

WABASHA COUNTY PLANNING COMMISSION

NOTICE OF MEETING

The Wabasha County Planning Commission will hold a regular meeting on **August 26th, 2024 at 7:00 p.m.** in the County Board Room of the Courthouse Annex Building, 625 Jefferson Ave., Wabasha, MN. This meeting is open to the public.

Agenda

1. Call to order.
2. Approval of the agenda.
3. Approval of the minutes from the July 22nd, 2024 meeting.
4. Public hearings:
 - 1) Public Hearing on the conditional use application submitted by David and Catherine Schmidt for a pick your own flowers, organic farm stay, and event center business. The subject property is identified as Wabasha County parcel R05.00128.00 and is located in Section 16, Township 110 North, Range 10 West, in Greenfield Township (17023 658th St., Wabasha).
 - 2) Public hearing on the conditional use permit application submitted by Thomas Rothering to operate a lodging establishment. The subject properties are Wabasha County parcels R13.00012.00 and R13.00012.03 located in Section 15, Township 111 North, Range 11 West in Pepin Township (70980 and 70984 Highway 61, Lake City).
5. Other business and date of next meeting.
6. Adjourn



WABASHA COUNTY ZONING DEPARTMENT

625 Jefferson Avenue
Wabasha, MN 55981
Ph: 651-565-3062 Fax: 651-565-3159

NOTICE OF PUBLIC HEARING BEFORE THE WABASHA COUNTY PLANNING COMMISSION

The Wabasha County Planning Commission will conduct a public hearing starting at 7:00 p.m. on August 26th, 2024 for the purpose of hearing any testimony regarding the following requests:

- 1) Public Hearing on the conditional use application submitted by David and Catherine Schmidt for a pick your own flowers, organic farm stay, and event center business. The subject property is identified as Wabasha County parcel R05.00128.00 and is located in Section 16, Township 110 North, Range 10 West, in Greenfield Township (17023 658th St., Wabasha).
- 2) Public hearing on the conditional use permit application submitted by Thomas Rothering to operate a lodging establishment. The subject properties are Wabasha County parcels R13.00012.00 and R13.00012.03 located in Section 15, Township 111 North, Range 11 West in Pepin Township (70980 and 70984 Highway 61, Lake City).

The public hearing will take place in the County Board Room, Courthouse Annex, 625 Jefferson Avenue, Wabasha, Minnesota. Any interested person may provide testimony whether in person or by way of written comment submitted to the Wabasha Zoning Department. Written comments will be read into the record during the respective public hearing.

Any questions regarding this matter should be directed to the Wabasha County Zoning Department. You can contact the Zoning Department by phone at 651-565-3062, or by email at jkaltenbach@co.wabasha.mn.us.

Respectfully,
Wabasha County Planning Commission

MINUTES OF THE JULY 22nd, 2024 WABASHA COUNTY
PLANNING COMMISSION MEETING

1. Planning Commission Chair Tim Janikowski called the meeting to order at 7:00 p.m. Other members present were Megan Smith, Willard Drysdale, Michael Harvey, and Scott Sexton. Also in attendance were County Board Member Mike Wobbe, County Attorney Matt Stinson and County Zoning Administrator Joe Kaltenbach.
2. Motion by **Sexton/ Harvey** to approve the agenda for the July 22nd, 2024 meeting.
Motion carried.
3. Motion by **Janikowski/ Drysdale** to approve the minutes from the June 26th, 2024 meeting.
Motion Carried.
4. Public hearings:
 - 1) Motion by **Smith/ Sexton** to open the public hearing on proposed amendments to an existing Conditional Use Permit for Camp Victory Ministries, Inc. to operate a Christian Kid and Adult Camp. The proposed amendments would allow for an increase in overnight bed capacity and revise the 2002 Master Plan. The subject properties are described as parcels R17.00253.00, R17.00253.21, and R17.00254.00 in Section 22, Township 109 North, Range 14 West of Zumbro Township; and parcels R17.00284.00 and R17.00288.06 in Section 27, Township 109 North, Range 14 West in Zumbro Township (58212 403rd Avenue, Zumbro Falls MN 55991).
Motion Carried.

Motion by **Harvey/ Drysdale** to close the public hearing. **Motion Carried.**

Motion by **Harvey/ Smith** to approve the proposed amendments to the conditional use permit as presented with the twenty-four (24) conditions. **Motion Carried 5-0.**
5. Other Business
 - 1) Next Planning Commission meeting is August 26th, 2024
 - 2) Next Board of Adjustment meeting is September 10th, 2024.
6. Motion by **Sexton/ Drysdale** to adjourn at 7:31 p.m. **Motion Carried.**

Chair

Date

JUL 15 2024

PAID
400⁰⁰

Parcel ID # R05.00128.00

Wabasha County Conditional Use Permit/Interim Use Permit Application

- An accurate and complete CUP/IUP application shall be submitted along with a \$400 application fee to begin processing the application. **Incomplete applications will be returned.**
- A scaled plot plan shall be submitted with all applications. Include all buildings, parking areas, lot lines, etc.
- Applications must be received by the Zoning Department on or before the 20th day of the month in order to be considered by the Planning Commission at the meeting held during the following month.
- As per state statute, notice of the public hearing for you request will be sent to all landowners within ¼ mile of the property upon which you are proposing a conditional/interim use.

Applicant's name: Catherine and David Schmidt Phone number: 651-560-4081

Applicant's address: 230 3RD ST E WABASHA, MN 55981

Address of property: 17023 658TH ST

Legal description: Sec/Twp/Rng. 16-110-010, Township of Greenfield

Answer the questions below. Additional information may be necessary.

1. Proposed Use: (List all proposed uses, number of employees, hours of operation, etc. Attach additional sheets if necessary)

Farm CS Activities - Currently Permitted Use

Flower Farm Activities - Selling ONLY locally grown flowers - Identified as a appropriate by previous zoning officer.

Organic Farm Stay

Small Barn Use

2. Describe the volume of traffic that will be a direct result of your proposal and the measures to be implemented to ensure sufficient off-street parking and loading space.

Farm CSA Activities - This activity is a permitted use and Dancing Gnome Farm supports approximately 75 CSA Boxes per week during the farm season. In an effort to reduce the traffic count on a weekly basis

3. Explain the general character of the surrounding properties and how your proposal will not have an adverse effect on the character and quality of the area.

Including our property there are six families that currently access this road. While the development on the road has increased the traffic flow we have been operating since 2013 without incident.

Catherine and I continue to work with Rodney Bartsh and County Staff to ensure compliance with current regulations. All parties have my cell phone number and understand I will work with them should there be

4. Describe measures to limit any harmful or nuisance effects which may include stormwater runoff, noise, dust, smoke, odor, or other factors.

STORM WATER - Catherine and I have worked with the Wabasha County Soil Conservation office to greatly address the runoff from the farm through the installation of Key Lines, holding areas and constant overcrop of the soils.

NOISE - The current activities and events have been conducted in a manner to reduce impact from noise. In checking with Rodney Bartsh we have not had any complaints concerning this. The proposed events will continue to work with Mr. Bartsh and County Staff to ensure compliance. All proposed uses will be operated in a manner that work to minimize impact on adjacent property owners..

DUST - The Township recently graded the road which once re-compacted aides in the elimination of dust from vehicles. Our farm has the ability to dampen the road for the Small Barn Use in the conditions

5. Indicate the local township official notified of your request , the date the official was notified, and any applicable permits you may have received from the township.

On May 18th @ 8:36 AM I spoke with Chairman Mark LaVigne and discussed our proposed project. He indicated there was a need for "More things like this in the area".

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I grant permission for the staff of the Wabasha County Zoning Department and members of the Planning Commission to enter onto the property on which the use is being proposed by this application during daylight hours to collect information relative to my proposal. I further agree to withdraw this application if substantive false or incorrect information has been included. I also understand that the \$400 fee is nonrefundable and does not guarantee that a Conditional/Interim Use Permit will be granted.



SIGNATURE OF APPLICANT/LANDOWNER

06/19/2024

DATE



DEVELOPMENT REVIEW INFORMATION CHECKLIST

Local Government Units requesting review of proposed developments: complete this page, include information in this checklist (as applicable) and send to MnDOT District 6 Planning Director, 2900 48th St NW, Rochester, MN 55901, or tracy.schnell@state.mn.us

Date: 7/22/24	Prepared by: Joe Kaltenbach, Wabasha County Zoning Admin.
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Type of Activity (check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Driveway/road access change | <input type="checkbox"/> Preliminary plat - # lots ____ | <input type="checkbox"/> Environmental document |
| <input type="checkbox"/> Land use change | <input type="checkbox"/> Final plat - # lots ____ | <input type="checkbox"/> Access management/Corridor plan |
| <input type="checkbox"/> Site plan | <input checked="" type="checkbox"/> Conditional Use Permit (CUP) | <input type="checkbox"/> Comprehensive/long-range plan |
| | | <input type="checkbox"/> Other |

Is this an amendment or revision? No Yes; date of prior submittal

Location

Street/highway 17023 658th St.	On/nearest MN highway Hwy 61		
City or township and zip code Wabasha 55981	County Wabasha	County Parcel ID Number 05.00128.00	Highway milepost (nearest 0.1 mi)
Plat name (if applicable)	Coordinates and coordinate system (if known)		

Description

	Existing	Proposed/planned
Land use and zoning	Agriculture, A-2 zone	Agriculture, Event Center, Flower Picking
# of Parcels	1	1
# of Residential units and/or commercial-industrial sq. ft.		
Property access, including access management efforts	658th St.	658th St
	Temporary construction	Permanent construction
Time schedule/date for proposed work		
Other information	Using existing buildings onsite, events under/at 75 people, parking onsite	

Local Government Unit (LGU) and LGU Official Status

<input checked="" type="checkbox"/> Primary contact one primary contact please	Name Joe Kaltenbach			
	Mailing address 625 Jefferson Ave	City Wabasha	State MN	Zip 55981
	Email address jkaltenbach@co.wabasha.mn.us	Day phone 651-565-3062	Mobile phone 608-469-6014	Fax
LGU action attach staff reports	Planning Commission, date: 08/26/24	Board/council, date: 09/03/24		
	Contingencies:			

Developer or Property Owner

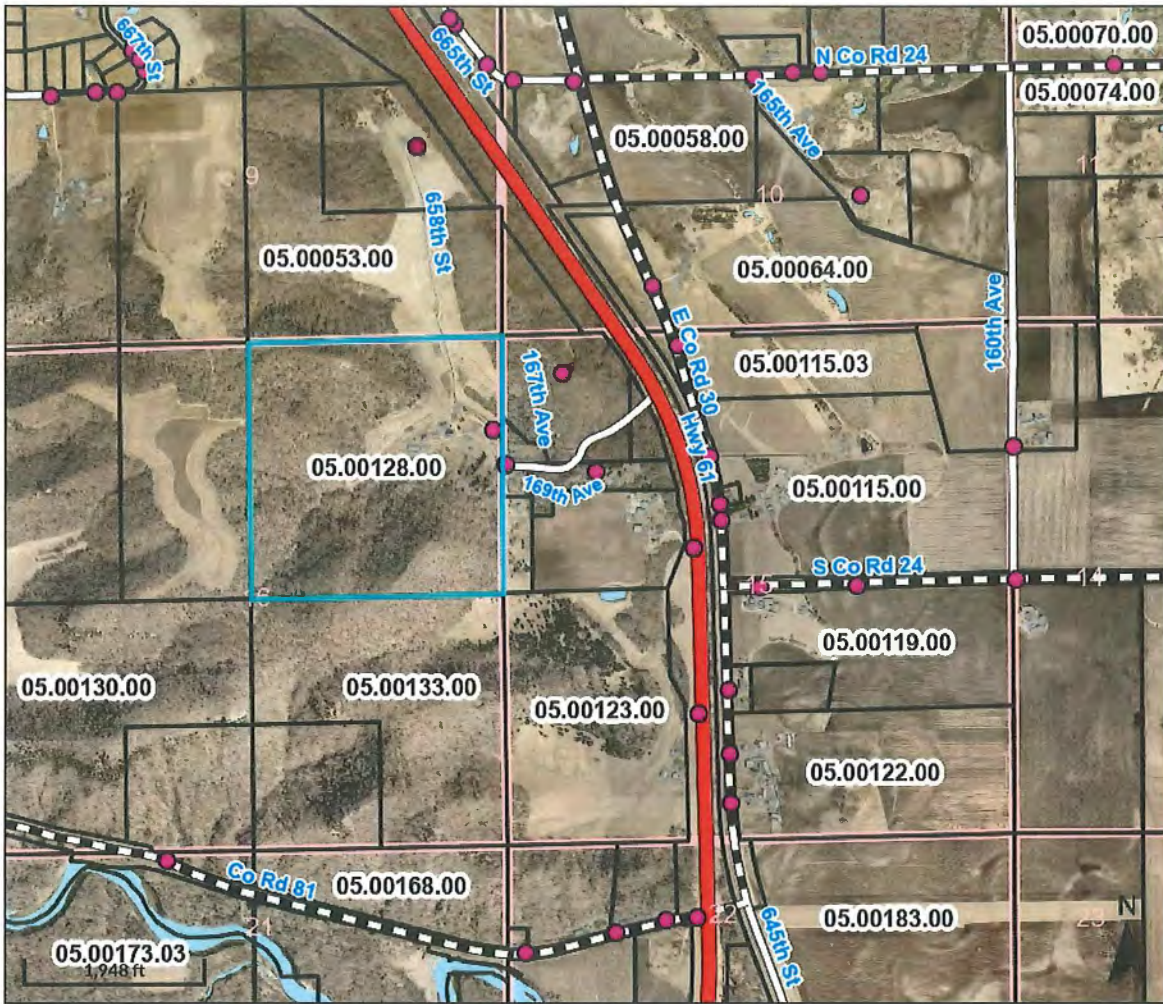
<input type="checkbox"/> Primary contact	Name David and Catherine Schmidt			
	Mailing address 230 3rd St. E	City Wabasha	State MN	Zip 55981
	Email address bluffvalleyfarm.inc@gmail.com	Day phone	Mobile phone	Fax

