

WRIGHT COUNTY BOARD OF ADJUSTMENT

Meeting of: December 6, 2024

MINUTES

The Wright County Board of Adjustment met on Friday, December 6, 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. Rachel Pence, Assistant County Attorney, legal counsel was present.

ACTION ON MINUTES FOR THE NOVEMBER 1, 2024 MEETING

On a motion by Vick, seconded by Neumann, all voted to approve the minutes for the October 4th, 2024 meeting as printed.

1. WILLIAM MILLER – New

LOCATION: 6910 QUINN AVE NW – SYLVAN SHORES ON LAKE SYLVIA LOT-035, Section 33, Township 121, Range 28, Wright County, Minnesota. (W. Lake Sylvia – Southside Twp.) Tax #217-058- 000350 Property owners: WILLIAM L MILLER TR

REQUEST: Variance as regulated in Section 155.026, 155.006, and 155.057(E)(1) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to construct a livable space addition and deck addition to the existing home that is within the shoreland building setback. The impervious surface coverage would exceed the maximum allowed.

Present: Bill (William) Miller, Bernie Miller with MSTs and Brandon Scheuble with KC Custom Home Design

- A. Ogle displayed the site plan and details of the property while reviewing the request. The property is 0.49 acres, zoned Urban/Rural Transition, and located on West Lake Sylvia, which is classified as a General Development lake. The request is to construct a 28 ft. x 38.5 ft. livable space addition and reconstruct the 850 sq. ft. deck, which would be 68.7 ft. from the ordinary high-water mark of the lake. The existing impervious surface coverage is 37.1%, and the proposed coverage is 30.9%. A variance is required to construct the livable space addition and deck addition to the existing home, as they would be within the 75 ft. shoreland building setback, and the impervious surface coverage would exceed the 25% maximum. The Township approved the request as noted. They also mentioned the inclusion of a septic system on the parcel across the street, with the condition that the street be restored to its original condition upon completion. No written comments from the public were received.
- B. Miller (Bill) – the goal is to add bedrooms. Since purchasing the property in 2010, they have done extensive work on the lot and have focused on restoring indigenous plants while being mindful of impervious coverage. As their family grows, they plan to add additional bedrooms above the garage and a screened porch below the deck.
- C. Miller (Bernie) addressed the Township's concerns regarding the road. If any damage is done to the road during installation of the septic system the Township wants to ensure the road is restored. Installing a system across the road is not uncommon and should not be an issue. The current septic system is lakeside, old, and of a type that does not generally last long. It cannot be expanded, so the options for replacing it in the same location or across the road were reviewed. Installing it across the road makes sense, as it eliminates some variances. There is no increase in building coverage. The screen porch does not count as building coverage, as it has a deck above and is not enclosed. Ogle confirmed that if the ceiling is the deck surface with screening, it would not be considered part of building coverage. Miller (Bernie) added that they are up against the building coverage limit of

14.25%, so their goal is to reduce impervious coverage as close to 25% as possible while making improvements. Areas to be removed include the driveway, underused steps, and a stone pathway. With the existing landscaping, there is no significant concern about drainage, so it was decided not to disturb the retaining walls, as doing so would not benefit stormwater management. Photos of the home and property from the Assessor's page were displayed and reviewed. Miller (Bill) pointed out areas where they have added vegetation to help with drainage.

