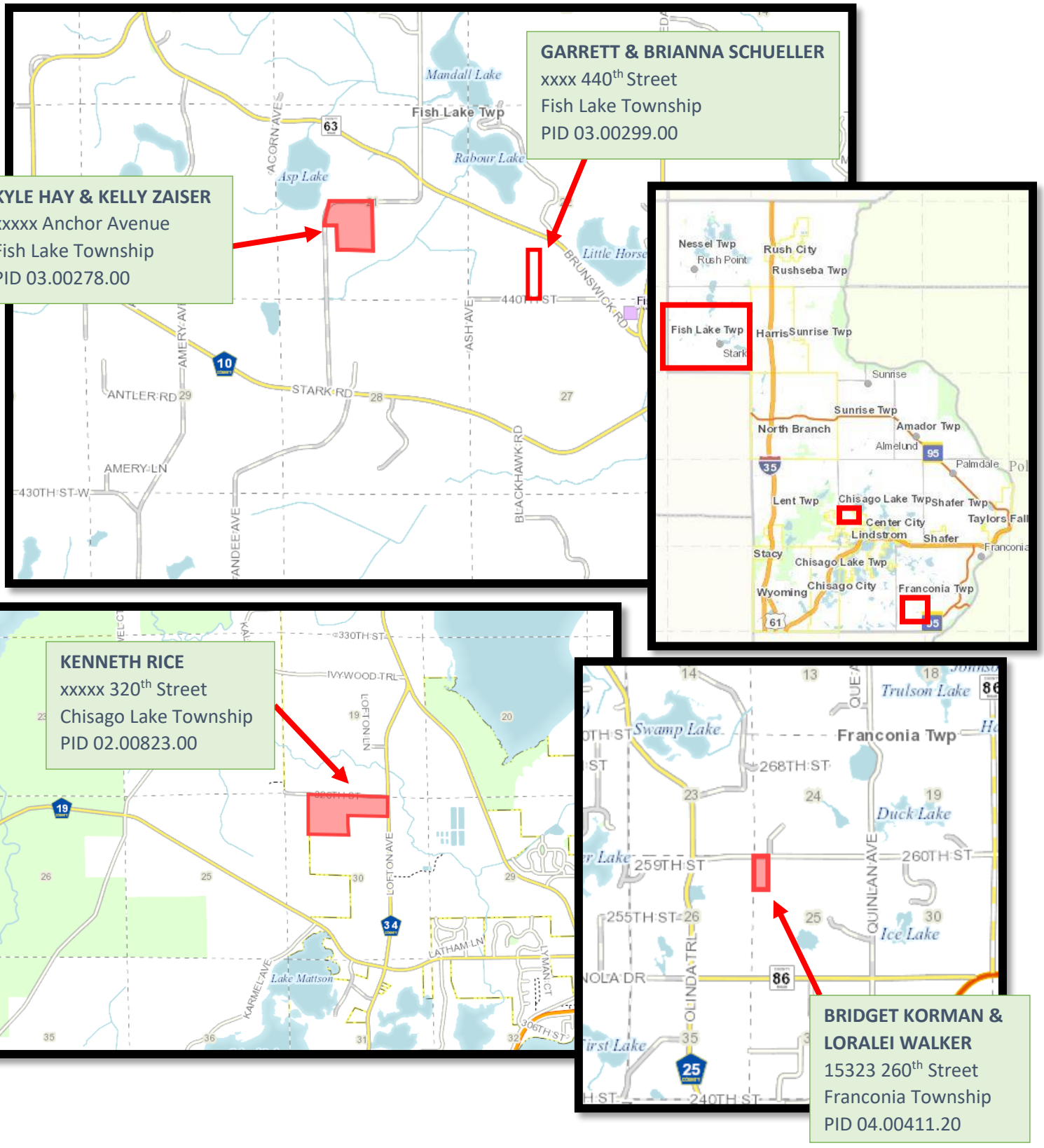
Chisago County, MN
PLANNING COMMISSION
Meeting Agenda
May 2, 2024 | 7:00 pm

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

Tour Details: Wednesday, May 1, 2024 at 9:00 am
Departing from Chisago County Highway Department, 31325 Oasis Road, Center City, MN

1. **Call to Order and Pledge of Allegiance**
2. **Roll Call and Determination of a Quorum**
3. **Approval of Agenda**
4. **Approval of Minutes**
   a. April 4, 2024 Regular Meeting
5. **Receive all Materials and Submittals into Record**
   Previously Distributed:
   a. Complete meeting packet including staff report(s) with attachments for agenda item(s) 6a, 6b, 6c, and 6d
6. **Public Hearings – New Applications**
   a. **Garrett & Brianna Schueller** – Property owners Garrett & Brianna Schueller are requesting approval of an Interim Use Permit allowing for an accessory structure without the presence of a principal use structure on a 10± acre property in the Agricultural (AG) District. The subject site is generally located 1/3 of a mile west of Brunswick Road / CR 63 on the north side of 440th Street in Fish Lake Township, S22, T36, R22 (PID 03.00299.00).
   b. **Kenneth Rice** – Property owner Kenneth Rice is requesting reapproval of the Preliminary Plat of Paradise Woods involving the creation of three lots from a 58.21-acre tract of land. The subject site is zoned Agricultural (AG) District and located immediately southwest of the intersection of Lofton Avenue / CSAH 34 and 320th Street in Chisago Lake Township, S30, T34, R20 (PID #02.00823.00).
   c. **Kyle Hay & Kelly Zaiser** – Property owners Kyle Hay & Kelly Zaiser are requesting approval of an Interim Use Permit allowing for an accessory structure without the presence of a principal use structure on a 34± acre property in the Agricultural (AG) District. The subject site is generally located between Stark Road / CSAH 10 and Brunswick Road / CR 63 on Anchor Avenue in Fish Lake Township, S 21, T36, R22 (PID 03.00278.00).
   d. **Bridget Korman & Loralei Walker** – Property owners Bridget Korman & Loralei Walker are requesting approval of a Conditional Use Permit for Rural Retail Tourism in the Agricultural (AG) District. The proposed Rural Retail Tourism activity is a wedding / gathering venue. The 20± acre subject site is located at 15323 260th Street in Franconia Township, S25, T33, R20 (PID 04.00411.20).
7. **Public Hearings – Continued Hearings**
   None
8. **Old Business**
9. **New Business**
10. **Communications and Reports**
    a. County Board Liaison Reports – Commissioners Greene and Dahlberg
11. **Miscellaneous**
12. **Adjourn Meeting**
    - The next special work session is scheduled for Thursday, May 16, 2024 at 6:00 pm.
    - The next regular meeting is scheduled for Thursday, June 6, 2024 at 7:00 pm.

Planning Commission
Tour Date and Time:
Wednesday, May 1, 2024 at 9:00 am
Departing from Chisago County Highway Department
31325 Oasis Road, Center City, MN 55012



CHISAGO COUNTY
PLANNING COMMISSION
OFFICIAL PROCEEDINGS
April 4, 2024

The Chisago County Planning Commission met in regular session at 7:00 p.m. on Thursday, April 4, 2024, at the Chisago County Government Center.

Staff Present: Diane Sander, Office Manager.

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

Approval of Agenda – ***Motion*** by Chris DuBose to approve the agenda as presented; second by John Sutcliffe. The **motion passed** 7-0.

Approval of Minutes – ***Motion*** by Dave Whitney to approve the March 7, 2024 regular meeting minutes as presented; second by Jim McCarthy. The **motion passed** 6-0 (Leivian abstained).

Receive all Materials and Submittals into Record – ***Motion*** by John Sutcliffe to accept all materials and submittals into the record; second by Dave Whitney. The **motion passed** 7-0. Materials distributed to the Planning Commission in advance of the meeting for their review included the full meeting packet with staff report and amended attachments. Copies of all meeting materials were made available for the public.

Public Hearings – New Applications
Christopher & Sarah Morrisette – Manager Sander provided background on the request for approval of the Preliminary Plat of Morrisette Woodlands involving the creation of two lots from a 16.4± acre tract of land. Lot 1 was proposed at 6.11± acres and Lot 2 was proposed at 8.00± acres. The subject site was located at 45828 Brunswick Road in Fish Lake Township, S17, T36, R22 (PID 03.00212.00).

Sander reviewed details of the subject site and surrounding area, explaining that the subject site was located in the Agricultural (AG) District as were all surrounding properties. Sander noted that the subject site was developed with a dwelling and detached accessory structure, which were shown to be situated on proposed Lot 2, and they all currently met and would continue to meet all required structural setbacks. Sander stated the Preliminary Plat drawing and soils report did not provide information for an alternate septic site for the already developed proposed Lot 2. Typically, even if one proposed lot was already developed, plat drawings and soils reports would typically provide information for an alternate septic site to ensure that the proposed subdivision was not eliminating the only possible location. Sander commented that both proposed lots complied with the County's dimensional requirements for the AG District.

The Technical / Plat Review Committee met on March 13, 2024, and no concerns were identified. The Fish Lake Town Board reviewed the proposed Preliminary Plat on March 11, 2024, and recommended approval with no conditions. The ordinance prescribed 120-day review period was scheduled to expire on June 21, 2024.

Sander concluded by offering a recommendation of approval with conditions and reviewed options available to the Planning Commission.

Chair Wille invited the applicants and property owners to address the Commission, but none were present. The Commission had no questions for the property owner or applicants.

Chair Wille opened the public hearing and sought comment. With no members of the audience wishing to speak, ***motion*** by Dave Whitney to close the public hearing; second by Jim McCarthy. The **motion passed** 7-0.

Motion by Jim McCarthy to adopt Resolution No. PC2024-0401, a resolution of the Planning Commission of Chisago County, Minnesota, recommending approval of the Preliminary Plat of Morrisette Woodlands, with conditions as presented; second by Dave Whitney. The **motion passed** 7-0.

Conditions:

1. The Preliminary Plat of Morrisette Woodlands is approved per plat drawing dated signed April 2, 2024. 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. The property owner shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
3. The wetland delineation submitted in conjunction with this request for Preliminary Plat must be verified by County staff prior to submission of request for Final Plat.
4. The soils report for proposed Lot 2, Block 1, Morrisette Woodlands submitted in conjunction with this request for Preliminary Plat must be verified by County staff prior to submission of request for Final Plat.
5. Request for Final Plat shall be submitted within one year of Preliminary Plat approval unless an extension of time is requested by the property owner and/or applicant and granted by the County Board upon recommendation of the Planning Commission.

Public Hearings – Continued Hearings – None

Old Business – None

New Business – None

Miscellaneous – ***Motion*** by Chris DuBose to either reschedule or cancel the Thursday, April 18, 2024, special work session; second by Dave Whitney. The **motion passed** 7-0.

Communications and Reports

County Board Liaison Report / Update – County Commissioner Greene reported that the County Board approved an ordinance governing the use of cannabis and cannabis derived products in public places, commenting that it followed State tobacco laws. Greene also shared that cities and counties were pushing back in regard to the high density housing in residential areas issue which was briefly discussed at the Commission's March 2024 meeting and the County Board approved a letter on the matter to be sent to State legislators. County Commissioner Dahlberg reported that the County Assessor had completed the spring report and encouraged Commission members to review it. Dahlberg also reported that bids for upcoming road projects came in under budget.

Adjourn Meeting – ***Motion*** by John Sutcliffe to adjourn the meeting; second by Chip Yeager. The **motion passed** 7-0. The meeting was adjourned at 7:22 p.m.

_____ ATTEST: _____

Jolene Wille
Chair

Beth Gervais
Land Services Coordinator

DRAFT

Staff Report

TO: Planning Commission
FROM: Beth Gervais, Land Services Coordinator
SUBJECT: Interim Use Permit for Accessory Structure
xxxx 440th Street, Fish Lake Township
DATE: May 2, 2024

ACTION TO CONSIDER

The Planning Commission will conduct a public hearing to consider a request for an Interim Use Permit (IUP) allowing an accessory structure for personal use and storage without the presence of a principal use structure.



SITE & APPLICATION INFORMATION

Applicant(s):	Garrett & Brianna Schueller
Property Owner(s):	Garrett & Brianna Schueller
Location:	xxxx 440th Street Fish Lake Township Section 22, Township 36, Range 22
PID:	03.00299.00
Property Area:	10.00± 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:	March 6, 2024
Date Application Complete:	March 13, 2024
60-Day Review Period:	May 12, 2024
Extended Review Period:	July 11, 2024

BACKGROUND

Property owners Garrett & Brianna Schueller have applied for an Interim Use Permit (IUP) to allow a singular accessory structure (pole building) on their 10.00± acre property without the presence of a principal use structure, such as a dwelling. The property owners' application explains that they live in close proximity – at 1347 440th Street – and wish to have the proposed structure for storage of personal belongings.

SITE & PROPOSAL ANALYSIS

The 10.00± acre subject site is generally located one-third of a mile west of Brunswick Road / CR 63 on the north side of 440th Street in Fish Lake Township. Topography of the site includes fairly level elevations ranging from 937' near the

north property boundary to 947' near the south property boundary. The site appears to be heavily wooded with two distinct wetland areas.

The subject site is located in the AG District and is entirely surrounded by properties in the AG District. Properties in the general area range in size from 5 acres to nearly 60 acres, with the majority of properties having been developed for residential purposes.

The site plan shows that the proposed location of the accessory structure is 150' from the south property boundary / centerline of 440th Street, 125' from the west property boundary, and 145' from the east property boundary. Based on these setbacks and the proposed structure dimensions, the rear setback appears to be 430'. The required setbacks are 73' from centerline, 20' from side yard, and 50' from rear yard, which means that the proposed location exceeds all required setbacks.

The application materials indicate that the proposed accessory structure will be 60' x 80' (4,800 sf) in size with 18' side walls. The written description of the request indicates that the property owners live in close proximity to the subject site (approximately 1,000' to the west) and they intend to store their personal belongings, including their camper, in the proposed structure.

The application does not include a request for sanitary facilities within the proposed accessory structure; therefore, no sanitary facilities will be allowed until and unless the property is further developed with a principal use structure.

REVIEW PROCESS

The Technical Review Committee met with Garrett Schueller on April 10, 2024. Schueller confirmed that he was not proposing the installation of a septic system and that the proposed accessory structure would not have sanitary facilities. Schueller further confirmed that the proposed structure would not have living quarters or be used for overnight accommodations. The Committee did not identify any concerns with the IUP request.

The Fish Lake Town Board considered the request at its April 8, 2024 meeting and recommended approval with no conditions.

The application was submitted on March 6, 2024 and deemed complete on March 13, 2024. The initial State mandated 60-day review period is scheduled to expire on May 12, 2024. Because this timeframe will not accommodate all necessary meetings, staff extended the review period by an additional 60 days as allowed per Minnesota Statute 15.99. The extended review period will expire on July 11, 2024.

WRITTEN TESTIMONY

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

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. 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 *The Chisago County Comprehensive Plan does not specifically address the proposed use; however, the Zoning Ordinance (development policy) allows the proposed use in the Agricultural (AG) District with issuance of an Interim Use Permit. 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 *Being that the proposed use is intended solely for residential storage purposes, the County finds that the proposed use will not create any demand on existing parks, schools, streets, or other public facilities 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 *Given the size of the subject site, the existing vegetation on and adjacent to the subject site, the size of adjacent properties and the fact that the structure will meet or exceed all required setbacks, the County finds that the subject site is sufficiently separated by distance and screening from adjacent development so as to neither cause undue negative impact nor 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 *The Chisago County Zoning Ordinance does not identify any aesthetic requirements for accessory structures within the Agricultural (AG) District; therefore, the County finds that there is no evidence to suggest that the structure will have an appearance which will cause adverse effects upon 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 allows a singular accessory structure without the presence of a principal use structure in the Agricultural (AG) District with issuance of an Interim Use Permit; therefore, the County finds that the proposed use is 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 accessory structure is intended for personal use and storage in conjunction with the property owners' residence which is located within 1,000' of the subject site. The County finds that the accessory structure will create minimal traffic – consistent with traffic associated with a single family dwelling – and will not cause traffic hazard or congestion. Further, the road authority – being Fish Lake Township – has not communicated any concerns related to 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 *The proposed use is consistent with accessory structures allowed in and located in the Agricultural (AG) District and will be sufficiently separated from neighboring properties by distance and vegetation; therefore, the County finds that the accessory structure will not adversely impact nearby properties by intrusion of noise, glare or general unsightliness.*

STAFF RECOMMENDATION

Staff believes that the proposed Interim Use Permit (IUP) complies with and is consistent with the intent of the County's Zoning Ordinance. 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 IUP with conditions and has prepared a resolution for the Commission's consideration.

Recommended Condition(s):

1. This approval allows for a singular accessory structure for personal use and storage without the presence of a principal use structure, subject to the conditions below. The accessory structure shall be constructed in general conformance with the site plan dated received March 6, 2024 and kept on file with the Chisago County Department of Environmental Services. Any significant deviation from the approved site plan, as determined by the Department of Environmental Services, shall require further consideration by the Planning Commission and determination by the County Board of Commissioners.
2. No overnight or residential living quarters / use shall be allowed within the accessory structure.
3. No sanitary facilities shall be allowed within the accessory structure until and unless the property is further developed with a principal use structure.
4. Any change to the approved accessory structure involving enlargements, intensification or expansion of use, or change not specifically permitted by this Interim Use Permit, shall require an Interim Use Permit Amendment.
5. 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.
6. This Interim Use Permit shall expire at such time that the current or future property owner(s) construct a principal use structure.
7. Violations of the conditions contained herein shall be cause for the revocation of the Interim Use Permit upon action of the County Board.

OPTIONS

1. Recommend that the County Board **approve** the Interim Use Permit with Findings of Fact and conditions presented or amended.
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.)*

3. **Table** the request to allow for submission of additional supporting documentation and/or further review and consideration. The extended review period expires on July 11, 2024.

ACTION REQUESTED

Motion to adopt Resolution No. PC2024-0501, a resolution recommending approval of an Interim Use Permit allowing an accessory structure without the presence of a principal use structure on property identified as PID 03.00299.00 in Fish Lake Township, with Findings of Fact and conditions as presented or amended.

ATTACHMENTS

1. Application materials:
    a. Application
    b. Site plan
2. Aerial photo (1) – subject site
3. Aerial photo (2) – vicinity map
4. Draft Resolution No. PC2024-0501

Chisago County Department of Environmental Services
Planning & Zoning Application

Permit # 24-266

Township Fish Lake **S/T/R** 22/36/22 **PID#** 03.0029.00

Project Address xxxx 440th St Harris, MN

Property Owner(s) Garnett & Brianna Scheller

Mailing Address (If Different from Project Address) 1347 440th St Harris, MN

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

Applicant(s) Garnett Scheller

Mailing Address (If Different from Project Address) 1347 440th St Harris, MN

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) I live across the street 2 properties down & would like to put up a pole barn for storage of my personal belongings - Building to be 60x80x18 so I can drive my camper through for storage

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

☐ Full Legal Description — DEED ☐ Detailed Site Plan — on Back of page ☐ Detailed Written Narrative ☐ Plat Drawings

Garnett Scheller

Applicant Signature

3-6-24

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	$ 650.00	Application Received	3-6-24
Recording Fee	$ 46.00	Application Complete	3-13-24
Plat Fee – No Road(s) / With Road(s)	$	60 / 120 Day Review Period	5-12-24
Septic Compliance Fee	$	Extended Review Period	7-11-24
Wetland Fee	$		
TOTAL FEE	$ 696.00		

Chisago County Department of Environmental Services
Planning & Zoning Application

Township Presentation Form

Township Fish Lake **S/T/R** 22/36/22 **PID#** 03.002.99.00

Project Address xxxx 440th St Harris, MN 55032

Property Owner(s) Garrett & Brianna Schweller

Mailing Address (If Different from Project Address) 1347 440th St Harris, MN 55032

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

Applicant(s) Garrett Schweller

Mailing Address (If Different from Project Address) 1347 440th St Harris, MN 55032

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) I live across the Street and 2 houses down from project site and would like to put up a 60x80 pole shed for Storage

Applicant Signature 3-6-24 **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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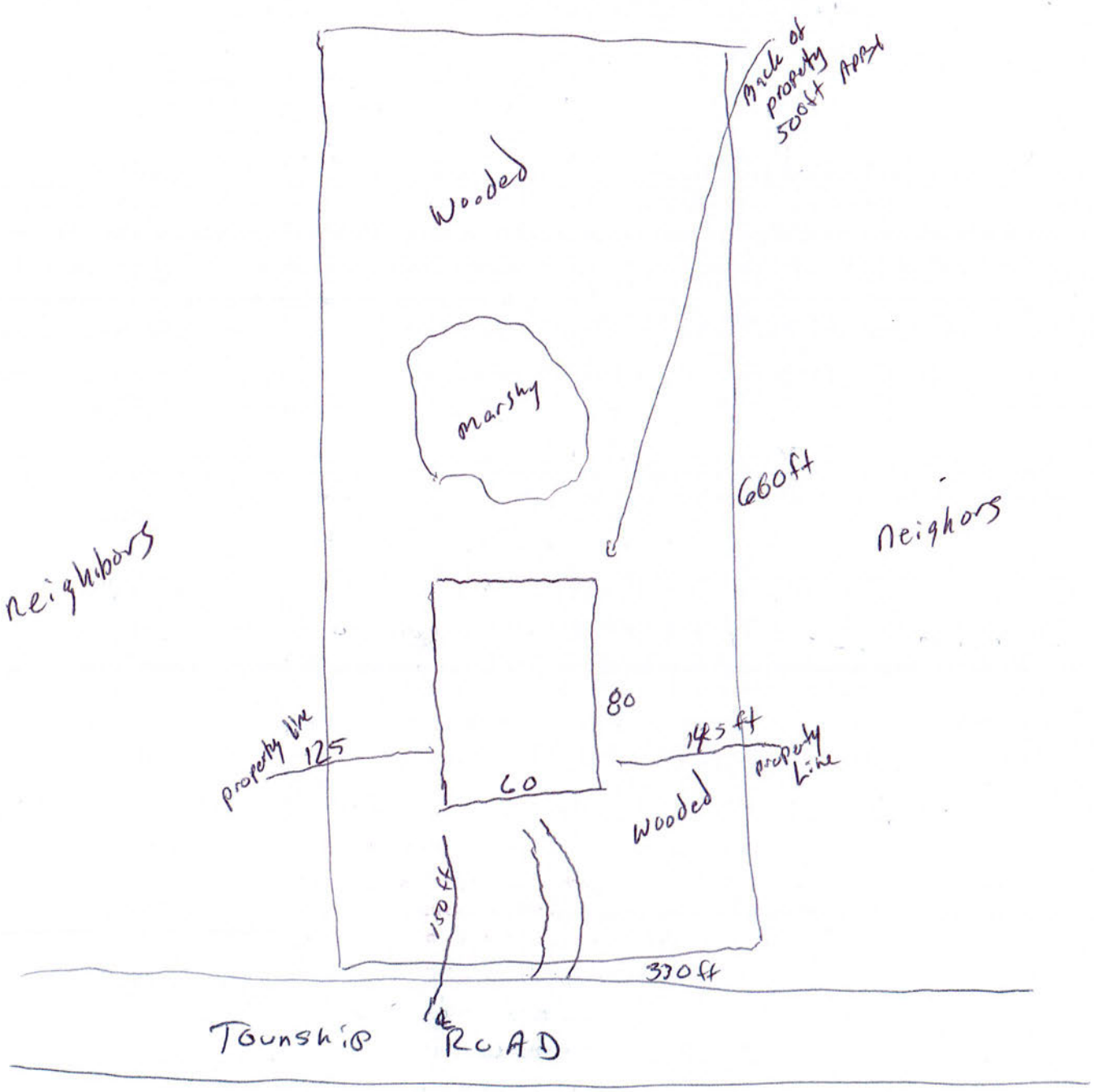
Date of County Public Hearing MAY 2, 2024 **Date of Township Presentation** APRIL 8, 2024

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


Wooded
Marshy
Back of property 500ft Appx
660ft
neighbors
neighors
80
60
property line
125
145 ft
property Line
Wooded
150ft
330ft
Tounship
ROAD

Garrett & Brianna Schueller – Property owners Garrett & Brianna Schueller are requesting approval of an Interim Use Permit allowing for an accessory structure without the presence of a principal use structure on a 10± acre property in the Agricultural (AG) District. The subject site is generally located 1/3 of a mile west of Brunswick Road / CR 63 on the north side of 440th Street in Fish Lake Township, S22, T36, R22 (PID 03.00299.00).

