

WRIGHT COUNTY BOARD OF ADJUSTMENT
Meeting of: August 8, 2025 MINUTES

The Wright County Board of Adjustment met on Friday, August 8, 2025 at 8:30 a.m. in the County Commissioner's Board Room at the Wright County Government Center, Buffalo, Minnesota. The meeting was called to order by Chairman Paul Aarestad. With members present being Bob Neumann, Sandy Greninger, Dan Mol, & Dan Vick. Representing the Planning & Zoning Office was Aaron Ogle, Planner. Brian Wold, Assistant County Attorney, legal counsel, was also present.

ACTION ON MINUTES FOR THE July 18, 2025 MEETING

On a motion by Mol, seconded by Greninger, all voted to approve the minutes for the July 18th meeting as printed.

1. **ANTHON ELLIS** – Continued from 7/18/2025

LOCATION: 7075 Pilger Ave NW – Portion of Gov't Lot 2 in Section 28, Township 121, Range 28, Wright County, Minnesota. (Southside Twp.) Tax : 217-000-284300. Property owners: JEFFREY HARMSSEN & STACY HARMSSEN

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 a new single-family dwelling that would be within the road and shoreland building setbacks while the septic absorption area would be within the setback from the home.

Present: Anthon Ellis

- A. Ogle displayed an updated site plan and reviewed the request. The item was continued from the July 18th meeting so a site inspection could be conducted on August 6th. The updated request is to construct a new single-family dwelling as presented that would be 52 ft. from the ordinary high-water of Lake Sylvia and 33 ft. from the centerline of Pilger Ave NW. The variance for the septic system has been removed since the past meeting but a variance is required to construct a new home within the 75 ft. shoreland building setback and within the 65 ft. road setback. The Township approves of the request because the new home would be built further from the lake than the existing home and a neighbor is in support of the variance request.
- B. Ellis stated that concerns from the last hearing included the high number of variances, three, for new construction and that the garage was too close to the centerline of the road. These concerns were addressed by moving the home closer to the lake, which in turn pulled the garage farther from the road. This also allowed for 20 feet of space between the home and the septic field, thereby eliminating one of the variances.
- C. No comments from the public.
- D. Mol stated that visiting the site was very helpful. Observing the existing home and current conditions, he noted that the existing garage is located 18 feet from the road's centerline, which raises visibility and safety concerns. The original proposal maintained this 18-foot distance, which he felt was problematic. The revised plan moves the structure farther from the road, improving safety. Although he does not like the 52-foot setback from the lake, he noted that a neighboring property was previously granted a 50-foot variance, making 52 feet consistent with the neighborhood. He appreciated the improvements and the reduction in variance but remains concerned about the distance to the lake.
- E. Vick stated that the 52-foot setback from the lake is inadequate. He hoped the house could be rotated to create more room near the road. He would prefer a proposal showing a 60-foot setback from the lake. While he acknowledged the hardship and the effort to move the house back compared to the original location, he would rather see 60 feet from the lake and 15 feet from the septic than the proposed 52 feet.

