

FILLMORE COUNTY LAND USE PERMIT
APPLICATION

WARNING

Construction may not begin until a permit has been issued and is in your possession.

A Site Inspection is required. Before construction may begin, an inspection of the site must be done. Call (507) 765-3325 for the inspection.

LAND USE PERMIT APPLICATION

FILLMORE COUNTY

It is recommended that all applicants contact the Zoning Office prior to filling out the application to make sure that this proposed project is feasible. It is imperative that all instructions and regulations be read carefully before submitting this application.

(1) Name of all Landowners: _____ Phone #: _____
 _____ Phone #: _____
 _____ Phone #: _____

Mailing Address: _____
Address City State Zip

(2) Parcel #: _____ (3) Legal Description (from deed, abstract, or Recorders Office): _____

Section: _____ (4) Township: _____ (5) Range: _____

Have you started work on this project? Yes: _____ No: _____
 Is there a driveway access to this property? Yes: _____ No: _____
 Is this project located under a power line? Yes: _____ No: _____

Proposed Project: _____ Total # of bedrooms _____

(New home, addition, farm or feedlot building, feed or grain storage, move in a structure, or other.)

Estimated cost: _____ Permit # _____
To be filled out by the Zoning Office

(6) Total Square Footage:	Length	Width	Total
Basement	_____	x _____	= _____
1st level	_____	x _____	= _____
2nd level	_____	x _____	= _____
Attached Garage	_____	x _____	= _____
Porch or Deck	_____	x _____	= _____
Total Square Footage	_____	x _____	= _____

NO WORK MAY BEGIN UNTIL A PERMIT IS OBTAINED. IF WORK HAS BEGUN ON THE PROJECT BEFORE A PERMIT IS ISSUED, A \$250.00 LATE FEE MUST BE PAID IN ADDITION TO THE PERMIT FEE. The following projects are assessed \$10.00 per 100 square feet of living space; new dwellings, dwelling additions, porches, decks, attached garages, dwellings being moved in and mobile or manufactured homes. All other structures are assessed at \$7.50 per 100 square feet. A minimum is \$8.00.

LATE FEE _____ (\$250.00)

(7) TOTAL FEE _____ (NO REFUNDS)

An aerial photo of the site must be provided with the application showing the location of the proposed construction. Aerial photos are available in the Zoning Office, or may be obtained by contacting Danae Swenson, GIS Coordinator, at (507)765-2806.

Measure and determine the following distances from the structure you are building:

1. Setback from center of a public road and setback from all property lines. _____
2. Setback from a well. _____
3. Setback from a sewer system. _____
4. Setback from a bluff _____
5. Setback from the nearest feedlot. _____
6. Setback from a rock quarry. _____

SITE INSPECTIONS ARE REQUIRED FOR ALL NEW DWELLINGS: The footings must be dug and inspected before the actual construction of the dwelling may begin.

I hereby certify that the information contained herein is correct and agree to do the proposed work in accordance with the provisions of the Ordinances of Fillmore County and the Statutes of the State of Minnesota. The addition of a bedroom will require the evaluation of the Sewage Treatment System and may require alteration of said system.

(8) Signatures of All Landowners

Name Date

Name Date

Name Date

Send all correspondence to:
Fillmore County Zoning Office
P.O. Box 655
Preston, MN 55965
(507) 765-3325
(507) 765-2803 fax

TO BE FILLED OUT BY APPLICANTS BUILDING NEW HOMES

RURAL AND AGRICULTURAL HOME OWNERS ASSUMPTION OF RISK AGREEMENT

(2) Parcel Number _____ (3) Legal Description _____

The area in which you propose to build a dwelling is located in or near property, which is used or zoned for agricultural purposes. This means that land, on which you are about to erect a dwelling, is located in an area where land is used for the purpose of raising livestock, raising crops, producing agricultural commodities, and various other agricultural purposes. You are likely to be exposed to odors, sights, chemicals, noises, conditions, and activities, which are prevalent in an agricultural zone. Such things include, but are not limited to:

- (1) odors associated with animal excrement and waste;
- (2) the sight, sound, and odor of tractors, grain dryers, agricultural equipment and machinery operating at any time of the day, including night;
- (3) the use of herbicides, pesticides, and other chemicals for agricultural purposes;
- (4) the sight and sound of sheep, pigs, cattle, horses, and other livestock;
- (5) the sight, sound and odor of manure or other waste products being spread on or injected into nearby fields;
- (6) slow moving vehicles on roadways, including tractors, combines and other heavy equipment;
- (7) cattle or other livestock getting loose from their pens or fields and possibly entering upon your land;
- (8) mud, manure, fertilizer, grain and other agricultural products on roadways as a result of said agricultural equipment moving down those roadways; and
- (9) barbed wire, fence lines, and other agricultural structures that need to be maintained.

