

WRIGHT COUNTY BOARD OF ADJUSTMENT

Meeting of: Meeting of July 17, 2020

MINUTES – (Informational)

The Wright County Board of Adjustment met July 17, 2020 in the County Commissioner’s Board Room at the Wright County Government Center, Buffalo, Minnesota. Chairman, John Jones, called the meeting to order at 8:30 a.m. with Board members present: Jones, Dan Mol, Paul Aarestad and Dan Vick with Charlotte Quiggle, attending remotely. Barry Rhineberger, Planner, represented the Planning & Zoning Office; Greg Kryzer, Assistant Attorney, provided legal counsel remotely.

On a motion by Vick, seconded by Mol all voted to approve the minutes for the June 26, 2020 meeting as presented.

1. **BRYAN M. JANCKILA** – Cont. from 4/24/20

LOCATION: 2301 Kimball Avenue NW - All of Lot 9 & part of Lot 10, Block 2, Granite Lake Woodcrest Addn., Section 20, Township 120, Range 27, Wright County, MN. (Granite Lake–Albion Twp.) Tax #201-015-002090 Property owners: Pesheck Requests a variance of Section 155.026, 155.049 & 155.057(E)(1)2., Chapter 155 Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to build a new 10’ x 16’ deck to be 4.3 ft. from the bluff, 84.9 ft. to the Ordinary Highwater Mark of lake.

Present: Rachel & Bryan Janckila

- A. Rhineberger reviewed the proposal that was before the Board in April when the matter was continued to allow the property owner to return home and could review the Board’s suggested changes with their contractor (applicant). The applicant has submitted revised plans for the new deck and spa that is in line with the lake side portion of the existing deck. The location of the bluff was described by Rhineberger. He noted where bluff elevation runs through the property closer to the house. Plans were viewed to show the deck runs in line with existing deck and there is an additional small deck to the north to fill in a gap. Construction shown in this plan does not encroach closer than what exists.
- B. R. Janckila – stated they took the Board’s suggestion and showed the new plan to the property owners who were satisfied with the modification.
- C. Vick was pleased to see they changed the corner and moved away from the bluff. Jones, Aarestad and Mol concurred. Quiggle also voiced her approval with the new plan.
- D. Aarestad moved to approve a variance of Section 155.026, 155.049 & 155.057(E)(1)2., Chapter 155 Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to build a 7’9” x 8’ spa area and 6’6” x 8’ deck addition according to the plans submitted and marked Exhibit “A”, on file. Mol seconded the motion.

VOTE: CARRIED UNANIMOUSLY

2. **JOE M. CHENEY** – Cont. from 6/5/20

LOCATION: XXXX County Road 34 NE – Gov't Lot 4, Section 26; & Part of Gov't Lot 6, Section 25, Township 120, Range 25, Wright County, Minnesota. (Green Mountain Lake – Buffalo Twp.) Tax #202-000-253302 & -264400 Property owners: Steven J. Cheney

Requests a variance of Section 155.026, 155.048, 155.057, 155.90(C) (Table 3) & 155.095 Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow construction of a 3,426-sq. ft. one-level dwelling with a walkout basement 100 ft. from the Ordinary Highwater Mark of a Natural Environment lake. A variance is also requested for proposed septic system to be 100 ft. from the Ordinary Highwater Mark of a Natural Environment lake. Lot was approved by the Board in 1999 and the 100-ft. setback variance expired in 2002. In addition, request includes a proposal to build a storage shed measuring 20' x 50' x 10'(H) and 40' x 44' x 16'(H) 100' from ordinary highwater mark of a Natural Environment Lake.

