

Carver County Planning Commission
Regular Meeting - Tuesday, December 21, 2021
Commissioners' Meeting Room
2nd Floor Social Services Wing
Government Center - Chaska

AGENDA

7:00 P.M.

- 1.) Approve minutes of September 21, 2021, regular meeting
Pages 1-1 through 1-4

- 2.) **File #PZ20210056** – Public hearing on application by Henry Weinzierl for
a Conditional Use Permit. (Additional Density-One Lot Incentive)
Watertown Township Pages 2-1 through 2-15

- 3.) **File #PZ20210055** – Public hearing on application by Roger Eng,
representing Living Rock Church, for a Conditional Use Permit.
(Church – Building Development)
Young America Township Pages 3-1 through 3-24

Other Business

CARVER COUNTY PLANNING COMMISSION
Regular Meeting - September 21, 2021
Minutes

Members Present: Scott Smith, John P Fahey, Frank Mendez, Scott Hoese, Scott Wakefield,

Members Late: None

Members Absent: Greg Grazzini, Roger Storms

Staff Present: Jason Mielke

Pursuant to due call and published notice thereof, the September 21, 2021, regular meeting of the Carver County Planning Commission was called to order by Chairman Smith at 7:00 p.m.

Minutes – A motion was made by Fahey to approve the minutes from the August 17, 2021, regular meeting. Smith seconded the motion for approval. Smith, Fahey, Mendez and Wakefield voted aye. Hoese abstained. Motion carried.

File #PZ20210052 – Heidi Dalbec – Chairman Smith called the public hearing to order at 7:01 p.m. to consider a request by Heidi Dalbec. The purpose of the public hearing was to consider a request for a contractor's yard pursuant to Chapter 152 of the County Code. The property is located in Section 12 of Watertown Township.

The following were present: Heidi Dalbec, John Jopp

The following items were entered into the record:

Exhibit A – Legal Description

Exhibit B – Proof of Publication of the Hearing Notice

Exhibit C – Proof of Mailing of the Hearing Notice

Exhibit D – Site Plan

Exhibit E – Letter from the applicant dated August 24, 2021

Exhibit F - Letter to the Planning Commission and Watertown Township dated
September 13, 2021, and attachments

Exhibit G – Email correspondence between Colleen Ittel & Heidi Dalbec dated between
09/17/21 & 09/21/21

Mielke stated the subject property is improved with a house and attached garage and a detached accessory structure. The applicant is requesting to use the existing 64' x 33' pole building to operate a small-scale contractor's yard (landscape business) on the property. Outdoor storage of some materials, supplies, and equipment is also a part of this request. The operational plan indicates there are 1 – 2 seasonal employees who would be on-site Monday through Friday, between 7:00 a.m. and 5:00 p.m. from April through November. There would be no employees on-site from December to March. The employees reporting to the site would park their vehicles in a designated area, pick up materials and equipment, and go to the job site. The business consists of four (4) business-related vehicles and three (3) trailers. The number of daily trips to and from

the property would be 2 to 4, with access from County Rd 127. A portable biff is on-site for employees use during the seasonal activity. A copy of the current signed contract for the portable toilet use is a requirement by Joe Enfield, Senior Environmentalist. The operational area is comprised of the pole building and gravel pad area to the west of the building and including some of the area north and south of the shed. There are no retail sales or customers coming to the site. Generally, materials used for the job are delivered directly to the job site. Some excess materials may be returned to the site and stored outdoors. The business has been operating at this location for a little while and the applicant is cooperating to obtain the Conditional Use Permit as the result of a complaint. A buffer will be required along the north property line to provide a distinct separation of the commercial activity and the property from the adjacent parcel. A 15-foot setback should be maintained from the property line to the operational area. There is no signage proposed for the business at this time, however, 32 square feet of sign surface is allowed by the County Code. On September 10, 2021, this request was reviewed by Angie Stenson, Carver County Senior Transportation Planner, who stated the access location and proposed use and traffic is consistent with County policy. The applicant should coordinate with Public Works for required driveway specifications. Watertown Town Board reviewed the request at their September 7, 2021, meeting and recommended approval with no additional conditions. Mielke read the proposed conditions for consideration if the request is approved. He further explained recent changes in the Zoning Code concerning screening requirements.

Heidi Dalbec, 2680 County Rd 127 stated she has never had a contract with the company for the portable toilet previously, but will certainly continue her rental of the unit with them and obtain a contract for the service. She mentioned that maintenance (oil changes) on the business vehicles is done off-site. She has personal equipment (brush mower, skid steer, etc.) for property maintenance which is maintained on-site. She used the map to illustrate an area along the north property line where she piles wood on pallets for use with a wood boiler for the shed. She asked if the piled wood could be considered screening from the adjacent property. She noted that a contractor's yard must be 500 feet from any residence and stated the adjacent parcel to the north currently does not have a residence. Ms. Dalbec also identified the items visible on the aerial photo, noting that many of the vehicles are for personal use.

Hoese asked if Ms. Dalbec knew where the house would be located, if one was built in the future.

Ms. Dalbec stated she did not know if the current owner had any intention of building on the property and stated she has offered to purchase the property from Ms. Ittel many times. She also expressed concern about using vegetative plantings as screening on the north property line, given an incident involving a commercial spraying and drift that took place this spring, causing her native plantings to die.

Scott Hoese, representing Watertown Town Board, stated the Town Board discussed the request and recommended approval to get the property into compliance since the contractor's yard has been in operation a few years. Hoese said he received a call from Ms. Ittel, the adjacent property owner, who expressed her concerns with the operation. Hoese acknowledged her concerns and confirmed that the adjacent parcel is currently vacant land. He affirmed the Town Board's recommendation for approval of the request.

Hoese, speaking for himself, stated he visited the site and described the business and the property as a clean operation.

John Jopp, 2655 Navajo Av, wanted to know the hours of operation and questioned if the operational area would grow or remain as presented.

Ms. Dalbec confirmed the hours of operation and stated the operational area is not anticipated to increase in size. She stated the hours of operation are a bit flexible, dependent upon weather and time of year. She stated she has no intention of expanding the business and has no need for any signage.

A motion was made by Wakefield to close the public hearing. Mendez seconded the motion. All voted aye. Motion carried. The public hearing was closed at 7:29 p.m.

Wakefield asked about a structure depicted on the aerial photo which was on the north adjacent parcel.

Ms. Dalbec replied it was a temporary greenhouse which has been removed. The aerial photo is not a current photo.

Wakefield asked where Ms. Ittle accesses her property as there is no visible access from County Rd 127.

Ms. Dalbec stated she often walks up the field road or along the wooded area to the north. Ms. Dalbec stated she has offered for her to drive up her driveway to get to the back area.

Mielke stated he spoke to Jennifer Tichey, Assistant County Attorney, concerning any screening requirements. She offered that if screening conditions are put in place, that they be reasonable to the use and describe what the operation is being screened from. Most often, a contractor's yard is being screened from existing residence(s) and in this case, the adjacent parcel is vacant land.

Wakefield agreed that the point he was making is that there is really nothing to be screened from.

Mendez added that the building itself provides some screening of vehicles or materials and the stacked wood will provide a natural fencing. He stated he would not require any additional screening.

Fahey asked about other visible items on the aerial photo which appeared to be on the adjacent parcel.

Ms. Dalbec stated that Ms. Ittel has a water trailer on the property. Any of the other items on this photo have been removed and are no longer there. She stated that all of her items which had been across the property line have been removed or moved back onto Ms. Dalbec's property.

Mielke clarified the date of the aerial photo was April 2020.

Hoese expressed a concern with temporary greenhouse being closer to the property line than 15 feet and asked that the setback area be kept clear of any unnecessary structures or equipment during the operational months.

Ms. Dalbec stated that she could use an area west of the building for some of those items.

Fahey asked how long the property has been used as a contractor's yard.

Ms. Dalbec stated the contractor's yard has been there since 2014 and there has been no change to the operation during that time.

Fahey asked about the screening language and requirements from the Code.

Mielke read the Code language in Chapter 152.079 (B)(3) which states: *Outside storage is prohibited unless the storage area is adequately screened from nearby roads and residences.* He noted that the operational area is approximately 800 feet from County Rd 127 and he used a map to illustrate the location and distances to area residences.

Mendez stated he did not see a need for any screening requirements.

Wakefield echoed the same view in this case.

A motion was made by Mendez to **approve and adopt Resolution #21-12** incorporating the findings of fact and staff recommendations in approving the contractor's yard. Wakefield seconded the motion for approval. All voted aye. Motion carried.

Adjournment

A motion was made by Mendez to adjourn the meeting. Wakefield seconded the motion for adjournment. All voted aye. Motion carried. The meeting was adjourned at 7:46 p.m.

COUNTY OF CARVER
PUBLIC SERVICES DIVISION
Department of Land Management

December 13, 2021

TO: Carver County Planning Commission & Watertown Town Board
FROM: The Land Management Department
SUBJECT: Application for a Conditional Use Permit (High Amenity - One Lot Incentive).

FILE #: PZ20210056

APPLICANT: Henry Weinzierl

OWNERS: The Trust Agreement of Gerald & Janice Albrecht
(Gerald & Janice Albrecht, Trustees)

SITE ADDRESS: 5325 County Road 10 N

PERMIT TYPE: Additional Density (One Lot Incentive)

PURSUANT TO: County Code, Chapter 152, Section(s) 152.078 (A) (C) & (E)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 10-027-0500

BACKGROUND:

1. Gerald and Janice Albrecht own an approximately 71.49-acre parcel located in the South Half (S½) of the Southeast Quarter (SE¼) of Section 27, Watertown Township. The property is improved with an existing house and several agricultural buildings. The parcel consists of agricultural production land, a wetland, wooded area and the potential for the additional density provision, High Amenity lots. The property is located in the Agricultural Zoning District and the CCWMO (Crow River watershed).
2. The applicant, Henry Weinzierl, has a purchase agreement in place with Gerald and Janice Albrecht. Mr. Weinzierl is requesting a Conditional Use Permit (CUP) to allow for the creation of one (1) High Amenity Lot. The request is pursuant to Section 152.078 (A) (C) and (E) of the Carver County Zoning Code, which reads as follows:

§ 152.078 CONDITIONAL USES – ADDITIONAL DENSITY OPTIONS.

(A) General provisions.

- (1) Effect on 1/40 or lot of record building eligibility. Residential building eligibilities pursuant to this provision are in addition to and shall have no impact on residential building eligibilities available as a permitted use. This provision shall not prohibit the transfer of 1/40 building eligibilities pursuant to the provisions of this chapter.
- (2) Limitation on density. No more than four homes shall be located on a quarter-quarter section (40-acre parcel) based on the configuration of the parcel on July 1, 1974; homes subdivided from a parcel prior to July 1, 1974 shall not be considered in this calculation. In cases where the land does not follow the quarter-quarter section configuration, the shape most nearly approximating a quarter- quarter section containing 40 acres shall be used.
- (3) Limitation on use of density options. The issuance of a conditional use permit pursuant to “wooded and lakeshore lots” or “high amenity” provisions is prohibited on any parcel that was of record as of July 1, 1974 or any parcels derived therefrom, if at any time since December 7, 1982 a conditional use permit was issued or a rezoning occurred which provided residential density greater than that provided by the basic one per 40 or one per quarter-quarter section provisions of this chapter.

- (4) Compliance with township chapter of the comprehensive plan. The additional density options provided in this section shall be available only in townships which specifically provide for the option in their township chapter of the comprehensive plan. Residential development pursuant to these options shall be subject to and limited by any additional criteria or standards contained in the township plan chapter. Applications for conditional use permits pursuant to this section shall not be considered complete unless a written statement is received from the affected township stating that the application complies with the township comprehensive plan chapter.
- (5) Road access requirement. All lots created under the additional density options shall have frontage on: a public road existing at the time of application; or the applicant must submit evidence that the township will accept the road as a township road at some point after it is constructed in accordance with township standards; or a road will be constructed that is privately maintained but with the right-of-way dedicated to the township. All roads shall be constructed to meet the standards in the comprehensive plan, the subdivision regulations, the standards manual, and the water plan.
- (6) Notice pertaining to agricultural uses. A notice or acknowledgment will be required regarding the "odors, dirt dust, insects, noises, long hours of operation and other factors associated with agriculture and feedlot activities.

