POPE COUNTY
MINNESOTA

MEETING MINUTES
POPE COUNTY BOARD OF ADJUSTMENT
Thursday, October 23, 2025

The Board of Adjustment convened in regular session on Thursday, October 23rd, 2025 at the Pope County Courthouse, 3rd floor Meeting Room.

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

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 6:00 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 Board member Barkeim and seconded by Board member Messenger. Motion carried unanimously.

Review minutes of September 25, 2025 Regular Meeting of the BOA

The minutes of the Board of Adjustment meeting that was held on September 25, 2025 were submitted for approval. It was noted by Chair Isdahl that the September minutes were emailed to the Board earlier that day, and he wanted to confirm that all the Board members had had a chance to thoroughly review them. Motion to accept the minutes as written was made by Board member Messenger and seconded by Board member Halls. 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-25-018, **Melissa Hampton** PID# 19-0420-000

The applicant seeks permission to construct a basement underneath an existing cabin. Zoning Administrator Hill presented the applicant's request and staff report noting that staff does not object to granting the variance and provided recommended conditions.

Applicant Hampton was not at the hearing, however, the contractor, Joe Bouta, was present and was given an opportunity to provide additional information and answer questions. Bouta commented that the grade of the structure will remain the same, and will be no higher than it is now. Member Isdahl asked Bouta if there was an additional bathroom planned. Bouta responded yes.

Halls asked Bouta if the structure was above the water table. Bouta replied that this would be 8-12 feet above the water level, and that it is not in a low area.

Board Chair Isdahl opened the hearing for public comment at 6:16 p.m. Hearing no comments, the public hearing portion was closed.

The Board site team comprised of Board members, Barkeim, Kannegiesser, and Messenger provided comment about their onsite observations. Messenger noted that this was a reasonable request, it was do-able, there were no changes to the size of the structure, and that it fits in well. Kannegiesser agreed with Messenger's observations. Barkeim noted that no one will know when it's completed, and that this is a reasonable request.

Motion:

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

1. The residential structure with the basement addition and addition to the western side of the structure may not be located any closer than thirty six (36) feet from the ordinary high water level.
2. A Type I sewage treatment system must be installed to accommodate the residential structure expansion.
3. That prior to any construction activities, all necessary permits are secured from County and State agencies.
4. 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 Barkeim. With no further discussion, motion carried unanimously with the findings as follows:

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

   Finding: 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:**

   Finding: The addition of a basement to this residential structure is a reasonable use.

3. **Character of locality and detriment to neighboring properties:**

   Finding: 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:**

   Finding: The landowner purchased the property with the residential structure in its current location. The parcel is encumbered by a driveway going through it, the existing location of the septic holding tank, and the well. The location of the aforementioned structures makes the relocation of the existing cabin further from the lake extremely challenging and financially burdensome.

Variance Request #VAR-25-019 **James & Laura Rentz** (present) PID# 02-0448-000

The applicant is seeking a variance that would allow for the locating of a structure that will ultimately encroach into the minimum road right-of-way setback by approximately twenty-five (25) feet. Zoning Administrator Hill presented the applicant's request and staff report noting that the shed will be approximately fifteen (15) feet from the road right-of-way, and that the shed would contain combustible materials that the owner does not want located in their inhabitable garage for safety reasons. Hill stated that staff does not object to granting the variance and provided recommended conditions.

Applicant Jim Rentz addressed the Board, stating that they purchased the shed for the storage of flammables that they did not feel safe keeping in their existing garage, as there is living space directly above. There had been a concrete planter in the location that they placed the shed, which matches the style & color of their home. Someone filed a complaint, and they have been working with Pope County Land & Resource Management staff to come up with a solution for the placement of the shed. Safety is their main concern.

Board Chair Isdahl opened the hearing for public comment. Hearing no comments, the public hearing portion was closed at 6:27 p.m.

The Board site team, comprised of Board members, Barkeim, Kannegiesser, and Messenger, provided comment about their onsite observations, agreeing that it makes sense to get it off the road. Halls did ask if this would bring the impervious surface to over 25%. Zoning Administrator Hill stated that there would be no changes to the existing impervious surface coverage.

Motion:

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

1. The proposed accessory structure, including overhangs, may not be located any closer than fifteen (15) feet from the road right-of-way.
2. That prior to any construction activities, all necessary permits are secured from Township, County and State Agencies.
3. 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 Kannegiesser. With no further discussion, motion carried unanimously with findings as follows:

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

   Finding: The Minnesota DNR Shoreland Rules Ch 6120 as well as the Pope County Land Use Controls Ordinance regulate the location of structures in shoreland designated areas. The purpose of the required setback for structures from roadways is to protect personal property; provide for maintenance and potential expansion of public roads; ensure safety for all users of roads and for those adjacent to roads; and to preserve the neighborhood character and aesthetics. Providing for residential and recreational development on riparian parcels and recognizing that there are sometimes physical limitations on certain parcels due to topographic and other environmental impediments is not inconsistent with the Comprehensive Plan provided that official processes and controls are adhered to. A variance granted allowing for the shed structure to be at least fifteen (15) feet from the road right-of-way, does not create a conflict with the overall goal of the official controls.

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

   Finding: A storage shed is not uncommon in shoreland areas.

3. **Character of locality and detriment to neighboring properties:**

   Finding: The proposed structure is consistent with other uses and development in the neighborhood. The location of the structure is not inconsistent and is not likely to change the character of locality due to its proximity to the road right-of-way and the travelling public.

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

   Finding: The circumstances contributing to the need for the variance are that the property owner desires to continue to use the shed for storage of combustible materials so as to not locate them in an inhabitable structure. The stand alone shed can only be

located on an already covered (impervious surface) area. Regardless of whether or not the situation can be argued as "self-created", this is a situation that involves an aspect of human and property safety and the proposed location for the shed and its contents is the most logical solution, that doesn't require further mitigation or impacts to the developed property.

Adjournment

Motion by Board member Kannegiesser to adjourn the Board of Adjustment meeting with a second by Board member Messenger. Motion carried unanimously. Meeting adjourned at 6:30 p.m.

Respectfully submitted,

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

David Green/Director
Pope County Land & Resource Management