LE SUEUR COUNTY BOARD OF ADJUSTMENT
MEETING AGENDA

Meeting Date: August 15, 2019

Time: 3:00 pm

Place: Le Sueur County Environmental Services Building
515 South Maple Ave, Le Center, MN

Onsite Date: August 15, 2019

Onsite Time: 2:15 pm

**Board of Adjustment Members if you CANNOT be at the meeting contact Mindy at 357-8538.

1. Call To Order
2. Agenda: Additions/Corrections/Approval
3. Meeting Minutes: Additions/Corrections/Approval
   3.1. July 18, 2019
   Documents:
       07-18-2019 DRAFT MINUTES.PDF

4. Applications
   4.1. VINTAGE FINE HOMES, ST PETER, MN, (APPLICANT); BETH SODERLUND REV TRUST, ST PETER, MN, (OWNER)
       Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to enlarge an existing non-conforming water-oriented accessory structure 1 foot from the south property line and peak height of 14 feet in a Recreational Residential “RR” District, Lake Jefferson a Recreational Development “RD” lake. Property is located in the Lots 9 & 19, Block 1, Auditor’s Subdivision, Section 5, Elysian Township. VARIANCE IS FOR PROPERTY LINE SETBACK.
       Documents:
       SODERLUND.PDF

5. Discussion Items
6. Warrants/Claims
7. Adjourn

Board of Adjustment Hearing Procedure: The Chairman calls the meeting to order, then calls
the item to be heard and asks the Applicant or representative present to come to the podium to answer any questions or present any comments. The Chairman opens the meeting to the public. Each speaker comes to the podium and states their name for the record prior to making a statement or posing a question. All questions or comments are to be directed to the board, not the applicant. After the public comments the Board of Adjustment publicly discusses the information and reviews the findings before making a motion. All meetings are recorded.
LE SUEUR COUNTY
BOARD OF ADJUSTMENT
Mailing address: 88 SOUTH PARK AVE
Physical Address: 515 SOUTH MAPLE AVE
LE CENTER, MINNESOTA 56057

July 18, 2019

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

MEMBERS ABSENT: Roy McIntyre

OTHERS PRESENT: Joshua Mankowski

1. **Call to Order** at 3:00 by Chairperson Jeanne Doheney.

2. **Agenda:** Additions/Corrections None. Motion to approve agenda by Jim Mladek. Seconded by John Wolf. Motion approved. Motion carried.

3. **Meeting Minutes:** June 20, 2019 Additions/Corrections; Under Item # 3: Dianne Miller, Lonsdale, MN delete duplicate “that” in the last line of the second paragraph of the discussion. Motion to approve minutes with corrections by Jim Mladek. Seconded by Colin Harris. Motion approved. Motion carried.

4. **Applications**

**ITEM #1:** **CHARLES & MARY HIRN, 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 25 feet from the top of the bluff in a Recreational Residential “RR” District, Lake Washington, a Recreational Development “RD” lake. Property is located at Lot 16, Block 1, Bakersfield Subdivision, Section 13, Kasota Township.

**VARIANCE IS FOR BLUFF SETBACK.**

Charles & Mary Hirn were present for application. Township: None. DNR: None. Letters submitted: Holly Kalbus, Environmental Resource Specialist offering her recommendation for approval with conditions, 1) Install erosion control measures where the proposed impervious surfaces will be removed, and reseed those areas with vegetation.

Discussion was held regarding the area of impervious surface that will be removed as part of the current proposal that will reduce the impervious surface on the lot, a significant amount of which is currently located in the bluff. The changes in deck design from the last proposal were also discussed.

Motion was made by John Wolf to Approve the application with conditions. Conditions: 1) Install erosion control measures where the proposed impervious surfaces will be removed, and reseed those areas with vegetation. Seconded by Jim Mladek. Motion approved. Motion carried.

**ITEM #2:** **JENNIFER & COREY MARBLE, NORTH MANKATO, 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 25 feet from the top of the bluff in a Recreational Residential “RR” District, Lake Washington, a Recreational Development “RD” lake. Property is located at Lot 16, Block 1, Bakersfield Subdivision, Section 13, Kasota Township.

