

WRIGHT COUNTY BOARD OF ADJUSTMENT
Meeting of: MAY 27, 2022
MINUTES – (Informational)

The Wright County Board of Adjustment met May 27, 2022, in the County Commissioner's Board Room at the Wright County Government Center, Buffalo, Minnesota. Vice-Chair, Bob Neumann, called the meeting to order at 8:30 a.m. with Board members present: John Jones, III, Dan Mol, Dan Vick. Absent was Paul Aarestad. Representing the Planning & Zoning Office was Aaron Ogle, Planner; Greg Kryzer, Assistant County Attorney, legal counsel.

ACTION ON MINUTES FOR THE MAY 6, 2022, MEETING

On a motion by Mol, seconded by Jones, all voted to approve the May 6, 2022, minutes as printed.

1. **DONALD CHRISTIANSON**- Cont.

LOCATION: 4572 Fillmore Ave NW, Lot 55 of Ramsey Lake Heights, Section 07, Township 120, Range 26, Wright County, MN (Maple Lake Twp.) Tax # 210-024-000550. Property Owners: Donald R. Christianson

Requests a variance as regulated in section 155.026, 155.049(F)(2)(a), & 155.026(F)(3) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow the construction of a 20' x 22' (440 sq. ft.) garage that would be 47.16 ft. from the center of Fillmore Ave NW and 5 ft. from the side lot line.

Present: Donald Christianson

- A. Ogle displayed site plan and reviewed the request was continued from the May 6 meeting to allow time for the applicant to meet with the Township. The property is in Maple Lake Township on Ramsey Lake. The request before the Board is to allow for the construction of a 20 ft. x 22 ft. detached garage that would be 47.16 ft. from the centerline of Fillmore Ave. NW, where 65 ft. is required. The proposed garage is located 5 ft. from the side yard with the minimum required being 10 ft. In 1998, the Board approved a 20 ft. x 28 ft. garage to be 6 ft. from the side property line and 54 ft. from the center line of Fillmore Ave. In 2003, the Board approved a 19 ft. x 26 ft. garage to be no closer than 6 ft. from the side yard lot line and 56 ft. from the centerline of the road. Both prior approved variances were not acted on and expired. At the May 6th meeting, the Board inquired the reasoning why the need to be closer to the side lot line and closer to the road than the two prior variances. The Township did approve of the request.
- B. Christianson – spoke with the Township and explained the reasoning behind the distance from the house to the back of garage and to the street. Township agreed that leaving the 14 ft., with the purpose of allowing access to the back yard. The distance to the side lot line will be part of the discussion for the survey. Believes can go to 7 ft. without impairing the view of the bedroom window.
- C. Mol – statement was made that there is a possibility to get to 7ft. to the side yard. Would be okay with 6 ft., as that was approved in the past. The 5 ft. is just too tight to get in-between the properties. Feels 6 -7 ft. is an acceptable range. Understands the need to get around to the back of the property with the 14 ft. and reasoning behind not going closer to the road. Feels this is an acceptable request, if the side yard can be kept at a minimum of 6 ft. from the side yard and noted that the Township approved the request.

- D. Neumann – has trouble with the 47 ft. off the road when previous requests were 56 ft. from the road. Would like to see at least at 52 feet. The 47 ft. is really close to the road and if there ever needs to be work done on the road it will get really close to the garage. The 47 ft. is to the center line of the road and depending on driving in-slope and out-slope, plus ditches it could be very close. Christianson – the ditch does drop quite a bit before leveling out. Neumann – there needs to be room for snow storage. With the elevation the water from driveway runs towards the lake the road ditch is there to manage that water. Would like to see the building backed up at least an additional 5 ft from the road.
- E. Vick – likes the 6 ft. distance to the sideline. Regarding the Road setback, looks for guidance from the Township, as they maintain the road. Since they approved the request, he as well would be okay with 47 ft. from the centerline. Realizes the need for room to get around the house. If even 2 ft. could be gained from the road, that would be more ideal.
- F. Jones – feels other members covered most concerns and questions. If there is any chance to split the difference with the road setback, that 47 ft. is close. Drainage is a concern but believes it was addressed. The Township approved and therefore he would agree to the request as well.
- G. Neumann questioned how the roof water will be addressed. Christianson – downspouts and the concrete will be beveled for the driveway. Roof water will be addressed with downspouts and a basket setup. Still working out the details.
- H. Mol – questioned the lot coverage number. Ogle – lot coverage is 22.2% for all coverage, not just building but all hard cover.
- I. Vick stated that if a motion is made, he would like to see a stormwater management plan included. Would want to see the 6 ft. or more from the neighbors' side yard line. Questioned if the building could move back an additional 2 ft. and be at 12 ft. from the house. Christianson – will go back and remeasure and try to get at that 12 ft. Wanted to allow ample room as both neighbors use the area behind the garage to get at their lots. Neumann – suggested going 50 ft. from center line of Fillmore Ave NW.
- J. Vick motion to approve the 20 ft. x 22 ft. detached garage with conditions that the building is no less than 6ft. from side property line and 49 ft. or more from the center of Fillmore Ave NW. A stormwater management plan must be submitted at time of building permit application. Motion seconded by Mol.