Consultant

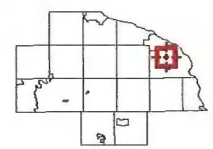
<input type="checkbox"/> Primary contact	Contact Name	Business Name		
	Mailing address	City	State	Zip
	Email address	Day phone	Mobile phone	Fax

Plans, site plans, and maps (scaled in relation to MnDOT right-of-way and local roadways); include as applicable:

<input checked="" type="checkbox"/>	Location map of the site or area relative to state and local roadways and MnDOT right-of-way (R.O.W.)		
<input checked="" type="checkbox"/>	Date, title, scale and north arrow		
<input checked="" type="checkbox"/>	Existing land features, adjacent property uses, any other relevant proximate property uses		
<input checked="" type="checkbox"/>	Size of the particular parcel(s) and other features		
<input checked="" type="checkbox"/>	Proposed use and access to the property, frontage roads, and proximity relative to		
<input checked="" type="checkbox"/>	Circulation patterns, and connections with the local street and path/trail network (as applicable)		
<input checked="" type="checkbox"/>	Current and future estimated traffic generation on the site or area		
<input checked="" type="checkbox"/>	Parking areas, driveways, street access, turn lanes, and sight distances (existing and proposed as applicable)		
<input type="checkbox"/>	Turn movement data (as applicable)		
<input type="checkbox"/>	Proposed street, sidewalk/path, transit facility typical sections or contours and profile grades, and construction layout (as appropriate)		
<input type="checkbox"/>	Legal descriptions, monuments, and bearings, and land ties to section corners (as appropriate)		
<input type="checkbox"/>	MnDOT right-of-way, and dimensions from centerline of roadway to MnDOT right-of-way line at one or more locations as needed		
<input type="checkbox"/>	Highway Access Control (if known)		
<input type="checkbox"/>	HYDRAULICS/DRAINAGE:		
	Existing site conditions, proposed grading and site drainage system plan sheets and profiles relevant to drainage area. Applicable wetland impact/mitigation features, temporary sediment and erosion control measures, and erosion control blanket used to stabilize disturbed MnDOT R.O.W unless other methods (i.e. rip-rap) called for in plans, approved by MnDOT		
<input type="checkbox"/>	Legible drainage area maps: pre- and post-project drainage conditions with contours, drainage area boundaries, flow direction. Names of drainage areas, ponds, and drainage structures should be the same in maps and models		
<input type="checkbox"/>	Drainage area models: HydroCAD or XPSWMM; electronic files to run the model AND model printouts		
<input type="checkbox"/>	Drainage area models/computations: Atlas 14, Volume 8 rainfall depths with an SCS Type II, 24 hour distribution		
<input type="checkbox"/>	Summary table: pre- vs. post-project peak discharges to MnDOT R.O.W., 2-, 10-, 100-year events showing no discharge increase		
<input type="checkbox"/>	Curve numbers per NRCS methodology modified as needed based on detailed knowledge of soil type and specific conditions on site		
<input type="checkbox"/>	Appropriate time of concentration (Tc) computations and assumptions: MnDOT rejects those that overestimate or underestimate Tc (i.e. using "Lag/CN" method to determine peak runoff from watersheds having long and/or diverse flow paths, and assuming sheet flow occurs for distances exceeding 100'; or pre-project Tc underestimated to offset post-project peak discharge increases)		
<input type="checkbox"/>	Available freeboard for pre- and post-project treatment ponds, and normal and 100-year high water levels HWL; minimum 2.0' freeboard between road surface and proposed 100-year HWL for treatment ponds along MnDOT right-of-way		
<input type="checkbox"/>	Infiltration basins, filtration basins and ponds adjacent to MnDOT R.O.W. designed with minimum 2.0' elevation difference between 100-year HWL and crest of basin berm. Berm crest at least 5' wide. Emergency overflow lined from crest to toe of slope with Turf Reinforcement mat or Category 6 or 7 Erosion Control Blanket at a minimum.		
<input type="checkbox"/>	Location of infiltration/filtration basins protected from construction tracking and sediment during all construction phases; basins kept "offline" or not constructed until the area flowing to them is stabilized.		
<input type="checkbox"/>	Temporary/permanent erosion control at disturbed areas that sheet flow to and any disturbed areas within MnDOT R.O.W shall be either erosion control mat or bonded fiber matrix		
<input type="checkbox"/>	Project discharge points to MnDOT ditch or channel located to not cause erosion or conflict with existing ditch or channel grade		
<input type="checkbox"/>	Continuous wood chip or compost sediment control logs (biorolls) for erosion control at proposed project perimeter (no silt fence)		
<input type="checkbox"/>	Connection to open ditch or channel. Avoid direct connections to MnDOT storm sewer system; if direct connection, applicant is responsible for providing a good connection (typically a new structure). MnDOT offers no warranty that there will not be a hydraulic backwater effects on new storm line upstream if connected to MnDOT existing storm sewer.		
<input type="checkbox"/>	Proposed driveway/access road culverts on MnDOT R.O.W. designed for 10-year Atlas 14 rainfall event AND proposed access road does not cause water to come within 1' of the highway road surface during 100-year event		
Plats (and some plans, site plans, and maps as applicable) also include the following:			
<input type="checkbox"/>	Section, township, range		
<input type="checkbox"/>	Document number, or recorded right-of-way descriptions		
<input type="checkbox"/>	Right-of-way on all highways, including right-of-way as occupied versus described		
<input type="checkbox"/>	Labels for MnDOT right-of-way lines and described right-of-way		
<input type="checkbox"/>	Any access control, including access openings		
<input type="checkbox"/>	Note concerns whether the highway title is easement or fee		
<input type="checkbox"/>	Date of survey		
<input type="checkbox"/>	Legal descriptions (including point where legal description starts – tied to land line), right-of-way monument(s) found, and bearings		
<input type="checkbox"/>	Utilities		
<input type="checkbox"/>	Easements and outlots		
Other related information as applicable including:			
<input type="checkbox"/>	Environmental assessment or impact study or statement		
<input type="checkbox"/>	Traffic impact report or study		
<input type="checkbox"/>	Other impacts or information		
For MnDOT Use			
Date Received:	From:	Complete?: <input type="checkbox"/> yes <input type="checkbox"/> no	Referral Number:



Overview



Legend

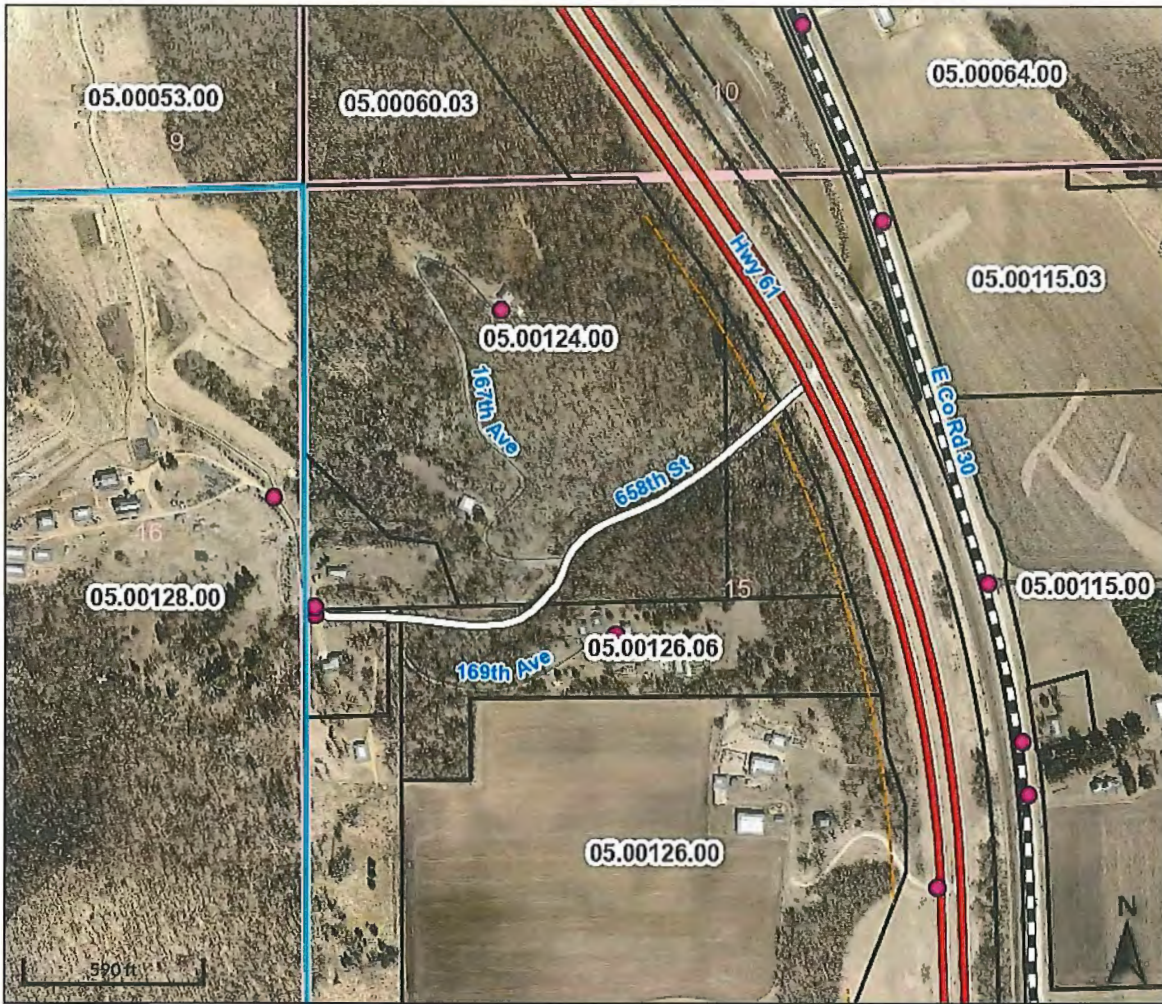
- Address Points
- Highways/Roads**
- US Highway
- MN Highway
- County-State Aid Highway
- County Road
- Township Road
- Municipal Street
- State Forest Road
- Private Road-Restricted Access
- Right-Of-Way
- Parcels**
- No
- Yes
- Section Lines
- Building Footprints
- Lakes/Rivers
- Cities Boundary
- Townships Boundary

Parcel ID	R05.00128.00	Alternate ID	n/a	Owner Address	SCHMIDT,DAVID A & CATHERINE K
Sec/Twp/Rng	16-110-010	Class	101 - AGRICULTURAL		TRUST
Property Address	17023 658TH ST	Acreage	160.0		230 3RD ST E
	WABASHA				WABASHA, MN 55981
District	GREENF-SCH-811				
Brief Tax Description	Sect-16 Twp-110 Range-010 160.00 AC NE1/4				
	(Note: Not to be used on legal documents)				

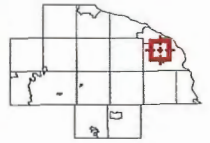
The parcel boundaries are created and drawn by Wabasha County GIS and are continually updated. The parcels are drawn as accurately as possible, but should not be considered a replacement for a professional land survey.

Aerial Photos were collected in Spring 2022 by Eagleview and are 6"/2" resolution.

