

The following is the agenda for **Thursday, March 27th, 2025 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. 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
- Approval of agenda
- Approval of February 27th, 2025 Board of Adjustments meeting minutes
- The applicant is introduced
 - Staff report
 - Applicant confirms if staff report accurately represents the request
 - Site Visit Review
 - Public comment
 - Board review with applicant, staff, and public
- 1. **Brendan & Jacqueline Jay:** Section 22, Burnhamville Township
Site Address: 33554 State Hwy 28, Burtrum, MN 56318
PID: 06-0032400
 - 1. Request to decrease the OHW setback from 150' to 104' and;
 - 2. Request to decrease the ROW setback from the State Hwy 28 from 50' to 21.5' for placement of RV in Natural Environment Shoreland Zoning.

Adjournment.

Next meeting: **April 24th, 2025**

Minutes of the Todd County Board of Adjustment Meeting

February 27th, 2025

Completed by: Sue Bertrand P&Z Staff

Site Visits conducted by Adam Ossefoort and Danny Peyton on January 15th, 2025.

Meeting attended by board members: Chair Russ Vandenheuvel, Vice Chair Bill Berscheid, Mike Soukup, Danny Payton, alternate, Larry Bebus 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.

Russ called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited. Each board member introduced themselves.

Motion to approve the agenda as written by Ken, seconded by Danny, voice vote, no dissent heard, motion carried.

Danny motioned to have the January 23rd, 2025 meeting minutes approved. Larry seconded the motion. Voice vote, no dissent heard. Motion carried.

Introduction of the meeting process and etiquette by Russ.

AGENDA ITEM 1: Travis Eckel – PID 28-0012803 – Wykeham Township

Request(s):

1. Request to increase the allowed storage containers from two containers per parcel to fifteen containers for this parcel in AF-2 Zoning.

Travis was present as the applicant and introduced himself.

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. Establishment of vegetated screening on the north and east sides of the building site to screen from public roadways.

Eckel confirmed the staff report was accurate.

Dan went over his site visit report. This report may be viewed in full, at the Planning and Zoning office, upon request.

Correspondence received: None.

Public comment: None.

Board discussion:

Bill addressed Ken, as Planning Commission liaison, the ordinance is limited to two storage containers, and wondered why?

Ken stated if he had to guess, it is because of the appearance, and they have both seen where storage containers have gotten out of hand and it looks like a junk yard, and he thinks it is to prevent that, however, other examples, if you go South on Hwy 71, a gentleman is using the storage containers for rent and they look nice. They are all painted and they are lined up nice, the grounds are well kept and he would have no problem with something like that.

Adam agreed it is all based on appearance and is the reasoning for it. He stated he believed his intentions were to develop this into a mini-storage type facility.

Travis confirmed.

Adam explained the mini storage is allowed, pending the CUP process, and approval, and because Travis has chosen cargo containers instead of the traditional mini-storage type units, we required the variance application.

Bill's next question, any documentation to substantiate the Wykeham township's indication for the need of storage units?

Travis presented his signed resolution from Wykeham township board members confirming the shortage of storage facilities in the area and in support of the application.

Adam read the documentation. This may be viewed in full, upon request, at the Planning and Zoning Office. Adam also made a copy for the record.

Russ asked how far from Eagle Bend will this facility be?

Travis stated $\frac{3}{4}$ to a mile, straight out on 22.

Russ, others in the County? He knows of Staples.

Adam named the few he knew, one is just West of Staples, on the outskirts. One South of Long Prairie, and all kinds of more traditional mini-storage units, but thinks there are a couple of these kinds or similar to this. It has always been in our ordinance for a limit of two, but there were some discrepancies in our ordinance between the two statements where it didn't list the same thing in both statements in the same section, so there was a discrepancy on how that will be enforced. We have since amended our ordinance, so, the consistency is there now, and lists cargo containers in both sections, limiting to two.

Russ were you planning on tarring around the area or gravel?

Travis stated Class 5, as the containers weigh nearly 8500 pounds each and pavement is not recommended, especially with the added weight of the truck during installation. Very heavy truck.

Ken several sizes of containers as far as length goes, what size was he going to use?