Schueller Property -



Garrett & Brianna Schueller – Property owners Garrett & Brianna Schueller are requesting approval of an Interim Use Permit allowing for an accessory structure without the presence of a principal use structure on a 10± acre property in the Agricultural (AG) District. The subject site is generally located 1/3 of a mile west of Brunswick Road / CR 63 on the north side of 440th Street in Fish Lake Township, S22, T36, R22 (PID 03.00299.00).

Schueller Property -



RESOLUTION NO. PC2024-0501

A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA, RECOMMENDING APPROVAL OF AN INTERIM USE PERMIT ALLOWING AN ACCESSORY STRUCTURE WITHOUT THE PRESENCE OF A PRINCIPAL USE STRUCTURE ON PROPERTY IDENTIFIED AS PID 03.00299.00 IN FISH LAKE TOWNSHIP

WHEREAS, property owners Garrett Schueller & Brianna Schueller submitted an application dated received March 6, 2024 and considered complete on March 13, 2024 for an Interim Use Permit allowing an accessory structure without the presence of a principal use structure on property located at xxxx 440th Street in Fish Lake Township; and

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

WHEREAS, the subject site is 10.00± acres in size and legally described as:

PID 03.00299.00
The East 330 feet of the West 660 feet of the Southeast Quarter of the Southwest Quarter (SE ¼ of SW ¼) of Section Twenty-two (22), Township Thirty-six (36), Range Twenty-two (22), Chisago County, Minnesota

WHEREAS, notice was provided and on May 2, 2024 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the property owner(s), and invited members of the public to comment; and

WHEREAS, the Planning Commission considered several factors for granting Interim Use Permits and made the following findings per Zoning Ordinance Section 8.04-1, C.:

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, the Zoning Ordinance (development policy) allows the proposed use in the Agricultural (AG) District with issuance of an Interim Use Permit. 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 *Being that the proposed use is intended solely for residential storage purposes, the County finds that the proposed use will not create any demand on existing parks, schools, streets, or other public facilities 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 *Given the size of the subject site, the existing vegetation on and adjacent to the subject site, the size of adjacent properties and the fact that the structure will meet or exceed all required setbacks, the County finds that the subject site is sufficiently separated by*

distance and screening from adjacent development so as to neither cause undue negative impact nor 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 *The Chisago County Zoning Ordinance does not identify any aesthetic requirements for accessory structures within the Agricultural (AG) District; therefore, the County finds that there is no evidence to suggest that the structure will have an appearance which will cause adverse effects upon 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 allows a singular accessory structure without the presence of a principal use structure in the Agricultural (AG) District with issuance of an Interim Use Permit; therefore, the County finds that the proposed use is 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 accessory structure is intended for personal use and storage in conjunction with the property owners' residence which is located within 1,000' of the subject site. The County finds that the accessory structure will create minimal traffic – consistent with traffic associated with a single family dwelling – and will not cause traffic hazard or congestion. Further, the road authority – being Fish Lake Township – has not communicated any concerns related to 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 *The proposed use is consistent with accessory structures allowed in and located in the Agricultural (AG) District and will be sufficiently separated from neighboring properties by distance and vegetation; therefore, the County finds that the accessory structure will not adversely impact nearby properties by intrusion of noise, glare or general unsightliness.*

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

1. This approval allows for a singular accessory structure for personal use and storage without the presence of a principal use structure, subject to the conditions below. The accessory structure shall be constructed in general conformance with the site plan dated received March 6, 2024 and kept on file with the Chisago County Department of Environmental Services. Any significant deviation from the approved site plan, as determined by the Department of Environmental Services, shall require further consideration by the Planning Commission and determination by the County Board of Commissioners.

2. No overnight or residential living quarters / use shall be allowed within the accessory structure.
3. No sanitary facilities shall be allowed within the accessory structure until and unless the property is further developed with a principal use structure.
4. Any change to the approved accessory structure involving enlargements, intensification or expansion of use, or change not specifically permitted by this Interim Use Permit, shall require an Interim Use Permit Amendment.
5. 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.
6. This Interim Use Permit shall expire at such time that the current or future property owner(s) construct a principal use structure.
7. Violations of the conditions contained herein shall be cause for the revocation of the Interim Use Permit upon action of the County Board.

Adopted by the Planning Commission of Chisago County, Minnesota, this 2nd day of May, 2024.

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

_____ ATTEST: _____

Jolene Wille
Chair

Beth Gervais
Land Services Coordinator

Staff Report

TO: Planning Commission
FROM: Beth Gervais, Land Services Coordinator
SUBJECT: Preliminary Plat of Paradise Woods
SW Corner of 320th Street and Lofton Avenue / CSAH 34, Chisago Lake Township
DATE: May 2, 2024

ACTION TO CONSIDER

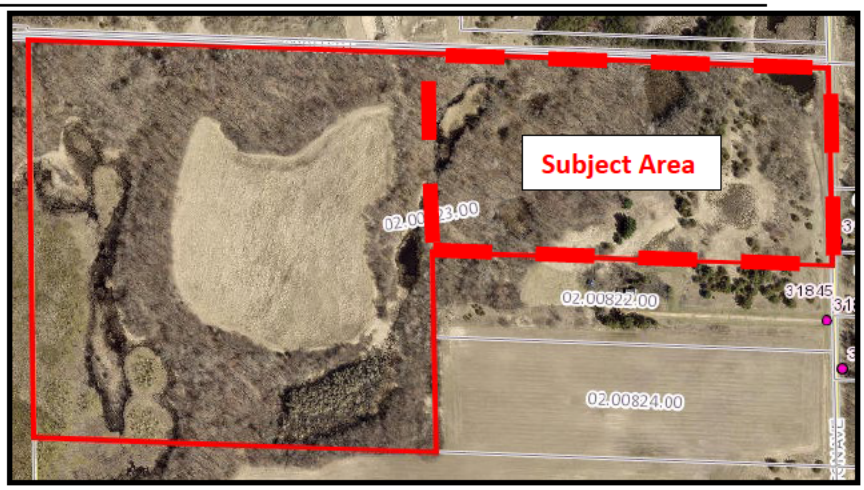
The Planning Commission will conduct a public hearing to consider the Preliminary Plat of Paradise Woods, involving the creation of three lots from a 58.2± acre tract of land.

SITE & APPLICATION INFORMATION

Property Owner(s):	Kenneth Rice
Applicant(s):	Kenneth & Kimberly Rice
General Location:	SW Corner of 320th Street and Lofton Avenue / CSAH 34 Chisago Lake Township Section 30, Township 34, Range 20
PID:	02.00823.00
Property Area:	58.2± Acres
Current Zoning:	Agricultural (AG) District
Adjacent Zoning:	
North:	Agricultural (AG) District
South:	Agricultural (AG) District
West:	City of Chisago City / R-2 Low/Medium Density Residential
East:	Agricultural (AG) District
Date Application Received:	March 22, 2024
Date Application Complete:	March 25, 2024
120-Day Review Period:	July 23, 2024

BACKGROUND

Applicants Kenneth & Kimberly Rice are seeking reapproval of the Preliminary Plat of Paradise Woods. The applicants wish to create a total of three new parcels from the 58.2± acre tract of land with the proposed parcels ranging in size from 5.81 acres to 6.88 acres. The balance of the land, being approximately 38.5 acres, is exempt from the platting process.



The applicants submitted a request for Preliminary Plat in May 2022 and they

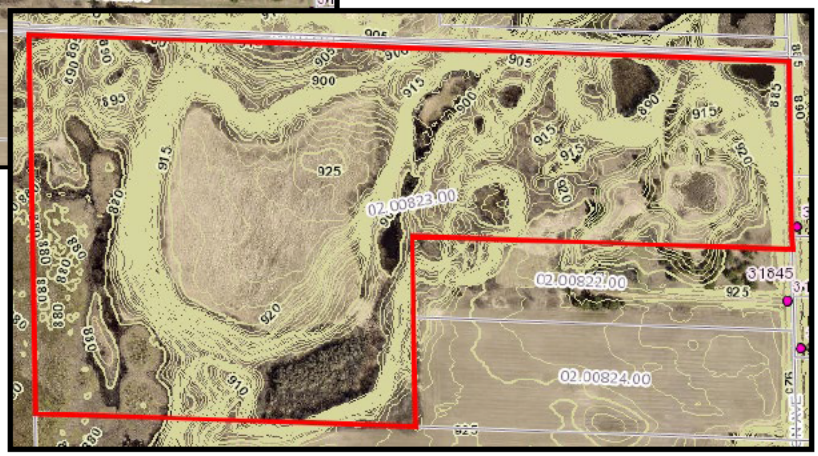
received approval from the County Board in November 2022. Per Subdivision Ordinance Section 3.06 B., a request for Final Plat must be submitted within one year of Preliminary Plat approval. Because the applicants did not submit a request for Final Plat within one year, the 2022 Preliminary Plat approval was deemed null and void and they're required to start the process over. The current request is consistent with the Preliminary Plat approved in 2022.

SITE & PROPOSAL ANALYSIS

The 58.2± acre subject site, generally located west of Lofton Avenue / CSAH 34 and south of 320th Street in Chisago Lake Township, is currently undeveloped land. Topography of the site includes several wetland areas, elevations ranging from 880' along the western property boundary to 926' in the general area of proposed Lot 2, Block 1, and areas of heavy forestation. The images below illustrate the wetland areas (left) and elevations (right).



National Wetland Inventory



Contours

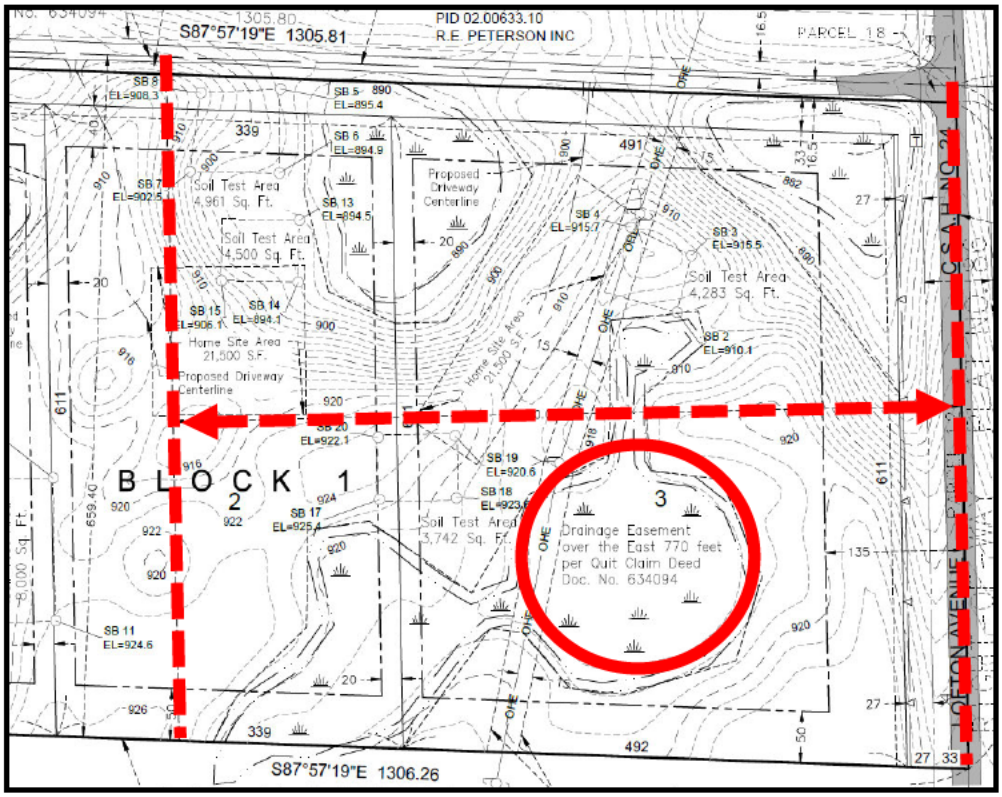
Surrounding properties range widely in size from two acres to 79 acres. Much of the surrounding area appears to be undeveloped / ag land or developed with single family homes and related accessory structures, and the property immediately north operates as a gravel pit. Land located immediately west of the subject site is located within the City of Chisago City.

The stated purpose of the AG District is to provide areas to be utilized for agriculture and agriculture related uses and low density residential areas. Below is a table which identifies minimum requirements for the AG District with corresponding information for the proposed lots. As proposed, all three lots comply with the County's dimensional requirements.

AG District Minimum Requirements	Lot Size 5 acres	Lot Width* 300 feet	Lot Depth** 300 feet	Home Site Area 21,500 square feet
Lot 1, Block 1	5.81 acres	415± feet	611± feet	21,500 square feet
Lot 2, Block 1	4.74 acres	339± feet	611± feet	21,500 square feet
Lot 3, Block 1	6.88 acres	491± feet	611± feet	21, 500 square feet

** 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."*



While proposed Lot 2 is shown to be 4.74 acres in size, it is a full 5-acre parcel with the credited adjacent Right-of-Way.

As shown on the adjacent image, the Preliminary Plat drawing indicates the existence of a drainage easement covering the eastern 770' of the subject site, which includes all of proposed Lot 3 and more than half of proposed Lot 2. Very little is known about this easement, other than the fact that the legal description indicates the easement is granted in favor of the property owner. In preparation of this staff report, staff contacted the applicant's surveyor to see if more information about the easement was avialable. No information was immediately available; however, the surveyor indicated that he would investigate further and possibly identify options to remedy the situation, if warranted.

REVIEW PROCESS

The Technical / Plat Review Committee met on April 10, 2024. It was noted that the soils report and wetland delineation were verified by County staff in 2022 and that, based on the 2022 approval, a developer's agreement would be required for road improvements. In regard to soils, staff noted in 2022 that the topography of the proposed lots may present challenges for the placement of septic systems and structures; however, the soils were ultimately deemed suitable. The Committee did not identify any other concerns.

The Chisago Lake Town Board reviewed the proposed Preliminary Plat at its April 16, 2024 meeting and recommended approval "contingent on signing of developer's agreement outlining road construction costs and transfer of turnaround to township and escrow agreement for legal and engineering fees".

Preliminary Plats, per Minnesota Statute, 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 July 23, 2024.

WRITTEN TESTIMONY

The County received written testimony from the adjacent jurisdiction of City of Chisago City (see attached). Staff notes that the comments provided by the City directly relate to the existing 770' drainage easement discussed in the Site & Proposal Analysis section above. No other written testimony was received as of the completion of this report.

STAFF RECOMMENDATION

In light of the unknown circumstances related to the drainage easement covering the east 770' of the subject site, **staff recommends that the Planning Commission table the request** until such time that the applicant is able to provide more information about the easement and, if warranted, possible remedies. Staff believes that remedies may include, but are certainly not limited to, vacation of the easement, refinement of the easement, or submission of the recorded easement for the purposes of clarifying that the easement does not preclude development so long as development does not impede drainage.

Alternatively, if the Planning Commission determines that the proposed Preliminary Plat complies with and is consistent with the intent of the County's Zoning and Subdivision Ordinances and supports a recommendation of approval, staff encourages the Commission to consider the following conditions of approval:

1. The Preliminary Plat is approved per plat drawing signed dated May 26, 2022 and amended most recently on March 21, 2024. Any deviation from the approved plat drawing, except as provided herein, shall require further review by the Planning Commission and approval by the County Board.
2. No access shall be granted from Lofton Avenue / CSAH 34. All driveways must access 320th Street.
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. Prior to submitting a request for Final Plat, the applicant shall submit documentation to the Department of Environmental Services demonstrating that proposed Lots 2 and 3, being wholly or partially located within a drainage easement, are buildable.
5. The applicant shall enter into a developer's agreement with Chisago Lake Township and the agreement shall, at a minimum, outline road construction costs, transfer of the proposed turnaround to the township, and the escrow agreement for legal and engineering fees. A copy of the signed developer's agreement shall accompany the request for Final Plat, and the request for Final Plat will not be considered complete unless accompanied by the signed agreement.
6. The applicant shall submit request for Final Plat within one year following approval of the Preliminary Plat unless an extension of time if 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 Paradise Woods 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 Paradise Woods 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 ordinance prescribed 120-day review period expires on July 23, 2024.

ACTION REQUESTED

Motion to table the request to allow the applicant additional time to investigate the existing drainage easement covering the eastern 770' of the subject site and, if warranted, provide the County with remedies.

Alternatively, if the Planning Commission supports the request as submitted, offer a motion to adopt Resolution No. PC2024-0502, a resolution recommending approval of the Preliminary Plat of Paradise Woods, with conditions as presented or amended.

ATTACHMENTS

1. Application Materials:
    a. Application
    b. Preliminary Plat drawing signed dated May 26, 2022 (and shown amended most recently on March 21, 2024)
2. Written testimony from City of Chisago City
3. Aerial image (1) – subject site
4. Aerial image (2) – vicinity map
5. Draft Resolution No. PC2024-0502

Chisago County Department of Environmental Services
Planning & Zoning Application

Permit # 2024-0374

Township Chicago lakes Township **S/T/R** S30T34R20 **PID#** 02.00823.00

Project Address 320th Street and Lofton Ave.

Property Owner(s) Kenneth Rice and Kimberly

Mailing Address (If Different from Project Address) 5955 Hampshire Ave N, Crystal, MN 55428

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

Applicant(s) Kenneth and Kimberly Rice

Mailing Address (If Different from Project Address) 5955 Hampshire Ave N, Crystal, MN 55428

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) Land Split

All required documents have been provided to Chisago County for this same request originally submitted in May 2022. Previous application expired in November 2022

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

☒ Full Legal Description ☒ Detailed Site Plan ☒ Detailed Written Narrative ☒ Plat Drawings

Kimberly A Rice
Kenneth N Rice
Applicant Signature

3/15/2024
3/15/2024
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	$ 500 —	Application Received	3-22-24
Recording Fee	$ 46 —	Application Complete	3-25-24
Plat Fee – No Road(s) / With Road(s)	$ 150 —	60 / 120 Day Review Period	7-23-24
Septic Compliance Fee	$	Extended Review Period	
Wetland Fee	$		
TOTAL FEE	$ 696 —		

Chisago County Department of Environmental Services
Planning & Zoning Application

Township Presentation Form

Township Chicago lakes Township **S/T/R** S30T34R20 **PID#** 02.00823.00

Project Address 320th Street and Lofton Ave.

Property Owner(s) Kenneth Rice and Kimberly

Mailing Address (If Different from Project Address) 5955 Hampshire Ave N, Crystal, MN 55428

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

Applicant(s) Kenneth and Kimberly Rice

Mailing Address (If Different from Project Address) 5955 Hampshire Ave N, Crystal, MN 55428

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) Land Split

All required documents have been provided to Chisago County for this same reque

Kimberly J Rice
Kenneth R Rice
Applicant Signature

3/15/2024
3/15/2024
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 May 2, 2024 **Date of Township Presentation** APRIL 16, 2024

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

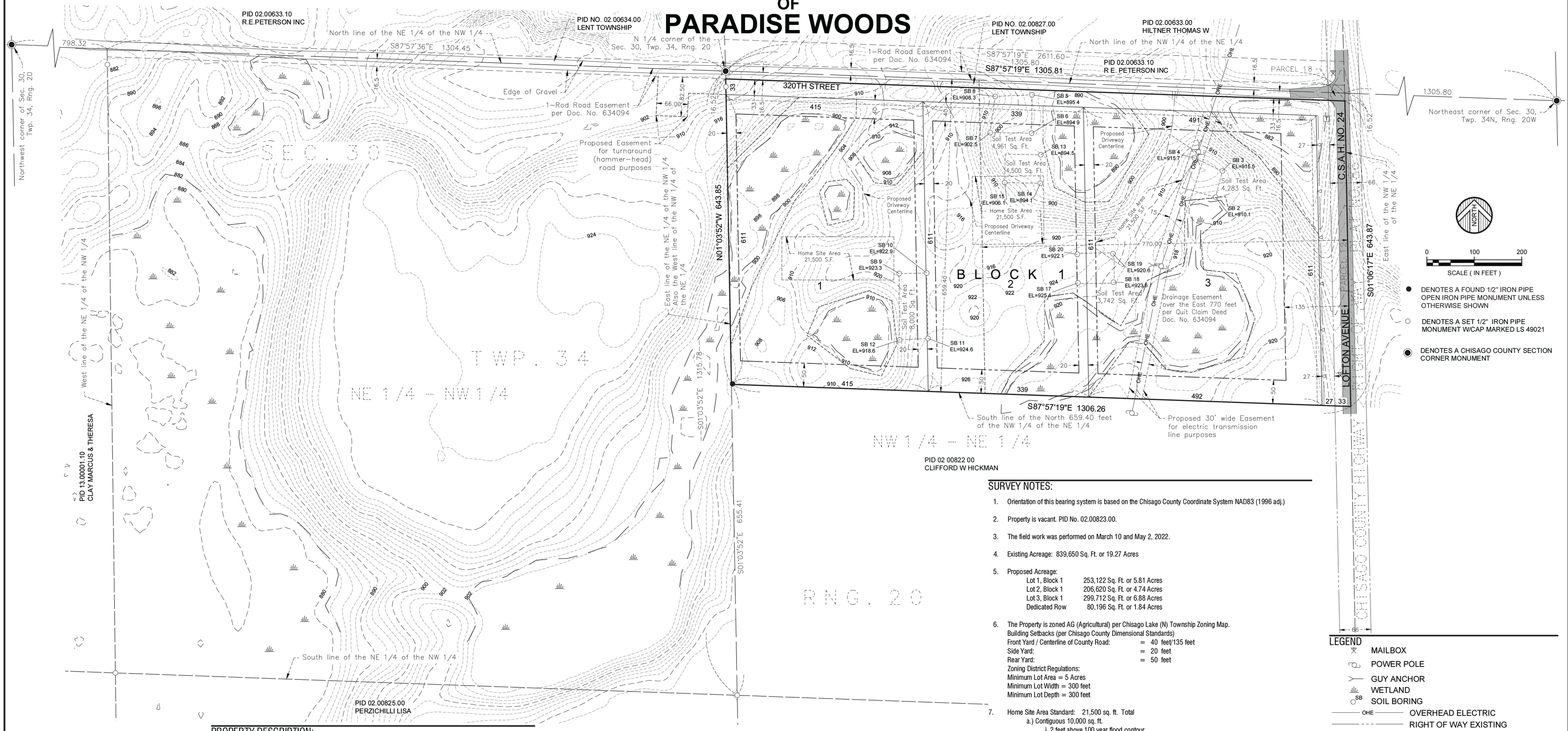
Recommended Conditions of Approval OR Legal Findings for Recommendation of Denial

Contingent on signing of developers agreement with the following conditions: Road Construction Costs + Transfer of Township and escrow agreement for legal + engineering fees

Signatures of Township Officials or Authorized Personnel

Sherry Stay
Wm J. Reed
Wm H. Hunt

PRELIMINARY PLAT
OF
PARADISE WOODS



- ● DENOTES A FOUND 1/2" IRON PIPE OPEN IRON PIPE MONUMENT UNLESS OTHERWISE SHOWN
- ○ DENOTES A SET 1/2" IRON PIPE MONUMENT W/CAP MARKED LS 49021
- ◉ DENOTES A CHISAGO COUNTY SECTION CORNER MONUMENT

SURVEY NOTES:

1. Orientation of this bearing system is based on the Chisago County Coordinate System NAD83 (1996 adj.)
2. Property is vacant. PID No. 02.00823.00.
3. The field work was performed on March 10 and May 2, 2022.
4. Existing Acreage: 839,650 Sq. Ft. or 19.27 Acres
5. Proposed Acreage:
   - Lot 1, Block 1 253,122 Sq. Ft. or 5.81 Acres
   - Lot 2, Block 1 206,620 Sq. Ft. or 4.74 Acres
   - Lot 3, Block 1 299,712 Sq. Ft. or 6.88 Acres
   - Dedicated Row 80,196 Sq. Ft. or 1.84 Acres
6. The Property is zoned AG (Agricultural) per Chisago Lake (N) Township Zoning Map.
   Building Setbacks (per Chisago County Dimensional Standards)
   - Front Yard / Centerline of County Road: = 40 feet/135 feet
   - Side Yard: = 20 feet
   - Rear Yard: = 50 feet

   Zoning District Regulations:
   Minimum Lot Area = 5 Acres
   Minimum Lot Width = 300 feet
   Minimum Lot Depth = 300 feet
7. Home Site Area Standard: 21,500 sq. ft. Total
   a.) Contiguous 10,000 sq. ft.
   i. 2 feet above 100 year flood contour
   ii. 2 feet above the highest anticipated water level
   iii. Meets the building requirements in section 4.07
   b.) 11,500 sq. ft. additional area
   i. Above the 100 year flood contour
   ii. A minimum 5,000 sq. ft. of which is contiguous with the principal building site pad
8. Contours shown are LiDAR derived on the NAVD88 datum provided by MnDNR. The electronic LiDAR data was ordered and received on 5/4/2022.
9. The property lies within Zone X, areas determined to be outside the 0.2% annual chance floodplain per FIRM Map No. 27025C0275D effective date April 17, 2012.
10. Benchmark: MnDOT Geodetic Benchmark "Northern" Elev. = 913.46 NAVD 88
11. The North 1 rod of the NW 1/4 of the NE 1/4 was deeded to the Township of Lent in Instrument No. 69169. The provided Quit Claim Deed Document Number 634094 describes an easement over the North 1 rod of the NW 1/4 of the NE 1/4 and does not except the North 1 rod.