Date created: 7/22/2024
 Last Data Uploaded: 7/22/2024 1:04:28 PM



Overview



Legend

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- US Highway
- MN Highway
- County-State Aid Highway
- County Road
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	WABASHA				
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Brief Tax Description	Sect-16 Twp-110 Range-010 160.00 AC NE1/4				
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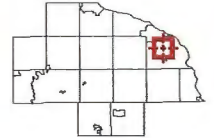
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Parcel ID	R05.00128.00	Alternate ID	n/a	Owner Address	SCHMIDT, DAVID A & CATHERINE K
Sec/Twp/Rng	16-110-010	Class	101 - AGRICULTURAL		TRUST
Property Address	17023 658TH ST	Acres	160.0		230 3RD ST E
	WABASHA				WABASHA, MN 55981
District	GREENF-SCH-811				
Brief Tax Description	Sect-16 Twp-110 Range-010 160.00 AC NE1/4				
	(Note: Not to be used on legal documents)				

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Kaltenbach, Joseph

From: Bluff Valley Farm Driftless Region - Wabasha, MN <bluffvalleyfarm.inc@gmail.com>
Sent: Thursday, July 18, 2024 9:38 AM
To: Kaltenbach, Joseph
Cc: Plante, Michael; Catherine Kolberg Schmidt
Subject: Re: Bluff Valley Farm - CUP application
Attachments: 37996.pdf

CAUTION: This email came from outside the county

On Jul 18, 2024, at 8:40 AM, Kaltenbach, Joseph <jkaltenschbach@co.wabasha.mn.us> wrote:

Hey David and Catherine,

I have looked over the application and just had a few questions:

1. What is your plan for handling the sanitary sewer and for water usage. With larger events like weddings etc. there could be a concern over usage. In that same thought, what is the existing bathroom situation there?

Water

Water source is provided by the well that was reviewed and approved by the state for the food processing kitchen. We test it as required by the state. and organic certification.

Sewer Capacity

Working with Mr. Jacobson when the new building when designed we chose to put the oversized field and tank recommended for the two bathrooms in the building

The original system for the old barn is separate from the new system.

For the farmers wedding we chose to hire a portable potty from Jason Jacobson to provide options for the site - Jason indicated no one used that option.

Building Sizes

2. Could I get the size (dimensions/square footage) of the buildings to be utilized on the site?

New building is 60' x 50' = 3000 sqft

Building is divided in three equal parts

Center Hall Workshop area - 1000 sqft

State certified food processing area - 1000 sqft

Workshop and bee area - 1000 sqft

Old Barn is 60' x40' = 2400 sqft

Here are a few pictures of the new system going in.





Thanks,

Joe Kaltenbach
Zoning Administrator

Wabasha County
625 Jefferson Ave
Wabasha, MN 55981
Phone: (651)-565-3062
E-mail: jkaltenbach@co.wabasha.mn.us

-----Original Message-----

From: Bluff Valley Farm Driftless Region - Wabasha, MN
[mailto:bluffvalleyfarm.inc@gmail.com]
Sent: Wednesday, July 17, 2024 9:56 AM
To: Kaltenbach, Joseph <jkaltenbach@co.wabasha.mn.us>; Plante, Michael
<mplante@co.wabasha.mn.us>
Subject: Bluff Valley Farm - CUP application

CAUTION: This email came from outside the county

Good morning,

I missed Joesph last week so figured an email is less intrusive. Catherine and I wanted to ensure that our submission is demanded complete for the August meeting. If there is ANYTHING we can provide to assist your review please let us know. Could you verify that the meeting date for the commission would be Monday, August 25. As we discussed unfortunately Catherine will be at the national Flower conference on this date - But I am confident that I can answer any questions concerning the application.

I did have the opportunity to meet with Dietrich to go over the project and he reminded us that he was there for the previous application and reviewed the road at that time.

I also had the opportunity to review the past few years of County Planning Packets and noticed a significant upgrade in the Staff reports from when you appear to have started in June for 2022. While your report clearly detail the history they also provide the Commission with a recommendation for a path forward which is helpful for citizen commissions.

Thank you again for your support and while we anticipate our submission to be complete we would appreciate acknowledgement of this.

Catherine and David Schmidt
Bluff Valley Farm
651-560-4081

7/12/24

Well we did meet with the Township Board last night and their discussion centered on the road (Which they maintain once a year). Catherine and I explained that we intend to continue regrading areas between the once a year grading for the road used by all seven properties and would continue to do so.

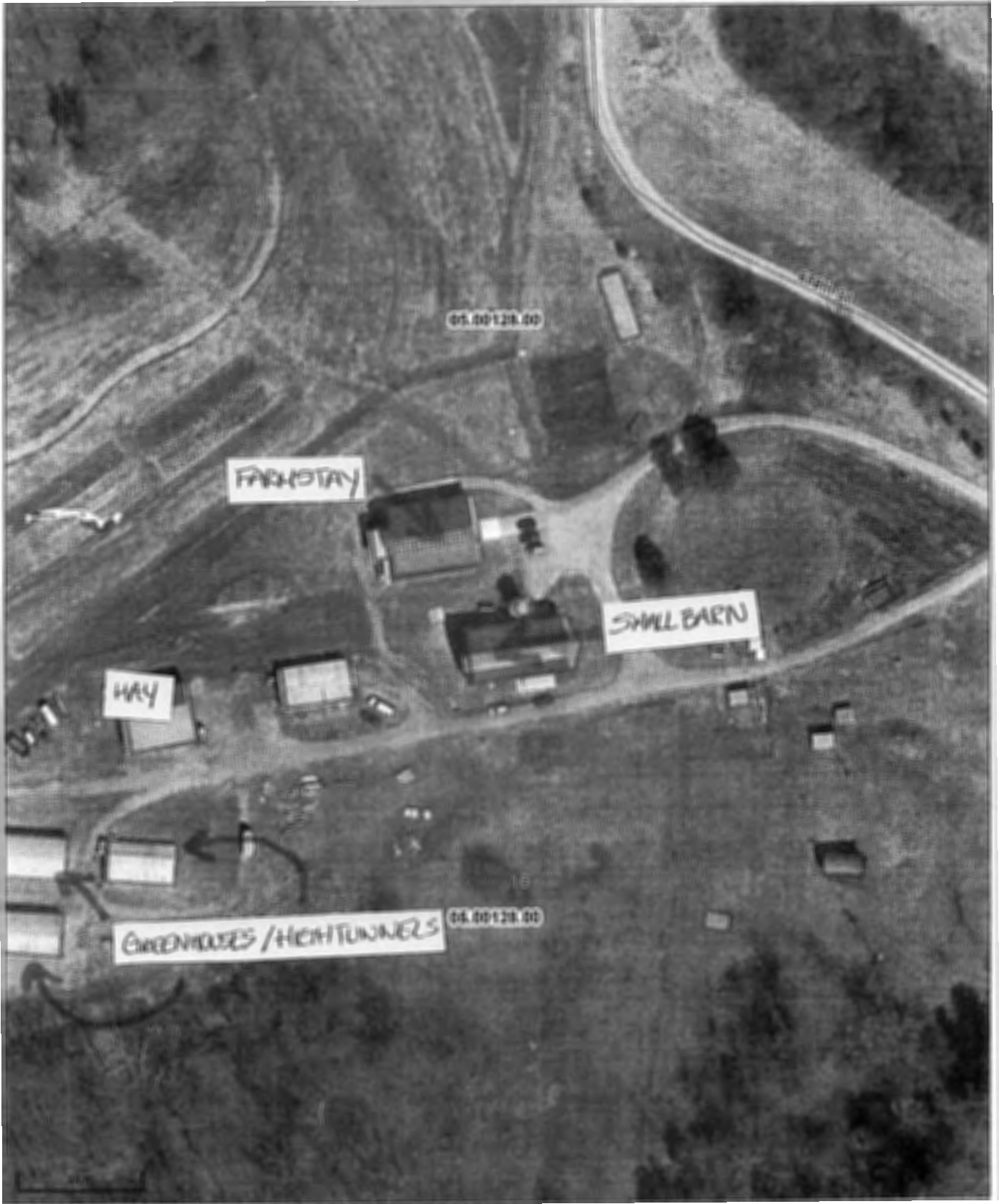
We also will clearly document the condition of the road as a part of this process using our drone and will work with Troy (who has the other tractor) to do what we have been doing all along.

Please let us know if this email from the Township Clerk is sufficient for the submission which we intend to complete this weekend?

Thank you both for your time in addressing this process and have a safe weekend.

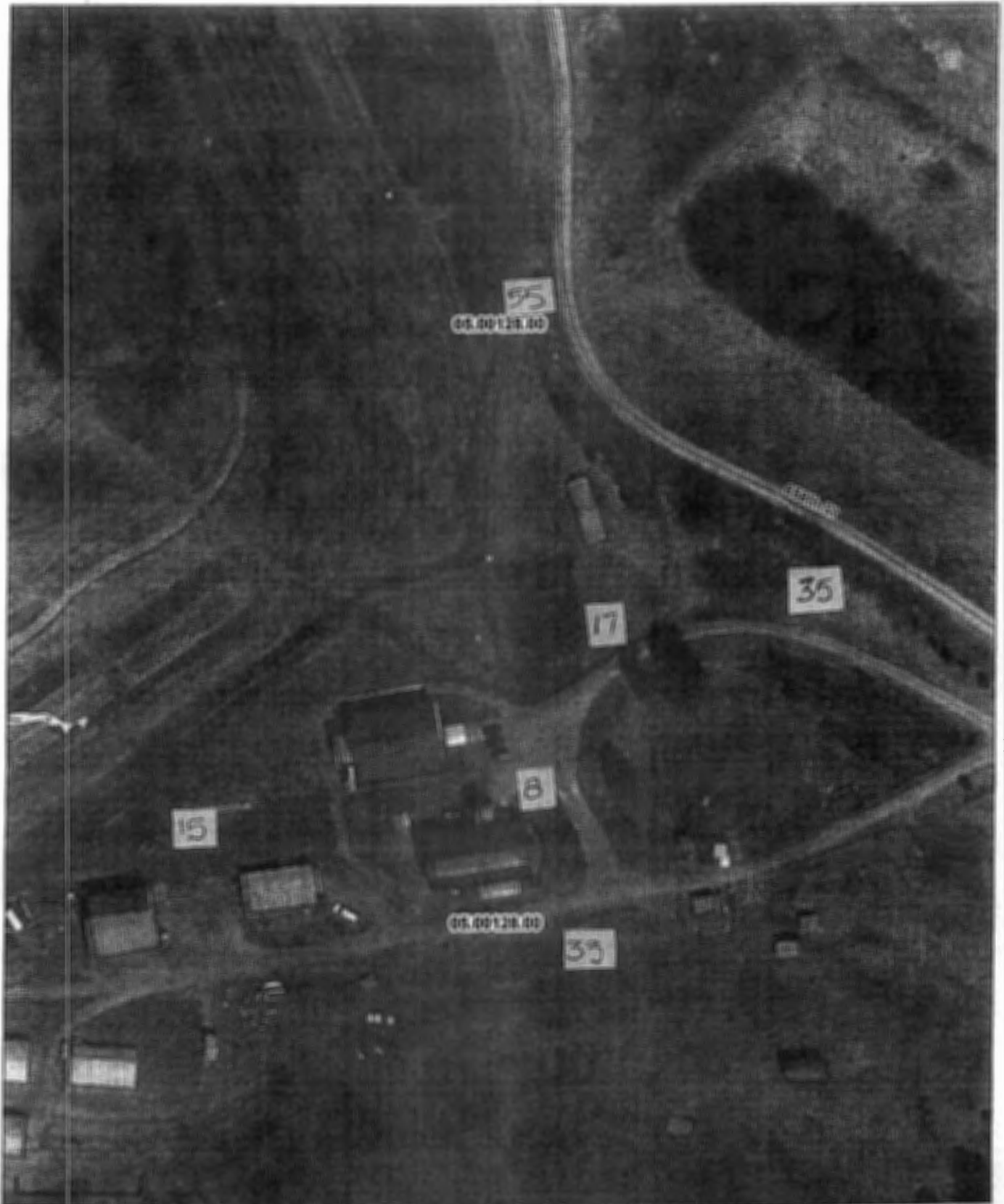
dave and catherine
651-560-4081

Bluff Valley Farm - Building Identification



Bluff Valley Farm - Available Parking


Based on 9' x 13' spaces @ 90 degree



Proximity to Adjacent Neighbors

Because of the map scale necessary to locate all neighbors produced by Beacon I will provide the following estimated distance we discovered based on closest to most distant from space.

617'	-	Margaret and Eric Sonnek
858'	-	Debra and Andy Schouweiler
1308'	-	Chelsea and Chad Sanderson
1786'	-	Nancy and Stephen Buol
2130'	-	Nancy Kuklinski
2872'	-	Paula and Troy Passes
4666'	-	Willard (Son) and Mary Schuth

From: Eric Sonnek esonnek@gmail.com 
Subject: Sign Letter
Date: June 17, 2024 at 10:36 AM
To: daschmidt2013@gmail.com



Good Morning! I just wanted to attach a signed document for your meeting. We cannot attend the meeting because of James' baseball game and I am in Minneapolis taking a class. So that you know, you have our support.

