



Redwood County

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### Application for Extraction Conditional Use Permit

**Location of the Extraction:**

Permit #: 13-18

Date: ~~8-25~~  
9-4-18

Address: 37515 Lamb Highway 17  
House # Street Name

City: Redwood Falls

State: MN

Zip: 56283

Parcel #: 52-015-2040 Township: Delhi Section: 15 Twp #: T-113-R Range: R-36-W

Legal Description:  
52-015-1020

1/2 NW 1/4 + NE 1/4 NE 1/4 + S 1/2 NE 1/4

**Information about the Extraction:**

Zoning District: 47

Soil Type 1: Estherville sandy loam 2 to 6% slopes

Soil Type 2: Storden-Estherville-Ves loams 6 to 12% slopes

General description of the extraction:

Removal of gravel layer from existing crop land

Number of acres to be extracted: 21

Type of Road: Township

Right-of-Way width measured from centerline 33

Setbacks: (Please enter in feet)

Setback from the Center of the Road: 1330

Side Yard Setback: 1200

Direction: WEST (to SIMMONDS RESIDENCE PROPERTY LINE)

Side Yard Setback: 2400

Direction: EAST (to WARNER'S EASTERN BOUNDARY)

Rear Yard Setback: 10

Direction: SOUTH (to FUHR'S SOUTH BOUNDARY)

Starting Date: 9-4-2018

Date of Completion: 10-2-2028 (maximum 10 years)

Drainage Plan:

no drainage needed. Area is elevated - No change to drainage patterns

Landscape and screening plans:

Stock piled over burden will be sloped

Water plan (estimated water use):

none

Statement addressing noise, vibration, glare, heat, smoke, particle matter, odors, exterior lighting, toxic or noxious matter, dust, etc:

NOISE WILL BE EQUIVALENT TO A TRACTOR RUNNING IN A FIELD. GRAVEL MATERIAL ON THE SITE WILL NOT NEED TO BE CRUSHED

Reclamation plan: (Attach Map)

SMOOTH THE EXCAVATED AREA TO CONTOUR WITH EXISTING GRADE - 3:1 SLOPES. REPLACE OVERBURDEN AND PLANT GRASS OR RETURN TO FARM USE.

Estimated Cost of Reclamation: \$5,000

Applicant Information:

First Name: Peter Fuhr Last Name: Bryan Warner

Business Name:

Address: 116 Burr Oak rd PF City: RWF State: MN Zip: 56283

Home Phone: 415 E Walnut St Bw 430-1701 PF Cell Phone: 828-5074 BW Email: pete@fuhr'scrane.com

Operator Information: (Complete only if different from Applicant)

First Name: Glen Last Name: Zimmermann

Business Name:

Address: 309 S 2nd St City: Belvidere State: MN Zip: 56214

Home Phone: 828-0165 Cell Phone: same Email: none

Land Owner Information: (Complete only if different from Applicant)

First Name: Peter Fuhr Last Name: Bryan Warner

Address: See above City: State: Zip:

Home Phone: Cell Phone: Email:

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 conditional use permit issued in reliance upon this information is voidable at the election of Redwood County.

Land Owner Signature: Peter Fuhr Date: 9/9/18  
Bryan Warner 9/4/18

Please attach the following information:

A detailed site map. This must include: soil types, topography, location of watercourses, outline of maximum area to be excavated, setbacks from property lines, vertical profile of area to be excavated including overburden, proposed and existing locations of any structures, stockpiles or operation areas, location and names of roads, railroads, known tile lines, proposed fences, utility rights-of-way, planned entrances and exits for operation area, road routes for heavy equipment and any signs being posted.

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

Extraction Fee: \$700 Receipt #: 194862 Date Approved:

Application Received: 9/7/18

Commission Action: County Board Action:  
Approved: Date: Approved: Date:  
Disapproved: Date: Disapproved: Date:

CH 9 9 52-009-4020

52-016-1020

KENWOOD AVE.

CH.17 KENWOOD AVE.

16

52-016-4040

52-010-3020

RIVER RD.

