



**AGENDA
BOARD OF ADJUSTMENT MEETING
SCOTT COUNTY, MINNESOTA
MAY 9, 2022
6:30 PM**

1. ROLL CALL AND INTRODUCTIONS

2. APPROVAL OF APRIL 11, 2022 MEETING MINUTES

- 2.1 April 11, 2022 BOA Minutes - Draft

3. PUBLIC HEARING(S)

- 3.1 6:30 PM: PL#2022-024 Request for Variance From the Required 150-Foot Road Centerline Setback to 133-Feet to Construct a Building for Farm-Stays (Mark C. Jensen and Jennifer J. Jenson, Applicants and Property Owners) in Section 23 of Sand Creek Township
- 3.2 6:30 PM: PL#2022-028 Request for Variance From the Required 45-Foot Maximum Building Height to 52-Feet 9-Inches to Construct a 45,000-sf Production Building (Interlock Concrete Products Inc Applicant, PF Real Estate LLP Property Owner) in Section 4 Sand Creek Township

4. GENERAL & ADJOURN



SCOTT COUNTY
BOARD OF ADJUSTMENT
MEETING MINTUES

Scott County Board Room
200 Fourth Ave West
Shakopee, Minnesota
Monday, April 11, 2022 6:30PM

I. ROLL CALL AND INTRODUCTIONS

Chair Ray Huber opened the meeting at 6:30 PM with the following members present: Jay Picha, Lee Watson, Donna Hentges, Barbara Johnson, Kent Robbins, and Tom Vonhof.

County Staff Present: Brad Davis, Planning Manager; Greg Wagner, Principal Planner; Marty Schmitz, Zoning Administrator, Tom Wolf, County Board Commissioner and Barb Simonson, Deputy Clerk to the Board.

II. APPROVAL OF MARCH 14, 2022 BOARD OF ADJUSTMENT MINUTES.

Motion by Commissioner Watson; Second by Commissioner Robbins to approve the March 14, 2022 BOA minutes. The motion passed unanimously.

III. PUBLIC HEARING 6:30 PM TERESHKOV VARIANCE (PL#2022-015)

A. Request for a Variance From the Required 100' Setback From a DNR Protected Watercourse to 74.9' to Replace a Single-Family Home.

Location: Section 16
Township: Spring Lake
Current Zoning: RR-2

Planner Greg Wagner presented the staff report for this application. The specific details within the staff report and a video are available on the official Scott County Website at www.scottcountymn.gov under Government and then under County Board Agendas and Minutes by searching Board of Adjustment meeting to download the packet file.

Commissioner Questions and Comments:

Chair Huber asked about inlet/outlet to Buck Lake. *Mr. Wagner responded yes; the stream is an outlet.*

Commissioner Picha asked about the creek size. *Mr. Wagner responded it is very shallow, not a large creek. Applicant, Vitaliy Tereshkov, responded in some areas not even a foot deep. He continued reason for variance is to save the trees by building in the same location to not cause any more land disturbance.*

Chair Huber asked if in the spring thaw the creek has the most water. *Applicant Tereshkov responded yes, there is none in the summertime.*

Commissioner Vonhof asked about the DNR recommendation of 25' vegetation strip. *Applicant Tereshkov responded he submitted a permit to the DNR as requested by the DNR and will install the buffer strip.*

Chair Huber opened the floor for public comment. No one approached the podium.

Noting no further comments from the public there was a motion by Commissioner Watson; second by Commissioner Vonhof to close the public hearing. The motion carried unanimously.

Motion by Commissioner Robbins; second by Commissioner Vonhof based on the criteria for granting a variance, I recommend approval of the requested variance from the required 100' setback from a DNR protected stream to 74.9' to replace a single-family home subject to the conditions listed in the staff report.

Chair Huber called for a roll call vote with results as follows:

Commissioner Robbins: Aye

Commissioner Picha: Aye

Commissioner Hentges: Aye

Commissioner Huber: Aye

Commissioner Vonhof: Aye

Commissioner Johnson: Aye

Commissioner Watson: Aye

The motion for passed with 7 Ayes.

Criteria for Granting Variances:

1. *Granting the variance will not be in conflict with Comprehensive Plan.*
The proposal is in conformance with the Scott County 2040 Comprehensive Plan goals and policies for promoting public health, safety, and general welfare.
2. *Exceptional, unique, or extraordinary circumstances apply to the property which do not generally apply to other properties in the same zoning district or vicinity, and result from lot size or shape, topography or other circumstances over which the owners of property since the enactment of this ordinance have no control.*
The parcel and existing home that is being replaced were established prior to the current setback standards and prior to the applicant's ownership of the property.
3. *The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.*
The literal interpretation of the ordinance would deprive the applicants of rights enjoyed by other properties in the area. The neighboring property was established at a similar non-conforming distance from the stream.
4. *That the special conditions or circumstances do not result from the actions of the applicant.*
The variance requested is due to the substandard lot size and location of the existing home which are circumstances that are not a result of the applicant or property owners' actions. The lot was created and developed with the existing home prior to current zoning regulations.
5. *That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to owners of other lands, structures or buildings in the same district.*
Granting the variance will not confer any special privilege to the applicant that does not already exist on adjacent properties. The home is not encroaching any further into the setback but is being rebuilt at the same distance.
6. *The variance requested is the minimum variance which would alleviate the practical difficulty*
The requested variance alleviates the practical difficulty created by the Scott County Zoning Ordinance and allows the house to be rebuilt at the same distance from the stream.
7. *The variance would not be materially detrimental or will not essentially alter the character of the property in the same zoning district.*
The variance will not be materially detrimental and will not alter the character of the property or neighborhood if granted since all adjacent properties are also non-conforming.
8. *Economic considerations alone do not constitute practical difficulties.*
Economic consideration does not figure into this request.

Conditions for Granting Variances:

1. Applicant shall receive a recommendation of approval from Spring Lake Township prior to issuance of a building permit.
2. The applicant shall include a native plant vegetative buffer that extends a minimum of 25 feet from the top of bank as part of their erosion control plan for the home.

VI. GENERAL & ADJOURN

Motion by Commissioner Hentges; second by Commission Johnson to adjourn the meeting. The motion carried unanimously.

Meeting was adjourned at 6:44 pm by Chair Huber.

Ray Huber
Chair, Board of Adjustment

Date

Kim Cave
Deputy Clerk to the Board

Date



STAFF REPORT PREPARED FOR TOWNSHIPS & COUNTY BOARD OF ADJUSTMENTS

GOVERNMENT CENTER 114 • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
(952)496-8475 • Fax (952)496-8496 • Web www.co.scott.mn.us

Sutton Ridge Farm Variance

Request:

Variance from the required 150' road centerline setback to 133' to construct a building for agritourism including farm-stays.

Marty Schmitz, Zoning Administrator, is the project manager and is available for questions at 952-496-8349.

General Information:

Applicant:	Mark & Jennifer Jensen	Site Location:	1500 200 th Street W
Property Owner:	Same as above	Township:	Sand Creek, Section 23
Public Hearing Date:	May 9, 2022	Action Deadline:	May 27, 2022 (60 day)

Zoning/Comprehensive Plan Information:

Zoning District:	A-1, Agricultural Preservation District	Comprehensive Land Use Plan:	Urban Expansion Area
Overlay Zoning District:	Shoreland	School District:	Jordan 717
Watershed District:	PLSL WMO	Fire District:	Jordan
Ordinance Sections:	Chapter 2 & 25	Ambulance District:	Allina Ambulance

Report Attachments:

1. Site Location Map
2. Site Aerial Photo
3. Application Narrative
4. Survey/Site Plans
5. Floor Plan
6. Building Elevations
7. Environmental Services Memo Dated 4/14/2022

Request: Variance from the required 150' road centerline setback to 133' to construct a building for agritourism including farm-stays.

Comprehensive Plan- The request is in conformance with the goals and policies identified in the 2040 Scott County Comprehensive Plan.

Adjacent Land Use/Zoning- North – 40-80 acre agricultural parcels, zoned A-1

South – 20-60 acre agricultural parcels, zoned A-1
East – 8 acre residential & 51 acre agricultural parcel, zoned A-3
West – 14 & 22 acre residential parcels, zoned A-1

Existing Conditions- The 79.95 acre property has an existing single family home and multiple outbuildings that comprise the cattle farm. There are wetland areas to the west of the farmstead.

Ordinance Requirements- Front Yard Setback – 150' from the centerline or 100' from the right-of-way of a state or county road, whichever is greater.

Side Yard Setback – 30'

Rear Yard Setback – 60'

Proposed Development- Front Yard Setback – 133' from the centerline of 200th Street West (County Road 10).

Side & Rear Yard Setbacks – the proposed building exceeds the required side & rear yard setbacks.

Existing Roads- The property has driveway access onto County Road 10.

Road Improvements- No road improvements are proposed as part of this request.

Public Notice- Public hearing notices were sent to all residents within 500' of this project.

Site Photos-



Background-

Mark and Jennifer Jenson are requesting a variance to construct a building for agricultural tourism including farm-stays and farm market. The Jensen's farm is located on four parcels with a total acreage of 80 acres in Section 23 of Sand Creek Township. The properties separate the farmstead but cannot be combined due to taxation districts. The properties are zoned Agricultural Preservation, which permits agricultural tourism including farm stays and farm markets as a CUP. The public hearing for the CUP is scheduled on the Planning Commission agenda.

The building site on this property was developed many years ago prior to zoning and setback requirements. The applicants purchased the property in 2007 and have made many improvements to the property including removal of the original farmhouse and construction of a new home. The location of the original farmhouse is shown on the attached survey and was located 104' from the county road centerline, 29' closer to the road than the requested variance. The proposed agricultural tourism building will be located in the same area as the original farmhouse.

The applicants explained the need for the variance in the attached narrative. They are requesting to place the building in this location for the following reasons:

- The building while being in the same area as the original farmhouse will be 29' further from the county road.
- Placing the building in this location allows for adequate distance between structures for traffic, parking, equipment and augers.
- This location is practical and allows for adequate flow among the rest of the farm buildings including auger access to the granary located to the north of the proposed structure.
- Placing the building at the 150' from the county road centerline will alter the character of the property.
- The variance will permit the building to be designed of materials intended to match the aesthetics of other buildings on the property. This includes an 8' wide porch surrounding the front (west) of the building matching the look of the primary residence.

As stated earlier in this report, the building site on this property was developed many years ago prior to zoning and setback requirements. In addition, the proposed building will be located 29' further from the road than the original farmhouse and will permit the agricultural tourism business.

