (also known as Sunrise Road) and northerly of the following described line:

Commencing at the east quarter corner of said Section 5; thence North 0 degrees 01 minutes 47 seconds East, assumed bearing along the east line of said Section 5; a distance of 1073.43 feet to the point of beginning of a line to be described; thence South 88 degrees 24 minutes 49 seconds West, a distance of 271.55 feet; thence South 70 degrees 33 minutes 54 seconds West, a distance of 690 feet, more or less, to the centerline of said County State Aid Highway No. 9 and there terminating.

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I hereby certify that this plan, specification, 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.

Print Name: Kyle J. Roddy License # 42627

Signature: Date: 9/20/2023

LHB
324 Garfield St. South | Cambridge, MN 55008
763.218.1235 | LHBcorp.com

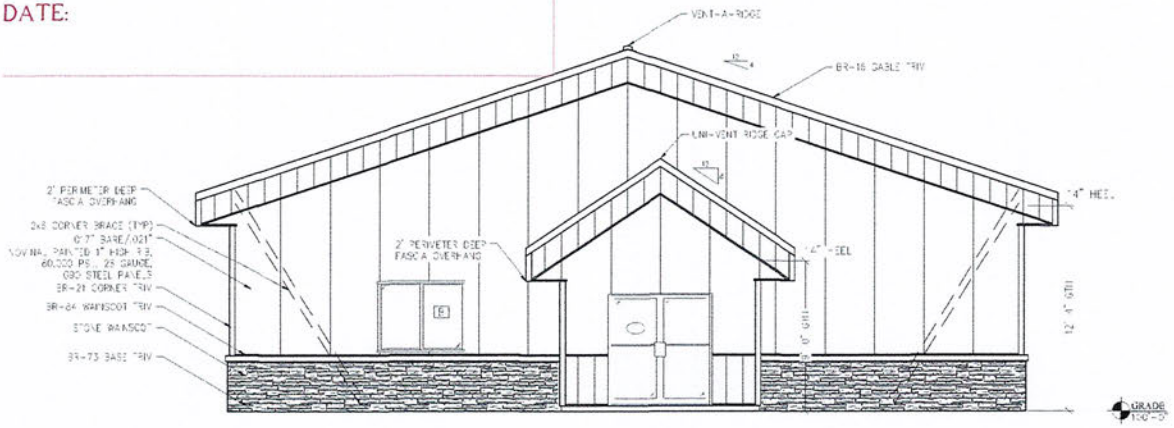
I HAVE ACCEPTED THE PRELIMINARY DRAWINGS

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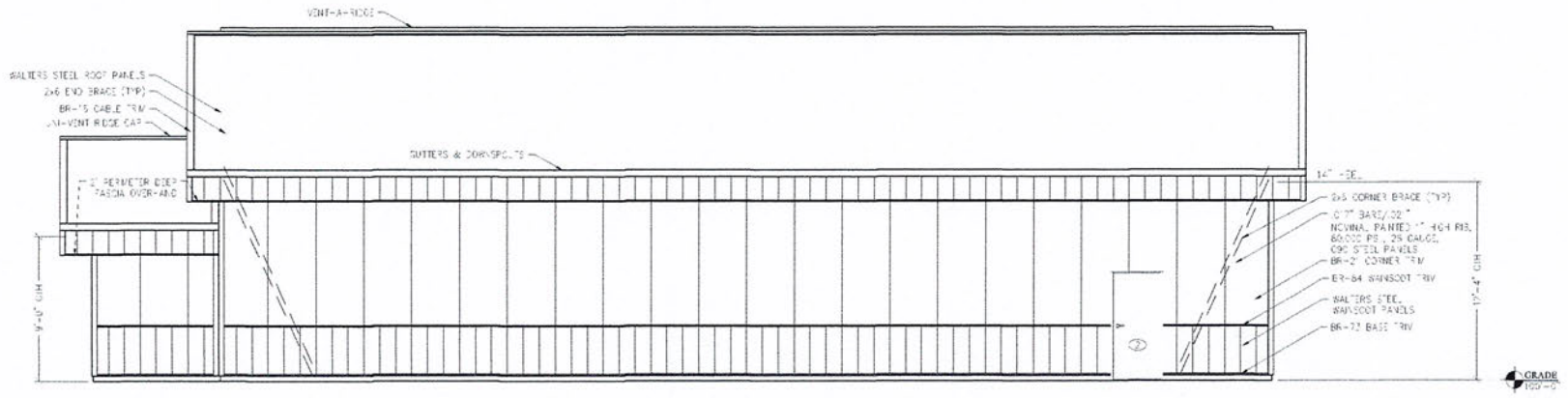
DATE:

DOOR & WINDOW SCHEDULE

TAG	TYPE	ROUGH OPENING W x H	QUANTITY
○	3'X6'-8" GLASS WALK DOOR	FIELD VERIFY	2
②	3'X6'-8" THERMAL BREAK WALK DOOR W/PANIC HARDWARE	40¾"X82½"	3
③	3'X6'-8" WALK DOOR OPENING	FIELD VERIFY	8
④	6'X6'-8" DOUBLE WALK DOOR OPENING	FIELD VERIFY	-
1	4'X4' WINDOW FRAMED OPENING	48"x48"	6
2	5'X4' WINDOW FRAMED OPENING	60"x48"	-
3	8'X4' WINDOW FRAMED OPENING	96"x48"	-



1 A1 FRONT END ELEVATION
SCALE: 3/16" = 1'-0"



2 A1 RIGHT SIDE ELEVATION
SCALE: 3/16" = 1'-0"

CHANGES MAY BE NECESSARY PER CODE OR STRUCTURAL REQUIREMENTS - ALL DRAWINGS ARE INTELLECTUAL PROPERTY OF WALTERS BUILDINGS UNTIL SOLD

Walters Buildings

Jack Walters & Sons, Corp
P.O. Box 384
6600 Midland Ct
Allenton, WI 53002
1-800-558-7500
www.waltersbuildings.com

PRELIMINARY PLANS - NOT FO CONSTRUCTIO

OWNER NAME:
SUNRISE TOWNSH

OWNER ADDRESS:
NORTH BRANCH, MN 55056

PROJECT NAME:
48x66 BUILDING W/ 12'x7' VESTIBUI

PROJECT ADDRESS:
NORTH BRANCH, MN 55056

SALES REP / DEALER:
CURT MIERS

DRAFTER:
DAVID M

ESTIMATOR:
ESTIMATOR

LAST SAVED BY:
DMERKEL ON: 8/01/2

PAPER SIZE:
ARCH FULL BLEED C (18.00 X 24.00 INCH

SCALE:
AS NOTED

ENGINEER:

NEW
07/14/23

JOB NUMBER:
60-1156

SHEET NUMBER:
A1

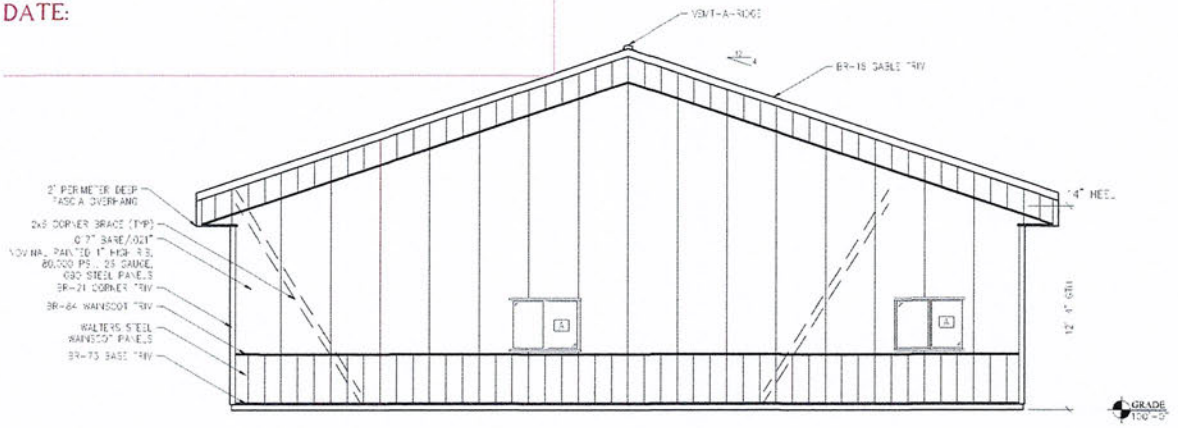
I HAVE ACCEPTED THE PRELIMINARY DRAWINGS

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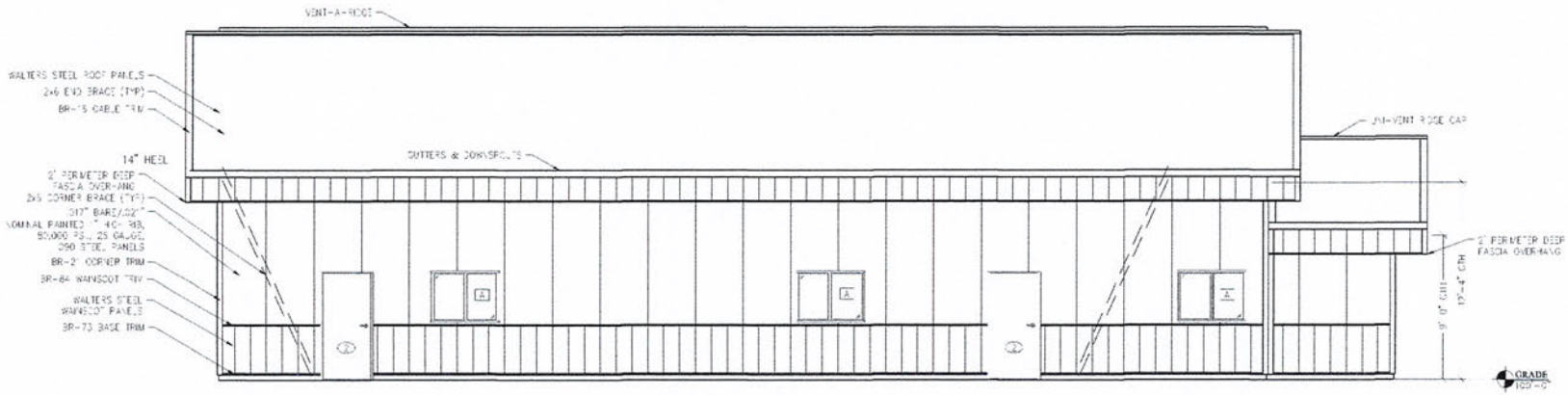
DATE:

DOOR & WINDOW SCHEDULE

TAG	TYPE	ROUGH OPENING W x H	QUANTITY
1	3'X6'-8" GLASS WALK DOOR	FIELD VERIFY	2
2	3'X6'-8" THERMAL BREAK WALK DOOR W/PANIC HARDWARE	42"X82.5"	3
3	3'X6'-8" WALK DOOR OPENING	FIELD VERIFY	8
4	6'X6'-8" DOUBLE WALK DOOR OPENING	FIELD VERIFY	-
A	4'X4' WINDOW FRAMED OPENING	48"X48"	6
M	5'X4' WINDOW FRAMED OPENING	60"X48"	-
H	8'X4' WINDOW FRAMED OPENING	96"X48"	-



1 BACK END ELEVATION
A1.1 SCALE: 3/16" = 1'-0"



2 LEFT SIDE ELEVATION
A1.1 SCALE: 3/16" = 1'-0"

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Walters Buildings

Jack Walters & Sons, Corp
P.O. Box 398
6600 Midland Ct.
Allenton, WI 53002
800-256-7500
www.waltersbuildings.com

PRELIMINARY PLANS - NOT FO CONSTRUCTIO

OWNER NAME:
SUNRISE TOWNSH

OWNER ADDRESS:
NORTH BRANCH, MN 55056

PROJECT NAME:
48'x66' BUILDING W/ 12'x7' VESTIBUI

PROJECT ADDRESS:
NORTH BRANCH, MN 55056

SALES REP / DEALER:
CURT MIERS

DRAFTER:
DAVID M

ESTIMATOR:
ESTIMATOR

LAST SAVED BY:
DMOTSEL ON 9/30/2

PAPER SIZE:
ARCH FULL BLEED D (36.00 X 24.00 INCH

SCALE:
AS NOTED

ENGINEER:

JOB NUMBER:
60-1156

SHEET NUMBER:
A1.1

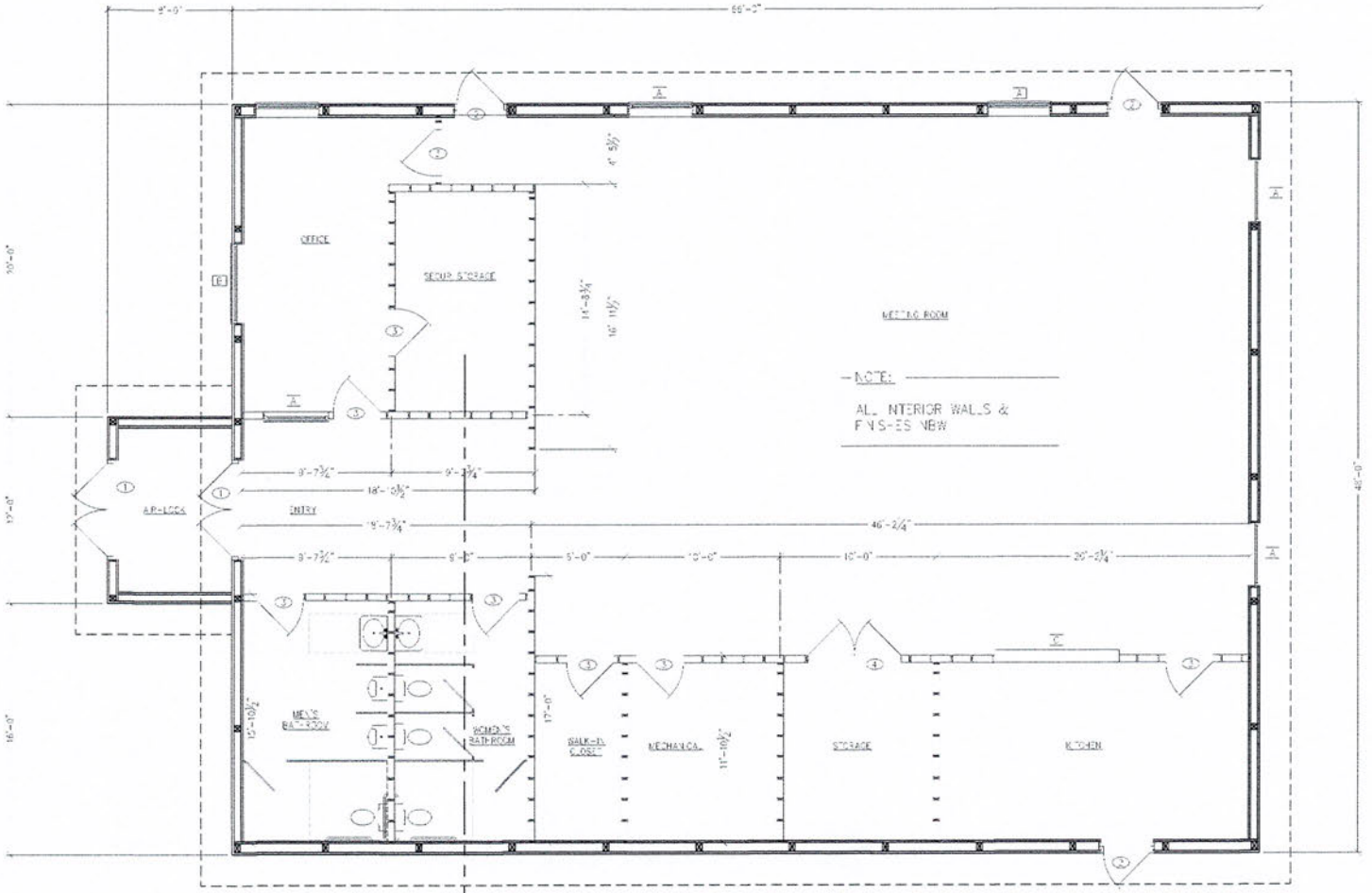
I HAVE ACCEPTED THE PRELIMINARY DRAWINGS

CUSTOMER SIGNATURE:

DATE:

DOOR & WINDOW SCHEDULE

TAG	TYPE	ROUGH OPENING W x H	QUANTITY
1	3'X6'-8" GLASS WALK DOOR	FIELD VERIFY	2
2	3'X6'-8" THERMAL BREAK WALK DOOR W/PANIC HARDWARE	40¾"x82½"	3
3	3'X6'-8" WALK DOOR OPENING	FIELD VERIFY	8
4	6'X6'-8" DOUBLE WALK DOOR OPENING	FIELD VERIFY	-
A	4'X4' WINDOW FRAMED OPENING	48"x48"	6
H	5'X4' WINDOW FRAMED OPENING	60"x48"	-
M	8'X4' WINDOW FRAMED OPENING	96"x48"	-



1 / S4

1 / A2 FLOOR LAYOUT PLAN
SCALE: 3/16" = 1'-0"

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Walters Buildings

Jack Walters & Sons, Corp
P.O. Box 356
6600 Midland Ct.
Allenton, WI 53002
(800)558-7800
www.waltersbuildings.com

