

WRIGHT COUNTY BOARD OF ADJUSTMENT
Meeting of: October 10, 2025
MINUTES

The Wright County Board of Adjustment met on Friday, October 10 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. Caroline M. Bachun, Chief of Civil Division, legal counsel, was also present.

**Note Sandy Greninger left after item #4.*

ACTION ON MINUTES FOR THE SEPTEMBER 19, 2025 MEETING

On a motion by Vick, seconded by Neumann, the minutes were approved for the September 19th meeting as printed.

Member Mol abstained as he was not present at the September 9th meeting with the rest of the Board voting in approval.

1. **ANTHON ELLIS** – Cont. 7/18, 8/8, 8/29, and 9/19

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: Stacy Harmsen and Anthon Ellis

- A. Ogle displayed property details, which included the updated site and building plans. The property is located at 7075 Pilger Ave NW, is 0.60 acres, and is located on West Lake Sylvia which is classified as General Development. The original request on July 18th, 2025 was to construct a new single-family dwelling 65 ft. from the ordinary high-water (OHW) of Lake Sylvia and 18 ft. from the centerline of Pilger Ave NW while the septic absorption area was to be 15.5 ft. away. The request was continued to the August 8th, 2025 meeting so a site inspection could be conducted on August 6th. The request presented at the August 8th meeting was to construct a new single-family dwelling that would be 52 ft. from the ordinary high-water of Lake Sylvia and 33 ft. from the centerline of the road. That request was subsequently continued twice more, as the applicant was unable to attend and was working on design revisions. The most current request is to construct a new single-family dwelling 65 ft. from the OHW of Lake Sylvia, 28 ft. from the centerline of the road, and 16 ft. from the septic absorption area. A variance is required to construct a home within the 75 ft. shoreland building setback, the 65 ft. road setback, and the 20 ft. setback from the septic absorption area. The Township approved the initial request, as the proposed home would be built further from the lake than the existing home, and a neighbor is in support of the variance.
- B. Ellis went over the changes to the plan. He noted the current proposal shows the home at a 65 ft. lake setback which is a significant improvement of the existing 34.4 ft. The home was also rotated and downsized to better meet setbacks. Ellis noted that member Vick stated that he would prefer a proposal showing a 60 foot lake set back and a 15 foot septic set back at the August 8th hearing, and both are improved beyond those numbers. To address comments from member Mol the proposed garage is now at 28 ft., which improves the

visibility and addresses safety concerns. The current proposal reduces the home's footprint by 2.5% compared to the August 8 hearing, and the total building coverage is proposed to be 14.3%. The proposal also reduces the amount of existing impervious surface within the 75 ft. lake setback, from approximately 3,780 sq. ft. down to 1,892 sq. ft., which helps address concerns related to environmental protection and stormwater mitigation.

- C. Harmsen provided a brief explanation of why they chose to purchase the property, along with the process and goals of the new home design. She shared that she spent many summers on the lake growing up, and more recently, her family has rented a home there for one week each summer. It is very important to her that her children have the opportunity to experience growing up on a beautiful Minnesota lake, as she did. They have spent considerable time working with an architect and local contractors who are familiar with zoning regulations and who appreciate the importance of property requirements on Lake Sylvia.
- D. No comments from the public.
- E. Mol stated that, in his view, the applicant has fulfilled the Board's requests. The lake setback is now 65 ft., the absorption area is set back 16 ft., and the garage is set back from the road. He views the hardship as being related to the lake setback and the property location. He is satisfied with the applicant's efforts to meet the Board's expectations.
- F. Vick stated that many of the items the Board asked for have been addressed, and he feels the changes will be a win-win for everyone. He supports the updated plan.
- G. Greninger feels applicant addressed the concerns raised at previous meetings. She expressed a preference for the updated plan, stating that her concerns had been resolved.
- H. Neumann noted that utilizing space above the garage is a good idea, especially when space is limited. He acknowledged that the home being 10 ft. within the lake setback is consistent with what the Board has approved in the past, and he is comfortable with it. However, he asked whether the overall square footage of the home was reduced. Ellis explained that the original request had a footprint of approximately 4,000 sq. ft., and the revised proposal is 3,305 sq. ft., including the main house and garage. Neumann observed that, even at that size, the proposed home is significantly larger than the existing home, which is approximately 1,500 sq. ft., and said that this is something to possibly consider.
- I. Aarestad stated that he supports the proposed plan and feels it is an improvement over what was originally presented.
- J. Mol moved to approve the request to construct a new single-family dwelling as presented that would be 65 ft. from the ordinary high-water of Lake Sylvia, 28 ft. from the centerline of Pilger Ave NW, and 16 ft. from the septic absorption area. Site plan noted Exhibit A, building plans Exhibit B, and septic plan Exhibit C. Noted that the Township approved. Motion seconded by Vick.

DISCUSSION: Neumann noted that, given the extent of soil disturbance, very little of the property would remain undisturbed, and therefore he believes a stormwater management plan is essential in this case.

Mol and Vick agreed to add a condition requiring that a stormwater management plan be submitted at the time of building permit application.