C) High amenity areas

- (1) A maximum of three residential building lots may be subdivided from eligible high amenity land. This provision may be exercised only once for each parcel that was of record as of July 1, 1974. The parcel from which the lots are to be subdivided was a parcel of record of 40 acres or more, a complete quarter-quarter section or a complete government lot on July 1, 1974.
- (2) The maximum density in any area shall not exceed four single-family dwelling units per forty acres.
- (3) Only land within the amenity area shall be used to calculate additional density. In no case shall land currently enrolled in the agricultural preserve program be included in a density calculation that exceeds 1 per 40 (1 per $\frac{1}{4}$ - $\frac{1}{4}$). Any residential lots that have been subdivided after July 1, 1974, and/or existing homes on the parcel shall be considered 1 per 40-acre (or lot of record) eligibilities and shall be included in the density calculations. Remnant pieces not included in the additional density calculations shall have building eligibilities based on the applicable regulations of the "A" District.
- (4) Eligible land:
 - (a) Wooded land. A contiguous area of land which has trees that are confirmed to be of a desirable species, healthy and mature, 20 years or older, shade or evergreen trees with a minimum height of 10 feet. The distribution of the trees is such that there are no areas greater than $\frac{1}{4}$ -acre in size not covered by canopy in the summer months.
- (5) General criteria:
 - (a) Eligible land considered wooded, wooded pasture, and areas consisting of a mixture of wooded land and native grasses shall not be in agricultural production for the past 20 years, and shall include soils suitable for an SSTS (land enrolled in a state or federal program is in agricultural production).
 - (b) The Comprehensive Plan policy allowing for no more than four homes per 40 (4 homes per $\frac{1}{4}$ - $\frac{1}{4}$) shall not be violated.
 - (c) All building lots created must meet the general criteria and the criteria specific to the lot eligibility type (wooded and/or lakeshore). Inability to meet one or more of those criteria shall negate the eligibility for additional lots under this provision.
 - (d) The high amenity building sites are to be considered residential lots, not agricultural parcels. The minimum lot size shall be $2\frac{1}{2}$ acres and able to accommodate a minimum one-acre building site having at least two SSTS (primary and alternate), a house, garage and detached storage structure, while maintaining all required setbacks. Although each lot shall contain at least two and one-half acres of land that meets the criteria for eligible land, wetlands and/or non-wooded steep slope (12% and over) land may be added to individual lots as determined to be necessary during the permitting process. These lands shall not be counted as part of the two and one-half acres needed to qualify as a high amenity lot.
 - (e) Building sites shall be clustered in the amenity area as much as possible.
 - (f) There may be no more than two acres of long-term agricultural crop production land included in any residential lot. The road right-of-way setback as required by this chapter shall not be included in the calculation nor shall any required setbacks be included in this calculation.
 - (g) The maximum amount of long-term agricultural land shall be preserved for continued agricultural use.

The long-term agricultural land shall be retained in a large parcel(s) suitable for agricultural purposes. The long-term agricultural land shall not be split up and attached to each residential sized parcel unless the amount of agricultural land is so small that it is not reasonably farmable. One of the residential sites and the agricultural land may be combined to form a 20+ acre farm.

- (h) All lots that contain a building eligibility shall include a building site as defined by this chapter. No remnant parcels of less than 20 acres shall be created as a stand-alone parcel.
 - (i) High amenity areas shall be located to provide the most effective buffering from through roads, agricultural areas and feedlots within the context of the other requirements and general criteria.
 - (j) A road to serve the lots may be constructed over production land as defined by this chapter.
- (6) Minimum conditions of high amenity lots:
- (a) The keeping of animals, with the exception of dogs, cats and similar animals kept as household pets, is prohibited on any residential lot.
 - (b) All conditional use permit activities shall be prohibited on any residential lot. Agricultural parcels and/or lots shall be subject to the “A” District regulations.
 - (c) A statement that the area is rural and that commercial agriculture and other rural land use activities will likely be occurring in the area. A notice should be provided regarding the odors, dirt, dust, insects, noises, long hours of operation and other factors associated with agriculture and feedlot activities. Complaints relating to these activities shall be considered unwarranted so long as the activities are being conducted in accordance with existing standards.
 - (d) The protection of environmentally sensitive land shall be addressed in the conditions. Protections can include, but are not limited to, restrictions on clear cutting or vegetation removal; erosion control plan to control erosion during and after building construction; designation of specific building sites or areas with buildings prohibited; requiring certain management practices.

(E) One building eligibility incentive.

- (1) This section provides for flexibility under the conservation incentive, wooded and lakeshore, or high amenity area provisions of this chapter, to those landowners who are willing to pursue only one building eligibility as a conditional use. A maximum of one building eligibility may be granted under this provision.
- (2) Building eligibility flexible standard. A building eligibility may be assigned to the qualifying wooded, lakeshore or amenity area, without a subdivision requirement or it may be subdivided as a single lot, primarily for mortgage purposes. The configuration and specific standards for the lot shall be evaluated and stipulated during the conditional use permit process. The criteria for issuance are as follows:
 - (a) The qualifying land could support two or more building site eligibilities. The applicant must demonstrate that he/she is proposing to eliminate at least one potential building site.
 - (b) There would not be a need to construct a new township road.
 - (c) The building site may be utilized without subdividing the subject property, or via a single lot split principally for mortgage purposes.
 - (d) The applicant submits an acceptable plan for preserving long-term agricultural land. An acceptable plan may include, but would not be limited to, the agricultural preserves covenant and/or a conservation easement.

STAFF ANALYSIS:

- 1. The subject property has been a parcel of 40 acres or more (i.e. 71.49 acres) as of July 1, 1974 and has been under one ownership. Watertown Township provided for the additional density option “High Amenity” in their Chapter of the Comprehensive Plan.
- 2. The applicant is pursuing only one (1) residential building eligibility pursuant to 152.078 (C) “High Amenity” and (E) “one building eligibility incentive” which provides for flexibility and incentives for pursuing a single eligibility or lot split. The incentive avoids the platting process or having to construct a township road to meet the road frontage requirement for new lots. The proposed 16-acre lot consists of wooded and wetland areas which have not been in agricultural production for the past 20 years, and includes soils suitable for an SSTS; therefore, the proposal is

considered eligible land. The proposed lot would comply with the limitation of 4 homes per 40 acres (i.e. no more than 4 per ¼¼). The subject property is not enrolled in the Ag Preserve program, nor has a Conditional Use Permit for additional density been issued previously on this parcel.

3. The applicant stated in his letter, dated October 20, 2021, that he is proposing one (1) residential lot, approximately 16 acres, which would meet the standards for a high amenity lot. He stated the residential building footprint will be approximately 88' x 48' and an attached garage/shop with a 40'x 80' footprint. The driveway and building site have been chosen to reduce the number of trees to be removed, as well as maintaining a maximum setback from the wetland to the north. Construction of the new house would begin as soon as legally possible after building permits have been issued in the late Winter / early Spring of 2022.
4. The applicant's request would meet the intent of the 2040 Comprehensive Plan. The proposed lot is substantially wooded which could support two building sites. The owners' remaining parcel would remain a conforming lot after the approximate 16-acre lot is subdivided. The proposed high amenity lot would not need to be platted, but an administrative Minor Subdivision application and approval would be required.
5. The applicant and current property owners have acknowledged that no additional amenity eligibilities would be permitted in the future. Section 152.078 states that the CUP provision may be exercised only once for each parcel that was of record as of July 1, 1974.
6. The newly created lot would be required to comply with the Carver County Water Management Organization (CCWMO) Water Rules Standards pursuant to Chapter 153. More specific details for this lot would need to be submitted to Carver County Planning & Water Management at the time of design for review and approval prior to the issuance of building permit(s) for the proposed parcel.
7. On December 6, 2021, this request was reviewed by Lori Brinkman, Senior Environmentalist with Carver County. Ms. Brinkman stated that the proposed SSTS locations and soil borings have been approved for this site and there are no additional concerns at this time.
8. The Minnesota Department of Transportation (MnDOT) permitting authority, Jeff Dierberger, has reviewed the request and granted a driveway access permit (#A-21-96115) for residential purposes on August 26, 2021.
9. The Watertown Town Board reviewed the request and recommended approval at their November 1, 2021, Town Board meeting with no additional conditions.

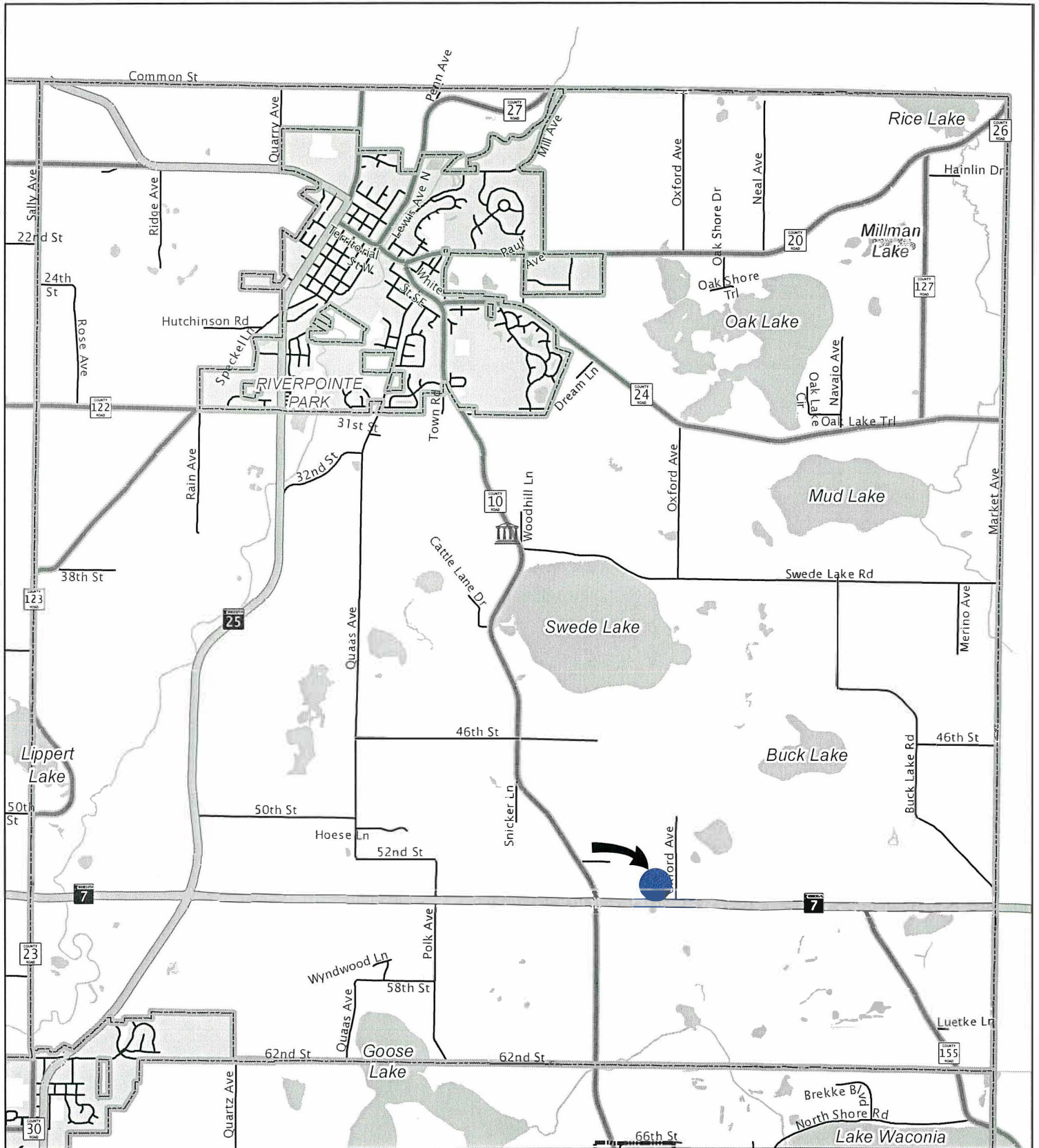
PLANNING COMMISSION CONSIDERATION:

If the Planning Commission recommends approval of the permit application, the following conditions should be considered part of the permit:

1. One (1) high amenity lot building eligibility shall be available, pursuant to the approved site plan. Additional lots (eligibilities) shall not be granted as a conditional use. The proposed lot shall be subdivided in accordance with the Minor Subdivision requirements including but not limited to, a survey, and primary and alternate SSTS locations.
2. The driveway/access must meet all requirements and conditions of the approved Minnesota Department of Transportation Access Permit #A-21-96115.
3. Prior to any construction activities, appropriate building permits shall be obtained for the single-family house and any accessory buildings, garage, or other structures.
4. Notice pursuant to Section 152.078 (C) (5) is hereby provided stating the following:
 - (a) The keeping of animals, with the exception of dogs, cats and similar animals kept as household pets, is prohibited on any residential lot.