Travis stated they plan on using the High Cube double end. So, the fifteen units that they have, they will split down the middle, so, they will have a door on both ends. They will be a 40' storage container. They will put a wall in the middle, so there will be two twenty foot with doors on both ends. So, fifteen really makes thirty units. They did the math and figured there was kind of a need for this area. They didn't want to go above that either, as it gets to be a lot. Fifteen is a smaller number and looks nice. Doesn't look excessive. Relating to the units, a stick building is half the price to build, so they are not trying to do it because it is cheaper, as containers are twice the price. The storage containers are water tight as opposed to a stick building with garage doors where water can run in with the snow melt. That was the main concern and with last year's two instances within two weeks 5" to 6" of rain. This isn't even close to the wetland area and they will be sure of that, but it would have been flooded. Just wanted to avoid that going forward.

Russ asked if he will connect them together?

Travis explained they will be butted right next to each other with maybe a two-inch gap between them. A company comes in and they place them in line, all the colors are the same, if not, he and his brother and dad are painters so, they will make sure they look nice.

Danny asked if they will all be the same color and asked that it be an added condition?

Adam stated that was fair, all containers be uniform and earth tone colors or something. That goes in line with the character of the locality.

Travis stated when you buy them they come tan, single use or you can special order colors.

Bill asked if there are any criteria that would apply from the township or the County, during the development of the site? You mentioned a Class-5 base, are we going to do a lift in the immediate area say 6" higher than what is immediately adjacent to it, to significantly limit the impact of water on this site? Looking for direction to address this.

Ken felt they would be found in the building codes, under site prep.

Danny agreed with Ken and added it slopes away from the road, assuming the containers are sitting East and West, with a 4" to 6" difference between the front and back, a little prep work will go a long way to deal with the slope and prevent freezing water in the front, where you can't get a door open. Danny also asked how far away from the edge of the field (current edge of wetland) will the placement be, because you are going to have to put a road back there, too?

Adam showed the wetland image on the overhead.

Travis stated the containers are 40', so they are planning 80' of flat surface, so, you have twenty feet to drive on each side, plus planning on leaving another 20' as they do not want to play close. Make sure they are following rules.

More discussion on placement.

Dan one approach or two?

Travis stated there was an existing approach on the South end and they will add another. New approach and culvert approved by Wykeham twp.

Dan goes back to 2 to 15 at a 650 % increase.

Ken asked if the storage will be enough for a car or a boat?

Travis explained the high cube are typically eight feet wide, so you could get a car in there.

Mike stated 650% jump from the standard, without understanding more how the structure is going to play out as far as how it affects the other property surrounding and will this be increasing the area to more of a business area rather than agricultural? Are we going to open the floodgate for that area to more commercial use? He does understand it will require a CUP.

Russ stated it is a storage unit, there are others in the County that are similar, it will be neat, it's close to town, doesn't have a problem with it. It is something that Wykeham township approved, and this is going to look nice, and be more of a "storage unit" than fifteen containers.

Danny stated this is a business not agriculture. Could we put a stipulation that it has to be moved to commercial?

Adam stated he was not quite sure of the question, but if it were to be rezoned to a commercial use, it would create a spot zone and that does not follow the direction of the comprehensive plan, and secondly, mini-storage is an allowed use in Ag zone, by conditional use.

Ken stated it may be awkward, but he did not think it was distasteful and Travis still has to go through a few more hoops and obtain a CUP.

Russ asked if the need to go through criteria questions was necessary?

Ken suggested we dispense with that.

Motion by Bill to grant the variance request, stating the findings of facts to be:

- *The need for storage in the township substantiated by the signed resolution.

- *Commercial use in ag zone, however this is a small irregularly shaped field which would not be highly valuable to Ag.

*Nothing in the neighborhood would be impacted by this.

seconded by Ken, with the two conditions.

1. Establishment of vegetated screening on the north and east sides of the building site to screen from public roadways.
2. All storage containers shall be kept in uniform, earth-tone colors.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
Larry Bebus	Yes
Mike Soukup	Yes
Danny Payton	No, it is still that 650% increase over our standard, too much of an increase.
Ken Hovet	Yes
Bill Berscheit	Yes
Russell Vandenheuvel	Yes

Russ stated the variance has been granted.

Adam stated he will present a new agenda format for the board for next meeting.

Motion to adjourn by Mike, seconded by Dan, voice vote, no dissent heard, meeting adjourned at 6:40 PM.



