



MCLEOD COUNTY

PLANNING ADVISORY COMMISSION MEETING

Wednesday, July 26, 2023 @ 9:30 A.M.

> Road Tour Departure at 7:45 a.m.<

Environmental Services, Large Conference Room
1065 5th Avenue, Hutchinson, MN 55350 (320) 484-4300

AGENDA

A. CALL TO ORDER BY CHAIRMAN CHARLES HAUSLADEN

B. MINUTES - Review / Approve – June 28, 2023

C. NEW BUSINESS

1. FINAL PLAT 23-05, Jason & Stephanie Geislinger, Hale Township

Jason and Stephanie Geislinger request approval for a 1-Lot Preliminary Plat for the purpose of a buildable lot. This plat will be known as "GEISLINGER'S ADDITION." The lot size is proposed to be 1.91 acres and located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27, Hale Township.

Notified	Notified	Comments Received:
Township & City Clerks	7/6/2023	
HALE Township	7/13/2023	Notified by Applicant
County Attorney	6/29/2023	Sent Title Opinion and Survey for review
County Recorder	6/29/2023	Sent Title Opinion and Survey for review
Env. Services		See Staff Report @ Environmental Services Office

2. FINAL PLAT 23-06, Jon & Mandi Kutschara, Acoma Township

Jon & Mandi Kutschara request approval of a Final Plat to split the existing platted lot into 2-buildable lots. (The 1-Lot Final Plat for this 4.71-acres lot was originally platted in December 2021.) Each lot is proposed to be 2.35 acres in size, to be known as "KUTSCHARA ACRES SECOND ADDITION." This Quarter-Quarter section currently has four non-farm dwellings (eligibilities) in Section 24 of Acoma Township.

Notified	Notified	Comments Received:
Township & City Clerks	7/6/2023	
County Attorney	6/29/2023	
County Recorder	6/29 & 7/18	
ACOMA Township	7/13/2023	Notified by Applicant
Env. Services		See Staff Report @ Environmental Services Office

- Today's items may be placed on the August 1, 2023, County Board Meeting Agenda.

D. PUBLIC HEARINGS

1. **CONDITIONAL USE PERMIT 23-10, Cory & Allison Zitzloff, Winsted Township**

Cory & Allison Zitzloff request a Conditional Use Permit for a home occupation of commercial storage of boats, campers, fish houses, etc., in an accessory building exceeding 2,400 square feet (60' X 120') located within 15.03 acres of Section 19, Winsted Township.

Notified	Notified	Comments Received:
Township & City Clerks	7/6/2023	
WINSTED Township	7/13/2023	Notified by Applicant
County Environmental Services		See Staff Report @ Environmental Services Office

2. **MINING CONDITIONAL USE PERMIT, 23-11, Wm Mueller & Sons, Inc. Collins Township**

Wm Mueller & Sons request a 5-year mining Conditional Use Permit (renewal) on property owned by Joel Griebe, to include crushing, screening, stockpiling and recycling in a 5-acre area of Section 24, Collins Township. This pit was originally permitted in 2018. The primary haul route is CR #54 to CR #26 to State Highway 15. The secondary haul route is CR #54 to State Highway 15.

Notified	Notified	Comments Received:
Township & City Clerks	7/6/2023	
COLLINS Township	7/13/2023	Notified by applicant.
MNDOT	7/5/2023	
County Highway Engineer	7/5/2023	
County Environmental Services		See Staff Report at Zoning Office

E. OTHER DISCUSSION:

F. **RECESS:** Motion to recess to reconvene for meeting and road tour on August 22, 2023.

- Today's items may be placed on the August 1, 2023, County Board Meeting Agenda.

McLEOD COUNTY PLANNING ADVISORY COMMITTEE

Environmental Services Facility, Large Conference Room

1065 5th Avenue SE, Hutchinson, MN 55350

June 28, 2023, @ 9:30 a.m.

MINUTES

1) CALL TO ORDER:

The regular meeting of the McLeod County Planning Advisory Commission was called to order 9:48am by Chairman Charles Hausladen in the Environmental Services Large Conference Room, Hutchinson, Minnesota, following an 8:00am Road Tour.

Board members present: Charles Hausladen, Kenneth Bauer, Commissioner Daryl Luthens and Thomas Hueser. **Absent:** David Hoernemann. **Staff present:** McLeod County Environmental Services Director Marc Telecky and Secretary Sandra Posusta.

Others present: Christian Knudten, Jim McBride, Keith Heinrich, Preston Fox, and others.

2) APPROVAL OF MINUTES –MAY 24, 2023

Commissioner Daryl Luthens made a motion to approve the meeting minutes from May 24, 2023, seconded by Kenneth Bauer. The motion carried.

3) HEARINGS

A. SKETCH PLAN SP23-03, Nigel Erickson, Lynn Township

Environmental Services Director, Marc Telecky, explained this application request to the Commission. Nigel Erickson requests approval of a 1-Lot Sketch Plan for the purpose of a building eligibility on property that his grandmother, Sharen Farenbaugh owns. This property is adjacent to his brother's site. The land is 4.76 acres and located in that part of the West Half of the Northeast Quarter of Section 5 in Lynn Township. Transportation is off 190th Street (County Road 14.) Currently, there are three non-farm dwelling thus the need for this request. The McLeod County Soil Survey indicate soils are conducive for a standard septic system to be installed. The National Wetland Inventory (NWI) map does not indicate the presence of wetlands.

Director Telecky referenced the zoning ordinance, Section 7, Subdivision 6: Higher-Density Development on Difficult-to-Farm Sites.

Preliminary review indicates there is adequate area for building without limited features. The Board shall determine if this parcel meets the criteria established in the McLeod County Zoning Ordinance.

The Lynn Township Board unanimously recommended approval at their June 13, 2023, meeting.

Board member Kenneth Bauer asked if the driveway would be in front of the grove. It will be. Most of the property is in RIM.

Chairman Hausladen commented how nice the lot is.

With no public available to make comments and the Board hearing no other discussion, Kenneth Bauer motioned to recommend approval as presented. Tom Hueser seconded the motion, which carried unanimously.

Mr. Telecky said this item will be placed on the July 5, 2023, County Board Consent Agenda.

B. FINAL PLAT 23-03, Preston Fox, Helen Township

Director Telecky read the Staff Report. Preston Fox requests approval of a 9-lot condo p building and replat of common lot condo final plat located in the Northeast Quarter of the Southwest Quarter of Section 18 in Helen Township. This condo plat would create fee title ownership for each individual garage and place the surrounding land into a commons area with common ownership stake as an association. This plat would be known as "FOX GARAGE ADDITION THREE." The current zoning is "HB" Highway Business.

The Planning Commission has reviewed this site twice. Once at the Sketch Plan and another at the Preliminary Plat. The original condo plat was done in May 2022.

The septic design was reviewed by Duane Radtke. There is adequate capacity for the additional proposed units.

The title commitment and survey were forwarded to the McLeod County Attorney and Recorder for review. Both stated the plat looks to be in order. The final plat survey contained an error. "McLeod" was misspelled. It will be corrected prior to the mylar being printed.

The Helen Township Board recommended approval at their June 8, 2023, meeting.

Thomas Hueser asked Mr. Fox about the City encouraging city water be connected to this area. Mr. Fox said the city wants to get water to Fahey Sales and Knife River. Sewer and water are up to the Triple G building. There are discussions, but nothing concrete. Communication will be ongoing.

Mr. Fox mentioned he will have his own well. Currently there is a line that runs the existing well. The water is not clean. It's rusty and smelly. Therefore, he will install his own well.