**VARIANCE IS FOR BLUFF SETBACK.**
Jennifer & Cory Marble and Patrick Baker were present for the application. Township: None. DNR: None. Letters submitted: Holly Kalbus, Environmental Resource Specialist offering her recommendation for approval with conditions. 1) The new dwelling is to be constructed no closer than the 30 foot bluff setback that was originally platted for the Bakersfield subdivision.

Discussion was held regarding the requested 25 foot variance and the intent to maintain a 30 foot setback from the bluff. Why the setback request changed from a 30 foot to a 25 foot setback request. When the development was platted, the setback from the bluff was 30-feet and was latter changed to be 50-feet from a bluff with a slope greater than 30%. When situating the house, it was understood that the setback was only measured for that part of the house that was directly above the bluff, not for the portion that is off to the side of the bluff. The correct procedure for measuring a setback was discussed. The applicants’ willingness to change their home design/site plan to meet a 30 foot setback instead of the requested 25 foot setback was discussed.

Motion was made by Jim Mladek to Approve the application with a 30 foot setback form the bluff instead of the 25 foot variance being requested. Conditions: None. Seconded by John Wolf. Motion approved. Motion carried.

ITEM #3: ANDREW & CHERI ROHLFING, CLEVELAND, MN, (APPLICANT\OWNER):
Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to replace an existing deck with a 3-season porch 56 feet from the road Right-Of-Way (ROW) in a Recreational Residential “RD” District, Lake Jefferson, a Recreational Development “RD” lake. Property is located at Lot 13, Block 1, Jefferson Shores, Section 1, Cleveland Township. VARIANCE IS FOR ROAD ROW SETBACK.

Andrew Rohlfing and John Schevelerm were present for the application. Township: None. DNR: None. Letters submitted: Holly Kalbus, Environmental Resource Specialist offering her recommendation for approval.

Discussion was held regarding overhang on the proposed porch.

Motion was made by Colin Harris to Approve the application as presented. Seconded by John Wolf. Motion approved. Motion carried.

ITEM #4: OTTO & EVELYN JENSEN, 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 37 feet and 45 feet from the Ordinary High Water Level (OHWL), 59 feet from the road Right-Of-Way (ROW), 4 feet from an existing holding tank, and within the shore impact zone in a Recreational Residential “RD” District, Lake Frances, a Recreational Development “RD” lake. Property is located at Lots 8 & 9, Auditor’s Subdivision, Section 28, Elysian Township. VARIANCE IS FOR OHWL, ROAD ROW, & HOLDING TANK SETBACKS & WITHIN THE SHORE IMPACT ZONE.

Otto Jensen and Denny Woelfel were present for application. Township: None. DNR: None. Letters submitted: Holly Kalbus, Environmental Resource Specialist offering her recommendation for denial of the application.

Discussion was held regarding that the need to rebuild is due to the storms that went through the Waterville area last year, damaging the original cabin to the point that the insurance company declared it a total loss. Since they are not just repairing the original cabin but instead proposing to construct a new, larger cabin, the County Board resolution waiving fees and allowing
administrative variances does not apply. Holding tank locations and setbacks were discussed. The proposed OHWL setbacks were discussed. Discussion was had about the process for applying for a variance. The letter from Holly Kalbus, Environmental Resources Specialist and the importance of the Shore Impact Zone and why there is a setback from the OHWL were talk about. Weather the applicant wanted the Board to go through the Findings of Fact after their current discussion or if the applicant would like to request the application be tabled was conversed. Denny Woelfel, on behalf of the applicant, requested the application be tabled.

Motion was made by John Wolf to Table the application to allow the applicant to present a different design avoiding the Shore Impact Zone. Seconded by Colin Harris. Motion approved. Motion carried.

5. **Discussion Items:** County Board passed an Interim Zoning Ordinance establishing a moratorium on solar gardens and farms.

