

# PUBLIC NOTICES

## PUBLIC NOTICE

**Le Sueur County Board of Commissioners**  
**88 South Park Ave.,**  
**Le Center MN 56057**  
**507-357-2251**

The Le Sueur County Board of Commissioners, after proper notice and publication, held a public hearing on May 28th, 2019 on the repeal and replacement of five ordinances: Food & Beverage Ordinance No. 104, Lodging Ordinance No. 100, Manufactured Home Park & Recreational Camping Area No. 102, Swimming Pool Ordinance No. 103, and Youth Camp Ordinance No. 101. After hearing public testimony with due deliberation, on May 28th, 2019 the Le Sueur County Board of Commissioners voted 5 ayes and 0 nays to repeal and replace the Ordinances.

The Ordinance shall be in full force and effect on May 28, 2019 after its passage and publication, as provided by law.

Passed this 28th day of May 2019.

John King, Board Chair  
 Attest: Darrell Pettis, Le Sueur County Administrator

(Published in The Elysian Enterprise No. E297 and Waterville Lake Region Life No. W562, Thursday, June 6, 2019)

## AND PROPERTY LINE SETBACKS.

**ITEM #4: RICHARD & CYNTHIA COTES, LE CENTER, MN, (APPLICANT / OWNER):** Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to install a pump tank 45 feet from the drainageway, 59 feet from the Ordinary High Water Level (OHWL), 8 feet from the deck; install septic tanks 8 feet from the deck and 59 feet from the OHWL; install septic drainfield 7 feet from the road Right-Of-Way (ROW), 8 feet from the attached garage, 31 feet from a drainageway and 4 feet from the shed in a Recreational Residential "RR" District, on Lake Volney, a Recreational Development "RD" lake. Property is located at Lot 21, Elwood Subdivision, Section 36, Lexington Township. **VARIANCE IS FOR DRAINAGEWAY, OHWL, STRUCTURE, AND ROAD ROW SETBACKS.**

**ITEM #5: CHARLES MYHRA, ST. PETER, MN, (APPLICANT/OWNER):** Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to install a septic drainfield 14 feet from the bluff, 14 feet from the dwelling, 6 feet from the rear property line, 2 feet from the side property line, and 1 foot from a shed in a Recreational Residential "RR" District, on Lake Emily, a Recreational Development "RD" lake. Property is located in Government Lot 5, Section 25, Kasota Township. **VARIANCE IS FOR BLUFF, STRUCTURE, AND PROPERTY LINE SETBACKS.**

**ITEM #6: LOREN ALLAS, AUSTIN, MN, (APPLICANT / OWNER):** Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to install a holding tank 4 feet from the property line in a Recreational Residential "RR" District, and a Flood Fringe "FF" Floodplain Overlay District on Lake Tetonka, a Recreational Development "RD" lake. Property is located at Lot 17, Tetonka Beach Subdivision, Section 24, Elysian Township. **VARIANCE IS FOR PROPERTY LINE SETBACK.**

**APPLICANT OR REPRESENTATIVE MUST BE PRESENT IN ORDER FOR THE APPLICATION TO BE HEARD.**

**ONSITE VISIT WILL BE MADE BY THE BOARD OF ADJUSTMENT JUNE 20, 2019.**

JOSHUA MANKOWSKI,  
 LE SUEUR COUNTY  
 PLANNING & ZONING  
 ADMINISTRATOR  
 MICHELLE R. METTLER,  
 ASSISTANT PLANNING &  
 ZONING ADMINISTRATOR

(Published in The Elysian Enterprise, Thursday, June 6, 2019; No. E296-6-6)

## PUBLIC NOTICE

**Planning and Zoning Commission**

**June 17, 2019, 7:00 p.m.**

There will be a public hearing of the Waterville Planning and Zoning Commission on Monday, June 17, 2019 at 7:00 p.m. in the City of Waterville Council Chambers to hear the request of Chad Becker, 520 Main Street East, Waterville MN for an ordinary high water setback variance of 25 feet and a side yard setback variance of 14 feet allowing for an ordinary high water setback of 25 feet and a side yard setback of 6 feet to place a 8'X12' shed on the property. Current zoning allows for a setback of 50 feet from the ordinary high water mark and a 20 foot side yard setback.

