

WRIGHT COUNTY BOARD OF ADJUSTMENT

Meeting of: August 25, 2023

MINUTES

The Wright County Board of Adjustment met August 25th, 2023, in the County Commissioner's Board Room at the Wright County Government Center, Buffalo, Minnesota. Chairman, Paul Aarestad, called the meeting to order at 8:30 a.m. with Board members present: Paul Aarestad, John Jones, Dan Vick, Bob Neumann, and absent Dan Mol. Representing the Planning & Zoning Office was Barry Rhineberger, Zoning Administrator. Absent was Greg Kryzer, Assistant County Attorney, legal counsel.

ACTION ON MINUTES FOR THE AUGUST 4, 2023 MEETING

On a motion by Jones, seconded by Neumann, all voted to approve the minutes for the August 4, 2023, meeting as printed.

1. **JOSEPH SCOTT** – continued from 7/14/23 & 8/4/23

LOCATION: xxxx Barton Ave SW – a northern portion of the SW 1/4 of the NE 1/4 in Section 11, Township 119, Range 26, Wright County, MN (Marysville Twp.) Tax # 211-000-111300. Property Owners: Joseph & Jean Scott

REQUEST: Variance as regulated in Section 155.026, 155.048(F), & 155.048(G) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to create a "1 per 40" entitlement division with less than the required road frontage.

Applicant was not present.

- A. Rhineberger – Board continued the request from the August 4th, 2023, meeting and directed staff to draft Findings for Denial. The hearing was closed to the public at the last meeting.
- B. Vick moved to approve the Findings for Denial. Seconded by Neumann.

VOTE: CARRIED UNANIMOUSLY

Signed Findings and Notice For Denial will be mailed directly to the applicant, Joseph Scott.

2. **RANDOLPH KLATT** – continued from 7/14/23

LOCATION: 1281 20th St. NE & 1339 20th St. NE - part of the NE 1/4 of the NW 1/4 and part of Government Lot 1 of Section 29, Township 120, Range 25, Wright County, MN (Buffalo Twp.) Tax # 202-000-292100, - 291200. Property Owners: LGK Inc., Randolph M. Klatt

REQUEST: Lot line adjustment as regulated in Section 155.026 of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow a lot line adjustment between parcels 202-000-292100 and 202-000-291200.

Present: Randy Klatt

- A. Rhineberger displayed proposed site plan. The request was continued until the 8/25/2023 meeting so the applicant could provide additional information from the septic designer as to the location of the system, which is included in the staff report.
- B. Klatt – the need for the extra property is for a septic system. The Township has provided their approval.
- C. No comment from the public.
- D. Vick questioned the prime tillable area and if property can be narrowed. Feels the proposed area takes up prime soils and would be difficult to farm. Klatt – the width is because of the soils in other areas being too hard where equipment turns around and has compacted soils. Vick – main concern for him is prime soils. Rhineberger displayed the prime soils map and reviewed there are areas of prime soils but if the line ran more narrow and south there would be more prime soils taken up with Vick agreeing.
- E. Jones – can see why the proposal is as presented. Klatt – tried to use the southern area of the lot but due to wetlands a septic system can't be supported. Jones stated he sees no problems with the request as presented.
- F. Neumann – with provided information sees the hardship. Questioned if the field would still be accessible from the road with Klatt confirming.
- G. Aarestad stated his concerns were addressed and therefore has no issue with the request.
- H. Neumann moved to approve according to plans submitted with survey on file marked Exhibit "A", subject to combination of parcels with an Administrative Order or tax parcel combine form. Seconded by Vick.

VOTE: CARRIED UNANIMOUSLY

3. **LUCAS JOHNSON** – continued from 6/16/23 & 7/14/2023

LOCATION: 13886 101st Street NW – Lot 1, Block 2, Spring Beach First Addition, and portion of the West 50 acres of the Northwest Quarter, Section 14, Township 121, Range 28, Wright County, MN (Lake Augusta - Southside Twp.) Tax # 217-052-002010 & 217-000-142204 Property Owners: Hunt, Kimberly & Jeff

REQUEST: Variance as regulated in Section 155.026, 155.049(F), & 155.057(E)(1) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to construct a single-family dwelling located within the shoreland, side yard, and road setback.

