

LE SUEUR COUNTY BOARD OF ADJUSTMENT

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

July 16, 2020

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

MEMBERS ABSENT: None

OTHERS PRESENT: Joshua Mankowski

1. **Call to Order** at 3:00 p.m. by Chairperson Jeanne Doheny.
2. **Agenda:** Additions/Corrections: Item #2: Michael Booth & Christina Mathison, New Market, MN have been postponed by request of the applicant. Motion to approve agenda by John Wolf. Seconded by Roy McIntyre. Motion approved via roll call vote 5-0. Motion carried.
3. **Meeting Minutes:** June 18, 2020 Additions/Corrections: None. Motion to approve minutes by Colin Harris. Seconded by Jim Mladek. Motion approved via roll call vote 5-0. Motion carried.
4. **Applications:**

ITEM #1: CHARLES STANGLER, ELYSIAN, MN, (APPLICANT/OWNER): Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to enlarge a nonconforming structure (dwelling) and construct a 40 x 140 shed on an existing foundation 4 feet from the township road Right-Of-Way (ROW) in an Agriculture "A" District. Property is located in the NE 1/4 SE 1/4, Section 16, Elysian Township. **VARIANCE IS FOR ENLARGING A NON-CONFORMING STRUCTURE AND ROAD ROW SETBACK. APPLICATION WAS TABLED AT THE JUNE 18, 2020 MEETING.**

Charles Stangler was present for application. Township: None. DNR: None. Letters submitted: None.

Discussion was held regarding: The opinion on the condition and reuse of the old concrete foundation by two different contractors was mentioned. It was stated that there were multiple discussions with different township board members about the proposed request and that there were no concerns raised by the township.

Findings of Fact by majority roll call vote:

1. *The property owner proposes to use the property in a reasonable manner.*
2. *The alleged practical difficulty is unique to the property.*
3. *The circumstances causing the practical difficulty were created by someone other than the applicant/landowner.*
4. *The issuance of the Variance will maintain the essential character of the locality.*
5. *The alleged practical difficulty involves more than economic considerations.*
6. *The Variance is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
7. *The Variance is consistent with the Comprehensive Plan.*

Motion was made by John Wolf to Approve the application. Conditions: None. Seconded by Jim Mladek. Motion approved via roll call vote 5-0. Motion carried.

ITEM #3: KEN HOHENSTEIN, CLEVELAND, MN, (APPLICANT/OWNER): Request that the County grant a Variance from the Le Sueur County Zoning Ordinance to allow the applicant to enlarge a nonconforming structure in a Recreational Residential "RR" Shoreland District, on Lake Jefferson a Recreational Development "RD" lake. Property is located at Lots 14 & 15, Tomahawk Point, Section 3, Cleveland Township, and Section 4, Washington Township. **VARIANCE IS FOR ENLARGING A NON-CONFORMING STRUCTURE.**

Ken Hohenstein was present for application. Township: None. DNR: None. Letters submitted: None.

Discussion was held regarding: The Board still wanted to hear the application despite the fact that the Bluff and Bluff Impact Zone were not marked on site. The request was to enlarge a non-conforming structure, not setback from the bluff.

Findings of Fact by majority roll call vote:

1. *The property owner proposes to use the property in a reasonable manner.*
2. *The alleged practical difficulty is unique to the property.*
3. *The circumstances causing the practical difficulty were created by someone other than the applicant/landowner. **The reason this application is more favorable is because the constriction being proposed is on the opposite side from the Bluff and Bluff Impact Zone.***
4. *The issuance of the Variance will maintain the essential character of the locality.*
5. *The alleged practical difficulty involves more than economic considerations.*
6. *The Variance is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
7. *The Variance is consistent with the Comprehensive Plan.*

Motion was made by Colin Harris to Approve the application as presented. Seconded by Roy McIntyre. Motion approved via roll call vote 5-0. Motion carried.

5. **Discussion Items:** Talked about the importance of giving reasons and supporting details when working through the Findings of Fact and approving or denying a request.
6. **Warrants/Claims:** Sign warrants/claim sheets
7. **Adjourn:** Motion to adjourn meeting by Roy McIntyre. Seconded by Colin Harris. Motion approved via roll call vote 5-0. Motion carried. Meeting Adjourned.

Respectfully submitted,

Joshua Mankowski

Approved August 8, 2020

Le Sueur County Environmental Services Office