- (b) All conditional use permit activities shall be prohibited on any residential lot. Agricultural parcels (i.e. 20 acres or more) and/or lots shall be subject to the "A" District regulations.
- (c) The area is rural and that commercial agriculture and other rural land use activities will likely be occurring in the area. A notice should be provided regarding the odors, dirt, dust, insects, noises, long hours of operation and other factors associated with agriculture and feedlot activities. Complaints relating to these activities shall be considered unwarranted so long as the activities are being conducted in accordance with existing standards.
- (d) The protection of environmentally sensitive land shall be enforced. The protections shall include; restrictions on clear cutting or vegetation removal; erosion control plan to control erosion during and after building construction; and designation of specific building sites or areas with buildings prohibited.

WATERTOWN 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.



Map Created by Carver County GIS

THIS IS NOT A LEGALLY RECORDED PLAT.
THIS MAP IS A COMPILED RECORD
OF THE RECORDS OF THE
OFFICES AND OTHER SOURCES. THIS MAP
PURPOSES, THE COUNTY AND ITS AGENTS
INDEMNIFIED CONTAINED THEREIN.

S 1/2 SEC. 27, T.117, R.25



DATE: October 20th, 2021

TO: Carver County Land Management Department – Planning Commission

FROM: Henry Weinzierl & Janine Kohlhasse

SUBJECT: Land Use Application – Conditional Use Permit – One Building Eligibility Incentive

To Whom It May Concern:

The purpose of this application is to divide the property located at: 5325 Co Rd 10 N, Watertown, MN 55388, owned by Gerald & Janice Albrecht, into (2) separate parcels of land, and for the applicants, Henry Weinzierl and Janine Kohlhasse to obtain a one building eligibility incentive Conditional Use Permit (CUP) to construct their new home (primary residence). The new parcel is legally described as: PID 10.0270500 S 1/2 SE 1/4 EXC: N 600' OF E 306.9' & ALSO EXC: S 720' OF E 250' & ALSO EXC: THAT PART SHOWN AS PARCEL 352 ON MNDOT R-O-W PLAT 10-42 SECTION 27 TWP 117 RANGE 025. Property owners, and Applicants have entered into a purchase agreement for the approximate 15 acre parcel, contingent upon the approval of splitting the owner's parcel into (2) separate plats.

Access to the new parcel will be located off of State Highway 7, approximately 1 miles E of County Rd 10 N, and has been approved by the Minnesota Department of Transportation, through an Application for Access (Driveway) Permit (# A-21-96115).

Ideally, Applicants would begin construction as soon as legally possible, and are planning on filing for, and obtaining their first building permit to begin site prep in late Winter / early Spring, 2022.

The following is the anticipated timeline of events for the new home construction:

- Conditional Use Permit (CUP) approval and sale of property to applicants ~ December 2021
- Preliminary / Final Plat Application and acceptance ~ March 2022
- Building / Construction permits granted ~ April 2022
- Driveway and site prep ~ April 2022
- Well/Septic installed and utilities (Electric/Gas) run to site ~ April 2022
- Barndominium / Shouse / Pole Barn House shell constructed ~ May 2022
- Concrete Pad poured ~ May 2022
- Internal framing/electric/plumbing/HVAC ~ June 2022
- Final touches / Appliance install / lighting / flooring completed ~ July 2022
- Move-in ~ August 1, 2022

Aside from applicant(s) and property owner(s), contractors will be accessing the build site to complete work according to the rough schedule outlined above. Temporary sanitation will be on hand throughout the entirety of the build (Porta-Potty, Roll-off Dumpster), and storage of building materials will be off-site until the building shell is constructed, at which point, immediate need materials will be stored inside the building shell awaiting contractor installation.

The residential building will take up a footprint of 88' long x 48' wide, with an eave height of 10'. Attached garage/shop will have a 40'x80' footprint, with an eave height of 15'. In construction of the driveway and the residential/garage/shop building, the absolute bare minimum number of trees will be removed in preparation of the build. Forest/tree coverage is important to the applicants, and the setback from the wetland will be maximized in order to mitigate any impact to that natural resource.

Below you will find rough sketches of Gerald and Janice's overall property, along with the proposed property division, showing the ~15 acre split, as well as the estimated driveway and build location. Sketch key:

- Solid red/bold outline = Split parcel from current owner's plat
- Brown line = estimated driveway location
- Brown outline = estimated gravel driveway pad
- White outline(s) = concrete pad/sidewalk/driveway outside of building footprint
- Black outline = Residential (left) and Garage/Shop (right) footprint
- Dashed Red line = existing powerline and anticipated power to site location
- Dashed Yellow line = existing natural gas line and anticipated gas to site location
- Solid Yellow line = distance (~195') from centerline of existing field access road, to centerline of new driveway



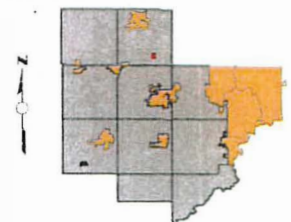
LAND MANAGEMENT MAP



Date: 10/7/2021

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.

0 Feet





ADDENDUM TO PURCHASE AGREEMENT

This form approved by the Minnesota Association of REALTORS®, which disclaims any liability arising out of use or misuse of this form.
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1. Date October 20th, 2021

2. Page 1

3. Addendum to Purchase Agreement between parties, dated October 15th 2021
4. (Date of this Purchase Agreement), pertaining to the purchase and sale of the Property at
5. XXX Highway 7 Watertown MN 55388

6. In the event of a conflict between this Addendum and any other provision of the Purchase Agreement, the language
7. in this Addendum shall govern.

8. Buyer and seller agree on the following:

9. This purchase agreement dated Oct. 15, 2021 can be terminated by buyer in writing if percolation
10. and soil test results are not satisfactory to buyer. If this purchase agreement is cancelled by
11. buyer due to results of percolation and soil tests, buyer expenses for percolation and soil
12. tests will be reimbursed by seller after buyer presents receipt(s)/invoice(s) for percolation
13. and soil tests. However, buyer must be reasonable in allowing the individual/company that
14. performs the soil test in selecting a suitable spot for the septic system to be able to be
15. installed.

16. Buyer financing will be a 15% down and 85% financed conventional loan

17. Section C(1) (a) of seller disclosure was only marked to emphasize the natural gas line on the
18. property, and no other easements besides this natural gas line exist on the land

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David F. Albert 10-21-01
(Seller) (Date)

Authentisign
Henry Weingierl 10/20/2021
(Buyer) 2021 1:34:21 PM CDT (Date)

Janice K. Albert 10-21-01
(Seller) (Date)

Authentisign
Janice Kohlhaas 10/20/2021
(Buyer) 2021 5:15:42 PM CDT (Date)

THIS IS A LEGALLY BINDING CONTRACT BETWEEN BUYER(S) AND SELLER(S).
IF YOU DESIRE LEGAL OR TAX ADVICE, CONSULT AN APPROPRIATE PROFESSIONAL.



Land Management Department
Public Services Division

Carver County Government Center

CARVER
COUNTY

600 East Fourth Street | Chaska, MN 55318

Office (952) 361-1820 | Fax (952) 361-1828 | www.co.carver.mn.us

November 29, 2021

HENRY WEINZIERL
1429 FOX STREET
COLOGNE, MN 55328

RE: PZ20210056 Application Completeness

Dear Henry Weinzierl,

As part of your Conditional Use Permit application to Carver County Planning Commission. Carver County Land Management received the following materials on October 21, 2021:

- A signed CUP application
- The required \$500 application fee
- A narrative describing the proposed land use
- ETC.

At this point, we have determined that the Conditional Use Permit application will require an extended review.

There is a requirement that the County Board of Commissioners make decisions on planning & zoning requests within 60 days of the application, as dictated by State Statute (MS. 15.99). The law states that the County may extend the timeline by providing written notice of the extension to the applicant. It also states that the notification must state the reasons for the extension and its anticipated length, which may not exceed the additional 60 days (i.e. 120-day total) unless approved by the applicant.

The County received the application materials on October 21, 2021, which establishes a 60-day deadline of December 20, 2021. Carver County Land Management Department is extending the deadline for an additional 60 days. The reason for the extension is due to additional materials being submitted after the initial application submittal; therefore, the conditional Use Permit request was pushed back a month. The upcoming Planning Commission meeting falls on December 21, 2021, which is beyond 60 days from the initial submittal.

This letter shall serve as written notice of the 60-day extension, reflecting a February 18, 2022 deadline for a final decision on your request. The 120-day period will not be further extended unless you approve it at that time.

Best regards,

Christina Neel
Land Use Planner


**DEPARTMENT OF
TRANSPORTATION**
**MINNESOTA DEPARTMENT OF TRANSPORTATION
APPLICATION FOR ACCESS (DRIVEWAY) PERMIT**

Document Management System #

District M1 Permit # A-21-96115C.S. 1003 T.H. 7

R.P. _____

(THIS SECTION FOR MnDOT OFFICE USE ONLY.)

**ATTACH A SKETCH OF THE PROPOSED WORK AREA AND RELATION TO TRUNK HIGHWAY.
SUBMIT TO DISTRICT OFFICE OF MINNESOTA DEPARTMENT OF TRANSPORTATION.**

APPLICANT REMAX EDGE	TELEPHONE 612-759-5054	ADDRESS (Street, City, State, Zip) PO BOX 90 DELANO MN 55328
PROPERTY OWNER Gerald Albrecht	TELEPHONE 952-955-1772	ADDRESS (Street, City, State, Zip) 5325 County Road 10 North, Watertown, MN 55388

LOCATION OF PROPOSED WORK (City/Township) Highway Hwy 7 in Watertown	(County) Carver	(Distance) 1 Miles	(N-S-E-W) E	SPECIFIC ROAD INTERSECTION OR LANDMARK of County Rd 10 N
---	--------------------	-----------------------	----------------	---

WILL THIS ACCESS BE WITHIN TRIBAL LANDS? NO IF YES, WHICH ONE?			
PURPOSE OF DRIVEWAY Residential	REQUESTED ENTRANCE WIDTH 20 Feet	PROPERTY IS IN Platted Area	ZONING FOR PROPERTY IS Agricultural/Residential
IS BUILDING TO BE CONSTRUCTED YES Residential home	WILL BUILDING BE Permanent	NUMBER OF PRESENT DRIVEWAYS TO PROPERTY 1	
EXACT LOCATION OF PRESENT DRIVEWAY(S) Field access road is approximate 150 ft west of the woods		EXACT LOCATION OF PROPOSED DRIVEWAY(S) 150 ft east of the field access. We understand the field access might be eliminated.	

