



REDWOOD COUNTY ENVIRONMENTAL OFFICE

PO BOX 130
REDWOOD FALLS
MINNESOTA 56283
PH: 507-637-4023

*Planning & Zoning • Parks & Trails • GIS
Aquatic Invasive Species • Septic Inspector
Drainage Inspector • Agricultural Inspector*

TO: Redwood County Board of Adjustment

FROM: Nick Brozek *NB*
Land Use and Zoning Supervisor
Redwood County Environmental Office

DATE: December 22nd, 2016

RE: Public Hearing on *Application for Variance:*
Joe Seifert

A public hearing will be held on January 4th, 2017, at 8:00 a.m. regarding an *Application for Variance* filed by Joe Seifert, pursuant to Section 26 of Redwood County Ordinance, requesting a variance of 670' from the required one quarter (1/4) mile setback from a dwelling set forth at Sec. 17, Subd. 4, Paragraph 3, Subp. A(6) of Redwood County Ordinance. Mr. Seifert is proposing to expand his existing feedlot located on the following described property, situated in the County Redwood, State of Minnesota, to wit: TR 610' X 965' IN NE1/4 SE1/4, 13.51A M/L, Section 36, Township 111N, Range 35W, Three Lakes Township.

Mr. Seifert currently operates a small feedlot on the site, consisting of 20 cattle in an open lot and barn, a barn housing up to 600 laying hens, and barns (without pits) housing 310 finishing hogs, for a total of 200 animal units. He is proposing to enlarge the chicken and hog barns (see attached building permit application). The expansion will also involve an additional 340 animal units for a total of 540 animal units. The total animal numbers after expansion will be as follows: 100 beef cattle; 4000 laying hens; and 1000 finishing hogs. This expansion requires that the feedlot meet the existing setback requirements.

Section 17, Subdivision 4.2.B. states that "*any expansion of an existing feedlot by 100 or more animal units must meet all new feedlot setback requirements.*" Additionally, Subdivision 4.2.C. states that "*any expansion creating a feedlot greater than 100 animal units must meet all new feedlot setback requirements.*" Mr. Seifert's proposal creates a feedlot greater than 100 animal units and is an expansion of 100 or more animal units. Consequently, Mr. Seifert was advised that he needs to apply for and obtain a variance prior to increasing the animal units on his site by 100 or more.

There is one dwelling within ¼ mile of Mr. Seifert's feedlot. The dwelling is located 750' southeast of the open cattle lot, which is the closest part of the feedlot to the dwelling. The proposed new hog barn will be located 920' from the dwelling. The dwelling is owned and occupied by Rory & Susan Seifert, who are Mr. Seifert's parents.

Mr. Seifert obtained a variance in August of 2015 for a prior expansion of this feedlot. The Board met at the feedlot site for that meeting. Since the Board was so recently at Mr. Seifert's site, it was determined that it is not necessary to meet there again for the hearing on the current application. If it becomes apparent during the

course of the hearing, or before the Board comes to a decision on the application, the Board may choose to adjourn the hearing and reconvene on the feedlot site.

Mr. Seifert purchased the building additions locally and they needed to be moved. In order to keep the barn moving project progressing, Mr. Seifert requested that his building permit be approved to place the barn on his property while his Variance Application is still pending. He is aware that if his variance is not approved, he will not be able to use the barns as planned.

Pursuant to Redwood County Ordinance, written notice shall be provided to all property owners of record within five hundred (500) feet of the affected property via U.S. Mail as to the time and place of the public hearing. Further, written notice shall also be provided to the affected board of township supervisors and the municipal council of any municipality within two (2) miles of the affected property.

enclosures

cc: Joe Seifert



Redwood County

www.co.redwood.mn.us

Application for Variance

Permit #: 7-16v Date: 12/8/2016

Location of the Affected Parcel or Property:

Address: 22450 County Hwy 13 City: Clements State: MN Zip: 56224
House # Street Name

Parcel Number: 69-036-4020 Township Name: Three Lakes

Section: 36 Township Number: T-111-N Range: R-35-W

Legal Description:

TR 610' X 965' IN NE1/4 SE1/4, 13.51A M/L

Information about the Variance Request:

Zoning District: Agricultural

General description of the building or request:

setback waiver from neighboring property. Reducing feedlot setback from neighboring dwelling to 825 feet. 40' x 114' addition to existing chicken barn (labelled as "B" on site plan), AND 36'x52' addition to existing hog finishing barn (labelled "A" on site plan). Both with concrete floors.

