

MEETING MINUTES
POPE COUNTY BOARD OF ADJUSTMENT
Thursday, December 21, 2023

The Board of Adjustment convened in regular session on Thursday, December 21, 2023 at the Pope County Courthouse, 3rd floor Meeting Room.

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

Other Officials Present: David Green (Land & Resource Management Director) and Paul Gerde (County Commissioner)

Call to Order

The meeting was called to order by Chairman Isdahl at 6:02 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 Messenger and seconded by Barkeim. Motion carried with no dissenting votes noted.

Review minutes of November 16, 2023

The minutes of the Board of Adjustment meeting that was held on November 16, 2023 were submitted for approval. Motion to accept the minutes as written was made by Barkeim and seconded by Cooley. Motion carried with no dissenting votes noted.

General Business

There was no General Business to discuss

Tabled/Old Business

There was no Tabled or Old Business to act upon.

New Business

Variance #23348, applicant Jason Hagen (PID# 09-0268-001)

Applicant seeks to locate/construct another workshop structure on an existing site where the applicant has operated a commercial agriculture/truck repair shop since 1987. The dimensions for the new structure are 60 feet by 130 feet. The structure will be attached to the southwest side of the current building. This parcel of land is located in a Commercial zoning district. Minimum property line setback in this zoning district is 20 feet. However, based on the given structure dimensions it would result in the structure being located at 13 feet from the property line. Chairman Isdahl introduces the item followed by a staff report as presented by Director Green concluding with the following comment: *having reviewed and considered the application, local ordinances, state statutes, and all comments received, staff does not object to the issuance of a variance in this case.* After the delivery of the staff report, the Board did have some questions of staff and the applicant including, questions regarding side wall height, building location, and who owns the neighboring property. Jason Hagen responded to each of these particular questions. *The building height and design is a function of the existing buildings, which does*

include a crane for lifting heavy objects. Because of the crane, the existing building cannot have an additional load on it. This is why a new structure is required. The new structure will have 14' side walls to account for a crane in it. The adjacent property is owned by a distant family member, who hasn't commented on the project proposal. At 6:16 pm, Chairman Isdahl opens a public hearing and seeks comments, however there was no public in attendance and thus no comments received for or against the variance request. The Public Hearing was followed by a site visit report as presented by Messenger, Kannegiesser and Barkeim. The site team stated that *the expansion make sense and that it's a commercially zoned area and the project seems to fit*. At the conclusion of the site visit report there was brief discussion followed by the ensuing motion to approve of the variance by Messenger: *Based upon the information as presented in the staff report and facts as gathered this evening, I move to approve of the variance request*. Motion is seconded by Barkeim. Motion passes. Conditions include:

- The proposed structure is located no closer than 13 feet from the side yard and rear yard property lines.
- Prior to construction, two Best Management Practices for erosion and stormwater control must be installed to ensure no off-site impacts are felt due to erosion or sedimentation associated with or as a result of the structure addition.
- Permanent or temporary soil stabilization shall be applied to disturbed areas (areas where vegetation has been removed or where cuts have been made), as soon as possible, but not to exceed fourteen (14) days after a substantial portion of rough grading has been conducted.

With Findings as follows:

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

Findings: The purpose of the required setback for structures from side and rear yard property lines is to protect personal property and to preserve the neighborhood character and aesthetics. The proposed location of the commercial structure expansion is approximately 13 feet from the side yard property line. It is not likely that allowing the structure will create a hazard to the neighboring property.

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

Findings: A commercial structure expansion is permissible in a commercial zoning district.

3. Character of locality and detriment to neighboring properties:

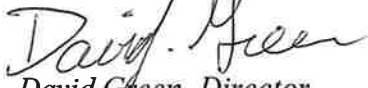
Findings: Granting the variance will not change the character of the locality or be a detriment to the neighboring properties. The neighborhood will remain primarily commercial/industrial in nature.

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

Findings: The circumstances contributing to the need for the variance are that the desired location of expansion of the existing commercial building would allow a more efficient and logistical workflow for the current business. The expansion is proposed for an area currently used as a gravel parking/driving area. The addition of a building over this area will not create a change in impervious surface coverage.

Adjournment 6:22 p.m. Motion by Cooley to adjourn the Board of Adjustment meeting with a second by Kannegiesser. Motion carried with no dissenting votes noted.

Respectfully submitted,

A handwritten signature in cursive script that reads "David Green".

David Green, Director

Pope County Land & Resource Management