VOTE: CARRIED UNANIMOUSLY

2. **JOSEPH ACKERMAN** – New

LOCATION: 11464 Elliott Ave NW, Silver Meadows Lot 2 Block 1 of Section 05, Township 121, Range 26, Wright County, MN (Silver Creek Twp.) Tax # 216-030-001020. Property Owners: Joseph C. Ackerman & Mary C. Ackerman.

Requests a variance as regulated in section 155.026 & 155.049(F)(2) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow the construction of a 40' x 40' (1,600 sq. ft.) attached garage that would be 120.4 ft. from the center of County Road 143 (Elliot Ave NW).

Present: Joe Ackerman

- A. Ogle – the property is 1.72 acres located in Silver Creek Township. The request is for a 40 ft. x 40 ft. attached garage that would be 120.4 ft. from the centerline of County Road 143. In 1993 a variance was granted to allow a 26 ft. x 40 ft. detached garage to be 114 ft. from the centerline of the road. Silver Creek Township did approve of the request. The County Highway Department approves the structure to be 120.4 ft. from the center line.
- B. Ackerman – original garage was put up over 29 years ago and would now like to have an attached garage. In order to have a place for storage would like to leave the small shed until construction is complete. Did not realize that building could not be there until this process started.
- C. Neumann – see the County Highway approved the 120.4 feet. The Township also approves of the request. The existing shed would be removed or remodeled? Ackerman – the pole barn is coming down with a stick built attached garage going up. There will also be a 1st floor mudroom with laundry. There is a drainage problem if the addition is moved too far back. Neuman – reasonable request and as long as the Township and Highway Department approve does not see a problem. Erosion must be controlled. Questioned if neighbors have concerns. Ackerman stated he has not heard from his neighbors.
- D. Vick questioned how many square footage of detached buildings are allowed. Ogle – allowed 2,400 sq. ft. but by attaching to the home this does not go against the accessory building limit. Vick – the request would put the lot more in compliance. Ogle – the prior buildings were approved with permits. Theoretically from a detached building standard that figure would be reduced. Vick – would the shed be removed? Ackerman – yes, would like to keep during construction, for storage, but when done the shed would be removed from the property. Vick stated he is okay with the request if the shed is removed after completion of the garage addition.
- E. Jones – questions were already addressed by other members.
- F. Mol – would there be a building final? Ogle – addition must meet all building code and include inspections. Mol – motion should include that the shed be removed within 3 months from building final. This would give time to use during construction but gives the County the ability to address compliance. Ackerman – construction could get into late Fall so if could be given until late Spring. Does not want the shed there. Neumann – won't be building until the shed is removed. Ackerman – talking the little shed at the end of driveway. When go to construct the addition the pole building, that is the current garage, will be moved. Idea is to put all of that stuff into the small shed that is near

the road until it can be moved into the new attached garage. Hope that construction can begin this year with the goal that by April or May next year the small shed would be gone.

- G. Ogle displayed site photos for the Board to see the shed being discussed and the pole building being removed. The 12 ft. x 16 ft. shed did not require a building permit but was placed inside of the road setback. A condition could be that the 12 ft. x 16 ft. shed be moved to a code compliant location on the property or removed within 30 days of the building final inspection. There is a shed addendum with this language that is frequently used by Planning and Zoning. Vick – could the condition allow 6 months? Ogle – 30 days is just an option. The addendum states when the addition receives the building final the shed would need to be gone within 30 days.
- H. Mol motioned to allow the construction of a 40 ft. x 40 ft. attached garage that would be 120.4 ft. from the center of County Road 143. Conditioned that upon completion of the final inspection the 12ft. x 16ft. shed be removed within 6 months. Seconded by Vick.