Township Recommendation:

The Sand Creek Town Board will be making a recommendation at their May monthly meeting. A copy of this recommendation will be provided at the Board of Adjustment meeting.

Staff Recommendation:

Staff recommends approval of the request based on the eight criteria for granting a variance listed below.

Criteria for Approval:

1. *Granting the variance will not be in conflict with the Comprehensive Plan.*

The proposal is in conformance with the goals and policies identified in the 2040 Scott County Comprehensive Plan.

2. *Exceptional or extraordinary circumstances apply to the property which do not generally apply to other properties in the same zoning district or vicinity, and result from lot size or shape, topography, or other circumstances over which the owners of property since the enactment of this Ordinance had no control.*

The building site on this property was developed many years ago prior to zoning and setback requirements. The location of the road, existing buildings, and utilities create limitations for placement of the agricultural tourism building. The building will be 29' further from the road than the original farmhouse.

3. *The literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.*

Literal interpretation of the Zoning Ordinance would push the building to the north of the granary in an area that would not work with the farm operation.

4. *That the special conditions or circumstances do not result from the actions of the applicant.*

The circumstances are not based on actions of the property owners, but rather are the result of the farmstead being developed prior to zoning and setback requirements.

5. *That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to owners of other lands, structures or buildings in the same district.*

Granting the variance will not confer any special privilege to the applicant. Other properties with similar circumstances have received variances.

6. *The variance requested is the minimum variance which would alleviate the hardship.*

The request for a 17' variance from the required 150' road centerline is the minimum setback needed to operate the agricultural tourism business and to function with other buildings and utilities on the property.

7. *The variance would not be materially detrimental or will not essentially alter the character of the property in the same zoning district.*

The variance would not be materially detrimental to the character of the property in the same zoning district. The original farmhouse on the property existed for many years at a location 29' closer to the road.

8. *Economic considerations alone shall not constitute practical difficulties.*

The proposal is not based on economic factors.

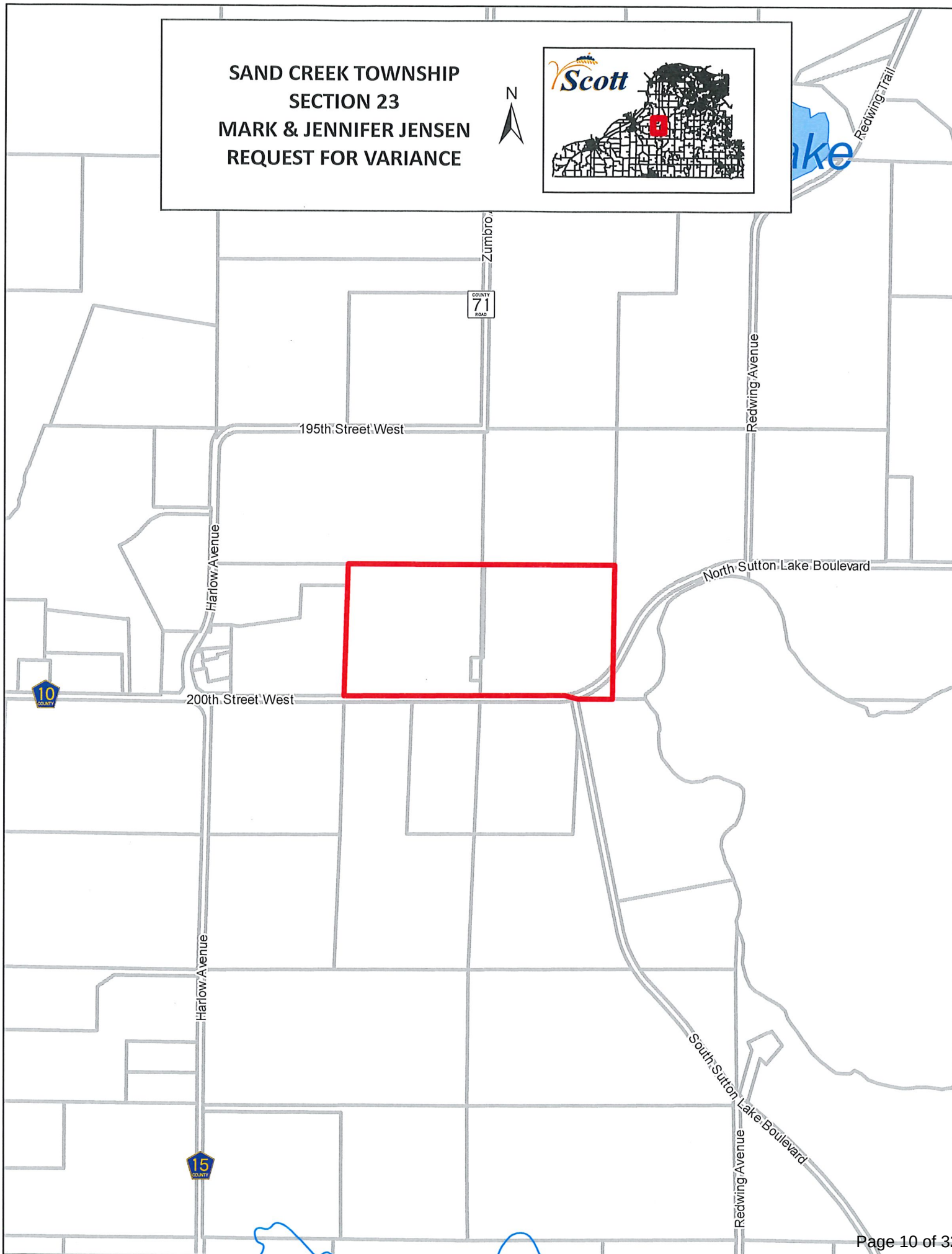
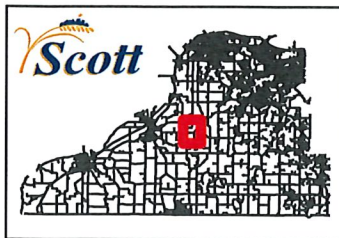
Board of Adjustments/Township Alternatives:

1. Approve the variance request as recommended by Planning staff based on the hardship criteria as detailed in this report.
2. Approve the variance request as recommended by the Planning staff with amendments to the hardship criteria.
3. Table the variance request for a specific reason.
4. Deny the variance request for a specific reason.

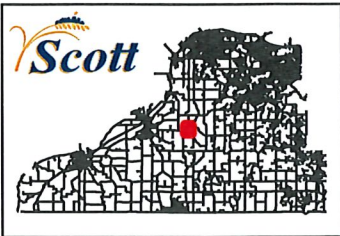
Suggested Motion for Board of Adjustments or Township Board:

Based on the findings listed in the staff report, I recommend approval of the requested variance from the required 150' road centerline setback to 133' to construct a building for agritourism including farm-stays.

**SAND CREEK TOWNSHIP
SECTION 23
MARK & JENNIFER JENSEN
REQUEST FOR VARIANCE**



**SAND CREEK TOWNSHIP
SECTION 23
MARK & JENNIFER JENSEN
REQUEST FOR VARIANCE**



200th Street West

North Sutton Lake Boulevard

South Sutton Lake Boulevard

GOVT LOT 1

Variance Explanation:

1. Sutton Ridge Farm is a family owned farm near Jordan, MN raising livestock & growing local crops. One of the family's missions is to connect people back to the source of their food: the farm. We want to be able to educate others on the inner workings of a farm, as well as, provide a place for people to come and be surrounded by the beauty of the open fields. We would like to develop a dedicated space to foster these connections that could be functional year-round in accordance with the 2030 Comp Plan which promotes agritourism in Scott County as an approved revenue stream for farms over 40 acres. The existing 80-acre site is comprised of four separate parcels, with a parcel of approximately 40 acres selected for development. The property is zoned A-1 Agricultural Preservation District and the site already houses several agricultural buildings and the owner's residence. The proposed new building is designed as a residence for one of our daughters and for farm-stay agritourism. The single-story pole building will be a single-family dwelling occupancy type as defined by the Minnesota Residential Code. The farm currently offers tours and farm experience visits to the public on a limited basis and would intend on continuing that frequency of operation, but with the addition of offering farm stays as a new revenue stream for the farm. It is not the owner's intent to utilize this building as a large event center or wedding venue.
2. One circumstance in this building project which does not generally apply to other properties in the same zoning district is that the southern wall of other adjacent farm buildings are not parallel to Highway 10. There is a 7 to 10-foot angle relative to the road. Consequently, if the building is built with the southern wall parallel to Highway 10, it will look out-of-place and skewed relative to the other buildings, particularly the granary.

A second unique condition is that the design and materials of the building are intended to match the aesthetics of other existing buildings on the property. This would include an 8-foot wide porch surrounding the front of the new residence mirroring the look of the primary residence. This adds 16 feet to the width of the former structure already approved by Scott County for the same building site.

A third unique condition is that there is only 8-10 feet for parking on the North of the proposed building adjacent to the entrance door. Most cars and trucks are 17-20 feet in length which would require an additional 8 feet to minimally allow 18 foot parking spaces on the North of the structure. Otherwise the guests would have to park elsewhere on the farm or their vehicles would be sticking out into the roadway.
3. The literal interpretation of the provisions of this ordinance, "150 feet from the centerline of a county road or 100 feet from the County right-of-way (33 feet), whichever is greater," would deprive us of the right and ability to service our granary with the 63-foot grain auger, which is essential to the organic sustainability of our organic farm, which produces our own ground grain feed for our pigs and fowl. Presently, there is a 28-foot separation between the granary steps and the proposed northern wall, allowing for adequate clearance for moving 20-foot-wide farm implements out onto the field. Previously, we could angle the auger over the granary roof by backing up as far as needed into the grass south of the granary. If we are allowed to build up to the 133-foot offset from the Highway 10 centerline, this would allow us barely enough clearance to angle the auger into the chute in the

Variance Explanation:

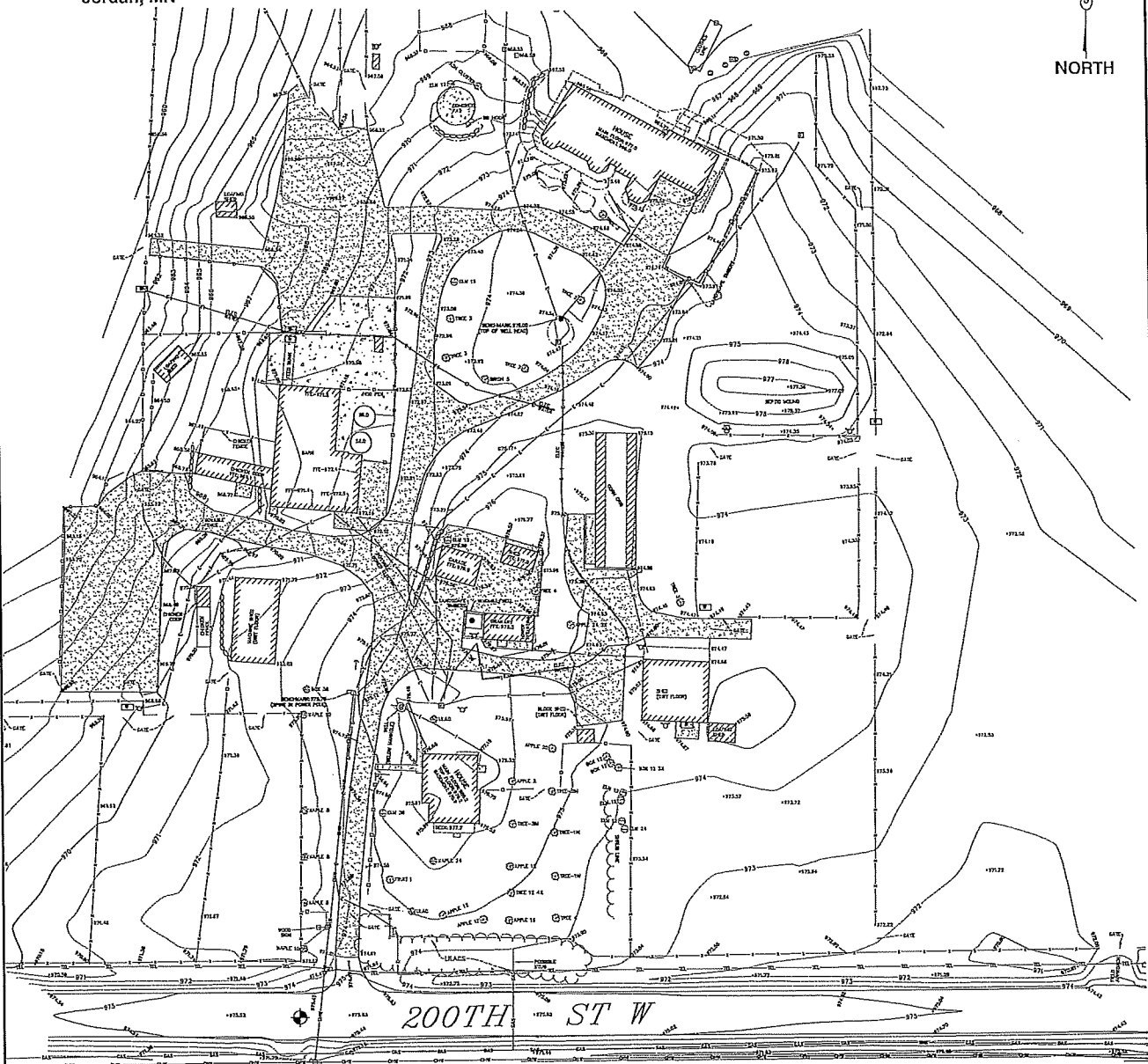
granary roof and allow easier turning of implements on the S-curve from between the granary/new building to the corn crib/pole barn.

4. None of the above special conditions are a result of actions on our part. The granary and corn crib have been on the property since 1910 and 1972 respectively, and are 2 of 8 buildings on the property when we bought it in 2007. We have worked hard, at significant expense, to restore and maintain the farm true to its original character and charm, including refurbishing the granary, toolshed, barn and chicken coop with original salvaged siding.
5. Granting this variance will not confer on us any special privileges denied other landowners since the ordinance allows structure setbacks up to a minimum of 133 feet from the county road centerline (100 feet from the 33 foot right-of-way.) In fact, the original farmhouse we demolished in order to build the new building was actually 104 feet from the county road centerline, 29 feet closer to the road than we are asking for.
6. The variance requested is the minimum variance which would alleviate the FIVE practical difficulties of this building project: skewed buildings, detrimental out-of-character building design, lack of appropriate guest parking, grain auger access, workable implement turning space on the S-curve.
7. The variance would not be materially detrimental or essentially alter the character of the property in the same zoning district, but as mentioned will actually enhance the rural farm charm that we have worked to maintain with our other buildings.

TOPOGRAPHIC SURVEY

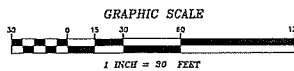
~for~ MARK & JENNIFER JENSEN
~of~ 1500 200TH ST W,
Jordan, MN

NORTH



GENERAL NOTES

- Address of the surveyed premises: 1500 200th St W, Jordan, Minnesota
- Contour interval 1 foot minor 5 foot major, based on ground survey Datum: NAVD83.
- Location of utilities existing on or serving the surveyed property determined by:
 - Workings provided by Zone One Locating (Utilities outside of road right of way)
 - Workings requested by Sam Vilander per Gopher State One Call Ticket No. 192044893 (Road right of way)
 - As of July 29, 2019
- Excavations were not made during the process of this survey to locate underground utilities and/or structures. The location of underground utilities and/or structures may vary from locations shown herein and additional underground utilities and/or structures may be encountered. Contact Gopher State One Call Notification Center at (651) 454-0002 for verification of utility type and field location, prior to excavation.
- Telephone markings (frontier) were only on the driveway and it is assumed to go east and west from driveway location (as shown on survey).
- Field survey was completed by E.G. Rod and Sons, Inc. on 07/24/19 & 7/31/19.
- Tree descriptions may vary from shown descriptions as they were identified to the best of our ability.
- Onsite benchmarks are as follows:
 - Top of wetland in landscaped area south of new house = 978.00
 - Top of spike head in east side of power pole on west side of driveway = 975.79



LEGEND

- DENOTES ELECTRICAL BOX
- DENOTES EXISTING SPOT ELEVATION
- DENOTES FIBER OPTIC BOX
- DENOTES GAS METER
- DENOTES GUY WIRE
- DENOTES HAND HOLE
- DENOTES FARM HYDRANT
- DENOTES LIGHT POLE
- DENOTES MAILBOX
- DENOTES POWER POLE
- DENOTES SEPTIC TANK COVER
- DENOTES SIGN
- DENOTES TELEPHONE PEDESTAL
- DENOTES LIVESTOCK WATERER
- DENOTES WELL
- DENOTES MISCELLANEOUS MAINHOLE
- DENOTES SCOTT COUNTY CAST IRON MONUMENT
- DENOTES WIRE FENCE
- DENOTES WOOD FENCE
- DENOTES STEEL FENCE
- DENOTES RETAINING WALL
- DENOTES LANDSCAPING
- DENOTES EXISTING CONTOURS
- DENOTES TREE LINE
- DENOTES EXISTING WATER MAIN
- DENOTES OVERHEAD WIRE
- DENOTES UNDERGROUND ELECTRIC LINE
- DENOTES UNDERGROUND GAS LINE
- DENOTES UNDERGROUND TELEPHONE LINE
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES GRAVEL SURFACE

BENCHMARK

MINOT POINT: 7011 L
GSD STA: #3041
ELEV=977.65 (NAVD83)

TREE DETAIL

- DENOTES ELEVATION
- DENOTES TREE QUANTITY
- DENOTES TREE SIZE IN INCHES
- DENOTES TREE TYPE

E.G. ROD & SONS, INC.
Professional Land Surveyors
990 5th Avenue SE, Suite 2
Hutchinson, MN 55350
Tel. (320) 597-2025 Fax (320) 597-2595

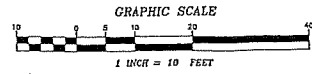
NO.	DATE	DESCRIPTION	BY
1			
2			
3			

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

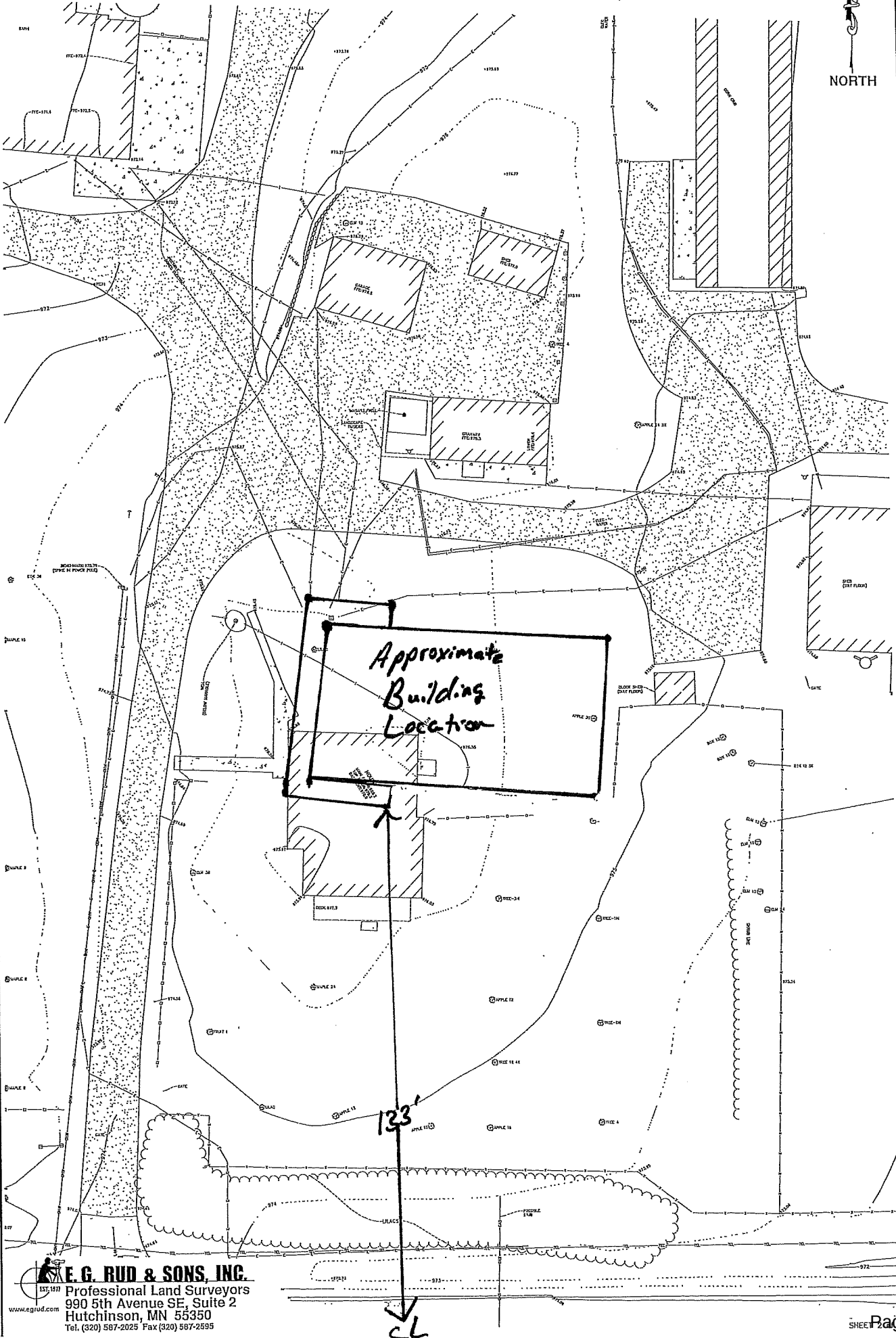
SAMUEL H. REVELA
Date: 14AUG19 License No. 52705