- F. Greninger agreed with the other members and expressed concerns about how close the proposed house would be to the lake. She believes rotating the house could increase setbacks both from the lake and the road. She requested to see a revised plan with the house rotated.
- G. Neumann stated that he had several concerns. He questioned whether the proposed home was the same size as the version presented at the prior meeting. Ellis confirmed it was. Neumann noted that the proposed home is 3,389 sq. ft. (including the garage) and is two stories. He expressed concern about how it would appear from the lake, as surrounding homes are more modest in size, and the proposed home is 37% larger than the existing one. He asked the applicant what the hardship was for requesting a house of that size. Ellis responded that there was no specific hardship but noted the proposed footprint is under the 15% lot coverage allowed. Neumann emphasized that "just because you can doesn't mean you should." He said the Board's role is to protect and preserve the natural environment to the lake. With the removal of the house, garage, and boathouse, as well as new installations for the septic system and well, there would be extensive soil disruption. He stated that, at minimum, a stormwater management plan should be required. He asked how many cubic yards of material would be moved. Ellis said that figure was not yet available, as grading plans would come later. Ellis noted the property has steep topography, and they are trying to work with it. Ogle used the site plan to show a current retaining wall along the western boundary, noting there would be changes. Ellis explained how current staggered walls would be straightened in the new plan. Neumann's main concern remained whether the proposed structure fits the neighborhood character. The adjacent homes are significantly smaller. He asked how the Board would address this concern.
- H. Aarestad acknowledged that the lot is difficult to work with and that resolving one issue tends to raise another. He noted that moving the house improved road safety and eliminated the septic variance. He said the homes on either side are two stories, so the proposed house would likely be similar in height. He appreciates the increased lake setback and stated that a stormwater management plan would be a requirement for him. While he can support the proposal as-is, he noted that other members want to see improvements. He suggested either voting on the current proposal or returning with a revised plan. Ellis said they could potentially adjust the current layout by encroaching slightly into the 15-foot western side yard setback. This would allow the house to be set back 65 feet from the lake and move the garage slightly, significantly improving the 18-foot road setback. However, this would require three variances again. Aarestad asked the Board to identify any strong points the applicant should address.
- I. Mol stated that he would prefer the home to be moved farther from the lake and suggested that reducing the house size could help with setbacks. He recognized that the buildable area is minimal, making the project challenging. A home could be replaced on the existing footprint, but the new proposal is 37% larger, which he finds excessive.
- J. Vick felt that rotating the home could solve some of the issues without further encroachment. He recognized the proposed improvements in safety and lake setback compared to the current structure but said he would still like to see additional improvements.
- K. Ellis said they had considered rotating the house but that doing so would place it into the side yard setback or move it closer to the lake or closer to the septic system. He is open to exploring alternatives but needs clear guidance from the Board on acceptable setbacks. Vick noted that shrinking the home could help achieve a 65-foot lake setback while maintaining a safe driveway. Aarestad referenced Mol's comment that a combination of reducing size and pulling back from the lake could be a workable solution. The situation is difficult, but these changes were repeatedly suggested. Vick also asked to see a stormwater management plan.
- L. Greninger, who did not attend the site visit, asked if the garage could be relocated. She found the 18-foot road setback particularly troubling, given the 65-foot requirement. She also supported moving the home back from the lake. Vick recalled asking the homeowner onsite whether the garage could be moved. The homeowner said the garage currently stabilizes the slope, and the septic system is also in area the garage could go. Ellis explained that the site's topography affects garage placement and that moving it could require more retaining walls and obstructing lake views.
- M. Ogle asked if the Board would consider a variance for the side yard setback. He noted that the original public notice did not include a side yard setback variance. If the Board is open to it, a renotification would be necessary before the next hearing.
- N. Aarestad said he would not personally oppose a side yard variance but would want enough space for property and

building maintenance. Mol asked where the practical difficulty would be in justifying the variance, as the lot allows for a 15-foot setback. He pointed out a natural buffer already exists and moving the structure closer would disturb the hillside and encroach on the neighbors. Vick asked if Mol would be comfortable with a 15-foot septic setback. Mol replied that a septic setback is preferable to a side yard encroachment. Aarestad emphasized that lake setbacks are a higher priority for him, and he would be more flexible with a side yard variance. Mol agreed but reiterated that this is a large home replacing a smaller one and that the request involves multiple variances. While it could be rebuilt in the same location, the current request is for new construction that may simply be too large for the lot.

- O. Aarestad asked the applicant how he would like to proceed and clarified that the 120-day review period is not an issue if a waiver form is signed. Ogle asked the Board for clear direction on whether a side yard setback would be considered, as this determines if renotification is necessary. Mol stated he is not comfortable with a side yard setback. Vick and Greninger agreed. Neumann said new construction should not require variances and allowing a side yard variance would be counterproductive. Ogle confirmed that renotification would not occur. Ellis said he would like to return with a revised plan.

- P. Motion made by Mol to continue the item to the August 29th meeting. Seconded by Vick.

