

Morrison County Board of Adjustment
Morrison County Government Center Board Room

Minutes

June 28, 2022

Dave Stish called the meeting of the Morrison County Board of Adjustment to order at 6:26 p.m.

Members Present: Dave Stish, Dave Brutscher, Clint Katherine, Brent Lindgren 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 (via Teams)

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

Other Members: Matt LeBlanc

Pledge of Allegiance

1. Hannah Hollenkamp – 2133 Green Prairie Ln; Little Falls, MN 56345 – Application for a Variance to add onto a non-conforming structure; located in pt of Gov Lot 2, Section 18, Township 130, Range 29, Green Prairie Township.

Hannah Hollenkamp was present.

Amy Kowalzek entered into record sections 301, 301.6, 706.1 and 706.3 of the Morrison County Land Use Ordinance, plat map with the parcel location, Variance application, background information questions, six (6) site plans, storm water management plan, two (2) aerial photos, eight (8) site photos, staff report, aerial photo showing setbacks of the existing structure, site plan showing the building envelope, aerial photo showing the ordinary high water mark and impervious surface calculation sheet. There were 50 notices sent to neighboring property owners. There was one comment received prior to the public hearing. Amy entered the finding of fact and decision questions.

Hannah Hollenkamp stated that the surface water is not good and with the two rain storms it made it worse. Will be reaching out to Public Works to see if they can clean out the ditch. Would like to raise it to close to being above the ordinary high water mark. The water naturally drains to the County ditch. Could include more plantings in the front yard to help with drainage. The current foundation is one footing, we just need to add block to raise the home. The current condition of the home is good.

Dave Stish asked about the 750 cubic yards of fill. This does not need a variance. Amy Kowalzek stated it does not. The additions and increase of height are the things that need a variance. The grading and filling is for the entire property not just for the home.

Dave Stish stated Dave Stish, Marvin Trettel, Brent Lindgren, Dave Brutscher, Clint Kathrein and Amy Kowalzek viewed the property on June 27, 2022.

Brent Lindgren asked why not do eight courses of block. Hannah Hollenkamp stated that would put the height over the 25' limit.

Clint Kathrein asked if the current garage will remain on the property. Hannah Hollenkamp stated it will for now. Clint asked if there will be more bedrooms added. Hannah stated there will not. Clint asked about grading for insulation for the home. Hannah stated a different solution was to add a retaining wall. Amy Kowalzek stated that would not be allowed. Hannah stated there will be 2" of insulation added. Hannah stated the septic is to the south and east of the home.

Dave Stish asked about lifting the home to add the new courses of block why not move the home back. Hannah Hollenkamp stated not sure how that would look and fit. Dave stated it will be tough to approve without using the building envelope.

Marvin Trettel asked about work that would be done within the shore impact zone. Hannah Hollenkamp stated this would be in the stormwater plan that was submitted. Dave Stish asked who prepared the plan. Hannah stated she did.

Brent Lindgren asked about the height if the home was pushed back. Amy Kowalzek stated it would depend on how much grading is done. In shoreland the height is always a maximum of 25'.

Audience Comment:

Bob Skipper – stated the flooding has gotten worse over the years. This is a beautiful home. The plan will not be a problem. One half of our yard is under water, this has never happened before. This would be an improvement. Grading would take the water away from the lake. Other neighbors do not have an issue with the proposal.

Luther Sam – stated he is in full support. Hannah Hollenkamp reached out to the Band and we found the water an issue. There is a wetland across the road.

Mike Schuett – stated himself, Wayne Stoner and Dan Maslowski are here from the Township. We do not have an issue with the request. It would be a lot of extra work to have to move the home back.

Amy Kowalzek asked the Township if there is a plan to clean the drainage ditch. Mike Schuett stated he will look into that.

The voting sheets were polled to raise the home.

A motion was made by Marvin Trettel to approve the Variance request. The motion was seconded by Clint Kathrein. The vote was four in favor and Dave Stish opposed.

The voting sheets were polled to add the home addition and attached garage.

A motion was made by Dave Stish to deny the Variance request. The motion was seconded by Brent Lindgren. The vote was three in favor and Clint Kathrein and Marvin Trettel opposed.

2. Amber Parker Trust / John Parker – 2727 Charles Dr; Motley, MN 56466 - Application for a Variance to rebuild and add onto a deck within a bluff; located in Lot 33 of 8th to Shamineau Park, Section 17, Township 132, Range 31, Scandia Valley Township.

John Parker was present.

Amy Kowalzek entered into record Sections 706 B and E of the Morrison County Land Use Ordinance, plat map with the parcel location, Variance application, background information questions, survey map, six (6) site photos, two (2) aerial photos, lake view photo, five (5) site photos, staff report, five (5) previous photos, survey with building envelope and deck site, map of previous decks on the existing house and impervious surface calculation sheet. There were 250 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 Dave Stish, Clint Kathrein, Marvin Trettel, Brent Lindgren, and Amy Kowalzek viewed the property on June 27, 2022.

