

# VARIANCE PERMIT APPLICATION - FILLMORE COUNTY

## APPLICANT'S PORTION

### VARIANCE FROM ZONING REGULATIONS OR DECISION OF THE ZONING ADMINISTRATOR

(This application must be fully completed to be processed. Failure to complete the form in its entirety will result in further delays.)

This Variance request seeks relief from Section \_\_\_\_\_ of the Fillmore County Zoning Ordinance for the purpose

of: SETBACKS FOR CONSTRUCTION OF SEPTIC SYSTEM  
(Setback for construction, Relief from Zoning Administrators decision, Other)

Date: 4-4-22

Permit #: \_\_\_\_\_

(TO BE COMPLETED BY ZONING OFFICE)

Name of Applicants: DALE PETERSON  
SUSAN PETERSON

Phone #: 507-421-4874

Phone #: \_\_\_\_\_

Applicant email address: \_\_\_\_\_

Mailing Address of Applicant: 31276 ST HWY 12 LANESBORO MN 55949  
Address City State Zip

Email Address of Applicant: \_\_\_\_\_

Parcel #: 120054000 Section: 9 Township: 103N Range: 9W

Legal Description (from deed, abstract, or Records Office): 633 MAIN ST, LEBANON

Provide a complete description of the project you are proposing. This must include a type written narrative of what you plan to do. Provide a complete site development plan and building or structure plan. This must include:

- |          |  |
|----------|--|
| <u>x</u> | 1. Name, Address, North Arrow, and Date.   |
| <u>x</u> | 2. Aerial photograph of the site (Copies obtained from GIS Coordinator or Zoning Office.)    |
| <u>x</u> | 3. Soils maps of the site (Copies obtained from GIS Coordinator or Zoning Office.)           |
| <u>x</u> | 4. Setbacks from the centerline of all public roads and front, side and rear property lines. |
| <u>v</u> | 5. Location and dimensions of all structures on the site.                                    |
| <u>x</u> | 6. Driveways and accesses to the property.   |
| <u>x</u> | 7. Locations of any proposed new construction to include drawings of new structures.         |
| <u>—</u> | 8. Parking Areas (In the case of campgrounds, all campsites).                                |
| <u>—</u> | 9. Sinkholes and direction of water runoff.  |
| <u>x</u> | 10. Location of all wells on the property and tile inlets if on the site.                    |
| <u>x</u> | 11. Location of any sewer systems located on the site.                                       |
| <u>—</u> | 12. Evidence of ownership or enforceable option or easements on the property.                |
| <u>—</u> | 13. Locations of rivers, bluffs, trails and public roadways.                                 |

TOTAL FEE: \$450.00 (NON REFUNDABLE)

I hereby certify that the information contained herein is correct and agree to do the proposed work in accordance with the provisions of the Ordinances of Fillmore County and the Statutes of the State of Minnesota. I also agree that any plans and specifications submitted herewith shall become a part of this permit application. If any modification is proposed, written approval of the Fillmore County Zoning Office shall be obtained before construction. I understand that a proposed modification may result in the need for a new permit.

Signatures of all Landowners: Dale Peterson  
Susan Peterson

Phone #: 507 421 4874

Phone #: \_\_\_\_\_

Phone #: \_\_\_\_\_

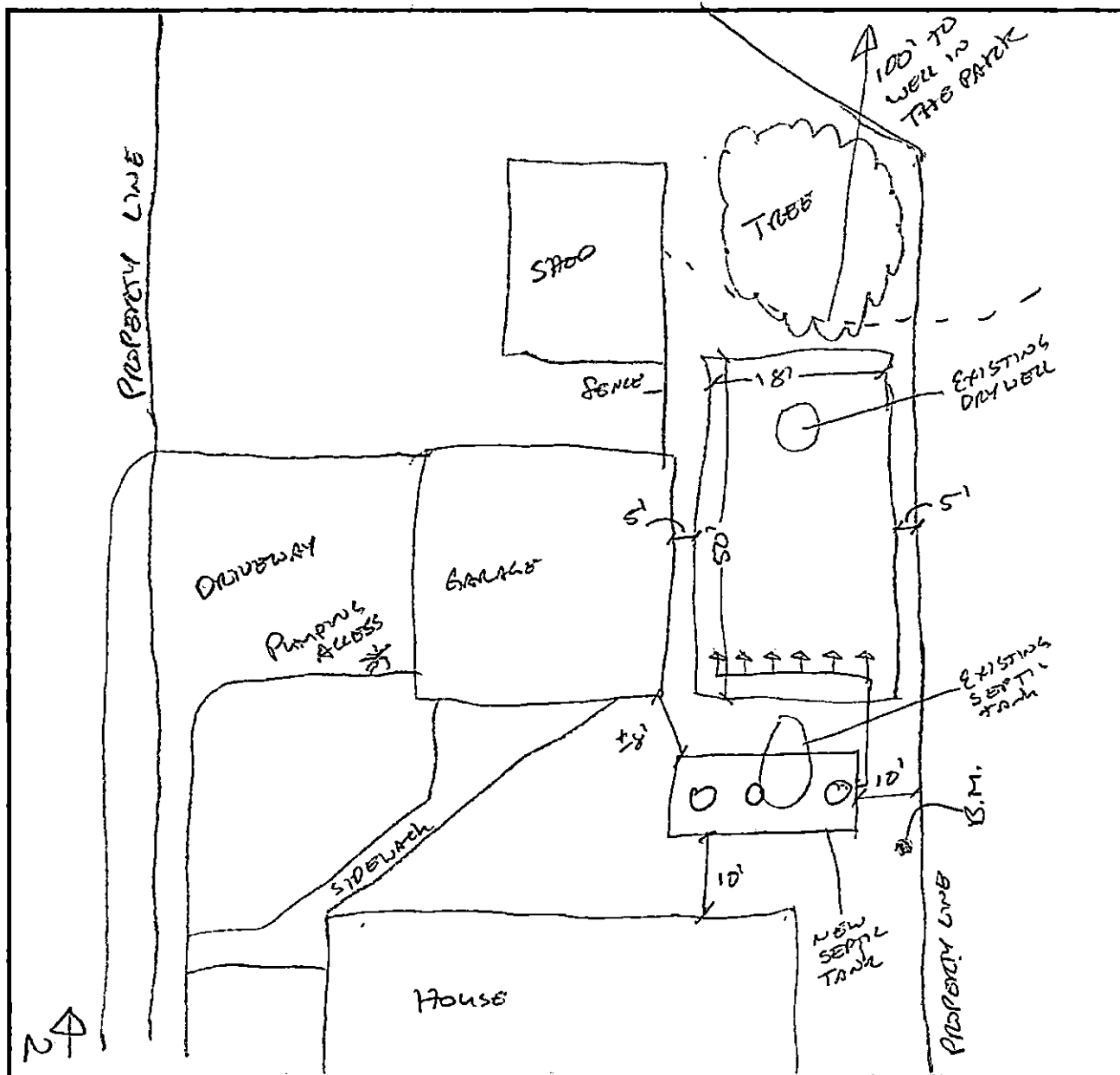


# Proposed Design Map

Project ID:

v 03.01.2021

Property Owner/Client: Dale Peterson



Map scale: NTS

☒ Indicated north

☐ Show slope/contours

Elevations in feet

Benchmark:

100' ft

System Corners:

NW:	<u>91'</u>	ft
NE:	<u>91'</u>	ft
SW:	<u>91'</u>	ft
SE:	<u>91'</u>	ft

Soil Borings:

#1:	<u>93'9.5"</u>	ft
#2:	<u>93'4"</u>	ft
#3:	<u>93'6"</u>	ft

Tank Outlet:

TBO ft

Other:

           ft  
           ft

Date Completed: 10-9-21



## SEPTIC SYSTEM PERMIT APPLICATION

Property Owner DALE PETERSON

E911 Address 633 MAN ST

An E911 address must be established for new dwellings (applications available in the Zoning Office)

City WILKINSON State MN Zip Code 55949

Mailing Address (if different than above) 31276 ST HWY 16, LANESBORO

Phone (507) 421-4874 Email \_\_\_\_\_ Parcel # 120054000

Township 103 Section 09 Lot Size \_\_\_\_\_ (acres)

Legal Description from tax statement: \_\_\_\_\_

Designer's name <u>SEPTIC PROS</u>	Designer's Lic. # <u>3266</u>	Designer's phone # <u>507-894-4956</u>	Designer's Email Address _____
Installer's name <input checked="" type="checkbox"/> check here if same as designer listed	Installer's Lic. # _____	Installer's phone # _____	Installer's Email Address _____

*The septic design information needs to be filled out by either the septic designer or homeowner to complete the application:*

CONSTRUCTION PROPOSED: Depth of well casing: N/A Distance from well (in feet) 7100'

(Check one): ☐ New ☒ Replacement ☐ Holding tank only

Type (check one): ☒ I ☐ II ☐ III ☐ IV ☐ V Operating/Monitoring Plan Required? (check one) ☐ Yes ☒ No

WATER USE: ☒ Dwelling Class ☒ I, ☐ II, or ☐ III No. of bedrooms: 3 Gallons per day: 450  
☐ Commercial or ☐ Industrial: Gallons per day: \_\_\_\_\_ Labor and Industry approval? ☐ Yes ☒ No  
☐ Water meter? ☐ Yes ☒ No

SEPTIC TANK(S) / DOSING TANK(S) / PUMP(S): No. of NEW tanks: 1 No. of EXISTING tanks: 0

Tank Manufacturer: AL'S CONCRETE Tank Model: AL'S 1500/750

Volume of each tank / compartment: 1000, 500, \_\_\_\_\_

Dosing tank: Gallons 750 Stand-alone? ☐ Yes ☒ No Tank Model: \_\_\_\_\_

DESIGN SUMMARY: Depth to limiting layer: 66" Distribution media 92-Steel

System type: ☐ Trench ☒ Bed ☐ Mound ☐ At Grade ☒ Pressurized or ☐ Gravity

Dimensions:

Number of laterals: <u>6</u>	Length: <u>50'</u>	Width: <u>14"</u>	Inches of rock under pipe: <u>6"</u>
Bed length: <u>50'</u>	Bed width: <u>18'</u>		
Mound bed length: _____	Mound bed width: _____	Sand depth: _____	

AGREEMENT: I hereby certify that the information contained herein is true and correct and I agree to the proposed work in accordance with description set forth above and according to the provisions of the ordinances of Fillmore County and Minnesota Rules 7080-7083. I further agree that any plans and specifications submitted herewith shall become a part of this permit application. Changes made after a permit has been issued must be re-submitted and re-approved by the Septic Official. I further understand it is my responsibility to follow the attached management plan designed for this system.

All sewage systems must be inspected by the Fillmore County Zoning Office before covering. The department must be notified at least 24 hours before the system is covered.

This permit does not in any way guarantee that the system will function properly for any length of time but is only to certify that the present system is in compliance with State of MN Rules and County Ordinances.

You do not have permission to begin construction until you receive a permit signed by the Zoning Administrator.

Dale Peterson Susan Peterson  
Landowner Signature

Date 4/19/22

# SSTS Information sheet

**NOTE:** You can check your zoning district, shoreland and flood plain designations on Fillmore County's website (GIS Mapping, see below instructions). "Shoreland" is defined as land located within three-hundred (300) feet from a river or stream.

FYI, this is only a "viewing tool" so you cannot delete, destroy or manipulate information on this map – so don't be afraid to click on items to see what comes/goes. Some features are not viewable until you scroll into a property at a certain level.

[www.co.fillmore.mn.us](http://www.co.fillmore.mn.us)

"GIS" - located on the left hand side of page.

"Public GIS Viewing" – click link. Click "legend" tab on top of page to show the map features available. Use the "search" tab (also on top) to search your property by parcel number (leave out the periods). You can turn map layers on/off by clicking the item box in front of each category under the "legend" tab.

Is this dwelling or the septic system located within a shoreland overlay area? ☐ Yes ☒ No

Shoreland overlay is generally within 300 feet of a publicly protected river or stream. Full definition is found in MN Rules 6120 or the Fillmore County Zoning ordinance.

