

Houston County Board of Adjustment
February 28, 2013

Approved on April 25, 2013 by Greg Myhre and Tim Orr

The Houston County Board of Adjustment met at 6:30 p.m. on Thursday, February 28, 2013.

The meeting was called to order by Garland Moe, Chairperson. Members present were Chairperson Moe, Tim Orr and Greg Myhre. Others present were Doug Thompson, Tony Bauer, Ben Lind, Mike Lynch Bill Lynch and Craig Moorhead. Bob Scanlan; Zoning Administrator/Feedlot Officer was present for zoning.

Notice of **Public Hearing No. 389** was read. **Doug Thompson**, 9593 Mound Prairie Drive, Houston, MN 55943 is seeking a variance of 700 feet to meet the required $\frac{1}{4}$ mile setback from a registered feedlot to build a new dwelling in Mound Prairie Township.

Bob Scanlan, Zoning Administrator, pointed out the site on the Arc Map Photo. Mr. Scanlan commented that Mr. Thompson plans to:

- The registered feedlot within the $\frac{1}{4}$ mile is owned by Earl Kitchen and consists of goats.
- Chad Myhre, licensed septic installer submitted septic information.
- The Mound Prairie Township board and adjoining property owners were notified. There were no inquires to the Zoning Office in regard to the application.

Mike Lynch spoke and said he had no problem with the requested variance but wanted to know how the variances work against feedlots, if the feedlot wanted to expand. Bob said it's reciprocal. It works both ways and the feedlot would need to apply for a variance if it expanded.

Chairman Moe asked if Doug or anyone had anything to add. No one did.

Chairman Moe asked that the Findings be read being there were no further comments. The Findings were read and comments made as follows:

Area Variance Standards ~ Practical Difficulties

- 1.) Is there a substantial variation in relation to the requirement?
Answer: No
- 2.) Will the variance have a negative effect on governmental services?
Answer: No
- 3.) Will the variance effect a substantial change in the character of the neighborhood or will there be a substantial detriment to neighboring properties?
Answer: No
- 4.) Can the practical difficulty be alleviated by a feasible method other than a variance? **Answer: No**
- 5.) How did the practical difficulty occur? Did the landowner create a need for the variance? **Answer: No**
- 6.) In light of all of the above factors, will allowing the variance serve the interests of justice? **Answer: Yes**

Greg Myhre made the motion to grant the variance as submitted. Tim Orr seconded and the motion carried.

Notice of **Public Hearing No. 390** was read. **Ben Lind**, 7155 State 76, Houston, MN 55943 is seeking a variance of 30 feet to meet the required 130 foot setback from a state highway to build an addition on his home in Sheldon Township.

Bob Scanlan, Zoning Administrator, pointed out the site on the Arc Map Photo. Mr. Scanlan commented that Mr. Lind plans to:

- Ben is adding an addition to the west side of the house.
- The addition is proposed to be 30' x 36' and will include a bedroom.
- The septic system was updated a couple years ago to accommodate the extra bedroom.
- MN DOT sent an e-mail to Bob confirming they had no problem with the variance as submitted.
- The Sheldon Township board and adjoining property owners were notified. There were no inquires to the Zoning Office in regard to the application.

Chairman Moe asked if Ben or anyone had anything to add. No one did.

Chairman Moe asked that the Findings be read being there were no further comments. The Findings were read and comments made as follows:

Area Variance Standards ~ Practical Difficulties

- 1.) Is there a substantial variation in relation to the requirement?
Answer: No

- 2.) Will the variance have a negative effect on governmental services?
Answer: No
- 3.) Will the variance effect a substantial change in the character of the neighborhood or will there be a substantial detriment to neighboring properties?
Answer: No
- 4.) Can the practical difficulty be alleviated by a feasible method other than a variance? **Answer: No**
- 5.) How did the practical difficulty occur? Did the landowner create a need for the variance? **Answer: No**
- 6.) In light of all of the above factors, will allowing the variance serve the interests of justice? **Answer: Yes**

Tim Orr made the motion to grant the variance as submitted.

