



Redwood County

# Application for Conditional Use Permit

www.co.redwood.mn.us

Permit #: 1-23 Date: 12/20/22

## Location of Proposed Use:

Address: 29424 US Highway 14 City: Lamberton State: MN Zip: 56132  
House # Street Name

Parcel #: 51-020-2020 Township: Charlstown Section: 20 Twp #: 109N Range: 36W

## Legal Description:

T2 Part of The 5 1/2 NW 1/4, Sec. 20 Twp 109N Rge 36W Redwood City North of the Railroad  
\* Right of Way — T2 N 1/2 NW 1/4 Sec 20 Twp 109N Rge 36W

## Information about the Site:

- Zoning District: AGRICULTURE

NOTICE: Change of land use may affect your property taxes.

General description of the building(s) and proposed use:

Construct up to eight (8) additional residential dwelling houses on the above-described property

Building Size: (Please enter dimensions in feet) (will vary)

? Width: \_\_\_\_\_ Length: \_\_\_\_\_ Diameter: \_\_\_\_\_ Total Height: \_\_\_\_\_

Setbacks: (Please enter in feet) (minimum)

? Side Yard Setback: 10' Direction: East

Side Yard Setback: 10' Direction: West

Rear Yard Setback: 10' Direction: South

Road Type: State Setback from the Right-of-Way: 67'

Setback from the center of the road \_\_\_\_\_ ft

Type of Sewer System:

Subsurface Sewage Treatment System (septic system or other state-approved sewage treatment)

Drainage Plan:

Natural surface water drainage



Applicant Information:

First Name: Clarence Last Name: Wurtz  
Business Name: Upland Lutheran Brethren Inc  
Address: 24231 412 ave City: Artesian SD State: MN Zip: 57314  
Home Phone: 605-996-9105 Cell Phone: 605-770-2630 Email: clarence@uplandhi

Operator Information: (Complete only if different from Applicant)

First Name: the same Last Name: \_\_\_\_\_  
Business Name: \_\_\_\_\_  
Address:  City: \_\_\_\_\_ State: MN Zip: \_\_\_\_\_  
Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Email: \_\_\_\_\_

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

*James* First Name: \* Leonard James Last Name: Waldner  
Address: \*  29424 US Hwy 14 City: Lamberton State: MN Zip: 56152  
HomePhone: \_\_\_\_\_ CellPhone: 612-210-3756 Email: waldner.james@yahoo.com

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 \* James Waldner Date: 11-29-2022