God Bless,
Eric Sonnek

To: Greenfield Township
Wabasha County Planning Board

To: Greenfield Township
Wabasha County Planning Board
Wabasha County Board of Commissioners

We are neighbors of Dancing Gnome Farm and Bluff Valley Farm and live at 16986 658th Street.

We have known about the scope of proposed activity listed below that will occur place at their farm and support your approval for a Special Use Permit to conduct these activities. Should you have any questions please contact us at [REDACTED]

Thank you.

Sincerely:



Eric and Maggie Sonnek

Current activities for Dancing Gnome Farm and Bluff Valley Farm

Farm CSA Activities - This activity is a permitted use and Dancing Gnome Farm supports approximately 75 CSA Boxes per week during the farm season. In an effort to reduce the traffic count on a weekly basis it was decided to deliver these boxes from Broken Paddle's downtown location.

Volume of Traffic - 1 Van to transport boxes to town, interns take =Wabasha boxes to Broken Paddle after work in their vehicle.

Flower Farm Activities - This activity was previously conducted in accordance with the direction from the past zoning officer and included the sale of farm grown flowers presented in the following activities:

Flower Bar - Many local companies including the Hospital, Wabasha County Employees, Women's groups participated in making arrangements of farm grown flowers as a positive group activity. This activity generated some parking during the events without any reported incidents to the county officials.

Volume of Traffic - Small groups of participants using 2 - 5 cars

Pick Your Own Flowers - there were a few scheduled dates for this activity and generated limited spaced-out participation without any reported incidents to the county officials.

Volume of Traffic - Past events generated less than 10 cars.

Organic Farm Stay - This is a new proposed activity to allow families to experience rural small-scale agriculture - The proposed space has One Queen Bed and Couches and would generate one vehicle per stay.

Volume of Traffic – Past use by farmer's families has generate 1 vehicle per stay

Small Barn use - The original barn was used in the 50's and 60's as a wedding and music venue along with being the area ski hill. We would like to propose using this space again for similar events.

Volume of Traffic – Past events have had 20 - 50 cars.

From: chad sanderson 1chadsanderson@gmail.com
Subject: Re: Bluff Valley Farm
Date: June 17, 2024 at 7:05 PM
To: david schmidt daschmidt2013@gmail.com



I'm good with that Dave, thanks.
Sent from my iPhone

On Jun 17, 2024, at 5:52 PM, david schmidt <daschmidt2013@gmail.com> wrote:

To: Greenfield Township
Wabasha County Planning Board
Wabasha County Board of Commissioners

We are neighbors of Dancing Gnome Farm and Bluff Valley Farm and own the property at 65977 167th Ave.

We have known about the scope of proposed activity listed below that will occur at their property. We understand that they are applying for Special Use Permit to do these activities. We are not opposed to this plan at this time. Should you have any questions please contact us at: Chad Sanderson [REDACTED]

Thank you.

Sincerely: Chad and Chelsea Sanderson

Current activities for Dancing Gnome Farm and Bluff Valley Farm

Farm CSA Activities - This activity is a permitted use and Dancing Gnome Farm supports approximately 75 CSA Boxes per week during the farm season. In an effort to reduce the traffic count on a weekly basis it was decided to deliver these boxes from Broken Paddle's downtown location.

Volume of Traffic - 1 Van to transport boxes to town, interns take Wabasha boxes to Broken Paddle after work in their vehicle.

Flower Farm Activities - This public activity was previously conducted in accordance with the direction from the past zoning officer and included the sale of farm grown flowers presented in the following activities:

Flower Bar - Many local companies including the Hospital, Wabasha County Employees, Women's groups participated in making arrangements of farm grown flowers as a positive public group activity. This activity generated some parking during the events without any reported incidents to the county officials.

Volume of Traffic - Small groups of participants using 2 - 5 cars

Pick Your Own Flowers – Last year we scheduled this public activity for two dates, it generated limited participation without any reported incidents to the county officials.

Volume of Traffic - Past events generated less than 10 cars.

Organic Farm Stay - This is a new proposed public activity to allow families to experience rural small-scale agriculture - The proposed space has One Queen Bed and Couches and would generate one vehicle per stay.

Volume of Traffic – Past use by farmer's families has generate 1 vehicle per stay

Small Barn use - The original barn was used in the 50's and 60's as a wedding and music venue along with being the area ski hill. We would like to propose using this space again for no more than two public events a month.

Volume of Traffic – Past events have had 20 - 50 cars

[Faint, illegible text]

To: Greenfield Township
Wabasha County Planning Board
Wabasha County Board of Commissioners

65681 169th Ave

We are neighbors of Dancing Gnome Farm and Bluff Valley Farm and live at

STEVE & NANCY Buol
Steve Buol Nancy Buol

We have known about the scope of proposed activity listed below that will occur place at their farm and support your approval for a Special Use Permit to conduct these activities. Should you have any questions please contact us at [REDACTED]

Thank you.

Sincerely:

Current activities for Dancing Gnome Farm and Bluff Valley Farm

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To: Greenfield Township
Wabasha County Planning Board
Wabasha County Board of Commissioners

We are neighbors of Dancing Gnome Farm and Bluff Valley Farm and live at
17215 658th St.

We have known about the scope of proposed activity listed below that will occur place at their farm and support your approval for a Special Use Permit to conduct these activities. Should you have any questions please contact us at [REDACTED]

Thank you.

Sincerely:



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To: Greenfield Township
Wabasha County Planning Board
Wabasha County Board of Commissioners

We are neighbors of Dancing Gnome Farm and Bluff Valley Farm and live at 17584 667th St.

We have known about the scope of proposed activity listed below that will occur place at their farm and support your approval for a Special Use Permit to conduct these activities. Should you have any questions please contact us at [REDACTED]

Thank you.



Sincerely:

Current activities for Dancing Gnome Farm and Bluff Valley Farm

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Small Barn use - The original barn was used in the 50's and 60's as a wedding and music venue along with being the area ski hill. We would like to propose using this space again for similar public events.

Volume of Traffic - Past events have had 20 - 50 cars

From: catherine schmidt cks.wabasha@gmail.com
Subject: Re: Bluff Valley Farm
Date: June 9, 2024 at 8:07 AM
To: Joseph Kaltenbach jkaltenbach@co.wabasha.mn.us
Cc: Michael Plante mplante@co.wabasha.mn.us, Catherine Kolberg Schmidt cks.wabasha@gmail.com

SC

On Jun 7, 2024, at 3:55 PM, Kaltenbach, Joseph <jkaltenbach@co.wabasha.mn.us> wrote:

Catherine & David:

Please see my comments below for the CUP Application:

1. For the CSA traffic volume you list approximately 75 CSA boxes per week, how many trips would that be in a week? Just one? For the other uses would these be daily, weekly, monthly amounts? Please indicate a frequency.

On Tuesdays the young farmers after work take the wabasha boxes back to Broken Paddle for delivery and Lauren departs for Hopkins with the rest.

2. You mention that your farm generates work for approximately 14 people. Are these employees of this business? If so, would they be daily employees?

They are not daily employees as they split their time between broken Paddle Guiding and Farming - there is generally about 3 - 4 a day that carpool from the Farm house in town to the farm.

3. For the Organic Farm Stay, would there be a time limit for how long someone could stay?

We would expect most stays to be a weekend or maybe a day or two more like is currently happening with the Farmers families most weeks. I don't suspect folks would have time to stay for much longer periods but we are certainly willing to discuss a limit as it is not intended as a long term rental as we plan to stay there as well.

4. For parking, please supply a parking area map when you formally submit this application.

I did submit a aerial map with number of spaces designated based on a measurement that exceeds current standards and from the wedding event it was clear I under estimated the capacity of the area.

5. Do you have an estimate for the amount/frequency of deliveries to the property? (UPS, Fed Ex, trucks etc.)

Lauren and Catherine may get one to three deliveries a week. Talking with our neighbors behind our farm Troy smiles and indicated that his wife has her own driver - They have a large family with five drivers in the household and she is a doc at mayo and orders online due to time.

Let me know if you have any questions.

Please let me know if additional information might better assist your review and have a safe weekend.

Thanks,



Wabasha County Zoning Department
625 Jefferson Avenue
Wabasha, MN 55981
Phone: 651-565-3062 Fax: 651-565-3159

To: Wabasha County Planning Commission
From: Joe Kaltenbach, Wabasha County Zoning Administrator
Re: Catherine & David Schmidt CUP request
Date: August 6, 2024

Background: On July 22, 2024 a complete application for a Conditional Use Permit was submitted by David and Catherine Schmidt for a pick your own flowers, organic farm stay, and event center business. The subject property is located within the Agriculture/Urban Fringe (A-2) zoning district and is identified as Wabasha County parcel R05.00128.00 and is located in Section 16, Township 110 North, Range 10 West, in Greenfield Township (17023 658th St., Wabasha).

Currently the existing farm is utilized by the applicant for community supported agriculture (CSA) and growing/selling locally grown flowers through a flower bar and pick-your-own-flowers activities. The applicant wishes to expand the existing use by including an organic farm stay and utilizing the property for weddings and a music venue. The organic farm stay most closely resembles a lodging establishment and the wedding/ music venue aspect most closely resembles an event center. Both of these are classified as conditional uses in the Wabasha County Zoning Ordinance.

The farm contains two barns which will be utilized: one old, and one new. The newer barn is 60' x 50' and consists of a hall/workshop area, a food processing area, and a workshop/bee area. The old barn, located to the south of the new barn, is 60' x 40'. The applicant has provided a site map with the locations of these and other structures on the property.

The property is accessed via 658th St. which connects to Highway 61. Based on past events held at the property, the applicant anticipates between 20 and 50 cars will utilize parking onsite. Due to the size of the parcel (160 acres) there is adequate space for parking. The applicant has supplied a map which indicates approximately how many vehicles can park in different locations throughout the property. No event parking should be allowed on 658th Street. The applicant has also indicated a willingness to regrade areas of 658th Street between the Township doing so and to wet the street to prevent dust. The applicant anticipates one to three deliveries a week to the property such as UPS, Fed Ex, and trucks.

The general area surrounding the parcel consists of agriculture, forested land, and residential lots. The closest residence to where the events will be taking place is owned by Eric & Margaret Sonnek and is approximately 635' to the east. The next closest residence is owned by Andrew and Debra Schouweiler and is approximately 735' to the southeast.

According to documentation supplied by the applicant this matter also went before Greenfield Township in regards to the proposed use. In summary, the Township provided the following notes: "Greenfield Township reviewed Bluff Valley Farms proposed CUP at our July monthly meeting last night. Greenfield Township's concern is the added traffic on the road. We believe that the additional traffic will require added expenses for road maintenance. We do not agree that

the Township residents should pay the additional maintenance required to facilitate one business venture.”

The well water to be used is supplied by an onsite well. The applicant has stated that the well was reviewed and approved by the state for the onsite food processing kitchen. They also indicated that the water is tested as required by the state and for organic certification. A water analysis from the onsite well was supplied, and is included in the packet, and shows that the sample meets EPA primary drinking water standards for all the analytes tested.

Wabasha County Highway Engineer Dietrich Flesch expressed no concerns with the proposed CUP.

Wabasha County Sanitarian, Darrin Thompson had the following comments for the proposed use: “The subsurface sewage treatment system (SSTS) on the Bluff Valley Farm, parcel 05.00128.00, owned by David and Catherine Schmidt, has a 2000 gallon tank with 167 L.F. of trenches as the treatment area. The current system is designed on a daily flow of 300 gallons per day and serves a new pole shed constructed on the property in 2018. The SSTS was also permitted and installed in 2018. The Schmidt’s are proposing hosting weddings and music at this location which they indicate would accommodate no more the 75 people. The closest match to estimate the flow for this venue is a dance hall which requires 6 gallons per day per person. This is determined using MN Rule 7081.0130. Using 6 gpd, the daily flow would be 450 gpd using the maximum of 75 people. The existing tank is larger than would be required. The required tanks size would be 1350 gallons and the current tank is 2000 gallons. The existing drainfield is currently designed to handle 300 gpd and the proposed venue use is 450 gpd. The existing drainfield would be able to handle 50 people without exceeding the max design flow.

We would always recommend the system be brought up to the size needed to accommodate a maximum of 75 people, however, there is no requirement in the Wabasha County SSTS Ordinance that would mandate this. Given that this venue most likely will be a weekend use, which would give the system a rest during the week, I have no concerns that this potential sporadic overuse would cause any immediate problems with the system, however, overloading the treatment system could potentially reduce the life span of the treatment system. Another viable option would be employing portable toilets if having an events over 50 people to prevent overloading of the system.

