

Applicants

Brad & Karen Chambers
18245 568th Ave
Mankato MN 56001

Eric & Elizabeth Bassett
220 Maple Ridge Dr
Mankato MN 56001

Request and Location

Request for a Level II Home Occupation Permit to operate a utility, plumbing and heating business in the Agricultural Zoned District in the SW ¼ of the NW ¼ of Section 18, Decoria Township.

Legal Description

The South two-thirds (S 2/3) of the North one-half (N ½) of the Southwest Quarter of the Northwest Quarter (SW ¼ NW ¼) of Section 18, Township 107, Range 26, Except the 0.47 acre tract described as follows: Beginning at the southwest corner of said North Half (N ½), thence Easterly along the south line of said South two-thirds (S 2/3) 72.00 feet; thence deflecting left 77 degrees 30 minutes 00 seconds 190.00 feet; thence deflecting right 22 degrees 30 minutes 00 seconds 315.00 feet, more or less, to the north line of said South two-thirds (S 2/3); thence Westerly along said north line of said South two-thirds (S 2/3) to the West section line of said Section 13 thence Southerly along said West section line to the point of beginning, the point of ending.

Zoning

Agricultural

General Site Description and Project Proposal

The property consists of the Chamber's home and detached storage building. The applicant is requesting a Conditional Use Permit to operate a utility, plumbing and heating business on site out of the storage building. The sale of the property will be contingent upon the passing of this conditional use permit. Once the sale has been completed, the Bassett's will be living on site.

The business plan that the Bassett's submitted is as follows:

The shop will be used for our home base for B&D Utilities, Inc and B&D Plumbing and Heating, Inc. There will be 4-6 employees at the shop 75% of the time. This shop will not be used for retail. It will be used for maintaining and storing equipment along with using the office space (4-6 employees mainly administrative). Currently there is an apartment built within the building and we will be turning that entire space into office space. Within time we will put in place a privacy fence or tree line as we will just have out trailers parked outside. Weekly activity for B&D Utilities, Inc: Employees arrive Sunday night or early Monday morning and park their personal vehicles and take a company truck to the job site for a week at a time (maybe longer). Weekly activity for B&D Plumbing and Heating, inc: Employees report to shop for daily scheduling, they leave from there with plumbing equipment to their job sites for the day, reporting back at the end of the day.

Existing Land Use within 1/4 Mile

North: Cropland, woodland, County Road 16 and one residence.

East: Woodland.

South: Cropland and woodland.

West: 13 residences, cropland, County Road 16 and Maple Ridge Dr.

Access

No change in access is proposed. Access is provided by an existing driveway off State Highway 68 and an existing driveway off Royal Road.

NATURAL RESOURCES INFORMATION

Topography

The site flat to gently rolling.

Floodplain

The proposal is not within a floodplain area.

Shoreland

The proposal is not within a shoreland area.

Township Review –In an email dated January 10, 2011 from Decoria Township Clerk, Valarie Levos, stated:

Eric Bassett: Motion was made by Bruce Levos and second by Lyle Femrite to approve Eric Bassett's conditional use permit at 18745 586th Lane if nothing is stored outside. All in favor, motion passed.

Staff Comments

See Attachment A-3.

Opinions

Based on the information submitted by the applicant, contained in this report, and as required in Sec. 24-466 of the County Code, the following opinions have been developed for this request:

1. That the proposed use conforms with the county land use plan.
2. The demonstrated need for the proposed use.
3. That the proposed use will not degrade the water quality of the county.
4. That the proposed use will not adversely increase the quantity of water runoff.
5. That soil conditions are adequate to accommodate the proposed use.
6. That the proposed use does not create a potential pollution hazard.
7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

9. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.
10. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
11. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.
12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
- NA 13. That the density of proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable zoning district.
14. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals and general welfare.
- NA 15. That the intensity of the proposed residential development is not greater than the intensity allowed in the Agricultural Zoning District. Section 24-111 of the Agricultural District States: "Owners of property, residents, other users of property in the agricultural zone, and neighboring properties adjacent to the agricultural zone may be subjected to inconvenience or discomfort arising from normal and accepted agricultural practices and operations including, but not limited to; noise, odors, dust, operation of aircraft and late night operation of farm machinery, the storage and application of manure, fertilizers, soil amendments, herbicides, and pesticides associated with normal agricultural operations.