VOTE: CARRIED UNANIMOUSLY

2. **BRAD HAGFORS** – Cont. 9/19

LOCATION: 14932 STATE HIGHWAY 55 NW – PRT OF SW OF SW TH LIES N OF NLY R/W LN OF HWY55, Section 15, Township 121, Range 28, Wright County, Minnesota. (Southside Twp.) Tax #217-000-153303. Property Owner: K-BUILT PROPERTIES LLC

REQUEST: Variance as regulated in Section 155.026 and 155.097(G) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to erect a billboard sign within the setback of an abutting property line in a district where billboards are prohibited and within the setback from a dwelling.

Present: Steve Anderson with Franklin Outdoors

- A. Ogle displayed property details and provided a brief summary of the property location. He went on to explain that the Board appeared to be in favor of the request at the previous meeting to erect a billboard sign on PID 217-000-153303, which is adjacent to PID 217-000-153306 which is zoned General Agriculture and 140 ft. from the dwelling on PID 217-000-153306 but wanted to hear from the Township. A variance is required to erect a billboard sign within 100 ft. of an abutting property that is zoned General Agriculture and within 300 ft. of a dwelling. The Township approves of a 10 ft. x 24 ft. non-electronic billboard to be placed approximately 20 ft. from abutting property that is not currently zoned commercial. No written responses from the public have been received. Per the Boards suggestion the property owners of 14932 State Highway 55 NW submitted a letter stating they are in the process of buying 14954 State Highway 55 NW with the intent to rezone to commercial.
- B. Anderson stated that the area is generally commercial in nature, and he feels the request is reasonable. He noted that the proposal meets all requirements except for setbacks, and he believes the property will likely become commercial in the future.
- C. No public comments.
- D. Vick noted that the sign will be lit but not digital. At the last meeting, it was mentioned that the neighboring property was expected to be rezoned to commercial. He asked whether that rezoning had taken place. Ogle responded that the neighboring property in question is currently zoned General Agriculture (AG), but the Land Use Plan (LUP) designation is Commercial. Because of the AG zoning, the setback requirements differ from those for a Commercially zoned property and why the need for a variance. Rezoning the property would require a hearing before the Planning Commission and final approval by the County Board, which can be a time-consuming process. Ogle also noted that being designated as Commercial in the LUP increases the likelihood of rezoning approval, especially compared to parcels not designated as such. A letter was submitted indicating the intent to rezone the property once it is purchased. Vick confirmed that no application to rezone the property has been submitted yet. He mentioned that he had driven past the site and remains hesitant about allowing a sign to be placed so close to a residence. Anderson added that the property is currently being used as office space by the prospective buyer, and it is his understanding that the plan is to apply for rezoning once the contract for deed is fulfilled.
- E. Ogle used a Beacon aerial image of the area to point out another billboard in the vicinity.
- F. Greninger stated that the Township approved the request. She added that the potential property owner is already using the site and is aware of its current status. She expressed support for the proposed plan.
- G. Neumann reiterated that his opinion has not changed since the last meeting. He emphasized that the area is open, with no hills or curves to obstruct visibility, and therefore, he has no concerns with the location of the proposed sign.
- H. Mol said he shares many of the same thoughts. He believes that, since the property is listed as Commercial in the Land Use Plan, it will eventually be rezoned as such. He expressed no objection to the request.

- I. Aarestad agreed that the property will likely become Commercial in the future and stated that a billboard would be appropriate for the location.
- J. Neumann moved to approve the request to erect a billboard sign on PID 217-000-153303, which is zoned Highway Business. The proposed location of the sign would be 20 feet from the shared property line with PID 217-000-153306, which is zoned General Agriculture and 140 ft. from the dwelling on PID 217-000-153306. It was CONDITIONED the billboard sign meet all other applicable standards. Site plan noted Exhibit A and building plans Exhibit B. Motion seconded by Greninger.

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

MOTION CARRIED

3. **ALLEN & CARLA SUNDBLAD** – Cont. 9/19

LOCATION: 3665 PLEASON AVE NW – PARTS OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 16 AND OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, Section 16 & 17, Township 120, Range 28, Wright County, Minnesota. (French Lake Twp.) Tax #209-000-162300, 209-000-171100. Property Owner: ALLEN L & CARLA L SUNDBLAD

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 allow a “1 per 40” entitlement division that exceeds 2.5 acres of prime soils and exceeds the total size maximum of 10.0 acres.

- A. Ogle called three times for the applicant or anyone representing the applicant to step forward. With nobody stepping forward Aarestad and members agreed to hold the item over to the end of the meeting.

4. **JOHN DANIELS** – New

LOCATION: 1748 MOWERY AVE NW – PRT OF W 1/2 OF NE 1/4 in Section 25, Township 120, Range 28, Wright County, Minnesota. (French Lake Twp.) Tax #209-000-251200. Property Owner: JOHN H JR & LISA M DANIELS

REQUEST: Variance (after-the-fact) as regulated in Section 155.026 and 155.003(B)(1) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to exceed the maximum allowed accessory building area.