Greg Myhre seconded and the motion carried.

Greg Myhre made the motion to approve the summary minutes of the September 27, 2012 meeting. Tim Orr seconded it. Motion carried.

Greg Myhre made the motion for Garland Moe to serve as chairperson for 2013. Tim Orr seconded and the motion carried.

Greg Myhre made the motion to adjourn the meeting and Tim Orr seconded it. Motion carried.

Submitted by Houston County Board of Adjustment Clerk on March 1, 2013.

Houston County Board of Adjustment
April 25, 2013

Approved on June 20, 2013 by Greg Myhre and Tim Orr

The Houston County Board of Adjustment met at 6:30 p.m. on Thursday, April 25, 2013.

The meeting was called to order by Garland Moe, Chairperson. Members present were Chairperson Moe, Tim Orr and Greg Myhre. Others present were Andy Luttchens, Jill Luttchens, Matt Hendel, Karl Hendel and Craig Moorhead. Bob Scanlan; Zoning Administrator/Feedlot Officer was present for zoning.

Notice of **Public Hearing No. 391** was read. **Andy Luttchens**, 21240 State 26, Caledonia, MN 55921 is seeking a variance of 36 feet to meet the required 50 foot setback from the south property line to build a family-dining-playroom addition on his existing home in Jefferson Township.

Bob Scanlan, Zoning Administrator, pointed out the site on the Arc Map Photo. Mr. Scanlan commented that Mr. Thompson plans to:

- The proposed addition would be 28' x 28'.
- The lot is odd-shaped.
- The property has been surveyed.
- MN DOT confirmed they had no problem with the variance as submitted.
- The Jefferson Township board and adjoining property owners were notified. There were no inquires to the Zoning Office in regard to the application.

Chairman Moe asked if Andy had anything to add. Andy did not.

Greg Myhre asked if addition is on back side or the front side of the house. Andy said the back side.

Bob asked about the septic system. Andy pointed out on the survey map where the septic was located. There was no issue with the septic location.

Chairman Moe asked that the Findings be read being there were no further comments. The Findings were read and comments made as follows:

Area Variance Standards ~ Practical Difficulties

- 1.) Is there a substantial variation in relation to the requirement?
Answer: No
- 2.) Will the variance have a negative effect on governmental services?
Answer: No
- 3.) Will the variance effect a substantial change in the character of the neighborhood or will there be a substantial detriment to neighboring properties? **Answer: No**
- 4.) Can the practical difficulty be alleviated by a feasible method other than a variance? **Answer: No**
- 5.) How did the practical difficulty occur? Did the landowner create a need for the variance? **Answer: No**
- 6.) In light of all of the above factors, will allowing the variance serve the interests of justice? **Answer: Yes**

Chairman Moe asked for a motion on the variance if there were no additional comments or questions.

Tim Orr made the motion to grant the variance as submitted. Greg Myhre seconded and the motion carried.

Notice of **Public Hearing No. 392** was read. **Matt and Pam Hendel**, 14306 Gap Drive, Caledonia, MN 55921 are seeking to expand a feedlot with a variance of 776 feet to meet the required 1,320 foot setback from an existing dwelling in Caledonia Township.

Bob Scanlan, Zoning Administrator, pointed out the site on the Arc Map Photo. Mr. Scanlan commented that Hendel's plan to:

- The Hendel's are planning to knock down some existing/older livestock buildings and plan to replace them with a new freestall barn.

- They plan to expand from 125 a.u. to 210 a.u. of heifers, calves, dry cows.
- Lot size is a limiting factor.
- Small manure basins will be added.
- Kermit McRae of Caledonia Township called the office and said they had no problem with the application as submitted.
- The Caledonia Township board and adjoining property owners were notified. There were no inquires to the Zoning Office in regard to the application.

Chairman Moe asked if Matt or anyone had anything to add. No one did.

