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PLANNING & ZONING
215 1st Avenue South, Suite 103
Long Prairie, MN 56347
Phone: 320-732-4420 Fax: 320-732-4803
Email address: toddplan.zone@co.todd.mn.us

The following is the agenda for **Thursday, February 22, 2024 at 6:00pm** the Todd County Board of Adjustment will hold a public hearing in the Commissioner's Boardroom, Historic Courthouse, 215 1st Ave South, Suite 301, Long Prairie.

NOTE: This meeting is again being held in-person and the public is encouraged to attend, but Zoom and phone options are still available for those who are unable to attend in person. If you wish to join via Zoom, please contact our office for the call-in information. Those who do attend in person can find parking atop the hill on the west side of the Historic Courthouse and enter through the North Doors, near the American Flag and monument.

If you have any concerns or questions in regard to the upcoming meeting and the applications on the agenda, feel free to contact the Planning & Zoning Office at either **(320) 732-4420** or **toddplan.zone@co.todd.mn.us**. All correspondence must include name & mailing address and be received 48 hours before the date and time of the hearing.

Agenda

- Call to Order
- Pledge of Allegiance
- Introduction of Board of Adjustment Members and process review
  - The applicant is introduced
  - Staff report
  - Applicant confirms if staff report accurately represents the request
  - Public comment
  - Board review with applicant, staff, and public
- Approval of agenda
- Approval of January 25th, 2024 Board of Adjustments meeting minutes

1. **Ryan & Angela Rengstorf:** Section 02, Staples Township
   Site Address: 989 2nd Ave. NW, Staples, MN 56479 **PID:** 22-0052500
   1. Request for road right-of-way setback of twenty-two feet for the placement of mini-storage containers in Commercial Zoning.
   2. Request for side yard property line setback of thirty-four feet for the placement of mini-storage containers in Commercial Zoning.

2. **Michael T. and Lori K Lyon, Trustees** Section 03, Grey Eagle Township, Mound Lake
   Site Address: 14314 Chippewa Road, Burtrum, MN 56318 **PID:** 11-0049600
   1. Request to reduce the OHWL setback from 100' to 34.85' for construction of deck in RD Shoreland Zoning.
   2. Request to reduce the OHWL setback from 100' to 44.85 for the proposed house with attached garage in RD Shoreland Zoning.
   3. Request to reduce road right-of-way from 20' to 8.56 for the proposed garage in RD Shoreland Zoning.
   4. Request to increase the height limit from 18' to 21'1.5" for the proposed house in RD Shoreland Zoning.

3. **Edward C. Kortuem:** Section 14, Birchdale Township, Sauk (North Bay) Lake
   Site Address: 12281 Alcott Drive, Sauk Centre, MN 56378 **PID:** 03-0030000
   1. Request for variance to reduce the setback from the OHWL from 100' to 75' for proposed new house with attached garage in RD Shoreland Zoning.
   2. Request for variance to increase the height limit from the required 18' to 21'11" for proposed new house with attached garage in RD Shoreland Zoning.

4. **Bruce & Linda Westbrock:** Section 20, Grey Eagle Township, Big Birch Lake

Site Address: 11311 County 47, Grey Eagle, MN 56336 **PID:** 11-0030500

1. Request for variance to reduce the setback from the OHWL from 100' to 39' for proposed dwelling replacement in RD Shoreland Zoning.
2. Request to reduce the right-of-way setback from County 47 from 20' to 12' for proposed dwelling replacement in RD Shoreland Zoning.
3. Request to increase the max roof surface impervious from 15% to 16.2% for proposed dwelling replacement in RD Shoreland Zoning.
4. Request for variance to increase the peak height limit from the required 18' to 20' for proposed dwelling replacement in RD Shoreland Zoning.

5. **Garhard Hendricks:** Section 07, Round Prairie Township

Site Address: 23154 190th St., Long Prairie, MN 56347 **PID:** 21-0009100

1. Appeal of administrative decision a feedlot was illegally established on the property.
2. Appeal of administrative decision a variance could not be applied for because it would constitute a use variance.

Adjournment. Next meeting: **March 28, 2024**

Minutes of the Todd County Board of Adjustment Meeting

January 25, 2024

Completed by: Sue Bertrand P&Z Staff

Site Visits conducted by Site visit completed by Adam Ossefoort and Bill Berscheit on 1/22/2024

Meeting attended by board members: Chair Rick Johnson, Vice Chair Bill Berscheit, Mike Soukup, Dan Payton, Russ Vandenheuvel, and Planning Commission Liaison Ken Hovet.

Staff members: Adam Ossefoort and Sue Bertrand

Other members of the public: Sign-in Sheet is available for viewing upon request.

Rick called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited, each board member introduced themselves and Rick explained the process for those attending.

Motion to approve the Agenda for this evening by Russ, seconded by Ken, voice vote, no dissent heard, motion carried.

Mike motioned to have the December 28, 2023 meeting minutes approved. Dan seconded the motion. Voice vote, no dissent heard. Motion carried.

Introduction of the meeting process and etiquette.

AGENDA ITEM 1: Reorganization of the Board and Review of Business Rules

Rick addressed the first part of business which is the appointing of Chair and Vice chair and asked for volunteers. Ken moved to nominate the current Chair, Rick Johnson and Vice chair, Bill Berscheit for another year, seconded by Russ, both agreed and are willing. Voice vote, no dissent heard, motioned carried. Rick expressed his appreciation for Bill with his tremendous and deep knowledge. He addressed the second order of business having to with the rules to adopt. After reading through the business rules, he proposed to amend the rules and add two steps to the business rules that the board has been practicing for some time, that were not listed. After step #3 he would like to add a field inspection report review. Also, would like to add after #5 a written correspondence is read for the record.

Mike stated as we look through #19 place case on hold, he thought we should have a synopsis of that also presented at the beginning when we are talking about semi-quasi-judicial process. So, the applicants know that they do have that option, in the course of the meeting, to put their case on hold if they so choose. It would be put that out there right away.

Rick agreed it could be added to his process review script. Rick explained to the public present, "… as a case is deliberated and it becomes apparent that insufficient evidence is present to determine the case or to set conditions, such case can be put on hold indefinitely by the land owner or can be set on hold for sixty days by the board."

Adam added, the board can put it on hold, but must decide within sixty days from the date of the application.

It doesn't allow you an additional sixty days. You can extend it an additional sixty days, so ultimately you could have 120 days, but just for clarification, it isn't sixty days from when it is tabled, it is sixty days from when the application was submitted, or when the County received it and accepted.

Rick stated he will incorporate the language into his script, and made a motion to approve the business rules for 2024 as amended with those two steps to the process review. Seconded by Ken, voice vote, no dissent heard, motion carried.

Rick explained a short explanation of process review.

AGENDA ITEM 2: Michael T. and Lori K. Lyon, Trustees – PID 11-0049600 – Grey Eagle Township, Mound Lake.

Requests:

1. Request to reduce the OHWL setback from 100' to 37.5' for construction of deck in RD Shoreland Zoning.
2. Request to reduce the OHWL setback from 100' to 47.5 for the proposed house with attached garage in RD Shoreland Zoning.
3. Request to reduce road right-of-way from 20' to 8.56 for the proposed garage in RD Shoreland Zoning.
4. Request to increase the height limit from 18' to 21'1.5" for the proposed house in RD Shoreland Zoning.

Michael & Lori Lyon were present as the applicants.

Staff Findings: Adam read the staff report. The staff report is available for viewing upon request in the Planning & Zoning Office.

Proposed Condition(s):

1. Implementation of a stormwater management plan as designed and approved by the Soil and Water Conservation District.
2. Establishment of a 10' vegetated buffer along the lake frontage (no mow zone). A 6' wide maintained area shall be allowed for lake access.
3. Maintain a minimum of 50% screening as viewed from the lake during leaf on conditions.
4. Establishment of construction stormwater controls prior to issuance of land use permits.

Michael and Lori confirmed the staff report was accurate.

Site field inspection report was recapped by Bill. This report may be viewed in full at the Planning and Zoning Office upon request.

Correspondence received: None.

Public comment: None.

Board discussion:

Ken asked he they want to consider all the requests as a whole, or separately?

Rick stated he would like to review each separately as he agreed with Bill that there is a lot going on and a lot to process and absorb. If they dwelling isn't approved there is no need for a road right of way setback.

Bill stated he thought these are interconnected enough, for that same reason, and may be viewed as one.

Russ noted denying one would deny them all.

Bill stated it's just a matter of sorting through the data without isolating them.

Rick stated he was all for that, in fact, his thoughts were to address #2 request for the dwelling, but as we answer the criteria questions, a lot of the facts and circumstances they find are going to relate to each and every one. He stated what they can do is, if they come to a certain criteria question, we'll assume that we're discussing, we'll assume that our vote, we'll assume that our reasons for our vote apply to all four variances, simultaneously. If there is a situation where it might not, for instance, on #7 it has environmental and safety concerns. The setback from the lake is all about environmental concerns and the setback from the road right of way is all about safety concerns. He just asked that the board consider both those concerns for that particular criteria question. That way, we can get through these a lot quicker. He stated he was not in favor of reading seven questions four times, as it takes a lot of time. He asked if all were comfortable with that and all agreed.

Russ had a question and thought Adam could help clarify, and asked if we were addressing all three plots? If we were just on the one, the impervious surface would probably be over. Have they been combined already?

Adam clarified, yes, it is three platted lots as a single parcel.

Michael confirmed it was taken care of last year.

Russ stated so impervious surface is fine then.

Adam confirmed, with existing coverage they are only at 13.7%, and they plan on removing some areas and it will come out about the same and still under impervious surface requirements upon proposed completion.

Dan noted the proposed structure looking over the lake is wider than the current structure, and asked what is on the back side of the road?

Michael stated wetlands.

Dan was making sure they were not obstructing view of the lake for someone else.

Bill stated the proposed is lower than existing. If you go down the list, they are actually moving farther away from the lake, and the road and lowering the height. Bill added with looking at the road, we as a government unit, should move the road back and none of this discussion would be heard, that is the logical thing to do, but it's not going to happen.

Dan stated we are also representing the public, and explained floating by on the lake, he would like to see nature, if he wants to go see buildings he will go down town. He struggles with views from the lake. Asked if

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the setbacks overlapped, and Adam stated 113' across the N line and the S is 127' so if you take the 100' setback from the lake and the 20' from the right-of-way you have a very narrow pie slice of buildable space.

Dan spoke of using space on the road side as the road was not built according to the plat. As far as the cement slab, he was asking if that was all coming out on the South side?

Michael stated yes, on the North side that fire pit ring is all coming out and on the south side the garage concrete pad is coming out, as well, along with the existing garage. The structure itself is getting repurposed, they would like to move it off and let someone else use it for what they need. The lake view reveals an old retaining wall that is starting to come apart. They want to lower that whole entire part of the house. So, when they walk out, they don't walk out onto a patio and down the steps, they want to walk out onto the patio and walk onto the grass.

Bill asked Adam to show topography, and looked at the elevations.

Michael stated they put a whole lot of thought into this and did everything they could to make it better, not worse, that's why he met with Josh from Soil and Water. That's why they did everything up front before the meeting, to try to get it done in one step. Runoff from the existing house runs directly to the lake, if you show the cement slab, that end of the house, the gutters drain all the water onto the cement slab and goes right out to the lake. The runoff from the existing garage does go toward the ditch. Stated it is eroding because of that. Their purpose behind this, or the goal is to make this better than what it is now.

Dan brought up the drainage of the rain gutters on the South side, on the house, the left side is draining to the lake, and thought it should go towards the road, and would like to see the warm water from the roof, filtered through cattails and so forth, to be more general about cleaner water.

Michael stated it could go either way, as it is going underground. That was why he met with Soil and Water and wanted their opinion on it.

Dan was in favor of the rain gardens, yes, try cool it down and filtering it.

Bill stated the sewer mound system is down there so it may be the reason why soil and water directed it the way they did and Dan agreed.

Michael stated he had asked Josh if he thought the proposed conditions would be better than what it currently is and Josh's reply was yes, definitely to prevent and reduce erosion on the property and Michael read the letter from Josh at Soil and Water. This letter may be viewed in full at the Planning and Zoning office upon request.

Rick asked Michael if he was okay with the proposed conditions Adam put on if approved as far as storm water management, and Michael stated yes.

Mike asked if the boat house staying.

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Michael stated staying, but needs to be redone, because the roof is starting to sag.

Mike Soukup asked if the boat house drainage will be incorporated into the new storm water plan and Michael explained the water is draining towards the area that Josh has already approved as the drainage area, so that wouldn't change, and that is the area that is not mowed.

Mike asked how far back from the lake is the boat house?

Michael stated 18 to 20 feet at best.

Mike asked if they mow between the boat house and the lake?

Michael stated nothing grows there.

Ken asked for clarification on the road right away, if Adam could show the survey.

Adam pointed out and clarified the road right of way.

Ken asked what the other dotted line was near the road right of way.

Adam stated he is not sure what those are indicating, as the edge of the road right of way are the same as the lot edge. He would have to ask Brad from Nyberg to be sure.

More discussion on the survey lines.

Adam suggested the original survey was back in 1917 so the legal description and the road right of way don't necessarily jive with one another, so based on the legal description they overlap each other.

Ken asked if we are proposing to build a structure within the road right of way? It isn't unusual to question an old survey map. That's Ken's question, and would have a hard time voting on this tonight, as he would like to make sure.

Michael stated the garage, mound system and the neighbor's garage are all sitting in the road right of way.

Ken would like to move to table to make sure, as it would be an automatic "no" until he knows.

Michael asked if this *is* all in the road right of way, you are not going to approve?

Ken stated there are a lot of things to consider here, it would not be an automatic "no", he just wants to make sure we know where it is before deciding and felt that was appropriate.

The board members talked among themselves in reference to the road right of way and the dotted lines on the survey.

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Bill addressed Dale Ahrens, Birchdale Township Supervisor, and asked what he sees. Do you work off an existing road or do you work off a 100-yr. old survey?

Dale sees everything is a little bit different, he stated he cannot answer that.

Ed Kortuem, Mankato, has property at 12281 Alcott asked what the dimension was on the bottom and the top of the lot?

Adam stated 127' and 113'.

Ed suggested it may be the lake setback line, as it follows the lake shore, that's what he is seeing.

Adam stated the only way we would know is to ask Nyberg Surveying and offered, the application was submitted December 29th and sixty days would be Feb. 27th and the next BOA would be February 22nd, so that would fall within the sixty days, but we would have to "make a decision" by then.

Michael, stated even if that is the road right of way, is the road ever going to move?

Dan agreed, this is more of a permanent road, and for him, measure off two rods from the center of the road, should be the road right of way. Surveying it where the dotted lines are, to him, is bogus. He would rather move from the center of the road in favor of the land owner. We have a lot of no man's land here that might as well be to the land owner who owns the property.

Russ pointed out purposely take property away from the property owner if the platted road right of way was followed as opposed to where the driven road was built.

Dan sated the road has been there long enough.

Russ added we illegally put a structure there.

Dan added where you have an old fence line that's been there 100 years, to him it is permanent, 30' on one side and 80' on the other side, who builds a fence that crooked. Due what was there, nobody is questioning it, but his Dad was the one losing the land, so had the fence rebuilt and had to pay for the whole thing but gained the land back where it was supposed to be. This road has been here long enough and no one has questioned it, to him the right of way should be 33' from the driven centerline of the road. In this case, he actually has more property, back to the six, seven feet, it should be more like ten or fifteen feet requested. Where the garage is now, if you measured, he is sure it is more than 33' from the centerline of the road.

Bill asked Adam if he would measure 100' setback of the lake, and see if is the same as the dotted line.

Michael used a tape measure and used the scale showing on the survey, it is 100'.

Rick was on the GIS and measured the 100' and stated he was trying to process this whole thing; perceived the second dotted line on this survey is the 100' setback from the lake. He added this is a more recent survey and

to him, he is going to rely on that survey, and it is going to rule as to where the property line is. It's going to rule as far as how far it is from the existing road.

Michael stated he was present when they did the survey and they found all the pins except for the one underneath the garage.

Rick added, so in doing that, he is just going to consider the road, and the survey that was done to put the road in, was in error. These are your property lines, it's the best we've got.

Bill stated if we were questioning these facts, we would send the applicant home for a survey, and the applicant showed up with the survey, so why would we send him home to do what he has already produced in the survey?

Ken asked Michael if the surveyor was looking for the road boundaries or just platting out your property lines?

Michael stated he found the stakes for the property lines.

Ken repeated, so he found the property lines but he wasn't looking for the road right of way. Stated if we have established anything this evening, it would be we don't know and would like to re-establish his motion to table for more information. We are opening ourselves up to "way too big" of a liability if we are allowing a structure within the road right of way, if that possibility exists, and he thinks it does.

Motion seconded by Russ.

Adam stated the ideal scenario is to decide at the next meeting. If we simply have missing information, the applicants can agree to give us more time and we may extend this for another 60 days if you have a valid reason as to why, but plan to make a decision at next month's meeting is the best. He also added we know the answers we have to get.

Roll call vote commenced as follows:

Board member	**Vote (yes or no)**
Dan Peyton	No
Bill Berscheit	No
Ken Hovet	Yes
Mike Soukup	Yes
Russ Vandenhuevel	Yes
Rick Johnson	Yes

Rick stated motion carried to table until next month, which is February 22, 2024, and staff will be responsible for providing the information in question.

Adam agreed we will work with Brad from Nyberg Surveying, and will get the answers, one way or another, and have that stuff prepared. Addressed Michael and Lori and said they will not have to worry about noticing or anything, they are already on next month's agenda. Same time same place just next month.

Rick suggested we take a short recess.