TOPOGRAPHIC SURVEY

~for~ MARK & JENNIFER JENSEN
~of~ 1500 200TH ST W,
Jordan, MN

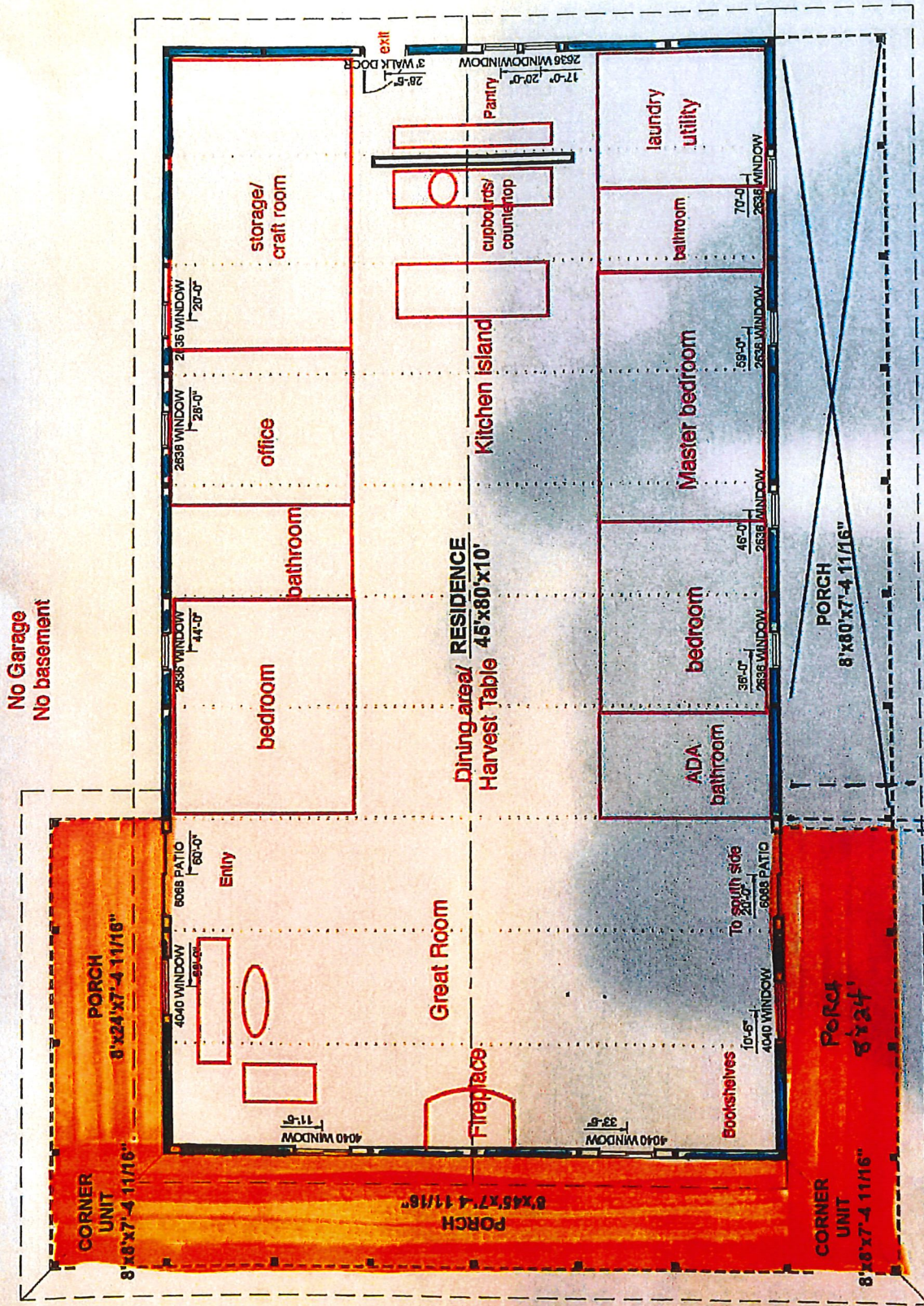


NORTH



E.G. RUD & SONS, INC.

Professional Land Surveyors
990 5th Avenue SE, Suite 2
Hutchinson, MN 55350
Tel. (320) 587-2025 Fax (320) 587-2595

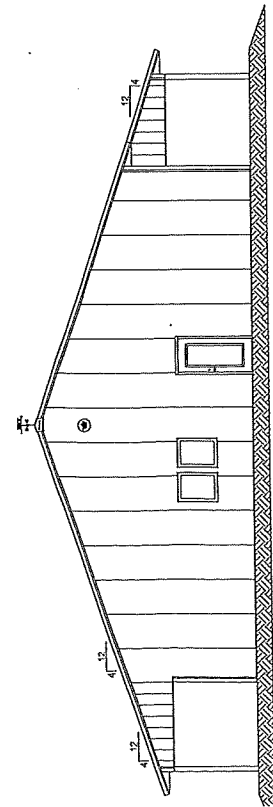


Customer Signature
 Sutton Ridge Farm
 Jennifer & Mark Jensen
 1500 West 200th Street
 Jordan, MN 55352

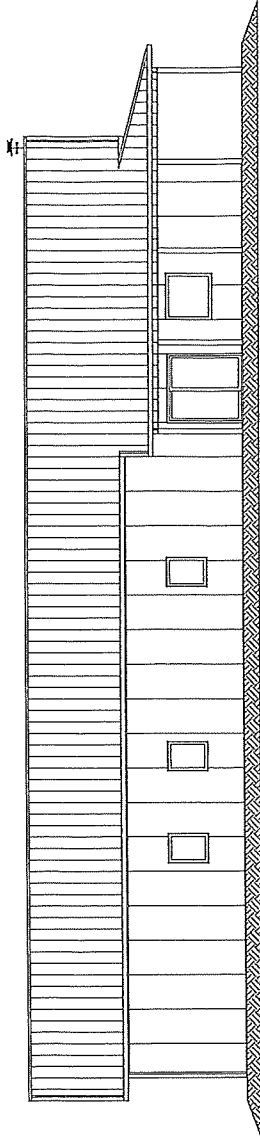
Jensen Jennifer Mark 45x80
 45'-0" x 80'-0" x 10'-1" ICH

WickBuildings.com
 Date: 3-22-2022
 Time: 2:41 PM
 DO NOT SCALE

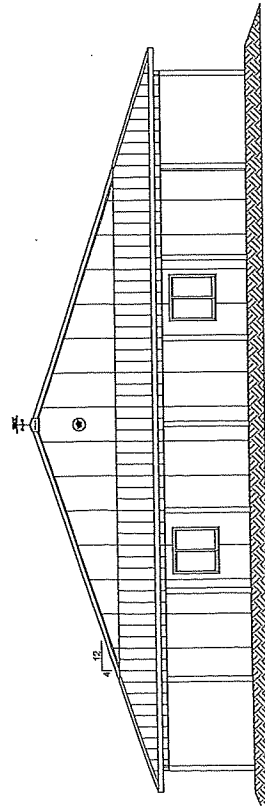
TODD NORTON CONSTRUCTION INC
 Todd Norton
 39187 150th St
 Waseca, MN 56093



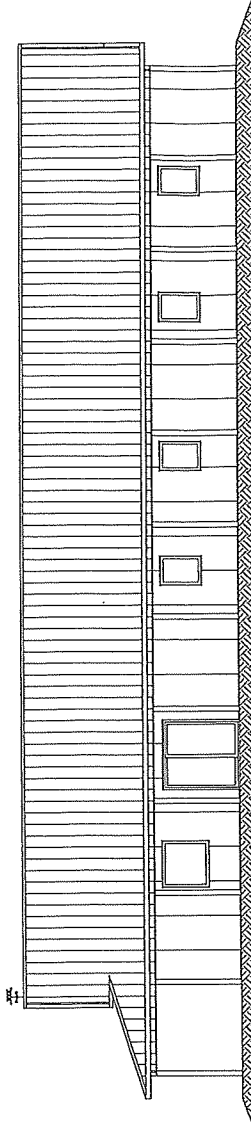
Right Elevation



Top Elevation



Left Elevation



Bottom Elevation



SCOTT COUNTY
Environmental Services

GOVERNMENT CENTER • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
(952) 496-8177 • Email: EnvServices@co.scott.mn.us • Web www.scottcountymn.gov

Memo

Date: April 14, 2022
To: Nathan Hall, Zoning Department
From: Mary VonEschen, Environmental Services Department
Subject: PL2022-0024 Sutton Ridge Farm Variance

The Scott County Environmental Services Department has completed a review of the information submitted for the variance for the property located at 1500 200 St W in Sand Creek Township. The Environmental Services Department has no issues with this variance request to build the proposed structure within the 150' setback to Hwy 10.

If you have any questions or concerns, please contact me at (952)496-8344.



STAFF REPORT PREPARED FOR TOWNSHIPS & COUNTY BOARD OF ADJUSTMENTS

GOVERNMENT CENTER EAST • 200 FOURTH AVENUE WEST • SHAKOPEE, MN 55379-1220
(952)496-8653 • Web www.co.scott.mn.us

Interlock Concrete Products, Inc. Variance

Request:

A variance from the required 45' height requirement in the I-2 district to 52' 9" to construct a building for concrete product production.

