

WRIGHT COUNTY BOARD OF ADJUSTMENT
Meeting of: February 6, 2026
MINUTES

The Wright County Board of Adjustment met on Friday, February 6, 2026 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 Dan Mol, Bob Neumann, Dan Vick & Bruce Maue. Representing the Planning & Zoning Office was Aaron Ogle, Planner. Brian Wold, Assistant County Attorney, legal counsel, was also present.

ACTION ON MINUTES FOR THE JANUARY 9, 2026 MEETING

On a motion by Mol, seconded by Maue the minutes for the January 9th meeting were unanimously approved.

1. **CAP CUSTOM HOMES** – Continued from 12/5/2025 & 1/9/2026

LOCATION: 6356 PILGER AVE NW – COATES P BULL ADDN LOT-020, Section 33, Township 121, Range 28, Wright County, MN (Southside Twp.) Tax # 217-022-000200. Property Owners: LANSE C & LIVIA D LANG

REQUEST: Variance as regulated in Section 155.026 & 155.049(F) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to construct a new home and water-oriented accessory structure that would be located within the road setback.

Present: Bernie Miller of MSTs & Al Evavold with CAP Custom Homes

- A. Ogle reminded the Board that the request had most recently been continued from the January 9 meeting to allow the applicant time to revise their plan. The applicant brought updated plans to this meeting and is prepared to provide an overview of the changes. He reminded the Board that the Township approved the original request and that there have been no additional public comments since the last meeting.
- B. Evavold used the document camera to display and review the updated site plan, noting that the building plans have not changed. He explained that the updated plan places the house 34.1 feet from the road. The home is still proposed at 15 feet from the side yard and 75 feet from the lake. Evavold stated that a feasibility study was completed as part of the process and provided a copy to the Board. The study reviewed several factors relevant to moving forward with the project. He explained that information was pulled from peninsula parcels that are one acre or smaller. He highlighted that over the past 10 years, the average approved structure size was 4,385.21 square feet, and the proposed home, at 4,981 square feet, meets building size and impervious coverage limits. Evavold noted that the study showed approvals with setbacks of 20–25 feet from the traveled roadway centerline. He acknowledged that road safety was a concern but stated the study showed no major or high-profile traffic accidents on the road in the past 10 years. Miller noted that a new home in the area was recently approved at 28 feet from the road centerline and that the approval also included other

variances, including a lake variance. He explained that the subject parcel is a corner lot created prior to zoning controls and that the road is not centered within the easement. He stated that even if the home were pushed to 65 feet from the lake, a road variance would still be required. Therefore, the decision was made to pursue a road variance rather than a lake variance in order to avoid environmental impacts. Miller further noted that the lot is long and narrow, contains an existing driveway that is not near the curve of the road, and is impacted by the road on two sides, making compliance with setbacks difficult. He stated that the uniqueness of the property lies in its narrowness, location between two roads, and overall lack of buildable area. He explained that even if the road were constructed as originally intended, the proposed home would still be 40 feet from the traveled roadway centerline. Miller addressed safety concerns, stating there is very little traffic on the road. He reminded the Board that the Township supported the original request at 20 feet from the road. He noted that the Board may consider the average setback of neighboring structures and reiterated that the goal is to construct a home with the fewest variances possible.