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

7. **Adjourn:** Motion to adjourn meeting by Jim Mladek. 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
VARIANCE STAFF REPORT

GENERAL INFORMATION

APPLICANT: Vintage Fine Homes
OWNER: Beth Soderlund Rev Trust
911 ADDRESS: 46256 Beaver Dam Road, Cleveland, MN
VARIANCE REQUEST: To enlarge an existing non-conforming water-oriented accessory structure 1 foot from the south property line and peak height of 14 feet.
VARIANCE NUMBER: 19174
PARCEL NUMBER: 04.430.0110

SITE INFORMATION

LOCATION: Lots 9 & 19, Auditor’s Sub, GL 1, 5-109-24
ZONING & PURPOSE: Recreational Residential & Flood Fringe Floodplain Overlay District

The intent of the Recreational Residential (RR) District is to preserve areas which have natural characteristics suitable for both passive and active recreational usage. Also, it is the intent of this district to manage areas suitable for residential development of varying types, including permanent and seasonal housing. Some non-residential uses with minimal impacts on residential uses are allowed if properly managed under conditional use procedures.

Floodplain Overlay District. It is the purpose of this Section to designate an overlay district that will maintain the County’s eligibility in the National Flood Insurance Program and to minimize potential loss of life, loss of property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare of the County.

Flood Fringe (FF) District: The Flood Fringe District shall include those areas designated as floodway fringe, which shall include the areas shown on the Flood Insurance Rate Map, adopted in this Section as being within Zone AE but being located outside of the floodway. For lakes, wetlands and other basins (that do not have a floodway designated), the Flood Fringe District shall include those areas designated as Zone A and Zone AE on the Flood Insurance Rate Map panels adopted in this Section that are below the one percent (1%) annual chance flood elevation (100-year flood elevation) but above the ordinary high water level as defined in Minnesota Statutes, Section 103G.005, subdivision 14, as amended from time to time.

GOALS AND POLICIES: The current Land Use Plan as adopted in 2007 makes reference to shoreland development and stormwater.

GOAL #2: Le Sueur County should adopt and enforce land use goals and policies that conserve and restore its natural resources, bring protections to the ecological systems of the natural environment, and prevent the premature development of natural resource areas.
Objective 2: Utilize shorelands on Recreational Development Lakes (RD) for housing, but with a focus on development design that protects the resource.
Action 1: Continue utilizing the minimum state shoreland regulations to determine housing densities and development design.
Action 2: Adopt the water quality protections standards and design standards specified under goal #3, actions #1 & #2 to protect lake water quality.

GOAL #3: Improve water quality in Le Sueur County.
Objective 1: The County will undertake actions to help protect groundwater as well as surface water features.
Action 1: The County will adopt and implement the goals, objectives and actions of the County’s Local Water Management Plan.
GENERAL SITE DESCRIPTION: Shoreland, residential, non-conforming lot, lake frontage to Lake Jefferson, also lake frontage to German Lake across the road.

ACCESS: Existing access off Beaver Dam Road

LAKE: Lake Jefferson and German Lake (across the road).

RFPE: Regulatory Flood Protection Elevation: 1022.86 Lowest floor must be at or above RFPE.

BACKGROUND INFORMATION

This parcel is a non-conforming lot in a platted subdivision with a single-family dwelling and the boat house. In 2016 a Variance was granted to the previous landowner for the septic system. In 2018 an After-The-Fact Conditional Use Permit was granted by the County Board allowing grading, excavating and filling within the shore impact zone for the construction of retaining walls and stairs. As part of the CUP the portion of the retaining wall that had extended onto the neighbor’s lot was to have been removed.

ATTACHMENTS

Application, Written Detail of Request, Survey, Surveyor Certification, Aerial photo, Findings of Fact, Holly Kalbus letter

STAFF FINDINGS

Staff findings per Le Sueur County Ordinance, the following findings have been developed for this request:

1. Variance: Request: Required: Ordinance: Page:
   a. Boat house to property line: 1 foot 10 feet Section 13.2, Subdiv. 5. C. 4. 13.45
   **Does not meet exemption-

2. Refer to DNR Guidance Letters:
   a. Administration, Compliance, and Enforcement pg. 1
   b. The Role of the Variances in Shoreland Management Ordinances pg. 9
   c. Non-conforming Lots of Record in Shoreland Areas pg. 19
   d. Structure Setback Requirements pg. 21

3. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official controls and are consistent with the comprehensive plan.