Is the dwelling or the septic system located in floodplain? ☒ Yes ☐ No

Will this septic system support a: ☒ dwelling ☐ other structure / building / land use

Explain "other use" or "other structure" (i.e. shop, campground etc.): \_\_\_\_\_

Will the facility/dwelling have a garbage disposal, dishwasher, or ejector pump? ☒ Yes ☐ No

**Fill out the following table to determine the appropriate sizing for a dwelling:**

Based on the table below:		<input checked="" type="checkbox"/> no lower level
How many bedrooms / potential bedrooms are there in the lower level?		
Based on the table below:	3	<input type="checkbox"/> no main level
How many bedrooms / potential bedrooms are there on the main level?		
Based on the table below:		<input checked="" type="checkbox"/> no upper level(s)
How many bedrooms / potential bedrooms, are there in the upper level(s) of the dwelling?		
<b>Total of above bedrooms used for sizing of the septic system:</b>	3	<b>TOTAL</b>

Table used in determining the number of bedrooms of a dwelling for sizing and design of a septic system		
Room Description	Bedroom?	Supporting reasoning
Den, Exercise room, sewing room, or room on the house plan that is $\geq 70\text{ft}^2$	Yes	Meets minimum size requirements and has no precluding architectural features
Room used as a bedroom in an existing dwelling that is $< 70\text{ft}^2$ and has no egress	Yes	Currently being used as a bedroom
Open loft in existing dwelling used as a bedroom	Yes	Currently being used as a bedroom
Open loft on house plan	No	"Open" is an obstacle to use as a bedroom
Open loft in existing dwelling used as a play room	No	Not being used as a bedroom and "Open" is an obstacle to use as a bedroom
Basement room $> 70\text{ft}^2$ with egress	Yes	Meets Rule requirements of size and architectural features
Basement $> 70\text{ft}^2$ without egress	No	Lack of egress is obstacle to use as a bedroom
Laundry room in existing dwelling is $> 70\text{ft}^2$	No	Plumbing, sinks, and washer/dryer are obstacles to use as a bedroom

## CERTIFICATION

I hereby certify that all the information I have provided regarding the sewage treatment system is true, accurate, and complete.

Property Owners signature: Susan Peterson

Date: 4/19/22

# Septic Pros

507-894-4956

5266 Tschumper Rd

La Crescent, MN 55947

April 4, 2022

Dear Cristal:

Due to the small lot size at 633 Main St, Whalan, I will need some variances to the septic code in order to install a replacement septic system. Here is the list of variances I am requesting:

1. Reduce the setback of a septic tank to a structure (garage) from 10 ft down to 6 ft,
2. Reduce the setback of a drain field to a structure (garage and shed) from 20 ft down to 5 ft,
3. Reduce the setback of a drain field from a property line from 20 ft down to 5 ft.

These adjustments of setbacks will allow the installation of a full size septic system. Please reference the septic design dated 10-9-21 for further details on the septic system.

Sincerely,



Jeff Jerue

Owner, Septic Pros (lic # L3266)

Certified Maintainer, Installer, Intermediate Designer, Intermediate Inspector, Service Provider  
(cert # C8918)

Real Estate Value ( ) ( ) ( )  
 Certificate of Real Estate Value No. 028451  
11.8.21  
 (Date)  
 in Christy Smith (SLS)  
 County Auditor  
 By Shannon Smith  
 Deputy

LR# 14307

2P)

DOC 30f3  
 FILLMORE COUNTY DEED TAX  
 No. 913 Date 11.8.21  
38.78 Dollars Paid  
Christy Smith (SLS)  
 County Treasurer  
 By Shannon Smith Deputy

Doc #: 435424 Fees: \$ 46.00  
 COUNTY RECORDER OFFICE OF FILLMORE COUNTY, MINN.  
 Record/File Date: 11/8/2021 at 2:30 PM  
 David Kiehne, Fillmore County Recorder  
 By Susan Phillips Deputy



(Top 3 inches reserved for recording data)

# DEED OF SALE

by Individual Personal Representative to Individual(s)

eCRV: i341488

DEED TAX DUE: \$38.78

DATE: October 22, 2021

FOR VALUABLE CONSIDERATION, Danielle Seufferling, as Personal Representative of the Estate of Tilford Landsverk, Decedent, single at the time of death, ("Grantor"), hereby conveys and quitclaims his undivided one-quarter (1/4) interest to Dale R. Peterson and Susan M. Peterson ("Grantee"), as joint tenants, real property in Fillmore County, Minnesota, legally described as follows:

Lots 12, 13, and 14 in Block 12, of the Village of Whalan, according to the map or plat thereof on file and of record in the office of the County Recorder in and for said County and State.

Check here if all or part of the described real property is Registered (Torrens) ☐

together with all hereditaments and appurtenances belonging thereto.

## Check applicable box:

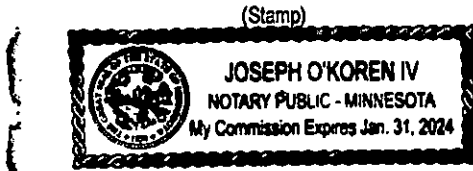
- ☐ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: [...].)
- ☒ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

Danielle Seufferling as Personal Representative of the Estate of Tilford Landsverk

State of Minnesota, County of Fillmore

This instrument was acknowledged before me on October 27, 2021, by Danielle Seufferling as Personal Representative of the Estate of Tilford Landsverk, Decedent.



Joseph O'Koren  
(signature of notarial officer)

Title (and Rank): Notary

My commission expires: Jan 31, 2024  
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:  
Manion-O'Koren Law Firm, LLC  
204 Parkway Ave N., P.O. Box 420  
Lanesboro, MN 55949

↑

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:  
Dale Peterson and Susan Peterson  
31276 State Hwy 16  
Lanesboro, MN 55949

# VARIANCE PERMIT APPLICATION

## FILLMORE COUNTY

### LANDOWNER'S PORTION

#### VARIANCE FROM ZONING REGULATIONS OR DECISION OF THE ZONING ADMINISTRATOR

(This application must be fully completed before it can be processed. Failure to complete the form in its entirety will only result in further delays)

This Variance request seeks relief from Section 604.05.56 of the Fillmore County Zoning Ordinance for the purpose

of: Building a new house

(Setback for construction, Relief from Zoning Administrators decision, other)

(1) Name of all Landowners: Joshua David Nelson Phone #: 507-259-6899

Amber Nelson Phone #: 507-413-2458

Phone #: \_\_\_\_\_

Mailing Address of Applicant: 3138 Woodstone DR SW Rochester MN 55902  
Address City State Zip

Date: 4-24-2022 (2) Parcel #: 250191000 Permit # \_\_\_\_\_

To be filled out by the Zoning Office

(3) Legal Description (from deed, abstract, or Records Office): Sec 26 Twp 104 Range 011

4.60 AC 4.60 AC in NE 1/4 SW 1/4

Section: 26 (4) Township: 104 (5) Range: 011 4.60 AC 4.60 AC in NE 1/4 SW 1/4

Provide a complete description of the project you are proposing. This must include a type written narrative of what you plan to do. Provide a complete site development plan and building or structure plan. This must include:

- ☒ 1. Name, Address, North Arrow, and Date.
- ☒ 2. Aerial photograph of the site (Copies obtained from GIS Coordinator or Zoning Office.)
- ☒ 3. Soils maps of the site (Copies obtained from GIS Coordinator or Zoning Office.)
- ☒ 4. Setbacks from the centerline of all public roads and front, side and rear property lines.
- ☒ 5. Location and dimensions of all structures on the site.
- ☒ 6. Driveways and accesses to the property. cert survey
- ☒ 7. Locations of any proposed new construction to include drawings of new structures.
- ☒ 8. Parking Areas (In the case of campgrounds, all campsites).
- ☒ 9. Sinkholes and direction of water runoff.
- ☒ 10. Location of all wells on the property and tile inlets if on the site.
- ☒ 11. Location of any sewer systems located on the site.
- ☒ 12. Evidence of ownership or enforceable option or easements on the property. cert survey
- ☒ 13. Locations of rivers, bluffs, trails and public roadways.

**TOTAL FEE: \$450.00 (NON-REFUNDABLE)**

I hereby certify that the information contained herein is correct and agree to do the proposed work in accordance with the provisions of the Ordinances of Fillmore County and the Statutes of the State of Minnesota. I also agree that any plans and specifications submitted herewith shall become a part of this permit application. If any modification is proposed, written approval of the Fillmore County Zoning Office shall be obtained before construction. I understand that a proposed modification may result in the need for a new permit.

(6) Signatures of Landowners: Joshua David Nelson  
Amber Nelson

Date: 4-24-2022

Date: 4/24/2022

Date: \_\_\_\_\_

**VARIANCE PERMIT APPLICATION**  
**FILLMORE COUNTY**  
**APPLICANT'S PORTION**

**VARIANCE FROM ZONING REGULATIONS OR DECISION OF THE ZONING ADMINISTRATOR**

*(This application must be fully completed before it can be processed. Failure to complete the form in its entirety will only result in further delays)*

This Variance request seeks relief from Section \_\_\_\_\_ of the Fillmore County Zoning Ordinance for the purpose

of: \_\_\_\_\_  
*(Setback for construction, Relief from Zoning Administrators decision, Other)*

(1) Name of Applicant(s): Same as owner Phone #: \_\_\_\_\_

\_\_\_\_\_ Phone #: \_\_\_\_\_

Mailing Address of Applicant: \_\_\_\_\_  
Address City State Zip

Date : \_\_\_\_\_ (2) Parcel #: \_\_\_\_\_ Permit # \_\_\_\_\_  
To be filled out by the Zoning Office

(3) Legal Description *(from deed, abstract, or Recordors Office)*: \_\_\_\_\_

Section: \_\_\_\_\_ (4) Township: \_\_\_\_\_ (5) Range: \_\_\_\_\_

Provide a complete description of the project you are proposing. This must include a type written narrative of what you plan to do. Provide a complete site development plan and building or structure plan. This must include:

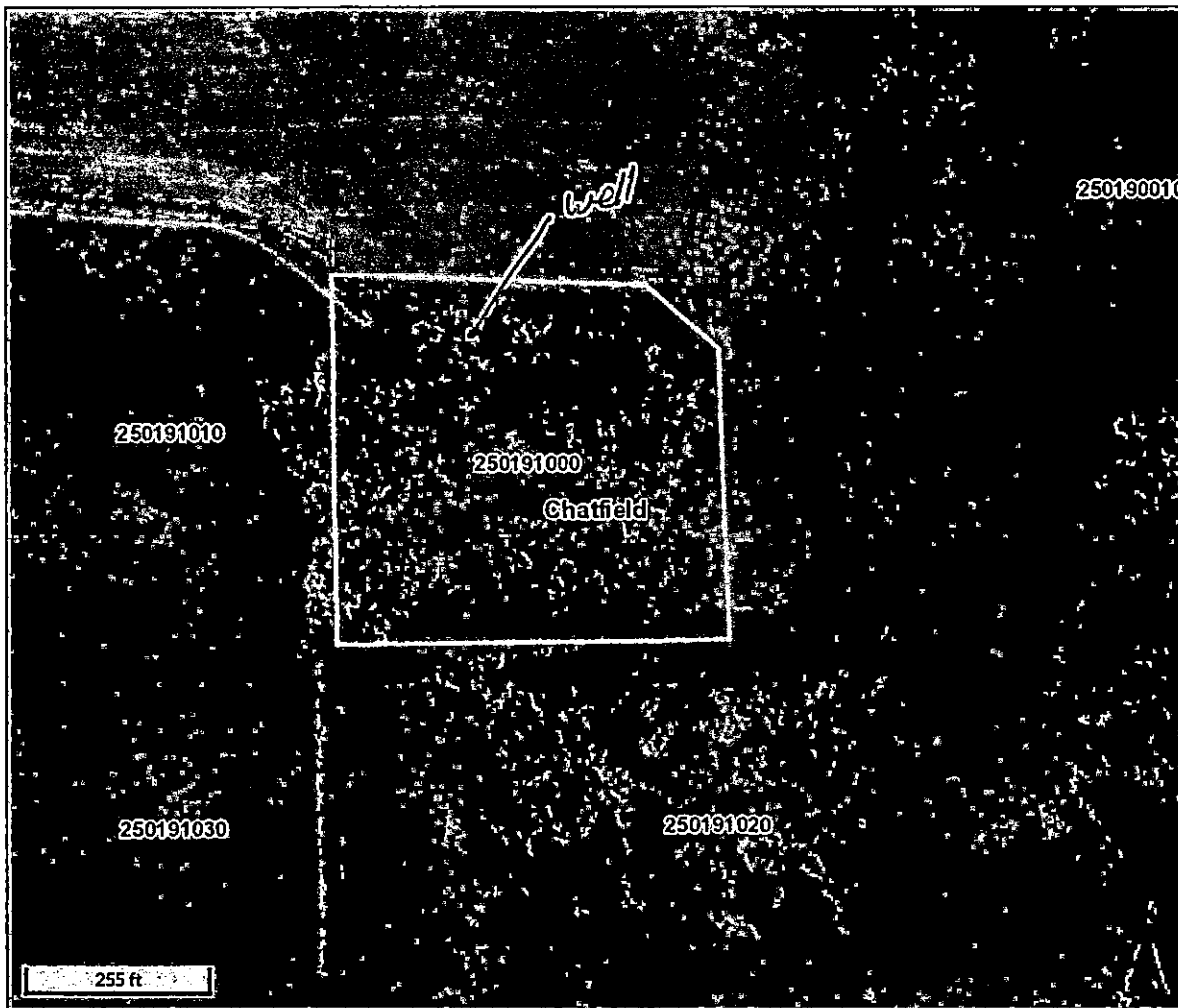
- \_\_\_\_\_ 1. Name, Address, North Arrow, and Date.
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**TOTAL FEE: \$450.00 (NON REFUNDABLE)**