AGENDA ITEM 3: Dennis P. and Jody L. Wessel – PID 03-0045500 – Birchdale Township, Little Birch Lake.
Requests:

1. Request for variance to reduce the setback from the OHWL from 100' to 92' for proposed addition of handicapped accessible stairway to existing house in Recreational Development Shoreland Zoning.

Dennis & Jody were present as the applicants.

Staff Findings: Adam read the staff report. The staff report is available for viewing upon request in the Planning & Zoning Office.
Proposed Condition(s):

1. Implementation of a stormwater management plan based on a 10 year/24-hour rainfall. Plan shall be submitted to Planning and Zoning prior to issuance of land use permits.
2. Maintain a minimum of 50% screening as viewed from the lake during leaf on conditions.
3. Establishment of construction stormwater controls prior to issuance of land use permits.

Dennis and Jody confirmed the staff report was accurate and had nothing to add.

Site inspection report was reviewed by Bill and he stated the questions down the list, for the most part, are not applicable to this application and very minimal. No adverse impacts, no alternate site, any alternative site would increase the impact to the lake.

Correspondence received: None.

Public comment: None.

Board discussion:

Ken would like to clarify the request, and looking at the existing structure, asked if they would replace what is there with something different.

Jody explained 6' x 22' structure. A door to the outside at ground level, and the steps would be moved inside so that deck and door you see will come off.

Ken, so you will still have some steps…he was thinking it would be a handicapped ramp.

No, it will be a door at ground level, a landing and the steps will be on the inside.

Rick stated he was thinking a ramp, as well.

Dan asked if the steps will still be coming out the one side, just enclosing it?

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Jodi stated the doorway would be near the bottom step, and a six-foot landing area inside, enclosed, as part of the house, like a split-level entry, is what they are going for.

Dennis explained they had a spiral staircase that does not allow enough room to make the turn to get up there.

Rick directed Dan to the floor plans to review.

Adam pointed out they are in the board packets for them to reference.

Rick stated after looking at the floor plan you can see the propose 6' 22' so it not only includes the entry but a walk-in closet.

Jody agreed someplace to store a wheelchair or walker.

Rick asked, because he was expecting a ramp of some sort, is this inner modification ADA compliant?

Jody said yes it will be and also the door has to be 36" wide which it will be to accommodate a wheelchair.

Rick agreed definitely something much better than what you have there.

Jody stated this would be easier on her than getting him up and down a ramp and maintaining it, plus looks better.

Russ stated he thinks it is a no brainer and would like made a motion to approve.

Adam stated due to the construction being on the back side of the lake, he suggested dropping the proposed requirement for screening and the board agreed, so now down to two conditions.

Rick stated strike #2, and in reference to implementation of storm water management.

ADA does not exempt you from conditions, that we need to make accommodation for those things.

Rick asked Jodi if they were all right with the two remaining conditions that are on the table.

Bill pointed out the conditions apply only to the addition, not to the existing structures on the property and will second the motion from Russ with no conditions.

Mike suggested to list for a condition that the addition follows the ADA standards, and ask them to follow them.

Adam stated that they will adjust their motion and second that the addition be completed on one condition that they comply with the ADA standards.

The board agreed.

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Russ motioned to approve, Bill seconded with the one condition as amended.
Conditions:

1. Proposed addition be completed with compliance of all ADA standards.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
Dan Peyton	Yes
Bill Berscheit	Yes
Ken Hovet	Yes
Mike Soukup	Yes
Russ Vandenhuevel	Yes
Rick Johnson	Yes

Motion carried.

Agenda Item 4: Edward C. Kortuem – PID 03-0030000 – Birchdale Township, Sauk Lake.

Requests:

1. Request for variance to reduce the setback from the OHWL from 100' to 75' for proposed new house with attached garage in Recreational Development Shoreland Zoning.

2. Request for variance to increase the height limit from the required 18' to 21'11" for proposed new house with attached garage in Recreational Development Shoreland Zoning.

Edward Kortuem and Aaron Lahr the builder, were present as the applicants.

Staff Findings: Adam read the staff report. The staff report is available for viewing upon request in the Planning & Zoning Office.
Proposed Condition(s):

1. Implementation of a stormwater management plan based on a 10 year/24-hour rainfall. Plan shall be submitted to Planning and Zoning prior to issuance of land use permits.
2. There shall be no topographic or vegetative alterations on steep slopes along the lake frontage.
3. Maintain a minimum of 50% screening as viewed from the lake during leaf on conditions.
4. Establishment of construction stormwater controls prior to issuance of land use permits.

Edward confirmed the staff report was accurate.

Bill reviewed his onsite report and this may be viewed in full upon request at the Planning and Zoning office.

Correspondence received: Yes. The e-mail sent in from Edward confirming the #2 height variance request to be added to his application. No correspondence from the public.

Aaron Lahr stated he was the builder and explained the septic got marked out, and unfortunately, he was made aware of this after the site inspection, that the stakes had been moved. The way the septic was laid out, they are at the minimum setback from the septic to the proposed garage and is within the 75' of the setback.

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The proposed garage will be less than 5' of the max distance they need to be for the septic from the structure. He stated unfortunately it was all marked out with paint before it snowed and of course, then it snowed.

Russ had a couple questions, so the septic is already there?

Aaron stated, no, it's the proposed septic and it is about the only spot they can put it; that it meets the setback from the road and meets the setback from the proposed structure.

Edward offered there is an existing old septic system that is non-compliant and will be removed.

Russ asked if Edward lives in the cabin?

Edward stated he has only used it as a cabin, never lived there, however, his folks live right next door. It's kind of the reason he is moving up here, because his dad was recently diagnosed with cancer and his mom is 80 years old and they want to get up here sooner rather than later.

Russ asked if the cement footings from the old cabin gone?

Aaron stated yes, everything is gone.

Ed stated part of the proposed location of this is to try and tuck it and hide it in, behind the shed, a little bit. Only part of the house is in the setback. If it is squared off to the road, part of the house is within the setback but the other part is out, as you move down the side of the lake.

Aaron stated being the lot runs at an angle, only part of the proposed house is at 75' and the rest is outside the 100' setback. He offered copies of the plans of the proposed structure for the board. Which they reviewed.

Rick asked if he had an aerial, to which Aaron stated no. Rick mentioned he was struggling with what's in the application and the information we are getting. There's not enough. After receiving the floor plans and elevations hand out, he stated these were in the application in the board packets.

Ken asked Adam to turn to the lot layout, and Aaron to point out where the septic is, which he did. He showed where the existing shed and house were and pointed out where the proposed was going to be and explained, to reduce the impact to the neighbors across the street and minimize and give more distance from the East side of the garage to property lines. This is more aesthetically pleasing.

Rick stated this information was helpful in terms of the criteria questions and how it will look from the back and from the lake.

Mike Soukup asked what the distance between the new house and the existing shed.

Aaron stated only about four feet between them.

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Rick in reference to the finding of facts, and it is the applicants' responsibility to demonstrate that there is no alternative sites. He stated we've been talking about that and the proposed septic system as a practical matter of alternative sites. When he goes on the GIS and look at an aerial view of his property and draw a 100' line from the ordinary high-water line, he sees a lot of space where there could be a potential alternate site. Could you demonstrate that you are minimizing the variance request by putting it where it's at, or why can't you use that space?

Aaron stated we get too crowded on the East side to bring that structure out in front of that existing shed and out of the minimum setback.

Rick asked Adam to bring up the GIS and take a look at that. Rick stated the board needs to insure a variance they grant is the minimum request to alleviate the problem.

Aaron stated he understood.

Rick pointed out there is a lot of space to the East and the South East to build a structure, why does it need to be where it is proposed?

Aaron stated he was told they don't have enough room for the septic in the back yard, if outside the 100' setback. They had to move the entire structure to the side and in front of the existing shed and would crowd the East line too hard.

Rick stated he heard that you would encroach on the East property line to do it.

Ed stated they would block the view of the neighbor's lot. He stated they sit out on their deck and they look through.

Aaron stated part it the variance request is not trying to block their view. It drops off tremendously the further you go to the East.

Rick stated he felt comfortable with that. He stated he thinks there needs to be a balance between what the property owner's needs are and what the neighbor's needs are or the publics for this matter.

Bill stated he wished he had better dimensions. He wished we could factually say, although he's telling us there is not much room to move the sewer system, but we don't have actual dimensions that show us we can't take that sewer system and put it over on the other side of the garage, or the lakeside or somewhere else. There's a whole pile of options available for configurations on this lot and we don't have any dimensions to rule any of them out.

Rick stated again, it is up to the applicants to provide the findings of facts, and when not provided, we have to vote negative, due to lack of facts. It is critical that they can demonstrate that you can't have a structure and meet the 100' setback. He stated he understands why is proposing to do that, because of the view of the neighbors, but we have to balance everybody's needs here and eventually come to a determination.

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Aaron asked to table it to mark the stakes and setbacks, and allow the board to look at it again?

Dan added in reference to the first applicant how they clearly provided dimensions, where everything is laid out and where it is proposed, not just existing.

Bill referenced the first applicant and how they came with their storm water management plan, and how they were going to do it and where they were going to do it and as the applicants, they don't want to leave all of that up to the board to dictate a storm management plan for them. It would be a poor choice on their part.

Ken stated when working on the house plans, keep in mind that generally you can come up with plans that will fit the lot, and encouraged them to think about that.

Rick explained house plans are not considered a finding of facts to grant a variance. It's a design and self-imposed. He's seen some pretty small lots with very limited space and people can come up with some pretty creative ideas to minimize the variance, and also encouraged Mike and Aaron to do that. Thought it wise to table and bring back more information to the board.

Aaron agreed to table.

Ken motioned to table to February 22, 2024 for more information and Mike Soukup seconded.

Roll call vote commenced as follows:

Board member	**Vote (yes or no)**
Dan Peyton	Yes
Bill Berscheit	Yes
Ken Hovet	Yes
Mike Soukup	Yes
Russ Vandenhuevel	Yes
Rick Johnson	Yes

Motion carried to table until February 22, 2024.

Dan added in reference to #8: is the unique circumstance created by the landowner? He stated they have seen everything and knows you can't put twenty pounds into a five-pound sack.

Ed asked what the other date was that is available, and Rick stated March 28.

Aaron asked if there will be another site visit before the 22nd, and Adam stated yes.

Rick confirmed there will be another field inspection by Adam and one of the other Board members.

Russ motioned to adjourn and Dan seconded. Voice vote to adjourn. No dissent heard. Motion carried and the meeting adjourned at 8:04 PM.

DRAFT

WHERE THE FOREST MEETS THE PRAIRIE
Todd County
MINNESOTA • EST. 1855

PLANNING & ZONING
215 1st Avenue South, Suite 103
Long Prairie, MN 56347
Phone: 320-732-4420 Fax: 320-732-4803
Email: ToddPlan.Zone@Co.Todd.MN.US

Appeal for a Variance

RECEIVED
DEC 01 2023
TODD
PLANNING & ZONING

Applicant Ryan & Angela Rengstrof

Mailing Address 39800 Pine Island Point Trail, Browerville, MN 56438

Site Address 989 2nd Ave NW, Staples, MN 56479

Phone Number: [redacted] Cell Number

E-Mail Address: ryanrengstorf@yahoo.com

Property Owners Name & Address (if not applicant)

Parcel Number(s) 22-0052500

Section: _____ Township 22 - Staples Twp

Zoning District (circle one): AF-1; AF-2; R-10; R-2; UG; RT; (Commercial;) Industry; or Shoreland (Lake or River Name):

Do you own land adjacent to this parcel(s) ____Yes X No

Septic System: Date installed NA Date of Compliance Inspection

Is a new system needed: ____yes ____no ____ STS Design attached

Required for applications with existing septic systems: Approved design submitted for new system to be installed, new system installed within previous 5 years, or passing compliance inspection on existing system in previous 3 years

Variances Requested:
What standards or requirements are you unable to maintain? (Check all that apply)

Lot width____	Lot area____	Lake or River setback____	Bluff setback____
Road right-of-way setback X	Side Yard setback____		Buildable area____
Impervious surface coverage____	Building/Structure Height____		Other____

Receipt #2023-0258

LIST YOUR VARIANCE REQUEST(s) and what, if the variance were granted, you intend to build or use the land for. **For example:** *"Request to reduce the 10ft structural setback from my west side lot line to 8ft for the construction of a detached garage to be used for vehicle and personal storage."*

1.) Request to reduce the 100ft road right of way setback from the south side of my lot to 22ft for the placement of mini-storage containers in Commercial Zoning.

2.) Request to reduce the 50ft setback from the west side of my lot to 34ft for the placement of mini-storage containers in Commercial Zoning.

3.)

4.)

**State Statutes Section 394.7 Subd7: Variances: Practical Difficulties. The BOA shall have the exclusive power to order the issuance of variances from the requirements of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of official control, and when variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with official rules; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties.

The Board of Adjustment may impose conditions in the granting of a variance. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

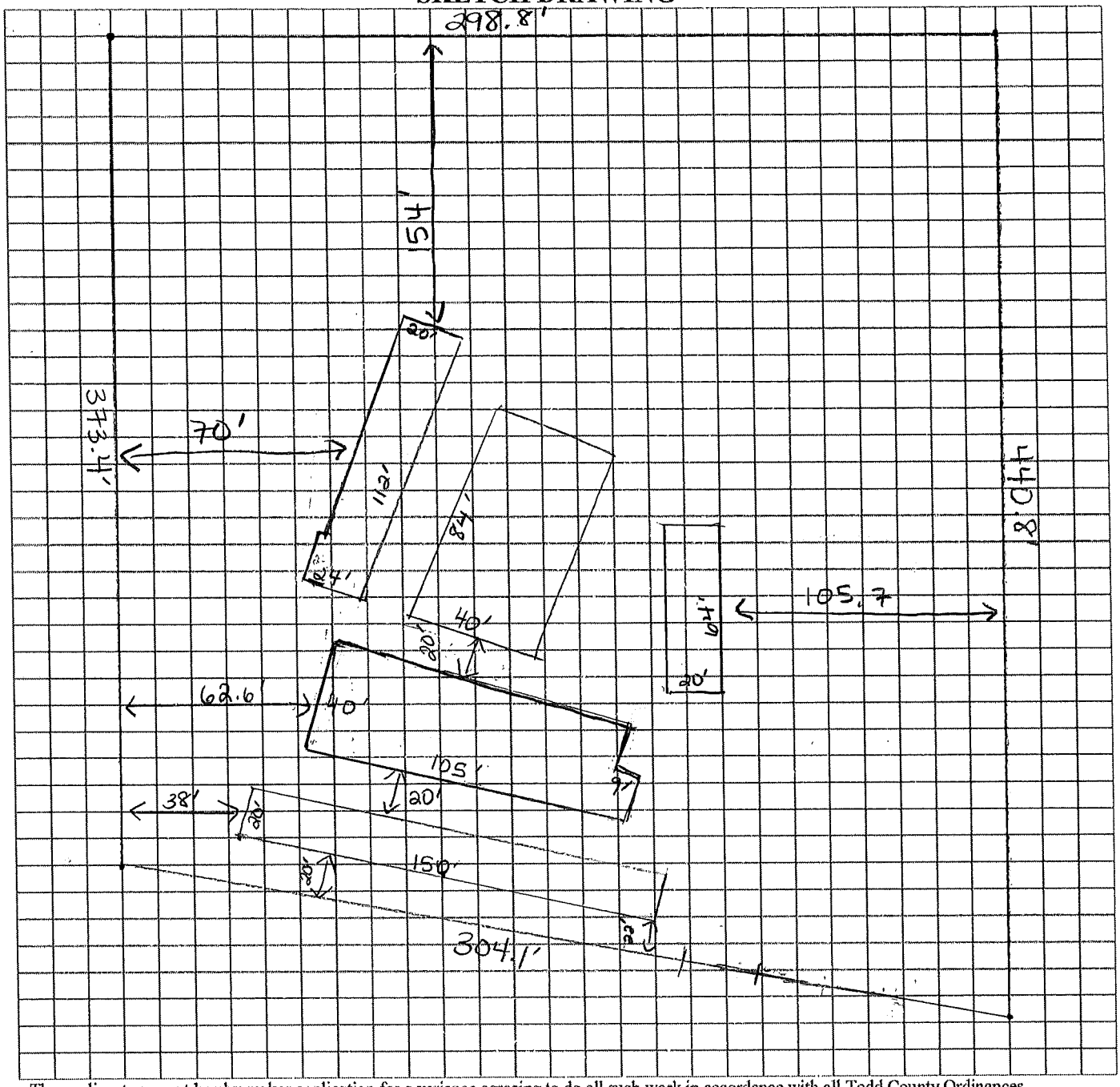
EXPLAIN YOUR PRACTICAL DIFFICULTIES or reason why you need your request approved.**

See attached letter for reason why the request should be approved.

It is important that you flag your related property lines and proposed building locations

Have you flagged your lot? (Y) (N)

SKETCH DRAWING



The applicant or agent hereby makes application for a variance agreeing to do all such work in accordance with all Todd County Ordinances. Applicant or agent agrees that site plan, sketches, and other attachments submitted herewith are true and accurate. Applicant or agent agrees that, in making application for a variance grants permission to Todd County, at reasonable times during the application process and thereafter, to enter applicant's premises to determine the feasibility of granting said variance or for compliance of that application with any applicable county, state, or federal ordinances or statutes. If any of the information provided by the applicant in his/her application is alter found or determined by the county to be inaccurate, the County may revoke the variance based upon the supply of inaccurate information.

If the applicant is not the property owner, both signatures are required below.