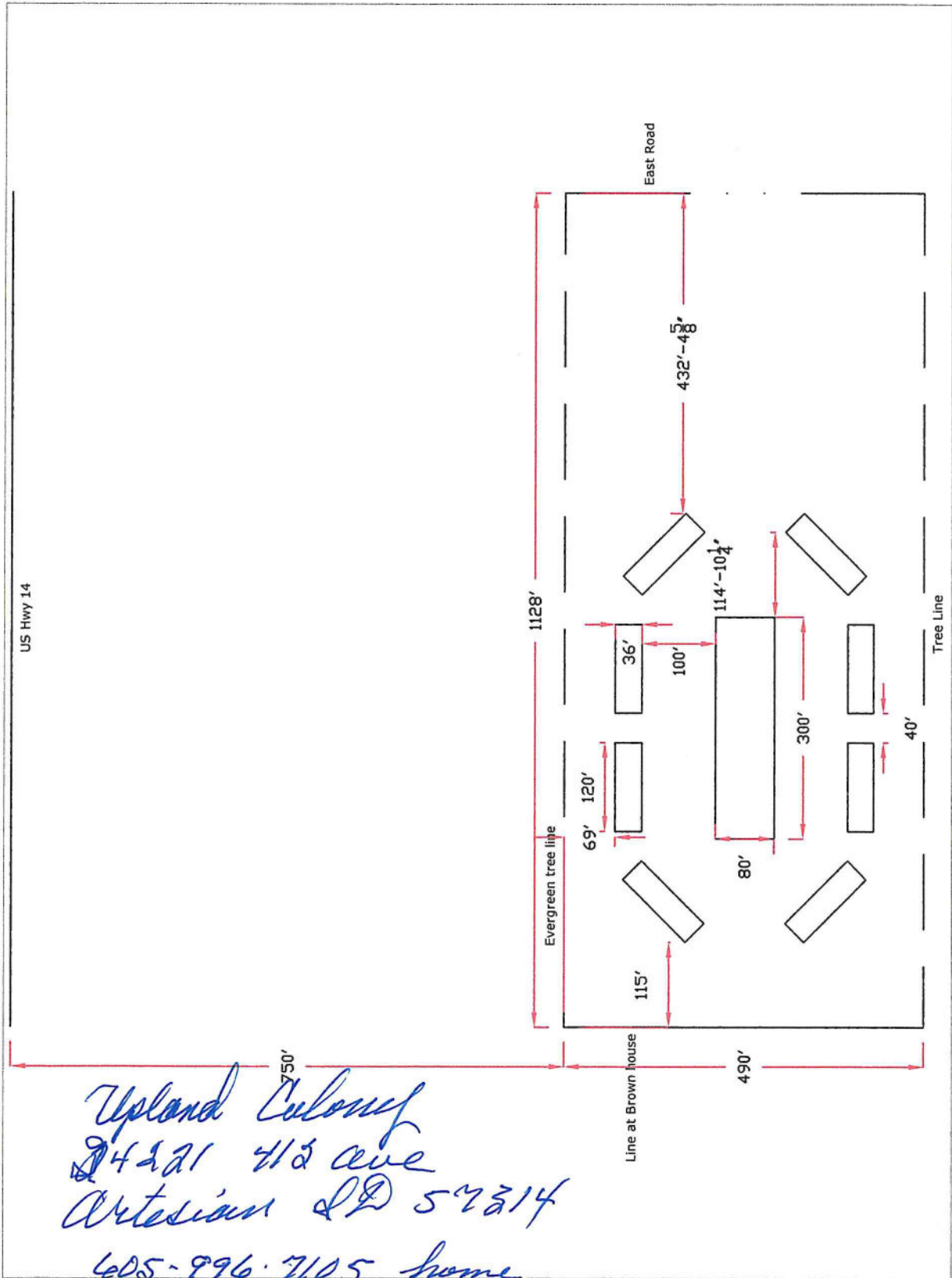
Office Use Only: \* The section below is to be filled out by the Environmental Office Staff