Accepted 3/3/2025
KLM

Appeal for a Variance

Applicant Brendan + Jackie Jay
Mailing Address 11769 165th Street Little Falls MN 56345
Site Address 33554 State Hwy 28 Burnham MN 56318
Phone Number _____ Cell Number _____
E-Mail Address _____
Property Owners Name & Address (if not applicant) _____

Parcel Number(s) 06-0032400
Section: 22 Township 128 Range 32 Burnhamville Township
Zoning District (circle one): AF-1; AF-2; R-10; R-2; UG; RT; Commercial; Industry; or
Shoreland (Lake or River Name): mose lake
Full and Current Legal Description(s): See attached sheet
(attach if necessary)

Do you own land adjacent to this parcel(s) _____ Yes ☒ 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 ☒ Side Yard setback _____ Buildable area _____
Impervious surface coverage _____ Building/Structure Height _____ Other _____

Did you meet with the Township Board to present the Application for Variance?

Yes ☒ No _____ Date of the meeting 02/25/2025

attached signature

Optional Township Board Signature

Board Position

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 setback from the Ordinary High water line from 150' to 104' for placement of Camper.
- 2.) Request to reduce the setback from Right of Way From 50' to 21.5' for placement of Camper.

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.**

With no buildable space and the need to stay out of the severe steep slope we are requesting a variance to place a destination trailer.

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.

Brendan J. Jay Jackie Jay
Applicant Name Printed

[Signature]
Signature

Jackie Jay 2-28-25
Date

Brendan J. Jay Jackie Jay
Property Owner Name Printed

Signature (If different than applicant)

Date

IMPERVIOUS SURFACE WORKSHEET (FOR SHORELAND ONLY)

APPLICANT INFORMATION

Name Brendan + Jackie Jay Site Address 33554
 Phone [REDACTED] City Burnum State MN Zip 56318
 Mailing Address 11769 165th Street Parcel Number 06 - 0032400
Ruttle Falls MN 56345 Lake/River Name Moose 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: _____ sq ft

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

Existing	Proposed
1.	8x40 Ft Destination Trailer
2.	
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. Deck	Revel area for Camper
2. Steps	with Crushed Concrete
3. Driveway	
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.

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.

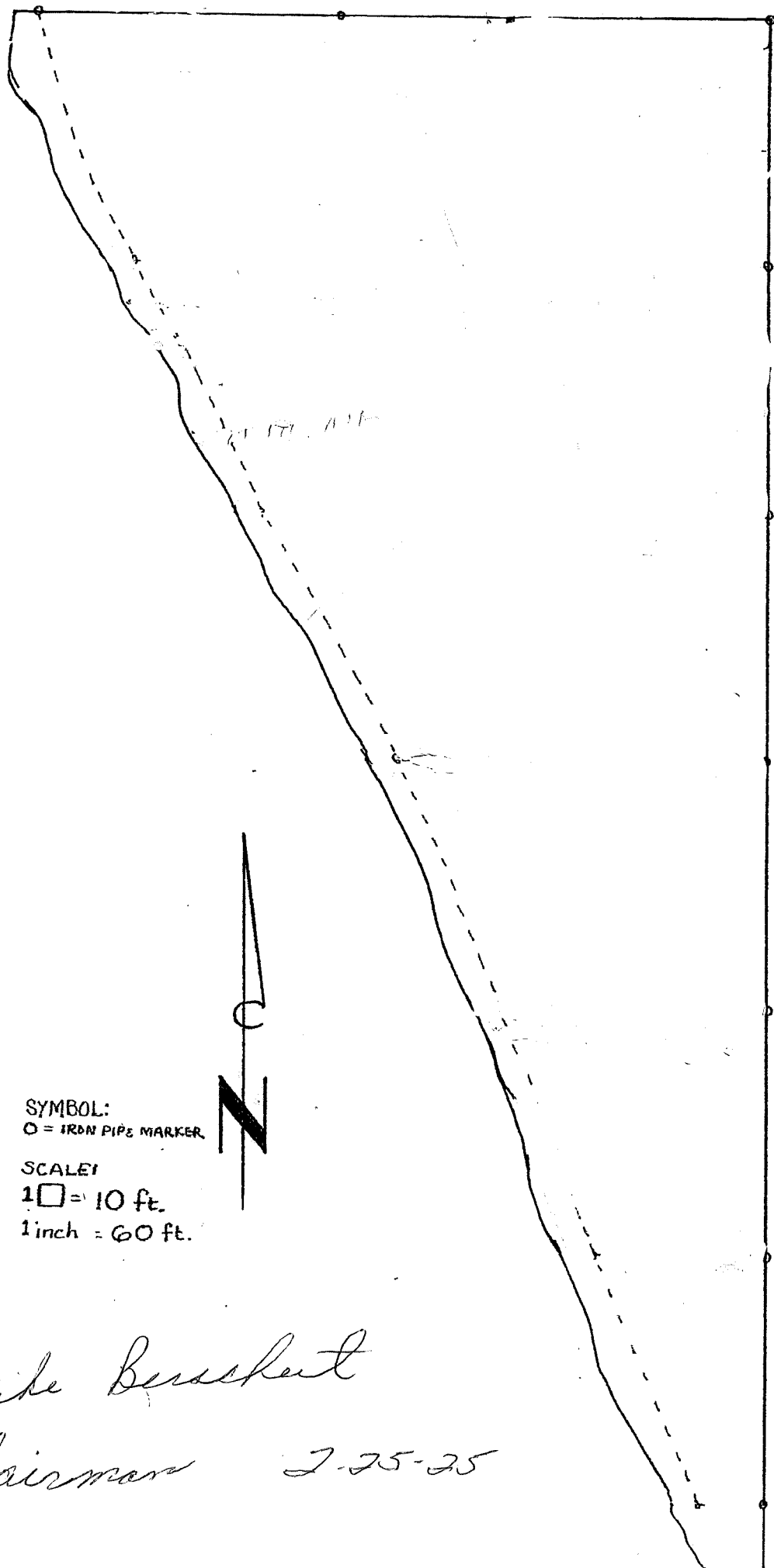
flower bed - 3 Ft x distance around camper