Ryan Rengstrof	Ryan Rengstrof	11·21·23
Applicant Name Printed	Signature	Date
Ryan and Angela Rengstrof	Angela Rengstrof	11/21/23
Property Owner Name Printed	Signature (If different than applicant)	Date

AUTHORIZED AGENT FORM

I hereby authorize Grant K. Skoog **to act as my authorized agent for all public hearing(s) and legal relations with this application on property located at:**

Site address 898 2nd Avenue NW

Section # _____ **Township Name** 22 - Staples Twp

Parcel Number(s) 22-0052500

Property Owner(s) name (print) Ryan Rengstrof and Angela Rengstrof

Property Owner(s) Signature(s) Ryan Rengstrof Angela Rengstrof **Date** 11.21.23 11/21/23

Authorized Agent(s) name (print) Grant K. Skoog

Authorized Agent(s) Signature(s) **Date** 11/30/23

Authorized Agent Phone Number [redacted]

SKOOG LAW

24 Colfax Ave SW
P.O. Box 623
Wadena MN 56482
218-631-1228
Grant@Skooglaw.com

Todd County Planning and Zoning
215 1st Avenue South, Suite 103
Long Prairie, MN 56347

Re: Variance Application

Dear Members of the Todd County Board of Adjustment,

I am writing to formally submit an application for a variance on behalf of my client, **Ryan Rengstorf**, the owner of the property located at **989 2nd Ave NW, Staples, MN 56479**. Enclosed, you will find the complete variance application, including all required documentation. We kindly request your consideration of this application and the support of our appeal for several compelling reasons.

In addition to the reasons previously mentioned, it is essential to highlight the significant community support for our variance request. My client has gathered signed letters from numerous customers who value the use of the storage facilities on this property and wish to continue doing business with him. These letters attest to the importance of the services provided and the positive impact of the property on the community.

Furthermore, my client has been a responsible steward of this property, providing essential services to the community for many years. The storage facilities have served as a reliable resource for local businesses and residents alike. Denying the variance would not only disrupt the operations but also adversely affect the livelihoods of these valued customers who rely on the property for their storage needs.

Moreover, my client has consistently demonstrated a commitment to environmental sustainability and responsible business practices. The proposed modifications align with this commitment, and by granting the variance, the local authorities can endorse and support these efforts. This will not only benefit the community but also showcase the positive impact of sustainable business practices in action.

It is also crucial to note that the property has been in its current use since well before the current zoning rules were put in place. This historical context further justifies the variance request, as the property has been a vital part of the community's fabric for many years.

Additionally, without the variance, the property's financial sustainability would be severely compromised. Strict adherence to the existing regulations would render the property economically unviable, jeopardizing the livelihood of my client and the jobs of his employees.

In conclusion, we respectfully request that you carefully consider our variance application, taking into account the practical difficulties and compelling reasons we have

outlined above. The strong community support, as demonstrated by the signed letters from my client's customers, underscores the importance of this property to the community. Your support for this variance request is vital to accommodate business diversity, community needs, environmental sustainability, real-world recycling and sustainability practices, and the promotion of entrepreneurship. It will also ensure the continued financial viability of the property, which has a longstanding history in its current use. We look forward to the opportunity to present our case at the upcoming board meeting and address any questions or concerns you may have.

Thank you for your time and consideration.

Sincerely,

SKOOG LAW

Grant K. Skoog
GKS/avs
Enclosure(s)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

Ka Lee Zeiner

Ka Lee Zeiner (Oct 26, 2023 17:47 CDT)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

Pat Williams (Oct 26, 2023 17:40 CDT)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

Lynn VanderWeyst

Lynn VanderWeyst (Oct 16, 2023 16:54 CDT)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

Chris Suhl (Oct 26, 2023 17:38 CDT)

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Dominic Straka (Oct 15, 2023 20:43 CDT)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

Joseph Stricherz (Oct 26, 2023 06:28 CDT)

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Alex Stidmon (Oct 15, 2023 16:55 CDT)

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William Sonenstahl (Oct 15, 2023 21:51 CDT)

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Chris Sjoberg (Oct 15, 2023 19:40 CDT)

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Sara Schwanke (Oct 22, 2023 20:09 CDT)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

Andrew Schmidt (Oct 15, 2023 18:47 CDT)

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KIRSTEN R RUDE (Oct 17, 2023 20:39 CDT)

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L. Ross-Sullivan (Oct 23, 2023 09:49 CDT)

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Tanya Frischrin'gheimer) (Oct 22, 2023 18:59 CDT)

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Nathan Rinas

Nathan Rinas (Oct 25, 2023 22:04 CDT)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

Caty Redmar (Oct 26, 2023 14:04 CDT)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

David Ratcliff (Nov 7, 2023 13:44 CST)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

Shea potter (Oct 22, 2023 23:08 CDT)

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Amanda Parker

Amanda Parker (Oct 26, 2023 07:13 CDT)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

Nannonnikogreggoryleeman (Oct 24, 2023 19:29 CDT)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

Emmanuel Montanez (Oct 22, 2023 19:30 CDT)

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Larry Meyer (Oct 27, 2023 15:18 CDT)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

Lois Mead (Oct 26, 2023 20:49 CDT)

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Terri Martin (Oct 27, 2023 15:09 CDT)

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Shawna Marsh (Oct 25, 2023 19:24 CDT)

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Lois Lee

Lois Lee (Oct 22, 2023 19:11 CDT)

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Holly Ann Kruse (Oct 22, 2023 19:46 CDT)

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Richard Kortuem (Nov 7, 2023 13:48 CST)

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Donna Klebs (Oct 26, 2023 19:34 CDT)

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Justin Kern (Oct 23, 2023 07:19 CDT)

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mike kedrowski

mike kedrowski (Oct 27, 2023 12:31 CDT)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

John W. Kaiser

John W.Kaiser (Oct 26, 2023 16:00 CDT)

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Shawn Howe

Shawn Howe (Oct 26, 2023 13:59 CDT)

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Kandis D Harrington (Oct 24, 2023 20:03 CDT)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

Keri Hagen (Oct 22, 2023 19:42 CDT)

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Terry Guelker (Nov 1, 2023 18:10 CDT)

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Denise Graba (Nov 1, 2023 17:28 CDT)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

Al Fortier (Oct 29, 2023 17:23 CDT)

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Joann Forsberg (Oct 26, 2023 06:36 CDT)

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Tamara Ford-Mullins (Oct 24, 2023 19:31 CDT)

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Robert Follis · 3 units

Robert Follis (Oct 26, 2023 06:32 CDT)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

Jen Fietek (Oct 15, 2023 18:13 CDT)

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Mark Fiemyer unit 28
Mark Fiemyer (Oct 26, 2023 17:42 CDT)

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)

Oct 27, 2023 07:18 CDT)

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Jeanette Evans (Oct 22, 2023 20:30 CDT)

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Maddie Enberg (Oct 16, 2023 12:02 CDT)

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Shawna Drone (Oct 27, 2023 15:04 CDT)

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Luke Digiovanni (Oct 24, 2023 19:31 CDT)

I use AJR Storage to store my personal belongings and genuinely value their service. I'm wish to express my support for AJR Storage as they seek a variance regarding their cargo containers. Their facility provides a reliable and much-needed service in Staples, where storage options are scarce. An alteration in their operation would not only dissolve their business but also significantly inconvenience me and numerous other community members who depend on their solutions. Thus, I stand with AJR Storage in their request and hope their essential services to our community are recognized and permitted to continue operating efficiently as they are.

Rachael Daly (Oct 26, 2023 06:23 CDT)

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Ron Dahlvang (Oct 16, 2023 22:55 CDT)

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Jay Christiansen (Oct 26, 2023 06:09 CDT)

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Anita Burns (Oct 27, 2023 15:12 CDT)

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M Buer

Michele Buer (Oct 15, 2023 19:20 CDT)

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Andrea broughten (Oct 16, 2023 10:05 CDT)

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Becky Baumgartner (Oct 16, 2023 09:10 CDT)

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Jeremy Bachmann (Oct 24, 2023 21:27 CDT)

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Justin Ash (Oct 26, 2023 19:32 CDT)

WHERE THE FOREST MEETS THE PRAIRIE
Todd County
• MINNESOTA • EST. 1855 •

PLANNING & ZONING
215 1st Avenue South, Suite 103
Long Prairie, MN 56347
Phone: 320-732-4420 Fax: 320-732-4803

DATE: 12.29.23

Todd County Board of Adjustment
215 1st Ave South, Suite 103
Long Prairie, MN 56347

RE: Application Extended Time

Dear Todd County Board of Adjustment:

This letter is to serve as a written request for an extension of the timeline for agency action as outlined in Minnesota Statues, Section 15.99. I hereby request and agree that the time be extended for an unterminated number of days from the original date of application for the following reasons:

My lawyer, Grant Skoog had a last minute situation that prevented him from attending the Dec. 28th meeting.

Sincerely

Applicants Signature Ryan Rengstorf

Print Name Ryan Rengstorf

Address: 39800 Pine Island Point Trail
Browerville

WHERE THE FOREST MEETS THE PRAIRIE

Todd County

• MINNESOTA • EST. 1855 •

PLANNING & ZONING
215 1st Avenue South, Suite 103
Long Prairie, MN 56347
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(*) Requesting Feb 22, 2024

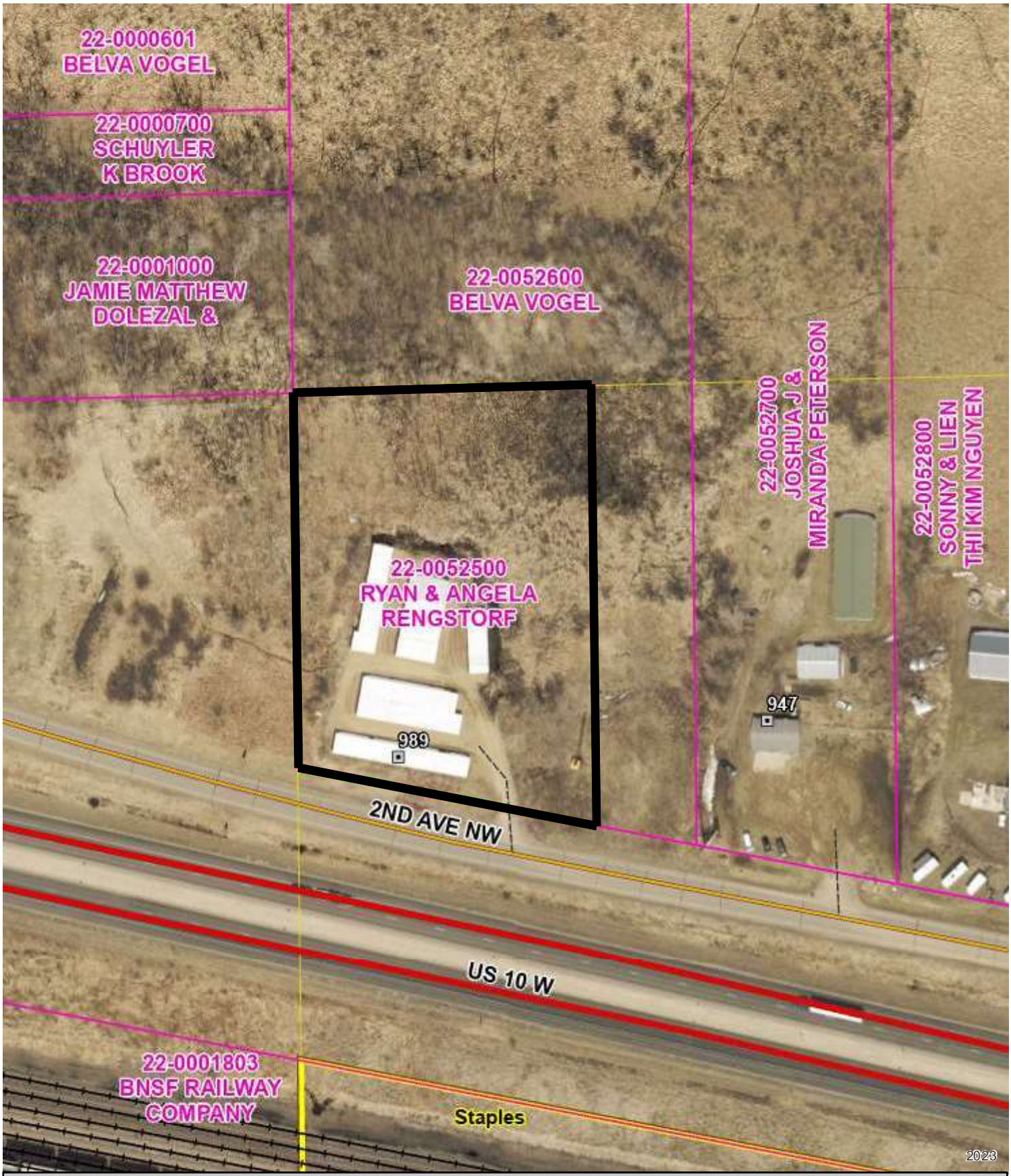
Sincerely

Applicants Signature Ryan Rengstorf

Print Name Ryan Rengstorf

Address: 39800 Pine Island Point Trail

Browerville



Todd County
MINNESOTA

Todd County GIS
215 1st Ave S, Ste 102
Long Prairie, MN 56347
(Office) 320-732-4248

Todd County GIS

GIS Site Map

0 0.025 0.05 0.1 mi
0 0.0275 0.055 0.11 mi

N W E S

The Todd County GIS & Land Services Department has made every effort to provide the most accurate and up-to-date information available in this publication and cannot be held responsible for any unforeseen errors or omissions. If the recipient wishes to locate parcel corners and property lines, employ the services of a Registered Land Surveyor.

Printed on:
Monday, December 4, 2023

WHERE THE FOREST MEETS THE PRAIRIE
Todd County
• MINNESOTA • EST. 1855 •

PLANNING & ZONING
215 1st Avenue South, Suite 103
Long Prairie, MN 56347
Phone: 320-732-4420 Fax: 320-732-4803
Email: ToddPlan.Zone@Co.Todd.MN.US

RECEIVED
DEC 29 2023
TODD
PLANNING & ZONING

Appeal for a Variance

Applicant Mike & Lori Lyon

Mailing Address 31664 Cedar Ridge Road, St. Joseph, mn. 56374

Site Address 14314 Chippewa Rd. Burtrum

Phone Number _____ Cell Number [redacted]

E-Mail Address Mike@Precisemn.com

Property Owners Name & Address (if not applicant) _____

_____

Parcel Number(s) _____ 11-004960

Section: 3 Township 127

Zoning District (circle one): AF-1; AF-2; R-10; R-2; UG; RT; Commercial; Industry; or Shoreland (Lake or River Name): Mound

Do you own land adjacent to this parcel(s) ____Yes __X__No - 3 Lots all one now

Septic System: Date installed 6-17-16 Date of Compliance Inspection 12-28-23

Is a new system needed: ____yes ____no ____ STS Design attached

Required for applications with existing septic systems: Approved design submitted for new system to be installed, new system installed within previous 5 years, or passing compliance inspection on existing system in previous 3 years

Variances Requested:
What standards or requirements are you unable to maintain? (Check all that apply)

Lot width____	Lot area____	Lake or River setback__X__	Bluff setback____
Road right-of-way setback__X__	Side Yard setback____		Buildable area____
Impervious surface coverage____	Building/Structure Height__X__		Other____

LIST YOUR VARIANCE REQUEST(s) and what, if the variance were granted, you intend to build or use the land for. **For example:** *"Request to reduce the 10ft structural setback from my west side lot line to 8ft for the construction of a detached garage to be used for vehicle and personal storage."*

1.) Request to reduce OHWL Setback From 100' to 34.85' for Construction of deck and From 100' for the house to 44.85'

2.) Request to reduce road right away from 20' to 8.56"

3.) Request Deck height From 18' to 21' 1½"

4.)

**State Statutes Section 394.7 Subd7: Variances: Practical Difficulties. The BOA shall have the exclusive power to order the issuance of variances from the requirements of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of official control, and when variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with official rules; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties.

The Board of Adjustment may impose conditions in the granting of a variance. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

EXPLAIN YOUR PRACTICAL DIFFICULTIES or reason why you need your request approved.**

① Lots were platted back in 1917 and Shoreland Standards did not come into effect until 1972.

② Only have 7' on South side of lot that is buildable and 0' on North Side.

It is important that you flag your related property lines and proposed building locations

Have you flagged your lot? (Y) (N)

SKETCH DRAWING

See Survey

The applicant or agent hereby makes application for a variance agreeing to do all such work in accordance with all Todd County Ordinances. Applicant or agent agrees that site plan, sketches, and other attachments submitted herewith are true and accurate. Applicant or agent agrees that, in making application for a variance grants permission to Todd County, at reasonable times during the application process and thereafter, to enter applicant's premises to determine the feasibility of granting said variance or for compliance of that application with any applicable county, state, or federal ordinances or statutes. If any of the information provided by the applicant in his/her application is alter found or determined by the county to be inaccurate, the County may revoke the variance based upon the supply of inaccurate information.

If the applicant is not the property owner, both signatures are required below.

Mike Lyon		12-26-23
Applicant Name Printed	Signature	Date
Lori Lyon		12.26.23
Property Owner Name Printed	Signature (If different than applicant)	Date

AUTHORIZED AGENT FORM

I hereby authorize _____ **to act as my authorized agent for all public hearing(s) and legal relations with this application on property located at:**

Site address _____

Section # _____ **Township Name** _____

Parcel Number(s) _____

Property Owner(s) name (print) _____

Property Owner(s) Signature(s) _____ **Date** _____

Authorized Agent(s) name (print) _____

Authorized Agent(s) Signature(s) _____ **Date** _____

Authorized Agent Phone Number _____

IMPERVIOUS SURFACE WORKSHEET (FOR SHORELAND ONLY)

APPLICANT INFORMATION

Name Mike & Lori Lyon

Site Address 14314 Chippewa Rd.