LEGAL DESCRIPTION OF PROPERTY PID 10.0270500S1/2 SE 1/4 EXC: N 600' E of 306.9' & Also EXC. S 720' of E 250' & Also EXC. that part shown as parcel 352 on MNDOT R-O-W Plat 10-42 Section 27, TWP 117 Range 025 25
--

WORK TO START ON OR AFTER 8/15/2021	WORK TO BE COMPLETED BY 4/30/2022
-------------------------------------	-----------------------------------

COMMENTS

APPLICANT'S ACCEPTANCE, WAIVER AND INDEMNIFICATION

The undersigned applicant hereby agrees to comply with applicable statutes, rules, and all the standard conditions and special provisions of this permit. The applicant understands and agrees that no work in connection with this application will be started until the application has been approved and the permit issued.

The applicant also understands that this permit may also be subject to the approval of local road authorities having joint supervision over said street or highway, and may be subject to applicant's compliance with the rules and regulations of the Minnesota Environmental Quality Board and/or any other affected governmental agencies.

The applicant is aware of circumstances or hazards that may arise while performing the work associated with this application that could result in injury, loss, damage or death, and the applicant assumes the risk of such circumstances, dangers or hazards, whether reasonably foreseeable or not.

The undersigned applicant expressly agrees that except for negligent acts of the State, its agents and employees, the applicant or his/her agents or contractor shall assume all liability for, and save the State, its agents and employees, harmless from any and all claims for damages, actions or causes of action arising out of the work to be done in connection with this application and permit.

NAME AND TITLE JUDY VANDERLINDE REALTOR	EMAIL ADDRESS JUDY@VANDERLINDEGROUP.COM
DATE 06/15/2021	SIGNATURE

DO NOT WRITE BELOW THIS LINE

PERMIT NOT VALID UNLESS BEARING SIGNATURE AND NUMBER

AUTHORIZATION OF PERMIT

In consideration of the applicant's agreement to comply in all respects with the applicable laws and the conditions of the Commissioner of Transportation pertaining to this permit, permission is hereby granted for the work to be performed as described in the above application, said work to be performed in accordance with the following standard conditions and special provisions:

SEE ATTACHED STANDARD CONDITIONS AND SPECIAL PROVISIONS

4/30/21	 By Jeff Dierberger at 2:41 pm Aug 26, 2021
Date All Work To Be Completed By:	
Authorized MnDOT Signature	Date of Authorized Signature



CARVER
COUNTY

Township Presentation & Recommendation Form

PARCEL #	10-027-0500	Permit #	P620210056
Owner's Name:	Owner's Mailing Address:		
Gerald + Janice Albrecht	5325 Co Rd 14 N		
City:	Owner State:	Owner Zip:	
Watertown	MIN	55388	
Applicant (if other than owner):	Site Address:		
HENRY WEINBIERL	Same as above		

Type of Request:	☒ CUP	☐ IUP	☐ Preliminary Plat	☐ Final Plat	☐ Variance	☐ Appeal
Description of Request:	One building eligibility incentive - CUP					
Date of County Public Hearing:	11/16/2021 12/21/21		Date of Township Meeting:	11/1/2021		

Actions:

Township Action Taken: ☒ Recommends approval and use of the Township (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:	as per resident request.
--	--------------------------

****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

 Signature of Township Official

Date 10/10/2021

Date 11-1-21

EXHIBIT "A" – LEGAL DESCRIPTION

PID NUMBER: 10-027-0500

File# PZ20210056

APPLICANT: Henry E Weinzierl

**OWNER: The Trust Agreement of Gerald & Janice Albrecht
(Gerald F Albrecht and Janice K Albrecht, Trustees)**

* * * * *

The South Half of the Southeast Quarter of Section 27, Township 117 North, Range 25 West, excepting therefrom the North 600 feet of the East 306.9 feet thereof, and also excepting the South 720 feet of the East 250 feet thereof.

Excepting therefrom all of the following: That part of the South Half of the Southeast Quarter of Section 27, Township 117 North, Range 25 West, shown as Parcel 352 on Minnesota Department of Transportation Right of Way Plat Numbered 10-42 as the same is on file and of record in the office of the County Recorder in and for Carver County, Minnesota, containing 0.15 acre, more or less; together with other rights as set forth below, forming and being part of said Parcel 352;

Access: All right of access as shown on said plat by the access control symbol.

Special Provision: The owner of the lands from which said Parcel 352 is being acquired shall retain the right of access, being the right of ingress to and egress from Tract A described below to Trunk Highway No. 7, for farming purposes as defined in Minnesota Statutes 500.24 Subdivision 2(a). This limited right of access is shown on said plat and designated as For Farming Purposes Only, and shall cease upon termination of farming activities on said Tract A, or in the event Tract A is subdivided:

Tract A: The Southeast Quarter of the Southeast Quarter of Section 27, Township 117 North, Range 25 West, Carver County, Minnesota.

COUNTY OF CARVER
PUBLIC SERVICES DIVISION
Department of Land Management

December 13, 2021

TO: Carver County Planning Commission & Young America Town Board

FROM: The Land Management Department

SUBJECT: Application for a Conditional Use Permit (Church)

FILE #: PZ20210055

APPLICANT: Living Rock Church – Roger Eng

OWNER: Living Rock Church of the Christian and Missionary Alliance

SITE ADDRESS: 17125 Co Rd 31

PERMIT TYPE: Church

PURSUANT TO: County Code, Chapter 152, Section 152.080 (C)(2)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 11-016-0500

BACKGROUND:

1. Living Rock Church owns an approximate 14.8-acre parcel located in the North Half (N½) of the South Half (S½) of Section 16, Young America Township. The property is located at 17125 Co Rd 31 near the intersection of Co Rd 31 and Hwy 212. The property is currently improved with an existing house (utilized by the church as an office and meeting space), several accessory structures, agricultural production land, wooded grove and pasture area. In 2008, Living Rock Church received a Conditional Use Permit (CUP) to utilize the property for church purposes (CUP #20080004). The site is located in the Agricultural Zoning District and the CCWMO (Bevens Creek watershed).
2. The applicant is requesting approval to proceed with Phase II of the existing Conditional Use Permit (CUP) in order to construct an approximate 12,200 square foot church (i.e. worship facility) with an accompanying parking lot, revised driveway access location, and required site improvements such as stormwater management facilities. The request is part of the churches' second phase operations for a Large-Scale Activity - Church Facility, pursuant to Section 152.080 (C)(2) of the Carver County Zoning Code, which reads as follows:

§ 152.080 CONDITIONAL USES—LARGE SCALE ACTIVITIES WITH UNIQUE LAND OR LOCATION NEEDS.

(A) Minimum criteria for issuance.

- (1) The activity conforms to all other county ordinances, state, and federal regulations.
- (2) Minimum five acre lot size; unless another size is specified under a particular provision.
- (3) Sewage can be managed in accordance with Chapter 52 of this code of ordinances. The county may require design by a registered engineer.
- (4) 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.
- (5) 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.

- (6) Land is not subject to the land use restrictions of an AG preserve covenant.
- (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 disposal—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.

(C) Activities.

- (2) Churches. Related structures and activities, including education and classes, located on the same site which are an integral part of the church proper and convents or homes for persons related to the religious functions. The number of dwelling units permitted shall not exceed the number of building eligibilities available or the number of units existing on the church site as of September 1, 1998.
3. The approved operation and site plan of CUP #PZ20080004 allowed for remodeling and use of two existing buildings on the property for office and meeting space for church activities. At the time the remodeled structures were for church events and church administration, but not for regular Sunday services, which occurred in the City limits of Norwood Young America. The original staff memo referenced the Church's intention to "use the land and remodeled building for church events like picnics, bonfires, paintball games or other church activities."
 4. As the church didn't propose full Sunday service worship that would generate significant on-site vehicle traffic, no significant site improvements were required by the 2008 CUP except to "widen the existing driveway and provide an appropriate parking area on site." A gravel parking lot was constructed. In the original application the Church referenced future expansion plans, including "the construction of a church building, parking areas and increased church activities." This CUP request is intended to realize that vision and meet the original CUP requirement that "Phase 2 of the Large-Scale activity would require an amendment as the size and/or scope of the operation intensifies."

STAFF ANALYSIS

1. The Conditional Use Permit (i.e. Phase II) would allow the applicant to construct an approximately 12,200 square-foot single story church (i.e. worship center, classrooms, restrooms, gathering area, etc.), associated parking to accommodate approximately 110 vehicles, access improvements (off County Road 11/CSAH 11), a new well and septic installation and a stormwater retention system. Future plans (shown with dashed lines) would allow for a church/building expansion consisting of a worship center, offices, classrooms, gym, and associated parking for approximately 90 additional vehicles. At this time, the applicant is only looking for approval of the proposed building (shown in grey), parking area, and other site improvements as identified on the site plan submitted as part of the application. The existing structures (i.e. house/church office and accessory buildings) and use of the property for church events like picnics, bonfires, or other church activities are allowed as part of the initial Phase I CUP approval. Any future plans to expand/enlarge the facility, would require the applicant to apply and receive a new Conditional Use Permit (i.e. Phase III).
2. Sunday services would be held at 9:00AM and 10:30AM. Worship services, weddings, ministry meetings, and activities could be held throughout the week and weekends; therefore, no set hours of operation would exist. There would be office personnel on-site from 8:30AM to 4:30PM, Monday through Friday. The current total number of church employees is five (5), of which two (2) are part-time. This quantity may increase as the congregation grows in the future.

