



CARVER COUNTY PLANNING COMMISSION

Regular Meeting – **July 15, 2025, 7:00 PM**

Commissioners' Meeting Room
2nd Floor Human Services Bldg
Government Center – Chaska, Mn

AGENDA

1. **Convene**

- 1.1. Call to Order
- 1.2. Pledge of Allegiance
- 1.3. Attendance
- 1.4. Agenda review and adoption
- 1.5. Approve Minutes from June 17, 2025.....**2-5**

2. **Agenda**

- 2.1. File #PZ20250029 - Public hearing on application by Janet Fahey
for an Interim Use Permit.
(Large-Scale Activity - Ag-Tourism Activities)
Benton Township.....**6-19**

3. **Other Business**

4. **Adjourn**

COUNTY OF CARVER
PUBLIC SERVICES DIVISION
Department of Land Management

July 7, 2025

TO: Carver County Planning Commission & Benton Town Board

FROM: The Land Management Department

SUBJECT: Application for an Interim Use Permit (Large Scale Activity - Ag Tourism Activities)

FILE #: PZ20250029

APPLICANT: Janet Fahey

OWNER: The Hollander Group, LLC

SITE ADDRESS: 10720 County Road 153, Cologne, MN 55322

PERMIT TYPE: Large Scale Activity - Ag Tourism Activities

PURSUANT TO: County Code, Chapter 152, Sections 152.081 and 152.082(A), (B), and (C)(5)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 010021020

STAFF ANALYSIS:

1. Hollander Group, LLC owns approximately 5 acres located in the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section 2, Benton Township. The property is improved with a house and multiple accessory structures and is used as a single-family residence, as well as for gardening and the cultivation of flowering plants (floriculture farming). The property is located within the Agriculture Zoning District and lies in the Carver County Water Management Organization (CCWMO) - Carver Creek watershed.
2. The applicant is requesting an Interim Use Permit (IUP) to operate occasional agricultural tourism activity - specifically, barn quilt tours and an ag tourism farm experience - pursuant to Sections 152.081 and 152.082(A), (B), and (C)(5) of the Carver County Code, which reads as follows:

§ 152.081 INTERIM USE PERMIT (IUP).

The county may authorize an interim use of a property by means of an IUP. These interim uses may be utilized in a temporary manner as approved by the County Board. In reviewing the interim use permit application, the county will establish a specific date or event that will terminate the use of the property. In granting an IUP, the County Board shall consider the effect of the proposed use upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Planning Commission and County Board shall make the following findings where applicable.

(A) General provisions.

- (1) The use conforms to the zoning regulations.
- (2) The date or event that will terminate the use can be identified with certainty.
- (3) Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future.
- (4) The user agrees to any conditions that the governing body deems appropriate for permission of the use.
- (5) Any interim use may be terminated by a change in zoning regulations.

§ 152.082 INTERIM USE PERMIT-AG DISTRICT.

(A) Minimum criteria for issuance.

- (1) If improvements are made, they shall be so designed and constructed that they are not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the district wherein proposed.

- (2) The activity conforms to all other county ordinances, state, and federal regulations.
- (3) Minimum five-acre lot size, unless another size is specified under a particular provision.
- (4) Waste generated shall be treated in accordance with Chapter 52 of this code of ordinances. The county may require design by a registered engineer.
- (5) The activity shall be located on a hard surfaced (blacktop or concrete) road unless specific approval for location on a township road is given by the affected township or townships. The Town Board may condition its approval of access to a gravel road on agreements with the applicant regarding dust control, maintenance, or similar issues. The terms of the agreement shall be such that the agreement is in force so long as the permit is in effect.
- (6) The activity is of a scale that the demand for support services such as sewer, water, police, fire protection, emergency equipment access, roads or streets, can be accommodated within the context of the service levels available in the commercial agricultural area. Adequate water supply, subsurface sewage treatment system facilities, erosion control and stormwater management are provided in accordance with applicable standards.
- (7) The operational characteristics of the proposed activity shall be such that it can be operated on the proposed site and within the current levels of support services and infrastructure. Activities that will have service needs-traffic capacity or roads, waste disposal or management, fire or police protection, sewage treatment and dispersal-that will exceed those available in the area should locate in municipalities where the services are available.