Type of occupancy:

feedlot

Building Size: (Please enter dimensions in feet)

Width: _____ Length: _____ Diameter: _____
Sidewall Height: _____ Total Height: _____ Bushel Capacity: _____

Setbacks: (Please enter in feet)

Side Yard Setback: 225 Direction: North
Side Yard Setback: 650 Direction: South
Rear Yard Setback: 20 Direction: West

Road Type: County Setback from the Center of the Road: 400

Right-of-Way Footage: 50

General Contractor:

Name: Goldschmidt/Marcus (building movers) City: _____ State: MN

Sewer System Contractor:

Name: n/a City: _____ State: MN

Type of sewer system: n/a

Drainage plan: natural surface water drainage

Water usage (estimated gallons per day): 2600

Soils:

Soil Type 1: Webster clay loam

Soil Type 2: Normania loam

Estimated Date of Completion: 8/31/2017

Other information:

Expanding existing permitted feedlot by adding onto two existing livestock barns. Number of livestock on the site will be increased to the following totals: 1,000 head of hogs over 55lbs, 4,000 head of laying hens, and 100 feeder cattle.

Applicant Information:

First Name: Joe Last Name: Seifert

Business: _____

Address: 22450 County Hwy 13 City: Clements State: MN Zip: 56224

Home Phone: _____ Cell Phone: (507) 430-7612

Land Owner Information:

First Name: Joe Last Name: Seifert

I affirm that the forgoing information is true and accurate. I understand that if any portion of this information is false or materially misleading, any variance issued in reliance upon this information is voidable at the election of Redwood County.

Land Owner Signature:  Date: 12-8-16

The following must be attached for this to be considered a completed application:

* A detailed site map. This must include: the location of watercourses, setbacks from property lines, current and proposed locations of any structures, well location, location and names of roads, railroads, known tile lines, proposed fences, utility rights-of-way, planned entrances and exits for operation area, and any signs being posted.

Office Use Only: * The section below is to be filled out by the Environmental Office Staff

Variance Fee: \$700.00 Receipt #: 381795 Date Approved: _____

Conditions:

Board of Adjustment:

Approved: _____ Date: _____

Disapproved: _____ Date: _____



Land Use/Zoning Permit Application

www.co.redwood.mn.us

Permit #: 108-16 Date: 12/8/2016

Location of the Proposed Structure:

Address: 22450 County Hwy 13 City: Clements State: MN Zip: 56224
House # Street Name
Parcel #: 69-036-4020 Township: Three Lakes Section: 36 Twp #: T-111-N Range: R-35-W
Road Type: County Right-of-Way Footage: 50 ft

Legal Description:

TR 610' X 965' IN NE1/4 SE1/4, 13.51A M/L

General description or proposed use of request/building:

Adding 52 foot extension to the west on building A as marked on map. Adding 114' with 10' Added to north. To the west of building B. Pured concrete floor. Will have waterline to building

Building 1:

Main Building Type: _____ If Other: _____
OR
Accessory Building Type: Feedlot Structure If Other: _____

Complete if it is a primary or secondary dwelling:

Type of Dwelling: Stick Built Will it have a basement? No Type: _____

(Please enter dimensions in feet)

Width: 38 Length: 52 Diameter: _____ Sidewall Height: _____

Total Height: 20 (Maximum total height of 35 feet except for agricultural structures and as allowed under section 16, subdivision 10 of the Redwood County ordinance.)

Year septic system was last upgraded or installed: _____

Building 2:

Main Building Type: _____ If Other: _____
OR
Accessory Building Type: Feedlot Structure If Other: _____

Complete if it is a primary or secondary dwelling:

Type of Dwelling: Stick Built Will it have a basement? No Type: _____

(Please enter dimensions in feet)

Width: 40 Length: 114 Diameter: _____ Sidewall Height: _____

Total Height: 20 (Maximum total height of 20 feet except for agricultural structures and as allowed under section 16, subdivision 10 of the Redwood County ordinance.)