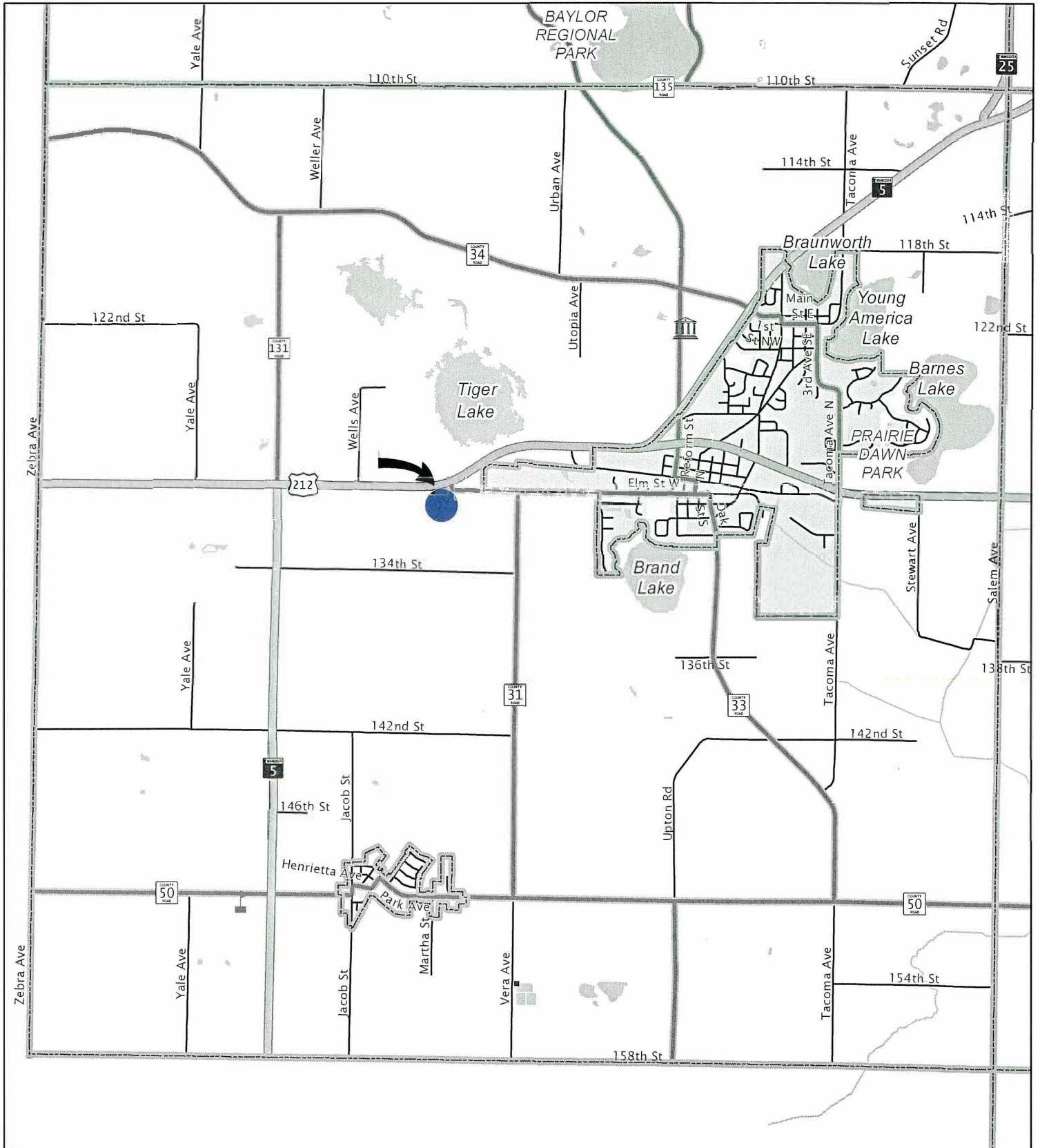
3. Currently, there are two existing occupied buildings on the property used for church purposes. The proposed assembly/worship hall of approximately 12,200 square feet is designed to provide seating capacity for 261 worshippers. The single level floor plan shows three large rooms for youths, restrooms, a separate “gathering” room and kitchen facilities. In addition to vehicle parking, an access drive, and stormwater management facilities, a “tot lot” on the south side of the proposed building has been identified. All structures (i.e. existing and proposed) meet the required Zoning Code setback standards.
4. It is anticipated that the church daily trips generated to and from the site on Mondays through Thursdays to be approximately 40 trips per day with a mid-week Wednesday peak of about 120 trips. The estimated number of daily trips anticipated on Sundays would be approximately 200 trips for the two worship services. These quantities would increase as the congregation expands. Future plans for the site also include expansion to the church which would increase the amount of traffic generated to and from the site on a daily basis but hasn’t been calculated at this time.
5. The county parking standards require one (1) parking space per three (3) seats based upon the design capacity of the main assembly/worship hall. The applicant has indicated the worship hall will be designed for 261 seats; therefore, requiring 87 parking spaces. The area and capacity of the on-site parking as shown on the site plan accommodates 110 vehicles, so the parking supply meets the minimum requirement of § 152.038 (C). The applicant also identified an area on the site plan for future parking, consisting of about 120 additional parking spaces.
6. Living Rock Church is working with the local road authority (Carver County Public Works Division) to allow for an access off of County Road 31. County Public Works has reviewed the request and provided written comments (dated: December 13, 2021) describing specific access standards/requirements for the subject property and proposed land use. The access to the site would be from CSAH 31, which is a highly traveled county road (collector classification). Based on the County Public Works comments, access improvements would need to be built and open for use prior to the occupancy of the building and will be a condition for the certificate of occupancy. The applicant would be required to secure an access permit from the road authority. Due to the location of the current driveway access location and proposed driveway access further east, the request has also been reviewed by the Minnesota Department of Transportation (MnDOT). On December 8, 2021, Buck Craig, MnDOT’s Metro Permits Section, submitted a letter indicating that any use of, or work within or affecting, MnDOT right of way will require a permit.
7. The applicant has indicated that the church is proposing to construct one 8’- 4” high by 12’- 0” wide illuminated monument sign constructed with a sign cabinet size of 32 square-foot limit, which meets the maximum sign square footage pursuant to Chapter 154 - Sign Regulations. The architectural site plan shows the monument sign in a conforming location near the location of the existing driveway.
8. County staff would review the parking standards (capacity) as future building projects are being proposed on the subject parcel. This would be done to ensure that the appropriate number of parking spaces are provided according to the parking requirements of the Zoning Code.
9. A Subsurface Sewage Treatment System (SSTS) location has been identified; however, prior to building permit approval, a design would need to be submitted to the Carver County Environmental Services Department for review and approval.
10. The church expansion project would be required to comply with the Carver County Water Management Organization (CCWMO) Water Rules Standards pursuant to Chapter 153. More specific stormwater details would need to be submitted to Carver County Planning & Water Management at the time of design for review and approval prior to the issuance of building permit(s) on the subject property.
11. The Young America Town Board reviewed and recommended approval of the church request during their November 9, 2021 Town Board meeting. The Town Board approved with a comment: “No objections with relocation of driveway.” An October 2021 submittal proposed an improved driveway at the current access location. In response to comments from the Town Board and County staff, the applicant resubmitted plans in late November that moved the access point to the new location along the east property line.

PLANNING COMMISSION CONSIDERATION:

If the Planning Commission recommends approval of the permit application, the previous CUP (#PZ20080004) and any other permits or amendments for a Large-Scale Church Facility shall be terminated, the following conditions should be considered part of the permit:

1. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. The operation shall be in accordance with the submitted application including operational plan (letter dated: 11/24/2021) and submitted site plans (dated 11/30/2021). These plans shall be attached to and become part of this permit. Any proposed expansion of the submitted site plan shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary.
3. The operational hours would typically follow a traditional church schedule. Worship services, weddings, meetings, and activities would also occur during the week and on Saturdays.
4. The Permittee shall comply with the local road authority (Carver County Public Works Department and MnDOT) access requirements and/or proposed improvements at County Road 31. This shall include securing an access permit from Carver County Public Works Department and MnDOT, if applicable.
5. Any grading and/or filling activity on the property shall be completed in accordance with the CCWMO Water Resource Management standards and the Wetland Conservation Act (WCA), if applicable. Any and all site improvements shall be completed pursuant to Chapter 153 – Water Resource Management. Stormwater Management review and approvals are required prior to the issuance of construction and/or building permits.
6. All necessary and required building permits shall be applied for and issued prior to construction. All structures utilized as part of the church facility shall meet the applicable Minnesota State Building Code requirements.
7. A Subsurface Sewage Treatment System (SSTS) location and design is submitted to the Carver County Environmental Services Department for review and approval. SSTS installation shall comply with all applicable SSTS regulations.
8. Parking of vehicles must be confined to the church property. Parking along County Road 31, within the road right-of-way, or within the MnDOT right of way shall be prohibited.
9. Any existing drain tile(s) on the site must be maintained and/or re-routed, such that flow through the property is not hindered or adversely altered.
10. Permittee shall submit a copy of the Certificate of Workers' Compensation Insurance or sign an appropriate affidavit regarding employee status and submit it to the Land Management Department. The insurance or affidavit shall be maintained for the duration of the CUP.
11. Permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations. These regulations include, but are not limited to, standards for parking and signage. Parking capacity shall meet requirements of the Zoning Code at all times.

YOUNG AMERICA 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.

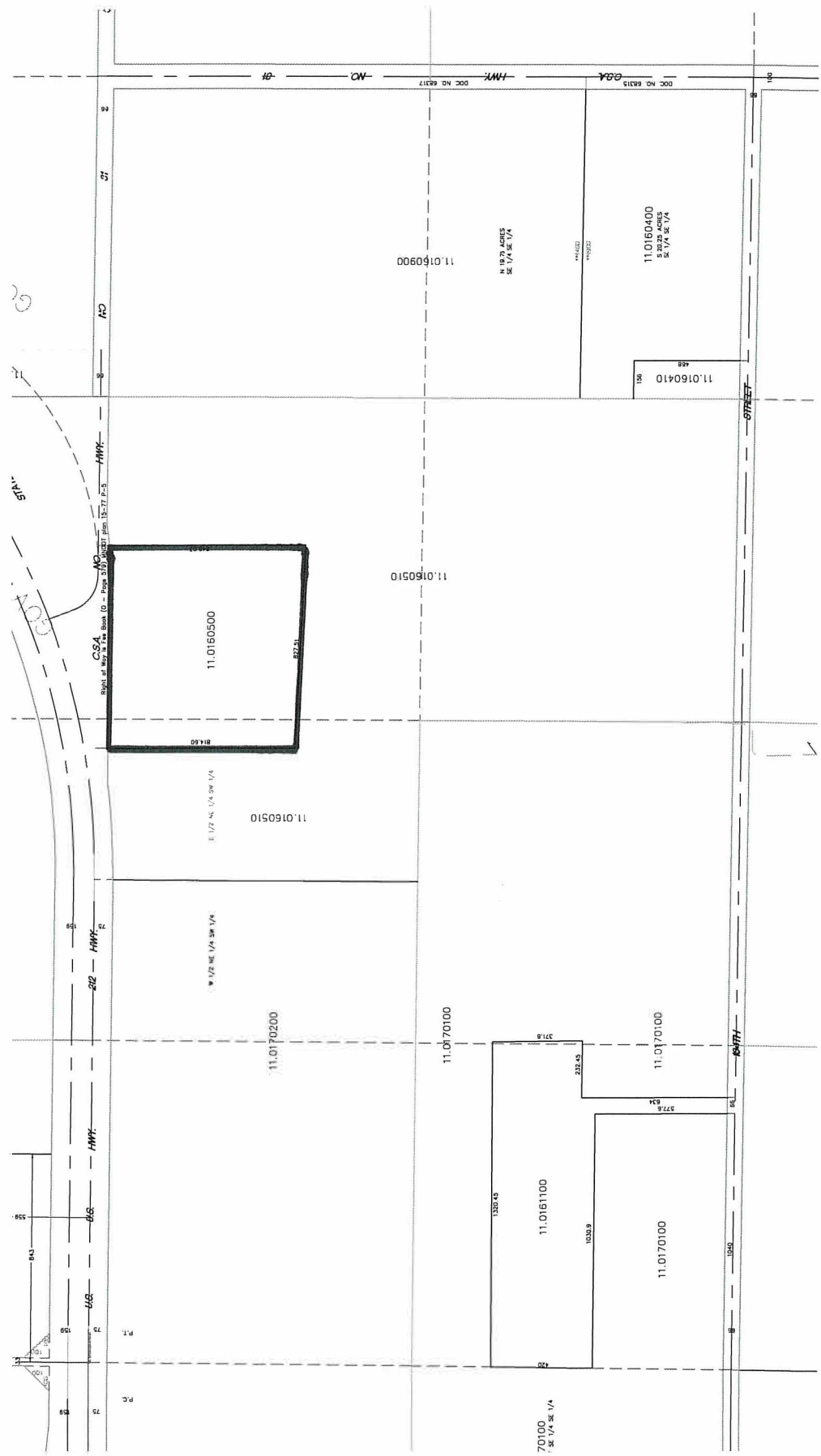
0 1 2 Miles



Map Created by Carver County GIS

THIS IS NOT A LEGALLY RECORDED PLAT.
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 IT IS NOT TO BE USED FOR ANY OTHER PURPOSE.
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 IT IS NOT TO BE USED FOR ANY OTHER PURPOSE.

S 1/2 SEC. 16, T.115, R.26



Nov. 24, 2021

Living Rock Church

Parcel ID: 110160500

To Whom it May Concern:

Living Rock Church purchased the site (in 2008) at the intersection of County Road 31 and Hwy 212. The site is approximately 16 acres.

A description of the activity/operation that is being proposed and related section of the Land Use Ordinance.

- Church building with associated administrative offices and religious education space.

Hours of Operation.

- Sunday services: 9:00 and 10:30 am.
- Wednesday evenings: Student ministry meets in two groups from 6:30 - 9 pm and would involve from 5-8 adults and 10-30 students.
- Wednesday evenings: Awana kid's ministry meets from 6:15 – 7:30 pm and would involve 20-25 adults and 40-50 kids.
- Mondays; Tuesdays; Thursdays, Fridays and Saturdays: Small groups of people will meet for business meetings, musical rehearsals, Bible Studies, or support groups. Groups will vary from 6-30 people and will meet in the am or pm as scheduled.

Number of employees, number of employees reporting to this site and number of family members working in the operation.

- There will be church office personnel on-site from 8:30am - 4:30 pm Monday- Friday.
- The current total number of employees is five with two of those being part time.
- This quantity may grow as the church grows.
- There are no family members working in the operation.

