




REDWOOD COUNTY ENVIRONMENTAL OFFICE

PO BOX 130
REDWOOD FALLS
MINNESOTA 56283
PH: 507-637-4023

*Planning & Zoning • Parks & Trails • GIS
Aquatic Invasive Species • Septic Inspector
Drainage Inspector • Agricultural Inspector*

TO: Redwood County Board of Adjustment
FROM: Nick Brozek 
Land Use and Zoning Supervisor
Redwood County Environmental Office
DATE: September 6, 2019
RE: Public Hearing on *Application for Variance*: Mark Fujan

A public hearing will be held on September 20, 2019, at 1:00 p.m. regarding an Application for Variance filed by Mark Fujan, Trustee, on behalf of Theodora C Fujan Revocable Intervivos Trust, pursuant to Redwood County Code of Ordinances, Title XV, Sections 153.026 and 153.244, to the required setback from Plum Creek set forth in Redwood County Code of Ordinances, Title XV, Section 153.246.

Mr. Fujan is seeking to move in and place a building for use as a primitive seasonal dwelling, or hunting shack, near the banks of Plum Creek. He is also seeking to construct an outhouse, with a watertight septic holding tank underneath, to collect the sewage.

The proposed cabin is a building with some history. It is the original grain mill building from Walnut Grove. It measures 16'4" wide by 32'4" long. Fujan plans to retain as much of its original character as possible while renovating and repurposing it.

The cabin will replace the existing cabin on the site, which is the old granary building from the nearby farm building site. This farm site was formerly owned by the Fujan family. Likewise, the proposed outhouse and holding tank will replace the existing primitive outhouse on the site. Neither of these existing structures was ever permitted. The proposed building will be larger than the existing building, which is approximately 14 feet wide and 22 feet long.

Plum Creek is identified on the DNR's Public Waters Inventory map and is listed in the Redwood County Shoreland Ordinance as requiring a 150 foot setback for buildings and septic systems, including outhouses. The Fujan site is only 10 to 20 feet from the creek, and therefore a variance is needed in order for the project to move forward.

A ten foot setback will need to be maintained from the property line with the next-door English Lutheran Church Cemetery.

Most of the quarter section, formerly the Fujan farm, on which the project site is located, is enrolled in the RIM program, and thus is subject to a perpetual conservation easement that prohibits the construction or placement of permanent structures or roads on the property. However, Environmental Office staff has confirmed through the SWCD and BWSR that the project area is outside of the area enrolled in RIM.

The project site is located on the northern end of a hill next to the creek. The rest of the hill is occupied by the cemetery. The hill is 10 to 12 feet higher than the surrounding land and there are no known instances of either the project site or cemetery flooding. After reviewing the FEMA floodplain maps, the Environmental Office determined that the project area is not located within the Plum Creek Floodplain, for zoning purposes. However,

if the applicant ever wants to remove the project site from the Floodplain for the purposes of federal flood insurance requirements, they will need to make an application to FEMA.

Pursuant to Redwood County Ordinance, written notice shall be provided to all property owners of record within five hundred (500) feet of the affected property via U.S. Mail as to the time and place of the public hearing. Further, written notice shall also be provided to the affected board of township supervisors and the municipal council of any municipality within two (2) miles of the affected property. Additionally, written notice was provided to the Commissioner of the DNR, pursuant to the Shoreland Ordinance, via the DNR Office in Marshall, MN, and via direct mailing to the Commissioner's office in St. Paul.

enclosures

cc: Mark Fujan
Bruce Fujan