POPE COUNTY
MINNESOTA

MEETING MINUTES
POPE COUNTY BOARD OF ADJUSTMENT
Thursday, September 25th, 2025

The Board of Adjustment convened in regular session on Thursday, September 25th, 2025 at the Pope County Courthouse, 3rd floor Meeting Room.

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

Other Officials Present: David Green (Land & Resource Management, Director), Jessica Hill (Zoning Administrator), Leigh Nelson (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 6:01 p.m.

Additions and Corrections to the Agenda

There is one addition to the agenda under New Business, added by Director Green. There were no corrections. A motion to accept the agenda as amended was made by Board member Messenger and seconded by Board member Barkeim. Motion carried unanimously.

Review minutes of August 28, 2025 Regular Meeting of the BOA

The minutes of the Board of Adjustment meeting that was held on August 28th, 2025 were submitted for approval. Motion to accept the minutes as written was made by Board member Kannegiesser and seconded by Board member Messenger. Motion carried unanimously.

Director Green addressed those in attendance explaining the Board of Adjustment and public hearing process. Green explained that the Board of Adjustment acts in a quais-judicial fashion meaning that they seek to apply facts of a given situation to an applicable law or ordinance. Green also stated that applicants who seek a variance have the responsibility to establish that a practical difficulty exists and went on to describe the elements of practical difficulty.

Old Business

None.

New Business

1. **Variance Request** #VAR-25-017, **Ronald & Natalie Pechia,** PID #10-0290-000

   Property owner is seeking to construct a residential structure on Grove Lake, located in the Shoreland-Recreational Development zoning district. The proposed structure is forty (40) feet by

seventy (70) feet. The lot in question is Lot 7 of Kalina's First Addition, Section 34, Township 125, Range 36, located in Grove Lake Township of Pope County, Minnesota. The proposed location of the residential structure is at approximately fifty-six (56) feet from the Ordinary High Water Level (OHWL) and twenty (20) feet from the road right-of-way of 215th Street. Required setbacks on a Shoreland-Recreational Development lake are 100 feet from the OHWL and 40 feet from the road right-of-way. Setback averaging per Section 4.6.5.A.2. of the Pope County Land Use Controls Ordinance is not applicable in this case as the property to the west of the lots owned by Pechia's does not have a structure on site. Therefore, the applicants are required to seek a variance to the OHWL setback and the road right-of-way setback as the proposed location of the residential structure will not meet either of these setbacks.

Director Green noted that staff does not object to the issuing of a variance, provided that:

1. The proposed residential structure, including overhangs, may not be located any closer than fifty-six (56) feet from the ordinary high water level as shown on the Certificate of Survey by Nyberg Surveying dated 9/3/2025.

2. The proposed residential structure, including overhangs, may not be located any closer than twenty (20) feet from the road right-of-way of 215th Street as shown on the Certificate of Survey by Nyberg Surveying dated 9/3/2025.

3. Contiguous parcels under common ownership of Ronald & Natalie Pechia (Parcels 10-0289-000, 10-0290-000 and 10-0291-000) must be combined through the Pope County Recorder's Office.

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.

Applicant Ronald Pechia was present.

Chair Isdahl opened the hearing for public comments at 6:14 pm. There were no comments for or against, and the public hearing was closed.

Chair Isdahl asked for comments from the site team. Member Barkeim noted that the lot was flat, there is a retaining wall, and that there are no encroachments. The Applicant stated that his neighbor to the west already has a variance. Member Messenger commented on the flatness of the lot, and that the plan fits nicely. Member Kannegiesser stated that this was logical & made sense to approve.

Further discussion was had between the Applicant and the Board of Adjustment members regarding construction materials and specifications.

Motion: Board Chair Isdahl asked for a motion. Board member Barkeim made a motion to approve with conditions as listed in the staff report, seconded by Member Messenger. With no further discussion, motion carried unanimously. Findings 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 residential structure is a reasonable use.*

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: *The landowner purchased the property in its current condition.*

2. Hauge Appeal of Administrative Penalty, Earl Hauge Properties: PID #12-0154-002 & PID #12-0155-600

Director Green presented background, including handouts, regarding the timeline for permitting, inspection & communications for the Earl Hauge properties, PID #12-0154-002 & PID #12-0155-600. During a site visit, staff noted unpermitted activity & shoreland alterations.

Timeline for permitting, inspection & communications:

- 2/5/2025: Issuance of WCA Notice of Decision allowing for wetland replacement plan to mitigate impacts of road and ditch crossing through wetland
- 4/21/2025: Issuance of Shoreland Alteration Permit (SHA-25-007) allowing for construction of access road across field, wetland and ditch. Alteration dimensions and volume: 700' long, 12' wide, 1-2' deep; 600-900 cubic yards
- 8/20/2025: SHA follow-up site visit by Ralph Hanson: Documented earthworks beyond scope of SHA-25-007, including excavation within Shore Impact Zone of Chippewa River on PID #12-0155-600. Ralph called Earl to notify him of potential violation.
- 8/21/2025: Office meeting: Earl Hauge & Galen Gruber.
- 8/22/2025: Phone call from Earl to Galen.
- 8/25/2025: Office meeting with Ralph: Earl came in to submit paperwork for CUP application and checks for fees: $46 Recorder's fee, $500 CUP application fee and $1000 check to cover $750 after-the-fact fee and $250 contractor penalty.

Chair Isdahl asked if the fee was assessed and paid – Director Green confirmed that the fees and the penalties had been paid.

Discussion ensued regarding Mr. Hauge's work removing muck, location of the fill & "borrow pit" and that the extension of the road beyond the 700 feet permitted was not a road, but just from the applicant driving on his property. It was repeatedly stated what a good job that Ralph Hanson did, and how much Mr. Hauge appreciated the work that was done on his behalf with the DNR.

Member Kannegiesser asked if the fine was being challenged. Director Green responded it is and that the Board has the authority to reverse or change the fees. Chair Isdahl asks the Board if there were additional questions. Hearing none, he asked for a motion. Member Kannegiesser made a motion to reduce the fine to $500. Member Messenger seconded. With one member opposed & 4 in favor, the motion passed.

No other business.

Adjournment

Motion by Board member Barkeim to adjourn the Board of Adjustment meeting with a second by Board member Kannegiesser. Motion carried unanimously.
Meeting adjourned at 6:52 p.m.

Respectfully submitted,

Leigh A. Nelson/Senior Administrative Associate
Pope County Land & Resource Management

David Green/Director
Pope County Land & Resource Management