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 address: toddplan.zone@co.todd.mn.us

The following is the agenda for <u>Thursday</u>, <u>April 24th</u>, <u>2025 at 6:00pm</u> 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 March 27, 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 & Jackie Jay: Section 22, Burnhamville Township, Moose Lake

Site Address: 33554 State Hwy 28, Burtrum, MN 56318

PID: 06-0032400

- 1. Request to decrease the OHW setback from 150' to 104' for placement of Camper and;
- 2. Request to reduce the State Hwy 28 ROW setback from 50' to 21.5' for placement of same Camper in Natural Environment Shoreland Zoning District.
- 2. Jasen Braun & Dorothy Braun: Sections 03 & 04, Burnhamville Township, Mons Lake

Site Address: 32085 Flicker Road, Burtrum, MN 56318

PID: 06-0062200

- 1. Request to decrease the OHW setback from 150' to 77' for proposed addition of a 10' X 30' screened in porch in Natural Environment Shoreland District.
- 3. Kolin Knudson & Molly Brennan: Section 05, Gordon Township, Osakis Lake

Site Address: Fable Drive, Osakis, 56360

PID: 10-0050800

1. Request to reduce the road right of way setback from 20' to 7' for the construction of a small four-season cabin with attached garage in General Development Shoreland District.

Adjournment. Next meeting: May 22, 2025

Minutes of the Todd County Board of Adjustment Meeting

March 27th, 2025

Completed by: Sue Bertrand P&Z Staff
Site Visits conducted by Adam Ossefoort and Larry Bebus on March 17, 2025

Meeting attended by board members: Chair Russ Vandenheuvel, Vice Chair Bill Berscheit, 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.

Introduction of the meeting process and etiquette by Russ.

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

Bill motioned to have the February 27, 2025 meeting minutes approved. Ken seconded the motion. Voice vote, no dissent heard. Motion carried.

AGENDA ITEM 1: Brendan & Jacqueline Jay: PID 06-0032400 – Burnhamville Township

Request(s):

- 1. Request to decrease the OHWL setback from 150' to 104' and;
- 2. Decrease the Road ROW setback from State Hwy 28 from 50' to 21.5' for placement of an RV in NE Shoreland Zoning.

Brendan and Jacqueline Jay were present as the applicants and introduced himself. Brendan stated they bought the lot and obviously there were some discrepancies they never knew they were up against, but they do now. It has been a journey and an education. It's where they are now.

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. Maintain a minimum of 50% screening as viewed from the lake during leaf on conditions.
- 2. Maintain a 25' vegetated buffer along the entirety of the lake frontage. A 10' wide maintained area shall be allowed for lake access.
- 3. Applicant shall abide by all other applicable Federal, State, and local standards.

Brendan and Jaqueline confirmed the staff report was accurate.

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

Correspondence received: Yes, by Gary Duncomb, which Adam read into the record. This e-mail may be viewed in full, upon request, at the Planning and Zoning Office.

Public comment: None.

No written comment from the township.

Board discussion:

Dan asked what the setback from the highway was and what is the right of way width?

Adam explained using the survey, pointed out the fifty-foot setback with a standard sixty-six-foot road right of way and used the survey on the overhead to refer to, and pointed out where the proposed camper will go.

Dan referred to the topography and page seven photo, the area looks flat, although the topography shows it is a continuous hill. Dan asked Larry who was on the site visit if he could tell id it was leveled off within the last couple of years? Or has this been this way for years?

Larry stated it looks like it has been this way for years.

Brendan stated it is not as flat as this makes it seem.

Adam pointed out the flatter areas on the survey and the corresponding picture.

Dan stated there are one-foot increments and where the camper will be, it may be a two to three feet of changes and asked if that is what they saw on site?

Adam agreed.

Brendan explained where a previous camper used to sit by the light pole and stated it got all messed up and will have to be leveled off and ideally that is where their camper would go.

Dan what size RV are you planning?

Brendan explained it's a 40' Destination camper.

Jacqueline 8' x 40'.

Brendan stated it's more of a permanent camper. This would be where they retire and a place to go with the grandkids. Recreation for the Jay's and everything they are up against now, is nothing they knew when they read the MLS.

Brendan stated ideally in the long run, they would like to build a small cabin. They understand if they don't get this variance.

Dan under 12' in height?

Brendan, yes, you can pull it under any bridge on the highway, and he is a commercial driver, too.

Dan mentioned the bridges are sixteen feet.

Bill mentioned there was a variance granted in 1983 for a 140' for a house. The original request, the footage does not line up and it tells him that it was non-usable.

Adam stated the old variance has no bearing on this application, the measurements were not accurate, with hand drawn measurements.

Bill agreed, he noticed the distances are not correct and didn't want to grant a variance for a camper and then go out and find a house built and a camper, and realizes there is no way that can happen.

Adam explained our ordinance states you must take action on a variance within three years, and that never happened. It was incorrect and never utilized back in 1983.

Brendan stated that was not their intent. Their intent was to be good stewards of the lake.

Ken would be befuddled as to how that variance could have been granted.

Brendan stated there was probably a lot of beer drinking back then and the Jay's wanted to do it the right way, so the board could make an informed decision.

Russ is this in the road right of way?

Brendan explained the Festler's Land Surveying found the original monuments for the survey, and the ones the DNR used, and it actually puts the start of the road right of way seven feet off the center-line of the State highway 28. That's why those numbers don't fall within the center of the highway. So many steaks out there and but found the accurate correct steaks and the same as the DNR for the survey. They are also planning on registering this survey regardless if the variance is approved or not.

Adam stated registered at the recorder's office.

Mike asked how the sewage will be handled?

Brendan stated he is working with Adam for the septic permit and system with J.D. Services coming out to do the design and install. Would also like to put a well out there. Their intensions are to put flower beds around the entire camper for rain water collection. Down the road, if they were to put a cabin in, they would use the storm water abutment system that was designed before, that is on file.

Ken asked how wide State 28 was on the surface, just the pavement?

Adam measured the road as traveled, just the pavement, about 22.5' on the GIS.

Ken asked how far the trailer will be from the pavement? They are going to be within the setback anyway.

Adam stated 21.5 + 33 +7 (61.5).

Ken stated the reason for the setback usually is for snowplowing so you don't get snow thrown on it, and you are a long way away, now. In his opinion they have room to move closer to the highway, and it would make the lake setback more palatable.

Brendan stated they could work with that, but it would make less room to park and it is all going to hinge on where he can fit a septic system. Explained on the overhead, the placement of the proposed septic and if the variance is granted he could get a design drawn up.

Larry, where will the well be?

Brendan explained Northland Well Drilling would come out after the septic is designated.

Bill, first of all, he would agree with Ken, if they could back that thing toward the highway a little bit, so foot traffic would be on more level ground and they are open to less erosion. Is 50 feet consistent along this highway area for the setback?

Ken's big hang-up is the distance you are asking from the lake. If they could reduce that, it would be easier.

Brendan explained where the old camper was, is where they would like to place it. With a destination trailer you don't actually put down leveling jacks so they would have to make it reasonably level. That is also where they have the deck sitting. Want to do what is right for themselves, the County and the lake.