Phone (320) 980-3995

City Sartrum State MN Zip _____

Mailing Address 31664 Cedar Ridge Road St. Joseph, MN 56374

Parcel Number ____-_____

Lake/River Name Mound

IMPERVIOUS SURFACE: is a constructed hard surface that either prevents or retards the entry of water into the soil or causes water to run off the surface in greater quantities & at an increased rate of flow than prior to development.

LOT/STRUCTURE DIMENSIONS

Total lot area: 22,406 sq ft

List all structures (structure's foundation footprint: length, width, and total area)

Existing	Proposed
1.	House - 1,764 sq. ft
2.	Garage - 1,216 sq. ft
3.	Boat House - 338 sq. ft
4.	
5.	
6.	
7.	
8.	

List all non-roofed hard surfaces: Examples include sidewalks, paver stones, retaining walls, patios, decks, driveways & parking areas (asphalt, concrete or gravel), and areas of landscaping underlain with plastic or other impervious liners:

Existing	Proposed
1.	Drive Way ~ 630 sq. ft
2.	Side Walk ~ 160 sq. ft.
3.	
4.	
5.	
6.	
7.	
8.	

Total of 25% of lot may be covered by impervious surfaces (15% of which are from roofed structures)

1. List in the table below any efforts by landowner to reduce project impact by removing or reducing impervious surfaces.

List Structure or Impervious Surface to Be removed	Square footage to be removed	Location of structure or impervious surface to be removed (see table below)
Example: concrete drive to lake	8' x 35' = 280 sq ft	(C) Within Impact Zone
Fire pit & Pavers	16' Circle = 201 sq. ft	
Concrete Pad - side of house	22'6" x 22'6" = 506 sq. ft	
Side walk from home to lake	3' x 20' = 60 sq. ft	

Location of variance request in reference to Ordinary High Water level	General Development Lake	Recreational Development Lake	Natural Environment Lake and Rivers / Streams
A. Outside shoreland building setback	75'+	100'+	150' +
B. Between Shore Impact Zone and Building Setback	37.5' to 75'	50' to 100'	75' to 150'
C. Within Shore Impact Zone	0 to 37.5'	0 to 50'	0 to 75'

2. List below any Storm Water Management Best Management Practices (BMP's) that will be installed to help mitigate impacts of development.

INFILTRATION BMP's

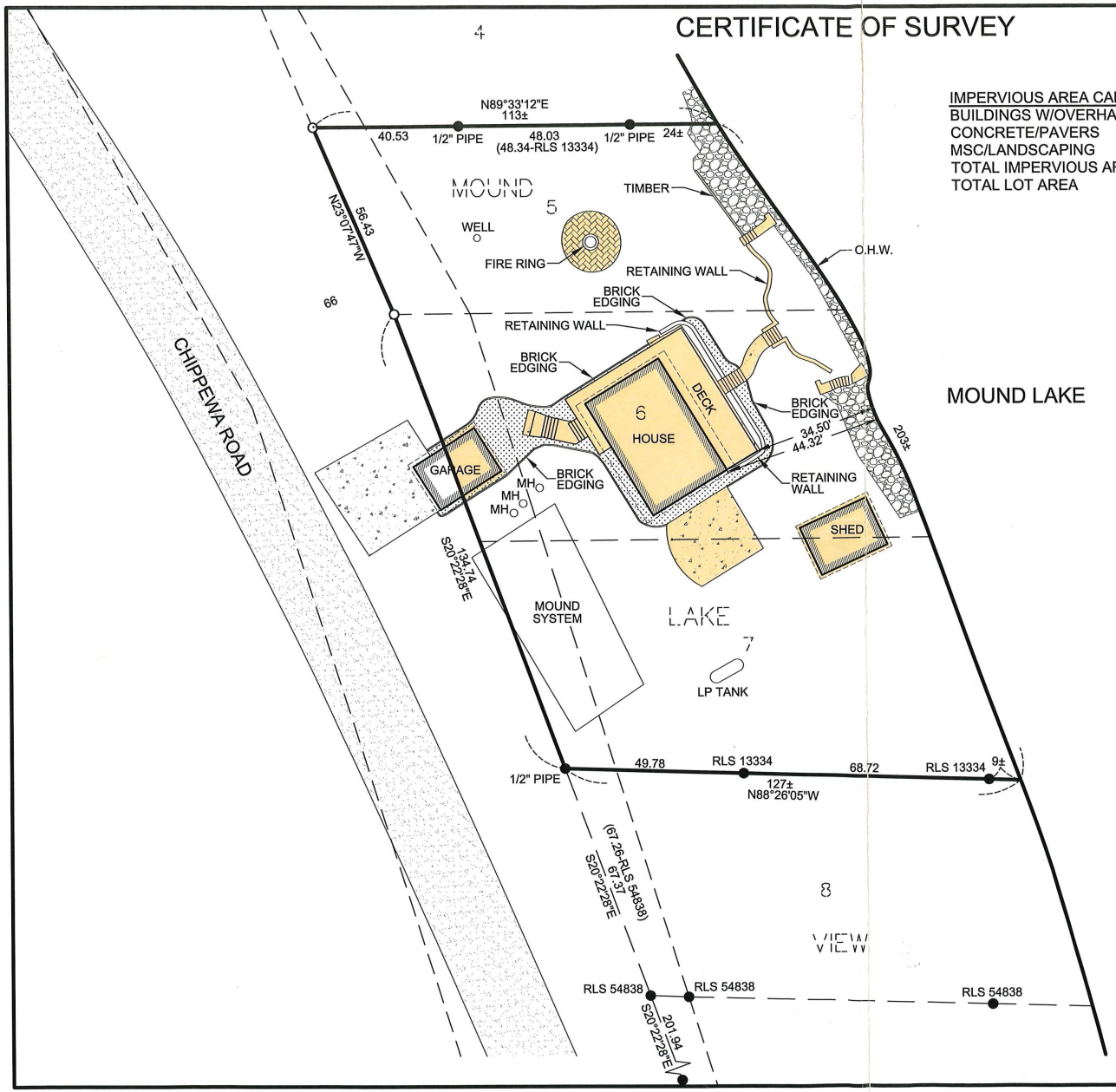
List any measures you plan on taking to increase water infiltration and retention. Examples include rain gutters, rain gardens, retention swales, berms, sub-surface tile, etc. Efforts to install BMP's will be graded positively in the site evaluation. Locate projects on site map.

VEGETATION BMP's

Vegetation planting along lake shore areas is also a Best Management Practice. Planting areas of your lakeshore impact zone with permanent vegetation helps infiltrate water, reduce lake impact, provide habitat, and screen the dwelling from other lake users. Plantings are graded positively in the site evaluation. List any areas to be planted or restored and mark the location on your site map.

Existing

CERTIFICATE OF SURVEY



MOUND LAKE

IMPERVIOUS AREA CALCULATION	
BUILDINGS W/OVERHANG & DECKS	2,100 S.F.
CONCRETE/PAVERS	775 S.F.
MSC/LANDSCAPING	204 S.F.
TOTAL IMPERVIOUS AREA	3,079 S.F.
TOTAL LOT AREA	/22,406 S.F.
	13.7% IMPERVIOUS

1=30

0 30 60

SCALE IN FEET

- ● INPLACE IRON MONUMENT
- ○ 1/2" IRON REBAR WITH PLASTIC CAP STAMPED "RLS 42620" & "RLS 45335"
- ( ) RECORD DATA
- GRAVEL
- CONCRETE
- PAVERS
- LANDSCAPE ROCK
- RIPRAP
- CALCULATED IMPERVIOUS AREA

SURVEYORS NOTE:
Landscape rock that is not shown as impervious has a pervious fabric under it.

SEC. 3 T 127 N R 32 W

DATE: 12/14/2023 • DRAWN BY: JSM • CHECKED: BMN • JOB NO. 11867

REQUESTED BY: MIKE LYON

Nyberg SURVEYING
509 22ND AVE. EAST, SUITE 101
ALEXANDRIA, MINNESOTA 56308
PH. (320) 762-4111
www.nybergsurveying.com

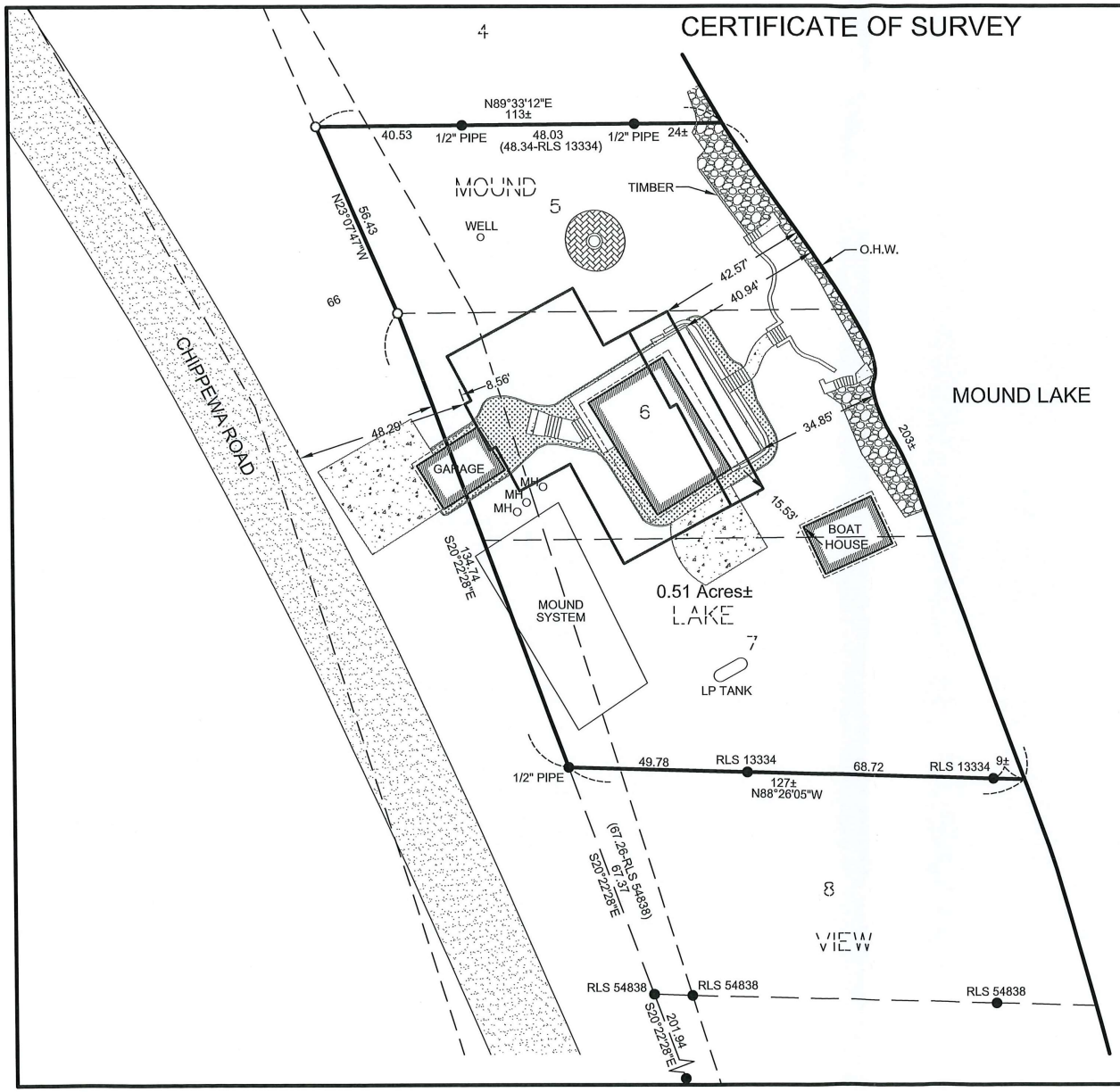
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Brad M. Nyberg

Date December 14th, 2023 License No. 42620

Proposed

CERTIFICATE OF SURVEY



1=30

0 30 60

SCALE IN FEET

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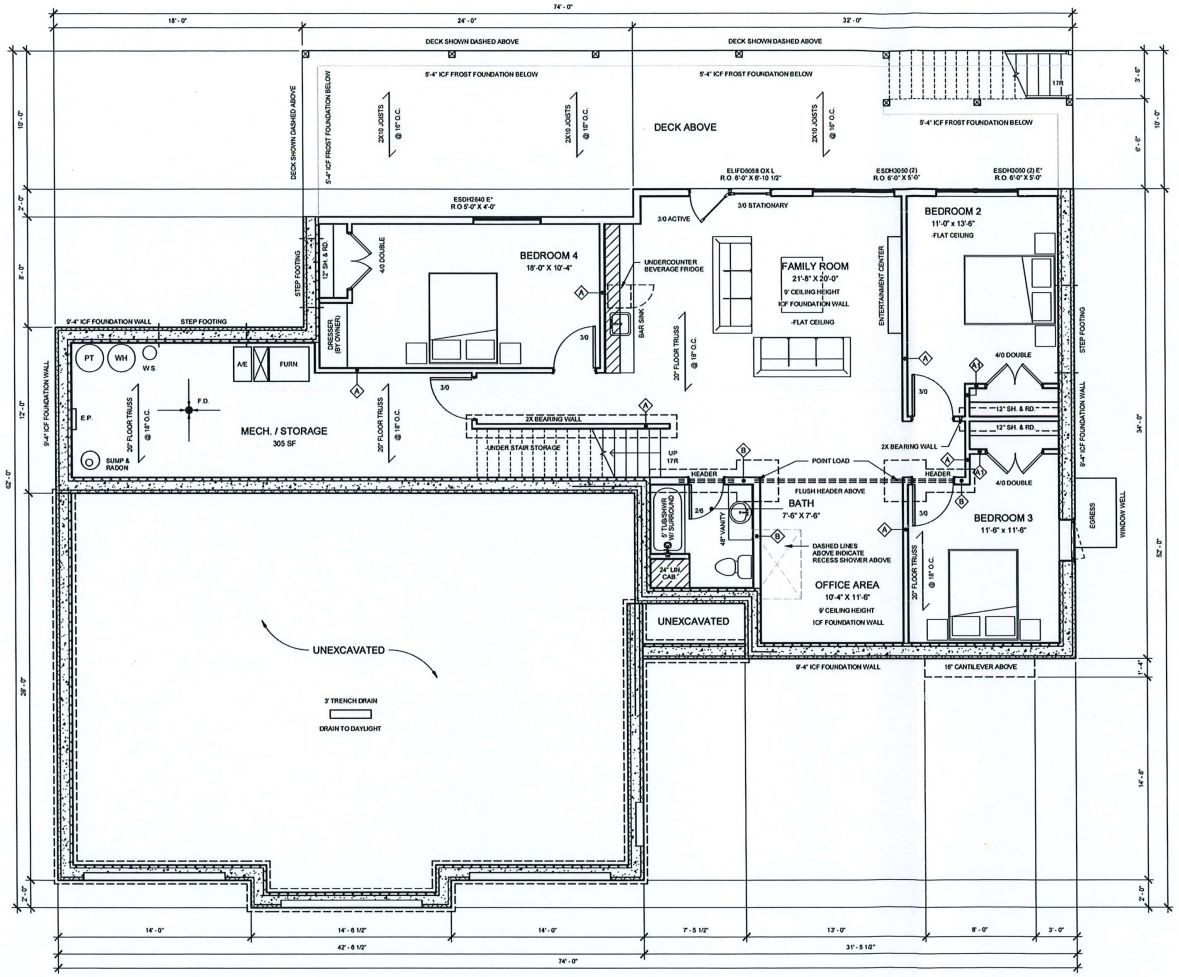
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PH. (320) 762-4111
www.nybergsurveying.com

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Brad M. Nyberg

Date December 29th, 2023 License No. 42620



1 BASEMENT FLOOR
1/4" = 1'-0"

PLAN NORTH

PROJECT INFORMATION - FLOOR PLANS

- ALL DIMENSIONS ARE FROM EXTERIOR SHEATHING, CENTER OF STUD, OR CENTER OF OPENING.
- WINDOWS ARE BASED ON MARVIN ESSENTIAL SERIES
  1) WINDOW STYLE: DOUBLE HUNG, CASEMENT, PICTURE
  2) INTERIOR COLOR: TBD
  3) SCREEN: TBD
  4) HARDWARE COLOR: TBD
  5) GRID PATTERN(S) & COLOR: TBD
  6) GLASS OPTION: LOW-E
- FURNITURE (IF SHOWN) IS TO BE PROVIDED BY THE OWNER AND IS FOR REFERENCE ONLY.
- SEE PLANS FOR WINDOW HEADER HEIGHTS

INTERIOR DOORS
TRIM SPECIES:
TRIM STAIN/COLOR:
FINISH BY:
INTERIOR DOOR STYLE:
STAIN COLOR: SYCAMORE
INTERIOR HARDWARE:
HARDWARE COLOR:

INTERIOR TRIM / CASEWORK
CASING:
TRIM STAIN/COLOR:
BASEBOARD:
TRIM STAIN/COLOR:

FRONT ENTRY DOOR
(1) 777-777-777
INTERIOR COLOR: TBD
EXTERIOR COLOR: TBD
(1) 777-777-777 14" SIDELITES
HARDWARE: TBD
HARDWARE FINISH: TBD

OVERHEAD DOORS
TYPE: TBD
SERIES TBD
COLOR: TBD
GLASS: [illegible]
OPE: [illegible]
FINISH: [illegible]

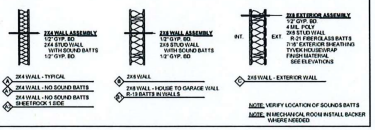
3 1/2 PARTE
PREFINISHED SHELVES WOOD GRAIN
COLOR: WHITE

*NOTE: AN "E" NEXT TO WINDOWS DICTATES A WINDOW MUST MEET EGRESS REQUIREMENTS FOR EGRESS OF AN OPENING OF 5.7 SQ FT. CLEAR OR LARGER

*NOTE: A "T" DESIGNATION INDICATES TEMPERED GLASS AT SAID WINDOW. CONFIRM BEFORE ORDERING

PRELIMINARY

WALL TYPES



NOTE: VERIFY LOCATION OF SOUNDS BATTS
NOTE: IN MECHANICAL ROOM INSTALL BACKER WHERE NEEDED

ST. ROSA LUMBER INC.
Build with the Best!
29033 COUNTY ROAD 17 FREEPORT, MN 56331
(320) 836-2284 OR 1-888-276-1751

DISCLAIMER:
THESE PLANS, FURNISHED BY ST. ROSA LUMBER INC, WERE PREPARED BY ONE OF OUR EXPERIENCED DRAFTSMEN. HOWEVER, OUR DRAFTSMEN ARE NOT FULLY QUALIFIED AS PROFESSIONAL ENGINEERS OR ARCHITECTS. ST. ROSA LUMBER INC. EXPRESLY DISCLAIMS ANY LIABILITY IF ANY ERRORS HAVE BEEN MADE.