Chairman Moe asked that the Findings be read being there were no further comments. The Findings were read and comments made as follows:

Area Variance Standards ~ Practical Difficulties

- 1.) Is there a substantial variation in relation to the requirement?
Answer: No
- 2.) Will the variance have a negative effect on governmental services?
Answer: No
- 3.) Will the variance effect a substantial change in the character of the neighborhood or will there be a substantial detriment to neighboring properties? **Answer: No**
- 4.) Can the practical difficulty be alleviated by a feasible method other than a variance? **Answer: No**
- 5.) How did the practical difficulty occur? Did the landowner create a need for the variance? **Answer: No**
- 6.) In light of all of the above factors, will allowing the variance serve the interests of justice? **Answer: Yes**

Greg Myhre made the motion to grant the variance as submitted. Tim Orr seconded and the motion carried.

Greg Myhre made the motion to approve the summary minutes of the February 28, 2013 meeting. Tim Orr seconded it. Motion carried.

Greg Myhre made the motion to adjourn the meeting and Tim Orr seconded it. Motion carried.

Submitted by Houston County Board of Adjustment Clerk on April 26, 2013.

Houston County Board of Adjustment
June 20, 2013

Approved on July 25, 2013 by Greg Myhre and Tim Orr

The Houston County Board of Adjustment met at 6:30 p.m. on Thursday, June 20, 2013.

The meeting was called to order by Garland Moe, Chairperson. Members present were Chairperson Moe, Tim Orr and Greg Myhre. Others present were Jeff Eastman and Craig Moorhead. Bob Scanlan; Zoning Administrator/Feedlot Officer was present for zoning.

Notice of **Public Hearing No. 393** was read. **Jeffrey Eastman**, 6950 100th Street NW, Pine Island, MN 55963 is seeking a variance of 15 feet to meet the required 50 foot setback from the north property line and variance of 70 feet to meet the required $\frac{1}{4}$ mile setback from an existing feedlot to build a dwelling and shop in Jefferson Township.

Bob Scanlan, Zoning Administrator, pointed out the site on the Arc Map Photo. Mr. Scanlan commented that Mr. Eastman plans to:

- Former owner had an illegal dwelling – Mr. Eastman would like to tear it down and build a new dwelling.
- Lyle Pohlman's feedlot is 1,250 feet away.
- Feedlot Advisory Committee recommended approval of the feedlot variance because of topography issue.
- Topography is also reason for property line variance.
- Offset model was ran and the results indicated he may smell odors once every 100 days.
- The Jefferson Township board and adjoining property owners were notified. There were no inquires to the Zoning Office in regard to the application.

Chairman Moe asked if Jeff had anything to add. Jeff said he would like to put up a pole shed and within it a 900 square foot dwelling.

Bob Scanlan stated that within 6 month after new dwelling is complete the rest of the old dwelling should be removed. Jeff did not have a problem with that.

Chairman Moe asked that the Findings be read being there were no further comments. The Findings were read and comments made as follows:

Area Variance Standards ~ Practical Difficulties

- 1.) Is there a substantial variation in relation to the requirement?
Answer: No
- 2.) Will the variance have a negative effect on governmental services?
Answer: No
- 3.) Will the variance effect a substantial change in the character of the neighborhood or will there be a substantial detriment to neighboring properties? **Answer: No**
- 4.) Can the practical difficulty be alleviated by a feasible method other than a variance? **Answer: No**
- 5.) How did the practical difficulty occur? Did the landowner create a need for the variance? **Answer: No**
- 6.) In light of all of the above factors, will allowing the variance serve the interests of justice? **Answer: Yes**

Chairman Moe asked for a motion on the variance if there were no additional comments or questions.

Greg Myhre made the motion to grant the variance as submitted. Tim Orr seconded and the motion carried.

Notice of **Public Hearing No. 394** was read. **Mark Schulte**, 12498 Tessmer Road, Caledonia, MN 55921 is seeking to expand a feedlot with a variance of 380 feet to meet the required ¼ mile setback from an existing dwelling in Mayville Township.