Jaqueline stated they could move the deck.

Adam searched the DOT and found 33' just to the South. No further data for further North.

Russ asked about the driveway entrance.

Brendan explained the driveway is on the South end but they use the North access, as it is not as steep to the road. Explained they would fully understand if the board does not approve it. They hope you do. They will continue to work with Adam to make sure everything is done right.

Russ asked the board if anyone would like to make a motion?

Brendan stated that JD septic stated the realtor indicated there was 36 feet to work with. He got out there and the setbacks are overlapping. Called the County, talked to Sue and she said it was not buildable and the setbacks overlap. He stated they have bought and sold houses in the past and have never had an issue reading

the MLS's, everything has always been good on them, and this time there was nothing about any of this on it, and was dishonest. He went on, their decision on where they go from here, hinges on the board's decision.

Bill stated he would like to make the motion to approve this variance, but would like to see them work with the County in moving it back another ten feet, closer to the highway. Would also like to add a condition that we maintain road side screening.

Jaqueline stated they like their privacy.

Brendan agreed they were not going to remove any roadside trees and have plans to plant ornamental shrubbery along the highway whether it be lilacs or whatever, just to kind of take that out of the equation.

Bill explained the deviation from the 104 feet from the lake to 114 feet decreases the road right of way setback from 21.5 feet to 11.5 feet.

Adam explained the OHW deviation would be fine without noticing the public again, but legally, the increase into the road right of way would require our office to send out notices to the public again, with the new request, so the public has a chance to comment.

Brendan spoke to the immediate neighbor, and he had no problem.

Bill rescinded his motion.

Dan mentioned the no mow zone was 25' and let the shrubbery grow up, to protect the slope.

Brendan asked for clarity on the condition "25- foot no-mow zone" and wondered if he was going to be able to mow any of the yard down by the lake? He added, the idea was to groom it and make it really nice down by the lake.

Adam stated no, you cannot mow down by the lake, for 25' other than a ten-foot lake access path to get to the dock, according to the listed condition, but that can be changed. It may look nice to mow, but the down side is turf grass doesn't protect the lake. It's the tall standing vegetation that captures the nutrients, sediments and all of that sort of stuff.

Brendan added, and holds wood ticks and all that other stuff.

Adam agreed.

Dan stated the rule of thumb is the grass height is the same length as the root depth. We also like to have 50% sunlight to hit the ground for the surface roots, grass and so-forth and the tree's roots also protect the subsoil from sliding down the hill. We need both, especially on this bluff for protection. We need the tree roots to protect underneath and the grasses to protect the surface from any water erosion from any rain. Added, the steeper the slope, the more protection we need.

The Jays both agreed it was pretty steep, and this is all educational. They are learning as they sit here, talking to the board. Whatever the boards' decision is, they will be fine with it.

Bill stated he was asking to move it back 10 feet, and looking at the topography and where the trailer sits, and his issue is the trailer is sitting at the beginning of the flat area, but we are going to have traffic by the trailer, and with topography coming right up to the trailer, If we have an area with increased foot traffic at the trailer, we are going to open ourselves up for the start of erosion.

Brendan added, understanding it is just them and not a public beach or anything.

Bill stated he understands that, but he has not put together a condition that keeps the access and the egress from the trailer to road side, or to the North end, or something like that so we don't end up with a sidewalk and a bunch of traffic on the road side of the trailer. You are on the lake because you want to view it. He sees a lot of potential for issues because we are going to have a lot of traffic in topography, on the lake side of the trailer. Stated it is kind of his hang-up. Would love to hear different thoughts from the board.

Russ asked if the door to leave the trailer is going towards the lake?

Brendan yes, the slide goes out to the lake, but the big slide goes to the road.

Dan, added the variance will stay with the land, not with the people owning it, so if you sell the place to a family down the road, with six kids, all of a sudden, traffic increases. It is not just you we are thinking about, we are making history for down the line.

Brendan stated the previous people thought the variance for their camper still applied to this property, but it didn't.

Adam corrected, the only variance that was granted was back in 1983 for the house that was never built.

Brendan and Jacqueline were told they had a camper on the property, got a violation and applied after that and applied for something, and they got it. Brendan stated they kept everything, but have not found that paperwork. They don't really know what the truth is, other than what the County has.

Ken agreed Adam's file should show everything if it exists.

Brendan stated he supposed in the long run it would be hard to be approved for a cabin.

The board stated it would be tough.

Brendan also mentioned with not being able to mow the grass, he didn't know how to tackle that.

Adam showed the 2008 permit for an RV on the overhead, and pointed out the permit specifically says the RV must be 150 from the lake, and did not know how the County was able to issue that permit, knowing what we know now.

Brendan added they want to do what is right for the lot, but they also want to groom it and make it nice for themselves.

Adam added, back in those times you had to apply every so often with an expiration date for an RV permit, and it is not so now.

Brendan asked if a variance is granted and you sell the place, the variance goes with it also?

Adam, yes, it goes to the property.

Brendan asked for clarifications on the listed conditions, which Adam explained.

Russ asked if they had been out to the parcel in the summer?

Brendan stated they have only seen pictures during the summer and they bought it last December, however, they did view the property in November and they had it all groomed down by the lake, and obviously they did it against the lake rules.

Russ asked Adam if they moved a camper in, just to stay a couple of days, would they need a permit?

Adam answered they would not need the RV permit if they were not going to be there past ten consecutive days, however, regardless of the time frame, they would still need to meet setbacks.

Brendan stated they would still need an RV permit to leave the camper there, even if the variance was granted. He mentioned they spoke to the DNR and they told him he could have a dock and park a boat, that was fine, no permits from them were needed.

Bill asked if it would be reasonable to table this so the applicants can do some more homework and discuss possibly moving it back and it struck him they were a little uncomfortable with the extent of the no-mow zone down along the lake so it would give them a chance to discuss it amongst themselves and perhaps with staff to come up with a plan for that, so we have something a little different and to re-address it next month.

Brendan was hoping they would be enjoying the property by this time next month and felt they were stuck between a rock and a hard place.

Adam threw in the initial sixty days would be May 2nd, so if we decided at next month's meeting, we would still be within the sixty days. So, if the board wants to table this, you are well within your rights to do so, or you can make a decision.

Ken made the motion to table the application, and suggested the applicants sit down and reconfigure your plan, so you can get that trailer closer to the road. Whatever it takes, as it is probably not the only way to do it. He suggested to take some time, look at it again, and maybe you have the trailer on the wrong end of the flat spot?

Bill empathized with their time constraints, but if the board were to decide, it will probably not be a positive outcome for this evening. The board is in a difficult spot with the setbacks from each side, we cannot adjust where that trailer sits at this meeting, because the law requires it to be publicly noticed if the request has changed, say "back it up ten feet". It puts the board in a difficult spot. The only way to get out of that, is for you guys to go back and come with a different application or we proceed this evening.

Adam stated this is not another application fee, it is a continuation of the same application.

Bill seconded Ken's motion to table it.

Voice vote, one dissent vote by Dan, motion carried to table the application until May 1, 2025.

No other business for tonight by Russ.