PROJECT NAME:
LYON, MIKE - NEW HOME
14314 CHIPPEWA ROAD
BURTRUM, MN 56318
MIKE: (320)-980-3995
mike@precisemn.com

REVISIONS / ISSUE

No.	Description	Date

SQ. FT :
1750 SF -(BASEMENT)
1764 SF -(FIRST FLOOR)
1216 SF -(GARAGE)

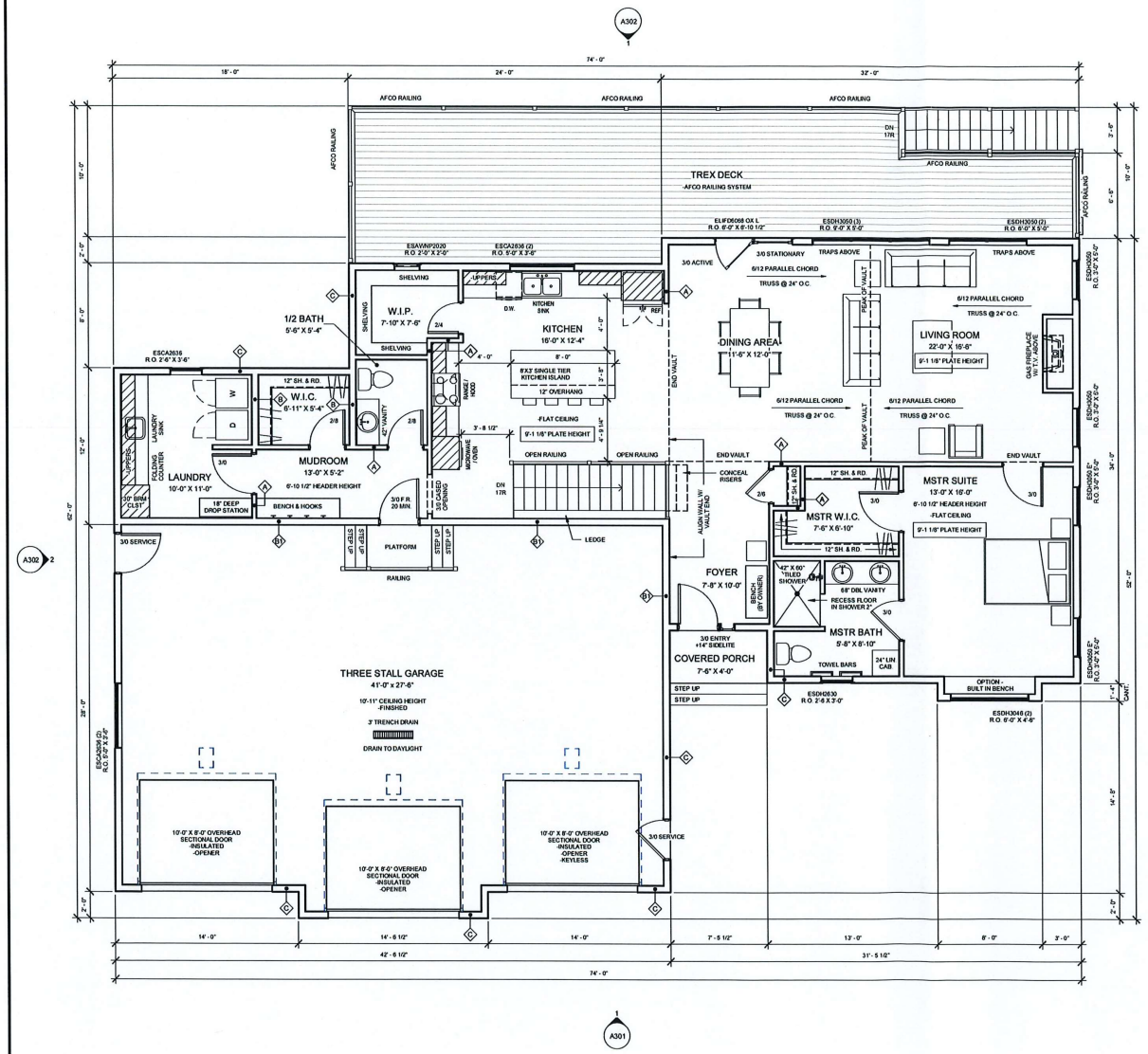
DATE:
12/27/2023

DRAWN BY:
NICK TURNER

SHEET NAME:
BASEMENT PLAN

A201

PRELIMINARY - NOT FOR CONSTRUCTION



1 FIRST FLOOR PLAN
1/4" = 1'-0"

PLAN NORTH

PROJECT INFORMATION - FLOOR PLANS

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HARDWARE FINISH: TBD

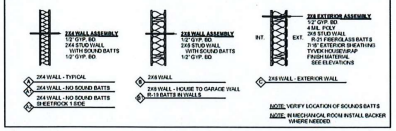
OVERHEAD DOORS
TYPE: TBD
SERIES TBD
COLOR: TBD
GLASS OPTION: TBD
OPENER: STANDARD
KEYLESS ENTRY: TBD

SHELVING
PREFINISHED SHELVES WOOD GRAIN
COLOR: WHITE

*NOTE: AN 'E' NEXT TO WINDOWS DICTATES A WINDOW MUST MEET EGRESS REQUIREMENTS FOR EGRESS OF AN OPENING OF 5.7 SQ FT. CLEAR OR LARGER.

*NOTE: A 'T' DESIGNATION INDICATES TEMPERED GLASS AT SAID WINDOW. CONFIRM BEFORE ORDERING

WALL TYPES



PRELIMINARY

THESE PLANS ARE NOT TO BE USED FOR CONSTRUCTION

ST. ROSA LUMBER INC.
Build with the Best!
29033 COUNTY ROAD 17 FREEPORT, MN 56331
(320) 836-2284 OR 1-888-276-1751

DISCLAIMER:
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PROJECT NAME:
LYON, MIKE - NEW HOME
14314 CHIPPEWA ROAD
BURTRUM, MN 56318
MIKE: (320)-980-3995
mike@precisemn.com

REVISIONS / ISSUE

No.	Description	Date

SQ. FT :
1750 SF -(BASEMENT)
1764 SF -(FIRST FLOOR)
1216 SF -(GARAGE)

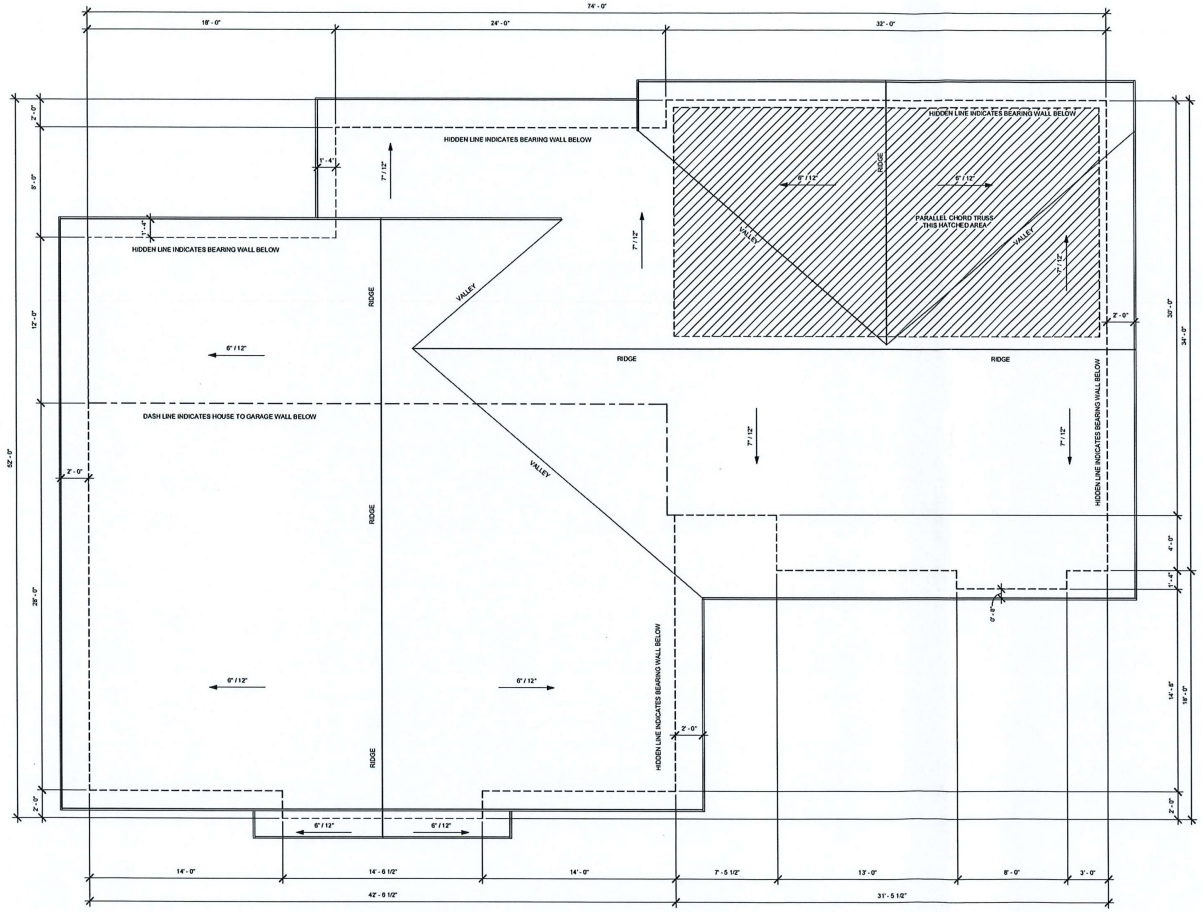
DATE:
12/27/2023

DRAWN BY:
NICK TURNER

SHEET NAME:
FIRST FLOOR PLAN

A202

PRELIMINARY - NOT FOR CONSTRUCTION



1 ROOF PLAN
1/4" = 1'-0"

PLAN NORTH

PRELIMINARY

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MIKE: (320)-980-3995
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REVISIONS / ISSUE

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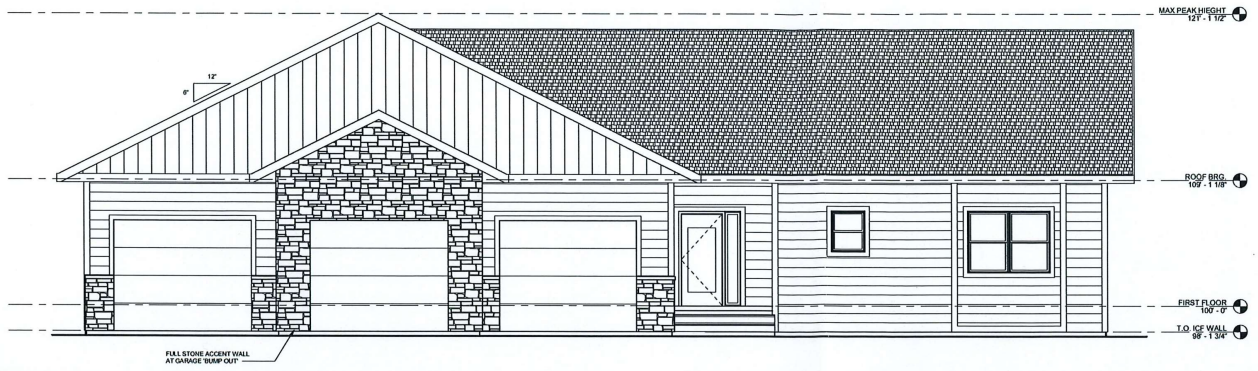
DATE:
12/27/2023

DRAWN BY:
NICK TURNER

SHEET NAME:
ROOF PLAN

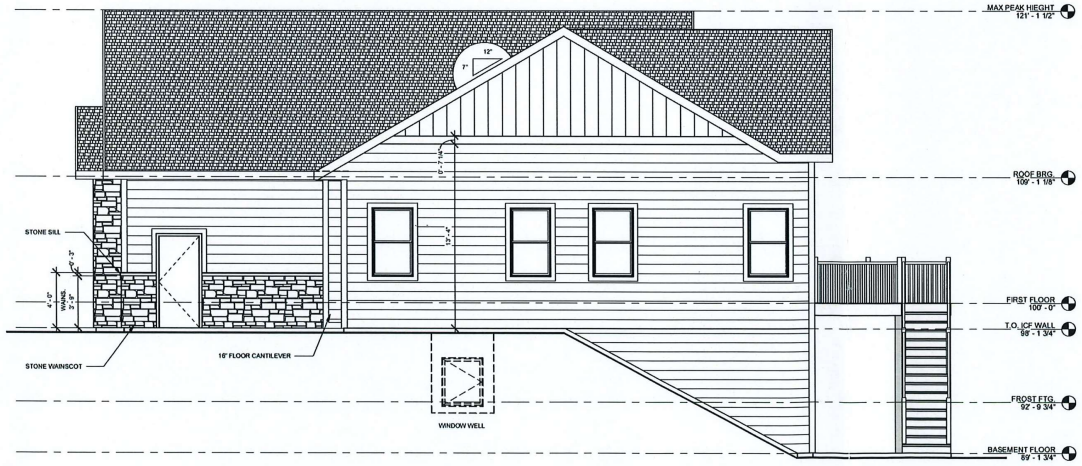
A203

PRELIMINARY - NOT FOR CONSTRUCTION



1 FRONT ELEVATION
1/4" = 1'-0"

1) GRADE SHOWN IS RELATIVE TO LOCATE STRUCTURE AND IS NOT REPRESENT OF FINAL LANDSCAPING AND GRADE MODIFICATION



2 RIGHT ELEVATION
1/4" = 1'-0"

1) GRADE SHOWN IS RELATIVE TO LOCATE STRUCTURE AND IS NOT REPRESENT OF FINAL LANDSCAPING AND GRADE MODIFICATION

2) SEE 1 ON A301 FOR ADDITIONAL INFORMATION

PRELIMINARY

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21033 COUNTY ROAD 17 FREEPORT, MN 56331
(320) 836-2284 OR 1-888-276-1751

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PROJECT NAME:
LYON, MIKE - NEW HOME
14314 CHIPPEWA ROAD
BURTRUM, MN 56318
MIKE: (320)-980-3995
mike@precisemn.com

REVISIONS / ISSUE

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SQ. FT :
1750 SF -(BASEMENT)
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1216 SF -(GARAGE)

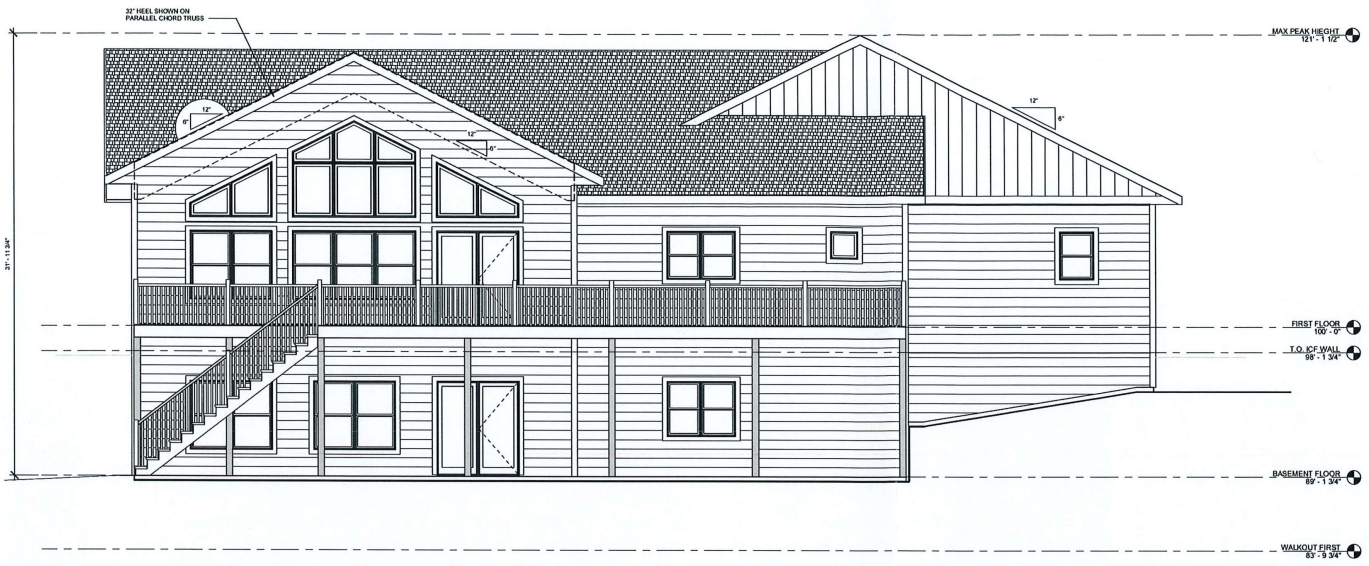
DATE:
12/27/2023

DRAWN BY:
NICK TURNER

SHEET NAME:
ELEVATIONS

A301

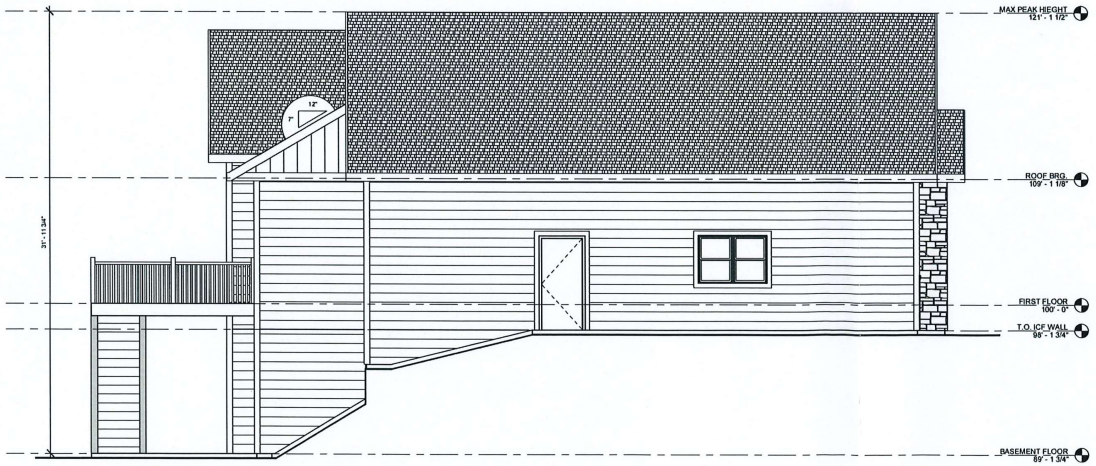
PRELIMINARY - NOT FOR CONSTRUCTION



1 REAR ELEVATION
1/4" = 1'-0"

1) GRADE SHOWN IS RELATIVE TO LOCATE STRUCTURE AND IS NOT REPRESENT OF FINAL LANDSCAPING AND GRADE MODIFICATION.