The property is zoned B3-General Business District, Shore land and Flood Plain as is described as follows:

Parcel ID #: 24.620.0150  
 Address: 520 Main Street East

Legal Description: P P & H ADDN Block-022 LOTS 1 & 2 LESS BEG. AT SE COR OF LOT 1 TH N 165 FT W 24 FT TH SE TO BEG

Teresa Hill,  
 Administrator-Clerk  
 Dated: June 3, 2019

(Published in the Waterville Lake Region Life, Thursday, June 6, 2019; No. W565-6-6)

## PUBLIC NOTICE

### NOTICE OF HEARING ON IMPROVEMENT

**NOTICE IS HEREBY GIVEN** that the Morrystown City Council of the City of Morrystown will meet in the Council Chambers of the City Hall, 402 S. Division Street at 7:30 p.m. on June 17, 2019 to consider the making of Improvement 2019 Street Project; an improvement of street surfacing and drainage pursuant to Minn. Stat. §§ 429.011 to 429.111 which includes:

- 3rd Street N.W. - Franklin Street to Bloomer Street
- Ann Street E. - 2nd Street S.E. to 3rd Street S.E.
- 3rd Street E. - Ann Street to Washington Street
- Washington Street E. - 3rd Street S.E. to 4th Street S.E.
- 4th Street S.E. - Washington Street to Dead End
- Jane Street E. - 4th Street S.W. to Dead End
- Sidney Street - 2nd Street to 4th Street S.W.
- 2nd Street S.W. - Sidney Street to 160 feet north

The area proposed to be assessed for such improvement is \$147,619. The estimated cost of the improvement is \$377,520. A reasonable estimate of the impact of the assessment will be available at the hearing. Such persons as desire to be heard with reference to the proposed improvement will be heard at this meeting.

Sheri Gregor, City Clerk

(Published in the Waterville Lake Region Life, Thursdays, June 6 and 13, 2019; No. W564-6-13)

## PUBLIC NOTICE

**ORDINANCE NO. 19-01**  
**WATERVILLE TOWNSHIP**

**INTERIM ORDINANCE ENACTING A MORATORIUM ON THE ESTABLISHMENT OF SOLAR ARRAYS WITHIN WATERVILLE TOWNSHIP**

**The Waterville Township Board does hereby ordain:**

**SECTION 1. PREAMBLE.** Recent advances in solar energy technology have resulted in a new generation of solar systems. These new solar system technology services may be located throughout the township.

Commercial solar energy system service providers are expected to pursue solar sites within the Township and these efforts are expected to include requests to construct new solar energy systems. There is concern that the current Township ordinances do not adequately address issues related to these systems, including appropriate locations and conditions under which they may be constructed within the Township.

There is a need to study these and other issues to determine what regulatory controls may need to be adopted to protect the public health, safety and welfare.

**SECTION 2. DEFINITIONS.** A Solar Array shall be defined as follows in this ordinance:

1. An array composed of multiple solar panels on ground-mounted rack or poles which together consist of greater than one hundred (100) kilowatts direct current (DC) rated capacity on one parcel of property. This definition shall include a rooftop or other architecturally-integrated solar energy system: systems which are accessory to the principal land use, designed to supply energy for the principle use; or
2. An array composed of multiple solar panels on ground-mounted rack or poles which are not directly connected to or designed to serve the energy needs of the primary use but rather for the primary purpose of wholesale sales of generated electricity including, but not limited to, the following:
  - a. Ground-mount solar energy systems: systems which are accessory to the principal use and designed to supply energy for the principal use.
  - b. Community Solar Energy Systems (Solar Gardens/CSSES): Roof or ground-mount CSSES's designed to supply energy for off-site users on the distribution grid (but not for export to the wholesale market or connection to the electric transmission grid).
  - c. Solar Farms: Ground-mount solar energy arrays which are the principal use on the property, that are designed for providing energy to off-site users or export to the wholesale market.

**SECTION 3. INTENT.** It is the intent of this Interim Ordinance to allow Waterville Township to study, review and determine what changes, if any may be required in the regulation of Solar Arrays and to make appropriate changes in the same in order to protect the value of properties within Waterville Township, to insure property land use controls, and to facilitate compatibility between such property and the surrounding property.

**SECTION 4. AUTHORITY AND PURPOSE.** The Township Board is empowered by Minn. Stat. § 462.355, Subd. 4 to pass an interim ordinance, applicable to all or a portion of its jurisdiction, for the purpose of protecting the planning process and the health, safety, and welfare of its citizens.

**SECTION 5. TEMPORARY PROHIBITION.** For one year after the effective date of this ordinance, or until such earlier time as the Waterville Township Board determines by resolution that the reasons for the moratorium no longer exist, no Solar Array shall be established within Waterville Township including, but not limited to, the construction, erection, placement, reconstruction, enlargement, or expansion of solar arrays within the Township and on the development and use of property for such purposes.

