



Olmsted County Planning Department

September 12, 2022

Oronoco Town Board

Prepared by: Olmsted County Planning Department Staff

Request: Oronoco Township Final Plat OR2022-002PLAT by Kevin Graner on behalf of Kevin Graner, Arthur Mergen, and the Freshman Group. The request is for a final plat to combine parts of several parcels to create 2 parcels which will not create any new or additional building sites. The name of the plat is Sunset Bay Ridge Paradise.

Location: Part of the property to be platted has an address of 13419 Sunset Bay Lane NE and is located in the NE 1/4 of the NE 1/4 of Section 2, T108N R14W. It includes properties at the north end of Sunset Bay Ln NE.

Zoning: R-1 Low Density Residential and A-2 Agricultural Protection

ACTION ITEMS

<p>The request is a final plat to combine several parcels into a plat with one block and two lots.</p>	<p>Approve the final plat #OR2022-002PLAT for Sunset Bay Ridge Paradise for the creation of one block and two lots.</p>
--	---

BACKGROUND INFORMATION

Background:

The property in question has multiple owners. A portion of the property is being purchased from Mr. Mergen by Mr. Graner. Mr. Graner currently holds four tax parcels. He would like to build a new dwelling in the future. The replat of the property is the only solution for combining his parcels so that there are no underlying property lines.

The Freshman Group received three variances to build on the parcel to the north of Mr. Graner’s property. The Freshman Group is obtaining land for the driveway to access the building site. The property to the North is not within the same plat as the property the driveway would be from. Therefore, re-platting the property allows it to be combined into one tax parcel.

No new building sites will be created with the plat. Because the plat is shifting lot lines and not creating any new buildable parcels Planning Staff proposed that the application be heard as a Final Plat without the need for a preliminary plat.

The applicant requests the following:

A final plat for Sunset Bay Ridge Paradise to include one block and two lots.

Referral Comments:

MnDNR submitted a referral comment stating that the final plat must show the FEMA Special Flood Hazard Area (SFHA) per Minnesota Rules 6120.5900 Subdivision 2.

ANALYSIS AND FINDINGS

Below are suggested findings for approval for the plat.

Staff Findings:

- The final plat will serve as both the preliminary and final plat of Sunset Bay Ridge Paradise.
- The final plat lot configuration conforms to the standards of the Oronoco Township Zoning Ordinance and Oronoco Township Subdivision Ordinance.
- There are no new buildable lots created by the plat. The plat is shifting lot lines and maintaining the same number of buildable parcels prior to re-platting.
- The remnant parcel (what's remaining of Lot 48 Kurth's Subdivision) will no longer be buildable as a "lot of record." This parcel must conform to the current zoning district requirements at the time of building.

Staff Recommendation

Staff findings support approval of the final plat for #OR2022-002PLAT by Kevin Graner on behalf of Kevin Graner, Arthur Mergen, and the Freshman Group for the creation of Sunset Bay Ridge Paradise for 1 block and 2 lots in the NE ¼ of the NE ¼ of Section 2 T108N R14W with one condition:

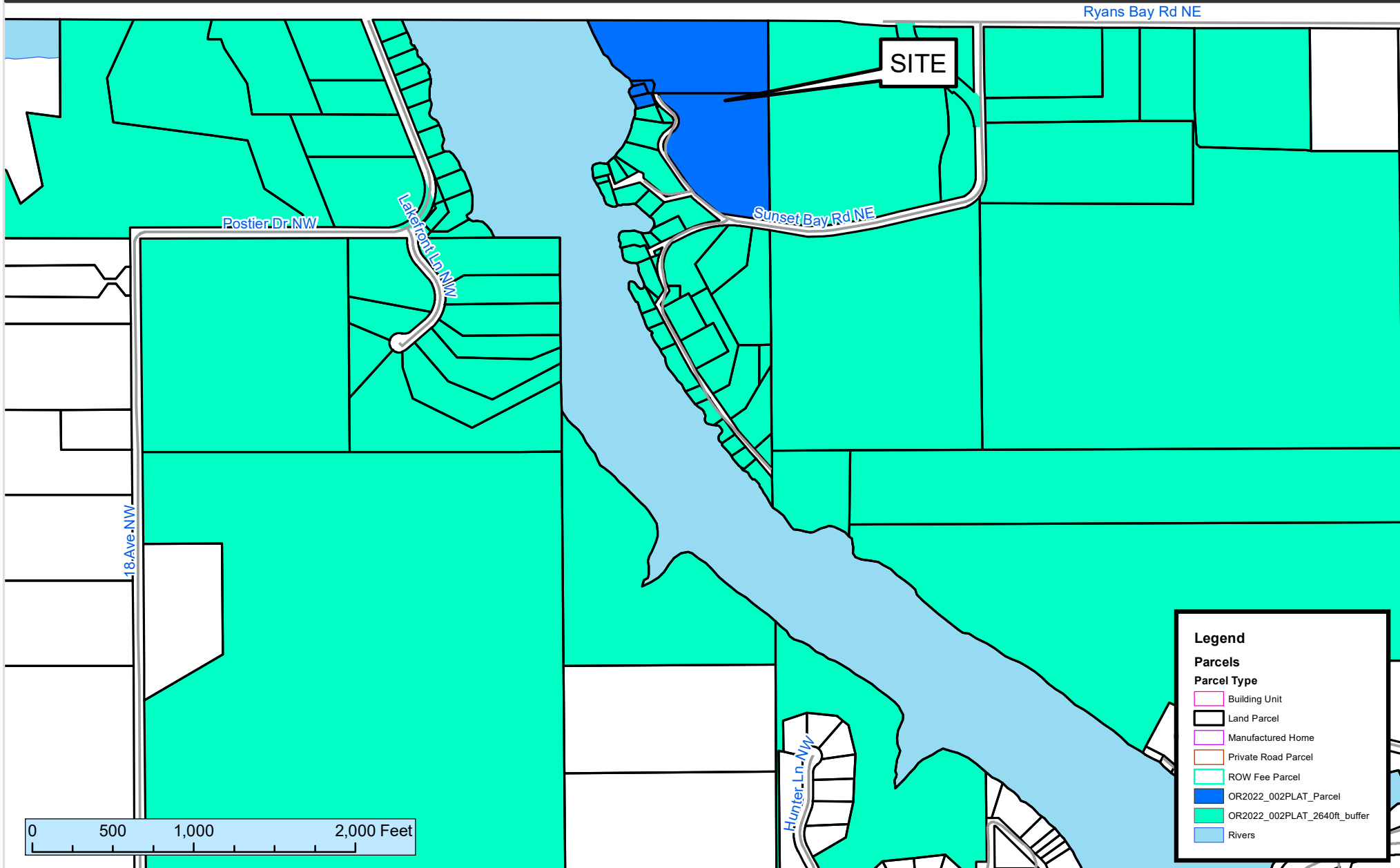
1. The final plat must include the FEMA Special Flood Hazard Area (SFHA) per Minnesota Rules 6120.5900 Subdivision 2.

ATTACHMENTS

1. Aerial Map
2. Notification Map
3. Applicant Submittals
4. Referral Comments

2640 ft. Notification Area of

Oronoco Township Final Plat OR2022-002PLAT by Kevin Graner on behalf of Kevin Graner, Arthur Mergen, and the Freshman Group. The request is for a final plat to combine parts of several parcels to create 2 parcels which will not create any new or additional building sites. The name of the plat is Sunset Bay Ridge Paradise. Part of the property to be platted has an address of 13419 Sunset Bay Lane NE and is located in the NE 1/4 of the NE 1/4 of Section 2, T108N R14W. It includes properties at the north end of Sunset Bay Ln NE.



This map prepared by the GIS Division, Olmsted County Planning Department. Olmsted County is not responsible for omissions or errors contained herein. If discrepancies are found within this map, please notify the GIS Division, Olmsted County Planning Department, 2122 Campus Drive SE Rochester MN 55904 (507) 328-7100.