Present: Jeff Hunt

- A. Hunt – before the Board a few times for this request. Initial hearing asked for new manufactured home with a holding tank. The Board stated home was too close to the lake and that a holding tank was a concern, they wanted to see a full septic system. After that meeting, he came back to the Board with a plan to move the house over the second property line, which carries an easement, and the neighbors were opposed. Both parties consulted with attorneys and the Township stated they were okay with a holding tank and issues should be worked out with the neighbors. New survey plan was submitted to the Board for review with Hunt explaining the proposed home is on the original lot as well as moved away from the lake and more towards the easement property but not over. The original home did have a well and cesspool. The easiest way to handle the problem with the neighbors is moving the home off of the easement property. Two variances would be the setback from lake and the center line of road to house. This road is a private road. Home is placed in location that best meets the required setbacks but also takes into consideration the concerns of the neighbors and Board. Included in the request is a variance for a holding tank.
- B. Aarestad opened to the public.
- Warren Weller – has easement rights. This new plan he is in support of. Almost everyone in the area has a holding tank. There is one property with an acre of land that does have a septic system.
 - James Halek – neighbor next door. Does not know anyone in the area that has a septic system.
- C. Vick questioned if there are any legal issues of concern with Weller confirming the new proposed location addressed that concern.
- D. Mark Hayes – septic designer of the property owner. By state code a holding tank is a septic system. The Board was asking for a Type I or III and by State Statute a holding tank is a Type II.
- E. Jones – there is not a lot of room on the lot and he is okay with the revised plan.
- F. Neumann – easement dispute resolved as well as the Township is happy with request. The only item to address some setbacks would be to reduce the size of the home but that would result in a very small home. There is a hardship and he can support the revised plan.
- G. Vick – agrees that there is a hardship. Asked if the home could be moved to 75 ft. as 31 ft. to the center line of the road would be difficult for parking. Hunt stated he would be in favor of the 75 ft. from the lake with Vick agreeing.
- H. Aarestad thanked the owner for the work put into the revision of plans. He was the one that initially insisted on a full septic system but details presented have allowed him to see the holding tank is the best alternative.

- I. Vick moved to approve a revised plan according to the recent survey submitted by the property owner with the dwelling no less than 75 ft. from the lake, within the confines of the presented plan and 36 ft. from the center of the road. Jones seconded the motion.

DISCUSSION: Rhineberger questioned if there was a specific number for the side property line. Because of the angles of the lot lines if the home is moved forward to the 75 ft. from the lake both side yard setbacks would change. Conversation continued around the new proposed plan, known as Exhibit "A" survey submitted by property owner on 8/25/2023, with the change in the lake setback to 75 ft. Vick – would be okay with the home no more than 3 ft. off the easement property line and roughly 11 ft. off the east line. Hunt – easement property is still his property and he is okay with 3 ft. Rhineberger – based on the 75 ft. from the lake the home would be roughly 45 ft. from center of the road. A condition should be included that an as-built survey is provided prior to placing the home so that the lowest floor elevation can be verified.

- J. Vick amended his motion to state approval is according to survey submitted by the property owner at the 8/25/2023 hearing, marked Exhibit "A", with the dwelling no less than 75 ft. from the lake and 11 ft. from the east property line, and roughly 45 ft. from the center of the road. House to be served by a holding tank. Conditioned that an as-built survey be provided prior to the house being placed showing lowest floor elevation meeting FEMA requirements. Jones seconded the amended wording.

