

Morrison County Board of Adjustment
Morrison County Government Center Board Room
Minutes

March 15, 2022

Dave Stish called the meeting of the Morrison County Board of Adjustment to order at 6:00 p.m.

Members Present: Dave Stish, Brent Lindgren, Clint Katherine and Marvin Trettel.

Members Absent: Dave Brutscher

Ex-Officio Members Present: Amy Kowalzek and Sharon Peterson

Ex-Officio Members Absent: Robert Wall and Shannon Wettstein

County Commissioners: Mike LeMieur

County Commissioners Absent: Greg Blaine, Randy Winscher, Mike Wilson and Jeff Jelinski

Other Members: Matt LeBlanc

Pledge of Allegiance

1. Champeau Theresa Trust Agreement / Mike – 1492 Lincoln Hills Circle; Cushing, MN 56443 – Application for a Variance to add onto a non-conforming structure; located in Lot 5, Block 1 of 1st-Lincoln Hills, Section 31, Township 132, Range 31, Scandia Valley Township.

Mike Champeau and Dan Heiden (designer) were present.

Amy Kowalzek entered into record sections 301, 301.6 (a), 706.1 and 706.3 of the Morrison County Land Use Ordinance, plat map with the parcel location, variance application, background information questions, eleven (11) site plans, four (4) aerial photos, two (2) lake view photos, four (4) site photos, staff report and impervious surface calculation. There were 99 notices sent to neighboring property owners. There was no comment was received prior to the public hearing. Amy entered the finding of fact and decision questions.

Dave Stish stated Clint Kathrein, Brent Lindgren and Sharon Peterson viewed the property on March 11th, 2022.

Mike Champeau stated they evaluated the impervious surface and they would be willing to remove 180 sq. ft. of the patio under the deck. Can make sure the down spouts are pointing in the right direction. Open to other suggestions. Keep an are outside of the patio area. Amy Kowalzek stated that the deck is already counted as impervious surface so removing the patio under the deck would not reduce the impervious surface.

Clint Kathrein asked to be shown where the additions will be going. Amy Kowalzek showed the rendering drawings of where the additions would be.

Dave Stish stated that the existing structure is a non-conforming structure on almost a conforming lot. There is a large building envelope on the property. The Township enforced regulations at the time the cabin was built. Impervious surface within the shore impact zone is something that has been discussed a few times. The house is outside of the shore impact zone. The shore impact zone is our primary guard in protecting the lake. There is quite a bit of drop from the setback like to the lake. Difficult time approving the request without removing the impervious surface within the shore impact zone. What you have proposed is good but not good enough. There is adequate access into the home as it is now.

Brent Lindgren asked where the septic and well are located. Mike Champeau stated that the well is near the NE corner of the garage. The septic tank is just south of the home, the pipe goes under the driveway and the drainfield is near the SE side of the property.

Clint Kathrein stated it is 36 sq. ft. short of a conforming lot. Would we still need a variance if the lot was conforming? Amy Kowalzek stated that the variance is due to the home being non-conforming by the setback.

Marvin Trettel asked if they were aware that the home was non-conforming when it was purchased. Mike Champeau stated he did not. Could consider removing a portion of the deck. Mike stated how would this look if we were ever to sell. We would be willing to remove the timber area in exchange. Marvin asked if having the Shoreland Specialist would be something they would consider. Mike stated I do not know what I would be signing up for. Have made the effort to keep most of the additions over existing impervious surface. Removing the deck is not something we want to do, there is just too many great family memories made on the deck.

Dave Stish stated we are also here to uphold the ordinance and the comprehensive plan.

Marvin Trettel stated that if the bricks and rail road ties get removed this may end up causing an erosion issue.

Mike Champeau stated that he did not know that the deck was considered impervious surface. Dan Heiden stated that has been a discussion amongst contractors if this or is not impervious surface. Amy Kowalzek stated that this rule comes from the DNR shoreland rules.

Audience Comment: None

Mike Champeau stated he would be willing to remove a portion of the deck from the patio door to the end of the home.

The voting sheets were polled.

Possible conditions were discussed.

A motion was made by Marvin Trettel to deny the Variance request. The motion was seconded by Dave Stish. The vote was two in favor and Clint Kathrein and Brent Lindgren not in favor. Motion failed.

The voting sheets were polled.

A motion was made by Marvin Trettel to deny the Variance request. The motion was seconded by Dave Stish. The vote was two in favor and Clint Kathrein and Brent Lindgren not in favor. Motion failed.

Clint Kathrein stated that with the condition of the gutters the request should be approved. Dave Stish stated that if this is the case, we should approve all the request that agree to add gutters. Marvin Trettel stated that keeping the deck within the shore impact zone is one reason to deny the request.

The voting sheets were polled.

A motion was made by Marvin Trettel to deny the Variance request. The motion was seconded by Dave Stish. The vote was two in favor and Clint Kathrein and Brent Lindgren not in favor. Motion failed.

A motion was made by Clint Kathrein to continue this to the April 12, 2022 meeting. Amy Kowalzek stated that the applicant has heard the concerns that the Board of Adjustment have on this request. Mike Champeau agreed to continue the request to the April 12, 2022 meeting. The motion was seconded by Brent Lindgren. The vote was three in favor and Dave Stish opposed.

The public hearing was closed at 7:55 p.m.

A motion was made by Dave Stish to approve the February 15, 2022 minutes. The motion was seconded by Brent Lindgren. The vote was all in favor.

Correspondence - None

New business – None

Old business – None

A motion was made by Marvin Trettel to adjourn the meeting. The motion was seconded by Dave Stish. The vote was all in favor.

With no further business at hand, the hearing was closed at 7:57 p.m.

Respectfully submitted,

Dave Stish, Chairperson
Marvin Trettel, Vice-Chairperson
Brent Lindgren, Secretary
Amy Kowalzek, Appointed Secretary
Morrison County Board of Adjustment