



OFFICE OF COUNTY RECORDER  
Olmsted County, Minnesota

I hereby certify that this document was filed in this office  
on 8/10/2000 at 2:00:00 PM and was duly  
recorded as document number **A-849769**  
DANIEL J. HALL - County Recorder, by \_\_\_\_\_ Deputy

Well Certificate: \_\_\_\_\_ Received \_\_\_\_\_ Not Required  
Abstr. - yes \_\_\_\_\_ no \_\_\_\_\_

Fees:

Total \$19.50

4pt NW-SE  
pt SW-SE  
2-107-14

**CASCADE TOWNSHIP  
CONDITIONAL USE RESOLUTION  
NUMBER CUP-00-01**

**WHEREAS**, an application for a Conditional Use Permit to fill in a floodplain area, as designated by soils, in order to construct a township road driveway with a culvert across a drainageway, on behalf of, Dan Fitzpatrick, 8770 NW Fitzpatrick Lane, Rochester, MN described as:

That part of the Southeast Quarter of Section 2 T.107N.-R.14W, Olmsted County, Minnesota, lying North of BRIARWOOD and westerly of the following described line:

Commencing at the northeast corner of said Southeast Quarter; thence North 89 degrees 54 minutes 08 seconds West, assumed bearing, along the north line of said Southeast Quarter, 1171.51 feet for the point of beginning of the line to be described; thence South 03 degrees 06 minutes 50 seconds East, 879.86 feet to the north line of BRIARWOOD and there terminating.

Containing 41.56 acres more or less

**WHEREAS**, the applicant(s) are asking the Cascade Township Planning Commission of the County of Olmsted, State of Minnesota, to be granted a Conditional Use Permit per Article IV of the Cascade Township Interim Zoning Ordinance.

**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 proposed Conditional Use was duly noticed and held by the Cascade Planning Commission at the Calvary Evangelical Free Church, 5500 25<sup>th</sup> Ave NW, Rochester, MN at 6:30 pm on June 26, 2000, at which hearing all interested persons were given the opportunity to be heard.

**NOW, THEREFORE**, be it resolved by the Cascade Township Planning Commission as follows:

FINDING OF FACT AND CONDITIONS:

rw

The parcel is zoned Oak Bluff Special District (OB-Special District). The preliminary plat and special district were applied for and approved by Olmsted County prior to the Township's adoption of zoning regulations. One of the requirements of the preliminary plat was a conditional use permit to cross this floodplain area with the proposed roadway prior to final plat approval.

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

CONDITIONS:

1. No above ground structure of any type will be allowed in Outlot "B"
2. Only the amount of fill necessary to install the Culvert and construct the roadway will be allowed.
3. Necessary erosion control measures as recommend by the Olmsted County Soil and Water District will be implemented during construction.
4. A grading plan shall be submitted to and approved by the Township Planning Department Prior to construction.

CONCLUSION:

The Cascade Township Planning Commission hereby grants a Conditional Use Permit per Article IV of the Cascade Township Interim Zoning Ordinance to allow for the filling in of a floodplain area on the property listed above and, according to the conditions listed above.

Passed and adopted by the Cascade Township Planning Commission this 26th day of June.

NOTARY SEAL  
Attest:  
  
Joe Vroman, Clerk

  
Curt Axen, Commission Chair

DISTRIBUTION:

County Recorder  
Township Clerk  
County Planning  
Zoning Administrator  
Applicant