PRELIMINARY PLANS - NOT FO CONSTRUCTIO

OWNER NAME:
SUNRISE TOWNSH

OWNER ADDRESS:
NORTH BRANCH, MN 55056

PROJECT NAME:
48x66' BUILDING W/ 12x7' VESTIBUI

PROJECT ADDRESS:
NORTH BRANCH, MN 55056

SALES REP / DEALER:
CURT MIERS

DRAFTER:
DAVID M

ESTIMATOR:
ESTIMATOR

LAST SAVED BY:
DMERSEL ON: 5/31/2

PAPER SIZE:
ARCH FULL SHEET C (18.00 X 24.00 INCH

SCALE:
AS NOTED

ENGINEER:

JOB NUMBER:
60-1156

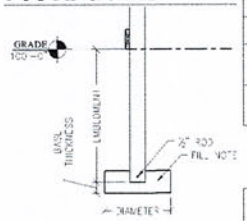
SHEET NUMBER:
A2

I HAVE ACCEPTED THE PRELIMINARY DRAWINGS

CUSTOMER SIGNATURE:

DATE:

FOOTING & FILL NOTE

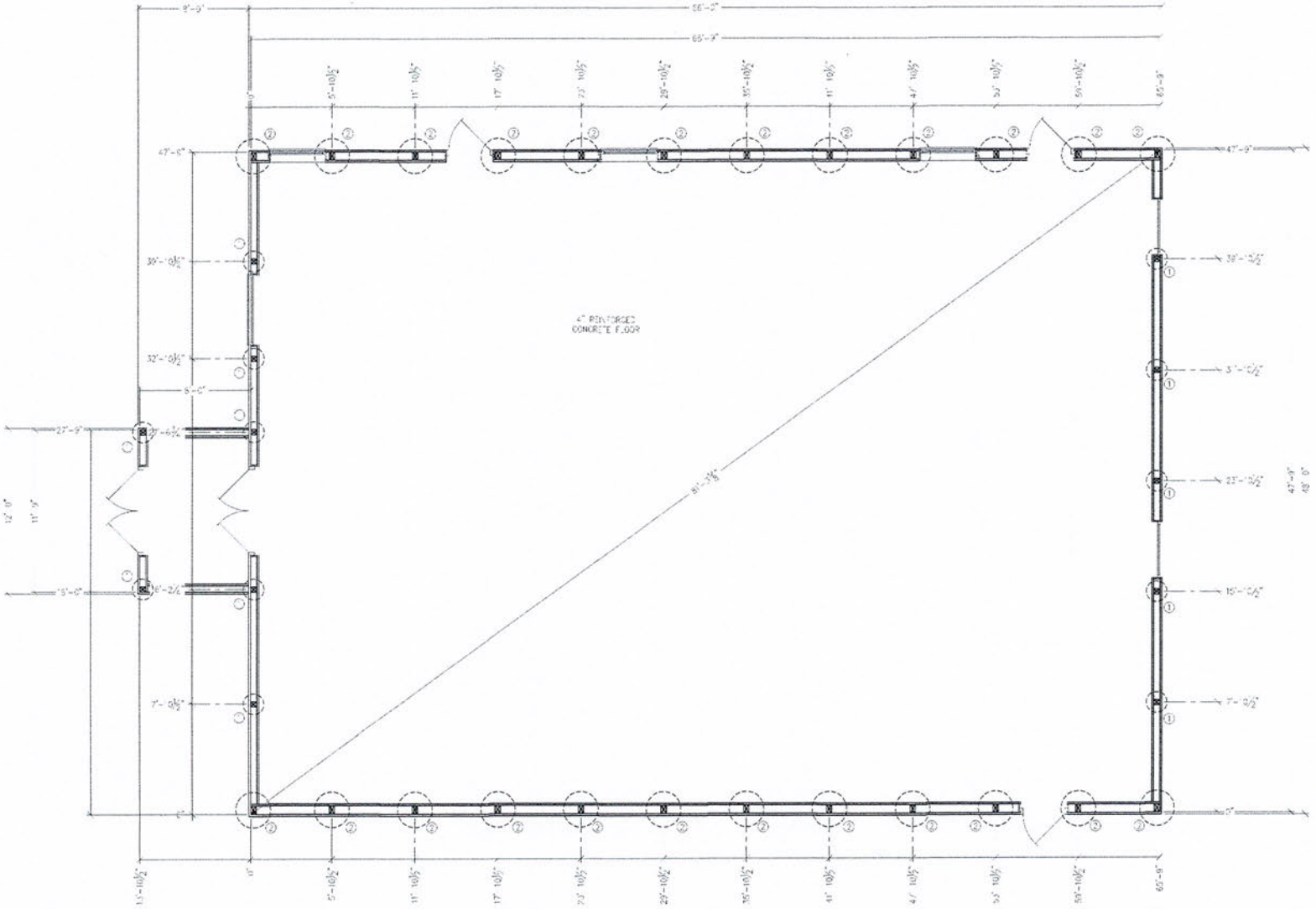


COLUMN & FOOTING SCHEDULE

TAG	COLUMN TYPE	DIAMETER	EMBEDMENT
○	(3)-PLY 2x6 #2 SYP STP LAM COLUMN	18" DIA	4'-0"
②	(3)-PLY 2x8 #2 SYP STP LAM COLUMN	30" DIA	4'-0"

FILL SCHEDULE

DIAMETER	BASE THICKNESS	FILL NOTE	QUANTITY
18" DIA	6"	PLACE (.5)-80# BAG SAKRETE, BACKFILL w/ (1.0)-80# BAG SAKRETE	12
30" DIA	7"	PLACE (5.0)-80# BAG SAKRETE, BACKFILL w/ (3.0)-80# BAG SAKRETE	24



1 COLUMN PLAN
S1 SCALE: 3/16" = 1'-0"

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6600 Midland Ct.
Alleneva, WI 53002
+800-558-7800
www.waltersbuildings.com

PRELIMINARY PLANS - NOT FO CONSTRUCTIO

OWNER NAME:
SUNRISE TOWNSH

OWNER ADDRESS:
NORTH BRANCH, MN 55056

PROJECT NAME:
48X66' BUILDING W/ 12X7' VESTIBU

PROJECT ADDRESS:
NORTH BRANCH, MN 55056

SALES REP / DEALER:
CURT MIERS

DRAFTER:
DAVID M

ESTIMATOR:
ESTIMATOR

LAST SAVED BY:
DMERKEL ON: 9/10/2

PAPER SIZE:
ARCH FULL BLEED D (36.00 X 24.00 INCH

SCALE:
AS NOTED

ENGINEER:

JOB NUMBER:
60-1156

SHEET NUMBER:
S1

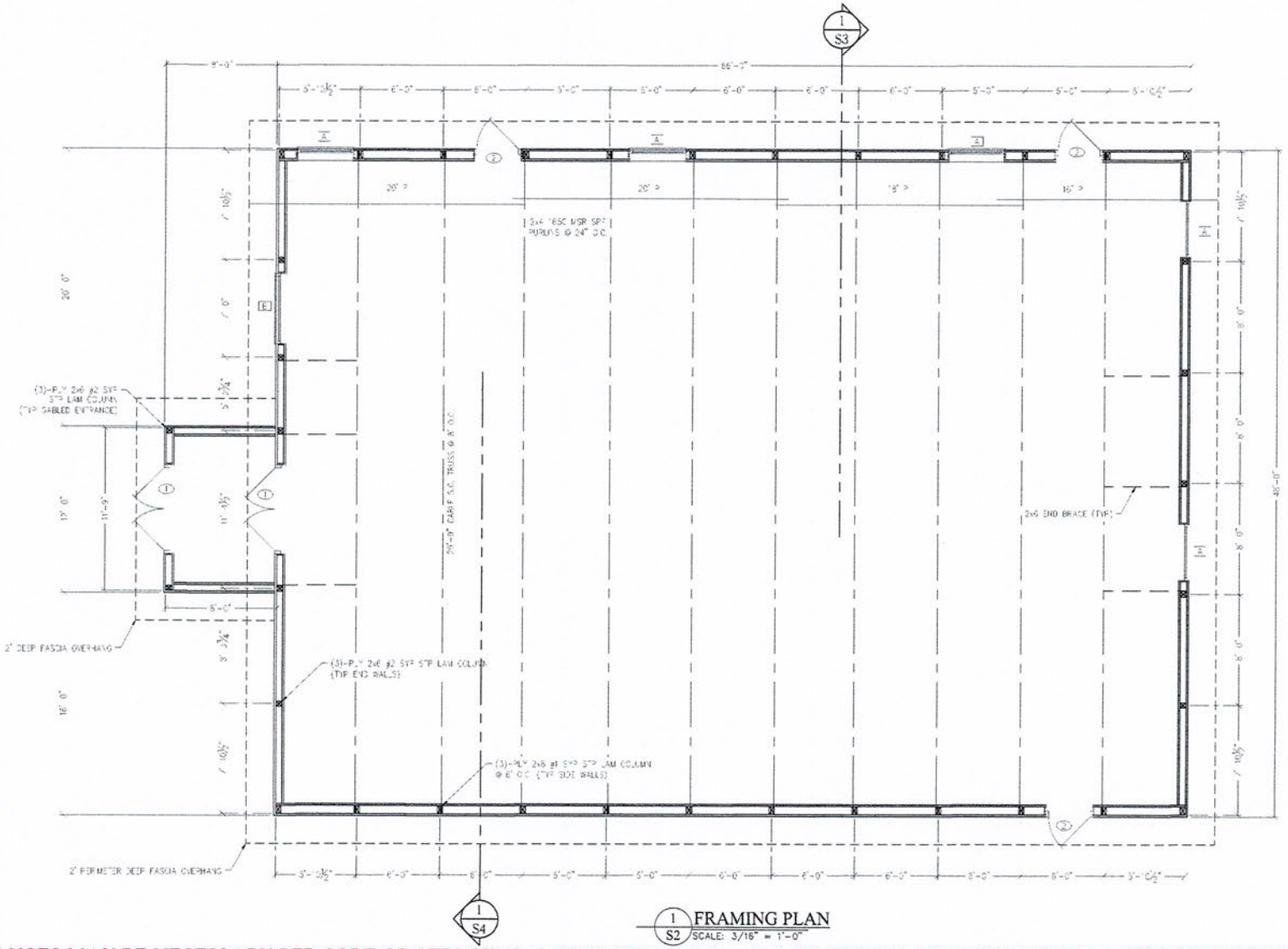
I HAVE ACCEPTED THE PRELIMINARY DRAWINGS

CUSTOMER SIGNATURE:

DATE:

DOOR & WINDOW SCHEDULE

TAG	TYPE	ROUGH OPENING W x H	QUANTITY
○	3'X6'-8" GLASS WALK DOOR	FIELD VERIFY	2
②	3'X6'-8" THERMAL BREAK WALK DOOR W/PANIC HARDWARE	40¼"X82½"	3
③	3'X6'-8" WALK DOOR OPENING	FIELD VERIFY	8
④	6'X6'-8" DOUBLE WALK DOOR OPENING	FIELD VERIFY	-
H	4'X4' WINDOW FRAMED OPENING	48"x48"	6
H	5'X4' WINDOW FRAMED OPENING	60"x48"	-
H	8'X4' WINDOW FRAMED OPENING	96"x48"	-



1 S2 FRAMING PLAN
SCALE: 3/16" = 1'-0"

CHANGES MAY BE NECESSARY PER CODE OR STRUCTURAL REQUIREMENTS - ALL DRAWINGS ARE INTELLECTUAL PROPERTY OF WALTERS BUILDINGS UNTIL SOLD

Walters Buildings

Jack Walters & Sons, Corp
P.O. Box 398
6600 Midland Ct.
Allenton, WI 53002
1-800-256-7566
www.waltersbuildings.com

PRELIMINARY PLANS - NOT FC CONSTRUCTIO

OWNER NAME:
SUNRISE TOWNSH

OWNER ADDRESS:
NORTH BRANCH, MN 55056

PROJECT NAME:
45'x66' BUILDING W/ 12'x7' VESTIBUI

PROJECT ADDRESS:
NORTH BRANCH, MN 55056

SALES REP / DEALER:
CURT MIERS

DRAFTER:
DAVID M

ESTIMATOR:
ESTIMATOR

LAST SAVED BY:
DMERKEL ON 9/4/2

PAPER SIZE:
24"X36" FULL ALIGNED (36.00" X 24.00" NO

SCALE:
AS NOTED

ENGINEER:

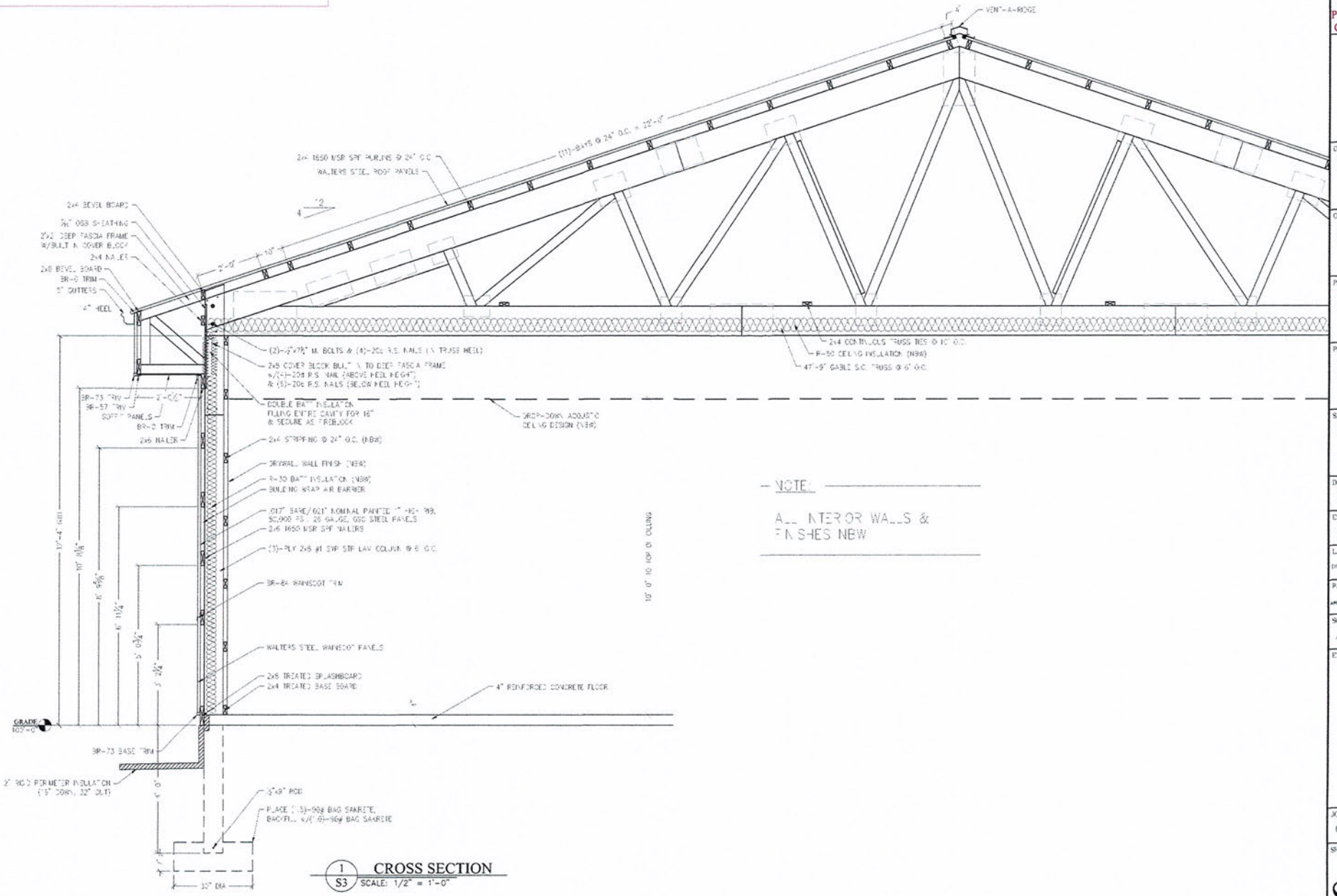
JOB NUMBER:
60-1156

SHEET NUMBER:
S2

I HAVE ACCEPTED THE PRELIMINARY DRAWINGS

CUSTOMER SIGNATURE:

DATE:



NOTE:

ALL INTERIOR WALLS & FINISHES NEW

1 / S3 CROSS SECTION
SCALE: 1/2" = 1'-0"

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P.O. Box 398
6600 Midland Ct.
Allenton, WI 53002
+800-256-7500
www.waltersbuildings.com

PRELIMINARY PLANS - NOT FOR CONSTRUCTION

OWNER NAME: SUNRISE TOWNSH

OWNER ADDRESS: NORTH BRANCH, MN 55056

PROJECT NAME: 48x66' BUILDING W/ 12x7' VESTIBUL

PROJECT ADDRESS: NORTH BRANCH, MN 55056

SALES REP / DEALER: CURT MIERS

DRAFTER: DAVID M

ESTIMATOR: ESTIMATOR

LAST SAVED BY: DMIERS ON 8/6/2

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SCALE: AS NOTED

ENGINEER:

