

Morrison County Board of Adjustment Via Microsoft Teams

Minutes

April 13, 2021

Amy Kowalzek called the meeting of the Morrison County Board of Adjustment to order at 8:27 p.m.

Members Present: Dave Stish, Brent Lindgren, Dave Brutscher, Clint Kathrein and Marvin Trettel.

Members Absent: None

Ex-Officio Members Present: Amy Kowalzek and Sharon Peterson

Ex-Officio Members Absent: Robert Wall

County Commissioners: Jeff Jelinski, Mike LeMieur, Greg Blaine, Randy Winscher and Mike Wilson

Other Members: None

1. Election of Officers

A motion was made by Marvin Trettel to nominate Dave Stish as Chair. The vote was all in favor.

A motion was made by Brent Lindgren to nominate Marvin Trettel as Vice-Chair. The vote was all in favor.

A motion was made by Brent Lindgren to nominate Clint Kathrein as Secretary. The vote was all in favor.

2. Shannon & Leah Johnston – 4731 Cable Rd; Swanville, MN 56382 – Application for a Variance to separate the feedlot from the home not meeting the feedlot setback; located in pt of W ½ of NE ¼ of NE ¼, Section 10, Township 128, Range 31, Swanville Township.

Shannon Johnston and Bunny Johnston were present

Amy Kowalzek entered into record Section 1208.1 of the Morrison County Land Use Control Ordinance, a plat map with the parcel location, variance application, background information questions, site plan, three (3) aerial photos, four (4) site photos, staff report, aerial photo showing both parcels the applicant owns, aerial photo showing the proposed property line, aerial photo showing property line setbacks and an aerial photo showing surrounding land uses. There were 23 notices sent to neighboring property owners. No correspondence was received prior to the hearing. Amy entered the finding of fact and decision questions.

Shannon Johnston and Bunny Johnston were present.

Shannon Johnston stated that in 2013 he sold his cows due to health reasons and now works in town. If the farm buildings are not used, they get old and fall down. Our family is not ready to leave the farm. The Capkos want the feedlot and would have the first chance to purchase the home when we are ready to sell.

Marvin Trettel stated it looks like this property has been split before. It looks like three parcels are using the same driveway. When did this happen? Shannon Johnston stated in 2013 the Capkos bought some and my parents have the other parcel. I will be purchasing my parents place in 2022. I purchased the farm in 1999 and left it in my parent's name in case of a catastrophe.

Bunny Johnston stated they built the farm and wanted it protected. Marvin Trettel asked what the practical difficulty is. Shannon Johnston stated there just is not enough room between the buildings and the home.

Brent Lindgren asked if the variance is granted would this create a non-conformity? Amy Kowalzek stated it would for both parcels. The home and feedlot can expand as long as they do not go any closer into the non-conforming setbacks.

Shannon Johnston stated that if the Capkos wanted to expand they could go to the west or the south.

Dave Stish asked if other options were explored? Shannon Johnston stated he would like to keep the house for retirement. If I keep the buildings, I will have to upgrade them and there is no guarantee I will get my money back out of them.

Audience Comment:

The voting sheets were polled.

A motion was made by Clint Kathrein to deny the Variance request. The motion was seconded by Marvin Trettel. The vote was all in favor.

3. Kevin & Lynelle Vetsch – 3128 Aardvark Rd; Burtrum, MN 56318 – Application for a Variance to establish a Tier II feedlot under 75 acres; located in pt of NW ¼ of NW ¼.; Section 28, Township 127, Range 31, Elmdale Township.

Kevin & Lynelle Vetsch were present

Amy Kowalzek entered into record Section 1209.1 of the Morrison County Land Use Control Ordinance, a plat map with the parcel location, variance application, background information questions, site plan, three (3) aerial photos, three (3) site photos, staff report and an aerial photo showing surrounding land uses. There were 28 notices sent to neighboring property owners. No correspondence was received prior to the hearing. Amy entered the finding of fact and decision questions.

Kevin Vetsch stated he is working to establish a feedlot. Now we have 140 head and proposing 240 milking with young stock. When finished would be a mid-Tier II feedlot with 450 total animal Units.

Marvin Trettel asked if any land is rented? Kevin Vetsch stated they rent 170 acres and purchase hay and alfalfa. Marvin asked if land would come up for sale would you purchase it? Kevin stated he would.