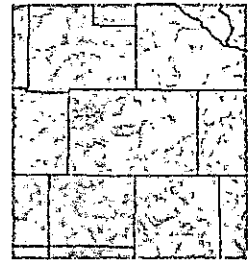
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(6) Signature of Applicant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_





**Overview**



**Legend**

- Road Centerlines
- ☐ Parcels
- ☐ Municipalities
- ☐ Townships
- FEMA Flood Zone**
  - ☒ True
  - ☐ False

<b>Parcel ID</b>	250191000	<b>Alternate ID</b>	n/a
<b>Sec/Twp/Rng</b>	26-104-011	<b>Class</b>	20A - RES 1-3 UNIMPR LAND
<b>Property Address</b>	26120 JASMINE DR FOUNTAIN	<b>Acreage</b>	4.6
<b>District</b>	CHATFIELD/SD #0227		
<b>Brief Tax Description</b>	Sect-26 Twp-104 Range-011 4.60 AC 4.60AC IN NE1/4 SW1/4 (Note: Not to be used on legal documents)		

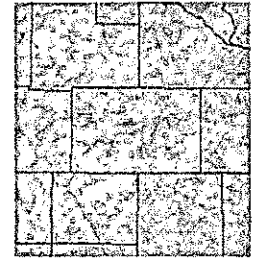
**Owner Address** JOSHUA DAVID NELSON &  
AMBER NELSON  
3138 WOODSTONE DR SW  
ROCHESTER, MN 55902

Date created: 4/24/2022  
Last Data Uploaded: 4/22/2022 10:57:35 PM

Developed by  **Schneider**  
GEOSPATIAL



**Overview**



**Legend**

- Road Centerlines
- ☐ Parcels
- ☐ Municipalities
- ☐ Townships
- FEMA Flood Zone
- ☒ True
- ☐ False

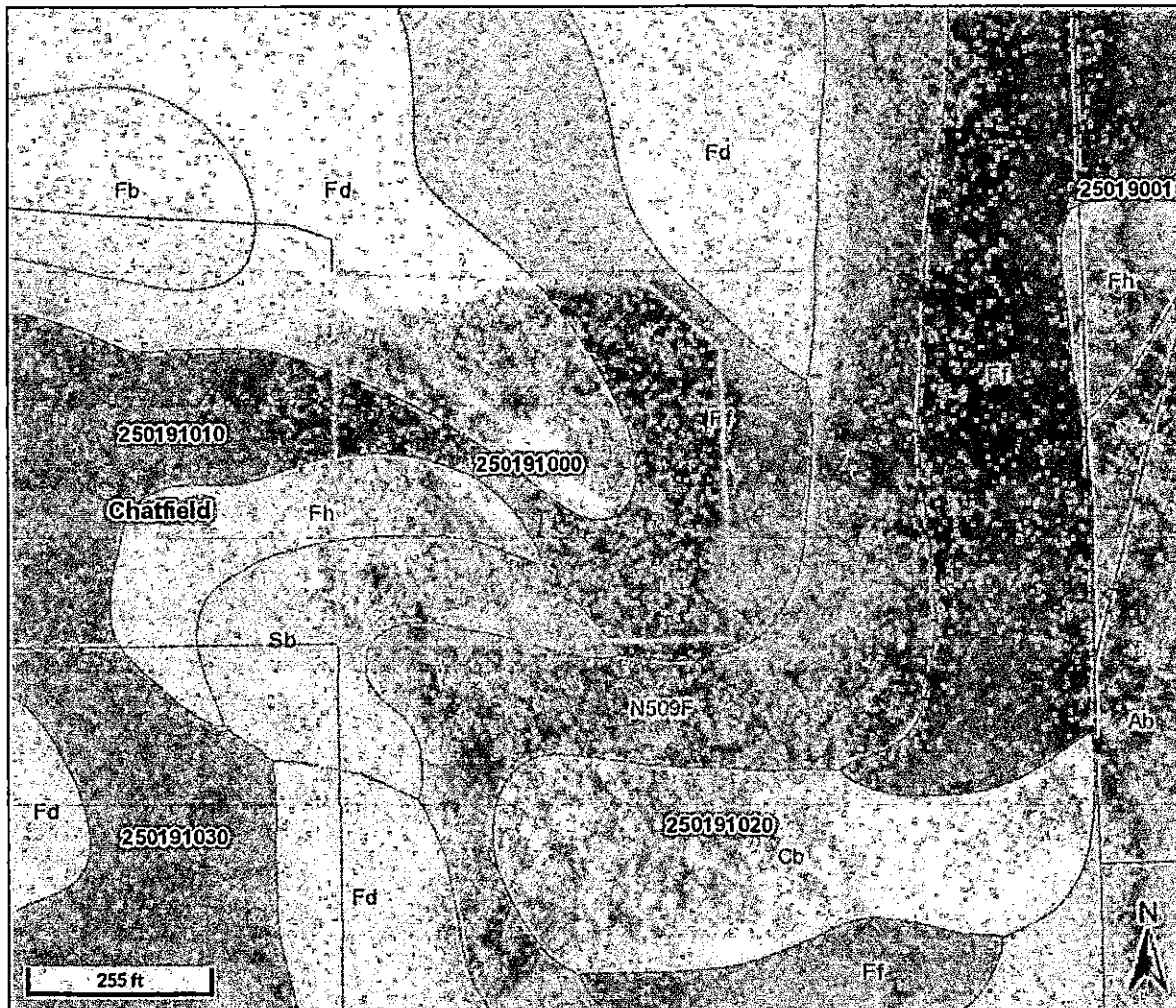
Parcel ID	250191000	Alternate ID	n/a
Sec/Twp/Rng	26-104-011	Class	20A - RES 1-3 UNIMPR LAND
Property Address	26120 JASMINE DR FOUNTAIN	Acreage	4.6

**Owner Address** JOSHUA DAVID NELSON &  
AMBER NELSON  
3138 WOODSTONE DR SW  
ROCHESTER, MN 55902

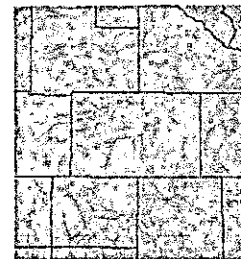
**District** CHATFIELD/SD #0227  
**Brief Tax Description** Sect-26 Twp-104 Range-011 4.60 AC 4.60AC IN NE1/4 SW1/4  
(Note: Not to be used on legal documents)

Date created: 4/24/2022  
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### Overview



### Legend

- Road Centerlines
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  - ☐ False
- Soils**
  - ☐ 1010
  - ☐ 1054
  - ☐ Aa
  - ☐ Ab
  - ☐ Ac
  - ☐ Ca
  - ☐ Cb
  - ☐ Cc
  - ☐ Cd
  - ☐ Ce
  - ☐ Cf
  - ☐ Cg
  - ☐ Ch
  - ☐ Da
  - ☐ Db
  - ☐ Dd
  - ☐ De
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  - ☐ Dg
  - ☐ Dh
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  - ☐ Dn
  - ☐ Do
  - ☐ Dr
  - ☐ Ds
  - ☐ Du
  - ☐ Dv
  - ☐ Dx
  - ☐ F-

☐ La ☐ Fa ☐ Fb ☐ Fd ☐ Ff ☐ Fh ☐ Fk ☐ Fm ☐ Fn ☐ GP ☐ Ha ☐ Hb ☐ Ka ☐ Kb ☐ Kc ☐ Kd ☐ Ke ☐ La ☐ Lb ☐ Lc ☐ Ld ☐ M501A ☐ M541C2 ☐ M541F ☐ Ma ☐ Mc ☐ Md ☐ Me ☐ N502B ☐ N502C ☐ N509F ☐ N510E ☐ N531B ☐ N532C2 ☐ N533D2 ☐ N580G ☐ N638G ☐ N639F ☐ N639G ☐ N640G ☐ N641F ☐ Pa ☐ Pb ☐ Ra ☐ Rb ☐ Rd ☐ Re ☐ Rf ☐ Rg ☐ Rk ☐ Rl

- ☐ Rm
- ☐ Ro
- ☐ Rp
- ☐ Rr
- ☐ Sa
- ☐ Sb
- ☐ Sc
- ☐ Sd
- ☐ Se
- ☐ Sf
- ☐ Sg
- ☐ Ta
- ☐ Tb
- ☐ Te
- ☐ Tg
- ☐ Tk
- ☐ Tl
- ☐ Tm
- ☐ Tn
- ☐ To
- ☐ Tp
- ☐ Tr
- ☐ W
- ☐ Wa
- ☐ Wb

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 Sec/Twp/Rng 26-104-011 Class 20A - RES 1-3 UNIMPR LAND  
 Property Address 26120 JASMINE DR Acreage 4.6  
 FOUNTAIN

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# PROGRESSIVE PLAN DESIGN LLP

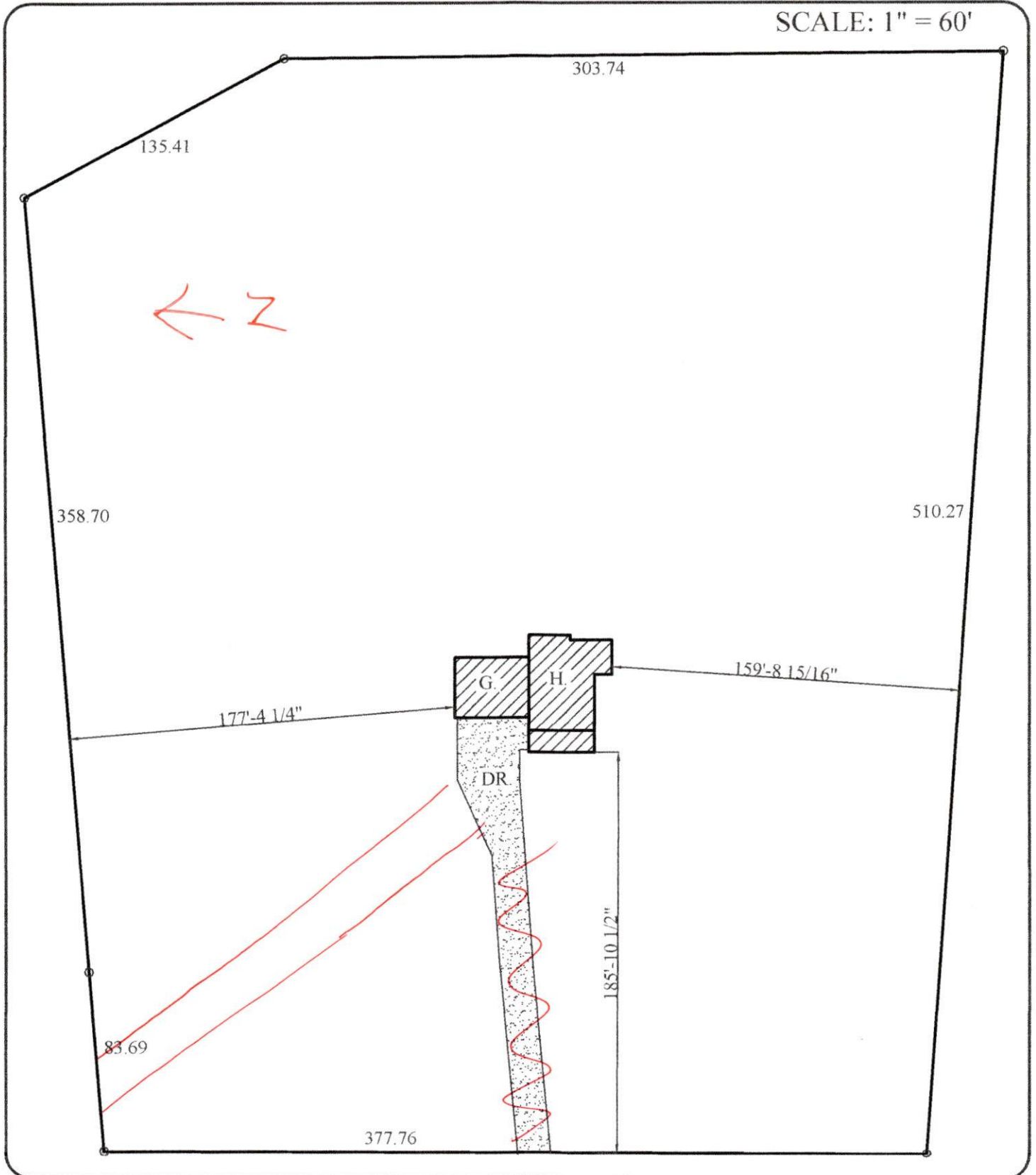
RESIDENTIAL ARCHITECTURE  
714 County Rd 3 NW Byron MN 55920  
(507)775-6677 FAX: (507)775-6084

26120 JASMINE DR.  
CITY: FOUNTAIN STATE: MN

CONTRACTOR: ALWAYS LEVEL CONST.  
CUSTOMER: JOSHUA & AMBER NELSON



SCALE: 1" = 60'



## **LEGAL DESCRIPTION**

That part of the N½ SW¼ of Section 26-104-11, Fillmore County, Minnesota, described as follows:  
Commencing at the Northwest corner of said N½ SW¼; thence North 89°46'35" East (assumed bearing) along the North line of said N½ SW¼, 16.50 feet; thence South 00°14'30" West parallel with the West line of said N½ SW¼, 263.63 feet; thence South 27°03'13" East, 42.54 feet; thence South 44°38'23" East, 42.50 feet; thence South 64°41'07" East, 60.72 feet; thence South 88°59'52" East, 489.11 feet; thence South 84°37'02" East, 854.54 feet; thence South 66°55'09" East, 75.49 feet; thence South 54°39'57" East, 74.43 feet; thence South 46°26'05" East, 106.79 feet to the point of beginning of the tract of land to be herein described; thence North 85°18'04" East, 358.70 feet; thence South 28°02'05" East, 135.41 feet; thence South 00°45'53" East, 303.74 feet; thence North 88°59'06" West, 510.27 feet; thence North 00°14'30" East, 377.96 feet; thence North 85°18'04" East, 83.69 feet to the point of beginning and containing 4.60 acres more or less. Subject to easements of record.