JOB NUMBER: 60-1156

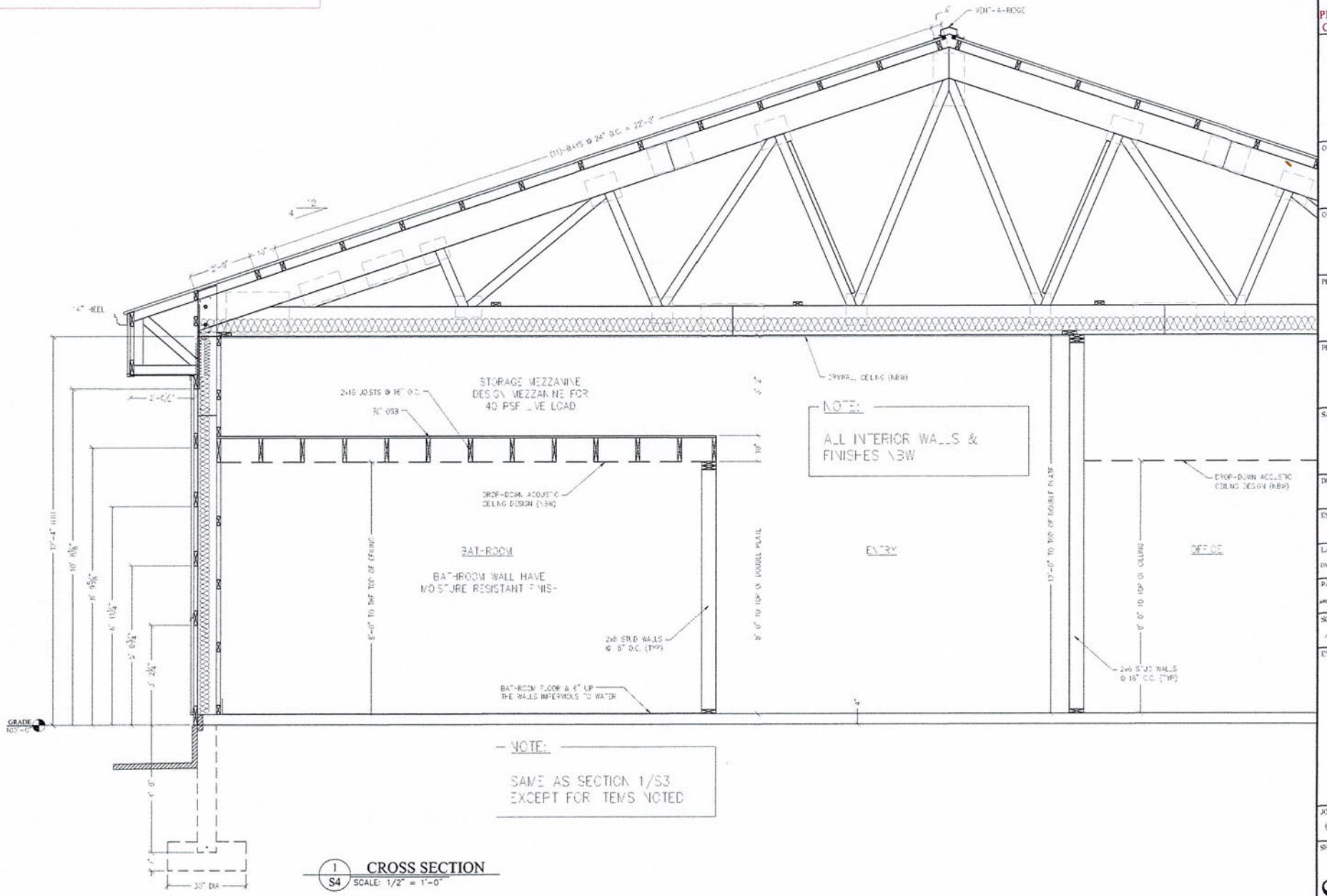
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CUSTOMER SIGNATURE:

DATE:



1 / S4 CROSS SECTION
SCALE: 1/2" = 1'-0"

CHANGES MAY BE NECESSARY PER CODE OR STRUCTURAL REQUIREMENTS - ALL DRAWINGS ARE INTELLECTUAL PROPERTY OF WALTERS BUILDINGS UNTIL SOLD

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Allenton, WI 53002
-800-256-7360
www.walterybui.dings.com

PRELIMINARY PLANS - NOT FC CONSTRUCTIO

OWNER NAME:
SUNRISE TOWNSH

OWNER ADDRESS:
NORTH BRANCH, MN 55056

PROJECT NAME:
48'x66' BUILDING W/ 12'x7' VESTIBUI

PROJECT ADDRESS:
NORTH BRANCH, MN 55056

SALES REP / DEALER:
CURT MIERS

DRAFTER:
DAVID M

ESTIMATOR:
ESTIMATOR

LAST SAVED BY:
DMERKEL ON: 8/31/2

PAPER SIZE:
ARCH FULL BLEED D (36.00 X 24.00 INCH

SCALE:
AS NOTED

ENGINEER:

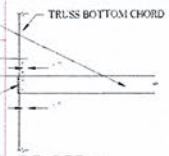
JOB NUMBER:
60-1156

SHEET NUMBER:
S4

I HAVE ACCEPTED THE PRELIMINARY DRAWINGS
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DATE:



TRUSS TO COLUMN
* PLY TRUSS - 3 PLY COLUMN

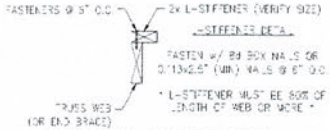


TRUSS TIE DETAIL
PLAN VIEW

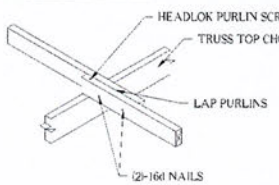
EAGLE METAL TRUSS TIE NOTE

PER EAGLE METAL PRODUCTS, THE BOTTOM CHORD OF METAL PLATED WOOD TRUSSES USED IN POST FRAME CONSTRUCTION MAY BE LATERALLY BRACED AT A SPACING THAT DOES NOT EXCEED 10'-0" O.C. UNDER SPECIFIC CONDITIONS.

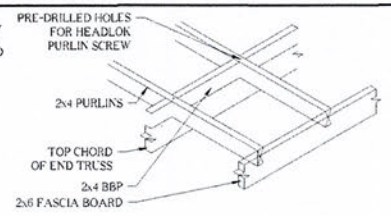
A LIST OF THESE SPECIFIC CONDITIONS & EAGLE METAL LETTER ARE AVAILABLE UPON REQUEST FROM WALTERS BUILDINGS.



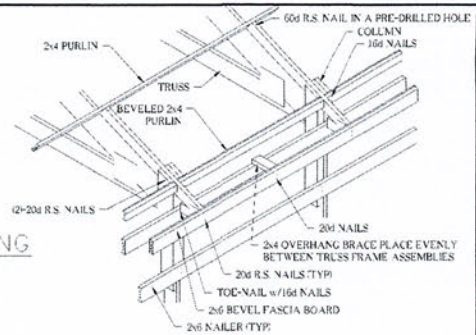
TRUSS WEB L-STIFFENER DETAIL



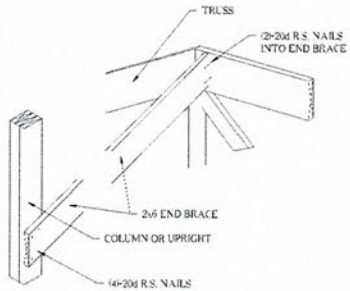
PURLIN LAP



END PURLINS WITH OVERHANG



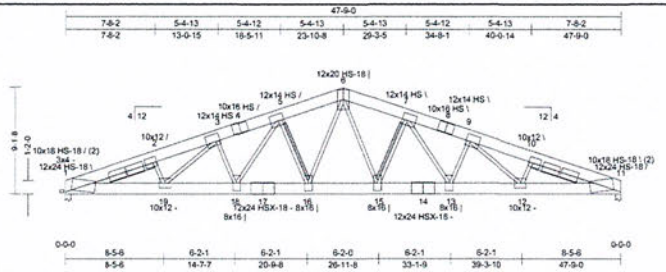
OVERHANG RAFTER FRAMING



Walters Buildings
PO Box 388
Allenton, WI 53002
Main: (262) 629-5521; Fax: (262) 629-5233;

Truss48ft 412 - Heavy
Job: STANDARD TRUSSES
Date: 06/27/23 14:51:06
Page: 1 of 1

SPAN	PITCH	QTY	OHL	OHR	CANT L	CANT R	PLYS	SPACING	WGT/PLY
47-9-0	4/12	1	0-0-0	0-0-0	0-0-0	0-0-0	1	96 in	654 lbs



All plates shown to be Eagle 20unless otherwise noted.

Loading (psf)		General		CSI		Deflection	L/	(loc)	Allowed
TCLL:	47	Bldg Code:	IBC 2018/	TC:	0.95 (2-3)	Ver TL:	1.3 in	L/452	(14-15) L/240
CSL:	50		TPI 1-2014	BC:	1.00 (19-1)	Ver LL:	0.9 in	L/624	(14-15) L/360
TCDL:	4 (sheet)	Rep Mbr:	No	Web:	0.95 (9-13)	Hor TL:	0.42 in		11
BCLL:	0	Lumber DOL:	115 %						
BCDL:	6								

Reaction

JT	Brg Combo	Brg Width	Req'd Brg Width	Max React	Max Grav. U plf	Max MW/HS U plf	Max C&C U plf	Max U plf	Max Horiz
1	1	5.5 in	9.65 in	10,931 lbs		-1,813 lbs		-1,813 lbs	106 lbs
11	1	5.5 in	9.65 in	10,931 lbs		-1,813 lbs		-1,813 lbs	

Bearing enhancers may be required at the following bearings: See Eagle Metal Bearing Enhancer detail for capacity of specific bearing blocks/cantilevers:

Brg #
1
11

Material
TC: SYP 2400f 2.0 2 x 12
BC: SYP 2400f 2.0 2 x 12
Web: SYP #2 2 x 4

Bracing
TC: Purlins at 24 " OC. Purlin design by Others.
BC: Sheathed or Purlins at 7-2-0. Purlin design by Others.
Web: 1 Row(s) at 5-0-0. T-15

Loads
1) This truss has been designed for the effects of balanced (42 psf) and unbalanced sloped roof snow loads in accordance with ASCE7 - 16 with the following user defined input: 50 psf LSL, Terrain C, Exposure (Ce = 1.0), Risk Category II (I = 1.00), Thermal (Ct = 1.20), DOL = 1.15. Ventilated. If the roof configuration differs from bid/pkg, Building Designer shall verify snow loads.
2) This truss has been designed for the effects of wind loads in accordance with ASCE7 - 16 with the following user defined input: 115 mph (Ultimate), Exposure C, Enclosed, Gable, Risk Category II, h=B-L=15 ft, End Zone Truss, Both end walls considered. DOL = 1.60
3) Non-concurrent maximum storage attic loading has been applied in accordance with IBC 1607.1

Member Forces (plus indicates: Member ID, max CSI, max axial force, max axial force Only forces greater than 500lbs are shown in this table.)

TC	1-2	0.796	-20,472 lbs		3-5	0.742	-22,766 lbs		6-7	0.625	-18,995 lbs	9-10	0.926	-25,676 lbs
	2-3	0.926	-25,676 lbs		5-6	0.625	-18,995 lbs		7-9	0.742	-22,766 lbs	10-11	0.796	-20,472 lbs
BC	11-12	0.999	24,598 lbs	1,921 lbs	13-15	0.649	19,463 lbs	1,775 lbs	16-18	0.649	19,463 lbs	1,775 lbs	18-21	0.999	24,598 lbs	1,921 lbs
	12-13	0.816	22,563 lbs	1,436 lbs	15-16	0.469	16,330 lbs	1,111 lbs	18-19	0.816	22,563 lbs	1,436 lbs				
Web	2-19	0.198	-1,827 lbs		5-18	0.648	3,912 lbs	1411 lbs	6-23	0.671	5,258 lbs	756 lbs	9-13	0.952	-3,426 lbs	
	3-19	0.422	2,549 lbs	1361 lbs	5-16	0.991	-5,037 lbs		7-23	0.991	-5,037 lbs		9-12	0.422	2,549 lbs	1361 lbs
	3-18	0.952	-3,426 lbs		6-16	0.671	5,259 lbs	756 lbs	7-23	0.648	3,912 lbs	1411 lbs	10-12	0.198	-1,827 lbs	

Notes
1) Unless noted otherwise, do not cut or alter any truss member or plate without prior approval from a Professional Engineer.
2) The fabrication tolerance for this roof truss is 20 % (Lg = 0.80).
3) Building Designer shall verify self-weight of the truss and other dead load materials do not exceed TCDL 4 psf.
4) Design assumes minimum 2x_ purlins at 24 " OC. Purlins shall be attached to the TC in a manner equivalent to the nailing shown with at least 2-10d nails.
5) Brace bottom chord with approved sheathing or purlins per Bracing Summary.
6) Lateral bracing shown is for illustration purposes only and may be placed on either edge of truss member.
7) A creep factor of 2.00 has been applied for this truss analysis.
8) The "SYP" label shown in the "Material Summary" above indicates the new SPIB design values effective June 1, 2013 were used.
9) At least one web is braced with a L-brace. L-braces shall be min. 2x4 stud grade and shall extend to within 3 " of the chord at both ends. Attach L-braces to web using 16d nails at max. 6 " on center spacing. Brace by others. See DCS640 for additional information.
10) ☐ Indicates non-structural members.
11) Uplift wind uplift reactions based on MWFRS & C&C loading.

ALL PERSONS FABRICATING, HANDLING, ERECTING OR INSTALLING ANY TRUSS BASED UPON THIS TRUSS DESIGN DRAWING ARE INSTRUCTED TO REFER TO ALL OF THE INSTRUCTIONS, LIMITATIONS AND QUALITY CRITERIA SET FORTH IN THE LATEST EDITION OF TRUSS DESIGN NOTES INSURANCE/UTILITIES DESIGN AND ANY CHANGES IN ANY WAY BEFORE INSTALLATION OF THE TRUSS.

TrueBuild® Truss Software v5.6.400
Eagle Metal Products

ANY CHANGES MAY BE MADE IF NECESSARY PER CODE OR STRUCTURAL REQUIREMENTS - ALL DRAWINGS ARE INTELLECTUAL PROPERTY OF WALTERS BUILDINGS UNTIL SOLD

Walters Buildings
Jack Walters & Sons, Corp
P.O. Box 388
6800 Midland Ct
Allenton, WI 53002
+800-236-7860
www.waltersbuildings.com

PRELIMINARY PLANS - NOT FC CONSTRUCTIO

OWNER NAME:
SUNRISE TOWNSH

OWNER ADDRESS:
NORTH BRANCH, MN 55056

PROJECT NAME:
48 x 66 BUILDING W/ 12'x7' VESTIBUI

PROJECT ADDRESS:
NORTH BRANCH, MN 55056

SALES REP / DEALER:
CURT MIERS

DRAFTER:
DAVID M

ESTIMATOR:
ESTIMATOR

LAST SAVED BY:
DMERKEL ON: 8/4/2

PAPER SIZE:
ARCH FULL BLEED D (36.00 X 24.00 INC

SCALE:
AS NOTED

ENGINEER:

JOB NUMBER:
60-1156

SHEET NUMBER:
T1

October 19, 2023

To Sunrise Township & Chisago County Board,

We are aware and opposed of the plans of Sunrise Township building a Townhall on the land adjacent to our property.

We have spoken with the planning and zoning personnel at Chisago County and they have assured us that our biggest concern of having our AG zone status changed WILL NOT be affected by the township building the townhall next to our property at this time. Although, we do still have some apprehension of the county possibly rezoning our land in future years that could affect our two children that will inherit our AG zoned property.

Regardless, we do, however, still have other concerns that we would like to address if the township goes forward with the proposed build.

1) The sight of this new, sizeable townhall's proposed location will be directly in our front yard to the northwest. It will become an eyesore to the landscape that we have been viewing for over 14 years since we bought our property in February 2009. The new townhall's position is in the direction of the sunset and is our front yard view. This new townhall will also be seen from all angles of our property on the north and west side. The building and it's components would block our natural views. The parking lot would be paved over the natural grassy fields. Any "street" lights that may be left on at night would take away from our nighttime sky viewing and disturb our sleep as they shine through our windows. We are also apprehensive with the building becoming a busy event center and used on the weekends with all of the sights and sounds coming from it causing disturbance to the peace and quiet of our property.

2) Our next concern would be that this proposed building and it's parking lot are very close to our fence line and pasture with horses in it. We fear that some people visiting the townhall may be curious and may want to try to pet or pester our horses and the horses may bite or kick back. We are also worried about people that may want to feed our horses that are on special diets and they could get sick and colic or worse if they are fed something they are not supposed to have.

3) We are also uneasy about the townhall or event center and any of it's trash, garbage or litter that could blow onto our property which can spook our horses and again risk their health and safety. Also, we don't want to see the garbage or pick it up for that matter.

We have been working extremely hard on improving our historic (1895) house, barn and land since we purchased it. Our property was abandoned when we moved in and had many issues that we have addressed and fixed over the years. We were drawn to buying our property not only for it for being zoned AG for our horses but mostly for the landscape, mature trees, the natural setting and the beautiful country aesthetic. We have in the past offered to purchase this township land that they are now planning on building a townhall on to try and keep it a field for our own use; whether it be for haying or pasturing but also to keep the appearance and use of a country, AG zoned property. We were turned down by our verbal proposals on purchasing that adjacent land.