Clint Kathrein asked if there is a timeline of purchasing additional land. Kevin Vetsch stated there are two 40-acre pieces that are set up in trusts. The person who owns them is about 90 years old and does not want to sell at this time.

Dave Stish stated the practicality to buy land is slim. Dave Brutscher asked if there are manure easements. Kevin Vetsch stated that he has 680 acres and a manure management plan. Amy Kowalzek stated that these questions will be addressed during the conditional use permitting process.

Dave Brutscher stated that allowing the variance will not set the property owner up for future variances. All setbacks are being met on this site. Amy Kowalzek stated that if the property owner would ever expand feedlot tiers, they would need a variance if the setbacks were not met. Kevin Vetsch stated he does not believe they would ever go up in tiers.

Audience Comment:

Nate Converse – stated he has worked with the owners since 2012 and there is a limit on what property could be purchased. I am in favor of this request.

The voting sheets were polled.

A motion was made by Clint Kathrein to approve the Variance request. The motion was seconded by Brent Lindgren. The vote was all in favor.

4. Cedar Lake Baptist Assembly – 1287 Acorn Rd; Burtum, MM 56318 – Application for a Variance to construct a 35-foot-high gymnasium; located in Section 7, Township 127, Range 31, Elmdale Township.

Bill Abler was present

Amy Kowalzek entered into record Section 706.2 of the Morrison County Land Use Control Ordinance, a plat map with the parcel location, variance application, background information questions, four (4) site plans, aerial photo, four (4) site photos, staff report, aerial photo showing all parcels owned by the applicant, two (2) master plan drawings, two renderings of the proposed structure and three (3) aerials showing the location of the proposed structure. There were 55 notices sent to neighboring property owners. No correspondence was received prior to the hearing. Amy entered the finding of fact and decision questions.

Bill Abler stated in 2022 the Assembly turns 75. It is owned by 18 churches. There are camps for youth, family and adults. The facilities can be used by others as well. With the indoor recreational facility, we can have larger groups, and this would be a benefit to the community as well.

Marvin Trettel asked the height of some of the other buildings. Bill Abler stated the chalet is about 40 feet tall and the chapel/hotel is about 32 feet tall.

Brent Lindgren asked what the proposed height of the gym in the 2018 master plan was. Bill Abler stated it was just below 30 feet tall with a flat roof. The new proposal is about 5000 less in square feet, therefore we now want a second story. Brent asked if the tower area is higher than the building itself. Bill Abler stated it is the same height as the building.

Dave Stish stated that a master plan is not fine tuned to be exact. Bill Abler stated that is correct it is a planning tool. Dave asked how the other building were able to be built so high? Bill stated he is unsure. Dave asked if there are stormwater plans. Bill stated this is something they will be working on. Dave stated he may want a stormwater plan as a condition. Amy Kowalzek asked what the nexus would be. Dave stated this is a very large building with a large amount of runoff.

Clint Kathrein asked why a barn design. Bill Abler stated that the barn style may be a bad design and it is out of their budget. A new design will be less than 35 feet tall but more than 25 feet tall. Someone should not be able to see if from afar. Dave Stish stated it would blend in well with the tree cover.

Audience Comment:

Gary Roerick – stated is in support of the request.

The voting sheets were polled.

Marvin Trettel asked about the stormwater plan. Bill Abler stated he works with professional people so this will also be our desire.

A motion was made by Clint Kathrein to approve the Variance request. The motion was seconded by Brent Lindgren. The vote was all in favor.

With no further business at hand, the hearing was closed at 8:27 p.m.

A motion was made by Dave Stish to approve the March 2, 2021 minutes. The motion was seconded by Marvin Trettel. The vote was all in favor.

New business –

Old business –

A motion was made by Marvin Trettel to adjourn the meeting. The motion was seconded by Clint Kathrein. The vote was all in favor.

With no further business at hand, the hearing was closed at 10.48 p.m.

Respectfully submitted,

Dave Stish, Chairperson
Morrison County Board of Adjustment

Marvin Trettel, Vice-Chairperson
Morrison County Board of Adjustment

Secretary, Clint Kathrein
Morrison County Board of Adjustment