2) SEE 1 ON A301 FOR ADDITIONAL INFORMATION.



2 LEFT ELEVATION
1/4" = 1'-0"

1) GRADE SHOWN IS RELATIVE TO LOCATE STRUCTURE AND IS NOT REPRESENT OF FINAL LANDSCAPING AND GRADE MODIFICATION.

2) SEE 1 ON A301 & A302 FOR ADDITIONAL INFORMATION.

PRELIMINARY

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ST. ROSA LUMBER INC.
Build with the Best!
29033 COUNTY ROAD 17 FREEPORT, MN 56331
(320) 836-2284 OR 1-888-276-1751

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PROJECT NAME:

LYON, MIKE - NEW HOME

14314 CHIPPEWA ROAD
BURTRUM, MN 56318

MIKE: (320)-980-3995
mike@precisemn.com

REVISIONS / ISSUE

No.	Description	Date

SQ. FT :
1750 SF -(BASEMENT)
1764 SF -(FIRST FLOOR)
1216 SF -(GARAGE)

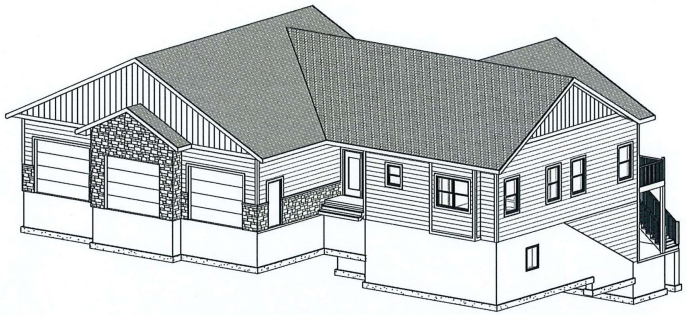
DATE:
12/27/2023

DRAWN BY:
NICK TURNER

SHEET NAME:
ELEVATIONS

A302

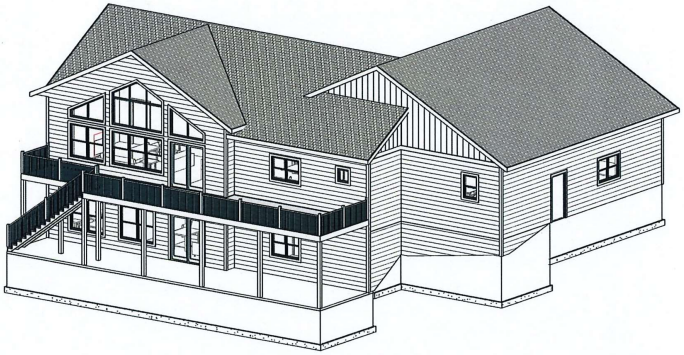
PRELIMINARY - NOT FOR CONSTRUCTION



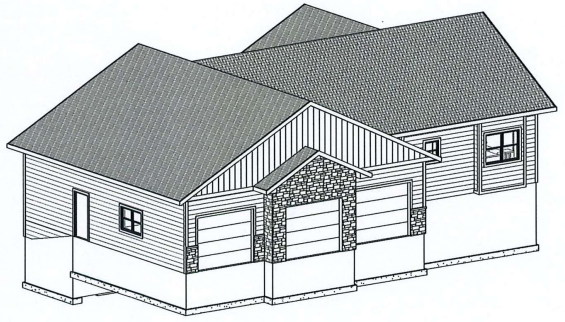
1 ISOMETRIC VIEW 1



2 ISOMETRIC VIEW 2



3 ISOMETRIC VIEW 3



4 ISOMETRIC VIEW 4

PRELIMINARY

THESE PLANS ARE NOT TO BE USED FOR CONSTRUCTION

ST. ROSA LUMBER INC.
Build with the Best!
29033 COUNTY ROAD 17 FREEPORT, MN 56331
(320) 836-2284 OR 1-888-276-1751

DISCLAIMER:

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PROJECT NAME:

LYON, MIKE - NEW HOME

14314 CHIPPEWA ROAD
BURTRUM, MN 56318

MIKE: (320)-980-3995
mike@precisemn.com

REVISIONS / ISSUE

No.	Description	Date

SQ. FT :
1750 SF -(BASEMENT)
1764 SF -(FIRST FLOOR)
1216 SF -(GARAGE)

DATE:
12/27/2023

DRAWN BY:
NICK TURNER

SHEET NAME:
3D VIEWS

A701

PRELIMINARY - NOT FOR CONSTRUCTION



Todd County
MINNESOTA

Todd County GIS
215 1st Ave S, Ste 102
Long Prairie, MN 56347
(Office) 320-732-4248

Todd County GIS

GIS Site Map

0 0.005 0.01 0.02 mi

0 0.005 0.01 0.02 mi

N W E S

The Todd County GIS & Land Services Department has made every effort to provide the most accurate and up-to-date information available in this publication and cannot be held responsible for any unforeseen errors or omissions. If the recipient wishes to locate parcel corners and property lines, employ the services of a Registered Land Surveyor.

Printed on:
Wednesday, January 3, 2024

WHERE THE FOREST MEETS THE PRAIRIE
Todd County
• MINNESOTA • EST. 1855 •

PLANNING & ZONING
215 1st Avenue South, Suite 103
Long Prairie, MN 56347
Phone: 320-732-4420 Fax: 320-732-4803
Email: ToddPlanZone@co.todd.mn.us

RECEIVED
JAN 02, 2024
TODD
PLANNING & ZONING

Appeal for a Variance

Applicant EDWARD & MARNIE KORTUEM

Mailing Address EDWARD.KORTUEM@GMAIL.COM

Site Address 12281 ALCOTT DRIVE SAUK CENTRE

Phone Number _____ Cell Number [redacted]

E-Mail Address _____

Property Owners Name & Address (if not applicant) _____

_____

Parcel Number(s) 03-00300000

Section: 14 Township Birchdale

Zoning District (circle one): AF-1; AF-2; R-10; R-2; UG; RT; Commercial; Industry; or Shoreland (Lake or River Name): Sauk Lake

Do you own land adjacent to this parcel(s) ____Yes __X__No

Septic System: Date installed_____ Date of Compliance Inspection_____

Is a new system needed: __Y__ yes _____no __Y__ STS Design attached

Required for applications with existing septic systems: Approved design submitted for new system to be installed, new system installed within previous 5 years, or passing compliance inspection on existing system in previous 3 years

Variances Requested:
What standards or requirements are you unable to maintain? (Check all that apply)

Lot width____	Lot area____	Lake or River setback__X__	Bluff setback____
Road right-of-way setback____	Side Yard setback____		Buildable area____
Impervious surface coverage____	Building/Structure Height____		Other____

Receipt # 2024-03

LIST YOUR VARIANCE REQUEST(s) and what, if the variance were granted, you intend to build or use the land for. **For example:** *"Request to reduce the 10ft structural setback from my west side lot line to 8ft for the construction of a detached garage to be used for vehicle and personal storage."*

1.) On the lake side propose reduction of setback from 100ft to 75 feet for a short distace for proposed new house.

2.)

3.)

4.)

**State Statutes Section 394.7 Subd7: Variances: Practical Difficulties. The BOA shall have the exclusive power to order the issuance of variances from the requirements of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of official control, and when variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with official rules; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties.

The Board of Adjustment may impose conditions in the granting of a variance. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

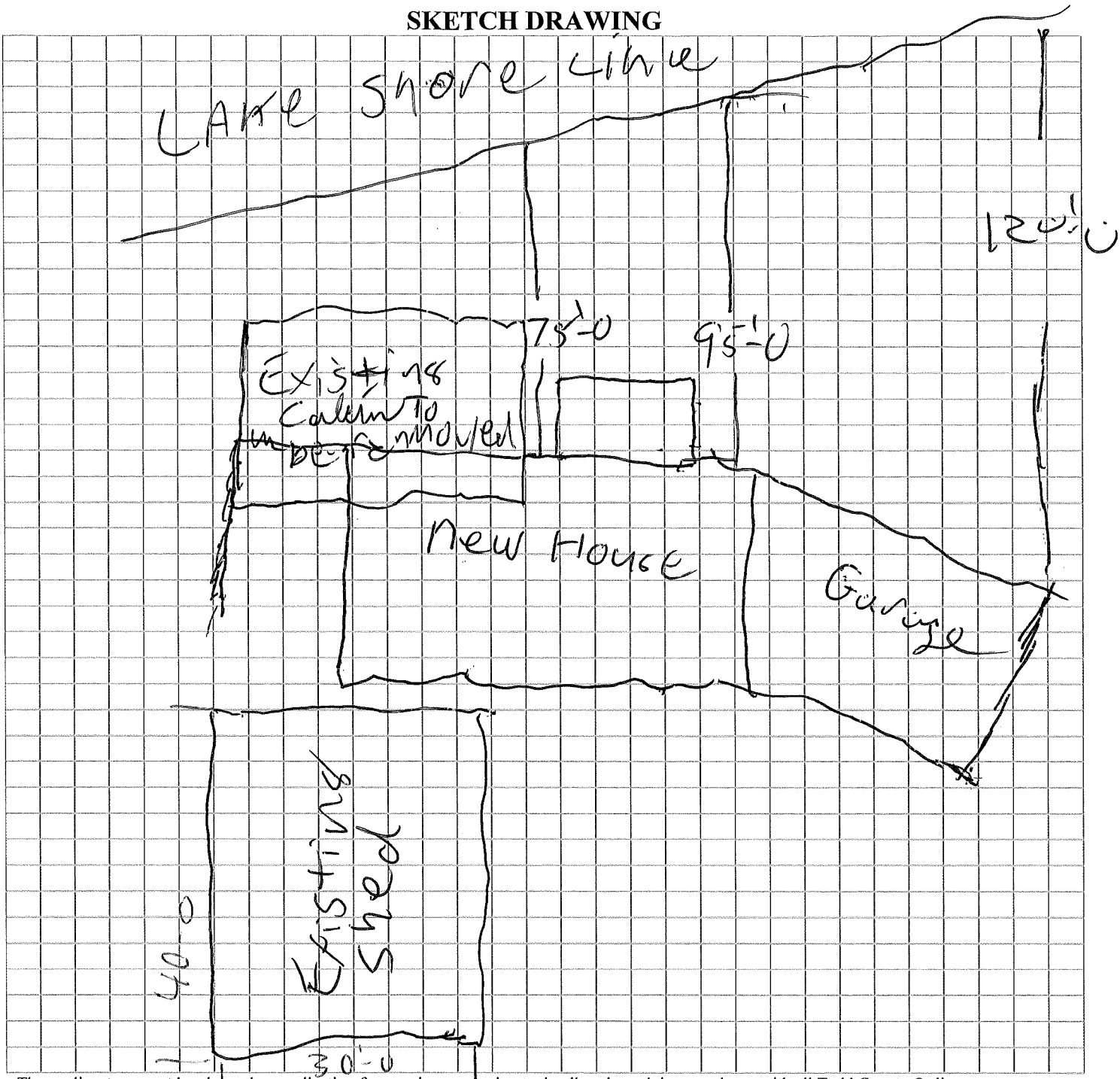
EXPLAIN YOUR PRACTICAL DIFFICULTIES or reason why you need your request approved.**

This proposed change will allow for the least amount of excavation to the lot. Decreasing changes to the lots run off and drainage into the lake and therefore least environmental impact as this will still be farther from the lake the existing structure that is currently there.

It is important that you flag your related property lines and proposed building locations

Have you flagged your lot? (Y) (N)

SKETCH DRAWING



The applicant or agent hereby makes application for a variance agreeing to do all such work in accordance with all Todd County Ordinances. Applicant or agent agrees that site plan, sketches, and other attachments submitted herewith are true and accurate. Applicant or agent agrees that, in making application for a variance grants permission to Todd County, at reasonable times during the application process and thereafter, to enter applicant's premises to determine the feasibility of granting said variance or for compliance of that application with any applicable county, state, or federal ordinances or statutes. If any of the information provided by the applicant in his/her application is alter found or determined by the county to be inaccurate, the County may revoke the variance based upon the supply of inaccurate information.

If the applicant is not the property owner, both signatures are required below.

EDWARD CHARLES KORTUM	Edward C. Kortum	10-8-23
Applicant Name Printed	Signature	Date
EDWARD CHARLES KORTUM	Edward C Kortum	10-8-23
Property Owner Name Printed	Signature (If different than applicant)	Date

AUTHORIZED AGENT FORM

I hereby authorize Aaron Lahr Construction Inc **to act as my authorized agent for all public hearing(s) and legal relations with this application on property located at:**

Site address 12281 Alco Dr Sauk Centre MN 56378

Section # 14 **Township Name** Birchdale

Parcel Number(s) 03-0030000

Property Owner(s) name (print) EDWARD CHARLES KORTUEM

Property Owner(s) Signature(s) Edward C. Kortuem **Date** _____

Authorized Agent(s) name (print) _____

Authorized Agent(s) Signature(s) _____ **Date** _____

Authorized Agent Phone Number _____

IMPERVIOUS SURFACE WORKSHEET (FOR SHORELAND ONLY)

APPLICANT INFORMATION

Name Kortuem

Site Address 12281 Alcott Dr.

Phone (____) ____ - _____

City Sauk Centre State MN Zip _____

Mailing Address _____

Parcel Number 03 - 003 0000

_____

Lake/River Name _____

IMPERVIOUS SURFACE: is a constructed hard surface that either prevents or retards the entry of water into the soil or causes water to run off the surface in greater quantities & at an increased rate of flow than prior to development.

LOT/STRUCTURE DIMENSIONS

Total lot area: 24,393.6 sq ft

List all structures (structure's foundation footprint: length, width, and total area)

	Existing	Proposed
1.	Shed 30'x 40'	36 x 46 House with
2.		32 x 30 Attached garage
3.		with 12 x 20 4 season
4.		porch with 34 x 30
5.		Concrete Apron
6.		
7.		
8.		

List all non-roofed hard surfaces: Examples include sidewalks, paver stones, retaining walls, patios, decks, driveways & parking areas (asphalt, concrete or gravel), and areas of landscaping underlain with plastic or other impervious liners:

	Existing	Proposed
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

Total of 25% of lot may be covered by impervious surfaces (15% of which are from roofed structures)

1. List in the table below any efforts by landowner to reduce project impact by removing or reducing impervious surfaces.

List Structure or Impervious Surface to Be removed	Square footage to be removed	Location of structure or impervious surface to be removed (see table below)
Example: concrete drive to lake	8' x 35' = 280 sq ft	(C) Within Impact Zone

Location of variance request in reference to Ordinary High Water level	General Development Lake	Recreational Development Lake	Natural Environment Lake and Rivers / Streams
A. Outside shoreland building setback	75'+	100'+	150' +
B. Between Shore Impact Zone and Building Setback	37.5' to 75'	50' to 100'	75' to 150'
C. Within Shore Impact Zone	0 to 37.5'	0 to 50'	0 to 75'

2. List below any Storm Water Management Best Management Practices (BMP's) that will be installed to help mitigate impacts of development.

