



Le Sueur County, MN

Thursday, October 19, 2017

Regular Session

Item 1

Approved October 19, 2017 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
October 19, 2017**

MEMBERS PRESENT: Jeanne Doheny, Jim Mladek, Francis Cummins

MEMBERS ABSENT: Colin Harris, John Wolf

OTHERS PRESENT: Kathy Brockway

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

ITEM #1: JOSEPH MURILLA & ANGELA JAHR, EAGLE LAKE, MN, (APPLICANT); JOSEPH MURILLA, EAGLE LAKE, MN, (OWNER): Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to construct a single-family dwelling 13 feet from the road Right-Of-Way (ROW) and 25 feet from the bluff in a Recreational Residential "RR" District on a Recreational Development "RD" lake, Lake Jefferson. Property is located at Lots 21 & 22, Wildwood Subdivision, Section 3, Washington Township. **VARIANCE IS FOR ROAD ROW & BLUFF SETBACKS.**

Joseph Murilla and Angela Jahr were present for application. Township: Greg Davis, Washington Township Board member, questioned whether the access was from the private road or township road. DNR: No Comments. Letters submitted: Joshua Mankowski, LSC Resource Specialist (see file).

Discussion was held regarding: drainage, fill, improvements to the property, connecting to municipal services, native plantings, protection of bluff.

Motion was made by Fritz Cummins to approve the application with the following condition.

- 1. Continue to work with the Environmental Resources Specialist to stabilize the bluff area with Minnesota native, deep-rooted vegetation.***

Seconded by Jim Mladek. Motion approved. Motion carried.

ITEM #2: DARRYL BALLMAN, CLEVELAND, MN, (APPLICANT\OWNER): Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to construct a deck 63 feet from the road Right-Of-Way (ROW) in an Agriculture "A" District. Property is located in the SE 1/4 SE 1/4, Section 21, Cleveland Township. **VARIANCE IS FOR ROW SETBACK.**

Darryl Ballman was present for the application. Township: no comments. DNR: n/a. Letters submitted: none.

Discussion was held regarding: deck was always in plans when they built the dwelling, county widened the road right of way, therefore does not meet the setback.

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

ITEM #3: DERRICK LEDVINA, CLEVELAND, MN, (APPLICANT); RICHARD LEDVINA, WAUSAUKE, WI, (OWNER): Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to install a septic tank 0 feet from the dwelling, and within the bluff; install a septic drainfield 4 feet from the dwelling, 0 feet from the property line, 50 feet from the Ordinary High Water Level (OHWL) and within the bluff in a Recreational Residential "RR" District on a Recreational Development "RD" lake, Lake Jefferson. Property is located at Lot 4, Cape Horn Subdivision, Section 1, Cleveland Township. **VARIANCE IS FOR STUCTURE, BLUFF, PROPERTY LINE & OHWL SETBACKS.**

Wayne James, James Brothers Construction, representing the applicant was present for application. Township: No comments. DNR: No comments. Letters submitted: Joshua Mankowski, LSC Resource Specialist (see file).

Discussion was held regarding: hired a new surveyor, changed location, neither option is the greatest, but this option is better, concerns with bluff stabilization, will go into more detail when applying for the Conditional Use Permit, working with an engineer, required to go through the conditional use permit process, well location, holding tank option, year round home, road restrictions, lots were meant for seasonal use, small lot, how to access the property, type of wall construction, block suppliers specifications, Joshua Mankowski commented on this variance but didn't comment on the last one, variance granted in August still valid, which is the best option.

Motion was made by Jim Mladek to approve the application. Seconded by Jeanne Doheny, understands where Fritz Cummins is coming from, but feels this is a better option than the previous request. Motion approved. Motion carried 2-1.

ITEM #4: STEVEN & THERESA BAKER, MADISON LAKE, 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 82 feet from the Ordinary High Water Level (OHWL) in a Special Protection "SP" District, on an unnamed Natural Environment "NE" lake. Property is located in the SW 1/4 NW 1/4, Section 11, Washington Township. **VARIANCE IS FOR OHWL SETBACK.**

Theresa Baker was present for application. Township: No comments. DNR: No Comments. Letters submitted: none.

Discussion was held regarding: unnamed lake stricter regulations as to setbacks, part of the German-Jefferson Sewer District, required to update, mound meets the setback, tanks requested at 82', plumbing in house

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

Minutes: Additions or corrections-None. Motion to approve the September 21, 2017 minutes by Jim Mladek. Seconded by Fritz Cummins. Motion approved. Motion carried.

Motion to approve the September 27, 2017 minutes by Fritz Cummins. Seconded by Jim Mladek. Motion approved. Motion carried.

Motion to adjourn meeting by Jim Mladek. Seconded by Fritz Cummins. Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,
Kathy Brockway
October 23, 2017

Approved November 16, 2017

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