

WRIGHT COUNTY BOARD OF ADJUSTMENT

Meeting of: October 4, 2024

MINUTES

The Wright County Board of Adjustment met on Friday, October 4, 2024, at 8:30 a.m. 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: Dan Mol, Russ Greninger, Dan Vick & Bob Neumann. Representing the Planning & Zoning Office was Aaron Ogle, Planner. Greg Kryzer, Assistant County Attorney, legal counsel was absent.

ACTION ON MINUTES FOR THE SEPTEMBER 13, 2024 MEETING

On a motion by Vick, seconded by Mol, all voted to approve the minutes for September 13th, meeting as printed.

1. TRAVIS TOLLETTE – Continued from 8/23/2024 & 9/13/2024

LOCATION: 13943 102nd St NW – Spring Park Lot 3, Block 2, Section 11, Township 121, Range 28, Wright County, MN. (Lake Augusta - Southside Twp.) Tax #217-054-002030. Property Owner: Cfd Owner – Daniel Meyer, Fee Owners – Gage Maas & Mariah Beaudry

REQUEST: Variance as regulated in Section 155.026, 155.049(F)(2), 155.057(E)(1) and 155.090(Table 3) 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 located within the shoreland, road, and septic building setbacks. The request would also be to construct a detached storage building within the shoreland building setback.

Present: Travis Tollette

- A. Ogle displayed the updated site plan and reviewed the request. The initial request on August 23rd was for an addition to the existing home that is located within the shoreland building setback, 33 ft. from the centerline of a local road, and 3 ft. from the septic absorption area along with a storage building 58.3 ft. from the ordinary high-water of the lake. The Board allowed a continuation so the applicant could reassess the proposal due to concerns with distance to the lake and septic. The applicant then presented plans at the September 13th meeting to construct an addition 28.5 ft. from the centerline of the road and 7 ft. from the septic absorption area while reducing the proposed storage building size and have it located 66.5 ft. from the lake. The Board still found concerns with the proposed distance the addition would be from the septic and concerns with a storage building within the shoreland building setback that did not meet the standards for a water-oriented accessory structure. The most recent proposal is to construct an 828 sq. ft. main level and 855 sq. ft. upper-level addition to the existing home located within the shoreland building setback, 28.5 ft. from the centerline of a local road, and 8 ft. from the septic absorption area. Variances will be needed as the proposed addition is located within the road and septic building setbacks. The Township approved of their original request as distances are similar to other properties. They also noted the coverage area was acceptable to the Board. As noted at previous meetings, a neighbor did comment stating they are against the request because the “mound system is coming to the surface” and “lot is too small.”
- B. Tollette – the mound system concern was addressed at the last meeting and has been fixed, there is no longer an issue.
- C. No public comment.
- D. Mol asked staff member Deckert to step forward as the Environmental Health Officer. Deckert – Wright County Environmental Health Officer – stepped to the podium. Mol – concerned with only 8 ft. of separation and if there is a way to protect the system during construction. Concern is also that

this is a 2 bedroom system and the addition is adding an additional 2 bedrooms. Feels the area is going to be taxed and at 8-10 ft. he doesn't want to see the area near the home becoming saturated and affecting footings. This is a smaller system to be installed close to the home and over time he doesn't want to see issues because it isn't the right fit. Deckert – not super concerned because there will not be living space below ground. As the house is being built fencing would be a reasonable consideration. With the way that the system works he doesn't see a concern with the footings being compromised. The size of the system can be managed with how the mound is dosed and the owner needs to understand if the system if overloaded there will be problems. A timer on the lift station isn't ideal but will work. Mol he doesn't want to see a failing system. Deckert – appears to be the only location for a mound system on the lot so if it does fail a new system could be quite expensive and he is confident the applicant doesn't want to see his mound fail. Tollette agreed.

- E. Vick questioned distance from system to addition. Tollette believes 8 ft. Vick – likes that the shed was eliminated and home moved back from septic. Overall, he is good with the presented plan.
- F. Greninger stated he still has concerns with the septic size. He is concerned that issues could still come up if overused and wants to see an alarm on the system. Tollette agreed with an alarm and stated their plan is to live in the home for a very long time and they will do what they can to prevent issues. Greninger stated he feels the system is an undersized system and the rest of the plan he is okay with.
- G. Neumann feels several concerns from the last meeting were addressed. Neumann asked the applicant if the home now has a dedicated office with Tollette confirming. Neumann feels his concerns were addressed and he can go along with what is presented.
- H. Aarestad stated that his concerns were addressed and he can go along with the request.
- I. Neumann moved to approve the construction of an 828 sq. ft. main level and 855 sq. ft. upper-level addition to the existing home that is located within the shoreland building setback, 28.5 ft. from the centerline of the road, and 8 ft. from the septic absorption area CONDITIONED the septic mound be fenced off during construction of the addition to reduce potential damage to the mound. Site plan noted Exhibit A and building plans noted exhibit B. Motion seconded by Vick.