Map Date: 08/10/2022

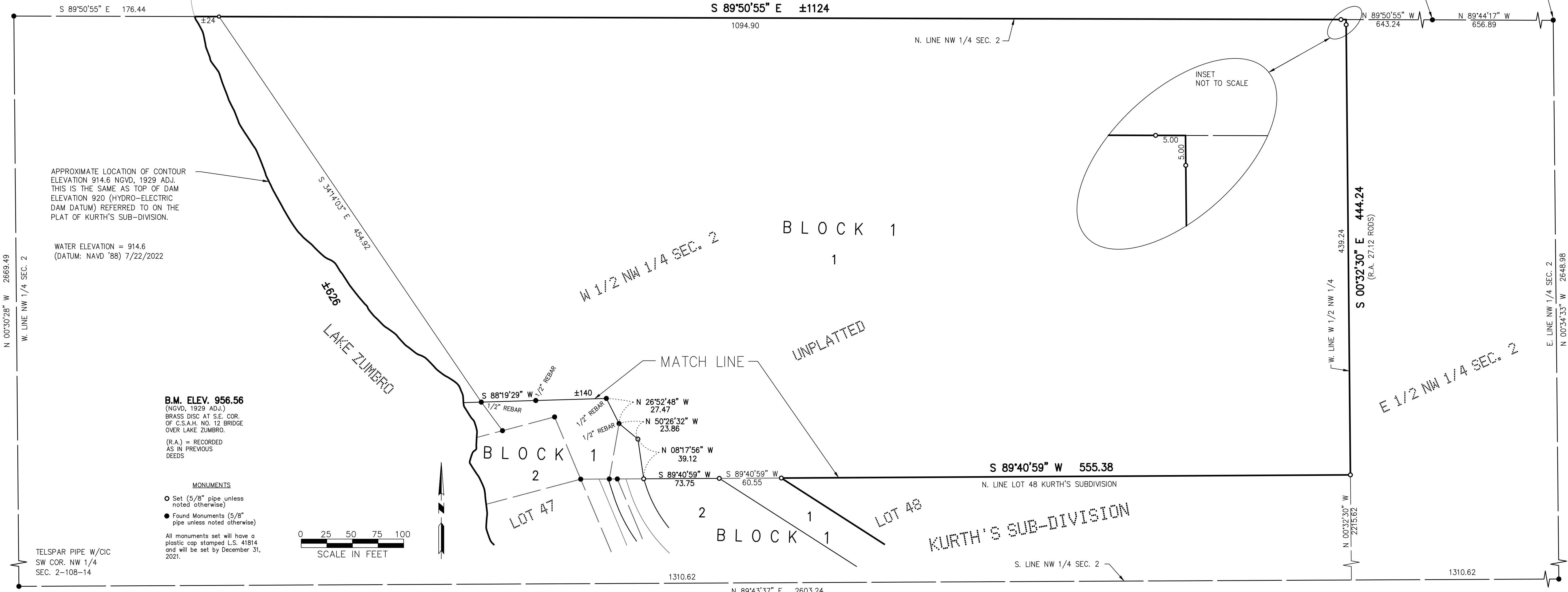


SUNSET BAY PARADISE

COMPUTED LOCATION IN LAKE
NW COR. NW 1/4
SEC. 2-108-14

R.R. SPIKE ABOVE C.I.M.
SE COR. SE 1/4
SEC. 34-109-14

C.I.M.
NE COR. NW 1/4
SEC. 2-108-14



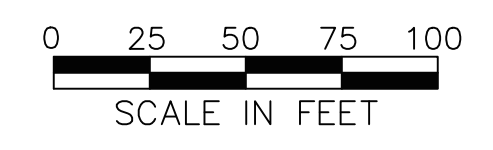
APPROXIMATE LOCATION OF CONTOUR
ELEVATION 914.6 NGVD, 1929 ADJ.
THIS IS THE SAME AS TOP OF DAM
ELEVATION 920 (HYDRO-ELECTRIC
DAM DATUM) REFERRED TO ON THE
PLAT OF KURTH'S SUB-DIVISION.