VOTE: CARRIED UNANIMOUSLY

3. **JERRY BATTIS** – New

LOCATION: 3071 145TH St NW – Lots 7 & 8, Block 1 of Biske’s Locke Lake Estates in Section 21, Township 122, Range 26, Wright County, MN. (Locke Lake – Silver Creek Twp.) Tax #216-111-001070 & -000010 Property owners: Bonita K Born Trust

Requests a variance as regulated in section 155.026 & 155.057(E) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow an existing deck to be converted into a screen porch with an attached deck and stairs approximately 51 ft. from the lake (75 ft. required).

Present: Jerry Battis

- A. Ogle – displayed the aerial photo of the site. The property is 1.28 acres on Locke Lake in Silver Creek Township. The request is to allow an existing deck to be converted into a screen porch located approximately 51 ft. from the edge of Lock Lake. The applicant would like to add a deck and stairs onto the screen porch. Side yard setbacks will be met, and both building and impervious coverage will not exceed the maximum allowed amount. The Township did approve.
- B. Battis – survey shows the existing deck closer to 53.9 ft., not 51 ft. There is a walkway that goes along the porch, would like to bring the deck out to the same distance as the porch to become a usable area instead of just 4 ft. wide walkway. The deck and porch will not get any closer to the lake than 54 ft. Photos of the current building were displayed with review of what is existing and would be replaced.
- C. Vick – questioned if the setback off the lake is measured from deck or overhang. Ogle – under 2 ft. overhang is measured from the principal walls or posts. Vick – wondered if that 1ft. overhang would be an issue, appears not. Deck and screen porch make sense as proposed.
- D. Jones – at first concerned about past requests regarding screened in porches in the past. With what has been presented feels there is no real change to what is there currently and can go along with the request.
- E. Mol – concern is different than the other members. Concern is if today the screened in porch and making the deck bigger are allowed that down the road they will be seeing a request to make a 3 season type area or expanded the living area out. In these cases, the living space is not just replacing a deck area but exposing the actual livable area. Understand the want for a screen porch but we do live in Minnesota. Overall troubled with request. In the past the Board has allowed expansion of decks and a few years later the current owner or new owner come in and want to turn the area into livable space. Once we allow closer to the lake, they have an argument that it is already there. This deck is already too close to the lake. Bonita Born – the owner of the home and only one that lives there. The house is 2,550 sq. ft. does not think there is a need to expand living space toward the lake and is not planning to sell. Battis – when building a screen porch with a deck surface, it is very difficult to convert into a 4 season. Mol – concern is a new applicant would come in and request expansion. The Board would need to hear the request but once the distance is there the next applicant has a good argument saying it is already there and they are not moving closer, just finishing off the area. Argument now is asking to add onto the deck and make things larger.
- F. Neumann – really nervous when less than the 65 ft. from the lake. Usually, the Board does not tend to go with any variance less than that 65 ft. to the lake. Questioned what the neighborhood looks

like. Are there other neighbors with close buildings? Ogle displayed the aerial photo of neighborhood. Neumann – others appear to be as close. Battis – appears the neighbor to west is about the same distance. The other neighbor is in the audience.

- G. Vick – the deck will be 8 ft. wide with a little landing to get down the stairs. Battis – outside of stairs would be same distance as the porch.
- H. Neumann – concern was with a screen porch affecting the neighbors view of the lake. Questioned that a portion of the new deck that will be screened or entire area? Battis – the 12 ft. x 16 ft. area that is currently a deck will be screened. The portion of the deck that runs along the house will be a deck area and enlarged. Neumann – roof coverage does not change. Battis – would be same as what is there currently.
- I. Mol questioned the purpose of not screening all of addition. Battis – that amount of space is not needed. People like to place their grill outside of the screened area. The stairs are a matter of getting to the lower level.
- J. Vick motioned to approve the existing deck to be converted into a screen porch with an attached deck and stairs approximately 51 ft. from the lake. Condition: the screen porch cannot be converted into a 4 season room. Seconded by Jones.

VOTE: CARRIED, Mol opposed

4. **BILLY ADAMS** – New

LOCATION: 16464 110TH Street NW, Rolling Hills Lake Shore 2nd Addition Lot 5 of Section 08, Township 121, Range 28, Wright County, MN (Southside Twp.) Tax # 217-043-000050 Property Owners: Billy O. Adams & Mary M. Adams.

Requests a variance as regulated in section 155.026, 155.049(F), & 155.090(Table 3) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow the construction of a 22' x 26' (572 sq. ft.) detached garage that would be 6.5 ft. from the east side lot line, 52.8' from the centerline of 110th St. NW, and 7' from the existing septic tank.