Motion to adjourn by Ken, seconded by Dan, voice vote, no dissent heard, meeting adjourned at 6:59 PM.



Received

MAR 0 3 2025

PLANNING & ZONING

15 1st Avenue South Suite 103

215 1st Avenue South, Suite 103 Long Prairie, MN 56347

Fodd County nail: ToddPlan.Zone@Co.Todd.MN.US

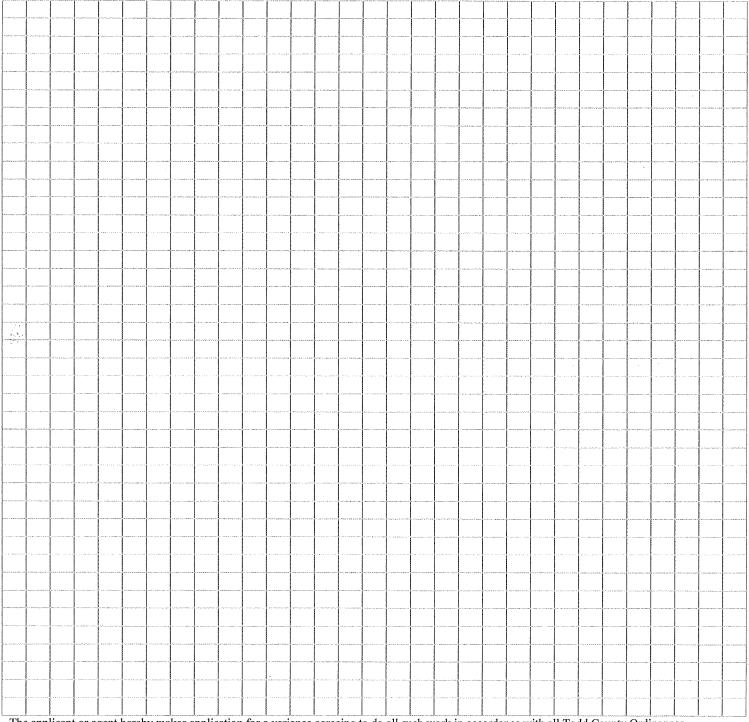
Accepted 3/3/2025

Appeal for a Variance

| Applicant Knindan + | Jackie Jay | <u> </u> |
|---|-------------------------------------|---------------------|
| Mailing Address 1769 | 165th Street | BIHLL Falls MN 50 |
| Site Address <u>33554</u> S | tate Hwy 28 | Buttum MW 56 |
| Phone Number | Cell Number | _ |
| E-Mail Address | | |
| Property Owners Name & Address (if | not applicant) | |
| Parcel Number(s) | | Δ. |
| Section: 22 Township 12 | 8 Range 32 Ba | inhamville Township |
| Zoning District (circle one): AF-1; A Shoreland (Lake or River N | 4F-2; R-10; R-2; UG; 1 | |
| Full and Current Legal Description(s): | : Sll attache (attach if necessary) | d Sheet |
| Do you own land adjacent to this parce | el(s)YesN | Jo |
| Septic System: Date installed | Date of Compli | ance Inspection |
| Is a new system needed:yes | | STS Design attached |
| Required for applications with exist system to be installed, new system inspection on existing system in previous | installed within previous | |
| Variances Requested: What standards or requirements are you | ou unable to maintain? (Che | ck 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 Bo | * ** | tion for Variance? |
| Yes No Date of the me | eting <u>(02 / 25/ 20</u> 25 | |
| attached | L Signature_ | |
| Optional Township Board Signatur | e — | 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) Romest to modera the softwar from the Ordinary Hou |
| 1.) Request to reduce the setback from the Ordinary High under line from 150' to 104' for placement of Camper. |
| 2.) Request to reduce the setback from Right of Ways From 50 to 21.5' for placement of Camper. |
| From 50 to al. 5' to. placement of campel. |
| 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 swere steep slope we one requesting a varience to place a destination trailer. |
| ore requesting, a varience to place a |
| destination trailer. |
| |
| |
| |
| |
| It is important that you flag your related property lines and proposed building locations |
| Have you flagged your lot 2 (V) (N) |
| 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.

| 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 Lay Applicant Name Printed | Signature DOLLO | y <u>2-28-</u> 25 | |
| Boendan J. Jan Jorrie Jan | oignoture. | Dute | |
| Property Owner Name Printed | Signature (If different than applicant) | Date | |

Page 6 of 12

Updated 1/10/2025

Appeal for Variance

IMPERVIOUS SURFACE WORKSHEET (FOR SHORELAND ONLY)

| APPLICANT INFORMATION | | | | |
|--|------------------------------------|--|--|--|
| Name Brendan + Jacke Jay | Site Address | | | |
| Phone | City BwcHrum State MN Zip 56318 | | | |
| Mailing Address 11769 165th Street | Parcel Number <u>06 - 00 32400</u> | | | |
| Rittle Palls MN 56345 | Lake/River Name MOSCLASC | | | |
| IMPERVIOUS SURFACE: is a constructed hard surface that ei water to run off the surface in greater quantities & at an increased | | | | |
| LOT/STRUCTUI | RE DIMENSIONS | | | |
| Total lot area:sq ft | | | | |
| List all structures (structure's foundation footprint: length, width, and total area) | | | | |
| Existing | Proposed | | | |

| Existing | Proposed . |
|----------|-----------------------------|
| 1. | 8x40 Ft Destination Thailer |
| 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. Druieway | Ŭ |
| 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 rem | oved | | of structure or in (see table below) | mpervious surface to be |
|--|--------------------------|------|----------------------------|---|---|
| Example: concrete drive to lake | 8' x 35' = 280 sq ft | | (C) Within | n Impact Zone | |
| | | | | | |
| | | | | | |
| Location of variance reque Ordinary High Water leve | | Dev | eneral elopment Lake | Recreational Development Lake | Natural Environment Lake and Rivers / Streams |
| A. Outside shoreland building | ng setback | | 75°+ | 100'+ | 150' + |
| B. Between Shore Impact Ze | | 37 | 5' to 75' | 50' to 100' | 75' to 150' |
| C. Within Shore Impact Zor | | 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