VOTE: CARRIED UNANIMOUSLY

2. **ROBERT MORRIS** – Continued from 7/18/2025

LOCATION: 5256 Quinn Ave NW – Lot 4, Block 1, Bridal Beach, Wright County, Minnesota in Section 05, Township 120, Range 28, Wright County, Minnesota. (French Lake Twp.) Tax #: 209-012-001040. Property owners: ROBERT A & MARY KAY T MORRIS

REQUEST: Variance as regulated in Section 155.026, 155.057(E)(1) and 155.090(B)(12) 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 shoreland building setback, have the lowest floor elevation lower than required, and serviced by a holding tank.

Present: Robert Morris, applicant, Bernie Miller with MSTs, and Brandon Scheuble with KC Custom Home Design

- A. Olge reminded the Board that the item was continued from the July 18th meeting so a site inspection could be conducted on August 6th. There have been no updated plans submitted. A variance is required to construct a new home within the 75 ft. shoreland building setback, have its lowest floor elevation less than 1055.35 ft. (NGVD 29), and for a new home to be serviced by a holding tank. The Township approves of the proposed location of the cabin with variances on the lake and creek side, a neighbor has no problem with the “good improvement”.
- B. Miller explained that one of the challenges with the site is the existing garage. It is in good condition, currently used as a dining area, and does not contain any plumbing. The property uses a self-contained bathroom system connected to a holding tank. They use the property strictly as a cabin. If they were required to move or remove the garage, they would likely pursue a larger project and potentially move to the site full-time. He acknowledged hearing comments about turning or relocating elements on the site and noted that the option of exact replacement is available. However, this is not a typical request, as the proposed home size is barely large enough to meet Wright County's requirements for a house. Based on square footage, they could build a 2,400 sq. ft. home with an attached garage and still remain under the 15% lot coverage limit. Their goal is to build something modest and reasonable for the parcel. In his view, the proposed structure is very modest and fits well within the character of the neighborhood. Regarding whether the lot is unique, Miller stated that it is, given that he can recall only two properties in the area that are situated between a creek and a lake, and this lot was originally platted for a home. As for essential character, he acknowledged some may argue the property doesn't fully meet it, since it's currently a small cabin. However, he noted that the area includes a mix of cabins and houses, and while many nearby properties feature large homes, that is not what they are proposing.
- C. No comments from the public.
- D. Vick stated that the site visit was helpful in understanding the challenges, and that there are definitely hardships in trying to move the structure away from the lake while still meeting all setback requirements. He noted that the farther the home is pushed back from the lake, the closer it gets to the creek, which presents its own difficulties. He suggested that rotating the building might help address some of these issues. With the pergola included, the current setback is approximately 38 feet from the lake. He expressed a preference for increasing that distance and noted that turning the building sideways could potentially result in a 56-foot setback from the lake while keeping the home no closer to the creek than the existing garage. Vick reiterated that he would like to see the building moved farther back from the lake.
- E. Greninger stated that she was unable to attend the site visit, but her main concern is the proposed structure's proximity to the lake. Being 25 feet short of the required 75-foot lake setback does not sit well with her. She also noted that, while the building itself is small, the required high water setback is not being met. These are her primary concerns.

