

**LE SUEUR COUNTY  
BOARD OF ADJUSTMENT**

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

**February 16, 2023**

**MEMBERS PRESENT:** Jim Mladek, Jeanne Doheny, Colin Harris, & Roy McIntyre

**MEMBERS ABSENT:** John Wolf

**STAFF PRESENT:** Aaron Stubbs

1. **Call to Order:** 3:00 p.m. by Chairperson Jeanne Doheny.

2. **Agenda: February 16, 2023,**  
Additions/Corrections: NONE.  
Motion to approve the agenda with the above listed correction by **COLIN HARRIS**.  
Seconded by **ROY MCINTYRE**.  
**MOTION APPROVED. MOTION CARRIED.**

3. **Minutes: December 15, 2022,**  
Additions/Corrections: NONE.  
Motion to approve the agenda by **ROY MCINTYRE**.  
Seconded by **JIM MLADEK**.  
**MOTION APPROVED. MOTION CARRIED.**

4. **Applications:**

**ITEM #1: XPAND, INC., SHAKOPEE, MN (APPLICANT), BILL & CINDY MCNAB, NEW PRAGUE, MN, (OWNER):** Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to reduce the required setback from a Township Road Right-of-Way from 65 feet to 58 feet to accommodate a covered porch addition to an existing home. The property is described as Lot H, of Cohn's Unrecorded Plat, located in Section 10, Lanesburgh Township.

**THE VARIANCE IS FOR A REDUCTION TO THE ROAD RIGHT OF WAY SETBACK.**

BILL MCNAB was present for application.

**INITIAL COMMENTS FROM THE APPLICANT:**

Mr. McNab asked the Board members if they had an opportunity to view the property and if they had any questions for him. He stated he was aware of the road Right-of-Way extended through the north side of his property, but he did not think the variance request would impact the road if it were ever to be expanded or extended.

**INITIAL QUESTIONS FROM THE BOARD OF ADJUSTMENT:**

Member Harris asked the applicant when they would likely start their project. Mr. McNab stated they had started the interior remodel but were waiting to set a timeline on the porch until after getting the results of the variance.

**TOWNSHIP:** Notified on December 9, 2022 – NO COMMENTS RECEIVED

**PUBLIC CORRESPONDENCE:** None.

**PUBLIC COMMENT:** None.

**FOLLOW-UP QUESTIONS AND COMMENTS FROM THE BOARD OF ADJUSTMENT:** None.

**STANDARD VARIANCE FINDINGS BY MAJORITY VOTE:**

1. *The request is in harmony with the general purpose and intent of the official control. (4-0)*
  - *The request appears to pose no future impact to the right-of-way.*
2. *The request is consistent with the comprehensive plan. (4-0)*
3. *The property owner is proposing to use the property in a reasonable manner, not permitted by an official control. (4-0)*
4. *The plight of the landowner is due to circumstances unique to the property, not created by the landowner. (4-0)*
5. *Whether the variance would alter the essential character of the locality. (4-0)*
6. *Whether the request for the variance involves more than economic considerations. (4-0)*

**Motion was made by COLIN HARRIS to APPROVE the application with the proposed conditions listed in the staff report.**

**Second by ROY MCINTYRE.**

**MOTION APPROVED. MOTION CARRIED.**

**5. Discussion Items:**

- New Ordinance Books
  - Staff printed new books for all BOA & PC members.
- Currently there are three applications on the March agenda.
  - Member Mladek stated he would not be present for the March BOA hearing
- Thank you to Roy McIntyre
  - Member McIntyre has served on the Board of Adjustment for nearly five years.
  - He was replaced after a new Commissioner was elected in his District
  - The County thanks Roy for his service

**6. Warrants/Claim-signatures:**

**7. Adjournment:**

**Motion to adjourn meeting by COLIN HARRIS.**

**Second by ROY MCINTYRE.**

**Motion approved. Motion carried.**

Respectfully submitted,

**Aaron Stubbs**

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

DRAFT