D. Public Comment

- Mark Neu – a homeowner on the lake, wanted to see what was being planned. After reviewing the materials, he had no issues but asked if there were plans to extend the deck further toward the lake.
- E. Miller (Bernie) explained that the existing patio extends beyond the current deck. The proposal is to remove the portion of the patio that sticks out. The square footage of the deck is not increasing. Using the site plan, Bernie Miller explained the existing and proposed deck and patio areas. Scheuble noted that 10.5 ft. of the current lakeside deck and 6 ft. of patio space would be removed. The deck's square footage is not changing, but its layout will.
- F. Mol expressed several concerns. One was the proposed expansion closer to the lake by about 3 ft., questioning whether there was a valid hardship and reason for this, rather than it simply being a desire. Although there are improvements, he asked what the need for the expansion was. Enclosing the area under the deck was also a concern. He noted that, having served on the Board for several years, he had seen similar situations where, after a few years, space is enclosed as full livable area, leading to an increase in traffic and use of the lake. He mentioned hearing that more vehicles and visitors would come, but wondered where people would park if the parking area were removed. He grew up on a lake and understands lake life but emphasized that parking is needed for visitors. The current parking area appears adequate but removing it could impact parking spaces. He expressed concern about the deck expansion, especially with the addition of a large fireplace, questioning the need for a larger deck. While he understands the need for more bedrooms and a septic system across the road, he believes adding bedrooms increases the use of the small lot. Though the property is well-landscaped, he wants to ensure that water flow is not disrupted.
- G. Vick agreed with much of Mol's points. He suggested a site visit to assess whether more concrete could be removed, potentially changing garage access to reduce impervious coverage. Miller (Bill) pointed out the garage area and existing slope in the displayed photos, noting that they currently park across the street on property they own. He also expressed concern about the 30% impervious coverage and the deck's expansion toward the lake.
- H. Greninger also agreed with the other members' comments and felt that a site inspection would help him make a decision.
- I. Neumann noted that he had not heard any indication of a hardship. He sees that the site planner is helping, but he believes the applicant is not willing to reduce the impervious coverage to 25%. He stated that the Board has consistently been firm on the 25% limit and feels that the applicant's request was more of a want than a need. If more space is required, he suggested that perhaps a different location would be an option.

- J. Ogle clarified that this is a two-part request: the livable space above the garage and the deck. If the deck were removed, the house expansion would meet the necessary setbacks. However, the deck attached to the house is required to meet setbacks, and any proposed expansion of livable space requires a variance.
- K. Aarestad stated that he liked the idea of moving the septic system across the street, as well as the proposal for aggressive stormwater management planting around the lake. He also appreciated the small improvement in impervious coverage. However, his concern remains the 30% impervious coverage, as the Board tends to be firm on the 25% limit. Another concern is the encroachment toward the lake with new construction. Aarestad indicated that if the Board were to vote, it seems unlikely that the request would pass. He asked the applicant if they could return with a revised plan that addresses the Board's concerns. Miller (Bernie) responded that, with a new home, he believes the 25% impervious coverage could be managed. Currently, the property has inherited with nearly 40% impervious coverage and no additional coverage has been added since the property was originally developed. Achieving a reduction would likely require rebuilding the home. He explained that the garage placement is due to the location of the existing septic system. The primary goal is to create additional living space in the home. Initially, the applicant believed all variances were being met, but it was later discovered that the deck is 72 feet from the lake, with a side yard setback just over 14 feet. When plans are drawn and measurements are made, the distance is typically from the foundation/block. However, once the home is built, corner trim often makes it difficult to measure accurately to the foundation. In this case, the home's block would be very close to 15 feet. The applicant also desires a screened porch. While they have taken the Board's concerns about impervious coverage into account, they argue that much of the current situation is beyond their control, as the house was built in its current location when approved. Given the recent discovery about the deck's cost, the applicant has agreed to remove the deck portion of the plan and focus only on the addition above the garage. Aarestad acknowledged that impervious coverage is a common concern heard by this Board and understands that it was inherited. However, this is not the first time the Board has heard similar issues. He emphasized that this lot is small and there are limits on what can be done. The Board has consistently been firm about impervious coverage. While he has not heard any concerns regarding the 14.8-foot setback, the main concerns are the proximity to the lake and the impervious coverage. Aarestad suggested that, if the applicant can address these issues, they may continue to present revised plans or if not choose to withdraw their request. Miller (Bill) confirmed that they would not be expanding the deck toward the lake. Aarestad clarified that the home will remain at 72 feet from the lake. Miller (Bill) asked if a site visit would help the Board better understand the impervious coverage issue. Aarestad stated that it seems a few members would like to visit the site. Ogle mentioned that reducing impervious coverage to meet the 25% requirement would involve removing around 2,562 square feet, though it is unclear if this is feasible. Miller (Bernie) explained that it would be nearly impossible to reduce the coverage that much without significantly impacting the property's functionality or causing stormwater management issues. He noted that the house and driveway account for most of the coverage, and while the house footprint is not being expanded, some areas of the driveway would be removed. Aarestad stated that he cannot speak for everyone, but he does not see a hardship in this case, and impervious coverage remains an important issue. If there were a significant hardship, he might consider alternative options for reducing impervious coverage. However, if the new plan cannot address the impervious coverage issue, he believes the Board should either vote on the request as submitted or the applicant should withdraw.
- L. Vick asked if moving the garage entrance to the gable end and adjusting the driveway could help reduce impervious coverage. Scheuble noted that an elevation issue would prevent that adjustment.