- F. Neumann stated that during the previous meeting, he had been confident that moving the existing garage was the right solution. However, after visiting the site, his opinion changed somewhat. He observed that six vehicles were able to park on the property, something that is rare for Lake Sylvia, which he considers unique. He asked about the size of the holding tank and whether the plan was to continue using the existing one. Miller responded that they could either reuse the existing tank or replace it. The current tank is partially above ground, and any replacements would also remain that way. He noted that a variety of tank sizes are available, including shallow options for high water table areas. There is a great deal of flexibility, and the existing tanks meet all requirements. The use of the property is not intended to change. Miller added that the property owner has installed septic systems for most of his life, so he is not particularly concerned about the holding tank situation. Neumann explained that, as a member of the Board of Adjustment, he always considers future owners. He questioned whether the holding tank would be adequate for a family of four using the property as a starter home. Miller said it likely could be, but usage frequency would matter. If it were him, he would prefer a larger tank. A holding tank only requires a 50-foot setback from a private well, making it easier to find a suitable location or add additional tanks. Keeping the system smaller would naturally limit the property to seasonal or lighter use. Neumann then questioned why the proposed structure was set at the state-required minimum floor elevation instead of meeting the county's 4-foot elevation requirement. Miller responded that raising the structure to 4 feet would elevate the home significantly, alter the lake view, require more fill, and make drainage harder to manage. At the proposed elevation, drainage is better handled. He stated the garage has never flooded, and the cabin would sit 3 feet higher than the lake's highest recorded level. They do not believe the property is at serious risk of flooding. Miller acknowledged that for a full septic system, a 4-foot elevation may be more appropriate, but in this case, with a holding tank, the extra height is unnecessary. The 3-foot elevation better maintains lake views, allows for easier access, and improves drainage. Neumann asked whether raising the elevation to 4 feet would bring the building in line with neighboring properties to the east. Miller explained that there is a 2-foot rock wall and that, as you move east, there is a slope that flattens out near the Morris property. Miller believes matching the current grade makes more sense. While raising the elevation is possible, it would require more fill, which could negatively impact site drainage. He also noted that they plan to leave some of the original grade exposed on the east side of the home to facilitate drainage along the eastern property line and avoid affecting the neighbor. Neumann asked whether raising the building would improve lake views, specifically, whether it would allow visibility over the garage. Miller responded that he does not believe raising it by a foot would make a significant difference. Unlike many lakeshore properties, this lot is relatively flat and lacks an ice ridge. Being tucked into the lot, it already experiences minimal obstruction of lake views. Neumann concluded by stating that he would like to see a stormwater management plan.
- G. Mol stated that he shared some of the concerns that had been discussed, but after visiting the site, he views this proposal as an exact replacement. Given the small size of the building, it barely meets the minimum standards set by the county. He noted that the proposed 50-foot setback from the lake or creek is an improvement over an exact replacement, where the existing home is essentially right on the lake. He emphasized that the goal is to create separation from the lake, and moving even a modestly sized home farther back should be seen as a positive step. He referenced a similar case on Buffalo Lake involving both a creek and a lake, noting that such situations are unique in themselves. While he would prefer to see the home at a 65-foot setback, after considering the specific circumstances, such as the ability to park vehicles on the property, the location of the existing shed, and the scale of what is being proposed, he is comfortable with the plan. He also recalled that during the site inspection, there was discussion about water runoff from the neighboring property and how the area will be graded to direct water appropriately. Raising the home too high would place it on a mound, which could create additional drainage issues. In his view, much of what is being proposed reflects the least possible impact on the property and surrounding area. He acknowledged that the house next door is even closer to the lake but was likely an exact replacement as well. Overall, he supports the proposal as presented but agreed that a stormwater management plan would be helpful to understand how water will be managed on the site.

- H. Aarestad stated that the proposed home is clearly a cabin. He views cabins differently than primary dwellings, and in his opinion, the modest size and the use of a holding tank make it evident to future owners that this is a seasonal cabin. He believes the configuration is appropriate for the property. He also observed that the creek flows out of the lake rather than into it, which reduces his concern about its environmental impact. Since the creek is not contributing to lake runoff, the overall impact is minimized. Additionally, the proposed structure is being moved significantly farther back from the lake, which he sees as a benefit. Regarding the proposed elevation, Aarestad expressed confidence in the applicant's and Mr. Miller's expertise in managing site drainage, particularly in determining whether 3 feet versus 4 feet of elevation is more appropriate. Based on their explanation, he is comfortable supporting the request as presented.
- I. Vick noted that there is a tree marked with an elevation stake located 1.3 feet below the proposed finished floor height of the house. Miller confirmed that the stake measures from the proposed floor elevation. Vick commented that he believes the proposed elevation appears appropriate for the site. He then asked whether the pergola counts as part of the building's roofline. Ogle clarified that at-grade patios do not require a lake setback, and a pergola is considered a non-roofed structure. However, if it were to be covered in the future, it would then be considered part of the building and subject to setback requirements. Vick stated he had assumed the pergola was part of the building and appreciated the clarification.
- J. Mol moved to approve the request to construct a new 832 sq. ft. single-family dwelling that would be 50 ft. from the ordinary high-water mark of Lake Sylvia, have its lowest floor elevation at 1054.4 ft. (NGVD 29), and be serviced by a holding tank. **CONDITIONED** that a stormwater management plan be submitted at time of building permit application. Site plan noted Exhibit A and building plans noted Exhibit B. Motion seconded by Neumann.

