STEARNS COUNTY BOARD OF ADJUSTMENT MEETING AGENDA

Thursday, April 23, 2020, beginning at 6:30 p.m.
Stearns County Administration Center – Board Room
705 Courthouse Square, St. Cloud, Minnesota

In response to COVID-19 and pursuant to Minnesota Statute Chapter 12 relating to Emergency Management, Governor Walz has declared a state of emergency. In response to the state of emergency and in accordance with Minnesota Statute Chapter 13D.021, Board of Adjustment members and the applicant may participate by telephone or other electronic means. The meeting will be broadcast live at http://stearnscountymn.iqm2.com/Citizens/Default.aspx.

The meeting will be held at the Stearns County Administration Center Board Room located at 705 Courthouse Square, St. Cloud, MN. In person public comments will not be heard to conform with MDH and CDC guidelines to minimize gatherings.

You may submit written testimony by emailing David Nett at david.nett@co.stearns.mn.us or Shelby Richard-Hoffman (Feedlots) at shelby.richard-hoffman@co.stearns.mn.us by 3:00 p.m. on the hearing date. Written testimony may also be mailed to the Stearns County Environmental Services Department, Administration Center, 705 Courthouse Square Room 343, St. Cloud, MN 56303.

This meeting is subject to change. Please sign up for automatic updates for this meeting at http://stearnscountymn.iqm2.com/Citizens/Default.aspx. Call the Department for assistance.

Pledge of Allegiance

Regular Agenda Items:

1. To consider a request from Gerald & Laurie Imdieke, Belgrade, MN from Sections 6.7.5D & 6.2.1C of the Stearns County Land Use and Zoning Ordinance #439 to leave as constructed a new residential dwelling less than 700 feet from a registered animal feedlot where cumulative attached garage floor area exceeds the area of the outside dimension of the principal residential structure. Said Ordinance requires a 700 foot setback to an animal feedlot that is registered for 10 animal units or more and the total cumulative attached garage floor area shall not exceed the area of the outside dimension of the principal residential structure. Affected property: 5.00 A. E2S4NE4SE4, Section 25,
T124N, R34W, Lake George Township. Property address: 27279 County Road 175, Belgrade, MN.

Approved as requested with the condition that the variance is granted for four years, at which time, the residential use of the structure must be discontinued.

2. To consider a request from H & R Trailers, LLC, Holdingford, MN from Section 6.7.5D of the Stearns County Land Use and Zoning Ordinance #439 to construct a new residential dwelling less than 700 feet from a registered animal feedlot. Said Ordinance requires a 700 foot setback to an animal feedlot that is registered for 10 animal units or more. Affected property: 5.00A S 466.69' of W 466.69' of NW4NW4, Section 7, T126N, R29W, Brockway Township. Property address: 42802 County Road 3, Holdingford, MN.

Approved as requested with the condition that the property owner construct a privacy fence 8 feet in height along the South side of the property.

3. To consider a request from CJK Partnership, LLC, Albany, MN from Section 6.5 of the Stearns County Subsurface Sewage Treatment System Ordinance #422 to employ a holding tank as a sewage treatment system for an other establishment. Said Ordinance does not allow for the use of a holding tank to serve other establishments. Affected property: 80.00A NW4NE4 & SE4NE4, Section 27, T125N, R31W, Albany Township. Property address: 21745 340th Street, Albany, MN.

Approved as requested with the condition that pumping maintenance records shall be submitted annually as part of the permitting process.

4. To consider a request from Jay & April Wegleitner, Freeport, MN from Section 9.6.11A(3) of the Stearns County Land Use and Zoning Ordinance #439 to construct a second story addition on a legal non-conforming residential dwelling unit less than 63 feet from the centerline of a township road. Said Ordinance requires a minimum setback of 63 feet from the centerline of a township road. Affected property: W 5 A. of Government Lot 12, Section 31, T127N, R31W, Krain Township. Property address: 44102 251st Avenue, Freeport, MN.

Approved as requested.

5. To consider a request from Jeremy Schommer of Avalon Homes Inc., Sartell, MN on behalf of The Ekstrand Family Real Estate Trust, Maplewood, MN from Sections 5.1.2A(1)&(2) & 10.2.11A(1)(a) & 10.2.11A(2)(b) of the Stearns County Land Use and Zoning Ordinance #439 to replace and expand a legal non-conforming residential dwelling unit ahead of the established building line and less than 50 feet from Little Birch Lake, classified as Recreational Development. Said Ordinance allows for replacement but not expansion of the structure and requires a minimum setback of 50 feet. Affected property: Lot 4 of First Addition to Birchwood Lake Shore Lots, Section 35, T127N, R33W, Melrose Township. Property address: 44827 Birch Ridge Road, Melrose, MN.

Approved as requested with the conditions that: 1) the deck and dwelling is to meet the 50 foot setback from the OHWL; and 2) an engineered stormwater management plan is to be submitted to Environmental Services.
6. To consider a request from Steven Schauer of Schauer & Sons Construction, Glencoe, MN on behalf of John Davis & Antoinette Kasella, South Haven, MN from Sections 5.1.2C(2)&(3) & 10.2.11A(1)(a)&(2)(a) of the Stearns County Land Use and Zoning Ordinance #439 to construct an addition on a non-conforming residential dwelling ahead of the established building line and wholly within the Shore Impact Zone and an accessory structure wholly within the Shore Impact Zone of Grass Lake, classified as Natural Environment. Said Ordinance states that additions to non-conforming structures located wholly or partly within the Shore Impact Zone shall not be allowed and structures on Natural Environment lakes to be setback 200 feet. Affected property: Lot 46, Block 2 of Clearwater Harbor, Section 32, T122N, R27W, Lynden Township. Property address: 235 Baxter Road, South Haven, MN.

To construct an addition on a nonconforming residential dwelling: Approved as requested.
To construct an accessory structure wholly within the Shore Impact Zone: Approved as requested with the conditions that: 1) a road right-of-way variance is required from Lynden Township prior to submittal of a Construction Site Permit; and 2) an engineered stormwater management plan is to be submitted to Environmental Services.

7. To consider a request from J & D Properties of St. Joseph, LLC, St. Joseph, MN from Section 6.5 of the Stearns County Subsurface Sewage Treatment System Ordinance #422 to employ a holding tank as a sewage treatment system for an other establishment. Said Ordinance does not allow for the use of a holding tank to serve other establishments. Affected property: Lot 1, Block 1 of St. Joseph Industrial Park East, Section 12, T124N, R29W, City of St. Joseph. Property address: 30489 Pearl Drive, St. Joseph, MN.

Approved as requested with the condition that pumping maintenance records shall be submitted annually as part of the permitting process.

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 call (320) 656-3613 early so arrangements can be made.