Bob Scanlan, Zoning Administrator, pointed out the site on the Arc Map Photo. Mr. Scanlan commented that Schulte's plan to:

- Expand their dairy heifer operation by building a new free stall barn and going from 63 a.u. to 186 a.u.
- The new building and manure pit will be located west of the existing building site.
- Feedlot variance is from the Eugene Tessmer house.
- The Feedlot Advisory Committee recommended approval.
- The Mayville Township board and adjoining property owners were notified. There were no inquires to the Zoning Office in regard to the application.

Chairman Moe asked if the board had any questions. There were none. (Mark Schulte was not present.)

Chairman Moe asked that the Findings be read being there were no further comments. The Findings were read and comments made as follows:

Area Variance Standards ~ Practical Difficulties

- 1.) Is there a substantial variation in relation to the requirement?
Answer: No
- 2.) Will the variance have a negative effect on governmental services?
Answer: No
- 3.) Will the variance effect a substantial change in the character of the neighborhood or will there be a substantial detriment to neighboring properties? **Answer: No**
- 4.) Can the practical difficulty be alleviated by a feasible method other than a variance? **Answer: No**
- 5.) How did the practical difficulty occur? Did the landowner create a need for the variance? **Answer: No**
- 6.) In light of all of the above factors, will allowing the variance serve the interests of justice? **Answer: Yes**

Tim Orr made the motion to grant the variance as submitted. Greg Myhre seconded and the motion carried.

Greg Myhre made the motion to approve the summary minutes of the April 25, 2013 meeting. Tim Orr seconded it. Motion carried.

Greg Myhre made the motion to adjourn the meeting and Tim Orr seconded it. Motion carried.

Submitted by Houston County Board of Adjustment Clerk on June 24, 2013.

Houston County Board of Adjustment
July 25, 2013

Approved on August 29, 2013 by Greg Myhre and Tim Orr

The Houston County Board of Adjustment met at 6:45 p.m. on Thursday, July 25, 2013. A summary of the meeting follows.

The meeting was called to order by Garland Moe, Chairman. Members present were Chairman Moe, Tim Orr and Greg Myhre. Others present were Kerry Krueger, Sue Sheehan, Mitch Sheehan, Linda Stemper, Emily Johnson, Joann Becker, Bruce Kuehmichel, Bets Reedy and Craig Moorhead. Bob Scanlan; Zoning Administrator/Feedlot Officer was present for zoning.

Notice of **Public Hearing No. 395** was read. **Randy Krueger**, 7811 North Circle Drive, Wisconsin Rapids, WI 54494 is seeking variances of 25 feet on the north and west property lines to meet the required 50 setbacks to build a shed in Brownsville Township.

Bob Scanlan, Zoning Administrator, pointed out the site on the Arc Map Photo. Mr. Scanlan commented that Mr. Krueger plans to:

- Build a 42' x 54' pole shed.
- The odd-shaped parcel and challenging topography are the hardships.
- The Brownsville Township board and adjoining property owners were notified. There was one inquiry to the Zoning Office from Sue Sheehan for the minutes of the 10/13/11 Bothe Zoning Amendment hearing in regard to the application.

Greg Myhre asked if it would be a machine shed or storage shed. Bob Scanlan indicated it would be an ag storage building.

Chairman Moe asked if Randy Krueger had anything to add. Randy's daughter, Kerry Krueger, was present. She indicated that if they couldn't get the variance and had to move the building they would run into slope issues and a telephone line.

Greg Myhre asked if it would be a dirt or cement floor. Kerry indicated it would be cement with a gravel driveway.