Present: Joe Cheney; Paul Otto, Otto Associates

- A. Rhineberger stated the hearing was continued for a site inspection and new notices were sent out for a proposed shed variance that the applicant asked for at the previous meeting. The storage building size is 20' x 50' with a 10' sidewall and a 40' x 44' section that has a 16' side wall. The variance needed is the same 100' lake setback as the proposed dwelling and located closer to the road, meeting the County road setback. Additional responses were received from the second Notice sent out for the additional variance. Town Board response form indicates denial for the shed, noting the applicant did not show them plans for a shed when they met with the Township. Comments from neighbors were from Carol Meyer wrote that she did not feel it was appropriate both the dwelling and shed do not meet the 200' setback and other dwellings had to be built in compliance of the 200'; Katie & Kevin Schmidt submitted photos of the entrance to the property and request the Board abide by the rules; Janice Marschel wrote of two main concerns which are the inadequate approach to the County Road and septic variance, which could pollute the Natural Environment Lake, if it fails. Don Schmidt, wrote he was in favor of the variance for the shed because the large lot size and he did not think it would be detrimental to the lake. (Written responses are part of the record and are on file.) Rhineberger stated joining the Board on Webex are property owners Katie & Kevin Schmidt and Janice Marschel.
- B. Cheney explained he did not know he needed to return to the Town Board for the shed request. If the house gets approved, understands he would have to go back and meet with them. Rhineberger stated the Board could continue for that review, or the applicant could drop that part of the request. This depends on how the Board wants to proceed. Staff suggest the applicant wait and see how the request for the house goes.
- C. Otto noted most of the Board members visited the site. Although the property looks small on paper, it is about 10 acres and they could envision the house site and proposed shed location. They are asking for the same setback they were discussing at the site. He did not feel the Town Board had expressed any issues with the house location, but without the information on the site for the shed, could not give a recommendation.

- D. Janice Marschel – addressed the narrow access off the County Road and questioned the driveway. Kryzer agreed because of the curve in the County road there are safety issues. Marschel – explained that access was left originally for farming purposes only. There have been a lot of accidents at this location on the County road.
- E. Rhineberger displayed the driveway detail provided by Otto and to show the location of the approach to the county road. He agreed this is tight, but the approach is a matter for the Highway Department and not a zoning.
- F. Katie Schmidt – besides the access point there is only 14’ in width where the lot turns to go into the property. This presents an issue for access to the lot. Rhineberger provided the survey to show more detail on the 14’ width where the property turns. Otto noted this area was staked and the Board could see this at the site inspection. Agreed this is a tight turn, but there is not anything they can do to change it. Joe Cheney stated Don Schmidt had told them that was wider prior to the County taking more road right of way. Kevin Schmidt had wanted to change that a long time ago, but was grandfathered in. Katie Schmidt – explained that land was never left off for building, but to run cattle in there and for recreation. Questioned Otto on where the highwater level is in reference to the Ordinary Highwater, how much land is under water? Otto- stated the survey shows the OHM was established in 2018 at 976.1. Noted the shore line that is marshy and any change in the water level makes a difference. At this time, he did not think the water level is high. Katie Schmidt – stated that is their concern with the proposed sewer location. Otto confirmed the primary sewer site is 8’ above high water.
- G. Aarestad - stated his observations at the site is that there is plenty of elevation, should not have an impact on the lake with it being on the back side of the hill. The proposed location would have minimal impact visually with a house that size. He felt water will drain to wetlands that will act as a natural buffer and can handle the runoff. Out of respect for the Town Board, he would like to refrain from giving an opinion on the proposed shed. If the shed is removed from the equation, he could support the variance for the house.
- H. Quiggle noted they are being asked to cut the minimum lake setback in half and felt that is excessive. She does not feel because it was allowed in 1999 is justification; noting that this owner purchased the property a year after the variance expired and should have been aware. She noted Wright County is more restrictive than the State rules that call for a 150’ setback. She would agree to grant the statutory setback as long as the basement is raised to meet the 4’ above the highest water level, which is an additional foot. Otto agreed raising it 1’ is easy to accomplish. Quiggle reviewed the variances are for a large home and three-car garage. She suggested the attached garage could be reduced, especially since plenty of storage is proposed in the large shed.
- I. Otto explained the elevation is the reason for the house location and moving to a 150’ is going to require more fill. Quiggle replied, the house can be downsized and it does not have to be a walkout style. Suggested they look at a building envelope that meets the Ordinance.
- J. Mol stated he agrees with Quiggle’s concerns. He questioned how they will get semi loads of materials in to build the house without encroaching on neighboring property? He does

not see any way to get in there from looking at the stakes. Everything they are proposing is taking a variance. He is having difficulty with the access and everything within the 200' setback of a Natural Environment Lake. Rhineberger – noted their best option might be to come across the lake with material in the winter. He noted this issue is not up to the Board. He would agree there is not a way for a truck and trailer to make that turn, but that is not up to them to figure out. They cannot force neighbors to give them approval or a temporary easement. Mol – responded, in his mind it goes along with whether they give a variance. If they cannot gain access by land, it is one thing among everything else, such as sewer setback. He is challenged by that. Aarestad agreed it is difficult. He asked if the County could give a temporary access? Rhineberger reviewed where the right-of-way ends at the most western point. Aarestad – asked about a temporary and angle with the fall in the ditch to allow a semi to pull in more parallel with the west side of the access. He suggested going to the County Highway Department to see if they can get a temporary access.

