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# **Le Sueur County, MN**

**Thursday, March 21, 2019**

**Regular Session**

## **Item 1**

**DRAFT February 21, 2019 Meeting Minutes**

Staff Contact: Joshua Mankowski or Michelle Mettler

# LE SUEUR COUNTY BOARD OF ADJUSTMENT

Mailing address: 88 SOUTH PARK AVE  
Physical Address: 515 SOUTH MAPLE AVE  
LE CENTER, MINNESOTA 56057

**February 21, 2019**

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

**MEMBERS ABSENT:** Jim Mladek

**OTHERS PRESENT:** Joshua Mankowski

1. **Call to Order** at 3:00 by Chairperson Jeanne Doheny.
2. **Agenda:** Additions/Corrections None. Motion to approve agenda by Colin Harris. Seconded by John Wolf. Motion approved. Motion carried.
3. **Meeting Minutes:** November 15, 2018 Additions/Corrections None. Motion to approve minutes by Fritz Cummins. Seconded by John Wolf. Motion approved. Motion carried.
4. **Applications**

**ITEM #1: ADAM KOPESKY & JAIMIE DEATLEY, JANESVILLE, MN,**  
**(APPLICANT\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 77 feet from the Ordinary High Water Level (OHWL) and 48 feet from the road Right-Of-Way (ROW) in a Recreational Residential "RR" District on Lake Jefferson, a Recreational Development Lake. Property is located at Lots 7, 8, & 9, Tomahawk Point 1<sup>st</sup> Addition, Section 4, Washington Township. **VARIANCE IS FOR OHWL AND ROAD ROW SETBACKS.**

No one was present for application. Township: None. DNR: None. Letters submitted: Holly Kalbus, Environmental Resources Specialist stating her recommendation of approval.

Discussion was held regarding the site not being stacked as required.

Motion was made by John Wolf to Table the application because the site was not properly staked. Seconded by Colin Harris. Motion approved. Motion carried.

**ITEM #2: CAMAS, LE CENTER, MN, (APPLICANT\OWNER):** Request that the County grant an After-The-Fact (ATF) Variance from the Le Sueur County Zoning Ordinance to allow the applicant to install a 10,000-gallon wastewater tank 4 feet from the State Highway 99 road Right-of-Way (ROW) in an Agriculture "A" District. Property is located in the NW 1/4 & SW 1/4, Section 1, Cleveland Township. **ATF VARIANCE IS FOR ROAD ROW SETBACK.**

Michelle Hawkins was present for application. Township: None. DNR: None. Letters submitted: None.

Discussion was held regarding the After-The-Fact variance for the install of a holding tank for industrial byproduct. The need to meet all setback requirements for the MPCA was given as a reason for requesting a variance from County setbacks. To meet all MPCA setback, there was only a small area for install, this area did not meet ROW setback requirements for the County. The MPCA was onsite to observe tank installation. Camas worked with an engineering company to meet permit requirements with the MPCA. The engineering company stated that they had called the County but did not ask the appropriate questions as pertaining to setback

requirements. The tank is currently not in use since a County permit has not yet been obtained and the alarm still needs to be installed. There was discussion on how and where the industrial byproduct will be disposed of once it is pumped from the tank and about maintaining appropriate rates for land application. Tank construction was also talk about. It was indicated that the current means of disposal was through the City of Mankato's wastewater treatment plant.

Motion was made by Fritz Cummins to Approve the application. Seconded by John Wolf. Motion approved. Motion carried.

5. **Discussion Items:** Ordinance Amendment adopted by the County Board to be effective March 1, 2019.

6. **Warrants/Claims:** Sign warrants/claim sheets

7. **Adjourn:** Motion to adjourn meeting by Colin Harris. Seconded by John Wolf. Motion approved. Motion carried. Meeting Adjourned.

Respectfully submitted,

Joshua Mankowski

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