Present: John & Lisa Daniels

- A. Ogle displayed aerial display of property with notations in red and green showing buildings and additions existing prior to 2013 (red) and after 2025 (green) as well as a map showing the surrounding property owned by USA Fish & Wildlife Services as he reviewed the request details. The property is 2.64 acres and zoned General Agriculture (AG). The property was created via Deed Restriction in 1991. The request is considered after-the-fact and is to allow all existing accessory buildings to remain on the property which total approximately 6,020 sq. ft. A variance is required to exceed 3,200 sq. ft. of accessory building area on a residential lot that falls between 2.5 – 4.99 acres. The Township approves of the request, a neighbor submitted a written comment stating they are in support of the request as the property is a historic farm.
- B. J. Daniels provided background on the property, explaining that they purchased it in 1997. At that time, the property was surrounded by wetland grasslands managed by the U.S. Fish and Wildlife Service. J. Daniels stated he had spoken with Todd Bustra, the District Manager for the U.S. Fish and Wildlife Service, who told them the property is well within setbacks and noted that for 30 years the J. Daniels have been good neighbors and indicated there was no objection to the variance request. J. Daniels also mentioned a letter submitted by the neighbor across the road, which referenced the historical significance of the request. He detailed the property's history, beginning in 1921 when it was first developed and farmsteaded. The Fish and Wildlife Service purchased the surrounding property around 1990. This property they purchased in 1997 included historic buildings that they have worked to maintain and preserve the character. Addressing the after-the-fact permit issues, J. Daniels explained that they believed their contractor had obtained the necessary permits. In 2004, a shop/garage was damaged by a tree, and they hired a neighbor-contractor to remove it. In 2012, they built a 20' x 30' shop using a local builder, unaware that no permit had been pulled. In 2013, that same builder added a porch and a permit was pulled but never closed. They were unaware of this until recently, when applying for a solar permit, which revealed that no permits existed for the shop or the small office building, which had been built in 2018 (also 20' x 30'). Again, they had wrongly assumed a permit had been obtained. Upon discovering these issues, they contacted the County for inspections. Their goal is to resolve the situation, pending approval of the variance. J. Daniels emphasized that the accessory buildings already exceeded the allowable size when they purchased the property and that this was not flagged at the time. They were unaware of the ordinance and believed the structures were grandfathered in. Their intention has always been to preserve the historical value of the buildings. While they could remove some of the buildings to comply, that would mean losing historical structures. J. Daniels noted the property's uniqueness of having no neighbors to the north, east, or south. He believes the buildings can be brought into compliance and that they are willing to go through the inspection process. French Lake Township expressed no issues with the request. All buildings have been present since 2018, and their goal is to clean up the permitting situation and move forward correctly.
- C. Lisa Daniels stated that the property is unique and referred to it as a "unicorn" property. She noted that all of the neighbors are supportive of how the property looks. French Lake Township had no issues with the request and is familiar with the property.
- D. No public comments were received.
- E. Greninger requested to see a photo of the old metal shed. Ogle displayed Assessor photos from Beacon. Greninger questioned the historical value of the metal shed behind the new garage, noting it did not seem to match the historic character of the property. She asked whether it was necessary to keep it or if it could be removed. J. Daniels indicated that if required, it could be removed.
- F. Neumann noted that variances are evaluated based on property uniqueness and hardship. He questioned whether the

Board would approve 6,000 sq. ft. of accessory building coverage on a 2.6-acre lot under normal circumstances. He believed the original mistake was in developing the parcel at only 2.6 acres, making it unique. He also noted that no additional land is available for purchase from the Fish and Wildlife Service, as confirmed by J. Daniels.

Neumann raised the concern of whether the buildings could be rebuilt if destroyed by a storm, and if approval now would guarantee that ability. Although the current configuration stems from poor planning before the J. Daniels purchased the property, he questioned whether that was sufficient hardship to justify approval. Still, he acknowledged that the property has no close neighbors and expressed interest in hearing other Board members' opinions.

- G. Mol agreed with many of Neumann's points and recognized the site as an old farmstead. He questioned the overall building coverage and lack of permits. He noted that reputable contractors should have known to pull permits, which could have prevented the current issue. He acknowledged that older farmsteads often have many buildings, and while some of the existing structures may be justifiable, the office building and shed need more scrutiny. He believed the shop was essentially a replacement for a previously existing structure. Mol noted that if the Daniels were applying today for 6,000 sq. ft., he would likely not support it. However, in this case, the historical buildings add context and justification.
- H. Ogle explained that the property division was done administratively around 1991, around the same time Fish and Wildlife acquired adjacent land. He noted that on old farmsteads, many buildings may be grandfathered in, but any new structures beyond that would require a variance or removal of existing buildings. Using the Beacon aerial site plan, Ogle identified buildings existing prior to 2005 and those added afterward that would have required permits.
- I. Vick stated that he struggles with the request. He shared that when he added onto his own home, he was required to take down a brand-new greenhouse in order to comply with regulations. He finds it difficult to support a request where the property is already over the allowable accessory building coverage and has had five additions made. He agreed with member Greninger that the tin shed should be removed, as he does not see any historical value in that particular structure. He emphasized the importance of obtaining a building permit for each structure on the property. Ogle explained that if the Board approves the overage in buildings, it would be up to the building inspectors to determine whether the structures meet code. If they do not, it would then be up to the applicant to decide how to move forward. The Board's role in this case is to determine whether to approve the overage and the location of the buildings. Vick asked whether there was a way to prohibit the rebuilding of any structures, if, for example, they were damaged by a tornado, until the property is brought back into compliance with the allowable building coverage. Ogle responded that the Board can add conditions to an approval, provided those conditions are reasonably tied to the request. In this case, it would appear reasonable for the Board to condition that no building can be rebuilt until the property complies with current standards, and that it must remain in compliance going forward. Vick also noted that lean-to's have not been allowed in previous overage variance requests. He said he would hate to see them removed if they are in good shape and meet code, but if they are not structurally sound, perhaps they could come down as part of the compliance effort. He reiterated his earlier point about being required to tear down his own greenhouse in order to add on to his home. Ogle responded that he was not familiar with the specific details of that situation. Vick concluded by stating that, in his view, the property should be brought into compliance.
- J. Greninger asked which buildings are currently unpermitted. Ogle used the site plan to point them out. She asked if non-code-compliant buildings could be taken down. Ogle clarified that the issue before the Board is not building code compliance, but whether the buildings should be allowed to remain. If a building is approved but later fails to meet code, it could be removed and rebuilt to standard.
- K. J. Daniels clarified what he is hearing be suggested is that no replacement of existing buildings are allowed until the property is brought back into compliance to accessory building standards. He feels a limitation like that is one they could work with, and they could come back before the Board if they wanted.
- L. Aarestad stated that the first thing he looks for in after-the-fact situations is whether there was any malicious intent or bad faith involved. In this case, he does not feel that either was present. He believes the rules were simply not known, and he can understand how the situation developed the way it did. He emphasized that the Land Use Plan and coverage limitations exist for a reason. Coverage rules are in place to address things like visual appearance, how a property fits into the neighborhood, and the future impact as the area develops, including concerns like drainage. However, in his view, many of the typical concerns that would arise with overages in accessory buildings do not