- K. Jones – felt there are several questions, including a review by the Town Board, suggested they meet with the County Highway to see if they would consider it. Otto indicated where the right of way extends and the possibility of access across the lake in the winter. The setback variances are what is before the Board and it will be up to his client or builder to figure it out. Rhineberger indicated that issue is out of the Board's realm or their codes.
- L. Vick stated he would agree with Aarestad on the house location; but would reserve action on the shed until after they hear from the Town Board.
- M. Cheney indicated he wants to move forward and would drop the variance request for the shed now. He could bring that back later.
- N. Aarestad moved to grant a variance of Section 155.026, 155.048, 155.057, 155.90(C) (Table 3) & 155.095 Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow construction of a 3,426-sq. ft. one-level dwelling with a walkout basement 100 ft. from the Ordinary Highwater Mark of a Natural Environment lake. Condition: Dwelling must meet the minimum elevation requirements. The request for the setback variance for the shed is dismissed at the applicant's request. Vick seconded the motion.

DISCUSSION: Rhineberger wanted clarification from the Board if they approving the specific house plan and the final plan increases the height or other increased modifications would they want to have it come back to the Board? This is in the shore impact zone and he would not want to be in a position of making a judgment on that. Aarestad agreed to modify his motion.

Aarestad amended his motion to approve the house plans presented and marked Exhibit "A" on file and according to survey marked Exhibit "B" on file. There are no issues with building smaller. Vick amended his second.

DISCUSSION: Mol stated these are mature trees; it must be made clear that there cannot be any clear cutting. The position of the house will not provide much view of the lake in one direction. Rhineberger noted brush, dead/diseased trees can be removed, but no larger than 4" in diameter.

VOTE: Aarestad & Vick in favor; Nay: Quiggle, Mol & Jones MOTION FAILED

- O. Mol suggested the applicant could consider a plan that would meet a minimum 150' lake setback. That would at least meet the State requirement. Rhineberger explained that the County established a 200' setback on Natural Environment lakes. Mol agreed this is a nice place to build, he questions the access to get in there. He asked if the applicant wanted to go back to the township. The Board could continue the matter for new plans.
- P. Kryzer asked where the Board is at on the time frame for a decision, 15.99? Rhineberger stated they have until September 4. Kryzer stated the Board would have to decide at their next meeting, unless the applicant signs a waiver
- Q. Otto questioned if the Board could give some direction on what they would like to see. Mol – stated he would want to see 150' on both. Otto felt the shed is a moot point. He would be lucky to fit a house in at 150', and not sure the entire structure would. Vick asked if they had wanted to stay on the hill. Otto – stated below will be more challenging, unless they build a one-level. Rhineberger noted the land drops. Otto – they would gain more setback but requires more land disturbance. Cheney noted the shed on the Schmidt property is closer than 200'. Rhineberger explained each case is different, it is deceptive to look at the neighbors; every property is evaluated on its own merits. It was pointed out there are differences amongst the Board members.
- R. Mol moved to continue the hearing to August 7, 2020 for applicant to consider a revised plan. Aarestad seconded the motion.

VOTE: CARRIED UNANIMOUSLY

3. **BALKE PROPERTIES, LLC** – Cont. from 6/5/20

LOCATION: 4998 Ferman Avenue SW – Part of SW ¼, Section 29, Township 119, Range 26, Wright County, Minnesota. (Marysville Twp.) Tax #211-000-293301

Requests a variance of Section 155.026, 155.048(B)(9) & (G)(4)(C)(3), Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow the division of an existing 150-acre farm into four parcels, each to have one “entitlement” as follows: Proposed is 20 acres with the existing farmstead; a 28-acre “entitlement” division, a 32-acre “entitlement” division and the remaining 70 acres to include the last “entitlement”. Access to all division are being proposed on either a cart way or township road extension that has not yet been approved.

Present: Applicant not present

- A. Rhineberger explained when the applicant met with the Town Board, his attorney was not present, and the Township’s attorney could not make it. Therefore, the matter was continued to include them. Agreements are needed on the road. Several residents had attended that meeting. A continuation to August is suggested.
- B. Aarestad moved to continue the hearing at the applicant’s request to August 7, 2020. Vick seconded the motion.