- C. No comments from the public.
- D. Mol stated that he attended the site inspection and noted that the number of trees proposed for removal would alter the essential character of the locality, which he considers important. He felt that both the removal of trees and the size of the house would negatively impact the peninsula. At prior meetings, he suggested a minimum 45-foot setback from the road. After reviewing the house and site plans, Mol felt there was still an opportunity to move the house farther from the road. He stated that the circumstances are not unique to the property and that the issue was created by the size of the proposed home. While acknowledging the lot was created before zoning ordinances were in place, he stated that it was created during a time when properties were used as weekend cabins, not full-time residences with larger homes and amenities. He expressed concern with granting variances for that reason. Mol acknowledged that some type of variance would likely be required unless the home were replaced in the same footprint, which is closer to the lake than what is proposed. He stated that at 34 feet from the road, the character of the area would be altered. He reiterated that he believes the home could be redesigned to allow for a greater setback. He also stated he did not believe guardrails or other safety mechanisms were necessary, as he did not view road safety as a concern.
- E. Vick stated that his initial concerns were road safety and the height of the home, but after visiting the site, those concerns were reduced. He noted that the building meets all setbacks except for the road and that the Board has approved similar road variances in the past. He stated he is leaning toward approval because building and impervious coverage requirements are met and the project would resolve several existing issues.
- F. Maue acknowledged that moving from the original 26-foot setback to 34 feet was a significant improvement and that previous setback issues have been resolved. He voiced two remaining concerns. The first was the number of trees that would be removed, which he felt would change the overall appearance of the property. The second was the size of the proposed home, which he stated remains too large. Maue noted that during the site visit he felt the proposed home would appear monumental from the lake and would dwarf neighboring homes. He also expressed concern about tree removal associated with the septic system location.
- G. Neumann noted that while Mr. Miller referenced past variances approved on the peninsula, those approvals involved unique circumstances and different lot sizes. He referenced Exhibit C from the previous meeting, which showed the buildable area of the lot, and stated he believes there is room to move the house farther north and achieve at least a 50-foot setback from the road centerline.

Neumann stated that the road is private and that while it may not be practical, relocating the road could create additional buildable space. He also noted that a neighboring property may be available for purchase in the future, which could provide more room. He stated that the size of the home itself is not his concern, but rather fitting the home within the buildable area. He concluded that if the house were moved to 50 feet from the road centerline, he would support the request.

- H. Aarestad stated that visiting the site changed his perspective. He noted that each request before the Board has unique circumstances and that prior examples referenced also had their own specific conditions. He expressed concern about the impact on the neighborhood, stating the home would shift from blending in to being a dominant presence. He also cited concerns regarding tree removal. Overall, he stated that the combination of tree removal, home size, and proximity to the road would significantly impact the neighborhood and would not fit the character of the area. He stated these were the primary reasons he could not support the request and felt the proposal represents a house that is too large for the lot.
- I. Evavold asked whether a tree analysis would be helpful in addressing the Board's concerns and asked what setback distance from the road the Board would be comfortable with, noting he heard 45–50 feet mentioned. Mol stated, "Meet us in the middle and we will fight it out at the front." Aarestad stated that he has experience with trees and that his concerns extend beyond historic or legacy trees to overall foliage and underbrush, and that a tree analysis would not change his position.
- J. Vick asked what the setback would be if the road were properly located. Miller responded 40 feet.
- K. Miller stated that he views the property as similar to a cul-de-sac, as the road is a dead end, and noted that the cul-de-sac setback requirement is 25 feet. He stated there is still room to adjust the plans and felt the project is close to an acceptable solution.
- L. Aarestad explained that the Board could either vote on the request or continue the item to allow the applicant to return with revised plans based on the discussion. Evavold requested a continuance.
- M. Vick moved to continue the item to the March 13 meeting to allow time for the applicant to revise the plans. The motion was seconded by Mol.

DISCUSSION: Ogle addressed the 120-day waiver, with Evavold agreeing to sign the waiver.

VOTE: CARRIED UNANIMOUSLY

2. **MICHAEL LATOUR** – New

LOCATION: 8403 COUNTY ROAD 3 NW – PARTS OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 121, RANGE 28, WRIGHT COUNTY, MINNESOTA (Southside Twp.) Tax # 217-000-224104. Property Owners: MICHAEL T LATOUR & ROBIN E LATOUR

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 allow an addition to the existing home that is located within the setback from a County Road.