Together with a 33 foot-wide easement for ingress and egress over and across that part of the N½ SW¼ of Section 26-104-11, Fillmore County, Minnesota, the centerline being described as follows:  
Commencing at the Northwest corner of said N½ SW¼; thence North 89°46'35" East (assumed bearing) along the North line of said N½ SW¼, 16.50 feet to the point of beginning of said easement centerline; thence South 00°14'30" West parallel with the West line of said N½ SW¼, 263.63 feet; thence South 27°03'13" East, 42.54 feet; thence South 44°38'23" East, 42.50 feet; thence South 64°41'07" East, 60.72 feet; thence South 88°59'52" East, 489.11 feet; thence South 84°37'02" East, 854.54 feet; thence South 66°55'09" East, 75.49 feet; thence South 54°39'57" East, 74.43 feet; thence South 46°26'05" East, 106.79 feet and there terminating.

# VARIANCE PERMIT APPLICATION

## FILLMORE COUNTY

### LANDOWNER'S PORTION

#### VARIANCE FROM ZONING REGULATIONS OR DECISION OF THE ZONING ADMINISTRATOR

(This application must be fully completed before it can be processed. Failure to complete the form in its entirety will only result in further delays)

This Variance request seeks relief from Section 604.05(2)(a) of the Fillmore County Zoning Ordinance for the purpose

of: Setback from centerline of road  
(Setback for construction, Relief from Zoning Administrators decision, other)

(1) Name of all Landowners: Grace T Edl Phone #: 507-272-0909

Marcus A Edl Phone #: 920-810-3686

Phone #: \_\_\_\_\_

Mailing Address of Applicant: 17679 Lonesome Rd Preston MN 55965  
Address City State Zip

Date: 4-28-22 (2) Parcel #: 280269020 Permit # \_\_\_\_\_

To be filled out by the Zoning Office

(3) Legal Description (from deed, abstract, or Recordors Office): \_\_\_\_\_

Section: 24 (4) Township: Forestville (5) Range: 12

Provide a complete description of the project you are proposing. This must include a type written narrative of what you plan to do. Provide a complete site development plan and building or structure plan. This must include:

- \_\_\_\_\_ 1. Name, Address, North Arrow, and Date.
- \_\_\_\_\_ 2. Aerial photograph of the site (Copies obtained from GIS Coordinator or Zoning Office.)
- \_\_\_\_\_ 3. Soils maps of the site (Copies obtained from GIS Coordinator or Zoning Office.)
- \_\_\_\_\_ 4. Setbacks from the centerline of all public roads and front, side and rear property lines.
- \_\_\_\_\_ 5. Location and dimensions of all structures on the site.
- \_\_\_\_\_ 6. Driveways and accesses to the property.
- \_\_\_\_\_ 7. Locations of any proposed new construction to include drawings of new structures.
- \_\_\_\_\_ 8. Parking Areas (In the case of campgrounds, all campsites).
- \_\_\_\_\_ 9. Sinkholes and direction of water runoff.
- \_\_\_\_\_ 10. Location of all wells on the property and tile inlets if on the site.
- \_\_\_\_\_ 11. Location of any sewer systems located on the site.
- \_\_\_\_\_ 12. Evidence of ownership or enforceable option or easements on the property.
- \_\_\_\_\_ 13. Locations of rivers, bluffs, trails and public roadways.

**TOTAL FEE: \$450.00 (NON-REFUNDABLE)**

I hereby certify that the information contained herein is correct and agree to do the proposed work in accordance with the provisions of the Ordinances of Fillmore County and the Statutes of the State of Minnesota. I also agree that any plans and specifications submitted herewith shall become a part of this permit application. If any modification is proposed, written approval of the Fillmore County Zoning Office shall be obtained before construction. I understand that a proposed modification may result in the need for a new permit.

(6) Signatures of Landowners: [Signature] Date: 4-28-22  
[Signature] Date: 4-28-22  
Date: \_\_\_\_\_

# VARIANCE PERMIT APPLICATION

## FILLMORE COUNTY

### APPLICANT'S PORTION

#### VARIANCE FROM ZONING REGULATIONS OR DECISION OF THE ZONING ADMINISTRATOR

(This application must be fully completed before it can be processed. Failure to complete the form in its entirety will only result in further delays)

This Variance request seeks relief from Section \_\_\_\_\_ of the Fillmore County Zoning Ordinance for the purpose

of: \_\_\_\_\_  
(Setback for construction, Relief from Zoning Administrators decision, Other)

(1) Name of Applicant(s): Same As Phone #: \_\_\_\_\_

Phone #: \_\_\_\_\_

Mailing Address of Applicant: \_\_\_\_\_  
Address City State Zip

Date: \_\_\_\_\_ (2) Parcel #: \_\_\_\_\_ Permit # \_\_\_\_\_

To be filled out by the Zoning Office

(3) Legal Description (from deed, abstract, or Records Office): \_\_\_\_\_

Section: \_\_\_\_\_ (4) Township: \_\_\_\_\_ (5) Range: \_\_\_\_\_

Provide a complete description of the project you are proposing. This must include a type written narrative of what you plan to do. Provide a complete site development plan and building or structure plan. This must include:

- \_\_\_\_\_ 1. Name, Address, North Arrow, and Date.
- \_\_\_\_\_ 2. Aerial photograph of the site (Copies obtained from GIS Coordinator or Zoning Office.)
- \_\_\_\_\_ 3. Soils maps of the site (Copies obtained from GIS Coordinator or Zoning Office.)
- \_\_\_\_\_ 4. Setbacks from the centerline of all public roads and front, side and rear property lines.
- \_\_\_\_\_ 5. Location and dimensions of all structures on the site.
- \_\_\_\_\_ 6. Driveways and accesses to the property.
- \_\_\_\_\_ 7. Locations of any proposed new construction to include drawings of new structures.
- \_\_\_\_\_ 8. Parking Areas (In the case of campgrounds, all campsites).
- \_\_\_\_\_ 9. Sinkholes and direction of water runoff.
- \_\_\_\_\_ 10. Location of all wells on the property and tile inlets if on the site.
- \_\_\_\_\_ 11. Location of any sewer systems located on the site.
- \_\_\_\_\_ 12. Evidence of ownership or enforceable option or easements on the property.
- \_\_\_\_\_ 13. Locations of rivers, bluffs, trails and public roadways.

**TOTAL FEE: \$450.00 (NON REFUNDABLE)**

I hereby certify that the information contained herein is correct and agree to do the proposed work in accordance with the provisions of the Ordinances of Fillmore County and the Statutes of the State of Minnesota. I also agree that any plans and specifications submitted herewith shall become a part of this permit application. If any modification is proposed, written approval of the Fillmore County Zoning Office shall be obtained before construction. I understand that a proposed modification may result in the need for a new permit.

(6) Signature of Applicant(s): [Signature] Date: 4-28-22  
[Signature] Date: 4-28-22  
Date: \_\_\_\_\_

**Beacon**<sup>TM</sup>

Fillmore County, MN

**Overview****Legend**

- Road Centerlines
- Parcels
- 911 Addresses
- Municipalities
- Townships
- Quarter-Quarters
- Stream
- Classifications
- FEMA Flood Zone
  - True
  - False
- Bluffland
  - Bluffland
  - 200ft Buffer of Bluffland

Parcel ID 280269020  
 Sec/Twp/Rng 24-102-012  
 Property Address 17679 LONESOME RD  
 PRESTON

Alternate ID n/a  
 Class 201 - RESIDENTIAL  
 Acreage 9.12

Owner Address MARCUS A ERTL &  
 GRACE T ERTL  
 17679 LONESOME RD  
 PRESTON, MN 55965

District FORESTVILLE/SD #2198  
 Brief Tax Description Sect-24 Twp-102 Range-012 9.12 AC PT OF E 1/2 SE 1/4  
 (Note: Not to be used on legal documents)

Date created: 4/28/2022  
 Last Data Uploaded: 4/27/2022 11:04:29 PM

Developed by Schneider  
 GEOSPATIAL

Would like to enclose  
 well & pump w/a  
 well house & add  
 chicken coop to it.

## Exhibit "A"

That part of the East One-Half of the Southeast Quarter (E 1/2 SE 1/4) of Section 24, Township 102 North, Range 12 West, Fillmore County, Minnesota, described as follows: Commencing at the Northeast Corner of said E 1/2 SE 1/4; thence South 00 degrees 08 minutes 53 seconds West (assumed bearing) along the East line of said E 1/2 SE 1/4, 740.20 feet to the point of beginning of the tract of land to be herein described; thence continuing South 00 degrees 08 minutes 53 seconds West along said East line, 700.45 feet; thence North 84 degrees 10 minutes 24 seconds West, 655.03 feet; thence North 11 degrees 48 minutes 57 seconds East, 663.02 feet; thence South 88 degrees 20 minutes 16 seconds East, 517.91 feet to the point of beginning and containing 9.12 acres, more or less. Subject to easement for a Township Road across the Easterly line thereof. Subject to any other easements of record.

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# VARIANCE PERMIT APPLICATION

## FILLMORE COUNTY

### LANDOWNER'S PORTION

#### VARIANCE FROM ZONING REGULATIONS OR DECISION OF THE ZONING ADMINISTRATOR

(This application must be fully completed before it can be processed. Failure to complete the form in its entirety will only result in further delays)

This Variance request seeks relief from Section 604.05(6) of the Fillmore County Zoning Ordinance for the purpose

of:

(Setback for construction, Relief from Zoning Administrators decision, other)

(1) Name of all Landowners: Isaac Deters Phone #: 507-459-3488

Antoinette Cummings Phone #: 817-454-9779

Phone #: \_\_\_\_\_

Mailing Address of Applicant: 23295 County 11 Preston MN 55965  
Address City State Zip

Date: \_\_\_\_\_ (2) Parcel #: \_\_\_\_\_ Permit # \_\_\_\_\_

To be filled out by the Zoning Office

(3) Legal Description (from deed, abstract, or Recordors Office): \_\_\_\_\_

SE 1/4 of Section 12 Township 102 N Range 10 W Fillmore Co MN - Except 5 Acres in NW 1/4 of this SE 1/4 See Attached Exhibit A  
Section: 12 SE 1/4 (4) Township: 102 N Preston (5) Range: 010 W

Provide a complete description of the project you are proposing. This must include a type written narrative of what you plan to do. Provide a complete site development plan and building or structure plan. This must include:

- \_\_\_\_\_ 1. Name, Address, North Arrow, and Date.
- \_\_\_\_\_ 2. Aerial photograph of the site (Copies obtained from GIS Coordinator or Zoning Office.)
- \_\_\_\_\_ 3. Soils maps of the site (Copies obtained from GIS Coordinator or Zoning Office.)
- \_\_\_\_\_ 4. Setbacks from the centerline of all public roads and front, side and rear property lines.
- \_\_\_\_\_ 5. Location and dimensions of all structures on the site.
- \_\_\_\_\_ 6. Driveways and accesses to the property.
- \_\_\_\_\_ 7. Locations of any proposed new construction to include drawings of new structures.
- \_\_\_\_\_ 8. Parking Areas (In the case of campgrounds, all campsites).
- \_\_\_\_\_ 9. Sinkholes and direction of water runoff.
- \_\_\_\_\_ 10. Location of all wells on the property and tile inlets if on the site.
- \_\_\_\_\_ 11. Location of any sewer systems located on the site.
- \_\_\_\_\_ 12. Evidence of ownership or enforceable option or easements on the property.
- \_\_\_\_\_ 13. Locations of rivers, bluffs, trails and public roadways.

