

Morrison County Board of Adjustment Via Microsoft Teams

Minutes

April 27, 2021

Amy Kowalzek called the meeting of the Morrison County Board of Adjustment to order at 7:10 p.m.

Members Present: Dave Stish, Brent Lindgren, Dave Brutscher, Clint Katherine 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, Randy Winscher and Mike Wilson

County Commissioners Absent: Greg Blaine and Mike LeMieur

Other Members: None

- 1. Louis & Cathy Kowalczyk – 9003 Rose Haven Blvd; Little Falls, MN 56345 – Application for a Variance to construct an accessory structure not meeting doubled setbacks to the river and side property line; located in Lot 4 Block 1 of Rose Haven Second, Section 8, Township 39, Range 32, Bellevue Township.**

Louis and Cathy Kowalczyk were present

Amy Kowalzek entered into record Sections C3, 610 and 706.2 of the Mississippi Headwaters Board Comprehensive Plan, a plat map with the parcel location, variance application, background information questions, site plan, aerial photo of the proposed plan, three (3) renderings of the proposed garage, three (3) aerial photos, five (5) site photos, staff report and impervious surface calculation sheet. There were 50 notices sent to neighboring property owners. Two letters in support were received prior to the hearing. Amy entered the finding of fact and decision questions.

Cathy Kowalczyk stated they are looking to replace the existing garage. This will be a great addition to the property and neighborhood.

Clint Kathrein stated the maximum square footage is 1300 square feet. Could you look at something smaller? Louis Kowalczyk stated at this time we have 860 square feet; the new garage would be around 400 sq ft larger. At this time, we need to rent storage space for our things

Marvin Trettel asked if they could go 30 feet wide to meet the 20-foot side yard setback. Louis Kowalczyk stated they are meeting the 150-foot setback. We would need to go towards the road, and this would look unproportioned. We need more than 1300 square feet, we are open to other allowances. Cathy Kowalczyk stated they need a 10-foot door for their pontoon and the height of the walls will need to accommodate this.

Brent Lindgren asked if they could build a 1300 square foot garage and keep the existing garage. Amy Kowalzek stated they could as long as setbacks and impervious surface regulations are met.

Dave Stish stated there are no limits on accessory structures if the setbacks and impervious surface regulations are met. Amy Kowalczyk stated this is correct.

Dave Stish stated that all of the reasons in the application are for personal need and the ordinances. This needs to be about the land.

Cathy Kowalczyk stated that when the plat was created there was no considerations of property size or regulations. Dave Stish asked when the property was purchased. Cathy Kowalczyk stated in 1984. Dave stated that current minimum lot size is 5 acres with 330 feet of river frontage. If the lot was of legal parcel size it could fit the size of structure proposed. Dave stated this will be increasing the impervious surface and could limit the absorption area.

Tim Schneider – son in law – stated he is a landscaper and they can deal with the runoff and storm water. Two-thirds of the drains to the area with the boulder. We will be able to contain the stormwater and run it to the ditch.

Audience Comment:

Tim Schneider – stated he has shot the elevations and can push the water to the ditch. This structure would not take away any one's views. We will not need to remove any trees and we will not have to alter the shoreline. Both neighbors are ok with the request. There is wetland across the road and cannot be built on.

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.

## **2. By-Laws**

Amy Kowalzek stated that the attorney has looked and approved the by-laws. Dave Stish stated the meetings do not line up with the 1<sup>st</sup> and 3<sup>rd</sup> of the month. Amy Kowalzek stated she will update this portion.

Dave Stish made a suggestion on requirements for new members to be required to watch the videos of the training with the attorney and possibly attend a few meetings before their term starts to get acquainted on how the meetings work.

It was voted to view the properties as a group on Fridays and meet on site at noon. If a member cannot attend the viewing, please let Land Services know as soon as possible.

The boards discussion was led to keeping the by-laws as written.

With no further business at hand, the hearing was closed at 7:53 p.m.

A motion was made by Clint Kathrein to approve the March 13, 2021 minutes as corrected. The motion was seconded by Brent Lindgren. The vote was all in favor.

New business – A discussion was held on After-the-Fact applications.

Old business –

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

With no further business at hand, the hearing was closed at 8:09 p.m.

Respectfully submitted,

Dave Stish, Chairperson  
Morrison County Board of Adjustment

Marvin Trettel, Vice-Chairperson  
Morrison County Board of Adjustment

Secretary, Clint Katherine  
Morrison County Board of Adjustment