DISCUSSION: Vick stated he is still not in favor of the request as he feels it could be turned.

VOTE: Mol, Neumann and Aarestad

NAY: Greninger and Vick

MOTION CARRIED

3. **SHAUN HANSON** – New

LOCATION: 2976 24th St SE – KEL-KARY ACRES LOT-003 & LOT-004, Section 16, Township 119, Range 25, Wright County, Minnesota. (Rockford Twp.) Tax #215-128-000030, 215-128-000040 Property Owner: FRANCES J HANSON

REQUEST: Variance as regulated in Section 155.026, 155.049(F)(3), and 155.057(E)(1) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to replace and enlarge the existing screen porch and deck. The existing home is located within the side yard and shoreland building setbacks.

Present: Shaun Hanson

- A. Ogle displayed the site plan and reviewed details of the request. The property is 1.22 acres, zoned Urban/Rural Transition, and located on Dean Lake which is classified as Recreational Development. A previous variance was granted in 1978 to add a boathouse onto the existing dwelling within the lake setback. This proposal is to replace the existing 8 ft. x 24 ft. screen porch with a new 16 ft. x 32 ft. screen porch, and to replace the existing 8 ft. x 30 ft. deck with a new 12 ft. x 32 ft. deck. The proposed structures will be located 62.9 feet from the ordinary high-water mark of Dean Lake. The existing home is situated 11.9 feet from the north side property line and 57.3 feet from the ordinary high-water mark of Dean Lake. A variance is required to replace and enlarge the existing screen porch and deck because the existing home and proposed addition would be located within the 100 ft. shoreland building setback and 15 ft. side yard setback. The Township approves of the request. The neighbor to the north provided comment that they have no issues with the request.
- B. Hanson questioned the mentioned measurements. He believes the existing screened porch is 8 ft. x 30 ft., with the remainder being an uncovered deck. Ogle displayed the information listed on the Assessor's page, which indicated the measurement Ogle mentioned but also noted those measurements could have been an error. In the end, it was determined that the existing deck is 8 ft. x 24 ft. and the screened porch is 8 ft. x 30 ft., with a proposed 16 ft. x 32 ft. screened porch and a 12 ft. x 22 ft. deck.
- C. No comment from the public.
- D. Greninger stated she has no questions.
- E. Neumann questioned the age of the home, with Hanson stating it was built in 1969. Hanson explained that the purpose of the rebuild is to replace an old and worn-out structure. He is residing the home, so now is an ideal time to replace the deck. Additionally, they would like a more usable space. At only 8 feet wide, it is difficult to have a table, grill, and still use the area comfortably. Neumann feels this is more of a want than a need. Hanson responded that it is a need due to the deterioration of the structure, which is not currently unsafe but is becoming questionable. Neumann asked if the roofline would extend to 16 feet. Hanson confirmed and stated that he would change it to a gable roof. Currently, the area is all eave, but at 16 feet, there would not be sufficient head height, so the plan is to use a vaulted gable roof. Ogle then displayed the proposed building plans. Neumann stated that, although the proposed addition is not at the closest point to the lake, it still brings the structure closer to the lake than what is there. Therefore, the Board must determine whether the request is a need or a want. He asked how long the applicant has owned the home. Hanson replied that he does not own it, his mother does, and she is the original owner. Neumann noted that the home has functioned for over 50 years as is and while he understands the issue of deterioration and potential safety concerns, he struggles to understand why the width needs to be doubled. Hanson explained that there is a retaining wall on the south side with a set of steps. At 16 ft. the structure would extend beyond the steps, allowing him to walk underneath the new deck. If shorter, a support post would land in the middle of the steps. With the survey displayed, the details of the retaining wall and steps were reviewed. Neumann concluded that he is hearing the increased width is more for convenience.
- F. Mol stated that he holds a different view. The proposed roofline would place a permanent roof over the deck, and in the past, they have seen similar situations where, within 4–5 years, the property owner encloses the screened porch, and it effectively becomes part of the home, thus moving the living space closer to the lake. While a deck is one thing,