4. A Variance may be granted only where the strict enforcement of the official controls will result in a practical difficulty.

5. It is the responsibility of the applicant and/or landowner to prove evidence that a practical difficulty exists.

6. A determination that a practical difficulty exists upon the consideration of the findings of fact.

CONSIDERATIONS

1. The following shall be considered at the hearing:
   a. There are special circumstances or conditions affecting the land, structures or use referred to in the Variance.
   b. The granting of the application will not be a detriment to the public health, safety, and general welfare or injurious to property or improvements in the area adjacent to the property of the applicant/landowner.
c. Consider sewage treatment and water supply capabilities or constraints of the lot and shall deny the variance if adequate facilities cannot be provided.

2. **Considerations For the Flood Plain Overlay District:** No variance shall have the effect of allowing in any district uses prohibited in that district, permit a lower degree of flood protection than the regulatory flood protection elevation for the particular area, or permit standards lower than those required by state law. The following additional variance criteria of FEMA must be satisfied:

   a. Variances shall not be issued by the County within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.

   b. Variances shall only be issued by the County upon the following:

      1. A showing of good and sufficient cause.

      2. A determination that failure to grant the variance would result in exceptional hardship to the applicant.

      3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

   c. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

3. **Additional Considerations:**

   a. If the Variance request is approved, the violation stemming from the CUP will be required to be resolved before the zoning permit may be issued for the construction of the new roof of the boat house.

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**CONDITIONS**

1. In granting any Variance, the Board of Adjustment may designate such conditions in connection that will secure substantially the objectives of the Ordinance, regulation or provision to which the application is granted.

2. Conditions must be directly related to and bear a rough proportionally to the impact created by the Variance.

3. **If approved**, construction must be completed **prior to the Variance expiration**, Section 22; Subdivision 7.

4. **If approved**, a **zoning permit** must be purchased prior to starting construction, Section 26.

5. **Extension** must be requested 30 days prior to Variance expiration, Section 22; Subdivision 7.
Date: 08/05/2019

To: Le Sueur County Planning and Zoning Board of Adjustment

From: Holly Kalbus, Environmental Resources Specialist

Applicant:
Beth Soderlund Rev Trust

Property owner:
Beth Soderlund Rev Trust

Property:
04.430.0110

Description:
Variance request to allow the applicant to enlarge an existing non-conforming water-oriented accessory structure 1 foot from the south property line and peak height of 14 feet in a Recreational Residential “RR” District, Lake Jefferson a Recreational Development “RD” lake.

Recommendation:
It would be my recommendation to deny the application. The applicant has a current zoning violation that needs to be addressed from the After-the-Fact CUP that was granted in July 2018. Part of the applicant’s retaining wall was constructed on the neighbor’s lot, and was proposed to be removed in 2018. An as built was submitted, and shows the retaining wall is still located on the neighbor’s property. If you choose not to take my recommendation of denial, I recommend the application be tabled. The applicant will need to work with Environmental Services staff to address the current zoning violation.

Condition(s):
None

Sincerely,

[Signature]
Holly Kalbus
Le Sueur County
Environmental Resources Specialist
I (We), the undersigned, owner(s) and/or applicant of the property described herein, do hereby respectfully petition your Honorable Bodies to grant a variance, as hereinafter designated, and in support thereof, the following facts are presented:

1) **Reason for Requested Variance:**

   1.25 FT SETBACK TO SOUTH PROPERTY LINE TO RESTORE/REROOF A WATER-ORIENTED ACCESSORY STRUCTURE

2) **Reasons for Approval or Denial of Request as Listed in Findings.**

3) **Special Conditions of Variance:**

   RECORDED LEGAL DESCRIPTION OF PROPERTY MUST BE SUBMITTED PRIOR TO ISSUANCE OF ZONING PERMITS. ADDITIONAL CONDITIONS AS STATED IN RECORD.