If the new townhall build goes through we propose that the township screens the property line from the northwest corner all the way down past the halfway point being up to our large, white 40'x60' shed that is near and in front of our fence line. We would request that the spruce trees are thick and planned and planted by a professional landscaping company for screening purposes that will act as privacy to block the eyesore, block some sound and deter people from our fence line and property. We are requesting that these trees would be large and mature trees and be at least 6'- 8' tall when they are planted.

Sincerely,

William "Bill" and Katie Campbell

41594 Ferry Road

Sunrise, MN 55032

Sunrise Township – Property owner Sunrise Township is requesting a Conditional Use Permit (CUP) allowing Local Government and Administration Buildings. The request involves the construction of a new town hall and maintenance building on property located at 1xxxx Sunrise Road / CSAH 9 in Sunrise Township. The 10.50± acre subject site is zoned Agricultural (AG) District and generally located two-tenths (.20) of a mile northerly of the intersection of Sunrise Road / CSAH 9 and Olson Road on the easterly side of Sunrise Road / CSAH 9, S5, T35, R20 (PID 09.00041.20).

Sunrise Township Property -



Sunrise Township – Property owner Sunrise Township is requesting a Conditional Use Permit (CUP) allowing Local Government and Administration Buildings. The request involves the construction of a new town hall and maintenance building on property located at 1xxxx Sunrise Road / CSAH 9 in Sunrise Township. The 10.50± acre subject site is zoned Agricultural (AG) District and generally located two-tenths (.20) of a mile northerly of the intersection of Sunrise Road / CSAH 9 and Olson Road on the easterly side of Sunrise Road / CSAH 9, S5, T35, R20 (PID 09.00041.20).

Sunrise Township Property -



RESOLUTION NO. PC2023-1101

A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA, RECOMMENDING APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING LOCAL GOVERNMENT AND ADMINISTRATION BUILDINGS ON PROPERTY LOCATED AT 1xxxx SUNRISE ROAD / CSAH 9 IN SUNRISE TOWNSHIP

WHEREAS, property owner Sunrise Township submitted an application dated received September 22, 2023 and considered complete on October 3, 2023 for a Conditional Use Permit allowing Local Government and Administration Buildings on property located at 1xxxx Sunrise Road / CSAH 9 in Sunrise Township; and

WHEREAS, the subject site is located in the Agricultural (AG) District; and

WHEREAS, the subject site is 10.50± acres in size and legally described as:

PID 09.00041.20

That part of the South Half of the Northeast Quarter (S½ of NE¼) of Section Five (5), Township thirty-five (35) North, Range Twenty (20) West, Chisago County, Minnesota, lying northeasterly of the center line of County State Aid Highway No. 9 (also known as Sunrise Road) and northerly of the following described line:

Commencing at the east quarter corner of said Section 5; thence North 0 degrees 01 minutes 47 seconds East, assumed bearing along the east line of said Section 5; a distance of 1073.43 feet to the point of beginning of a line to be described; thence South 88 degrees 24 minutes 49 seconds West, a distance of 271.55 feet; thence South 70 degrees 33 minutes 34 seconds West, a distance of 690 feet, more or less, to the centerline of said County State Aid Highway No. 9 and there terminating.

WHEREAS, notice was provided and on November 2, 2023 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the applicant(s) and/or property owner(s), and invited members of the public to comment; and

WHEREAS, the Planning Commission considered several factors for granting Conditional Use Permits and Conditional Use Permit Amendments and made the following findings per Zoning Ordinance Section 8.04:

Factor #1 The [proposed action is consistent with the] Comprehensive Plan and development policies of the County;

Finding #1 *While the Chisago County Comprehensive Plan does not include goals and policies specifically related to the proposed use of Local Government and Administration Buildings, the County finds that the proposed use does not conflict with the Comprehensive Plan. And, being that the Chisago County Zoning Ordinance specifically identifies Local Government and Administration Buildings as an allowable Conditional Use within the Agricultural (AG) District, the County further finds that the proposed use is consistent with the development policies of the County.*

Factor #2 The proposed use will not create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;

Finding #2 *The proposed use will utilize a private well and septic system, will provide off-street parking for visitors, and will have direct access to well-established and well-maintained roadways, including Sunrise Road / CSAH 9 and Ferry Road (a township road). Further, the proposed use will not require use of or have impact on schools or other public facilities or utilities. Therefore, the County finds that the proposed use will not create any excessive demand on existing parks, schools or utilities which serve the subject site.*

Factor #3 The proposed use will be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;

Finding #3 *The subject site is located in a fairly sparsely developed portion of Sunrise Township. Therefore, the greatest impact is likely to be made on the property immediately south, which is the site of the closest dwelling. The County finds that by establishing conditions related to such concerns as hours of operation for private events, amplified music and vegetative screening, these potential impacts can be minimized or eliminated so as not to cause undue negative impacts to existing development or deter future development.*

Factor #4 The proposed use and site will have an appearance that will not have an adverse effect upon adjacent properties;

Finding #4 *While the County has not been provided with renderings of the proposed development, there is no evidence to suggest that the proposed town hall or maintenance building will have an appearance which would cause adverse effects upon adjacent properties. However, the greatest impact is likely to be made on the property immediately south, which is the site of the closest dwelling. The County finds that by establishing conditions related to screening, any potential adverse effects related to appearance can be minimized or eliminated.*

Factor #5 The proposed use, in the opinion of the County, is reasonably related to the overall land use goals of the County and to the existing land use;

Finding #5 *The County finds that the Chisago County Zoning Ordinance identifies Local Government and Administration Buildings as an allowable Conditional Use in the AG District, without any established performance standards, and is, therefore, related to the land use goals of the County.*

Factor #6 The proposed use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use;

Finding #6 *See Finding #5.*

Factor #7 The proposed use will not cause traffic hazard or congestion; and

Finding #7 *The subject site is shown to have two access points / driveways, an existing driveway from Ferry Road and a field entrance from Sunrise Road / CSAH 9 which will be upgraded and improved in order to be used as the main driveway for public use. The County recognizes that there will be periods of increased traffic – specifically during elections and special events – however, the County further recognizes that these noted events will occur infrequently. Further, the County Engineer, as Road Authority for Sunrise Road /*

CSAH 9, and Sunrise Township, as Road Authority for Ferry Road, have considered the request and have not identified any concerns related to traffic hazard or congestion.

Factor #8 The proposed use will not adversely impact existing nearby properties by intrusion of noise, glare or general unsightliness.

Finding #8 *Being that the general area surrounding the subject site is fairly sparsely developed and the greatest potential impact is likely to be made on the property immediately south, which is the site of the closest existing dwelling, the County finds that the establishment of conditions related to such concerns as hours of operation for private events, amplified music, and vegetative screening will minimize or eliminate any potential adverse impacts related to noise, glare and general unsightliness.*

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of Chisago County, Minnesota hereby recommends approval of the request for Conditional Use Permit, subject to the following conditions:

1. This Conditional Use Permit for Local Government and Administration Buildings allows for a town hall facility and maintenance building per the application materials dated received September 22, 2023 and kept on file with the Department of Environmental Services and in accordance with the conditions contained herein. Any significant deviation or expansion, as determined by Chisago County Department of Environmental Services staff, shall require further review by the Planning Commission and approval by the County Board of Commissioners.
2. There shall be no established hours of operation for government related activities; however, private events shall adhere to the following hours of operation:
   Monday through Thursday – 8:00 am to 9:00 pm
   Friday and Saturday – 8:00 am to 10:00 pm
   Sunday – 8:00 am to 9:00 pm
3. The maximum number of private events (i.e., facility rental by the general public for non-government activities) shall be two (2) per calendar month.
4. Noise generated from the approved use shall be subject to the Chisago County noise standards. No undue or objectionable noise resulting from said uses shall be transmitted beyond the subject site's property boundaries.
5. There shall be no outdoor amplified music at any time. Further, if there are events featuring indoor amplified music, all exterior doors shall remain closed so as to minimize the impact to surrounding properties.
6. The permit holder shall install vegetative screening adjacent to the southerly property boundary beginning no less than 60' from centerline of Sunrise Road / CSAH 9 (so as to be in-line with the west boundary of the parking lot) and ending at the point where the property boundary changes from a southwest-northeast orientation to a more east-west orientation (a total distance of approximately 630'). The screening shall be located no closer than 15' from the property boundary and shall consist of two (2) staggered rows of six foot (6') tall coniferous trees planted no greater than sixteen feet (16') on center which meet or exceed 75% opacity within three (3) years of the approval date.
7. The permit holder shall accommodate all parking on-site and no parking shall be allowed on Sunrise Road / CSAH 9 or Ferry Road.
8. The Sunrise Road / CSAH 9 access shall be upgraded and improved to a minimum width of 25'. The permit holder shall be responsible for obtaining any necessary permit(s) from the Chisago County

Highway Department related to this access.

9. Any exterior lighting shall be designed so as to limit light visible from adjacent roadways and adjacent properties.
10. All refuse containers shall be fully screened or enclosed.
11. Any signage shall be installed in accordance with the Chisago County Zoning Ordinance.
12. The property and uses thereon are subject to all applicable local and State codes, including Zoning, Building and Septic Codes.
13. Annual certification of the Conditional Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the Conditional Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval. Failure to maintain certification may be a basis to revoke the Conditional Use Permit. The property shall be made open and available for regular inspection at any time during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.

Adopted by the Planning Commission of Chisago County, Minnesota, this 2nd day of November, 2023.

Chris DuBose	_____	Dave Whitney	_____
Eric Leivian	_____	Jolene Wille	_____
Jim McCarthy	_____	Chip Yeager	_____
John Sutcliffe	_____		

_____ ATTEST: _____

Chip Yeager
Chair

Beth Gervais
Land Services Coordinator

Staff Report

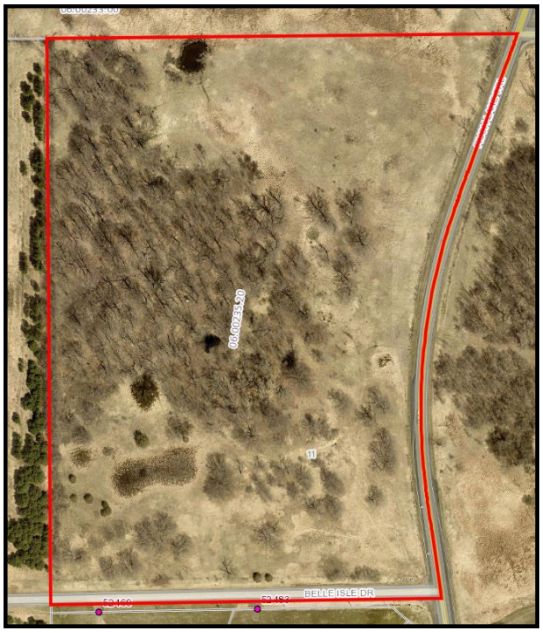
TO: Planning Commission
FROM: Beth Gervais, Land Services Coordinator
SUBJECT: Preliminary Plat of Autumn Woods Cottages
Northwest Corner of Rush Lake Trail / CSAH 1 and Belle Isle Drive,
Nessel Township
DATE: November 2, 2023

ACTION TO CONSIDER

The Planning Commission will conduct a public hearing to consider the Preliminary Plat of Autumn Woods Cottages, involving the creation of six lots ranging in size from 2.3 acres to 8.11 acres from a 28.20± acre tract of land.

SITE & APPLICATION INFORMATION

Property Owner(s):	Carol Hauglie
Applicant(s):	Carol Hauglie
General Location:	Northwest corner of Rush Lake Trail / CSAH 1 and Belle Isle Drive Nessel Township Section 11, Township 37, Range 22
PID:	06.00235.20
Property Area:	28.20± Acres
Current Zoning:	Rural Residential II (RRII) District / Shoreland Management District
Adjacent Zoning:	
North:	Agricultural (AG) District
South:	Rural Residential II (RRII) District / Shoreland Management District
East:	Agricultural (AG) District
West:	Agricultural (AG) District / Shoreland Management District
Date Application Received:	September 27, 2023
Date Application Complete:	October 3, 2023
120-Day Review Period:	January 31, 2023



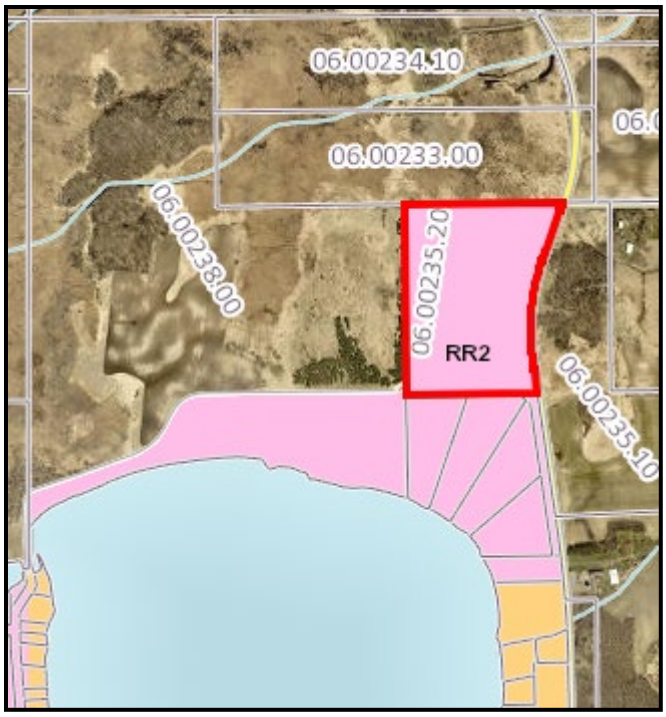
BACKGROUND

Property owner Carol Hauglie is seeking approval of the Preliminary Plat of Autumn Woods Cottages. The property owner wishes to create six lots ranging in size from 2.3 acres to 8.11 acres from the 28.20± acre tract of land located at the northwest corner of Rush Lake Trail / CSAH 1 and Belle Isle Drive in Nessel Township.

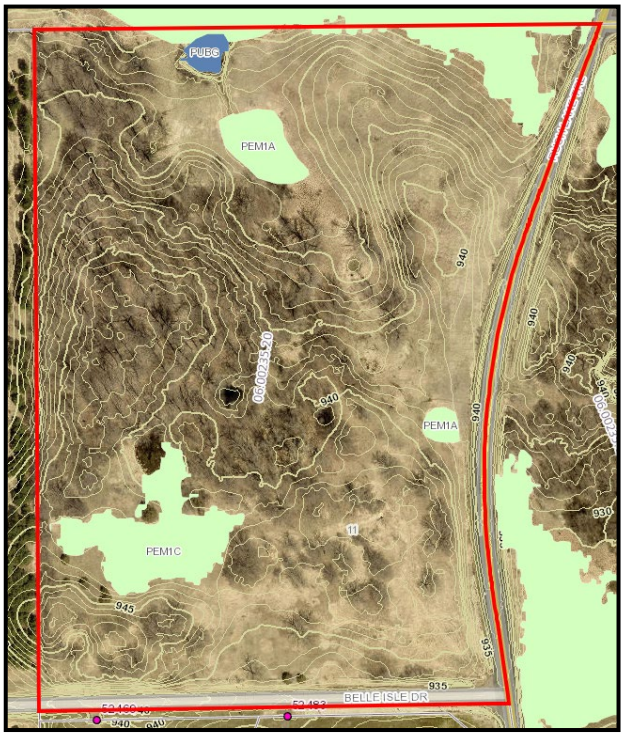
SITE & PROPOSAL ANALYSIS

The currently undeveloped 28.20± acre subject site is located at the northwest corner of Rush Lake Trail / CSAH 1 and Belle Isle

Drive in Nessel Township, approximately 800’ north / northwest of East Rush Lake. The subject site and adjacent properties to the south are located in the Rural Residential II (RRII) District, whereas properties to the west, east, and north are located in the Agricultural (AG) District. The adjacent image illustrates zoning of the subject site and surrounding properties. One of the distinct differences between the RRII and AG Districts is that the minimum lot size in the RRII District is two acres and the minimum lot size in the AG District is five acres.



Topography of the subject site includes scattered wetlands and elevations ranging from 923’ near the northeast corner to 949’ at the southwest corner. The southwest corner is located in the Shoreland Management District given its proximity to East Rush Lake; however, as a non-riparian lot, the proposed lots in this area are subject to the standards of the underlying RRII District. The images below illustrate the wetlands (left) and the boundary of the Shoreland Management District (right). Staff notes that the wetland areas are shown on the Preliminary Plat drawing to be located in areas dedicated as drainage and utility easements.



Wetlands



Shoreland Management District

Surrounding properties range widely in size from five acres to 159 acres, with the smaller parcels generally located adjacent to the lake. The immediate surrounding area appears to be sparsely developed.

The proposed lots located adjacent to the south property boundary / Belle Isle Drive and closest to East Rush Lake are shown to be approximately 2.3 acres in size with the two remaining proposed lots being 7.74 acres and 8.11 acres in size. The four southern lots are shown to access Belle Isle Drive and the two northerly lots will utilize a shared driveway to access Rush Lake Trail / CSAH 1.

The stated purpose of the RRII District is to provide a transition area between agricultural areas and higher density rural residential areas. Below is a table which identifies minimum requirements for the RRII District with corresponding information for the proposed parcels. As proposed, all new parcels comply with the County's dimensional requirements.

