

MINUTES

Blue Earth County Board of Adjustment

Regular Meeting December 6, 2017

7:00 p.m.

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Chairman Kurt Anderson. Board of Adjustment members present were Bill Anderson and Barry Jacques. Planning & Zoning staff members Aaron Stubbs, Garrett Rohlfing, George Leary, and Jaclyn Essandoh were also present.

2. APPROVAL OF MINUTES

Mr. Bill Anderson made a motion to approve the minutes for the November 1st, 2017 Regular Board of Adjustment meeting. Mr. Jacques seconded the motion and the motion carried unanimously.

3. APPROVAL OF AGENDA

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

4. NEW BUSINESS

BOA 15-17

Growth Holdings LLC - Request for review and approval of a variance to reduce the required side yard setback from 10 feet to 2 feet for the purpose of splitting an existing parcel on the subdivision lot lines separating Lots 1 and 2. The property is zoned Rural Townsite and is also within the Urban Fringe Overlay District of the City of Mankato. The property is described as Lot 1 and 2 of Block 14 Riverside Park Addition and is located in part of the Southeast Quarter of the Southwest Quarter of Section 14, South Bend Township.

Ms. Essandoh presented the staff report.

Mr. Carlos Carrera was present on behalf of the applicant and asked for support for the variance request from the Board of Adjustment. There was no public comment.

Mr. Kurt Anderson commented that it was a straight forward request. He added that a potential alternative would be to move the property line between Lots 1 and 2 because there will be plenty of land on the combined Lots 2 and 3.

Mr. Bill Anderson enquired about the driveway going through Lot 3 and the property line encroachment from the house to the west. Mr. Leary responded by mentioning that the road going through Lot 3 was no longer in use. He added that the property is located in that part of the Urban Fringe Overlay District that only allows splitting of property on the platted lot lines and prohibits re-platting to create new non-farm development.

The Board moved on to the Findings of Fact Checklist

FINDINGS OF FACT

SUPPORTING/DENYING A VARIANCE

Name of Applicant: Growth Holdings LLC

Date: 12/06/2017

Parcel #: R50.08.14.378.004 Variance Application #: BOA 15-17

The criteria for the granting of a variance are set forth in Chapter 24 of the Blue Earth County Ordinance, Section 24-48(j). Variances will only be issued when the Board of Adjustment answers “Yes” to each of the six questions set forth below.

1. Is the variance in harmony with the general purposes and intent of the official control? All indicated yes.
2. Is the variance consistent with the goals and policies of the comprehensive plan (also referred to as the “Blue Earth County Land Use Plan”)? All indicated yes, as outlined by staff.
3. Is the property owner proposing to use the property in a reasonable manner not permitted by an official control? All indicated yes, as outlined by staff.
4. Is the need for the variance due to circumstances unique to the property and not created by the landowner? All indicated yes.
5. Will the issuance of the variance maintain the essential character of the locality? All indicated yes.
6. Does the need for the variance involve more than economic considerations? All indicated yes.

Mr. Jacques continued with a motion to approve the request with the findings proposed by staff. Mr. Bill Anderson seconded the motion and the motion carried unanimously.

BOA 16-17

Darrell Anderegg - Request for review and approval of a variance to reduce the required feedlot to dwelling setback from 1000 feet to 700 feet for the purpose of constructing a new single-family dwelling. The property is zoned Agricultural and is within the Shoreland Overlay District of an unnamed creek. The property is located in part of Northwest Quarter of the Northwest Quarter of Section 21, LeRay Township.

Mr. Rohlfig presented the staff report.

The applicant was present and made no further comments. There was no public comment.

Mr. Bill Anderson commented that it was a straight forward request. He added that he could see the need for the applicant to get close to the livestock buildings and that it will be more appropriate to build a house. Mr. Jacques mentioned that the decision to build a house was the best and that the area was suitable with the protection of trees.

The Board moved on to the Findings of Fact Checklist

**FINDINGS OF FACT
SUPPORTING/DENYING A VARIANCE**

Name of Applicant: Darrell Anderegg

Date: 12/06/2017

Parcel #: R39.10.21.100.007 Variance Application #: BOA 16-17

The criteria for the granting of a variance are set forth in Chapter 24 of the Blue Earth County Ordinance, Section 24-48(j). Variances will only be issued when the Board of Adjustment answers “Yes” to each of the six questions set forth below.

1. Is the variance in harmony with the general purposes and intent of the official control? All indicated yes, as proposed by staff.
2. Is the variance consistent with the goals and policies of the comprehensive plan (also referred to as the “Blue Earth County Land Use Plan”)? All indicated yes, as proposed by staff.
3. Is the property owner proposing to use the property in a reasonable manner not permitted by an official control? All indicated yes, as proposed by staff.
4. Is the need for the variance due to circumstances unique to the property and not created by the landowner? All indicated yes, as proposed by staff.
5. Will the issuance of the variance maintain the essential character of the locality? All indicated yes, as proposed by staff.
6. Does the need for the variance involve more than economic considerations? All indicated yes, as proposed by staff.

Mr. Bill Anderson continued with a motion to approve the request with the findings proposed by staff. Mr. Jacques seconded the motion and the motion carried unanimously.

5. ADJOURNMENT

Mr. Jacques made a motion to adjourn the meeting. Mr. Bill Anderson seconded the motion and the meeting was adjourned at 7:38 p.m.

Board of Adjustment Chair Date

Board of Adjustment Secretary Date