Present: Billy Adams and Bernie Miller, MSTs site designer

- A. Ogle displayed the location map, site plan and pictures that show the lot and existing buildings. The property is a 0.35 acre lot on Lake Marie, in Southside Township. The proposal is for a 22 ft. x 26 ft. detached garage that would be 6.5 ft. from the side yard and 52.8 ft. from the centerline of 110th Street NW. The proposed location would be 7 ft. from an existing septic tank, where 10 ft. is required. The maximum accessory building size for a lot of this size and zoning is 800 sq. ft. for a single structure. Township did approve as the road is private and the lot coverage is met.
- B. Adams – the storage building there will be removed, that is where garage will go. Need the garage space to protect vehicles and store what is currently sitting outside. Moved more to the east for access to servicing the propane tank and get into the back yard. With the elevations the proposed site is really the ideal location on the property.
- C. Miller – tried to provide a plan that works with the elevation. Fairly steep from the road coming up to the garage. The driveway will end up being too steep if the garage is moved back. Contour map displayed on the site plan. The 1052 contour is at the top of the hill and location of the garage. Driveway comes in at 1047 so there is almost a 10% slope up to where the garage is proposed. Working with elevations tried to push back as far from tank and road with a happy medium. Primary concern from a garage to a septic tank is damage during construction. With a house the setback is related to potential gases, construction, and frost. In this case the building will be a floating slab, with no footings, therefore less of a concern for damaging the tank. At 7 ft. the septic tank will be able to be maintained and replaced. The location will allow access around the side of the garage, which is critical. The applicant would ideally have preferred wider garage. Cut down to 22 ft. and added depth, that is need, still under the 800 sq. ft.
- D. Jones – mentioned original building was cut down to 22 ft. Miller – wider garage was wanted but compromised from 24 ft. to 22 feet. Jones – would 20 ft. be considered? If at 20 ft. would the variance be needed? Miller – at 20 ft. still cannot meet the 10 ft. setback on either side yard. The practical difficulty definition applies in that this lot was not created by the applicant. This is an unmaintained road where the Township approves the request. There is still 200 sq. ft. of building the applicant could have asked for but instead decided to go with what he feels is a more reasonable request.
- E. Mol – as far as downsizing to the 20 ft. already at 6.5 ft and 11.7 ft. to get around the back, 2 feet gets to be minimal to access LP and septic tanks. Hardship is the lot is just not that wide or big. Can see a hardship or reasoning behind the location of the building. The neighbors have existing garages. With the contours the location appears to be about the only place to put the garage and make it

relatively fit. Lots on each side are wider and have more distance for side yard setbacks. For what is being asked and the size of the garage, is okay with the request.

- F. Neumann questioned how much excavation will be needed. Miller – a small amount of the hill will be taken out to make the driveway usable and safe. Discussion was had to get down from the 1052 to 1050, which will nicely flatten out the location. Could potentially leave some of the sidewall buried in the ground if need be. Adams – it will work well if a little of the hill is taken off. Thought about lengthening the garage but it actually makes the driveway steeper. Feel the proposal took into consideration all the challenges and came up with a good plan. Neumann – the road is a private road. Questioned if the Township does any type of road maintenance. Miller – the road is a mess that needs some maintenance. Adams – when needed, neighbors brother brings in his equipment to fix the road. Neumann how many houses are on the road? Adams – there are 5-6 homes. Neumann questioned if neighbors have concerns. Adams – spoke with several of the neighbors and no one objected. Neumann – with the significant slope of the property how will roof water be addressed? Adams – most of the water will irrigate gardens. Miller – being on the hill not all water goes to the lake or the road, with grading the flow can be split. The water flow will not increase from the conditions that are currently present. If anything by lessening the slope the flow to the road should be slowed. The proposed location is an optimal spot on the property.
- G. Vick – most questions have already been addressed. With the slope of the property agrees the location does seem like the optimal location. Would like to make sure that water is properly directed with gutters to the road. Adams – 90% of the water will go towards the road with gutters. Vick – the work that was put into the proposal is good. The floating slab does not require as much excavation.
- H. Ogle stated that with the added roof surface a potential condition could be that a stormwater management plan is submitted with the building application. The idea is to keep all potential run-off from the new garage within the property.
- I. Mol motioned to allow the construction of a 22 ft. x 26 ft. (572 sq. ft.) detached garage that would be 6.5 ft. from the east side lot line, 52.8 ft. from the centerline of 110th St. NW, and 7ft. from the existing septic tank. The Township approved of the request. Condition: Stormwater management plan be submitted at the time of application. Jones seconded the motion.