LEGEND

- MAILBOX
- POWER POLE
- GUY ANCHOR
- WETLAND
- SB SOIL BORING
- OHE OVERHEAD ELECTRIC
- RIGHT OF WAY EXISTING
- BOUNDARY LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- QUARTER LINE
- SIXTEENTH LINE
- SECTION LINE
- DELINEATED WETLAND
- BUILDING SETBACK
- DENOTES RIGHT OF ACCESS DEDICATED TO CHISAGO COUNTY
- BITUMINOUS SURFACE

© 2024 WIDSETH SMITH NOLTING & ASSOCIATES, INC.

PROPERTY DESCRIPTION:
(Quit Claim Deed Doc. No.634094)

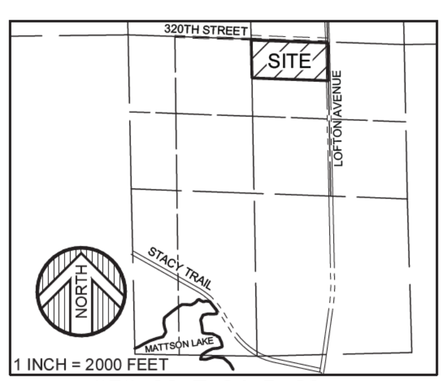
That part of Section 30, Township 34 North, Range 20 West, Chisago County, Minnesota described as follows: The Northeast Quarter of the Northwest Quarter, subject to a 1-rod road easement along the North line thereof. And the North 659.4 feet of the Northwest Quarter of the Northeast Quarter, subject to a 1-rod road easement along the North line thereof, and subject to the existing County Road No. 77 easement along the East line thereof, and also the East 770 feet is subject to a drainage easement in favor of the owner of the property described as follows: All of the NW 1/4 of the NE 1/4 of said Section 30 except the North 659.4 feet thereof.

OWNER & DEVELOPER
K AND J CONSTRUCTION
5955 HAMPSHIRE AVE. N.
CRYSTAL, MN 55428

LAND SURVEYOR
WIDSETH
5368 266TH ST.
WYOMING, MN 55092
PHONE (651)464-3130
FAX-(651)464-4822

SOIL TESTING:
JOSH PUTT LIC. #4063
26716 FENWICK AVENUE
WYOMING, MN 55092
(651) 900-1567

WETLAND SPECIALIST:
JACOBSON ENVIRONMENTAL, PLLC
5821 HUMBOLDT AVE. N.
BROOKLYN CENTER, MN 55430
(612)-802-6619



SEC. 30, T. 34, R. 20
CHISAGO COUNTY, MINNESOTA
VICINITY MAP

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

10 10

BEING 10 FEET IN WIDTH AND ADJOINING RIGHT OF WAY LINES, UNLESS OTHERWISE SHOWN ON THIS PLAT.

DATE:	May 26, 2022
SCALE:	AS SHOWN
DRAWN BY:	JMM
CHECKED BY:	SMK
FILE NUMBER:	2022-10366

DATE	AMENDMENTS	BY
9/19/22	REMOVED PROPOSED LOT 1, BLOCK 1 - ADDED PROPOSED ROAD EASEMENT	SMK
10/14/22	ADDED ADDITIONAL 1 ROD OF RIGHT OF WAY - REVISED LOT SIZES AND ACREAGES	SMK
3/21/24	REVISED DRAINAGE AND UTILITY EASEMENTS ON LOTS 2 AND 3 AND TURNAROUND EASEMENT	SMK

PREPARED FOR: **K & J CONSTRUCTION**

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.

Shawn M. Kupcho L.S. DATE: 5/26/22 LIC. NO. 49021

WIDSETH
ARCHITECTS ▪ ENGINEERS ▪ SCIENTISTS ▪ SURVEYORS

Beth M. Gervais

From: Leah Nelson <lnelson@ci.chisago.mn.us>
Sent: Monday, April 22, 2024 10:44 AM
To: Beth M. Gervais
Subject: RE: Preliminary Plat of Paradise Woods

This is an external email message!
This message originated from outside the Chisago County email system. Use caution when clicking hyperlinks, downloading pictures or opening attachments.

Good Morning Beth,
Thank you for the information. Chisago City has a question and a comment regarding the proposed plat. How will the increased runoff be controlled? There is concern the project may negatively impact the storm water runoff and natural water flow to neighboring property owners in Chisago City.
Thank you,

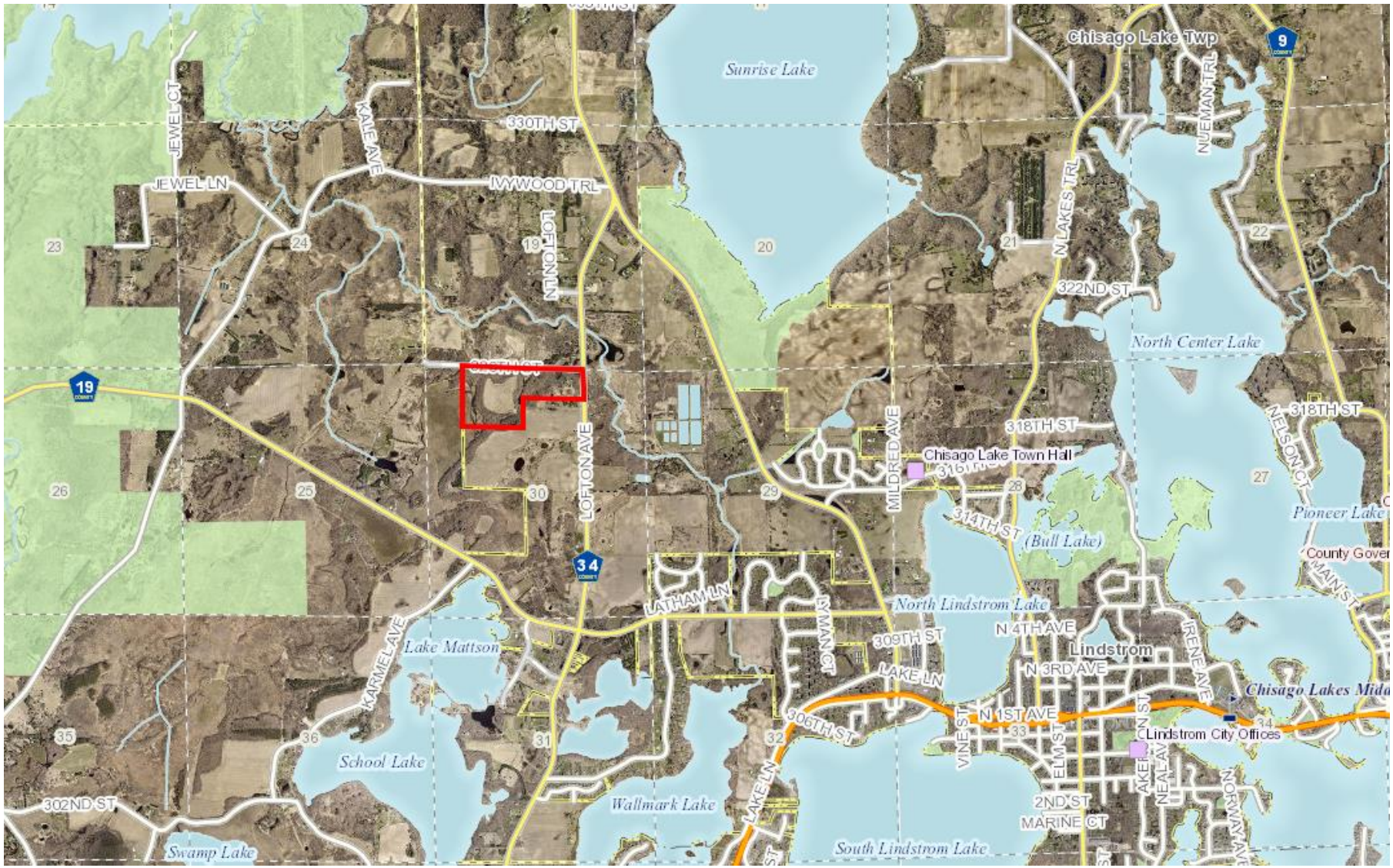
Kenneth Rice – Property owner Kenneth Rice is requesting reapproval of the Preliminary Plat of Paradise Woods involving the creation of three lots from a 58.21-acre tract of land. The subject site is zoned Agricultural (AG) District and located immediately southwest of the intersection of Lofton Avenue / CSAH 34 and 320th Street in Chisago Lake Township, S30, T34, R20 (PID #02.00823.00).

Rice Property -



Kenneth Rice – Property owner Kenneth Rice is requesting reapproval of the Preliminary Plat of Paradise Woods involving the creation of three lots from a 58.21-acre tract of land. The subject site is zoned Agricultural (AG) District and located immediately southwest of the intersection of Lofton Avenue / CSAH 34 and 320th Street in Chisago Lake Township, S30, T34, R20 (PID #02.00823.00).

Rice Property -



RESOLUTION NO. PC2024-0502
A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA, RECOMMENDING APPROVAL OF THE PRELIMINARY PLAT OF PARADISE WOODS

WHEREAS, property owner Kenneth Rice submitted an application dated received March 22, 2024 and considered complete on March 25, 2024 for the Preliminary Plat of Paradise Woods; and

WHEREAS, the subject site is generally located at the southwest corner of 320th Street and Lofton Avenue / CSAH 34 in Chisago Lake Township and within the Agricultural (AG) District; and

WHEREAS, the subject site is 58.2 acres in size and legally described as:

PID 02.00823.00

That part of Section 30, Township 34 North, Range 20 West, Chisago County, Minnesota described as follows: The Northeast Quarter of the Northwest Quarter, subject to a 1-rod road easement along the North line thereof. And the North 659.4 feet of the Northwest Quarter of the Northeast Quarter, subject to a 1-rod road easement along the North line thereof, and subject to the existing County Road No. 77 easement along the East line thereof, and also the East 770 feet is subject to a drainage easement in favor of the owner of the property described as follows: All of the NW 1/4 of the NE 1/4 of said Section 30 except the North 659.4 feet thereof.

WHEREAS, notice was provided and on May 2, 2024 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 found that the Preliminary Plat of Paradise Woods was 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 is approved per plat drawing signed dated May 26, 2022 and amended most recently on March 21, 2024. Any deviation from the approved plat drawing, except as provided herein, shall require further review by the Planning Commission and approval by the County Board.
2. No access shall be granted from Lofton Avenue / CSAH 34. All driveways must access 320th Street.
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. Prior to submitting a request for Final Plat, the applicant shall submit documentation to the Department of Environmental Services demonstrating that proposed Lots 2 and 3, being wholly or partially located within a drainage easement, are buildable.
5. The applicant shall enter into a developer's agreement with Chisago Lake Township and the agreement shall, at a minimum, outline road construction costs, transfer of the proposed turnaround to the township, and the escrow agreement for legal and engineering fees. A copy of the signed developer's agreement shall accompany the request for Final Plat, and the request for Final Plat will not be considered complete unless accompanied by the signed agreement.

6. The applicant shall submit request for Final Plat within one year following approval of the Preliminary Plat unless an extension of time if 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 May, 2024.

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

_____ ATTEST: _____

Jolene Wille
Chair

Beth Gervais
Land Services Coordinator

Staff Report

TO: Planning Commission
FROM: Beth Gervais, Land Services Coordinator
SUBJECT: Interim Use Permit for Accessory Structure
xxxxx Anchor Avenue, Fish Lake Township
DATE: May 2, 2024

ACTION TO CONSIDER

The Planning Commission will conduct a public hearing to consider a request for an Interim Use Permit (IUP) allowing an accessory structure for personal use and storage without the presence of a principal use structure.

SITE & APPLICATION INFORMATION

Applicant(s):	Kyle Hay & Kelly Zaiser
Property Owner(s):	Kyle Hay & Kelly Zaiser
Location:	xxxxx Anchor Avenue Fish Lake Township Section 21, Township 36, Range 22
PID:	03.00278.00
Property Area:	34.00± 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:	March 27, 2024
Date Application Complete:	March 27, 2024
60-Day Review Period:	May 26, 2024



BACKGROUND

Property owners Kyle Hay & Kelly Zaiser have applied for an Interim Use Permit (IUP) to allow a singular accessory structure (pole building) on their 34.00± acre property without the presence of a principal use structure, such as a dwelling. The proposed accessory structure will be used for storage of agriculture related items as well as storage of personal belongings. While the property owners intend to construct a dwelling on the subject site in the near future, they don't have an exact timeline and have therefore chosen to pursue an IUP. To demonstrate their intention to further develop

the subject site with a dwelling, the property owners provided a soils report identifying primary and alternate septic sites.

SITE & PROPOSAL ANALYSIS

The 34.00± acre subject site is generally located between Stark Road / CSAH 10 and Brunswick Road / CR 63 on Anchor Avenue in Fish Lake Township. Topography of the site includes elevations ranging from 936’ in the southeast corner to 965’ in the southwest corner, with pockets of heavy forestation and significant wetland areas (see adjacent image). The site plan and adjacent image show an existing driveway access in the far northeast corner of the subject site.



The application materials indicate that the proposed accessory structure will be 40’ x 60’ (2,400 sf) in size with 16’ side walls. The site plan shows that the proposed location of the accessory structure is approximately 630’ from the north property boundary, approximately 670’ from the south property boundary, approximately 100’ from the east property boundary, and approximately 800’ from the nearer west property boundary. The required setbacks are 73’ from township road centerline, 20’ from side yard, and 50’ from rear yard, which means that the proposed location exceeds all required setbacks.

The subject site is located in the AG District and is entirely surrounded by properties in the AG District. Properties in the general area range widely in size from five acres to nearly 80 acres, with the majority of properties having been developed for residential purposes, used for agricultural purposes, or remaining undeveloped.

The application does not include a request for sanitary facilities within the proposed accessory structure; therefore, no sanitary facilities will be allowed until and unless the property is further developed with a principal use structure.

REVIEW PROCESS

The Technical Review Committee met with Kyle Hay on April 10, 2024. Hay confirmed that the proposed accessory structure would not have sanitary facilities and would not have living quarters or be used for overnight accommodations. The Committee did not identify any concerns with the IUP request.

The Fish Lake Town Board considered the request at its April 8, 2024 meeting and recommended approval with no conditions.

The application was submitted and deemed complete on March 27, 2024. The State mandated 60-day review period expires on May 26, 2024.

WRITTEN TESTIMONY

The County received written testimony from two nearby property owners (see attached) as of the completion of this report.

In response to concerns about wetlands, the County's Wetland Specialist visited the subject site and provided comments which ultimately support the request for IUP. These comments are attached for the Planning Commission's review and consideration.

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. 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 *The Chisago County Comprehensive Plan does not specifically address the proposed use; however, the Zoning Ordinance (development policy) allows the proposed use in the Agricultural (AG) District with issuance of an Interim Use Permit. 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 *Being that the proposed use is intended solely for residential storage purposes, the County finds that the proposed use will not create any demand on existing parks, schools, streets, or other public facilities 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 *Given the size of the subject site, the existing vegetation on and adjacent to the subject site, the size of adjacent properties and the fact that the structure will meet or exceed all required setbacks, the County finds that the subject site is sufficiently separated by distance and screening from adjacent development so as to neither cause undue negative impact nor 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 *The Chisago County Zoning Ordinance does not identify any aesthetic requirements for accessory structures within the Agricultural (AG) District; therefore, the County finds that there is no evidence to suggest that the structure will have an appearance which will cause adverse effects upon 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 allows a singular accessory structure without the presence of a principal use structure in the Agricultural (AG) District with issuance of an*

Interim Use Permit; therefore, the County finds that the proposed use is 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 accessory structure is intended for personal use and storage in conjunction with the property owners' current and future uses of the subject site. The County finds that the accessory structure will create minimal traffic – consistent with traffic associated with a single family dwelling – and will not cause traffic hazard or congestion. Further, the road authority – being Fish Lake Township – has not communicated any concerns related to 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 *The proposed use is consistent with accessory structures allowed in and located in the Agricultural (AG) District and will be sufficiently separated from neighboring properties by distance and vegetation; therefore, the County finds that the accessory structure will not adversely impact nearby properties by intrusion of noise, glare or general unsightliness.*

STAFF RECOMMENDATION

Staff believes that the proposed Interim Use Permit (IUP) complies with and is consistent with the intent of the County's Zoning Ordinance. 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 IUP with conditions and has prepared a resolution for the Commission's consideration.

Recommended Condition(s):

1. This approval allows for a singular accessory structure for personal use and storage without the presence of a principal use structure, subject to the conditions below. The accessory structure shall be constructed in general accordance with the application materials dated received March 27, 2023 and kept on file with the Chisago County Department of Environmental Services. Any significant deviation from the approved request, as determined by the Department of Environmental Services, shall require further consideration by the Planning Commission and determination by the County Board of Commissioners.
2. No overnight or residential living quarters / use shall be allowed in the accessory structure.
3. No sanitary facilities shall be allowed within the accessory structure until and unless the property is further developed with a principal use structure.
4. Any change to the approved accessory structure involving enlargements, intensification or expansion of use, or change not specifically permitted by this Interim Use Permit, shall require an Interim Use Permit Amendment.
5. 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.

6. This Interim Use Permit shall expire at such time that the current or future property owner(s) construct a principal use structure.
7. Violations of the conditions contained herein shall be cause for the revocation of the Interim Use Permit upon action of the County Board.

OPTIONS

1. Recommend that the County Board **approve** the Interim Use Permit with Findings of Fact and conditions presented or amended.
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.)*
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 being that the initial 60-day review period expires on May 26, 2024.

ACTION REQUESTED

Motion to adopt Resolution No. PC2024-0503, a resolution recommending approval of an Interim Use Permit allowing an accessory structure without the presence of a principal use structure on property identified as PID 03.00278.00 in Fish Lake Township, with Findings of Fact and conditions as presented or amended.

ATTACHMENTS

1. Application materials:
    a. Application
    b. Written narrative
    c. Site plan
    d. Site photos
    e. Building plans, estimate, and contracts
2. Written Testimony
    a. Brad & JayDee Mahs
    b. Kevin & Sandy Vance
3. Comments from Chisago County Wetland Specialist
4. Aerial photo (1) – subject site
5. Aerial photo (2) – vicinity map
6. Draft Resolution No. PC2024-0503

Chisago County Department of Environmental Services
Planning & Zoning Application

Permit # 24-0396

Township Fish Lake **S/T/R** 21/36/22 **PID#** 03.00878.00

Project Address XXXXX ANCHOR AVENUE

Property Owner(s) Kyle Hay & Kelly Zaiser

Mailing Address (If Different from Project Address) 326 4th Ave NE, Cambridge MN 55008

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

Applicant(s) Kyle Hay & Kelly Zaiser

Mailing Address (If Different from Project Address) 326 4th Ave NE, Cambridge MN 55008

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) To build 40x40 poleshed for farming equipment & storage of hay. Also storage of personal belongings and equipment.

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

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

KL MH

Applicant Signature

3-27-24

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	$ 650 —	Application Received	3-27-24
Recording Fee	$ 46 —	Application Complete	3-27-24
Plat Fee – No Road(s) / With Road(s)	$	60 / 120 Day Review Period	5-26-24
Septic Compliance Fee	$	Extended Review Period	
Wetland Fee	$		
TOTAL FEE	$ 696 —		

Chisago County Department of Environmental Services
Planning & Zoning Application

Township Presentation Form

Township Fish Lake **S/T/R** 21/36/22 **PID#** 03.00278.00

Project Address XXXXX ANCHOR AVENUE

Property Owner(s) Kyle Hay & Kelly Zaiser

Mailing Address (If Different from Project Address) 326 4th Ave NE Cambridge MN 55008

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

Applicant(s) Kyle Hay & Kelly Zaiser

Mailing Address (If Different from Project Address) 326 4th Ave NE Cambridge MN 55008

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) To build a 40x60 polesbarn for farm equipment & storage of hay.

[signature] 3-27-24

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 MAY 2, 2024 **Date of Township Presentation** APRIL 8, 2024

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

Bruce Fitzpatrick James B. Dahl Dan McFarlane

Interim Use Permit – Building of pole barn

Property information: 34 acres taxed as raw land.

Street address: Anchor Ave

Legal Description: NE 1/4 OF SW 1/4 EX THE W 1/2 OF SW 1/4 OF NE 1/4 OF SW 1/4. ALSO EX THAT PT OF NE 1/4 OF SW 1/4 DES AS FOL: BG AT NW COR OF NE 1/4 OF SW 1/4; TH S ALONG W LIN

Chisago County Property Identification Number (PIN): 03.00278.00

Current Zoning: Agricultural

Reason for IUP: To build a 40x60x16 pole barn to store farming equipment and hay.

Over the last three years we have put time and effort into clearing the fields to produce crops for the purpose to sell. Over this time we have obtained tractors and other farming equipment we would like to store inside so they will no longer be in the elements. We will be planting alfalfa in the Spring of 2024, in which we will sell for profit. We intend to have livestock once our home is built. We are currently in the process of finding the right contractor to build our home by the Fall of 2025. We also intend to apply for green acres once our home is built.

We received a bid and signed a contract with Latcham-Lind Lumber for the building of our pole shed. Stroh Engineering completed a structural engineering design of our post frame building. The pole barn will be 40x60 with 16 foot side walls. They intend to be ready to build in August 2024 if the IUP and permit process is approved. The pole barn and pad will meet all the required setbacks from property lines and roadways.

Upon the purchase of this land in 2019 we did have the land surveyed and stakes. Boettcher Excavating & Septic had completed buildable lot borings. They determined that the property will sustain septic systems.