the proposed roofline raises concerns for him, as it could lead to the area being enclosed and turned into a full addition. He emphasized that, although he understands this applicant does not intend to enclose the area at this time, the Board must consider future implications. Replacing the existing deck is not a concern for him, but the proposed roof extension and screened porch raise concerns. He sees this request as potentially setting the stage for an expansion of the home in the coming years. He questioned where the practical difficulty or genuine need lies in the request.

- G. Vick stated that he was also trying to identify a practical difficulty, but he does not see one. While he understands the limitations of an 8-foot deck, he noted that there are alternatives, such as built-in seating. He is having difficulty justifying the need to double the size of the deck and further encroach toward the lake. He asked whether the issue was more about usability rather than an actual hardship. Hanson responded that, in his opinion, an 8-foot deck is worthless. He added that the proposed deck would not extend any closer to the lake than the existing house and garage. Hanson emphasized that he has no desire to enclose the (screen) porch but acknowledged that a future owner could choose to do so.
- H. Aarestad stated that he does not have an issue with the deck itself and appreciates that it will be built to code and made more functional. He noted that the deck would not extend closer to the lake than the existing home. However, he expressed concerns about the screened porch and how, with the proposed roofline, it could potentially be converted into a four-season living space in the future. He questioned whether the roof configuration could be changed, perhaps to a sloped roof or another design that would reassure the Board the space would not become livable area. While he feels a screened porch is a reasonable request, he emphasized the importance of ensuring it cannot be easily converted into year-round dwelling space. He stated he is very uncomfortable with the current roofline proposal, as it makes it too easy to insulate the walls and underside, pointing out the significant difference between a screened porch and a fully enclosed four-season room. Addressing the applicant, Aarestad acknowledged that the comments had been heard and that the Board had the option to vote, or the applicant could choose to return with a different roof design. Hanson replied that it is not feasible to keep the current eave and extend the roof further while still maintaining head height. Aarestad clarified that it is not the Board's role to design the project. Hanson continued to express his concerns about the need for headroom related to the roofline. Aarestad reiterated that he supports rebuilding the screened porch and deck, but the proposed roof design is problematic and presents too great a temptation for future owners to convert it into a year-round space. He again offered the applicant the options to proceed with a vote, withdraw the request, or return with a redesigned plan. Hanson asked whether the Board would be open to approving the proposal if the size were reduced but the gable roof was retained to maintain head height. Aarestad responded that it is not the Board's job to design the solution, but they have expressed their concerns and have outlined the boundaries they are looking for.
- I. Vick stated that the existing roof configuration could still accommodate a three-season porch. He would be more comfortable with the proposed plans if the structure were two feet from existing and included a stormwater management plan.
- J. Ogle pointed out that, technically, if they wanted to proceed with an exact replacement and change the roof design to something similar to what is proposed, it would be allowed. He noted that if the only concern was related to converting the screen porch into something more in the future, a condition could be put in place requiring that it remain a screen or three-season porch.
- K. Hanson stated he would like to look more into revising his plans.
- L. Motion made by Greninger to continue the item to the August 29th meeting. Seconded by Vick.

VOTE: CARRIED UNANIMOUSLY

4. **RODNEY HEBRINK** – New

LOCATION: 9811 ENDICOTT AVE NW – Part of Gov't Lot 1 and Gov't Lot 2, Wright County, Minnesota in Section 17, Township 121, Range 26, Wright County, Minnesota. (Silver Creek Twp.) Tax: 216-000-172100 & 216-000-172401. Property owners: RODNEY W HEBRINK & CAROL J HEBRINK JREVTR

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 add land from PID 216-000-172401 to PID 216-000-172100.