WATER ELEVATION = 914.6
(DATUM: NAVD '88) 7/22/2022

B.M. ELEV. 956.56
(NGVD, 1929 ADJ.)
BRASS DISC AT S.E. COR.
OF C.S.A.H. NO. 12 BRIDGE
OVER LAKE ZUMBRO.
(R.A.) = RECORDED
AS IN PREVIOUS
DEEDS

MONUMENTS
○ Set (5/8" pipe unless
noted otherwise)
● Found Monuments (5/8"
pipe unless noted otherwise)

All monuments set will have a
plastic cap stamped L.S. 41814
and will be set by December 31,
2021.



INSTRUMENT OF DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: That Arthur D. Mergen as Trustee of the Arthur Delaine Mergen Trust under agreement, dated March 18, 2009, and Kevin K. Graner and Marilyn E. Graner as Trustees of the Kevin Kenneth Graner and Marilyn Elizabeth Graner Revocable Trust, dated July 15, 2016 and The Freshman Group Inc., a Minnesota corporation, owners of the following described property:

Lot 47 and that part of Lot 46 and Lot 48, KURTH'S SUB-DIVISION according to the plat thereof on file at the County Recorder's Office, Olmsted County, Minnesota, and that part of the Northwest Quarter of the Northwest Quarter of Section 2, Township 108 North, Range 14 West, Olmsted County, Minnesota described as follows:

BEGINNING at the northeast corner of the Northwest Quarter of said Section 2; thence North 89 degrees 44 minutes 17 seconds West, (NOTE: All bearings are in relationship with the Olmsted County Coordinate System NAD '83, Adjusted 1996), along the north line of said Northwest Quarter, 656.89 feet; thence North 89 degrees 50 minutes 55 seconds West, along said north line, 643.24 feet to the northeast corner of the West-One Half of said Northwest Quarter and the POINT OF BEGINNING; thence South 00 degrees 32 minutes 30 seconds East, 444.24 feet to the northeast corner of said Lot 48; thence South 89 degrees 40 minutes 59 seconds West, along the north line of said Lot 48, a distance of 555.38 feet; thence South 57 degrees 17 minutes 34 seconds East, 119.51 feet; thence South 20 degrees 26 minutes 57 seconds East, 70.64 feet; thence South 10 degrees 44 minutes 34 seconds West, 113.91 feet; thence North 76 degrees 41 minutes 57 seconds West, 78.43 feet; thence North 64 degrees 33 minutes 04 seconds West, 61.50 feet to the centerline of Township Road as surveyed in 1999, recorded as document number A-1118494; thence Northwesterly 75.19 feet along said centerline and along a non-tangential curve, concave southwesterly, having a central angle of 75 degrees 10 minutes 56 seconds, radius of 57.30 feet, chord of said curve bears North 12 degrees 08 minutes 32 seconds West, 69.91 feet; thence North 49 degrees 44 minutes 00 seconds West, tangent to said curve and along said centerline, 80.66 feet; thence Northwesterly 6.71 feet, along said centerline and along a tangential curve, concave northeasterly, having a central angle of 02 degrees 40 minutes 58 seconds, radius of 143.24 feet; thence South 67 degrees 14 minutes 19 seconds West, 18.94 feet to the west line of said Lot 48; thence North 22 degrees 47 minutes 00 seconds West, along said west line, 23.22 feet; thence South 67 degrees 14 minutes 19 seconds West, 33.00 feet to the northeast corner of the South 23.00 feet of said Lot 46; thence South 75 degrees 05 minutes 50 seconds West, along the north line of the South 23.00 feet of said Lot 46, a distance of 115 feet more or less to the waters edge as platted in said KURTH'S SUB-DIVISION; thence Northwesterly 626 feet more or less, along said waters edge to the north line of said Northwest Quarter; thence South 89 degrees 50 minutes 55 seconds East, 1124 feet more or less to the POINT OF BEGINNING.