Miller (Bill) confirmed that the road also plays a role, and such a change would not work. Vick emphasized the importance of a site visit.

- M. Mol asked what variance would be required for adding living space above the garage if the deck were removed. Ogle explained that there would still be a setback issue, with the house being 72.1 ft. from the lake. If setbacks were met, and only impervious coverage exceeded the limit, the expansion could possibly be administratively approved. Miller (Bernie) clarified that if only the space above the garage were added, with all setbacks met, no variance would be needed, regardless of the impervious coverage. Mol reiterated that if only the addition of rooms above the garage were being requested, this is something the Board has seen before. He questioned whether a site visit would resolve the concerns or not. Vick emphasized that a key concern for him is the lack of a hardship.
- N. Vick moved to continue the meeting to January 10th to allow time for a site inspection. Seconded by Greninger.

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

MOTION CARRIED

2. **TROY & CARLA SCHOENBERG** – New

LOCATION: 6191 Osland Ave NW – Part of Gov't Lot 5 in Section 34, Township 121, Range 28, Wright County, Minnesota. (E. Lake Sylvia – Southside Twp.) Tax #217-000-343403 Property owners: TROY G & CARLA D SCHOENBERG

REQUEST: Variance as regulated in Section 155.026 and 155.057(E)(1) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to construct a livable space addition and deck addition to the existing home that is within the shoreland building setback and bluff.

Present: Carla & Troy Schoenberg, Bernie Miller with MSTS and Brandon Scheuble with KC Custom Home Design

- A. Ogle presented the property details and site plan for review. The property is 0.87 acres, zoned Urban/Rural Transition, and located on East Lake Sylvia, classified as a General Development Lake. The request is to construct a livable space and deck addition to the existing home, located 22.4 feet from the ordinary high-water mark of the lake, which is within the bluff area. A variance is required because the construction would be 22.4 feet from the lake where a 75-foot setback is required, and within the bluff where a 30-foot setback from the top of the bluff is required. The Township has approved the request, noting that the home is already within the bluff, and the new addition would be farther from the water and a sufficient distance from the top of the bluff. No written public comments were received. Ogle pointed out that the survey indicates no existing deck, and the original deck was removed more than 12 months ago, so the replacement standard is not applicable. Thus, a new variance is needed for the deck.
- B. T. Schoenberg explained that they purchased the home in 2013. The home, built in 1969, had minimal updates. The plan is to renovate both the interior and exterior to make it their primary residence, including adding a master bedroom on the main floor. The home currently has five bedrooms, and this will remain the case. The deck was in poor condition at the time of purchase, and Schoenberg was advised by Planning & Zoning that the deck could be removed and replaced. However, he did not realize the 12-month limitation for replacement without a variance. The previous deck ran the full length of the home, but the proposal is to rebuild the deck in front of the existing patio door and extend it 8 feet, the same as the original deck. Currently, water is entering the basement and garage, and the updates aim to address this issue.
- C. Miller reviewed the site plan and discussed the bluff area in relation to the house. As with many bluff situations, this is complex. The house is located against the lake and the toe of the bluff, with small sections of the home requiring a variance related to the bluff setback. The back portion of the home meets the 65-foot setback, while a small section is 62.5 feet from the lake due to design constraints and the need to connect to the existing structure. Overall, the building and impervious coverage requirements are met. The property shares a drainfield and pump tank with the neighboring lot. The septic system has been certified as compliant but will need an additional tank to meet current code.
- D. No comment from the public.