VOTE: CARRIED UNANIMOUSLY

4. **DIRK WESTVEER** – continued from 7/14/2023

LOCATION: 10601 & xxxx Amery Ave NW – Wildwood Terrance Lot 011 and Tract H, Registered Land Survey No. 45 in Section 12, Township 121, Range 26, Wright County, MN (Lake Ida – Silver Creek Twp.) Tax #216-028-000110 & 216-143-000080. Property Owners: Dirk J Westveer & Barbara S Olson

REQUEST: Variance as regulated in Section 155.026, 155.049(F)(3), 155.057(E)(1), & 155.006 of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to construct an addition to the existing home which is located within the shoreland and side yard setback. The proposed building and impervious surface coverage would be over the maximums allowed.

Applicant not present.

- A. Rhineberger – applicant is requesting a continuance to the 9/15/2023 meeting as the surveyor has not contacted them regarding the updated building and impervious numbers and calculations.
- B. Neumann moved to continue the request, at the request of the applicant, to the September 15th meeting. Vick seconded the motion.

VOTE: CARRIED UNANIMOUSLY

5. **BRUCE KARVONEN** – continued from 8/4/2023

LOCATION: xxxx Colbert Ave. NW – NE1/4 OF NE1/4 ALSO TH PRT OF NW1/4 OF NE1/4& NE1/4 OF NW1/4 Section 15, Township 120, Range 26, & 7.97 AC TH PRT SE1/4 of Section 10, Township 120, Range 26 Wright County, MN (Maple Lake Twp.) Tax # 210-000-151100 & -104300. Property Owners: Bruce & Barbara Karvonen

REQUEST: Variance as regulated in Section 155.026 & 155.048(F)(3) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow an after-the-fact agricultural building within the side yard setback.

Present: Bruce Karvonen

- A. Rhineberger – Board continued the request from the 7/14/2023 meeting so the applicant could go to another Township meeting, at the Township's request. Township has provide approval.
- B. Karvonen – problem that got him into this situation was that he did not get a permit. The reason was because of advice he received as well as he personally feels the website page wording, as to when a permit is needed, should be changed. During the application process for a home addition permit the 'sugar shack' was discovered. When the property was purchased, there were some issues on the railroad side, there was as dump and berm blown out. The railroad met him at the property and reviewed the issues and during that site visit the railroad asked him to use his construction equipment and clean up the property. There was a verbal agreement with the railroad that he could harvest the sap from the trees on their property but was not allowed to go closer than 50 ft. of the railroad and nothing could be built on the railroads property. When COVID hit they decided to build the 'sugar shack'. Now he is where he is with the requirement to build at least 30 ft. from the property line. The Township asked for a written statement from the railroad that the location of the 'sugar shack' is okay. The email reply from Canadian Pacific (CPKC) was that CPKC does not provide these type of letters and a phone call to the sender of the email went unreturned. It is obvious they don't want to address the issue. In looking at the county website it does state that most new buildings need a permit but it should state that all buildings over 200 sq. ft. require a permit. Going through the list of why a variance would be approved states that *"In general, development activity should take place in harmony with the existing, stable, natural environment. Development proposals should be adapted to suit the natural landscape, rather than altering the land to suit the development."* Dealing with 50 ft. of elevation in the area and the location of the building is in a flat spot. If moved to the 30 ft. it would be a hill driveway straight into the building. Feeling is this is the most natural location for the building. No one can see the building and the railroad does not appear to have a problem with location.
- C. Aarestad called for public comment.
- Joel Nystrom – neighbor to the west. Bruce and his family are the kind of people they like having in the neighborhood. They are constantly improving their property and teaching the kids how to care for the livestock and maintaining the place that had been rundown. He feels zoning ordinances and setbacks are important but if there is a situation that a setback does not apply or should not be enforced, this is the property. The adjacent property is a railroad buffer zone that in the foreseeable future won't be anything but a railroad. The building is not visible from anywhere but on the property. The shed is right in the middle of the maple trees as it houses a boiler for the syrup production. With the slope, it seems like the amount of dirt work that would be required would cost an amount that could be considered a hardship. Agrees, who would know that for a little Ag building a permit would be needed.
- D. Neumann – had a lot of questions and notes related to moving the building. What kind of foundation is under the building? Karvonen – thickened slab. Neumann – it was stated that the setback at 30 ft. the topography would run up to a hill. Karvonen – correct, and anything is possible. The natural slope of the land is about a 20 ft. drop. The property is very hilly with no flat locations but the location of this shed is a natural level location. If moved the shed 30 ft., the driveway would be right into the shed.