Present: Rodney Hebrink

- A. Ogle displayed property details and proposed site plan as he reviewed the request. The property is located at 9811 Endicott Ave NW in Silver Creek Township. Currently PID 216-000-172100 is 33.3 acres and PID 216-000-172401 is 29.6 acres but the southern 6.8 acres or so was approved by the Board of Adjustment in 2024 to be sold to the property owners to the north who own PID 216-000-172400 & 216-000-171201. Both properties involved in this request are zoned General Agriculture and located on Millstone Lake. The request is to transfer 4.6 acres from PID 216-000-172401 to PID 216-000-172100. The Township approved of the request. No written responses from the public have been received.
- B. Hebrink thanked Ogle for clearly explaining the request. They own both parcels, having lived on the northern parcel as their residence for about 23 years, and purchasing the southern parcel in 2012. The purchase was motivated by the desire to acquire the peninsula and adjacent farmland. The peninsula lies directly south of the house and is part of their daily view; owning it gives them control over what is seen. The southern parcel is agricultural, while the northern parcel includes some agricultural land but primarily serves as their residence. The peninsula has always been used for recreational purposes such as walking, cross-country skiing, picnics, and bonfires. It is not suitable for development due to its size. Neither parcel has a building entitlement beyond what is used by the existing home. The reason for the proposed adjustment is to include the peninsula with the residential parcel, as that reflects its intended use. Both parcels are zoned General Agriculture, and there are no plans to change the zoning or entitlements. The proposed property line adjustment does not alter land use, zoning, or impact surrounding properties. The peninsula is undevelopable. No variances are part of this request. It was suggested that a 300 ft. frontage be maintained along the road and lake to meet current standards. Ogle confirmed that parcels over 10 acres require 300 ft. of frontage on both road and lake, so approval would maintain conformity. If, in the future, a rezone was attempted, the parcel would meet size and width standards based on the current ordinance. Hebrink reiterated that no variances are being requested and emphasized that the motivation behind the adjustment is to allow future owners of the residence to retain the peninsula, which is more aligned with residential use than agriculture.
- C. No comments from the public.
- D. Neumann confirmed both parcels are under common ownership. He stated that he does not see a reason for the lot line adjustment, as the use remains unchanged. Keeping the current lot line maintains a straighter line boundary between the house and the agricultural property. He does not see the value in adjusting it.
- E. Mol shares sentiments similar to Neumann's. Since both parcels are under the same ownership, and no entitlement division is being requested, he feels the applicant's justification does not present a strong enough reason and it is strictly related to finances. He noted that the only rationale provided was to maintain a recreational trail. He believes everything should remain as is, and if zoning changes in the future, any new owner will want to view and use the peninsula as part of their parcel. He does not see a need to change the lot lines.
- F. Vick initially supported the request but, after hearing other members' comments, expressed uncertainty, unless the property was being sold. Hebrink clarified that they are, in fact, selling the residential parcel. Prospective buyers have indicated interest in acquiring the peninsula, as it holds no value for the farmland. Vick asked for clarification about whether both parcels were being sold. Hebrink stated the plan is to sell the homesite while retaining the farmland, at least for the foreseeable future. He emphasized that purchasing a 4 acre peninsula is very different than purchasing an additional 18 acres of farmland.

