

LE SUEUR COUNTY PLANNING AND ZONING
BOARD OF ADJUSTMENT
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
(507) 357-8538

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD

DATE: JULY 17, 2014

TIME: 3:00 PM

PLACE: ENVIRONMENTAL SERVICES BUILDING, 515 SOUTH MAPLE AVE, LE CENTER MN

PURPOSE: To hear testimony from interested parties and consider Variance Applications as provided by the Zoning Ordinance of Le Sueur County as described below:

ITEM #1 Board of Adjustment Public Notice

ITEM #2 Approved Minutes

INFORMATION AVAILABLE FOR REVIEW AT THE ENVIRONMENTAL SERVICES DEPARTMENT
APPLICANT OR REPRESENTATIVE MUST BE PRESENT IN ORDER FOR THE APPLICATION TO BE HEARD.
ONSITE VISIT WILL BE MADE BY THE BOARD OF ADJUSTMENT July 17, 2014.

KATHY BROCKWAY, LE SUEUR COUNTY PLANNING & ZONING ADMINISTRATOR
MICHELLE R. METTLER, ASSISTANT PLANNING & ZONING ADMINISTRATOR

Le Sueur County, MN

Thursday, July 17, 2014

Regular Session

Item General1

Board of Adjustment Public Notice

Staff Contact:

LE SUEUR COUNTY PLANNING AND ZONING
BOARD OF ADJUSTMENT
88 SOUTH PARK AVE.
LE CENTER, MINNESOTA 56057
(507) 357-8538

TO WHOM IT MAY CONCERN: NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD

DATE: JULY 17, 2014

TIME: 3:00 PM

PLACE: Le Sueur County Environmental Services, 515 South Maple Ave, Le Center, MN.

PURPOSE: To hear testimony from interested parties and consider Variance and Appeal Applications, as provided by the Zoning Ordinance of Le Sueur County, as described below.

Applications are available for review at the Environmental Services Building during normal business hours.

Any information to be submitted to the Board of Adjustment for review prior to the public hearing, please submit to the Environmental Services Department on or before **JULY 6, 2014**.

ITEM #1: PAUL & JAYNE SKLUZACEK, NEW PRAGUE, 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 enlarge a non-conforming structure 40 feet from the Ordinary High Water Level (OHWL); construct a proposed deck 41 feet from the OHWL and 0 feet from the detached garage; create impervious surface within the shore impact zone in a Recreational Residential "RR" District on a Recreational Development "RD" lake, Lake Volney. Property is located in Government Lot 1, Section 1, Cordova Township. **ATF VARIANCE IS FOR ENLARGING A NON-CONFORMING STRUCTURE; VARIANCE IS FOR OHWL & STRUCTURE SETBACKS AND CREATING IMPERVIOUS SURFACE WITHIN THE SHORE IMPACT ZONE.**

ITEM #2: SAM & STACY GORE, 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 single-family dwelling with an attached garage and a 10 x 16 deck 35 feet from the road Right-Of-Way (ROW), 5 feet from the property line, 10 feet from the bluff (east) and 20 feet from the bluff (west), 52 feet from the wetland, and 76 feet from the Ordinary High Water Level (OHWL) in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Jefferson. Property is located at Lot 1, Tomahawk Point First Addition, Section 4, Washington Township. **VARIANCE IS FOR ROAD ROW, PROPERTY LINE, BLUFF, WETLAND, AND OHWL SETBACKS.**

ITEM #3: BRUCE ANNIS, KASOTA, MN, (APPLICANT/OWNER): Requests that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to construct a 32 x 36 accessory structure 12 feet from the road Right-of-Way (ROW) and 34 feet from the Ordinary High Water Level (OHWL) and creating impervious surface within the shore impact zone in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Washington. Property is located at Lot 31, Sportsmen's Haven, Section 18, Kasota Township. **VARIANCE IS FOR ROAD ROW & OHWL SETBACKS AND CREATING IMPERVIOUS SURFACE WITHIN THE SHORE IMPACT ZONE.**

ITEM #4: JUSTIN JACKSON, MANKATO, MN, (APPLICANT)/OWNER: Requests that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to construct a 24 x 40 detached garage 23 feet & 28 feet from the Ordinary High Water Level (OHWL) and create impervious surface in the shore impact zone in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Washington. Property is located at lots 2, 3, & 4, Ulmen's Subdivision, Section 13, Kasota Township. **VARIANCE IS FOR OHWL SETBACK AND CREATING IMPERVIOUS SURFACE WITHIN THE SHORE IMPACT ZONE.**

APPLICANT OR REPRESENTATIVE MUST BE PRESENT IN ORDER FOR THE APPLICATION TO BE HEARD.

ONSITE VISIT WILL BE MADE BY THE BOARD OF ADJUSTMENT July 17, 2014.