Present: Michael Latour

- A. Latour stated his request is for an addition to his home that does not meet the setback requirement from County Road 3. The proposed addition would be to the west of the home and would be no closer to the County Road. He stated his understanding that because the existing home does not meet the setback requirements, any increase in square footage requires a variance.
- B. Ogle displayed the proposed plans and reviewed details of the request. He noted the Township does not oppose the request, as the improvements would be farther from County Road 3 than the existing structure. He explained that because the existing home is within the required 130-foot road setback, any increase in square footage requires Board approval through a variance. There were no public comments received.
- C. There were no comments from the public.
- D. Vick stated he is comfortable with the request.
- E. Maue stated he has no concerns, as the addition is on the backside of the home and farther from the road. Maue asked whether the unattached garage would be removed, and Latour confirmed it will be replaced with an attached garage.
- F. Neumann noted the property has ample space and did not see any issues with the request. He asked whether the septic system would be adequate. Latour explained the system was upgraded in 2020 with this addition in mind.
- G. Mol stated he is familiar with the property and that the proposed addition will not alter the character of the land. He stated he is supportive of the request.
- H. Aarestad stated he is in favor of the request.
- I. Vick moved to approve the construction of an addition to the existing home which is approximately 122 ft. from the centerline of County Road 3 NW. Site plan noted Exhibit A and building plans Exhibit B. Motion seconded by Mol.

VOTE: CARRIED UNANIMOUSLY

3. **AARON HORSCH** – Cont. from 12/5/2025 & 1/9/2026

LOCATION: 10340 COUNTY ROAD 5 SW– PRT OF SW1/4OF NW1/4, Section 30, Township 118, Range 27, Wright County, MN (Victor Twp.) Tax 219-000-302300. Property Owners: AARON B & STACY L HORSCH

REQUEST: Variance as regulated in Section 155.026 & 155.048(F) of Chapter 155, Title XV, Land Usage & Zoning of the Wright County Code of Ordinances to construct a storage building within the rear yard setback.

Present: Aaron Horsch; Stacy Horsch; Troy Lange, Supervisor of Victor Township; and Kirby Moynagh, District 5 County Commissioner.

- A. Ogle displayed the proposed site plan and reviewed details of the request. The request is to construct a 40 ft. x 60 ft. (2,400 sq. ft.) storage building located 15 ft. from the rear property line. The request was continued from the December 5th and January 9th meetings so the applicant could reassess the proposal based on the Board's discussion. A variance is required to construct a storage building within the property's required 30 ft. rear yard setback. No updated plans have been received. The Township recommended approval of the request, noting there is no other suitable location for the shed on the property and that it would abut tillable land owned by the same family. No written responses from the public have been received.
- B. S. Horsch noted drainage issues on the east side of the property and stated the house is built on the only flat area, so the proposed building would not sit much higher than the house. She also noted that if the right-of-way is excluded from their acreage, the property would be reduced to 2.3 acres. Ogle explained that for a General Agriculture (AG)–zoned property, lots between 1.0 and 2.49 acres require a 15 ft. rear yard setback, while lots between 2.5 and 4.99 acres require a 30 ft. rear yard setback. The subject property is 2.58 acres, which places it in the 30 ft. setback category.
- C. Lang stated he visited the property and used a Beacon aerial map to identify key features relevant to the discussion. He noted that at a prior meeting it was suggested the building could be moved east or west, but he felt that would place the building directly in line with the home's walkout area. Lang stated the Township identified the property's topography as the hardship and supported the request as proposed, given the proximity to family-owned acreage that would allow a 15 ft. setback from the rear line. He noted the applicant owns all surrounding property and the area is so rural that development is unlikely for many years. Lang reiterated that topography is the primary issue and that placing the building elsewhere would require thousands of yards of fill. He again voiced the Township's overall support of the request.
- D. Moynagh acknowledged that any changes to the ordinance related to setback requirements would be the responsibility of the County Board. He stated that asking the applicant to reduce the property by 9 ft. on the north side to fall below the 2.5-acre threshold, particularly when the property would be 2.3 acres without the right-of-way, seemed like forcing the applicant to "play the system." He noted that storage buildings are common on farm properties and that this request was not for an unusual or incompatible use. Moynagh noted the request was reasonable and would not affect neighbors, tillable land, privacy, or surrounding uses. He felt development of the area was highly unlikely before the shed would need replacement or removed. Moynagh stated setbacks should not stop a project like this, as there are no crowding, noise, or land-use change issues. He also noted that relocating the building would likely require approximately \$15,000 in fill and tree removal, and that