VOTE: CARRIED UNANIMOUSLY

5. **KAYLA BARTHEL** – New

LOCATION: XXXX CR 3 & 37 NW - Approx. 1.5 acres being described as Part of SE ¼ of SW ¼ , Section 15, Township 120, Range 28, Wright County, Minnesota. (French Lake Twp.) Tax #209-000-153410 Property Owner: DB Properties MN LLC.

Requests a variance as regulated in section 155.026 & 155.054(C) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow the construction of a 60' x 120' (7,200 sq. ft.) commercial building that would be 75 ft. from the centerline of County Road 37 and County Road 3.

Present: Kayla Barthel

- A. Ogle displayed the site photos and informed the Board the property has gone through a few Planning Commission hearings in the last 5 years. In 2018 there was a lot line adjustment followed by two rezones, one in 2021 and one recently in 2022. The property is currently zoned B-2 General Business and located on the corner of County Road 37 and County Road 3, in French Lake Township. The request is to allow for the construction of a 60 ft. x 120 ft. commercial building that will be 75 ft. from the centerline of both County roads. Commercial buildings in the B-2 district are required to be no less than 50 ft. from any side yard that is adjacent to a residentially zoned property. The plans show the building will meet this requirement. With the required setbacks from the County Roads and residential parcels there is approximately 5 ft. of building room that would not require a variance. The Township approved up to 70 ft. from both roads. The County Highway Department approves of the structure at 75 ft. from the centerline, as proposed.
- B. Mol stated he was part of the Planning Commission discussion that provided approval for the Conditional Use Permit. Parking was explained at that meeting along with mention that several businesses will go into the location. Feels comfortable with the proposed request and the County Highway approved at the 75 ft. from the centerline.
- C. Neumann questioned if there is a plan to manage the stormwater. Barthel – still working on a plan. There is culvert on the Southeast side that runs under County Road 3 and a low spot in the Southwest corner. The intention is to manage water flow going multiple ways so that it does not pool in one area. Neumann – is there a concern with impervious coverage? Ogle – not in the case presented.
- D. Vick – feels homework has been done and those involved have approved, therefore does not feel the need to differ in opinion.
- E. Jones – agrees with the statements from other members.
- F. Vick questioned if a stormwater management plan should be included as part of the conditions. Ogle – as part of the motion to approve there could be a condition added that a stormwater management plan, which requires the stormwater runoff remain onsite or be directed into a public ditch, be included with the building application. Aerial photo with water runoff probability shown and reviewed.

- G. Vick moved to approve the construction of a 60' x 120' (7,200 sq. ft.) commercial building that would be 75 ft. from the centerline of County Road 37 and County Road 3. Condition: Stormwater management plan to be submitted at time of building application. Seconded by Mol

VOTE: CARRIED UNANIMOUSLY

6. **THOMAS KIESER** – New

LOCATION: 10895 Fetch Ave SW, Part of the W ½ of the SE ¼, Section 30, Township 118, Range 26, Wright County, MN (Woodland Twp.) Tax # 220-000-304200, -304300 & -304304. Property Owners: Thomas Kieser & Julie L Marquardt Rev. Trust

Requests a lot line adjustment as regulated in section 155.026(E) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to add approximately 2.25 acres from parcel 220-000-304200 (78.22 acres with 70.7 acres being above water) to parcel 220-000-304300/220-000-304304 (0.25 acres).

Present: Thomas Kieser

- A. Ogle displayed the air photos with proposed new property line and explained that this request has a direct impact on the next item. The Board and applicant were directed to keep discussions related to the matter at hand, which is for the lot line adjustment. The applicant is owner of two parcels which total 0.25 acres and must be owned in common. The property is located on Dog Lake in Woodland Township. There have been two prior Board approved variances for an addition to the existing cabin and detached garage. The request before the Board is to allow a lot line adjustment which would add 2.25 acres to the existing 0.25 acres, creating a 2.50 acre parcel. The parcels in question are both currently zoned General Agricultural and in the Land Use Plan as the same. The Township did provide approval.
- B. Kieser – trying to buy land from neighbors so a new mound system and shed can be installed.
- C. Neumann – asked the applicant to explain the reason behind the unique shape of the proposed lot. Kieser – need 2.5 acres total. The neighbor does not want to sell more than needed and he does not want to buy more than needed. To the east there is a tile line that comes in and the seller does not want to go further than that line, he wants to keep rights to that tile line area. Where the surveyor says Ordinary High-Water line is needs to be property line along the lake. The other side is the way it is with just trying to finish obtaining a total of 2.5 acres. Neumann questioned how much of the proposed area is tillable. Kieser – would guess an acre or less. The plan is for the land to continue being farmed with the crops already planted. The mound system and shed will be going in the grass area, not the tillable. Ogle – cannot speak for the person actively farming what intentions are. The prime tillable map was displayed and reviewed. Neumann questioned if the non-tillable is marshy and just lower land that is not farmed. Kieser – confirmed, lower land gets wet with a meadow area that is occasionally farmed. Neumann – there appears to be an area that is mowed. Kieser stated he has been mowing the area for years. For many years has been asking to buy an area of land and finally the opportunity came up.
- D. Vick – this is normally what would be seen on a backlot. Would like to see the tillable not included, but that appears difficult. Under a normal situation 2.5 acres of tillable is allowed with a land split, therefore willing to go along with the request.

