



Le Sueur County, MN

Thursday, December 15, 2016

Regular Session

Item 1

DRAFT December 15, 2016 Minutes

Staff Contact: Kathy Brockway or Michelle Mettler

**LE SUEUR COUNTY PLANNING AND ZONING COMMISSION
BOARD OF ADJUSTMENT
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
December 15, 2016**

MEMBERS PRESENT: Colin Harris, Jeanne Doheny, Jim Mladek, John Wolf, Francis Cummins

OTHERS PRESENT: Kathy Brockway, Commissioner Connolly.

The special meeting was called to order at 1:30 PM. Jim Mladek motioned to close the special meeting for client/attorney discussions in regards to the pending law suit with Halvorson vs. Le Sueur County. Seconded by John Wolf. Motion carried.

At 2:30 PM, Motion by Jim Mladek to reopen the special meeting. Seconded by Colin Harris. Motion carried.

Paul Reuvers, MCIT Attorney representing Le Sueur County explained that the law does not allow conditions to be put on a variance that was already granted. The applicant was asking for an extension to what was already granted to him. The extension that was granted for 6 months was not challenged it was merely the removal of the existing shed that was challenged.

Therefore, as the Attorney representing the County he is asking that the Board of Adjustment remove the condition from the variance in regards to the removal of the shed within 6 months.

No public comment as this is a public meeting not public hearing.

Jim Mladek motioned to remove the condition regarding the removal of the shed within 6 months. Seconded by Fritz Cummins. Motion carried.

Motion by John Wolf to adjourn the special meeting. Seconded by Colin Harris. Motion carried.

The regular meeting was called to order at 3:00 PM by Chairperson, Jeanne Doheny.

ITEM #1: MARTIN & SANDRA MOHR, NEW ULM, MN, (APPLICANT/OWNER): Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to construct a dwelling addition, a 2nd story dwelling addition, an attached garage addition, and to enlarge a non-conforming structure 63 feet from the Ordinary High Water Level (OHWL) and 13 feet from the road Right-Of-Way (ROW) and a total of 27.1% impervious surface in a Recreational Residential "RR" District on a Recreational Development "RD" lake, Lake Jefferson. Property is located at Lot 14, Wildwood Subdivision, Section 3, Washington Township. **VARIANCE IS FOR OHWL, ROAD ROW, & PROPERTY LINE SETBACKS AND IMPERVIOUS SURFACE. APPLICATION TABLED AT THE OCTOBER 21, 2016 MEETING.**

Martin Mohr was present for application. Township: Notified through application process, no comments. DNR: No comments. Letters submitted: Joshua Mankowski, LSC Resource Specialist (see file).

Discussion was held regarding: removed the addition towards the road right of way, will now be no closer than what is already there, reduced the peak height by 1', addition has 7' sidewalls, due to the location of the stairways to access the addition cannot reduce height due to state codes, reduced the impervious surface from 35% to 27%, currently has a holding tank will be hooking up to municipal services, working with Joshua Mankowski, LSC Resource Specialist in regards to reducing impervious surface and native plantings.

PUBLIC COMMENT: Paul Lyndgaard on behalf of Dale Wills, landowner, stated that Dale Wills has no objections to the proposal.

Motion was made by John Wolf to approve the application with the condition to continuing working with the Department in regards to reducing impervious surface and native plantings. Seconded by Colin Harris. Motion approved. Motion carried.

ITEM #2: CURT GUTOSKE, MINNEAPOLIS, MN, (APPLICANT); DUANE & CAROL GUTOSKE, SAVAGE, MN, (OWNER): Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to install a holding tank 42 feet from the Ordinary High Water Level (OHWL), 5 feet from the dwelling, and 4 feet from the property line in a Recreational Residential “RR” District on a Recreational Development “RD” lake, Lake Jefferson. Property is located at Lot 31, Roemer’s Blue Marina, Section 31, Cordova Township. **VARIANCE IS FOR DWELLING, PROPERTY LINE, AND OHWL SETBACKS.**

Curt Gutoske applicant along with Drew Seppmann, Seppmann and Sons, septic contractor were present for application. Township: Notification through the application process. DNR: No Comments. Letters submitted: none.

PUBLIC COMMENTS: none

Discussion was held regarding: Seasonal cabin, non-complying system, upgrade due to property within the German-Jefferson Sewer District, small lot, no other options available, needs to be in compliance by December 31, 2017.

Motion was made by Jim Mladek to approve the application as requested. Seconded by John Wolf. Motion approved. Motion carried.

ITEM #3: LOREAN HALL, O’FALLON, IL, (APPLICANT\OWNER): Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to install a holding tank 54 feet from the South Ordinary High Water Level (OHWL), 72 feet from the North OHWL, 7 feet from the dwelling, and 4 feet from the property line in a Recreational Residential “RR” District on a Recreational Development “RD” lake, Lake Jefferson . Property is located at Lot 2, Roemer’s Blue Marina, Section 31, Cordova Township. **VARIANCE IS FOR OHWL, DWELLING, AND PROPERTY LINE SETBACKS.**

Curt Gutoske applicant along with Drew Seppmann, Seppmann and Sons, septic contractor were present for application. Township: Notification through the application process. DNR: No Comments. Letters submitted: none.

PUBLIC COMMENT: none

Discussion was held regarding: Seasonal cabin, non-complying system, upgrade due to property within the German-Jefferson Sewer District, small lot, no other options available, existing system over 40 years old, needs to be in compliance by December 31, 2017.

Motion was made by Colin Harris to approve the application as requested. Seconded by Fritz Cummins. Motion approved. Motion carried.

ITEM #4: CRAIG & DIANA MARTENS, ROCHESTER, MN, (APPLICANT\OWNER): Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to install a septic tank 2 feet from the East property line, 7 feet from the dwelling; construct a septic drainfield 2 feet from the East property line in a Recreational Residential “RR” District, on a Recreational Development “RD” lake, Lake Jefferson. Property is located at Lot 6, Roemer’s Cove, Section 7, Elysian Township. **VARIANCE IS FOR PROPERTY LINE AND DWELLING SETBACKS.**

Craig Martens was present for application. Township: Notified through the application process. DNR: No comments. Letters submitted: none.

PUBLIC COMMENTS: none

Discussion was held regarding, lot is 50’ wide by 300’ deep, working with James Brothers to install a mound system, present system non-complying, must be in compliance by December 31, 2017, access to the lot, no other options available.

Motion was made by John Wolf to approve the application as requested. Seconded by Fritz Cummins. Motion approved. Motion carried.

Minutes: Additions or corrections-None. Motion to approve minutes by Colin Harris. Seconded by John Wolf. Motion approved. Motion carried.

Motion to adjourn meeting by Colin Harris. Seconded by John Wolf. Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,
Kathy Brockway
December 15, 2016

*Tape of meeting is on file in the
Le Sueur County Environmental Services Office*

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