Marty Schmitz, Zoning Administrator, is the project manager and available for questions at 952-496-8349

General Information:

Applicant:	Interlock Concrete Products, Inc. 3535 Bluff Drive Jordan, MN 55352	Site Location:	3535 Bluff Drive, Jordan
Property Owner:	RF real Estate 7200 N Broadway Rochester, MN	Township:	Sand Creek, Section 4
Public Hearing Date:	May 9, 2022	Action Deadline:	June 4, 2022 (60 days)

Zoning/Comprehensive Plan Information:

Zoning District:	I-2 Heavy Industrial District	Comprehensive Land Use Plan:	Industrial Area
Overlay Zoning District:	N/A	School District:	Jordan School District
Watershed District:	Scott WMO	Fire District:	Jordan Fire Department
Ordinance Sections:	Chapter 61 & 2	Ambulance District:	Allina Ambulance Service

Report Attachments:

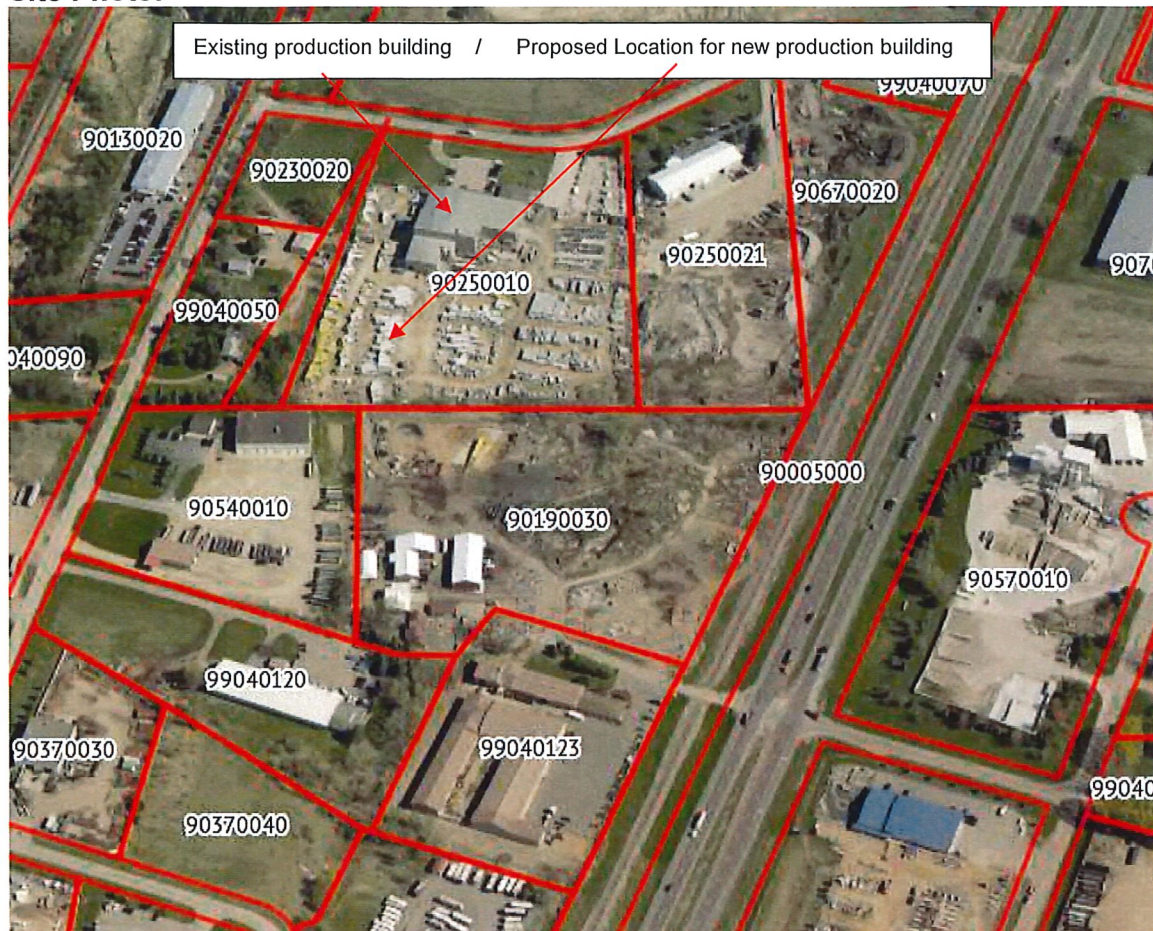
1. Site Location Map
2. Aerial Photo
3. Applicant's Request Letter
4. Grading Plan
5. Floor Plan
6. Exterior Elevations
7. Building Sections
8. Site Plan/Survey

Request-	A variance from the required 45' height requirement in the I-2 district to 52' 9" to construct a building for concrete product production.
Comprehensive Plan-	The proposal to expand production at an existing industrial facility in the industrial area is consistent with the goals and policies in the 2040 Comprehensive Plan.
Adjacent Land Use/Zoning-	<u>North</u> – Shakopee Sand mining facility, zoned I-2. <u>South</u> – Mullen Trucking and Herman Landscaping parcels, zoned I-1. <u>East</u> – Final Grade Excavating parcel, zoned I-2 <u>West</u> – 2.5 Residential/Industrial & 1.7 acre vacant parcels zoned I-1.
Existing Conditions-	The 10.61 acre parcel includes a building approximately 33,500 SF in area. The areas to the side and rear of the building are for storage of product and in front of the building is a parking lot for employees and customers.
Ordinance Requirements-	<u>Lot Size</u> – minimum lot size is 2.5 acres <u>Lot Width</u> – minimum lot width is 200 feet <u>Building Height Maximum</u> — 45 feet <u>Structure Setbacks:</u> Front Yard: 100' from the centerline of a local public street. Side Yard: 20' or the height of the building, whichever is greater. Rear Yard: 30'
Proposed Development-	<u>Lot Size</u> – 10.61 acres <u>Lot Width</u> – The lot width is over 450 feet <u>Building Height</u> – 52 feet 9 inches <u>Setbacks</u> – The existing and proposed buildings meet the required front yard, rear yard, and side yard setbacks. <u>Impervious lot coverage</u> - The impervious lot coverage will be at 78%. The building will not be increased impervious coverage because it will replace existing impervious surface. In addition, the parking lot in front of the building will be removed.
Existing Roads-	The property has road frontage along Bluff Drive, a paved Township Road.
Proposed Roads-	No new roads are proposed.

Public Hearing Notice-

Required public hearing notices were mailed to adjacent property owners within ¼ mile of the property.

Site Photo:



Background:

Interlock produces precast concrete products including concrete pavers, concrete retaining walls and other landscaping accessories. Interlock has been at this location since 1994. In 2006 & 2008 the building was expanded to increase production. The request is to construct a 45,000 sq. ft. building for additional concrete product production. The existing buildings consist of 3,578 SF. of office and approximately 30,000 SF. of production. The parcel consists of 10.61 acres and is in Section 4 of Sand Creek Township. The new building will be located behind the existing structure within the outdoor storage area.

From the applicants letter the 45,000 SF building is needed for concrete product production. The equipment housed in this building will allow Interlock to expand its production and better service its existing customers. The equipment interlock has in its current building is not able to be updated and due to age has become increasing difficult to locate parts as well as servicing equipment .

The new building will include the same structure and finishes as the current building. The building dimensions are 151' x 287'-10" with a bump out measuring 45'-6" x 16'-6"

bringing the total square footage to 45,000 SF. Much of the building will be under 38' in height. It is a 76'-10" x 113'-1' area located in the southwest corner of the building that is proposed to be 52'-9' high requiring the variance. This portion of the building will house equipment that stands 46' high and requires room for structure and hoist beams above (see Building Sections). The building will be similar in height to the existing building which is approximately 52' high.

The additional building height is necessary to accommodate production equipment. Interlock received a height variance in 2006 for an addition to the existing production building allowing for a height of 46' 4". Other near-by buildings exceeding 45' include the Cemstone building at approximately 54' and the Shakopee Sand building at approximately 140'.

Township Recommendation:

The Sand Creek Town Board will make a recommendation on the request at their May monthly meeting. A copy of the recommendation will be available at the Board of Adjustment meeting.

Staff Recommendation:

Staff recommends approval of the requested Variance based on the eight hardship considerations listed in this staff report.

Variance Hardship Standards:

1. *Granting the variance will not be in conflict with Comprehensive Plan.*

The Comprehensive Plan guides the site as I-2 heavy industrial. Other structures in the I-2 District have received height variances when necessary to accommodate equipment. In addition, granting the variance will not be in conflict with the 2040 Comprehensive Plan, as the use is consistent with goals and policies in the Comprehensive Plan.

2. *Exceptional or extraordinary circumstances apply to the property which do not generally apply to other properties in the same zoning district or vicinity, and result from lot size or shape, topography or other circumstances over which the owners of property since the enactment of this ordinance have no control.*

The additional height is necessary to accommodate production equipment. Other structures in the I-2 district have received variances when necessary for a business need.

3. *The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.*

The literal interpretation of the ordinance would cause the applicant to adjust the height of equipment in the building or possibly prevent them from expanding production at this location.

4. *That the special conditions or circumstances do not result from the actions of the applicant.*

The variance requested is necessary to accommodate processing equipment. Much of the building will be under 38' in height. It is a 76'-10" x 113'-1' area located in the southwest corner of the building that is proposed to be 52'-9' high requiring the variance.

5. *That granting the variance requested will not confer on the applicant any special privilege that is denied by the ordinance to owners of other lands, structures or buildings in the same district.*

Granting the variance will not confer any special privilege to the applicant as other buildings in the I-2 district have received height variances.

6. *The variance requested is the minimum variance that would alleviate the hardship.*

The variance requested is the minimum variance needed to accommodate the processing equipment. Much of the building will be under 38' in height. It is a 76'-10" x 113'-1' area located in the southwest corner of the building that is proposed to be 52'-9' high requiring the variance.

7. *The variance would not be materially detrimental or will not essentially alter the character of the property in the same zoning district.*

The variance would not be materially detrimental to the character of the property. The existing building and other buildings in the I-2 district exceed the height requirement.

8. *Economic considerations alone shall not constitute a hardship if a reasonable use of the property otherwise exists under the provisions of this Ordinance.*

Economic considerations alone do not constitute the hardship for granting this variance.