- E. Jones – questions have been answered by other members. Can see the reasoning why the property lines are proposed as they are. As long as a mound septic system is being installed can go along with the request.
- F. Mol stated he sees some challenges with the request and configuration. As far as future planning goes, this is on a lake and one can say because it is in a Trust it will be a long time before anything happens with development. The configuration of the road is a real concern. The way the road runs and how the line is proposed, any extension of the road would jaunt into the field instead of running along the lakeshore. Kieser – the road dead ends in front of his home and is an easement road. The seller stated the land to the east is low land and not suitable for building sites. Any entitlement would be used up closer to the County Road. Mol – other question is how much coverage is on the existing parcel appears to be over the 25 % allowed. Ogle – that number was not figured because the applicant was not asking for anything at this time. Knows there is 940 sq. ft. between the two accessory buildings. A rough figure can quickly be calculated. Mol – looking at the aerial there is a lot of building coverage on the lot. Struggling with the lot line adjustment. Related to future planning the proposed line stops the road so no one can go beyond. Currently zoned AG and in the plan to remain as AG but what could happen 20-30 years from now. This property line is creating a roadblock for future building beyond. Hard time seeing where the hardship is so a shed can be built. Kieser – seller stated he will never extend the farther east because it will take up too much valuable land. Mol – when the current owner passes a new owner will have to deal with what was created today. Does not want to be the one to create a potential issue without a good strong hardship or valid reason. Ogle – without a survey the rough calculation of impervious is 3,750 sq. ft. Mol – concerned with the proposed configuration and struggling with the proposed lines.
- G. Neumann questioned if the Township responded. Kieser stated the Township is on his side; they want to see the mound system installed and the shed go up. Know the neighbors well and get along. The farming operation will not change how they are currently farming the tillable area.
- H. Vick – asked if there is currently a holding tank. Kieser – confirmed the plan is to acquire more land to replace the holding tank with a mound system. Vick stated that a holding tank could be looked at as a hardship. Would like to see a straighter line. Kieser – with the constraints of the lake and tile line it is difficult to draw straight lines and get the acreage that is needed. Would be willing to buy the lake area but that area cannot be used when calculating the 2.5 acres used for building limits. Mol – would like to see the top arm, by the road, of the proposal removed and come straight along the road. The problem is the acreage is not there for what is being asked with the next request, but it is adequate amount of land for a mound system. Feels the road area is poor planning and will cause issues in the future. The future use is truly an unknown. Would like to see the line run more as a continuation. With regards to the lakeshore, feels there is adequate room to get off the holding tank and install the mound system. Ogle displayed a rough property line drawing with the top area removed, as suggested by Board member Mol. Kieser – will not work if go straight across, the mound will be too close to the lake. Mol – can continue the item for further review and revised proposal. Vick questioned if with the new proposed line, that Ogle displayed, would an extension of the road be allowed. Mol – confirmed.
- I. Ogle – at the moment there is not an accurate assessment of the actual OHW line. Any area below the OHW does not count towards the 2.5 acres.

- J. Neumann – would like to see the line by the tile outlet go straight to the water, even if that means buying shoreline. Does not like the sliver by the lake. Questioned the applicant if he would like to continue the item and work on a revised plan or have the Board make a decision. Kieser – looked at 3-4 options and this proposal is the only one that would work. Would like to go with what was proposed.
- K. Vick questioned what type of septic systems other homes in the area have. Kieser – there are only 4 homes on the lake. Next door neighbor has a mound system. Vick – wondering if backlots would ever be created. Kieser – lake is not developed. Only 4 homes. Next do has a mini-mound. Vick – better off checking with the seller to see if there is an opportunity for back lots. Mol – historically the Board frowns on back lots as well.
- L. Vick – feels the request needs more work. Mol suggested continuing the item to allow time for the applicant to go and measure from the OHW and determine if a mound system can fit with the road line running straight. Get a mound system in and off the holding tank would be a good reason to allow the request. With no survey thinks the lot is over the allowed 25% and would become compliant with a larger lot. The OHW line and mound system location is unknown. Would really like to see those items on a survey or more precise site plan. Suggest continuing the item and have some work done on where a mound system can go with setbacks and the true OHW line, as well as look at the road area and what can be done to allow that road to continue.
- M. Mol moved to continue the hearing to June 17, 2022, to allow time for the applicant to determine the OHW line and determine where the mound system will fit on the property. Seconded by Vick.