(B) Minimum conditions.

- (1) Permit shall be subject to administrative review or compliance review as set by the permit.
- (2) The operational plan and site plan shall become part of the permit.
- (3) The activity must operate in conformance with the approved site plan and operational plan and other provisions of this chapter. The site plan and operational plan shall become part of the permit.
- (4) The applicant must submit a copy of workers compensation insurance or sign an affidavit stating that he or she will not have any employees.
- (5) All buildings used in the operation must meet the State Building Code.
- (6) The use will be sufficiently compatible with, or separated by sufficient distance from, or screened from adjacent agricultural or residential land uses so that there will be no deterrence to the use or development of adjacent land and uses.
- (7) The date or event that will terminate the use shall be identified.

(C) Activities (For the purpose of this section, conditional use permit activities may also be considered and processed as interim uses).

- (5) Recreational, educational, agri-tourism, and institutional activities that require a location in a rural area because of a need for seclusion or a natural setting or a large area of land and do not require a permanent or significant structure(s) subject to the following criteria:
 - (a) No more than 20% of the land utilized for the activity shall have been shown to be SCS Class I or II land under till, as illustrated on the 2008 metropolitan digital photography;
 - (b) The road authority will grant an access permit;
 - (c) A certificate of insurance and/or a performance surety may be required;
 - (d) A stipulation is made in the permit as to the number of persons to be using the site at any one time; and
 - (e) Any type of special event that will attract or involve more than the number of people stipulated in division (C)(5)(d) above shall require approval of the County Board.

(Ord.70-2010, passed 1-25-11; Am. Ord. 80-2015, passed 6-16-15)

3. The submitted narrative, dated May 30, 2025, outlines the proposed agricultural tourism activities, including barn quilt tours associated with the Barn Quilts of Carver County, MN public art initiative, as well as Agri-tourism farm experience such as art classes, yoga, floral garden tours, photo sessions, and boxed-lunch events.
4. The barn quilt tours operate from May through October, Monday through Sunday. Tours are held three to five times per month, with 12 to 50 participants per event. Each tour runs from 9:00 AM to 4:30 PM and includes 10 to 12 stops throughout the County, with each stop at Hollander Farm lasting approximately 15 to 60 minutes. Transportation consists of one coach bus and up to four private vehicles, generating approximately 10 vehicle trips per event.

