

Morrison County Board of Adjustment
Morrison County Government Center Board Room

Minutes

May 30, 2023

Members Present: Dave Stish, Clint Kathrein, John Kunelius, Brent Lindgren and Marvin Trettel

Members Absent: None

Ex-Officio Members Present: Amy Kowalzek and Sharon Peterson

Ex-Officio Members Absent: Robert Wall

County Commissioners: Bobby Kasper and Greg Blaine

County Commissioners Absent: Randy Winscher, Mike LeMieur and Jeff Jelinski

Other Members: Matt LeBlanc

Chairperson Dave Stish called the meeting to order at 6:27 p.m.

Pledge of Allegiance

Chairperson Dave Stish read the opening statement.

- 1. Timothy & Kristine Boros – 12831 92nd Ave; Little Falls, MN 56345 – After-the-Fact application for a Variance to continue a barn within the setback to the road right of way; located in E ½ of W ½ of NW ¼, Section 33, Township 129, Range 30, Pike Creek Township.**

Timothy & Kristine Boros were present.

Amy Kowalzek entered into record Section 1208.1 of the Morrison County Land Use Control Ordinance, plat map with the parcel location, After the Fact Variance application, background information questions, after the fact background information questions, aerial photo, three (3) site photos, staff report, aerial photo showing the old barn, site photo showing the structures and a letter from the County Engineer. There were 24 notices sent to neighboring property owners. One comment was received prior to the public hearing. Amy entered the finding of fact and decision questions and After the Fact variance considerations.

Marvin Trettel asked how many animal units would the old barn hold. Amy Kowalzek stated it probably would fit into a Tier I feedlot. You need a land use permit to re-build any structure. If the permit was applied for before the new barn was built, we could have talked about the setback to the right of way.

John Kunelius asked when did you transfer to hogs? Timothy Boros stated about 10 years ago. Amy Kowalzek stated there were chickens then it sat vacant for a bit and then went to hogs. The animal units in the structure will depend on what Tier the feedlot would need to be. If you do not have animals for five years, the feedlot status gets removed. You would need to re-apply for a feedlot after that.

Brent Lindgren stated the County Engineer sent a notice with some concerns. Amy Kowalzek read the letter. The letter stated there should be no further encroachment towards the road. Timothy Boros stated there is a field next to the barn and behind the barn. The animals will stay in the barn. Nothing gets placed by the road.

Marvin Trettel asked what year was the first chicken barn built? Timothy Boros stated started in 1960 and finished in 1970. Marvin stated to work with the Feedlot Officer on a manure management plan. Amy Kowalzek stated they could condition where the manure is piled or what end the clean out happens.

Dave Stish asked if he will become a registered feedlot? Amy Kowalzek stated he would. Dave stated the manure restrictions will be applied to the feedlot rules. Possibly adding a condition to state nothing gets placed within the right of way.

Clint Kathrein asked why a permit was not applied for. Timothy Boros stated he thought as long as he stayed on the same footprint, he would not need a permit. The 16' x 16' addition was just quickly constructed for tools. Clint stated if the variance gets approved you will need to go into the Land Services Department to apply for these permits. There is a buffer around the barn currently. The 200' setback was talked about with the County Engineer and why it is there, this is for safety and to make sure there is enough room for road and road work.

Audience Comment:

John Holtz – in support of the request. This 200' setback is not necessary. I don't think there should be a condition put on this to prevent him from using his property from the barn to the road right of way.

Site visit: Amy Kowalzek, Brent Lindgren, Dave Stish, Clint Kathrein, John Kunelius and Marvin Trettel visited the site on May 26, 2023.

The voting sheets were polled.

The After-the-Fact Consideration questions were reviewed.

A motion was made by Clint Kathrein to approve the Variance request, including two conditions. The motion was seconded by Marvin Trettel. The vote was all in favor.

The public hearing was closed at 7:18 p.m.

A motion was made by Marvin Trettel to approve the May 16, 2023 minutes. The motion was seconded by John Kunelius. The vote was all in favor.

Correspondence - None

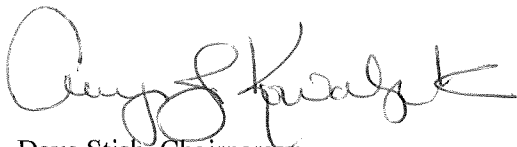
New business – None

Old business – None

A motion was made by Clint Kathrein 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 7:19 p.m.

Respectfully submitted,



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