

**MEEKER COUNTY BOARD OF ADJUSTMENT MEETING**

**November 19, 2019**

*Audio Available Upon Request*

The Meeker County Board of Adjustment met at the Courthouse on **Tuesday, November 19, 2019 at 5:00pm** to consider the following variance applications and other business before the Board. Members present were Mike Brooks, Kim Hempel, Al Anderson, Zoning Dept official Monica Ankrum and Greg Schultz, Zoning Administrator.

Hempel calls the meeting to order at 5:00pm. There is a quorum.

The Board states their names for voice recognition.

Hempel asks the Board if there are any corrections or additions to the October 8, 2019 meeting minutes. None are noted.

Brooks makes a motion to approve the minutes.

Anderson seconds the motion.

Motion carried 3-0.

5:01pm

**Hempel opens the continued public hearing for Glen & Elaine Sanders, 22300 CSAH 4, Dassel, MN 55325. Property located at 21722 746th Ave, Dassel, MN 55325. Lot Thirty One (31), Mar-Lyn 1st Addition and Lot Nineteen (19), Mar-Lyn 2nd Addition, Collinwood Lake, Collinwood Township. An application for an Area Variance to construct an addition to an existing house in variance to the required 100' setback to the OHWL of a Recreational Development Lake within the Shore Impact Zone in the R-1 Suburban Residential District and within the Shoreland District.**

Glen & Elaine Sanders are present for this hearing.

Schultz: This property consists of two R-1 Suburban Residential zoned lots located within the plats of Mar-Lyn and Mar-Lyn Second Addition on Collinwood Lake in Collinwood Township. The plat of Mar-Lyn was made before the shore land ordinance of 1972 and the lot is small in width, depth and area. The plat of Mar-Lyn Second Addition was made in June 2000 to accommodate additional land established during the reconstruction and repositioning of 746th Avenue. These two lots cannot be split or sold separately. This property transferred to the current owner on 7/12/2019. Currently on this property there is a cabin constructed in 1962, a garage constructed in 1970, a small utility shed constructed in 1980, a domestic water well and an SSTS system installed new in the Fall of 2019. The current property owner is requesting a variance to construct a 2072 square foot addition and attached garage onto the existing cabin. The existing cabin is currently approximately 30' from the OHWL of Collinwood Lake. The addition is proposed to be 10' further from the lake than the existing cabin. All other setback requirements are able to be satisfied. The applicants stated in the site findings that were submitted with this application that due to the location of the existing overhead power lines across this property, the

home cannot be moved back to meet the required 100' setback and that the home location is consistent with the locations of the existing neighboring homes in this area.

Variances Necessary:

House Addition to OHWL: Required: 100', Requested: 40', Variance required: 60'.

Mr. Sanders states that he was in contact with Excel Energy and the setback to their power line pole is 7 ½ feet, so he shifted the house 10' further away from the lake.

Anderson says he is glad to see it being shifting away from the lake.

Anderson makes a motion to close the public hearing.

Brooks seconds the motion.

Motion carried 3-0.

Anderson makes a motion for approval.

Brooks seconds the motion.

Motion approved 2-1. Hempel denied.

5:06pm

**Hempel opens the continued public hearing for Douglas Hightshoe, 36099 CSAH 2, Watkins, MN 55389. That part of Government Lot Six (6), more fully described in the application. Section Twenty Two (22), Township One Hundred Twenty One (121), Range Thirty (30), Clear Lake, Forest Prairie Township. An application for an Area Variance to construct a garage in variance to the required 35' setback to the road right of way, a variance to the required 75' setback to the OHWL of a Recreation Development Lake and a variance to the maximum allowed 25% of impervious coverage in the R-1 Suburban Residential District and within the Shoreland District.**

Schultz: This property is a .46 acre R-1 riparian zoned metes and bounds property located on the southeast side of Clear Lake in Forest Prairie Township. This lot was made before the shore land ordinance of 1972 and is small in width, depth and area and is served by a municipal septic system that serves a large portion of Clear Lake. Clear Lake is a Recreational Development Lake. Currently on this property there is a house constructed in 1964, an attached garage constructed in 2014, a deck constructed in 2012 and two utility sheds one was moved on-site in 2000 the other unknown. This property was granted a variance in 1979 for its construction and an after the fact variance granted in 2014 to allow for the construction of the attached garage in variance to the side lot line. A variance in 2014 was denied to allow the property to exceed the maximum permitted 25% of impervious surface coverage on a property. This property recently changed ownership. The existing property owner is requesting to be permitted to construct a 20' x 28' (560 square foot) detached garage in variance to the required 35' setback to the road right of way and in variance to the maximum allowed 25% of impervious surface coverage on this property.

Variances Necessary:

Road - Required setback to a CSAH is 35' to the road right of way: Requested setback: 20' Variance required of 15'.

Lake – Required setback to Clear Lake is 100' to OWHL: Requested setback: 72' Variance required of 28'.