drainage issues from the road to the southwest corner of the property further affect placement. Moynagh cited Minnesota Statute § 394.27, subd. 7, stating a variance may be granted when it is in harmony with the ordinance and comprehensive plan. He felt the request met the statutory criteria, would not alter the essential character of the neighborhood, and was reasonable given the property's unique topography. He also noted the surrounding land is family-owned and farmed by the applicant's son, with no intent to sell outside the family. Moynagh concluded that the variance should be approved and reiterated the Township's support.

- E. No comments from the public.
- F. Maue recalled that during initial discussions there was mention of moving the rear property line to meet setback requirements and increase lot size. S. Horsch confirmed this was discussed, but that concerns regarding prime soils were raised. Ogle stated he consulted with staff and determined that prime soils within the right-of-way could be excluded. Other administrative options could be adjusting the north property line or rotating/relocating the building to eliminate the need for a variance. Maue stated he felt the rear property line could be adjusted by 15 ft., remain farmland, and eliminate the need for a variance.
- G. Neumann stated he heard broad support for the proposed location and did not disagree that it was ideal, but he did not see a practical difficulty or hardship. He felt alternatives exist, including relocating the building and adding fill, which he considers a normal part of construction. Neumann stated there is ample space on the property and that the applicant has not demonstrated a hardship sufficient to justify a variance. He therefore did not support the request.
- H. Mol addressed comments suggesting the ordinance itself may be the practical difficulty. He stated the ordinance requires a 30 ft. setback and that the Board evaluates each request individually. Mol felt it was unreasonable to require a 30 ft. setback on one side and 15 ft. on another when the property is surrounded by farmland. He suggested the home was originally built on the highest point to avoid drainage issues, with no initial intent to construct a shed. Mol stated the ordinance creates the hardship in this case and that granting a variance would not impact neighbors or change the character of the area. He supported approval of the variance. Ogle clarified that the required side yard setback is 10 ft., and the applicant is proposing 15 ft.
- I. Vick stated he could not identify a hardship. He suggested he would support the request if the applicant agreed to a promissory note requiring the building to be brought into compliance should the properties no longer remain in common ownership.
- J. Aarestad stated he had been on record in favor of the request at the prior two meetings and remained in support. He described the situation as a commonsense request and noted that differing opinions among Board members reflect thorough and thoughtful discussion. He reiterated his support.
- K. Vick asked the applicant whether they would be willing to sign a promissory note. S. Horsch asked whether this was common practice. Ogle noted if the intent would be to require future compliance if ownership changed, concerns about enforcement of the condition are had. The parcels are separately saleable and could bring forth complications for future property owners. Vick stated he would support the request if such an agreement were in place. Moynagh acknowledged staff concerns but noted it could still potentially be done. Wold expressed uncertainty as to whether such a condition would withstand legal scrutiny.

- L. Mol voiced concern that unforeseen circumstances could force the family to sell the land in the future, triggering a burden related to the condition. He reiterated that the request would not set precedent and that each variance is evaluated individually. He stated the property is unique and that the ordinance constitutes the hardship.
- M. Vick reiterated that he would support granting the variance provided the properties remain in common ownership.
- N. Neumann agreed that the ordinance presents a challenge but maintained that the applicant has viable alternatives. He stated the Board must evaluate hardships, not wants, and felt the applicant is choosing not to pursue options that would comply with the ordinance. Neumann suggested working with the County Commissioner to amend the ordinance if it is problematic. He concluded that, aside from the ordinance itself, he did not see a practical difficulty warranting a variance.
- O. Mol moved to approve the request to construct a 40 ft. x 60 ft. (2,400 sq. ft.) storage building 15 ft. from the rear property line. Conditioned: Site plan Exhibit A and building plan Exhibit B. Motion seconded by Aarestad.