KATHY BROCKWAY, LE SUEUR COUNTY PLANNING & ZONING ADMINISTRATOR
MICHELLE R. METTLER, ASSISTANT PLANNING & ZONING ADMINISTRATOR

Le Sueur County, MN

Thursday, July 17, 2014

Regular Session

Item General2

Approved 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
JULY 17, 2014**

MEMBERS PRESENT: Colin Harris, Jeanne Doheny, Jim Mladek, John Wolf, Francis Cummins
OTHERS PRESENT: Kathy Brockway, Commissioner Connolly

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

ITEM #1: PAUL & JAYNE SKLUZACEK, NEW PRAGUE, 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 enlarge a non-conforming structure 40 feet from the Ordinary High Water Level (OHWL); construct a proposed deck 41 feet from the OHWL and 0 feet from the detached garage; create impervious surface within the shore impact zone in a Recreational Residential "RR" District on a Recreational Development "RD" lake, Lake Volney. Property is located in Government Lot 1, Section 1, Cordova Township. **ATF VARIANCE IS FOR ENLARGING A NON-CONFORMING STRUCTURE; VARIANCE IS FOR OHWL & STRUCTURE SETBACKS AND CREATING IMPERVIOUS SURFACE WITHIN THE SHORE IMPACT ZONE.**

Paul and Jayne Skluzacek were present for application. Township: Cordova Township Board member per phone conversation with Department have no objections to the proposal. DNR: No comments. Letters submitted: Lauren Klement, LSC Resource Specialist, see file.
PUBLIC COMMENTS: None

Discussion was held regarding: explained reasons for constructing without proper permits, never gave height a thought as to expansion of a non-conforming structure, worked with staff, drainage from township road through the garage, decreased impervious surface, rain gutters, rain barrels, decks considered impervious surface, improvement to the property.

Motion was made by John Wolf to approve the after the fact portion of the application. Seconded by Mladek. Motion approved. Motion carried.

Motion was made by Colin Harris to approve the application. Conditions: Installation of rain garden and gutters on structures, per Lauren Klement letter. Seconded by John Wolf. Motion approved. Motion carried.

ITEM #2: SAM & STACY GORE, 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 single-family dwelling with an attached garage and a 10 x 16 deck 35 feet from the road Right-Of-Way (ROW), 5 feet from the property line, 10 feet from the bluff (east) and 20 feet from the bluff (west), 52 feet from the wetland, and 76 feet from the Ordinary High Water Level (OHWL) in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Jefferson. Property is located at Lot 1, Tomahawk Point First Addition, Section 4, Washington Township. **VARIANCE IS FOR ROAD ROW, PROPERTY LINE, BLUFF, WETLAND, AND OHWL SETBACKS.**

Sam Gore was present for application. Township: Greg Davis, Washington Township Board, township has no objections to the proposal. DNR: No Comments. Letters submitted: Lauren Klement, LSC Resource Specialist, Neighborhood letter, see file.

Discussion was held regarding; unique property, worked with staff to change plans in order to utilize the lot, changed house plans several times in order for the house to fit the lot, bluff setbacks, planting of additional trees.

PUBLIC COMMENT: none.

Motion was made by Jim Mladek to approve the application. Conditions: rain gutters installed, and use of rain barrels.. Seconded by Colin Harris. Motion approved 4-1. Motion carried.

ITEM #3: BRUCE ANNIS, KASOTA, MN, (APPLICANT/OWNER): Requests that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to construct a 32 x 36 accessory structure 12 feet from the road Right-of-Way (ROW) and 34 feet from the Ordinary High Water Level (OHWL) and creating impervious surface within the shore impact zone in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Washington. Property is located at Lot 31, Sportsmen's Haven, Section 18, Kasota Township. **VARIANCE IS FOR ROAD ROW & OHWL SETBACKS AND CREATING IMPERVIOUS SURFACE WITHIN THE SHORE IMPACT ZONE.**

Bruce Annis was present for application. Township: none. DNR: no comments. Letters submitted: Lauren Klement(see file).

Discussion was held regarding: property to be used year round, needs storage space, consistent with other garages in the development, size of structure, concerns with site distances, worked with staff as to the location of the accessory structure, elevation of structure.

PUBLIC COMMENT: Bruce Kluehertz, fits into the area, responsible neighbor; Jerry Lucas, adjoining property owner, consistent with other structures in the development, good neighbor.

Motion was made by John Wolf to approve the application. Conditions: Erosion control methods to remain in place until such time vegetated growth is established. Seconded by Jim Mladek. Motion approved 4-1. Motion carried.

ITEM #4: JUSTIN JACKSON, MANKATO, MN, (APPLICANT)/OWNER: Requests that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to construct a 24 x 40 detached garage 23 feet & 28 feet from the Ordinary High Water Level (OHWL) and create impervious surface in the shore impact zone in a Recreational Residential "RR" District, on a Recreational Development "RD" lake, Lake Washington. Property is located at lots 2, 3, & 4, Ulmen's Subdivision, Section 13, Kasota Township. **VARIANCE IS FOR OHWL SETBACK AND CREATING IMPERVIOUS SURFACE WITHIN THE SHORE IMPACT ZONE.**

Justin Jackson was present for application. Township: no comments. DNR: no comments. Letters submitted: Lauren Klement (see file).

Discussion was held regarding: Board members uncomfortable with location of structure, redesign plan, look at a different location on the lot for shed, applicant feels it fits in with the structures in the neighborhood, needs the square footage in order to store his pontoon/trailer, will be screened from the lake, worked with staff, flood proofing of structure, rain gardens.

PUBLIC COMMENT: NONE

Motion was made by Jim Mladek to table the application in order to allow the applicant to make adjustments to his proposal. Seconded by John Wolf. Motion approved. Motion carried.

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

Motion to adjourn meeting by John Wolf. Seconded by Jim Mladek. Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,
Kathy Brockway
July 22, 2014

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