Energy Efficiencies: Will the building use: Geothermal? No SolarPanels? No

General Contractor: Goldschmidt City: St. James State: MN

Electrical Contractor: Sleepy eye electric City: _____ State: MN

Plumbing Contractor: Kerkhoff brothers City: _____ State: MN

Sewer Contractor: n/ City: _____ State: MN

Zoning District: Agricultural Go to Appropriate Section:

Agricultural and Urban Expansion Districts

Complete only for a new dwelling:

Is the nearest feedlot greater than 1/4 mile away _____ (Exempt if it is a replacement)

Number of non-farm dwellings within the same 40 acres: _____

Rural Residential District

Addition Name: _____ Block #: _____ Lot #: _____
Lot Length: _____ Lot Width: _____

Highway Service Business and Industry Districts

Amount of lot area covered by buildings (no more than 50%): _____ %

*No business structure may be located within 30' of a residential or agricultural district

Scenic River

Setback to the Bluff Line: _____ (30' required)

Setback Requirements: (Please enter in feet – required footage is in parentheses)

County/Judicial Drainage Ditch: 1800 (Feedlot structure 300', Non-Feedlot 100', Trees 75')

County Tile Line: 1400 (Structures 100', Trees 75')

River, Stream, or Lake: ok (Lake 1000', River or Stream 300')
(*Scenic River: Ordinary High-Water Mark 150', Tributary to the Scenic River 100')

Well: 375 (Structures that house animals: 50' - 100' dependant upon depth and well casing. Well Depth: _____
Structures that do not house animals: 3' from the overhang.)

Side Yard: 240 Direction: North (Agricultural and Urban Expansion: side yard 10', rear yard 10')
(Rural Residential: side yard 10', rear yard 40')

Side Yard: 500 Direction: South (Highway Service Business and Industry: side yard 15', rear yard 40')

Rear Yard: 15 Direction: West (Scenic River: *Ag Structure: side yard 10', rear yard 10'
*Other: side yard 15', rear yard 40')

Road Right-Of-Way 340 (Minor Street 25'; Township, County, State Road 67'; Four Lane Highway 100')

Are you within the Airport Zoning District? No Are you within a possible shoreland area? No

Soil Type: _____

Proposed Starting Date: 1/1/2017 Estimated Completion Date: 8/1/2017 Estimated Cost: \$65,000.00

- This permit is valid only for the location and structure listed above and is subject to existing regulations. Changes made after an approved permit is issued must be reapproved before or during construction.
- The installation of a new septic system or any modifications to an existing system shall be completed by a contractor licensed by the State of Minnesota or as allowed in Chapter 7080, Section 7080.0700, Subpart 1b. The completed system must be inspected and approved by the Redwood County Environmental Office staff.
- The building(s) shall not be located within any pipeline easements as prohibited by Minnesota rules, Chapter 7535.
- Zoning permits are good for one (1) year from the date the permit is signed by the Zoning Administrator.
- Approval from the Minnesota Pollution Control Agency (MPCA) is required before the local zoning permit is valid on livestock buildings.
- It is the applicant's responsibility to obtain any and all federal, state, and county permits prior to construction.

Applicant Information:

First Name: Joe Last Name: Seifert

Business: _____

Address: 22450 County Hwy 13 City: Clements State: MN Zip: 56224

Home Phone: (507) 430-7612 Cell Phone: _____ Email Address: yeoj65@hotmail.com

Land Owner Information:

First Name: Joe Last Name: Seifert

Office Use Only * The section below is to be filled out by the Environmental Office Staff

Permit Fee: \$35.00 Receipt #: 381795 Date Approved: 12-16-16

Comments: Animal Units cannot be increased until a variance and conditional use permit are obtained.

Permit # 7-16v

Please add the following items to the map:

- 1. New Structure(s)
- 2. Septic System
- 3. Well



I affirm that the forgoing information is true and accurate. I understand that if any portion of this information is false or misleading, any zoning or land use permit issued in reliance upon this information is voidable at the election of the Redwood County Zoning Administrator.