MOTION FAILED

VOTE: AYE: Mol & Aarestad NAY: Maue, Vick & Neumann

- P. Vick moved to approve the request to construct a 40 ft. x 60 ft. (2,400 sq. ft.) storage building 15 ft. from the rear property line CONDITIONED a "promissory note" stating the shed would meet setbacks if either property were sold outside the "family". Site plan noted Exhibit A and building plans Exhibit B. Motion seconded by Maue.

MOTION PASSED

VOTE: AYE: Vick, Mol, Maue & Aarestad NAY: Neumann

4. **PATRICK GRAHAM** – New

LOCATION: 5636 & 5616 DEMPSEY AVE SW – PRT OF GOV LT4, NE OF SE & SE OF SE with PRT OF THE E1/2 OF SE1/4 N OF RY & GOV LT4 and PRT OF GOV LT3 all in SECTION 33, TOWNSHIP 119, RANGE 26, WRIGHT COUNTY, MINNESOTA (Marysville Twp.) Tax # 211-000-334100, 211-000-334202, 211-000-331401. Property Owners: WILLIAM J GRAHAM, PATRICK J GRAHAM, JOAN M GRAHAM & ASHLEY N KUHN AU

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 for an entitlement division that exceeds the 10.0 acre maximum size.

Present: Ashley Kuhnau

- A. Ogle displayed the proposed plan and reviewed the request. The property is located off Dempsey Ave SW in Marysville Township. There are three parcels involved, all of which are zoned General Agriculture (AG). PID 211-000-334100 is approximately 32.7 acres, PID 211-000-334202 is approximately 40.3 acres, and PID 211-000-331401 is approximately 7.7 acres. PID 211-000-331401 and PID 211-000-334202 must remain owned in common due to public road frontage requirements. The request is to allow a 13.3 acre entitlement division out of PID 211-000-334202. PID 211-000-331401 and the remainder of PID 211-000-334202 would be owned in common with PID 211-000-334100 and have one building entitlement. A variance is required for an entitlement division that exceeds 10.0 acres in total size. There is a registered feedlot on the referenced parcels so that should be taken into consideration if a motion for approval is made. The Township approves of the request and no written responses from the public were received.
- B. Kuhnau stated the property is co-owned by several family members, and she is present on behalf of the family, which is seeking to separate ownership of the land.
- C. Public Comment:
 - Tracy Janikula, Feedlot Program Administrator, noted there has been a feedlot on the property for approximately a century and that it has been registered as a feedlot since the program began in 1998. Based on the historical number of animals on the property, her recommendation to the Board, if the request were approved, was to limit the 13-acre parcel to 20 animal units (AU).
 - Jill Graham, a resident living across the street, stated she is not opposed to the request but asked whether, if additional animals were allowed, there would be any requirements for containment, as the animals tend to roam.
- D. Neumann questioned the applicant as to why the request is for 13 acres rather than the ordinance maximum of 10 acres. Kuhnau explained a lawsuit is part of the discussion and, with attorneys involved, the proposed division results in an even split among the brothers. Neumann responded that in family matters there are often valuation differences that can be offset financially to equalize ownership. He stated that this raised questions for him as to why a variance is necessary and whether the request represents a want rather than a hardship under the ordinance. He also noted that the proposed parcel lines are not straight. For these reasons, he stated he has difficulty seeing why the ordinance cannot be followed.