Applicant/Property Owners: Kyle Hay and Kelly Zaiser

Mailing address: 326 4th Ave NE Cambridge, MN 55008

Phone number: Kyle Hay-[redacted]

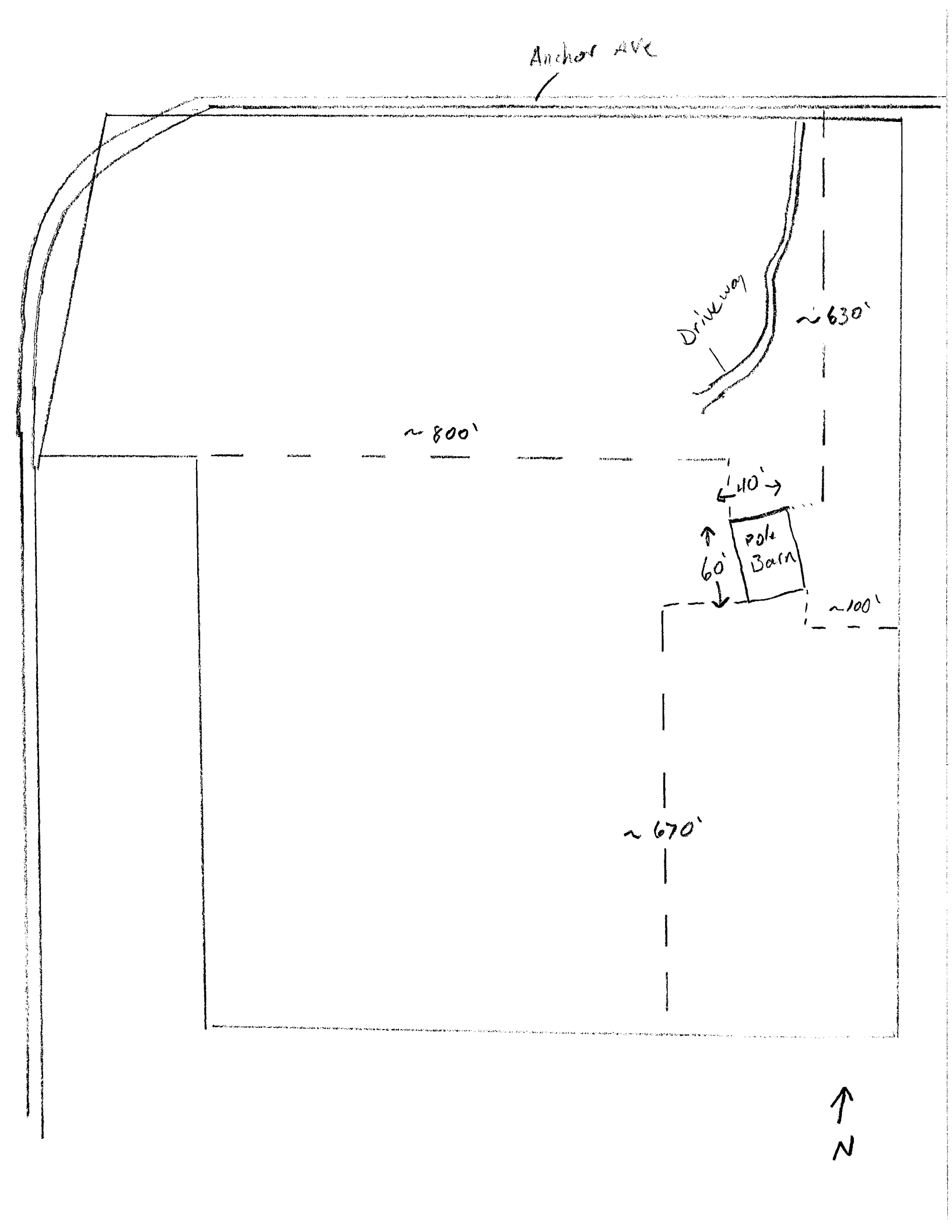
Email address:[redacted]

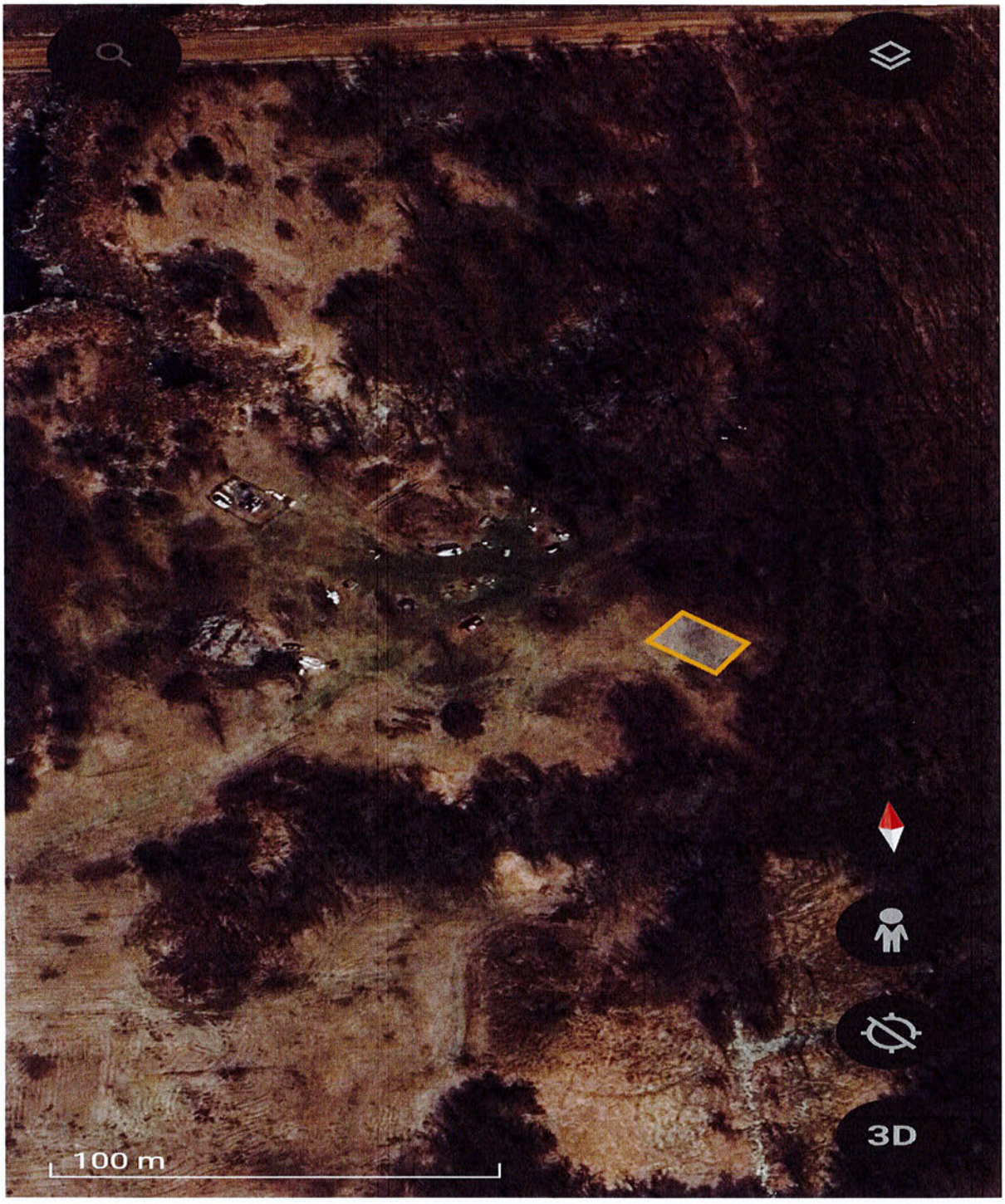
Applicant/Property Owner: Kyle Hay

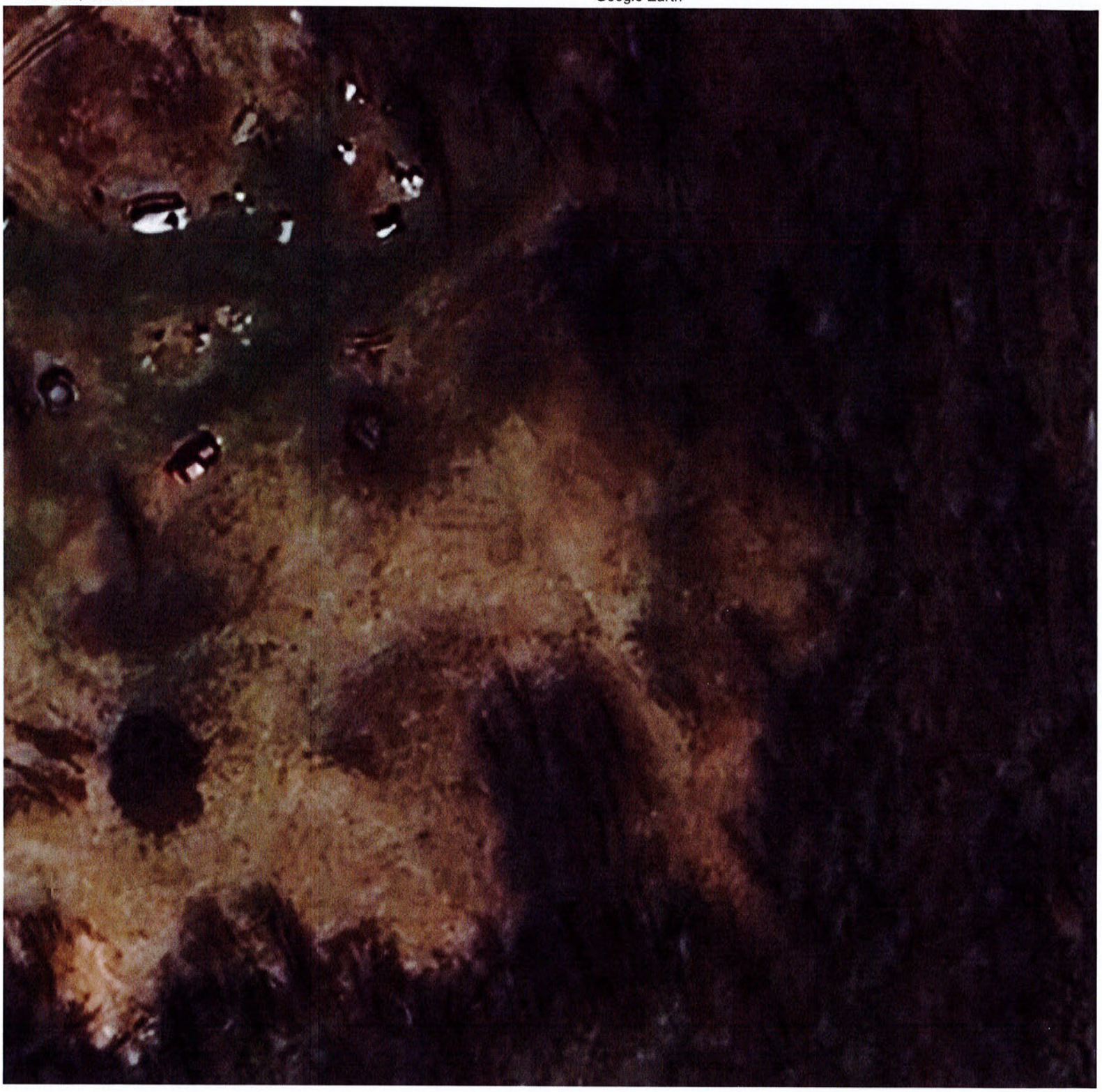
_____

Applicant/Property Owner: Kelly Zaiser

_____


Anchor Ave
Driveway
~630'
~800'
40'
60'
Pole Barn
~100'
~670'
N


100 m
3D



March 8, 2024

Attn: Jaime Tober (Latcham–Lind Lumber)

From: Bernie Stroh, P.E. (Stroh Engineering)

Re: Structural Review & Certification of Post Frame Building Plans
KYLE HAY
HARRIS, MINNESOTA
CHISAGO COUNTY

Memo: As requested, I have reviewed the Latcham–Lind Lumber plans and truss specifications for the proposed post frame building for KYLE HAY. Please see attached review for structural design.

In my opinion, as a licensed Professional Engineer in the State of Minnesota with extensive experience in post frame building structures, the proposed building as described above and as shown on the attached certified drawings and specifications, complies with the structural requirements of the IBC 2018 Building Code and the Minnesota State Building Code (MSBC 2020).

A copy of this memo and the attached DESIGN REVIEW and all plans should be submitted to the local inspections office. Please contact me with any questions or comments and if I can be of any further service at this time.

BERNARD G. STROH
LICENSED PROFESSIONAL ENGINEER
14269
STATE OF MINNESOTA

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly registered engineer under the laws of the state of Minnesota.

BGS 3/8/24

Bernie Stroh, P.E. Date
REG. NO. PE 14269

STROH ENGINEERING
Consulting Structural Engineers
strohengineering@1791.com

PROJECT: KYLE HAY
HARRIS, MINNESOTA
CHISAGO COUNTY

POST FRAME BUILDING

MEMO

Building Description and Construction Type

PROPOSED BUILDING IS 40 FT. WIDE X 60 FT. LONG X 16 FT. HIGH.

ROOF TRUSSES SPAN 40 FEET WITH 42 PSF SNOW LOAD PLUS 5 PSF TOP AND 5 PSF BOTTOM CHORD LOAD. ROOF TRUSSES ARE SPACED AT 7'-6" ON CENTER.

TYPICAL ROOF PURLINS WILL BE 2X4 (2100 PSF MSR) PLACED ON EDGE AT 21 INCHES ON CENTER.

ENDWALL DOORS, (12 FT. X 14 FT. & 10 FT. X 10 FT.) DO NOT REQUIRE HEADERS SINCE THE GABLE ROOF TRUSS IS DESIGNED TO SUPPORT THE ROOF LOADS.

ROOF SHEATHING IS 29 GA. CORRUGATED METAL.

ALL POSTS ARE LITTFIN LAMINATED (3) 2X6 PLY SPACED AT 7'-6" ON CENTER AT SIDEWALLS AND 8'-0" O.C. AT ENDWALLS.

WALL GIRT SHEATHING IS 2X4 HORIZONTAL MEMBERS (1650 PSI) AT 24" ON CENTER WITH 29 GA. STEEL SIDING.

POURED CONCRETE FOOTINGS ARE 22" DIA. X 8" AT SIDEWALL POSTS.
POURED CONCRETE FOOTINGS ARE 16" DIA. X 6" AT ENDWALL POSTS & AT PORCH.

MAX. SOIL BEARING PRESSURE = 2500 PSF.

BOTTOM OF POURED FOOTINGS 60" BELOW GRADE.
POST FRAME BUILDING HAS BEEN DESIGNED FOR 115 MPH (ULTIMATE) WIND LOADS PER INTERNATIONAL BUILDING CODE.

BERNARD G. STROH
LICENSED PROFESSIONAL ENGINEER 14269
STATE OF MINNESOTA

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly registered engineer under the laws of the state of Minnesota.

BGS 3/8/24

Bernie Stroh, P.E. Date
REG. NO. PE 14269

STROH ENGINEERING Consulting Structural Engineers strohengineering@1791.com

PROJECT: KYLE HAY
600 FT. WEST OF 44555 ANCHOR AVE.
HARRIS, MINNESOTA
CHISAGO COUNTY

POST FRAME BUILDING

DESIGN

I, Bernard G. Stroh, hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I that I am a duly licensed professional engineer under the laws of the State of Minnesota.

B G S date: 03/04/24

Bernard Stroh, P.E. REG. NO. 14269

STROH ENGINEERING consulting structural engineers

PO BOX 1058
JEROME, AZ 86331
CELL: 808-463-2256

strohengineering@1791.com
strohengineering@protonmail.com

BERNARD G. STROH
LICENSED PROFESSIONAL ENGINEER
14269
STATE OF MINNESOTA

40 x 60 x 16

Kyle Hay
600' West of
4H 555 Anchor Ave.
Harms MN 55032
Chisago Cty.

Roof Purlins
2x4 on Edge
21" o/c 21/0 MSR

All 29g Steel

4/12

Trusses notched onto Pole

6" Fascia →
24" Boxed ears →

← 2x6 DBL Top Plate

42-5-5

29ga Wall Steel →

Wall girts 2x4 24" o/c →

16' 1/0"

House Wrap →

3ply 2x4 Lam Column

2x10 Treated Bottom Board →

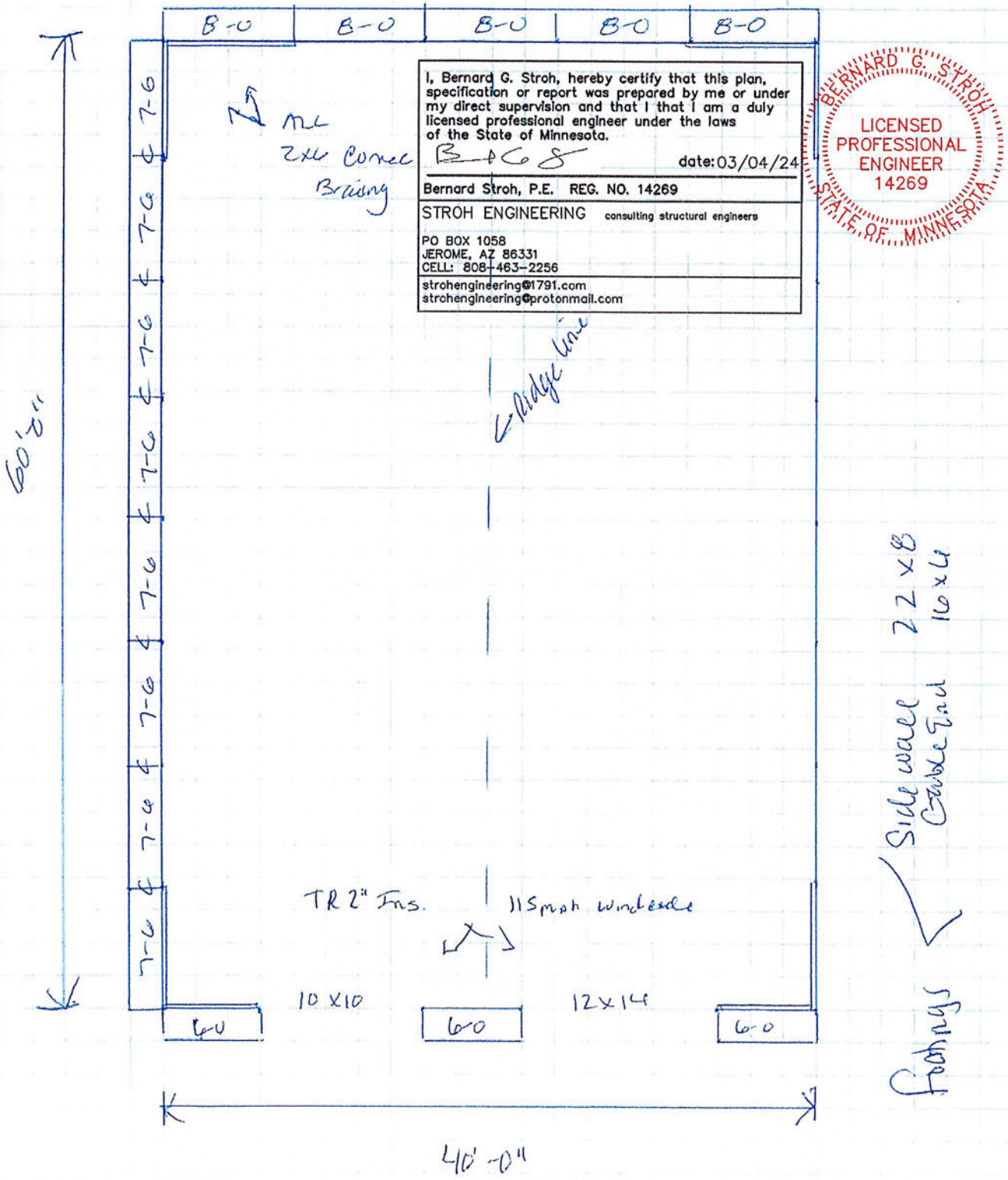
5' depth

2x6 treated windbd

← 22x8 gable Ends
16x6 gable Ends

KYLE HAY
HARRIS, MN
CHISAGO COUNTY

40 x 60 x 16
Isg. 2 ft



I, Bernard G. Stroh, hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I that I am a duly licensed professional engineer under the laws of the State of Minnesota.

date: 03/04/24

Bernard Stroh, P.E. REG. NO. 14269

STROH ENGINEERING consulting structural engineers

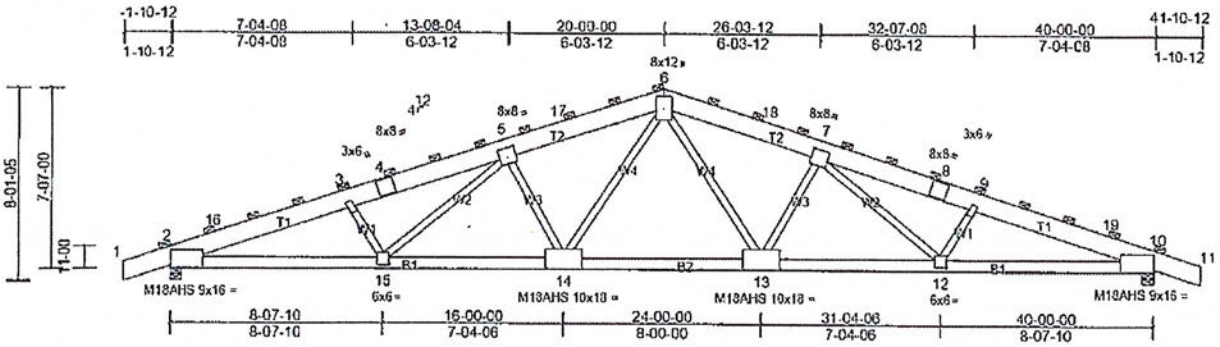
PO BOX 1058
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strohengineering@1791.com
strohengineering@protonmail.com

BERNARD G. STROH
LICENSED PROFESSIONAL ENGINEER
14269
STATE OF MINNESOTA

Job	Truss	Truss Type	Qty	Ply	578127 QROOF LATCHAM LIND
578127 QROOF	001	COMMON	7	1	Job Reference (optional)

Littin Truss Company, Winsted MN DL Run: 8.73 S Jan 4 2024 Print: 8.730 S Jan 4 2024 MiTek Industries, Inc. Tue Mar 05 13:11:33 Page: 1
ID:4ND5nAfpYFUBx5VcRZqGVMzdzzJ-AMWEhhUNuB6TGvQmqaAebYaAZbosuPbtU?FFGSzdywO



Scale = 1:73.3

Plate Offsets (X, Y): [2:Edge,1-04], [5:4-00,4-12], [7:4-00,4-12], [10:Edge,1-04], [12:3-00,3-08], [13:9-00,5-04], [14:9-00,5-04], [15:3-00,3-08]

Loading	(psf)	Spacing	7-06-00	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL (roof)	42.0	Plate Grip DOL	1.15	TC	0.83	Vert(LL)	-0.75	13-14	>631	240	M18AHS	186/179
TCDL	5.0	Lumber DOL	1.15	BC	0.98	Vert(CT)	-0.95	13-14	>497	180	MT20	244/190
BCLL	0.0	Rep Stress Incr	NO	WB	0.98	Horz(CT)	0.37	10	n/a	n/a		
BCDL	5.0	Code	IRC2018/TPI2014	Matrix-SH							Weight: 334 lb	FT = 20%

LUMBER
TOP CHORD 2x10 SP 2400F 2.0E
BOT CHORD 2x6 SP 2700F 2.2E
WEBS 2x4 DF-N No.1/No.2 or 2x4 SPF No.2 *Except* W3:2x4 DF-N 1800F 1.6E, W4:2x4 DF No.2 or 2x4 DF-N No.1/No.2

BRACING
TOP CHORD 2-0-0 oc purlins (2-4-14 max.)
BOT CHORD Rigid ceiling directly applied or 5-3-14 oc bracing

REACTIONS (size) 2=5-08, (req. 7-00), 10=5-08, (req. 7-00)
Max Horiz 2=-372 (LC 10)
Max Uplift 2=-1699 (LC 12), 10=-1699 (LC 12)
Max Grav 2=8460 (LC 1), 10=8460 (LC 1)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown
TOP CHORD 2-16=-17657/4495, 3-16=-17166/4531, 3-4=-16520/4457, 4-5=-16281/4492, 5-17=-13813/3950, 6-17=-13465/3978, 6-18=-13465/3978, 7-18=-13813/3950, 7-8=-16282/4492, 8-9=-16520/4457, 9-19=-17166/4530, 10-19=-17657/4495
BOT CHORD 2-15=-3951/16021, 14-15=-3336/14112, 13-14=-2359/10970, 12-13=-3345/14112, 10-12=-3959/16021
WEBS 3-15=-1448/583, 5-15=-464/2199, 5-14=-3328/1135, 6-14=-995/3830, 6-13=-995/3830, 7-13=-3328/1135, 7-12=-464/2199, 9-12=-1448/583

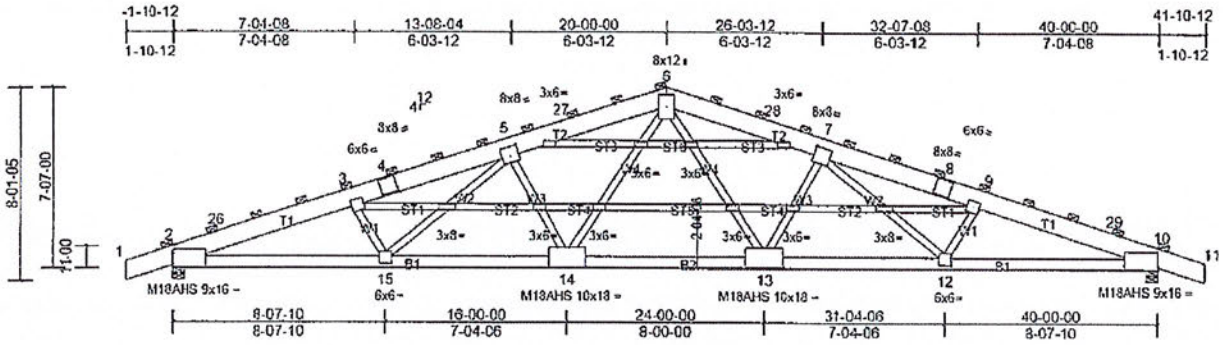
NOTES (9-11)
1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-16; Vult=115mph (3-second gust) Vasd=91mph; TCDL=3.0psf; BCDL=3.0psf; h=23ft; B=45ft; L=40ft; eave=5ft; Cat. II; Exp C; Enclosed; MWFRS (directional) and C-C Exterior(2E) -1-10-12 to 2-1-4, Interior (1) 2-1-4 to 20-0-0, Exterior(2R) 20-0-0 to 24-0-0, Interior (1) 24-0-0 to 41-10-12 zone; cantilever left and right exposed ; end vertical left and right exposed;C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60
3) Dead loads shown include weight of truss. Top chord dead load of 5.0 psf (or less) is not adequate for a shingle roof. Architect to verify adequacy of top chord dead load.
4) All plates are MT20 plates unless otherwise indicated.
5) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
6) WARNING: Required bearing size at joint(s) 2, 10 greater than input bearing size.
7) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 1699 lb uplift at joint 2 and 1699 lb uplift at joint 10.
8) This truss is designed in accordance with the 2018 International Residential Code sections R502.11.1 and R802.10.2 and referenced standard ANSI/TPI 1.
9) This truss must not be exposed to environments that are corrosive or greater than 19 percent moisture, and moisture of lumber not to exceed 19 percent.
10) It is the responsibility of the engineer of record to determine the suitability of this component for this project per ANSI/TPI 1, Section 2.
11) For Piggyback conditions, see Piggyback truss connection detail for base to cap truss connections.