RRII District Minimum Requirements	**Lot Size 2 acres**	**Lot Width* 200 feet**	**Lot Depth** 200 feet**	**Home Site Area 21,500 square feet (sf)**
Lot 1, Block 1	2.38 acres	Approximately 210' as measured at building setback line	500'	21,500 sf
Lot 2, Block 1	2.30 acres	200' as measured at building setback line	500'	21,500 sf
Lot 3, Block 1	2.30 acres	200' as measured at building setback line	500'	21,500 sf
Lot 4, Block 1	2.38 acres	Approximately 225' as measured at building setback line (from Belle Isle Drive)	Approximately 500'	21,500 sf
Lot 5, Block 1	7.74 acres	Approximately 410' as measured at building setback line	Approximately 854'	21,500 sf
Lot 6, Block 1	8.11 acres	Approximately 395' as measured at building setback line	Approximately 997'	21, 500 sf

** Lot width, by definition, is measured at the building setback line. Subdivision Ordinance Section 4.03 Lot Requirements states that "Each lot shall front upon a public street for the minimum lot width required, except as otherwise provided in this Ordinance."*

*** Lot depth, by definition, is the average distance measured from the front lot line to the rear lot line. Subdivision Ordinance Section 4.03 Lot Requirements states that "the depth of a lot shall not be greater than five times the width."*

REVIEW PROCESS

The Technical Review Committee met on October 11, 2023 and no concerns were identified. The soils report and wetland delineation have been reviewed by County staff and both were found to be accurate. The County Engineer is satisfied with the proposed access point on Rush Lake Trail / CSAH 1 and will require that this be a shared driveway (as proposed).

The Nessel Town Board reviewed the proposed Preliminary Plat at its October 10, 2023 meeting and recommended approval with no conditions.

Preliminary Plats, per the Chisago County Subdivision Ordinance, are subject to a 120-day review period rather than the more typical 60-day review period applied to land use requests. The 120-day review period for this application expires on January 31, 2023.

WRITTEN TESTIMONY

No written testimony was submitted to the County as of the completion of this report.

STAFF RECOMMENDATION

Staff believes that the proposed Preliminary Plat complies with and is consistent with the intent of the County's Zoning and Subdivision Ordinances. Barring any new or unknown evidence of compliance discovered after the completion of this report or during the course of the public hearing, **staff recommends approval** of the Preliminary Plat of Autumn Woods Cottages with conditions and has prepared a resolution for the Commission's consideration.

Recommended Condition(s):

1. The Preliminary Plat of Autumn Woods Cottages is approved per plat drawing dated signed September 27, 2023. Any significant deviation from the approved plat drawing, except as noted herein and as determined by the Department of Environmental Services, shall require further review by the Planning Commission and approval by the County Board.
2. One access shall be granted from Rush Lake Trail / CSAH 1, requiring that proposed Lots 5 and 6, Block 1 utilize a shared driveway.
3. The applicant shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
4. The applicant shall submit request for Final Plat within one year following approval of the Preliminary Plat unless an extension of time is requested by the applicant and granted by the County Board upon recommendation of the Planning Commission.

OPTIONS

1. Recommend that the County Board **approve** the Preliminary Plat of Autumn Woods Cottages with conditions presented or amended.
2. Should the Planning Commission determine that the proposed Preliminary Plat does not comply with and/or is not consistent with the intent of County's Zoning and Subdivision Ordinances upon completion of the public hearing and/or upon discovery of any new or unknown evidence, recommend that the County Board **deny** the Preliminary Plat of Autumn Woods Cottages based on factors deemed appropriate. *(Note: The Commission will need to include specific factor(s) for denial in its motion.)*
3. **Table** the request to allow for submission of additional supporting documentation and/or further review and consideration. The 120-day review period expires on January 31, 2023.

ACTION REQUESTED

Motion to adopt Resolution No. PC2023-1102, a resolution recommending approval of the Preliminary Plat of Autumn Woods Cottages, with conditions as presented or amended.

ATTACHMENTS

1. Application materials

    a. Application
    b. Preliminary Plat drawing
2. Aerial location map (1) – subject site
3. Aerial location map (2) – vicinity map
4. Draft Resolution No. PC2023-1102

CC: Carol Hauglie, property owner
County file

Chisago County Department of Environmental Services
Planning & Zoning Application

Permit # 2023-1851-PZ1

Township Nessel Township **S/T/R** 11-37-22 **PID#** 06.00235.20

Project Address Vacant

Property Owner(s) Carol Hauglie

Mailing Address (If Different from Project Address) 52275 Rush Lake Trail Rush City, MN 55069

Phone# [redacted] **Email** [redacted]

Applicant(s) Carol Hauglie

Mailing Address (If Different from Project Address) _____

Phone# _____ **Email** _____

Type of Request (Check All That Apply)

Board of Adjustment & Appeals	Planning Commission	
☐ Variance	☐ Conditional Use Permit (CUP)	☒ Preliminary Plat (6 lots)
☐ Administrative Appeal	☐ Interim Use Permit (IUP)	☐ Rezoning
	☐ Amendment to CUP or IUP	☐ Ordinance Amendment

Description of Request (Attach Separate Sheet if Necessary) Requesting approval of a ~~seven~~ six lot plat.

Required Attachments (Additional Attachments May Be Required Based On The Specific Request)

☑ Full Legal Description ☐ Detailed Site Plan ☐ Detailed Written Narrative ☑ Plat Drawings

Carol A. Hauglie
Applicant Signature

9/27/23
Date of Application

I hereby certify that the above information is true and correct to the best of my knowledge, and that any knowingly false representations may invalidate any approvals. With my signature, I also grant permission to Chisago County Officials to enter upon the subject property for the purpose of such inspections as may be necessary.

Fees		Dates	
Base Fee	$ 710-	Application Received	9-27-23
Recording Fee	$ 46-	Application Complete	10-3-23
Plat Fee – No Road(s) / With Road(s)	$ 150-	60 / 120 Day Review Period	1-31-24
Septic Compliance Fee	$ —	Extended Review Period	
Wetland Fee	$ —		
TOTAL FEE	$ 906-		

Chisago County Department of Environmental Services
Planning & Zoning Application

Township Presentation Form

Township Nessel S/T/R 11-37-22 PID# 06.00235.20

Project Address Vacant

Property Owner(s) Carol Hauglie

Mailing Address (If Different from Project Address) 52275 Rush Lake Trail Rush City, MN 55069

Phone# [redacted] Email [redacted]

Applicant(s) Carol Hauglie

Mailing Address (If Different from Project Address) _____

Phone# _____ Email _____

Type of Request (Check All That Apply)

Board of Adjustment & Appeals	Planning Commission	
☐ Variance	☐ Conditional Use Permit (CUP)	☒ Preliminary Plat 6 lots
☐ Administrative Appeal	☐ Interim Use Permit (IUP)	☐ Rezoning
	☐ Amendment to CUP or IUP	☐ Ordinance Amendment

Description of Request (Attach Separate Sheet if Necessary) Requesting approval of a six lot plat. (Aatama Woods Cottages)

Carol Hauglie
Applicant **Signature**

9/27/23
Date of Application

I hereby certify that the above information is true and correct to the best of my knowledge, and that any knowingly false representations may invalidate any approvals. With my signature, I also grant permission to Chisago County Officials to enter upon the subject property for the purpose of such inspections as may be necessary.

Date of County Public Hearing NOV 2, 2023 **Date of Township Presentation** OCT 10, 2023

Township Action Taken (Township Use Only)

☒ Recommendation of Approval ☐ Recommendation of Denial

Recommended Conditions of Approval OR Legal Findings for Recommendation of Denial

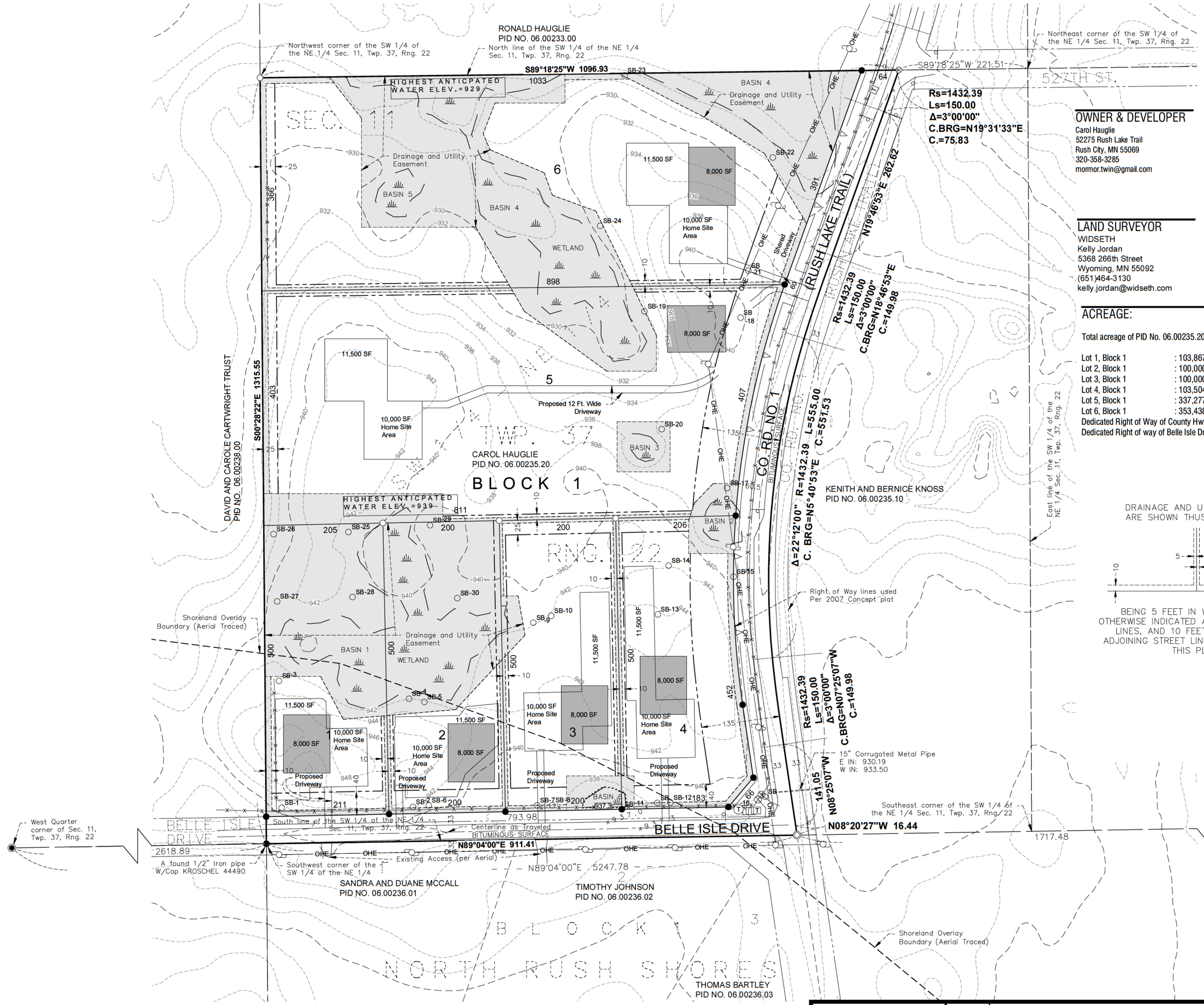
_____

Signatures of Township Officials or Authorized Personnel

Michelle Meis Brad Mn Betsy Rising by H Strand

Dan Steve Jakel

PRELIMINARY PLAT
of
AUTUMN WOODS COTTAGES



OWNER & DEVELOPER
Carol Hauglie
52275 Rush Lake Trail
Rush City, MN 55069
320-358-3285
mormor.twin@gmail.com

LAND SURVEYOR
WIDSETH
Kelly Jordan
5368 266th Street
Wyoming, MN 55092
(651)464-3130
kelly.jordan@widseth.com

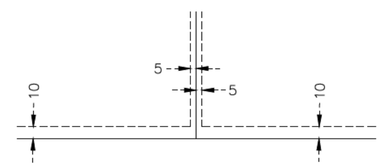
SOIL TESTING
Zierke Soil Testing
28587 Jeffrey Ave
Chisago City, MN 55013
(Completed and Approved in 2007)

WETLANDS
Jacobson Environmental, PLLC
5821 Humboldt Avenue
Brooklyn Center, MN 55430
612-802-6619
jacobsonenv@msn.com
Delineation date: July 2023

ACREAGE:
Total acreage of PID No. 06.00235.20 = 1,221,801 Sq. Ft. or 28.05 Acres

Lot 1, Block 1	: 103,867 Sq. Ft. or	2.38 Acres
Lot 2, Block 1	: 100,000 Sq. Ft. or	2.30 Acres
Lot 3, Block 1	: 100,000 Sq. Ft. or	2.30 Acres
Lot 4, Block 1	: 103,504 Sq. Ft. or	2.38 Acres
Lot 5, Block 1	: 337,277 Sq. Ft. or	7.74 Acres
Lot 6, Block 1	: 353,438 Sq. Ft. or	8.11 Acres
Dedicated Right of Way of County Hwy No. 1	: 81,382 Sq. Ft. or	1.87 Acres
Dedicated Right of way of Belle Isle Drive	: 42,333 Sq. Ft. or	0.97 Acres

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 5 FEET IN WIDTH, UNLESS OTHERWISE INDICATED AND ADJOINING LOT LINES, AND 10 FEET IN WIDTH AND ADJOINING STREET LINES, AS SHOWN ON THIS PLAT

PROPERTY DESCRIPTION:

That part of the Southwest Quarter of the Northeast Quarter, Section 11, Township 37, Range 22, Chisago County, Minnnesota lying West of the centerline of Chisago County Road No. 1 as laid out and traveled August 14, 2003.

SURVEY NOTES:

1. Orientation of this bearing system is based on the Chisago County Coordinate System NAD83 (1996 adj.)
2. The property is vacant.
   PID No. 06.00235.20
3. The Property is zoned RR2 - Rural Residential-2(Per Nessel Township Zoning map) and Shoreland Overlay.
   Rush Lake - General Development Lake, DNR Protected ID No. 13-69

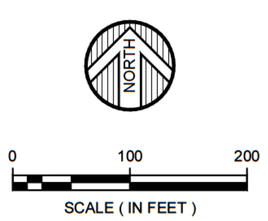
   Building Setbacks (per Chisago County Zoning Ordinance)

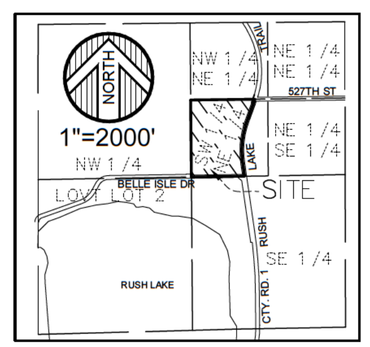
Front Yard / Centerline of County Road	:	135 feet
Side Yard	:	10 feet
Rear Yard	:	25 feet
Zoning District Regulations:		
Minimum Lot Area	:	2 Acres
Minimum Lot Width	:	200 feet
Minimum Lot Depth	:	200 feet
Minimum Buildable Area	:	21,500 Sq. Ft.

   10,000 Sq. Ft. principle pad that:
   Minimum 2 feet above the nearest 100 year flood Elev.
   Minimum 2 feet above the highest anticipated water level
   11,500 Sq. Ft. yard site that :
   Is above the nearest or any relevant 100-year flood contour
   The nearest 100 year flood contour appears to be 750 feet south of the subject property at Rush Lake Elev. = 916.2 (NAVD88). (NOT RELEVANT)
4. The subject property lies within Zone X, areas determined to be outside the 0.2% annual chance flood plain per FEMA Flood Insurance Rate Map No. 27025C0035D, effective April 17, 2012.
5. Contours shown from MNDNR LiDAR on NAVD88 Datum.

LEGEND

◉ A CHISAGO COUNTY MONUMENT	——— △ ——— DENOTES RIGHT OF ACCESS DEDICATED TO CHISAGO COUNTY
● FOUND 1/2" IRON PIPE MONUMENT W/CAP 42627 UNLESS NOTED OTHERWISE	— — — DELINEATED WETLAND BY JACOBSON ENVIRONMENTAL DATED JULY 13, 2023
○ SET 1/2" IRON PIPE MONUMENT W/CAP NO. 42648	x x x x x BARBED WIRE FENCE (PARTIALLY DOWN)
⊗ A SET MAG NAIL WITH WASHER INSCRIBED 42648	——— OHE ——— OVERHEAD ELECTRIC
◎ A FOUND MAG NAIL	DRAINAGE AND UTILITY EASEMENT
SIGN	8,000 SQ. FT. SEPTIC AREA
T TELE PEDESTAL	
Ⓣ TELE MANHOLE	
FENCE POST	
SB SOIL BORING AS SHOWN ON 2006/07 CONCEPT	
ELEC POLE	
WETLAND	





VICINITY MAP
SEC. 11, T37, R.22
NESSEL TOWNSHIP
CHISAGO COUNTY, MINNESOTA

© 2023 WIDSETH SMITH NOLTING & ASSOCIATES, INC.

DATE:	August 2023
SCALE:	AS SHOWN
DRAWN BY:	JMM
CHECKED BY:	KLJ
FILE NUMBER:	2023-10709

DATE	AMENDMENTS	BY

PREPARED FOR: **CAROL HAUGLIE**

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.