Have caused the same to be surveyed and platted as SUNSET BAY PARADISE, and do hereby dedicate to the public for public use the public way, as created by this plat.

In witness whereof said Arthur D. Mergen, Trustee of the Arthur Delaine Mergen Trust under agreement, dated March 18, 2009, have hereunto set their hands this _____ day of _____, 20____.

Arthur D. Mergen, Trustee of the Arthur Delaine Mergen Trust under agreement, dated March 18, 2009

STATE OF MINNESOTA
COUNTY OF _____
This instrument was acknowledged before me on this _____ day of _____, 20____
by Arthur D. Mergen.

In witness whereof said Kevin K. Graner, and Marilyn E. Graner, Trustees of the Kevin K. Graner and Marilyn E. Graner Revocable Trust, dated July 15, 2016, have hereunto set their hands this _____ day of _____, 20____.

Kevin K. Graner, Trustee of the Kevin Kenneth Graner and Marilyn Elizabeth Graner Revocable Trust, dated July 15, 2016
Marilyn E. Graner, Trustee of the Kevin Kenneth Graner and Marilyn Elizabeth Graner Revocable Trust, dated July 15, 2016

STATE OF MINNESOTA
COUNTY OF _____
This instrument was acknowledged before me on this _____ day of _____, 20____
by Kevin K. Graner, and Marilyn E. Graner.

In witness whereof said The Freshman Group Inc., a Minnesota corporation, has caused these presents to be signed by its proper officers this _____ day of _____, 20____.

Signed: The Freshman Group Inc.
James Burke, Chief Executive Officer

STATE OF MINNESOTA
COUNTY OF _____
This instrument was acknowledged before me on this _____ day of _____, 20____
by James Burke.

TOWNSHIP BOARD OF SUPERVISORS
TOWNSHIP OF ORONOCCO

I/We do hereby certify that on the _____ day of _____, 20____, the Board of Supervisors for the Township of Oronoco, Olmsted County, Minnesota, approved this plat of SUNSET BAY RIDGE SUBDIVISION and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd 2.

Chairperson _____
Town Clerk _____

SURVEYOR'S CERTIFICATE

I, Reinhold W. Zieman, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.
Reinhold W. Zieman
Minnesota L.S. No. 59823

STATE OF MINNESOTA
COUNTY OF DODGE
This instrument was acknowledged before me on this _____ day of _____, 20____, by Richard J Massey.

Printed Notary Public Name _____ Notary Public, Dodge County, MN
My Commission Expires _____

OLMSTED COUNTY BOARD

I/We do hereby certify that on the _____ day of _____, 20____, the Board of Commissioners of Olmsted County, Minnesota, approved this plat of SUNSET BAY RIDGE SUBDIVISION and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd 2.

Olmsted County Board Chairperson _____

OLMSTED COUNTY ENGINEER

Recommended for approval this _____ day of _____, 20____.

Olmsted County Engineer _____

PROPERTY RECORDS AND LICENSING

Taxes payable in the year 20____ on the land herein described have been paid, there are no delinquent taxes and transfer entered this _____ day of _____, 20____.

DOCUMENT NUMBER _____

I hereby certify that this instrument was filed in the Office of Property Records and Licensing for the record on this _____ day of _____, 20____, at _____ o'clock _____ M., and was duly recorded in the Olmsted County records.

Director of Property Records & Licensing _____
Deputy _____

COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 20____.