Landowner Signature: *[Signature]* Date: 12-8-16

Administrator Signature: *[Signature]* Date: 12-16-16

Redwood County Zoning Administrator



Overview



Legend

- Municipal Boundaries
- Sections
- Surrounding Counties
- Townships
- County Open Ditch
- Lakes
- Rivers
- Address points
- Parcels
- Major Roads**
- <all other values>
- 1
- 2
- Minor Roads

Parcel ID	69-036-4020	Alternate ID	n/a	Owner Address	SEIFERT/JOSEPH
Sec/Twp/Rng	36-111-35	Class	AGRICULTURE		22450 CO HWY 13
Property Address	22450 CO HWY 13 CLEM	Acreage	13.51		CLEMENTS MN 56224
	56224				
District	n/a				
Brief Tax Description	TR 610' X 965' IN NE1/4 SE1/4, 13.51A/M/L				
	(Note: Not to be used on legal documents)				


Date created: 12/22/2016
 Last Data Uploaded: 12/22/2016 10:12:45 AM



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*Planning & Zoning • Parks & Trails • GIS
Aquatic Invasive Species • Septic Inspector
Drainage Inspector • Agricultural Inspector*

TO: Whom It May Concern
FROM: Nick Brozek 
Land Use and Zoning Supervisor
Redwood County Environmental Office
DATE: December 21st, 2016
RE: Notice of Public Hearing on *Application for Variance*.

Please find enclosed a *Notice of Public Hearing* regarding an *Application for Variance* filed by Joseph Seifert requesting a variance, pursuant to Section 26 of Redwood County Ordinance, of 670 feet from the one quarter mile feedlot setback from a dwelling and residential structure set forth at Sec. 17, Subd. 4, Paragraph 3, Subp. A(6) of Redwood County Ordinance.

The applicant is requesting to expand an existing feedlot consisting of cattle, swine, and chickens, by adding 340 additional animal units on the following described property, situated in the County of Redwood, State of Minnesota, to wit:

TR 610' X 965' IN NE1/4 SE1/4, 13.51A M/L, Section 36, Township 111N,
Range 35W, Three Lakes Township.

The total animal numbers on site after the expansion will be as follows: 100 head of beef cattle; 1000 head of finishing hogs; and 4000 laying hens.

A Public Hearing thereon will be held on January 4th, 2017, at 8:00 a.m. before the Redwood County Board of Adjustment at the Board Room of the Redwood County Government Center located at 403 South Mill Street, Redwood Falls, MN 56283.

Pursuant to Redwood County Ordinance, written notice shall be provided to all property owners of record within five hundred (500) feet of the affected property via U.S. Mail as to the time and place of the public hearing. Further, written notice shall also be provided to the affected board of township supervisors and the municipal council of any municipality within two (2) miles of the affected property and to the Commissioner of the Minnesota Department of Natural Resources.

If you have any questions regarding this matter, please contact the Redwood County Environmental Office by telephone at (507) 637-4023 or in writing at the following address: *Redwood County Environmental Office, P.O. Box 130, Redwood Falls, MN 56283* and/or attend the public hearing at the time and date set forth above and in the enclosed *Notice of Public Hearing*.

Enclosure

cc: Joseph Seifert (w/encl)

County of Redwood

In the Matter of the Application)
of Joseph Seifert for a Variance)
to Redwood County Ordinance)

NOTICE OF PUBLIC HEARING

An *Application for Variance* has been filed by Joseph Seifert requesting a variance, pursuant to Section 26 of Redwood County Ordinance, of 670 feet from the one quarter mile feedlot setback from a dwelling and residential structure set forth at Sec. 17, Subd. 4, Paragraph 3, Subp. A(6) of Redwood County Ordinance.

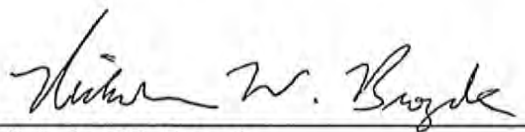
The applicant is requesting to expand an existing feedlot consisting of cattle, swine, and chickens, by adding 340 additional animal units on the following described property, situated in the County of Redwood, State of Minnesota, to wit:

TR 610' X 965' IN NE1/4 SE1/4, 13.51A M/L, Section 36, Township 111N,
Range 35W, Three Lakes Township.

