



Redwood County

www.co.redwood.mn.us

Application for Extraction Conditional Use Permit

Location of the Extraction:

Permit #: 1-19 Date: 1-22-19

Address: 24471 Frontier Ave City: Lucan State: MN Zip: 56255
House # Street Name

Parcel #: 54-024-2020 Township: Granite Rock Section: 24 Twp #: 111-N Range: 38W

Legal Description:

NW1/4

Information about the Extraction:

Zoning District: Agriculture

Soil Type 1: Storden - Estherville - Vas complex 12-18 % slopes, eroded

Soil Type 2: 6-12 % slopes, eroded

General description of the extraction:

Crawl and sand pit. Possibly use a screen on site.

Number of acres to be extracted: 5

Type of Road: Township Right-of-Way width measured from centerline 50

Setbacks: (Please enter in feet)

Setback from the Center of the Road: 50

Side Yard Setback: 500 Direction: East

Side Yard Setback: 1400 Direction: West

Rear Yard Setback: 2100 Direction: South

Starting Date: April 1-2019 Date of Completion: April 1, 2029 (maximum 10 years)

Drainage Plan:

Surface water will drain to the east

Landscape and screening plans:

There currently is a berm on the edge of the road right-of-way. This may be removed in cooperation with the township Board.

Water plan (estimated water use):

If water needed for washing sand, will excavate pond to collect surface water and/or seek DNR water appropriations permit from DNR to pump from CD21.

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

Equipment will be maintained to industry standards. If dust from hauling is a problem, will use route down Frontier Ave. to Hwy 68.

Reclamation plan: (Attach Map)

Flatten out the site, return topsoil, return land to farming use. Topsoil will be reserved for reclamation.

Estimated Cost of Reclamation: \$7500

Applicant Information:

First Name: Joe Last Name: Schueller

Business Name:

Address: 24471 Frontier Ave. City: Lucas State: MN Zip: 56255

Home Phone: Cell Phone: 507-430-4384 Email: joeschueller52@gmail.com

Operator Information: (Complete only if different from Applicant)

First Name: Johanneck and/or Travis Brey Last Name:

Business Name:

Address: City: State: MN Zip:

Home Phone: Cell Phone: Email:

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

First Name: Last Name:

Address: 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: Joseph Schueller Date: 1-22-2019

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 #: 184928 Date Approved:

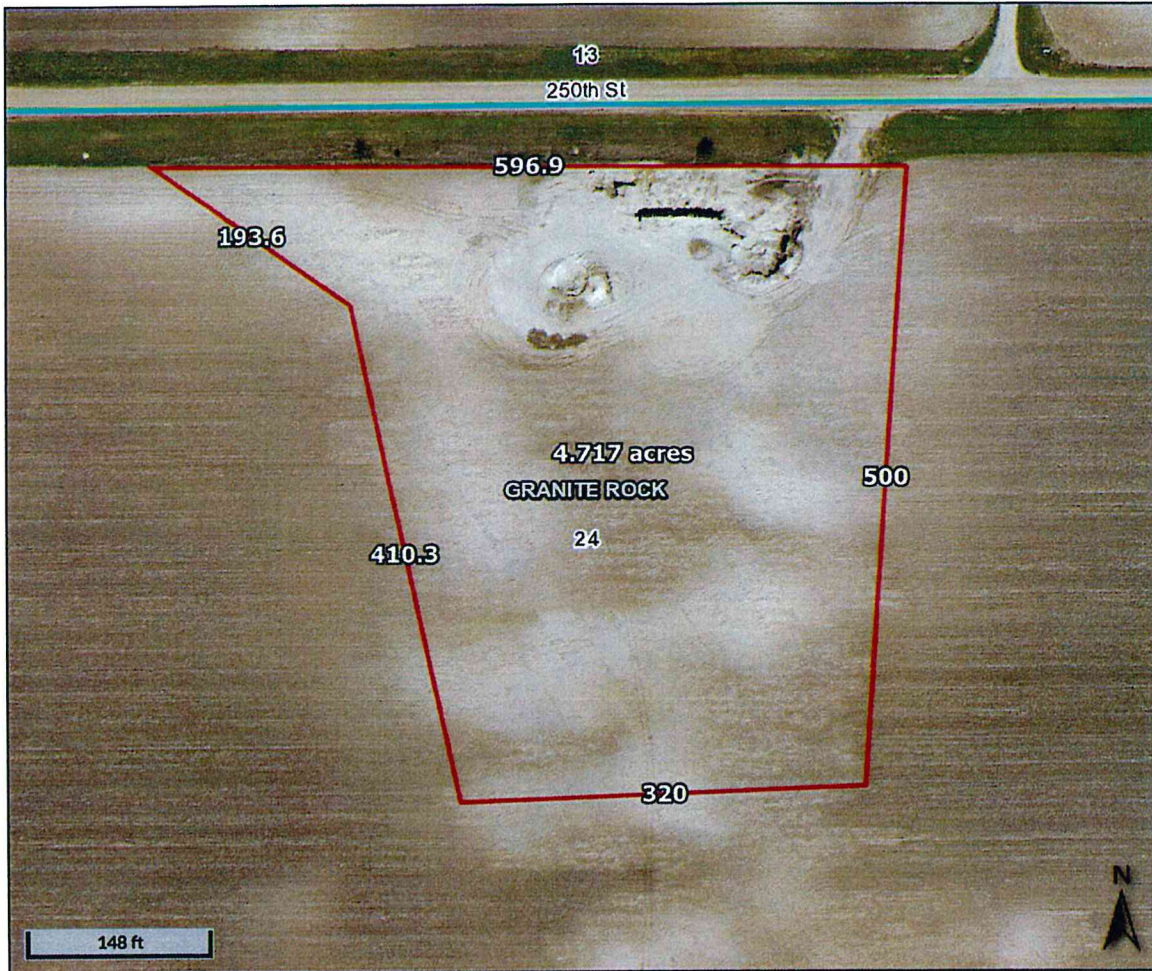
Application Received: 1-22-19

Commission Action: County Board Action:

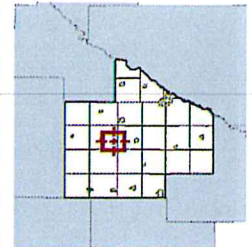
Approved: Date: Approved: Date:

Disapproved: Date: Disapproved: Date:

Schueller pit boundary Map



Overview



Legend

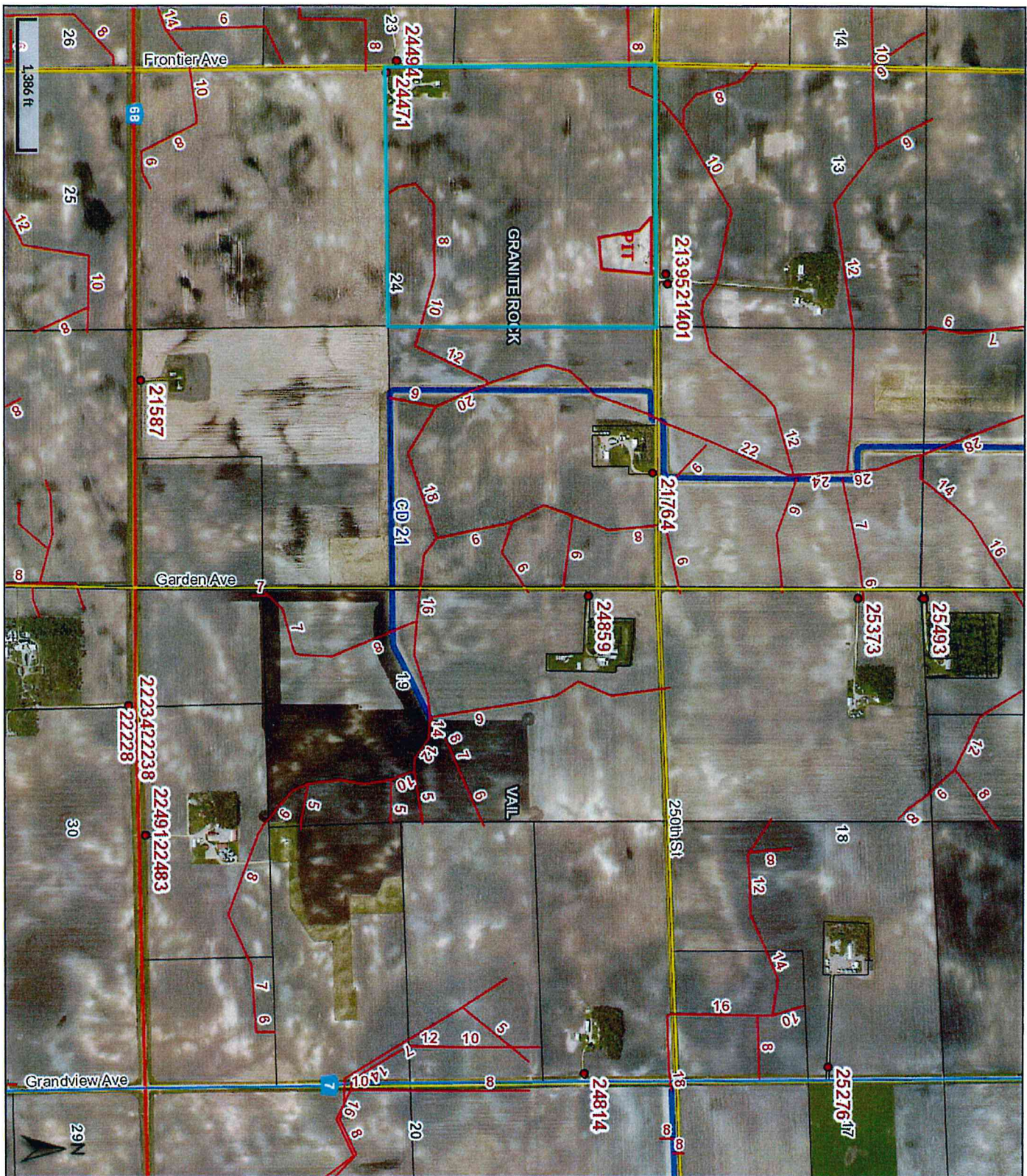
- Municipal Boundaries
- Sections
- Surrounding Counties
- Townships
- Address points
- Parcels
- Major Roads**
- County/Twp/City
- State/Federal
- County
- Minor Roads

Parcel ID	54-024-2020	Alternate ID	n/a	Owner Address	SCHUELLER/JOSEPH W & MARIE A
Sec/Twp/Rng	24-111-38	Class	AGRICULTURE		24471 FRONTIER AVE
Property Address	24471 FRONTIER AVE LUC 56255	Acreeage	160.07		LUCAN MN 56255-1118
District	n/a				
Brief Tax Description	NW1/4, 160.07A <i>(Note: Not to be used on legal documents)</i>				