Potentially a new level area could be added. Neumann questioned if excavating would fill in wetlands. Karvonen – wetlands would not be filled in, shed is 20 ft. above the pond. The topography lines displayed do not do the slope justice. Neumann – problem is that there are 66 acres and a variance is being asked for. Understands the how and why but at 66 acres is there not another relocation for the building? Karvonen – if 10 people look at the site there would be 7 that agree with location and 3 say relocate. Neumann – if a permit was applied for and the 30 ft. setback requirement was mentioned the building location would be different. Karvonen – potentially the building would have been in a different location. Setbacks are different for various areas and who the neighbor is. He did not see how he impacts the railroad by being 6 ft. from the property line. Rhineberger – in this case the owner doesn't matter, it is the property line. From a zoning perspective setback requirements are based on the property line or district, not the owner.

- E. Vick – agrees with what member Neumann has stated but does not feel that the rule was intentionally broken. The building would cost a lot to move. Will error on the side of forgiveness. At this point will want to hear what others have to say. The Township did approve.
- F. Jones – Township did approve, even without a permit. Understands the situation but also considers if the building is moved what could happen to the land as far as disturbance. Does not agree with what was done but can go along with the variance.
- G. Aarestad – valid comment that there is a lot of room. However, does not feel the building was put up with malice and common sense would be to leave where it is at. Location, presence, and impact are important when looking at setbacks and with the neighboring properties he does not feel there is a negative impact. Can go along with the request.
- H. Vick moved to allow an after-the-fact 20.5 ft x 22.25 ft. agricultural building 5.8 ft. from the north side yard, as proposed. Conditioned that an AG building permit be applied for. Seconded by Jones.

DISCUSSION: Neumann feels the owner is in the construction industry and handles larger projects than this on a regular basis. He has the means and skills to relocate the building. Vick – feels the necessary dirt work to move the building would be a reason he would not want to see it moved. Neumann – he could move it 1,000 – 2,000 ft.

VOTE: IN FAVOR: Jones, Vick and Aarestad NAY: Neumann

6. **HARLAN KUNKEL** – New

LOCATION: 4329 County Road 7 NW – the W1/2 of the SW 1/4 and the SE 1/4 of the SW 1/4 , in Section 07, Township 120, Range 26, Wright County, MN (Ramsey - Maple Lake Twp.) Tax # 210-000-073400. Property Owners: RUTH V KUNKEL REVTR

REQUEST: Variance as regulated in Section 155.026 & 155.048(G) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to create a “1 per 40” entitlement division over 10.0 acres.