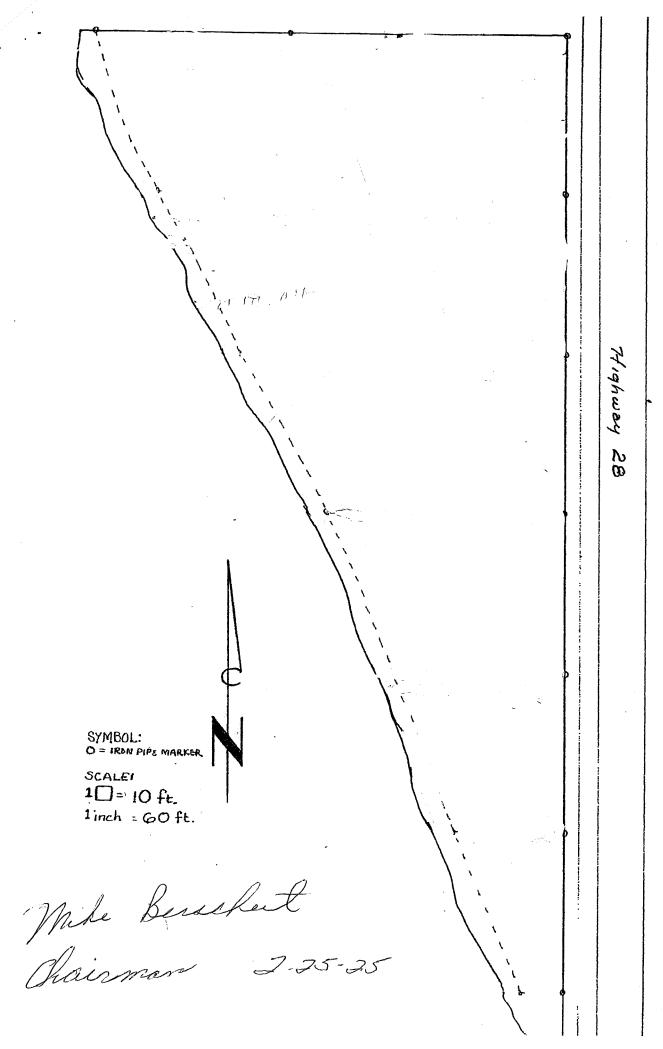
Vegetation planting along lake shore areas is also a Best Management Practice. Planting areas of your lakeshore impact zone with permanent vegetation helps infiltrate water, reduce lake impact, provide habitat, and screen the dwelling from other lake users. Plantings are graded positively in the site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

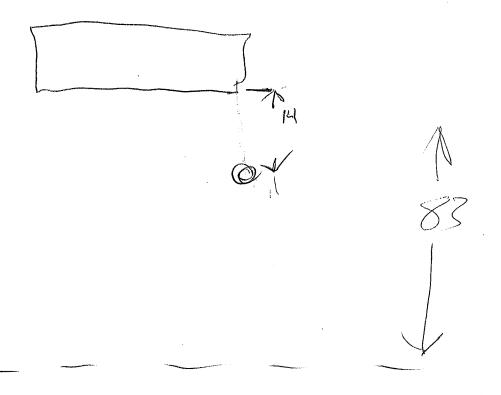
flower bed - 3 Ft x distance around camper

Legal description of 33554 state hwy 28 Burtrum mn

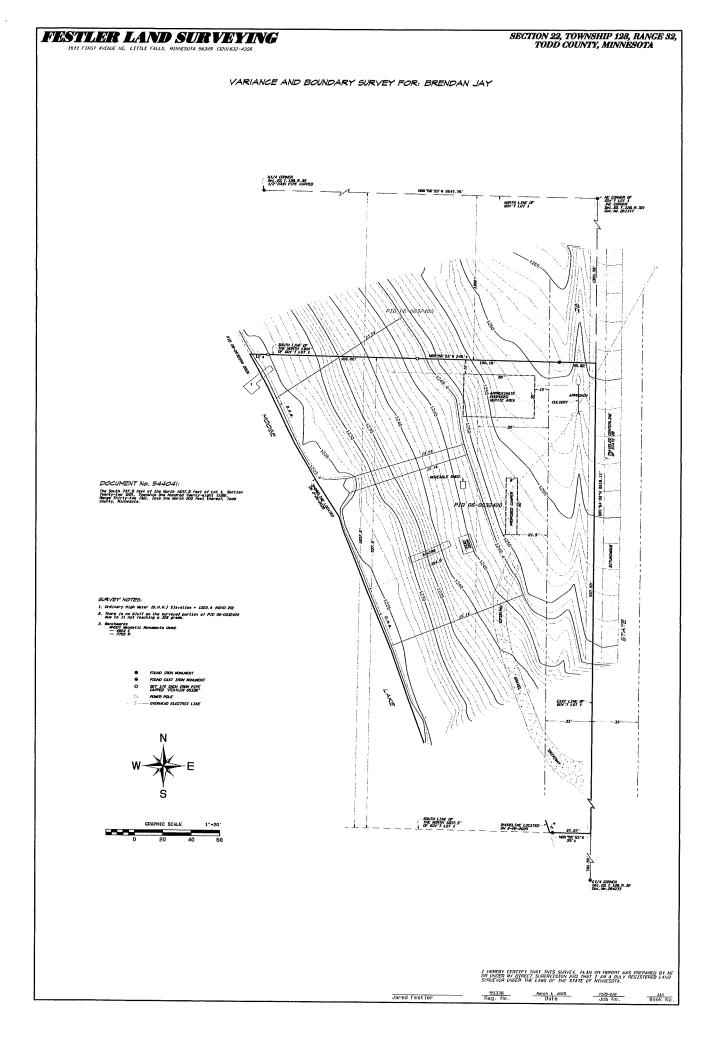
DOCUMENT No. 544041:

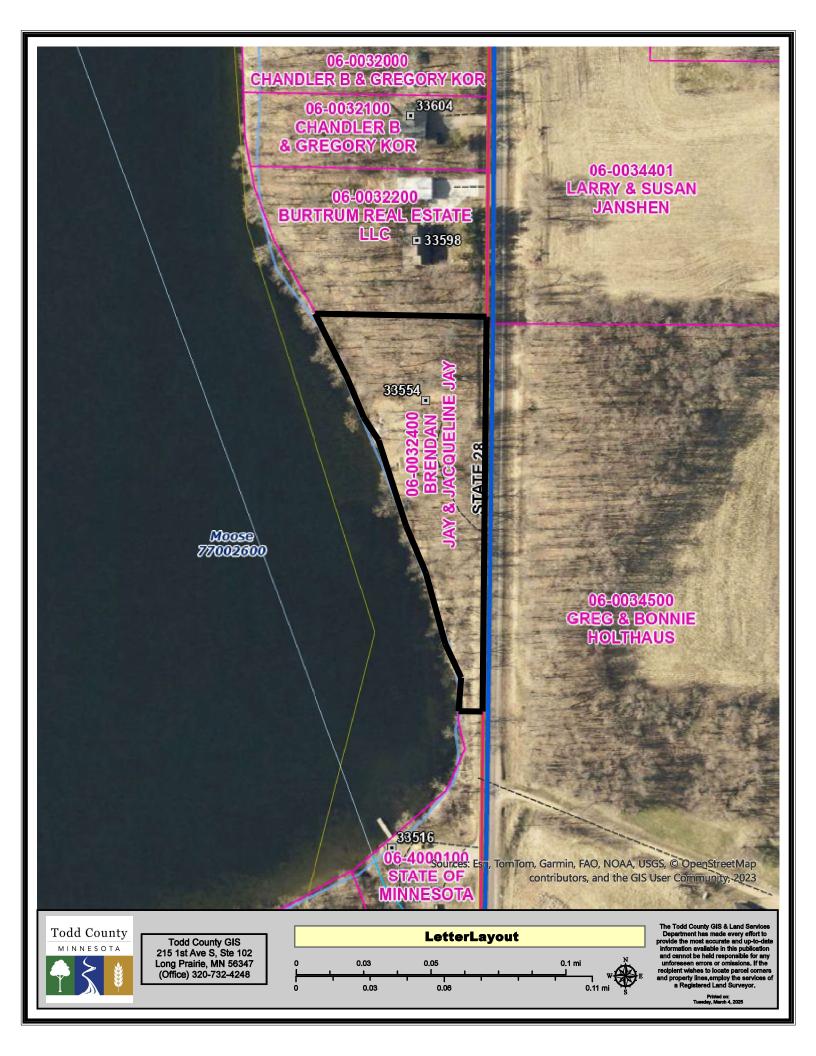
The South 737.5 feet of the North 1837.5 feet of Lot 1, Section Twenty-two (22), Township One Hundred Twenty-eight (128), Range Thirty-two (32), less the North 200 feet thereof, Todd County, Minnesota.