Current Impervious - Maximum allowed: 5018 square feet, Current measured = 6081 sq ft (30.3%), Currently they are over by 1064 sq ft to be under the 25% impervious rule. Proposed impervious with new garage = 6,641 square feet (33.1%), A Variance would be required of 1,623 sq ft to be under 25% impervious.

Hightshoe says that he intends to tear down the two sheds and remove the cement slab if this variance is approved.

Schultz states that with the removal of the shed and cement pad, the impervious would be 30.8%. It would go up .5% of what is currently there -- 30.3% to 30.8%.

Brooks states that if Hightshoe makes those changes, he has no problem with the request.

Anderson agrees.

Brooks makes a motion to close the public hearing.

Hempel seconds the motion.

Motion carried 3-0.

Anderson makes a motion for approval with the removals as discussed.

Brooks seconds the motion.

Motion carried 3-0.

5:12pm

**Hempel opens the public hearing for Snegosky Revocable Trust/Robert & Cynthia Snegosky, 813 Girard St, Hudson, WI 54016. Property located at 20293 624th Ave, Litchfield, MN 55355. Lot fifteen (15), Minnie Belle Beach, Lake Minnie Belle, Greenleaf Township. An application for an Area Variance to construct a garage in variance to the required 10' setback to the side lot line, in variance to required 35' setback to the road right of way and a variance to the maximum allowed 25% of impervious coverage in the R-1 Suburban Residential District and within the Shoreland District.**

Robert & Cynthia Snegosky and Rob Kruger are present for this hearing.

Schultz: This property is a .25 acre (11,214 square foot) R-1 Suburban Residential zoned riparian lot located on the northeast side of Lake Minnie Belle within the plat of Minnie Belle Beach in Greenleaf Township. The plat of Minnie Belle Beach was made before the shore land ordinance of 1972 and the lot is small in width, depth and area. Lake Minnie Belle is classified as a General Development Lake. Currently on this lot there is a dwelling with an attached deck constructed in 1995, a domestic water well and an SSTS system installed new in 1995 which passed a compliance inspection in 2019. This property was granted a variance in 1977 to allow for a deck to be constructed in variance to the required lake setback and a variance in 1995 to allow for a height variance on the dwelling and to locate the SSTS drainfield in variance to the side property line and the road setback. The existing property owner is requesting to be permitted to construct a 25' x 30' (750 square foot) detached garage in variance to the required 35' setback to the road right of way, to the required 10' setback to a side lot line, and in variance to the maximum permitted 25% of impervious surface coverage for a lot within the R-1 zone and shore land overlay district. Currently on this property there is 2,551 square feet of impervious surface coverage (22.7%). The applicant is requesting to be allowed to have 3,155 square feet of impervious surface coverage (28.1%). The applicant has indicated they have tried unsuccessfully

for many years to purchase land on the east side of 624th Avenue to construct a garage and also that they feel this variance request is consistent with other variances granted on properties in the general vicinity.

Variances Necessary:

Road right of way - Required setback to 624th Avenue is 35' to the road right of way: Requested setback: 10' Variance required of 25'.

Side - Required setback 10': Requested setback 5': Variance required 5'.

Impervious - Maximum allowed: 2,803.5 square feet: Requested: 3,155 square feet: Variance required: 351.5 square feet. (3.1% or 28.1% total impervious)

Mr. Snegosky says that the reason for the 5' variance to the side lot line is because there is a well located on the lake side and the well was put in in 1995. He knows the well will need service in the near future. His thought process is to have an overhead door on both ends that would allow him to drive through the garage to get to the well. This would require him to build the garage closer to the lot line. The 10' setback to the road is because the lot is small and he can't fit it in and the impervious is minimal.

Kruger states that he has no issues with Snegosky's plan. He feels this is the best option.

Snegosky says that most of the houses are pretty close together which makes a privacy issue. He feels that the garage would increase the privacy between his neighbors.

Hempel believes that the lot line setback is more of a safety factor. She is aware of well equipment that can get to tight spots.

Brooks states that he has a problem with the requested 5' setback. It goes back to fire and runoff from the roof into the neighbor's yard. He won't approve the 5'.

Anderson asks Schultz what other options are possible.

Schultz says that the Snegosky's could either shift/move the garage to make it more compliant or the Board could vote on what is before them, or lastly the Board could continue this hearing to next month and request a different plan.

Snegosky says that he spoke with a well driller and was told that he would need a 9' door to get through.

Hempel says that if he places the garage with the 10' setback to the line, there would be plenty of room.

The Board looks over the survey with Snegosky.

Snegosky asks for his hearing to be continued so he can look for other options.

Brooks makes a motion to continue this public hearing.

Hempel seconds the motion.

Motion carried 3-0.

5:50pm

Brooks makes a motion to adjourn.

Anderson seconds the motion.

Motion carried 3-0.