There is an old septic system that serves a bathroom in the old Barn. We have no records of what that is and it was likely pre 1970. Unless a compliance inspection is done to determine what this system is and if it meets the compliance criteria, I would recommend a condition added that states this bathroom facility cannot be used for the public or venue events.”

Minnesota law requires state inspection of new construction, change of use, alterations or additions to a place of public accommodation (PPA) designed for 100 or more people. A PPA is a publicly or privately owned facility with an occupant load of 100 or more people and is a sports or entertainment arena, stadium, theater, community or convention hall, special event center, indoor amusement facility or water park or indoor swimming pool. In talks with the applicant, and based on capacity of the septic system to be utilized on site, the number of attendees to any single event should be limited to 75 people or under. In keeping the size of events to 75 attendees or under, the proposed venue would not fall under the definition of a PPA and therefore would not be subject to such requirements. A copy of the PPA fact sheet from the Minnesota Department of Labor and Industry is included in the packet.

County Staff submitted a development review plan to the MnDOT regional office for comments. At the time of the writing of this staff report no comment has been received from MnDOT regarding the proposed use.

Staff Suggested Findings:

18.05 Findings: In considering a conditional use permit application, the Planning Commission shall apply the following standards: Staff suggested findings are in **Bold**:

1. Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or would substantially diminish and impair property values within the immediate vicinity.

The intent of the A-2 District is to provide for agricultural use and urban expansion in close proximity to existing incorporated urban centers within Wabasha County by conserving agricultural land, forest lands and natural resources, and stabilizing public expenditures for public services, until such time as urban services may become available. It is not the intent of this district to promote more urban development, but rather to promote sustainable agriculture by closely coordinating the use of land between agricultural and urban land uses. It is the intent that urban development be deferred in this District until an orderly transition from farm to urban uses can be achieved by either the annexation of areas adjacent to the incorporated limits of existing urban centers or the extension of public or other centralized sewage collection and treatment systems. Urban development should be directed to those areas not considered to be prime agricultural land.

It is intended that the status of all areas in this district be reviewed jointly by the appropriate planning bodies who shall determine whether there should be a transfer of all or any part of such area to some other appropriate land use, or to indicate any changes in the existing Land Use Plan for the particular political entity or change in the Capital Program of the community affecting this district.

With wedding and music venues a major possible concern would be the creation of noise. The Wabasha County Zoning Ordinance states that “Any use established shall be so operated that no undue noise resulting from said use is perceptible beyond the boundaries of the property on which the use is located. This standard shall not apply to incidental traffic, parking, loading, construction, farming or maintenance operations.” The proposed use of the property would have to adhere to this standard and all other applicable nuisance standards. It is unlikely that this proposed use would diminish property values or be injurious to other properties if all standards of the Wabasha County nuisance standards are met. The nearest residence is approximately 635 feet to the east of the existing barns and the next nearest residence is 735 feet to the southeast.

2. Whether the conditional use would impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area.

The proposed use would not appear to impede the normal and orderly development of surrounding properties and uses in the area. Surrounding uses of land consist of agricultural, residential and rural vacant land. An event center and farming activities do not appear to be drastically different or conflicting uses.

3. Whether adequate utilities, access roads, drainage, soil erosion control measures and other necessary facilities have been or are being provided.

Access to the property is from 658th Avenue, which enters off of highway 61. All traffic going to and existing from the property would have to travel this route. During the Greenfield Township meeting it was expressed by the Township that there was concern for added traffic on the road. They further commented that, “We believe that the additional traffic will require added expenses for road maintenance. We do not agree that the Township residents should pay the additional maintenance required to facilitate one business venture.” Wabasha County Highway Engineer Dietrich Flesch expressed no comments with the proposed CUP. County Staff submitted a development review form to the regional MnDOT office for comments, but at the time of the writing of this report no comments had yet been received.

4. Whether adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

The applicant anticipates between 20-50 vehicles per event. Parking would need to be in the designated existing parking areas as indicated by the applicant on the parking map provided with the application. To prevent nuisances with parked vehicles, no parking should be permitted along 658th Street.

5. Whether adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these would constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Whenever there are vehicles on gravel roads the creation of dust is possible. Traffic to the property would be intermittent and likely heaviest on weekends and the summer months due

to the nature of the use. Any Nuisance dust expected to occur will need to be controlled. The applicant has expressed a willingness to wet the street in order to mitigate the creation of dust. Noise from events taking place on the property could also be a concern and the applicant would need to address and mitigate these potential issues as stated in Chapter 9.02 of the Wabasha County Zoning ordinance. Fumes and vibration would likely not be a nuisance concern given the proposed use. The applicant did not indicate any exterior lighting changes that would be utilized.

6. Whether other factors bearing on the public health, safety and welfare would dictate either approval or grant of the conditional use permit. **The applicant's property contains adequate room for parking and if events are held under 75 persons that the septic system can handle the load as long as the number of events would be limited to a few or a couple of times a month. If more frequent and larger events are to be held the CUP would need to be reviewed. The applicant will need to abide by all regulations regarding the use of the business that are required by the State of Minnesota, Minnesota Department of Health; Minnesota Department of Public Safety/ State Fire Marshal's Division. It is not foreseen that if all the requirements regarding the use and conditions of the proposed CUP are followed that the public's health, safety, or welfare would be impacted negatively.**

Staff Recommendation and Suggested Conditions for Approval:

The Wabasha County Zoning Ordinance allows community supported agriculture (CSA) as a permitted use. Hosting events, such as weddings, music venues, or having the general public on a property for the purchasing of goods or services fall under event center and retail business uses and would require a conditional use permit per the Ordinance. If the applicant demonstrates to the Planning Commission that the nuisances associated with this type of proposed use such as

noise, light, dust and that adequate road maintenance can be achieved, County Staff recommends approval of this CUP application.

If the Planning Commission recommends approval of this application to the County Board of Commissioners, the Planning Commission should consider the conditions as follows:

1. The use shall be undertaken only in accordance with the plans and specifications as submitted in the application or as outlined in these conditions.
2. Hours of operation shall be limited to 8:00 a.m. to 11:00 p.m.
3. The noise generated from any outdoor function shall not be perceptible beyond the boundaries of the property as per Chapter 9.02(1) of the Wabasha County Zoning Ordinance.
4. There shall be no parking on 658th Street.
5. The applicant shall coordinate and work with Greenfield Township to control dust and maintain 658th Street and do so to the satisfaction of the Township.
6. Events shall be limited to no more than 75 attendees.

Requested Action:

The County Planning Commission shall make its decision upon the application and forward its recommendations to the Board of County Commissioners. In reporting its recommendations to the Board of County Commissioners, the County Planning Commission shall report its findings with respect thereto and all facts in connection therewith, and may designate conditions and require guarantees deemed necessary for the protection of the public interest. Upon receipt of the report of the Planning Commission, the Board of County Commissioners shall make a decision upon the application for a conditional use permit.

PLACES OF PUBLIC ACCOMMODATION

Minnesota Department of Labor and Industry

State inspection of places of public accommodation in non-code areas

Minnesota law requires state inspection of new construction, change of use, alterations or additions to a place of public accommodation (PPA) designed for 100 or more people. As of July 1, 2017, application must be made to the Minnesota Department of Labor and Industry for building code review, permit and inspection before construction can begin on these public buildings that will be constructed in non-code enforced areas of the state.

What is a PPA?

A publicly or privately owned facility with an occupant load of 100 or more people and is a sports or entertainment arena, stadium, theater, community or convention hall, special event center, indoor amusement facility or water park or indoor swimming pool.



Occupant load: The calculated number of people for which the means of egress system is designed. This number is based on the number of square feet that the building code assigns to each occupant to ensure means-of-egress safety requirements.

Fire area: A building or portion of a building bounded by exterior walls, fire walls or fire barrier walls constructed per the Minnesota State Building Code.

Agricultural buildings: Buildings located on land assessed as agricultural which are designed, constructed and used to house farm implements, livestock or agricultural products and used by the owner, lessee and members of their immediate family, employees and persons engaged in the pickup or delivery of agricultural products.

Where to get permits for places of public accommodation

Land use permits and grading permits: County or Local municipality, if required.

Building permits and mechanical permits: If the property is within a municipality having local enforcement of the State Building Code, the local building department has jurisdiction. If there is no local code enforcement, the Construction Codes and Licensing Division (CCLD) at the Minnesota Department of Labor and Industry has jurisdiction for projects with an occupant load over 100 persons.

Sprinkler permits: Minnesota Department of Public Safety, State Fire Marshal's Division.

Electrical, plumbing and elevator permits: CCLD, except where the department has specific agreements with local building departments.

Where to start when planning

Without exception, all PPA require design and certification by an architect or engineer licensed in Minnesota. Start by

assembling the design team: architect, structural engineer, mechanical engineer (if including any heating and/or air conditioning), master plumber, electrical engineer or master electrician. Licensed professionals are listed at <https://mn.gov/aelslagid/roster.html>.

I have an existing building that I would like to convert to a PPA

Conversion of commercial and residential buildings: Existing commercial buildings may use the Minnesota Conservation Code for Existing Buildings. Changes in occupancy will typically result in requirements to comply with the current construction codes.

Conversion of agricultural buildings: Minnesota Statute 326B.121 exempts agricultural buildings from the building code. However, conversion of an agricultural building to a PPA requires demonstration that the building complies with all of the requirements of the current construction codes. A barn used for another purpose is no longer exempt.

What are some typical areas of concern?

Building structure: Buildings must meet current gravity load criteria (dead load + live load + snow load) and current lateral (wind) load criteria. Must demonstrate with certified calculations.

Accessibility: Must demonstrate and provide accessible parking, an accessible route to an accessible entrance, an accessible route within to every primary function area and public space, and accessible toilets. If primary functions are not on the accessible level, provide an elevator.

Toileting: Provide the number of water closets, lavatories, sinks and drinking fountains required by Minnesota Building Code, Chapter 29. Portable toilets are not acceptable except for outdoor stadiums.

Means of egress: Provide means of egress compliant with Chapter 10 of the Minnesota Building Code. Panic hardware is required on doors. Exit signage and emergency power for egress lighting is required.



HVAC: If providing heating or air conditioning and spaces were not previously conditioned or if the building was an agricultural building, the thermal envelope of the conditioned space and HVAC equipment must comply with the current Minnesota Energy Code. If no HVAC, the architect must provide calculations for natural ventilation compliance.

Fire sprinkler systems: PPA require sprinkling under the following conditions:

1. when the occupant load of the fire area containing the PPA is 300 or more persons (MS 326B.108), or
2. when the building code requires other occupancies within the fire area containing the PPA to be sprinkled and there is not a rated occupancy separation between those other occupancies and the PPA (MBC 508.4.1), or
3. when the building code requires the entire building to be sprinkled in order to comply with allowable building height (MBC 504) and allowable building area (MBC 506).

From: [Flesch, Dietrich](#)
To: [Kaltenbach, Joseph](#)
Cc: [Plante, Michael](#)
Subject: RE: Schmidt CUP
Date: Tuesday, August 6, 2024 11:41:02 AM

Joe

I have no comment on the proposed use.

Regards,

Dietrich Flesch
Wabasha County Engineer
821 Hiawatha Drive West
Wabasha, MN 55981
Phone 651.565.3366 ext.2

From: Kaltenbach, Joseph <jkaltentbach@co.wabasha.mn.us>
Sent: Tuesday, August 6, 2024 9:54 AM
To: Flesch, Dietrich <dflesch@co.wabasha.mn.us>; Gertken, Shawn <sgertken@co.wabasha.mn.us>; Gusa, Jessica <jgusa@co.wabasha.mn.us>
Cc: Plante, Michael <mplante@co.wabasha.mn.us>
Subject: Schmidt CUP

All,

Attached is a CUP application for David and Catherine Schmidt for a pick your own flowers, organic farm stay, and event center business. The subject property is identified as Wabasha County parcel R05.00128.00 and is located in Section 16, Township 110 North, Range 10 West, in Greenfield Township (17023 658th St., Wabasha). Please provide any feedback or concerns for the proposed use. I have reached out to MnDOT for their feedback as well. Let me know if you have any questions.