Recommendations

Staff recommends **approval** of the request to operate a photography business as a Level II Home Occupation with conditions listed below:

- (1) All level II home occupations shall be conducted entirely within the dwelling or accessory building and shall be carried on by the inhabitants thereof. Six employees are allowed other than the inhabitants.
- (2) Such use shall be clearly incidental and secondary to the use of the property for residential purposes. Total maximum floor use area shall be 5,000 square feet.
- (3) Junkyards and scrapyards are prohibited.

(4) Allowable signage shall be limited to a 32 square foot sign, non-illuminated, and located on the property.

(5) There shall be no indication of offensive noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line.

(6) The operation of the home occupation shall begin no earlier than 8:00 a.m. and end no later than 5:00 p.m.

(7) Materials and equipment shall be stored in an enclosed building or screened area.

(8) In case of a home occupation which requires the use of a commercial truck, tractor, van, pickup or any vehicle whatsoever required to be registered as a Y type vehicle or any trailer or other machinery capable of being trailed behind, such vehicle shall be parked off-street and upon the lot of the owner from where such home occupation is conducted. Parking is allowed only on a hard surfaced or gravel parking area. All drives accessing a hard-surfaced road shall be bituminous or concrete.

(9) The applicant must install the septic system modifications within 90 days.

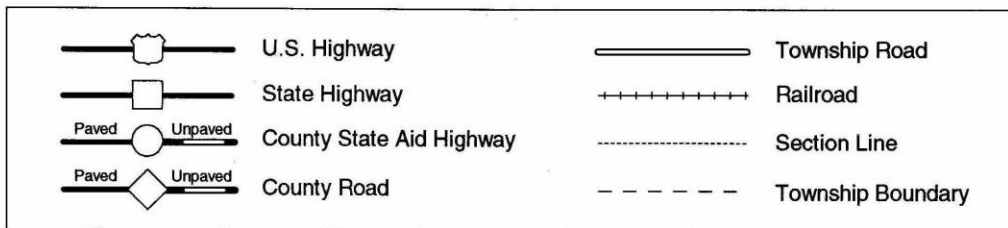
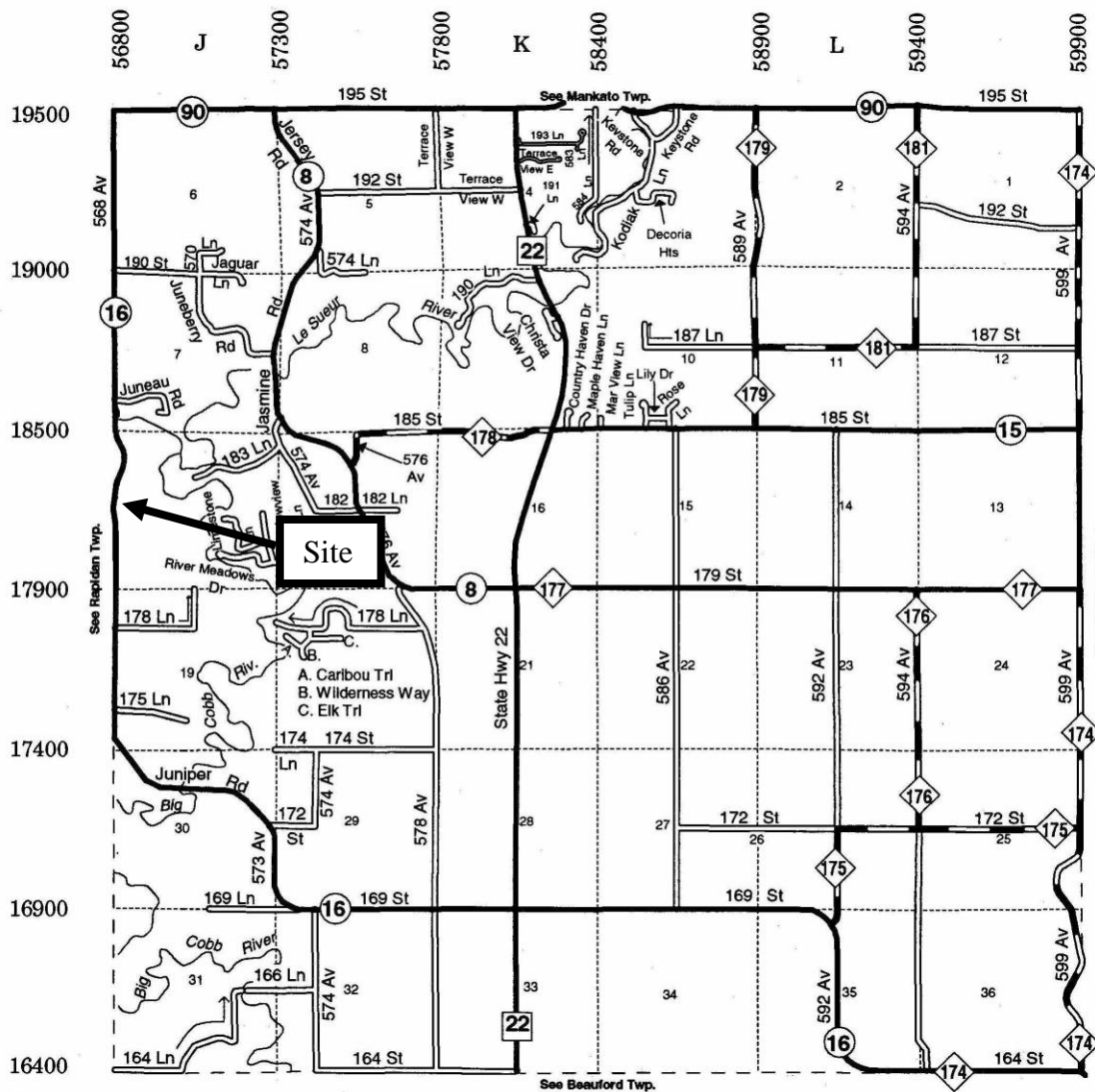
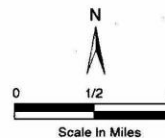
Attachments