**Legal description of
33554 state hwy 28
Burtrum mn**

DOCUMENT No. 544041:

The South 737.5 feet of the North 1837.5 feet of Lot 1, Section Twenty-two (22), Township One Hundred Twenty-eight (128), Range Thirty-two (32), less the North 200 feet thereof, Todd County, Minnesota.

Highway 28



SYMBOL:
O = IRON PIPE MARKER

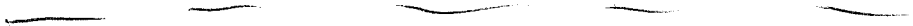
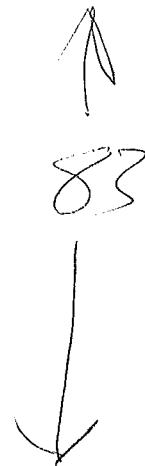
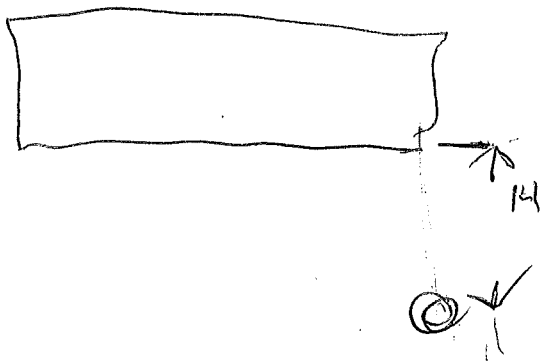
SCALE:

1 $\square$ = 10 ft.

1 inch = 60 ft.

