

**MINUTES**  
**Blue Earth County Board of Adjustment**  
**Regular Meeting**  
**Wednesday, July 2, 2014**  
**7:00 p.m.**

**1. CALL TO ORDER**

The meeting was called to order at 7:08 P.M. by Chairman Lyle Femrite. Board of Adjustment members present were Lyle Femrite, Kurt Anderson, Chuck Grams and Perry Wood. Planning & Zoning staff members Mark Manderfeld, Mike Schulte, Owusua Yamoah and George Leary were also present.

**2. APPROVAL OF MINUTES**

Mr. Anderson made a motion to approve the minutes from the June 4, 2014 meeting of the Board of Adjustment. Mr. Wood seconded the motion which carried unanimously.

**3. APPROVAL OF AGENDA**

Mr. Leary indicated there was no change to the agenda.

**4. NEW BUSINESS**

**BOA 09-14**

**John & Gail Graupman** - Request for a variance to reduce the required centerline setback from CSAH 9 of 130 feet to 80 feet for the purpose of constructing a detached garage. The site is located on Lots 1 through 4 of Rapids Townsite in the Northwest Quarter of the Northeast Quarter of Section 7, Rapidan Township.

Ms. Yamoah presented the staff report.

The applicants were present. Mr. Graupman indicated to the Board that the majority of the building lot does not meet the setback requirements. He also commented on other neighboring structures and specifically commented on the location of the home on the parcel to the west of his property.

The Township Board was represented by Ray Cornelius. He indicated the Township had no issue with the proposal.

There was no other public comment.

Mr. Femrite stated he had visited the area and commented that he did see a number of other lots with structures within the setback requirement. He also stated that the area is urban in nature.

Mr. Anderson stated that structures on the east lot are already there. He indicated that it appears to be a self-inflicted hardship. He commented that the placement of the structure will not likely be a hazard to the driving public.

The Board moved on to the Findings-of Fact Checklist.

1. Is the variance in harmony with the intent of the comprehensive plan, zoning ordinance and State Shoreland Management Rules? *Mr. Wood and Mr. Anderson both indicated no*

Why or why not? *No additional comments were provided.*

2. Has the applicant thoroughly explained the need for a variance from the official controls? *Mr. Wood indicated no.*

Why or why not? *Mr. Femrite indicated the applicant has explained the needs. Mr. Anderson countered that a compelling case had not been made.*

3. Is the alleged practical difficulty due to circumstances unique to this property? *Mr. Wood and Mr. Anderson all indicated no.*

Why or why not? *No additional comments were provided.*

4. Were the circumstances causing the practical difficulty created by someone other than the landowner or previous landowners? *Mr. Anderson and Mr. Wood indicated no.*

Why or why not? *No additional comments were provided.*

5. Does the alleged practical difficulty involve more than economic considerations? *Mr. Femrite stated yes.*

Why or why not? *No additional comments were provided.*

6. Without the variance, is the owner deprived of a reasonable use of the property? *Mr. Grams and Mr. Femrite indicated yes.*

Why or why not? *No additional comments were provided.*

7. Is the request the minimum variance necessary to afford relief? *Mr. Wood indicated he was not sure. Mr. Anderson stated no yes.*

Why or why not? *Mr. Anderson stated the dimensions could be smaller. Mr. Wood stated the structure could match up with the neighboring structure to the west.*

8. Will the issuance of the variance maintain the essential character of the locality? *Mr. Wood, Mr. Anderson and Mr. Femrite all indicated yes.*

Why or why not? *Mr. Anderson stated it would fit the nature of the neighborhood in general.*

9. Will the public health, safety and environment be preserved if the variance is approved? *Mr. Wood, Mr. Anderson and Mr. Femrite all indicated yes.*

Why or why not? *No additional comments were provided.*

The Board continued with additional discussion on the placement of the proposed structure. Following this discussion, Mr. Femrite asked the applicant if a setback of 85 feet from the center line of the road would work. Mr. Graupman answered yes.

The Board continued with additional discussion on the location of a septic drainfield on the east lot.

Mr. Anderson made a motion to approve a variance to reduce the setback requirement from 130 feet to 85 feet with the addition of a condition that the applicants record an easement for the drainfield to be placed on the east parcel prior to issuance of a construction permit for the proposed detached garage. Mr. Anderson added that his motion was based on the findings of fact checklist and the discussion by the Board.

Mr. Wood seconded the motion which carried unanimously.

**5. ADJOURNMENT**

There was no further business and the meeting was adjourned at 7:48 p.m.

---

Board of Adjustment Chair

---

Board of Adjustment Secretary