

Morrison County Board of Adjustment
Morrison County Government Center Board Room

Minutes

July 19, 2022

Dave Stish called the meeting of the Morrison County Board of Adjustment to order at 6:52 p.m.

Members Present: Dave Stish, Dave Brutscher, Clint Kathrein, 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: Greg Blaine

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

Other Members: None

Pledge of Allegiance

1. Jeramie & Jessica Larson – 5998 190th St; Randall, MN 56475 – Application for a Variance to allow for a Type III septic on a newly created parcel and to place a home within the setback to a feedlot; located in E ½ of SE ¼, Section 26, Township 130, Range 31, Parker Township.

Jeramie & Jessica Larson were present.

Amy Kowalzek entered into record sections 1301.12 and 1209.1 of the Morrison County Land Use Ordinance, plat map with the parcel location, Variance application, background information questions, aerial photo showing proposed home location, aerial photo showing proposed and current setbacks from feedlots, two (2) aerial photos, three (3) site photos, staff report, aerial photo showing neighboring feedlot and an aerial photo showing wetlands on the parcel. There were 17 notices sent to neighboring property owners. There was one comment received prior to the public hearing. Amy entered an aerial showing feedlot setbacks. Amy entered the finding of fact and decision questions.

Dave Brutscher asked if the side yard setback is 200'? Amy Kowalzek stated that is correct. Dave asked if the feedlot could expand if they do not go any closer to the road as the existing barn. Amy Kowalzek stated they could if they do not expand to the next Tier.

Dave Stish stated this is a first come first serve situation.

Jeramie Larson stated if my variance does not go through and I meet the 1000' setback the neighbor could not build next to the property line and still meet setbacks. The practical difficulty we have is we would like to build on the highest spot of the property and want to take up as little agricultural land as possible.

Brent Lindgren asked how we got to the point of the foundation already being done. Will the future home be in a different location? Jeramie Larson stated there must have been a miss communication between himself and Amy Kowalzek. Jeramie was off work and wanted to get the project started. Jeramie thought the setback was going to be removed for the home to a feedlot. The applicant came in and found out the setback would not be removed only reduced. A permit was pulled for an accessory structure permit and add the living quarters when the ordinance changed.

Marvin Trettel asked if they will still need a variance when the ordinance changed. Jeramie Larson stated they would still need a variance for 100'. Marvin asked when the plan is to construct the new home. Jeramie stated five years.

Audience Comment:

Ben Mueller – stated he is the neighboring feedlot owner. Ben stated he has concerns with the future of the feedlot construction/expansion. Is there a guarantee that the ordinance will change to 660’ from a home to a feedlot? Ben stated he has a plan to expand the feedlot in five years. The current setback is 1000’. Ben stated he does not want to have an issue with the neighbor. The neighbor has gotten this far already with nothing being followed.

Paul Block – stated he is the neighbor to the south. What is the setback from an agriculture structure?

Amy Kowalzek stated that a feedlot is when you have 50 or more animal units. One cow is considered one animal unit. The setback is taken from the closest animal holding area to the closest dwelling. There is no feedlot on the Block parcel. There will be no feedlot setbacks from the barns on the Block property.

Dave Brutscher asked if they could add conditions onto the variance. Amy Kowalzek stated they could. Dave asked if they could add a time limit as a condition. Amy stated a time limit could not be added as a condition.

Clint Kathrein stated building should be in smart areas, not splitting up fields. There is no guarantee what the ordinance changes will be.

Dave Brutscher stated this is a sticky request.

Marvin Trettel stated he would like to allow something for everyone to work.

Jeramie Larson asked if a dual variance could be issued. Amy Kowalzek stated this is not something that can be done.

The voting sheets were polled to allow for a Type III septic system.

A motion was made by Brent Lindgren to approve the Variance request. The motion was seconded by Dave Brutscher. The vote was all in favor.

The voting sheets were polled to allow the home within the setback to a feedlot.

A motion was made by Brent Lindgren to approve the Variance request. The motion was seconded by Clint Kathrein. The vote was all in favor.

The public hearing was closed at 7:56 p.m.

A motion was made by Clint Kathrein to approve the June 28, 2022 minutes with corrections. The motion was seconded by Marvin Trettel. 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 7:58 p.m.

Respectfully submitted,

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