Date created: 1/22/2019
Last Data Uploaded: 1/22/2019 9:09:16 AM

Developed by Schneider
GEOSPATIAL

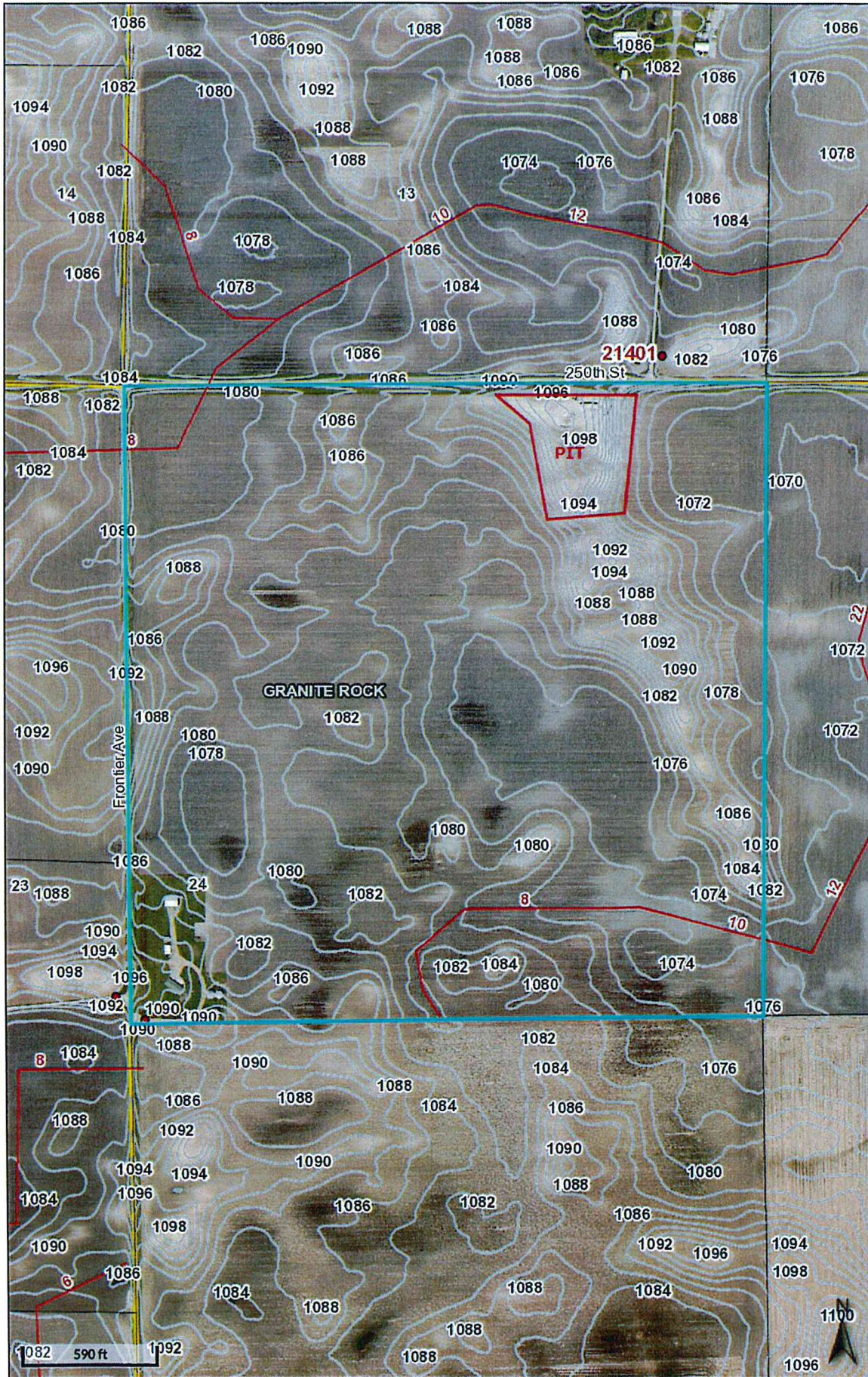
Scheller Area Map



Legend

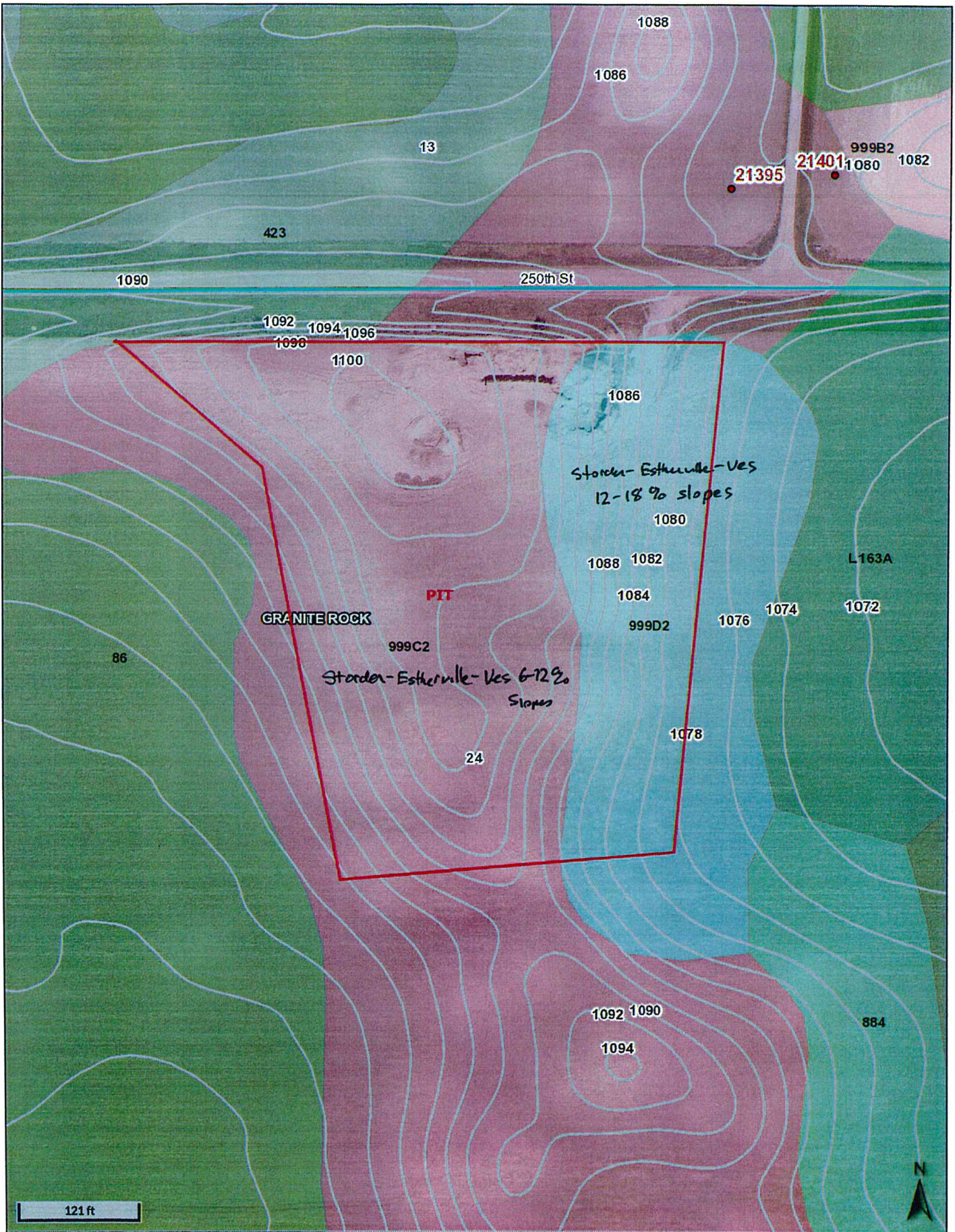
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- Open Ditch
- Drain Tilt
- Lakes
- Rivers
- Address points
- Parcels
- Shoreland
- <all other values>
- 150ft
- 300ft
- 300ft L W
- 1000ft
- FloodPlain
- Floodplain
- Major Roads
- County/Twp/City
- State/Federal
- County
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Schneller elevation contour map