Number of trips generated in and out of the site each day.

- Monday, Tuesday, Thursday and Friday daily church traffic is anticipated to be approximately 6-25 depending on what is scheduled beyond regular office hours. Wednesday evening trips will range from 10 - 50.

- Sunday morning shall be approximately 80-120 trips over a three-hour period, with around 70-110 people in each of two worship services.

Number and types of business-related vehicles and personal vehicles.

- NA

Number of parking spaces available on the site.

- Carver County requires one parking space per three seats based upon the design capacity of the main assembly/worship hall. The worship hall will be designed for 261 seats so that requires 87 parking spots. We are planning to build 110 parking spaces in the first phase of the project.

Use of new and existing buildings on the site.

- The three existing buildings are for storage space and church offices. Living Rock Church is planning to build a new church building of approximately 12,200 sq. ft.

Storage needed as part of the operation (indoor and outdoor) and location of operational area.

- NA

Water services, sewage disposal and waste management used.

- We plan to build an on-site well for our water services.
- We plan to build an on-site septic system for sanitary sewage disposal.

Area and capacity of parking area, access to site.

- Phase one of the parking area is approximately 35,860 SF and the new entrance drive is approximately 10,965 SF.
- Access to the site will be from County Road 31/Elm Street at a new driveway to be located in the NE corner of the property.

Screening proposed.

- No screening is being proposed at this time.

Signage being utilized size, type and locations.

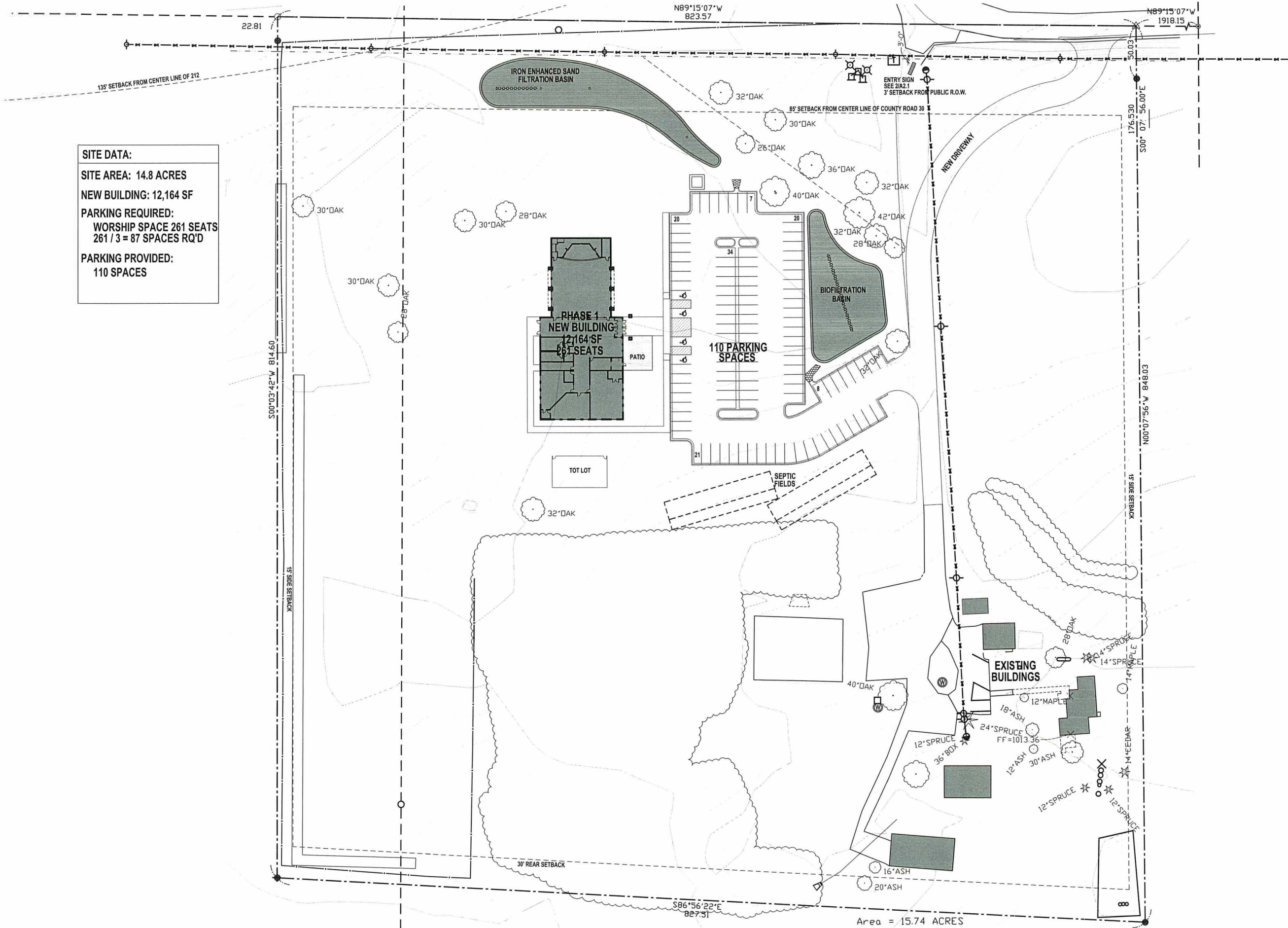
- Church signage shall consist of two sided internally lit cabinet. Each cabinet face to measure 32 SF. The cabinets will be mounted on a stone, cmu sign base.

Describe in detail, persons other than the owner that would access the site (i.e. customers, employees, public).

- Parishioners
- Church employees
- Church volunteers
- Occasional service contractors
- People in need from the community.

Ancillary Activities

- Weddings (2-4 / year)
- Funerals (2-4 / year)
- Our VBS (Vacation Bible School) is in July. That runs for 1 week in the evenings with 50+ children.



SITE DATA:
SITE AREA: 14.8 ACRES
NEW BUILDING: 12,164 SF
PARKING REQUIRED:
 WORSHIP SPACE 261 SEATS
 261 / 3 = 87 SPACES RQ'D
PARKING PROVIDED:
 110 SPACES

PHASE ONE SITE PLAN
 1"=40'-0"



www.htg-architects.com
 Minneapolis Phoenix Tampa

9300 Hennepin Town Road
 Minneapolis, MN 55347
 Tel: 952.278.8880
 Fax: 952.278.8822

PROJECT
 Living Rock CHURCH

NEW BUILDING

CARVER COUNTY

ISSUED SET NOVEMBER 24, 2021 COP SUBMITTAL
 REVISIONS

DATE	NO.

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

THOMAS R. MOORSE
 # 22804
 REG. NO. DATE

Kinghorn COMPANY
 GENERAL CONTRACTORS

PHASE 1 SITE PLAN

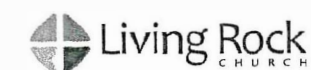
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9300 Hennepin Town Road
Minneapolis, MN 55347
Tel: 952.278.8880
Fax: 952.278.8822

PROJECT



NEW BUILDING

CARVER COUNTY

ISSUED SET ~~NOVEMBER 2, 2021~~ COP SUBMITTAL
REVISIONS

[illegible]

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

THOMAS R. MOORSE

A-22894 _____
REG. NO. _____ DATE _____

Kinghorn
COMPANY
GENERAL CONTRACTORS

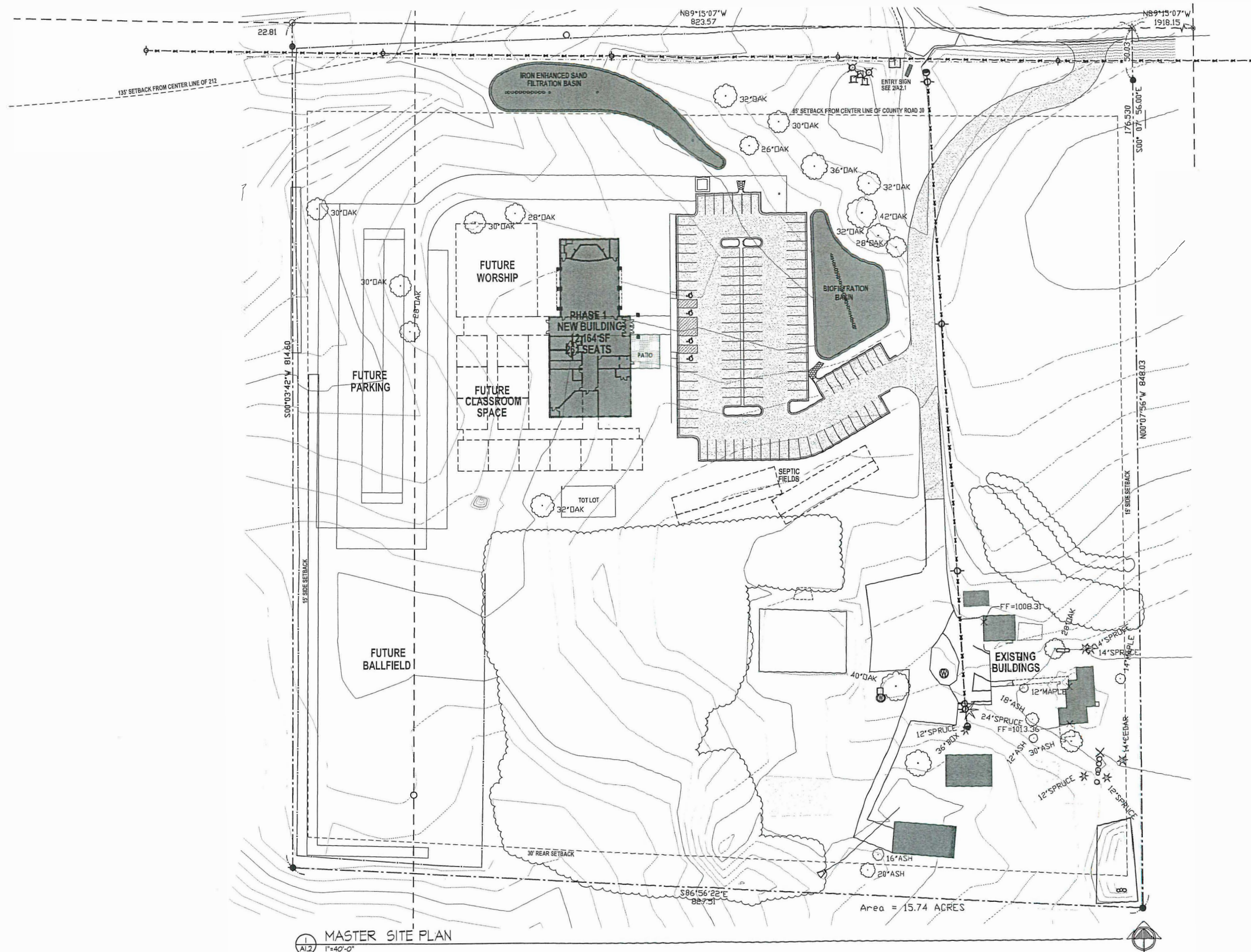
MASTER SITE PLAN

Nov. 30, 2024
(7th)

DRAWN BY: AAT CHECKED BY: TRM

A1.2

211735 ML-12138
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PROJECT

**NEW BUILDING**

CARVER COUNTY

ISSUED SET ~~NOVEMBER 24, 2021~~ CUP SUBMITTAL
REVISIONS

[illegible]