VOTE: CARRIED UNANIMOUSLY

4. **DANIEL J. HOLLAND** – New Item

LOCATION: 1387 Elder Avenue SW - Part of SE ¼ of NE ¼, Section 8, Township 119, Range 26, Wright County, Minnesota. (Marysville Twp.) Tax #211-000-081400

Requests a variance of Section 152.025(A) & 152.027(A), Chapter 152 Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow small livestock on a parcel less than four acres and to shelter them less than 100' from the property line.

Present: Dan & Lynn Holland

- A. Rhineberger displayed the location map of the 3.08-acre homesite. This is an “after-the-fact” variance to allow small livestock on a small acreage and shelter too close to the line. Noted the barn location, the pigs and a dirt lot are 12' from the north line. The Ordinance only allow poultry on parcels less than 4 acres. Town Board approval along with supportive letters from neighbors, Perry & Lisa Marquette; JoLee & Craig Marquette, John & Karen Rassat. Adjacent owner, Bruce Bersie, relayed conflicts they have heard about the spray used on their fields that surround the residential lot. Rhineberger indicated additional information was provided to the Board that was not in their packet and emailed to Quiggle.
- B. D. Holland explained the animals provide the manure they need for their gardens which are located on the entire back area and in the front. This is needed to regenerate the soil. The sheep provide wool used for wool products. L. Holland stated they have two pastures that they rotate the animals in.
- C. Quiggle – stated she has real concerns. She does not find a practical difficulty to grant a variance. The air photo shows half of the site is taken up with trees; the applicants have 60+ years combined farming experience and should be aware there are zoning and feedlot ordinances. The minimum acreage to have any livestock is four acres. She felt if the Board allows this on three acres, they are setting themselves up for a world of hurt with people coming in with similar requests. They are asking for a variance of 88' for the dirt lot setback, that is a real problem for her. The applicant is already having problems with the adjacent neighbor who has cropland.
- D. Mol agreed with Quiggle, he is having the same challenge. He has been a champion for the farmer on both this Board and Planning Commission, often the only vote on matters. He cannot not let one person impact other people. There are many similar sized lots in the County. If the Board starts letting this happen on 3 acres throughout the County, they will be faced with many requests. This might not seem like a big deal in the agricultural setting, but there are many similar parcels. He does not see a hardship, other than this is “after-the-fact”. He wants to protect farmers, but they must be fair to everyone in Wright County. The next applicant may want a horse, may not handle manure as well.
- E. Vick stated he agrees with the two members and would have concerns with even four acres. Asked if there is a possibility of leasing more land? L. Holland – noted they are only .9 of an acre shy of the requirement. D. Holland – noted they are responsible and utilize the manure, where others may not. Felt they are unique. Vick agreed, it appears

the applicants are doing things right. The precedent is a concern and problems with others. Rhineberger noted that is where the vast majority of Ordinances come about.

- F. Aarestad indicated he has a different take on the request. He has looked at the uniqueness of this and judges on that. If they break this down, this is in a location that is suitable because there are no changes or development planned nearby; and, they have a history on this one showing good management. The applicant has shown they have a well thought out business plan. The lot size is close to the required 4 acres. On precedent, the question is what should they do? He feels comfortable in this case because he finds there are enough unique factors for approval. Photos show this is clean and well maintained and someone else would have to meet the same bar.
- G. Quiggle asked Aarestad what is the practical difficulty? It is not hard to come in with a business plan. Aarestad – although respect's Quiggle's viewpoint, he finds this unique. Mol felt the practical difficulty is probably the one part this does not meet the Ordinance. The property is .9 shy, could they make a lot line adjustment and add land and then address setback. Rhineberger – would have to check soils, the adjoining land is tillable. Vick asked if a lease would address it? Mol – not for the property line setback. Vick noted the 12' setback impedes on the adjoining farmer. D. Holland stated they have talked to the adjacent owner and left 25' as a buffer on both sides of the line and had talked to the owner about purchasing more land. L. Holland – stated they are produce farmers and farmers need to cohabitate. The animals are needed for the manure.
- H. Mol – stated he is farmer in the northwest corner of the County, he understands the issue coming from a feedlot family. He agrees with what the applicants are doing and understand they have a good plan and are handling it well. The Board should balance it, he has voted against building a house close to a feedlot to protect the farmer.
- I. Vick also indicated he was struggling with the request. He was faced with decisions on chickens when he sat on a City Council.
- J. Aarestad moved to approve a variance of Section 152.025(A) & 152.027(A), Chapter 152 Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow small livestock on a parcel less than four acres and to shelter them less than 100' from the property line. Mol seconded the motion.