Mr. Telecky said that he spoke with Duane Radtke and Mr. Fox as there was discussion with the City of Glencoe about a septic servicing all units. The system was sized large enough. If there was a concern with how much effluents are put to the drainfield, flow meters can be installed to regulate how much water is being released from the tank for a given amount of time. It would allow longevity for the treatment area. That was not a concern. There are options if down the road this becomes a concern. There is plenty of space based on Duane Radtke's knowledge and expertise.

Mr. Fox explained that eleven units are in use. Of those eleven, nine units have water now. The first tank was opened to check the level. It wasn't even a quarter full. The drainfield hasn't been used yet.

Mr. Hueser asked if any of the owners have showers installed. There are two showers.

With no public in attendance to comment, Thomas Hueser motioned to approve Final Plat 23-03. Commissioner Daryl Luthens seconded the motion. The motion carried.

Mr. Telecky said this item will be placed on the July 5, 2023, County Board Consent Agenda.

C. FINAL PLAT 23-04, Keith & Yvonne Heinrich, Acoma Township

Mr. Telecky explained that Keith and Yvonne Heinrich are requesting approval for a 3-lot final plat to be known as 'KAY ESTATES' located in the northeast quarter of the southwest quarter of Section 15 in Acoma Township. This is a 19.58-acre platted lot that slopes west and east from the building site. The applicant is requesting to create two (2) new buildable lots. Lots 1 & 2 are proposed to be 1.25 acres in size. Lot-3 will be 17.08 acres in size. The original plat was recorded in 1992. Soil borings support a site and an alternate site for a septic system on each lot. The National Wetland Inventory (NWI) map does not indicate the presence of wetlands. This area is zoned "A" Agriculture and the existing land use is platted lot and grassy.

The title commitment was forwarded to the McLeod County Recorder and Attorney for review.

The Acoma Township Board recommended approval at their June 13, 2023, regular meeting.

With no discussion, Commissioner Daryl Luthens motioned to approve Final Plat 23-04 as presented. Thomas Hueser seconded the motion. Motion carried.

Mr. Telecky said this item will be placed on the July 5, 2023, County Board Consent Agenda.

4) PUBLIC HEARINGS

A. CONDITIONAL USE PERMIT 23-08, Christian Knudten, Glencoe Township

Mr. Telecky shared with the Commission that Chris Knudten is requesting to construct a n accessory building to be greater than 2,400 square feet (60 x 80') on a platted parcel for the purpose of personal storage.

The lot size is 10.21 acres in size described as Lot-1, Block-1, Klitzrock Addition. It was originally platted in March 2004. Transportation will come off 110th Street (County Road 3) by utilizing the existing driveway that is present.

Mr. Telecky asked Mr. Knudten what his plans are as far as building a house. They plan to build next spring. If they would not build a dwelling, a conditional use permit would be needed to request to construct an accessory greater than 660' from primary residence.

Mr. and Mrs. Knudten want to build now, however, building contractors are booked. Their building contractor, Myron Schuette Construction, is available in Spring 2024.

The driveway that is present is what they will be utilizing. There is not a lot of traffic on 110th Street.

With no public comment or further discussion by the Board, Commissioner Daryl Luthens **made a motion to recommend approval with one condition. Thomas Hueser seconded the motion. The motion passed unanimously with the following condition:**

- 1. This structure shall be used for personal storage only. Any change in use may require an official control per ordinance.**

Mr. Telecky said this item will be placed on the July 5, 2023, County Board Consent Agenda.

B. CONDITIONAL USE PERMIT 23-09, James McBride, Winsted Township

Director Telecky explained the request for a conditional use permit to operate an automobile sales business at their residence. They intend to operate the business out of an existing 36' x 38' pole shed located on the property. There will be no outdoor storage of vehicles in the public view. Traffic will be minimal. Hours of operation will be between 7am – 7pm Monday through Friday. The business will be owner operated known as Jim's Auto. All waste fluids will be captured and stored on-site in leak-proof containers and pick-up on-site by a licensed waste service. The applicants have submitted a detailed business plan for review.

Zoning Staff suggests possible conditions if the Planning Board considers approval of this request:

- 1) There will be no outdoor storage of in-operable or unlicensed vehicles, salvage material, or other recycled material.
- 2) All waste fluids will be stored inside a building in properly labeled containers.
- 3) All sales will be via internet and delivered to buyer.
- 4) Any intensified change in use will require a new conditional use permit application.
- 5) All business operations will occur in the designated fenced area or within the building.
- 6) Applicant shall possess and hold a licensed MN Automotive dealers license.
- 7) Hours of operation shall be Monday – Friday 7am – 7pm.
- 8) The business will be allowed 5 licensed, operable vehicles on-site at any given time,

The platted lot size is three (3) acres and described at Lot-002, Block-001 Highpoint Addition located in the "A" Agriculture District of Section 14 in Winsted Township.

The Winsted Township Board recommended denial at their July 13, 2023, meeting. No findings of fact were provided to the Zoning Office.

Mr. McBride explained their concerns were that it could become a junk yard and do not want parking of excess cars in the front yard, along Babcock Avenue (CR 1.) Another reason for

denial was because they do not want to see a huge sign posted in the front yard. They feel there are plenty of other areas to run a business like this.

Director Telecky explained that he has not received any written comment from the Board of Winsted Township, therefore is unable to speak to that. Townships are advisory to the Planning Commission.

Thomas Hueser questioned Mr. McBride if he is okay with the restrictions that the Township suggested. Mr. McBride say yes and has no concerns.

Thomas Hueser asked Mr. McBride if he has done any of the nuisances stated by the Township. Mr. McBride has not.

Mr. McBride said he just simply wants to sell cars. There are two people north of him that want to start a salvage yard.

Kenneth Bauer considered a fence or screening of trees.

Mr. Telecky thanked Mr. Bauer for his suggestions regarding fencing or screening of trees and or shrubs.

Mr. Telecky explained that we are to act on the request of operating an automobile sale business. Salvage yards require a separate conditional use permit.

Mr. McBride said he does not want a salvage yard, period and only wants to sell cars. Sales will be via the internet and there is no need to display by the road.

Commissioner Daryl Luthens questioned possible condition number eight (8) regarding the number of licensed vehicles on-site at any give time.

Kenneth Bauer asked if Mr. McBride would be allowed to install a sign. Mr. Telecky said the ordinance allows a sixteen (16) square foot sign.

Kenneth Bauer asked if fencing would be a good idea or not. Mr. Telecky referenced considered condition number five (5) noting all business operations will occur in the designated fenced area or within the building.

Mr. McBride will be preparing cars to sell, such as changing bulbs, detailing interior and exterior, waxing and vacuuming. It will take place in the existing shed, which is far behind his home. The neighbors are fine with this. There are home occupations in this area already.

Chairman Hausladen asked for public comment. There was no one present make comment.

Thomas Hueser motioned to close the public hearing, seconded by Kenneth Bauer. Motion carried.

Discussion took place about the possibility of tabling this item to allow for Mr. McBride to return to the Township and receive written facts of why they recommended denial.

Mr. McBride stated he simply wants to move cars.

Commissioner Daryl Luthens motion to approve Conditional Use Permit 23-09 with the Staff recommendations. Kenneth Bauer seconded the motion.

Mr. Telecky said that is not good business to not have a statement from the Township as to the reasons they recommended denial. Chairman Hausladen made note that all Township concerns were covered. Mr. Telecky said the Township may want to define the type of fencing.

Commissioner Daryl Luthens asked the applicant if the neighbor has fencing for his boats. There is no fencing. There is live screening.