Chairman Moe asked that the Findings be read being there were no further comments. The Findings were read and comments made as follows:

Area Variance Standards ~ Practical Difficulties

- 1.) Is there a substantial variation in relation to the requirement?
Answer: No
- 2.) Will the variance have a negative effect on governmental services?
Answer: No
- 3.) Will the variance effect a substantial change in the character of the neighborhood or will there be a substantial detriment to neighboring properties? **Answer: No**
- 4.) Can the practical difficulty be alleviated by a feasible method other than a variance? **Answer: No**
- 5.) How did the practical difficulty occur? Did the landowner create a need for the variance? **Answer: No**
- 6.) In light of all of the above factors, will allowing the variance serve the interests of justice? **Answer: Yes**

Sue Sheehan asked about the previous hearing for this parcel in October of 2011 for Arlene Bothe, hearing #378. She stated the Zoning Appeal was denied to build a house, garage and shed and wondered what is different this time. Tim Orr said the hearing in 2011 was for a house, this application is for a variance to build a shed. Bob Scanlan then explained this variance application is on the northern parcel for a shed and the southern parcel is a "lot of record" and there is an approved conditional use permit for that lower parcel which allows them to build a house.

Sue Sheehan asked if a house could ever be built on the upper property. She wondered if this would affect the Linda Stemper property if she ever wanted to build a house. Bob Scanlan said Linda would have to go through a permit process, but this variance wouldn't prevent her from building a house according to the 1 per 40 rule.

Melvin Davy asked if the minutes were taped and if he could request them. It was indicated he could request that information at any time. It was also explained the minutes are a summary of the hearing.

Emily Johnson, Linda Stemper's daughter was concerned about building close to her mother's proper line. If the owner planted trees around their shed and they sprayed their fields who would be responsible. Tim Orr said you are responsible for our own land and there is insurance for that.

Chairman Moe asked for a motion on the variance if there were no additional comments or questions.

Tim Orr made the motion to grant the variance as submitted. Greg Myhre seconded and the motion carried.

Greg Myhre made the motion to approve the summary minutes of the June 20, 2013 meeting. Tim Orr seconded it. Motion carried.

Tim Orr made the motion to adjourn the meeting and Greg Myhre seconded it. Motion carried.

Submitted by Houston County Board of Adjustment Clerk on July 29, 2013.

Houston County Board of Adjustment
August 29, 2013

Approved on September 26, 2013 by Greg Myhre and Tim Orr

The Houston County Board of Adjustment met at 6:30 p.m. on Thursday, August 29, 2013. A summary of the meeting follows.

The meeting was called to order by Garland Moe, Chairman. Members present were Chairman Moe, Tim Orr and Greg Myhre. Others present were A. Peter Johnson, Jeanne Johnson, Dean Miller, George Wiemerslage, Muriel Wiemerslage, Gary Wiemerslage, Denise Wiemerslage, Judy Storlie, Steve Schuldt, Yvonne Krogstad and Craig Moorhead. Bob Scanlan; Zoning Administrator/Feedlot Officer was present for zoning. *(Did not sign in: Elizabeth Reedy, Kelley Stanage and Sarah Wexler-Mann (with video camera).*

Notice of **Public Hearing No. 396** was read. **A. Peter Johnson**, 5120 County 9, Houston, MN 55943 is seeking a variance of 44 feet to meet the required 50 setback requirement from the north property line to build a shed in Houston Township.

Bob Scanlan, Zoning Administrator, pointed out the site on the Arc Map Photo. Mr. Scanlan commented that Mr. Johnson plans to:

- Build a 24' x 27' shed.
- A correction of the legal description has been made to the property and a survey has been completed.
- The variance is for the north property line.
- Topography, small lot size and septic location are reasons for the variance request.
- The Houston Township board and adjoining property owners were notified. There were no inquiries to the Zoning Office in regard to the application.

Chairman Moe asked if Pete Johnson had anything to add. Pete said that Bob described everything accurately. He and the adjoining landowner have been in contact on correcting the legal, so he would like to proceed with his shed plans.