**TOTAL FEE: \$450.00 (NON-REFUNDABLE)**

I hereby certify that the information contained herein is correct and agree to do the proposed work in accordance with the provisions of the Ordinances of Fillmore County and the Statutes of the State of Minnesota. I also agree that any plans and specifications submitted herewith shall become a part of this permit application. If any modification is proposed, written approval of the Fillmore County Zoning Office shall be obtained before construction. I understand that a proposed modification may result in the need for a new permit.

(6) Signatures of Landowners: Isaac Deters Date: 4-14-22  
Antoinette Cummings Date: 4-14-22  
Date: \_\_\_\_\_

# VARIANCE PERMIT APPLICATION

## FILLMORE COUNTY

### APPLICANT'S PORTION

\* SAME AS OWNER

#### VARIANCE FROM ZONING REGULATIONS OR DECISION OF THE ZONING ADMINISTRATOR

(This application must be fully completed before it can be processed. Failure to complete the form in its entirety will only result in further delays)

This Variance request seeks relief from Section \_\_\_\_\_ of the Fillmore County Zoning Ordinance for the purpose

of: \_\_\_\_\_  
(Setback for construction, Relief from Zoning Administrators decision, Other)

(1) Name of Applicant(s): \* Same as Owner Phone #: \_\_\_\_\_

\_\_\_\_\_  
Phone #: \_\_\_\_\_

Mailing Address of Applicant: \_\_\_\_\_  
Address City State Zip

Date: : \_\_\_\_\_ (2) Parcel #: \_\_\_\_\_ Permit # \_\_\_\_\_  
To be filled out by the Zoning Office

(3) Legal Description (from deed, abstract, or Records Office): \_\_\_\_\_

Section: \_\_\_\_\_ (4) Township: \_\_\_\_\_ (5) Range: \_\_\_\_\_

Provide a complete description of the project you are proposing. This must include a type written narrative of what you plan to do. Provide a complete site development plan and building or structure plan. This must include:

- \_\_\_\_\_  
1. Name, Address, North Arrow, and Date.
- \_\_\_\_\_  
2. Aerial photograph of the site (Copies obtained from GIS Coordinator or Zoning Office.)
- \_\_\_\_\_  
3. Soils maps of the site (Copies obtained from GIS Coordinator or Zoning Office.)
- \_\_\_\_\_  
4. Setbacks from the centerline of all public roads and front, side and rear property lines.
- \_\_\_\_\_  
5. Location and dimensions of all structures on the site.
- \_\_\_\_\_  
6. Driveways and accesses to the property.
- \_\_\_\_\_  
7. Locations of any proposed new construction to include drawings of new structures.
- \_\_\_\_\_  
8. Parking Areas (In the case of campgrounds, all campsites).
- \_\_\_\_\_  
9. Sinkholes and direction of water runoff.
- \_\_\_\_\_  
10. Location of all wells on the property and tile inlets if on the site.
- \_\_\_\_\_  
11. Location of any sewer systems located on the site.
- \_\_\_\_\_  
12. Evidence of ownership or enforceable option or easements on the property.
- \_\_\_\_\_  
13. Locations of rivers, bluffs, trails and public roadways.

**TOTAL FEE: \$450.00 (NON REFUNDABLE)**

I hereby certify that the information contained herein is correct and agree to do the proposed work in accordance with the provisions of the Ordinances of Fillmore County and the Statutes of the State of Minnesota. I also agree that any plans and specifications submitted herewith shall become a part of this permit application. If any modification is proposed, written approval of the Fillmore County Zoning Office shall be obtained before construction. I understand that a proposed modification may result in the need for a new permit.

(6) Signature of Applicant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_

# **Fillmore County**

## **Variance Permit Application**

### **Request**

We request one (1) new driveway access to our farm from County Road 12.

We also request permission to widen the existing mid-farm access to the maximum dimensions allowed for farm machinery.

### **Description**

The new access would be located 100 feet east of an existing mid-farm access along the center of the farm's north border. The proposal would be constructed to the same dimensions and code as required by Fillmore County. See attached map.

### **Explanation**

We are requesting a variance permit for the following reasons:

Our farm has existing road access in two locations along County 12 on the north border only. There are no roads along the east, west, or south border lines. Existing driveways are described in this document as the "northwest" and "mid-farm" access. See attached map.

As it has been explained to me, a farm is normally allowed two (2) driveways per ½ mile. A five acre parcel was surveyed and sold simultaneously at the time of this purchase for my family's home. This homestead property would also be allowed one (1) access. Unfortunately, the homestead property was surveyed in such a way that my proposal falls outside normal code as related to driveway spacing on the same tract. The farm and road topography make normal code compliance difficult and hazardous in this case.

There are several undesirable alternatives to a variance permit:

- Relocating the existing mid-farm access farther west (on to the homestead property) would make an unacceptably steep approach.
- Resurveying homestead property farther east is costly
- Removing the established northwest access off the homestead property would leave no other reasonable access to that corner of the farm.
- Moving the truck staging area to allow a turn around and exit from one driveway will block the homestead access or be an unusably steep deviation from the hillcrest area proposed

My proposal overall is still three (3) driveways. My proposed new access would have a safer slope to the road. This arrangement would allow a grain truck to turn slightly downhill into the farm (Mid Farm), load, and exit slightly downhill (New Proposal) back onto county 12. It would avoid the hazard of backing on the road or using speed and momentum to exit uphill into traffic. My family would use the new access as well, which would offer better visibility and safety especially in inclement weather.



Beacon™

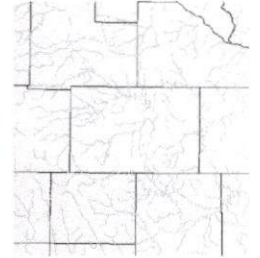
Fillmore County, MN

Culvert  
NW

Culvert  
Misfit  
Proposed



Overview



Legend

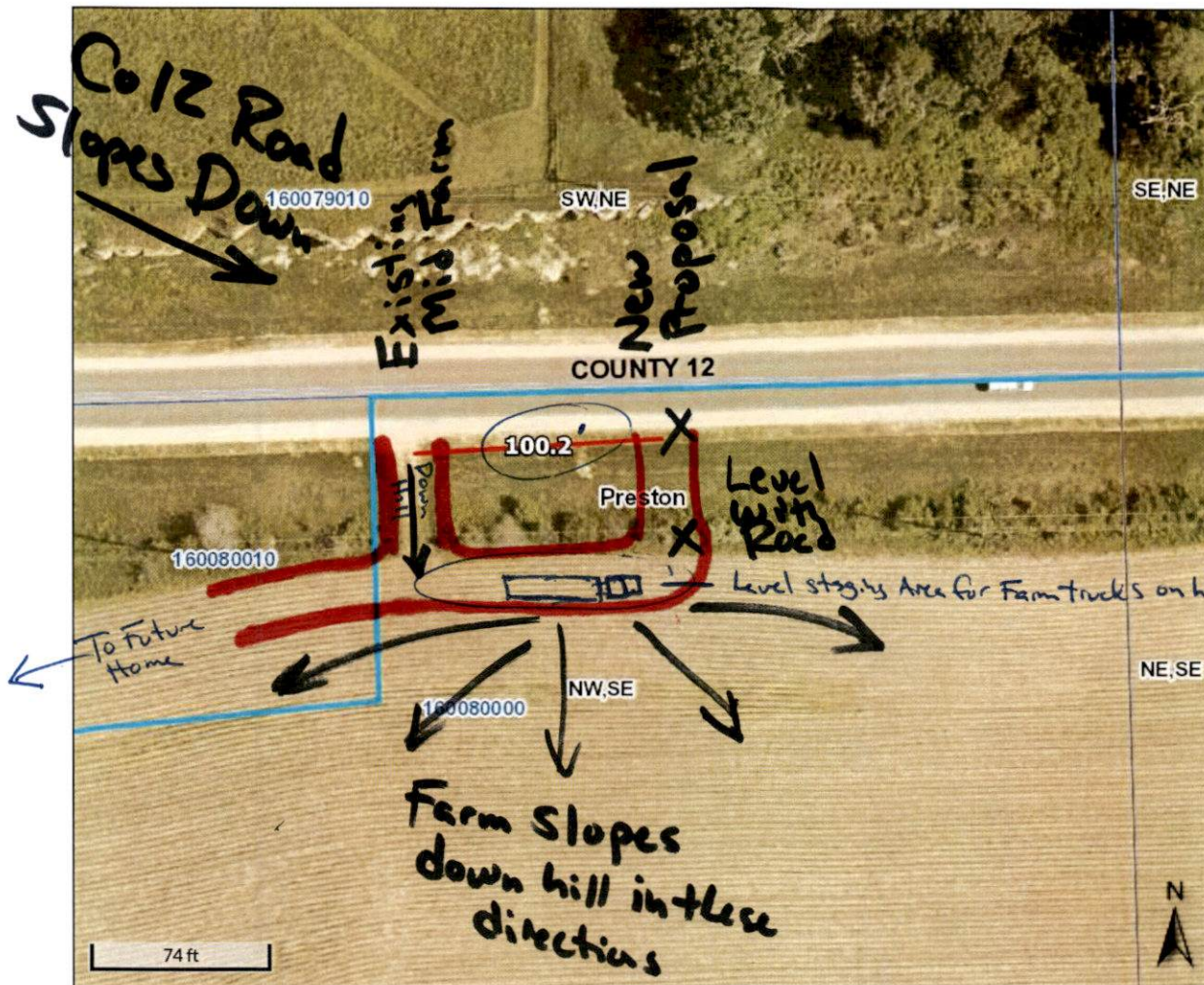
- Road Centerlines
- ☐ Parcels
- ☐ Municipalities
- ☐ Townships
- FEMA Flood Zone
  - ☒ True
  - ☐ False

Parcel ID	160080000	Alternate ID	n/a	Owner Address	ISAAC JOHN DETERS &
Sec/Twp/Rng	12-102-010	Class	101 - AGRICULTURAL		ANTONETTE THERESA CUMMINGS
Property Address		Acreage	155		23295 COUNTY 11
					PRESTON, MN 55965

District	PRESTON/SD #0229
Brief Tax Description	Sect-12 Twp-102 Range-010 155.00 AC SE 1/4 EXC 5 AC IN N 1/2 NW 1/4 SE 1/4
	(Note: Not to be used on legal documents)

Date created: 4/13/2022  
Last Data Uploaded: 4/12/2022 11:17:24 PM

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## Overview



## Legend

- Road Centerlines
- Parcels
- 911 Addresses
- Municipalities
- Townships
- Quarter-Quarters
- Feedlots**
  - ▲ Inactive < 5 Years
  - ▲ Active
- FEMA Flood Zone**
  - True
  - False
- Bluffland**
  - Bluffland
  - 200ft Buffer of Bluffland

Parcel ID 160080000  
 Sec/Twp/Rng 12-102-010  
 Property Address

Alternate ID n/a  
 Class 101 - AGRICULTURAL  
 Acreage 155

Owner Address ISAAC JOHN DETERS &  
 ANTONETTE THERESA CUMMINGS  
 23295 COUNTY 11  
 PRESTON, MN 55965

District PRESTON/SD #0229  
 Brief Tax Description Sect-12 Twp-102 Range-010 155.00 AC SE 1/4 EXC 5 AC IN N 1/2 NW 1/4 SE 1/4  
 (Note: Not to be used on legal documents)

Date created: 4/8/2022  
 Last Data Uploaded: 4/7/2022 11:42:32 PM

Developed by Schneider  
 GEOSPATIAL

\* Legal Description  
- from warranty deed

Exhibit A

The Southeast Quarter of Section 12, Township 102 North, Range 10 West, Fillmore County, Minnesota, EXCEPT That part of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of said Section 12, Township 102 North, Range 10 West, described as follows: Commencing at the Northeast Corner of said SE 1/4; thence South 89 degrees 45 minutes 58 seconds West (assumed bearing) along the North line of said SE 1/4, 1614.01 feet to the point of beginning of the tract of land to be herein described; thence continuing South 89 degrees 45 minutes 58 seconds West along said North line, 813.72 feet; thence South 00 degrees 05 minutes 31 seconds East, 236.70 feet; thence North 89 degrees 45 minutes 58 seconds East, 179.57 feet; thence Easterly 115.97 feet along a tangential curve, concave to the South, having a radius of 100.00 feet and delta angle of 66 degrees 26 minutes 45 seconds (chord bears South 57 degrees 00 minutes 39 seconds East and chord length is 109.58 feet); thence Easterly 475.97 feet along a compound curve, concave to the North, having a radius of 175.00 feet and delta angle of 155 degrees 50 minutes 11 seconds (chord bears North 78 degrees 17 minutes 38 seconds East and chord length is 342.25 feet); thence Northeasterly 149.23 feet along a compound curve, concave to the Southeast, having a radius of 100.00 feet and delta angle of 85 degrees 30 minutes 02 seconds (chord bears North 43 degrees 07 minutes 33 seconds East and chord length is 135.76 feet); thence North 85 degrees 52 minutes 34 seconds East tangent to said curve, 114.41 feet; thence North 00 degrees 05 minutes 31 seconds West, 122.20 feet to the point of beginning. Subject to easement for County State Aid Highway No. 12 across the Northerly line thereof. Subject to easement for access purposes through said parcel. Subject to any other easements of record.