DISCUSSION FOLLOWED: It was noted the 12' setback is close, but there are no close neighbors, but large farm fields adjacent. The immediate area is planned for agriculture in the Land Use Plan. The current number of animals the owners have are four ewes, two alpacas, chickens and 6 feeder pigs. Rhineberger indicated the animal units for three acres would allow 1.5.

Aarestad amended his motion, Mol his second, to limit the property to two animal units.

VOTE: CARRIED, in favor Aarestad, Mol & Jones; Nay: Vick & Quiggle

5. **MELANIE J. & NATE J. HERRINGTON** – New Item

LOCATION: 2837 62nd Street NW – Lot 13 Block 1, Maple Shores, according to plat of record, Section 34, Township 121, Range 26, Wright County (Maple Lake – Maple Lake Twp.) Tax #210-117-001130

Petitions for variances of Section 155.006, 155.008, 155.026, 155,049(F) ((3) & 155.057(E) to construct two new additions on the road side of dwelling, a 14' x 20.5' and 6' x 9' mudroom in addition and a new 20.5' x 38' second-story addition onto an existing one level dwelling that is within the bluff and 10.7' from the side property line. Existing impervious surface coverage at 25.4% will be reduced to 24.9% through removal of existing impervious lot coverage.

Present: Melanie Herrington, Nate Herrington attending remotely

- A. Rhineberger located the 17,109-sq. ft. lot on Maple Lake and displayed the topographical survey submitted. The proposed construction was summarized that includes some small entry and first floor additions along with a second-story addition on the existing one-level dwelling that exists within a bluff and is 10.7' from a side yard. The applicant plans to reduce the impervious lot coverage to 24.9%. This property has been before the Board in the past. A covered walkway to the garage was approved, now removed and received a variance in 1990. The applicant was unable to meet with the Town Board, however, asked them to appear for a cursory review in the event there are changes the Board wants to see.
- B. The hearing was opened for public comment, no response.
- C. Rhineberger noted Nate Herrington – property owner is on Webex. Reviewed the topographic survey and explained where the bluff cuts through the lot. He reviewed the definition of a bluff with the surveyor and they agree on the location and that it runs through a corner of the house. The location of the additions to the back were noted. The deck would not extend closer. This is a one-story with a partial second-story proposed. Floor plans were provided. Pictures taken by the realtor and County Assessor show what the existing structure looks like and were included in the preliminary Staff Report. Also, slides provided by the applicant. The changes to the landscaping to reduce impervious coverage were included.
- D. M. Herrington explained they recently purchased the property and are working with an existing structure. Two bedrooms and a bath are proposed with an office and mud room. They were cognizant in their plans to make sure everything stays away from the lake and everything to be in line with the side.
- E. Aarestad –wants to wait for review by the Town Board; but is comfortable with the location of the foot print. His concern would be the height of the structure and it would help if they could demonstrate how it fits into the neighboring structures.
- F. Quiggle – was not as concerned about height in this location, noting this home is set further back than the neighboring structures. She wants to see a water management plan and require an “as built survey” to prove the impervious surface cover has been reduced.

- G. Mol would concur with Quiggle. Concern about storm water with this amount of lot coverage. Also, concern with potential for erosion with the bluff location.
- H. M. Herrington – asked if the concern about the storm water is during construction or long term? Mol – long term.
- I. Vick questioned if the applicant is certain the existing footings will support a second story? M. Herrington – stated they are considering that piece. Vick – was concerned about excavating into the bluff to determine that. Rhineberger explained the concern is once they tear into the project it could turn into full replacement. This is something the Board would want more information on before the next meeting. If it were to become full replacement, they would be looking at moving back. Vick – stated he would be interested in knowing the height of the neighboring structures. Rhineberger stated this was owned with another parcel under the same family. Described the variances and older structures in the area. Vick is not concerned as long as it does not impact someone’s view. Rhineberger indicated it would not, this is further back.
- J. M. Herrington stated they are scheduled to meet with the Town Board the following Tuesday.
- K. Rhineberger had Environmental Health review the existing sewer system. The system was approved, although undersized, will be accepted if the number of bedrooms does not change. The system is a Type IV and a fourth bedroom would require modifications. It was noted an office cannot have a closet or will be counted as a bedroom.
- L. Aarestad moved to continue the hearing to August 7, 2020 for Town Board review. Vick seconded the motion.