LOAD CASE(S) Standard

GABLE END TRUSSES REVIEWED AND APPROVED BY STRUCTURAL ENGINEER

Job	Truss	Truss Type	Qty	Ply	578127 QROOF LATCHAM LIND
578127 QROOF	002	COMMON	2	1	Job Reference (optional)

Littin Truss Company, Winsted MN, DL Run: 8.73 S Jan 4 2024 Print: 8.730 S Jan 4 2024 MiTek Industries, Inc. Tue Mar 05 13:11:34 Page: 1
ID:4ND5nAfpYFUBxjVcRZqGVMzdzzJ-eY4cu1V?fVEKu3?yOHht7m7LJ?85dsr1il?oouzdywN



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Loading	(psf)	Spacing	7-06-00	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
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BCLL	0.0	Rep Stress Incr	NO	WB	0.98	Horz(CT)	0.37	10	n/a	n/a		
BCDL	5.0	Code	IRC2018/TPI2014	Matrix-SH							Weight: 380 lb	FT = 20%

LUMBER
TOP CHORD 2x10 SP 2400F 2.0E
BOT CHORD 2x6 SP 2700F 2.2E
WEBS 2x4 DF-N No.1/No.2 or 2x4 SPF No.2 *Except* W3:2x4 DF-N 1800F 1.6E, W4:2x4 DF No.2 or 2x4 DF-N No.1/No.2
OTHERS 2x4 DF-N No.1/No.2 or 2x4 SPF No.2

BRACING
TOP CHORD 2-0-0 oc purlins (2-4-14 max.).
BOT CHORD Rigid ceiling directly applied or 5-3-14 oc bracing.

REACTIONS (size) 2=5-08, (req. 7-00), 10=5-08, (req. 7-00)
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Max Grav 2=8460 (LC 1), 10=8460 (LC 1)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-26=-17657/4495, 3-28=-17166/4531, 3-4=-16520/4457, 4-5=-16281/4492, 5-27=-13813/3950, 6-27=-13465/3978, 6-28=-13465/3978, 7-28=-13813/3950, 7-8=-16282/4492, 8-9=-16520/4457, 9-29=-17166/4530, 10-29=-17657/4495
BOT CHORD 2-15=-3951/16021, 14-15=-3336/14112, 13-14=-2359/10970, 12-13=-3345/14112, 10-12=-3959/16021
WEBS 3-15=-1448/583, 5-15=-464/2199, 5-14=-3328/1135, 6-14=-995/3830, 6-13=-995/3830, 7-13=-3328/1135, 7-12=-464/2199, 9-12=-1448/583

NOTES (11-13)
1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-16; Vult=115mph (3-second gust) Vasd=91mph; TCDL=3.0psf; BCDL=3.0psf; h=23ft; B=45ft; L=40ft; eave=5ft; Cat. II; Exp C; Enclosed; MWFRS (directional) and C-C Exterior(2E) -1-10-12 to 2-1-4, Interior (1) 2-1-4 to 20-0-0, Exterior(2R) 20-0-0 to 24-0-0, Interior (1) 24-0-0 to 41-10-12 zone; cantilever left and right exposed ; end vertical left and right exposed;C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60
3) Truss designed for wind loads in the plane of the truss only. For studs exposed to wind (normal to the face), see Standard Industry Gable End Details as applicable, or consult qualified building designer as per ANSI/TPI 1.
4) Dead loads shown include weight of truss. Top chord dead load of 5.0 psf (or less) is not adequate for a shingle roof. Architect to verify adequacy of top chord dead load.
5) All plates are MT20 plates unless otherwise indicated.
6) Horizontal gable studs spaced at 2-8-0 oc.
7) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
8) WARNING: Required bearing size at joint(s) 2, 10 greater than input bearing size.
9) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 1699 lb uplift at joint 2 and 1699 lb uplift at joint 10.
10) This truss is designed in accordance with the 2018 International Residential Code sections R502.11.1 and R802.10.2 and referenced standard ANSI/TPI 1.
11) This truss must not be exposed to environments that are corrosive or greater than 19 percent moisture, and moisture of lumber not to exceed 19 percent.
12) It is the responsibility of the engineer of record to determine the suitability of this component for this project per ANSI/TPI 1, Section 2.
13) For Piggyback conditions see Piggyback truss connection detail for base to cap truss connections.

LOAD CASE(S) Standard

LATCHAM-LIND LUMBER, INC.

COPY

POLE BUILDING
16255 117TH AVE.
MILACA, MN 56353
1-800-818-1846 1-320-983-6304
Fax 1-320-983-6208

FOR Kyle Hay

ESTIMATE

Phone # [redacted]

PLEASE examine this estimate carefully
We agree to furnish only those articles
as priced and described in this estimate.

DESCRIPTION 40x60x16

ADDRESS

kyle.ah24@yahoo.com

DATE 3-5-24

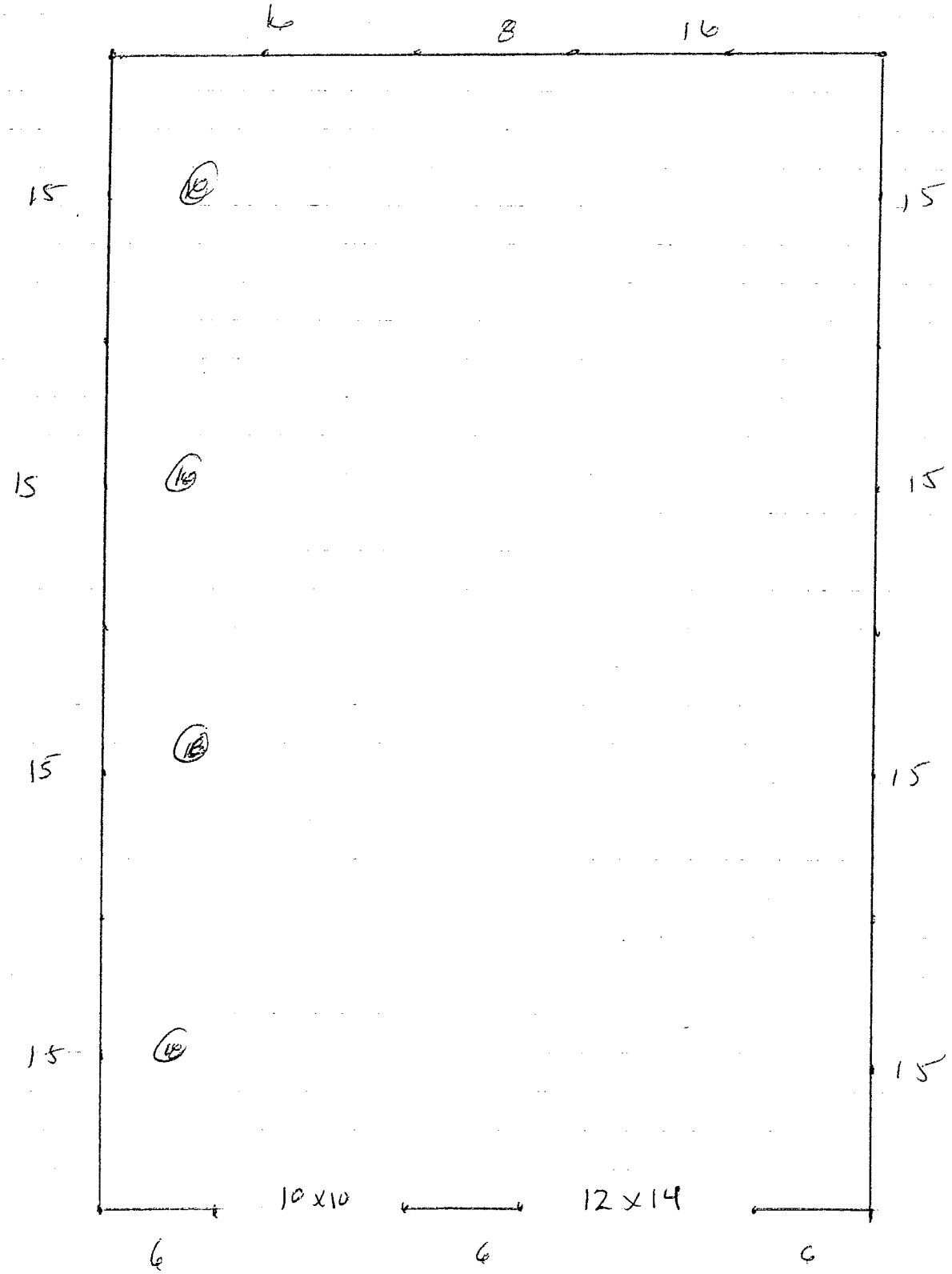
....Clerical Errors subject to correction
....Prices quoted are conditional after 10 days.
....Purchaser is responsible to know all local Building Codes
....Additional Materials required to meet code after the fact are the purchaser's expense.
....This estimate assumes Purchaser's building site is level.
....Additional Materials needed to compensate for unlevel site area at purchaser's expense.
....Purchaser must obtain BUILDING PERMIT...Lind will furnish necessary information.

Piece	Size	Length	Description		
	2x6 3Ply	16	Laminated Columns		
	2x6 3Ply	18	Laminated Columns		
	2x6 3Ply	20	Laminated Columns		
18	2x6 3Ply	22	Laminated Columns		
	2x6 3Ply	24	Laminated Columns		
4	2x6 3Ply	26	Laminated Columns		
4	2x6 3Ply	28	Laminated Columns		
26			Cement Pads/Poured Footings and Windlifts		
10.5	2 X 10	16	Treated Bottom Board		
2	2 X 10	14	Treated Bottom Board		
	2x10		Treated Bottom Board		
2	1x6	16			
2	4/12 pitch	40	Structural Gable Trusses 7'6 ft o/c		
7		40	Common Trusses 7'6ft o/c		
16	2x6	16	Double Top Plate		
8	2x6	18	Corner Bracing		
2	2x6	18	Window Boxings		
6	2x6	16	Door Boxings		
2	2x10	10	Overhead Door Boxings		
5	2x10	14	Overhead Door Boxings		
3	2x10	12	Overhead Door Boxings		
	2x12LVL				
4	2x6	18	Fascia Board		
4	2x6	16	Fascia Board		
10.5	2x6	16	Wainscot Board		
2	2x6	14	Wainscot Board		

	Size	Length	Description		
84	2x4	16	Wall Girts 24" On/Center		
16	2x4	14	Wall Girts 24" On/Center		
	2x4				
80	2x4	18	Roof Boards 21" On/Center		
80	2x4	16	Roof Boards 21" On/Center		
16	2x4	12	Roof Braces		
	2x4				
12		10ft.	F and J Trim		
16		12 ft.	Vented Softit		
1		12 ft.	RS Starter		
14		12 ft.	6" Steel Fascia		
14		10 ft.	Steel Roof Edge		
1			Softit Nails		
10		10'6"	Framing Closure		
2	3'0"X6'8"		Plyco 92 Series Entry Door and Lock		
			Plyco 92 Series Entry Door and Lock -with Window		
1	12x14		TR-2" Insulated Overhead Door		
1	10x10		TR-2" Insulated Overhead Door		
1			Door Install		
70			Vinyl Door Stop		
	1 1/2x3 1/2	10 ft.	Track Board Cover		
18		10'	Bottom Closure		
	3x3	10'	Eve Trim		
15		10'	7/8 J-Trim		
1		12'6"	9" Door Jamb Trim		
2		14'6"	9" Door Jamb Trim		
18		10'	3/4 Bottom Angle		
3		10'6"	9" Door Jamb Trim		
7		10'	14" Ridge Cap		
		10'6"	W-Valley		
		10'6"	24" Ridgelite		
		10 ft.	Rake and Corner Trim		
8		12 ft.	Rake and Corner Trim		
		14 ft.	Rake and Corner Trim		
		16 ft.	Rake and Corner Trim		
4		18 ft.	Rake and Corner Trim		
		10 ft.	Ridgolator For Ventilation		
		12ft	Sky Lite		
2	Tube		30 Year GE Silicone		
		10	Sidewall		
	UEW	10	End Wall Flashing		
		10'	National Track Cover		
3	Rolls	10'	House Wrap		
2	box		Duo Fast Staples		
2	100' Roll	4"	House Wrap Tape		

Piece	Size	Length	Description			
	3x3		Insulated Slider Windows			
	4x2		Insulated Slider Windows			
	4x3		Insulated Slider Windows			
2	4x4		Insulated Slider Windows			
44		23.25	Colored 29ga Roof Steel	32.39		
			Colored 29ga Roof Steel	0.00		
78		3.5	Colored 29ga Roof Steel	8.64		
78			Cuting Charge	0.00		
	20' Roll		Uniseal			
2	50' Roll		Uni-Vent Foam Closure			
2	20' Roll		Uni-Vent Foam Closure			
40		12.5	Colored 29ga. Wall Steel	15.83		
			Colored 29ga. Wall Steel	0.00		
				0.00		
				0.00		
4		14.5	Colored 29ga. Gable Steel	1.84		
4		15.5	Colored 29ga. Gable Steel	1.96		
4		16.5	Colored 29ga. Gable Steel	2.09		
4		17.5	Colored 29ga. Gable Steel	2.22		
4		18.5	Colored 29ga. Gable Steel	2.34		
4		19.5	Colored 29ga. Gable Steel	2.47		
4		20.5	Colored 29ga. Gable Steel	2.60		
			Colored 29ga. Gable Steel	0.00		
			Colored 29ga. Gable Steel	0.00		
			Colored 29ga. Gable Steel	0.00		
			Colored 29ga. Gable Steel	0.00		
7	500p Bags	1 1/2"	NP Washer Screws Roof	41.04		
6	500p Bags	1 1/2"	NP Washer Screws Walls	31.35		
40	16	Penny	Nails			
40		3"	Torx			
40		4"	Polebarn Nails			
40	60	6"	Polebarn Nails			
2			Tin Screw Bits			
			Door Track			
			Box Hangers			
			Handle's, Roller & Guide			
			Jamb Latches			
		10	1600 AV quick Frame			
			1600 HV quick Frame			
		10	210Bottom			
			Materials and Tax	$46,437.64		
			Labor	$13,400.00		
			Total	$59,837.64		

40x60x16



Material Contract

CLIENT'S C...

Latcham-Lind Lumber **16255 117th Avenue** **Milaca, MN 56353** **1-800-818-1846 1-320-983-6304** **Fax 1-320-983-6208** **BC 752852**	**Sign Bottom - keep marked Client's Copy** Owner Responsible for Permit, we will provide information **Must Be level building site, With 10' Flat Workable Area on All Sides, Charges will be Applied if not followed** **INTITAL HERE x_____** Scrap dumpster and removal is Owner's Responsibility

CONTRACT SUBMITTED TO Kyle Hay	PHONE [redacted]	DATE 3/7/2024
STREET 326 4th Ave NE	Cell PHONE	
CITY, STATE, AND ZIP CODE Cambridge, MN 55008	JOB LOCATION	
ARCHITECT		JOB PHONE

We hereby submit specifications and estimates for:

Materials for 1-40x60x16 Post Frame Building

All 3 Ply 2x6 Laminated Columns 5' Deep
Cement Pads & Treated Windlifts
2x10 Treated Bottom Board
All Roof Trusses 4/12 Pitch, 7'6 On/Center, with 42-5-5 Loading
2x6 Corner Braces, and 2x4 Wind Braces in Roof
2x4 Wall Girts 24" On/Center and Roof Boards 21" On/Center
24" Vented Soffits and 18" Steel Gable End Overhangs
1-12x14 & 1-10x10 TR-2" Insulated Raised Panel Overhead Door
2-3'0"x6'8" Entry Door
3'6 Wainscot on Entire Building
14" Ridge Cap with Vented Closure for Ventilation
All 29ga. Steel Screwed on with NP Washer Screws Full Trim Package
2-4x4 Insulated Slider Windows- WHITE
House Wrap on Entire Building

Roof Color: _____
Wall Color:
Trims/Soffit Color: _____
Wainscot Color:

You,the Property owner, may cancel this contract at any time witnin 72 hours after the contract has been signed between the property owner and Latcham-Lind Lumber, Inc. See attached Notice of Cancellation form for an explanation of this right.

We Propose hereby to furnish material (Above Proposal includes material, Tax, & Delivery) - complete in accordance with above specifications, for the sum of:

Forty Six Thousand Four Hundred Thirty Seven Dollars and Sixty Four Cents $46,437.64

Payment to be made as follows:

$10,000.00 Down Payment & Balance with Completion.

All material is guaranteed to be as specified, All work to be completed in a workman like manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All Agreement contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary Insurance.

Authorized Signature _____

Note: This Contract may be withdrawn by us if not accepted within 10 days.

Payment in full to be made upon completion of installation, unless otherwise noted. A finance charge 0f 1.5% (18% per annum) will be charged to accounts past 30 days. In the event the buyer defaults under the terms of the agreement, buyer agrees to pay reasonable attorney fees, and additional reasonable collection costs associated in collecting the amount owed.

NON-CASH TRANSACTIONS MAY INCUR A CONVENIENCE FEE OF UP TO 5% OF YOUR PURCHASE PRICE, AS ALLOWED BY THE MINNESOTA STATUTE 325G.051

Acceptance of Pre-Lien Notice

Any person or company supplying labor or materials for this improvement to your property may file a lien against your property if that person or company is not paid for the contributions.

Date of Acceptance: _____ **Signature** _____

Acceptance of Proposal

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____ **Signature** _____

Labor Contract

Owner Must Call Gopher State Before We Can Dig
1-800-252-1166 It is a Free Service

CONTRACT SUBMITTED TO	PHONE	DATE
Kyle Hay	[redacted]	3/7/2024
STREET: 326 4th Ave NE	Cell PHONE: 0	
CITY, STATE, AND ZIP CODE: Cambridge, MN 55008	JOB LOCATION: 0	
ARCHITECT		JOB PHONE

We hereby submit specifications and estimates for:

Labor for 1-40x60x16 Post Frame Building

We Propose hereby to furnish Labor - complete in accordance with above specifications, for the sum of:

Thirteen Thousand Four Hundred Dollars and No Cents $13,400.00

Payment to be made as follows:

Balance With Completion.

If Excessive or Abnormal Amount of Debre, Rock, Stump, or very High Water Table Interferes with Digging, There Will Be an Additional Cost To Owner by Laborer.

Authorized
Signature _____

All Labor to be paid to Builder by Separate Check

Note: This Contract may be withdrawn by us if not accepted within 10 days.

Payment in full to be made upon completion of installation, unless otherwise noted. A finance charge 0f 1.5% (18% per annum) will be charged to accounts past 30 days. In the event the buyer defaults under the terms of the agreement, buyer agrees to pay reasonable attorney fees, and additional reasonable collection costs associated in collecting the amount owed.

CASH OR CHECKS ONLY, NO CREDIT CARDS ACCEPTED

Acceptance of Pre-Lien Notice

Any person or company supplying labor or materials for this improvement to your property may file a lien against your property if that person or company is not paid for the contributions.

Date of Acceptance: _____ **Signature** _____

Acceptance of Proposal

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____ **Signature** _____

Beth M. Gervais

From: bjt1t2t3 [redacted]
Sent: Monday, April 15, 2024 4:35 PM
To: Beth M. Gervais
Subject: Notice received in mail for interim use permit

This is an external email message!
This message originated from outside the Chisago County email system. Use caution when clicking hyperlinks, downloading pictures or opening attachments.

Hello,

We received a postcard in the mail today about a request from the owners of the property next to our property for an Interim Permit allowing them to build an accessory structure without a principle structure - PID 03.00278.00. Your postcard states a full application is available upon request. We would like to see this application and learn more about what they intend to build on that property.

The property in question is located on wetland with little of the property being high ground. This wetland feeds the creek that runs through our property and into a pond and wet area on our property. We are concerned that any building on the land in question will harm the wetland on that property, as well as on our property. Also, a driveway has already been built to access the property that crosses the creek. Is there a culvert that allows for adequate water flow?

Years ago, a previous owner of the property in question was going to build a home there, but they told ús after having it perc tested that they couldn't because there wasn't enough buildable area on that property for a home and septic, and also that the land was protected wetland.

Before the new owners are able to build anything on that property, does it first need to be inspected by the county to ensure it is in fact buildable (and livable) land? We just want to make sure the wetland remains.

We would appreciate any additional information you have before the public hearing is held.

Thank you,

Brad and JayDee Mahs

Beth M. Gervais

From: Sandy Vance [redacted]
Sent: Tuesday, April 16, 2024 11:05 AM
To: Beth M. Gervais
Subject: Concerns Regarding Application for Interim Use Permit IUP - PID 03.00278.00

This is an external email message!
This message originated from outside the Chisago County email system. Use caution when clicking hyperlinks, downloading pictures or opening attachments.

Dear Beth,

Thank you for sharing the application materials with us.

After thorough review and consideration of the details provided, it appears that the landowner may not have intentions of solely building a home on the property. Our observation of the installation of insulated doors, windows, and house wrap for the entire shed suggests a potential alternative use beyond mere storage of equipment and personal belongings.

Given these observations, we feel compelled to express our objection to granting the landowner an Interim Use Permit at this time.

Sincerely, Kevin & Sandy Vance

On Apr 16, 2024, at 9:20 AM, Beth M. Gervais <Beth.Gervais@chisagocountymn.gov> wrote:

Sandy: Thank you for your call this morning regarding the Interim Use Permit (IUP) request for PID 03.00278.00. Please find attached the application materials as requested.

Reach out with any follow-up questions.