The second of th







Appeal for a Variance

| Applicant Jasen Braun & Dorothy | Braun | |
|--|---|--------------------------|
| Mailing Address 7633 Bryant Av | enue S. Richfield, MN 55423 | |
| Site Address 32085 Flicker RD. Bu | ırnhamville Township, MN 56318 | |
| Phone Number | J _{umber} Same as p | phone # |
| E-Mail Address | | |
| Property Owners Name & Address 7609 Dupont Ave. S. Richfield, | | |
| Parcel Number(s) <u>06-0062200</u> | | |
| Section: A 4 Township Bru | ınhamville | |
| Zoning District (circle one): AF- | l; AF-2; R-10; R-2; UG; RT; | Commercial; Industry; or |
| Shoreland (Lake or Rive | er Name): Mons Lake | |
| Full and Current Legal Description | $_{ m a(s):}$ BARBER'S SUBDIVISION (3 | & 4-128-32) |
| _ | (attach if necessary) | |
| Do you own land adjacent to this p | arcel(s) X YesNo | |
| Required for applications with e system to be installed, new syste inspection on existing system in pr | em installed within previous 5 y | |
| Variances Requested: What standards or requirements are | | 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 |
| ou meet with the Township Board | l to present the Application for V | /ariance? |
| Yes X No Date of the | meeting 03 /25 /2025 | |
| | | |
| | | |
| Optional Township Board Signa | ture] | Board Position |

VAR#2025-002

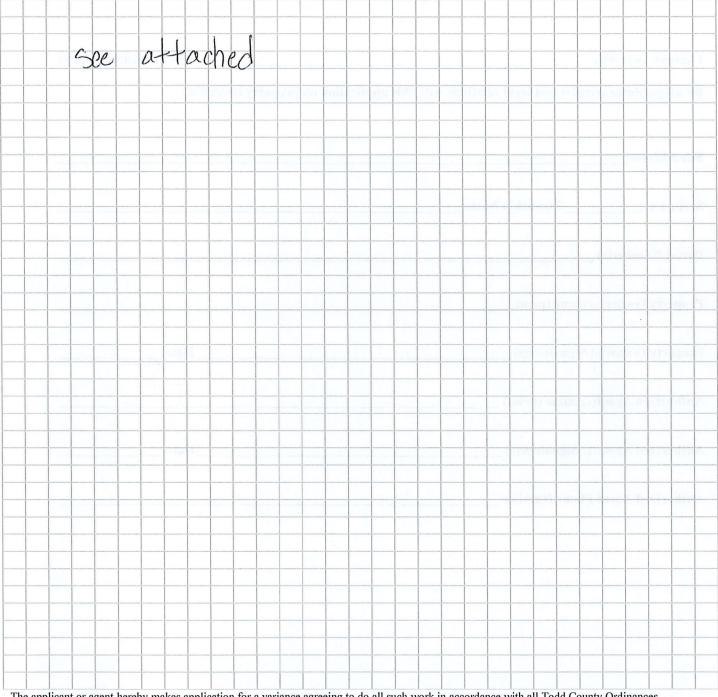
Appeal for Variance

| 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.) The current existing dwelling is 87 feet from the ordinary high water mark and we are looking for an exception |
| to build a 10 ft.x 30ft. covered screened in porch between 77 - 87 feet of the ordinary high water mark. |
| 2.) The current lot is 150ft between the ordinary high water level and the north lot line. |
| |
| 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. |
| The existing structure was built in 1966 and we are looking to enjoy the Minnesota summers as much as possible |
| and the screen in porch would be a great addition to enjoy the outdoors bug free. The existing structure is |
| 87 ft setback from the lake and with the addition, it would be 77 ft. setback from the lake and within the |
| shore impact zone and setback. The existing dwelling is between the ordinary high water level and right of way |
| setback. |
| |
| It is important that you flag your related property lines and proposed building locations Have you flagged your lot? (Y) (N) |

AUTHORIZED AGENT FORM

| I hereby authorize | Jasen Braun | to act as my authorized agent |
|------------------------|--|-------------------------------|
| for all public hearing | (s) and legal relations with this application on propert | y located at: |
| Site address 32085 | Flicker RD. Burturm, MN 56318 | |
| Section # 6 | Township Name Burnhamville Township | |
| Parcel Number(s) 06 | i-0062200 | |
| Property Owner(s) na | ame (print) Dorothy Braun | |
| Property Owner(s) Si | ignature(s) Dorothy Braun | Date 3/24/2025 |
| Authorized Agent(s) | name (print) Jasen Braun | |
| Authorized Agent(s) | Signature(s) | Date 3/24/2025 |
| Authorized Agent Ph | one Number 612-237-1151 | |

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 t | he annlicant is | not the property | owner, both signatures | are required below |
|------|-------------------|------------------|--------------------------|---------------------|
| 11 L | iie appiicaiit is | HOL LIE DIODELLY | OWITEL DOLLI SIZITATULES | are reduired below. |

| Jasen Braun | Jasen Braun | 3/19/2025 |
|-----------------------------|---|-----------|
| Applicant Name Printed | Signature | Date |
| Dorothy Braun | Dorothy Braun | 3/19/2025 |
| Property Owner Name Printed | Signature (If different than applicant) | Date |
| | | |

Appeal for Variance

Page 5 of 11

Updated 1/10/2025

IMPERVIOUS SURFACE WORKSHEET (FOR SHORELAND ONLY)

| APPLICANT INFO | RMATION | |
|---|------------------|--------------------|
| Name Jasen Braun & Dorothy Braun | Site Address 320 | 85 Flicker RD. |
| Phone | City Burtrum | State MN Zip 56318 |
| Mailing Address 7609 Dupont Ave. S. Richfield, MN 5542 | Parcel Number 0 | 6 _0062200 |
| | Lake/River Name | Mons Lake |
| IMPERVIOUS SURFACE: is a constructed hard surface that either p water to run off the surface in greater quantities & at an increased rate | | |
| LOT/STRUCTURE D | IMENSIONS | |