- E. Vick expressed that he sees the request as more of a want than a need and is having difficulty identifying a hardship. He wants to visit the site before making further comments, as he views the request as transforming a cabin into a home without a clear hardship.
- F. Greninger agreed with Vick's statement and questioned whether stormwater flow would be impacted by the proposed addition. Miller stated that he does not anticipate significant drainage changes. The bluff is stable, and the land flattens toward the lake. The main concern is the southern side of the house, where they aim to preserve space to allow for proper drainage. The house design includes elevations to control water flow. If necessary, a stormwater management plan could be provided, but the area already has a large amount of green space to manage water coming down the bluff. The water problem mentioned by the applicant is likely due to drainage issues from the original construction, which will be addressed as part of the current renovation.
- G. Neumann asked why the additions were positioned where they are, at 65 feet and 62.5 feet from the lake. Scheuble explained that the goal was to create enough space for the garage and entry access, which pushed the addition northward. They had considered an option to move the addition 2-3 feet closer to the 65-foot setback, but this was not ideal. Neumann questioned if there were any structural reasons preventing the addition from being moved back to at least 65 feet. Scheuble clarified that there were no structural constraints. They wanted to keep the addition wide to blend with the existing home, not as a separate structure. Some adjustments could be made to meet the 65-foot setback. Neumann noted that while he is comfortable with the toe of the bluff setback, the deck is very close to the lake at just 22 feet away. While this may be common in the area, the Board's role is to protect the quality of the lake. Given the limited impervious surface area and filter space on the lot, adding an 8-foot deck could significantly impact the lake. Schoenberg clarified that there is a 10-foot slab running the length of the house, and the new deck will be placed above that slab. Neumann also questioned the adequacy of the well setback. Miller responded that the existing well will be replaced, and the proposed well will meet all setbacks and will not affect the neighboring properties.
- H. Mol noted that the pictures show a deck, and for him, he would be comfortable with replacing the deck as long as it is not expanded. He acknowledges the hardship related to the deck, as it was removed with the belief that it could be replaced. The misunderstanding regarding the 12-month rule is, in his view, a valid practical difficulty. If the deck had never existed, he would have a different perspective, but in this case, he sees it as a replacement. He also mentioned that additions within the bluff have been a challenge for the Board. What he struggles with is when someone purchases a property, and at the time, it works well. Many homes built in the 1950s and 1960s were small cabins on small lots, which were perfectly suited for weekend visits. Now, however, these cabins are being transformed into larger homes, with many wanting to be on the lake. If the current home no longer fits, Mol feels that perhaps another lot or home should be considered. He finds it difficult when a request is within a bluff, as the Board recently denied a similar request for new construction. A larger home means more people using the property, which compounds the concerns. The Board's role is to evaluate requests based on a hardship, and he questions where the practical difficulty lies, other than the desire for more space. Mol emphasized that while the deck's removal is backed by proof of its prior existence, the misunderstanding of the 12-month rule constitutes a practical difficulty. He is open to supporting the request with a site inspection.
- I. Aarestad shared some of the same concerns but has a different perspective. He has no issue with replacing the deck, given the miscommunication. His main concern is the bluff setback, and he agrees with Neumann that a site visit would be helpful. He is open to allowing expansion into the toe of the bluff but would like to see the addition set back at 65 feet from the lake. The primary issue for

him is the bluff, and a site visit would help him assess this better. He is also concerned about increased roof surface and the potential for stormwater runoff, and he wants to ensure the neighbors are not negatively impacted, even during construction.