Thomas Hueser asked Mr. McBride if he spoke with his neighbors. Mr. McBride said he did speak with his neighbors, Joe and Frank, and they are fine with this. Commissioner Daryl Luthens said the building is so far back. No one will see the vehicles.

Mr. Telecky said the applicant has no intention of displaying anything by the road. It is not a salvage yard. There will be ten (10) vehicles or less. The applicants' business plan states five (5) vehicles.

Kenneth Bauer said he has no issues but considered live screening, such as trees. Mr. McBride was very receptive to live screening.

Commissioner Daryl Luthens amended his motion to include tree screening. Kenneth Bauer seconded the motion.

Mr. Telecky read back the conditions as proposed. Mr. McBride agreed with the conditions as noted.

The motion carried unanimously with the following conditions:

- 1) There will be no outdoor storage of in-operable or unlicensed vehicles, salvage material, or other recycled material.**
- 2) All waste fluids will be stored inside a building in properly labeled containers.**
- 3) All sales will be via Internet and delivered to buyer.**
- 4) Any intensified change in use will require a new conditional use permit application.**
- 5) All business operations will occur in the designated screened area or within the building.**
- 6) Applicant shall possess and hold a licensed MN Automotive dealers license.**
- 7) Hours of operation shall be Monday through Friday from 7:00am to 7:00pm.**
- 8) The business will be allowed 5 licensed, operable vehicles on-site at any given time.**

- 9) A live screening plan shall be used in place of the fencing submitted on the business plan with the application. The screening plan shall be approved by the McLeod County Soil and Water Director and planted by June 1, 2024.**

This item will be placed on the July 5, 2023, County Board meeting Regular Agenda.

5) OTHER DISCUSSION:

Mr. Telecky informed the Board of two applications received to date for the July 26, 2023, Planning Commission meeting. There will be a road tour.

- 1) Geislinger Final Plat
- 2) Zitzloff Conditional Use Permit

6) MOTION TO RECESS:

Commissioner Luthens made a motion to recess until July 26, 2023. Thomas Hueser seconded the motion. The motion carried.

Charles Hausladen, Chairman

Sandra Posusta, Administrative Assistant

McLeod County Planning Commission

To: McLeod County Planning Commission

Prepared By: Marc Telecky

Application: Final Plat 23-05

Date: July 12, 2023 – **Meeting Date:** July 26, 2023

GENERAL INFORMATION

Brief Description: Jason & Stephanie Geislinger are requesting approval for a 1-lot final plat located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27 Hale Township.

Applicant/Owner: Jason & Stephanie Geislinger
20404 CR 2
Silver Lake, MN 55381
P.I.D# 05.027.0650

Requested Action: Motion to approve a 1-lot final plat

Lot Size: 1.78 acres

Existing Zoning: "A" Agriculture

Location: NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27 Hale Twp.

Existing Land Use: non-tillable

**Adjacent Land Use
And Zoning:** "A" Agricultural

Zoning History: NA

Applicable Ordinance McLeod County Zoning Ordinance Section 7, Subd 6.
McLeod County SSTS & Subdivision Ordinance

SPECIAL INFORMATION

Public Utilities: McLeod Coop Power

Public Services: SSTS, individual well

Transportation: CR 2

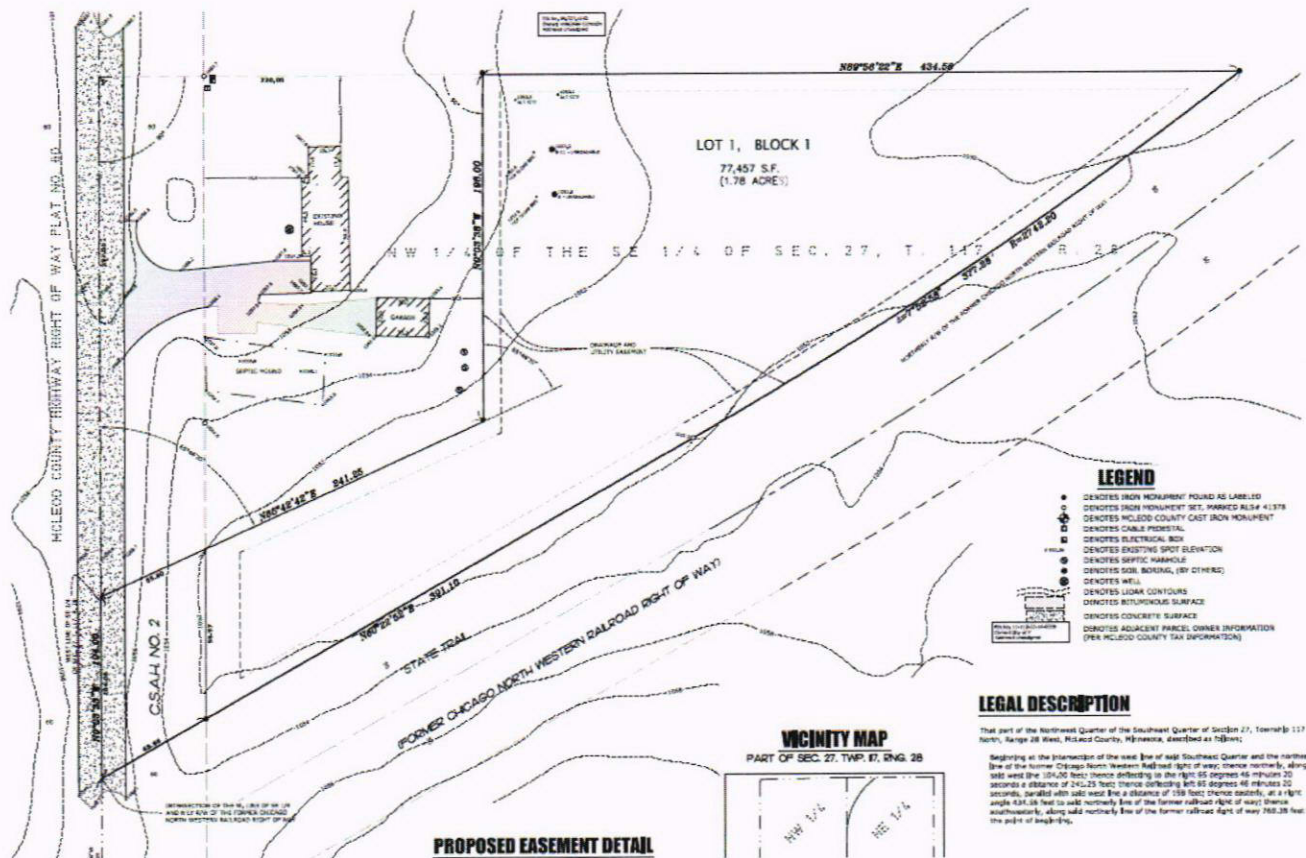
Physical Characteristics: This is a 1.78-acre lot that slopes west to east but is relatively flat.

Analysis:

The applicant is requesting to create a buildable lot. Soil borings (11/2/22) support a site and an alternate site for a septic system. Preliminary Plat was approved by the Board of Commissioners on May 2, 2023. The National Wetland Inventory (NWI) map do not indicate the presence of wetlands.

Recommendations:

Staff does not have concerns with this request. Preliminary review of the site does show that there is adequate area for a building site without limiting features. The opinion of title was sent to the McLeod County Attorney and Recorder on June 29, 2023.



Cc: Jason & Stephanie Geislinger – applicant

DEDICATION AND OWNER(S) ACKNOWLEDGEMENT

Have caused the same to be surveyed and plotted as GEISLINGER'S ADDITION and do hereby dedicate to the public for public use forever the same and the dedications and cessions made by me as shown by this plat for dedications and cessions only.