**Fees are non-refundable**

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**On-Site Tour Date:** 8/15/2019

**Public Hearing Date:** 8/15/2019

**Action:** AS WRITTEN

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BUILDING SITE MUST BE STAKED OUT THE MONDAY PRIOR TO THE MEETING OR THE APPLICATION WILL BE TABLED.
VARIANCE FINDINGS OF FACT

Name of Applicant: VINTAGE FINE HOMES - DAVE PFEFFER

Variance Request: 125 FT SETBACK TO SOUTH PROPERTY LINE TO RESTORE/RE Roof A WATER-ORIENTED ACCESSORY STRUCTURE

Variance #: 19174

A. No Variance may be granted that would allow any use that is prohibited in the Zoning District in which the subject property is located.

B. Facts supporting the answer to each question must be documented below, and are hereby certified to be the Findings of Fact of the Board of Adjustment.

C. A Variance may be granted only where the strict enforcement of the official control will result in a practical difficulty.

D. It is the responsibility of the applicant / landowner to prove evidence that a practical difficulty exists.

E. A determination that a practical difficulty exists upon the consideration of the following criteria.

Y N 1. Does the property owner propose to use the property in reasonable manner?
   
   Jim M  [ ]  John W  [ ]  Jeanne D  [ ]  Colin H  [ ]  Majority  [ ]  

   Explain _____________________________________________________________

Y N 2. Is the alleged practical difficulty unique to the property?

   Jim M  [ ]  John W  [ ]  Jeanne D  [ ]  Colin H  [ ]  Majority  [ ]  

   Explain _____________________________________________________________

Y N 3. Were the circumstances causing the practical difficulty created by someone other than the applicant / landowner?

   Jim M  [ ]  John W  [ ]  Jeanne D  [ ]  Colin H  [ ]  Majority  [ ]  

   Explain _____________________________________________________________

Y N 4. Will the issuance of the Variance maintain the essential character of the locality?

   Jim M  [ ]  John W  [ ]  Jeanne D  [ ]  Colin H  [ ]  Majority  [ ]  

   Explain _____________________________________________________________

Y N 5. Does the alleged practical difficulty involve more than economic considerations?

   Jim M  [ ]  John W  [ ]  Jeanne D  [ ]  Colin H  [ ]  Majority  [ ]  

   Explain _____________________________________________________________

F. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official controls.

Y N 6. Is the Variance consistent with and supported by the statement of purposes, policies, goal and objectives in the Ordinance?

   Jim M  [ ]  John W  [ ]  Jeanne D  [ ]  Colin H  [ ]  Majority  [ ]  

   Explain _____________________________________________________________

Y N 7. Is the Variance consistent with the Comprehensive Plan?

   Jim M  [ ]  John W  [ ]  Jeanne D  [ ]  Colin H  [ ]  Majority  [ ]  

   Explain _____________________________________________________________

G. IF ALL THE ANSWERS ARE " YES", THE CRITERIA FOR GRANTING THE VARIANCE HAVE BEEN MET.

ACTION:  ( ) APPROVE  ( ) DENY

CONDITIONS:

Applicant response to conditions:  Agree ( )  Disagree ( )

Reasons:  _____________________________________________________________

Board of Adjustment Chairman ___________________________  Date ___________________________
Variance Application

I. Applicant:
   Name: DAVID PFESSER
   Mailing Address: 24146 STATE HWY 22
   City: MANKATO
   Phone #: 507-381-1930

II. Landowner:
   Name: BILL SODERLUND
   Property Address: 416256 BEAVER DAM ROAD
   City: CLEVELAND
   Phone #: 507-508-5015

III. Parcel Information:
   Parcel Number: 04.430.010
   Township: ELYSIAN
   Subdivision: AUSD 1630 LOT 1 SEC 5
   Section: 0
   Lot: 5
   Block: 5
   Parcel Acreage: 0.7

Full Legal Description must be attached.
(Full legal description can be found on deed, not abbreviated legal description from tax statement).

IV. Variance Request: List requested alternative to development standard(s).
   Request 1'3" setback of side yard on south line property

V. Description of Request:
   a. A full written description of the proposed variance request with detailed information must be attached.

VI. Township Notification:
   Township must be notified prior to application. (County Commissioners are not the Township Board.)
   ELYSIAN
   (Township Name)
   Township notified on 7-16-2019
   (Date)
   Board Member: KATHY BELTS
   (Name) regarding the proposed request.