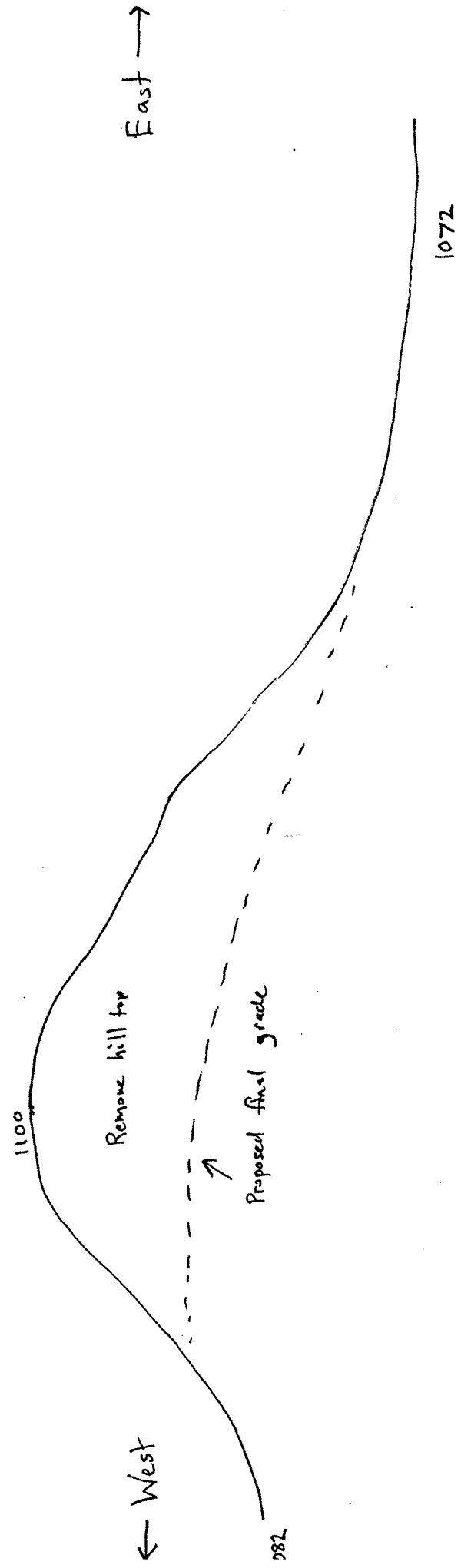


- ### Legend
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SCHUELLER SOIL MAP



Joe Schueller Pit - Profile view



Conditions for Permit No. 1-19 (Joseph Schueller)

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 250th Street 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. If dust becomes a problem for the dwellings along 250th Street, then the applicant shall provide dust control measures, or as an alternative to dust control measures, all material will be hauled to State Hwy 68 via Frontier Avenue.
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 April 1, 2029.
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 \$10,000.00. 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 at or higher elevation than the existing grade of the flat ground around the hill being excavated.
12. 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

**Joe Schueller – gravel pit
Conditional Use Permit Application #1-19
February 25, 2019**

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: _____

AFFIDAVIT OF SERVICE VIA E-MAIL

STATE OF MINNESOTA)
) ss
 COUNTY OF REDWOOD)

RE: *Application for Extraction Conditional Use Permit* submitted by Joseph Schueller Permit Application No. 1-19

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 Extraction Conditional Use Permit*, and;**
2. **Notice of Public Hearing**

were duly served upon:

**JOSEPH & MARIE SCHUELLER
 24471 FRONTIER AVE
 LUCAN, MN 56255**

**MELINDA OHLENKAMP ET'AL
 % NORTHWEST FARM MANAGEMENT
 301 S O'CONNELL ST
 MARSHALL, MN 56258**

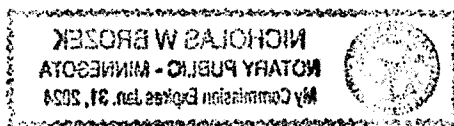
**RASMUSSEN FAMILY FARMS LLLP ET'AL
 781 MAIN ST
 WABASSO, MN 56293**