Total lot area: 15,196.80 sq ft

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

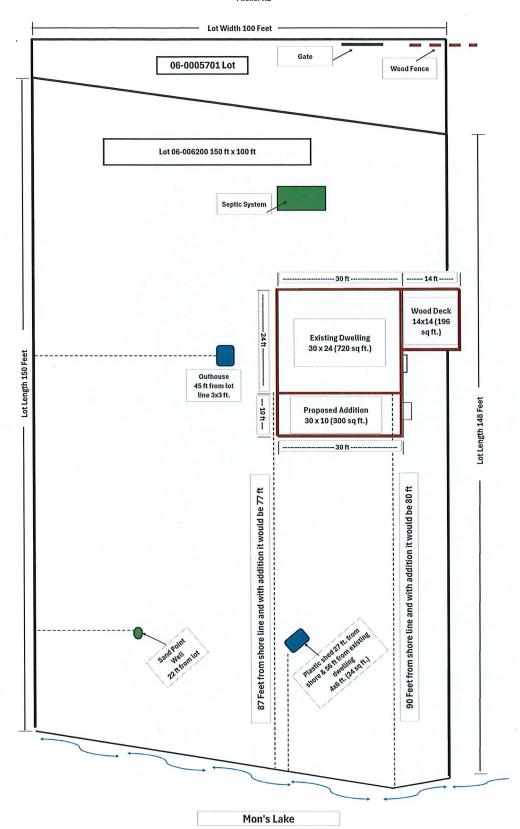
| Existing | Proposed |
|---|--|
| 1.30x24 (720 sq. ft.) Existing Dwelling | 30x34 (1,020 sq. ft.) with screened in porch added. |
| 2. Plastic Shed 4x6 ft | No changes |
| 3. Outhouse 3 x 3 ft | No changes |
| 4. | As after constituted to a less than the |
| 5. | (6.9%) |
| 6. | To 25 A to 1 Section 1 Section 2 Section 1 Section 2 Sec |
| 7. | |
| 8. | |

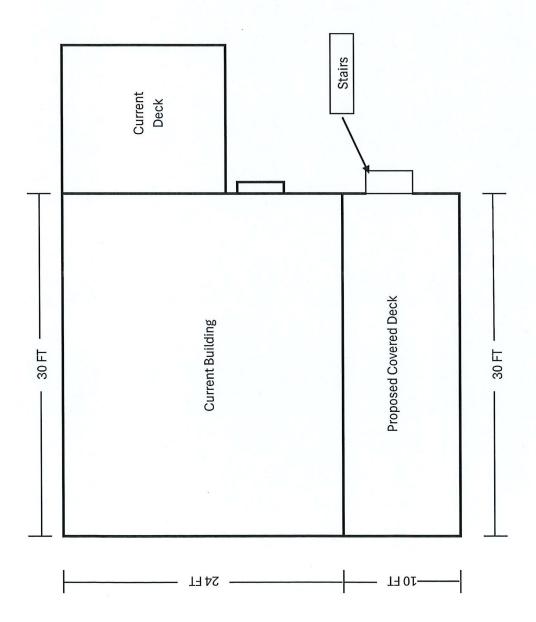
List all non-roofed hard surfaces: Examples include sidewalks, paver stones, retaining walls, patios, decks, driveways & parking areas (asphalt, concrete or gravel), and areas of landscaping underlain with plastic or other impervious liners:

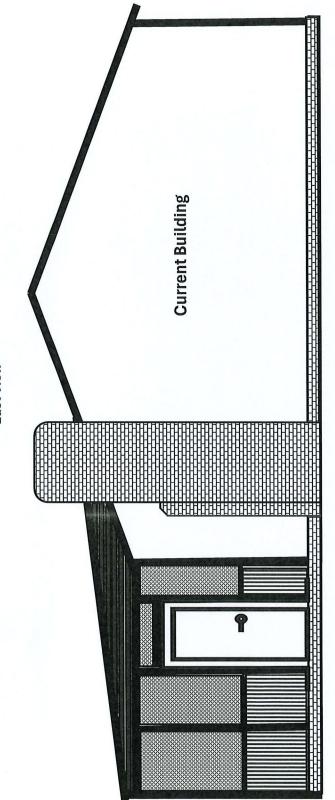
| Existing | Proposed |
|------------------------|---|
| 1. Attached deck 14x14 | No changes |
| 2. | |
| 3. | y a second matery manage of managed the control of |
| 4. | |
| 5. | |
| 6. | |
| 7. | E TIME TRAIN LITER |
| 8. | emogen at Activity is not one common that is to be an interior in the com- |

