

MINUTES

Blue Earth County Board of Adjustment

Regular Meeting

Wednesday February 6, 2019

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, Kurt Anderson, Lyle Femrite, Barry Jacques and Joe Smentek. Staff members Aaron Stubbs, Garrett Rohlfing, George Leary, and Meghan Bajula-Hagen were also present.

2. APPROVAL OF MINUTES

Mr. Kurt Anderson made a motion to approve the minutes for the December 5th, 2018 regular Board of Adjustment meeting. Mr. Bill Anderson seconded the motion and the motion carried unanimously.

3. NEW BUSINESS

BOA 01-19

Derek Groskreutz - Request for review and approval of a variance to reduce the required setback from the centerline of a county road from 130 feet to 123 feet to accommodate the construction of a new residential structure. The property is zoned Agricultural and is located in part of the Southwest Quarter of the Southwest Quarter of Section 29, Jamestown Township.

Ms. Hagen presented the staff report.

The applicant was present and provided the Board with the following information:

1. Removal of the north driveway is being used as leverage for what the County wants.
2. The driveway was in place for 70 or more years and was in place when he purchased the property.
3. It is used for mail and gas delivery and would likely be used by emergency vehicles. It currently could accommodate a tractor trailer unit.
4. The topo rise to the south does not create a line-of-site issue.

Lisa Groskreutz asked if the hill to the south could be moved when the road is upgraded. There was no response to her question.

Lyle Groskreutz echoed some of the comments made by the applicant.

There was no other public comment.

Mr. Kurt Anderson opined that there should be no issue with southbound traffic. He added that the area is primarily agricultural and that drivers need to be cautious. He indicated he had no issue leaving the north driveway.

Mr. Femrite stated his opinion that 300 feet does not allow much time to react.

Mr. Smentek indicated he did not see it as a big issue. He added the Highway Department could possibly remove the driveway approach when the road is improved even without it being a condition of the resolution of this variance.

Mr. Bill Anderson asked if the driveway approach could be raised.

Mr. Jacques replied that they did not know how the road will be regraded.

The Board moved on to the Findings of Fact Checklist.

FINDINGS OF FACT

SUPPORTING/DENYING A VARIANCE

Name of Applicant: Derek Groskreutz

Date: 02/06/2019

Parcel #: R37.05.29.300.006 Variance Application #: BOA 01-19

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. Mr. Kurt Anderson indicated as outlined 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. Mr. Kurt Anderson indicated 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. Mr. Kurt Anderson indicated as outlined by staff.
4. Is the need for the variance due to circumstances unique to the property and not created by the landowner? Most of the Board initially indicated YES. Mr. Femrite questioned the answer and asked why the house could not be reduced by seven feet to meet the required setback. Derek Groskreutz stated that he did not want to sell himself short. He added that by losing seven feet, he would no longer have the American dream. He further added that his project will have no impact on any neighbors. Mr. Kurt Anderson stated the seven-foot reduction is not significant and that it is a reasonable request. Mr. Smentek offered that he often times struggles with this question. He said the applicant knew what he was buying and that it is a modest sized house. He asked about the septic setbacks to the north. Mr. Stubbs answered that the minimum setback to the tank is 10 feet and to the drainfield is 20 feet. He added that he was not certain if there is room to move the home to the north and there may be wetland issues on the north side of the septic system. When the vote was taken, the majority said YES.
5. Will the issuance of the variance maintain the essential character of the locality? All indicated yes. Mr. Kurt Anderson indicated as outlined by staff.
6. Does the need for the variance involve more than economic considerations? All indicated yes. Mr. Kurt Anderson indicated as outlined by staff.

There was no further discussion and no further questions.

Mr. Bill Anderson made a motion to approve the variance with the removal of the condition relating to the removal of the north driveway. Mr. Smentek seconded the motion and the motion carried with four members voting yes.

4. ADJOURNMENT

Mr. Jacques made a motion to adjourn the meeting. Mr. Jacques seconded the motion and the meeting was adjourned at 7:47 p.m.

Board of Adjustment Chair Date

Board of Adjustment Secretary Date