

MEEKER COUNTY BOARD OF ADJUSTMENT MEETING
March 16, 2021

The Meeker County Board of Adjustment met at the Courthouse on **Tuesday, March 16, 2021 at 5:00pm** to consider the following variance application and other business before the Board. Members present were Kim Hempel, Al Anderson, Galen Nyman and Greg Schultz, Zoning Administrator.

Schultz calls the meeting to order at 5:00pm.

The Board states their names for voice recognition.

Schultz states that the Board needs to elect the 2021 Chairman and Vice Chairman.

Nyman nominates Hempel as Chairman and Anderson as Vice Chairman.

Anderson seconds the motion.

Motion carried 3-0.

Hempel asks the Board if they have any corrections or additions to the December 8, 2020 meeting minutes. None are noted.

Anderson makes a motion to approve the meeting minutes.

Nyman seconds the motion.

Motion carried 3-0.

5:05pm

Hempel opens the public hearing for Wayne & Debra Seppelt, 9520 10th St SW, Howard Lake, MN 55349. Property located at 32359 748th Ave, South Haven, MN 55382. That Part of Lot Two (2), Section Twelve (12), Township One Hundred Twenty (120), Range Twenty Nine (29), Wildwood Terrace, Lake Francis, Kingston Township. An application for an Area Variance to construct a second Water Orientated Structure in variance to the maximum allowed one Water Orientated Structure in the R-1 Suburban Residential District and within the Shoreland District.

Wayne Seppelt is present for this hearing.

Schultz: This property is a .26-acre R-1 Rural Residential riparian lot on lot 2 of Wildwood Terrace on the South East side of the General Development Lake Francis. In Section 12, Township 120, Range 29 of Kingston Township, Meeker County, MN.

Currently on this property is a water orientated structure which was issued a permit on 10/4/2014 and a utility shed built in 2013. An IUP was issued for the property on 8/28/2019 for a recreational camping vehicle to be placed on property until 8/28/2024. No septic is on site.

The property owner is requesting a variance to be allowed a second water orientated structure less than 250 square feet due to the building limitations that the lot provides. The structure will be placed 17 feet from the ordinary high water level.

Currently Meeker ordinance only allows for one lake orientated structure. Article 19A Sec. 19A.04.B.2

Lake Francis is considered a General Development Lake. General Development Lakes have a building setback of 75 feet from the OHWL from Meeker Ordinance Article 19A Sec. 19A.04.B.a.

Seppelt states that they would like to build the structure without being on the slope. There isn't room to put the structure elsewhere because of the RV. This location would be least obstructive.

Nyman doesn't see any problem with this request. It is in-line with the neighbors' buildings.

Hempel states that this lot is very challenging and a perfect example of why we have a variance board. She has no issues.

Anderson agrees.

Anderson makes a motion to close the public hearing.

Nyman seconds the motion.

Motion carried 3-0.

Nyman makes a motion to allow a second water orientated structure on the property.

Anderson seconds the motion.

Motion carried 3-0.

Hempel makes a motion to approve the variance of 58' to the ordinary high water level of the lake.

Anderson seconds the motion.

Motion carried 3-0.

5:10pm

Hempel opens the public hearing for Kurt & Ramona Hjerpe, 16503 673rd Ave, Hutchinson, MN 55350. That Part of Lot Twelve (12), Block One (1), Lahar Shores, Belle Lake, Ellsworth Township. An application for an Area Variance to construct a swimming pool in variance to the required one hundred foot (100') setback to the Ordinary High Water Level of a General Development Lake in the R-1 Suburban Residential Lake and within the Shoreland District.

Kurt & Ramona Hjerpe and Dave Jutz are present for this hearing.

Schultz: This property is a 2.6-acre R-1 Rural residential Riparian Lot 12, Block 1 of Lahar Shores on the North East side of the Recreational Development Belle Lake. In Section 35, Township 118, Range 30 of Ellsworth Township, Meeker County, Minnesota

Currently on this property is House built in 2004 and a 26' x 36' garage built in 2015. A Conditional Use Permit was issued 11/4/2003 to construct a driveway and landscape the property. A Conditional Use Permit was issued 10/6/2015 to reconstruct and existing stairway to the lakeshore. Septic system at the time of this meeting has not meet compliance and will be required to show compliance before a building permit will be issued for the project.

The property owner is requesting a variance to be allowed to install a 16' x 40' pool 75 feet from the ordinary high-water line OHWL of Belle Lake.

Recreation Development Lakes have a building setback of 100 feet from there OHWL from Meeker Ordinance Article 19A Sec. 19A.04.B.a. The applicants are asking for 25' variance from the required 100' from the OHWL.

Kurt Hjerpe states that due to the location of the well, septic, driveway and wetland there isn't another place to install the pool.

Hempel says that the location is nice and level.

Hjerpe states that his daughter has allergies to the lake and the city of Hutchinson has shut down the pools due to covid, therefore, she hasn't been able to swim.

Anderson says that looking at the photos, this looks like a good location.

Nyman feels this is a good location and since the daughter can't use the lake, there is a hardship.

Hempel says she was initially concerned about this application, but now feels like it is a good fit.

Jutz asks if the pool will be above or in-ground. *In-ground.*

Anderson makes a motion to close the public hearing.

Hempel seconds the motion.

Motion carried 3-0.

Anderson makes a motion for approval.

Nyman seconds the motion.

Motion carried 3-0.

