

Morrison County Board of Adjustment
Morrison County Government Center Board Room

Minutes

September 13, 2022

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

Members Present: Dave Stish, Clint Kathrein, Brent Lindgren, Dave Brutscher 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: None

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

Other Members: Matt LeBlanc

Pledge of Allegiance

1. Gary & Patricia Glad / Coho Properties LLC – 25996 Emerald Rd; Randall, MN 56475 – Application for a Variance to construct a home within the setback to the lake; located in pt of Gov Lot 2, Section 27, Township 131, Range 30, Cushing Township.

Cody Cook Audrey Hoggarth Cook and Kurtis Stone were present.

Amy Kowalzek entered into record section 706 of the Morrison County Land Use Control Ordinance, plat map with the parcel location, Variance application, background information questions, site plan, survey of property, two (2) rendering drawings of the proposal, two (2) aerial photos, two (2) lake view photos, five (5) site photos, staff report and survey showing the building envelope. There were 45 notices sent to neighboring property owners. Three comments were received prior to the public hearing. Amy entered the finding of fact and decision questions.

Cody Cook stated moving the cabin is to save some of the trees. Already have a plan to get a new septic tank installed. Could be able to move the structure back a little to about 40 to 45 feet from the lake. Amy Kowalzek asked if they are requesting to move the structure back to 45' from the lake. Cody stated yes that is correct.

Clint Kathrein asked about the drawing with the building envelope. All of the setbacks met here. Amy Kowalzek stated that is correct. Clint asked why not go over more to the west. Cody Cook stated that is were the prosed septic tank is to be located.

Dave Stish stated the property was built in 2020, was the garage already there. Cody Cook stated it was there and replaced. Dave stated possibly in the building envelope for the cabin. Cody stated that is correct.

Marvin Trettel stated we try to not create non-conforming structures. The trees appear to be pines not oaks. What can convince me to approve this request. Cody Cook stated he can replace the existing cabin where it is and that would require me to have to get rid of a few of the trees.

Audience Comment:

Dan Amundson stated he is for whatever can improve the properties looks around the lakes.

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 all in favor.

2. Daniel Amundson – 1794 West Shamineau Dr; Motley, MN 56466 – Application for a Variance to expand a non-conforming structure and continue an overage in impervious surface; located in parts of Lots 10 & 11 of Hought’s Outlots, Section 18, Township 132, Range 31, Scandia Valley Township.

Daniel Amundson was present.

Amy Kowalzek entered into record sections 301, 301.6 a, 705.6, 706.1 b and 706.3 of the Morrison County Land Use Control Ordinance, plat map with the parcel location, Variance application, background information questions, site plan, two (2) aerial photos, seven (7) site photos, staff report, four (4) aerial photos, impervious surface calculation sheet, letter from the Township. There were 107 notices sent to neighboring property owners. One comment was received prior to the public hearing. Amy entered the finding of fact and decision questions.

Dave Stish asked about the setback from the road right of way. Amy Kowalzek stated that the setback is 30’ from the right of way. Dave stated he is in the right of way now. Amy stated that is correct.

Daniel Amundson stated everything is existing. Just need to fix it. The water situation needs to be fixed.

Dave Stish asked it would need a variance if it was a conforming structure. Amy Kowalzek stated it would since we are still dealing with the impervious surface.

Brent Lindgren asked if the garage is expanding. Amy Kowalzek stated it is being raised in height. This makes it an expansion. Brent asked what is being done to correct the issues. Daniel Amundson stated the 15” is coming from a retaining wall to match the level to.

Dave Stish stated himself, Amy Kowalzek, Marvin Trettel and Dave Brutscher visited the site on September 9, 2022 and Brent Lindgren viewed on September 13, 2022.

Brent Lindgren asked if by raising the area will this cause issues for the neighbor. Daniel Amundson stated he would like to add a valley to make the water drain towards the road.

Dave Stish asked if there is a plan to improve the impervious surface and the side property line. Daniel Amundson stated he could narrow up the plans.

Dave Brutscher stated he does not think there is room to allow for the valley to get the water to the road. Daniel Amundson stated they have only had this water issue for the past couple of years. I do not feel this area is a wetland, we cut the grass here. Would like to know what kinds of plantings would need to be here.

Dave Stish asked if the applicant would want to proceed with the application as it is. Daniel Amundson stated he would be willing to move the garage but would not want to move it the six feet. What would the impervious surface calculate to? Amy Kowalzek stated moving the garage over 6 feet, this would lessen the impervious surface to about 26.5%.

Marvin Trettel stated he would like to see the Shoreland Specialist out one site for a visit. Amy Kowalzek stated she does not think there is any room on the property to accomplish this also the applicant stated he is not interested.

Daniel Amundson stated the water used to go to the left and then a neighbor brought in fill and now this area is like a holding damn. The ground is so saturated from the high water. If the lake would go down, I would not have this issue.

Daniel Amundson stated he would be good with moving the garage 1.5’ from the side and removing the 12’ x 14’ storage shed.

Audience Comment: None

Amy Kowalzek stated this will improve the impervious surface to 26.9%.

Clint Kathrein asked about the allowable raising of structure ordinance. Amy Kowalzek stated was only for the dwelling units and you would need an engineered plan. Clint asked where this water would go if there was no

impervious surface. The lake is still high and will continue to flood the area. Don't think by raising this garage it is going to flood the neighbor.

The voting sheets were polled.

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

The public hearing was closed at 7:25 p.m.

A motion was made by Dave Stish to approve the August 30, 2022 minutes. The motion was seconded by Clint Kathrein. The vote was all in favor.

Correspondence - None

New business – None

Old business – None

A motion was made by Brent Lindgren 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 7:26 p.m.

Respectfully submitted,

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