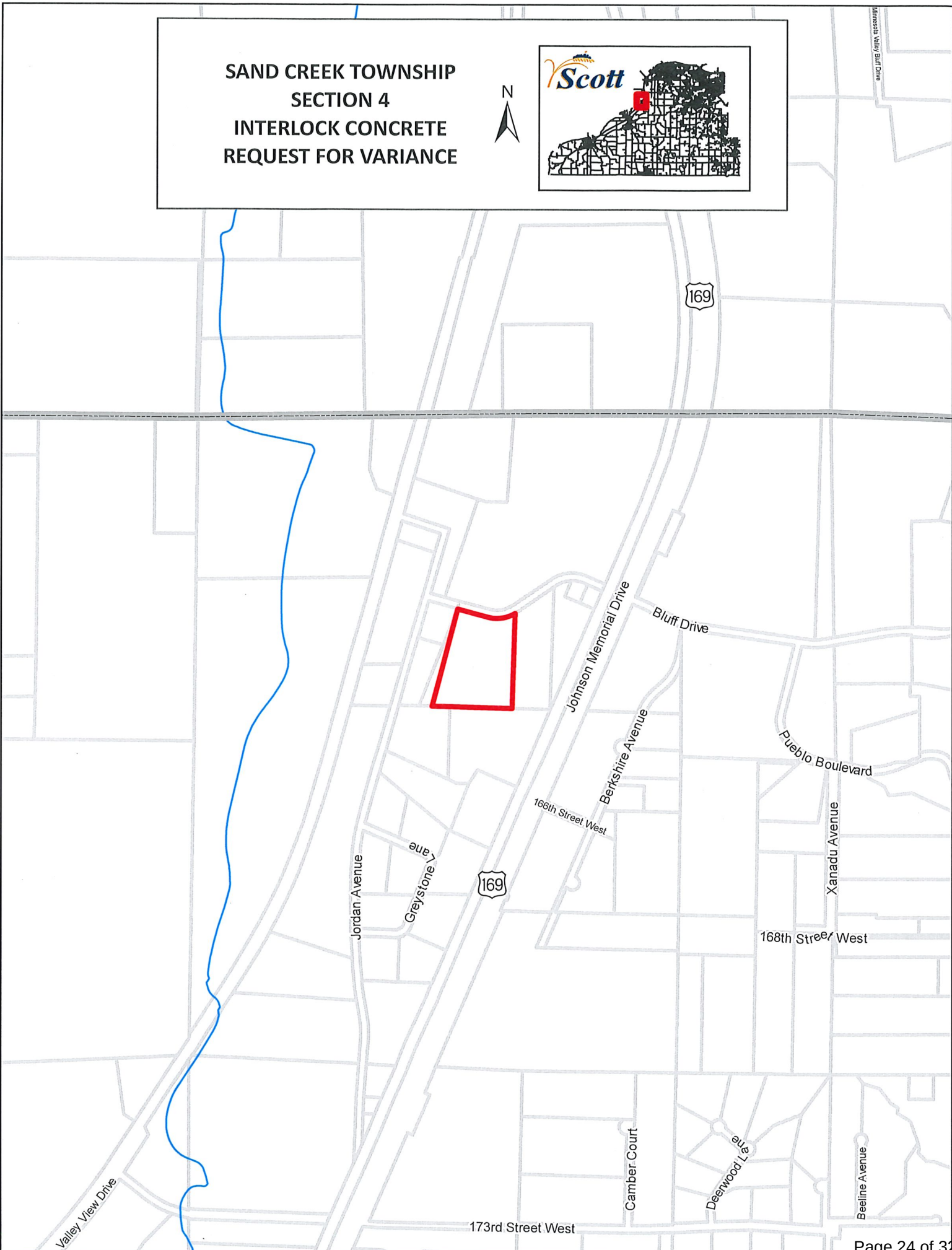
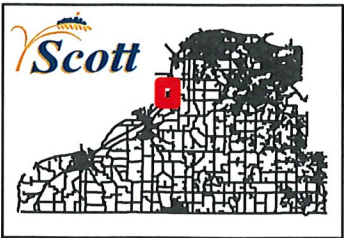
Board of Adjustments/Township Alternatives:

1. Approve the variance request as recommended by Planning Staff based on the hardship criteria as detailed in this report.
2. Approve the variance request as recommended by the Planning Staff with amendments to the hardship criteria.
3. Table the variance request for a specific reason.
4. Deny the variance request for a specific reason.

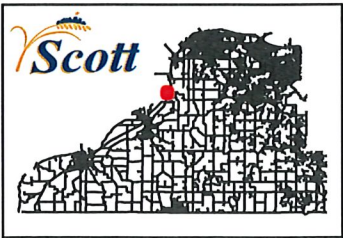
Suggested Motion for the Board of Adjustments or Township Board:

Based on the criteria for determining variance hardship listed in the staff report, I recommend approval of the Variance from the required 45' height maximum in the I-2 district to 52' 9" to construct a building for concrete product production.

SAND CREEK TOWNSHIP
SECTION 4
INTERLOCK CONCRETE
REQUEST FOR VARIANCE



SAND CREEK TOWNSHIP
SECTION 4
INTERLOCK CONCRETE
REQUEST FOR VARIANCE



Johnson Memorial Drive

MARCH 25TH, 2022

Marty Schmitz
Zoning Administrator
Scott County
200 Fourth Ave West
Shakopee, MN 55379
MSchmitz@co.scott.mn.us



RE: PROJECT DESCRIPTION + CONDITIONAL USE PERMIT REVIEW
INTERLOCK CONCRETE PRODUCTS, LLC
3535 BLUFF DRIVE - JORDAN, MN 55352

Marty,

Thank you for reviewing the following project description and Conditional Use Permit request for Interlock Concrete Products project. The site location is currently zoned 3A Industrial Preferential. A description of the currently proposed project follows along with a narrative specific to a Conditional Use Permit request for an expansion on current property for an additional building to house new concrete product production equipment.

PROJECT DESCRIPTION

Interlock Concrete Products is proposing the new building within current property lines to house a new 45,000 sf building for concrete product production equipment. This equipment will allow Interlock to expand its production and better service its existing customers. The present equipment Interlock has in its existing building is not able to be updated and due to age, has become increasing difficult to locate parts as well as servicing equipment.

The new building will follow the same structure and finishes as the current building, which we understand will require a variance request as the new building will exceed the 45' threshold by 7'-9". The new building will house equipment that stands 46'-0" and needs room for structure and hoist beams above. Exterior security lighting will be present over doorways with no additional exterior light poles to be added to the grounds. There are no additional landscaping modifications required for this site addition.

CUP NARRATIVE

In accordance with the following findings, Interlock Concrete Products requests a conditional use permit to accommodate the proposed new building use on this site.

2-6-1 - The following findings must be made prior to the approval of a conditional use permit.

(1) The use will not create an excessive burden on public facilities and utilities which serve or are proposed to serve the area.

The proposed new building will not create an excessive burden on public facilities or utilities as their process will remain the same and only approximately five additional employees may be added to accommodate the needs of the new facility.

(2) The use will be sufficiently compatible with, or separated by sufficient distance from, or screened from adjacent agricultural or residential land uses so that there will be no deterrence to the use or development of adjacent land and uses.

History, there have been no issues with adjacent properties being impacted by Interlock's process or land use. As their existing process and use will remain unchanged, the addition of Interlock's new building will not negatively impact or generate a deterrence to the current use of the development, nor the development of adjacent land uses.

(3) Each structure or improvement is so designed and constructed that it is not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the district wherein proposed.



The building will be designed and constructed to be harmonious with the existing Interlock facility. It will not be unsightly nor hinder orderly and harmonious development of surrounding properties. The structure will be a steel building with overall building dimensions of 151'-0" x 287'-10" and a height of 52'-9". There will be a bump out measuring 45'-6" x 16'-6" as well, bringing the total square footage to approximately 45,000 SF. It will be set back into the property and should not have any material deviations from the existing buildings on site.

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

The use of the new facility will remain consistent with purposes of the zoning district and ordinance of 3A Industrial zoning. The new equipment to be housed in Interlock's new building will allow Interlock to continue production of the same type that has been produced on site for years.

(5) The use is not in conflict with the Comprehensive Plan of Scott County.

The use will not conflict with the Comprehensive Plan of Scott County.

(6) Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion, provide adequate access to public roads, and provide sufficient on-site parking.

Interlock has taken adequate measures to provide access to public roads and is providing sufficient on-site parking for site employees and visitors. This site has also been designed to minimize traffic congestion.

(7) Adequate water supply, individual sewage treatment system facilities, erosion control and stormwater management are provided in accordance with applicable standards.

The new building will house approximately 4-6 workers and no major process changes affecting the water usage or wastewater generated are anticipated; therefore, water/wastewater after completion of the project should not create significant changes from the existing site conditions. An updated Resource Management Plan with updated calculations for erosion control and stormwater management is also included within this submittal to illustrate sufficient compatibility use.

(8) All buildings/structures must meet the intent of the State Building Code and/or fire codes.

Interlock Concrete Products will ensure that design and construction of the new facility will meet all State Building and Fire Codes.

Thank you for your consideration of this request for a conditional industrial use permit. On behalf of Interlock Concrete Products, LLC, we look forward to working with you on this additional facility to aid Interlock on expanding their production efforts and better serve their customers. Please contact me at 952.426.0699 or via email at Jeana.Kedrowski@ISGInc.com with any questions or if there is any additional information we can provide in support of this project.