Thanks,

Joe Kaltenbach
Zoning Administrator
Wabasha County
625 Jefferson Ave
Wabasha, MN 55981
Phone: (651)-565-3062
E-mail: jkaltentbach@co.wabasha.mn.us

From: [Shaun Duvall](#)
To: mplante@co.wab; [Kaltenbach, Joseph](#)
Subject: Permitting for Bluff Valley Farm
Date: Tuesday, August 6, 2024 11:09:52 AM

CAUTION: This email came from outside the county



Dear Mr. Plante and Mr. Kaltenbach-

I am writing this letter in support of the Bluff Valley Farm's permitting process. I have been a Dancing Gnome CSA customer now for more than 5 years. I have known Catherine and Dave and Lauren and Michael for that long. I have always found them to be excellent stewards of the land- careful and considerate of this town and County, and pioneers in bringing Wabasha County activities to the wider community. They care about this community and the people who live here.

I believe that the activities they conduct are good for the community. Many of their CSA boxes are delivered in the Twin Cities area, which brings income and vitality here. They have a crew of young farmers and interns employed each year, promoting sustainable agriculture.

The new use (small barn for special events) would be sporadic and not a constant source of traffic, therefore in my opinion, would not be an overuse of the roads. Certainly it would not cause more weight and wear on the road as many other farm vehicles in this heavy farming area. Certainly revitalizing rural areas is in the best interest of all of us. Even more so when the people conducting these activities are careful, committed and concerned for the environment, the land and the people, all of them who live here.

Please approve the CUP/IUP application.
Please contact me if you have further questions.

Shaun Duvall (she/her)
224 2nd. St. E.
Wabasha, MN 55981

From: [Sarah deGrood](#)
To: [Kaltenbach, Joseph](#); [Plante, Michael](#)
Cc: [David Schmidt](#); [Catherine Schmidt](#)
Subject: Bluff Valley Farm
Date: Monday, August 12, 2024 11:59:13 AM

CAUTION: This email came from outside the county

Hello Wabasha County,

I am writing to you in support of Bluff Valley Farm and all that it has to offer. BVF is such a special and unique place for all to enjoy. Old or young, farmers or city people, this farm is welcoming to all.

I am a member of the Dancing Gnome CSA and have been since the beginning and have also worked on CSA day to pack vegetables for CSA boxes. Farm day is fun and their workers are experienced and fun loving. I have purchased flowers from Catherine for personal and business purposes, and spent time at the farm for community activities with friends new and old.

I know David and Catherine have a wonderful vision and mission for their farm and I believe they will be successful at all endeavors they take on in the future. Wabasha County should be proud to have just good land stewards.

Sarah deGrood

--

Sarah deGrood
651-343-8081

From: [Mary Ochsner](#)
To: [Kaltenbach, Joseph](#)
Subject: Special Use Permit David and Catherine Schmidt
Date: Thursday, August 8, 2024 10:29:53 AM

CAUTION: This email came from outside the county

August 7, 2024

Dear Joseph Kaltenbach,

I knew of the property back before David and Catherine Schmidt purchased it in 2014, because my late husband David Ochsner had fond memories of skiing there and of attending dances in the old barn. Between that time (I'm imagining 1950's and 1960s to my knowledge) not much occurred there that involved the community.

Then in 2012 Catherine and David Schmidt began taking classes that related to permaculture especially in Minnesota. They purchased the farm in 2014 and spent 2015 cleaning the old barn and hauling away refuse. Concurrently, David with Ron Moen and other community members contoured the land to afford better drainage. The Schmidts added a second barn to the property in anticipation of the needs of the Dancing Gnome's first season: the summer of 2019, harvested, cleaned and neatly boxed organic produce was offered to residents in Wabasha, as well as to those in Hopkins, Minnesota. Catherine, David, Lauren, and Michael managed through the rigorous process that led to organic certification. Community members could feel assured that the produce they received had been grown without pesticides. Over the next few years, community members participated in raising one hoop house after another to accommodate this burgeoning business. Community members further helped lay out the beds, haul soil and compost. To encourage biodiversity and to create a healthy ecosystem, Catherine and David added chickens which provide eggs to community members, and bees that provide honey.

The young farmers took on interns from the community and surrounding communities to assist in the fields and hoop houses. In 2022, again after considerable study, Catherine and David launched a flower business. Now one entire hoop house is devoted to starting and nurturing seedlings and bulbs.

The local hospital, Wabasha County Employees, an other women's groups have come to the farm and created floral arrangements with flowers from the farm beds. On two designated days in the summer of 2023, Catherine and David Schmidt opened the farm up to community residents who selected flowers from the beds themselves. Those who came enjoyed the experience. This involved few cars spread out throughout each time period.

Last year's drought led to David Schmidt and other community members to considering creative solutions for irrigating during such times in the future. The Schmidt's are true stewards of the land they purchased.

As the school buses manage safely down the road to Schmidts' farm throughout the year, the modest traffic flow generated by the activities mentioned above, has encountered no issues.

In fact, David has assisted neighbors, after the few storms Wabasha has seen over the last few years, dig out their driveways.

The Schmidts' didn't just buy a farm. They had a plan, educated themselves, and executed it with the utmost respect for the land itself, and for the community including their neighbors. The amount that this energetic and intelligent couple have accomplished in a few short years is mind blowing. As a council I would hope that whatever Schmidt's next plans might be, you would be assured that they have analyzed from every angle how such would play out. They are an astonishing couple and Wabasha is lucky to have them.

Sincerely
Mary Ochsner

From: [Jill Barry](#)
To: [Kaltenbach, Joseph](#)
Subject: Special Use Permit for BVF/DGF
Date: Monday, August 12, 2024 9:11:01 AM

CAUTION: This email came from outside the county

Dear Planning & Zoning Administrator,

It is with pleasure that I write to you in support of Bluff Valley Farm (BVF) and Dancing Gnome Farm (DGF). Their commitment to organic practices, flower and vegetable production, and community building has far-reaching benefits for the people of Wabasha and other communities and businesses in the state, including the metropolitan areas of Minneapolis and St. Paul.

I understand that circumstances have created the need for a Special Use Permit application by BVF and DGF. There is no doubt in my mind that the greater good will continue to be served with the approval of the Special Use Permit to include:

- Farm CSA Activities
- Flower Farm Activities
- Flower Bar
- Pick Your Own Flowers
- Organic Farm Stay
- Small Barn Use

Thank you for your consideration of this important and impactful matter.

Best regards,
Jill Barry

From: [Tom Prody, Greenfield Township Clerk](#)
To: [Plante, Michael](#); [Kaltenbach, Joseph](#); [david schmidt](#); [Mark LaVigne](#)
Subject: Bluff Valley Farm
Date: Friday, July 12, 2024 9:34:23 AM

CAUTION: This email came from outside the county

Michael

Greenfield Township reviewed Bluff Valley Farms proposed CUP at our July monthly meeting last night. Greenfield Township's concern is the added traffic on the road. We believe that the additional traffic will require added expenses for road maintenance. We do not agree that the Township residents should pay the additional maintenance required to facilitate one business venture.

Tom Prody, Greenfield Township Clerk



BARRY (HOUSE)
17023 658TH ST
WABASHA, MN 55981

SE MINNESOTA WATER ANALYSIS LABORATORY
2100 CAMPUS DR SE
ROCHESTER, MN 55904-4722
PHONE: (507) 328-7495
FAX: (507) 328-7485
EMAIL: waterlab@co.olmsted.mn.us

Report Date: 7/28/2023
Lab Number: 37996
Received Date: 7/27/2023
Received Time: 9:17
Sampled Date: 7/27/2023
Sampled Time: 6:55
Sampler: LAUREN BARRY
Sampler Title:

Unique Number:
Temp(C)@ receipt: 7.2~

Sample Name: BARRY (HOUSE)

Sample Location: 17023 658TH ST WABASHA MN 55981

Reason For Test: SDWG

Comments: This sample meets EPA primary drinking water standards for all of the analytes tested.

Analyte	Result	Method	(LRL*)	Analyzed	Analyst
Chloride	1.6 mg/L	EPA 300.0 Rev 2.1	(0.5 mg/L)	07/27/23 13:00	oc10669
Fluoride	< 0.2 mg/L	EPA 300.0 Rev 2.1	(0.2 mg/L)	07/27/23 13:00	oc10669
Nitrate	1 mg/L	EPA 300.0 Rev 2.1	(0.25 mg/L)	07/27/23 13:00	oc10669
Nitrite	Not Detected	EPA 300.0 Rev 2.1	(0.1 mg/L)	07/27/23 13:00	oc10669
Sulfate	14.6 mg/L	EPA 300.0 Rev 2.1	(0.5 mg/L)	07/27/23 13:00	oc10669

Laboratory Certification: MN LAB # 027-109-399 EPA LAB CODE MN00096
SEMWWAL is accredited by the Minnesota Department of Health
Environmental Laboratory Accreditation Program and conforms to current TNI standards.
** = See 'Meaning of Test Results' fact sheet for additional information.
(LRL*) = Laboratory Reporting Limit is the lowest value of the analyte that can be quantitatively determined.
~ = Sample received outside temperature range specified in Minnesota statutes.
EX = Sample received outside holding time specified in EPA 300.0 Rev. 2.1

Lab Analyst or Lab Manager



Conditional/ Interim Use Permit Application

Wabasha County, Minnesota

JUL 22 2024

Applicant Info

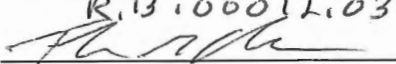
Name of Applicant Thomas Rothering
 Business Name Bending River Cove Resort
 Mailing Address 70984 Highway 61
 City Lake City State MN Zip Code 55041
 Phone 507-450-9815
 Email info@bendingrivercove.com

Property Owner Info

Tom Rothering
 Name of Owner(s) Stephanie Rothering
 Mailing Address 70984 Highway 61
 City Lake City State MN Zip Code 55041
 Phone 507-450-9815

Is applicant property owner?

Yes No

Parcel ID: R.13.00012.00
R.13.00012.03

 Property Owner's Signature

Township/Section: Sect-15 Twp-111
7/22/2024
 Date

By signing and dating above, you agree to allow Wabasha County Environmental Services Staff to enter the property to perform needed inspections

Before filling out this application, it is recommended to contact the Planning and Zoning Office to discuss the proposed conditional use and the associated information that will be required in the application.

Answer the questions below in detail:

1. Proposed use: (attach additional forms if more space is needed)

For new businesses, please see the attached "Business Requirements" form for more information.

See attached. I have typed up this information to be more easily readable. My handwriting is not easy to read.

CUP/IUP Application Fee- \$400.00 After the Fact- \$1,000

To whom it may concern.

We are Tom and Stephanie Rothering. We purchased Bending River Cove Resort in April of 2023. We set out on this adventure not knowing exactly where it would lead us. This has truly been a learning experience for us. Having one year under our belt we have developed a good feel for the business as well as the surrounding communities. We had 309 guests last year though this small resort. It has certainly kept us busy. We truly love sharing the hidden gems of the area with our guests. This truly is an amazing area with lots to offer folks passing through.

Our goal for the future is to take what we have and “elevate’ the property. While it is certainly not an eye sore, we feel there are some things that if allowed to be changed would enhance the appeal of this property. If you have driven by over the past 12 months or so, you have seen the changes we have made already. Again, our goal is to take this property to another level in appearance, function, and experience.

Thanks for taking the time to review our plan. Please do let us know if there is any other information you would need from us relevant to this CUP application.

Tom Rothering

Stephanie Rothering

Bending River Cove Resort

507-884-0766

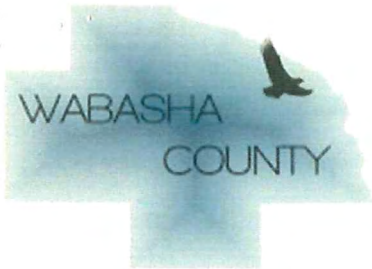
info@bendingrivercove.com

www.bendingrivercove.com

1. **Proposed Use:** Bending River Cove currently operates as a Tiny Home resort. We currently have 2 residential structures and 4 tiny homes that we rent as vacation rentals. While we are going to continue to operate as a vacation rental property, we are proposing some changes that would allow us to expand our business. We are requesting the following changes to be completed in stages over the coming years as we can secure financing to achieve these phases.
 - a. On Parcel 1, Our Tiny Homes are classified as personal property and therefore cannot be used as collateral on a real estate loan. We would like to convert our Tiny Homes to be considered Real Estate.
 - i. Install concrete pad beneath Tiny Homes to support the structures.
 - ii. Remove axles and hitches from Tiny Homes
 - iii. Install required bracing/ anchoring to secure homes to the pad.
 - iv. Install skirting around tiny homes.
 - v. would meet setback requirements.
 1. 15 feet from property line
 - b. On Parcel 2, We would like to add one more rental unit on a “foundation” to be considered Real Estate
 - i. Unit would be purchased and installed on the lot.
 - ii. May be a cabin, site built, or another tiny home converted to a real estate.
 - iii. Concrete slab would be installed.
 - iv. Unit would be blocked, tethered/anchored, and skirted.
 - v. would not meet current setback requirements.
 1. Bending River Cove owns the adjoining parcel.
 2. Unit would be installed on the border of the adjoining parcels.
 3. Could easily meet 5 feet set back from parcel boundary as well as 10-foot set back from existing building.
 4. We are willing to combine parcels to alleviate this issue if that is required.