10

52-015-2020

Delhi

15

52-015-2060

52-015-2030

52-015-3010

21.07 acres

52-010-4040

52-015-1040

52-015-1020

52-015-4060

0 300 600

1,200

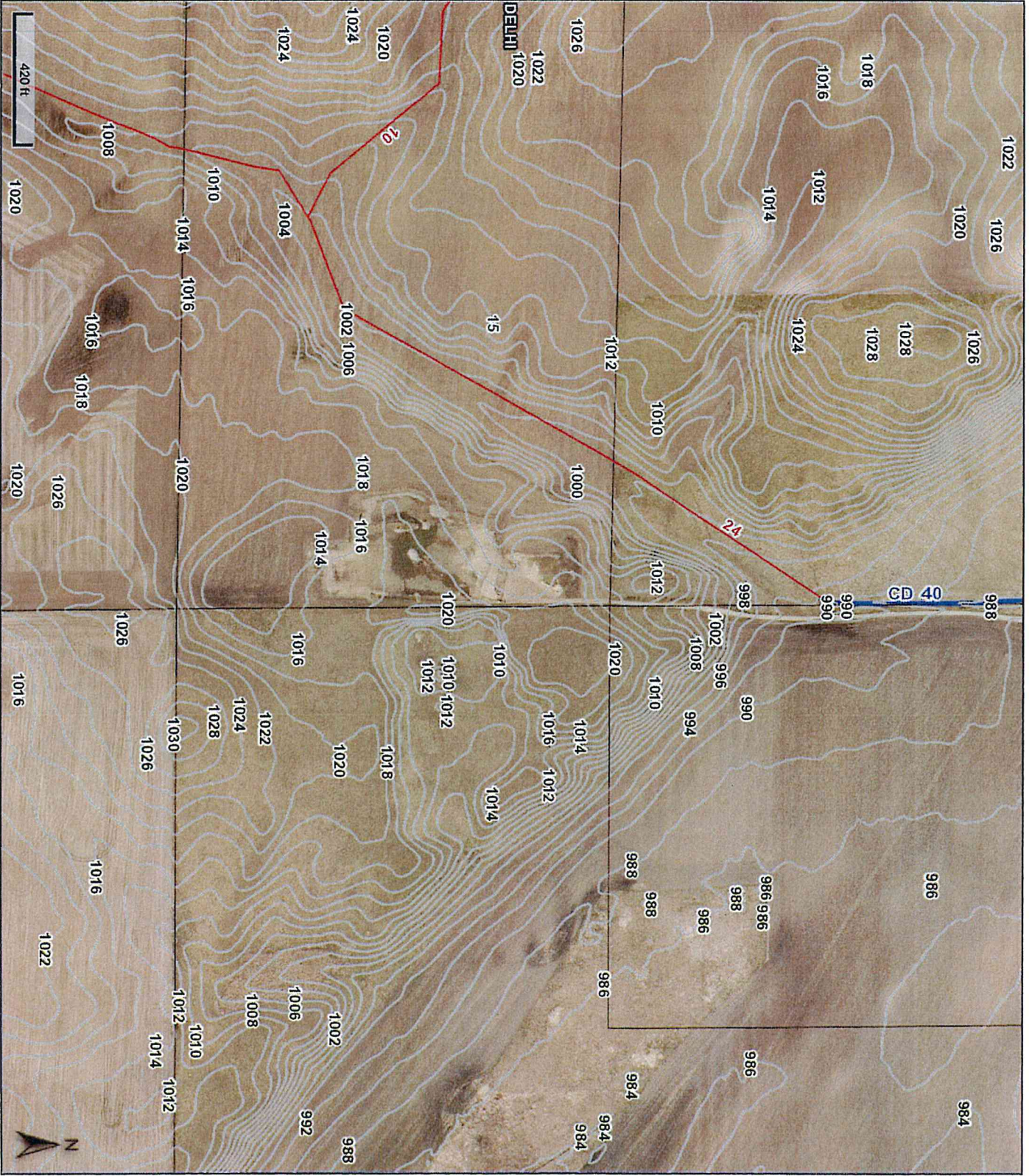
Feet



Section 15 - T 113 - R 36

Area per parcel: 52-015-2060 : 18.39 acres

52-015-1020 : 2.68 acres



**Legend**

- Municipal Boundaries
- Sections
- Surrounding Counties
- Townships
- Open Ditch
- Drain Tile
- Contours
- Lakes
- Rivers
- Lakes, Reservoirs, and Wetlands
- Address points
- Parcels
- Shoreland
- <all other values>
- 150 ft
- 300 ft
- 300 ft L.W
- 1000 ft
- Floodplain
- Floodplain
- Major Roads
- County/Twp/City
- State/Federal
- County
- Minor Roads