... have been informed with Jason Calhoun and Elizabeth, husband and wife have been into get their hands this day

ANOMALOUS

STATE OF MINNESOTA

_____ COUNTY OF _____
 The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by Jason Gehlinger and Stephanie A. Gehlinger.

(Print Name)

My Communication Explores

SURVEYOR CERTIFICATE AND ACKNOWLEDGEMENT

1. Samuel N. Almeida do hereby certify, that this plat was prepared by me or under my direct supervision; that I am a duly licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, chapters 555.01, 555.02, 555.03, 555.04 of the state of Minnesota are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Quoted this _____ day of _____, 20____.

Samuel N. Hahnemann, Licensed Land Surveyor

STATE OF MINNESOTA

Year	Age of	Year of
20	20	20

(Signature)

(Print Name) _____

My Commission Expires

TOWNSHIP BOARD

TOWNSHIP BOARD
This plot of GOSLINGEN'S ADDITION was approved by the Board of Supervisors of the Township of Holt, McLeod County, Minnesota, at a meeting held on the _____ day of _____, 20____.

BOARD OF COMMISSIONERS

BOARD OF COMMISSIONERS
We do hereby certify that on the _____ day of _____, 20____, the Board of Commissioners of McLeod County, Minnesota, increased this list of CELEBRATIONS, ADDITION and edit it in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

DEFINIENT TAXES

DELINQUENT TAXES day of _____ 20__

MILTON COUNTY RECORDER

MCLEOD COUNTY RECORDER

Have been told the land described in this plat. Dated this _____ day of _____, 20____.

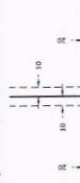
NOT FOR COUNTRY RECORDS

MCLEOD COUNTY RECORDER
I hereby certify that this plat of GRISSLINGER'S ADDITION was filed in the office of the County Recorder for record on this _____ day of _____, 19____.
_____,
Recorder.
M. as Deed Book No. _____, p. _____.



FACEMENT DETAIL

Debtors and creditors are shown as this



Being 10 feet in width and adjoining lot lines and being 20 feet in width and adjoining public ways and rear lot lines, unless indicated otherwise.

10000

- DENOTES MCLEOD COUNTY MONUMENT AS LABELED
 • DENOTES IRON MONUMENT FOUND
 ○ DENOTES 1/2 INCH BY 1/4 INCH IRON PIPE SET, MARKED BLS NO. 45356/52705
 (M) DENOTES MEASURED DISTANCE OR DIRECTION
 (D) DENOTES DISTANCE OR DIRECTION REB DISCREPANCY

FOR THE PURPOSES OF THIS PLAT, THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 117, RANGE 28, MELEOD COUNTY, MINNESOTA IS ASSUMED TO HAVE A BEARING OF NORTH 0 DEGREES 03 MINUTES 30 SECONDS, WEST.

VICINITY MAP

PART OF SEC. 27. TWP. 17. RANG. 28

MCLEOD COUNTY, MINNESOTA
AND SCALE

SHEET 1 OF 1 SHEETS

Sandy Posusta

From: Deb Jensen
Sent: Tuesday, July 18, 2023 1:04 PM
To: Sandy Posusta
Cc: Marc Telecky
Subject: Geislinger's Addition

I have looked through the plat for Geislinger's Addition and have found a few items that the surveyor will need to address on the plat and have let him know of the issues. However, owners names are correct and there are no open mortgages on the property being platted. Second half taxes on the parcel will need to be paid prior to the plat being recorded.

Thank you,

Deborah Jensen
McLeod County Recorder/Registrar of Titles
deb.jensen@mcleodcountymn.gov

NOTE: McLeod County has changed our email and website domain;
please update your saved contact information for my email address as listed above.

McLeod County Government Center
520 Chandler Ave N
Glencoe, MN 55336
PH: [320.864.1500](tel:320.864.1500)
www.mcleodcountymn.gov

 First American Title™	Owner's Policy of Title Insurance ISSUED BY First American Title Insurance Company
Schedule A	POLICY NUMBER 5011400-3500250

Name and Address of Title Insurance Company:
FIRST AMERICAN TITLE INSURANCE COMPANY, 1 First American Way, Santa Ana, California 92707

File No.: 221637

Address Reference: xxx Co Rd 2, Silver Lake, MN 55381 Amount of Insurance: \$15,430.00

Premium: \$150.00 Date of Policy: October 19, 2022 at 11:45 AM

1. Name of Insured:
Jason Geislinger and Stephanie A Geislinger
2. The estate or interest in the Land that is insured by this policy is:
Fee Simple
3. Title is vested in:
Jason Geislinger and Stephanie A Geislinger
4. The Land referred to in this policy is described as follows:
SEE EXHIBIT A ATTACHED HERETO

Avenue Title, LLC
1300 6th Street S.
PO Box 936
Winsted, MN 55395


Authorized Counter Signature

(This Schedule A valid only when Schedule B is attached)

 First American Title	Owner's Policy of Title Insurance ISSUED BY First American Title Insurance Company
Schedule B	POLICY NUMBER 5011400-3500250

File No.: 221637

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

1. Covered Risk No. 2(c) is hereby deleted.
2. Covered Risk No. 10 is hereby deleted.
3. Any encroachment, measurement, party walls, or other facts which a correct survey of the premises would show.
4. Rights or claims of parties in possession not shown by the public records.
5. Easements, or claims of easement, not shown by the public records.
6. Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed bylaw and not shown by the public records.
7. All assessments and taxes due and payable in 2021, and thereafter.
8. No coverage is provided for unpaid utility, water, or sewer services or fees for tree, weeds, grass, and snow or garbage removal.

NOTE: Exceptions(s) numbered None is/are hereby deleted.

9. No coverage is provided for open city work order, vacant or abandoned property fees, Truth in Housing or any other fees.
10. Proceedings by a public agency which may result in taxes or assessments or notice of such proceeding whether or not shown by the records of such agency or by the public records.
11. All assessments and taxes for the year 2021 and all subsequent years. Real estate taxes payable in 2021 and prior years are paid in full. Real estate taxes in 2022 are in the amount of \$1,316.00 and 1st half has been paid. (Parcel being split - PIN 05.027.1150). 2nd Half taxes will need to be paid in full in order to split.
12. Subject to Permanent Roadway Easement to McLeod County dated May 11, 2006, recorded on June 12, 2006 as Document No. 362603.



First American Title™

**MINNESOTA MASTER ENDORSEMENT TO OWNER POLICY
ENDORSEMENT**

Issued by

First American Title Insurance Company

Attached to Policy No.: 5011400-3500250

File No.: 221637

The Company hereby amends its Owner Policy Jacket by providing that notwithstanding any other language in the policy to the contrary, the Company hereby agrees as follows:

1. The insurance company, agent, or broker is authorized to receive written or oral notice of claim, and any such notice given to the insurance company, agent or broker is considered notice to the Company.
2. This insurance contract is deemed to be made in Minnesota and any dispute resolution proceedings shall take place in Minnesota unless both parties agree otherwise.
3. The Company shall have the right to examine and audit the insured's books and records for up to one year after the end of the policy year.
4. The Company shall pay any definitely fixed liability for loss or damage within five business days from the date of receipt of any agreement entered into by the insured of any condition set forth in such agreement, whichever is later.
5. The Company shall have no subrogation rights under the insured if it is determined that the loss or damage is caused by unintentional acts of the insured, nor shall the Company have any right to proceed against any other person if that person is also insured by the Company against the same loss.
6. The Company's obligation to the Insured under the policy can be terminated only pursuant to Minnesota's statutory termination conditions.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Date: October 19, 2022

First American Title Insurance Company

Dennis J. Gilmore, President

Greg L. Smith, Secretary

Avenue Title, LLC
Name of Agent


Authorized Counter Signature

EXHIBIT "A"

LEGAL DESCRIPTION

File No.: 221637

That part of the Northwest Quarter of the Southeast Quarter of Section 27, Township 117 North, Range 28 West, McLeod County, Minnesota, described as follows:

Beginning at the intersection of the west line of said Southeast Quarter and the northerly line of the former Chicago North Western Railroad right of way; thence northerly, along said west line 203.00 feet; thence easterly, at a right angle 220.00 feet; thence northerly, parallel with said west line 198.00 feet; thence easterly, at a right angle 434.56 feet to said northerly line of the former railroad right of way; thence southwesterly, along said northerly line of the former railroad right of way 768.38 feet to the point of beginning.