- J. Mol asked if there were any suggestions for changes to the plan or if the current proposal is acceptable. Vick stated that he would like to see the site before making any suggestions. Aarestad emphasized that defining the bluff situation is the main obstacle for him, and he would like to assess it in person.
- K. Motion made by Neumann to continue the item to the January 10th meeting to allow time for a site inspection. Seconded by Mol.

DISCUSSION: T. Schoenberg requested that the item be moved to February, as the January meeting does not work for them. Ogle pointed out that the February meeting date will not be official until after the January 10th meeting, and he suggested continuing the request to the first meeting in February.

VOTE: CARRIED UNANIMOUSLY

- L. Neumann moved to rescind his motion to continue to the January meeting. The motion was seconded by Mol.

VOTE: CARRIED UNANIMOUSLY

- M. Motion made by Neumann to continue the item to the first meeting in February, at the request of the applicant, and also to allow time for a site inspection. The motion was seconded by Mol.

VOTE: CARRIED UNANIMOUSLY

3. **KYLE & HANNAH OLSON** – New

LOCATION: 13151 80th St NW & xxx 80th St NW – KIEHN'S NORTH SHORE ADDN LOT-010 in Section 26 Plus part of Gov't Lot 2 and the SE 1/4 of the SE 14 of Section 23, all in Township 121, Range 28, Wright County, Minnesota. (Lake John – Southside Twp.) Tax #217-030-000100 & 217-000-233300 Property HANNAH GALBRAITH OLSON & KYLE OLSON and KIEHN FAMILY FARM LLC

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 create a 2.2-acre “backlot” division out of PID 217-000-233300 to be owned in common with the lakeshore parcel PID 217-030-000100.

Present: Kyle Olson

- A. Ogle displayed a site plan as he reviewed the request. the properties are located off of 80th St. NW in Southside Township. The two properties involved are PID 217-030-000100 which is the 0.32 acres lakeshore property owned by the Olson's and PID 217-000-233300 which is the 144.18 acres farm property across the road owned by the Kiehn Family Farm. The request is to create a 2.2-acre “backlot” out of the farm parcel that would be owned in common with the lakeshore parcel. The Township approves the division of a 2.0 acre tract from PID 217-000-233300 to be joined to the parcel owned by the applicants which is PID 217-030-000100. A neighbor commented that they support they request for a backlot.
- B. Olson explained that they purchased the cabin in 2021, which was built in the late 1950s. The existing home has a small single-car garage, and storage and parking have been problematic. They frequently visit the cabin from their primary home in Maple Grove and often have multiple vehicles at the cabin, but the driveway is only one car wide. Olson noted that the request involves two issues: creating the backlot and building a garage larger than the 800 sq. ft. limit. Ogle clarified that if the Board approves the backlot, they can set conditions, including limiting building size. The current ordinance allows up to 800 sq. ft. for accessory buildings on lots under 20,000 sq. ft. The two lots to the west were created as backlots at over an acre and are conditioned with a limit of 800 sq. ft. The Board could discuss whether to allow a building larger than 800 sq. ft. Olson stated that over time, they've acquired jet skis, a pontoon, and other items they wish to store in a new building. The current solution is to store them in various locations, but they would prefer to build a 1,500 sq. ft. garage for storage.
- C. Greninger asked if the primary reason for the backlot is for a future septic system or a building. Olson replied that the septic system was upgraded in 2021 and is now compliant, but space for a future septic system has been set aside. Greninger acknowledged that the main goal appears to be more storage space. Olson confirmed they have no covered parking and that the single-car garage is insufficient for their vehicles. He explained that the proposed building would not only provide storage but the lot would also address the parking issues.
- D. Neumann noted that the potential lack of septic sites across the road might limit neighbors in the future, but since no neighbors have raised concerns, he felt that this shouldn't be a major issue. He questioned whether the applicant would allow easements for future septic sites. Ogle showed a drawing of the 2-acre tract split into 3 potential sites, which could be used as backlots for other neighbors. While it's not recommended to grant a septic easement, the potential for septic failure exists, and a backlot could protect an area for future systems. Neumann didn't have an issue with the

backlot itself but was concerned with the building size. He suggested that the backlot should conform to the 800 sq. ft. building limit, even though it's a larger parcel.