DISCUSSION: Kryzer stated he would like to make sure that the applicant is aware the Board is directing further study of the matter to see if a mound system will work and go with another plan. Questioned the applicant if the motion is understood and will be able to comply. Kieser – if not going this route than won't get a shed. Kryzer – does not speak for the Board but feel it will be highly likely there will be a denial. Kieser – if can't get a shed will stick with holding tank. Kryzer questioned the applicant if he feels he will be able to follow through with what is being requested within the month or would he need a 2 month extension. Kieser – asked what needs to be done. Kryzer – the Board is asking for a septic designer to determine where a septic system can be placed. There is concern with the road becoming a dead end and preventing further development in the area, so they would like to see if there is a way to allow the road to continue on. Kieser – mound installer was already at the site. Kryzer – the Board is asking for a more definitive plan. Will that be able to be completed by June 17th? Ogle – July meeting would be the 8th. As part of the request would like to see that the OWH line is determined. Kryzer – with what is recommended would suggest a conversation with a surveyor. Kieser – is there a way to get 2.5 acres to do what he would like to do? Kryzer – suggested speaking with a surveyor regarding the comments from the Board. They should be able to come up with a plan that works a little better. Can continue to July 8th and if an additional conversation is needed it can be discussed then. Kieser – no way to buy crop land. Kryzer - hearing they do not like the dead end road, that prevents future planning. Find a way to get a road to go around, which a surveyor will help on this matter.

Mol – the tile area can be addressed with an easement. Understands what the farmer is wanting with the tile, but there are laws that protect the tile outlet. The motion is to work through some items that are of a concern. Kryzer – the property lines might be keeping most of the proposed shape but the 90° angle on the Northwest area. A surveyor can address the concerns of the Board and come up with a plan. Kieser – moving the line past the tile line will have to happen. Kryzer – conversation with the surveyor will address the tile area.

N. Mol moved to continue the matter for consideration to the July 8, 2022, meeting. Seconded by Vick.

VOTE: CARRIED UNANIMOUSLY

7. **THOMAS KIESER** – New

LOCATION: 10895 Fetch Ave SW, Part of the W ½ of the SE ¼, Section 30, Township 118, Range 26, Wright County, MN (Woodland Twp.) Tax # 220-000-304200, -304300 & -304304. Property Owners: Thomas Kieser & Julie L Marquardt Rev. Trust

Requests a variance as regulated in section 155.026 & 155.003(B)(1) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to construct a 40' x 60' (2,400 sq. ft.) shed which is over the maximum allowed accessory building area.

Present: Thomas Kieser

- A. Ogle explained the request is based on the outcome of the prior item. Since the last item was continued, suggestion would be to continue this item to the July 8th meeting.
- B. Vick moved to continue the meeting to July 8, 2022, to allow for the previous request outcome to be determined. Seconded by Mol.

VOTE: CARRIED UNANIMOUSLY

8. **CRAIG MCADAMS** – New

LOCATION: 693 –90th St. NE – Part of NE ¼ & part of Gov't Lot 2, Section 19, Township 121, Range 25, Wright County, MN. (North Lake– Monticello Twp.) Tax #213-100-191200 Property owners: North Lake Acres LLC.

Requests a variance as regulated in section 155.026 & 155.048(G) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow two entitlement divisions. One of the entitlement divisions will meet minimum road frontage standards, the other entitlement division proposed 158 ft. of public road frontage (300 ft. required). The remainder of the parcel will not have minimum public road frontage.

