

WRIGHT COUNTY BOARD OF ADJUSTMENT

Meeting of: April 18, 2025

MINUTES

The Wright County Board of Adjustment met on Friday, April 18, 2025, at 8:30 a.m. County Commissioner's Board Room at the Wright County Government Center, Buffalo, Minnesota. Board members present: Paul Aarestad, Dan Mol, Dan Vick, Sandy Greninger & Bob Neumann. Representing the Planning & Zoning Office was Aaron Ogle, Planner. Rachel Pence, Assistant County Attorney, legal counsel.

ACTION ON MINUTES FOR THE MARCH 28, 2025 MEETING

On a motion by Mol, seconded by Neumann, the vote carried to approve the minutes for the March 28th meeting as printed.

Greninger abstained due to not being at the March 28th meeting.

ACTION ON MINUTES FOR THE MARCH 28, 2025 MEETING

1. GRANDEMOORE HOMES – New

LOCATION: 10434 Montgomery Ave NW – BAY SHORE LOT-001 BLOCK-001, in Section 12, Township 121, Range 28, Wright County, Minnesota. (Clearwater Lake - Southside Twp.) Tax #: 217-016-001010. Property owners: DENNIS J LEUER

REQUEST: Variance as regulated in Section 155.026, 155.056(F)(2)(d), and 155.057(E)(1) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to construct a new single-family dwelling that would be within the setback from the lake and the access elevation of the road would not meet the minimum required by floodplain standards.

Present: Doug Schultz with Grandemoore Homes and Dennis Leuer

- A. Ogle displayed the proposed site plan and the request was reviewed. The property is 0.72 acres, zoned Urban/Rural Transition, and located on Clearwater Lake, which is classified as General Development and lies within the mapped floodplain. The request is to construct a 1,245 sq. ft. footprint home with a 977 sq. ft. footprint attached garage, situated 46 ft. from the ordinary high-water level of Clearwater Lake. The access elevation of Montgomery Ave NW does not meet the minimum required elevation. A variance is required to construct a new single-family dwelling within 75 ft. of the lake, and an additional variance is required to increase the size of a new home accessed by a road with an elevation below the standard required by floodplain regulations. Although Montgomery Ave NW is not in the floodway, it is within the floodplain. The floodplain ordinance states that the access road must be no lower than one (1) foot below the Base Flood Elevation (BFE). The BFE is 996.8 ft. NAVD88, so the access road must be at least 995.8 ft. NAVD88. A portion of the road is around 994.8 ft. NAVD88 (shown as 994.2 ft. NGVD 29 on the plans), approximately one foot below the required elevation. The Township supports the request because the new structure will be set farther back from the shoreline than the previous structure. The property owner has also removed an uninhabitable structure and upgraded the septic system. The Annandale Fire Department confirmed it would provide emergency services regardless of access challenges, not only to Mr. Leuer but also to all other residents living along Montgomery Ave.
- B. Schultz explained that the plan is to build a newer, smaller home with an attached garage. A portion of the existing home was demolished, and the owner was unaware of the one-year rule regarding replacement of nonconforming structures. The proposed home is 50 sq. ft. smaller than the original. The plan includes a new drainfield. If the home were moved closer to the road, elevation and floodplain regulations would necessitate a steeper driveway. Meeting the 75 ft. lake setback would require a road variance, which is why the current location was chosen.