apply in this situation. One concern he does have relates to animal units. With all the well-maintained buildings on the property, he wants to ensure it does not turn into a mini farm that exceeds what the land can reasonably support. He also wants to make sure the property doesn't evolve into a business use, such as a mechanic shop. Overall, Aarestad said he can support the request as presented.

- M. Ogle stated that if the Board were to add a condition related to animal units, they could consider the standard of $\frac{1}{2}$ animal unit per acre. He noted that there are limitations on certain types of animals when the property is under 4 acres. Regarding the comment about business use, he explained that a typical condition on personal storage or agricultural building is that they are not allowed to be used for habitable or commercial purposes unless properly permitted. He went on to clarify that the zoning district for this property (AG – Agricultural) does allow some types of business use, provided the proper approvals are obtained. For that reason, he said he would be uncomfortable with a blanket condition prohibiting commercial use altogether. As an alternative, the condition could state that no commercial use is allowed unless properly permitted, or the Board could choose to leave that condition off entirely. Aarestad responded that the explanation was helpful and said he was comfortable not including a specific condition regarding commercial use.
- N. Mol moved to approve the request to allow all existing accessory buildings to remain on the property which total approximately 6,020 sq. ft. **CONDITIONED** no additional accessory building area allowed or replacement of existing accessory buildings allowed until the property is brought back into compliance with accessory building standards and all unpermitted work must obtain a building permit within 60 days. Site plan noted Exhibit A and noted that the Township did approve. Motion seconded by Neumann.

DISCUSSION: Vick asked if the tin shed could be required to be removed. He doesn't feel it is a historical building, and they are way over on their buildings. He questioned if the motion intended that if another shed is lost it can't be rebuilt until in conformity. Mol stated his thought on his motion is that if the shed blows down or falls apart and is removed it cannot be rebuilt. If it comes to whether he wants to sell the tin and tear it down than it cannot be replaced with how he is interpreting his motion. Vick stated he can go along with the motion if the tin shed were required to be removed.

Ogle requested a correction to the language: instead of requiring all work to be "done" within 60 days, it should state that a building permit application must be submitted within 60 days, as the permitting process may take longer.

Mol and Neumann agreed to amend the motion to read that all unpermitted work has a building permit application submitted within 60 days.

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

MOTION CARRIED

5. **JENNIFER DOIMER** – New

LOCATION: 1419 10TH ST SW – PRT OF NW1/4 OF NE 1/4, Section 11, Township 119, Range 26, Wright County, Minnesota. (Marysville Twp.) Tax #211-000-111200. Property Owner: STEVEN C & JENNIFER A DOIMER

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

Present: Jennifer Doimer

- A. Ogle displayed proposed plans and reviewed the request. The property is located at 1419 10th St. SW in Marysville Township, 7 acres and zoned General Agriculture (AG). The request is to build an addition as presented onto the existing home, which is located approximately 85 feet from the centerline of the County Road. The proposed addition would be approximately 114 feet from the centerline of the County Road. A variance is required to construct an addition to the existing home within the 130 ft. County Road setback. The Township said they approved of the request because of the following: the current addition is no closer to the road than the current house; they are caring for a family member; and the 1902 home was constructed prior to any Planning & Zoning ordinances. No written responses from the public have been received. Ogle went on to explain he is unsure of the year the home was built as the Township noted 1902 but the Assessors have it noted as 1918.
- B. Doimer explained that they are planning to have her mother-in-law live with them, and the proposed addition would provide space for her to reside on the main floor. The addition will not be any closer to the road than the existing home, and a line of trees provides a buffer on the side. Tearing down the home and rebuilding farther back is not feasible and does not make sense in this situation.
- C. No public comments.
- D. Neumann stated that, given the 7-acre parcel, building and impervious coverage is not a concern. He noted that many homes along County Roads do not meet the 130 ft. setback requirement, although there was likely a reason for that standard when the ordinance was written. Even though the proposed addition is not fully compliant at 114 ft., it is more compliant than the existing home, and therefore he has no issue with the addition.
- E. Mol stated that he is comfortable with the request. The addition is significantly farther from the road than the existing home, and the side yard setback is sufficient. He supports the proposal.
- F. Vick and Aarestad both stated that they agree with the comments made and are in favor of the proposed addition.
- G. Vick moved to the request to build an addition as presented onto the existing home, which is located approximately 85 feet from the centerline of the County Road. The proposed addition would be approximately 114 feet from the centerline of the County Road. Site plan noted Exhibit A and building plans Exhibit B. Motion seconded by Mol.