Permit Fee: \$1400 ~~700.00~~ Receipt #: 27154 Date Approved: \_\_\_\_\_

Application Received: 12/20/22

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

Proposed buildings

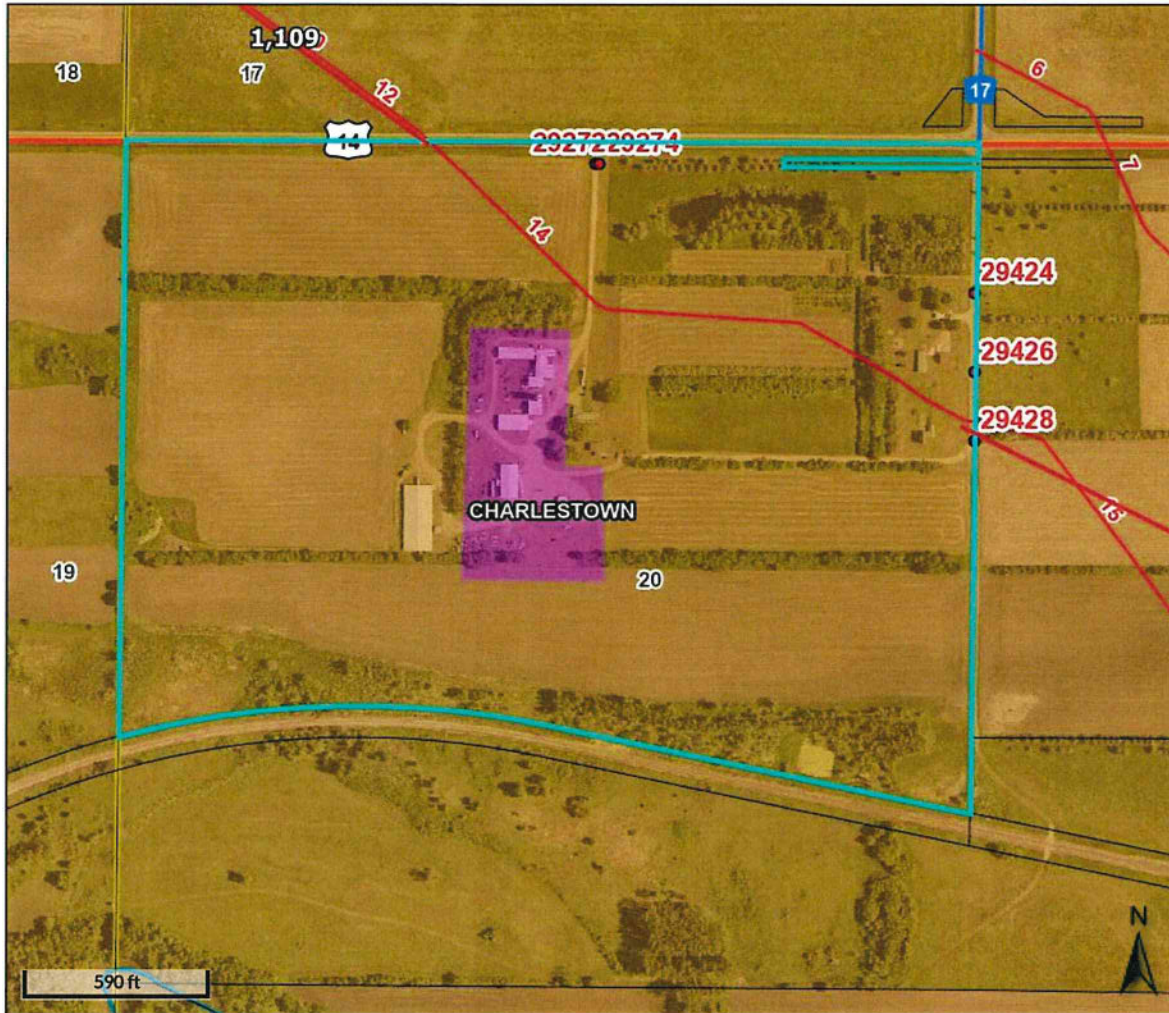


Upland Colony  
 24221 71st ave  
 Artesian SD 57314  
 605-996-7105 home  
 605-770-2620 cell

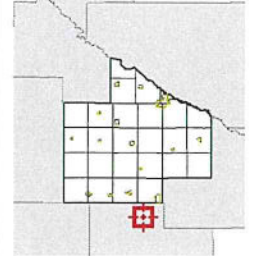


Proposed Upland Site  
With county tile and zoning

Created by: NWB



Overview



Legend

- Municipal Boundaries
- Surrounding Counties
- Townships
- Open Ditch
- Drain Tile
- Rivers
- Address Points
- Parcels
- County Zoning**
- B1
- I1
- R1
- S
- UE
- 2M
- AG
- Major Roads**
- State/Federal
- County
- County/Twp/City
- Minor Roads

Parcel ID	51-020-2020	Alternate ID	n/a	Owner Address	WALDNER/LEONARD JAMES
Sec/Twp/Rng	20-109-36	Class	AGRICULTURE		PO BOX 104
Property Address	29272 US HWY 14 LAM 56152	Acreege	107.15		LAMBERTON MN 56152
District	n/a				
Brief Tax Description	NW1/4 LYING N OF R/R EX .35A TR IN NE COR, 112.15A M/L <i>(Note: Not to be used on legal documents)</i>				

Date created: 1/5/2023  
Last Data Uploaded: 1/4/2023 9:38:50 PM



Existing Upland site in SD (example)



Imagery ©2022 CNES / Airbus, Maxar Technologies, USDA/FPAC/GEO, Map data ©2022 200 ft

**Conditions for Permit No. 1-23 (Upland Hutterian Brethren Inc.)**

1. The permit holder shall comply with all applicable laws, rules, and regulations, including but not limited to Redwood County Ordinance, as hereafter amended from time to time.
2. The permit holder shall dispose of the waste and refuse in a proper manner and in accord with all applicable laws, rules, and regulations.
3. The permit holder shall contact all relevant local, state, and federal authorities/entities and inquire as to whether a permit and/or license is required. If a permit and/or license is required, the permit holder shall apply for and obtain any and all required permits and/or licenses. A copy of all such permits and/or licenses shall be provided to the Redwood County Environmental Office upon request.
4. The permit holder shall take appropriate and reasonable measures to assure that all surface water runoff satisfies all applicable local, state, and federal discharge standards.
5. 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.
6. Adequate utilities, access roads, drainage, and other necessary facilities will be provided and continue to be provided by the permit holder now and in the future.
7. Adequate measures will be taken to provide sufficient off-street parking and loading space to serve the proposed conditional use. Parking shall comply with and is subject to all relevant local, state, and federal law, rules, and regulations. Parking and/or loading on the public road or within the road right-of-way is prohibited.
8. Up to eight (8) additional dwelling houses may be constructed on the project site, pursuant to this permit. Any additional houses beyond that will require a new Conditional Use Permit. The houses will be constructed substantially according to the site plan attached to the permit application.
9. Appropriate sewage treatment infrastructure will be installed and maintained, pursuant to Minnesota rules and laws, and Redwood County Code of Ordinances.
10. The private driveway leading to the houses constructed pursuant to this permit, shall be named and indicated on the official County E-911 Map, for emergency service purposes, pursuant to the Redwood County Enhanced E-911 regulations.
11. A 100 foot setback must be maintained between the county drain tile line on the site, and any building or structure.
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.