Kelly L. Jordan DATE: 09-27-2023 LIC. NO. 42648

WIDSETH
ARCHITECTS ▪ ENGINEERS ▪ SCIENTISTS ▪ SURVEYORS

Carol Hauglie – Property owner Carol Hauglie is requesting approval of the Preliminary Plat of Autumn Woods Cottages involving the creation of six lots ranging in size from 2.3 acres to 8.11 acres from a 28.20± acre tract of land. The subject site is zoned Rural Residential II (RRII) District and generally located at the northwest corner of Rush Lake Trail / CSAH 1 and Belle Isle Drive in Nessel Township, S11, T37, R22 (PID 06.00235.20).

Hauglie Property -



Carol Hauglie – Property owner Carol Hauglie is requesting approval of the Preliminary Plat of Autumn Woods Cottages involving the creation of six lots ranging in size from 2.3 acres to 8.11 acres from a 28.20± acre tract of land. The subject site is zoned Rural Residential II (RRII) District and generally located at the northwest corner of Rush Lake Trail / CSAH 1 and Belle Isle Drive in Nessel Township, S11, T37, R22 (PID 06.00235.20).

Hauglie Property -



RESOLUTION NO. PC2023-1102

A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA, RECOMMENDING APPROVAL OF THE PRELIMINARY PLAT OF AUTUMN WOODS COTTAGES

WHEREAS, property owner Carol Hauglie submitted an application dated received September 27, 2023 and considered complete on October 3, 2023 for the Preliminary Plat of Autumn Woods Cottages; and

WHEREAS, the property owner desires to create six buildable parcels from the 28.20± acre subject site; and

WHEREAS, the subject site is generally located at the northwest corner of Rush Lake Trail / CSAH 1 and Belle Isle Drive in Nessel Township and is zoned Rural Residential II (RRII) District; and

WHEREAS, the subject site is legally described as:

PID 06.00235.20

That part of the Southwest Quarter of the Northeast Quarter, Section 11, Township 37, Range 22, Chisago County, Minnnesota lying West of the centerline of Chisago County Road No. 1 as laid out and traveled August 14, 2003.

WHEREAS, notice was provided and on November 2, 2023 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the property owner, and invited members of the public to comment; and

WHEREAS, the Planning Commission finds that the Preliminary Plat of Autumn Woods Cottages is consistent with the intent of the County's Zoning and Subdivision Ordinances.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA, that the request for Preliminary Plat is hereby recommended for approval, subject to the following conditions:

1. The Preliminary Plat of Autumn Woods Cottages is approved per plat drawing dated signed September 27, 2023. Any significant deviation from the approved plat drawing, except as noted herein and as determined by the Department of Environmental Services, shall require further review by the Planning Commission and approval by the County Board.
2. One access shall be granted from Rush Lake Trail / CSAH 1, requiring that proposed Lots 5 and 6, Block 1 utilize a shared driveway.
3. The applicant shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
4. The applicant shall submit request for Final Plat within one year following approval of the Preliminary Plat unless an extension of time is requested by the applicant and granted by the County Board upon recommendation of the Planning Commission.

Adopted by the Planning Commission of Chisago County, Minnesota,

this 2nd day of November, 2023.

Chris DuBose	_____	Dave Whitney	_____
Eric Leivian	_____	Jolene Wille	_____
Jim McCarthy	_____	Chip Yeager	_____
John Sutcliffe	_____		

_____ ATTEST: _____

Chip Yeager
Chair

Beth Gervais
Land Services Coordinator

Staff Report

TO: Planning Commission
FROM: Beth Gervais, Land Services Coordinator
SUBJECT: Interim Use Permit for Residential and Commercial Kennel
450 Badger Boulevard, Fish Lake Township
DATE: November 2, 2023

ACTION TO CONSIDER

The Planning Commission will conduct a public hearing to consider an after-the-fact Interim Use Permit (IUP) allowing a Residential and Commercial Kennel on 40.00± acres in the Agricultural (AG) District.

Applicant Sheryl Bearhart submitted a written request on October 13, 2023 asking the Planning Commission to table the request until its December 7, 2023 meeting, explaining that there are a couple of issues that she wasn't aware of and would like to get in order.

SITE & APPLICATION INFORMATION

Applicant(s):	Sheryl Bearhart
Property Owner(s):	Jordan Waggoner
Location:	450 Badger Boulevard Fish Lake Township Section 4, Township 36, Range 22
PID:	03.00041.00
Property Area:	40.00± Acres
Current Zoning:	Agricultural (AG) District
Adjacent Zoning:	
North:	Agricultural (AG) District
South:	Agricultural (AG) District
East:	Agricultural (AG) District
West:	Agricultural (AG) District
Date Application Received:	September 29, 2023
Date Application Complete:	October 4, 2023
60-Day Review Period:	December 3, 2023



BACKGROUND

Applicant Sheryl Bearhart and property owner Jordan Waggoner are requesting an after-the-fact Interim Use Permit (IUP) to allow a Residential and Commercial Kennel on 40.00± acres in the Agricultural (AG) District.

The Zoning Ordinance defines Kennels as follows:

- Residential Kennel – Any place where three (3) or more dogs and three (3) or more cats, over the age of four (4) months of age, or ten (10) or more other domestic companion animals are kept as pets.

- Commercial Kennel – Any place where three (3) or more dogs or three (3) or more cats, over the age of four (4) months of age, or ten (10) or more other domestic companion animals are housed, bred, boarded or trained.

This request is a direct result of code enforcement efforts. The Department of Environmental Services (Department) provided written notice to property owner Jordan Waggoner, dated August 23, 2023, that reported violations of the Zoning Ordinance were confirmed by the Department upon completion of a site visit, and the property owner was informed that the violations must be abated. Through the enforcement process, staff learned that Waggoner rents the property to applicant Sheryl Bearhart. Therefore, Bearhart has submitted the request for IUP and Waggoner has consented as property owner.

SITE ANALYSIS

The 40.00± acre subject site is located immediately northeast of the intersection of Acacia Trail / CSAH 4 and Badger Boulevard in Fish Lake Township. The site is more generally located approximately six-tenths of a mile west of Goose Lake. The site has been developed with a dwelling, a detached garage, a shed, and other possible detached accessory structures. While the property is situated on both the north and south sides of Badger Boulevard, all structures are located on the north side.



Topography of the site includes elevations ranging from 924' on the south side of Badger Boulevard to 960' slightly west of the structures, significant wetland areas, and areas of tree cover. The adjacent image illustrates 1' contours (elevations) and wetland areas (yellow and green shading). The circle identifies the locations of the dwelling and detached garage.

The subject site and all surrounding properties are located in the AG District. Properties in the general area range widely in size from 5.3 acres to 74 acres, with smaller properties immediately west and east (5.3 acres to 7 acres) and larger properties to the north and south (40 acres to 74 acres). The majority of surrounding properties appear to be used for residential purposes.

PROPOSAL ANALYSIS

The written narrative explains that the business, operating under the name of DesignerDogs Mn, is seeking approval to operate both a Residential and Commercial Kennel on property located at 450 Badger Boulevard in Fish Lake Township. The business will house personal dogs in the dwelling (Residential Kennel) and utilize a detached garage to house non-personal dogs (Commercial Kennel). The application materials and additional information provided by the applicant offer the following details:

- There are currently five personal dogs and one puppy on-site, along with ten dogs that are being temporarily housed until rehomed and three puppies "waiting for their forever home". Staff is unaware of the ages of the puppies, but, if they are less than four months of age, they would not be factored into the total count. The personal dogs are currently housed within the dwelling

(Residential Kennel) and all other dogs are housed in kennels inside the insulated detached garage (Commercial Kennel).

- The proposed Kennels will only house dogs and no other types of animals will stay on the site.
- The business provides / will provide services, including, but not limited to vaccinations, microchipping, boarding, grooming, breeding, artificial insemination, and birthing assistance.
- The business provides breeding services and also breeds select dogs, with the possibility of having two litters of puppies at any given time. These dogs are kept in the dwelling. The business proposal indicates that the dwelling could potentially accommodate seven dogs and two litters of puppies with each litter having a maximum of 15 puppies (total of seven dogs and 30 puppies). When questioned about the puppies, the applicant shared that "litters are sold, adopted or given to families" and they're on-site until they're approximately 10 weeks old.
- Based on the information provided, it appears that the request includes up to seven dogs within the dwelling (presumably a mix of personal / Residential Kennel and non-personal / Commercial Kennel dogs) and up to 22 dogs within the detached garage (Commercial Kennel) for a total of 29 dogs and 30 puppies. As previously mentioned, puppies less than four months of age are not factored into the total number for zoning purposes.
- The applicant reports that the detached garage is 20' x 26' (520 sf) in size and can house up to 22 dogs. The garage is secured with locked doors only accessible by the residents. The garage is heated with an electric heater during winter months and cooled with multiple oscillating fans during summer months. The garage also features an air purifier.
- Kennels are cleaned and sanitized daily. The business uses a product (Wysiwash) to sanitize, deodorize, and neutralize mold and algae spores.
- Dogs are fed twice daily and water is treated with a product (Corid) to prevent cross contamination.
- All dog waste is bagged and placed in the household garbage receptacles and, presumably, collected weekly. The applicant has provided a statement from a Waste Management employee stating that this is an acceptable practice.
- All dogs are allowed outside time throughout the day for play, exercise, and waste elimination. The applicant shared with staff that four dogs are allowed outside at one time. The dogs are allowed to use two "sizable" fields on the subject site which, the applicant reports, are tree-lined and fenced. Staff notes that the site plan does not show any areas where the existing fencing forms a complete enclosure. When the applicant was questioned about this, she responded that she is currently in the process of adding gates to close the gaps / form complete enclosures. No specific detail has been provided about the fencing material(s) or the size of the fenced enclosures.
- Personal dogs (Residential Kennel) are reported to use the "backyard fenced area" and the non-personal dogs (Commercial Kennel) are reported to use the "fenced field area".
- In regard to noise mitigation, the written narrative explains that existing trees will greatly reduce noise from neighboring properties. Staff notes that there is no specific detail about the existing trees (i.e., varieties, numbers, density, etc.) or a proposal to add additional trees / landscaping or other sound barriers to mitigate noise.
- The hours of operation are reported to be 9:00 am to 5:00 pm, seven days a week by appointment only. However, as a Commercial Kennel which offers boarding, staff assumes that the business will operate 24 hours a day, seven days a week in order to accommodate the boarded animals.

- DesignerDogs Mn will not have any employees and does not intend to have any employees living off-site. Staff interprets this to mean that only residents of the property will operate the business.

Based on the County's GIS Viewer, all structures on the subject site appear to be somewhat centrally located with Badger Boulevard running through the site. The dwelling is situated approximately 170' from centerline of Badger Boulevard and roughly 450' to 830' from all property boundaries. Although the detached garage is setback slightly farther than the dwelling, due to curvature of the road, the garage is situated approximately 165' from the centerline of Badger Boulevard and roughly 480' to 800' from all property boundaries. Staff estimates that the closest neighboring dwelling is situated approximately 870' from the detached garage proposed to be used for Commercial Kennel purposes. This dwelling, owned by Reiter, is located directly east of the subject site / northeast of the detached garage.

REVIEW PROCESS

As part of the review process, the Technical Review Committee met with applicant Sheryl Bearhart on October 11, 2023. Bearhart confirmed that she rents the property from Jordan Waggoner and that Waggoner is fully aware of all existing and proposed Kennel activities. When asked to provide more detail about the proposed Commercial Kennel activities, Bearhart explained that:

- Dogs will be housed in "extra large" crates in the detached garage (not the larger pole building).
- The primary dog breed is Exotic Bully. Staff notes for the Commission's reference that, based on information found on www.bubblypet.com, when fully grown, Exotic Bullies can be up to 13" in height and can weigh between 30 and 50 pounds.
- The crates will be sanitized daily.
- Dog waste will be bagged and placed in the household garbage receptacles and, presumably, collected weekly. However, Bearhart is investigating the option of composting dog waste.
- When asked about the proposed service of providing vaccinations, Bearhart stated that she will provide all vaccinations with the exception of rabies vaccinations.
- Based on her meeting with the Fish Lake Town Board, Bearhart shared that she was investigating the possible need for a State license in order to operate a Commercial Kennel.

The Fish Lake Town Board considered the proposed IUP at its October 9, 2023 meeting and recommended denial, noting a lack of information on housing, fencing and vaccinations.

The application was submitted on September 29, 2023 and deemed complete on October 4, 2023. The State mandated 60-day review period will expire on December 3, 2023.

WRITTEN TESTIMONY

Written testimonies were received from:

- Grant Goblisch of 47692 Anchor Avenue, Fish Lake Township on October 20, 2023
- Grant Goblisch of 47692 Anchor Avenue, Fish Lake Township on October 20, 2023
- Grant Goblisch of 47692 Anchor Avenue, Fish Lake Township on October 24, 2023
- Michelle Reiter of 574 Badger Boulevard, Fish Lake Township on October 25, 2023
- Linda & Michael Gallagher of 47399 Anchor Avenue, Fish Lake Township on October 25, 2023
- Justin & Ann Wood of 700 Badger Boulevard, Fish Lake Township on October 25, 2023

FINDINGS OF FACT

Zoning Ordinance Section 8.04-1 (Interim Use Permits) C. states that the Planning Commission shall consider possible effects of the proposed interim use based upon, but not limited to, the general factors

listed below. While staff is not necessarily encouraging the Planning Commission to make a recommendation of approval or denial at this time, staff has provided draft findings, shown in *italics* below, for the Commission's consideration in the event that the Commission chooses to make a recommendation. Alternatively, if the Commission chooses to table the request, these draft findings should provide the applicant with guidance on the types of additional information needed for further consideration.

Factor #1 The [proposed action is consistent with the] Comprehensive Plan and development policies of the County;

Finding #1 *The Chisago County Comprehensive Plan does not specifically address the proposed use; however, it does identify as an economic development goal that "The County should continue to allow agricultural activities and related agricultural businesses in the Agricultural zoning district." The Chisago County Zoning Ordinance provides a number of varied land uses allowable in the Agricultural (AG) District, including the establishment of animal-keeping facilities such as farms with livestock and poultry, and commercial and residential kennels. Therefore, the County finds that the proposed use is consistent with the County's development policies.*

Factor #2 The proposed use will not create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;

Finding #2 *Based on the information provided by the applicant, the County finds that the proposed Residential and Commercial Kennel will have no associated use of public parks, public schools, or other public facilities or utilities.*

Factor #3 The proposed use will be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;

Finding #3 *The proposed use – including use of the dwelling for Residential Kennel purposes and use of the detached garage for Commercial Kennel purposes – is located no closer than approximately 450' from any property boundary and approximately 170' from the centerline of Badger Boulevard. While there are existing trees haphazardly surrounding the structures and property boundaries, the applicant has not proposed the use of any additional vegetation or screening to address potential negative impacts to adjacent properties. Further, while the applicant has proposed fenced enclosures for outdoor activity, the applicant has not provided any specific details about these enclosures to demonstrate and ensure that dogs will remain on the subject site, and the applicant has not provided detail about the proposed distance between these enclosures from adjacent properties. Without specific detail provided about the existing vegetation (such as types of trees, size of trees, and general dimensions of the stands of trees), methods of screening, or details about the fenced enclosures (such as fence height, fencing materials, and location of fenced enclosures in relation to adjacent properties), the County finds that the applicant has not demonstrated that there is sufficient distance and screening to mitigate potential negative impacts of the proposed use, specifically related to aesthetics, the noise produced by up to 29 adult dogs and 30 puppies, and ensuring that all dogs remain on the subject site and do not trespass onto neighboring properties where they may cause physical harm to persons and property.*

Factor #4 The proposed use and site will have an appearance that will not have an adverse effect upon adjacent properties;

Finding #4 *The proposed Residential Kennel will utilize the existing dwelling for personal dogs and the proposed Commercial Kennel will utilize an existing 20' x 26' detached garage for non-personal dogs. As existing structures in the Agricultural (AG) District, the County finds that there is no evidence to suggest that these structures will have an appearance that would have an adverse effect on adjacent properties. However, the County further finds that the applicant has not provided sufficient detail about the proposed outdoor area / fenced enclosures (such as fence height, fencing materials, and location of fenced enclosures in relation to adjacent properties) to determine what the appearance and potential effects will be to adjacent properties.*

Factor #5 The proposed use, in the opinion of the County, is reasonably related to the overall land use goals of the County and to the existing land use;

Finding #5 *The Chisago County Zoning Ordinance specifically allows Residential and Commercial Kennels as Interim Uses in the Agricultural (AG) District; therefore, the County finds that the proposed uses are in compliance with land use goals and regulations established by the County's official land use controls.*

Factor #6 The proposed use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use;

Finding #6 *See Finding #5.*

Factor #7 The proposed use will not cause traffic hazard or congestion; and

Finding #7 *The proposed Residential and Commercial Kennel is located on a property which has direct access onto Badger Boulevard which is a township road. This segment of Badger Boulevard has a gravel surface, has an improved surface which appears to be 25 feet wide, and runs through the property in a rather curvy manner. The applicant has not provided any specific detail about the anticipated number of customers traveling to and from the subject site on a daily basis; however, based on the proposed number of non-personal dogs (Commercial Kennel) being 22 and other services being offered (such as vaccinations, microchipping, grooming, breeding, and artificial insemination), the County believes that it's very likely that the increased traffic levels could create a significant negative impact on this township road. Ultimately, the County finds that there is insufficient evidence to ensure that the proposed use will not cause traffic hazards or congestion.*

Factor #8 The proposed use will not adversely impact existing nearby properties by intrusion of noise, glare or general unsightliness.

