

Environmental Services Department

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STEARNS COUNTY BOARD OF ADJUSTMENT MEETING AGENDA Thursday, July 26, 2018, beginning at 6:00 p.m. Conference Room 121 B/C/D, Stearns County Service Center West 3301 County Road 138, Waite Park, Minnesota

Pledge of Allegiance

Approval of June 28, 2018 minutes.

Regular Agenda Items:

1. To consider a request from Gary & Anita Hentges (Roch Ruhland, applicant), Richmond, MN from Section 6.7.5D of the Stearns County Land Use & Zoning Ordinance #439 to construct a new residential structure 550 feet from a registered feedlot. Said Ordinance requires a 700 foot setback to an animal feedlot that is registered for 10 animal units or more. Affected property: Proposed 7.24 Acres of 53.78 Acres, NE4SW4 & SE4SW4 & Pt of Govt Lot 3, Section 12, T122N, R31W, Eden Lake Township. Property address: xxxxx State Highway 22, Richmond, MN.
2. To consider a request from Semi Properties, LLC, St. Cloud, MN from Section 6.1 of the Stearns County Subsurface Sewage Treatment System Ordinance #422 & 7080.1550 Subp.2.B.(1) & 7080.2150 Subp.3.K of Minnesota Rules Chapters 7080 through 7083 Subsurface Sewage Treatment Systems Program to use the existing subsurface sewage treatment system as designed and installed for the treatment of sewage that exceeds the influent and effluent domestic waste strength concentrations. Said Ordinance and State Code require pretreatment of sewage with high strength waste. Affected property: 4.20A Beg 75'E of NW Cor NE4NE4, Section 30, T123N, R28W, City of St. Augusta. Property address: 21984 State Highway 15, St. Augusta, MN.
3. To consider a request from Midcontinent Communications, Sioux Falls, SD, from Section 6.5 of the Stearns County Subsurface Sewage Treatment System Ordinance #422 to install a holding tank for another establishment on a parcel that is able to accommodate a Type I or Type III system. Said Ordinance does not allow for holding tanks for other establishments, except where it can be shown conclusively through exploration of site conditions that a Type I or III system cannot be feasibly installed. Affected property: 10.00A W460' of N953.5' of NW4NE4 Less Part SW of a Line, Section 34, T125N, R29W, St. Wendel Township. Property address: xxxx 328th Street, St. Joseph, MN.
4. To consider a request from Courtney Zack, St. Joseph, MN from Sections 6.2.1P Table M of the Stearns County Subsurface Sewage Treatment System Ordinance #422 & 10.2.11A(1)(a) of the Stearns County Land Use & Zoning Ordinance #439 to construct an

88.5 foot by 36 foot (3,186 square feet) single family residential dwelling 15 feet from a subsurface sewage system soil treatment area and 80 feet from the Ordinary High Water Level (OHWL) of Watab Lake, classified as Recreational Development. Said Ordinances require a 20 foot setback from a dwelling to a subsurface sewage system soil treatment area and a 100 foot setback from a dwelling to the OHWL of a lake classified as Recreational Development. Affected property: .43A of Govt Lot 6 Beg NE Cor Lot 1 Block 3 Less Acres, Section 35, T125N, R29W, St. Wendel Township. Property address: 9063 Crestview Drive, St. Joseph, MN.

THIS ITEM WILL NOT BE HEARD AT THIS MEETING. THIS REQUEST HAS BEEN POSTPONED AND NOTICES WILL BE SENT FOR THE AUGUST 23, 2018 MEETING.