Thank you,

Beth Gervais | Land Services Coordinator
Environmental Services
313 N Main St
Suite 240
Center City, MN 55012
Beth.Gervais@chisagocountymn.gov
Phone: 651-213-8379

'Chisago County was created by the State of Minnesota to serve, protect, and enhance the quality of life for those we se
<LOGO1_6baf9bf2-50dd-4e04-a51e-8c2d29ae494e.jpg>

Chisago County Department of Environmental Services
Jeffrey A. Fertig
Wetland Specialist
313 No. Main St. #240 Center City, MN 55012
651-213-8378
jeff.fertig@chisagocounty.us

Memorandum

To: Beth Gervais

From: Jeffrey Fertig

Date: 4/22/2024

Re: Zaiser/Hay IUP (PID:03.00278.00)

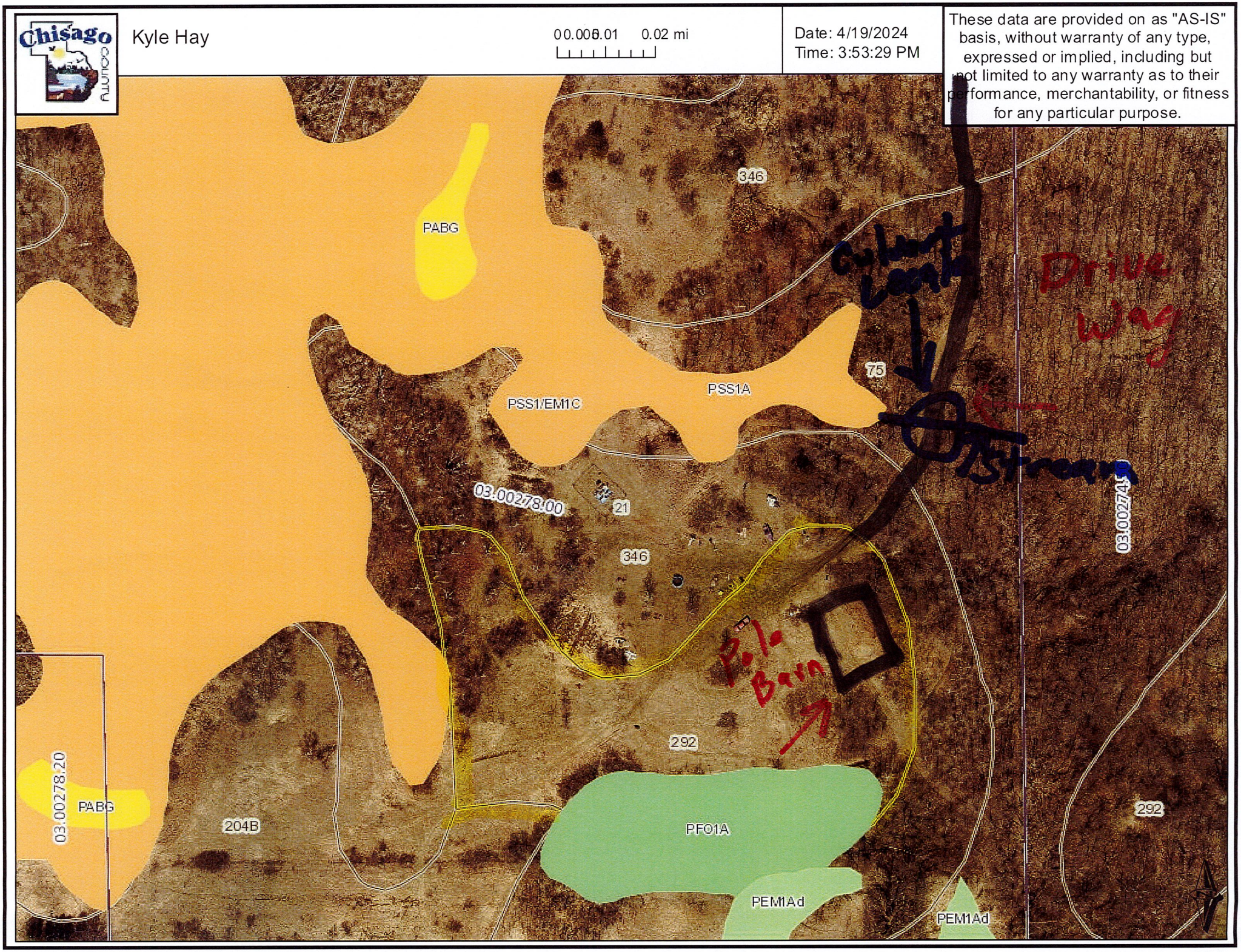
On April 19, 2024, I conducted a site inspection to determine if the following assertions contained within this public comment is accurate and true.

"The property in question is located on wetland with little of the property being high ground. This wetland feeds the creek that runs through our property and into a pond and wet area on our property. We are concerned that any building on the land in question will harm the wetland on that property, as well as on our property. Also, a driveway has already been built to access the property that crosses the creek. Is there a culvert that allows for adequate water flow?"

Attached is a map with the wetlands and soils superimposed on it. I have also identified the proposed locale of the pole barn, driveway and culvert location. Further, I have highlighted the soil where the proposed pole barn will be located. My findings are as follows:

- The soil type denoted as 292 (Alstad Loam) is not identified as a wetland soil in the Chisago County Soil Survey.
- More than half the property has been identified as upland by the National Wetland Inventory.
- Finally, the culvert installed in the driveway appears to be sized correctly for the amount of water that is flowing in the small creek. As such, the culvert allows for adequate water flow.

It is my opinion that the construction of a pole barn will in no way be detrimental to the wetlands on the parcel.


Chisago County
Kyle Hay
0 0.005 0.01 0.02 mi
Date: 4/19/2024
Time: 3:53:29 PM
These data are provided on as "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.
346
PABG
PSS1A
75
PSS1/EM1C
03.00278.00
21
346
292
PABG
03.00278.20
204B
PFO1A
PEM1Ad
PEM1Ad
292
03.00274.00
Drive way
Pole Barn

Kyle Hay & Kelly Zaiser – Property owners Kyle Hay & Kelly Zaiser are requesting approval of an Interim Use Permit allowing for an accessory structure without the presence of a principal use structure on a 34± acre property in the Agricultural (AG) District. The subject site is generally located between Stark Road / CSAH 10 and Brunswick Road / CR 63 on Anchor Avenue in Fish Lake Township, S 21, T36, R22 (PID 03.00278.00).

Hay Zaiser Property -



Kyle Hay & Kelly Zaiser – Property owners Kyle Hay & Kelly Zaiser are requesting approval of an Interim Use Permit allowing for an accessory structure without the presence of a principal use structure on a 34± acre property in the Agricultural (AG) District. The subject site is generally located between Stark Road / CSAH 10 and Brunswick Road / CR 63 on Anchor Avenue in Fish Lake Township, S 21, T36, R22 (PID 03.00278.00).

Hay Zaiser Property -



RESOLUTION NO. PC2024-0503
A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA, RECOMMENDING APPROVAL OF AN INTERIM USE PERMIT ALLOWING AN ACCESSORY STRUCTURE WITHOUT THE PRESENCE OF A PRINCIPAL USE STRUCTURE ON PROPERTY IDENTIFIED AS PID 03.00278.00 IN FISH LAKE TOWNSHIP

WHEREAS, property owners Kyle Hay & Kelly Zaiser submitted an application dated received and considered complete on March 27, 2024 for an Interim Use Permit allowing an accessory structure without the presence of a principal use structure on property located at xxxxx Anchor Avenue in Fish Lake Township; and

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

WHEREAS, the subject site is 34.00± acres in size and legally described as:

PID 03.00278.00

The Northeast 1/4 of the Southwest 1/4 of Section 21, Township 36, Range 22, Chisago County, Minnesota.
EXCEPT the following described parcels of land: Commencing at the Northwest corner of the NE1/4 of the SW1/4 of said section township and range; thence South along the West line thereof a distance 600 feet; thence Northeasterly to a point on the East-West Quarter line 150 feet east of the Northwest corner of said NE1/4 of the SW1/4; thence West along the Quarter line a distance of 150 feet to the point of beginning.
AND ALSO EXCEPTING:
The West 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Southwest 1/4, Section 21. Township 36, Range 22, Chisago County, Minnesota

WHEREAS, notice was provided and on May 2, 2024 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the property owner(s), and invited members of the public to comment; and

WHEREAS, the Planning Commission considered several factors for granting Interim Use Permits and made the following findings per Zoning Ordinance Section 8.04-1, C.:

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, the Zoning Ordinance (development policy) allows the proposed use in the Agricultural (AG) District with issuance of an Interim Use Permit. 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 *Being that the proposed use is intended solely for residential storage purposes, the County finds that the proposed use will not create any demand on existing parks, schools, streets, or other public facilities 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 *Given the size of the subject site, the existing vegetation on and adjacent to the subject site, the size of adjacent properties and the fact that the structure will meet or exceed all required setbacks, the County finds that the subject site is sufficiently separated by distance and screening from adjacent development so as to neither cause undue negative impact nor 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 *The Chisago County Zoning Ordinance does not identify any aesthetic requirements for accessory structures within the Agricultural (AG) District; therefore, the County finds that there is no evidence to suggest that the structure will have an appearance which will cause adverse effects upon 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 allows a singular accessory structure without the presence of a principal use structure in the Agricultural (AG) District with issuance of an Interim Use Permit; therefore, the County finds that the proposed use is 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 accessory structure is intended for personal use and storage in conjunction with the property owners' current and future uses of the subject site. The County finds that the accessory structure will create minimal traffic – consistent with traffic associated with a single family dwelling – and will not cause traffic hazard or congestion. Further, the road authority – being Fish Lake Township – has not communicated any concerns related to 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 *The proposed use is consistent with accessory structures allowed in and located in the Agricultural (AG) District and will be sufficiently separated from neighboring properties by distance and vegetation; therefore, the County finds that the accessory structure will not adversely impact nearby properties by intrusion of noise, glare or general unsightliness.*

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

1. This approval allows for a singular accessory structure for personal use and storage without the

presence of a principal use structure, subject to the conditions below. The accessory structure shall be constructed in general accordance with the application materials dated received March 27, 2023 and kept on file with the Chisago County Department of Environmental Services. Any significant deviation from the approved request, as determined by the Department of Environmental Services, shall require further consideration by the Planning Commission and determination by the County Board of Commissioners.

2. No overnight or residential living quarters / use shall be allowed in the accessory structure.
3. No sanitary facilities shall be allowed within the accessory structure until and unless the property is further developed with a principal use structure.
4. Any change to the approved accessory structure involving enlargements, intensification or expansion of use, or change not specifically permitted by this Interim Use Permit, shall require an Interim Use Permit Amendment.
5. 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.
6. This Interim Use Permit shall expire at such time that the current or future property owner(s) construct a principal use structure.
7. Violations of the conditions contained herein shall be cause for the revocation of the Interim Use Permit upon action of the County Board.

Adopted by the Planning Commission of Chisago County, Minnesota, this 2nd day of May, 2024.

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

_____ ATTEST: _____

Jolene Wille
Chair

Beth Gervais
Land Services Coordinator

Staff Report

TO: Planning Commission
FROM: Beth Gervais, Land Services Coordinator
SUBJECT: Conditional Use Permit for Rural Retail Tourism
15323 260th Street, Franconia Township
DATE: May 2, 2024

ACTION TO CONSIDER

The Planning Commission will conduct a public hearing to consider a Conditional Use Permit (CUP) for Rural Retail Tourism in Franconia Township. The proposed Rural Retail Tourism activity is a wedding / gathering venue accommodating up to 175 people, including guests and staff.

SITE & APPLICATION INFORMATION

Applicant(s):	Bridget Korman & Loralei Walker
Property Owner(s):	Bridget Korman & Loralei Walker
Location:	15323 260th Street Franconia Township Section 25, Township 33, Range 20
PID:	04.00411.20
Property Area:	20.00± 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:	March 28, 2024
Date Application Complete:	March 28, 2024
60-Day Review Period:	May 27, 2024



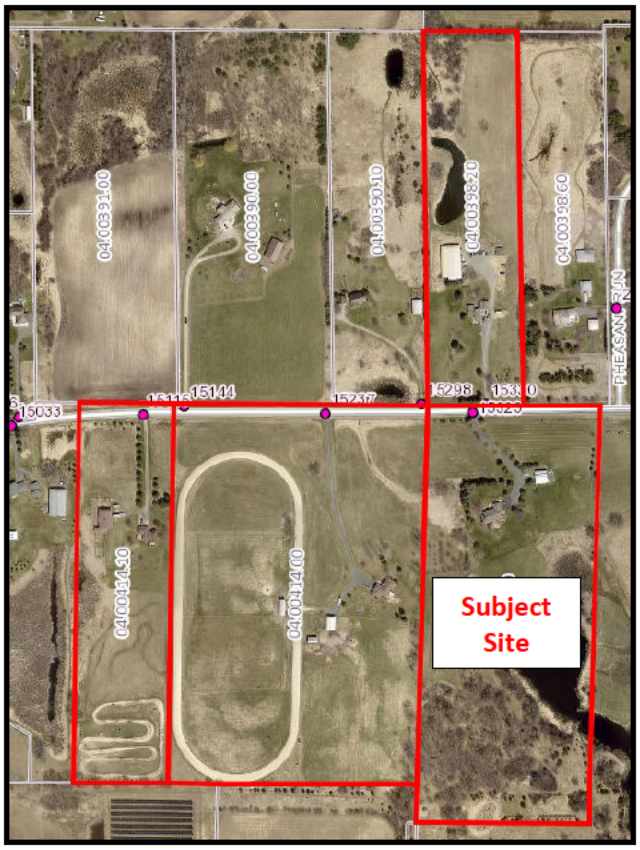
BACKGROUND

Property owners Bridget Korman & Loralei Walker are requesting a CUP for Rural Retail Tourism in order to establish and operate a wedding / gathering venue on their 20.00± acre property in Franconia Township. The proposed venue will accommodate a maximum capacity of 175 people and is primarily intended to serve as a wedding venue but may additionally be used for smaller events like workshops or meetings.

SITE ANALYSIS

The subject site is located on the south side of 260th Street approximately one-half mile east of Olinda Trail / CSAH 25 and approximately eight-tenths of a mile west of Quinlan Avenue in

Franconia Township. Topography of the subject site includes rolling elevations ranging from 913' in the southeast corner to 949' in the northeast corner, three distinct wetland areas, and areas of both light and heavy tree cover. The site has been developed with a dwelling and multiple detached accessory structures, including a 14' x 16' (224 sf) detached garage and a 36' x 40' (1,440 sf) pole building. Additionally, the site features two separate vineyard areas, with each being approximately one acre in size.



The subject site and all surrounding properties are located within the AG District. Surrounding properties vary widely in size from five acres to 85 acres and appear to be used for both residential and agricultural purposes. Based on aerial imagery (see adjacent image) and the applicants' written narrative, there also appears to be some amount of commercial and/or "specialized" activity in the immediate vicinity, including what appears to be a horse track immediately west, a dirt bike / ATV track two properties to the west, and, per the written narrative, an auto shop directly north. Staff was not able to find any documentation on file with the Department of Environmental Services for these other uses, so there is no specific information available at this time.

PROPOSAL ANALYSIS

The property owners' written narrative explains that they intend to establish and operate a gathering venue for weddings and events such as family reunions, parties, and other types of celebrations. The venue is proposed to accommodate a maximum of 175 people, including guests and staff. While some wedding / gathering venues within the County are able to accommodate larger groups of 200 – 300 guests, the property owners explain that they wish to offer a smaller scale venue "with a more intimate feeling".

The property owners intend to construct a new 40' x 60' (2,400 sf) structure to serve as the main area for events and they're also proposing to utilize the existing 36' x 40' (1,440 sf) pole building and 14'x 16' (224 sf) detached garage as part of the Rural Retail Tourism operation. Additionally, the property owners are proposing the possible construction of a gazebo where wedding ceremonies could be performed.

The application materials offer the following details:

- Buildings and Structures – The property owners intend to construct a new 40' x 60' (2,400 sf) structure with a poured concrete floor to serve as the main area for events, including space for seated dining, food service tables, bar area, dance floor, etc. This structure is proposed to be located directly east of the existing 36' x 40' (1,440 sf) pole building which will be renovated and used for Rural Retail Tourism activity as well. The site also features an existing 14' x 16' (224 sf) single-stall garage which may be utilized for restrooms and / or a bar / prep area. Prior to either of the existing structures being utilized for Rural Retail Tourism activity / subjected to a change of occupancy, the

Zoning Ordinance requires that they be certified by an architect or engineer and be brought into compliance with current structural standards. Eventually, the property owners intend to construct a gazebo south of the existing and other proposed structures to serve as a location for wedding ceremonies.

The proposed 40' x 60' (2,400 sf) structure is shown on the attached site plan to be situated approximately 110' from the east property boundary, which is the closest property boundary, and approximately 180' from the edge of 260th Street. Neighboring dwellings closest to the structures proposed to be utilized for Rural Retail Tourism activity are situated approximately 400' to 600' away on the north side of 260th Street. The exact location of the future gazebo is unknown at this time.

- Days and Hours of Operation – The venue is proposed to be open seasonally, operating May through October, and available to rent Fridays, Saturdays, and Sundays. Event set-up may begin as early as 9:00 am and end as late as 12:00 pm. Additionally, if demand exists, the property owners would like to rent the facility for smaller events, such as workshops or meetings, on weekdays. These events are proposed to have more limited hours of 8:00 am to 5:00 pm. It's unclear to staff if the smaller events would be limited to the seasonal timeframe or if the facility would be open year-round for this less-intensive activity.

- Maximum Event Capacity – The property owners are proposing a maximum capacity of 175 people, as they believe this is the maximum number that the property and infrastructure can comfortably support. The owners clarified during the April 10, 2024 Technical Review Committee meeting that this number includes all people on site, such as event guests and staff (i.e., caterers, bartenders, etc.).

- Traffic Flow – The subject site is located on 260th Street which is a township road. The property owners explain that 260th Street is a well-travelled corridor connecting Olinda Trail / CSAH 25 and Highway 95. With an anticipated maximum of 75 vehicles per event, the owners don't anticipate any roadway challenges with the exception of minor slowdowns at the start and end of events.

- Parking Provisions – The site plan illustrates and the written narrative describes an approximate one-acre area near the northwest corner of the subject site which will be used for parking. The parking area will be accessed from the existing driveway; no additional driveway access from 260th Street is proposed. There will also be an area immediately north of the larger venue structures which will accommodate four ADA parking spaces as well as a loading zone for caterers, florists, and other similar service and delivery vehicles. The property owners submitted information from the University of Tennessee's Institute of Agriculture which provides parking estimates for farm direct and agritourism field parking. According to the property owners, this information provides parking expectations and guidance and suggests that the proposed parking area will be sufficient for the proposed use. The written narrative also indicates that there is sufficient space to accommodate overflow parking on the driveway in an area which will not impede or block emergency vehicle access.

  Staff notes that the Franconia Town Board provided a recommended condition requiring that the parking area be surfaced with gravel rather than being left as a grassy field. Based on a phone conversation between Land Services Coordinator Gervais and Town Board Chair Kuhnly, the gravel surface will prevent dirt and debris from being brought onto the road surface which would increase road maintenance activities.

- Restrooms / Sanitation – The property owners intend to install a full septic system dedicated to the proposed Rural Retail Tourism activity as well as the required number of water closets. Water closets will likely be located in either the existing pole building or the existing single-stall garage. The owners are actively working with a septic designer and are discussing options with the County Sanitarian.
- Food and Alcohol – The property owners are proposing that events will be serviced by State licensed caterers and, if there is to be alcohol at events, it will be provided by caterers who are licensed to serve alcohol.
- Noise Generation and Mitigation – The property owners, who live on-site and wish to maintain good relationships with their neighbors, intend to require that any amplified music cease by 11:00 pm and they will enforce a maximum decibel level of 95dB. Staff notes that the Zoning Ordinance requires that all noise generated from any use, including the proposed Rural Retail Tourism activity, be in compliance with the Minnesota Pollution Control Agency rules and shall not cause for undue or objectionable noise to be transmitted beyond the boundaries of the subject site.
- Waste Removal and Recycling – The subject site is currently serviced by Waste Management and the property owners intend to further utilize Waste Management for waste removal and recycling associated with the Rural Retail Tourism activity.
- Safety and Accessibility – The property owners have stated that all structures will meet the requirements of the State Fire Code and the driveway will remain clear during events in order to maintain unobstructed access for emergency vehicles. Additionally, the owners feel that the subject site is well-situated to be served by five area fire departments, including Lindstrom, Shafer / Franconia, Scandia, Osceola, and Center City.
- Employees – While the property owners intend to staff the proposed venue themselves initially, they are suggesting the possibility of utilizing the assistance of independent contractors as needed. Additionally, depending on the success of the venue, they're proposing to hire up to five part-time employees in the future to assist with event management, groundskeeping, bartending, etc.
- Projected Impact to Neighborhood – The written narrative suggests that the property owners anticipate minimal negative impact to the surrounding area. One of the stated goals of the proposed venue is that of "beauty and serenity", which will help ensure that the subject site remain well maintained and further enhanced.

  Based on the application materials, it doesn't appear to staff that the property owners intend to install any fencing or additional landscaping to further mitigate potential negative impacts; however, staff has included a recommended condition of approval which would require the installation of screening along a portion of the east property boundary. The thought behind the proposed screening is that the one-acre vineyard and existing vegetation on the north side of the property will provide some amount of screening to the north, the dwelling and existing vegetation will provide some amount of screening to the west, and distance and existing vegetation will provide significant screening from the south; however, there is little vegetation which exists adjacent to the east property boundary.

REVIEW PROCESS

The Technical Review Committee met with property owners Korman & Walker on April 10, 2024. The group's discussion primarily focused on septic related issues (i.e., proposed location, the possibility of utilizing a time dosed system, etc.). The applicants clarified that they intend to install a full septic system

prior to opening the proposed wedding / gathering venue and that they have no intention of utilizing temporary sanitary facilities (i.e., porta potties). Additionally, the applicants were advised to speak with the Building Official regarding a change of occupancy for the existing 36' x 40' pole building and 14' x 16' single-stall garage. The Committee did not identify any other concerns.

The Franconia Town Board reviewed the proposed CUP at its April 9, 2024 meeting. While the attached township form doesn't indicate a recommendation of either approval or denial, the Town Board did provide comments and a recommended condition. The Town Board would like to see the proposed use processed as an Interim Use Permit (IUP) rather than a CUP; the Board would like the parking lot to have a gravel surface rather than being left as a grassy field; and, the Board would like the applicants to talk with the neighboring property owner(s) regarding the existing dirt bike track. Land Services Coordinator Gervais spoke with Town Board Chair Kuhnly following the Town Board's April 9th meeting and explained that the County must process the request as a CUP rather than an IUP, per the Zoning Ordinance. Additionally, Kuhnly explained that a surfaced parking lot will create less of an impact on 260th Street (i.e., less dirt and debris will be brought onto the road surface); and, being that the dirt bike track is an existing use which may impact the proposed wedding / gathering venue through overlapping hours of operation, noise, dust, etc., the Town Board feels that the neighbors should discuss potential impacts early on in order to prevent disputes later. Based on the Town Board's feedback, staff has included a recommended condition of approval requiring that the parking lot be surfaced with gravel or other hard surface.

The application was submitted and deemed complete on March 28, 2024. The State mandated 60-day review period expires on May 27, 2024.

WRITTEN TESTIMONY

The County received written testimony from one nearby property owner (see attached) as of the completion of this report.

RURAL RETAIL TOURISM STANDARDS

The Planning Commission, as outlined in Zoning Ordinance Section 4.15, shall consider possible effects of the proposed Rural Retail Tourism based upon the following general factors and any other requirements set forth in the Zoning Ordinance or deemed otherwise relevant.

A. Purpose.
   In accordance with the stated goals of the Chisago County Comprehensive Development Plan, it is the purpose of this subdivision to:
   - Preserve and celebrate Chisago County's archaeological properties, rural and agricultural heritage, and historical landscapes;
   - To recognize Chisago County's scenic features, exceptional rural ambience, historic sites as desirable local amenities which will draw outside revenue from visitors, that is vital to the local economy.
   - Enhance Chisago County's appeal to visitors who are drawn to its rural atmosphere;
   - Provide opportunities for new economic growth through Rural Retail Tourism businesses;
   - Assist the County's citizens in the transition from primarily agricultural land uses, to an expanded variety of rural business opportunities as active family farming continues to diminish in Chisago County.