Olmsted County Surveyor _____

OLMSTED COUNTY ENVIRONMENTAL COMMISSION

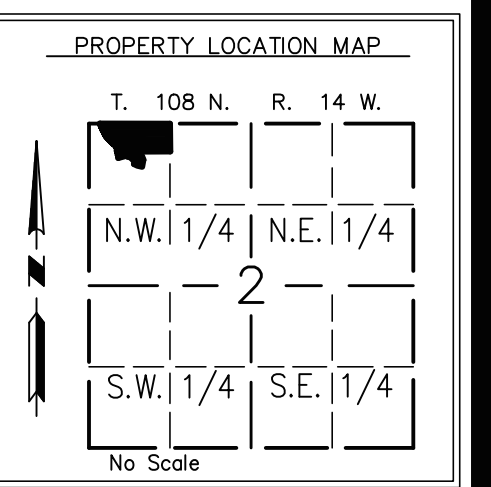
The Olmsted County Environmental Commission has approved the plans for the water supply and sewage treatment for the plat.

Olmsted County Environmental Specialist _____

5/8" ROD
SE COR. NW 1/4
SEC. 2-108-14

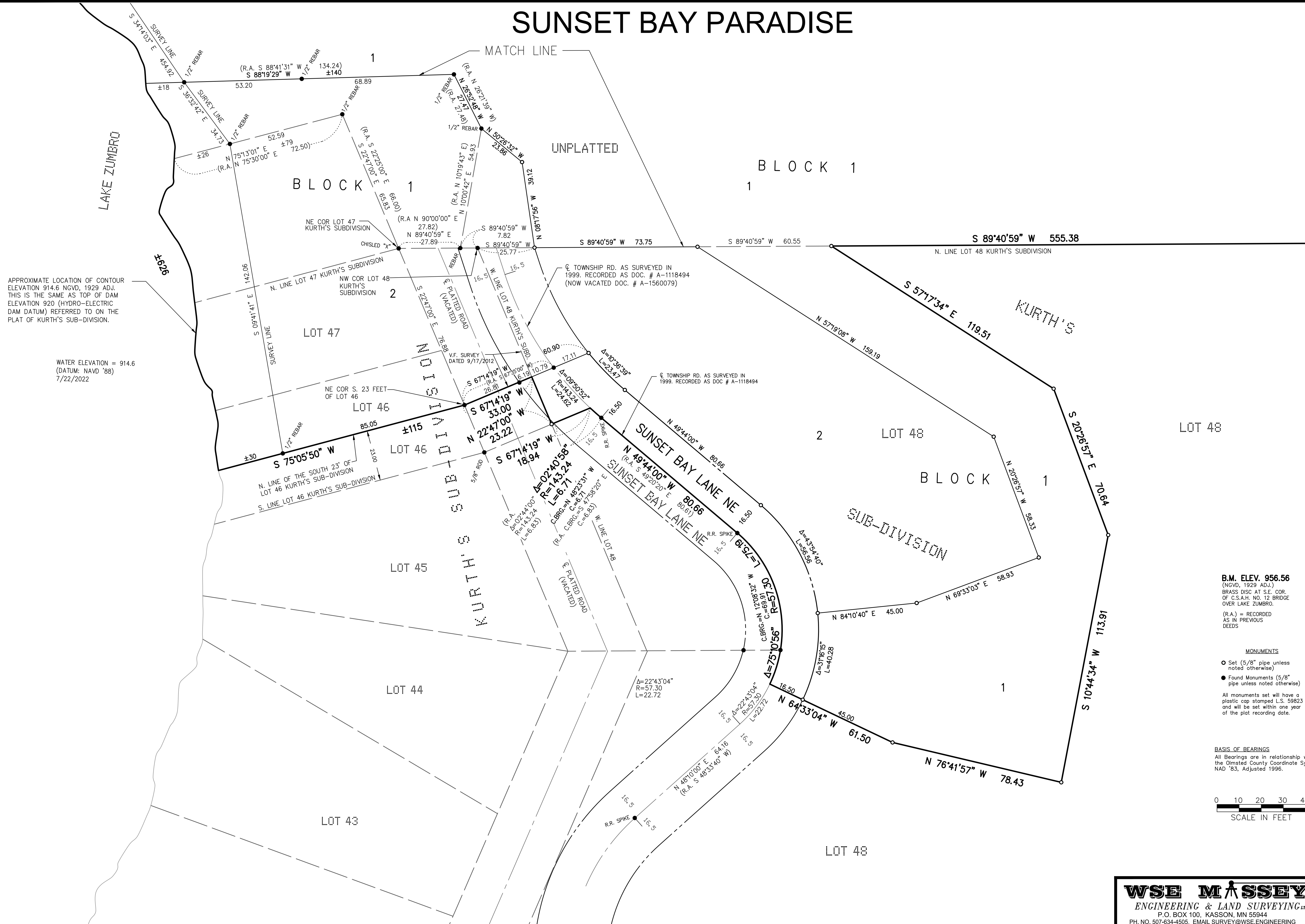
PROJECT NUMBER: 4017
COMPUTER FILE: 40175FD1

