POPE COUNTY
MINNESOTA

MEETING MINUTES
POPE COUNTY BOARD OF ADJUSTMENT
Thursday, August 28th, 2025

The Board of Adjustment convened in regular session on Thursday, August 28, 2025 at the Pope County Courthouse, 3rd floor Meeting Room.

Members Present: Roger Isdahl, Ted Kannegiesser, John Messenger, and Mark Halls.

Other Officials Present: David Green (Land & Resource Management, Director), Galen Gruber (Land Use Specialist II), and Paul Gerde (County Commissioner)

Call to Order

The meeting was called to order by Board Chair Isdahl at 6:00 p.m.

Additions and Corrections to the Agenda

There were no additions or corrections to the agenda. A motion to accept the agenda as prepared was made by Board member Halls and seconded by Board member Messenger. Motion carried unanimously.

Review minutes of July 24, 2025 Regular Meeting of the BOA

The minutes of the Board of Adjustment meeting that was held on July 24, 2025 were submitted for approval. Motion to accept the minutes as written was made by Board member Messenger and seconded by Board member Halls. Motion carried unanimously.

Old Business

Variance Request #VAR-25-015, Altendorf Landscape Company, PID: 09-0828-000

Director Green informed the Board that the landowner, Laurel Worms, who had been present for the July hearing, submitted a request to withdraw their application. David presented the Board with Laurel's written request to withdraw their request.

Board member Halls asked what the consequences will be for the applicant having now withdrawn their application. Director Green said that the applicant will need to comply with current zoning regulations.

Chair Isdahl asked for a motion. Board member Kannegiesser made motion to approve the applicant's withdrawal. This motion seconded by Board member Messenger. Motion carried unanimously.

New Business

Variance Request #VAR-25-016, **Matthew Eckstein,** PID #09-0771-000

The applicant is requesting the structural setback to the Ordinary High Water Level of Lake Amelia be reduced to 40 feet for a proposed addition to an existing dwelling.

Director Green presented the applicant's request and staff report noting the applicant's desire to cover an existing concrete patio area. Director Green noted that staff reviewed adjacent properties within the neighborhood with notes compiled in a table within the staff report. Director Green noted that there is vegetative cover on the property screening the structure from the public resource.

Director Green said that staff has not found evidence of a practical difficulty noting that there doesn't appear to be a need to extend the roof the full width of the existing concrete patio. Director Green also noted that the concrete does appear to be scheduled for removal and replacement.

Director Green outlined the conditions that staff recommended if the Board did seek to approve the request. Director Green also suggested a condition not included in the staff report, that being that the addition not be enclosed. Director Green pointed to the history of the parcel reflecting this suggestion.

Applicant Matthew Eckstein was present. The applicant said that he does not plan to enclose the structure. Eckstein said that he would like the addition to extend the full 11 ft 8 in as stated in his application in order to divert as much stormwater as possible away from the structure to prevent water damage to the structure.

Board member Halls asked about the width of the addition. The applicant said that the addition would be as wide as the old house, matching the gable pitch from the existing dwelling.

Board member Messenger asked the applicant about the direction the applicant would direct gutters. Eckstein said as much east as possible.

Board member Halls asked Director Green why he needs a variance given the presence of the cement pad. Director Green noted that there is a roof now but he wishes to create a larger roof extending it toward the lake.

Chair Isdahl asked about 11 ft 8 in if that presents hardship. Applicant said that he would like as much as he can get because it will help with stormwater. Isdahl asked about size of concrete. Applicant said that if not 11 ft 8 in then he would need to remove a portion of the pad.

Halls asked about soils onsite. Applicant said it is black.

Chair Isdahl opened the hearing for public comments at 6:15 pm. There were no comments for or against, and the public hearing was closed.

Chair Isdahl asked for comments from the site team. Board member Kannegiesser stated that the proposed matches the structures in the neighborhood and that if it was his house, he would extend the concrete around the side of the house too. Kannegiesser noted that the existing roof was in

need of being spruced up. Board member Messenger added that he could see the existing roof is degraded. He asked the applicant if they are pouring new concrete to which the applicant responded that they were. Messenger noted that matching the existing gable would look good.

Board member Halls asked about the closest neighbor and how close that neighbor's structure is to the [OHWL]. Director Green responded that the neighbor's structure is approximately 40 ft from the OHWL. Discussion about averaging setbacks and how this property is not provided an opportunity to use setback averaging because it does not have a dwelling on the lot to the north.

Motion: Board Chair Isdahl asked for a motion. Board member Messenger made a motion to approve the request to reduce the structural setback to the OHWL to allow for an 11 ft 8 in addition with the conditions as presented by staff except without the condition reducing the size of the addition and including a condition that the addition must not be enclosed. Conditions are as follows:

1. That the addition must not be enclosed.
2. The proposed roofline extension may not be any wider than the original cabin structure (~21 ft), extend no more than eleven (11) feet eight inches (8) lakeward.
3. Gutters are to be installed on the entire residential structure to ensure stormwater runoff is properly managed according the section 10.24 of the Pope County Land Use Controls Ordinance.
4. That prior to any construction activities, all necessary permits are secured from County and State agencies.
5. That County staff may enter onto the property at reasonable times and in a reasonable manner to ensure the variance holder is in compliance with the conditions and all other applicable statutes, rules and ordinances.

This motion was seconded by Board member Kannegiesser. With no further discussion, motion carried unanimously. Findings are as follows:

1. **Variance request consistent with purposes and intent of the official controls and the comprehensive plan:**

   Findings: The Minnesota DNR Shoreland Rules Ch 6120 as well as the Pope County Land Use Controls Ordinance regulate the size and location of structures in shoreland designated areas. The purpose of the requirements is to preserve neighborhood character and aesthetics as well as for the protection of surface water resources and personal property. This proposal will not deviate significantly from other structures in this area.

2. **Use of property/structure is a reasonable use:**

   Findings: A change in the direction of the roof pitch to help control stormwater runoff is an effective stormwater control strategy, provides protection from personal property damage, and allows for continued reasonable use of the property.

3. **Character of locality and detriment to neighboring properties:**

   Findings: Granting the variance will not change the character of the locality or be a detriment to the neighboring properties.

4. **Plight of the landowner is due to circumstances unique to the property and not self-created:**

   Findings: There is an ice ridge/berm located between the structure and the shoreline that is higher in elevation than the floor level of the structure. During rain events, some stormwater flows back toward the entryway of the home rather than to the lake.

No other business.

Adjournment

Motion by Board member Kannegiesser to adjourn the Board of Adjustment meeting with a second by Board member Messenger. Motion carried unanimously. Meeting adjourned at 6:22 p.m.

Respectfully submitted,

Galen Gruber/Land Use Specialist II
Pope County Land & Resource Management

David Green/Director
Pope County Land & Resource Management