

MEETING MINUTES
POPE COUNTY BOARD OF ADJUSTMENT
Thursday, April 25, 2024

The Board of Adjustment convened in regular session on Thursday, April 25, 2024 at the Pope County Courthouse, 3rd floor Meeting Room.

Members Present: Roger Isdahl, John Messenger, Ivie Cooley, Ted Kannegiesser, Mark Halls and Russell Barkeim

Other Officials Present: David Green (Land & Resource Management, Director), Shelley Retrum (Land & Resource Management, Senior Administrative Associate), Paul Gerde (County Commissioner) and Paul Wildman (County Commissioner)

Call to Order

The meeting was called to order by Chairman 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 Halls and seconded by Barkeim. Motion carried with no dissenting votes noted.

Review minutes of March 28, 2024 Regular Meeting of the BOA

The minutes of the Board of Adjustment meeting that was held on March 28, 2024 were submitted for approval. Motion to accept the minutes as written was made by Barkeim and seconded by Kannegiesser. Motion carried with no dissenting votes noted.

General Business

There was no General Business to discuss. Director Green addressed the variance applicant regarding the application review procedures by staff and the Practical Difficulty criteria by which the Board of Adjustment (Board) must weight each variance request.

Tabled/Old Business

None

New Business

Variance #24050, applicant Kenneth Moe (PID# 08-0183-000)

Applicant seeks to locate/construct an accessory structure (storage/personal use/non inhabitable residential structure) on his Lake Minnewaska riparian parcel located off of Silver Beach Road in Minnewaska Township. The structure's dimensions as proposed are 70 ft x 40 ft (2800 square feet). The owner has requested relief from the minimum setback from a road right-of-way standard of 40 feet. The application identifies the request as the structure to be located at 26.5' from the road right-of-way. The property is currently undeveloped. The new structures will result in less of an encroachment toward the shoreline of the lake as compared to the existing structures. Director Green presents the staff report and concludes that staff does not support the issuance of a variance in this case given that a practical difficulty has not been established. Following Director Green's presentation, the applicant, was offered an

opportunity to defend his application and to establish the practical difficulty. Moe explained why he needed a building the size as proposed including that he thought that it was reasonable to be able to park a pontoon boat and trailer indoors. This would require a building deep enough to house a trailer that would be at least 30 feet long. He explained that the building would be a nice-looking building and fit in nicely with the neighborhood. And finally, he pointed out the odd shape (triangular) of the building envelope and that the shape was dictated by consideration given to setback from shoreland, road right-of-way, wetland and floodplain concerns. A public hearing was called at 6:20 pm. With no one providing comment in support of or against the variance request, the Chairman closed the public hearing. The site team debriefed the rest of the Board members regarding onsite conditions. At the conclusion of the site visit report there was continued discussion regarding the site limitations and the building design including that Director Green pointed out that overhangs were considered as part of a structure and any setback measurements will include overhangs. The Moe proposal includes 2 ft overhangs so the encroachment is actually more severe than the application indicates. A motion was raised by Cooley to allow for a five-foot encroachment into the right-of-way setback.

However, the motion died for lack of a second. With there being no consensus on the establishment of a practical difficulty or structure configuration, Halls raised a motion to table the matter until the next regularly scheduled meeting of the Board of Adjustment. He asked that the applicant and staff meet again to further discuss the project. The motion is seconded by Cooley and is passed in a unanimous manner.

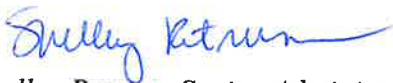
Adjournment 6:49 p.m. Motion by Kannegiesser to adjourn the Board of Adjustment meeting with a second by Barkiem. Motion carried with no dissenting votes noted.

Respectfully submitted,

Handwritten signature of David Green in black ink.

David Green, Director

Pope County Land & Resource Management

Handwritten signature of Shelley Retrum in blue ink.

Shelley Retrum, Senior Administrative Associate

Pope County Land & Resource Management