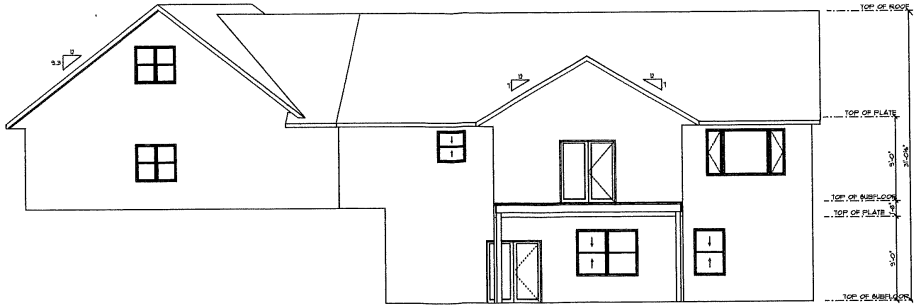
INFILTRATION BMP's

List any measures you plan on taking to increase water infiltration and retention. Examples include rain gutters, rain gardens, retention swales, berms, sub-surface tile, etc. Efforts to install BMP's will be graded positively in the site evaluation. Locate projects on site map.

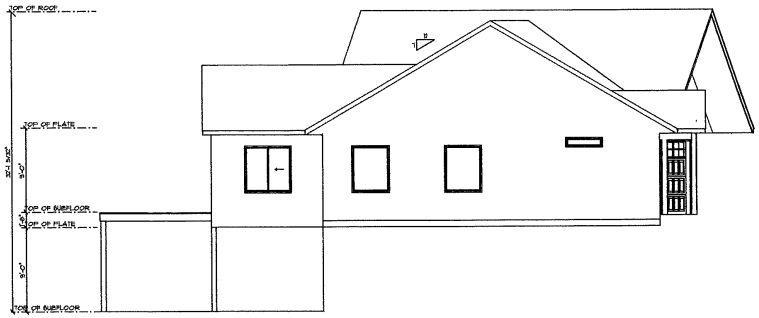
Rain Barrel to catch roof water and Gutters

VEGETATION BMP's

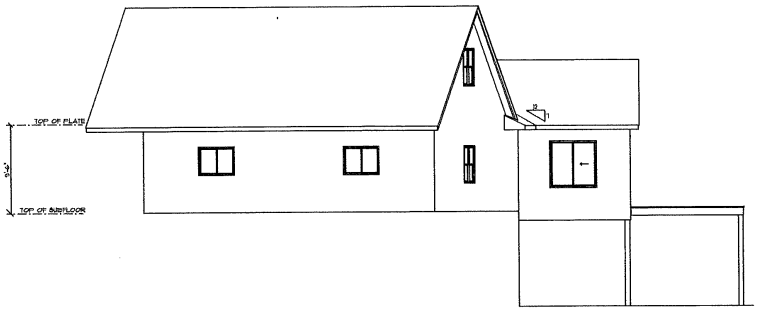
Vegetation planting along lake shore areas is also a Best Management Practice. Planting areas of your lakeshore impact zone with permanent vegetation helps infiltrate water, reduce lake impact, provide habitat, and screen the dwelling from other lake users. Plantings are graded positively in the site evaluation. List any areas to be planted or restored and mark the location on your site map.



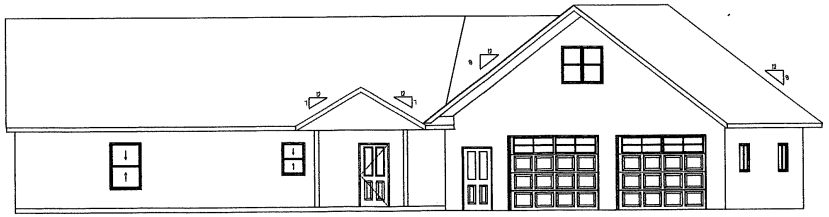
Rear Elevation



Left Elevation



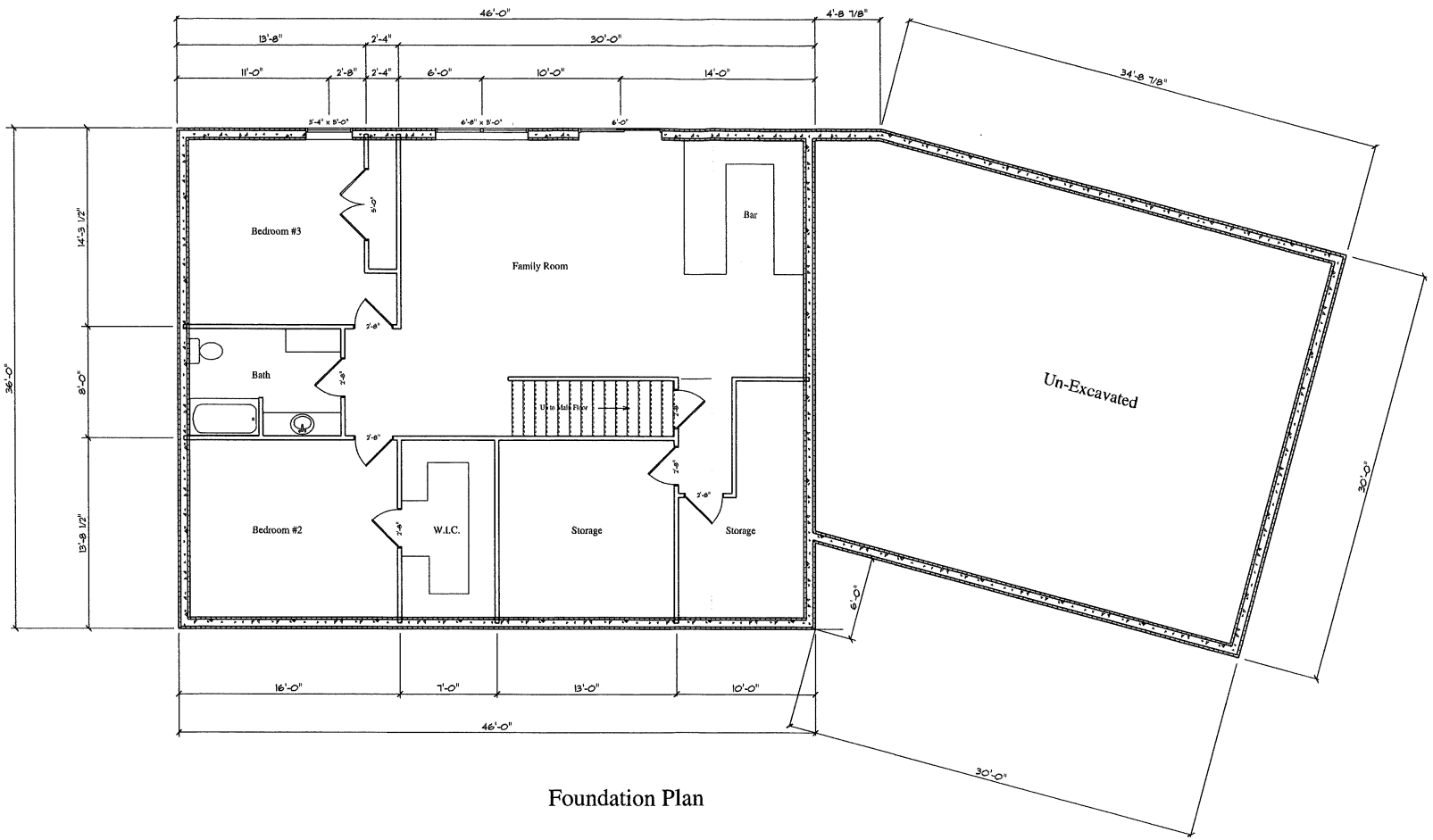
Right Elevation



Front Elevation

These Plans are furnished by Elrosa Lumber Co. In Preperation of this plan, every attempt has been made to avoid mistakes. The drafter cannot guarantee Against error and is not an engineer or architect. The contractor is to verify all conditions and dimensions of the plan. Not to be copied without permission.	ELROSA LUMBER CO. 404 2nd Ave. P.O.Box 140 ELROSA MN, 56325 Phone / 320-697-5591	Name Ed Kortuem	Scale	Date Aug 31, 2023
		Phone	Sq.Ft.	Drawn By: Allen Kollman

Vaulted Ceiling
Linen
Linen
Shower to Basement
Tub-to-basement
Tub-to-basement
R.O. 3'-4 1/4" x 8'-0 1/4"
34'-8 7/8"
30'-0"
4'-8 7/8"
4'-8 7/8"
46'-0"
20'-0"
14'-0"
7'-0"
7'-0"
8'-8" x 8'-0"
8'-10" x 8'-0"
3'-0" x 3'-4"
30'-0"
14'-0"
5'-0"
12'-0"
11'-0"
6'-0"
3'-0"
4'-0"
4'-0"
3'-0"
4'-3 1/2"
5'-9"
7'-6"
2'-6"
10'-5"
4'-3"
7'-4"
13'-6 1/2"
6'-3 1/2" drop
3'-3"
2'-8"
2'-8"
10'-0 1/2"
7'-6"
3'-0"
10'-0"
12'-0"
10'-0"
14'-0"
46'-0"
4'-0" x 8'-0"
4'-0" x 8'-0"
4'-0" x 7'-0"
4'-0"
10'-0"
4'-0"
9'-0"
9'-0"
18'-0"
18'-0"
14'-0"
36'-0"



Foundation Plan

Sue Bertrand

From: Kevin McKelvey
Sent: Wednesday, January 3, 2024 4:08 PM
To: alahr
Cc: Sue Bertrand
Subject: RE: Ed Kortum Elevations and Section Drawing

Good afternoon Aaron,

We received these documents, thank you for sending them. So you would like to add the variance request to increase the peak height of a dwelling/garage inside of the OHWL setback from 18' to 21' 11"? Please "reply all" to this email so Sue has this for the correspondence.

Regards,

Kevin McKelvey
Land Use Planner, Todd County Planning & Zoning
215 1st Ave. S #103, Long Prairie, MN 56347
Office: 320-732-4420
Direct: 320-732-4327
Fax: 320-732-4803

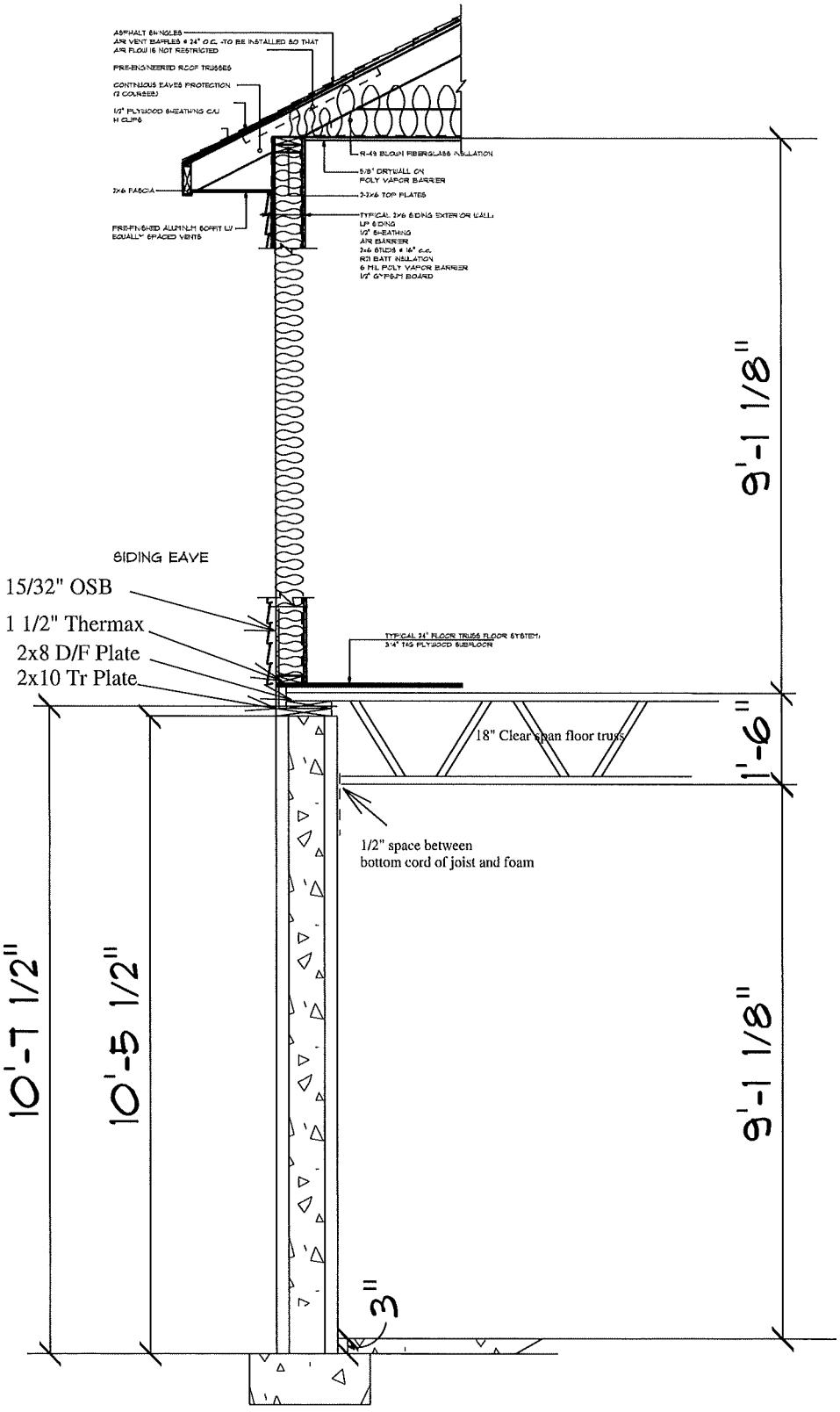
From: alahr <alahr@wisper-wireless.com>
Sent: Wednesday, January 3, 2024 2:21 PM
To: Kevin McKelvey <Kevin.McKelvey@co.todd.mn.us>
Subject: Fwd: Ed Kortum Elevations and Section Drawing

TODD COUNTY SECURITY NOTICE:
This email originated from an external sender. Please exercise caution before clicking on any links or attachments and consider whether you know the sender. For more information please contact MIS.

Begin forwarded message:

> **From:** allen <allen@elrosalumber.com>
> **Date:** Jan 3, 2024 at 2:04 PM
> **To:** alahr <alahr@wisper-wireless.com>
> **Subject: Ed Kortum Elevations and Section Drawing**
>
> Aaron,
>
> Here is the section drawing and then all of the exterior heights are on the Elevation plan. Hope this works for you.
>
> Thanks,

Ed Kortum
Wall Section Drawing





Todd County
MINNESOTA

Todd County GIS
215 1st Ave S, Ste 102
Long Prairie, MN 56347
(Office) 320-732-4248

Todd County GIS

GIS Site Map

0 0.0125 0.025 0.05 mi

0 0.0125 0.025 0.05 mi

N W E S

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Printed on:
Wednesday, January 3, 2024

WHERE THE FOREST MEETS THE PRAIRIE
Todd County
• MINNESOTA • EST. 1855 •

PLANNING & ZONING
215 1st Avenue South, Suite 103
Long Prairie, MN 56347
Phone: 320-732-4420 Fax: 320-732-4803
Email: ToddPlan.Zone@Co.Todd.MN.US

Received
JAN 29 2024
Todd County Planning & Zoning

Appeal for a Variance

Applicant Bruce & Linda Westbrock
Mailing Address 41454 Waterview Rd Sauk Centre MN 56378
Site Address 11311 County 47 Grey Eagle MN 56336
Phone Number [redacted] Cell Number [redacted]
E-Mail Address LBWEST@MAINSTREETCOM.COM
Property Owners Name & Address (if not applicant) _____

Parcel Number(s) 11-0030500
Section: 20 Township 127
Zoning District (circle one): AF-1; AF-2; R-10; R-2; UG; RT; Commercial; Industry; or Shoreland (Lake or River Name): Big Birch Lake

Do you own land adjacent to this parcel(s) ____Yes X No

Septic System: Date installed 10/14/85 Date of Compliance Inspection 5/6/21
Is a new system needed: ____yes X no ____ STS Design attached

Required for applications with existing septic systems: Approved design submitted for new system to be installed, new system installed within previous 5 years, or passing compliance inspection on existing system in previous 3 years

Variances Requested:
What standards or requirements are you unable to maintain? (Check all that apply)

Lot width____	Lot area____	Lake or River setback X	Bluff setback____
Road right-of-way setback X	Side Yard setback____		Buildable area____
Impervious surface coverage X	Building/Structure Height X		Other____

PR #2024-0019 $500.00
VAR #2024-004

LIST YOUR VARIANCE REQUEST(s) and what, if the variance were granted, you intend to build or use the land for. **For example:** *"Request to reduce the 10ft structural setback from my west side lot line to 8ft for the construction of a detached garage to be used for vehicle and personal storage."*

1.) Request to reduce setback from OHWM from 100' to 39'

2.) Request to reduce setback from County 47 right of way from 20' to 12'

3.) Request for 1.2% overmax roof coverage of impervious surface.

4.) Request to increase peak height from 18' to 20'

**State Statutes Section 394.7 Subd7: Variances: Practical Difficulties. The BOA shall have the exclusive power to order the issuance of variances from the requirements of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of official control, and when variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with official rules; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties.

The Board of Adjustment may impose conditions in the granting of a variance. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

EXPLAIN YOUR PRACTICAL DIFFICULTIES or reason why you need your request approved.**

Lot is small and current structure is non-conforming

County 47 Right of Way overlaps OHWM.

It is important that you flag your related property lines and proposed building locations

Have you flagged your lot? (Y) (N)

SKETCH DRAWING

See Attached

The applicant or agent hereby makes application for a variance agreeing to do all such work in accordance with all Todd County Ordinances. Applicant or agent agrees that site plan, sketches, and other attachments submitted herewith are true and accurate. Applicant or agent agrees that, in making application for a variance grants permission to Todd County, at reasonable times during the application process and thereafter, to enter applicant's premises to determine the feasibility of granting said variance or for compliance of that application with any applicable county, state, or federal ordinances or statutes. If any of the information provided by the applicant in his/her application is alter found or determined by the county to be inaccurate, the County may revoke the variance based upon the supply of inaccurate information.