DISCUSSION: Mol asked whether it should be specified that the home must remain a single-family dwelling, to ensure the addition is not leased in the future. Vick agreed with the suggestion.

The motion was amended by Vick and Mol to include a condition that the property must remain a single-family dwelling.

Neumann questioned whether the addition would require an update to the septic system. Doimer stated that the system had already been certified. Neumann responded that if the applicant has had the system inspected, that satisfies his concern, as it ensures the system is adequate for the additional space.

VOTE: CARRIED UNANIMOUSLY

6. **RICHARD BONK** – New

LOCATION: 138 COUNTY ROAD 12 S – N26RDS OF S48RDS OF GOV LT3LY E OF RD in Section 01, Township 119, Range 26, Wright County, Minnesota. (Marysville Twp.) Tax #211-000-011102. Property Owner: RICHARD J & MARGARET BONK

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 an addition onto the existing home that would be within the shoreland building setback.

Present: Richard Bonk

- A. Ogle displayed the proposed plan and reviewed the request. The property is 2.23 acres, zoned Suburban Residential, and located on Mink Lake which is classified as Recreational Development. In 1980 the property was part of a rezone, subdivision, and variance request. The variance granted a new home 110 ft. from the County Road with no mention of a lake setback at that time. The permit for the new home was also from 1980, and the setbacks listed were 84 ft. from the lake and 125 ft. from the road. Based on aerial photography and data submitted with this 2025 variance request, the home appears to meet the 130 ft. County Road setback but is 85 ft. to the lake and the deck attached to the home is 72 ft. from the lake. This request is to construct a 14 ft. x 22 ft. four-season porch and an 8 ft. x 14 ft. deck onto the existing home that would be no closer than 70 ft. from the ordinary high-water of the lake. A variance is required to construct an addition to the existing home that is within the 100 ft. shoreland building setback of a Recreational Development lake. The Township said they approve of the request because the variance is in the same footprint, the current structure is existing, and the structure is outside of the highwater mark of the lake. No written responses from the public have been received. In his review Ogle included photos Assessor photos of the home.
- B. Bonk explained that the reason for the addition is that they need more space as their family grows, and they rarely use the deck.
- C. No comments from the public.
- D. Mol addressed the setback map that Ogle had on display and explained that he sees the addition as extending no closer to the lake than the existing structure. He then asked if any additional patio space would be added, to which Bonk replied no. Mol went on to ask how stormwater or runoff would be handled. Bonk explained that the property is flat for 25 feet before reaching the lake and that he has never experienced issues with water. The builder also indicated that there should be no water problems. Mol stated that there appear to be no neighbors who would be affected, as the surrounding area is mostly wooded. He added that even if there were water-related concerns, there is a large absorption area in the front, and runoff does not flow toward the neighbors. He also noted that while more living space is being added, the distance to the lake is not increasing. He expressed interest in hearing comments from other members.
- E. Vick stated that the addition is modest and even appears to be moving slightly back from the lake. His initial thought was to move the addition slightly west, but he now sees that may not be feasible. He is comfortable with the proposal, provided that water is managed with gutters and downspouts.
- F. Neumann commented that a four-season porch is essentially an addition to the home. He noted that if this were on Lake Sylvia or another popular lake, a 75-foot setback would typically apply, but due to the lake's classification, the required setback is further. The proposed gable roof will change the speed of water runoff, which needs to be addressed. He views the request as modest. The stairs are not a concern for him, and the deck area is relatively small. He is comfortable with the proposal.
- G. Aarestad stated that he is struggling with the request. Any expansion toward the lake is concerning, and a four-season porch constitutes a full addition. He questioned whether this request could set a precedent. If the request

had been for a screened-in porch with a roof, it would be different, but a four-season, year-round addition represents a full expansion and a change in use, which he finds problematic. Typically, expansion requests involve replacing a deck or a modest increase. Bonk pointed out that a deck replacement wouldn't require a variance. Aarestad questioned where the hardship lies and what differentiates this request from others. He acknowledged that each case is unique.

- H. Mol stated that he agrees with Aarestad's comments and the way past requests have been handled. However, he views this request differently because the addition is not any closer to the lake, and the deck already exists. Most requests involve adding 5 to 10 feet of new space, differing from the current structure. In this case, the proposal does not move closer to the lake, the deck is existing, and impervious coverage will not change. While water runoff might change, gutters may be needed to address it. He noted that if the request were to extend 5 feet closer to the lake, it would be a very different conversation. Since the deck location was already approved, he sees enclosing the existing deck area as fundamentally different from other requests, which usually ask for more.
- I. Mol moved to approve the request is to construct a 14 ft. x 22 ft. four-season porch and an 8 ft. x 14 ft. deck onto the existing home that would be no closer than 70 ft. from the ordinary high-water of the lake. Exhibits: Site plan noted Exhibit A and Building plans noted Exhibit B. The motion reaffirms that the addition will be no closer to the lake than the existing structure. Seconded by Neumann.