**MARVIN & PAMELA ZOLLNER
 976 NORTH ST
 WABASSO, MN 56293**

**KRIS & BARBARA ROGOTZKE
 21764 250 ST
 WABASSO, MN 56293**

**SANDRA ROGOTZKE ET'AL
 PO BOX 11
 LUCAN, MN 56255**

**DONNA L FENNER
 20654 CO HWY 10
 LUCAN, MN 56255**



LOUWAGIE KNUTSON LT
% JOLENE LOUWAGIE
15433 MICHELE LN
EDEN PRAIRIE, MN 55346

CLETUS & FERN TROST
779 MAIN ST
WABASSO, MN 56293

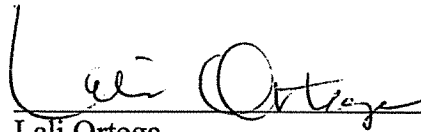
LLOYD & LINDA TURBES ET'AL
1376 MAY ST
WABASSO, MN 56293

FIXSEN FAMILY TRUST
% PAMELA J DAGNER
1048 HARRISON ST S
SHAKOPEE, MN 55379

GRANITE ROCK TOWNSHIP
% ANDREA STRAND, CLERK
24343 COUNTY HYW 10
LUCAN, MN 56255

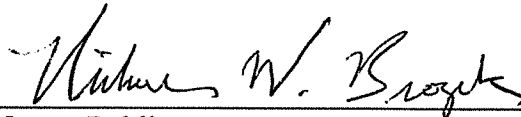
CITY OF LUCAN
% SHAWNA ALLAN, CLERK
PO BOX 7
LUCAN, MN 56255

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 11th day of February, 2019.

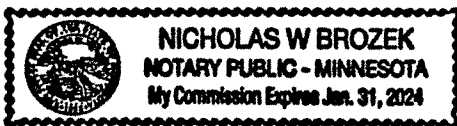


Lali Ortega
Environmental Administrative Assistant


Subscribed and sworn to before me, a Notary Public, on this 11th day of February, 2019, by Nicholas W. Brozek.



Notary Public
My commission expires: 1/31/2024



TO: Whom It May Concern

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

COPY



DATE: February 11th, 2019

RE: Notice of Public Hearing on Extraction Conditional Use Permit Application

Please find enclosed a *Notice of Public Hearing* regarding an *Extraction Conditional Use Permit Application* filed by Joseph Schueller pursuant to Sec. 16, Subd. 5 and Sec. 25 of Redwood County Zoning Ordinance for: the extraction, processing, and stockpiling of gravel material from/on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

The Northwest Quarter (NW1/4) of Section 24, Township 111 North, Range 38 West, Granite Rock Township. Proposed extraction area comprises approximately 5 acres thereof.

A public hearing thereon will be held before the Redwood County Planning Commission at the regularly scheduled Planning Commission meeting starting at 1:00 o'clock p.m. on Monday, the 25th day of February, 2019, at the Board Room of the Redwood County Government Center located at 403 South Mill Street, Redwood Falls, MN 56283.

Pursuant to Redwood County Zoning Ordinance, all property owners of record within five hundred (500) feet in incorporated areas and/or one-quarter (1/4) of a mile of the affected property or the ten (10) properties nearest to the affected property, whichever would provide notice to the greatest number of landowners in the unincorporated areas, the township in which the affected property is located, and all municipalities within two (2) miles of the property are required to be notified in writing of the time and place of the public hearing.

If you have any comments or questions regarding this matter, please contact the Redwood County Environmental Office by telephone at (507) 637-4023 or in writing at *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 in the *Notice of Public Hearing* enclosed herein.

Enclosure

Cc: Joseph Schueller (w/ encl)

COOPY



NOTICE OF PUBLIC HEARING

An *Application for Extraction Conditional Use Permit* has been filed by Joseph Schueller pursuant to Sec. 16, Subd. 5 and Sec. 25 of Redwood County Zoning Ordinance for: the extraction, processing, and stockpiling of gravel material from/on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

