POPE COUNTY
MINNESOTA

MEETING MINUTES
POPE COUNTY BOARD OF ADJUSTMENT
Thursday, April 24, 2025

The Board of Adjustment convened in regular session on Thursday, April 24, 2025 at the Pope County Courthouse, 3rd floor Meeting Room.

Members Present: Roger Isdahl, John Messenger, Kathy Christiansen, Ted Kannegiesser, Mark Halls, and Russell Barkeim

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

Call to Order

The meeting was called to order by Chairman Isdahl at 6:01 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 Barkeim and seconded by Board member Christiansen. Motion carried unanimously.

Review minutes of March 27, 2025 Regular Meeting of the BOA

The minutes of the Board of Adjustment meeting that was held on March 27, 2025 were submitted for approval. Motion to accept the minutes as written was made by Board member Halls and seconded by Board member Christiansen. Motion carried unanimously.

General Business

Director Green addressed those in attendance, providing a brief overview of the Board of Adjustment's role, the applicants responsibility in identifying that a practical difficulty exists, and the general process of the public hearing.

Tabled/Old Business

None.

New Business

Variance Request #VAR-25-004, **Cindy Ohlson** PID# 08-0088-100

The applicant seeks permission to reduce the structural setback to the road right-of-way from 40ft to 10ft for the construction of a garage. Director Green presented the applicant's request and staff report noting the history of the parcel file shows that the existing structure was intended to be a garage with a future dwelling site possibly located west of the existing structure. Director

Green also noted that staff does not find evidence within the application to support a practical difficulty per rule.

Applicant's representative, Todd Wood, was present and was given an opportunity to provide additional information and comments. Wood commented on the uniqueness of the property saying that there is unique topography to the site and the amount of excavation necessary to construct else-where would be significant and expensive. Wood also said that locating the structure to the west would take up usable space on their lot which that they currently use as a lawn for kids to play since it is fairly level and that they would still need a variance. Wood also noted that the proposed location was intended to be tucked away and locating the structure to the west will have an impact on their neighbor's sightlines. Woods said the proposed location would allow a better utilization of his property. Wood commented on the second variance request noting the proposed dimensions would result in the least amount of wasted timber. Woods said he believes the proposed location is the least impactful in regards to drainage.

Board Chair Isdahl noted that the staff report indicated that there were existing structures/activities that were not properly permitted and asked Green if that was an issue for the Board to take into consideration. Green stated that that the issue of non-permitted activities was a separate issue and had no bearing on the variance requests under consideration by the Board of Adjustment. Furthermore, the department and the applicant/owner have already discussed the matter and that resolution was forthcoming.

Board Chair Isdahl opened the public hearing portion of the meeting at 6:15 p.m.

Gary Hammer spoke in support of the proposed. Hammer said that the proposed structure and location fits the property. Hammer said that the proposed is a good use of property and that alternative locations would be better used for a future dwelling. Hammer said he owns the neighboring properties on both sides of this property sees no issues. Hammer said that he spoke to neighbors who also had no issues. Hammer commented on the road. Hammer questioned the classification of the road and concerned about how it will impact his plans to develop as well. Green commented that the road was identified when the parcel was platted. Green noted that the existence of the road would have been a requirement at the time these properties were have been platted.

Hearing no additional comments from the public, Chairperson Isdahl closed the public hearing at 6:20 p.m.

The Board site team comprised of Board members, Barkeim, Christiansen, and Messenger provided comment about their onsite observations. Messenger said that they could observe the limiting characteristics of property from the topography and septic location. Messenger said that he also had questions as to the road and who maintains it. Barkeim noted that the road is a dead end and that the proposed location is in line with the existing structures onsite. Barkeim noted that the proposed location avoids impacting views of water from neighbors. Isdahl asked the Site View team about issues with snow removal from the road. Barkeim said that there is plenty of room on the north side of the road. Christiansen noted that it makes sense especially considering the existing development.

Halls asked about utilities within the ROW. Wood said that there are utilities and that the power line is the only utility that they have to be careful of and referenced the site plan. Halls asked if the proposed garage would impact utilities. Woods said no.

Motion:

Board Chair Isdahl seeks a motion and noted that the board is only acting on the applicant's request associated with the road right-of-way. Board member Christiansen made motion to approve the variance request in accordance with the conditions as presented in the staff report. Conditions as follows:

1. Setback encroachment is limited to 10 feet from the edge of the road right-of-way.
2. That prior to any construction activities, all necessary permits are secured from County and State agencies.
3. That County staff may enter onto the property at reasonable times and in 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 Barkeim. With no further discussion, motion carried unanimously.

Messenger motion to have staff amend findings to support the motion. Christiansen seconded.

Board member Messenger provides motion to direct the Land & Resource Management staff to provide findings consistent with the Boards decision for consideration at their next meeting. This motion is seconded by Board member Christiansen. The motion carries unanimously.

Variance Request #VAR-25-003 **Cindy Ohlson** PID# 08-0088-100

The applicant seeks permission to allow the construction of a 1,080 sqft structure which exceeds the 1,000 sqft limit for structure located within 200ft of the ordinary high water level (OHWL) of Pelican Lake.

Director David Green, presented the applicant's request and staff report. Green noted that the ordinance was recently updated with the language limiting size of structures within proximity of the OHWL and that the proposed location of the structure places him just within the 1000sqft limitation. Green noted that the proposed square footage takes advantage of limiting the waste associated with keeping the structure to 1000sqft.

Applicant's representative, Todd Wood, was present and was given an opportunity to provide comment. Wood said that there would be waste in lumber if forced to comply with the 1000sqft limitation. Wood noted that they are just within the 1000sqft zone.

Board Chair Isdahl opened the hearing for public comment at 6:31 p.m.

Gary Hammer, adjoining neighbor to this site, said that he sees no issues with the proposed structure and location. Noted that the dimensional change from 1080sqft to 1000sqft is not significant.

Hearing no comments, the public hearing portion was closed at 6:32 p.m.

The Board Site Team, comprised of Board members, Barkeim, Christiansen, and Messenger, provided comment about their onsite observations. Christiansen commented that she did not see any issues with the proposed. Messenger noted the limitations of the site and found the comments on materials wastes associated the structure dimensions interesting.

Motion:

Board Chair Isdahl seeks a motion. Board member Barkiem made motion to approve the variance request in accordance with the conditions as presented in the staff report. Conditions as follows:

1. That prior to any construction activities, all necessary permits are secured from County and State agencies.
2. 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 Messenger. With no further discussion, motion carried unanimously.

Board member Halls provides motion to direct the Land & Resource Management staff to provide findings consistent with the Boards decision for consideration at their next meeting. This motion is seconded by Board member Barkeim. The motion carries unanimously.

Adjournment

Motion by Board member Barkiem to adjourn the Board of Adjustment meeting with a second by Board member Halls. Motion carried unanimously. Meeting adjourned at 6:34 p.m.

Respectfully submitted,

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