

MINUTES
Blue Earth County Board of Adjustment
Regular Meeting
Wednesday, April 1, 2015
7:00 p.m.

1. CALL TO ORDER

The meeting was called to order at 7:00 P.M. by Chairman Lyle Femrite. Board of Adjustment members present were Bill Anderson, Lyle Femrite, and Chuck Grams. Planning & Zoning staff members Mike Schulte, Ben Effa and George Leary were also present.

2. APPROVAL OF MINUTES

Mr. Grams made a motion to approve the minutes from the February 4th, 2015 regular meeting of the Board of Adjustment. Mr. Anderson seconded the motion which carried unanimously.

3. APPROVAL OF AGENDA

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

4. NEW BUSINESS

BOA 02-15

David & Mary Corey - Request to reduce the required feedlot to dwelling setback from 1,000 feet to 245 feet and to reduce the required property line setback for a feedlot from 50 feet to 10 feet for the purpose of splitting an existing building site from an existing feedlot. The property is zoned Agricultural and is located in the Northeast Quarter of the Southwest Quarter of Section 13, Vernon Center Township.

Mr. Schulte presented the staff report.

The applicant was present. Mr. Corey indicated he is working with a young farmer to get him started farming.

Mr. Femrite stated it is a straight forward request and it is a good way to start a young person in farming.

Mr. Anderson stated the Corey's have done a very nice job with their operation and agreed that it is a good way to start out a young farmer.

Access to the feedlot was discussed. Mr. Corey indicated the house is being sold on a contract for deed. The feedlot is selling on a lease to own basis to the same individual.

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? Lyle - Yes
2. Has the applicant thoroughly explained the need for a variance from the official controls? Lyle - Yes
3. Is the alleged practical difficulty due to circumstances unique to this property? Lyle - Yes
4. Were the circumstances causing the practical difficulty created by someone other than the landowner or previous landowners? Chuck & Lyle - No

5. Does the alleged practical difficulty involve more than economic considerations? Lyle - Yes
Why or why not? Due to the location of the premises.
6. Without the variance, is the owner deprived of a reasonable use of the property? Chuck & Lyle - Yes
7. Is the request the minimum variance necessary to afford relief? Lyle & Bill - Yes
8. Will the issuance of the variance maintain the essential character of the locality? Lyle - Yes
9. Will the public health, safety and environment be preserved if the variance is approved? Lyle & Chuck - yes

Following the review of the findings of fact checklist, Mr. Anderson made a motion to approve the requested variance. Mr. Grams seconded the motion which carried unanimously.

BOA 03-15

Leonard & Elizabeth Schwamberger Trust & Peter Schwamberger - Request for a variance to reduce the required feedlot to dwelling setback from 1,000 feet to 148 feet and to reduce the required property line setback for an accessory structure from 10 feet to 5 feet for the purpose of splitting an existing building site from an existing feedlot. The property is zoned Agricultural and is located in the Northeast Quarter of the Northeast Quarter of Section 30, South Bend Township.

Mr. Schulte presented the staff report.

Peter Schwamberger was present and had no additional comment.

Mr. Grams and Mr. Anderson both indicated they had no questions regarding the request.

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? Chuck & Lyle - Yes
2. Has the applicant thoroughly explained the need for a variance from the official controls? Chuck & Lyle - Yes
3. Is the alleged practical difficulty due to circumstances unique to this property? Chuck & Lyle - Yes
4. Were the circumstances causing the practical difficulty created by someone other than the landowner or previous landowners? Lyle - Yes
Why or why not? Due to regulations in place at the time.
5. Does the alleged practical difficulty involve more than economic considerations? Chuck & Lyle - Yes
6. Without the variance, is the owner deprived of a reasonable use of the property? Chuck, Lyle & Bill - Yes
7. Is the request the minimum variance necessary to afford relief? Chuck, Lyle & Bill - Yes
8. Will the issuance of the variance maintain the essential character of the locality? Lyle & Bill - Yes

9. Will the public health, safety and environment be preserved if the variance is approved? Chuck Lyle & Bill - yes

Following the review of the findings of fact checklist, Mr. Grams made a motion to approve the requested variance. Mr. Anderson seconded the motion which carried unanimously.

5. ADJOURNMENT

There was no further business. Bill Anderson made a motion to adjourn the meeting. Mr. Grams seconded the motion which carried unanimously and the meeting was adjourned at 7:25 p.m.

Board of Adjustment Chair

Board of Adjustment Secretary