It is hereby ordered that a Public Hearing thereon will be held on Wednesday, January 4th, 2017, at 8:00 a.m. before the Redwood County Board of Adjustment at the Board Room of the Redwood County Government Center located at 403 South Mill Street, Redwood Falls, MN 56283.

If you have any questions regarding this matter, please contact the Redwood County Environmental Office by telephone at (507) 637-4023 or in writing at the following address: *Redwood County Environmental Office, P.O. Box 130, Redwood Falls, MN 56283.*

DATED: December 20th, 2016



Nicholas W. Brozek
Land Use and Zoning Supervisor
Redwood County Environmental Office

AFFIDAVIT OF SERVICE VIA U.S. MAIL

STATE OF MINNESOTA)
) ss
COUNTY OF REDWOOD)

RE: Application for Variance submitted by Joe Seifert; Permit Application No. 7-16V

I, Lali Ortega, a person not less than eighteen (18) years of age, being first duly sworn upon oath, hereby state a copy of the following:

- 1. Notice of Public Hearing on Application for Variance; and**
- 2. Notice of Public Hearing**

were duly served upon 

**JOSEPH SEIFERT
22450 CO HW 13
CLEMENTS, MN 56224**

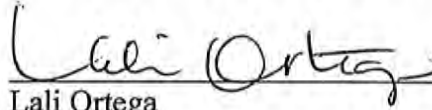
**DANIEL F & CAROL A BILLMEIER
LIVING TRUSTS
30262 PORTER AVE
MORTON, MN 56270**

**RORY L & SUSAN L SEIFERT
22311 CO HWY 13
CLEMENTS, MN 56224**

**SHANK AG LLC
% MARLIN SCHULTZ
71 OTTO AVE
MORGAN, MN 56266**

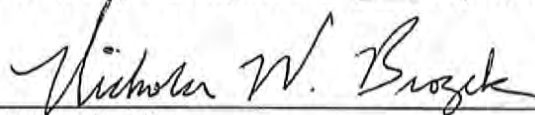
**THREE LAKES TOWNSHIP CLERK
% DAVID KALKHOFF
25232 MIDWAY AVE
CLEMENTS, MN 56224**

by enclosing a copy of the same in an envelope, with postage prepaid, and depositing said envelope in a United States Postal Service mailbox located at Redwood Falls, Minnesota on the 22nd day of December, 2016.