BASIS OF BEARINGS
All Bearings are in relationship with the Olmsted County Coordinate System NAD '83, Adjusted 1996.



WSE MASSEY
ENGINEERING & LAND SURVEYING, INC.
P.O. BOX 100, KASSON, MN 55944
PH. NO. 507-634-4505, EMAIL SURVEY@WSE.ENGINEERING

SUNSET BAY PARADISE



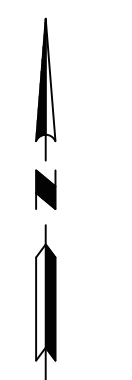
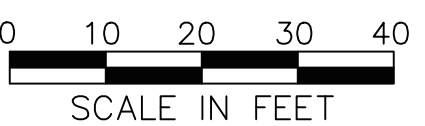
APPROXIMATE LOCATION OF CONTOUR ELEVATION 914.6 NGVD, 1929 ADJ. THIS IS THE SAME AS TOP OF DAM ELEVATION 920 (HYDRO-ELECTRIC DAM DATUM) REFERRED TO ON THE PLAT OF KURTH'S SUB-DIVISION.

WATER ELEVATION = 914.6 (DATUM: NAVD '88) 7/22/2022

B.M. ELEV. 956.56
 (NGVD, 1929 ADJ.)
 BRASS DISC AT S.E. COR. OF C.S.A.H. NO. 12 BRIDGE OVER LAKE ZUMBRO.
 (R.A.) = RECORDED AS IN PREVIOUS DEEDS

MONUMENTS
 ○ Set (5/8" pipe unless noted otherwise)
 ● Found Monuments (5/8" pipe unless noted otherwise)
 All monuments set will have a plastic cap stamped L.S. 59823 and will be set within one year of the plat recording date.

BASIS OF BEARINGS
 All Bearings are in relationship with the Olmsted County Coordinate System NAD '83, Adjusted 1996.



PROJECT NUMBER: 4017
 COMPUTER FILE: 4017SFD1

WSE MASSEY
 ENGINEERING & LAND SURVEYING INC.
 P.O. BOX 100, KASSON, MN 55944
 PH. NO. 507-634-4505, EMAIL SURVEY@WSE.ENGINEERING

From: [Lehman, Nicole \(DNR\)](#)
To: [Davis Beth](#); [Gross Kristi](#)
Cc: [Strauss, Ceil C \(DNR\)](#)
Subject: 13419 Sunset Bay NE, Oronoco, MN OR2022-002PLAT - DNR Comments
Date: Thursday, August 18, 2022 10:29:03 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[Referral OR2022-002PLAT.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

DNR would like to make the following comments:

- Recommend the final PLAT shows the FEMA Special Flood Hazard Areas (SFHA), per MAR 6120.5900, Subd. 2.