Aarestad called for a 5 minute chairman break at 9:45 a.m.

- E. Mol asked about the possibility of building a home on the proposed 2.2-acre backlot. Ogle explained that the Board could add a condition that the backlot must remain owned in common with the lakeshore parcel and that no home could be built there unless the condition is amended. If rezoned, the backlot could potentially allow a home to be built, but it would require a new hearing and approval. Ogle recommended adding a condition that prohibits a single-family home or guesthouse on the backlot. Mol expressed concerns about the potential impact of creating backlots and limiting septic sites for other lake properties. He also emphasized the importance of maintaining the lake's health. If the backlot is approved, Mol suggested adding a stipulation on building size to keep it consistent with the neighborhood.
- F. Vick agreed with other members but wanted to see a proposed location for the shed, ensuring there's enough room for a future septic system. Ogle clarified that if the backlot is approved, a shed meeting requirements wouldn't need a variance. Olson showed the potential location for the shed, which is across from the cabin, in an area with trees and topography that is ideal for building. Vick asked about the size of the building, and Olson confirmed that the proposed size would be 1,500 sq. ft. (30 ft. x 50 ft.). Ogle explained that because the backlot is over an acre, there are no specific rules on attic height, roof pitch, or storage area. However, conditions could be added to limit the size and height of the building. Vick expressed concern that the proposed size might not be in keeping with the neighborhood.
- G. Aarestad emphasized that the backlot should be used for septic and secondary for an accessory building. He expressed concern that 1,500 sq. ft. would not fit into the neighborhood and suggested limiting the size to 800 sq. ft. Ogle presented the soil borings map but noted that a full design would be required when applying for a building permit.
- H. Mol asked whether, if approved, the backlot could be divided and sold to other lakeshore owners. Ogle explained that any new backlot would require approval from the Board of Adjustment, and conditions could address future buildings and new conditions added. Mol stressed that approving this request would still allow for the creation of additional backlots in the future. Vick agreed with the backlot approval but reiterated he would like to see the location of proposed shed. Mol clarified that the request is for the backlot, not the shed. Ogle stated that the backlot could be created and a shed never built or not built by this owner. The Board needs to decide if a specific condition related to size is reasonable and not focus on what shed the applicant might build. Technically, without a building size condition a General Agriculture (AG) zoned 1-2.49 acre parcel is allowed 2,400 sq. ft. with 14 ft. sidewall and could be 2 levels.
- I. Neumann moved to approve the request to create a 2.2-acre "backlot" out of PID 217-000-233300 that would be owned in common with the lakeshore parcel PID 217-030-000100 with the following conditions: 1) Survey of the area to be transferred provided to Planning & Zoning prior to transfer; 2) Administrative Order be signed prior to transfer; 3) Backlot must remain owned in common with specified lakeshore property and are NOT separately saleable; 4) No single-family dwelling or guest house allowed on the backlot; 5) Primary purpose of backlot is for a septic and secondary purpose is for an accessory building; 6) Proof that an acceptable septic area is protected prior to construction of

any accessory buildings; 7) Accessory buildings are limited to 800 sq. ft. with 12 ft. sidewall.
Motion seconded by Greninger. Motion seconded by Greninger.