- C. Leuer stated that when he purchased the home, half of it was uninhabitable, and he was unaware of the 12-month replacement rule.
- D. No public comments were received.
- E. Mol expressed concern about the home being only 46 ft. from the lake. He would prefer the home be moved farther back. While he understands the grading challenges, he would rather approve a road variance than a lake variance. Since this is new construction, essentially on a bare lot, he is uncomfortable approving the current setback. He supports increasing the setback from the lake and would be more comfortable with a road or septic setback. While the previous structure was closer to the lake, this is not a request to rebuild on the same foundation. Schultz asked whether a 12-month variance would allow them to rebuild the original home. Ogle explained that the 12-month replacement period has since past and is state statute, to which the Board cannot grant a variance to. The Board could however grant a variance to allow for a new proposal. Schultz noted that they believed other nearby homes were closer to the lake and thought moving it back slightly was a reasonable compromise.
- F. Vick shared that most of his concerns had been addressed by Mol. He asked how many homes the road serves. Ogle estimated 20 residential structures. Vick said he is okay with the road portion of the request but believes the home could be redesigned to be at least 65 ft. from the lake. He would prefer the home be moved back and a road variance granted.
- G. Neumann asked if the property had flooded in the 1980s, and Leuer confirmed it had. Neumann asked whether the home would meet floodplain requirements, and Schultz confirmed it would. However, Neumann said he would not support approval of a home only 46 ft. from the lake, as it is too close for his comfort. He suggested exploring design changes such as shifting the garage entrance to the east and possibly relocating the septic system. He reiterated he would not approve a 46 ft. setback.
- H. Greninger also voiced concern about the 46 ft. lake setback. She emphasized that the 75 ft. requirement exists for a reason. She asked if the septic system could be relocated if the house were moved closer to the road. She also questioned whether the existing detached garage would remain, and if so, why a large attached garage was necessary. Leuer responded that the existing garage is more of a utility shed, as it cannot fit a vehicle. Greninger asked what makes this property and request unique enough to justify waiving the rules. Schultz said the design was based on the original home's square footage and that they felt moving the home slightly back was a reasonable adjustment. They were also informed that other nearby homes are within 46 ft. of the lake. Ogle stated he could confirm the details of neighboring properties, but he believes the adjacent home is a direct replacement. Schultz added that the proposed pressure bed for the septic system must be placed at the highest elevation on the property. Moving it would require raising the area by 4 ft., which could affect water drainage. Schultz explained that property shaping and a swale would be required to manage runoff.
- I. Aarestad agreed with many of the points raised by other members and asked how water flow would be managed to avoid impacting neighbors. Schultz used the proposed site plan to show how water would be directed toward the lake. Leuer stated they shifted the home east to create space for a swale and improve water flow. Aarestad agreed with the Township and Fire Department and had no issues with the road aspect of the request. He asked the applicant whether they would prefer to continue the

matter, request a vote, or withdraw the application. Schultz displayed an alternate site plan showing a longer, narrower home, which would increase the lake setback to about 66 ft. while keeping the septic in the same location. He did not have a finalized building plan but believed it could be a workable option. Aarestad suggested that submitting revised plans at the next meeting would be ideal.

- J. Mol reviewed the alternate plan and felt further adjustment might allow the home to meet the 75 ft. setback. He recommended taking time to revise the plans. He emphasized that new construction is an opportunity to move homes farther from the lake, and this lot appears to allow for that.
- K. Vick questioned the well location and whether it could be moved. Schultz said the well could be relocated.
- L. Aarestad asked the applicant if they were agreeable to continuing to the next meeting, Schultz confirmed.
- M. Greninger moved to continue the item to May 9th to allow time for the applicant to the revise plans. Motion seconded by Vick.

VOTE: CARRIED UNANIMOUSLY

2. **ROBERT DANIELSON** – New

LOCATION: 6321 & 6305 Osborn Ave NW – PARCELS COM AT SE COR OF SW1/4TH N ALG N & S1/4SEC, in Section 34, Township 121, Range 28, Wright County, Minnesota. (E. Lake Sylvia - Southside Twp.) Tax #: 217-000-343107, 217-000-343110. Property owners: ROBERT A & SHEILA J DANIELSON and CHARLES R & SUSAN J DANIELSON

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 adjust the property boundaries between PID 217-000-343107 and 217-000-343110.