Together with:

A 33.00 foot-wide easement for access purposes over and across that part of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 12, Township 102 North, Range 10 West, Fillmore County, Minnesota, the centerline being described as follows: Commencing at the Northeast Corner of said SE 1/4; thence South 89 degrees 45 minutes 58 seconds West (assumed bearing) along the North line of said SE 1/4, 2194.49 feet to the point of beginning of said easement centerline; thence South 07 degrees 06 minutes 30 seconds West along said centerline, 85.28 feet; thence South 36 degrees 58 minutes 35 seconds West along said centerline, 158.05 feet; thence South 22 degrees 40 minutes 02 seconds West along said centerline, 28.49 feet and there terminating. The sidelines of said easement are longer or shorter to meet existing property lines.

And together with:

A 66.00 foot-wide easement for access purposes over and across that part of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 12, Township 102 North, Range 10 West, Fillmore County, Minnesota, described as follows: Commencing at the Northeast Corner of said SE 1/4; thence South 89 degrees 45 minutes 58 seconds West (assumed bearing) along the North line of said SE 1/4, 1614.01 feet to the point of beginning of the tract of land to be herein described; thence South 00 degrees 05 minutes 31 seconds East, 122.20 feet; thence North 85 degrees 52 minutes 34 seconds East, 66.16 feet; thence North 00 degrees 05 minutes 31 seconds West, 117.71 feet to said North line; thence South 89 degrees 45 minutes 58 seconds West along said North line, 66.00 feet to the point of beginning.

# CONDITIONAL USE PERMIT APPLICATION

## FILLMORE COUNTY

### Landowners Portion

*(This application must be fully completed to be processed. Failure to complete the form in its entirety will result in further delays.)*

This Conditional Use Permit is for: Dairyland Power Cooperative Switchyard to Accommodate Fillmore County Solar Project

*(Feedlot, Rock Quarry, Telecommunications Tower, Other)*

(1) Name of all Landowners: Dairyland Power Cooperative Phone #: 608-788-4000  
(Owner Prior to Construction)

Phone #: \_\_\_\_\_

Phone #: \_\_\_\_\_

Mailing Address of Applicants: 3200 East Avenue South, PO Box 817

City, State, Zip La Crosse, Wisconsin 54602-0817

Section: 14 (4) Township: 101 N (5) Range: 13 W

Township Name: Beaver

(2) Parcel Number: 320087000 Permit # \_\_\_\_\_  
To be filled out by the Zoning Office

(3) Legal Description *(from deed, abstract or Recordors Office)*:

See Exhibit B in CUP Application Materials

(6) Signature of all Landowners: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
Date: \_\_\_\_\_

\_\_\_\_\_  
Date: \_\_\_\_\_

# CONDITIONAL USE PERMIT APPLICATION

## FILLMORE COUNTY

### Applicants Portion

*(This application must be fully completed before it can be processed. Failure to complete the form in its entirety will only result in further delays)*

This Conditional Use Permit is for: Dairyland Power Cooperative Switchyard to Accommodate Fillmore County Solar Project  
*(Feedlot, Rock Quarry, Telecommunications Tower, Other)*

Name of Applicant Jessica A. Sandry, Agent Phone #: 608-788-4000

Company Name Dairyland Power Cooperative

Mailing Address of Applicants: PO Box 817 La Crosse, Wisconsin 54602-0817  
*Address City State Zip*

Date: April 14, 2022 Phone #: 608-792-3359


Provide a complete description of the project you are proposing. This must include a typed or written narrative of what you plan to do.

Provide a complete site development plan and building or structure plan. This must include:

1. Name, Address, North Arrow, and Date.
2. Aerial photograph of the site. *(Copies obtained at SWCD or Assessors Office)*
3. Soils maps of the site. *(Copies obtained at SWCD or Assessors Office)*
4. Setbacks from the centerline of all public roads and front, side and rear property lines.
5. Location and dimensions of all structures on the site.
6. Driveways and accesses to the property.
7. Locations of any proposed new construction to include drawings of new structures.
8. Parking Areas. *(In the case of campgrounds, all campsites)*
9. Sinkholes and direction of water runoff.
10. Location of all wells on the property and tile inlets if on the site.
11. Location of any sewer systems located on the site.
12. Locations of rivers, bluffs, trails and public roadways.

Fee: \$450.00

Late Fee: \$500.00, if applicable

Signature of Applicant  Date: April 14, 2022  
Jessica A. Sandry, Right-of-Way Agent  
Dairyland Power Cooperative

## **Instructions for filling out a Conditional Use Permit Application**

- (1) The landowner(s) must list all the names that are on the abstract for this particular piece of land. This would include husband **and** wife's names if both are on the abstract plus any other names.
- (2) The parcel number is a 9-digit number found on a tax statement that specially designates a number for this particular piece of land. It starts with an R and is set up as such; R99.9999.999.
- (3) The legal description is a very detailed description of the boundaries of the parcel of land where an applicant plans to build. This description is found on an abstract or a deed or may also be obtained by coming into the County Records Office and asking for a copy. This copy should also contain all the names of the landowners who have an interest in this parcel of land.
- (4) The township number is found in a plat book. It is a number that begins with a capital T and ends with a capital N. It will either be T101N, T102N, T103N or T104N. This number is the tier of townships starting at the Iowa border and going north.
- (5) The Range number is also found in a plat book. It is a number that starts with a capital R and ends with a capital W. It will either be R08W, R09W, R10W, R11W, R12W, or R13W. The number is the column of townships starting from 08 and going to 13 from east to west.
- (6) The signature block must contain the signatures of all landowners who are listed on the legal description, abstract or deed.

**4/14/2022**

**Application for Conditional Use Permit for an  
Electrical Switchyard**

**Applicant:**

**Dairyland Power Cooperative**

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P.O. Box 817

La Crosse, WI 54602

## Contents

1.1	Summary .....	3
2	Switchyard Description.....	3
2.1	Summary and Location .....	3
2.2	Zoning Applicability .....	5
2.3	Project Ownership .....	5
2.3.1	Legal Description.....	5
2.4	Engineering and Operational Design .....	5
2.5	Construction and Schedule.....	6
2.5.1	Construction Timeline .....	6
2.5.2	Construction Traffic and Road Use.....	6
2.5.3	Site Clearing, Preparation, and Construction .....	6
2.6	Layout and Setbacks.....	6
2.7	Aesthetics .....	7
3	Compliance with the Fillmore County Zoning Ordinance .....	7
4	Conclusion .....	9

Appendix A – Site Plan

Appendix B- Legal Description

## Introduction

### 1.1 SUMMARY

Dairyland Power Cooperative (Dairyland) respectfully requests conditional use permit approval for a new three-breaker switching station with metering and communications to interconnect the proposed 45 MW Fillmore County Solar Project to the electric distribution grid in Beaver Township, Fillmore County, Minnesota. This infrastructure is more commonly generally referenced by many people as a substation. For purposes of this application, and for clarity, the infrastructure will be referred to as a “Switchyard.” The collector substation and solar infrastructure adjacent to the Switchyard were previously approved for construction and operations via the Conditional Use Permit issued by Fillmore County on January 26<sup>th</sup>, 2021. Both the Switchyard and Fillmore County Solar Project were considered as a part of the environmental assessment worksheet and associated findings of fact approved by Fillmore County.

Dairyland and Fillmore County Solar Project, LLC have already executed a Generator Interconnection Agreement (GIA) to accommodate the interconnection of the Fillmore County Solar Project to the electric grid. The Switchyard, once constructed, will include infrastructure necessary to achieve said interconnection. An existing Dairyland 69kV electrical transmission line which is presently located along the south side of 140<sup>th</sup> Street and the north edge of the Fillmore County Solar Project will be routed directly into and back out of the proposed Switchyard.

Dairyland Power Cooperative, a Touchstone Energy Cooperative, was formed in December 1941. Headquartered in La Crosse, Wis., Dairyland is a generation and transmission (G&T) cooperative providing the wholesale electrical requirements for 24 distribution cooperatives and 17 municipal utilities. These cooperatives and municipals, in turn, supply the energy needs of more than a half-million people in a four-state area. Dairyland respectfully requests issuance of a Conditional Use Permit for construction and operation of the Switchyard.

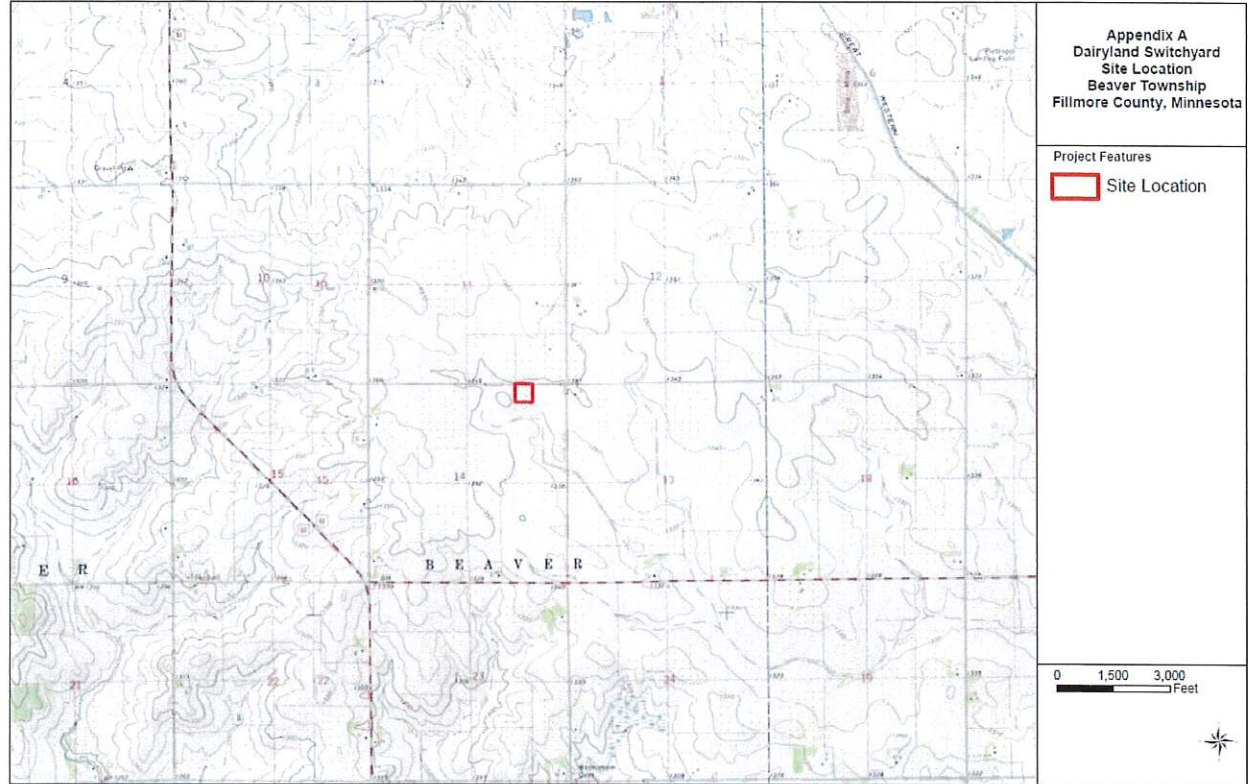
## 2 Switchyard Description

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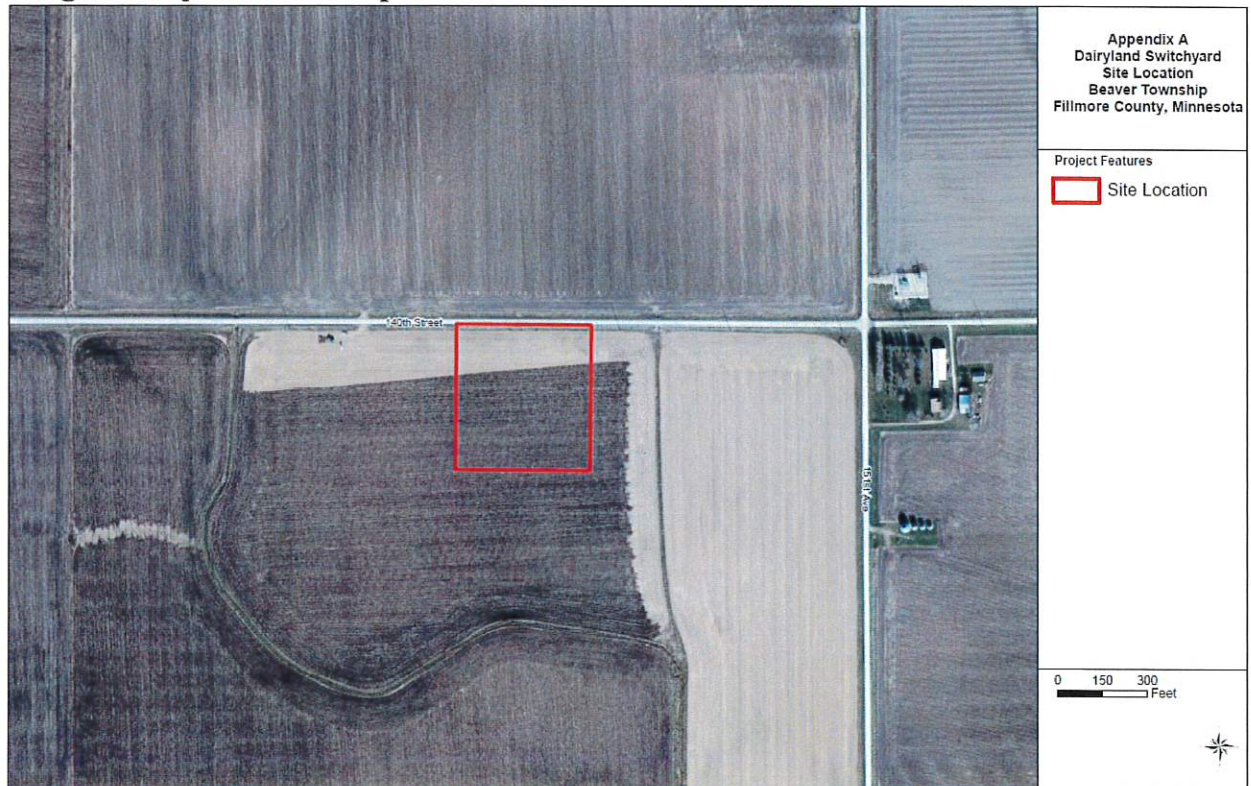
### 2.1 SUMMARY AND LOCATION