**REDWOOD COUNTY ENVIRONMENTAL OFFICE**

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

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

**REDWOOD COUNTY PLANNING COMMISSION**  
Upland Hutterian Brethren Inc.  
Conditional Use Permit Application #1-23  
January 9, 2023

**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) What potential health safety and welfare impacts were raised at the hearing and why will they, or why won't they, impact the neighboring residents?

---

---

---

---

- 2) What potential impacts on area property uses were raised at the hearing and why will they, or why won't they, impact the property uses in the area?

---

---

---

---



3) What potential impacts on property values or future development were raised at the hearing, and why will they, or why won't they, impact the neighboring properties?

---

---

---

---

4) What infrastructure is needed to support the proposed use and how will it be provided?

---

---

---

---

5) How do the goals, purpose and policies of the Zoning Ordinance and Comprehensive Plan apply to the proposed project?

---

---


---

---

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

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

**TO: Whom It May Concern**

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



**DATE: December 28, 2022**

**RE: Notice of Public Hearing on Application for Conditional Use Permit**

Please find enclosed a *Notice of Public Hearing* regarding an *Application for Conditional Use Permit* submitted by Clarence Wurtz, of Upland Hutterite Brethren Inc., in cooperation with landowner Leonard James Waldner, pursuant to Redwood County Code of Ordinances, Title XV, Section 153.142. Mr. Wurtz is proposing to construct up to eight dwellings on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

The Northwest Quarter (NW1/4) lying north of the railroad, except a 0.35-acre tract in the northeast corner of Section 20, Township 109 North, Range 36 West, Charlestown Township.

A public hearing thereon will be held before the Redwood County Planning Commission at a meeting starting at 1:00 o'clock p.m. on Monday, the 9<sup>th</sup> day of January, 2023, in the Board Room of the Redwood County Government Center, 403 South Mill Street, Redwood Falls, MN 56283.

Pursuant to Redwood County Zoning Ordinance, all property owners of record within five hundred (500) feet of the 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, via email at [Environmental@co.redwood.mn.us](mailto:Environmental@co.redwood.mn.us), or by mail 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*.

enclosure

Cc: Clarence Wurtz (w/encl)  
Leonard James Waldner (w/encl)

Redwood County Government Center - Environmental Department  
P.O Box 130 Redwood Falls, MN 56283  
(507) 637-4023 redwoodcounty-mn.us Environmental@co.redwood.mn.us



## NOTICE OF PUBLIC HEARING

An *Application for Conditional Use Permit* has been filed by Clarence Wurtz, of Upland Hutterite Brethren Inc., in cooperation with landowner Leonard James Waldner, pursuant to Redwood County Code of Ordinances, Title XV, Section 153.142. Mr. Wurtz is proposing to construct up to eight dwellings on the following described real property, situated in the County of Redwood, State of Minnesota, to wit:

The Northwest Quarter (NW1/4) lying north of the railroad, except a 0.35-acre tract in the northeast corner of Section 20, Township 109 North, Range 36 West, Charlestown Township.

A public hearing thereon will be held before the Redwood County Planning Commission at a meeting starting at 1:00 o'clock p.m. on Monday, the 9<sup>th</sup> day of January, 2023, in the Board Room of the Redwood County Government Center, 403 South Mill Street, Redwood Falls, MN 56283.

If you have any comments or questions regarding this matter, please contact the Redwood County Environmental Office by telephone at (507) 637-4023, via email at [Environmental@co.redwood.mn.us](mailto:Environmental@co.redwood.mn.us), or in writing at *Redwood County Environmental Office, P.O. Box 130, Redwood Falls, MN 56283.*

DATED: December 21, 2023

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