Property is Abstract

[Type text]

McLeod County Planning Commission

To: McLeod County Planning Commission

Prepared By: Marc Telecky

Application: Final Plat 23-06

Date: July 12, 2023 – **Meeting Date:** July 26, 2023

GENERAL INFORMATION

Brief Description: Jon & Mandi Kutschara are requesting approval for a 2-lot Final Plat to be known as Kutschara Acres Second Addition located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24 Acoma Township. This $\frac{1}{4}$ $\frac{1}{4}$ section currently has 4 non-farm dwellings (eligibilities) thus requiring this request.

Applicant/Owner: Jon & Mandi Kutschara
57 Academy Ln.
Hutchinson, MN 55350
P.I.D# 01.108.0010

Requested Action: Motion to approve a 2-lot final plat

Lot Size: Lot 1 & 2 Block 1 = 2.35 acres 194.12' x 528.02'

Existing Zoning: "A" Agriculture

Location: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24 Acoma Twp.

Existing Land Use: grass-covered

**Adjacent Land Use
And Zoning:** "A" Agricultural

Zoning History: Final Plat December 2021

Applicable Ordinance McLeod County Zoning Ordinance Section 7, Subd 6.
McLeod County SSTS & Subdivision Ordinance

SPECIAL INFORMATION

Public Utilities: McLeod Coop Power

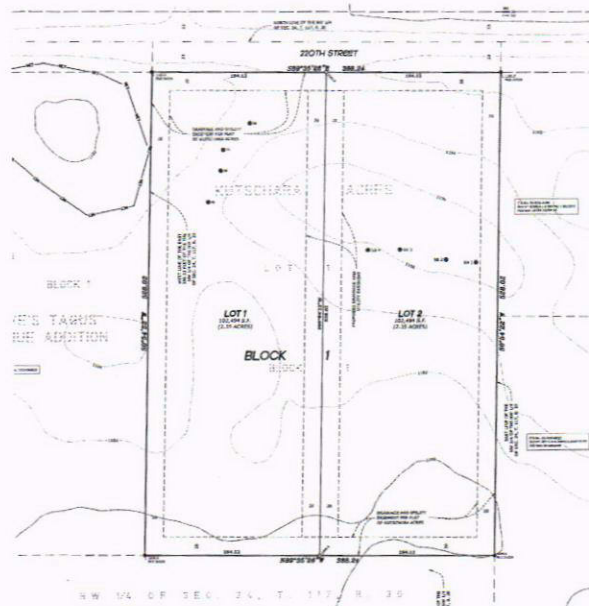
Public Services: SSTS, individual well

Transportation: 220th St.

Physical Characteristics: This is a 4.71-acre platted lot that slopes from the middle to the north, south, east and west with ~5' of fall over 190' of lot width & depth. The applicants would like to split the existing platted lot into 2 buildable lots. This existing platted lot was approved in 2021.

Analysis: Soils borings have been submitted by A&T Septic and indicate a standard system and alternate system can be installed on each proposed lot. The National Wetland Inventory (NWI) map does indicate the presence of a small wetland on Lot 1. Preliminary Plat for the 2 lot replat was approved by the board of commissioners on June 20, 2023.

Recommendations: Staff does not have concerns with this request. Preliminary review of the site does show that there is adequate area for a building site on each lot without limiting features. If approved, this subdivision will require a rezoning to Rural Residential prior to recording.



Cc: Jon & Mandi kutschara – applicant

KUTSCHARA ACRES SECOND ADDITION

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: That Jonathan Kutschara and Mandi Kutschara, husband and wife, as joint tenants, owners of the following described property situated in the County of McLeod, State of Minnesota, to-wit:

KUTSCHARA ACRES, McLeod County, Minnesota.

Have caused the same to be surveyed and plotted as KUTSCHARA ACRES SECOND ADDITION, and do hereby donate and dedicate to the public for public use the drainage and utility easements as created herewith.

In witness whereof said Jonathan Kutschara and Mandi Kutschara, husband and wife, as joint tenants, have hereunto set their hands this ____ day of _____, 20____.

Jonathan Kutschara

Mandi Kutschara

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by Jonathan Kutschara and Mandi Kutschara, husband and wife, as joint tenants.

Notary Public, _____ County, Minnesota
My Commission Expires _____

SURVEYORS CERTIFICATE AND ACKNOWLEDGEMENT

I, Kurt D. Nelson, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ____ day of _____, 2023.

Kurt D. Nelson, Licensed Land Surveyor
Minnesota License No. 45356

STATE OF MINNESOTA
COUNTY OF _____

The foregoing Surveyor's Certificate was acknowledged before me this ____ day of _____, 2023, by Kurt D. Nelson, Licensed Land Surveyor, Minnesota License No. 45356.

Notary Public, _____ County, Minnesota
My Commission Expires _____

TOWNSHIP BOARD

This plat was approved by the Board of Supervisors of the Township of Acoma, McLeod County, Minnesota, at a meeting thereof, on the ____ day of _____, 2023.

By _____, Chair.

PLANNING COMMISSION

This plat was approved by the Planning Commission of the County of McLeod County, Minnesota, at a meeting thereof, on the ____ day of _____, 2023.

By _____, Chair.

COUNTY BOARD

We do hereby certify that on the ____ day of _____, 2023, the Board of Commissioners of McLeod County, Minnesota, approved this plat of KUTSCHARA ACRES SECOND ADDITION and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

_____, Chair. Attest: _____, County Administrator

DELINQUENT TAXES

I hereby certify there are no delinquent taxes due, and that transfer was entered this ____ day of _____, 2023.

McLeod County Recorder

Deputy

CURRENT YEAR TAXES

I hereby certify taxes payable in the year 2023, on lands herein described are paid in full. Dated this ____ day of _____, 2023.

McLeod County Recorder

Deputy

RECORDER

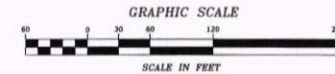
I hereby certify that this instrument was filed in the Office of the County Recorder for record on this ____ day of _____, 2023, at _____ o'clock _____ M., and was duly recorded as Document No. _____.