Topographical and aerial maps showing the proposed location of the Switchyard are shown in Images 1 and 2. Appendix A includes these maps with additional details, along with a site plan to meet the expectations of the CUP Application form for a site development plan. The Switchyard will be contained on lands that are within the footprint of the Fillmore County Solar Project. Dairyland anticipates construction of the Switchyard will commence as early as August 1, 2022.

**Image 1: Project Topographical Map**



**Image 2: Project Aerial Map**



## **2.2 ZONING APPLICABILITY**

The Switchyard is located in the Agricultural District of Fillmore County. Public utility buildings and structures such as substations, transformer stations and communications stations are listed as conditional uses in the Agricultural District. Dairyland provides wholesale electricity to the local distribution cooperative, MiEnergy Cooperative, and the infrastructure meets this criterion for a conditional use.

## **2.3 PROJECT OWNERSHIP**

Dairyland will be the sole owner of the Switchyard. Prior to construction, a lot split will occur, and ownership of the parcel hosting switchyard infrastructure will be transferred to Dairyland by Fillmore County Solar Project, LLC. Documentation for the lot split will be filed with Fillmore County. This ownership structure is outlined in the Generation Interconnection Agreement that was executed between Dairyland and Fillmore County Solar Project, LLC.

### **2.3.1 Legal Description**

Appendix B includes a purchase area exhibit and legal description of the area to be purchased for Switchyard construction. A lot split matching this legal description will be completed prior to commencement of construction and filed with the county to create a new parcel at that time. A complete title search and a full survey of property boundaries will occur prior to construction to ensure that all equipment is properly sited within the parcel.

## **2.4 ENGINEERING AND OPERATIONAL DESIGN**

The Switchyard will consist of equipment typical of what a layperson would generally refer to as substation infrastructure. A new three-breaker switching station with metering and communications will be constructed. The equipment will include equipment such as but not limited to two dead-end structures, two 69 kV circuit breakers, six disconnect switches, SCADA equipment, five protective relays, six arrestors, five single phase voltage transformers, a main bus, jumpers, one control building with associated ancillary equipment and a wooden utility pole with communications antenna. An image of a similar switchyard is shown below.

**Image 2: Example Switchyard Infrastructure**



The Switchyard will meet all applicable NERC and MRO standards along with the requirements of MISO. The facility will be fenced with chain linked fencing and topped with barbed wire in order to prevent trespassing, ensure public safety near electrical equipment, and to meet applicable safety codes.

## **2.5 CONSTRUCTION AND SCHEDULE**

Timeline, practices, and mitigating measures for construction are described below:

### **2.5.1 Construction Timeline**

Construction will begin as early as August of 2022 to facilitate the interconnection agreement with Fillmore County Solar Project, LLC, which is anticipated to be operational in Q4 of 2023. All local, state, and federal permits, permissions, and standards will be in place prior to the commencement of construction.

### **2.5.2 Construction Traffic and Road Use**

Construction activity is not anticipated to significantly alter traffic flows, with various construction activities being spread out over multiple months.

### **2.5.3 Site Clearing, Preparation, and Construction**

Prior to site preparation or excavation activities and to ensure contractor safety, Dairyland will complete One Calls for the site (Minnesota811, Gopher State One Call) to identify existing onsite utilities. It is anticipated that the site will be graded with cuts or fills completed as necessary to accommodate a level surface. After grading, excavations will occur for any necessary foundations for above ground equipment. Following excavations, the foundations will be backfilled, and gravel will be hauled onsite to accommodate the permanent switchyard pad. Completion of aboveground equipment installation will then occur.

Site disturbance will be limited to the purchased area. No disturbance to the drainage ditches to the east, west or south of the Switchyard is anticipated.

## **2.6 LAYOUT AND SETBACKS**

The Switchyard is not adjacent to any homes or other sensitive receptors and will be sited adjacent to various other electric components associated with the solar project. A site plan showing the layout of the Switchyard is included in Appendix A. Setbacks are generally minimized. As the Switchyard is located within the Fillmore County Solar Project and it will be generally indiscernible from the adjacent solar infrastructure. There may be a wooden pole installed at the switchyard site for mounting of a communications antenna. If installed, such pole would be less

than 100 feet in height. Only the necessary acreage will be included with the switchyard lot split, in order to reduce the footprint of Utility owned property following decommissioning of the adjacent solar facility.

## **2.7 AESTHETICS**

The area will be professionally maintained by Dairyland's operations and maintenance crews. As noted above, the substation will be directly adjacent to other aboveground electrical infrastructure and will be mostly indiscernible from the Fillmore County Solar Project, LLC collector substation and other solar electric generating equipment that will be located nearby. All equipment will be kept in good working order and the site will be well maintained.

## **3 Compliance with the Fillmore County Zoning Ordinance**

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Dairyland has reviewed the Zoning Ordinance for applicable standards for the proposed Switchyard. Conditional Use Criteria as it relates to the Switchyard are identified below:

- A) The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities that serve or are proposed to serve the area.**  
The Switchyard is required and necessary for the interconnection of the Fillmore County Solar Project to the electric grid. It is an essential service provided by Dairyland to interconnect the electricity produced at the location into the electric grid. It will help to ensure adequate grid service and reliability. The use should not have any impact on parks, schools, streets, and other public facilities. Once the Switchyard is operational, there will be only occasional operations and maintenance visits occurring at the site and traffic increase along the fronting road will be minimal.
- B) The use will be sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing properties will not be depreciated in value and there will be no deterrence to the development of vacant land.**  
The proposed Switchyard is not located near any residences. Agricultural activities on adjacent parcels will not be impacted by the Switchyard. Electrical infrastructure is common across the landscape, and no value depreciation is anticipated. Directly adjacent to the Switchyard is the Fillmore County Solar Project. It is anticipated that this infrastructure will generally align with the adjacent use.
- C) The structure and site shall have an appearance that will not have an adverse effect upon adjacent properties.**  
The Switchyard Infrastructure is not anticipated to adversely affect neighboring properties. Substations and associated infrastructure are quite common across Fillmore County to accommodate electrical service to area residences. The infrastructure will be well kept and well maintained and will adhere to all applicable safety and electrical codes.
- D) The use in the opinion of the County Board is reasonably related to the overall needs of the County and to the existing land use.**

The Project is necessary to interconnect the adjacent Fillmore County Solar Project to the electric grid. As the county approved the Fillmore County Solar Project, this use is necessary for the construction of the Solar Project. It will also help to ensure that the overall electricity needs of the area are met.

**E) The use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.**

The use will allow for continued electricity service to area residents and is necessary for the construction and operation of the Fillmore County Solar Project. The use will not impact neighboring uses and agricultural production in the area will continue.

**F) The use will not cause traffic hazards or congestion.**

The use will only increase traffic during construction for delivery of equipment and construction workers. Post construction, operation and maintenance visits will be minimal and should not contribute to traffic hazards or congestion.

**G) Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare, vibration, or other nuisances.**

There are no businesses near the proposed Switchyard. The Switchyard will directly contribute to the success of the Fillmore County Solar Project. No significant noise, glare, vibration, or other nuisances are anticipated. Some noise is anticipated during construction but will be limited in duration and limited to daylight hours.

**H) Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.**

The Switchyard will be designed with proper ingress and egress to ensure safe access to the site. The site will be graded to allow for proper drainage and supporting facilities will be constructed onsite to support ongoing operations following construction.

**I) If the Conditional Use Permit is for a use within the shoreland area of a public water, an evaluation of the waterbody and the topographic, vegetative, and soils conditions on the site must be made.**

The Switchyard is not located within the shoreland area.

**J) No Conditional Use Permit shall be granted if such permit may have the potential for significant effect to:**

**a. the environment; or**

The Switchyard is sited on upland agricultural land with minimal sensitive resources. It was also considered as part of the Environmental Review for the Fillmore County Solar Project and no significant environmental impacts were noted during that process.

**b. the protection of the public health, safety, comfort, convenience, and general welfare of the public;**

The Switchyard should not adversely impact public health, safety, comfort, convenience, or welfare of the public. Bullets A-I illustrate that the proposed Project will have minimal adverse effects to the surrounding area and will not significantly impact adjacent land uses.

**c. the County's promotion of the orderly development and/or maintenance of agricultural, residential, recreational and public areas; or**

Orderly development should not be impacted by switchyard construction or operations. It will allow for the successful development of the Fillmore County Solar Project. Agricultural

activities in the surrounding area will not be impacted. The Switchyard is significantly set back from any adjacent residences. It is not sited near recreational or public areas.

**d. the compatibility of different land uses and the most appropriate use of land throughout the county;**

The site is compatible and necessary for construction of the already approved Fillmore County Solar Project. It is necessary infrastructure for the delivery of power to the electric grid and does not hinder adjacent uses.

**e. the value of property.**

The Switchyard is similar to other electrical infrastructure found throughout the county and is not anticipated to impact property values in the area.

## **4 Conclusion**

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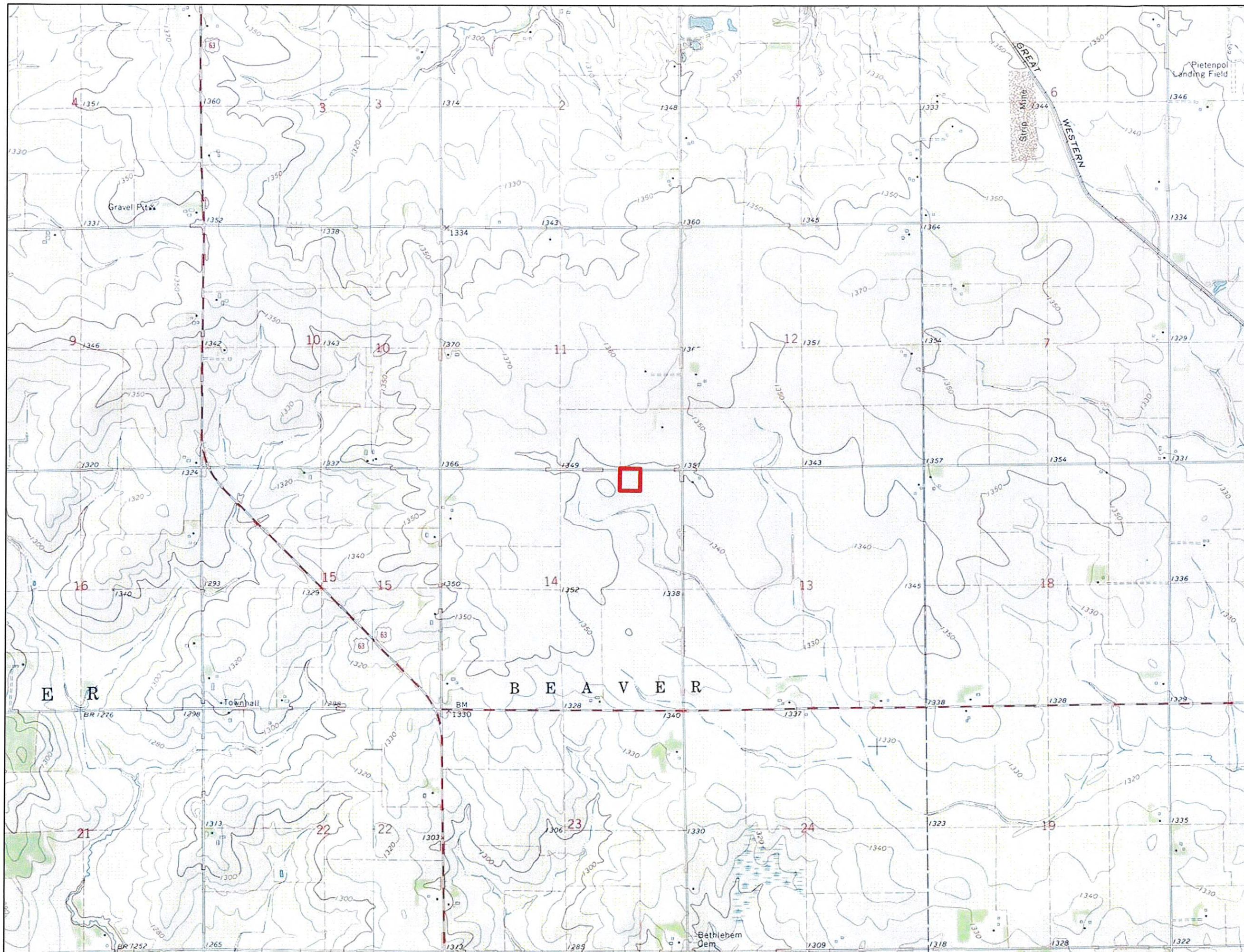
This application demonstrates that the proposed Switchyard complies with the Fillmore County Zoning Ordinance, and Dairyland respectfully requests that Fillmore County approve the Conditional Use Permit for the Switchyard. Dairyland looks forward to ongoing utility services to the community.