VII. Site Plan - Shall be a Certificate of Survey to include, but not limited to:
   • North point
   • Setbacks
   • Property lines
   • Road Right-Of-Way
   • Lot Dimensions
   • Lakes
   • Rivers
   • Wetlands
   • Streams
   • Ponds
   • Well
   • Septic System
   • Proposed Structures
   • Existing structures - Within and adjacent to project area.
   • Location of trees to be removed - Shoreland Districts.
   • Impervious Surface
     - Required for Shoreland, Business, & Industrial Districts.
     - Itemized current & proposed impervious surfaces to include total percentages.
     - Examples include but are not limited to: rooftops, sidewalks, patios, decks, driveways, parking lots, storage areas and concrete, asphalt, or gravel roads, or tightly compacted soils.

*Site shall be physically staked, then surveyed.
*Stakes shall be in place at the time of onsite visit/meeting, or the application will be tabled.
*Stakes must remain in place until construction commences.
VIII. Practical Difficulty:

a. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official controls and are consistent with the comprehensive plan.

b. A Variance may be granted only where the strict enforcement of the official control will result in a practical difficulty.

c. It is the responsibility of the applicant and/or landowner to prove evidence that a practical difficulty exists.

d. A determination that a practical difficulty exists upon the consideration of the following criteria:

1. Describe how the Variance request is reasonable compared to the ordinance requirements being varied from.
   - Repair of the existing structure
   - Roof Framing fixed or repaired
   - Re-shingle roof
   - Restore structure to original condition

2. What are the unique circumstances of this property that prevent compliance with the Zoning Ordinance that will result in a practical difficulty?

   Repair of the existing structure that was built long before the zoning ordinance was adopted. Time to submit plans and when it was platted the property line was placed too close to structure.

3. Describe how the unique circumstances causing the practical difficulty were created by someone other than the applicant/landowner.
   This is an issue caused by the original plat date 1927/structure was built in 1999 and weather and time has degraded the roof only. We wish to repair the roof before other damage occurs.

4. How will the request maintain the essential character of the locality?

   Maintaining the original character of the property is the primary objective.

5. Does the alleged practical difficulty involve more than economic considerations?

   Yes - repairing the existing structure only

6. Is the request consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?

   Yes, Goal #7 provide an engineered roof system for safety, containing to repairs of the existing structure.

7. Describe how the request is consistent with the Comprehensive Land Use Plan.

   Repair of the existing structure

8. Describe the properties current, and any proposed, onsite sewage treatment and water capabilities.

   No effect on any onsite sewage treatment system. No effect on any neighboring property treatment system.

9. Explain why this request is the minimum variance amount to afford relief.

   No change or expansion requested. Only - repair of existing structure - re-shingle roof.
IX. Attachments shall include but not limited to:

☐ a. Site Plan-**survey**
☐ e. Floor plans and/or blue prints (**For structures**)
☐ b. Surveyor Certification
☐ f. Septic System Compliance Inspection
☐ c. Access approval
☐ g. Erosion control plan
☐ d. Full legal description
☐ h. Description of request

*The Department may request additional information regarding the application.*

X. Quantities and Submittal Formats:

a. One (1) reproducible copy of the request and all other supporting documents.

b. Ten (10) copies must be submitted for documents larger than 11 x 17, documents in color, aerials or photographs.

c. Electronic version of any supporting documents if available.

d. Additional copies may be requested as deemed necessary by the Department.

XI. Fees:

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<tbody>
<tr>
<td>Variance:</td>
<td>$ 600</td>
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<tr>
<td>Filing Fee:</td>
<td>$ 46</td>
</tr>
<tr>
<td>Variance for Clusters:</td>
<td>$ 600 + $200 per household</td>
</tr>
<tr>
<td>Filing Fee:</td>
<td>$ 46</td>
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**Additional Fees:**

- Special Meeting: $1,200
- After-The-Fact meeting fee: Doubled + After-The-Fact Penalty.
- After-The-Fact Penalty: $1,500 OR 10% of the improvement, whichever is greater.