Brent Lindgren asked about the deck from the Assessors pictures. Amy Kowalzek showed the Board where the new deck would be going.

Clint Kathrein asked about the replacement right. Amy Kowalzek stated the replacement right is valid for one year. It has been over one years since they removed the old deck.

Dave Stish asked about the remodeling. John Parker stated all the remodeling was internal.

Marvin Trettel stated the bluff zone is a very sensitive area. Why ask for a larger deck. John Parker stated after the gutters get put back on it takes up like two feet of room. Marvin asked if there is a stormwater plan. John stated they do not. Have talked to the Lake Association about rain gardens, but not talked to official people about it.

Dave Brutscher stated the property is beautiful.

Brent Lindgren asked why come in now when the deck was taken off in 2010. John Parker stated they took the deck off for safety. Time just got away with the other work being done and family life.

Dave Stish asked what would be done under the deck. John Parker stated they plan to leave it the way it is. Dave Stish stated he would like to see a condition that under the deck stays pervious.

Audience Comment: None

The voting sheets were polled.

A motion was made by Dave Stish to approve the Variance request with conditions. The motion was seconded by Marvin Trettel. The vote was all in favor.

3-minute recess

3. Neil & Carol Christenson – 30124 56th Ave; Cushing, MN 56443 – After-the-Fact application for a Variance to continue the house addition and attached garage onto a non-conforming structure and patio expansion within the shore impact zone; located in Lot 4 of Birchdale Knolls, Section 35, Township 132, Range 31, Scandia Valley Township.

Neil & Carol Christenson and Jim Christenson were present.

Amy Kowalzek entered into record Sections 301, 301.6, 706.1, 706.1 A 706 D and 706.3 of the Morrison County Land Use Ordinance, plat map with the parcel location, after the fact variance application, background information questions, after the fact background information questions, site plan, aerial photo of the property, aerial photo showing the property in 2013 and 2020, six (6) site photos, four (4) aerial photos, lake view photo, five (5) site photos, staff report and impervious surface calculation sheet, There were 58 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 and the After the Fact Variance Considerations.

Dave Stish asked if the corrective actions in the violation letter could be reviewed and have any been completed. Amy Kowalzek stated no corrective actions have been taken. Amy gave the permitting history of the property. Dave asked if the septic system can still be used. Amy stated Land Services does not have the right to cut off the septic. This will continue as a complaint, if it is not resolved it will end up being charged out.

Dave Stish asked what the property owners are willing to do. Carol Christenson stated they will apply for the septic. They will remove the privy. Neil Christenson stated he is in contact with Mike Altrichter to get a design for a mound system.

Dave Stish asked if they would be willing to remove the portion of the patio within the shore impact zone and permit the portion of the patio is outside of the shore impact zone. Neil Christenson stated he is willing to do some of it.

Carol Christenson stated the walkway next to the house is to help with runoff and safety. The area around the firepit we could remove. Dave Stish stated he would like to see all of the patio area removed from the shore impact zone.

Marvin Trettel asked if there was an impervious surface calculation done other than the one that was submitted. Dave Stish stated he believes they are still under the 25% impervious surface. Amy Kowalzek stated this should not be an issue. Marvin asked if a storm water management plan was ever done. Amy stated that could be a condition.

Dave Stish stated the permit for the garage was a detached garage and attended a DRT meeting about adding it to the home, but it ended up attached.

Brent Lindgren asked how the detached garage became attached. Carol Christenson stated when they went to the DRT meeting, they were told they could replace what they had. We were replacing the structures and came into the office and asked if it could be attached, they said they could not answer the question and they would have someone get back to me, but no one did. Use our best judgment. With Neil's health getting worse we were thinking about handicap accessible structure.

Brent Lindgren asked about the septic notice in 2015. We are now in 2022. Is this the same system still being used today? Neil Christenson stated that is correct. Carol Christenson stated the contractor was too busy to get out to complete the septic.

Dave Stish stated Dave Stish, Clint Kathrein, Marvin Trettel, Brent Lindgren, and Amy Kowalzek viewed the property on June 27, 2022.

Clint Kathrein stated we have a lot to look at to make our decision. Some of the new patio does help the water not to erode the ground. Clint Kathrein stated he is not looking to make someone tear something down.

Audience Comment: None

The voting sheets were polled for the house addition and the attached garage.

The After the Fact voting sheets were polled for the house addition and the attached garage.

A motion was made by Clint Kathrein to approve the Variance request with condition. The motion was seconded by Marvin Trettel. The vote was four in favor and Dave Stish opposed.

The voting sheets were polled for the patio additions within the shore impact zone.

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

The public hearing was closed at 9:49 p.m.

A motion was made by Brent Lindgren to approve the June 14, 2022 minutes. The motion was seconded by Dave Stish. 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 9:53 p.m.

Respectfully submitted,

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