**Appendix A  
Dairyland Switchyard  
Site Location  
Beaver Township  
Fillmore County, Minnesota**

**Project Features**

 **Site Location**

0 1,500 3,000  
Feet



Appendix A  
Dairyland Switchyard  
Site Location  
Beaver Township  
Fillmore County, Minnesota

Project Features

 Site Location

 Flow Direction

- Notes:
- 1) Geotechnical studies have not indicated any nearby sinkholes.
  - 2) There are no wells located within the property. There are no tile inlets located within the property.
  - 3) There are no sewer systems located on the site.
  - 4) There are no trails or rivers, or bluffs located adjacent to the site. the site avoids impacts to the drainages directly to the east and west.

0 150 300 Feet



# Appendix A- Soils Map

Area of Interest (AOI)

**Soil Map**

Soil Data Explorer

Download Soils Data

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Printable Version

Add to Shopping Cart

?

Search

Map Unit Legend

Fillmore County, Minnesota (MN045)

Fillmore County, Minnesota (MN045)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Sg	Skyberg silt loam, 0 to 3 percent slopes	5.0	100.0%
Totals for Area of Interest		5.0	100.0%

Legend

Soil Map

Scale

(not to scale)

DAIRYLAND POWER COOPERATIVE  
3200 EAST AVE SOUTH, PO BOX 817  
LA CROSSE, WI 54602-0817

ROW AGENT: JESSICA SANDRY  
608-792-3359  
jessica.sandry@dairylandpower.com

Appendix A  
Dairyland Switchyard  
Preliminary Site Plan



FACILITIES PLACEMENT AND  
ORIENTATION AND DRIVEWAY  
CULVERT PLANS SUBJECT TO  
ADJUSTMENT DURING FINAL DESIGN  
AND PER SOLAR PROJECT DESIGN  
COORDINATION

LEGEND

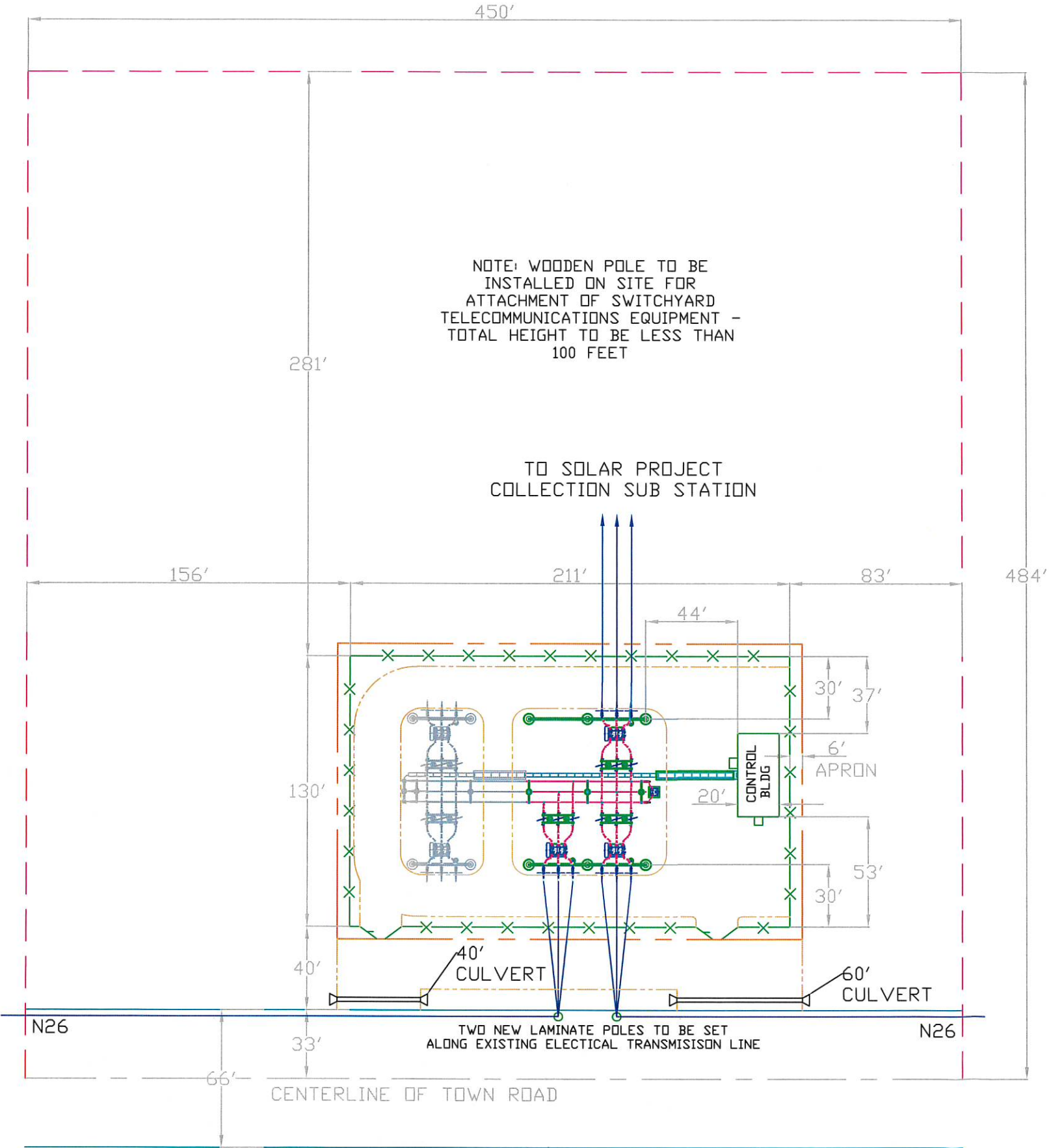
- RIGHT OF WAY
- CENTERLINE
- PROPERTY LINE
- TRANSMISSION LINES
- APRON
- FENCE
- DRIVE AREA
- FUTURE

PRELIMINARY SWITCHYARD SITE PLAN

CONCEPTUAL

NOTE: WOODEN POLE TO BE  
INSTALLED ON SITE FOR  
ATTACHMENT OF SWITCHYARD  
TELECOMMUNICATIONS EQUIPMENT -  
TOTAL HEIGHT TO BE LESS THAN  
100 FEET

TO SOLAR PROJECT  
COLLECTION SUB STATION



NO	DATE	REVISION	BY	REVISIONS	DRAWN MAR (ORIG.)	APPROVED
					PLOT SCALE 1"=60'	WORK ORDER W33461 (ORIG.)
					DATE APPROVED 7-26-21	LOCATION CODE T135



ETNA  
SWITCHYARD  
PLAN VIEW

SHEET 1 OF 1

D\_S-885.1

AutoCAD



I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA

KRIS WROOLIE

DATE: 3/24/22 LICENSE NO. 49563

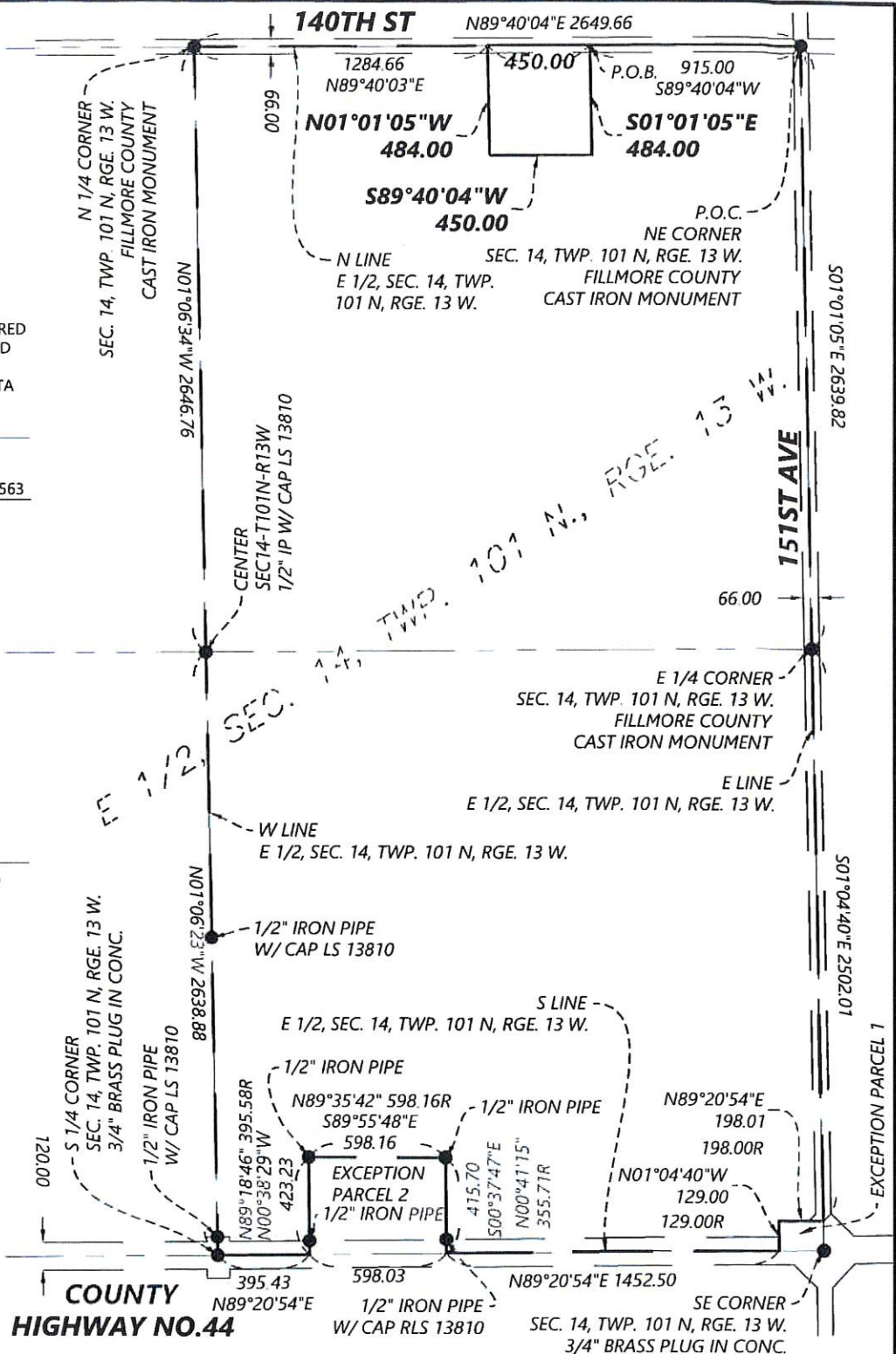
### SURVEYOR'S NOTES:

1. All bearings, distances, and areas shown hereon are grid and based on the NAD83(2011) Minnesota State Plane Coordinate System, South Zone.
2. There are no buildings on the described parent parcel and purchase area.

### LEGEND



PURCHASE AREA



**Westwood**

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300  
 Fax (952) 937-5822 Minnetonka, MN 55343  
 Toll-free (888) 937-5150 westwoodps.com

Westwood Professional Services, Inc.

## Fillmore County Solar Project

Fillmore County, Minnesota

### Purchase Area Exhibit

DATE: 03/24/2022 SHEET: 01 of 02