Finding #8 *While there is no indication that the proposed use will adversely impact nearby properties in terms of glare, the County finds that the applicant has not provided sufficient detail to determine potential impacts related to noise and general unsightliness. Aside from suggesting that existing trees will greatly reduce noise from neighboring properties, the applicant has not provided any specific detail about the existing trees or any indication of other methods used to mitigate the noise resulting from up to 29 adult dogs and up to 30 puppies. Further, the applicant has not provided detail about the proposed fenced enclosures to help the County understand the potential visual impacts to nearby properties. Ultimately, the County finds that there is insufficient evidence to ensure that the proposed use will not cause adverse impacts to nearby properties in terms of noise and general unsightliness.*

STAFF CONCERNS, COMMENTS AND RECOMMENDATION

- The application was submitted by applicant Sheryl Bearhart and property owner Jordan Waggoner, and the written narrative provides a business name of DesignerDogs Mn. Based on concerns expressed by the Fish Lake Town Board and neighboring property owners, staff reviewed the State of Minnesota business filing and confirmed that the only registered agent for the business is Richard Carter with a registered office address in St. Paul, MN. Bearhart has verbally confirmed that Carter resides at the Fish Lake Township subject site; however, staff suggests that Bearhart either provide documentation verifying that she's an authorized agent of the business or the application be amended to include Carter. Staff notes that Bearhart did inquire about adding Carter to the application and is, therefore, willing to address this concern.
- The Fish Lake Town Board suggested that a Kennel license would be required from the State of Minnesota. Staff is not entirely certain if a State license is required or not; however, Bearhart has suggested that she needs additional time to investigate this potential requirement.
- The application materials do not make reference to a commercial dog park; however, as part of the County's code enforcement efforts, staff found that the subject site was being advertised on www.sniffspot.com as "Richard's 35 Acre Partially Fenced Private Dog Park in Stanchfield". The listing shows that the dog park charges a fee of $10 per dog per hour with a maximum of 20 dogs per booking. Staff notes that this type of activity requires zoning approval (either as part of the current Kennel request or as a separate CUP for Commercial Recreation Area) and, is therefore, considered an illegal land use. As of the completion of this staff report, this dog park was still being advertised.
- The Planning Commission last considered a request for IUP for Commercial Kennel in July 2023 (Becky Meyer & Bill Lloyd on property located at 12690 St. Croix Trail / TH 95 in Sunrise Township). Using this well-prepared application as an example, staff notes that the current application is lacking significant detail about such things as estimated distances from neighboring properties, screening, a noise evaluation / study, noise mitigation efforts, Commercial Kennel layout / design and size of kennels / crates, fencing materials / specifications, frequency and duration of outdoor time, anticipated amount of customer traffic, and customer parking areas. This is not necessarily an all-inclusive list of concerns but is intended to provide examples of what the Commission has viewed as being important considerations in the recent past.

Given the complexity of this request and the lack of detail in the application materials, which is necessary to conduct a thorough review, and based on the applicant's written request for the Planning Commission to table the request to its December 7, 2023 meeting, **staff recommends that the Planning Commission open the advertised public hearing and either continue the public hearing to the December 7, 2023 meeting (to allow for additional public testimony and submission of supplemental application materials) or close the public hearing and table the request for further consideration at the December 7, 2023 meeting (to allow for submission of supplemental application materials)**. Based on this recommendation, staff has not provided / is not prepared to provide recommended conditions of approval or a resolution for the Planning Commission's consideration.

OPTIONS

1. Recommend that the County Board **approve** the Interim Use Permit with Findings of Fact and conditions established by the Planning Commission.
2. Should the Planning Commission determine that the proposed Interim Use Permit does not comply with and/or is not consistent with the intent of County's Zoning Ordinance upon completion of the public hearing and/or upon discovery of any new or unknown evidence, recommend that the

County Board **deny** the Interim Use Permit based on factors deemed appropriate. (*Note: If the Commission considers this option, specific factor(s) for denial should be included in the motion. The draft Findings of Fact, as written, support a recommendation of denial; however, the Commission should amend these findings as deemed appropriate.)*

3. **Table** the request to allow for submission of additional supporting documentation and/or further review and consideration. Being that the review period expires on December 3, 2023 and the next regularly scheduled Planning Commission meeting is on December 7, 2023, the Commission should also include in its motion a **60-day extension** of the review period.

ACTION REQUESTED

Motion to either continue the public hearing to December 7, 2023 or, upon close of the public hearing, table the request until December 7, 2023 (as requested by the applicant).

If the Planning Commission chooses to continue the public hearing or table the request in order to allow the applicant additional time, the Commission may wish to advise the applicant on the specific information / detail it would like to have submitted for further consideration.

ATTACHMENTS

1. Application materials:
    a. Application
    b. Written narrative
    c. Site plan
    d. Correspondence from Waste Management
2. Written request from applicant to table to December 7, 2023 meeting
3. Written testimony from Grant Goblisch (3)
4. Written testimony from Michelle Reiter
5. Written testimony from Linda & Michael Gallagher
6. Written testimony from Justin & Ann Wood
7. Aerial photo (1) – subject site
8. Aerial photo (2) – vicinity map

CC: Sheryl Bearhart, applicant
Jordan Waggoner, property owner
County file

Chisago County Department of Environmental Services
Planning & Zoning Application

Permit # 23-1898

Township Fish Lake S/T/R 04/036/022 PID# 03.00041.00

Project Address 450 Badger Blvd Stenchfield MN 55080

Property Owner(s) Jordan Waggoner

Mailing Address (If Different from Project Address) 4660 560th St Pine City

Phone# [redacted] Email [redacted]

Applicant(s) Sheryl Beerhart

Mailing Address (If Different from Project Address) _____

Phone# [redacted] Email [redacted]

Type of Request (Check All That Apply)

Board of Adjustment & Appeals	Planning Commission	
☐ Variance	☐ Conditional Use Permit (CUP)	☐ Preliminary Plat
☐ Administrative Appeal	☒ Interim Use Permit (IUP)	☐ Rezoning
	☐ Amendment to CUP or IUP	☐ Ordinance Amendment

Description of Request (Attach Separate Sheet if Necessary) Dog kennel - Description attached

Required Attachments (Additional Attachments May Be Required Based On The Specific Request)

☑ Full Legal Description ☑ Detailed Site Plan ☑ Detailed Written Narrative ☐ Plat Drawings

SHB — 9.29.23

Applicant Signature **Date of Application**

I hereby certify that the above information is true and correct to the best of my knowledge, and that any knowingly false representations may invalidate any approvals. With my signature, I also grant permission to Chisago County Officials to enter upon the subject property for the purpose of such inspections as may be necessary.

Fees:

IUP Fee 525.00
AFTER THE FACT FEE 525.00
Recording Fee $46.00
TOTAL FEE $1,096

Dates:
Application Received: 9-29-23
Complete: 10-4-23
(60) 120 Day Review Period: 12-3-23
Extended Review Period:

Chisago County Department of Environmental Services
Planning & Zoning Application

Township Presentation Form

Township Fish Lake S/T/R 04/036/022 PID# 03.00041.00

Project Address 450 Badger Blvd Stanchfield MN 55080

Property Owner(s) Jordan Waggner

Mailing Address (If Different from Project Address) 4660 560th St. Pine City

Phone# [redacted] Email [redacted]

Applicant(s) Sheryl Bearhart

Mailing Address (If Different from Project Address) _____

Phone# [redacted] Email [redacted]

Type of Request (Check All That Apply)

Board of Adjustment & Appeals
- ☐ Variance
- ☐ Administrative Appeal

Planning Commission
- ☐ Conditional Use Permit (CUP)
- ☒ Interim Use Permit (IUP)
- ☐ Amendment to CUP or IUP
- ☐ Preliminary Plat
- ☐ Rezoning
- ☐ Ordinance Amendment

Description of Request (Attach Separate Sheet if Necessary) Dog Kennel - Description attached

Sheryl Bearhart
Applicant Signature

9.29.23
Date of Application

I hereby certify that the above information is true and correct to the best of my knowledge, and that any knowingly false representations may invalidate any approvals. With my signature, I also grant permission to Chisago County Officials to enter upon the subject property for the purpose of such inspections as may be necessary.

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Date of County Public Hearing NOV 2, 2023 **Date of Township Presentation** OCT 9, 2023

Township Action Taken (Township Use Only)
- ☐ Recommendation of Approval
- ☒ Recommendation of Denial

Recommended Conditions of Approval OR Legal Findings for Recommendation of Denial

Lack of Information Housing / Fencing / Vaccination

Signatures of Township Officials or Authorized Personnel

Bruce Tingwall James Thill Dan Fenning

Chisago County Department of Environmental Services
Planning & Zoning Application

Authorization to Pursue Application

Submittal of this form is only necessary if the applicant is NOT the property owner

I, the undersigned, being the property owner of record as noted on the accompanying Planning & Zoning Application Form do hereby authorize Sheryl Beerhurt, the applicant for this planning proposal, to pursue this zoning application on / for my property, as legally described on the attached application.

Jordan Waggoner

Print Property Owner Name(s)

Signature(s) of Property Owner(s)

9/29/23

Date

DesignerDogs Mn is a kennel business that started from the rescuing of dogs. It has grown and now houses five personal dogs and one puppy, ten dogs that are being housed for rehome and three puppies waiting for their forever home. We provide an array of services that include but not limited to vaccinations, microchipping, boarding, grooming, breeding, and artificial insemination. Birthing assistance for those who are unsure of the process is also provided. DesignerDogs Mn only provides services for dogs and no other type of animals stay or will stay on the premises.

We are located at 450 Badger Blvd Stanchfield, MN 55080. This property is on 40 acres of land and hours of operation are 9am to 5pm seven days a week by appointment only. We will not have any employees or intend to have any employees living off site in order to obtain these working hours. I have attached a view of the property lines along with the locations of where the residential house is and the outside housing area for some of the dogs is located. At this moment five dogs and one puppy reside in the home and the rest are housed in kennels inside the insulated garage. We are equipped to house 22 dogs in the outside housing area. The outside housing area is secured with a locked door and a garage door that only we can access. In the winter it is heated with an electric heater and cool in the summertime with multiple oscillating fans. An air purifier is also in place. All dogs get outside time to run around, sniff around, play and use the bathroom multiple times a day. This is one of the biggest reasons we love the area. The space is amazing! There are two sizable fields that the previous owner had horses on and are tree lined and fenced. This area is perfect for the dogs to run around and play. The trees also greatly reduce noise from neighbors. However, I would like to add that all adult dogs don't bark randomly. They bark when something unfamiliar is around. We also do not have all dogs out at the same time. This allows us to keep eyes on all dogs at all times. While the dogs are outside they do not leave property lines. Along with the fenced in field there is a fenced backyard attached to the house as well. Dogs that reside in the outside housing area use the fenced field area and the house dogs use the backyard fenced area.

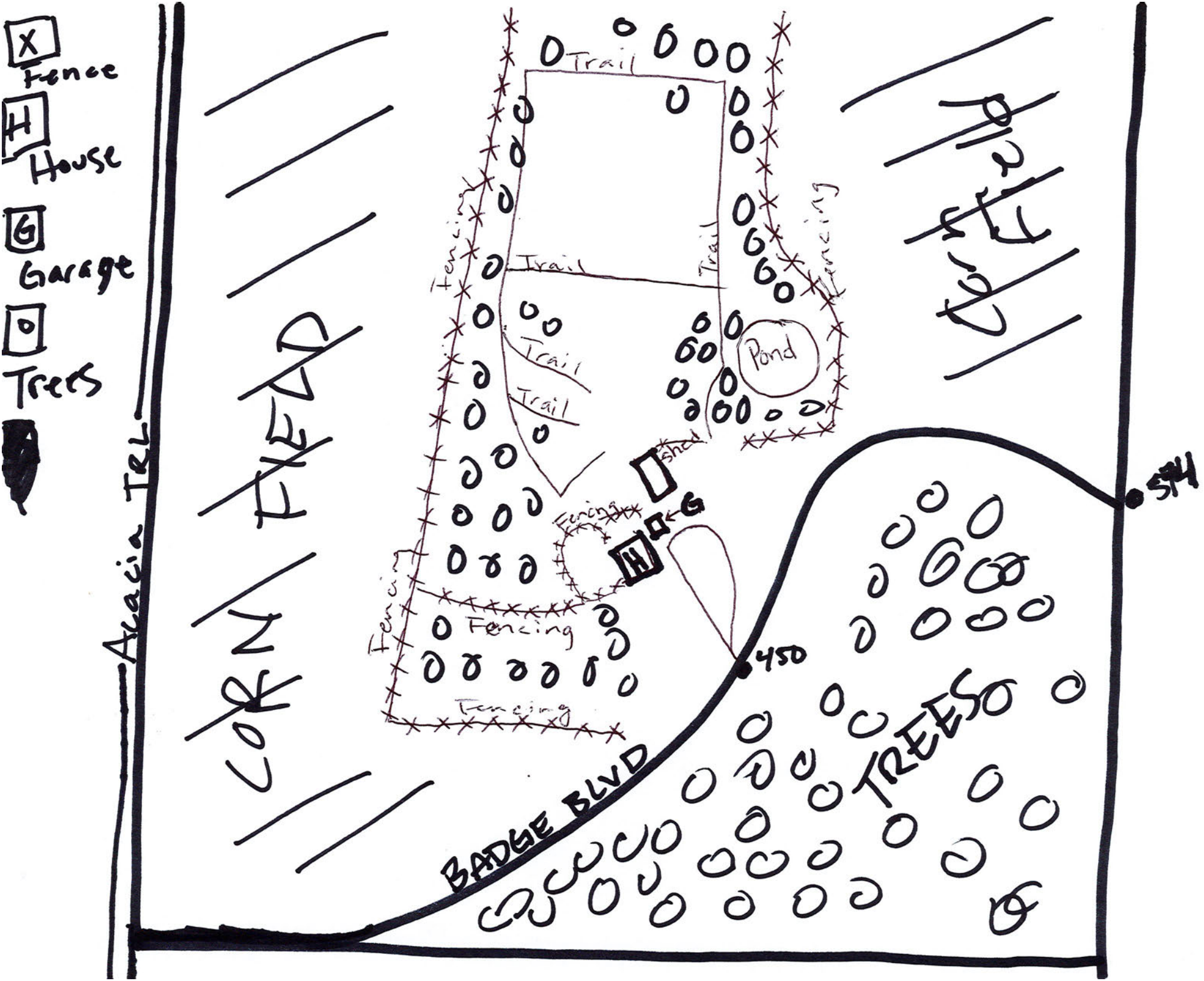
DesignerDogs Mn provides breeding services and also breeds select dogs. It is possible we could have 2 litters of pups at one time. The housing area is located inside the main house for these litters and we will adjust the living arrangements. All in all its

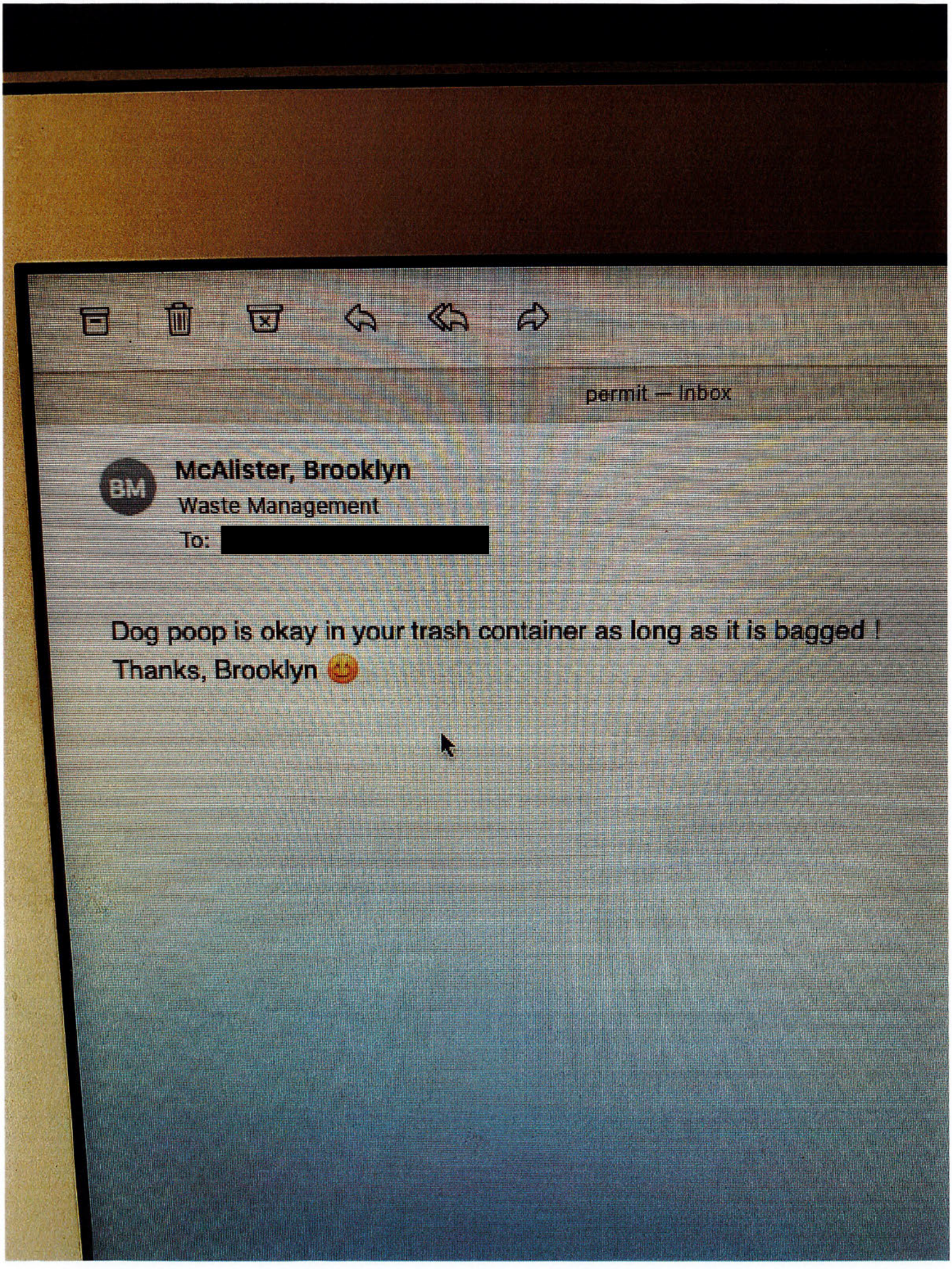
possible for the house to contain 7 dogs and 2 litters of pups with each litter having a max amount of 15 puppies. The outside area can hold up to 22 dogs.