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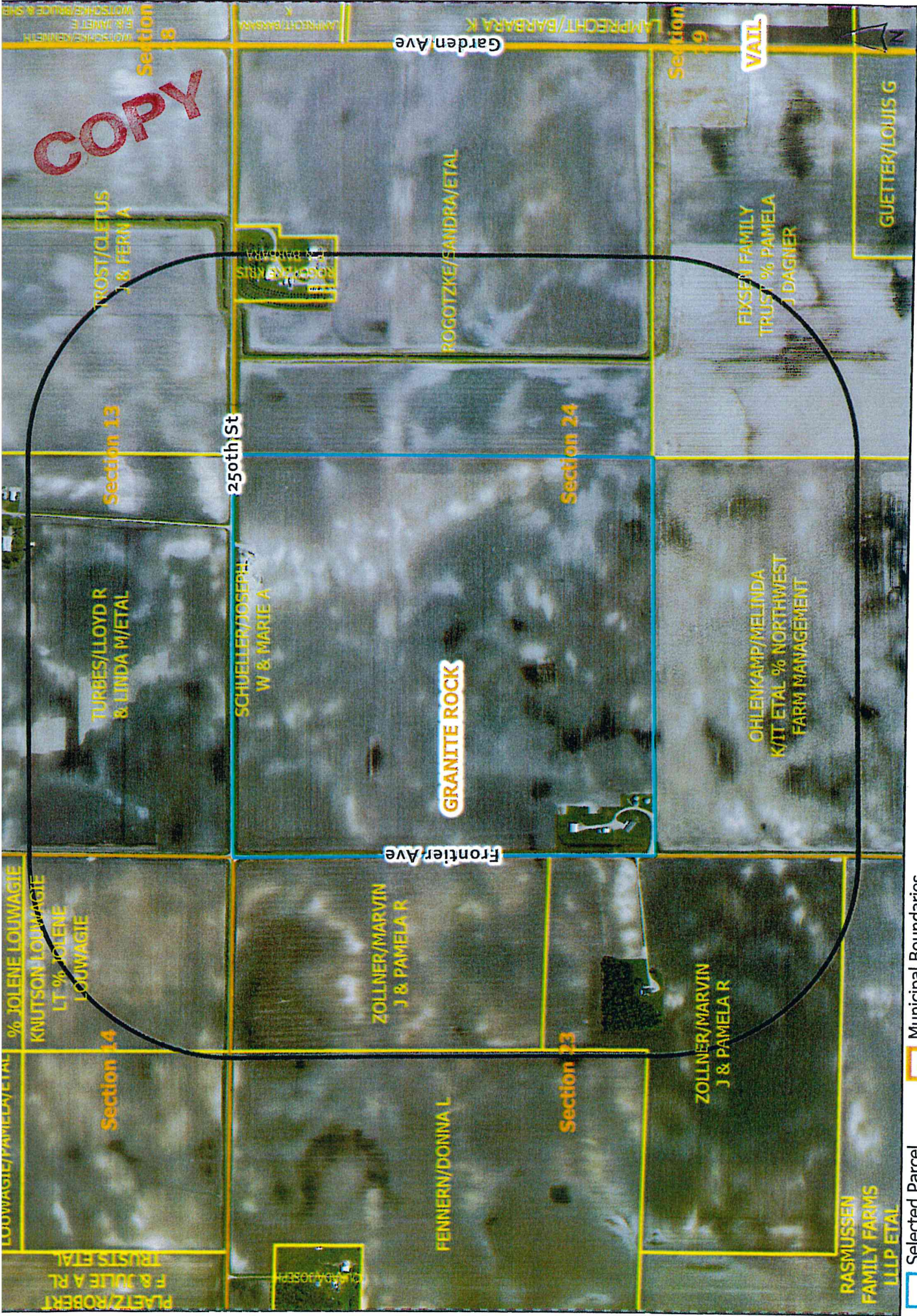
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DATED: February 11th, 2019

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

COPY



Parcel ID: 54-024-2020

CUP Notification Area:

1 / 4 mile from Selected Parcel

- Selected Parcel
- Notification Area
- Parcels
- Municipal Boundaries
- Sections
- Roads