McLeod County Recorder

Deputy

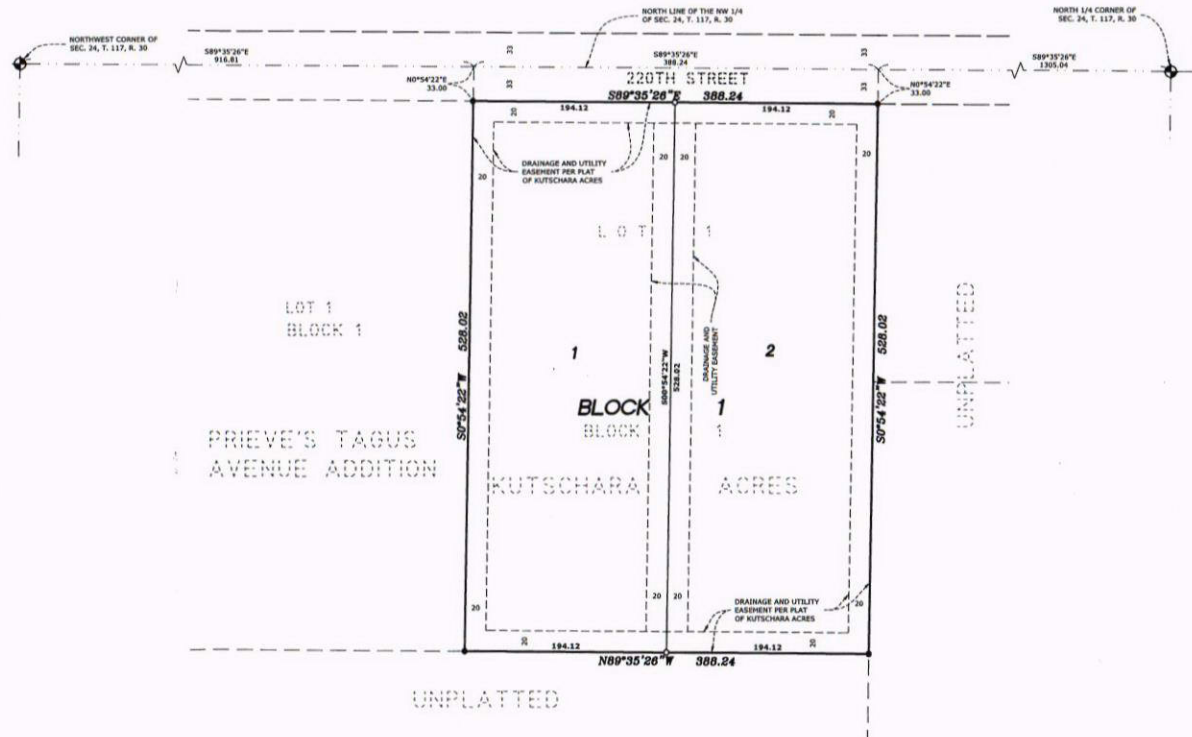
LEGEND

- DENOTES IRON MONUMENT FOUND, MARKED 24329
- DENOTES IRON MONUMENT SET, MARKED 45356
- ⊕ DENOTES McLEOD COUNTY SECTION CORNER



NORTH

ORIENTATION
McLEOD COUNTY COORDINATE
SYSTEM NAD 83 (96 ADJ.)



Sandy Posusta

From: Deb Jensen
Sent: Tuesday, July 18, 2023 3:34 PM
To: Sandy Posusta; Marc Telecky
Subject: Kutschara Acres Second Addition

This plat looks good so far. There is the one open mortgage which is noted on the Title Opinion (Doc #A 464017) with Home State Bank which will need to be addressed.

Thank you,

Deborah Jensen
McLeod County Recorder/Registrar of Titles
deb.jensen@mcleodcountymn.gov

NOTE: McLeod County has changed our email and website domain;
please update your saved contact information for my email address as listed above.

McLeod County Government Center
520 Chandler Ave N
Glencoe, MN 55336
PH: [320.864.1500](tel:320.864.1500)
www.mcleodcountymn.gov

KRAFT WALSER LAW OFFICE

A PROFESSIONAL LIMITED LIABILITY PARTNERSHIP

131 SOUTH MAIN STREET
HUTCHINSON, MN 55350
(320) 587-8150
FAX (320) 587-8152

lawoffice@kraftwalser.com
www.kraftwalser.com

DANIEL B. HONSEY**
CHRISTOPHER A. KLEIMAN
SENE M. ZUPKE
BENJAMIN S. KING
PHILLIP C. HORSAGER

JOHN H. KRAFT (1966-2004)
DONALD H. WALSER (1972-2011)
STEVEN E. HETTIG (1979-2018)

107 NORTH 9TH STREET
OLIVIA, MN 56277
(320) 523-1322

180 3RD STREET SE
P.O. BOX 369
COKATO, MN 55321
(320) 286-2396

June 27, 2023

ATTORNEY'S TITLE OPINION

TO: Jonathan and Mandi Kutschara
57 Academy Lane NW
Hutchinson, MN 55350

IN RE: Kutschara Acres Second Addition

Legal description of property:

Lot 1, Block 1, Kutschara Acres, McLeod County, Minnesota.

Dear Jonathan and Mandi:

I have examined the public real estate record for the real property described above. From the examination, I find title in **Mandi Kutschara and Jonathan Kutschara** as joint tenants as of June 20, 2023, at 1:58 p.m., subject to the following liens, encumbrances, taxes, and other exceptions:

1. First Mortgage. Mortgage executed by Jonathan C. Kutschara and Mandi J. Kutschara, as husband and wife, in favor of Home State Bank, dated June 6, 2023, and filed June 7, 2023, as Document No. 464017, in the original amount of \$120,000.00.
2. Other Mortgages, Liens or Encumbrances. None.
3. Easements.
 - A. Electric Light and Power Easement dated August 8, 1989, filed August 11, 1989, as Document No. 229444.

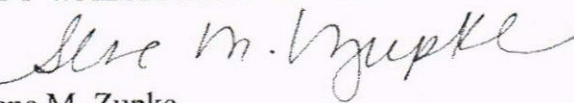
- B. Permanent Roadway Easement dated June 22, 1994, filed July 27, 1994, as Document No. 260979.
 - C. Well Agreement dated October 24, 2016, filed October 26, 2016, as Document No. 427632.
- 4. Tax Liens and Judgments. None.
 - 5. Current Real Estate Taxes. 2023 Real Estate Taxes for new Tax Parcel No. 01.108.0010 are \$782.00 and are one-half paid.
 - 6. Delinquent Real Estate Taxes. None.
 - 7. Public Rights-of-Way. The rights of the public to use public rights-of-way over, across and adjacent to the subject property.

Neither the public record search nor this Opinion covers all possible liens or restrictions on the property. Your attention is called to the matters set forth on the attached Exhibit which could have an effect on the property. If you have any questions on any of these matters, please feel free to call us.

If you have any questions regarding this Title Opinion, please feel free to call.

Sincerely,

KRAFT WALSER LAW OFFICE

BY: 
Sene M. Zupke

smz

EXHIBIT TO ATTORNEY'S TITLE OPINION

The following matters cannot be determined by an examination of the Abstract but may have an effect on the property:

- a. Special Assessments. If the property is located within city limits, there may be assessments charged against the property for improvements. If you have questions concerning the existence or amount of special assessments, you should contact the City Office.
- b. Mechanic's and Materialman's Liens. If anyone has done work on the property within the last 120 days and has not been paid, then it is possible that a lien will be filed against the property. If any labor or material has been recently furnished to the property, you should satisfy yourself that all of these items have been paid for by the owners.
- c. Boundaries and Possession. Our Title Opinion does not reflect any rights in the property which result from possession of the property. The Title Opinion does not indicate the location of improvements or the existence of any encroachments on the property or of any buildings on adjoining tracts of property. A physical inspection of the property and possibly a survey would be necessary to determine this information.
- d. Medical Assistance. This Title Opinion does not cover unrecorded liens for medical assistance or alternative care pursuant to Minn.Stat.Sec. 256B.15; 514.980 – 514.985; and 514.991 – 514.995.
- e. Municipal Regulations. All counties and cities have ordinances and regulations which may restrict the use and enjoyment of the property.
- f. Flood Plain. The Title Opinion does not cover an examination of federal, state or local records concerning the "100-year flood elevation".
- g. Physical Condition of Structures/Inspections. This Title Opinion is not an opinion on the physical condition of any of the structures or improvements constructed on the property.
- h. Environmental Concerns. The presence of hazardous substances, hazardous waste, pollutants, or contaminants which presently, or will in the future, pollute or contaminate this property. You are advised that neither the Abstract nor this Opinion covers potential liability with respect to the property under the Superfund Amendments and Reauthorization Act of 1986, nor environmental or hazardous waste statutes imposing liability on property owners. To limit possible liability exposure under such statutes, you should conduct a thorough review of the history of the site and its prior uses; review all governmental agency filings relating to the property and relating to present and prior businesses on the property; have an on-site inspection done by qualified consultants and possibly a field investigation of the premises. If you desire any additional information concerning these matters, please feel free to contact us.