Present: Tim Hillukka with North Lake Acres LLC, Paul Otto with Otto Associates

- A. Ogle displayed the original approved proposal and the revised proposal. The property is currently zoned General Agricultural located on North Lake in Monticello Township. The property went through a Board hearing in 2021, which approved two compliant entitlement division and left the remainder of the property with 66 ft. of public road frontage. A deed restriction has not been recorded, and the subdivision approval was never completed for the 2021 hearing request. The applicant is now proposing a similar request to what was approved in 2021. The request before the Board is for the approval of a two lot entitlement division, one parcel would have 158 ft of public road frontage, which does not meet the required 300 ft. minimum. The remainder of the parcel would not have the required 300 ft., and they would request that a 66 ft. access strip to the remainder of the parcel be approved by the Board. The Township did approve the request as the remainder parcel will eventually conform with the land use plan when the further development takes place. The resulting road access should create safer access onto 90th Street NE.
- B. Hillukka – at the site looked at proposed road intersection sites onto 90th Street and determined the original location approved has some site issues. Looked at what would be comfortable with family and kids driving onto the road and felt the new proposed road location is a better position. Unfortunately, the new location does not give enough road frontage for one of the lots.
- C. Otto – since 1st coming to the Board the site lines became a concern. Note that as soon as this request is approved the plan is to apply for a 10 acre zoning preliminary plat on the remainder of the property. Did not formalize this division yet, wanted to work out survey, perk tests, and road alignment for the development behind before that document is recorded. Have worked out some line adjustments and manipulation with the 66 ft. strip due to wetlands. Comfortable with the location and do have the intention that the 66 ft. strip will be a public right of way as soon as plat is approved. This plat would bring the 2 lots back into compliance. Almost asking for an interim variance as the intended steps are worked through.
- D. Neumann questioned why the 66 ft. access strip is not placed to one side or the other and squared off where the lots 1 and 2 would come off the access strip, as lot 3 would. Otto on west side is a large ravine and a steep slope coming up from the road. On the Southwest corner of Lot 1 there is a big ravine. To come up either side to make it work does not work engineering wise. There will also be a pond in front corner of lot 2. Expect building sides to be on the top of the hill by the curve that is coming from west to east. Top of hill is the best 2 building sites. Expect the homes on the 2 lots to wait until the road is in and access the new road versus 90th Street, because of the ideal building sites. Neumann – the main purpose of redoing the variance is to get a better access to 90th street. Otto

- correct, variance approved for 66 ft. strip but with that request both parcels met the 300 ft. road frontage requirement. With this proposal a variance is required with Lot 1 at 158 ft. it is not meeting the required frontage. This would technically be a new variance. Neumann – rationalizing the reason for change. Otto – it is sightlines. This location puts the access on the top of the hill. Sightlines to the west are an issue. The sightlines to the east are not a problem. To the west the road does dip down and there is a little bit of a blind spot, which comes down to engineering with size of the vehicles. The Township did review and likes this location better. Neumann questioned if the acreage of Lots 1 and 2 are the same as previously proposed. Otto – similar, might be about 0.2 acres difference. Neumann – is 90th street traveled regularly? Otto – it is a paved road. With Township roads when they are gravel people tend to drive slower and when paved drive faster. Neumann stated he was under the assumption the road was gravel and could potentially be reconfigured. If the road is already paved that would not be an option.
- E. Vick – intent is for a better sightline. Otto – confirmed. Vick – related to safety and with the Township approving, does not have concerns.
- F. Jones – where would the 2 homes go on Lots 1 and 2. Otto – explained feels the ideal location for the homes is near the high area of land that is between Lots 1 and 2. There is a hill that overlooks a nice pond. Cannot promise that this is where an owner will choose to build but it does seem like the logical location. Hillukka – have a potential buyer for Lot 1 and their intention is to build the home in the location mention by Mr. Otto.
- G. Mol – the Board already approved the 66 ft. strip and 2 parcels once. This request is just shortening one to 158 ft. of road access. Is the Township going to take over the proposed road? Otto – yes, will have a full Township paved road. Mol – that road will put the parcels in compliance with 300 ft. of road frontage. Good with the request and moving forward.
- H. Neumann – the end of the 66 ft. strip would be cul-de-sac? Otto – the road is about 3,500 ft long and there is a cul-de-sac further into Lot 3. There will be 2 lake lots and roughly 7 additional lots, all at 10 acres. Ogle asked the Board and applicant to keep the discussion related to the 66 ft. access strip and current request.
- I. Motion made by Vick to approve the request to allow two entitlement divisions. One of the entitlement divisions will meet minimum road frontage standards, the other entitlement division proposed 158 ft. of public road frontage (300 ft. required). The remainder of the parcel will have access with a 66 ft. wide access strip to the public road. Subject to survey and deed restriction for the entitlement divisions. Seconded by Mol. VOTE: CARRIED UNANIMOUSLY

Meeting adjourned at 10:09 a.m.

Respectfully submitted,

Aaron Ogle
Planner
BR:sld

Cc: Board of Adjustment
Applicants/Owners
Twp. Clerks