VOTE: Mol, Neumann, Vick & Aarestad NAY: Greninger

MOTION CARRIED

2. **ERIC ROBECK** – Continued from 9/13/2024

LOCATION: 138 & 144 Gillard Ave SE – Charlotte Acres Lot 10, Lot 11, and Registered Land Survey No 27 2.66 AC Tract B of Section 06, Township 119, Range 24, Wright County, MN. (Lake Charlotte – Rockford Twp.) Tax #215-012-000100, 215-012-000110, 215-056-000020. Property Owner: ERIC D & LINDA G ROBECK

REQUEST: Variance as regulated in Section 155.026, 155.003(B)(1), 155.006, 155.049(F)(2), and 155.057(E)(1) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to replace an existing detached building with a larger one that exceeds the roof pitch maximum and is within the road and lake setback. The property would also exceed lot coverages.

No representative was present.

- A. Ogle called for the applicant or representative three times with no response. Because the applicant requested to withdraw their application for a storage building without prejudice he is not surprised no one stepped forward.
- B. Mol moved to withdraw the request without prejudice, at the request of the applicant. Seconded my Vick.

VOTE: CARRIED UNANIMOUSLY

3. **SCOTT VANLITH** – New

LOCATION: xxxx 30th St SE – part of the E 1/2 of the NW ¼ and NE 1/4 along with part of NW 1/4 of SE 1/4, Section 21, Township 119, Range 25, Wright County, Minnesota. (Unnamed Stream and Crawford Lake - Rockford Twp.) Tax #215-100-211103 Property Owner: Cindy Van Lith, Chris Van Lith, Scott Van Lith and Lori Thingvold

REQUEST: Variance as regulated in Section 155.026 and 155.048(G) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to allow a 1 per 40 entitlement division that exceeds the 10 acre maximum.

Present: Lori Thingvold

- A. Ogle displayed the proposed site plan as he reviewed the request. The property is located off 30th St. and Dague Ave SE in Rockford Township, approximately 245 acres and zoned General Agriculture. In 2022 an entitlement division was approved that left the remainder of the property (PID 215-100-211103) with two residential building entitlements. This request is to divide off 64.5 acres and use one of the available building entitlements. A variance is required for a 64.5 acre entitlement division as 10 acres is the maximum. The Township approved the variance as requested and no written responses from the public were received.
- B. Thingvold stated there are four owners of the entire property and this division would divide off 64.5 acres and an entitlement to her brother. His plan is to use the property for hunting with no plans at this time or near future for a home.
- C. Public Comment
 - Mike White – lives just south of the property in question and here today to hear about the future plans of the property. His hope is that the plan is not for additional residential development. Their home is very close to the shared property line so his concern is additional homes.
- D. Ogle explained there is the right to build two homes with the existing entitlements. The property is also in the Land Use Plan as Rural Residential so there is potential for rezoning and further development. It should be noted that the southern area of this parcel is mostly wet and the only real buildable area in the proposed parcel is near Dague Ave.
- E. Vick questioned if there is a single entitlement going to this new parcel. Ogle – yes, with the remainder to hold the second entitlement. Vick confirmed with Ogle there is less than 2.5 acres of prime tillable soils.
- F. Greninger questioned number of entitlements. Thingvold explained there are currently two entitlements and due to past divisions and history of other siblings receiving a homesite this division will receive an entitlement. Her brother is the one that will own the property and even with the entitlement he does not have plans for a home and his intention is to hunt the property.

- G. Neumann confirmed there are no issues with road frontage and asked to see the flood plain map. Ogle displayed the map and explained there are not a lot of buildable areas on the proposed parcel. Neumann stated that he likes that the larger tract of farmland is staying intact and feels the plan itself is acceptable.
- H. Mol agrees with what has been said by other members. The property has the required 300 ft. of road frontage, the back area of the property remains accessible and the lines are straight. He likes that one entitlement is going with the division and the other is staying with the remainder. He agrees with the presented plan.
- I. Aarestad is familiar with the property and agrees that the only buildable area would be near the road. He feels the division fits with the neighborhood and agrees with the proposed plan.
- J. Ogle questioned the Board if they would like to discuss animal units (AU). Aarestad feels there should be an AU restriction. As it isn't farmland he doesn't feel cattle are acceptable. Mol feels that with 64 acres there is room to pasture animals and have horses. Aarestad stated most of the 64 acres is swamp and not conducive for cattle. He would not feel comfortable with a high number of AU's. Vick questioned a limit of 5. Neumann – there are a lot of smaller neighboring properties so a higher number of AU's may not fit character of the area. Ogle – based on conversations with the Feedlot Administrator, a suggested limit of no more than 9.99 AU's.
- K. Vick moved to approve the 64.5 acre entitlement division out of PID 215-100-211103
CONDITIONED on survey, deed restriction which includes a legal description of the remainder, and animal units be limited to 9.90. Site sketch noted Exhibit A. Seconded by Neumann.

DISCUSSION: Greninger questioned if the low land holds water all year long. Thingvold stated that she believes so. Greninger asked if the animal units would be too high for the area. Thingvold – they had not even thought about or considered animals. Ogle – this Board needs to look at future owners and what could be. The property could have grazing cattle but may not be an ideal area for a large amount of livestock. Greninger stated he agrees a limit should be set due to the neighboring properties.

VOTE: CARRIED UNANIMOUSLY

The meeting adjourned at 8:56 a.m.

Respectfully submitted,



Aaron Ogle
Planner

AO: sld
CC: Board of Adjustment
Applicants/Owners
Twp. Clerks