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

THOMAS R. MOORSE

22894

REG. NO. DATE

Kinghorn
COMPANY
GENERAL CONTRACTORS

ELEVATIONS OPTION ONE

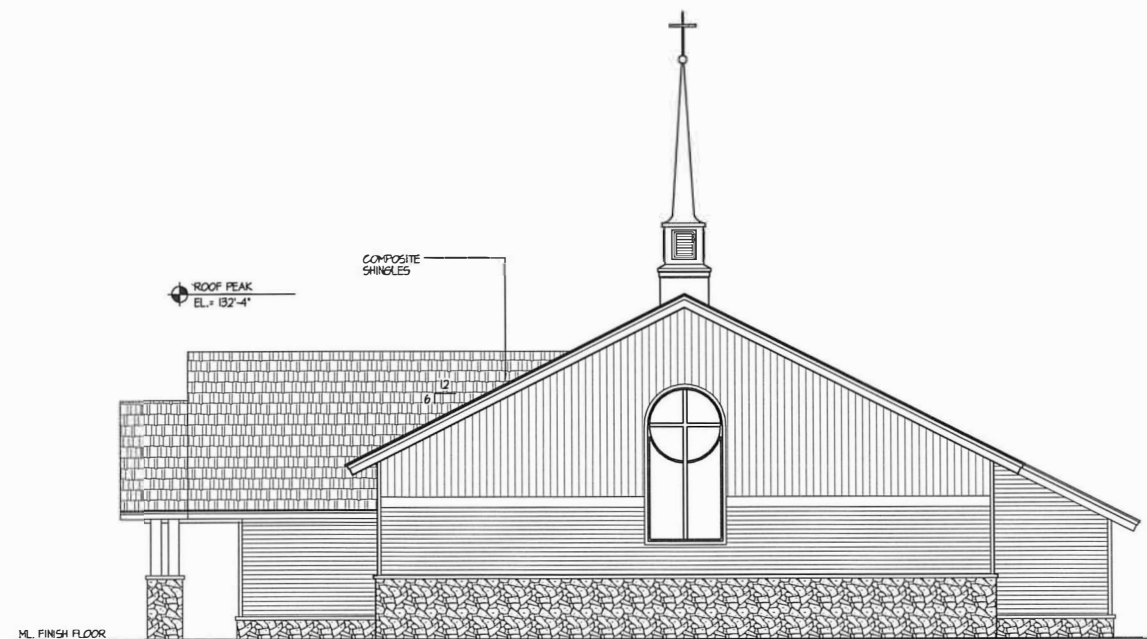
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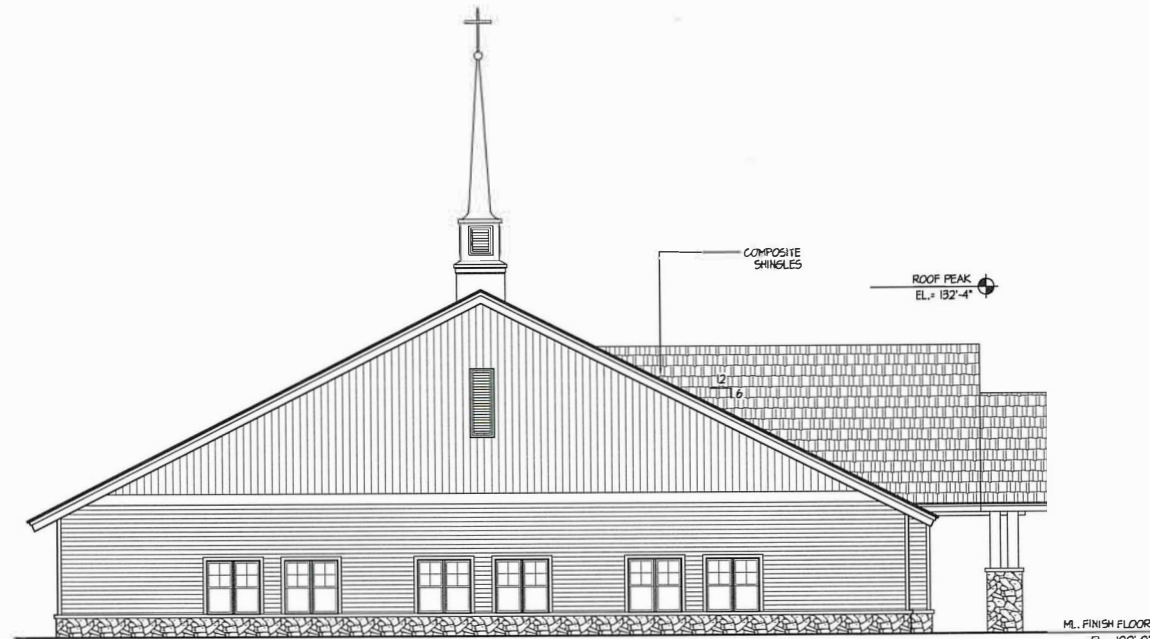
211135 ML1213
COPYRIGHT © BY HTG ARCHITECT



 EAST ELEVATION
1/8"=1'-0"



2 NORTH ELEVATION
A3.1 1/8" = 1'-0"



3 SOUTH ELEVATION
A3.1 1/8" = 1'-0"



4 WEST ELEVATION
A3.1 1/8"=1'-0"



**Carver County
Public Works**

11360 Highway 212, Suite 1
Cologne, MN 55322

December 13, 2021

Carver County Land Management Department
c/o Donovan Hart, Senior Planner
600 East 4th Street
Chaska, MN 55318
dhart@co.carver.mn.us

CC: Roger Eng, reng@LivingRockChurch.com, applicant and property owner

Re: Development / Access Review Comments: Living Rock Church Phase II Conditional Use Permit (PID 110160500) adjacent to County State Aid Highway (CSAH) 31 in Young America Township

Thank you for the opportunity to review the subject Conditional Use Permit (CUP) in Young America Township. Consistent with the County Comprehensive Plan and County Codes, and other official controls of the County, the following are comments and recommended conditions of approval and as requirements for any proposed permits to be issued for the project.

1. Regarding access to the County Highway -
 - a. The County's Access Spacing Map in the 2040 Comprehensive Plan (Figure 4.14) identifies this segment of CSAH 31 as Category 6B, which guides full access intersection spacing at ¼ mile intervals and secondary (limited) intersection spacing at 1/8 mile intervals. For safety and operations purposes as well as consistency with this policy guidance, the County prefers the access to be located 1/8 mile or 660 ft. east of the intersection of Trunk Highway (TH) 212/CSAH 31. It is noted that the guided location would not be located on the applicant's property and requiring the 1/8 mile access spacing from the intersection of TH 212/CSAH 31 would restrict the applicant's use of the existing parcel.
 - b. The existing driveway location on the parcel, at approximately 185 ft. from the TH 212/CSAH 31 intersection, presents a safety and operational concern. Moving the access location to the eastern property line, as proposed, is approximately 355 ft. east of the TH 212/CSAH 31 intersection, an additional approximately 170 ft. east from the existing driveway location. This will assist in mitigating conflict points within the TH 212/CSAH 31 intersection influence area and potential stacking at the intersection.
 - i. The required access location is at the eastern property line, as proposed, as far east from the TH 212/CSAH 31 intersection as possible and to not preclude a connection to the east should the adjacent property develop to a new use. The access shall be considered a secondary access meaning it could be restricted to a right-in/right-out in the future if operational or safety issues arise.
 - c. Per technical review and due to the close proximity to TH 212, consideration of best practices, and in accordance with County policy, County access permit approval will require roadway improvements to CSAH 31 to accommodate this access including but not limited to:

- i. An eastbound right turn lane on CSAH 31 to serve the new access is required. The right turn lane and driveway culvert will need to be designed to County standards. The right turn lane will need to be built and open for use prior to the occupancy of the building and will be a condition for the certificate of occupancy.
 - d. The daily and peak traffic information provided in the application does not meet the threshold in the County's policy guidance for a Traffic Impact Analysis to be conducted; however, additional technical items are needed as part of access permit review and concurrent turn lane plan review and approval. Provide anticipated right turns and left turns into the site during peak periods. Demonstrate the proposed access location has adequate sightlines according to the MnDOT Road Design Manual.
 - e. Traffic operations and safety at the CSAH 31 driveway access may be monitored. A traffic control management plan or other traffic operation mitigation measures may be required should future operation or safety issues arise or if traffic generation from the site increases substantially above the proposed levels. Access modifications may be required as part of building or use expansion leading to additional trip generation or safety issues and would require additional review and approval by the County.
2. Regarding final approvals and required permits -
- a. The County will need to review and approve the final grading plans adjacent to CSAH 31. A grading permit will be required for grading work within the highway right of way.
 - b. An access permit will be required for the driveway connection to CSAH 31. County will need to review and approve the right turn lane plan as part of permitting requirements.
 - c. Prior to any work affecting or on County highways or in County right of way, the applicant shall coordinate plans with the County Engineer and obtain any needed Utility, Access, or Excavating/Filling/Grading Permit(s) from Carver County Public Works: (www.co.carver.mn.us/departments/public-works/quick-links/permits). Final details of locations, grades, and profiles affecting County roads as well as any utility connections will need to be reviewed and approved prior to any permits.
 - d. Any damages, modifications, or changes incurred on County highways from current or approved conditions will need to be remedied or updated at development expense, including costs incurred by the County.

These are the County's comments at this time. If you have any questions or need further assistance, please do not hesitate to contact those noted below:

Dan McCormick, P.E. PTOE Transportation Manager Carver County Public Works dmccormick@co.carver.mn.us	Angie Stenson AICP Sr. Transportation Planner Carver County Public Works astenson@co.carver.mn.us	Joan Guthmiller Administrative Technician Carver County Public Works jguthmiller@co.carver.mn.us
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December 8, 2021

Steve Helget
City Administrator
Norwood Young America
310 Elm Street West
P.O. Box 59
Norwood Young America, MN 55368

Angie Stenson,
Senior Transportation Planner
Carver County Public Works
11360 US 212
Cologne, MN 55322

SUBJECT: MnDOT Review #**S21-071**
Living Rock Church.
SW Quad US 212/MN 5 & Carver County Road 31
Norwood Young America, Carver County

Dear Mr. Helget and Ms. Stenson:

Thank you for the opportunity to review the plans for **Living Rock Church**. MnDOT has reviewed the documents and has the following comments:

Permits:

Any ~~other~~ use of, or work within or affecting, MnDOT right of way will require a permit.

Permits can be applied for at this site: <https://olpa.dot.state.mn.us/OLPA/>. Please upload a copy of this letter when applying for any permits.

Please direct questions regarding permit requirements to Buck Craig of MnDOT's Metro Permits Section at 651-775-0405 or Buck.Craig@state.mn.us.

Review Submittal Options

MnDOT's goal is to complete reviews within 30 calendar days. Review materials received electronically can be processed more rapidly. Do not submit files via a cloud service or SharePoint link. In order of preference, review materials may be submitted as:

An equal opportunity employer

1. Email documents and plans in PDF format to metrodevreviews.dot@state.mn.us. Attachments may not exceed 20 megabytes per email. Documents can be zipped as well. If multiple emails are necessary, number each message.

2. PDF file(s) uploaded to MnDOT's external shared internet workspace site at: <https://mft.dot.state.mn.us/metrodevreviews.dot@state.mn.us>. Contact MnDOT Planning development review staff at for uploading instructions, and send an email listing the file name(s) after the document(s) has/have been uploaded.

If you have any questions concerning this review, please contact me at (651) 234-7797.

Sincerely,



Cameron Muhic
Senior Planner

Copy sent via E-Mail:

Buck Craig, Permits
Jason Swenson, Water Resources
Ryan Wilson, Area Manager
Mohamoud Mire, South Area Support
Mackenzie Turner Bargaen, Multimodal
Jason Junge, Transit

Lance Schowalter, Design
Almin Ramic, Traffic
Diane Langenbach, Area Engineer
Doug Nelson, Right-of-Way
Jesse Thorsen, Multimodal
Russell Owen, Metropolitan Council

Jason Mielke

From: Kristen Larson
Sent: Friday, December 10, 2021 10:20 AM
To: Donovan Hart; Paul Moline; Lori Brinkman; Kalley Guerdet
Cc: Jason Mielke
Subject: RE: Living Rock Church - Gentle Reminder

Hi Donovan-

Comments from the PWM dept are below. If you have questions, please let me know!