Chairman Moe asked that the Findings be read being there were no further comments. The Findings were read and comments made as follows:

Area Variance Standards ~ Practical Difficulties

- 1.) Is there a substantial variation in relation to the requirement?
Answer: No
- 2.) Will the variance have a negative effect on governmental services?
Answer: No
- 3.) Will the variance effect a substantial change in the character of the neighborhood or will there be a substantial detriment to neighboring properties? **Answer: No**
- 4.) Can the practical difficulty be alleviated by a feasible method other than a variance? **Answer: No**
- 5.) How did the practical difficulty occur? Did the landowner create a need for the variance? **Answer: No**
- 6.) In light of all of the above factors, will allowing the variance serve the interests of justice? **Answer: Yes**

Chairman Moe asked for a motion on the variance if there were no additional comments or questions.

Tim Orr made the motion to grant the variance as submitted. Greg Myhre seconded and the motion carried.

Notice of **Public Hearing No. 397** was read. **Dean Miller**, P.O. Box 633, Osseo, MN 55369 is seeking a variance of 30 feet to meet the required 50 setback requirement from the north property line to build a storage shed in Wilmington Township.

Bob Scanlan, Zoning Administrator, pointed out the site on the Arc Map Photo. Mr. Scanlan commented that Mr. Miller plans to:

- Build a 36' x 50' shed.
- The back wall of the proposed shed will be concrete and will serve as a retaining wall for the hill.

- Excavation will be minimized in order to protect the nearby hill from erosion.
- David Walter from RRSWCD reviewed the site and was in favor of the plan because of minimal excavation.
- Brian Pogodzinski, Highway Engineer, also reviewed the site and was in favor of the request. His only concern was the water coming off the roof should be redirected to the south.
- The Wilmington Township board and adjoining property owners were notified. There was an inquiry to the Zoning Office in regard to the application.

Chairman Moe asked if Dean Miller had anything to add. Dean Miller spoke about his plans for building the shed and re-routing the water away from the road. Alan Meyer, local contractor, is working with him on the shed project. Dean said the shed needs to be level with the front yard. Dean also had Rich Stemper of RRSWCD look at the site and the waterway. The retaining wall will be built into the shed. The shed needs to be parallel with the road on the northwest property line.

Greg Myhre asked if the shed would be used for storage. Dean said it would be a car garage and storage.

Bob Scanlan questioned about making the shed parallel with the road and not the house and whether much excavation would be needed. Dean said there would be minimal excavation in the change.

Gary Wiemerslage, landowner to the north, spoke that after looking at the site, he measured out to where the corner of the building would be. He questioned if it was 30 feet or 20 feet. Bob said when he measured it was approximately 30 feet. Gary is concerned about the fencing coming down on his property above. Gary said he does haying and pasturing on his land. He questioned if Dean's proposed building is too large for the property and whether going more south would be better.

Dean Miller said there is no buildable site to the south. The hillside has been grass since 2005. There was general discussion between Miller and Wiemerslage's on the possibilities for a different location.

Greg Myhre asked Bob Scanlan if 30 feet away from the bank would be enough. Bob said it would work. Greg questioned whether there would be any disturbance on the hill above. Bob said there shouldn't be. Dean Miller indicated there wouldn't.

Chairman Moe asked that the Findings be read being there were no further comments. The Findings were read and comments made as follows:

Area Variance Standards ~ Practical Difficulties

- 1.) Is there a substantial variation in relation to the requirement?
Answer: No
- 2.) Will the variance have a negative effect on governmental services?
Answer: No
- 3.) Will the variance effect a substantial change in the character of the neighborhood or will there be a substantial detriment to neighboring properties? **Answer: No**
- 4.) Can the practical difficulty be alleviated by a feasible method other than a variance? **Answer: No**
- 5.) How did the practical difficulty occur? Did the landowner create a need for the variance? **Answer: No**
- 6.) In light of all of the above factors, will allowing the variance serve the interests of justice? **Answer: Yes**

Greg Myhre stated that if the Highway Engineer and the RRSWCD are in favor of the project and they are solving the water runoff issue to the county road, the project should work.

Chairman Moe asked for a motion on the variance if there were no additional comments or questions.