DISCUSSION: Ogle asked if the Board would consider a condition stating no second story or no more than 6" headroom in attic/storage, as the parcel is over an acre. Mol – he would like to discuss the building size. An 800 sq. ft. building on a 2 acre lot is not very much. He would be willing to allow larger if there is not storage above. His suggestion would be 1,500 sq. ft. limit, which is 30 ft. x 50 ft. and on a 2 acre lot if position correctly future lots could still be created. Aarestad – open to more but in the future if divided into more backlots there is now a 1,500 sq. ft. building that doesn't fit into the neighborhood. Neumann – that is why he proposed the motion with a limit of 800 sq. ft. Vick – would be good with 30 ft. x 40 ft. (1,200 sq. ft.) and allow room for keeping items off the lake. Mol – if it doesn't fit in the shed it will be stored outside and another reason why he would like to see a larger building allowed.

Neumann called the motion.

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

MOTION CARRIED

4. **KENNETH MOHS** – New

LOCATION: xxxx Gunderson Ave NW – SUGAR HILLS LOT-007 BLOCK-001 Section 36, Township 122, Range 27, Wright County, Minnesota. (Sugar Lake – Clearwater Twp.) Tax #204-127-001070 Property owners: KENNETH & JILL MOHS TR

REQUEST: Variance as regulated in Section 155.026 and 155.049(C)(5) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to construct a storage building that would exceed the maximum single detached building size allowed.

Present: Kenneth Mohs

- A. Ogle displayed the site map and reviewed property details. The property is 1.35 acres and zoned Urban/Rural Transition (R1). In 2004 a variance was approved allowing the construction of a 40 ft. x 50 ft. storage building on the property because there are other buildings of similar size in the neighborhood. That variance was not acted upon and has since expired. This request is to construct a 38 ft. x 45 ft. storage building which is 1,710 sq. ft. A variance is required to construct a 1,710 sq. ft. storage building on a 58,978 sq. ft. Urban/Rural Transition zoned property because 1,400 sq. ft. is the maximum single detached building size for an Urban/Rural zoned property that falls between 20,000 sq. ft. and 80,000 sq. ft. The Township approved of the request and no written responses have been received.
- B. Mohs explained that the purpose of the storage building is to house his camper and trailers and to have space for a woodworking area. He reviewed the proposed garage layout and emphasized that the 38 ft. x 45 ft. size would not appear any larger than a similar building across the street.
- C. No public comment.
- D. Neumann asked about the size of the building across the road. Mohs clarified it is 36 ft. x 40 ft. Neumann inquired if Mohs owns a home on the neighboring lot, to which Mohs confirmed. Ogle explained that because the lot is part of a plat, the parcels are considered separate, even though both are owned by Mohs. Neumann questioned if there was any restriction requiring the parcels to be owned in common, and Ogle confirmed that without an ordinance change, they are separate properties but could be developed. Neumann expressed concern about allowing a large shed on a small lot, as it disrupts neighborhood conformity. He felt that the 1,400 sq. ft. limit should be adhered to.
- E. Mol asked what would need to be done to get to 1,400 sq. ft. limit. Mohs responded that a 36 ft. x 40 ft. building would meet the limit and he is asking for 38 ft. x 45 ft., which will give him space for all of his items, including woodworking equipment. Mol questioned the impact of this variance on future home construction, asking whether the house would need its own variance. Ogle clarified that as long as the house meets all zoning requirements, no variance would be needed. Mol acknowledged the limitation on the building size but felt the variance could be justified since the total allowed accessory building area could reach 2,400 sq. ft. and the same amount of roof would be present with one or two buildings. He suggested allowing the 1,700 sq. ft. building while restricting total accessory buildings to 2,400 sq. ft. He doesn't feel the building will look out of place as it is tucked back on a cul-de-sac and the building across the road would be close in size.

