

MEEKER COUNTY BOARD OF ADJUSTMENT MEETING

July 19, 2022

Audio Available

The Meeker County Board of Adjustment met at the courthouse on Tuesday, July 19th, 2022 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 Asst Zoning Administrator Ankrum.

5:00pm

Hempel calls the meeting to order.

The Board states their name for voice recognition.

Hempel asks the Board if they have any corrections or additions to the June 7, 2022 meeting minutes. None are noted.

Nyman makes a motion to approve the meeting minutes.

Anderson seconds the motion.

Motion carried 3-0.

9:01am

Hempel opens the public hearing for David Judd, 6440 Cty Rd 15, Minnetrista, MN 55364. Property located at 22211 670th Ave, Darwin, MN 55324. Lots Six and Seven (6 & 7), Oakwood Shores, Lake Stella, Ellsworth Township. An application for an Area Variance to install a detached accessory building in variance to the required 35' setback to the road right of way and a variance to the required 100' setback to the OHWL of a Recreational Development Lake in the R-1 Suburban Residential District and within the Shoreland District.

Dave Judd and Katie Judd-Hoff, both co-owners of the property, are present for this hearing.

Ankrum: Oakwood Shores was formed before the shore land ordinance of 1972 and the lots are small in depth, width and area. Lake Stella is considered a Recreation Development Lake.

Currently on the property is a house built in 1961, a garage built in 1961 and two small utility sheds under 120 square feet built around 1990. A variance was granted in 1995 to allow a shared septic system to cross property lines with parcel 06-0424000.

The shared septic system will need a compliance inspection done before a building permit will be issued for the structure.

Hempel reads a letter sent from a neighbor:

Dear Mr. Schultz:

I received notice postmarked June 28th informing me that the Meeker County Board of Adjustments would be holding a public hearing on July 19th to consider a Variance Application related to the addition of a detached accessory building to property located at 22211 670th Avenue in Darwin along the north shore of Lake Stella.

My wife, Laurie, and I have our modest cabin on the adjacent lot located at 22217 670th Avenue and actually share septic facilities with the subject property.

Based upon your correspondence, it is my understanding that the application to add a detached accessory building to the property at 22211 670th Avenue complies in all respects with County requirements except for required setbacks from road right of way (35') and from the OHWL of Lake Stella (100').

Presumably these setback criteria were developed subsequent to the platting of the lots of Oakwood Shores and relate to lot standards intended for much larger lots as they would essentially render these wonderful lakefront lots unbuildable if applied.

Frankly, even for lots of current standard, these criteria would seem quite unnecessarily limiting to the potential use and value of lakefront properties.

I fully support David Judd's request for variance, urge you to grant it, and encourage your reconsideration, altogether, of the various requirements and standards that limit the potential use of lakefront properties as these criteria have directly contributed to the loss of cabins and all-season, truly recreational, lakefront property throughout Meeker County.

Sincerely,

*Robert M. Wachholz
22217 670th Ave
Darwin, MN 55324*

Hempel states that the current shed is older and understands the want to replace it.

Judd says that it was built in 1964.

Hempel questions that the new shed will sit where the current shed and platform are now. Yes. If another platform is attached, this variance does not apply to that. Also, Hempel wants to make sure it is understood that this variance is for an accessory building, not for a cabin or bunkhouse.

Anderson says that he is okay with this request.

Nyman agrees, as long as it stays in the same footprint.

Anderson makes a motion to close the public hearing.

Hempel seconds the motion.

Motion carried 3-0.

It is noted that a variance to the road right of way is not needed.

Anderson makes a motion to approve a variance to be 80' rather than the required 100' setback to the OHWL of Lake Stella.

Nyman seconds the motion.

Motion carried 3-0.

5:10pm

Hempel opens the public hearing for Benno Roehl, 22077 CSAH 14, Darwin, MN 55324. Lot Three (3), Block One (1) and Lot Three (3), Block Two (2), Clemenson's Addition, Lake Stella, Darwin Township. An application for an Area Variance to construct a deck in variance to the required 100' setback to the OHWL of a Recreational Development Lake in the R-1 Suburban Residential District and within the Shoreland District.

Benno and Marlys Roehl are present for this hearing.

Ankrum: Clemenson's Addition was formed before the shore land ordinance of 1972 and the lots are small in depth, width and area. This property is split by CSAH 14. Part of this property is riparian to Lake Stella and part is riparian to Lake Washington. Lake Stella is considered a Recreation Development Lake. Lake Washington is considered a General Development Lake.

Currently on the property is a house and garage built in 1966, a deck built in 1983 and two small utility sheds under 120 square feet built around 1980.

A variance was granted in 1978 to allow a garage to be 60' from the center of CSAH 14 and 6' from the north property line. A variance was also granted in 1993 to allow holding tanks as the septic system serving the property and to be placed 9' from the road right of way. A septic compliance will be needed before a construction permit is issued.

Hempel states that the deck needs to be replaced especially for safety. It is appreciated that the new deck will be further away from the lake.

Nyman says that it is set up well and needs to be replaced. It is currently not safe.

Nyman makes a motion to close the public hearing.

Anderson seconds the motion.

Motion carried 3-0.

Hempel makes a motion for approval.

Anderson seconds the motion.

Motion carried 3-0.

5:20pm

Anderson makes a motion to adjourn.

Hempel seconds the motion.

Motion carried 3-0.