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

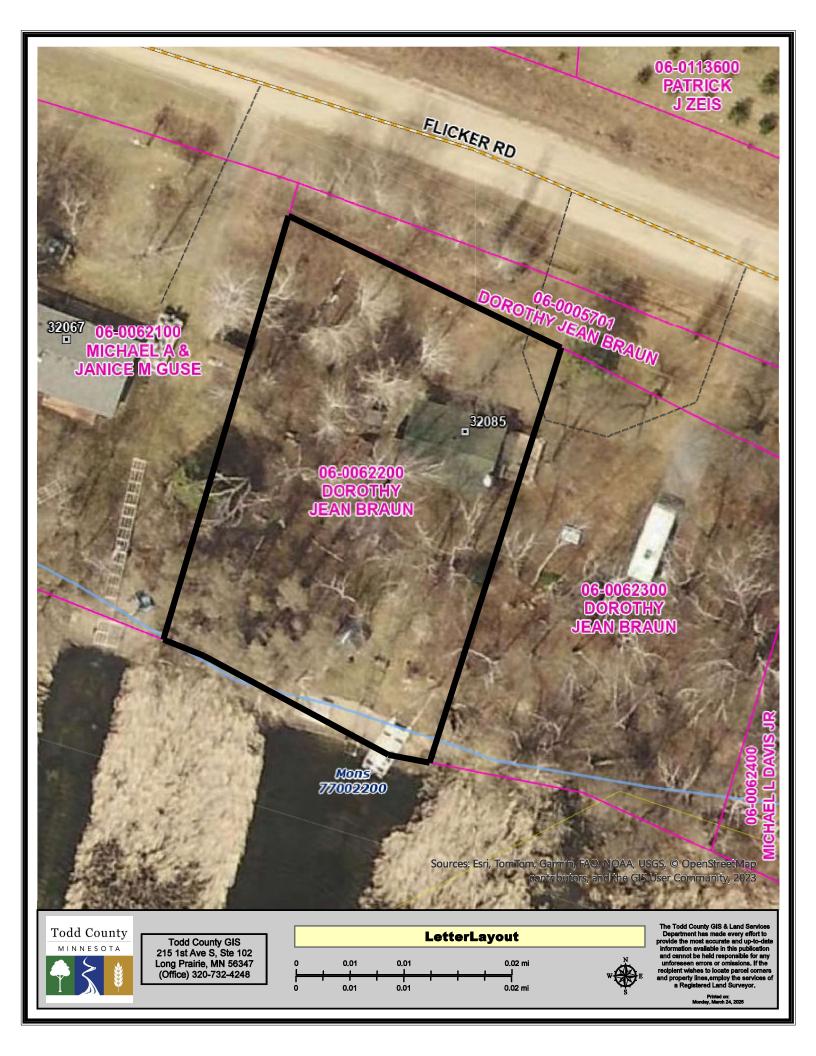
Flicker RD







East View





PLANNING & ZONING 215 1st Avenue South, Suite 103

MAR 3 1 2025 Long Prairie, MN 56347 Phone: 320-732-4420 Fax: 320-732-4803

Todd County Planning Email: ToddPlan.Zone@Co.Todd.MN.US

| | Appeal for a Variance |
|---|---|
| | Applicant Kolin Knudson and Molly Brennan Accepted 4/2/2 |
| | Mailing Address 4018 Park Avenue |
| | Site Address Fable Drive |
| | Phone Number |
| | E-Mail Address |
| | Property Owners Name & Address (if not applicant) Angela Brossoit Samolytz |
| | Parcel Number(s) 10 - 0050800 |
| R | Section: Township |
| V | Zoning District (circle one): AF-1; AF-2; R-10; R-2; UG; RT; Commercial; Industry; or |
| | (Shoreland Lake or River Name): Osakis General Development |
| > | Full and Current Legal Description(s): Lots 18:19 Rutten's Beach (attach if necessary) Sect 5 TWP128 |
| | Do you own land adjacent to this parcel(s)YesX_No Pange 35 |
| | Septic System: Date installed NONE Date of Compliance Inspection |
| | Is a new system needed:noSTS 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 X No Date of the meeting 3 / 26/15 |
| | |

an Mornson

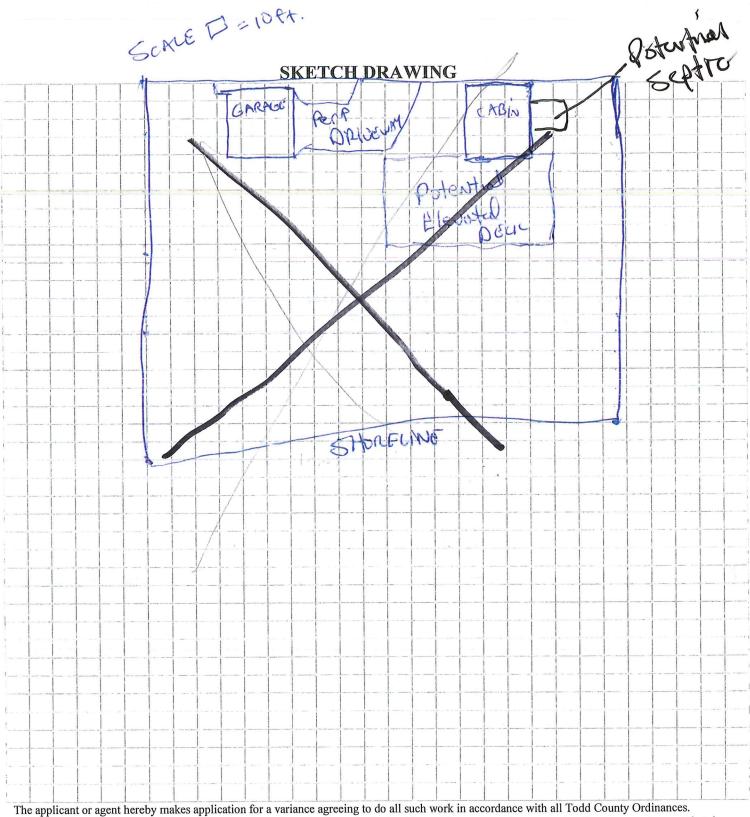
Optional Township Board Signature

Chairperson,

Board Position

| 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.) Deguest to reduce the 20 ft setback from our. |
| property line from 20 feet to 7 feet. Thus, a 13 feat |
| 2.) Variance request on the west side of the property |
| parallel to table Road. |
| 3.) For the construction of a small of season |
| Cabin and garage for personal use. |
| 4.) beare NOT acking for any variance regarding 75 ft high |
| Watermork from lake. USO, 35 ft. wad set back will still be |
| **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. |
| In an effort to be compliant with Todd County Shoreline |
| Zoning Standards, as well as the County's Comprehensive |
| Plan, we have a vision for a modest build, in the best |
| Interest for Lake Osakis, that requires a slight varioning |
| In existing guidelines. |
| |
| |
| It is important that you flag your related property lines and proposed building locations |
| Have you flagged your lot?(Y)(N) |
| ALENTO JOH HUGGO JOHN TOUT (1) |
| |
| |

LIST YOUR VARIANCE REQUEST(s) and what, if the variance were granted, you intend to build or use the



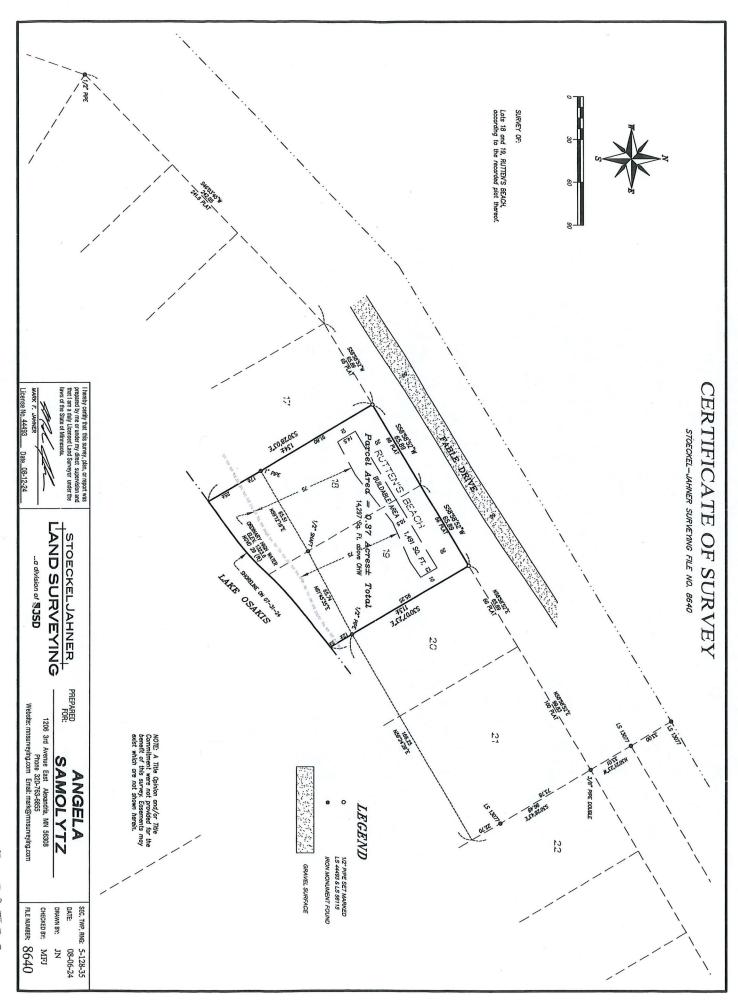
The applicant or agent hereby makes application for a variance agreeing to do all such work in accordance with all Todd County Ordinances. Applicant or agent agrees that site plan, sketches, and other attachments submitted herewith are true and accurate. Applicant or agent agrees that, in making application 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 or | wner, both signatures are required below. | |
|---|---|-------------------|
| Kolin Knudson | Roberthur | 3/31/2025 |
| Applicant Name Printed | Signature | Date |
| Property Owner Name Printed | Signature (If different than applicant) | 3/31/2025 Date |