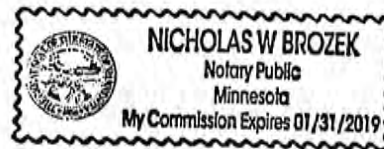


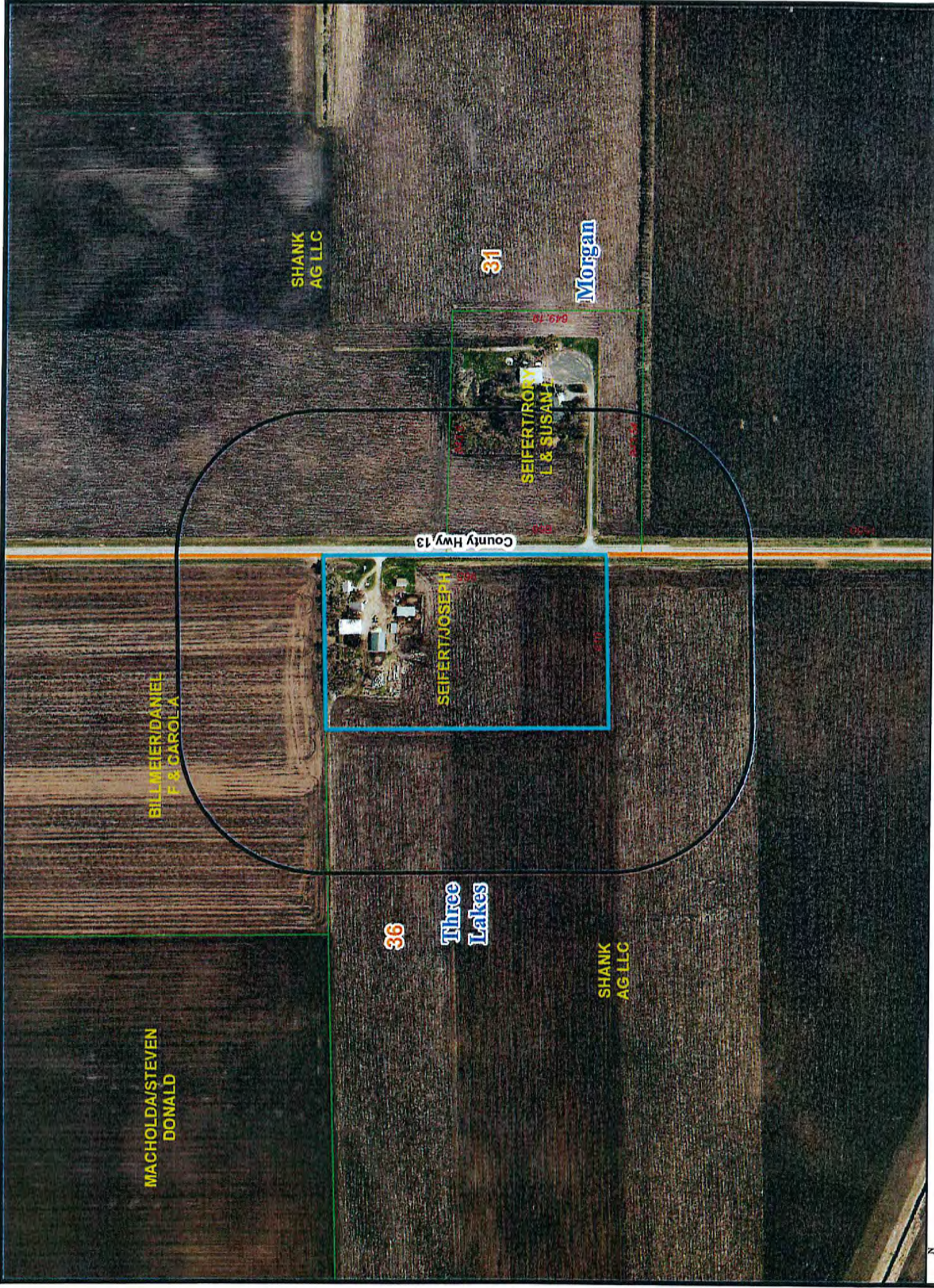
Lali Ortega
Environmental Administrative Assistant

Subscribed and sworn to before me, a Notary Public, on this 22nd day of December, 2016, by Lali Ortega.



Notary Public





MACHOLDA/STEVEN
DONALD

BILLMEIER/DANIEL
F & CAROLA

SHANK
AG LLC

36

Three
Lakes

SEIFERT/JOSEPH

SEIFERT/ROY
L & SUSAN L

31

Morgan

SHANK
AG LLC

County Hwy 13



Variance Notification Area = 500ft

Legend

- Variance Notification Area
- Variance Parcel

- Township
- Parcel
- Section
- Road





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Aquatic Invasive Species • Septic Inspector
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REDWOOD COUNTY BOARD OF ADJUSTMENT

MINUTES

Meeting Date: September 13th, 2016

A meeting of the Redwood County Board of Adjustment convened on Tuesday, the 13th day of September, 2016. The meeting consisted of one public hearing. The meeting was convened at the residence and building site located at 34735 Laser Avenue, Redwood Falls, MN 56283, owned by Phil Bryan. The following Board of Adjustment members were present: Dan Tauer, John Rohlik, and John Schueller. The following individuals were also present: Phil Bryan, Nicole Weelborg, Zoning Administrator Scott Wold, and Land Use & Zoning Supervisor Nick Brozek.

At 8:38 a.m., the meeting was called to order by Chair John Schueller.