If the applicant is not the property owner, both signatures are required below.

Bruce G Westbrock	Bruce G. Westbrock	1-24-24
Applicant Name Printed	Signature	Date
Bruce & Linda Westbrock	Linda K. Westbrock	1/24/24
Property Owner Name Printed	Signature (If different than applicant)	Date

IMPERVIOUS SURFACE WORKSHEET
(FOR SHORELAND ONLY)

APPLICANT INFORMATION

Name Bruce & Linda Wiskbrock

Phone [redacted]

Mailing Address 41454 Waterview Rd
Sauk Centre, MN 56378

Site Address 11311 County 47

City Grey Eagle State MN Zip 56336

Parcel Number 11-0630500

Lake/River Name Big Birch Lake

IMPERVIOUS SURFACE: is a constructed hard surface that either prevents or retards the entry of water into the soil or causes water to run off the surface in greater quantities & at an increased rate of flow than prior to development.

LOT/STRUCTURE DIMENSIONS

Total lot area: 64666 sq ft

List all structures (structure's foundation footprint: length, width, and total area)

	Existing	Proposed
1.	Cabin 682 sq. ft	Cabin 18'x45' 810 sq ft
2.	Boathouse 240 sq. ft	
3.		
4.		
5.		
6.		
7.		
8.		

List all non-roofed hard surfaces: Examples include sidewalks, paver stones, retaining walls, patios, decks, driveways & parking areas (asphalt, concrete or gravel), and areas of landscaping underlain with plastic or other impervious liners:

	Existing	Proposed
1.	Concrete Boathouse Pad 56 sq ft	
2.	Concrete cabin steps 9 sq ft	
3.	Landscape Rock 112 sq ft	
4.		
5.		
6.		
7.		
8.		

Total of 25% of lot may be covered by impervious surfaces (15% of which are from roofed structures)

18.9% total impervious surface

16.2% Roofed Impervious Surface

1. List in the table below any efforts by landowner to reduce project impact by removing or reducing impervious surfaces.

List Structure or Impervious Surface to Be removed	Square footage to be removed	Location of structure or impervious surface to be removed (see table below)
Example: concrete drive to lake	8' x 35' = 280 sq ft	(C) Within Impact Zone
Landscape Rock w/ Plastic	2½ x 45 = 112.50 sq. ft	C

Location of variance request in reference to Ordinary High Water level	General Development Lake	Recreational Development Lake	Natural Environment Lake and Rivers / Streams
A. Outside shoreland building setback	75'+	100'+	150' +
B. Between Shore Impact Zone and Building Setback	37.5' to 75'	50' to 100'	75' to 150'
C. Within Shore Impact Zone	0 to 37.5'	0 to 50'	0 to 75'

2. List below any Storm Water Management Best Management Practices (BMP's) that will be installed to help mitigate impacts of development.

INFILTRATION BMP's

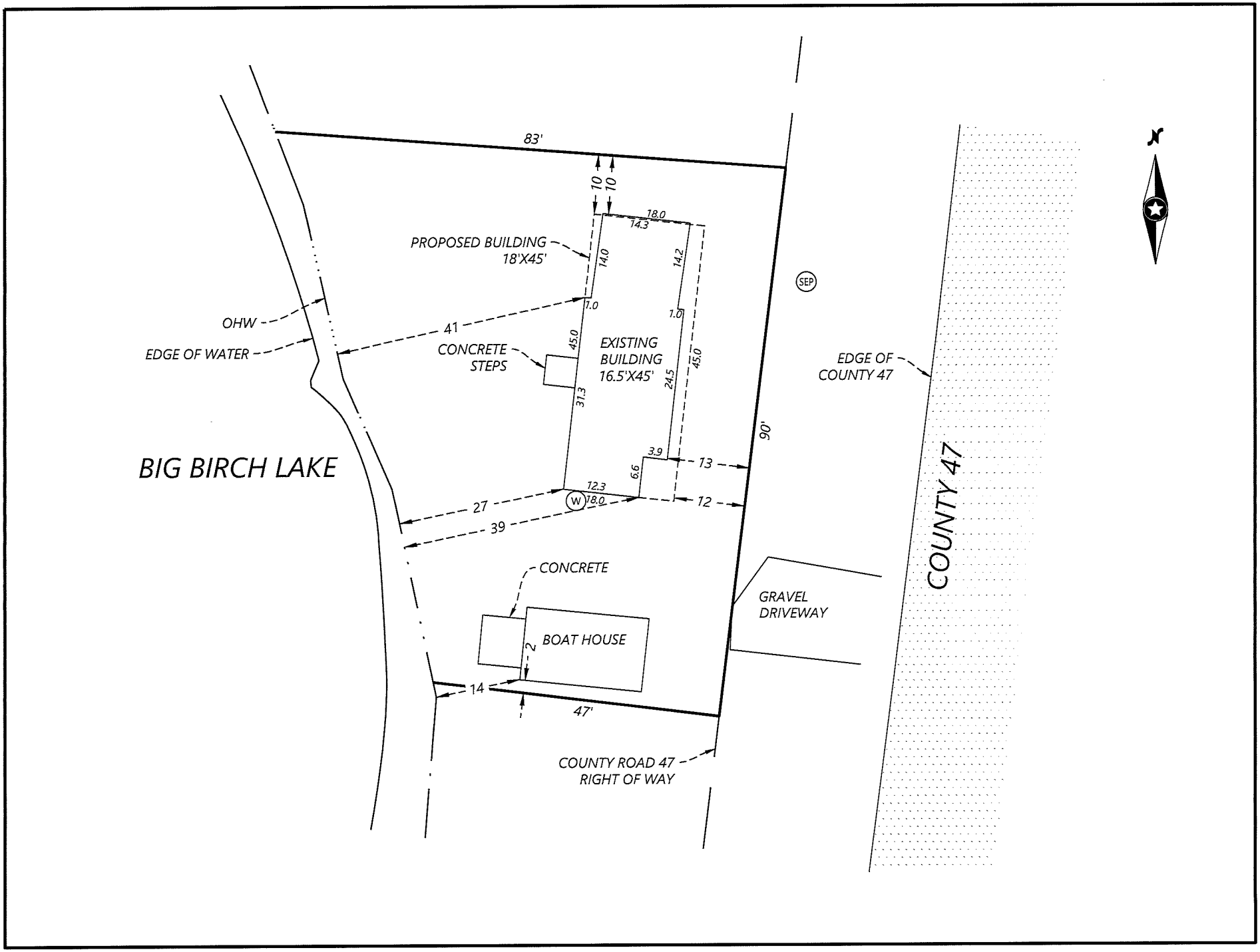
List any measures you plan on taking to increase water infiltration and retention. Examples include rain gutters, rain gardens, retention swales, berms, sub-surface tile, etc. Efforts to install BMP's will be graded positively in the site evaluation. Locate projects on site map.

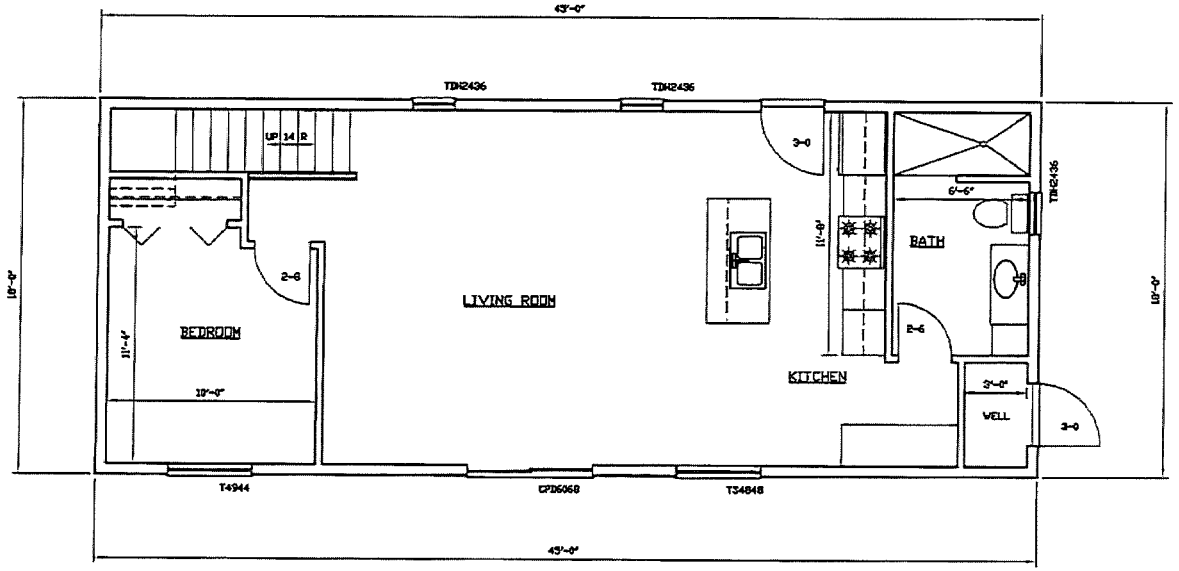
Rain Gutters on Cabin & Boathouse which will be tiled into Drainage Ditch or Rain Barrel for watering lawn. We are checking with Soil & Water Dept. to see which is best.

VEGETATION BMP's

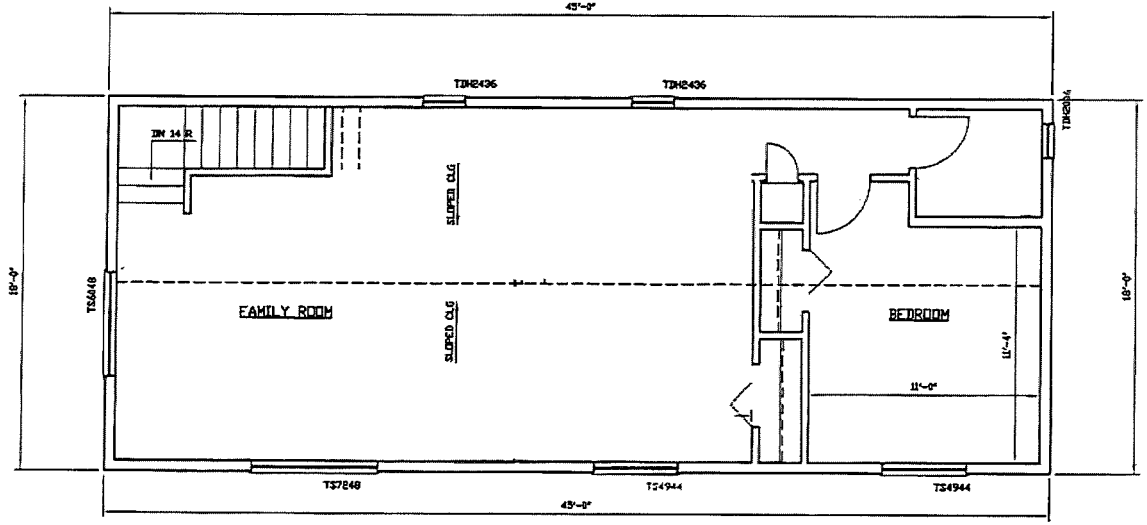
Vegetation planting along lake shore areas is also a Best Management Practice. Planting areas of your lakeshore impact zone with permanent vegetation helps infiltrate water, reduce lake impact, provide habitat, and screen the dwelling from other lake users. Plantings are graded positively in the site evaluation. List any areas to be planted or restored and mark the location on your site map.

Plant 2 trees between cabin & Lake

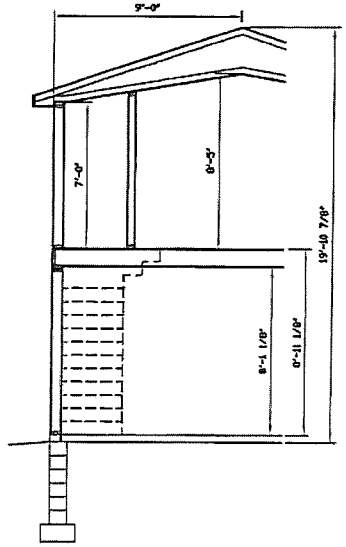

83'
10
10
18.0
14.3
PROPOSED BUILDING
18'X45'
14.0
14.2
SEP
1.0
1.0
OHW
41
EDGE OF WATER
CONCRETE
STEPS
45.0
EXISTING
BUILDING
16.5'X45'
24.5
45.0
EDGE OF
COUNTY 47
31.3
90'
3.9
13
BIG BIRCH LAKE
6.6
12.3
W
18.0
12
27
39
CONCRETE
GRAVEL
DRIVEWAY
COUNTY 47
BOAT HOUSE
2
14
47'
COUNTY ROAD 47
RIGHT OF WAY



MAIN FLOOR PLAN



UPPER FLOOR PLAN



PRELIMINARY PLANS

Hennen Lumber Company Freeport, Minnesota 320-8335	
Project for Bruce & Linda Westbrock	
Drawn by: Steve Borgerding	SHEET 1 of 1
Date: 1/4/24	Scale: 1/4" = 1'-0"
Revisions	These plans were prepared by one of Hennen Lumber's experienced draftsmen who are not fully qualified as engineers or architects. Hennen Lumber Company, Inc expressly disclaims any liabilities if errors have been made.

Kevin McKelvey

From: malspeak@aol.com
Sent: Monday, January 29, 2024 8:09 PM
To: Toddplan Zone
Subject: Westbrock Variance

Received
JAN 30 2024
Todd County Planning
& Zoning

TODD COUNTY SECURITY NOTICE:
This email originated from an external sender. Please exercise caution before clicking on any links or attachments and consider whether you know the sender. For more information please contact MIS.

January 29, 2024

To Whom it May Concern:

It has come to our attention that our neighbors on Big Birch Lake, located directly south of us, Linda and Bruce Westbrock , will be building a new cabin in 2024. This is excellent news! The cabin is very old, and the new cabin will be an extremely positive addition to the east shore of Big Birch Lake.

There is absolutely nothing that we are concerned about ! When we built our cabin in 1979, we made certain that our cabin was positioned so that we would never have to worry about an obstructed view of the lake from either side. We welcome the Westbrock's new cabin with open arms.

In our opinion, the new Westbrock cabin will enhance the value of our property, as well as the other properties nearby. It is obvious to us that the Westbrock's believe in "pride of ownership", as the property they purchased next to us looks better than it has in years!"

If you have any questions please call us at [redacted].

Mary and Chuck Cebuhar

EXHIBIT 'A'

That part of Government Lot 4 of Section 20, Township 127 North, Range 32 West, Todd County, Minnesota described as follows: Commencing at meander corner #38; thence South 90 degrees 00 minutes 00 seconds East (assumed bearing) along the South line of said Section 20 a distance of 189.80 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 1247.08 feet; thence North 86 degrees 53 minutes 57 seconds West a distance of 51.53 feet to the point of beginning of the land to be described; thence South 05 degrees 44 minutes 38 seconds West a distance of 90 feet; thence North 84 degrees 15 minutes 22 seconds West a distance of 41 feet, more or less, to the shoreline of Big Birch Lake; thence Northwesterly, along said shoreline, a distance of 95 feet, more or less, to its intersection with a line that bears North 86 degrees 53 minutes 57 seconds West from the point of beginning; thence South 86 degrees 53 minutes 57 seconds East, a distance of 80 feet, more or less, to the point of beginning.



Todd County
MINNESOTA

Todd County GIS
215 1st Ave S, Ste 102
Long Prairie, MN 56347
(Office) 320-732-4248

Todd County GIS

GIS Site Map

0 0.00325 0.0065 0.013 mi
0 0.0035 0.007 0.014 mi

N W E S

The Todd County GIS & Land Services Department has made every effort to provide the most accurate and up-to-date information available in this publication and cannot be held responsible for any unforeseen errors or omissions. If the recipient wishes to locate parcel corners and property lines, employ the services of a Registered Land Surveyor.

Printed on:
Tuesday, January 30, 2024

WHERE THE FOREST MEETS THE PRAIRIE
Todd County
• MINNESOTA • EST. 1855 •

PLANNING & ZONING
215 1st Avenue South, Suite 103
Long Prairie, MN 56347
Phone: 320-732-4420 Fax: 320-732-4803
Email: ToddPlan.Zone@Co.Todd.MN.US

APPEAL OF LAND USE DECISION APPLICATION

Date: 1-22-24

Appeal Fee: $150-Due when filing appeal

Appellant's Information

Name: Garhard Hendricks

Mailing Address: 23154 190th St Long Prairie, MN 56347

Site Address (if different than mailing address) _____

Phone Number: [redacted] Email Address: garhard04@gmail.com

PID: 21-0009100

Subject of Appeal (check all boxes that apply)
I wish to appeal:

- ☒ Planning and Zoning Staff Determination
- ○ Denied Permit Application
- ○ Land Use Fee Charges
- ○ Violation Decision
- ○ Other: _____

Received
JAN 22 2024
Todd County Planning & Zoning

Reason(s) for Appeal (attach additional sheets if necessary)
Note: The burden of proof to reverse a Planning and Zoning decision is on the applicant.

My property has been used for livestock for as long as I've known. Talking to the last two owners and they had livestock. When I bought the property in 2006 the "detatched garage" built in 2004 was called a barn. My property is the original farm site of this area.

I was also not aware that I needed to file for a variance, which I will gladly do.

SEE BACKSIDE FOR APPEAL PROCESS INFORMATION

Receipt # 2024-0017



Todd County
MINNESOTA

Todd County GIS
215 1st Ave S, Ste 102
Long Prairie, MN 56347
(Office) 320-732-4248

Todd County GIS

GIS Site Map

0 0.0125 0.025 0.05 mi

0 0.0125 0.025 0.05 mi

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