- E. Mol addressed a small triangular area shown on the proposed site plan. Kuhnau explained that the triangle allows the existing building to meet required setbacks and provides a buffer. Mol stated that, from his perspective, the lot lines run corner to corner and are therefore straight. He echoed Neumann's concern regarding property value and the inability to meet the 10-acre ordinance maximum. He noted that both parcels have adequate road frontage and that any future development would require additional review. While acknowledging the acreage exceeds the ordinance standard, he stated that with the lot lines and road frontage as presented, he is comfortable with the request.
- F. Vick questioned the location of access to PID 210-000-334100. Kuhnau used Beacon aerial imagery to show the existing access. Ogle then reviewed aerial photos and explained ownership details of the three parcels, as well as the locations of existing homes, access points and why a requirement of common ownership. Vick questioned why the staff report recommended limiting the parcel to 20 animal units rather than allowing one-half animal unit per acre. Janikula first addressed Neumann's earlier question regarding the 10-acre limitation, explaining that if the parcel were reduced to 10 acres, the allowable animal units would drop to five. She noted the property has historically supported more animals and that a reduction would require an additional animal variance. She further explained that applying a one-half animal unit per acre standard would again result in fewer animal units than currently present. Her recommendation of 20 animal units allows flexibility while remaining consistent with historical use. Janikula also addressed the neighbor's concern regarding animal containment, stating that containment methods are the responsibility of the owner and from experience the number of animal units does not directly determine whether animals escape.
- G. Maue reviewed the proposed site plan and specifically questioned whether the lot line labeled as 844.7 feet could be straightened on the west side. Kuhnau explained the line was drawn as proposed to account for the location of the existing house. Maue accepted the explanation.
- H. Aarestad stated the request makes sense to him. He noted that monetary considerations are not typically part of Board deliberations, but in this case, it appears significant family negotiations occurred to reach this proposal. He stated he has no issues with the request.
- I. Mol approved the request to allow for a 13.3 acre entitlement division out of PID 211-000-334202. PID 211-000-331401 and the remainder of PID 211-000-334202 would be owned in common with PID 211-000-334100 and have one building entitlement. CONDITIONS: 1) Subject to survey; 2) Subject to Deed Restriction; 3) Subject to Administrative Order; 4) Entitlement division not to exceed 20.0 animal units (AU); 5) Manure application plan approved by the Wright County Feedlot Officer with concept plan noted Exhibit A. Motion seconded by Vick.

DISCUSSION: Neumann questioned whether the presence of prime soils would be a concern. Ogle displayed the prime soils map and explained that the prime soil in the proposed division area is largely not under active tillage. He stated a prime soil variance is not part of this request but acknowledged the Board may consider any factors it deems relevant.

VOTE: CARRIED UNANIMOUSLY

5. **JOSEPH DESMARAIS** – New

LOCATION: xxxx 40TH ST SW – N1/2 OF NE1/4 OF NE1/4 of SECTION 27, TOWNSHIP 119, RANGE 26, WRIGHT COUNTY, MINNESOTA (Marysville Twp.) Tax # 211-000-271100. Property Owners: JOSEPH M DESMARAIS

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 for an entitlement division from a lot of record that exceeds the 5.0 acre maximum size.