DISCUSSION: Vick questioned whether a stormwater management plan was needed. Mol stated that he didn't feel it was necessary since the deck already exists. Neumann noted that the project will involve minimal soil disturbance. Vick felt that, given the size of the addition, the issue at least needed to be raised.

Ogle addressed the comment regarding the addition being no closer to the lake than the existing structure. He reviewed the survey numbers and explained that due to the curvature of the shoreline and why the plan indicates 70+. The motion states "no closer than existing," but the actual distance could be slightly closer. Mol felt this was acceptable due to natural fluctuation in the lake line, which is considered a "plus or minus" measurement.

VOTE: CARRIED UNANIMOUSLY

7. **MARK & TANYA KIRSCHENMAN** – New

LOCATION: 9049 COUNTY ROAD 8 SW – E262FT OF N832FT OF NE1/4 OF NE1/4 EX TR DES ON DOC1137013 ALSO TR DES ON DOC1137014, Section 20, Township 118, Range 26, Wright County, Minnesota. (Woodland Twp.) Tax #220-000-201101. Property Owner: TANYA M KIRSCHENMAN & MARK KIRSCHENMAN

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

Present: Jacob Zikmund (architect) & Tanya Kirschenman

- A. Ogle displayed property details as he reviewed the request. The property is located at 9049 County Road 8 SW, is 6 acres and zoned General Agriculture. The request is to construct an addition as presented onto the existing home, which is located approximately 88 feet from the centerline of the County Road. The proposed addition would be approximately 112 feet from the centerline of the County Road. A variance is required to construct an addition to the existing home within the 130 ft. County Road setback. The Township approved of the request, no written responses from the public were received.
- B. Zikmund explained that the new addition is roughly 80% within the 130 ft. setback, however the 130 ft. setback is past the existing structure. From a practicality perspective no addition can be done to the home without a variance. Most of the addition will be built towards the west to escape the setback. The wrap around porch is at the 112 ft. number, which does not include any enclosed space. They have done their best to avoid the highway. Zikmund said the Highway Department approved of it via email.
- C. Kirschenman explained the reason for the addition is in preparation for the future as they age they will want main floor living. The home was built in 1928 and at that time it wasn't typical to have a main floor bathroom or laundry room, a main floor bedroom does exist.
- D. No public comments.
- E. Vick questioned if there will be an increase in bedrooms with Kirschenman stating no increase in bedrooms but more of a swap with bedroom numbers remaining the same as they are. Vick asked if the septic system will need to be addressed. Kirschenman stated the septic system has been reviewed and was okay'd for the addition. Vick stated any addition to the home requires a variance and with his questions answered he'd like to hear from the other members.
- F. Neumann stated he sees most of the construction being away from the road and he does not feel, even years into the future, the addition will have a detrimental effect. He is okay with the request.
- G. Mol and Aarestad agreed with members Vick and Neumann.
- H. Vick moved to approve the request to construct an addition as presented onto the existing home, which is located approximately 88 feet from the centerline of the County Road. The proposed addition would be approximately 112 feet from the centerline of the County Road. Exhibits: Site plan noted Exhibit A and Building plans noted Exhibit B. Motion seconded by Mol.

VOTE: CARRIED UNANIMOUSLY

8. **SHELLY & DOUG WATTERS** – New

LOCATION: 3821 DONNELLY DR NW, – MAPLE CREST LOT-025 ALSO LT2 6 & SW1/2 OF LT 27 along with PART OF GOVERNMENT LOT 6, Section 04, Township 120, Range 26, Wright County, Minnesota. (Maple Lake Twp.) Tax #210-000-043303, 210-014-000250. Property Owner: DOUGLAS L & SHELLY M WATTERS

REQUEST: Variance as regulated in Section 155.026 and 155.048(F)(2) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to construct a new storage building that would be within the road setback.

Present: Doug Watters

- A. Ogle displayed proposed site plan and reviewed the request. The property is located at 3821 Donnelly Drive NW in Maple and considered a backlot at 0.92 acres. In 2020 the Board of Adjustment approved the creation of the referenced backlot and that it would need to be owned in common with PID 210-014-000250. In 2025, a request through the Board of Adjustment for a storage building 30 ft. from the road was submitted but withdrawn before any motion for approval or denial was made. The current request is to construct a new storage building 48 ft. from the centerline of 51st St. NW. A variance is required to construct a storage building 48 ft. from the centerline of 51st St. NW as a 65 ft. setback is required from a local road. The Township approves of the building with a minimum setback of 48 ft. A written response was in favor of the request as they noted “45’ won’t be a hinderance to us or anyone else.”
- B. Watters explained that the Township did approve the request at 48 ft. He feels the uniqueness of the backlot lies in the elevation difference, at 65 ft. from the centerline of 51st Street, the lot is 6 feet lower than the centerline of the road. If the lot were flat, he would not be requesting a variance. However, it would require approximately 6 feet of fill, or roughly 80 dump truck loads to bring the site to a level building pad. Reducing the setback to 48 ft. would cut that fill requirement in half. He stated that he is trying to be mindful of the landscape and avoid significantly altering it with that much fill.
- C. No comments from the public.
- D. Neumann stated that it concerns him when new construction requires a variance, especially when there is space available to meet the standard setback. He noted that space does exist in this case and, just because meeting the setback is inconvenient, he does not support reducing it to 48 ft. The number of truckloads of fill required is a consequence of the applicant's choice, and not a justification for a variance in his view. He stated he will be opposing the request.
- E. Ogle explained that the road is around 10 ft. wide and technically a public right-of-way. Therefore, the required road setback must be applied, regardless of the road's narrowness.
- F. Mol asked in which direction the lot slopes. Watters confirmed it slopes toward the back and toward the wetlands. Mol noted that filling the lot to create a buildable area would involve bringing in fill material to the back of the property near the wetlands. He questioned how much alteration would be required. Although the variance request is for a 48-ft. setback, he wondered whether a conditional use permit might also be necessary due to the volume of material being brought in, and how such a significant alteration would be viewed. Mol acknowledged that the variance could actually reduce the amount of fill and disturbance to the property. He noted the lot’s uniqueness due to its steep slope, and that moving the building farther back would double the amount of fill required, potentially leading to a sharp drop-off into the wetland and requiring retaining walls. He said he is unsure direction is the right decision and would like to hear thoughts from other members.
- G. Vick confirmed that the proposed building is a pole shed and asked about the setbacks of other buildings along the road. Ogle used a Beacon aerial photo to explain that on the lakeside of 51st Street, due to the way the ordinance is written, the road setback can be administratively reduced. However, on the backlots, there are few

