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Olmsted County, Minnesota

I hereby certify that this document was filed in this office
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recorded as document number **A- 1288318**

W MARK KRUPSKI - Co Recorder, by _____ Deputy

Well Certificate: _____ Received _____ Not Required

Abstr. - yes _____ no _____

Fees: **\$46.00**

pt NE-NW → 21-107-12
72-21.21.078756

**VIOLA TOWNSHIP
CONDITIONAL USE RESOLUTION
NUMBER CUP-12-02**

WHEREAS, an application to allow the expansion of an existing feedlot has been submitted by Patrick Clemens on a parcel of land described as:

LEGAL, that part of the NE ¼ of the NW ¼ of Section 21, T107N-R12W, Viola Township, Olmsted County MN. Parcel ID number: 72.21.21.078756.

WHEREAS, the applicant(s) are asking the Viola Township Planning Commission of the County of Olmsted, State of Minnesota, for a Conditional Use Permit to exceed 1,000 animal units.

WHEREAS, the matter has been reviewed by the Zoning Administrator and he has submitted his report to the Planning Commission concerning the Conditional Use.

WHEREAS, a public hearing on the change was duly noticed and held by the Viola Planning Commission at the Viola Township Hall, 4010 Center Street NE, Viola, MN after 7:00 pm on March 26, 2012 at which hearing all interested persons were given the opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED the Viola Township Planning Commission as follows:

Finding of Fact and Conditions:

The applicants' parcel is located in an A-1 (Agricultural Protected District).

The applicant meets the "Criteria for Granting Conditional Uses" of the Viola Township Zoning Ordinance and the applicant has acknowledged and agreed to the following:

1. The applicant must obtain all applicable permits that are required by federal, state, and local agencies and keep all the required permits current.
2. Outside lighting shall be diffused or directed away from adjoining properties and public roads.

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TC/PA

3. A zoning certificate must be issued prior to construction of any additional agricultural structures; the shoreland rules and setbacks will be applied to any future construction on the site.
4. Applicant must maintain a current MPCA permit meeting current and future MPCA regulations or this CUP permit is void.
5. Manure odor must not exceed MPCA regulations and guidelines and the applicant/owner must use best management practices to control odor and other feedlot related nuisances that may affect neighbors.
6. The owner/operator must use "best management practices" as identified in their NPDES permit.
7. This permit is for a feedlot up to 1,255 animal units.
8. Review of Conditional Use Permit. This Conditional Use includes, at the discretion of the Town Board, a periodic review to determine compliance with the conditions of the permit and whether changed circumstances or conditions require changes to the permit. The Town Board may also elect, upon adoption of an appropriate resolution following verification of a complaint that a condition has been violated, to conduct a review of the permit. Said review shall only take place following written notice to the owner of the subject property and a duly noticed public hearing. Following such hearing, the permit may be amended based on changed conditions and experiences with the site.

CONCLUSION:

Motion by Scott Fredericksen and seconded by Stephen Uthke to grant a Conditional Use Permit with the Conditions as listed above for up to 1255 animal units as defined by the Viola Township Ordinance. Motion carried with four votes in favor and no votes against the motion.

Passed and adopted by the Viola Township Planning Commission this 26th day of March, 2012.


 Russell Hammel, Commission Chair

Attest:


 Kevin Hammel, Clerk

DISTRIBUTION:

County Recorder
 Township Clerk
 County Planning
 Zoning Administrator
 Applicant
 Olmsted County Feedlot Tech.
 MPCA- Steven Schmidt

✓
 TCPA
 4111 11th Ave SW, Room 10
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