Present: Harlan Kunkel

- A. Rhineberger displayed property site plan and reviewed details of the request. Parcel is 123.60 acres in Maple Lake Township. The request is to create a 21-acre entitlement division which includes the existing home and is over the allowed 10.0 acres. The division would include more than 2.5 acres of prime tillable soils. An issue with the request is the drainage area on the north end of the property and the access to the smaller field. The Township approved of the request.
- B. Kunkel – currently proposed at 20 acres. If go to 10 acres, the boundary line would be in the middle of the field that he farms and plans to continue to farm. The tree line is a steep ravine. The proposed line makes sense to keep everything together. There is a small portion across the road that is swamp.
- C. No public comment.
- D. Vick – likes to keep farmland intact. Questioned the amount of prime farm tillable. Rhineberger displayed the prime tillable map and estimated the acreage at 3.5 – 4 acres. Vick – even with the prime soils there is a natural boundary and with the existing buildings he can go along with the proposed division.
- E. Jones questioned what is wrong with keeping the way it currently sits. Kunkel – wants to buy the 20 acres with the buildings. Jones asked about access to the property for farm equipment. Kunkel – used the displayed aerial photo and described the field access point. The field access would stay with the remainder of the land.
- F. Neumann asked how many entailments are on the total 123 acre parcel. Kunkel – believes one left. Neumann – is the city annexation plan anywhere close to this property? Kunkel – not that he is aware of, the property is about a mile from city limits. Neumann – having a hard time finding a hardship of not being able to follow rule and go with 10 acre lot. Not in the immediate future, but the City of Maple Lake will grow into this area. Do we want a 20 acre piece in the middle of the city jurisdiction? Believes this land will be up for more subdivision and there is lots of road frontage. Even though the proposed lines make sense he does not see a hardship to not follow the rules.
- G. Aarestad – has a lot of the same concerns as member Neumann with the growth but notes that the Township did approve. Concerned with growth as the parcel is only one property away from being annexed. Questioned the number of animal units on the 20 acres and would it cause a problem in the future with setbacks because of livestock. Could a feedlot application be applied for and a required 500 ft. setback applied? Rhineberger – that 500 ft. requirement is there no matter the size of the property. Kunkel – currently no animals. Rhineberger – standard condition would be no more than 0.5 Animal Units per acre and no more than 10 A.U. total. This would avoid getting to the point of the required 500 ft. setback. Aarestad – understands the logic with how the parcel is proposed but because of proximity to the City of Maple Lake and future development he does not see a hardship going to 20 acres.
- H. Vick – sees points by the members. His understanding was that this already is the applicants property. Rhineberger – it is all Kunkel property and in the Trust. Beacon aerial was displayed and owned properties reviewed. With a quick review it does appear there are 2 entitlements, in addition to the farmstead, but additional research would need to be done to confirm as the note being reviewed is 8 years old. There is a

possibility of only 1 entitlement. From a staff standpoint this does appear to be different than other 10 acre divisions with the related natural issues that are present on this property. A 10 acre division could be done but then how is the farmland accessed? The access is right on the curve of the highway that could be a concern if the farmland is left on its own. The proposal at 20 acres allows access without going out onto the highway. There are some topographic features that play into staffs view of the property and how the Board could look at the property differently.

I. Vick moved to approve the plan submitted as Exhibit “A”.

Aarestad called for a second 3 time and hearing none the motion failed.

MOTION FAILED

J. Neumann questioned if this is the time to allow for a continuation so that the applicant has time to rethink the 10 acre building site or come up with an alternate plan. The vote today, if denied, will tie the applicants hands. Aarestad – if vote today the request sounds like it will fail. There is an option to continue and come up with a revised plan for the Board to review or withdraw and go with the 10 acres administratively. Kunkel stated he would like to continue.

K. Neumann moved to continue the item to the September 15, 2023, hearing to allow time to revise plans based on what was heard at todays meeting. Motion seconded by Jones.

VOTE: CARRIED UNANIMOUSLY

7. **DAVID ENGER** – New

LOCATION: xxxx 51st St NW – Lot 23 Maynie Point, in Section 05, Township 120, Range 26, Wright County, MN (Maple - Maple Lake Twp.) Tax # 210-020-000230. Property Owners: David & Erin Enger

REQUEST: Requests a variance as regulated in Section 155.026 & 155.049(F)(2) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to construct a storage building within the setback from the centerline of the road.