5. Occasional agri-tourism events would also occur from May to October, Monday through Sunday, up to two events per month, lasting approximately four hours per event between 9:00 AM and 9:00 PM, accommodating up to 50 registered guests.
6. The proposed operations would comply with the requirements of Section 152.082 of the Zoning Code. All activities would take place outdoors, primarily utilizing the barn and the surrounding floral garden areas. Items stored on-site would include barn quilt merchandise, tables, chairs, gardening tools, and other related supplies, with no external storage proposed. The Minnesota State Building Code would apply to any proposed seasonal and/or temporary structures used on the property. The scale of the activity would be consistent with the current level of services and infrastructure available in the area.
7. The submitted site plan, dated May 27, 2025, depicts the property layout, including a barn, sheds, portable restrooms, and two parking areas. The site features trees, vegetation distributed throughout the property, and adjacent farm fields which contribute to its rural character. County Road 153 runs along the southern boundary, providing access to the site.
8. A private well provides both internal and external water supply. Two low-flush portable restrooms will be available on-site, along with a restroom on the tour bus used during the barn quilt tours. Restroom sewage will be managed in accordance with Carver County Subsurface Sewage Treatment System (SSTS) Ordinance regulations. Solid waste disposal will be handled through a contract with a licensed solid waste hauler (e.g., Republic Services).
9. On-site parking is provided on areas located south, west, and north of the barn. The site can accommodate up to 50 vehicles. No formal screening is proposed, nor is it expected to be due to the seasonal and temporary nature of the events.
10. Current signage includes movable yard signs used periodically. The applicant has proposed installation of one permanent 8' x 4' sign in the future, which will need to comply with the Carver County Code of Ordinances, Chapter 154 – Sign Regulations.
11. An Interim Use Permit (IUP) is defined as “a temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it”. This permit shall terminate when the Hollander Group LLC (Janet Fahey) no longer owns the property or operates the business.
12. In an email dated August 3, 2025, Lori Brinkman, Senior Environmentalist with the Carver County Environmental Services Department, reviewed preliminary septic plans and provided the following comments:
 - The septic system on the property is currently in compliance. A new system was installed in 2019 to serve the existing three-bedroom home, and a compliance inspection conducted in April 2025 verified that the system is functioning properly. The system is designed and permitted to treat residential strength wastewater with a maximum average daily flow of approximately 340 gallons per day.
 - Ms. Brinkman also noted that the proposed agri-tourism use is being evaluated for the potential volume and strength of wastewater generated during tour activities. The applicant has proposed using two onsite, low-flush portable restrooms, which may either discharge to a holding tank or to the existing septic tanks associated with the mound system, depending on the volume and characteristics of the wastewater generated.
13. The Benton Town Board reviewed and recommended approval of the request during their May 12, 2025, meeting, with the following comment: *“We unanimously approved the request with Co. Staff recommendations.”*

PLANNING COMMISSION CONSIDERATION:

If the Planning Commission recommends approval of the Interim Use Permit to operate seasonal agricultural tourism activities - specifically, barn quilt tours and an ag tourism farm experience - pursuant to Sections 152.081 and 152.082(A), (B), and (C)(5) of the Carver County Code on the parcel legally described in Exhibit A, the following conditions should be considered part of the permit:

1. The permit is subject to administrative review. The Interim Use Permit shall terminate when the Hollander Group LLC (Janet Fahey) no longer owns the property or operates the business.
2. Hollander Group LLC (Large Scale Activity Business – Agri-tourism Activities) shall operate in accordance with the operational letter, May 30, 2025, and site plan, May 27, 2025. These documents shall be attached to and become part of this permit. Prior to the issuance of any building permits for additional buildings, discussion with Land Management is necessary for a determination as to whether an application for amendment or similar consideration is warranted.
3. Barn Quilt Tours shall be limited to three to five tours per month between May and October, from 9:00 AM to 4:30 PM, Monday through Sunday, with a maximum of 50 attendees per tour. If more than 10 trips per tour are expected, the applicant shall coordinate with the Township and County to implement appropriate traffic management measures.
4. Occasional agri-tourism events shall not exceed two events per month, with a maximum of 50 attendees per event, between the hours of 9:00 AM and 9:00 PM, May through October, Monday through Sunday.
5. All events and tours shall occur primarily in the barn and outdoor garden areas. Structures not used for ag tourism shall remain for private or personal storage use only and as otherwise regulated by the County Zoning Code. Any existing or future buildings/structures utilized by the operation must meet the State Building Code.
6. The permittee is responsible for maintaining all required permits and licenses for operations. Copies of all current permits and licenses shall be submitted annually to the Carver County Land Management Department.
7. Two low-flush portable restrooms shall be provided on-site, along with a restroom available on the tour bus used during Barn Quilt Tours, as indicated in the narrative. The proposed land use must be evaluated for the potential volume and strength of wastewater generated during tour stops. Based on the applicant's proposal, the two on-site low-flush portable restrooms may either discharge to a holding tank or to the existing septic tanks associated with the mound wastewater treatment system, depending on the volume and strength of waste generated. The Environmental Services Department must review and approve the selected discharge method prior to the commencement of operations. The permittee shall also submit current and future restroom service contracts annually to both the Land Management and Environmental Services Departments.
8. The Permittee shall comply with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations. The Permittee shall not exceed the allowed square footage of signage per property. Any proposed signage within public road right-of-way must be approved by the local road authority.
9. Solid waste must be disposed of in accordance with County regulations. The applicant shall maintain active solid waste service through a licensed solid waste hauler.
10. Parking must be accommodated entirely on-site, with capacity for up to 50 vehicles. No off-site parking is permitted.
11. The Permittee shall comply with any road access requirements/improvements as determined by the appropriate road authority, if applicable. (e.g. maintenance, traffic control measures, or similar issues)
12. The Permittee shall submit proof of Workers Compensation or an affidavit stating that they do not have any employees, as required by Section 152.082(B)(4).