YOU ARE HEREBY NOTIFIED AND UNDERSTAND that your presence in such an agricultural area or zone will expose you and your family to many of these conditions. These conditions and activities may be offensive, inconvenient, distracting and disturbing at times. You may also not agree with the nature of the farming process, size of the farm, or the treatment of animals. However, you agree to waive any objections to the continued agricultural activities and conditions, which may surround your property and which may have a negative impact on your lifestyle and land values. You further waive any objections to the nature of the agricultural activities and conditions as long as those agricultural activities are performed in a husband-like and responsible manner. You agree and understand that agriculture is a vital part of the rural economy and that your decision to erect a dwelling in a rural or agricultural zone should not have a negative impact on the continued agricultural operations, which are vital to the Fillmore County economy. By building a dwelling in an agricultural area and zone, you, your family members, successors and assigns, agree to the continued agricultural activities and waive any further or future objection to those conditions and activities. I certify that I have read and understand the above notice and with this knowledge do hereby assume the risks, inconveniences, and potential negative impacts discussed above.

(9) Names and Signatures of all Landowners

Please Print or Type: _____

Please Print or Type: _____

Signature: _____

Signature: _____

Date: _____

Date: _____

Subscribed and sworn to before me this
_____ day of _____, _____

Subscribed and sworn to before me this
_____ day of _____, _____

Instructions for filling out a Land Use Permit Application

- (1) The applicant must list all the names that are on the abstract for this particular parcel of land. This would include husband **and** wife's names if both were on the abstract plus any other landowners.
- (2) The parcel number is a 9-digit number found on a tax statement that specially designates a number for this particular piece of land. It starts with an R and is set up as such; R99.9999.999.
- (3) The legal description is a very detailed description of the boundaries of the parcel of land where an applicant plans to build. This description is found on an abstract or a deed or may also be obtained by coming into the County Recorders Office and asking for a copy. This copy should also contain all the names of the landowners who have an interest in this parcel of land.
- (4) The township number is found in a plat book, and is also listed on the tax statement. It is a number that begins with a capital T and ends with a capital N. It will either be T101N, T102N, T103N or T104N. This number is the tier of townships starting at the Iowa border and going north.
- (5) The range number is also found in a plat book, and is also listed on the tax statement. It is a number that starts with a capital R and ends with a capital W. It will either be R08W, R09W, R10W, R11W, R12W, or R13W. The number is the column of townships starting from 08 and going to 13 from east to west.
- (6) In figuring out the total square feet, the applicant must add together all floor area of a dwelling whether finished or unfinished. All accessory buildings such as storage sheds, garages, and non-dwelling structures just include one level.
- (7) The total fee may be calculated by dividing the total square feet by 100 and multiplying by \$10.00 for dwellings or modifications of dwellings or \$7.50 for all other buildings. The fee must accompany the application.
- (8) The signature block must contain the signatures of all landowners who are listed on the legal description, abstract or deed.
- (9) All signatures in this signature block must be notarized. Any applicant who wishes to bring this part of the application to the Zoning Office and sign it in front of a Notary in the Zoning Office may do so. ***The notary only applies to individuals constructing a new dwelling, or any addition to an existing dwelling and is only required on the "Rural and Agricultural Home Owners Assumption of Risk Agreement"; it is not required on the permit application for any accessory buildings.***

Regulations for construction in the Ag District

In order to move in or construct a dwelling or any other structure in the Ag District the following restrictions will apply:

1. The construction of all new dwellings must be sited on an existing building site or on land classified for more than 10 years by the Fillmore County Assessor as pasture, wasteland, woodland, or on land having a Crop Equivalency Rating of 65 or less.
2. There may be only 2 dwellings in each quarter of a quarter section of land. If there are already 2 homes or more in the quarter of a quarter section of land no additional dwelling is allowed.
3. All new dwellings must be 1,000 feet from a feedlot with the exception of dwellings that will be owned by relatives of 1st, 2nd, 3rd, or 4th degree kindred of the feedlot owner or dwellings that will be placed on existing building sites. The Fillmore County Feedlot Officer must determine setback from a feedlot.
4. All construction of new dwellings must be 1,000 feet or more from the surveyed boundaries of a rock quarry.
5. All new construction of any dwelling or accessory structure must be 73 feet from the centerline of a public road or 40 feet back of the right of way line. Where highway safety and/or back slope easements are a factor the setback requirements shall be as determined by the County Highway Engineer and Zoning Administrator but not less than the above minimum.
6. The construction of all dwellings and accessory structures must be 10 feet from side and rear lot lines.
7. No dwelling or other structures may be constructed in the floodplain.
8. All new dwellings and accessory structures must be located 80 feet or more from the top of a bluff and 50 feet or more from the toe of the bluff. A survey by a licensed civil engineer or a surveyor must be done if a structure is proposed within 200 feet of the top of a bluff or within 100 feet of the toe of the bluff.
9. The construction of all dwellings and other structures within 300 feet of Protected Waters must adhere to all Shoreland rules and regulations as found in Section 612 of the Fillmore County Zoning Ordinance.
10. The establishment of all new construction sites for dwellings and accessory structures must have an access capable of supporting emergency vehicles.
11. Dwellings and accessory structures shall not be permitted in areas classified as peat and much areas or other areas of poor drainage and be reviewed for areas of Decorah Shale Outcroppings.
12. No dwellings shall exceed a height of 35 feet.
13. All dwellings constructed with pressurized running water must have a sewer system constructed according to Minnesota Pollution Control Agency Rules 7080.