**Conditions for Permit No. 13-18 (Peter Fuhr & Bryan Warner)**

1. The permit holder shall comply with all applicable laws, rules, and regulations, including but not limited to Redwood County Zoning Ordinance, as hereafter amended from time to time. The permit holder shall abide by all MSHA requirements. A copy of all required local, state, and federal permits and/or licenses shall be provided to the Redwood County Environmental Office upon request.
2. The permit holder shall allow the Redwood County Environmental Office to inspect the site for all purposes permitted by law whenever deemed necessary by the Redwood County Environmental Office.
3. The permit holder shall have proper warning signs posted along River Road during times of continuous hauling of material into or out of the site. The warning signs shall conform to the requirements and guidelines as provided in the Minnesota Manual on Uniform Traffic Control Devices.
4. The permit holder shall not allow the conditional use to be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted. The permit holder shall not allow the conditional use to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. Adequate measures shall be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of the foregoing will constitute a nuisance now or in the future.
5. The permit holder shall not exceed the boundary limits described and set forth in the *Application for Extraction Conditional Use Permit*. The permit holder shall keep any pit, excavation, or impounded waters within the limits for which the particular permit is granted. The completion date of this *Extraction Conditional Use Permit* will be October 2, 2028.
6. Adequate access roads, drainage, and other necessary facilities shall be provided at all times and shall continue to be provided by the permit holder now and in the future.
7. The permit holder shall at all times properly guard and keep any pit or excavation in such condition so as not be dangerous from caving or sliding banks. The permit holder shall properly drain, fill, or level any pit or excavation after created so as to make the same safe and healthful which shall be determined by the Board of Commissioners. The permit holder shall grade the site after the excavation and extraction has been completed so as to render it usable. The site shall be reclaimed according to the reclamation plan included in the *Extraction Conditional Use Permit*: (1) the site will be graded to a 3:1 (run to rise) slope; (2) reserved topsoil will be spread on the site and thereafter returned to agricultural use. The site shall be clean and free of all debris, including stockpiles, when the *Extraction Conditional Use Permit* reaches its completion date.
8. The permit holder shall post a bond, cash deposit, irrevocable letter of credit, or other security in the amount of \$42,000.00. Further, the bond, cash deposit, irrevocable letter of credit, or other security shall remain in full force and effect for a minimum of one year beyond the ending date of *Extraction Conditional Use Permit*.
9. The permit holder shall maintain bodily injury, property damage, and public liability insurance in the amount of at least \$1,000,000 per occurrence during the life of the extraction operation and shall provide proof of the same to the Redwood County Environmental Office.

10. The applicant shall maintain a 100 foot setback between any excavation or stockpiling of material, and any field drainage tile administered by Redwood County under Minnesota Statutes 103E.
11. The maximum depth of excavation shall be \_\_\_\_ feet below the existing grade.
12. This permit (CUP #13-18) replaces previously issued CUP #5-13 in its entirety and the entire project is thus subject to the terms and conditions of CUP #13-18, including the end date of Oct. 2, 2028.
13. The owners of the respective parcels on which the project is located may individually provide reclamation security for their respective sides and they may choose to reclaim and close up their respective side prior to the end of the 10 year permit term. If either parcel is completely reclaimed, to the satisfaction of the Redwood County Zoning Administrator, then the reclamation security for said parcel may be released.
14. The Redwood County Planning Commission shall review the conditional use permit and shall be authorized to take any and all necessary action(s), including but not limited to revoking the conditional use permit and/or requiring the permit holder to reapply for a conditional use permit, if: 1) The Redwood County Environmental Office acquires information previously unavailable that indicates the terms and conditions of the permit do not accurately represent the actual circumstances of the permitted facility or the conditional use; 2) It is discovered subsequent to the issuance of the permit the permit holder failed to disclose all facts relevant to the issuance of the permit or submitted false or misleading information to the Redwood County Environmental Office, the Redwood County Planning Commission, or the Redwood County Board of Commissioners; 3) The Redwood County Environmental Office determines the permitted facility or conditional use endangers human health or the environment; and/or (4) The permit holder violates any of the herein described conditions, the Redwood County Ordinances, State statutes, or Federal laws.



**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*

**REDWOOD COUNTY PLANNING COMMISSION  
Peter Fuhr & Bryan Warner – gravel pit expansion  
Conditional Use Permit Application #13-18  
September 24, 2018**

**FINDINGS OF FACT**

***ORDINANCE CRITERIA – The Planning Commission may recommend the granting of a Conditional Use Permit in any district provided the proposed use is listed as a conditional use for the district and upon a showing that the standards and criteria stated in this Ordinance will be satisfied and that the use is in harmony with the general purposes and intent of this Ordinance and the Comprehensive Plan.***

**In determining whether the proposed use is in harmony with the general purposes and intent of the Ordinance and the Comprehensive Plan, the Planning Commission shall consider and make findings on the following questions:**

1) Will the proposed use have an adverse impact on the health, safety, and general welfare of the residents in the surrounding neighborhood?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why?: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2) Has evidence been presented that shows the proposed use will cause material injury to the use and enjoyment of other property in the surrounding neighborhood for land uses that are already permitted?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why?: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3) Will the proposed use have a substantial adverse effect on property values or future development of land in the surrounding neighborhood for uses common to the area?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why?: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4) Are there, or will there be provided, adequate utilities, access roads, drainage, off-street parking and loading areas, and other necessary facilities to support the proposed use of the property?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why?: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5) Have adequate measures been taken, or will adequate measures be taken, to prevent or control offensive odor, fumes, dust, noise, lights, and vibration, so that no disturbance to neighboring properties will result?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why?: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6) Is the proposed use of the property consistent with the general purpose and intent of the Zoning Ordinance and the goals and policies adopted in the Comprehensive Plan?

Yes \_\_\_\_\_ No \_\_\_\_\_

Why?: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAME: \_\_\_\_\_

DATE: \_\_\_\_\_