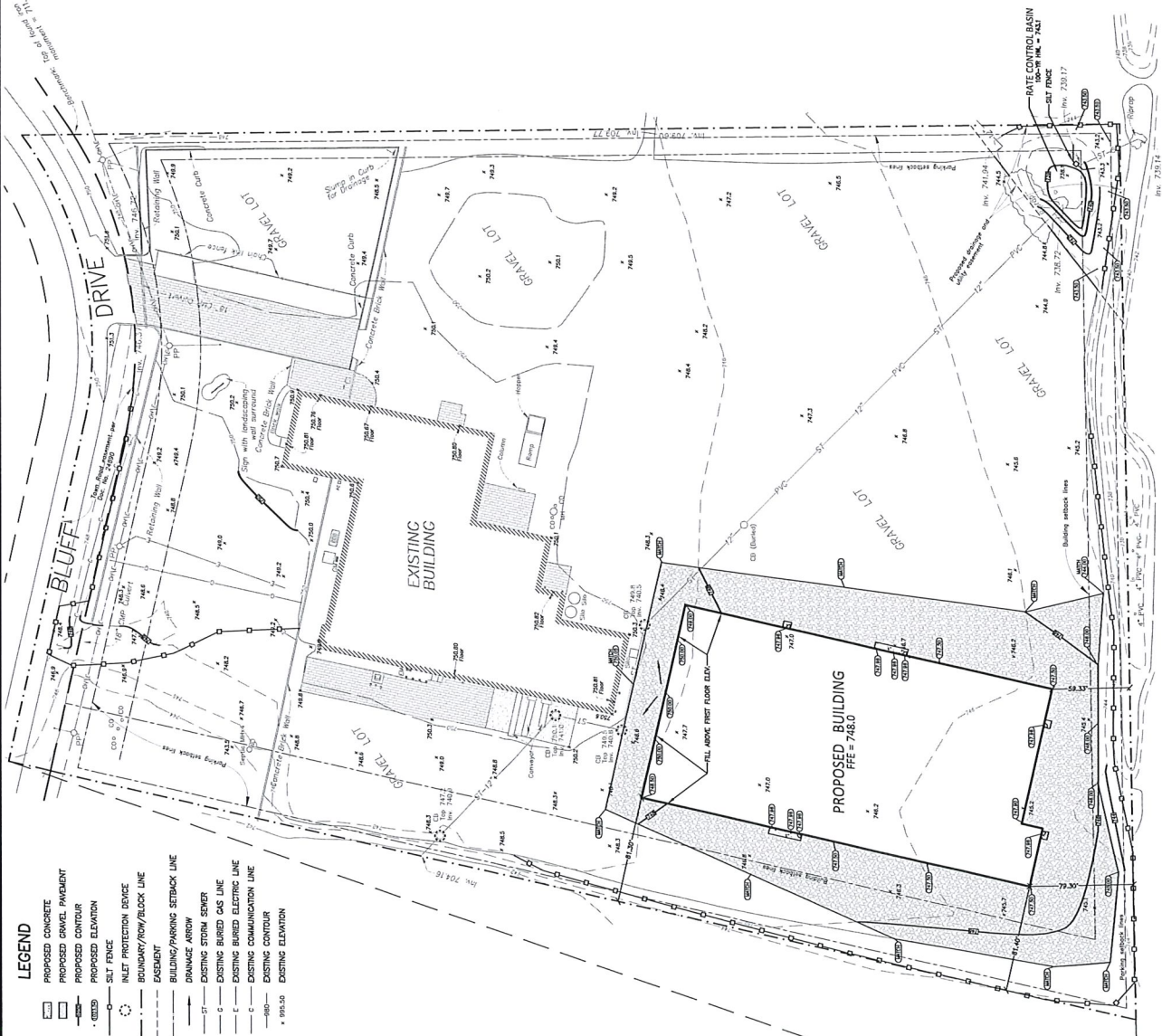
Sincerely,

A handwritten signature in black ink that reads "Jeana Kedrowski". The signature is fluid and cursive, with the first name "Jeana" being more prominent than the last name "Kedrowski".

Jeana Kedrowski
Project Coordinator
Jeana.Kedrowski@ISGInc.com

LEGEND

- PROPOSED CONCRETE
- PROPOSED GRAVEL PAVEMENT
- PROPOSED CONTOUR
- PROPOSED ELEVATION
- SILT FENCE
- INLET PROTECTION DEVICE
- BOUNDARY/TROW/BLOCK LINE
- EXISTING
- BUILDING/PARKING SETBACK LINE
- DRAINAGE ARROW
- EXISTING STORM SEWER
- EXISTING BURIED GAS LINE
- EXISTING BURIED ELECTRIC LINE
- EXISTING COMMUNICATION LINE
- EXISTING CONTOUR
- EXISTING ELEVATION



GRADING NOTES

- All elevations shown are to final surfaces.
- (NPS) General Storm Water Permit for Construction Activity before construction begins.
- Spring/Summer temporary turf establishment: seed shall be MDOOT Mixture 110 @ 100 lbs/acre.
- Fall/Winter temporary turf establishment: seed shall be MDOOT Mixture 25-131 @ 220 lbs/acre.
- Commercial turf establishment: seed shall be MDOOT Mixture 25-131 @ 220 lbs/acre.
- Grass seed shall be 10-10-10 (NPK) commercial grade, and much shall be MDOOT Type 1.
- Grass seed shall be 10-10-10 (NPK) commercial grade, and much shall be MDOOT Type 1.
- Grass seed shall be 10-10-20 (NPK) commercial grade, and much shall be MDOOT Type 1.

EROSION CONTROL NOTES

- Contractor is responsible for all notifications and inspections required by General Storm Water Permit.
- All erosion control measures shown shall be installed prior to grading operations and maintained until all areas disturbed have been restored.
- Each area disturbed by construction shall be restored per the specifications within 14 days after the construction activity in that portion of the site has temporarily or permanently ceased.
- Temporary soil stabilization must have all fence around them and cannot be placed in surface waters.
- Grading work shall be completed within 24 hours of the start of the activity.
- All erosion control measures shall be installed within 24 hours of the start of the activity.
- Excess concrete/water from concrete trucks shall be disposed of in portable washout.
- Excess concrete/water from concrete trucks shall be disposed of in portable washout.

INSPECTION AND MAINTENANCE

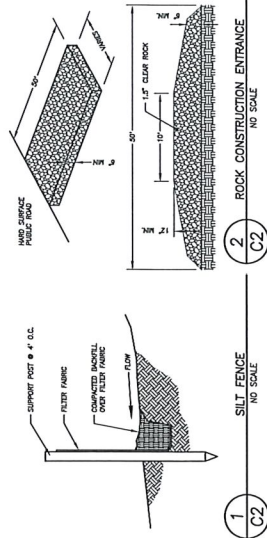
- The site must be inspected once every seven (7) days during active construction and within 24 hours after the completion of construction.
- All final erosion control measures shall be inspected in writing and records retained with the GSWPP.
- Area of the site that have undergone final stabilization, may have the inspection of these areas reduced to once per month.
- All silt fence must be repaired, replaced, or supplemented within 24 hours when they become nonfunctional.
- Temporary and permanent sedimentation basins must be drained and the sediment removed when the depth of the sediment reaches 1/2 the storage volume. Removal must be completed within 72 hours of discovery.
- Surface waters and drainage systems must be inspected for evidence of sediment being deposited. Removal of sediment must be completed within seven (7) days of discovery unless prevented by light, regulatory, or physical access constraints.
- Construction site vehicle exit locations must have sediment removed from off-site paved surfaces within 24 hours of discovery.
- Grading work shall be graded to finished grade when all contributing drainage areas have been stabilized.
- Protect infiltration area from sediment and heavy equipment compaction during/after construction with silt fence.

POLLUTION PREVENTION MANAGEMENT

- All solid waste must be disposed of off-site per the MPCA disposal requirements.
- All hazardous waste must be properly stored with restricted access to storage areas to prevent vandalism.
- Storage and disposal of hazardous waste must be in compliance with MPCA regulations.

SITE SUMMARY

SITE AREA = 10.41 ACRES
 EXISTING IMPERVIOUS AREA = 8.38 ACRES (79.0%)
 POST CONSTRUCTION IMPERVIOUS AREA = 8.28 ACRES (78.0%)



PROGRESS PRINT
4-15-22

NOTE: USE THIS TYPE OF INLET PROTECTION AFTER THE GRADING IS INSTALLED.

3 INLET PROTECTION (INFRASAFE OR EQUAL)

NO SCALE

Scale in Feet
0 20 40 60 80 100 120

SHEET NUMBER
C2

GRADING, DRAINAGE, EROSION
CONTROL PLAN & DETAILS
INTERLOCK CONCRETE PRODUCTS
CITY OF JORDAN

Issued
COUNTY SUBMITTAL
3-28-22

NAME
DATE
Reg. No.
PRELIMINARY
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.

PROJECT NO.: 221-2100.014 DRAWING FILE: 2100014.DWG
 REHDER & ASSOCIATES, INC.
 1410 Highway 130, Suite 110
 Minneapolis, MN 55412
 Tel: 612.339.1111
 Fax: 612.339.1112
 Email: rehder@rehder.com

GOPHER STATE ONE CALL
 CALL 48 HOURS BEFORE YOU DIG
 TWIN CITY AREA: 651-454-0022
 MN TOLL FREE: 1-800-253-1166

ISG

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

DATE: _____ LIC. NO.: _____
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR
STATEMENT OF WORK WAS PREPARED BY ME OR UNDER
MY SUPERVISION AND THAT I AM A DULY LICENSED
ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: _____ LIC. NO.: _____
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR
STATEMENT OF WORK WAS PREPARED BY ME OR UNDER
MY SUPERVISION AND THAT I AM A DULY LICENSED
ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

PROJECT

INTERLOCK EXPANSION

JORDAN MINNESOTA

REVISION SCHEDULE

DATE DESCRIPTION BY

PROJECT NO. 22-38285

DESIGNED BY 2023 JAVITZ

REVIEWED BY

ORIGINAL ISSUE DATE

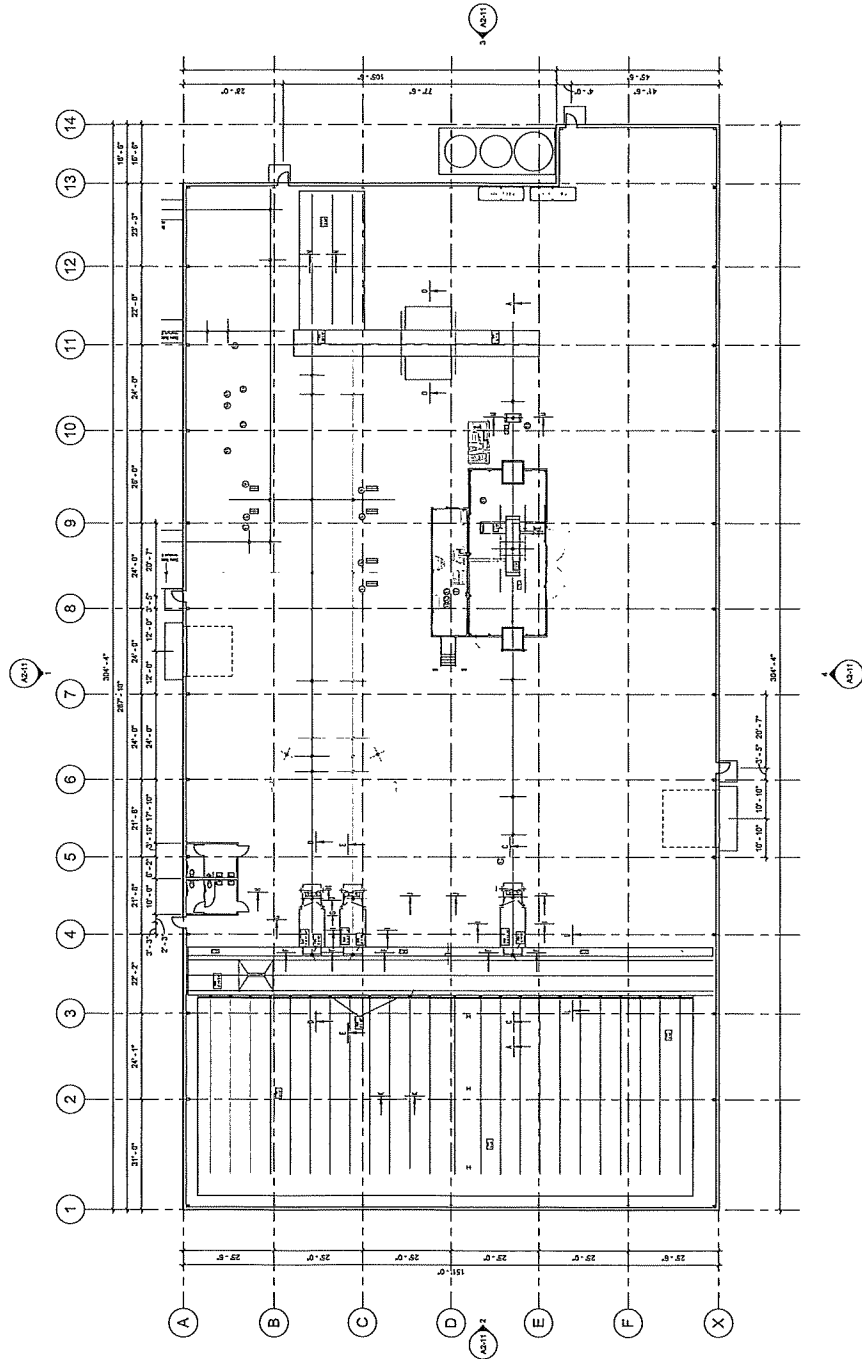
CLIENT PROJECT NO.