buildings, so no average setback can be established. That said, the existing buildings generally meet the 65-ft. setback. He noted that this and neighboring lots are among the steepest on this side of 51st Street. Vick commented that the steep topography could be considered a hardship. He felt the 48-ft. setback is reasonable, and given the topographical challenges, he is more inclined to support the request.

- H. Aarestad stated that he shares similar thoughts. He noted that at the last meeting, the Township was not in favor of the request, but now they are, which carries weight for him. Additionally, the applicant increased the setback and addressed concerns raised at the previous meeting.
- I. Vick moved to approve the request is to construct a new storage building 48 ft. from the centerline of 51st St. NW CONDITIONED it have no kitchen or bedrooms. Site plan noted Exhibit A and building plans Exhibit B. Motion seconded by Mol.

VOTE: Vick, Mol & Aarestad NAY: Neumann

MOTION CARRIED

Aarestad called for a five-minute Chairman's break at 10:16 a.m.

9. **JACOB SWANSON** – New

LOCATION: 5880 & 5922 ELDER AVE NW – MAPLE GROVE BEACH 1ST ADDN LOT-001 LT 1 and PRT of GOVT LOT 1, Section 04, Township 120, Range 26, Wright County, Minnesota. (Maple Lake Twp.) Tax #210-016-000010, 210-000-042201. Property Owner: JACOB R SWANSON & LENGYEL LIVTR

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 alter the property lines between PID 210-016-000010 and 210-000-04220.

No representative present

- A. Ogle called three times for anyone present to step forward with no one stepping forward. He went on to explain there was some confusion with the Township, and the applicant has asked to continue the item so he can have a conversation with the Township. The continuation request and 120-day waiver have been signed.
- B. Vick moved to continue the item to the November 7th meeting. Motion seconded by Neumann.

VOTE: CARRIED UNANIMOUSLY

Item carried over from earlier in the meeting

3. **ALLEN & CARLA SUNDBLAD** – Cont. 9/19

LOCATION: 3665 PLEASON AVE NW – PARTS OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 16 AND OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, Section 16 & 17, Township 120, Range 28, Wright County, Minnesota. (French Lake Twp.) Tax #209-000-162300, 209-000-171100. Property Owner: ALLEN L & CARLA L SUNDBLAD

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 allow a “1 per 40” entitlement division that exceeds 2.5 acres of prime soils and exceeds the total size maximum of 10.0 acres.

- A. Ogle called three times for the applicant or anyone representing the applicant to step forward. He was not anticipating nobody being present to speak on behalf of the request. At the prior meeting, Steve Bruggeman, the realtor, had stepped forward to speak on behalf of the Sundblad’s. The applicants (the Sundblad’s) would have received the continuation notice by mail regarding this meeting. Ogle went on to explain that the variance request is to split off 20 acres, which exceeds both the 10-acre maximum and the 2.5-acre limit on prime soils. A wetland delineation was conducted, and the Soil and Water Conservation District (SWCD) commented that there is only a very small area where a driveway access would not cross a wetland. That limited access is part of the reason for 20 acres. There are two entitlements on the property, with one already used by the existing home. Approximately two years ago, 10 acres to the north was sold to the (Wright County) Parks Department. At the previous meeting, it appeared the request was not being favorably received, but only three Board members were present. The applicant, who is the property owner, was not in attendance, so the Board allowed a continuation, possibly in the hope that the applicant would attend the next meeting or that more members might bring a different perspective.
- B. Mol stated that a previous split had been done that he would like to review. Ogle used the Beacon aerial imagery to go over and explain the divisions that had occurred, identifying which properties were created and which are required to be owned in common due to section lines. At the 2023 hearing, the northern portion of the property was noted as potentially containing wetlands. It was recommended that the SWCD review the area and provide comments, which led to a wetland delineation. At that time, the Board of Adjustment (BOA) decided to address only the southern portion of the property and to defer any decision regarding the northern area until the owner chose to pursue it. Mol clarified that the 2023 motion included a condition stating there would be no further divisions of the 40-acre parcel, specifically related to the southern portion, for use as a homesite. Ogle then displayed the survey from the 2023 hearing for the Board to review.
- C. Vick questioned the amount of proposed tillable land. Ogle explained that the ordinance limit is 2.5 acres of prime soils and displayed the corresponding map. He noted that any area shown with green cross-hatching is technically considered prime soil. He stated that he excluded areas not currently being tilled, as well as areas identified as wetland by the SWCD. In total, the property contains approximately 4.5 acres of prime soils. Ogle also noted that about two-thirds of the property is not under active tillage and that there are some steep elevation changes on the site.
- D. Neumann motioned to dismiss the item without prejudice. Ogle responded that he was unsure whether the item could be dismissed in the applicant’s absence unless they had specifically requested to withdraw it. He advised that proper protocol, if the item is not going to be continued, would be to make a motion either for approval or denial.
- E. Neumann motioned to deny the request. The motion was seconded by Mol.