- The proposed church and parking area will require a stormwater permit from the CCWMO
- Information on the permitting process (application, rules, guidelines, design details, treatment calculator, etc) can be found on the County's website here:
<https://www.co.carver.mn.us/departments/public-services/planning-water-management/water-management/permits>
- Plans indicate a phased approach to construction. The WMO recommends providing or planning for stormwater treatment for full buildout to simplify future permitting and site planning.
- Submitted information indicates that biofiltration basins will be used to meet water quality and volume control requirements for the site. The forested area onsite may also be eligible for volume control using the upland preservation credit. Volume control credit for upland preservation is calculated as 0.5 inches over the area preserved. The area preserved must be placed under conservation easement.
- A level 1 wetland delineation (aerial review) should be completed for the basin in the northeast corner of the parcel. This area shows wetland signatures in some years and a determination of whether or not it is wetland must be completed prior to construction beginning on site.
- There appears to be a swale or tile on the north end of the property that drains a depression in NE corner of the property (see image below). Plans must address how offsite drainage through the swale/tile will be maintained



- Additional comments will be provided upon receipt of a full application

Kristen Larson

Water Resources Program Specialist

klarson@co.carver.mn.us

D: 952.361.1824 | O: 952.361.1820 | F: 952.361.1828

From: Donovan Hart <dhart@co.carver.mn.us>

Sent: Thursday, December 9, 2021 4:24 PM

To: Paul Moline <PMoline@co.carver.mn.us>; Kristen Larson <klarson@co.carver.mn.us>; Lori Brinkman <lbrinkman@co.carver.mn.us>; Kalley Guerdet <kguerdet@co.carver.mn.us>

Cc: Jason Mielke <jmielke@co.carver.mn.us>

Subject: Living Rock Church - Gentle Reminder

Hello All,

If you have any comments on this application, please send them over tomorrow. Even if no comments are provided, the staff conditions for approval will include compliance with all required County (and other agency) permits.



Township Presentation & Recommendation Form

PARCEL # 110160500	Permit # PZ 2021 0055
Owner's Name: Living Rock Church c/o Roger Eng	Owner's Mailing Address: 17125 County Road 31
City: Norwood Young America	Owner State: MN Owner Zip: 55368
Applicant (if other than owner):	Site Address: 17125 County Road 31

Type of Request: ☒ CUP ☐ IUP ☐ Preliminary Plat ☐ Final Plat ☐ Variance ☐ Appeal

Description of Request:

The church is requested approval of Phase II of a Conditional Use Permit originally granted 2008. The church would like to build the first phase of its permanent worship facility along with the associated parking.

Date of County Public Hearing: 12-21-21 **Date of Township Meeting:** 11/9/21

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:

No objections with relocation of driveway
Recommend approval

****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

Signature of Township Official

Date 11/9/21
 Date 11/9/21

**COUNTY OF CARVER
BOARD OF COMMISSIONERS**

**AN ORDER FINDING CERTAIN FACTS AND ORDERING
THE ISSUANCE OF A CONDITIONAL USE PERMIT**

DATE: April 1, 2008

ORDER #: PZ20080004

FILE #: PZ20080004

APPLICANT: Living Rock Church – Sheldon Sorensen

OWNER: Robert & Audrey Tanke

SITE ADDRESS: 17125 Co Rd 31

PERMIT TYPE: Church

PURSUANT TO: County Code, Chapter 152, Section 152.080 C2

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 11-016-0500

A public hearing was held on this matter on March 18, 2008, by the Carver County Planning Commission, and the recommendation of the Planning Commission was duly considered in the issuance of this order.

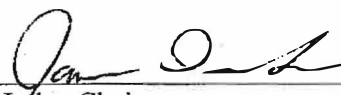
FINDINGS OF FACT

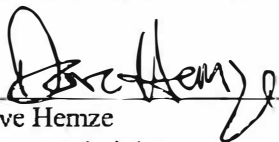
1. The applicant, Living Rock Church, is interested in purchasing an approximate 16 acre parcel from Mr. and Mrs. Robert Tanke. The property is improved with a home, several agricultural structures, wooded grove and pasture area. The property is located in the South Half (S½) of Sections 16, Young America Township. The site is located in the Agricultural Zoning District, Agricultural Preservation Program and the CCWRMA – Bevens Creek.
2. The applicant is requesting approval of a Conditional Use Permit (CUP) in order to operate a Large Scale Activity - Church Facility, pursuant to Section 152.080 C2 of the Carver County Zoning Code.
3. Sheldon Sorensen, applicant on behalf of Living Rock Church, has a purchase agreement in place with Robert & Audrey Tanke, to purchase an existing building site of approximately 16 acres. A legal survey has not been performed, but will be conducted prior to the purchase of the property. The Conditional Use Permit would allow the applicant to remodel and use two (2) existing buildings as office space and a meeting place for various church events. Future plans would include the construction of a church building, parking areas and increased church activities. However, at this time the applicant is only looking for approval of the remodeling and use of two (2) existing buildings. Any future plans to enlarge the facility, will require the applicant to apply and receive a new Conditional Use Permit.
4. If the Conditional Use Permit request is granted, the applicant would then submit the necessary application information for the minor subdivision. The minor subdivision would be required in order to split the approximate 16 acre building site off from the remainder of the property. The remainder of the property (approximately 82 acres) would still maintain the agricultural preservation status; however, the newly created (approximate 16 acre) parcel would be exempt from the agricultural preservation program. The property has an existing home which utilizes one (1) building eligibility.

5. Development of the site will be done in phases, with the first phase consisting of the remodeling of two (2) existing buildings, the house as their church office space and the Lester structure as a meeting place for different church events. They would also like to use the land and remodeled building for church events like picnics, bonfires, paintball games or other church activities. During the Phase 1 activities, Living Rock Church will not be holding Sunday church services at this site; however, special event services may take place on occasion. The church is currently utilizing one of the existing schools in Norwood Young America for their church services.
6. According to the applicants operational plan, during **Phase 1** of the operation on regular days they would expect 10-15 car trips per day, and on Wednesday nights or other scheduled meeting times, or on days of special events there would be as many as 100 car trips and as they grow, even more. The office hours are Tuesday through Friday 8:00 a.m. to 5:00 p.m. Currently the church has three (3) full-time employees and two (2) part-time, but over the next five years they could possibly add as many as two (2) more full-time and four (4) part-time employees. The operational hours would typically follow a traditional church schedule. Worship services, weddings, meetings, and activities would also occur during the week and on Saturdays. The only large items stored on the property would be for two (2) church vans, and a trailer. Each employee and/or visitor to the office would have a car. During the first phase, the church will not have a paving parking lot, but rather would use the existing driveway and surrounding areas for parking. An appropriate gravel parking area will need to be developed as shown on the site plan, and the existing driveway widened.
7. According to the applicants operational plan, during **Phase 2** of the operation the church would construct a church building, driveway improvements, bituminous parking areas, new well, new on-site sewage treatment system and stormwater retention system. Phase 2 would be started once the property has been paid for and the church has the financial means to build the campus plan, as the use of the property would greatly increase. The business hours would remain the same, but on Sundays and Wednesday nights, the prime church times, they would have hundreds of people visiting the site. The current Sunday morning attendance is between three and four hundred; however, as the surrounding communities grow the future attendance could have up to a thousand people on any given Sunday. Based on those future projections the church could anticipate as many as 800 car trips on any given Sunday. Future plans (next ten years) for the site also include a daycare or preschool, which would increase the amount of traffic generated to and from the site.
8. The applicant has indicated that the church is proposing to construct two (2) illuminated signs that are visible from Highway 212 and County Road 31. Any signage will comply with the Carver County Sign Ordinance.
9. Upon the request for a building permit for each structure, parking capacity will be reviewed to ensure that the appropriate number of spaces are provided according to the parking requirements of the Zoning Code.
10. Access to the site is off of County Road 31. The applicant will need to comply with the local road authority access requirements and/or improvements, if required.
11. The Young America Town Board reviewed and recommended approval of the Church request at their February 2008 Town Board meeting.
12. The Board has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

IT IS HEREBY ORDERED THAT THE CARVER COUNTY ZONING ADMINISTRATOR SHALL ISSUE CONDITIONAL USE PERMIT #PZ20080004. THIS PERMIT IS ISSUED PURSUANT TO THE CARVER COUNTY CODE, SECTION 152.080 C2 FOR A LARGE SCALE ACTIVITY – CHURCH ON PROPERTY LEGALLY DESCRIBED IN EXHIBIT “A”. THE FOLLOWING CONDITIONS SHALL BE ATTACHED TO THE PERMIT:

1. The Permittee must submit and receive approval of a minor subdivision application prior to the issuance of CU-PZ20080004. A Minor Subdivision application including, but not limited to, a survey and on-site compliance must be submitted and approved prior to the recording of any deed. The existing residence shall not be utilized as two (2) dwelling units. The residence shall not be converted to separate rental units and an additional address is strictly prohibited. The church property has one (1) building eligibility which is currently utilized by the existing home.
2. The permit is subject to administrative review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
3. The operation shall be in accordance with the submitted operational plan (letter dated: 2/7/08) and site plan (map dated: 2/7/08). These plans shall be attached to and become part of this permit. This Large Scale activity conditional use permit request only allows for activities described as part of Phase 1. Phase 2 of the Large Scale activity will require an amendment as the size and/or scope of the operation intensifies. Phase 1 will also require the church to widen the existing driveway and provide an appropriate parking area on site.
4. The operational hours would typically follow a traditional church schedule. Worship services, weddings, meetings, and activities would also occur during the week and on Saturdays.
5. The Permittee must comply with the local road authority access requirements and/or improvements, if any.
6. Any grading and/or filling activity on the property shall be completed in accordance with the Carver County Water Management guidelines and the Wetland Conservation Act (WCA).
7. Permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations. These regulations include, but are not limited to, standards for parking and signage. Parking capacity must meet requirements of the Zoning Code as each building permit is requested.
8. All necessary and required building and/or demolition permits must be applied for and issued prior to construction. All structures utilized as part of the church facility shall meet the applicable State Building Code requirements. Additional expansion of the church facility and church functions shall not be allowed without an amendment to this permit.
9. Parking of vehicles must occur on the church property. No parking will be allowed along County Road 31 or Hwy 212.
10. Any existing drain tile(s) on the site must be maintained and/or re-routed, such that flow through the property is not hindered or adversely altered.
11. Permittee shall submit a copy of the Certificate of Workers' Compensation Insurance or sign an appropriate affidavit regarding employee status and submit it to the Land Management Department.


Jim Ische, Chair
Carver County Board


Dave Hemze
County Administrator

THE STIPULATIONS OF THIS ORDER, IF ANY, SHALL BE SATISFIED WITHIN SIX (6) MONTHS OF THE DATE FIRST WRITTEN ABOVE, OR SAID ORDER SHALL BE NULL AND VOID AND THE CONDITIONAL USE PERMIT SHALL NOT BE ISSUED. THE SIX (6) MONTH DEADLINE MAY BE EXTENDED ONLY BY ACTION OF THE COUNTY BOARD OF COMMISSIONERS.

EXHIBIT "A" – LEGAL DESCRIPTION

PID NUMBER: 11-016-0500

File# PZ20210055

**APPLICANT/OWNER: Living Rock Church of The Christian and
Missionary Alliance**

* * * * *

Part of the East Half of the Northeast Quarter of the Southwest Quarter and part of the Northwest Quarter of the Southeast Quarter, all being part of Section 16, Township 115, Range 26, Carver County, Minnesota, described as follows:

Commencing at the northeast corner of said Southeast Quarter of Section 16; thence on an assumed bearing of North 89 degrees 15 minutes 07 seconds West along the North line of said Southeast Quarter, 1,918.15 feet to the point of beginning of the tract to be described; thence continuing North 89 degrees 15 minutes 07 seconds West along said North line of the Southeast Quarter and the North line of said Southwest Quarter, 823.57 feet; thence South 00 degrees 03 minutes 42 seconds West, 814.60 feet; thence South 86 degrees 56 minutes 22 seconds East 827.51 feet; thence North 00 degrees 07 minutes 56 seconds West, 848.03 feet to the point of beginning.

Subject to easements for public rights-of-way.