Everyday all kennels are cleaned and sanitized. If a dog has an accident then it is cleaned and sanitized immediately. Any dog waste is cleaned from the yard bagged and thrown into the garbage can. We have contacted Waste Management and they consented this is the best way to get rid of it. I have attached a copy of the email confirming. We use a spray called Wysiwash which sanitizes, deodorizes and neutralizes mold/algae spores. It is safe for animals and environmentally friendly.

All dogs are fed twice daily and fresh water provided is treated with Corid to prevent any cross contamination.

DesignerDogs MN happened organically when people saw our love for dogs. Finding this house was a blessing and we are forever grateful to our landlord for seeing our hearts and how we have helped dog owners provide an amazing space for their loved one to be until they are ready to provide the same for them.


X Fence
H House
G Garage
Trees
Acacia TRL
CORN FIELD
Trail
Trail
Trail
Trail
Fencing
Fencing
Pond
Shed
Fencing
Fencing
Fencing
Fencing
450
514
BADGE BLVD
TREES


permit — Inbox
BM
McAlister, Brooklyn
Waste Management
To: [redacted]
Dog poop is okay in your trash container as long as it is bagged !
Thanks, Brooklyn

Beth M. Gervais

From: sheryl bearhart [redacted]
Sent: Friday, October 13, 2023 9:18 AM
To: Beth M. Gervais
Subject: Regarding the IUP

This is an external email message!
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Morning.
This is in regards to the IUP for 450 Badger Blvd. Standchfield, MN 55080. I am asking the board to table my request until the December 7 planning commitee. There are a couple of things that I need to get in order that I wasn't aware of.

Thank you

Sheryl

Beth M. Gervais

From: grant goblisch [redacted]
Sent: Friday, October 20, 2023 12:28 PM
To: Beth M. Gervais
Subject: Proposed kennel operation in fish lake township

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Just voicing my concerns about this issue. I live in close proximity of this place and I think before any decision is made on this matter the county and or state should inspect the proposed grounds and kennels! I've had experience in commercial kennels and I see nothing on this property that even looks like a kennel operation! Is there proper confinement on the grounds? Heated acoustic indoor kennels to keep noise down? Floor drainage in kennel building for proper cleaning and sanitation? Proper vet care is a must! Kennel operations are a breeding grounds for a number of diseases and illnesses in canines and from what I've researched on the individual who wants to do this there is nothing that I can see that he's an experienced kennel owner and operator! And who is actually applying for the license?? That's another gray area!! Background checks should be mandatory before something like this happens! I see a big mess in the making. Thank you for your time. Grant goblisch [redacted]

Beth M. Gervais

From: grant goblisch [redacted]
Sent: Friday, October 20, 2023 6:50 PM
To: Beth M. Gervais
Subject: Kennel operation in fish lake township

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Richard Yellowboy Carter he's living at this property I don't see his name on application! He has a Facebook page that someone should look at before a decision is made

Beth M. Gervais

From: grant goblisch [redacted]
Sent: Tuesday, October 24, 2023 4:29 PM
To: Beth M. Gervais
Subject: Dog kennel in fish lake township

This is an external email message!
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It has come to my attention that the occupants of this property are advertising the property as a sniffspot a pay to access the property with your dog/dogs I'm concerned because the property is not fenced in ! I think this is potentially dangerous for us homeowners in the immediate vicinity who knows what kind of dogs will be in there? Do you need proof of vaccination to get into the property? I don't need to be looking over my shoulder when I'm outside on my property with my dog and family!!! I've already heard barking and shouting from the property and it's not even been approved yet!! Who's liable if something happens now or in the future? The person advertising the sniffspot isn't one of the people on application!! I really think this is going to be a disaster if they are allowed to kennel dozens of dogs! The danger factor for nearby homeowners should be taken into account not to mention the health and safety of the animals being kenneled! Thank you

Michelle Reiter
574 Badger Blvd
Stanchfield MN 55080

Re: IUP Commercial/Residential dog kennel at 450 Badger Blvd

Dear Planning Commision Members,

I am writing today to express my strong opposition to the approval of the request for an Interim Use Permit allowing the operation of a residential and commercial kennel at 450 Badger Blvd in Fish Lake Township.

I reside at 574 Badger Blvd, the property immediately east of and next to the applicant's property. I have several concerns regarding the request of the IUP.

The first concern that I have is safety. Is there adequate containment for all of the dogs? Some of the fences that are referred to in the application are "horse fences". Horse fences are designed to be a psychological barrier for horses and are not designed to be used as physical containment for dogs. Having multiple dogs, possibly as many as 22, running and exercising in an area that is not contained would create a significant risk and threat to safety should one or more dogs escape the wire horse fence and enter my property. I am a grandparent of small children and a dog and cat owner. I fear what could happen to my grandchildren, myself, or my pets should one or more of these dogs breach their containment and make it to my property. Are they aggressive or will they become aggressive upon encountering myself, my family members or my pets? If one or more dogs make it to my property and defecate, will my pets be put at increased health risks if they contact the foreign animal waste? Does the dog's waste contain parasites or other diseases? Whether the dogs are a result of the breeding operation, boarding operation or dogs waiting to be rehomed, this presents potential increased risk to my pets health, increased safety concerns, and potential increased costs to myself as their owner. According to the information provided in the application packet, it is not clear who the responsible party is for this business. Where would I start to recover losses incurred should any of these unfortunate events occur? The property owner/landlord, the renters, the people running the kennel, the owner of the business mentioned at the township meeting as someone living in St Paul, West Side Kennels 651, or Designer Dogs Mn listed as an LLC.? I have personally seen unfamiliar dogs wandering the area near the applicant's address. These safety concerns are very troubling to me.

Noise is now and has been an issue with that property over the past several months. I hear multiple dogs barking at many different times throughout the day and night. One method of controlling the dogs seems to be aggressively and loudly yelling at the dogs, including the use of profanity several times per day. As a dog lover myself I understand that dogs bark but there is a very clear difference between 1 or 2 dogs barking occasionally and the multiple dogs and puppies that can be heard from inside and outside of my home several times per day. Oftentimes when I take my dog outside, our exercise/play time is cut short due to the barking

and disturbance coming from there. The noise is confusing to my pets and causes me concern for our safety. It detracts from our peaceful enjoyment of the property.

How much increased traffic is expected with this business? Badger Blvd is an unpaved township road with curves and blind driveway areas. The road becomes washboard-like fairly quickly. It can be dusty. Increased traffic will add to these issues. If there are increased maintenance expenses to the township due to increased wear and tear caused by this business, who absorbs the extra cost?

I believe this kennel has already been in operation for at least 10 months. The fact that this request is coming after the fact, after a notice to the property owner, is concerning to me. If the late request is due to ignorance of local requirements, are the kennel operators educated and informed of all areas of kennel ownership, safety, animal health requirements, dog breeding, boarding, grooming etc.? Are they aware of and following the rules concerning vaccinations including rabies? If the after the fact request was due to an attempt to circumvent local or state ordinances that is equally concerning to me. How likely is it that parties who choose to be noncompliant with local laws/ordinances would be in compliance with health and safety rules and regulations surrounding this type of business?

I urge you to complete a site visit on the proposed site of this request before any measurable snow could prevent a full inspection of all areas of this request.

Thank you for taking these concerns into consideration regarding the request for this commercial/residential kennel.

Sincerely,
Michelle Reiter

Beth M. Gervais

From: Linda Gallagher [redacted]
Sent: Wednesday, October 25, 2023 3:28 PM
To: Beth M. Gervais
Subject: Planning Commission Input

This is an external email message!
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To: Chisago County Planning Commission October 25th, 2023
Re: Interim Use Permit at 450 Badger Blvd.

Dear Commissioners,

We would like to voice our dismay at the proposed Interim Use Permit for 450 Badger Blvd, Stanchfield, MN We live at 47399 Anchor Ave, 0.6 miles from the property. We've owned our property for 32 years and built our new house on the property 8 years ago, we are very invested in our Fish Lake community.

We are also very supportive of our local small businesses but find what Ms. Bearhart is proposing very troubling to our neighborhood and area.

Per Ms. Bearhart's application, "It's possible for the house to contain 7 dogs and 2 litters of pups with each litter having a max amount of 15 puppies. The outside area can hold up to 22 dogs".
If my math is correct that is up to 59 dogs. Common sense dictates that this is excessive, dangerous and not tenable. Applicant currently has 6 dogs in the 1,200 sq ft two bedroom house, that is very near to the road, not in the middle of the 40 acres,
nor is the property fenced adequately to keep dogs contained.

One of our many concerns is who of the parties involved are responsible if/when a dog is loose or a dog or dogs harm someone, damage
property, livestock, pets, or God forbids takes a life.

Is the responsible party the renter Ms. Bearhart who is the applicant but couldn't answer rudimentary questions about a kennel/breeding business she is suppose to be running day to day?

Would Jordan Waggoner the absentee property owner who lives in Pine County be the responsible party?

Or would the responsible party be the Richard Handsome Carter who has multiple aliases and felony convictions, and appears to be the owner of Designer Dogs MN and lives in St. Paul.

And who is responsible party for providing insurance coverage? Is it the homeowner? The renter? Or the business owner?
How much does the policy cover? Is this business a registered kennel or breeder with the state of MN? We were unable to
find proof that it is.

This IUP is clouded with a lack of transparency and facts. I would encourage the planning commission to do a site visit if you have any doubt that this is a legitimate boarding facility or groomer.

It appears to many of us that live near by that this is a Pitt Bulls/Bull Dogs puppy mill at the expense, detriment, safety, and peace of our neighborhood.

We hope that once you consider all the issues and facts regarding this property and business that you will deny this IUP.

We appreciate the time and efforts of the Planning Commission to help keep Chisago County a great place to live.

Warmly,

Linda and Michael Gallagher

47399 Anchor Ave
Stanchfield, MN 55080

Linda Gallagher
Stanchfield, Minnesota
[redacted]

Justin & Ann Wood
700 Badger Blvd
Stanchfield, MN 55080

October 25th, 2023

Reference: Interim Use Permit for proposed kennel – 450 Badger Blvd – Fish Lake Township

Chisago County Planning Commission, .

This letter is to contest the consideration for approval of an Interim Use Permit (IUP) for a proposed residential and commercial kennel for 450 Badger Boulevard in Fish Lake Township. The planning and zoning application, which was submitted to the Chisago County Department of Environmental Services on September 29, 2023, by applicant Sheryl Bearhart and property owner Jordan Waggoner, has left me with serious concerns if approved. Mr. Waggoner does not reside at the residence and is not part the operations regarding the kennel.

Noise:

The first concern I have as a nearby neighbor would be noise produced by the kennel. In Ms. Bearhart's narrative, she explains that up to 59 dogs (29 adult and 30 young dogs) could be housed on the property at one time. The submitted plans include keeping 22 adult dogs in a detached 24x24 garage and the remaining inside the 1200 square foot home. As many have experienced even one or two dogs barking throughout the day/night can be bothersome and disruptive, but with this volume of dogs in such a confined space, barking will unbearable. Contagious barking is also common with dogs in proximity and would be expected from the property. Ms. Bearhart explains in her letter that she expects the dogs to bark. Ms. Bearhart further explains that any barking will be damped by the property's trees. Unfortunately, the 40-acre property Ms. Bearhart describes has almost no trees to the East or West and the area is active farm fields, including the area surrounding her rental property which are harvested yearly (picture included below). The agricultural land, which encompasses most of the surrounding area, will provide no sound deafening to the kennels. At present, it is not uncommon to hear numerous dogs barking at the property throughout different times of the day.

Public Safety:

A second major concern I have is for public safety. If approved, this will be one of the largest kennels in Chisago County and the property owner nor the property itself have shown sufficient ability to house dog kennels. Ms. Bearhart's proposal describes breeding at the property which includes having numerous uncut male dogs. I have personally witnessed male uncut Pitbull's and Bulldogs loose on the property and with additional female/male dogs being introduced (22 total in the garage if approved), could lead to a dangerous situation if not properly prepared. Ms. Bearhart explains the dogs are allowed outside in run in a "sizable fields that the previous owner had horses on and are tree lined and fenced." The fencing she describes is a single strand fence intended for horses and will offer no containment for loose running dog. As recently as this month (October), I have had 2 male dogs in my front yard, which I did not recognize, which came from the direction of Ms. Bearharts property. My wife, a dog enthusiast, arrived home while they were in my front yard and tried to play with them. They acted aggressive towards her and eventually ran back towards Ms. Bearharts residence. This incident was captured on my home surveillance cameras systems and can be provided to the Commission or County Board upon request. My family, and many others, routinely walk/run on Badger Blvd for exercise and recreation.

When walking by the driveway of Ms. Bearharts residence, we have been approached by aggressive barking dog(s) in the past. No homeowner was outside during these incident(s). A violation letter has already been sent to the property owner by Chisago County Code Enforcement Officer Steve Putman for operating a commercial dog park without a permit.

Traffic:

Badger Blvd is a gravel road with minimal Fish Lake Township maintenance. It is commonly only traveled by local, surrounding residence and can quickly become rough and washboard during dry times. It is a curvy road with limited driveway views. If approved, Ms. Bearhart's proposal will dramatically increase local traffic on the roadway. She is offering "vaccinations, microchipping, boarding, grooming, breeding and artificial insemination" at the property with the protentional of up to 59 dogs. This area of Fish Lake Township is rural agricultural, and the roadway would not be sufficient to support a commercial business described by Ms. Bearhart. Poor road conditions, increased maintenance requirements, road dust, increased traffic conditions would be expected if this IUP is approved.

Animal care and humanity:

The final concern I want to address is regards to animal humanity. I recognize that the Planning Commission discusses land-use issues and animal humanity may be outside that scope. The property picture provided below is the residence at 450 Badger Blvd. The detached 24x24 (576 square feet) garage is the "outside housing area" described by Ms. Bearhart and would house up to 22 adult dogs. The residence pictured is the only residence on the property and would house the remaining 37 dogs (including litters). I feel that property is unfit for the requested IUP. I recognize that animal humanitarian organizations are responsible for the wellbeing of the dogs but approving this IUP only encourages further mistreatment of the animals in what appears to be a designer dog breading operation.

On October 9, 2023, the Fish Lake Township Board discussed this IUP during their monthly meeting. After reviewing the request, the Board recommended the County deny the permit. Based on the information presented in the Planning a Zoning Application and the concerns expressed in this letter, I also request denial of the IUP request. If any adoption or partial approval is considered I strongly request a follow-up Board site visit prior to any final decisions.

Thank you,



Property at 450 Badger Blvd, Stanchfield
https://www.zillow.com/homedetails/450-Badger-Blvd-Stanchfield-MN-55080/88926746_zpid/?mmlb=g,0

03.00059.18
03.00059.10
03.00059.03
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7240
03.00059.09
7450
03.00440.01
03.00440.10
03.00440.02
700
03.00440.03

Sheryl Bearhart and Jordan Waggoner – Applicant Sheryl Bearhart and property owner Jordan Waggoner and are requesting an Interim Use Permit (IUP) allowing a Residential and Commercial Kennel on 40.00± acres in the Agricultural (AG) District. Proposed Kennel activities include but may not be limited to the keeping, boarding, breeding, and grooming of dogs. The subject site is located at 450 Badger Boulevard in Fish Lake Township, S4, T36, R22 (PID 03.00041.00).

Bearhart / Waggoner property -



Sheryl Bearhart and Jordan Waggoner – Applicant Sheryl Bearhart and property owner Jordan Waggoner and are requesting an Interim Use Permit (IUP) allowing a Residential and Commercial Kennel on 40.00± acres in the Agricultural (AG) District. Proposed Kennel activities include but may not be limited to the keeping, boarding, breeding, and grooming of dogs. The subject site is located at 450 Badger Boulevard in Fish Lake Township, S4, T36, R22 (PID 03.00041.00).

Bearhart / Waggoner property -