Summary: We have adequate Parking to support the additional unit as well as there is no impact to the septic system since we have a holding tank with no drain field. The result would be that we would have to have the holding tank pumped more frequently.

2. **Explanation:** Bending River Cove is located directly next to Camp Lacupolis and right on Highway 61. Given the amount of traffic already traveling highway 61, There is no measurable increase in traffic by adding another unit. We have quiet hours from 10 PM to 7 AM to reduce any unnecessary noise pollution to neighbors, certainly less noise than the highway 61 traffic and the train horns. There will not be any street parking, as we have sufficient parking for our current and proposed guests.
3. **Description:** Our property rules provide quiet hours from 10 PM to 7 AM. We do not have any exterior lights pointing off the property. We have not received any complaints from neighbors regarding any conduct on the property. We have a good working relationship with neighboring resort and neighbors who have stopped in to introduce themselves.



Township Approval Form

Wabasha County Environmental Services
Old Courthouse Annex
625 Jefferson Ave
Wabasha, MN 55981
Phone: (651)-565-3062

Parcel ID R.13.00012.00
R.13.00012.03

Name of Applicant: Thomas Rothering/Bending River Cove Phone: 507-884-0766
~~507-450-9815~~

Mailing Address: 70984 Highway 61 City: Lake City State: MN Zip: 55041

Property Owner Name: Tom + Stephanie Rothering Phone: 507-450-9815
985-773-3083

Section Number: 15 Township Name: Pepin Township

Activity Type:

- New Construction
- Addition/ Alteration
- Remodel/ Repair
- Land Division or Boundary Adjustment
- CUP/IUP/Variance
- Preliminary Plat

NOTE: Township approval is **REQUIRED** when applying for a **CUP/IUP & Preliminary Plats**. You must attend your Townships meeting and provide written documentation with your application of the meeting such as minutes, resolutions, and/or recommendations from the Township regarding your proposed activity.

Failure to provide the correct information above or failure to receive Township approval will result in your application being considered incomplete; further delaying the processing of the application.

Below is a list of contacts for the Townships within Wabasha County that have their own zoning ordinances. This form is **REQUIRED** for any above listed activity within these Townships.

Chester Township..... Jake Atkinson: (507)-251-8150

Plainview Township..... Mitchell Crary: (507)-421-1145

Zumbro Township..... Marcia Dworschak: (507)-753-2625

A comprehensive list of Township Officials and their contact information can be found at https://www.co.wabasha.mn.us/document_center/directory.pdf

Township Official Signature: [Signature] Date: 6/4/2024

The above activity meets the requirements of our Township Zoning Ordinance/Regulation and is hereby approved.

FW: Pepin Township meeting minutes

Tom Rothering <info@bendingrivercove.com>

Mon 7/22/2024 5:49 AM

To: Tom Rothering <Tomr@propertiespluswinona.com>

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Holly Olson <holidayholtan@hotmail.com>

Date: 7/19/24 11:21 AM (GMT-06:00)

To: Tom Rothering <info@bendingrivercove.com>

Subject: Pepin Township meeting minutes

Pepin Township Monthly meeting 6/4/24

New business:

Mr. Tom Rothering is here from Bending River Cove resort, this is a tiny House river resort in Camp Lacupolis. Tom is here for a conditional use permit to make some updates to the resort and looking for Township approval for this. They want to add another unit to the site, supporting paperwork has been reviewed by the Town Board and signed. Tom is also wondering about railroad crossing arms as the train blows the horn through there, he will get in touch with the railroad company to potentially check on this.

Holly Olson, Pepin Township clerk



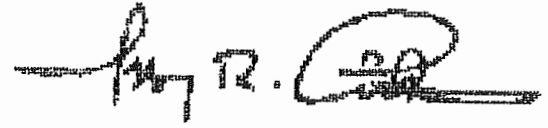
DEVELOPMENT REVIEW INFORMATION CHECKLIST

Local Government Units requesting review of proposed developments: complete this page, include information in this checklist (as applicable) and send to MnDOT District 6 Planning Director, 2900 48th St NW, Rochester, MN 55901, or tracy.schnell@state.mn.us

Date: 7/31/2024		Prepared by: Joe Kalkenbach, Wabasha County Zoning Administrator			
Type of Activity (check all that apply)					
<input type="checkbox"/> Driveway/road access change	<input type="checkbox"/> Preliminary plat - # lots ___	<input type="checkbox"/> Environmental document			
<input type="checkbox"/> Land use change	<input type="checkbox"/> Final plat - # lots ___	<input type="checkbox"/> Access management/Corridor plan			
<input type="checkbox"/> Site plan	<input checked="" type="checkbox"/> Conditional Use Permit (CUP)	<input type="checkbox"/> Comprehensive/long-range plan			
<input type="checkbox"/> Other					
Is this an amendment or revision? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes; date of prior submittal					
Location					
Street/highway 70984 Highway 61			On/nearest MN highway		
City or township and zip code Lake City / Pepin Twp		County Wabasha	County Parcel ID Number R13.00012.00/R13.00012.03	Highway milepost (nearest 0.1 mi)	
Plat name (if applicable)			Coordinates and coordinate system (if known)		
Description					
	Existing		Proposed/planned		
Land use and zoning	Rural Residential/R-1		same		
# of Parcels	2		2 possibly combined into 1		
# of Residential units and/or commercial-industrial sq. ft.	6 rentals		4 Rentals, 2 residential units		
Property access, including access management efforts	existing drives off 61		same		
	Temporary construction		Permanent construction		
Time schedule/date for proposed work					
Other information Tiny home and residential vacation rentals					
Local Government Unit (LGU) and LGU Official Status					
<input checked="" type="checkbox"/> Primary contact One primary contact please	Name Joe Kalkenbach				
	Mailing address 625 Jefferson Ave		City Wabasha	State MN	Zip 55981
	Email address jkalkenbach@co.wabasha.mn.us		Day phone 651-565-3062	Mobile phone	Fax
LGU action attach staff reports	Planning Commission, date: Aug. 26, 2024		Board/council, date: Sept. 2, 2024		
Contingencies:					
Developer or Property Owner					
<input checked="" type="checkbox"/> Primary contact	Name Thomas Rothering				
	Mailing address 70984 Hwy 61		City Lake City	State MN	Zip 55041
	Email address info@bendingrivercove.com		Day phone 507-450-9815	Mobile phone	Fax
Consultant					
<input type="checkbox"/> Primary contact	Contact Name		Business Name		
	Mailing address		City	State	Zip
	Email address		Day phone	Mobile phone	Fax

Plans, site plans, and maps (scaled in relation to MnDOT right-of-way and local roadways); include as applicable:

Certified, Filed and or Recorded on
MAY 12, 2006 AT 02:28PM



JEFFERY R. AITKEN
WABASHA COUNTY RECORDER
STATE OF MINNESOTA
Fee Amount: \$46.00

WATER AND PRIVATE SEPTIC SYSTEM AGREEMENT

~~THIS AGREEMENT, made this 26 day of April, 2006, by and between Edward S. Flies and Patricia A. Flies, husband and wife, of Wabasha County, Minnesota (hereinafter first parties), and Bruce Glenn and Ramona Glenn, husband and wife, of Waterloo, Iowa, hereinafter second parties);~~

~~WHEREAS, first parties are the owners of certain land hereinafter described on which there is situated a well with piping system and private septic system with piping system that services the properties of first parties and second parties, and which property is located in Wabasha County, Minnesota, described as follows, to-wit:~~

All that part of Government Lot Four (4) in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section fifteen (15), One Hundred Eleven (111), range Eleven (11), described as follows, to wit: Beginning at a point at the SEly line of said premises where said line intersects with the Sly line of the railroad right-of-way which traverses said premises, as a place of beginning; thence Wly along said Sly line of said railroad right-of-way for a distance of 638 feet, more or less, to the SEly bank of a dry run which intersects with said railroad right-of-way; thence Sly for a distance of 75 feet, more or less, along the SEly bank of said dry run, to the Nly line of U.S. Trunk Highway No. 61; thence Ely along said Nly line of said Highway for a distance of 688 feet; thence NEly to the right-of-way of the Railroad for a distance of 25 feet, more or less, to the actual point of beginning, containing .71 acres, more or less, EXCEPTING

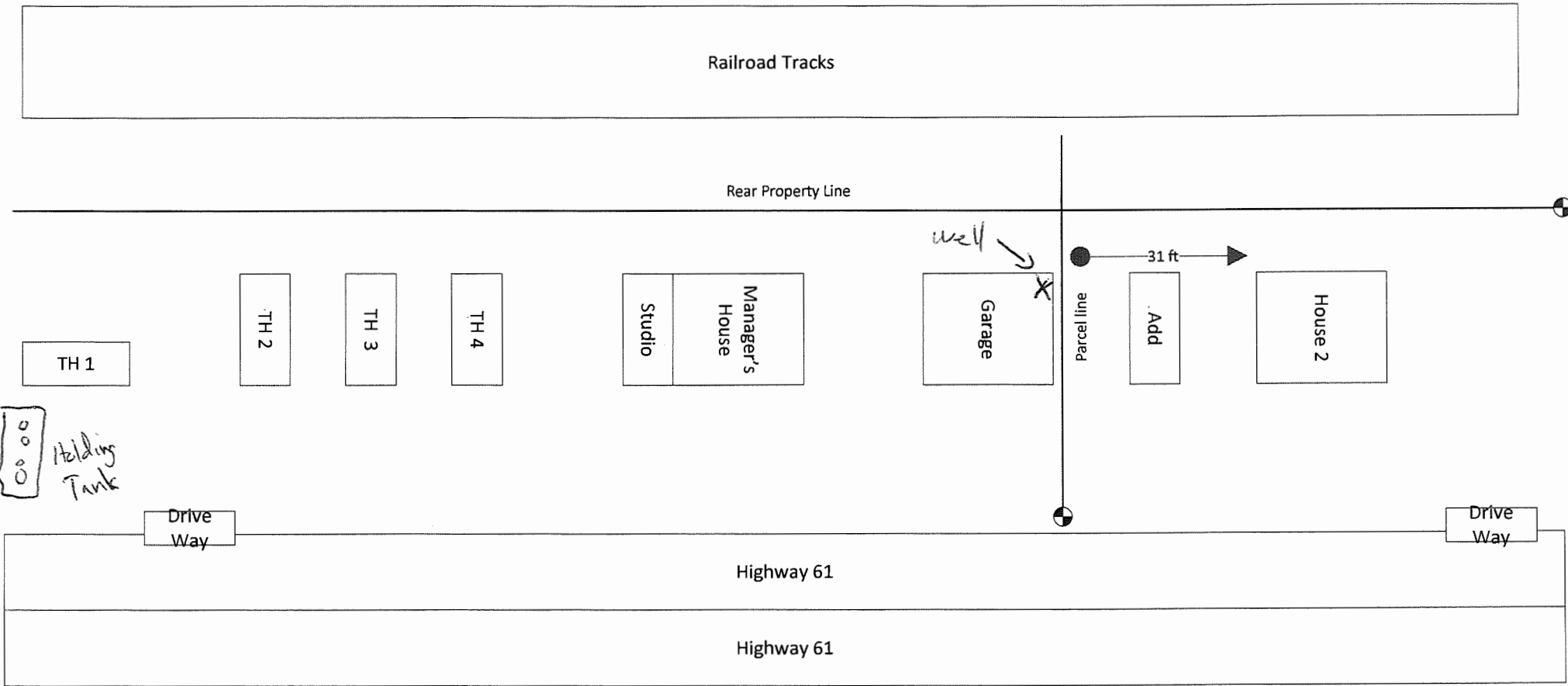
Jeffery R. Aitken Wabasha Co. Recorder
Date Received 5/11/06
Amount Paid Cash Ck No 2587 Eng
Well Certificate Amt. Pd. 46.00
Return To Sue
Torrens Abstract

THEREFROM THE FOLLOWING:

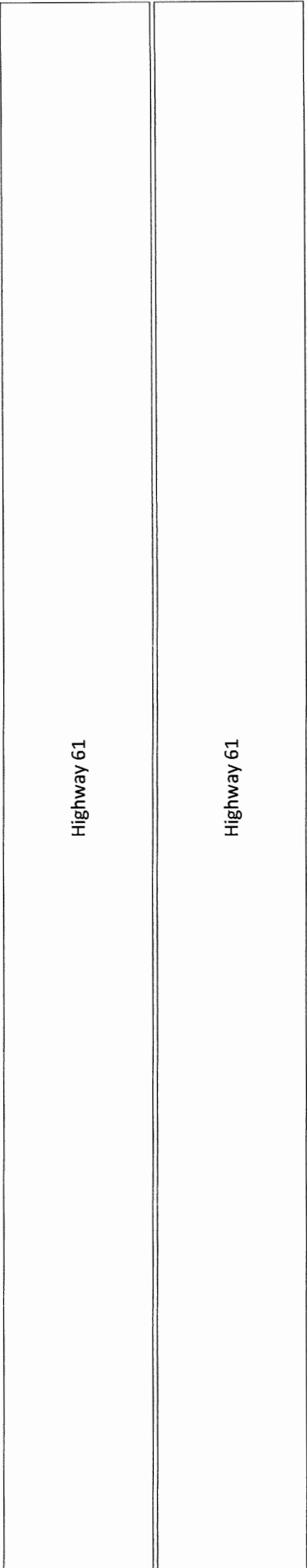
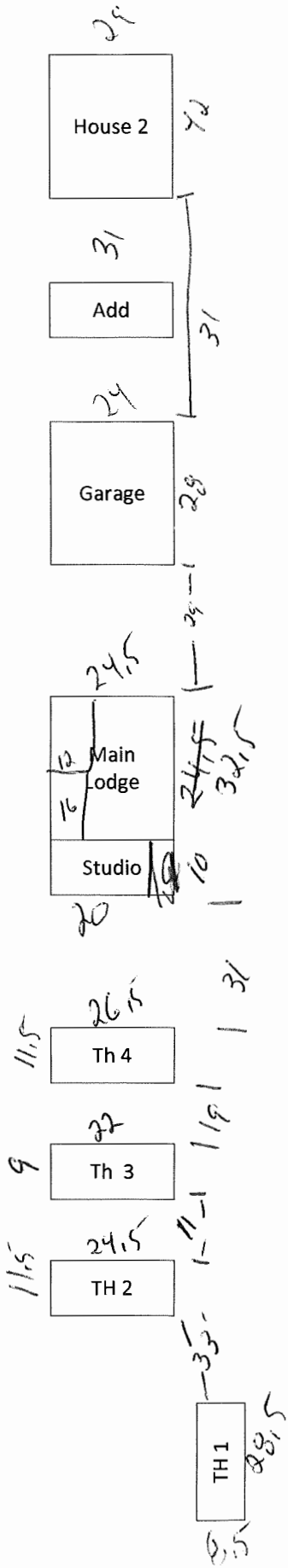
That part of the Government Lot Four (4) in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section Fifteen (15), Township One Hundred Eleven (111), Range Eleven (11), of the 5th Principal Meridian, described as follows: Beginning at a point on the Sly right-of-way of Chicago, Milwaukee, St. Paul and Pacific railroad, which point is 591.6 feet Wly of the East line of Section 5-111-11 as it intersects said right-of-way; thence continuing Wly along said right-of-way, 313.5 feet to an iron stake; thence Sly 73.0 feet to an iron stake and the Nly right-of-way of Trunk Highway No. 61; thence Ely along said right-of-way, 118.0 feet; thence Nly along said right-of-way, 5.0 feet; thence continuing Ely along said right-of-way, 295.0 feet to a point where said Highway 61 right-of-way turns Nly and at a distance of 25.0 feet joins the sly right-of-way of said railroad and the point of beginning. Containing 0.42 acres, more or less, AND That portion of Government Lot Four (4) in Section 15-111-11 which lies North of the railroad intersecting said government Lot Four (4) and that portion of Government Lot Four (4) lying North of Trunk Highway 61 and which lies to the West of the most Ely bank of the dry run intersecting said Government Lot Four (4).

WHEREAS, second parties is the owner of the following described property in Wabasha County, Minnesota, to-wit:

That part of government Lot Four (4) in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section Fifteen (15), Township One Hundred Eleven (111), Range Eleven (11), of the Fifth Principal Meridian, described as follows: Beginning at a point on the Sly right-of-way of Chicago, Milwaukee, St. Paul and Pacific Railroad, which point is 591.6 feet Wly of the East Line of Section 15-111-11, as it intersects said right-of-way. Thence continuing Wly along said right-of-way 313.5 feet to an iron stake; thence Sly 73.0 feet to an iron stake and the Nly right-of-way of Trunk Highway No. 61; thence Ely along said right-of-way 118.0 feet; thence Nly along said R/W 5.0 feet; thence continuing Ely along said R/W 295.0 feet to a point where said Hwy. 61 R/W turns Nly and at a distance of 25 feet joins the Sly R/W of said railroad and the point of beginning. Containing 0.42 acres, more or less.



- TH 1 = 243 sf
- TH 2 = 282 sf
- TH 3 = 198 sf
- TH 4 = 304 sf
- Studio = 200 sf
- Manager's House = 988 sf
- Garage = 672 sf
- Additional unit = 250 sf to 350 sf
- House 2 = 1200 sf





Wabasha County Zoning Department
625 Jefferson Avenue
Wabasha, MN 55981
Phone: 651-565-3062 Fax: 651-565-3159

To: Wabasha County Planning Commission
From: Joe Kaltenbach, Wabasha County Zoning Administrator
Re: Thomas Rothering CUP request
Date: August 13, 2024

Background: On July 22, 2024 a complete application for a Conditional Use Permit was submitted by Tom Rothering of Bending River Cove for the operation of a lodging establishment. The subject properties are Wabasha County parcels R13.00012.00 and R13.00012.03 located in Section 15, Township 111 North, Range 11 West in Pepin Township (70980 and 70984 Highway 61, Lake City).

The applicant is proposing a tiny home resort which is categorized under Chapter 7.03 (2) of the Wabasha County Zoning Ordinance as a lodging establishment or recreational resort/campground. The Wabasha County Zoning Ordinance defines a lodging establishment as being a dwelling or any portion thereof where sleeping facilities or living quarters are offered to the public for pay for periods of less than 30 days. A resort is defined as Any building, structure, tiny home, recreational vehicle, cabin, or enclosure, or any part or combination thereof kept, used, maintained, or advertised as, or held out to the public to be an enclosure where sleeping accommodations are furnished to the public free of charge or for compensation for periods of one day, one week, or longer. The property has been utilized as a campground/ lodging establishment for many years and was purchased by the Rotherings' in 2023.

Currently the business utilizes 2 residential structures and 4 tiny homes. As part of the application, the Rotherings have included plans for future expansion. The expansion proposal includes installing concrete pads for anchoring the homes and adding skirting around them. Because these rental units would be converted from movable to anchored to the ground they would have to meet all setbacks for property line, bluffland, and right-of-way. If the structures couldn't meet the required setbacks the proper variances would have to be applied for. In addition, another rental unit would be added in the future as either a cabin or another tiny home. With the increase in units and the fact that the property lies within the shoreland district, this would trigger a septic compliance check when/if this occurs. Any expansion of non-conforming structures on the property would require the appropriate variances.

County Staff has submitted a development review to MNDOT, but as of the time of this staff report no comments have been received.

Wabasha County Highway Engineer Dietrich Flesch made the following comments regarding this request:

“The minimum setback distance from right of way limits under the Setback Ordinance is 50 feet for these parcels. I was unable to find a proposed distance to right of way limits for proposed additional structure or those structures that would be modified exceeding 50% of its current market value, or if structures are moved/relocated any distance. As per the Ordinance, the Board of Adjustment may grant a variance for non-conformance with the Setback Ordinance. If proposed additional and/or modified structure distance(s) are no closer than existing, I have no objections to granting a Variance of the Setback Ordinance.

The sight distance to the existing property access locations for traffic on Hwy 61 is limited. It is recommended that vegetation that limits sight distance within MnDOT's right of way be maintained or removed to maximize sight distance for traffic. Maintenance or removal of vegetation within MnDOT's right of way is subject to MnDOT's approval and conditions, or may be accomplished by MnDOT's own operations."

According to documentation supplied by the applicant this matter also went before Pepin Township in regards to the proposed use. The Township Board signed the Township Approval Form and supplied a summary of the applicant's request which was discussed at their regular meeting. The Township did not express any concerns with the request.

The surrounding area within ¼ mile consists of a mixture of residential, recreational, and rural uses. Directly to the north of the property is the Soo Line Railroad. To the west is Camp Lacupolis, a recreational camp. Directly to the south is State Highway 61. Across Highway 61 are residential properties owned by Gary and Sandra Haakenson.

Staff Suggested Findings:

18.05 Findings: In considering a conditional use permit application, the Planning Commission shall apply the following standards: Staff suggested findings are in **Bold:**

1. Whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or would substantially diminish and impair property values within the immediate vicinity.

The purpose of this District is to provide areas for rural low-density housing in agricultural areas on land that is not capable of supporting long-term agricultural activities or to allow the continuation and limited expansion of existing residential development in the small unincorporated urban communities of the County.

The intent of this District is to retain the rural character of the County, and the District is not meant to be applied to productive farmland or forest land areas nor is it meant to increase public expenditures for public services. Any land zoned as the R-1 Rural Residential District shall currently have access to public roads, infrastructure and other such services as are necessary to support residential lots.

It is unlikely that this proposed use would diminish property values or be injurious to other properties. The business or similar forms of the business have existed in this location for many years. The surrounding area within ¼ mile consists of a mixture of residential, recreational, and rural uses. Directly to the north of the property is the Soo Line Railroad. To the west is Camp Lacupolis, a recreational camp. Directly to the south is State Highway 61. Across Highway 61 are residential properties owned by Gary and Sandra Haakenson.

2. Whether the conditional use would impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. **The proposed use would not appear to impede the normal and orderly development of surrounding properties and uses in the area. The use and similar uses have existed in the area for many years.**

3. Whether adequate utilities, access roads, drainage, soil erosion control measures and other necessary facilities have been or are being provided.

The property sits along Highway 61 and access exists by way of two driveways, one eastern and one western. The property utilizes a holding tank for septic purposes as space is limited. The north side of the property is within the bluff impact zone and there is a steep decline down towards the railroad on the adjacent property. Measures should be taken to minimize any impacts to the bluff.

4. Whether adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Parking would need to be in the designated existing parking areas. According to the applicant adequate parking exists for their current needs. Parking would only be allowed on site as no parking could occur on Highway 61.

5. Whether adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these would constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. **Whenever there are vehicles on gravel roads the creation of dust is possible. Traffic to the property would be intermittent and likely heaviest on weekends and in the summer months due to the nature of the business. Any Nuisance dust expected to occur will need to be controlled. Noise from the camp could also be a concern and the applicant would need to address and mitigate these potential issues as stated in Chapter 9.02 of the Wabasha County Zoning ordinance. Fumes and vibration would likely not be a nuisance concern. The applicant did not indicate any exterior lighting changes that would be utilized.**

6. Whether other factors bearing on the public health, safety and welfare would dictate either approval or grant of the conditional use permit. **The applicant's property appears to contain adequate room for parking. The applicant will need to abide by all regulations regarding the use of the business that are required by the State of Minnesota, Minnesota Department of Health; Minnesota Department of Public Safety/ State Fire Marshal's Division. It is not foreseen that if all the requirements regarding the use and conditions given in a CUP are followed that the public's health, safety, or welfare would be impacted negatively given the existing use has been in place for several years.**

Staff Recommendation and Suggested Conditions for Approval:

Due to the size of the parcels involved space is limited and this can pose many challenges. The setbacks required for the bluff and right-of-way on top of the normal property line setbacks make very likely that future variances will be needed to follow through with many of the future plans for the property. It is also highly likely that any increases in impervious surfaces will require a variance if any more impervious surfaces are added as this property is within the shoreland district. This being noted, the proposed business, itself, appears to meet the requirements for granting of the Conditional Use Permit. County Staff recommends that the CUP be granted.

If the Planning Commission recommends approval of this application to the County Board of Commissioners, the Planning Commission should consider the conditions as follows:

1. The use shall be undertaken only in accordance with the plans and specifications as submitted in the application or as outlined in these conditions.
2. Quiet hours shall be observed between the hours of 10:00 p.m. and 7:00 a.m.

3. Any future outdoor lighting shall be arranged as to deflect light away from adjoining properties or from public roads.
4. Any expansion or alteration of the use shall not be undertaken until an amendment to this Conditional Use Permit is approved by the Wabasha County Board of Commissioners.
5. All applicable Federal, State and County statutes, ordinances, rules and regulations shall be observed.

Requested Action:

The County Planning Commission shall make its decision upon the application and forward its recommendations to the Board of County Commissioners. In reporting its recommendations to the Board of County Commissioners, the County Planning Commission shall report its findings with respect thereto and all facts in connection therewith, and may designate conditions and require guarantees deemed necessary for the protection of the public interest. Upon receipt of the report of the Planning Commission, the Board of County Commissioners shall make a decision upon the application for a conditional use permit.