OR

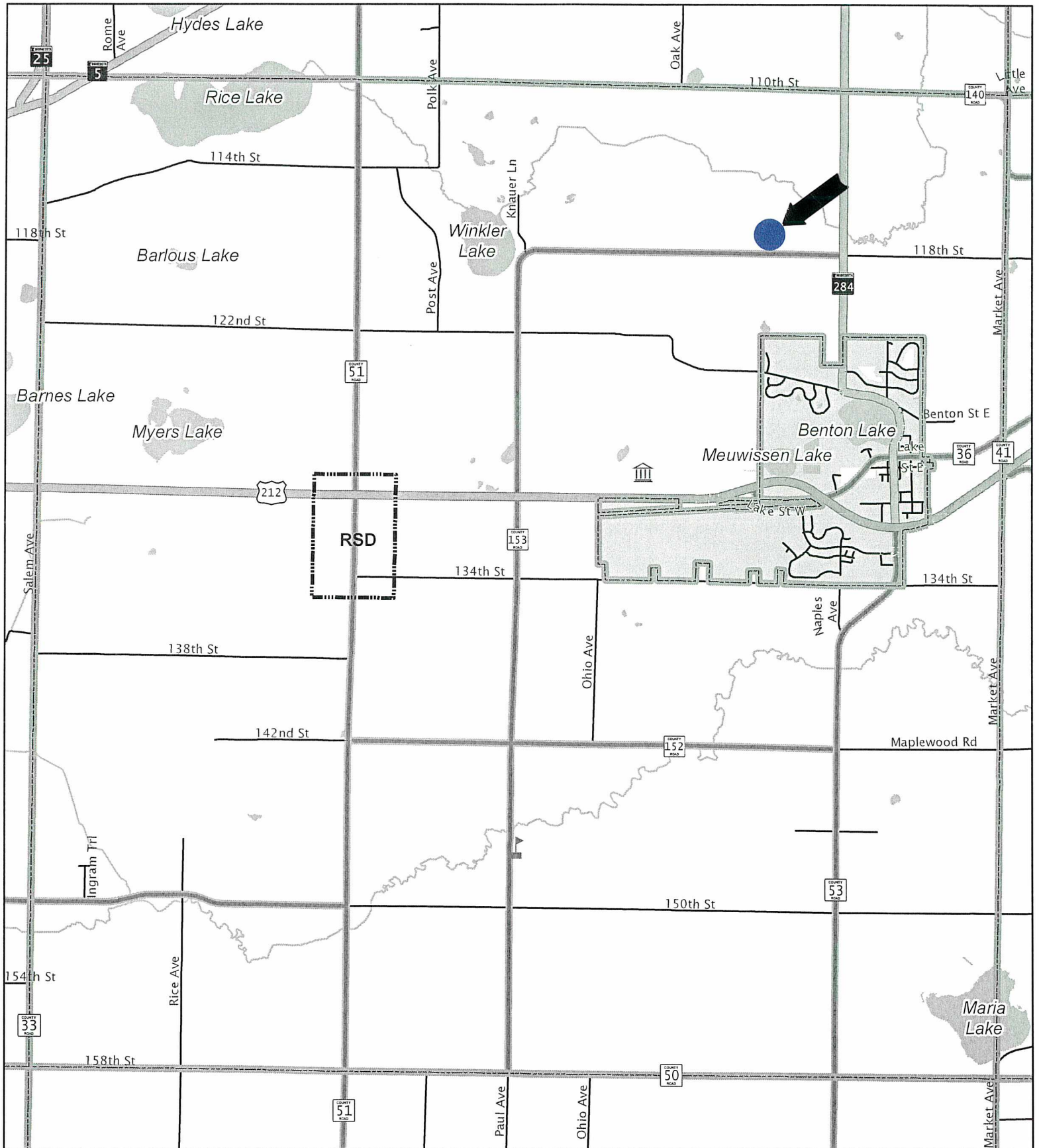
If the Planning Commission recommends denial of the permit application, the deficiencies found in Section 152.251 (Required Findings) of the Carver County Zoning Code, should be referenced, as follows:

§ 152.251 REQUIRED FINDINGS.

An order for the issuance of a CUP or IUP can be adopted only if all the following are found as fact. Any conditions imposed by the permit or actions required as part of the order shall be considered in making findings:

- (A) The conditional or interim use is permitted as a permitted conditional or interim use within the zoning district and meets all requirements of this chapter and any other county, regional, state, or federal laws, ordinances, rules, or regulations.
- (B) The conditional or interim use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
- (C) The establishment of a conditional or interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
- (D) The effects of the proposed use will not be detrimental to the health, safety, and welfare of Carver County or to the occupants of the immediate neighborhood.
- (E) That adequate utilities, access roads, drainage and other facilities have been or are being provided.
- (F) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use if these measures are applicable.
- (G) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance if these measures are applicable.
- (H) The use or development conforms to the County Comprehensive Plan.
- (I) The use or development is compatible with the land uses in the neighborhood.
- (J) A public hearing was held pursuant to § [152.285](#) and M.S. § 394.26, as it may be amended from time to time.

BENTON TOWNSHIP



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.



S 1/2 SEC. 2, T.115, R.25



May 30, 2025

RE: Interim Use Permit ("IUP") Application
Janet Fahey – Hollander Group, LLC

Dear Land Management Staff: ** Planning Commission Members*

Please accept this letter as a request for an Interim Use Permit for occasional Ag Tourism Barn Quilt Tours and Ag Tourism Farm Experiences, at my five-acre farm site property located at 10720 County Road 153, Cologne, MN in Benton Township.

Business Overview:

Barn Quilts of Carver County, MN

As part of the Barn Quilts of Carver County, MN, public art project, I provide tour guide services to State wide clients to tour throughout Carver County to view the 50+ barn quilts within the County. My tour season is May-October annually, Monday-Sunday, and conducting three (3) to five (5) tours per month, with 12-50 tour guests per tour. The overall tour time frame is within 9:00 a.m. – 4:30 p.m., with 10-12 county-wide farm stops, and with tour guests visiting the Hollander Farm for 15 minutes to 1 hour of the overall tour experience.

The Barn Quilt tours generate approximately 10 trips per tour, consisting of one coach tour bus and up to 4 personal family vehicles.

The barn and surrounding floral garden area would be used for tour guests to visit and view as part of their agri-tourism experience. Materials stored on site in the barn are; Barn Quilt gifts & souvenirs, tables & chairs and gardening supplies-no external storage is required. A private well located on the property provides the internal and external water supply. A restroom is available on the tour bus. Two (2) onsite, low flush, portable bathrooms will be available on the property and sewage will be managed in accordance with Code and Ordinances. Waste disposal is handled through Republic Garbage Company.

Ample parking area is available in the front, alongside of, and behind the barn and can accommodate up to 50 vehicles. No screening is proposed. Mobile/movable yard signs are currently used periodically, and a 8'x4' permanent sign may be added in the future.

Agri-Tourism Farm Experiences

As the Barn Quilt tours have gained consistent popularity over the years, individuals are looking for other occasional agri-tourism farm experiences to attend, such as art classes, yoga classes, farm floral garden tours, photo opportunities and box lunch food dining.