Tim Orr made the motion to grant the variance as submitted. Greg Myhre seconded and the motion carried.

Greg Myhre made the motion to approve the summary minutes of the July 25, 2013 meeting. Tim Orr seconded it. Motion carried.

Tim Orr made the motion to adjourn the meeting and Greg Myhre seconded it. Motion carried.

Submitted by Houston County Board of Adjustment Clerk on September 3, 2013.

Houston County Board of Adjustment
September 26, 2013

Approved on December 16, 2013 by Tim Orr and Greg Myhre

The Houston County Board of Adjustment met at 6:30 p.m. on Thursday, September 26, 2013. A summary of the meeting follows.

The meeting was called to order by Garland Moe, Chairman. Members present were Chairman Moe, Tim Orr and Greg Myhre. Others present were Darryl Sharon, Jill Sharon, James Stromberg, Louise Stromberg and Craig Moorhead. Bob Scanlan; Zoning Administrator/Feedlot Officer was present for zoning.

Notice of **Public Hearing No. 398** was read. **Darryl Sharon**, 10918 Cabbage Ridge Drive, Caledonia, MN 55921 is seeking a variance of 41 feet 4 inches to meet the required 50 setback requirement from the west property line to build a garage in Winnebago Township.

Bob Scanlan, Zoning Administrator, pointed out the site on the Arc Map Photo. Mr. Scanlan commented that Mr. Sharon plans to:

- Build a 32' x 32' garage attached to the existing home.
- Survey was done in 1995.
- Small lot size, restriction on where to build the garage and the septic system are all reasons for the variance request.
- The Winnebago Township board and adjoining property owners were notified. There were no inquiries to the Zoning Office in regard to the application.

Chairman Moe asked if Darryl Sharon had anything to add. Darryl indicated he would be 42 feet away from the property line.

Greg Myhre asked if John A. Meyer was the neighboring property owner. Darryl indicated he was.

Chairman Moe asked that the Findings be read being there were no further comments. The Findings were read and comments made as follows:

Area Variance Standards ~ Practical Difficulties

- 1.) Is there a substantial variation in relation to the requirement?
Answer: No
- 2.) Will the variance have a negative effect on governmental services?
Answer: No
- 3.) Will the variance effect a substantial change in the character of the neighborhood or will there be a substantial detriment to neighboring properties? **Answer: No**
- 4.) Can the practical difficulty be alleviated by a feasible method other than a variance? **Answer: No**
- 5.) How did the practical difficulty occur? Did the landowner create a need for the variance? **Answer: No**
- 6.) In light of all of the above factors, will allowing the variance serve the interests of justice? **Answer: Yes**

Chairman Moe asked for a motion on the variance if there were no additional comments or questions.

Greg Myhre made the motion to grant the variance as submitted. Tim Orr seconded and the motion carried.

Notice of **Public Hearing No. 399** was read. **James Stromberg**, 18221 Franklin Drive, Houston, MN 55943 is seeking variances of 15 feet to meet the required 30 setback requirement from the east property line and a variance of 30 feet to meet the required 50 setback requirement from the south property line to build a mini storage building in Money Creek Township.

Bob Scanlan, Zoning Administrator, pointed out the site on the Arc Map Photo. Mr. Scanlan commented that Mr. Stromberg plans to:

- Build a 100' x 40' mini storage building.
- The area is zoned Highway Business and that is the reason for different setback requirements.
- There are 2 mini storage buildings already on the site.

- The Money Creek Township board and adjoining property owners were notified. There were no inquiries to the Zoning Office in regard to the application.

Chairman Moe asked if James Stromberg had anything to add. James had some additional photos he brought to share with the Board of Adjustment members. He explained the various photos what his plans were for the additional building. There was a photo showing the staked out area of the new building.