Mike Berschert

Chairman 2-25-25



VARIANCE AND BOUNDARY SURVEY FOR: BRENDAN JAY

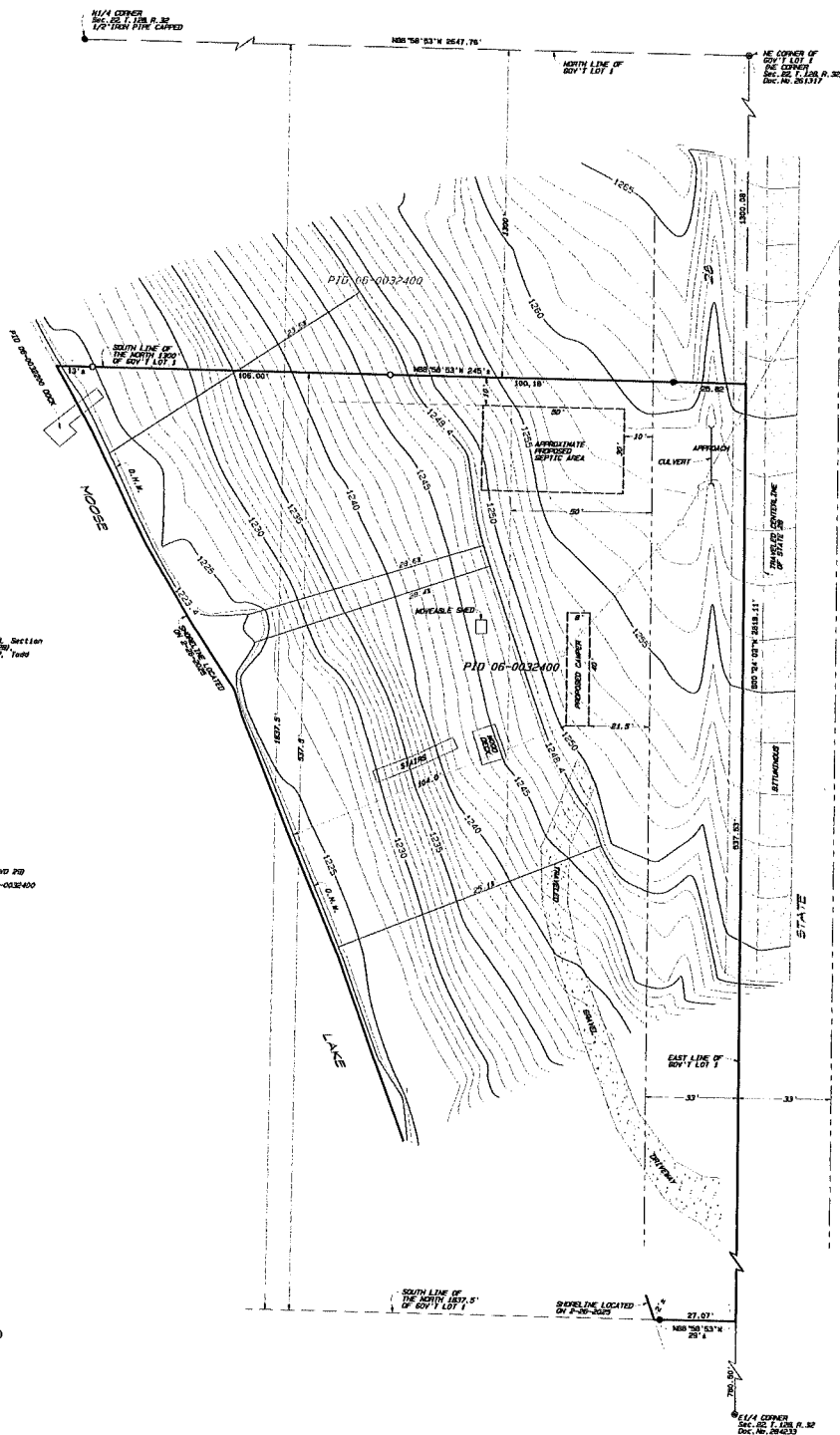
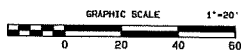
DOCUMENT No. 544041:

The South 722.8 feet of the North 1837.8 feet of Lot 1, Section Twenty-two (22), Township One Hundred Twenty-eight (128) Range Thirty-two (32), less the North 200 feet thereof, Todd County, Minnesota.

SURVEY NOTES:

1. Ordinary High Water (O.H.W.) Elevation = 1223.4 NAVD 83
2. There is no bluff on the surveyed portion of PID 06-0032400 due to it not reaching a 30% grade.
3. Benchmarks:
- 1954 C
- 7705 N

- FOUND IRON MONUMENT
- FOUND CAST IRON MONUMENT
- SET 1/2" IRON PIPE CAPRED "FESTLER 00328"
- PUNCH POLE
- OVERHEAD ELECTRIC LINE



I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A FULLY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Jared Festler

55338
Reg. No.

March 1, 2019
Date

2019-036
Job No.