Present: Joseph Desmarais

- A. Desmarais noted he is requesting a division of a property he has owned for 45 years that would result in a parcel in excess of five acres. He stated the property has a DNR ditch running through the western portion and a private ditch running through the eastern portion, both of which have required setbacks. The property is a little over 19 acres according to tax records, though he believed he purchased approximately 20 acres. The next step would be a survey to determine the exact acreage. He explained that the land was purchased to supplement their farming operation and that he is now seeking to divide the property to make future transitions easier when he is no longer here.
- B. Ogle presented the proposed site plan along with maps showing ditch locations and prime tillable soils. Ogle noted the property is approximately 19.2 acres and is considered a Lot of Record (LOR), meaning it was created prior to the entitlement division standards in the ordinance and is considered a legally created parcel. A division from a LOR allows for a maximum of five acres. The proposal is for a nine-acre entitlement division, which would use the building eligibility. The remaining eastern portion would be 10 acres and considered restricted. Ogle noted that the Township approved the request and no other responses were received.
- C. No comments from the public.
- D. Mol noted the property is zoned General Agricultural (AG). As a Planning Commission member, he expressed concern that allowing the split could create future pressure for rezoning of the 10-acre parcel. He explained that the 19–20 acre parcel was created years ago as a LOR and includes a building eligibility. He stated he would like to hear from other members.
- E. Vick questioned the applicant regarding his plans for the nine- and ten-acre parcels and why the nine-acre parcel was chosen for the entitlement. Desmarais explained that due to the ditch location and the existing road approach onto County Road 107, which he described as a “speed alley”, the nine-acre parcel was the safest option for a home location being on the eastern side of the ditch. He noted that he previously consulted the County Highway Engineer about moving the road approach and was informed that the cost would be his responsibility and that relocating it would not improve safety. Desmarais added that the entire parcel contains less than nine acres of tillable land and is difficult to farm due to water issues.
- F. Maue stated he had no issues with the request and had no questions.
- G. Neumann noted the property is approximately 19 acres, presents traffic concerns, and is difficult to farm. He felt the property might be best left intact and could be attractive to someone interested in hunting or wildlife. He stated the acreage could still be rented for farming or used as pasture. He

expressed concern with creating a 10-acre parcel without an entitlement and concluded that the property should remain as is.

- H. Mol asked the applicant whether the intent was to sell the two parcels separately. Desmarais stated that his intent is to leave the property as is for now and that the division is intended to address potential issues during estate liquidation. Mol referenced Neumann's comments and noted that a near-20-acre parcel could be desirable for animal use, particularly with the increase in horse barns within the county. He stated that his concern is that the property is zoned AG, not Agricultural Residential (AR), and is not identified in the Land Use Plan. Rezoning the proposed 10-acre parcel to create another few home sites would be a separate issue. He reiterated that there is demand for 20-acre parcels and that the property includes pastureland and a stream. He emphasized the importance of proper planning and leaving the property in its current configuration.
- I. Vick stated he is in favor of the request.
- J. Aarestad stated he is familiar with the property and noted that while it is technically agricultural land, it is not conducive to large-scale farming. He observed that the City of Montrose is located just to the south and that growth could extend toward this parcel. He suggested that if the division were approved, the restricted 10-acre parcel could serve as preserved land or a wetland buffer. He stated that if the property were suitable for large equipment farming, the discussion would be different, but given the wetlands and limited farming capability, the proposed division is reasonable. He expressed support for the request.
- K. Vick asked whether, if the division were approved, the entire 19 acres could still be sold as one parcel. Ogle responded that approval would result in two separately saleable parcels, which could be sold to the same individual or to different parties.
- L. Bernie Miller of Miller's Sewage Treatment Solutions (MSTS) addressed the Board. Miller stated that he conducted several soil borings on the property and found adequate conditions to support up to three lots if rezoning and additional divisions were pursued. He noted there is demand for larger acreage parcels in the county. Given the creek location and farming challenges, he described the property as a good candidate for three lots; however, the applicant chose the current proposal as a compromise due to the difficulty of the rezoning process and to preserve some farmable land.
- M. Neumann moved to close the public hearing and direct counsel to prepare findings based on the record and discussion, consistent with the denial of the request, and continue the matter to the March 13, 2026 Board of Adjustment hearing. Motion seconded by Mol.

DISCUSSION: Neumann reiterated that the applicant raised safety concerns regarding road access and stated that, as currently configured, the parcel would be attractive to a buyer. He referenced Mr. Miller's comments that there are at least three potential home sites. He concluded that leaving the property intact at 19 acres represents the best use of the land.

MOTION CARRIED

VOTE: AYE: Mol, Neumann & Maue NAY: Vick & Aarestad

Meeting adjourned at 10:20 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