*Fees must be paid at the time of application, cannot be accepted by mail, and are non-refundable. Cash or check. Credit cards will not be accepted.*

XII. Procedure: *See Section 22 of the Zoning Ordinance for full details.*

a. Pre-application meeting is recommended prior to making application to ensure submittal completion. **Appointment is necessary.**

b. Application must be made in person by the applicant and/or landowner prior to 12 P.M. on the date of application deadline. **Appointment is necessary.**

c. All required information must be correct and submitted **at the time of application,** or the application will not be accepted.

d. Fees **will not** be accepted by mail and must be paid at the time of application.

e. Notification will be sent to all landowners within 500 feet of the affected property, (minimum of 10 landowners) as well as the affected Town Board, any municipality within 2 miles, and other applicable agencies.

f. Notice will be published in the newspaper of general circulation in the area concerned and the official newspaper of the County.
g. The Board of Adjustment may conduct an onsite visit to the affected property prior to the scheduled meeting. Any conversation with the Board of Adjustment during the onsite visit is prohibited.

h. The Board of Adjustment shall hold a public hearing on the proposed Variance at a scheduled Board of Adjustment meeting.

i. The applicant or representative must appear before the Board of Adjustment in order to answer questions concerning the request, or the application will be tabled.

j. The Board of Adjustment has the authority to request additional information or designate conditions.

k. The Board of Adjustment has the authority to determine Variance approval or denial. No Variance may be granted that allow any use that is prohibited in the Zoning District in which the property is located.

l. The Department shall notify the applicant and/or landowner in writing of the Board of Adjustment decision.

m. The Department will file a certified copy of any order or decision issued by the Board of Adjustment with the County Recorder.

n. A zoning permit is required prior to starting construction however zoning permits will not be available the day of the Board of Adjustment meeting. Zoning permit application must be approved prior to obtaining a zoning permit.

XIII. Signatures:

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

[Signature]

7-15-2019

Date

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

[Signature]

7-15-2019

Date

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OFFICE USE ONLY

Date received 7/14/19

Present Zoning Classification R2

Meeting date 8/15/19

Lake Classification PD

60 Day 5/14/19

Lake Jefferson

RFPE 102286

FEMA Panel # 27079C0300D

Site Plan - survey

Flood Zone X outside

Surveyor Certificate

Full legal description

Floor plans/blue prints

Access approval

Description of Request

Blue Prints

Application complete

Planning & Zoning Department Signature

Feedlot within 500’ 1000’ N

Erosion Control Plan N

Water courses N

Bluff Y N

Other

□ Septic

NONC/Waiver Design

□ Fee $ ATF / SPEC MTG

9/16/19 19174

Date Permit #

01-15-16

4
This request is made by Vintage Fine Homes Inc. of 24146 State Hwy 22 Mankato MN 56001 Representing William and Beth Soderlund of 40293 State Hwy 22 St Peter MN.

The request is for property located at 46256 Beaver Dam Road Cleveland MN.

The purpose of this request is to reroof the existing Garage/Boat house on this property adjacent to the lake (27’). This structure was built in 1919 long before any of the LeSueur County policies were established. This structure’s stone foundation is in great shape, however the roofing has degraded over time and is in need of repairs. The structure will not be enlarged or modified in anyway. It will only be brought back to its original 1919 glory as one of the early County and Lake Jefferson / German lake structures.

The structure is 1’-3” off of the south property line shared by neighbor Dan Corcoren’s property and sits approx. 12’ above the high water mark and is 38’+ away from the home structure. (See the site plan survey by Bolton & Menk Engineers and Surveyors).

The structure will not be used for anything other than a utility shed / boat house. Storage items will include life jackets, lake toys, rods and reels.

There is not a drive able surface to the structure and is blocked by trees, grass and the septic system, thus it will never accommodate an automobile.

Please accept this application for approval and the continuation of this wonderful property for future generations of enjoyment.

Thank you for your consideration;

Respectfully Submitted;

David Pfeffer
Vintage Fine Homes Inc.

Lic. BC003621

RECEIVED JUL 16 2019
*BUILDING DESIGNER / CONTRACTOR IS RESPONSIBLE FOR TRANSFERRING ALL STRUCTURAL LOADS FROM ROOF / FLOOR TO FOOTINGS. (SEE ANSI/TPI-1 2007)