116
Book No.

VARIANCE AND BOUNDARY SURVEY FOR: BRENDAN JAY

DOCUMENT No. 544041:

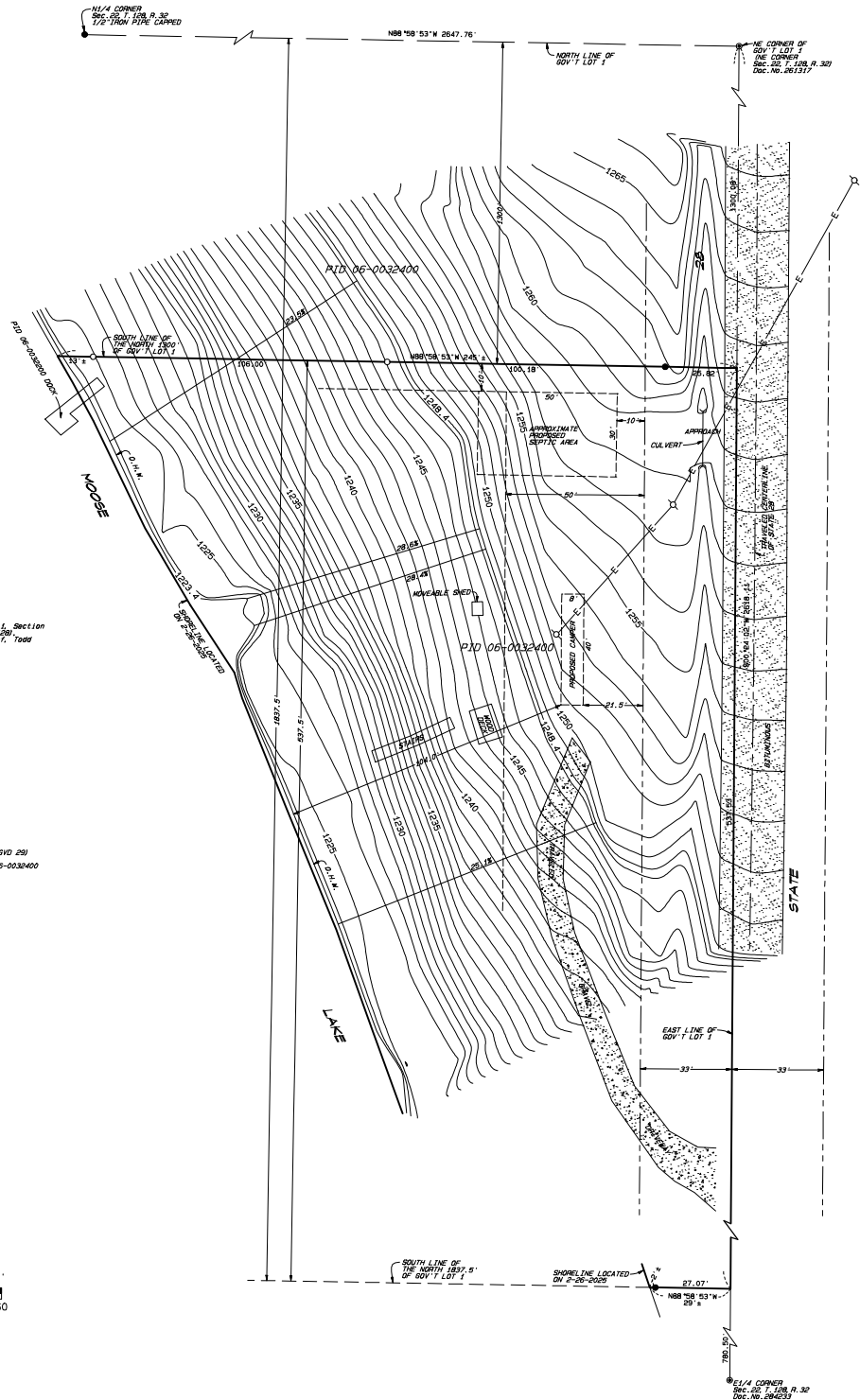
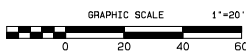
The South 737.5 feet of the North 1837.5 feet of Lot 1, Section Twenty-two (22), Township One Hundred Twenty-eight (128) Range Thirty-two (32), 1838 the North 200 feet thereof, Todd County, Minnesota.