Except as provided in this Ordinance, during the period of the moratorium, applications for final site and building plan approval, building permits, and other permits and approvals related to such solar work shall not be accepted by the Township. Neither the Planning Commission nor the Town Board shall consider or grant approval of any application required for such work and no building permits for such work shall be issued.

**SECTION 6. EXCEPTIONS.** The moratorium shall not apply to:

- a. The lawful use of solar arrays or the lawful erection of solar panels on such existing solar energy systems.
- b. The repair and/or maintenance of any existing solar arrays provided that such work does not enlarge or expand their use.
- c. Working on a solar array system necessary to preserve health, safety, life or property in the face of an emergency, and
- d. Solar array work that has received all necessary permits and approvals from the Township prior to the effective date of this Ordinance.

**SECTION 7. MISDEMEANOR.** Any person, persons, firm or corporation violating any provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished pursuant to Minn. Stat. §609.02, Subd. 3, or as subsequently amended, plus costs of prosecution.

**SECTION 8. INJUNCTIVE RELIEF.** In the event of a violation of this ordinance, the Township may institute appropriate actions or proceedings, including requesting injunctive relief to prevent, restrain, correct, or abate such violations.

**SECTION 9. SEVERABILITY.** It is hereby declared to be the intention that the several provisions of this ordinance are separable in accordance with the following: if any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included in said judgment.

**SECTION 10. EFFECTIVE DATE.** This ordinance shall take effect from and after its passage, and shall remain in effect until one year after the effective date, unless a shorter period of time is approved by proper resolution of the Waterville Township Board.

**ADOPTED BY THE WATERVILLE TOWNSHIP BOARD THIS 24TH DAY OF MAY, 2019.**

/s/ Traci Murphy, Township Clerk

/s/Alan C. Gehrke, Chairperson

(Published in the Waterville Lake Region Life, Thursday, June 6, 2019; No. W563-6-6)

## PUBLIC NOTICE

**LE SUEUR COUNTY PLANNING AND ZONING BOARD OF ADJUSTMENT**  
**88 SOUTH PARK AVE.**  
**LE CENTER, MN 56057**  
**(507) 357-8538**

[www.co.le-sueur.mn.us](http://www.co.le-sueur.mn.us)

**TO WHOM IT MAY CONCERN: NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD**

**DATE: JUNE 20, 2019**

**TIME: 3:00 PM**

**PLACE: Le Sueur County Environmental Services, 515 South Maple Ave, Le Center, MN.**

**PURPOSE:** To hear testimony from interested parties and consider Variance and Appeal Applications, as provided by the Zoning Ordinance of Le Sueur County, as described below.

Applications are available for review at the Environmental Services Building during normal business hours and on the website on or after **JUNE 11, 2019.**

**ITEM #1: BOHN WELL DRILLING, JORDAN, MN, (APPLICANT); ANDREW & HEIDI KNIGHT, NEW PRAGUE, MN, (OWNER):** Request that the County grant an extension of Variance # 18075 granted June 21, 2018 for a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to install a septic system drainfield 11 feet from an existing accessory structure in an Urban/Rural Residential "R1" District. Property is located at Lot 18, Eastwood Acres Subdivision, Section 1, Lanesburgh Township. **VARIANCE IS FOR STRUCTURE SETBACK. APPLICATION IS FOR AN EXTENSION FOR AN APPROVED VARIANCE.**

**ITEM #2: DENNIS SEGAR, MANKATO, MN, (APPLICANT/OWNER):** Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to replace an addition on a non-conforming structure 16 feet from the road Right-Of-Way (ROW) and construct a driveway 11 feet in width in a Recreational Residential "RR" District, on Lake Washington, a Recreational Development "RD" lake. Property is located at Lot 3, Loeffler's Subdivision #2, Section 17, Washington Township. **VARIANCE IS FOR ENLARGING A NON-CONFORMING STRUCTURE, ROAD ROW SETBACK, AND DRIVEWAY WIDTH.**

**ITEM #3: DIANNE MILLER, LONSDALE, MN, (APPLICANT/OWNER):** Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to install a holding tank 6 feet from the dwelling and 6 feet from the east property line in a Recreational Residential "RR" District, on Lake Volney, a Recreational Development "RD" lake. Property is located at Lot 4, Brockway Beach Subdivision, Section 6, Kilkenny Township. **VARIANCE IS FOR DWELLING**