B. Standards.

Rural Retail Tourism Businesses shall meet the following standards:

1. Rural Retail Tourism businesses shall be located within the AG or RVC Zoning Districts;
2. Rural Retail Tourism businesses shall require a Conditional Use Permit in accordance with Section 8.04 of this Ordinance;
3. Rural Retail Tourism businesses shall be shown to have a unique and demonstrable relationship with Chisago County or its region, and its history, culture, traditions, arts, crafts, lore, natural resources, or other features and amenities, in accordance with the above stated purposes.

C. Allowed Uses.
Allowed Rural Retail Tourism businesses shall include things as farm or other historical heritage attractions, single family residential rental properties for retreats, crafting, weddings, receptions, bed & breakfasts; small-scale, low impact special events or music festivals, corn mazes, holiday celebrations and harvest festivals, country-craft/antique shops, unique local venues providing for the sale and serving of locally produced raw and/or value-added agricultural products, goods and services, and other reasonably related merchandise, and other uses determined by the Department to be similar in nature and scope.

D. The terms "small-scale" and "low-impact" shall be construed to refer to land uses which:
1. Do not create an excessive demand upon existing services or amenities;
2. Are screened or able to be screened adequately, or are sufficiently separated from adjacent development or land, to prevent undue negative impact to nearby properties;
3. Will not have an appearance that is inconsistent or incompatible with the surrounding area;
4. Will not cause traffic hazard or undue congestion;
5. Will not negatively impact the neighborhood by intrusion of noise, glare, odor, or other adverse effects.

Applications which are determined to be unable to meet the above criteria may be processed as a major commercial conditional use, provided the use is allowed in the relevant Zoning District.

E. All conditional uses for Rural Retail Tourism shall meet the applicable requirements of Section 8.

F. Code Compliance.
An existing structure or SSTS which is subjected to a change in occupancy or GPD loading as a result of an approved CUP for a Rural Retail Tourism business shall be retrofitted and/or upgraded to conform to current code requirements. All existing buildings proposed for use in association with the business shall be certified by an architect or engineer to be in compliance with current structural standards for the new occupancy prior to any use of the structure.

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 *The proposed CUP is consistent with the Chisago County Comprehensive Plan and development policies. The Comprehensive Plan provides several references to the County's intention to continue to allow and be supportive of the proposed land use:*

- *To identify and protect the quality of visitor's experience of prime scenic features, areas of exceptional rural ambience, important historic sites and their surrounding settings and prime areas of flora study and wildlife viewing and public opens spaces to low-impact recreation (p 2-43); and*
- *To promote farm, commercial recreation, and rural retail tourism businesses as a method to bring dollars into the Chisago County economy (p 5-18); and*
- *To promote natural amenities in the County as assets to economic development and business opportunity (p 6-22); and*
- *To acknowledge tourism's economic value and the contribution of this industry to both the diversity of the County economic base and the potential for growth (p 6-22); and*
- *To promote tourism and commercial recreation as expanding opportunities for employment and tax base (p 6-22).*

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 Rural Retail Tourism activity will utilize on-site sanitary facilities, private utilities, and off-street parking for guests, and access to the subject site will be gained from a well-established Township Road (260th Street). Further, due to the nature of the proposed activity as a gathering venue, the use will have no impact on schools or other public facilities or utilities. Further yet, the Franconia Town Board, serving as Road Authority, did not indicate any concern with the proposed demand on 260th Street after considering the request on April 9, 2024, other than to suggest that the proposed parking lot be surfaced with gravel to limit the amount of dirt and debris on the roadway. Therefore, the County finds that the proposed Rural Retail Tourism use will not create an 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 20.00± acres in size and, based on the application materials, the structures intended to be utilized for Rural Retail Tourism activity are situated no closer than 180' from the edge of the public roadway (260th Street) and no closer than 110' from the nearest property boundary (east property boundary). The County finds that distance and existing vegetation and the implementation of a condition requiring screening adjacent to a portion of the east property boundary will mitigate any potential negative visual impacts.*

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 Rural Retail Tourism activity will primarily take place within existing and proposed structures. Given the "destination" nature of the proposed wedding / gathering venue, it will be within the permit holder's best interest to maintain an appealing appearance of the structures as well as the subject site. Further, the County finds that the subject site is presently well-maintained and finds no evidence to suggest that this condition would change upon approval of the proposed use.*

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 Rural Retail Tourism as an allowable Conditional Use in the AG District. In addition, Section 4.15 of the Chisago County Zoning Ordinance encourages the development of Rural Retail Tourism with the following specific goals:*

- *Preserve and celebrate Chisago County's archaeological properties, rural and agricultural heritage, and historical landscapes; and*
- *To recognize Chisago County's scenic features, exceptional rural ambience, historic sites as desirable local amenities which will draw outside revenue from visitors, that is vital to the local economy; and*
- *Enhance Chisago County's appeal to visitors who are drawn to its rural atmosphere; and*
- *Provide opportunities for new economic growth through Rural Retail Tourism businesses; and*
- *Assist the County's citizens in the transition from primarily agricultural land uses to an expanded variety of rural business opportunities as active family farming continues to diminish in Chisago 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 located adjacent to and gains access from a Township Road (260th Street). The Franconia Town Board – being the Road Authority – did not indicate any concern with the potential for traffic hazards or congestion as a result of the proposed use after considering the request on April 9, 2024. Therefore, the County finds no evidence to suggest that the proposed use will 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 *Through the implementation of conditions pertaining to noise and glare, the County finds that any potential negative impacts associated with noise (i.e., playing or performing of music, hours of operation, etc.) and glare (i.e., possible installation of exterior lighting) can be mitigated. Further, the County finds no evidence to suggest that the proposed use will have an unsightly appearance which would negatively impact neighboring properties.*

STAFF RECOMMENDATION

Staff believes that the proposed Rural Retail Tourism use 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.

Recommended Condition(s):

1. This Conditional Use Permit for Rural Retail Tourism allows for the establishment and operation of a gathering venue for events including, but not limited to, weddings, family reunions, celebrations, workshops, and meetings. Any significant deviation from the approved use or future expansion of the use, 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. The maximum event capacity shall be limited to 175 people, including guests, staff and service personnel.
3. In addition to the construction and use of new structures including an approximate 2,400 sf structure and a gazebo, Rural Retail Tourism activity may also take place within existing structures, including a 36' x 40' pole building and a 14' x 16' single-stall garage, provided that the existing structures are certified by an architect or engineer to be in compliance with current structural standards for the new occupancy prior to any use of the structure.
4. Structures utilized for Rural Retail Tourism activity, whether existing or new, shall be located no closer than 110' from any property boundary.
5. This Conditional Use Permit allows use of the property for Rural Retail Tourism purposes seven days a week year-round and subject to the following hours of operation. Rural Retail Tourism activities may not occur earlier or later than the listed hours of operation.
   Sunday through Thursday – 8:00 am to 10:00 pm
   Friday and Saturday – 8:00 am to 12:00 pm
6. The maximum number of employees – in addition to the permit holder(s) – on-site at any given time is five (5). This condition is not intended to prohibit the permit holder(s) from having more than five (5) employees but, rather, to limit the number of employees on-site at the same time.
7. All music played or performed in conjunction with Rural Retail Tourism activity shall be played or performed indoors with all doors and windows closed; acoustic music played or performed during wedding ceremonies shall be excluded from this requirement. There shall be no outdoor amplified music at any time.
8. Noise generated from the approved Rural Retail Tourism use, including the playing of music, shall be subject to the Chisago County noise standards. No noise in excess of State decibel limits resulting from said use, including the playing of music, shall be transmitted beyond the subject site's property boundaries.
9. The permit holder(s) shall install screening between the existing and proposed structures intended for Rural Retail Tourism activity and the east property boundary. The screening shall be installed at a point beginning 120' south of the edge of the public roadway (approximate southernmost point of the northern vineyard) and extending south a distance of 175'. Allowable screening options include a 6' tall privacy fence and/or a double, staggered row of 6' tall evergreen or other non-deciduous trees planted no greater than 16' on center which meet or exceed 75% opacity within three years of the approval date.
10. The permit holder(s) shall accommodate all Rural Retail Tourism related parking on-site, including parking for guests, staff, service providers / personnel and deliveries, with supervised management of ingress and egress traffic to eliminate conflicts in traffic flow. No parking shall be allowed on 260th Street.
11. All areas designated for off-street parking shall be surfaced with gravel or other hard surface in

order to prevent dirt and debris from being deposited onto the public roadway.

12. Any exterior lighting shall be downcast in order to prevent negative impact to neighboring properties.
13. The permit holder(s) shall ensure adequate year-round access and parking for emergency vehicles on-site, including space to maneuver/turn vehicles.
14. All food prepared in conjunction with the Rural Retail Tourism activity shall comply with all applicable Minnesota Department of Health regulations.
15. Any liquor service in conjunction with the Rural Retail Tourism activity shall be in accordance with all applicable Minnesota Department of Public Safety regulations and Chisago County liquor licensing requirements.
16. Any signage shall be installed in accordance with the Chisago County Zoning Ordinance.
17. The permit holder(s) shall install a full septic system and sanitary facilities (i.e., water closets) in compliance with County and State rules to be utilized for Rural Retail Tourism activity and, further, the existing septic system which services the dwelling shall not be used for Rural Retail Tourism activity unless specifically authorized by the Chisago County Department of Environmental Services.
18. The property and uses thereon are subject to all applicable local and State codes, including Zoning, Building and Septic Codes.
19. Annual certification of the Conditional Use Permit is required. The permit holder(s) 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. PC2024-0504, a resolution recommending approval of a Conditional Use Permit allowing Rural Retail Tourism on property located at 15323 260th Street in Franconia Township, with Findings of Fact and conditions as presented or amended.

ATTACHMENTS

1. Application materials:
    a. Application
    b. Written narrative
    c. Site plans
    d. Informational handout pertaining to off-street parking calculations
2. Written testimony from Al Schmidt
3. Aerial location map (1) – subject property
4. Aerial location map (2) – vicinity map
5. Draft Resolution No. PC2024-0504

Chisago County Department of Environmental Services
Planning & Zoning Application

Permit # 24-0408

Township FRANCONIA **S/T/R** 25/033/020 **PID#** 04.00411.20

Project Address 15323 260TH ST, LINDSTROM MN 55045

Property Owner(s) BRIDGET KORMAN & LORALEI WALKER

Mailing Address (If Different from Project Address) —

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

Applicant(s) BRIDGET KORMAN & LORALEI WALKER

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)

WEDDING/EVENT VENUE (see attached business plan description)

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

- ☑ Full Legal Description
- ☑ Detailed Site Plan
- ☑ Detailed Written Narrative
- ☒ Plat Drawings

Bridget Korman Loralei Walker — **Applicant Signature**

03/28/2024 — **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	$ 650.00	Application Received	3-28-24
Recording Fee	$ 46.00	Application Complete	3-28-24
Plat Fee – No Road(s) / With Road(s)	$	(60) / 120 Day Review Period	5-27-24
Septic Compliance Fee	$	Extended Review Period	
Wetland Fee	$		
TOTAL FEE	$ 696.00		

Chisago County Department of Environmental Services
Planning & Zoning Application

Township Presentation Form

Township Franconia **S/T/R** 25/033/020 **PID#** 04.00411.20

Project Address 15323 260th St., Lindstrom MN 55045

Property Owner(s) Bridget Korman & Lorabei Walker

Mailing Address (If Different from Project Address)

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

Applicant(s) Bridget Korman & Lorabei Walker

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) Wedding/Event Venue - See attached Business Plan Description

Bridget Korman Lorabei Walker
Applicant Signature

03/28/2024
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 MAY 2, 2024 **Date of Township Presentation** APRIL 9, 2024

Township Action Taken (Township Use Only)

☐ Recommendation of Approval ☐ Recommendation of Denial

Recommended Conditions of Approval OR Legal Findings for Recommendation of Denial

Would like to see an Interim Permit. Would like the parking lot to be Graveled and not just left as a field. Talk with the neighbor over the existing Dirt bike track

Signatures of Township Officials or Authorized Personnel

Sonny Sparby

Business Plan Description

Project Address: 15323 260th Street, Lindstrom, MN 55045

Property Owners/Applicants: Bridget Korman & Loralei Walker

Type of Business: Wedding/Event Venue

Summary of Intended Operation

We live in a single family home on 20 acres about 6 miles SE of Lindstrom. Our acreage includes two small vineyards, each around 1 acre in size. The landscape is composed of rolling hills, a pond, with a wooded area toward the rear. We believe the rural and scenic nature of the property is ideal for a small wedding venue.

While there are several other venues in the area, there is no shortage of couples looking for a beautiful spot for their special day (or other events such as family reunions, birthday parties, anniversary celebrations, etc). Each venue has it's own niche and ours would present a smaller scale with a more intimate feeling. There are other locations which can accommodate 200-300 or even more guests, but that is not what everyone wants or needs, so we want to provide a slightly different option.

Buildings and Structures

A 36x40 (1440 sq ft) pole barn currently exists. We plan to make some alterations to this structure, such as adding restrooms, raising the ceiling height, replacing siding, modernizing the interior and exterior lighting, and adding new outward-swinging double doors. We are still working with the building code department to determine what other upgrades will be necessary, but all work done will conform to meet current standards for an assembly use.

Behind this building, to the east, we intend to add another structure approximately 40x60 feet (2400 square feet) in size, with a poured concrete floor. This may be physically attached or detached with a short covered walkway. This space would be the main area for events, providing room for seated dining, food service tables, a dedicated bar area, dance floor, etc.

Once again, all work will be performed by the appropriate contractors licensed by the State of MN and will meet all required standards and codes.

A small one-car garage in front of the pole barn is also under consideration for conversion to usable space (possibly restrooms, bar, prep area, etc.).

Eventually, we may build a small gazebo a short distance downhill from these buildings for ceremonies to be performed. This would offer a covered, yet open-air spot with a beautiful pond and vineyard view. The structure would be simple in design, without any electricity or plumbing.

Days and Hours of Operation

The venue will be seasonal, operating from May through October. The space will be available to rent Fridays through Sundays. Setup would begin between 9-10am and celebrations would end between 11pm and midnight.

If there is a demand for it, we may also rent the space for smaller events like workshops or meetings on weekdays. This would likely be limited to daytime hours (8am-5pm) and a smaller number of attendees.

Maximum Event Capacity

We would like to limit our capacity to 175 people. This is the maximum that we feel our infrastructure would support in terms of parking, restrooms and square footage of shelter.

Traffic Flow

260th Street is a county maintained road that connects Olinda Trail and MN State Highway 95 (also known as the St. Croix Scenic Byway). It is a well-travelled connecting corridor and we see a multitude of vehicles passing by each day. Our neighbor directly across the street from us runs a busy auto shop, seeing dozens of trips in and out every weekday. This does not seem to have any impact on traffic flow, other than the slowing down required to make a turn into the driveway. With 75 or fewer cars expected for our events, we do not foresee any challenges other than some minor slow-downs near the beginning of events.

Parking Provisions

There is an open, grassy field approximately one acre in size at the front NW corner of the property that will be dedicated to parking. An access will be added off of our existing gravel driveway.

We've attached a document from the University of Tennessee's Institute of Agriculture showing parking estimates for farm direct or agritourism field parking. Their calculations indicate a "real world" expectation of approximately 80-100 automobiles per acre on an imperfect field (not perfectly flat, square or accommodating of lined spaces). Internet research advises to expect a maximum of one vehicle for every two wedding guests, but possibly less since many families tend to carpool. With the relatively flat and open field we have, we believe we should have more than adequate parking for an event attended by 175 people. Additionally, there is extra space for overflow parking, if ever necessary, in our driveway (beyond the parking and venue areas, thus not blocking any emergency vehicle access).

There will also be a region reserved next to the venue on the north side for four ADA parking spaces (which is the required number for 76-100 total spaces) as well as for a loading zone for caterers, florists, etc.

Restrooms/Sanitation

We will be working with a licensed plumber to install the proper number of ADA accessible restrooms, based on our calculated max occupancy (probably at least three). Assembly Group A-2, which includes "banquets halls" requires a minimum of two water closets per 150 attendees. These will likely be located in the existing pole building, but we may look into converting the single car garage in front.

A water line is nearby to tap into and we will be installing a new septic system for the effluent. Placement of mound or drain field is currently pending, based on the septic designer's soil tests and review.

Food & Alcohol

Customers will be required to use a caterer properly licensed by the State of Minnesota. Alcohol will be permitted either through the licensed caterer or we will pursue our own liquor license. In either situation, a licensed bartender will be necessary for alcohol service and will stop at least one hour prior to the end of the event.

Noise Generation and Mitigation

Most would agree that music is a requirement at weddings and parties, so we do expect guests will usually have either a live band or DJ services during their event. As we live on-site, we will be there to enforce a decibel level of 95dB. Our contract will specify that amplified music must end by 11pm. While we are on 20 acres, we realize that there are neighbors who are a bit closer to the venue than others. We strive to maintain good relationships with these neighbors and will certainly use their feedback to fine tune noise levels, if necessary.

Waste Removal & Recycling

The generation of waste from events is unavoidable, but will of course vary depending on the number of guests and food/beverage serving type. We currently use Waste Management for our own household garage and recycling needs and they do offer commercial services, including dumpsters of various sizes and collection schedules. We will need to evaluate the amount of waste generated as we go along to determine the best sizing option for our venue. We also plan to highly encourage the separation and collection of all recyclable waste (cans, bottles, paper, etc).

Safety & Accessibility

We will prioritize the safety of our guests (as well as any supporting personnel present). All structures will meet the requirements of the State Fire Marshal, including but not limited to: outward swinging doors with panic bars and lighted EXIT signs, proper smoke and fire detectors, an adequate number of fire extinguishers mounted in clear sight, and fire sprinklers if deemed necessary based on determined occupancy. A designated smoking area will be located at least 50 feet from any buildings, with proper butt disposal provided.

Our location is 10 minutes or less from 5 different fire stations/departments (Lindstrom, Shafer/ Franconia, Scandia, Osceola, Center City). We will also require the driveway to remain clear during events to maintain sufficient space should an emergency vehicle need access.

Employees

We intend to do most of the work ourselves, but may need to hire occasional help from independent contractors, which would be seasonal and somewhat sporadic in nature. No full or part time employees would be expected in the beginning.

Depending on success and work load, we may consider hiring several part-time positions in the realm of event management, groundskeeping, bartending, etc. One never knows what the future holds in terms of our own physical health, but we wouldn't anticipate having more than 5 part time employees to carry out operations.

Projected Impact to Neighborhood

We feel that there will be minimal negative impacts to our neighborhood. Being zoned for Rural Retail Tourism, we think our venue will fit in nicely. We will endeavor to preserve the rural and scenic nature of Chisago County, highlight a local agricultural crop (wine grapes), and also spotlight the beauty, uniqueness and character of the area; encouraging wedding guests from near and far to return to further explore the area, creating more revenue and growth to the region. We will strive to form strong partnerships with other local businesses, such as caterers, bakers, photographers, musicians, plant nurseries, etc.

A big goal of a venue is that of beauty and serenity, so this will ensure that the grounds will be well maintained and further enhanced. We hope that neighbors and community members view our business as an asset, offering another option for smaller and more intimate gatherings as well as sharing the charm and allure of the place we call home.

15323 260th Street

0 130 260 520 ft

Date: 3/20/2024
Time: 11:20:54 AM

These data are provided on as "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.





Chisago County

15323 260th St Site Plan

Date: 3/21/2024

Time: 11:48:10 AM

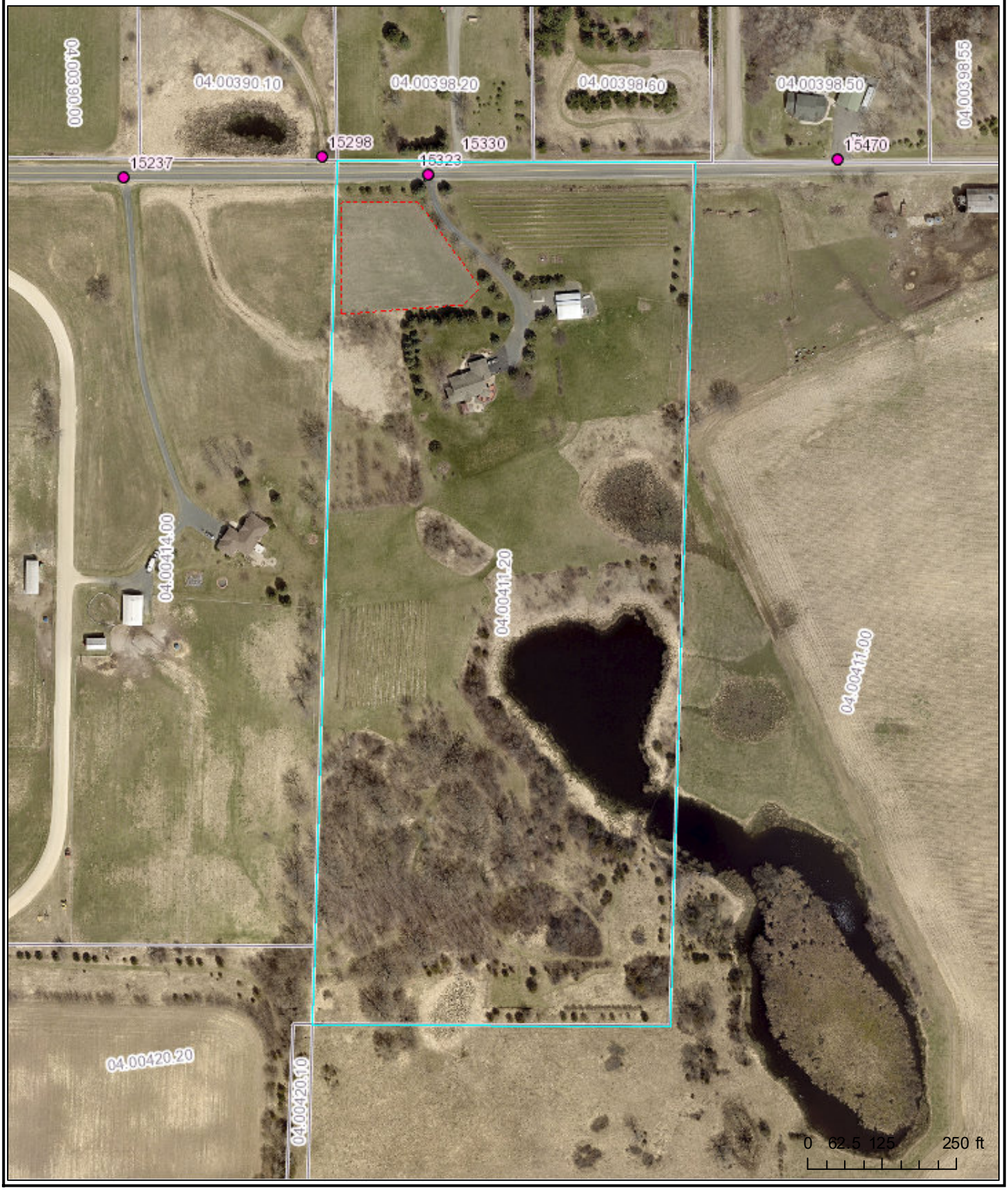
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These data are provided on as "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

15323 260th St

Date: 3/27/2024 Time: 3:42:51 PM

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UT Extension
CPA Info #222

Estimating the Number of Parking Spaces Per Acre

Rob Holland
Director
Center for Profitable Agriculture

May 2014

51

Farm families that are preparing for on-farm direct marketing and agritourism ventures must often make provisions for customer parking. If a 5-acre field will be dedicated to customer parking, how many individual parking spaces will be available? The answer "it depends" certainly applies here. Some of the most important factors that will contribute to the number of parking spaces that will be available on an acre of land include:

- Size of each parking space
- Size and design of driving and turning lanes
- Layout and topography of the land
- Other factors such as handicap-accessible parking and surface of the lot/field

Some parking lots contain uniform-size parking spaces. That is, every parking space is the exact same size. Other parking areas will contain various-size spaces. For farm retail parking lots, it is advisable to consider various size parking spaces to accommodate a variety of vehicles. A 2-door economy car will require less parking space than a 4-door, 2-ton, duel-wheel pickup truck. In addition, farm retail operations that target tourists should consider parking and turning requirements for buses and RVs.