5:20pm

Hempel opens the public hearing for Andy & Nicole Jung, 4530 Arden Ave, Edina, MN 55424. Property located at 74719 309th St, South Haven, MN 55382. That part of Government Lot Three (3), more fully described in the application. Section Thirteen (13), Township One Hundred Twenty (120), Range Twenty Nine (29), Mud Lake, Kingston Township. An application for an Area Variance to construct a house in variance to the required 200' setback to a Naturally Sensitive Lake in the A-1 Agricultural Preservation District and within the Shoreland District.

Andy & Nicole Jung are present for this hearing.

Schultz: This property is a 23 acre A-1 Agricultural Preservation District metes and bounds Riparian property on Government lot 3 except the lands described in the survey for the property. This property is located on the Natural Sensitive classified Mud Lake, in Section 13, Township 120, Range 29 of Kingston Township in Meeker County.

Currently on this property is a house built in 1900, a deck added onto the house in 1998 and a 26' x 45' garage built in 2013. Septic system at the time of this meeting has not met compliance and is intended to be replaced when a new dwelling is constructed on site. A new septic design from MSTs is included in the application packet.

The property owner is requesting a variance to be allowed to tear down the existing farm house on site and construction a new house over the existing farmhouse footprint. The existing structure is 119 feet from the ordinary high water level (OHWL) of Mud Lake. Due to its Natural Sensitive classification, Mud Lake has a setback of 200 feet.

Natural Sensitive Lakes have a building setback of 200' from there OHWL from Meeker Ordinance Article 19A Sec. 19A.04.B.a. The applicant is asking for an 81' variance to be 119' from the ordinary high water level of the lake.

Andy Jung states that he wants to build a structure that can be used year-round. Due to the topography of the property they struggled to find a location to meet all the setbacks.

Nicole Jung says that the current house is in horrible shape.

Hempel states that this is a challenging property. She is please to know they are moving the proposed house back away from the lake more than the current location.

Nyman likes that the proposed house will be farther away from the lake. He has no issues.

Anderson says that the new septic system is outstanding. He has no problems with this variance.

Nyman asks about the location of the deck.

Andy says the end of the deck will be where the back of the current house is located.

Schultz states that he received a phone call from Linda Melinsky. She expressed concern if the shoreland would be impacted by the variance. Schultz explained that the new dwelling will not impede on the shoreland anymore than the existing structure. Melinsky was fine with this variance as long as the house doesn't get any closer to the lake.

Anderson makes a motion to close the public hearing.

Nyman seconds the motion.

Motion carried 3-0.

Nymans make a motion for approval.

Hempel seconds the motion.

Motion carried 3-0.

5:30pm

Hempel opens the public hearing for Dale & Katherine Fenrich, 25169 CSAH 1, Litchfield, MN 55355. Property located at That Part of Government Lot Three (3), more fully described in the application. Section Fifteen (15), Township One Hundred Nineteen (119), Range Thirty One (31), Litchfield Township. An application for an Area Variance to create a parcel of land in variance to the required 200' rear lot line width in the A-1 Agricultural Preservation District.

Dale & Kathy Fenrich are present for this hearing.

Schultz: This property is a 42.7-acre A-1 Agricultural Preservation District metes and bounds non-riparian property Government lot 3 except the lands described in the survey for the property. This property is within the shore land district of Lake Ripley which is classified as a general development lake. The property is located in Section 15, Township 119, Range 31 of Litchfield Township in Meeker County.

Currently on this property is a campground which was granted a Conditional Use Permit by the city of Litchfield on September 21, 2015. Septic for 39 sites have been installed on the campground as of June of 2019. A 26' x 28' garage was built on the property in 2020. The existing property owner currently owns an A-1 zoned 2.04-acre property (14-0196000) located in the North Eastern part of this parcel which is the applicant's current residence.

The property owner is proposing to split off a 2.62-acre parcel so that a one lot plat with building eligibility can be obtained from the 42.7 acre parcel, then a dwelling can be built for the mother of the applicant. The existing driveway will be used as the access off of CSAH 1 to the lot. The split proposed does meet the 200 feet of minimum front width required for a non-riparian R-1 lot along CSAH 1 within the overlay of a General Development lake but does not meet the minimum 200' of width for the back west boarder of the proposed lot. The proposed lot does meet the sixty-six (66) percent of the dimensional standard for lot length, width and lot size for the shoreland classification consistent with Minnesota Rules, chapter 6120."

A split cannot be approved without a variance being granted for a non-conforming sized lot. The applicant is asking for a 54' variance from the required 200'.

Dale Fenrich says that his backyard isn't going to change. It is all wildlife behind his house. When purchased in 2012 it was agricultural land and he put it into CRP land. The water does not go into Lake Ripley. It is divided up. The county ditch runs out to the west/northwest to Chicken Lake. Then water runs to the north side and goes into Jewett's Creek. The rest that goes toward the lake, goes into a little duck pond.

Kathy Fenrich says the house will be a one-story home, about 1250 square feet. In the future it would be a nice place for a caretaker of the campground, or home for a nurse when we get elderly.

Nyman states there is ample room on the property and he has no problem with this request.

Anderson says he is familiar with the land and has no issues. There is road access.

Fenrich states that the road is to township specs and there will be no hard surface between the house and the lake.

Hempel feels it fits with the surrounding area. R-1 District is all around it.

Anderson makes a motion to close the public hearing.

Nyman seconds the motion.

Motion carried 3-0.

Anderson makes a motion for approval.

Hempel seconds the motion.

Motion carried 3-0.

5:50pm

Anderson makes a motion to adjourn.

Nyman seconds the motion.

Motion carried.