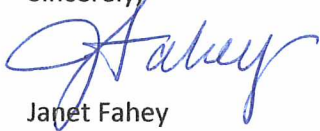
My other occasional agri-toursim activities/events would be held during my normal tour season of May-October, Monday-Sunday, with up to 2 activities/events per month, for 4 hours per activity/event. The time frame would be based on the activity/event, between the hours of 9:00 a.m. –9:00 p.m., with up to 50 registered guests.

The barn and surrounding floral garden area would be used for tour guests to visit and view as part of their Agri-tourism experience. Materials stored on site in the barn are various supplies-no external storage is required. A private well located on the property provides the internal and external water supply. Two (2) onsite, low flush, portable bathrooms will be available on the property and sewage will be managed in accordance with Code and Ordinances. Waste disposal is handled through Republic Garbage Company.

I am fully committed to adhering to all conditions set forth by the Carver County Land Management zoning code and ordinances.

Thank you for your time and consideration. Please call me with any concerns or questions.

Sincerely,



Janet Fahey
The Hollander Group, LLC
10720 County Road 153,
Cologne, MN 55322
612-382-4512

CARVER COUNTY IMAGERY VIEWER



Date: 5/27/2025

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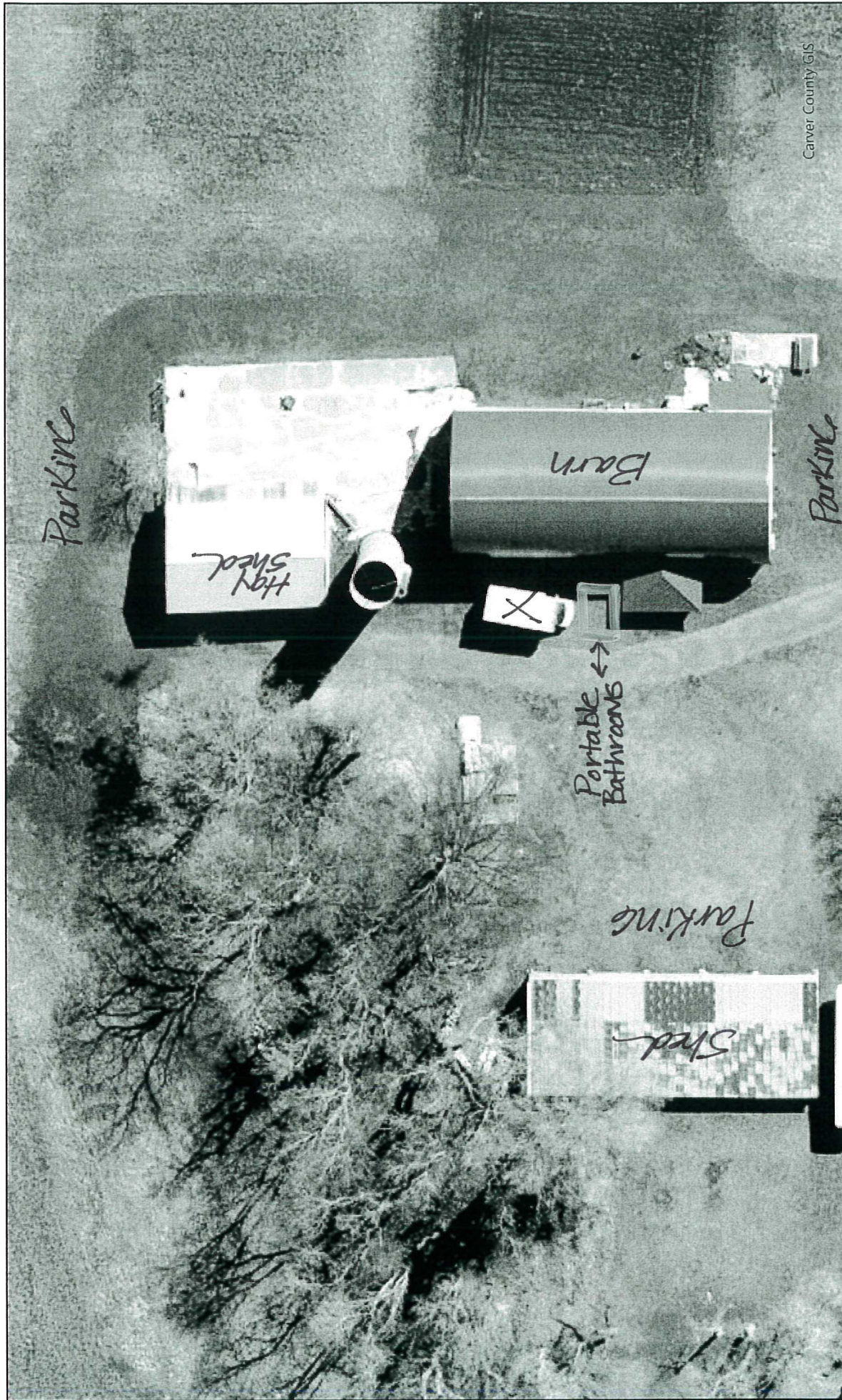