Thanks

Nicole E. Lehman

Area Hydrologist | Ecological and Water Resources Division

Minnesota Department of Natural Resources

2118 Campus Dr. SE, Suite 100

Rochester, Minnesota 55904

Phone: 507-206-2854

Email: nicole.lehman@state.mn.us

mndnr.gov



From: Davis Beth <beth.davis@olmstedcounty.gov>

Sent: Tuesday, August 9, 2022 11:55 AM

To: Amy Storm - Post Office <amy.j.storm@usps.gov>; benjamin.wolf@minnesotaenergyresources.com; Blair-Hoeft Mary <mary.blairhoeft@olmstedcounty.gov>; boats500@aol.com; Brandon Elverum-Lumen <brandon.elverum@lumen.com>; Bromberg Mike <mike.bromberg@olmstedcounty.gov>; Brady Caitlin <caitlin.brady@olmstedcounty.gov>; Champion Dawn <dawn.campion@olmstedcounty.gov>; Chowdhury Sagar <sagar.chowdhury@olmstedcounty.gov>; City of Oronoco <oronococityhall@yahoo.com>; Cody Black - Peoples Coop (cblack@peoplesrec.com) <cblack@peoplesrec.com>; PW Service <pwservice@olmstedcounty.gov>; Dave Lee - Lumen <dave.lee@lumen.com>; Dombrovski, Dillon <ddombrovski@rochestermn.gov>; Gary Fitterer (gfitterer@peoplesrec.com) <gfitterer@peoplesrec.com>; gkellen@peoplesrec.com; Heather

Peterson - City Public Works <hpeterson@rochestermn.gov>; Inspections <Inspections@CO.OLMSTED.MN.US>; jekappers@rochester.k12.mn.us; Jim Mosser <jjmosser@charter.net>; John Sonnek - Pine Island telephone co <jsonnek@bevcomm.com>; Watkins, Justin (MPCA) <justin.watkins@state.mn.us>; Khan Muhammad <muhammad.khan@olmstedcounty.gov>; Kyle Mirehouse - EM Director <kmirehouse@rochestermn.gov>; Larry Allen <lallen@bevcomm.com>; Lyle Wilson - Pine Island telephone company <lwilson@bevcomm.com>; Mark Baker <mbaker@rochestermn.gov>; Larsen Martin <martin.larsen@olmstedcounty.gov>; Michael Bjoraker <mbjoraker@rochestermn.gov>; Mndot; Lehman, Nicole (DNR) <nicole.lehman@state.mn.us>; Oronoco Town Board; Oronoco Township PAC Members; Phil Jensen - Charter Communications <phillip.jensen@charter.com>; Recording & Abstracting; Reiter Charlie <charlie.reiter@olmstedcounty.gov>; Russell Halgerson <rhalgerson@peoplesrec.com>; Dick, Sally (DNR) <sally.dick@state.mn.us>; Bennett Scott <scott.bennett@olmstedcounty.gov>; Langer Skip <skip.langer@olmstedcounty.gov>; Tom Livingston - MN Energy Resources <thomas.livingston@minnesotaenergyresources.com>; Hill Tony <tony.hill@olmstedcounty.gov>; Turk Jon <jturk@rochestermn.gov>; Tyler Niemeyer <taniemeyer@rochestermn.gov>; Wendy Turri <wturri@rochestermn.gov>; zumbrotwpclerk@gmail.com

Subject: Request for Comments Referral OR2022-002PLAT.pdf

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Comments must be submitted to our office AUGUST 22, 2022 .

This is not the full referral. You can view the full referral with site plans at the following location, *based on your security access*:

1. **Planning Referral Extranet Site (link will not work unless you have license)**
2. **Accela (link works for those with Accela access w/username and password)**
 - a. **Search on the Application No (or get from your query)**
 - b. **Go to Documents Tab**
3. **Accela Citizen Access (link works for everyone)**
 - a. **Go to Planning Tab**
 - b. **Search on the Application No**
 - c. **Click on Planning Number in results screen at bottom (scroll down)**
 - d. **Click on Attachments**
 - e. **Click on document name that is hyperlinked**

If you have access to the Accela software program, please submit your comments.

Beth A. Davis
Olmsted County Planning Department

2122 Campus Drive SE, Suite 100
Rochester MN 55904
507.328.7100 (office)
507.328.7103 (direct line)
beth.davis@olmstedcounty.gov



Providing the foundation of a vibrant community