- A-1 General Site Location
- A-2 Site Map
- A-3 Environmental Health Comments

**Attachment A-1
General Location Map**

Decoria

T 107 N - R 26 W



A-2

Brad & Karen Chambers

Eric & Elizabeth Bassett

Site Map

Google Maps 2011 Photo



BLUE EARTH COUNTY
ENVIRONMENTAL SERVICES

*Government Center, 410 South Fifth Street
P.O. Box 3566, Mankato, Minnesota 56002-3566
Phone: (507) 304-4381 Fax: (507) 304-4431*

Environmental Health Section - Planning Application Reviews

Date Printed: January 25, 2012 **Permit Number:** PL2012006
Property Owner: CHAMBERS BRADLEY W &
KAREN M **Applicant:** BASSETT ERIC & MURRY
ELIZABETH CHAMBERS
BRADLEY W & KAREN M
Parcel Number: R35.14.18.100.007 **File ID:** PC 02-12

Application Description: Request of a Conditional Use Permit to allow for a Level II Home Occupation of a Utilities, Plumbing and Heating Business in an Agricultural Zoned District in the SW 1/4 of the NW 1/4 Section 10 Decoria Township.

Septic Review

Status: Complete - Comments Received

Comments: Septic compliance inspection for the property has been received and is compliant, valid until 1/11/2015. There has been a design proposed to accommodate the additional design flow for adding a business onto this compliant system. The design is pending approval and will require an alteration permit for the work to be done. P Otterness 01/20/2012

Well Review

Status: Complete - Comments Received

Comments: The enclosed site plan indicates an in-use well located SW of the house. This well, unique # 733601, was drilled in 2005 when the property was built on. Based on the known well information on this property the proposed home occupation on this property does not appear to have a negative impact on the well situation. T Grant 01/23/2012 9:37 AM

Wetland Review

Status: Complete - Comments Received

Comments: The proposed conditional use permit for a utilities and plumbing and heating business is not adding any new structures or changing the footprint of the site and therefore should not negatively impact any wetlands. S. Feser 01/24/2012 8:56 AM