5. To consider a request from Paul Wenner, Sartell, MN from Sections 7.27, 10.2.11A(1)(b) & 10.2.11D of the Stearns County Land Use & Zoning Ordinance #439 to construct an 18 foot x 36 foot (648 square feet) swimming pool 85 feet from the Ordinary High Water Level (OHWL) of the Mississippi River, classified as Agricultural, and to construct a 6 foot fence between the building line and the OHWL. Said Ordinance requires swimming pools to be located 100 feet from the OHWL of a river classified Agricultural and a maximum fence height of 4 feet between the building line and the OHWL. Affected property: Lot 6, Block 2 of Winnebago Addition, Section 10, T125N, R28W, LeSauk Township. Property address: 2682 Winnebago Road, Sartell, MN.
6. To consider a request from Jacqueline R. Gruber Revocable Trust, St. Joseph, MN from Sections 6.2.1A & 9.9.9A(3) of the Stearns County Land Use & Zoning Ordinance #439 to construct a 1,080 square foot residential accessory structure on a 1.4 acre property resulting in a total Maximum Accessory Building Area of 1,752 square feet and to locate the structure 36 feet from the centerline of Lilac Road. Said Ordinance allows for a total Maximum Accessory Building Area of 1,500 square feet for a property with a lot size of 1-1.99 acres and requires a 63 foot setback from a township road (privately maintained). Affected property: Lot 2, Block 1 & Outlot B of Watab Highlands, Section 16, T124N, R30W, Collegetown Township. Property address: 29454 Lilac Road, St. Joseph, MN.
7. To consider a request from Aaron & Eve Justin, Avon, MN from Sections 5.1.2C & 10.2.11A(2) of the Stearns County Land Use & Zoning Ordinance #439 to reconstruct and expand a nonconforming residential dwelling and deck that is located in the Shore Impact Zone and ahead of the established building line. Said Ordinance does not allow additions or alterations to a nonconforming structure located in the Shore Impact Zone or ahead of the established building line. Affected property: Lot 12 of Grutsch Addition to Connaught, Section 33, T125N, R30W, Avon Township. Property address: 17075 Upper Spunk Lake Road, Avon, MN.
8. To consider a request from Irving A. Cornwell & Flora Cornwell Revocable Living Trusts (Thomas & Patricia Bruce, applicants), Colorado Springs, CO from Sections 5.1.2C & 10.2.11A(2)&(3) of the Stearns County Land Use & Zoning Ordinance #439 to construct a 12 foot by 13 foot, 198 square foot, deck 30 feet from the OHWL of Big Fish Lake, classified as a Recreational Development Lake, and an approximately 23 foot by 56 foot, 1277 square feet, 2 story addition on an existing legal nonconforming residential structure ahead of the established building line and in the Shore Impact Zone. Said

Ordinance requires that decks meet the required building line or lake setback and does not allow for the expansion of a legal nonconforming principal structure in the Shore Impact Zone and ahead of the established building line. Affected property: Lots 23, 24 & 25 of Sunset View, Section 33, T124N, R30W, Collegeville Township. Property address: 27287 Hidden Cove Road, Cold Spring, MN.

9. To consider a request from Lucky of Albany, LLC, Albany, MN from Section 7.25.2G of the Stearns County Land Use & Zoning Ordinance #439 to locate an electronic sign 0 feet from the right-of-way of County Road 54. Said Ordinance requires a sign to be located 10 feet from the right-of way. Affected property: .60A of NW4NE4, Section 22, T125N, R31W, Albany Township. Property address: 21837 County Road 54, Albany, MN.

VARIANCE REQUEST WITHDRAWN BY APPLICANT.

10. To consider a request from Michael & Marlene Pflipsen, Melrose, MN, from Section 6.5 of the Stearns County Subsurface Sewage Treatment System Ordinance #422 to use as installed a holding tank for an other establishment on a parcel that is able to accommodate a Type I or Type III system. Said Ordinance does not allow for holding tanks for other establishments, except where it can be shown conclusively through exploration of site conditions that a Type I or III system cannot be feasibly installed. Affected property: 120.00A W2NW4 & NW4SW4 & 26.06A SE4NE4 Less Lot A & Less 12.94A City of New Munich, Sections 17 & 18, T125N, R32W, Oak Township & City of New Munich. Property address: 30469 Uhlenkolts Lake Road, Melrose & 213 8th Avenue East, Melrose, MN.

THIS ITEM WILL NOT BE HEARD AT THIS MEETING. THIS REQUEST HAS BEEN POSTPONED AND NOTICES WILL BE SENT FOR THE AUGUST 23, 2018 MEETING.

Adjourn

Barrier Free Status: This meeting will be accessible to the handicapped. Attempts will be made to accommodate any other individual need for special services. Please contact this office early so arrangements can be made.