DISCUSSION: Vick stated that he would prefer to give the applicants the benefit of the doubt by allowing them the

option to attend the next meeting. If they do not attend that meeting, then the request should be finalized at that time. Mol asked Vick whether the applicants' presence at the next meeting would change his opinion regarding the 4 acres of prime soils, or what specifically might change if they were present. Vick replied that he intended to suggest a maximum of 10 acres for the split. Mol asked whether a 10-acre split would require Board approval. Ogle explained that if the proposed 10-acre parcel meets the 2.5-acre prime soils limit and the required lot width and depth standards, it could proceed without a variance. He noted that the applicants had previously considered a 10-acre split to the north, but the issue was the presence of wetlands and the challenge of providing access. While the ordinance does not specifically address wetlands in land divisions, it would not be appropriate to approve a division without certainty that access for a home could be established. Vick asked if running a north-south property line for a 10-acre split would be feasible. Ogle confirmed that it is a possibility. Ogle clarified that while he cannot advocate for the applicant, he can point out key factors such as wetlands, prime soils, and elevation challenges.

Aarestad noted that there is a motion on the floor with a second. He asked legal counsel whether there is sufficient information to prepare findings for a denial. Mol asked whether the findings were included in the original motion, clarifying that his understanding was it was a straightforward denial. Neumann confirmed that his motion was to deny the request and asked whether specific findings are required. Mol stated that the motion lacked findings and did not include a formal closure of the public hearing. Aarestad asked if legal counsel has enough information, based on the discussion, to draft appropriate findings. Ogle responded that several relevant points have been raised. He advised that if the Board intends to deny the request, it would be better to continue the item and close the public hearing to allow staff time to draft formal findings. He reminded the Board that any decision—approval or denial—can be appealed. He also noted that two standalone variances are being requested: one for exceeding the 10-acre maximum, and one for exceeding the 2.5-acre prime soils limit. Each of those could be denied independently. Aarestad stated that the Board usually has more extensive discussion before a denial and wants to ensure that the record is adequate. Bachun advised that the Board should provide specific reasons on the record and discuss in more detail the basis for denial. The applicant's absence, she noted, is not a valid reason for denial.

Neumann reiterated that prime soils are an issue in this request, and that the applicant could have proposed a 10-acre parcel but chose not to. He does not see a compelling reason to justify the 20-acre request, particularly given the presence of wetlands, and feels the property should remain whole.

Mol stated that the motion should be clarified to include closure of the public hearing and a directive for staff to draft findings of denial, with the item continued to the next meeting. Neumann agreed. Ogle confirmed that the discussion phase was still ongoing and that this adjustment would be appropriate. Ogle added that a previous assistant county attorney, Tom Zins, had outlined procedures indicating that a denial motion can technically proceed without pre-drafted findings, but Board members must state their reasons on the record. This route is typically reserved for items approaching the 120-day deadline. He recommended the Board close the public hearing to oral and written comment, direct staff to draft findings for denial based on the current discussion, and continue the item to the November 7, 2025, meeting. He also reminded the Board that a split vote results in a failed motion.

Vick expressed his support for continuing the item to the November meeting, which would also give the applicants a final opportunity to withdraw their request. Aarestad acknowledged that there is still a motion on the floor and that Vick's comments would be noted as part of his reasoning.

Mol reiterated his position and went on record, stating that his support for the denial is based on the following: the proposed amount of prime soil exceeds what is allowed by ordinance; the proposed 20-acre parcel includes land to the west, and if the split were configured differently the variance would not be needed and; a 10-acre parcel split north and south would allow for appropriate road access in the same general area and would be consistent with residential development throughout the county.

Aarestad agreed and added his reasoning to the record be that the request contradicts the Land Use Plan by removing prime tillable land, alternatives exist that would comply with ordinance standards, and he feels no hardship has been demonstrated.

Ogle reminded the Board that the motion may still need to be formally amended to include closure of the public hearing, direction for staff to draft findings for denial, and continuation of the item.

Neumann amended his motion to close the public hearing and direct staff to draft findings consistent with denial, continue the item to the November 7th meeting. Mol seconded the amendment.

VOTE: Neumann, Mol & Aarestad NAY: Vick

MOTION CARRIED

Meeting adjourned at 10:39 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Aaron Ogle', written in a cursive style.

Aaron Ogle
Planning & Zoning Planner

AO: sld

CC: Board of Adjustment
Applicants/Owners
Twp. Clerks