Chair Schueller opened a public hearing on an *Application for Variance*, Permit Application No. 6-16v, submitted by Phil Bryan. Prior to the Board of Adjustment meeting, the Board of Adjustment members were provided an informational packet which included the following information regarding the *Application for Variance*:

1. A public hearing will be held on September 13th, 2016, at 8:30 a.m. regarding an *Application for Variance* filed by Phil Bryan pursuant to Section 26 of Redwood County Ordinance, requesting a variance of 10 feet from the 10 foot setback between a structure and a septic tank set forth in Minnesota Rules Chapter 7080.2150, Subpart 2, item F, Table VII, as adopted by reference in Section 16, Subdivision 11 of Redwood County Ordinance (Septic Ordinance).
2. Mr. Bryan is requesting to build a home addition set back 0 feet from the existing septic tank on the following described property, situated in the County of Redwood, State of Minnesota, to wit: The North five acres of the South three quarters of the West Half of the Southwest Quarter of the Northwest Quarter (N5.A S3/4 W1/2 SW1/4 NW1/4) of Section 36, Township 113 North, Range 36 West, Delhi Township. The property is a rural dwelling on two lots on Laser Avenue, just northwest of the City of Redwood Falls.
3. Earlier this summer, Mr. Bryan began constructing a 16' x 22' living room/family room addition onto the rear of his residence. He was under the impression from speaking with acquaintances that no permit was required because his property is located outside the city limits. However, realizing his mistake he came in to apply for a permit after-the-fact. During the application process it was determined that the addition, which is substantially complete, does not meet the required ten foot setback from the septic tank.
4. The addition is constructed on posts and has no basement or foundation. Mr. Bryan located the septic tank and measured from the manhole to the outside wall of the tank. He then placed the outermost support post immediately adjacent to the septic tank. The post positioned under the outside corner of the addition, so the addition and post are right next to the tank, but do not go over the top of the tank.

5. The setback between septic tanks and structures is in place primarily for two reasons. The first is to avoid contamination from faulty or overflowing tanks entering into dwellings and other structures. The second is to ensure ease of access to septic tanks for maintenance and pumping. In this case, there is minimal concern regarding contamination to the structure because the structure is elevated above the ground. Regarding access to the tank, the close proximity of the addition to the tank prevents access from that side of the tank, but still allows access from the other side. Alternatively stated, granting the variance will make access to the tank more limited than what is typical, but will not prevent access to the tank.
6. The hearing will be held at Mr. Bryan's residence located at 34735 Laser Avenue, Redwood Falls, MN 56283. A copy of the *Application for Variance* is enclosed for your review.

The following information was presented to and considered by the Redwood County Board of Adjustment at the public hearing:

Mr. Bryan was present to explain the project. He stated that he had begun work on a home addition without a permit. He was not aware at that time that a permit was necessary for projects outside the city limits. He was later told he needed a permit and he thereafter contacted the Environmental Office. When the Environmental Office was processing his permit application it was discovered that his addition did not meet the required 10 foot setback from the septic tank.

Mr. Bryan also contacted the City of Redwood Falls to obtain a building permit, since his dwelling is within two miles of the city limits. Tim Hanna, the Redwood Building Inspector, is requiring some structural changes to meet the building code. RBC will be designing and implementing a plan to transfer the weight load of the structure to new structural elements per the code.

The Board of Adjustment discussed the proximity of the addition to the septic tank and determined that the structure will not prevent the tank from being serviced and pumped. Brozek related that the MPCA expressed concerns about the structure leaning on the septic tank and damaging the structural integrity of the tank. However, the structural elements required by the City will move the weight load of the building away from the corner of the structure closest to the tank.

No members of the public appeared in opposition to the variance.

Tauer made a motion to approve the variance. Rohlik seconded the motion and it was passed unanimously. The public hearing was then closed.

Discussion was held regarding the Minutes of the Board of Adjustment meeting held on the 18th day of August, 2016. On a motion made by John Rohlik and seconded by John Schueller, it was moved and passed unanimously that said minutes be approved as presented.

The meeting was then adjourned.

Nick Brozek, Land Use and Zoning Supervisor
Redwood County Environmental Office

John Schueller, Chair
Redwood County Board of Adjustment