VOTE: CARRIED UNANIMOUSLY

6. **LEO R. ZAHLER** – New Item

LOCATION: Lot 17, Block 1, except., Clearview Acres, Section 17, Township 121, Range 27, Wright County, Minnesota. (Corinna Twp.) Tax #206-030-001170

Requests a variance of Section 152.027, Chapter 152 Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow construction of a dwelling less than 500 feet from a feedlot.

Present: Steve Bruggeman

- A. Rhineberger reviewed the location of the platted lot that is vacant with a registered feedlot across State Highway 24. This request was before the Board in 2013 and approved, but it has expired. The other platted lots have been developed in the area. The lot is on the market and they want the variance reinstated. The setback from the County road is 130' and would have to be met and they are showing where a house could be built. The reason this is before the Board is the placement of a house closer than 500' of a feedlot. Town Board recommends approval. Letter from Robert Schnell supports the variance; Richard & Catherine Ransom; Sandra Ransom owner of the feedlot disapprove and noted there are reasons for the Feedlot rules and they should be adhered to. (Letters on file)
- B. Quiggle stands by her statements made at the 2013 hearing. This is an old platted lot, supposedly buildable and the feedlot rules came in after. There are other homes along State Highway 24 that are within the feedlot setback. Should the feedlot operation want to expand, it is not only this future home, but others along here. For those reasons, she supports the variance.
- C. Mol – because the lot was platted a long time ago, agree the farm was there; but, this is the remaining lot left to build a house. He agreed to the variance in 2013 and feels the right to build a house is “grandfathered”. This is the last lot in the plat to get built on.
- D. Vick – agreed with those sentiments and after reviewing the previous minutes.
- E. Aarestad indicated he would agree and would like to hear from the applicant or any public that wants to comment. Jones also concurred.
- F. Rhineberger confirmed he does not have anyone on Webex.
- G. Mol moved to approve a variance of Section 152.027, Chapter 152 Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow construction of a dwelling less than 500 feet from a feedlot, location shown on site plan. Aarestad seconded the motion.

DISCUSSION: Noted if any other variances, such as 130' from centerline of road is needed, it would be heard by Corinna Township, but also have to come back to this Board because it would move closer to the feedlot than this action approves.

VOTE: CARRIED UNANIMOUSLY

7. **AARON J. WEIS** – New Item

LOCATION: 10912 Oliver Avenue NW– Part of E ½ of NE ¼, north of CR 136, Section 9, Township 121, Range 28, Wright County, Minnesota. (Southside Twp.) Tax #217-000-091100 Property owners: Applicant, Steve Weis, Bridget K. Weis

Requests a variance of Section 155.026 & 155.048 (F)(2) Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow construction of an 8' x 38' covered porch road-side of existing dwelling 118 ft. from the centerline of a county road.

Present: Aaron Weis, attended remotely

- A. Rhineberger reviewed the property location and displayed pictures of the front of the existing home. The proposed 8' x 38' open porch would be 118' from the centerline of the County Road and 130' is required. Although the current structure does not meet the 130', this would encroach closer to the highway. The porch style is an open shed type with poles.
- B. Weis stated it will come off the gable roof on the south side. This is a visual improvement for the property.
- C. Mol- felt as long as it remains an open porch and not converted to living space, he has no objection. Does not appear this would impede the road.
- D. Vick noted he has no concerns, it appears the porch does not extend closer to where he sees the flowers from the road.
- E. Aarestad would agree if they don't enclose the porch.
- F. Quiggle noted the house pre-dates Ordinance and the road improvements moved the road closer to the house. She has no objection.
- G. Kryzer noted in Minnesota these often become three-season. He asked if the Board has objection to screen windows?
- H. Aarestad moved to approve a variance of Section 155.026 & 155.048 (F)(2) Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow construction of an 8' x 38' covered porch road-side of existing dwelling 118 ft. from the centerline of a county road. Board notes the porch could be screened, but not enclosed or three-season. Vick seconded the motion.