← County Road 153
(South boundary)

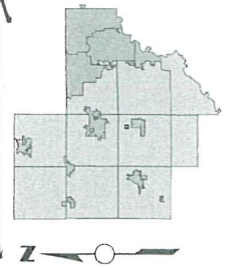
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• 5 acre parcel

CARVER COUNTY IMAGERY VIEWER



Carver County GIS



Date: 5/27/2025

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CARVER
COUNTY

Country Road 153
(South boundary)

0.5 acre-parcel





Township Presentation & Recommendation Form

PARCEL #	<u>01 002 1020</u>	Permit #	
Owner's Name:	<u>The Hollander Group, LLC</u>	Owner's Mailing Address:	<u>P.O. Box 245</u>
City:	<u>Norwood Young America</u>	Owner State:	<u>MN</u>
		Owner Zip:	<u>55368</u>
Applicant (if other than owner):	<u>Janet Fahey</u>	Site Address:	<u>10730 Cty Rd. 153 Colacene, MN 55322</u>

Type of Request:	☐ CUP	☒ IUP	☐ Preliminary Plat	☐ Final Plat	☐ Variance	☐ Appeal
Description of Request:	<u>I am applying for an IUP for my occasional Ag Tourism Barn Quilt Tours + Ag Tourism Farm experiences at my 5 acre farm site.</u>					
Date of County Public Hearing:		Date of Township Meeting:	<u>6/12/2025</u>			

Actions:

Township Action Taken: ☒ Recommends approval and use of the Township Road (if applicable) with the following comments: ☐ Recommends denial for the following reasons: ☐ No recommendation, but will comment on the request at the Planning Commission or Board of Adjustment hearing:	<u>We unanimously Approved the request with Co. staff Recommendations</u>
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****Important:** I understand that I must appear at the Town Board meeting to present my request and obtain their recommendation prior to appearing before the County Planning Commission or Board of Adjustment.

Signature of Applicant	Date
Signature of Township Official	Date 6-12-25

THE HOLLANDER GROUP, LLC - IUP REQUEST



Date: 7/6/2025

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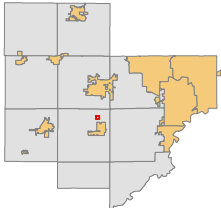


EXHIBIT "A" – LEGAL DESCRIPTION

PID NUMBER: 01-002-1020

File# PZ20250029

APPLICANTS/OWNERS: The Hollander Group, LLC

*** * * * ***

The East 484.00 feet of the West 801.64 feet of the South 450.00 feet of the West Half of the Southeast Quarter of Section 2, Township 115, Range 25, Carver County, Minnesota.

DRAFTED BY: Carver County Land Management Department