- F. Vick expressed agreement with Mol's comments. He also asked about the proposed sidewall height, which Ogle confirmed as 14 ft., the maximum allowed for the building. Vick believed that limiting the building size would only result in more items being stored outside. He did not have a problem with the requested size because it would still comply with the total allowed size of 2,400 sq. ft. for all accessory buildings.
- G. Greninger acknowledged that 1,700 sq. ft. is practical, but 1,400 sq. ft. would not require a variance. Ogle clarified that if a 1,400 sq. ft. building was constructed, there could still be up to a 1,000 sq. ft. building allowed on the property. Greninger expressed concern about the building size limits and suggested that the current rules might need to be revisited. Ogle clarified that the current limit allows a 1,400 sq. ft. building and the total accessory building area can be up to 2,400 sq. ft., which would allow for more future buildings.
- H. Aarestad reviewed the prior approval and noted that the neighborhood had not changed significantly since then. He expressed support for the 1,700 sq. ft. request and did not see any issues with granting the variance.
- I. Mol moved to approve the request is to construct a 38 ft. x 45 ft. (1,710 sq. ft.) storage building. Site plan noted Exhibit A and building plan noted Exhibit B. With the clarification that the property has to stay at a maximum of 2,400 sq. ft. of out building coverage. Motion seconded by Aarestad.

VOTE: CARRIED UNANIMOUSLY

5. **JOSEPH HOPKINS** – New

LOCATION: 4459 & xxxx Braddock Ave NE – Tract B & A of registered Land Survey No. 41 Section 07, Township 120, Range 25, Wright County, Minnesota. (Lake Constance - Buffalo Twp.) Tax #202-045-000010, 202-045-000020 Property owners: DARLA R PARIPOVICH and JOSEPH E & SHELLEY K HOPKINS

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 alter an existing 1 per 40 entitlement division that would still exceed the maximum size allowed.

Present: Joe Hopkins

- A. Ogle displayed proposed plan as he reviewed the request. The property is located off Braddock Ave NE in Buffalo Township with the two properties involved being PID 202-045-000020 which is 25.65 acres and PID 202-045-000010 which is 73.71 acres. A previous variance was approved in 2010 that allowed a 25 acre division which is now PID 202-045-000020 that included the existing home and one additional entitlement. It was noted that PID 202-045-000010 was restricted. This request is to add 0.93 acres from PID 202-045-000020 to PID 202-045-000010. PID 202-045-000020 would then be a 24.74 acre “1 per 40” division that still exceeds the 10 acre maximum for an entitlement division. The Township approves of the request as the property owner needs a driveway for farm machinery. No other responses have been received.
- B. Hopkins stated that the purpose of the request is to add a strip of land that will allow him to build a field access, so he no longer needs to use the neighboring driveway. His plan is to build the access road along the north tree line and out of the lowland, so he requires a little more land to accomplish this.
- C. No public comment.
- D. Mol stated that a field road will have to be built. Hopkins confirmed that his plan is to construct a basic field road, with nothing done near the road itself. Mol added that, under the circumstances, this is a small amount of property being taken from the neighboring property, and it will help protect the wetlands. He has no issue with the request.
- E. Vick stated that the plan makes sense and noted a hardship in needing to stay out of the wetland area.
- F. Greninger stated he has no questions.
- G. Neumann questioned if there is a reason the line does not go straight west off the road. Hopkins explained that they only considered the land needed to build the field road and did not discuss a straight line. Neumann suggested that a straight line would make the situation cleaner.
- H. Aarestad stated the request makes sense and is a good one.
- I. Mol moved to approve to add 0.93 acres from PID 202-045-000020 to PID 202-045-000010. Conditioned: 1) that a survey of the area to be transferred is provided to Planning & Zoning prior to transfer; 2) Administrative Order be signed prior to transfer. Concept plan noted Exhibit A. Motion Seconded by Vick.

VOTE: CARRIED UNANIMOUSLY

SITE INSPECTION

Board scheduled a site inspection date for Friday December 13th, with the Board to meet at 8:30 a.m. at the Government Center.

Meeting adjourned at 10:35 am.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Aaron Ogle', with a stylized flourish at the end.

Aaron Ogle
Planning & Zoning Planner

AO: sld

CC: Board of Adjustment
Applicants/Owners
Twp. Clerks