TITLE

FIRST FLOOR PLAN

SHEET

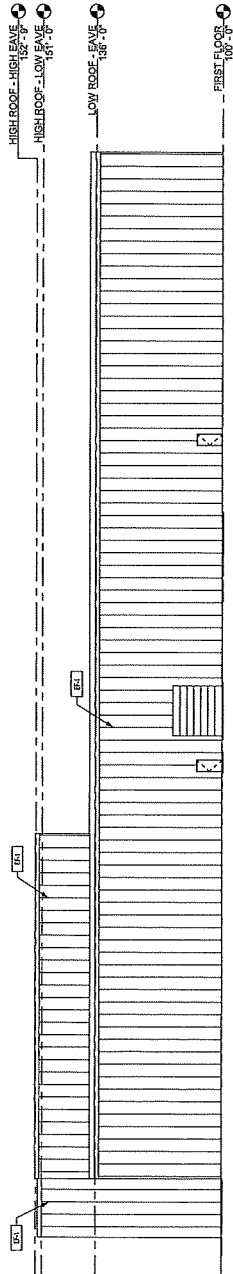
A1-21



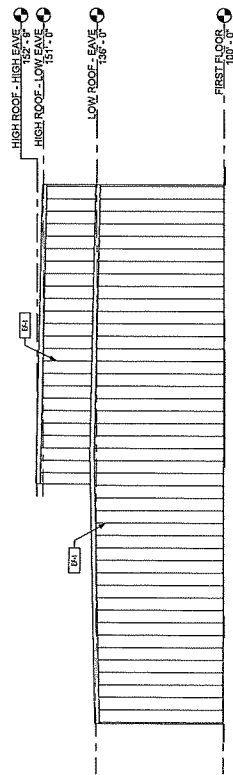
1 FIRST FLOOR PLAN
1/16" = 1'-0"

20230527 7:40:08 PM

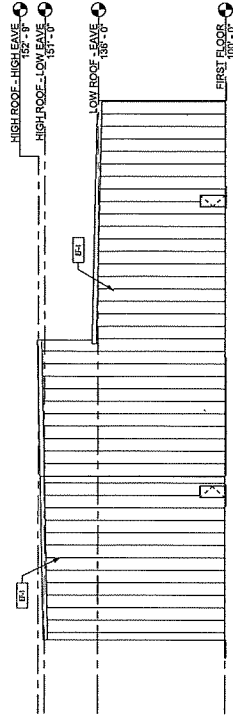
EXTERIOR FINISH SCHEDULE						
MARK	MATERIAL TYPE	MANUFACTURER	MODEL / SIZE	COLOR	ADDITIONAL INFORMATION	COMMENTS
EF-1	2" IMP					



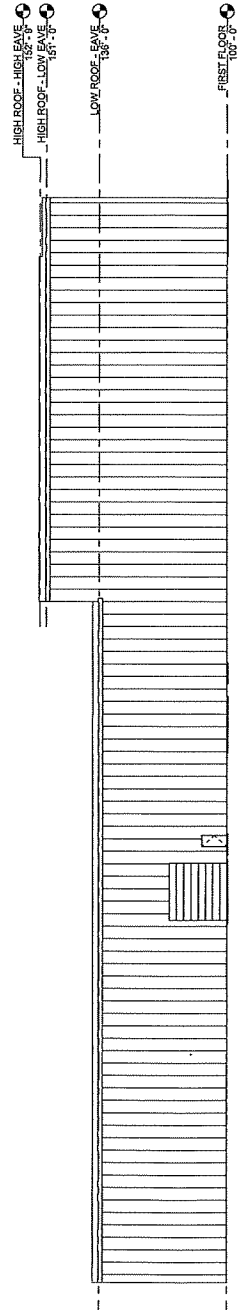
1 NORTH ELEVATION $\frac{1}{16"} = 1'-0"$



2 WEST ELEVATION
1/16" = 1'-0"



3 EAST ELEVATION
1/16" = 1'-0"



4 SOUTH ELEVATION $\frac{1}{16"} = 1'-0"$

EXTERIOR ELEVATIONS

A2-11

**INTERLOCK
EXPANSION**

JORDAN MINNESOTA

REVISION SCHEDULE		
DATE	DESCRIPTION	BY

PROJECT NO.	22-28395
FILE NAME	20395 Arch R22
DRAWN BY	
DESIGNED BY	
REVIEWED BY	
ORIGINAL ISSUE DATE	
CLIENT PROJECT NO.	

TITLE

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 PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE _____ LIC. 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.

DATE _____ LIC. NO. _____
THIS DOCUMENT IS THE PROPERTY OF I & S GROUP.
INC. AND MAY NOT BE USED, COPIED OR DUPLICATED
WITHOUT PRIOR WRITTEN CONSENT.

PROJECT

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 PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE _____ LIC. NO. _____
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OF
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.

DATE _____ LIC. NO. _____

THIS DOCUMENT IS THE PROPERTY OF I.A.G. GROUP, INC. AND MAY NOT BE USED, COPIED OR DUPLICATED WITHOUT PRIOR WRITTEN CONSENT.

1001500

**INTERLOCK
EXPANSION**

JORDAN MINNESOTA

[illegible]

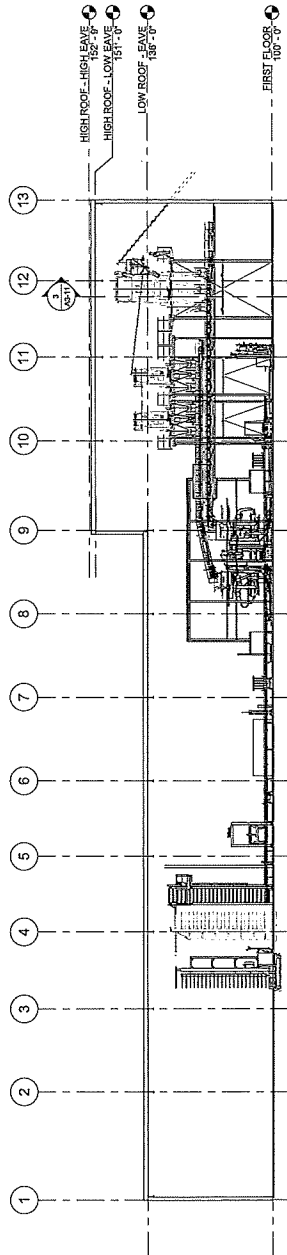
PROJECT NO.	22-26395
FILE NAME	2009 Arch F
DRAWN BY	
DESIGNED BY	
REVIEWED BY	
ORIGINAL ISSUE DATE	
CLIENT PROJECT NO.	

TITLE

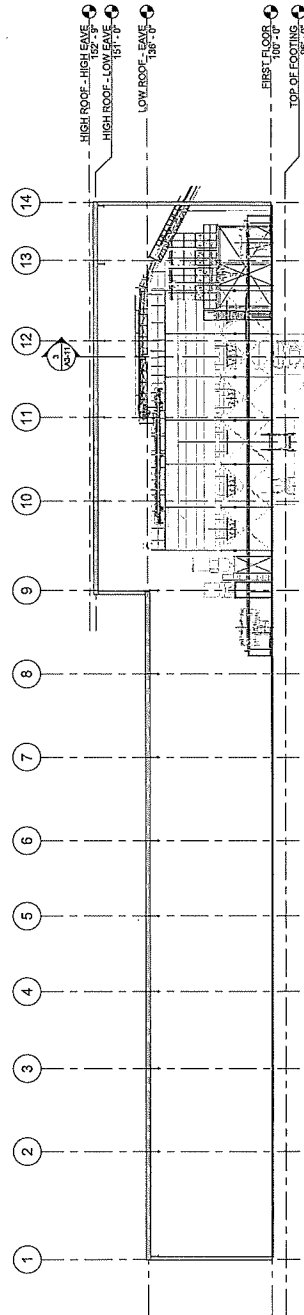
BUILDING SECTIONS

1520

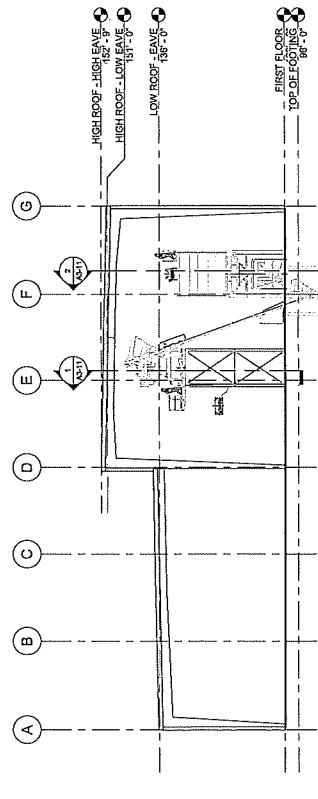
A3-11



1 BUILDING SECTION
1/16" = 1'-0"



2 BUILDING SECTION
1/16" = 1'-0"



3 BUILDING SECTION
1/16" = 1'-0"