Present: David Enger

- A. Rhineberger – proposed site plan displayed along with maps of the property. The property is a 6.76 acre Lot Of Record located in Maple Lake Township. The request is to construct a 40 ft. x 50 ft. storage building 27.8 ft. from the centerline of the road. The lot is currently an undeveloped Lot Of Record that did go through a pervious process to sell as a buildable lot. At that time the owner was required to provide proof of septic suitability and a survey to show that a home and septic system would fit without a variance. There is very limited buildable area due to wetlands and road right-of-way. The location of the storage building will likely mean a house cannot be built on the property. Previous conversations with the seller addressed the question of room for a house and storage building. A house could be built without a variance but in this case, what is being presented is 27.8 ft. from the centerline of an unmaintained public road. There is a public right-of-way easement that was platted as part of Maynie Point. The road is not maintained by the Township but it does service several homes. Comment from Soil and Water Conservation District (SWCD) indicated that the location does appear to avoid wetlands and the establishment of erosion control measures are needed during construction. Maple Lake Township recommended denial.
- B. Enger – he just learned from the Township that the reason for denial is that 2.5 years ago they proposed to turn the road into a township road. He was not aware of this prior to purchasing the property and he is simply trying to go through the proper steps.
- C. Aarestad opened the floor to the public.
- Jeff Rivers – neighbor to the north of the property. This is really a large wetland that is barley legally buildable. There are lots of places available to buy and put up a storage building. There is discussion regarding enhancing the road and it would make it a hardship for others that might have an interest in the overall greater use and safety of the roadway. He is not supportive of the request.
 - Jerry Jurkovski – lives behind the property. The road is a private road that the property owners maintain. At 27 ft. off of the centerline for the road would put the building at roughly 2 ft. off the road. All properties on the road have driveways. The road is plowed with the snow moved towards this property. A 33 ft. wide road would not allow anywhere for the snow to be plowed, unless plowed into the driveways. Lived in the area for 30 years and does not see the land as buildable. In some years the land is very wet and in the spring floods quite a distance. A building 50 ft. along the road will prohibit plowing. The road does need some expansion. When a delivery truck comes down the road there isn't room to pass.
- D. Jones – does not see how this proposal will work. The request is for a large building with a questionable distance off of what is barley considered a road. Concerned with the distance to the road for the building and septic system.
- E. Neumann – concern is the Township response. By the applicants own admission, the Township may have a plan to upgrade the road and more space will be needed. Personally, sits on a Township Board and knows it is easier to deal with a single landowner when it comes time to purchase property. Feels when the time comes the Township will want to buy 100 ft. all along the road and then the shed will be in the way. The building

area already sounds questionable. He would like to see the building backed up from the road but then there is the wetland. Enger – does not have a problem going with the original plan. For the record there are no plans for a septic system, that is just on the original survey. Neumann – he will side with the Township on this request.

- F. Vick – as stated, the Township opinion does make a difference. They did not provide a blessing and he therefore cannot as well.
- G. Aarestad – originally was in favor with thoughts that this would be a good use of the property. Hearing why the Township and neighbors are against the request are two big factors in why he changed his mind. Looks like with a vote the request might not pass. At a point where the applicant can continue and revise plans, withdraw the request or ask for a vote. Might have an option to go with a smaller garage with a better road setback.
- H. Enger – with the original plan for the house it was back behind the setback so he would not need a setback variance. He would like to withdraw his request. Rhineberger – the amount of area on the survey, that is buildable, meets the single family home required minimums. That means roughly 24 ft. x 34 ft., and that is about all that can fit on the lot. In this case if the applicant is looking to build what will meet his needs it might be a better option to keep the request open because if size and location don't meet needs there might be a need for some form of a variance. If withdrawn now a new application and fee would be required. Enger – original certificate of survey was received and there is a proposed 28 ft. x 71 ft. home, he will be asking for 28 ft. x 70 ft. building. Rhineberger – suggestion would be to run the proposed plan by Soil and Water Conservation District (SWCD) and ensure the potential wetland impact is addressed. At the time of the survey Soil and Water Conservation District (SWCD) review was not required. Aarestad – continuation allows for the option to review and if a variance is needed the request is still open. If things work out a contact Planning & Zoning to withdraw. Enger stated he was okay with a continuation.
- I. Vick moved to continue the request to the October 13, 2023, meeting to allow time to revise plans. Motion seconded by Jones.

VOTE: CARRIED UNANIMOUSLY

8. **TIMOTHY BROLL** – New

LOCATION: 1912 County Road 30 SE – E3/8 OF S1/2 OF SE1/4 AC E3/8 OF S1/2 OF SE1/4, in Section 08, Township 118, Range 25, Wright County, MN (Franklin Twp.) Tax # 208-200-084400. Property Owners: Timothy W Broll

REQUEST: Variance as regulated in Section 155.026 & 155.048(F)(2) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to construct an addition to the existing home that is nonconforming to the road setback.