KNOW ALL PERSONS BY THESE PRESENTS: That Jonathan Kutschera and Maedl Kutschera, husband and wife, of Juhl tenants, owners of the following described property situated in the County of Meadco, State of Minnesota, to-wit:

Lot 1, Block 1, KUTSCHARA ACRES, McLeod County, Minnesota.

Have caused the same to be surveyed and platted as KUTSCHARA ACRES SECOND ADDITION, and do hereby donate and dedicate to the public for public use the drainage and utility easements as created herewith.

In witness whereof said Jonathan Kutschura and Wandl Kutschura, husband and wife, as joint tenants, have hereunto set their hands this _____ day of _____, 20____.

Kanthon Kutachana

STATE OF MINNESOTA
COUNTY OF _____

The foregoing Instrument was acknowledged before me this _____ day of _____, 20____, by Jonathan Kutschera and Mandi Kutschera, husband and wife, as joint tenants.

Notary Public, _____ County, Minnesota
My Commission Expires _____

SURVIVORS CERTIFICATE AND ACKNOWLEDGEMENT

I, Kurt D. Nelson do hereby certify that this plot was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plot is a correct representation of the boundary survey; that all mathematical data and labels are correctly delineated on this plot; that all monuments depicted on this plot have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 560.01, Subd. 3, as of the date of this certificate are shown and labeled on this plot; and all public areas are shown and labeled on this plot.

Dated this _____ day of _____, 2023,

Kurt D. Nelson, Licensed Land Surveyor
Minnesota License No. 45356

STATE OF MINNESOTA
COUNTY OF _____

The foregoing Surveyor's Certificate was acknowledged before me this _____ day of _____, 2023, by Kurt D. Nelson, Licensed Land Surveyor, Minnesota License No. 45356.

Notary Public, _____ County, Minnesota
My Commission Expires _____

TOWNSHIP BOARD

This plot was approved by the Board of Supervisors of the Township of Aconia, McLeod County, Minnesota, at a meeting thereof, on the _____ day of _____, 2023.

Chen et al.

by _____, Clerk.

PLANNING COMMISSION

This plot was approved by the Planning Commission of the County of Molokai County, Minnesota, at a meeting thereof, on the _____ day

of _____, 2023.

COUNTY BOARD

We do hereby certify that on the _____ day of _____, 2023, the Board of Commissioners of McLeod County, Minnesota, approved this resolution.

Signed by KATSUMASA ACHIDA, DECEASED ADDITION and sold joint & in compliance with the provisions of Minnesota Statutes, Section 56C.03, Subd. 2.

By _____ Clerk.

Choir. Attest: _____ County Administrator

DELINQUENT TAXES

Midland County Recorder
CURRENT YEAR TAXES
Deputy

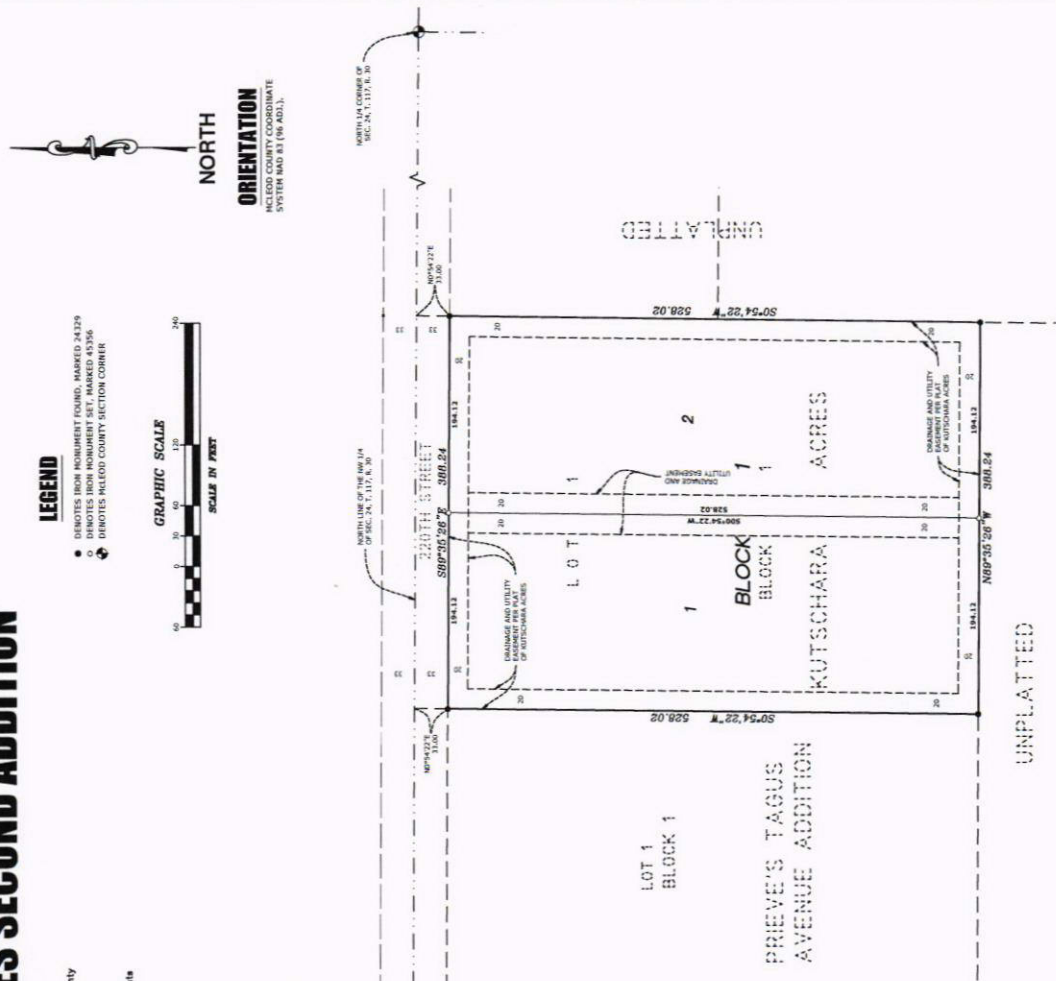
I hereby certify taxes payable in the year 2023 on lands herein described are paid in full. Dated this _____ day of _____ 2023.

Deputy

McLain County Recorder

RECORDER

I hereby certify that this instrument was filed in the Office of the County Recorder for record on this _____ day of _____, 2023, at _____ o'clock _____ M., and was duly recorded as Document No. _____.



DATE



E. G. RUD & SONS, INC.
Professional Land Surveyors
151, 1817

E. G. RUD & SONS, INC.
Professional Land Surveyors

[Type text]

McLeod County Planning Commission

To: McLeod County Planning Commission

Prepared By: Marc Telecky

Application: CUP 23-06

Date: July 11, 2023 – **Meeting Date:** July 26, 2023

GENERAL INFORMATION

Brief Description: The applicant is requesting a conditional use permit to operate commercial storage in an accessory building > than 2,400 square feet (60' x 120').