- G. Greninger noted that while the Township approved the request, she remains uncertain after hearing the other members' perspectives.
- H. Ogle clarified that no variances are being requested, only a lot line adjustment. The Board does not technically have the same criteria as a variance request. Ultimately, the decision rests with the Board's judgment.
- I. Aarestad said he does not see any negative consequences to the request. He believes it is a straightforward adjustment and is not concerned. He questioned what problems would arise from allowing the adjustment. Mol responded, saying that if the property were rezoned and the 18-acre parcel granted a building right, a house could be built facing the bay and peninsula, which they wouldn't own or control. He urged the Board to consider future implications of zoning and development. He expressed concern about creating a strip of land in front of another person's home. Aarestad maintained that the Board is dealing with a lot line adjustment and believes they should focus on the current request rather than speculate on future zoning changes.
- J. Neumann pointed out that since one of the properties is for sale, there's nothing preventing the residential buyer from also purchasing the agricultural parcel. He argued that the applicant's goal could be achieved without adjusting the lot lines. Hebrink responded that the remaining acreage is valued at around \$215,000, making it a significant financial decision for a buyer. He's trying to separate a desirable residential feature, the peninsula, from a less desirable agricultural parcel. Mol challenged this reasoning, suggesting that the agricultural parcel could offer significant uses (e.g., pasture, riding stable), and combining it with the homesite has value. Hebrink acknowledged he could sell both now without combining them. Mol reiterated that the request appears to be financially motivated. Adding the peninsula to the homesite would increase its value, offering recreational benefits like trails and bonfires. The only reason given for the adjustment, in his view, is financial.
- K. Vick asked whether members' opinions would differ if two separate owners agreed to the adjustment. Neumann said it wouldn't change his view, as it would still result in an oddly shaped parcel. He prefers to maintain straight, clearly defined property lines and feels the peninsula should remain with parcel -172401.
- L. Aarestad noted that member Greninger needed to leave and called for a motion. He felt the item had been thoroughly discussed and that it was time for a vote or the applicant could withdraw. Hebrink requested a vote.
- M. Mol moved to close the hearing to further written and oral comment and directed staff to draft findings consistent with the discussion for denial with a continuation of the request until the 8/29/2025 meeting. Motion seconded by Greninger.

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

MOTION CARRIED

Member Greninger left at this point in the meeting. (10:07 am)

Member Greninger left at this point in the meeting. (10:07 am)

5. **ROBB KIRKPATRICK** – New

LOCATION: 5166 20th Street NE – part of the S ½ of the SW ¼, Section 24, Township 120, Range 25, Wright County, Minnesota. (Buffalo Twp.) Tax #202-000-243301 & 202-000-243302 Property Owner: ROBB R & MARSHA L KIRKPATRICK and TODD SCHLEIF & FABIOLA T SCHMIDT

REQUEST: Renew and expired 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 homesite on an AG zoned parcel over the 10.0 acre maximum.

Present: Robb Kirkpatrick

- A. Ogle displayed property maps and reviewed the request. The property is located at 5166 20th St. NE in Buffalo Township. Currently, PID 202-000-243301 is 4.0 acres and PID 202-000-243302 is 22.7 acres and are both zoned General Agriculture (AG). In 2018 the Board approved adding what is now PID 202-000-243302 to PID 202-000-243301 with the remainder, which is now PID 202-000-242302, then sold off. Because the property owner of PID 202-000-243301 purchased what is now PID 202-000-243302 under Contract for Deed, they technically do not own PID 202-000-243302. Therefore, that area was in violation as it was not approved as a separately saleable property. The 2018 variance expired so in 2022 the Board approved extending the variance for three years from the date of the previous expiration. The previous expiration date was December 7, 2021. This request is basically asking for another extension. The Township approved of the request. No written responses from the public have been received. If there will be a motion for approval he would suggest setting a specific date, such as December 1, 2028. He believes the Contract for Deed is set to be fulfilled in November 2028.
- B. Kirkpatrick stated that nothing has changed since the last meeting, with the intent remaining to resolve a roof coverage issue on the 4 acres. The opportunity to purchase the additional 22 acres resolved that issue. At the time, he was not aware that the Contract for Deed would cause a problem when combining the two parcels.
- C. No public comments.
- D. Mol questioned whether there had been any complaints about the property since the last meeting. Ogle stated that he was not aware of any. Mol added that his only concern was whether there were any issues related to the property.
- E. Vick, Neumann, and Aarestad all stated they had no concerns.
- F. Neumann moved to approve the request to add what is now PID 202-000-243302 consisting of 22.7 acres to the existing 4.0 acre homesite which is on PID 202-000-243301 CONDITIONED that both PID's must be under common ownership by 12/31/2028. Concept plan noted Exhibit A. Motion seconded by Vick.

VOTE: CARRIED UNANIMOUSLY

Meeting adjourned at 10:38 am.

Respectfully submitted,



Aaron Ogle
Planning & Zoning Planner

AO: sld

CC: Board of Adjustment
Applicants/Owners & Twp. Clerks