

MEEKER COUNTY BOARD OF ADJUSTMENT MEETING

October 18, 2022

Partial Audio Available

The Meeker County Board of Adjustment **met at the courthouse on Tuesday, October 18, 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 Zoning Administrator Schultz.

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 August 30, 2022 meeting minutes. None are noted.

Hempel makes a motion to approve the meeting minutes.

Anderson seconds the motion.

Motion carried 3-0.

5:01pm

Hempel opens the public hearing for Martin Berens, 128 E 6th Ave, Shakopee, MN 55379. Property located at 24790 729th Ave, Dassel, MN 55325. Lots Eight and Nine (8 & 9), Johnson's Long Lake Subdivision, Long Lake, Dassel Township. An application for an Area Variance to reconstruct a deck in variance to the required 100' setback to a Recreational Development Lake in the R-1 Suburban Residential District and within the Shoreland District.

Martin Berens is present for this hearing.

Schultz: This property is approximately 33,600 square foot riparian R-1 zoned lot 8 of Johnson's Long Lake sub-division established in 1959. Property address is 24790 729th Ave, Dassel, MN. Located in Section 22, Township 119, Range 29 of Dassel Township. Johnson's Long Lake Sub-division was formed before the shore land ordinance of 1972 and the lots are small in depth, width and area. Long Lake is considered a Recreation Development Lake.

Currently on the property is a house, garage and deck built in 1977 with two small utility sheds built around 1979. A new septic system was installed in 1994 and will need a compliance check. A variance was granted in 1994 to allow a septic and pump tank to be 53 feet from the OHWL of Long Lake.

The applicant is asking for a variance to the OHWL of Long Lake for the replacement of an 8' x 18' 144 square foot deck. The existing deck is approximately 45 years old and needs repair due to dry rot. They are asking for the new deck to be placed in the same location as the existing deck which is 61' feet from the Ordinary High-Water Level of Long Lake. The standard structure setback on a Recreation Development Lake is 100 feet from the OHWL. From Meeker Ordinance (Sec.19A.04.B.1 – Placement of structures on lots).

Berens says that he purchased the property last year and knew that the rotted deck would need to be replaced.

Hempel states that the Board viewed the property and agrees that the deck needs to be replaced. She appreciates that the applicant is only wanted to replace what is there. It fits into the area. It doesn't encroach or change anything.

Anderson says that it will be a nice setup.

Nyman agrees.

Anderson makes a motion to close the public hearing.

Nyman seconds the motion.

Motion carried 3-0.

Anderson makes a motion to approve an area variance to be 39' feet rather than the required 100' foot setback to the OHWL of Long Lake to allow an 8' x 18' -144 square foot deck in the R-1 Suburban Residential District and in the Shoreland District with the condition that the septic system is compliant and all permits must be obtained prior to building new deck on property.

Nyman seconds the motion.

Motion carried 3-0.

The Board does the finding of facts.

5:20pm

Hempel makes a motion to adjourn.

Anderson seconds the motion.

Motion carried 3-0.