While there is probably not a standard-sized parking space, many parking lots are designed with parking spaces that are 10 feet by 18 feet (180 square feet). While

each acre of land contains 43,560 square feet, a simple mathematical computation shows if each parking space requires 180 square feet, 1 acre of land would accommodate 242 parking spaces. Of course, this assumes no turning lanes and each parking space is right next to each other.

If a field that is 180 feet by 242 feet (approximately 1 acre) is designed with six rows of parking spaces with each parking space being approximately 10 feet by 18 feet and the traffic lanes are 24 feet wide, approximately 150 spaces can be designed. As shown in Figure 1, there are three pairs of parking rows, each containing 48 spaces. The one-way traffic lanes are 12 feet wide and the two-way traffic lanes are 18 feet wide.

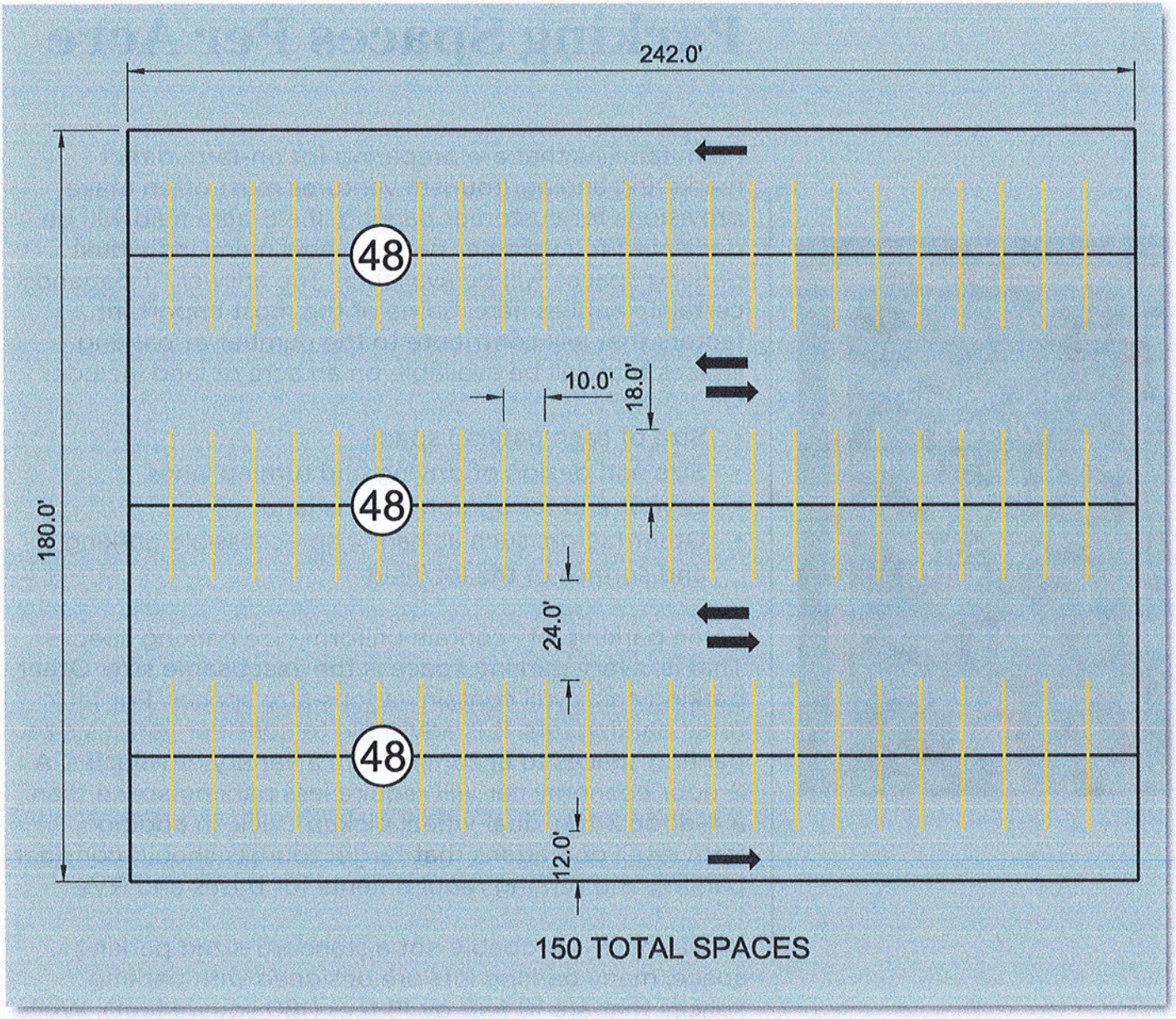


Figure 1. Example design for 150 parking spaces per acre with 10' by 18' spaces.

If parking spaces are angled, the width of the individual parking spaces are reduced to 9 feet and the width of the one-way traffic lanes are reduced, resulting in approximately 162 spaces per acre. See Figure 2 for a diagram. While angled parking spaces and one-way traffic lanes allow for more spaces per acre, the actual open ends of each parking space will be greater than 9 feet (the open end of 9-foot-wide parking spaces will actually be 12.7 feet wide). In addition, signage and enforcement for one-way traffic lanes can be more burdensome to the landowner.

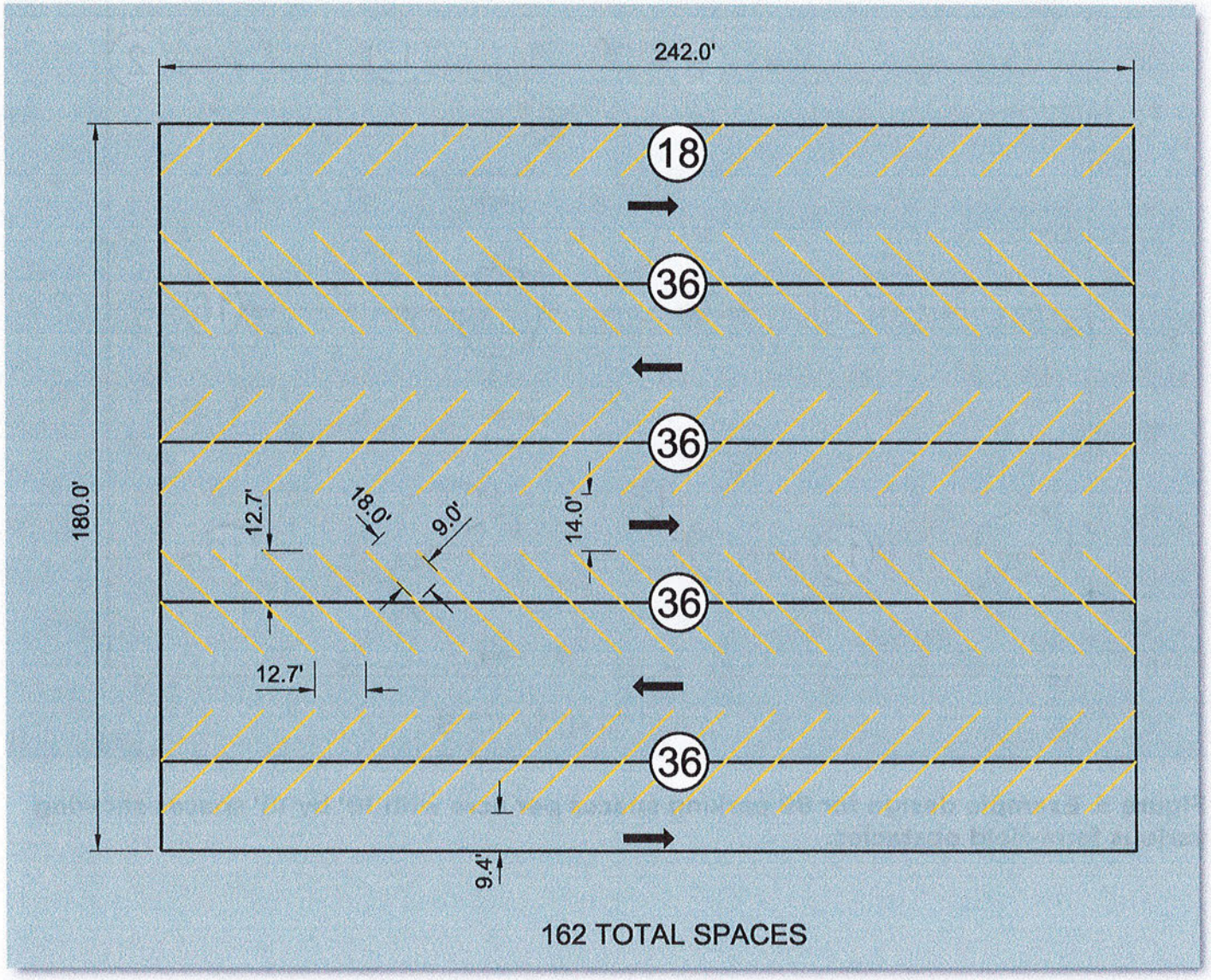


Figure 2. Example design for 162 parking spaces per acre with 9' by 18' angled spaces and one-way traffic lanes.

Many fields used for parking are not flat, not perfectly square and do not accommodate lined parking spaces. Accounting for these and other imperfections in farm fields that are often used for customer parking, many on-farm marketers often estimate that they can park between 80 and 100 automobiles per acre. See Figure 3 for a diagram.

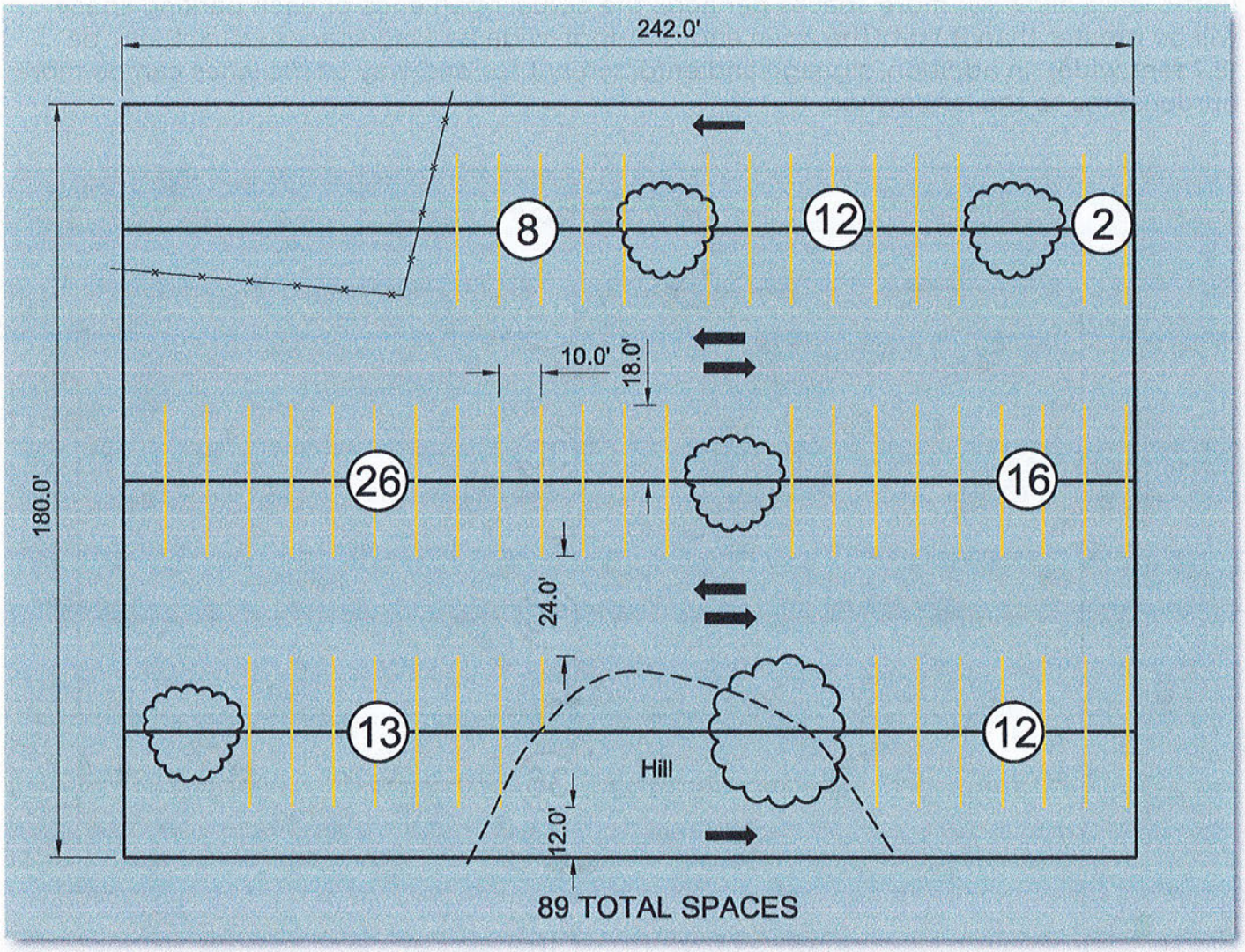


Figure 3. Example design for 89 parking spaces per acre with 10' by 18' spaces showing various farm-field obstacles.

THE UNIVERSITY of TENNESSEE
INSTITUTE of AGRICULTURE

Programs in agriculture and natural resources, 4-H youth development, family and consumer sciences, and resource development. University of Tennessee Institute of Agriculture, U.S. Department of Agriculture and county governments cooperating. UT Extension provides equal opportunities in programs and employment.

Beth M. Gervais

From: Al Schmidt [redacted]
Sent: Thursday, April 18, 2024 10:43 AM
To: Planning & Zoning
Subject: Bridget Korman/Loralei Walker Conditional Use Permit Comments

This is an external email message!
This message originated from outside the Chisago County email system. Use caution when clicking hyperlinks, downloading pictures or opening attachments.

Good Morning,
I wish to add the comments below to the Planning Commision meeting on Thursday May 2 concerning the Bridget Korman/Loralei Walker Conditional Use Permit. I have never done this before, if this is not the correct method to add comments to the meeting please let me know the correct way to do so, thanks.

Planning Commission,
I wish to comment on the conditional use request for the wedding/gathering conditional use permit that is being submitted by Bridet Korman/Loralie Walker. I live at 15709 260th Street which is one house away from the submitted conditional use request. I have lived at the residence 29 years, and am against this request. The area is currently a very serene area that is void of light and noise pollution that is encountered in most areas. There are no trees to suppress the light or noise pollution, this area is open, and has a horse farm to the west and a multi animal farm to the east of the property. The amount of light and noise this request will bring is a quality of life issue, I live here. Traffic is also a concern, 260th is a township road and does not handle the current traffic well, this will only increase that traffic. I do not look forward to living with large crowds, noise, etc. on a continuous basis, I moved to the country to get away from issues such as this. This request will bring in other types of issues as well, I can go into much deeper detail if needed as to why this request should be turned down. It should also be noted the requestors have lived in the area less than one year. Please turn down this request, it only benefits 2 people and puts the burden of this commercial endeavor on the rural neighbors.
Thanks
Al Schmidt

Bridget Korman & Loralei Walker – Property owners Bridget Korman & Loralei Walker are requesting approval of a Conditional Use Permit for Rural Retail Tourism in the Agricultural (AG) District. The proposed Rural Retail Tourism activity is a wedding / gathering venue. The 20± acre subject site is located at 15323 260th Street in Franconia Township, S25, T33, R20 (PID 04.00411.20).

Korman Walker Property -



Bridget Korman & Loralei Walker – Property owners Bridget Korman & Loralei Walker are requesting approval of a Conditional Use Permit for Rural Retail Tourism in the Agricultural (AG) District. The proposed Rural Retail Tourism activity is a wedding / gathering venue. The 20± acre subject site is located at 15323 260th Street in Franconia Township, S25, T33, R20 (PID 04.00411.20).

Korman Walker Property -



RESOLUTION NO. PC2024-0504
A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA, RECOMMENDING APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING RURAL RETAIL TOURISM ON PROPERTY LOCATED AT 15323 260TH STREET IN FRANCONIA TOWNSHIP

WHEREAS, property owners Bridget Korman & Loralei Walker submitted an application dated received and considered complete on March 28, 2024 for a Conditional Use Permit allowing Rural Retail Tourism on property located at 15323 260th Street in Franconia Township; and

WHEREAS, the property owners desire to establish and operate a wedding / gathering venue on their 20.00± acre property; and

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

WHEREAS, the subject site is legally described as:

PID 04.00411.20

That part of the Northwest 1/4 of Section 25, Township 33, Range 20, Chisago County, Minnesota, described as follows: to wit: The North 1452 feet of the West 600 feet of the Northwest 1/4 of Section 25, Township 33, Range 20, Chisago County, Minnesota.

WHEREAS, notice was provided and on May 2, 2024 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the 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 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 *The proposed CUP is consistent with the Chisago County Comprehensive Plan and development policies. The Comprehensive Plan provides several references to the County's intention to continue to allow and be supportive of the proposed land use:*

- *To identify and protect the quality of visitor's experience of prime scenic features, areas of exceptional rural ambience, important historic sites and their surrounding settings and prime areas of flora study and wildlife viewing and public opens spaces to low-impact recreation (p 2-43); and*
- *To promote farm, commercial recreation, and rural retail tourism businesses as a method to bring dollars into the Chisago County economy (p 5-18); and*
- *To promote natural amenities in the County as assets to economic development and business opportunity (p 6-22); and*
- *To acknowledge tourism's economic value and the contribution of this industry to both the diversity of the County economic base and the potential for growth (p 6-22); and*
- *To promote tourism and commercial recreation as expanding opportunities for employment and tax base (p 6-22).*

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 Rural Retail Tourism activity will utilize on-site sanitary facilities, private utilities, and off-street parking for guests, and access to the subject site will be gained from a well-established Township Road (260th Street). Further, due to the nature of the proposed activity as a gathering venue, the use will have no impact on schools or other public facilities or utilities. Further yet, the Franconia Town Board, serving as Road Authority, did not indicate any concern with the proposed demand on 260th Street after considering the request on April 9, 2024, other than to suggest that the proposed parking lot be surfaced with gravel to limit the amount of dirt and debris on the roadway. Therefore, the County finds that the proposed Rural Retail Tourism use will not create an 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 20.00± acres in size and, based on the application materials, the structures intended to be utilized for Rural Retail Tourism activity are situated no closer than 180' from the edge of the public roadway (260th Street) and no closer than 110' from the nearest property boundary (east property boundary). The County finds that distance and existing vegetation and the implementation of a condition requiring screening adjacent to a portion of the east property boundary will mitigate any potential negative visual impacts.*

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 Rural Retail Tourism activity will primarily take place within existing and proposed structures. Given the "destination" nature of the proposed wedding / gathering venue, it will be within the permit holder's best interest to maintain an appealing appearance of the structures as well as the subject site. Further, the County finds that the subject site is presently well-maintained and finds no evidence to suggest that this condition would change upon approval of the proposed use.*

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 Rural Retail Tourism as an allowable Conditional Use in the AG District. In addition, Section 4.15 of the Chisago County Zoning Ordinance encourages the development of Rural Retail Tourism with the following specific goals:*

- *Preserve and celebrate Chisago County's archaeological properties, rural and agricultural heritage, and historical landscapes; and*
- *To recognize Chisago County's scenic features, exceptional rural ambience, historic sites as desirable local amenities which will draw outside revenue from visitors, that is vital to the local economy; and*
- *Enhance Chisago County's appeal to visitors who are drawn to its rural atmosphere; and*

- *Provide opportunities for new economic growth through Rural Retail Tourism businesses; and*
- *Assist the County's citizens in the transition from primarily agricultural land uses to an expanded variety of rural business opportunities as active family farming continues to diminish in Chisago 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 located adjacent to and gains access from a Township Road (260th Street). The Franconia Town Board – being the Road Authority – did not indicate any concern with the potential for traffic hazards or congestion as a result of the proposed use after considering the request on April 9, 2024. Therefore, the County finds no evidence to suggest that the proposed use will 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 *Through the implementation of conditions pertaining to noise and glare, the County finds that any potential negative impacts associated with noise (i.e., playing or performing of music, hours of operation, etc.) and glare (i.e., possible installation of exterior lighting) can be mitigated. Further, the County finds no evidence to suggest that the proposed use will have an unsightly appearance which would negatively impact neighboring properties.*

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 Rural Retail Tourism allows for the establishment and operation of a gathering venue for events including, but not limited to, weddings, family reunions, celebrations, workshops, and meetings. Any significant deviation from the approved use or future expansion of the use, 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. The maximum event capacity shall be limited to 175 people, including guests, staff and service personnel.
3. In addition to the construction and use of new structures including an approximate 2,400 sf structure and a gazebo, Rural Retail Tourism activity may also take place within existing structures, including a 36' x 40' pole building and a 14' x 16' single-stall garage, provided that the existing structures are certified by an architect or engineer to be in compliance with current structural standards for the new occupancy prior to any use of the structure.
4. Structures utilized for Rural Retail Tourism activity, whether existing or new, shall be located no closer than 110' from any property boundary.
5. This Conditional Use Permit allows use of the property for Rural Retail Tourism purposes seven days a week year-round and subject to the following hours of operation. Rural Retail Tourism activities

may not occur earlier or later than the listed hours of operation.
Sunday through Thursday – 8:00 am to 10:00 pm
Friday and Saturday – 8:00 am to 12:00 pm

6. The maximum number of employees – in addition to the permit holder(s) – on-site at any given time is five (5). This condition is not intended to prohibit the permit holder(s) from having more than five (5) employees but, rather, to limit the number of employees on-site at the same time.
7. All music played or performed in conjunction with Rural Retail Tourism activity shall be played or performed indoors with all doors and windows closed; acoustic music played or performed during wedding ceremonies shall be excluded from this requirement. There shall be no outdoor amplified music at any time.
8. Noise generated from the approved Rural Retail Tourism use, including the playing of music, shall be subject to the Chisago County noise standards. No noise in excess of State decibel limits resulting from said use, including the playing of music, shall be transmitted beyond the subject site's property boundaries.
9. The permit holder(s) shall install screening between the existing and proposed structures intended for Rural Retail Tourism activity and the east property boundary. The screening shall be installed at a point beginning 120' south of the edge of the public roadway (approximate southernmost point of the northern vineyard) and extending south a distance of 175'. Allowable screening options include a 6' tall privacy fence and/or a double, staggered row of 6' tall evergreen or other non-deciduous trees planted no greater than 16' on center which meet or exceed 75% opacity within three years of the approval date.
10. The permit holder(s) shall accommodate all Rural Retail Tourism related parking on-site, including parking for guests, staff, service providers / personnel and deliveries, with supervised management of ingress and egress traffic to eliminate conflicts in traffic flow. No parking shall be allowed on 260th Street.
11. All areas designated for off-street parking shall be surfaced with gravel or other hard surface in order to prevent dirt and debris from being deposited onto the public roadway.
12. Any exterior lighting shall be downcast in order to prevent negative impact to neighboring properties.
13. The permit holder(s) shall ensure adequate year-round access and parking for emergency vehicles on-site, including space to maneuver/turn vehicles.
14. All food prepared in conjunction with the Rural Retail Tourism activity shall comply with all applicable Minnesota Department of Health regulations.
15. Any liquor service in conjunction with the Rural Retail Tourism activity shall be in accordance with all applicable Minnesota Department of Public Safety regulations and Chisago County liquor licensing requirements.
16. Any signage shall be installed in accordance with the Chisago County Zoning Ordinance.
17. The permit holder(s) shall install a full septic system and sanitary facilities (i.e., water closets) in compliance with County and State rules to be utilized for Rural Retail Tourism activity and, further, the existing septic system which services the dwelling shall not be used for Rural Retail Tourism activity unless specifically authorized by the Chisago County Department of Environmental Services.
18. The property and uses thereon are subject to all applicable local and State codes, including Zoning,

Building and Septic Codes.

19. Annual certification of the Conditional Use Permit is required. The permit holder(s) 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 May, 2024.

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

_____ ATTEST: _____

Jolene Wille
Chair

Beth Gervais
Land Services Coordinator