VOTE: CARRIED UNANIMOUSLY

8. **ROBERT V. CARLSON** – New Item

LOCATION: 95 107th Street NE – Part of SW ¼ of NW ¼ & NW ¼ of SW ¼, Section 7, Township 121, Range 25, Wright County, Minnesota. (Monticello Twp.)
Tax #213-100-072300 & -072301 Property owners: Applicant, Dale Carlson; Marilyn Houston & Christine Nigro & Jensen

Requests a variance of Section 155.026(E)02, 155.048, Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow approximately 2 acres from the Carlson property (215-100-072300) to be attached to the Jensen 10-acre parcel lying to the north (215-100-072301).

Present: Bob Carlson & Jeremy Jensen

- A. Rhineberger displayed the air photo and existing property lines. A strip of land out of the Carlson 55-acre parcel is proposed to be added to the Jensen 9.56-acre lot to the north. This was before the Board in 2007 and dismissed. Town Board approval was received. The Land Use Plan designates this area for Agricultural-Residential which has a minimum 10-acre lot size standard. The property is now zoned AG General Agriculture. He noted these properties would not be rezoned to the A/R district because they would not meet lot width standards.
- B. Carlson explained the portion of the property that was tillable and useable. However, this strip would be more useful for Jensen. He noted how the gradient changes and it makes sense to transfer to Jensen because Carlson indicated he cannot access it.
- C. Vick does not see any issues and the Town Board approves. This makes a narrow strip. Carlson noted that is an existing line.
- D. Aarestad asked what the strip is used for. Carlson noted near an arrow on the site plan there is a corn field.
- E. Rhineberger stated the property lines were established originally so no variances were needed. These were compliant lots.
- F. Mol – since the strip of land was to meet County standards and get the two lots, he has no objection to the strip going to a family member. Quiggle and Jones agreed to the adjustment.
- G. Aarestad moved to allow approximately 2 acres from the Carlson property (215-100-072300) to be attached to the Jensen 10-acre parcel lying to the north (215-100-072301). Subject to survey and combining the parcel by Administrative Order or Auditor's Combine Request. Mol seconded the motion.

VOTE: CARRIED UNANIMOUSLY

7. **JON K. PARKS** – New Item

LOCATION: 2290 Osell Avenue – NW ¼ of SW ¼ of NE ¼ & SW ¼ of NW ¼ of NE 1/4 ,
Section 15, Township 119, Range 28, Wright County, Minnesota. (RD Creek –
Cokato Twp.) Tax #205-000-151300

Requests a 155.026(E)5, 155.048 & 155.057, Chapter 155, Title XV, Land Usage & Zoning of
the Wright County Code of Ordinances to allow placement of a mobile home on the property
while building a permanent dwelling.

Present: Jon Parks

- A. Rhineberger reviewed the property location and explained a new house is to be built. The old one has been torn down. The applicant would like to place a mobile home temporarily while the house is under construction. The plans have been provided and a site plan to show where the mobile home will be placed. Plans for the new sewer were provided. Town Board approves with the stipulation that it is removed in one year.
- B. Parks explained they did not get the full drawings for the house completed in time for the hearing. The mobile home will be placed while they build and expect to start construction early September. Rhineberger stated the deadline could be set to be in line with the building permit for a mobile. Once the house is completed, the mobile must be removed.
- C. Aarestad questioned if the sewer is new? Rhineberger confirmed that it is and has a design for that. The system will be installed prior to occupancy and hooked up to the mobile home but sized for the new dwelling. Aarestad asked if one year is enough time? Parks – felt that should be adequate, hopes to have the new house completed by April or May 2021.
- D. Quiggle had no objection but questioned whether one year they could get it completed.
- E. Mol – stated he discussed the application with a Township Supervisor and they talked about getting it off in one year. Parks stated he has a buyer for the mobile and is comfortable with the time frame the Town Board set.
- F. Vick – suggested more time would be allowed if they limit it to a year from when the building permit for the house is issued. Rhineberger noted the problems attaching the removal to that date. He suggested the applicant could reapply if he needs an extension. Mol agreed, if an extension is needed the applicant would have to show progress.
- G. Mol moved to allow placement of a mobile home on the property for one year while building a permanent dwelling. Aarestad seconded the motion.

VOTE: CARRIED UNANIMOUSLY

Meeting adjourned at 10:40 a.m.

Respectfully submitted,

Barry J. Rhineberger
Planner