Owner/Applicant: **Cory & Allison Zitzloff**
6490 207th St.
Silver Lake, MN 55381
P.I.D# 14.019.0950

Requested Action: Consider approval to allow commercial storage in an accessory building > 2,400 square feet as a home occupation.

Lot Size: 15.03 acres

Existing Zoning: Agriculture

Location: **15.03 acres in N ½ SE ¼ SW ¼ Section 19 Winsted Twp.**

Existing Land Use: Rural Residential building site

Adjacent Land Use And Zoning: **tillable acres**

Zoning History: NA

Applicable Ordinance McLeod County Zoning Ordinance Section 7, 16 & 17

SPECIAL INFORMATION

Public Utilities: McLeod Coop Power

Public Services: Individual SSTS & Well

Transportation: 207th St.

Physical Characteristics: Rural Residential lot

Analysis:

The applicant would like to construct a storage building >2,400 sf (60' x 120') to be used for off premise storage of personal watercraft, campers, vehicles, recreational vehicles and similar type items.

Recommendations:

If approved, staff recommends the following conditions for consideration:

- 1) Delivery and pick up times shall be between the hours of 8am-6pm daily and by appointment.



Cc: Cory & Allison Zitzloff- applicant

6490 207 St, SL 55381



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

This information is to be used for reference purposes only.



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McLeod County Planning Commission

To: McLeod County Planning Commission

Prepared By: Marc Telecky

Application: CUP 23-11

Date: July 12, 2023 – **Meeting Date:** July 26, 2023

GENERAL INFORMATION

Brief Description: Ray Howell (WM Mueller & Sons) is requesting a conditional use permit for gravel mining, crushing, and stockpiling of material on the parcel referenced below. This pit was originally permitted in 2018.

Applicant/Owner: **WM Mueller & Sons**
Attn: Ray Howell
831 Park Ave.
Hamburg, MN 55339
P.I.D# 03.024.0200 (Joel Griebe)

Requested Action: The re-application of a Conditional Use Permit for gravel excavation for purposes of mining, crushing, screening, recycling, and stockpiling, for a 5-year time-period. This pit was originally permitted in 2018 and was not used. The applicant is requesting a new 5-year permit to open this pit.

Lot Size: 5 acres

Existing Zoning: "A" Agriculture

Location: **5 acres in the E ½ SW ¼ & SW ¼ SW ¼ & SE ¼ NW ¼
Section 24 Collins Twp**

Existing Land Use: Tillable acres

**Adjacent Land Use
And Zoning:** "A" Agricultural

Zoning History: Gravel Pit originally permitted in 2018 and was not opened

Applicable Ordinance McLeod County Zoning Ordinance Section 7, Subd 3,
Subp. 4

SPECIAL INFORMATION

Public Utilities: NA

Public Services: NA

Transportation: **Primary Haul Route:** CR #54 to CR #26 to St Hwy 15
Secondary Haul Route: CR #54 to St Hwy 212

Physical Characteristics: **Gently sloping tillable acres from southwest corner of proposed pit area to the northeast corner of pit area. There is a ridge that runs along the north side of the proposed pit area.**

Analysis: The applicant has requested to mine a pit area permitted in 2018. The haul route from the pit access directly enters onto CR 54. The pit will be reclaimed to a 4:1 side slope for non-farming purposes. The topsoil will be stripped and stockpiled for use in reclaiming the side slopes. The stockpiles will not exceed 34' in height. Hours of operation will be 630am-7pm Monday – Friday and Saturday 7am – noon as needed with a 24-hour notice to the McLeod County Environmental Services Office. Applicant will provide measures to minimize dust and noise per the performance standards in Section 16 of the McLeod County Zoning Ordinance.

Recommendations: If approved the board may wish to consider the following conditions:

1. The applicant shall submit a bond or letter of credit to McLeod County Environmental Services by September 1, 2023, in the amount of \$5,000.
2. The Hours of Operation are Monday-Friday 6:30am-7:00pm. Saturdays shall be permitted as needed with a 24-hour notice to McLeod County Environmental Services from 7:00am -12:00pm. Crushing shall not occur prior to 8:00am during hours of operation.
3. Crushing, screening and stockpiling are allowed to occur in the pit area.
4. Applicant shall meet all state NPDES requirements and apply for a DNR dewatering permit if needed.
5. Applicant shall follow all mining standards contained in Section 16 of the McLeod County Zoning Ordinance if not further restricted by this permit.
6. Applicant shall restore pit area to a 4:1 back slope for non-farming.
7. McLeod County Environmental Services shall inspect all restoration work completed and approve with letter acknowledging completion to release bond or letter of credit back to applicant.



Cc: Ray Howell- applicant



CRV ☐# ☐ Not required
☐ No delinquent taxes and transfer entered
☐ Transfer Entered ☒ Received

Lynn Ette Schrupp, McLeod County Recorder

By: Deborah Jensen, Deputy

T63716

ENVIRONMENTAL SERVICES

, MN

RECORDING FEE

\$0

MCLEOD COUNTY PLANNING COMMISSION

APPROVED

COPY

CONDITIONAL USE ORDER NO. 18-16

On the 7th day of August 2018, the McLeod County Board of Commissioners hereby approved a Conditional Use Permit to:

WM MUELLER & SONS INC ON PROPERTY OWNED BY
JOEL D GRIEBIE REVOC TRUST & SHEILA M GRIEBIE REVOC TRUST

as recommended by the McLeod County Planning Commission at a public hearing held on the 25th day of July 2018 and in accordance with the provisions of Section 17 of the McLeod County Zoning Ordinance and pursuant to the requirements of Chapter 394.301, Minnesota Statutes.

The Conditional Use Permit is granted for a new gravel mining operation, including crushing, screening, stockpiling and recycling of gravel and granular materials in the Agricultural District

on the following described parcel of land: 5 AC of Part of the E ½ of the SW ¼ - 160.00 AC E ½ SW ¼ & SW ¼ SW ¼ & SE ¼ NW ¼ of Section 24, Township 115 (Collins) Range 30, McLeod County, Minnesota

and is subject to the following conditions:

- 1) For restoration purposes a letter of credit or bond a minimum amount of \$5,000.00 shall be submitted to the Zoning Office prior to the County Board meeting on August 7, 2018.
- 2) No wetland or floodplain impacts shall take place unless prior approval from any agency with jurisdiction.
- 3) The hours of operation shall be 5:30 AM to 8:30 PM, Monday-Friday and Saturdays until 12:00 PM while acting on the good neighbor policy.
- 4) All gravel pit conditions shall be adhered to, such as maintaining the haul route and applying appropriate dust control measures.
- 5) Applicant shall meet all NPDES Permit requirements.
- 6) The applicant shall adhere to the McLeod County Mining and Reclamation Proposal Form as submitted.
- 7) All MPCA Permits shall be maintained.
- 8) Applicant shall apply for a DNR Dewatering Permit, if needed.
- 9) All other required local, State and Federal permits shall be received and adhered to.
- 10) Applicant shall notify Zoning Office as restoration takes place so an inspection can be made.
- 11) Applicant shall follow restoration plan with back sloping at 12%, (8:1) grade.

The McLeod County Zoning Administrator is herewith directed to issue the appropriate permits pursuant to this Conditional Use Order.

Cindy Sue
McLeod County Administrator

[Signature]
Chairperson, McLeod County Board of Commissioners

12-28-2018
Date

12-28-2018
Date