SURVEY NOTES:

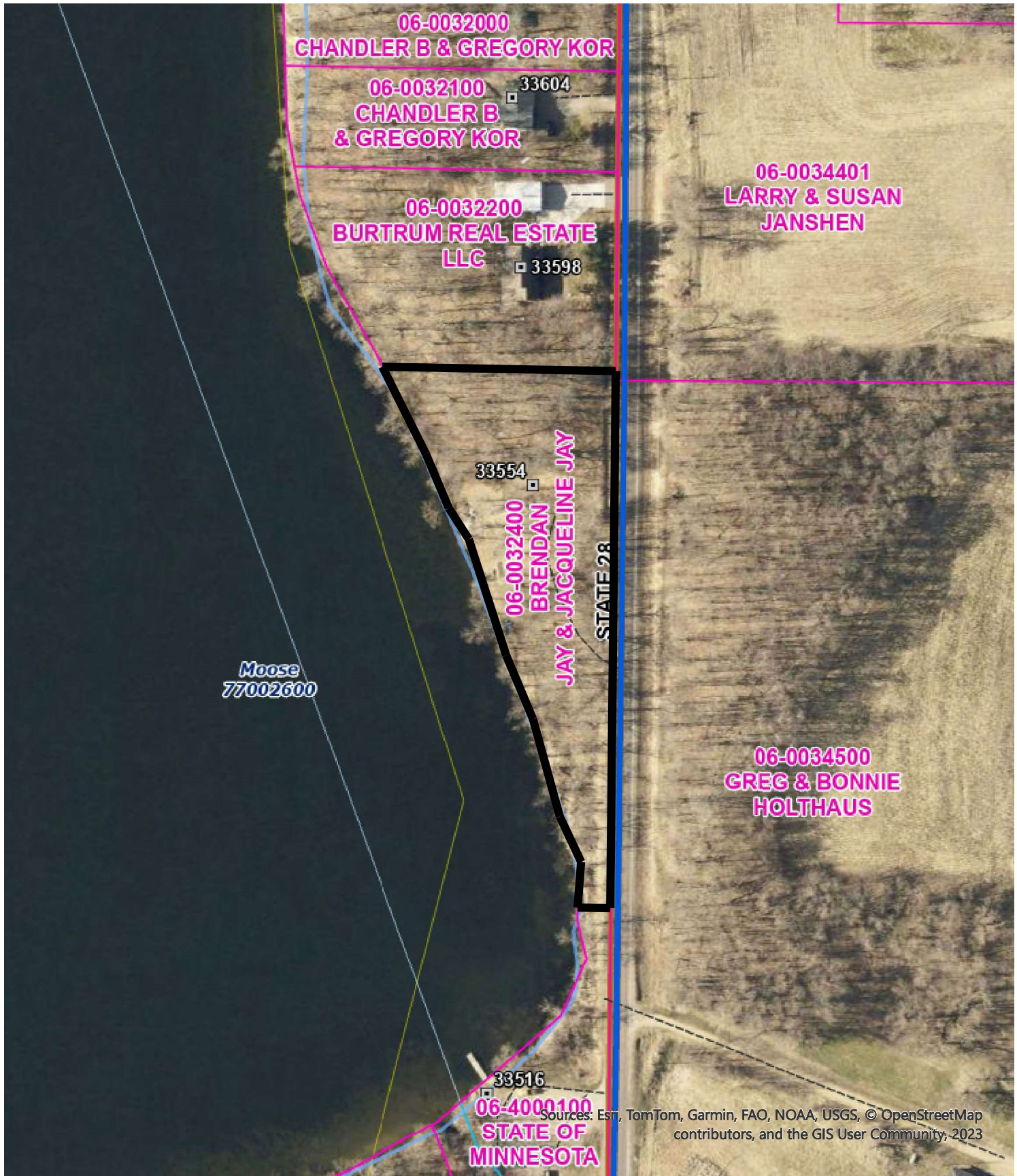
1. Ordinary high water (O.H.W.) Elevation = 1223.4 (NGVD 29)
2. There is no bluff on the surveyed portion of PID 06-0032400 due to it not reaching a 30% grade.
3. Benchmarks

BM 1
7705 N

- FOUND IRON MONUMENT
- FOUND CAST IRON MONUMENT
- SET 1/2" THICK IRON PIPE CAPPED FESTLER 55338
- ⚡ POWER POLE
- OVERHEAD ELECTRIC LINE



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.



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, 2023

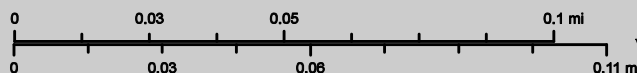
Todd County

MINNESOTA



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LetterLayout



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, March 4, 2025