

Morrison County Board of Adjustment
Morrison County Government Center Board Room

Minutes

April 26, 2022

Dave Stish called the meeting of the Morrison County Board of Adjustment to order at 7:56 p.m.

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

Members Absent: None

Ex-Officio Members Present: Amy Kowalzek and Sharon Peterson

Ex-Officio Members Absent: Robert Wall and Shannon Wettstein

County Commissioners: Mike LeMieur, Mike Wilson and Jeff Jelinski

County Commissioners Absent: Greg Blaine, Randy Winscher

Other Members: Matt LeBlanc

Pledge of Allegiance

1. Kenneth & Jacqueline Retka – 20254 195th Ave; Little Falls, MN 56345 – Application for a Variance to add onto a shed within two township road setbacks; located in NW ¼ of NW ¼, Section 3, Township 41, Range 31, Belle Prairie Township.

Kenneth & Jacqueline Retka were present.

Amy Kowalzek entered into record section 604.9 of the Morrison County Land Use Ordinance, plat map with the parcel location, variance application, background information questions, site plan, two (2) aerial photos, five (5) site photos, staff report, site plan with proposed additions outlined and aerial photo showing elevations. There were 18 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.

Kenneth Retka stated he just wants to be able to place all of his things inside of a building.

Dave Stish asked if the current owners built the home. Jacqueline Retka stated they did not, they purchased in 2003.

Marvin Trettel asked why the need to encroach on the right of ways. Kenneth Retka stated that the elevations change and have to keep so much land available for our agriculture tax assessment. Also want to keep this near the driveway and out of the wetter areas of the property. Marvin asked what would happen if the variance does not get approved. Kenneth stated he probably would not build.

Audience Comment:

Greg Colombe – Belle Prairie Township stated with the trees and the stop signs it will not hinder the roads. Clint Kathrein ask about if the road would expand. Greg stated he does not see the need to expand and the road is wide enough. Clint asked about the runoff and the ditches. Greg stated the only trouble with the road is the crown.

Dave Stish asked about another area on the property that the shed could go. Kenneth Retka stated that is wetland area.

Dave Stish stated Marvin Trettel, Brent Lindgren and Clint Kathrein viewed the property on April 22, 2022. Dave Brutscher viewed the property on April 25, 2022 and Dave Stish viewed the property on April 24, 2022.

The voting sheets were polled.

Dave Brutscher asked if the shed could be down sized in order for other Board Members to change their votes for question number five. This question was answered in the negative. Kenneth Retka stated he could go down to 30' x 94' on the north side and keep the 30' x 40' on the west side. The total building would be 70' x 90'.

A motion was made by Clint Kathrein to approve the Variance request with one condition. The motion was seconded by Dave Brutscher. The vote was all in favor.

2. Kenneth Braun – 35497 Sullivan Dr; Hillman, MN 56338 – Application for a Variance to add onto a non-conforming structure and extend a deck; located in Lots 1, 2 & 3, Block 1 of Squaw Point, Section 7, Township 42, Range 28, Richardson Township.

Kenneth Braun was 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, permit application, after the fact background information questions, site plan, two (2) aerial photos, lake view photo, 2017 aerial vs 2020 aerial photo, six (6) site photos, staff report, aerial of building envelope and impervious surface calculation sheet. There were 106 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.

Kenneth Braun stated the cabin is 53.5' from the lake, it is outside of the 50' shore impact zone. Addition will be going on the side of the cabin not any closer to the lake. The reason for the addition is for a bathroom and replace the existing bathroom.

Dave Stish asked what would make the property compliant. Amy Kowalzek stated the deck would need to be 14' x 10' not a 30' x 10' deck. This is a legal non-conforming cabin.

Marvin Trettel asked if there is a well in the front. Kenneth Braun stated it is an artesian well. Marvin stated it appears the drainage area gets a lot of water. Kenneth stated it has been here for a long time and we have had no issues with this. Amy Kowalzek stated the Shoreland Specialist was on site and notice the drainage area and the addition was close to this area. Kenneth stated he wants to add the retaining wall just to level out the area after the addition is added.

Clint Kathrein asked about the bunk house. Kenneth Braun stated there may have been some people staying in the structure from time to time, but it is still a storage shed. I can not use this for any sleeping area any more. Clint asked why to add the addition to the west. Kenneth stated because the plumbing is already there. Would like to add the bathroom then remove and move the old bathroom.

Clint Kathrein asked how the deck got expanded. Kenneth Braun stated we had a contractor to do the work. I did not realize I needed a permit or variance to do this work.

Marvin Trettel asked what was the original size of the deck? Amy Kowalzek stated that the Assessors records showed an 8' x 14' deck and the property owner stated it was a 10' x 14' deck. Clint Kathrein asked what the practical difficulty would be. Kenneth Braun stated it was old and worn out and needed to be replaced. Brent Lindgren stated this information does not match the 2017 aerial photo. Amy Kowalzek stated that is correct. Brent asked what year the property was purchased. Kenneth stated 2004. Brent asked at that time did the deck go along the home. Kenneth stated it did not. Brent stated he could maintain the deck size when the property was purchased.

Dave Stish stated Marvin Trettel, Brent Lindgren and Clint Kathrein viewed the property on April 22, 2022. Dave Brutscher viewed the property on April 25, 2022 and Dave Stish viewed the property on April 24, 2022.

Audience Comment: None

The voting sheets were polled for the deck.

A motion was made by Marvin Trettel to deny the Variance request. The motion was seconded by Dave Brutscher. The vote was all in favor.

The voting sheets were polled for the addition.

A motion was made by Dave Brutscher to deny the Variance request. The motion was seconded by Dave Stish. The vote was all in favor.

The public hearing was closed at 10:02 p.m.

A motion was made by Marvin Trettel to approve the March 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 Clint Kathrein. The vote was all in favor.

With no further business at hand, the hearing was closed at 10:03 p.m.

Respectfully submitted,

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