Present: Timothy Broll & Jim Noreen

- A. Rhineberger displayed the proposed site plan and building plans. Property is 30.29 acres in Franklin Township with the request to construct a 42 ft. x 46 ft. addition to the existing home that is 100 ft. from County Road 30. The addition will be on the backside, away from the road, so no future encroachment towards the road. The Township did respond they are okay with the request.
- B. Noreen – the home is not encroaching the road.
- C. No public comment.
- D. Neumann – no problem with the request and the addition is away from the road. Questioned the age of the home and if there was a discussion around the balance of the addition cost and value of the old home. Noreen – the home is in nice shape with a new foundation roughly 30 years ago. Neumann – there are homes of this age that are not in the best of shape and better off starting over. As long as the applicant is okay with the condition of the home, he does not see a problem with the request.
- E. Vick – no issue with the location of the addition.
- F. Jones – agrees, the addition is away from the road.
- G. Aarestad stated he is in agreement with fellow members.
- H. Motion made by Vick to approve the request as submitted to construct a 42 ft. x 46 ft. addition to the existing home with site plan listed as Exhibit “A”. Motion seconded by Neumann.

DISCUSSION: Rhineberger stated the construction will require the septic tank to be relocated and it is important that a septic repair permit is included at the time of building permit application.

Vick and Neumann moved to amend the motion to include a condition that a septic repair permit be applied for at the time of building permit application.

VOTE: CARRIED UNANIMOUSLY

9. **JESSE HAGEMEIER** – New

LOCATION: 15767 Forsythe Ave NW – Part of Gov't Lot 3 in Section 18, Township 122, Range 26, Wright County, MN (Fish - Clearwater Twp.) Tax # 204-000-182207. Property Owners: Darrin Witt & Stacy Witt

REQUEST: variance as regulated in Section 155.026 & 155.090 of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to install a septic tank and pressure bed that is within the setback to a building and property line. The pressure bed is also not meeting County required sizing.

Present: Jesse Hagemeyer

- A. Rhineberger displayed the proposed site plan and reviewed details. Property is 0.55 acres on Fish Lake with the request to install a septic tank 5.72 ft. to the house and 2 ft. to the south property line. The request is also to install an undersized pressure bed 10.58 ft. to the house and 6.1 ft. to the south property line. The Township recommended approval of the request.
- B. Hagemeyer – a lot of planning and reviewing went into the plan. This is really the only location that will not create major issues. Rhineberger questioned the area to the north of the sidewalk as a 'no go' area. Hagemeyer – there is a highline wire and pole in that area as well as the old drainfield. The slope is steep in that area and he would not comfortably want to dig 15 ft. from the pole. From the pole it is roughly 20 ft. with underground power and fiber optic running to the house. The proposed location will not be an easy install.
- C. No public comment.
- D. Vick – the explanation of reasoning makes sense.
- E. Jones – okay with the plans and sees there is really no room.
- F. Neumann questioned if the current system is failing with Hagemeyer confirming. Upgrading of the system would be a benefit to the area and a hardship does exist. He can support the request.
- G. Aarestad – in a perfect world the county and state rules will both be met, in this case, only the state requirement is being met and he is okay with that and the request.
- H. Neumann moved to approve the installation of a septic tank 5.72 ft. to the house and 2 ft. to the south property line and to install an undersized pressure bed 10.58 ft. to the house and 6.1 ft. to the south property line. Conditioned that property septic system permit be applied for. Motion seconded by Jones.

VOTE: CARRIED UNANIMOUSLY

Meeting adjourned at 9:57 a.m.

Respectfully submitted,

Barry Rhineberger
Zoning Administrator
BR:sld

Cc: Board of Adjustment
Applicants/Owners
Twp. Clerks