Present: Robert Danielson

- A. Ogle displayed the proposed plan and reviewed the request. The properties involved are PID 217-000-343110 (0.78 acres) and PID 217-000-343107 (1.14 acres). Both properties are zoned Urban/Rural Transition and located on East Lake Sylvia, which is classified as a General Development lake. The request is to transfer 400 sq. ft. from PID 217-000-343107 to PID 217-000-343110. The Township supports the request, considering it reasonable and a minor adjustment between family members that does not affect adjacent properties. No written public comments were received.
- B. Danielson explained that the goal is to acquire additional backlot area to improve access to his property. His brother is willing to sell him a 20 ft. strip, which would bring the total width to approximately 54 ft.
- C. No public comments were received.
- D. Vick asked why the proposed property line was not drawn straight. Danielson responded that the current proposal reflects what his brother was willing to offer, and he is satisfied with the arrangement. He believes his brother would only agree to a straight line if the County required it. Vick commented that while he would prefer a straight line, it is not a deal breaker. As long as the Township approves and the seller is willing, he supports the request.
- E. Neumann asked why the property line was originally drawn in its current configuration. Danielson provided background, explaining that the property was once owned by their parents, and at the time, the owner of PID 217-000-343107 was only willing to transfer the portion currently under discussion. Ogle noted that a lot line adjustment was previously approved in 1993. Neumann had no further comments.
- F. Greninger also questioned why the property line was not straight and asked whether Danielson would consider straightening it. Danielson reiterated that the current configuration reflects the agreement with his brother. While he could ask for more, he is comfortable with the current proposal.
- G. Aarestad stated that he has no issues or concerns with the request.
- H. Mol asked whether the property is a backlot intended for septic, storage, or if it is a buildable lot. Danielson stated that it is currently used for storage and there are no plans to build on it. Ogle added that when PID 217-000-343116 was split into three parcels in 1993, they were required to be joined

with the lakeshore property and are considered backlots as it was noted that the 1993 approval did not increase residential building entitlements. Mol said he is fine with the angled property line, as long as the parcel remains attached.

- I. Neumann moved to approve the request to add 400 sq. ft. from PID 217-000-343107 to PID 217-000-343110 CONDITIONED on survey and Administrative Order. Concept plan noted Exhibit "A". Motion seconded by Mol.

VOTE: CARRIED UNANIMOUSLY

3. **SKIES LIMIT LLC** – New

LOCATION: xxxx Baker Ave NW & xxxx 101st St NW – Part of GOV'T LOTS 1 and 2 in Section 11, Township 121, Range 26 along with GOV LT1 LYG S OF NORDHAVEN & WLY OF NLY EXT OF ELY LN OF W 605 FT OF NW1/4 OF NW1/4 SEC 13 and NORDHAVEN LOT-052 .47 AC LOTS 52 & 53, in Section 12, Township 121, Range 26, Wright County, Minnesota. (Lake Ida - Silver Creek Twp.) Tax #: 216-000-114100, 216-000-123300, 216-023-000520. Property owners: SKIES LIMIT 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 adjust the property boundaries between PID 216-000-114100, 216-000-123300, and 216-023-000520.

Present: Paul Otto

- A. Ogle displayed property maps and the proposed site plan while explaining the details of the request. The request involves land located in Silver Creek Township on Lake Ida, which is classified as General Development. The properties involved are: PID 216-000-114100 (78.22 acres), PID 216-000-123300 (2.58 acres), PID 216-023-000520 (0.47 acres). All parcels are owned by Skies Limit LLC. The request is to transfer 5.5 acres from PID 216-000-114100 to PIDs 216-000-123300 and 216-023-000520. The result would be one lot of record with a total size of 8.5 acres. This request would not increase the number of building entitlements on the property. The Township supports the request as submitted, with no concerns. No written public comments were received.
- B. Otto explained that the purpose of the request is to enlarge the existing lakeshore parcel and clean up property lines; ultimately to create a more usable parcel and improve access to the lakeshore.
- C. Public Comment.
 - Tom Morris stated that he is a member of the Lake Association and a resident of the lake. His concerns relate to how the property will be developed given the presence of wetlands and slopes. He also questioned why the proposed parcel is not required to meet the 10-acre minimum, as was required for a nearby development to the north. Ogle clarified that the parcels in this request are zoned General Agriculture (AG) and Urban Rural Transition (R1) and the development being mentioned to the north, if thinking of the same one done by Skies Limit, is Agricultural/Residential (AR). Because the zoning districts are different, the size standards are also different. AR parcels typically require a 10-acre minimum unless part of a Planned Unit Development (PUD). The current request involves parcels that have minimums starting at 1-acre. Future rezoning could impose different standards. Morris stated he believes consistency with the 10-acre minimum should be maintained, as sufficient land is available.
 - Jeff Farnick, a resident of Baker Avenue, expressed confusion over the relationship between the current request and mention of a variance. He referenced discussions at the Township level that may have included rezoning and subdivision. Ogle clarified that this is a Lot Line Adjustment request only, which the Township has approved. Any future rezoning or subdivision would be a separate process. Farnick continued expressing concerns related to future development. Ogle reiterated that these comments and concerns are not part of the current request. Mol noted that