Chairman Moe asked that the Findings be read being there were no further comments. The Findings were read and comments made as follows:

Area Variance Standards ~ Practical Difficulties

- 1.) Is there a substantial variation in relation to the requirement?
Answer: No
- 2.) Will the variance have a negative effect on governmental services?
Answer: No
- 3.) Will the variance effect a substantial change in the character of the neighborhood or will there be a substantial detriment to neighboring properties? **Answer: No**
- 4.) Can the practical difficulty be alleviated by a feasible method other than a variance? **Answer: No**
- 5.) How did the practical difficulty occur? Did the landowner create a need for the variance? **Answer: No**
- 6.) In light of all of the above factors, will allowing the variance serve the interests of justice? **Answer: Yes**

Chairman Moe asked for a motion on the variance if there were no additional comments or questions.

Tim Orr made the motion to grant the variance as submitted. Greg Myhre seconded and the motion carried.

Greg Myhre made the motion to approve the summary minutes of the August 29, 2013 meeting. Tim Orr seconded it. Motion carried.

Greg Myhre made the motion to adjourn the meeting and Tim Orr seconded it. Motion carried.

Submitted by Houston County Board of Adjustment Clerk on September 30, 2013.

Houston County Board of Adjustment
December 16, 2013

Approved on June 26, 2014 by Tim Orr and Greg Myhre

The Houston County Board of Adjustment met at 6:45 p.m. on Monday, December 16, 2013. A summary of the meeting follows.

The meeting was called to order by Garland Moe, Chairman. Members present were Chairman Moe, Tim Orr and Greg Myhre. Others present were Ivan McElhiney, Lois McElhiney, Teresa McElhiney, Allison McElhiney, Sheldon McElhiney and Craig Moorhead. Bob Scanlan; Zoning Administrator/Feedlot Officer was present for zoning.

Notice of **Public Hearing No. 400** was read. **Ivan and Lois McElhiney**, (and son Sheldon McElhiney) 7474 County 25, La Crescent, MN 55947 are seeking a variance of 20 feet to meet the required 100 setback requirement from County 25 to build nine greenhouses in Mound Prairie Township.

Bob Scanlan, Zoning Administrator, pointed out the site on the Arc Map Photo. Mr. Scanlan commented that Mr. McElhiney plans to:

- Build 9 greenhouses.
- Will be raising produce and fish.
- Buildings will be for commercial use.
- There is available land to the north of County 25 but Mr. McElhiney prefers to build to the south of County 25.
- The Mound Prairie Township board and adjoining property owners were notified. There were 2 calls to the Zoning Office in regard to the application.

Chairman Moe asked if the McElhiney's had anything to add. Ivan McElhiney said his son Sheldon would be speaking. Sheldon explained his reason for wanting to build the greenhouses to the south of County 25 was to keep the existing farmstead separate and also the land slopes to the south which would be better for the greenhouses.

Chairman Moe asked if Sheldon had the same slope advantage on the north side of the road. Sheldon indicated he did not; that it sloped to the north.

Chairman Moe asked that the Findings be read being there were no further comments. The Findings were read and comments made as follows:

Area Variance Standards ~ Practical Difficulties

- 1.) Is there a substantial variation in relation to the requirement?
Answer: No
- 2.) Will the variance have a negative effect on governmental services?
Answer: No
- 3.) Will the variance effect a substantial change in the character of the neighborhood or will there be a substantial detriment to neighboring properties? **Answer: No**
- 4.) Can the practical difficulty be alleviated by a feasible method other than a variance? **Answer: No**
- 5.) How did the practical difficulty occur? Did the landowner create a need for the variance? **Answer: No**
- 6.) In light of all of the above factors, will allowing the variance serve the interests of justice? **Answer: Yes**

Chairman Moe asked for a motion on the variance if there were no additional comments or questions.

Greg Myhre made the motion to grant the variance as submitted. Tim Orr seconded and the motion carried.

Tim Orr made the motion to approve the summary minutes of the September 26, 2013 meeting. Greg Myhre seconded it. Motion carried.

Greg Myhre made the motion to adjourn the meeting and Tim Orr seconded it. Motion carried.

Submitted by Houston County Board of Adjustment Clerk on December 17, 2013.