MEETING MINUTES
POPE COUNTY BOARD OF ADJUSTMENT
Thursday May 23, 2019

The Board of Adjustment convened in regular session on Thursday, May 23, 2019 the Pope County Courthouse, Community Room.

Members Present: Dave Henke, Ronald Feigum, Ivie Cooley, John Messenger, Mark Halls and Brian Jergenson

Other Officials Present: David Green (Land & Resource Management Director), Shelley Cameron (Sr. Administrative Associate) and Larry Lindor (County Commissioner)

The meeting was called to order by Chairman Feigum at precisely 6:02 p.m.

Additions and Corrections to the Agenda

There was no additions or corrections to the agenda.

Review minutes of April 25, 2019

The minutes of the Board of Adjustment meeting that was held on April 25, 2019 were submitted for approval. Motion to accept the minutes as written was made by Henke. Seconded by Cooley. Motion carried.

Variance-Gregg Jacobson

Chairman Feigum introduces the item. Applicants Gregg & Mary Jacobson are present. Director Green presents staff report indicating that the applicants have plans to construct a residential structure on their Lake Minnewaska parcel. There is an existing cabin on that parcel. The owner would like to retain the cabin, to be used as a "guest cabin", after construction of the residential structure. However, the cabin is greater than 250 square feet in size and has a kitchen area. The applicants are seeking a variance to allow this existing cabin to remain as a guest house with kitchen facilities where a 250 square feet guest house without kitchen facilities is the standard. Director Green points out that the staff recommendation as presented in the Staff Report is that is "staff does not object to the issuance of the variance" provided that conditions are adhered to. Chairman Feigum asks for comments from the applicants. Gregg Jacobson states "the cabin was built in the 20's and it was in rough shape. We have restored it and it is really quite nice. We call it the Loveshack and our family really enjoys using it. We are going to build a new home and our plan is to live there (in the cabin) until our house is complete. We would really like to keep it." Chairman Feigum opens to the public asking if there is anyone speaking for or against this variance request. None noted. Chairman Feigum closes the public hearing. Messenger makes a motion to approve with conditions stated by staff. Cooley seconded. Motion carried with no dissenting votes noted.

Variance-Trent Pribyl

Chairman Feigum introduces the item. Applicant Trent Pribyl is present. Director Green presents staff report indicating the applicants' proposal is that they would like to put a family structure at approximately 150 feet from the Ordinary High Water Level (OHWL) where the setback standard is 200 feet in a Natural Environment District. "Due to the wetland and steep slopes this would make it difficult

to get further back from the lake shoreline. It is the best place to put a structure with the least amount of impact to the environment. The DNR standard is 150 feet from the OHWL. Our setbacks are stricter. Staff recommendation is that staff does not object to the issuance of a variance in this case." Chairman Feigum asks for comments from the applicant. Applicant Trent Pribyl states "I have no comments to add." Chairman Feigum opens to the public asking if there is anyone speaking against this variance request. None noted. Anyone speaking for this variance request? None noted. Chairman Feigum closes the public hearing. Chairman Feigum seeks a motion. Cooley makes a motion to accept as written. Messenger seconded. Motion carried with no dissenting votes noted.

Variance-Darlene Boike

Chairman Feigum introduces the item. Applicants Darlene and Tommie Boike are present. Director Green presents staff report indicating the applicants are proposing to construct a garage onto their house which would encroach into the minimum setback specified from the road right-of-way. They wish to keep everything they have in this garage rather than out in the open. Most of the garages in this neighborhood do not meet the minimum setback. Staff will work with the applicants on impervious surface and the septic. Staff does not object to the issuance of a variance in this case. Chairman Feigum asks for any comments from the applicants. Applicant Tommie Boike states "we plan on moving up here and we have this stuff in Montevideo so we need to have a space for it. We don't like things being outside." Chairman Feigum opens to the public asking "if there is anyone speaking against this variance request." None noted. "Anyone speaking for this variance?" None noted. Chairman Feigum closes the public hearing. Chairman Feigum asks for comments from the site team. Messenger states "the setback proposal is further back than existing garages in the neighborhood." Chairman Feigum seeks a motion. Henke makes a motion to accept. Cooley seconded. Motion carried with no dissenting votes noted. Cooley makes a motion to accept all four BOA items findings of fact. Henke seconded. Motion carried.

Variance-Cory Week

Chairman Feigum introduces the item. Applicants Cory & Jessica Week are present. Director Green presents staff report indicating the applicants propose to build a garage to store boats and such. There are topography issues to limit pushing it back further and the applicant wants to minimize the number of trees that would need to be moved. The county setback is 125 feet from the centerline of a public roadway in a Residential zoning district. As proposed, the structure would be located as close as 75 feet from the centerline of the right-of-way. The township has a setback of 50 feet from the right-of-way, which would be 83 feet from the centerline so the applicants should also check with their township. Staff received a call about the garden shed structure that may be too close and may not meet the minimum setback which needs to be 10 feet off of the property line. The township side lot setback is 25 feet so the applicants will need to check with the township on this as well. Chairman Feigum asks for any comments from the applicants. Cory Week states his reasoning for choosing the garage location, "I want to see from the house and it would make it difficult to back anything into the driveway with all the trees if it was further back." Chairman Feigum opens to the public asking if there is anyone speaking for or against this variance request. None noted. Chairman Feigum closes the

public hearing. Chairman Feigum seeks a motion. Cooley makes a motion to accept with staff recommendations and to make the garden shed compliant. Jergenson seconded. Motion carried with no dissenting votes noted.

Tabled/Old Business

There was no tabled or old business.

Adjournment 6:45 p.m. Motion by Jergenson to adjourn the Board of Adjustment meeting. Motion seconded by Messenger. Motion carried with no dissenting votes noted.

Respectfully submitted,

Shelley Cameron

Shelley Cameron/Sr. Administrative Associate
Pope County Land & Resource Management