Farnick's concerns either fall outside the scope of the Lot Line Adjustment or are civil matters. The Board is only considering the adjustment to create an 8.5-acre lot. Aarestad asked the applicant, Mr. Otto, to respond to the concerns and stay focused on the Lot Line Adjustment.

- D. Otto acknowledged the confusion due to multiple factors affecting this and nearby parcels. He confirmed there is an intention to rezone other parts of the property, as discussed at the Township level. The current request pertains only to the southern parcel and the proposed Lot Line Adjustment. A larger area is needed for a house and septic system, and the proposed configuration better accommodates natural topography and setback requirements. Approval would avoid the need for variances.
- E. Neumann said many of his questions had been answered. He previously questioned the unusual lot shape and additional acreage, which were explained. At a prior meeting, the potential for Baker Avenue to connect was discussed. Neumann asked if the approval of this adjustment would change that. Otto responded that Baker Avenue will remain a dead end. The surrounding wetland makes connection impractical and inadvisable. Neumann asked about building entitlements and whether there is one or two. Otto clarified that the lakeshore lot, even if entitled, would not be buildable due to setback requirements. Neumann asked about a statement that the Lot Line Adjustment would make a nonconforming lot more conforming. Otto explained, using a topographical aerial photo, that the current lot includes a bluff. As it stands, any homesite would require variances. With the adjustment, no variance should be needed.
- F. Mol shared similar questions. He noted that while creating a 10-acre lot might seem simple, it would only add unusable swampland so would it really be necessary. The proposed configuration should allow for a buildable area without variances, which is an objective of the Board. He expressed support for the proposed plan.
- G. Vick asked about limitations on outbuilding sizes. Ogle reviewed the applicable standards. Vick also asked about animal units. Ogle noted that the property is within a shoreland area and, without the Feedlot Administrator present, declined to give a detailed answer but mentioned the general limit of 0.5 animal units per acre.
- H. Greninger and Aarestad stated that their questions had been addressed.
- I. Mol moved to approve the request to add 5.5 acres from PID 216-000-114100 to PID 216-000-123300/216-023-000520 so a Lot of Record would be 8.5 acres. Approval CONDITIONED on survey, Administrative Order and the Concept plan noted Exhibit "A". Seconded by Neumann.

DISCUSSION: Neumann requested a condition be added to limit the property to a maximum of 0.5 animal units per acre. Given the topography, the land could potentially support a horse.

Mol moved to add a condition that the property is limited to a maximum of 0.5 animal units per acre with Neumann providing a second.

VOTE: CARRIED UNANIMOUSLY

Aarestad called a 5 minute chairman's break at 9:30 am

4. **DEREK & MARIA ROSSO** – New

LOCATION: xxxx & 3835 Cty Rd 12 N – NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 120, RANGE 26, Wright County, Minnesota. (Maple Lake Twp.) Tax #: 210-000-131100, 210-000-131101. Property owners: DENNIS H VARNER & DEREK J & MARIA K ROSSO

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 increase the size of an existing entitlement division over the 10.0 acre maximum.

Present: Derek and Maria Rosso and Kristi Varner representing Dennis Varner

- A. Ogle displayed the proposed site plan and reviewed the request. The property is located off County Road 12 North in Maple Lake Township. The properties involved are PID 210-000-131101 (10.0 acres) and PID 210-000-131100 (66.64 acres). Both are zoned General Agriculture. The 10-acre entitlement division referenced in this request was administratively approved in 2024. The current request is to add 20 acres from PID 210-000-131100 to PID 210-000-131101, creating a 30-acre entitlement division. A variance is required because the maximum allowed size for an entitlement division is 10 acres. The Township supports the request, and no written public comments have been received.
- B. D. Rosso stated that the application itself did a good job of explaining the request.
- C. No comment from the public.
- D. Mol asked how the back portion of the property would be accessed, noting the presence of water or lowland areas. He expressed concern about creating a landlocked parcel. Using the displayed Beacon photo, D. Rosso pointed out two existing dry access points currently in use. Mol asked if the applicant would be willing to combine the parcels into a single PID, to which D. Rosso responded that this is the end goal. Mol stated that, given the existing access and the fact that the proposal meets setback requirements, he supports the request.
- E. Vick questioned what the hardship was in exceeding the 10-acre limit. D. Rosso acknowledged that financial hardship alone isn't a qualifying reason, and said they initially had no plans to exceed 10 acres. However, the seller, Dennis, approached them about purchasing an additional 20 acres to help pay for medical care. If they had known earlier, they might have aligned the division with the quarter-quarter line. K. Varner stepped forward and explained that her father has dementia and is currently in a care facility. Her intention is to retain as much of the property as possible and fund care privately, rather than resorting to Medicaid. Vick said that health-related concerns are important to him, and his questions had been answered.
- F. Neumann asked about the amount of remaining road frontage, which Ogle stated would be approximately 775 feet if the request is approved. Neumann then asked about the status of the barn—whether it is used or if there are any animals on-site. D. Rosso said the barn is not currently in use and there are no animals. Neumann noted that if the barn were removed, the resulting lot could potentially be a “long 40.” D. Rosso replied that this might be possible if the seller is willing and if finances allow. Neumann confirmed that the reason for modifying the house plans is financial, not due to property line issues, which D. Rosso affirmed.

- G. Greninger stated that her questions had been answered.
- H. Aarestad said he considers each request individually and, in this case, he believes the proposal is reasonable. The property is not removing land from agricultural production and is in an area of large parcels. He supports the request.
- I. Mol moved to approve the request to add 20 acres from PID 210-000-131100 to PID 210-000-131101 creating a 30 acre entitlement division CONDITIONED on survey, Administrative Order, and a maximum of 0.5 animal units per acre. Concept plan noted Exhibit "A". Motion seconded by Greninger.

DISCUSSION: Vick asked whether there are additional building entitlements on the farm site. Ogle explained that one entitlement exists and is currently used by the existing home on parcel -131100.

Neumann remarked that a "long 40" configuration would still preserve tillable land and could be purchased without a variance. Ogle clarified that a variance would still be needed, as the proposed division is not aligned with the quarter-quarter line. Additionally, the "long 40" option would cut through an existing building. Neumann argued that a "long 40" would make the property more compliant as a full 40-acre tract. Vick countered that the "long 40" would introduce unnecessary hardship due to the cost of removing the existing building, which is why he supports the 30-acre option. Neumann responded that he does not consider financial hardship to be valid in this context and believes the long 40 is still achievable. Mol acknowledged Neumann's concerns but said he is focusing on the existing building. He expressed that government should not overstep by requiring a property owner to remove a structure, regardless of its condition. In his view, this request respects the property's integrity while maintaining compliance, and he supports drawing the line without forcing structural removal.

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

MOTION CARRIED

Meeting adjourned at 9:52 am.

Respectfully submitted,



Aaron Ogle
Planning & Zoning Planner

AO: sld

CC: Board of Adjustment
Applicants/Owners
Twp. Clerks