Appeal for Variance Page 6 of 12 Updated 1/10/2025

AUTHORIZED AGENT FORM

| I hereby authorize Kolin Knutoson to act as my authorized agent |
|---|
| for all public hearing(s) and legal relations with this application on property located at: |
| Site address FACLE DRIVE |
| Section # Township Name GOROÚN |
| Parcel Number(s) 10 - 00 5 0 8 0 0 |
| Property Owner(s) name (print) Koin //wosun |
| Ingela Samolytis Property Owner(s) Signature(s) X Angla B. Suit Date 4/2/202 |
| Authorized Agent(s) name (print) KOLin KNU-DSON. |
| Authorized Agent(s) Signature(s) Kolin Kundly Date 3/31/2025 |
| Authorized Agent Phone Number |
| |
| |
| |
| |
| |



5585852"W 3,20,82,025 GYI 86 PLAT 73. TITO DIE BUILDABLE AREA SO 1" PIPE Area ĊĊ 558.58.57.W 14,297 \Sq. Ft. above OHW 159 12.16°E CT Ø.37 1/2" SHAFT 1,491 50. "在" Acres± " cul ζς (0) 6 Total· 01/3/12* 7.62,10.0ES 'n 61 C)



Dimensions 22'-4" Wide

Main Level: Total Finished: 26'-8" Deep

485 Sq. Ft. **\$9. Ft.**

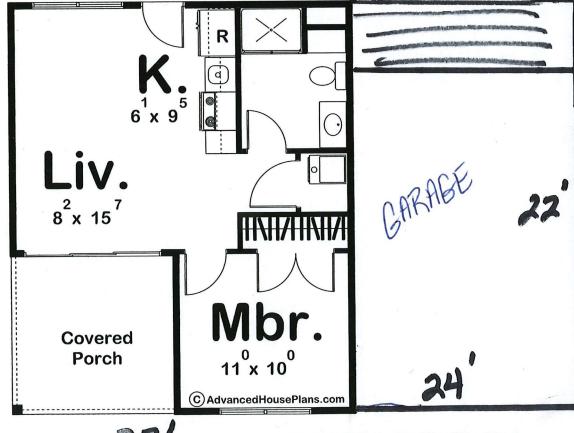
1 Bed | 1 Bath

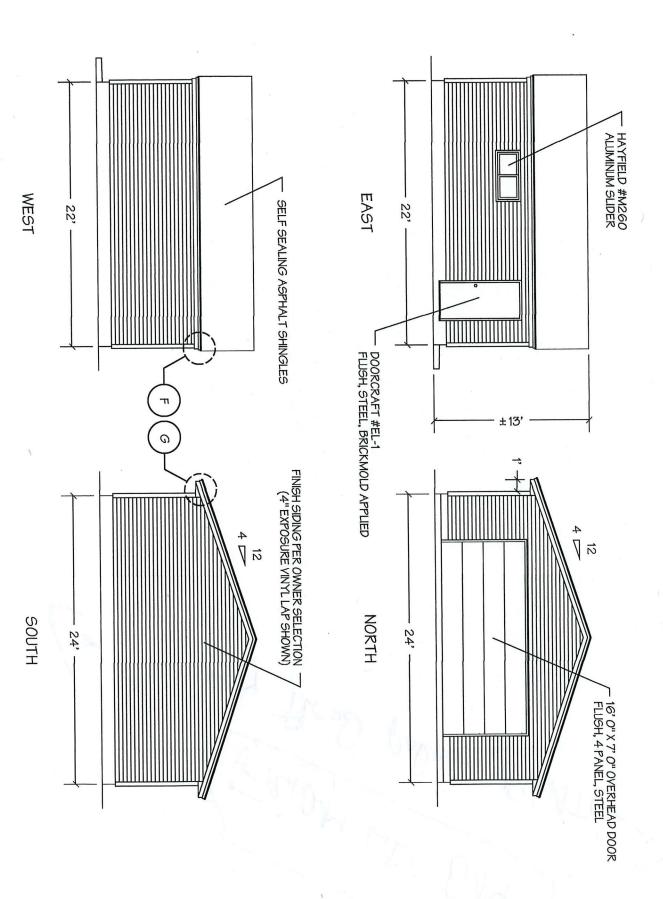
| Modern Style

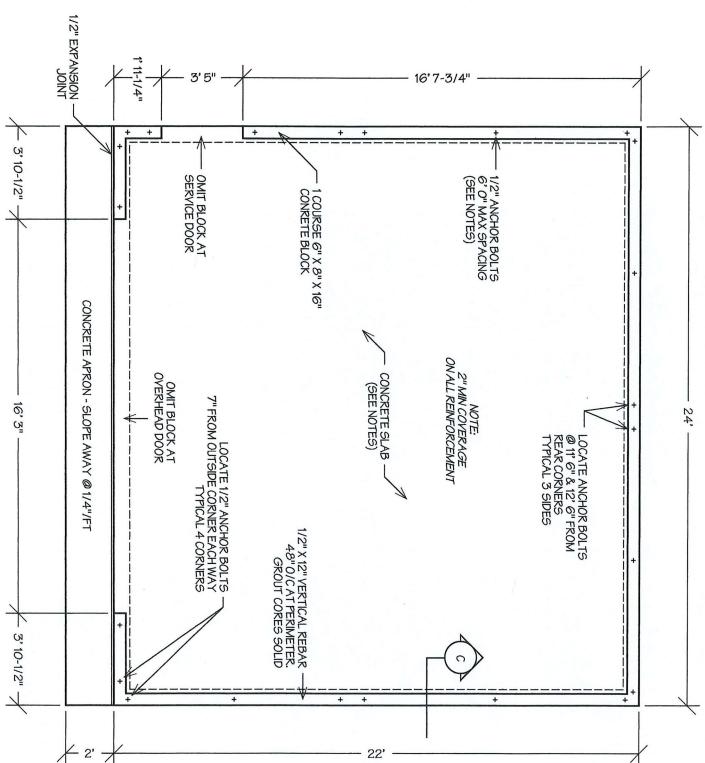
Plan 29540 | Price Code B

3luestqne

14 Feet tall tall side 9 Feet Short Side







Infiltration BMP's for Variance Request by Kolin Knudson and Molly Brennan

Plan for increasing water infiltration and retention includes the following:

Rain Gutters along any structure where the rain water can be collected and then led in to downspouts and ending in basins

Basins (Catch Basins) - research best type for the property - be it Detention Basins, Retention Basins, Infiltration Basins, or a combination

Permeable Design and Materials for our driveway and for our elevated deck These include permeable pavers, pervious concrete, and/or gravel

Trees: Utilize trees for natural aid in infiltration and retention Retain existing plantings as they have more size, canopy and root systems than new plantings

For new plantings, focus on native plants such as **Red Maple, Bur Oak, Hackberry** and **Red Mulberry**

New plantings will aid in water retention as they produce more evaporation

Filter Strips: focus on shoreline filter strips that minimize run off. Ideally a mix of existing plantings plus new native plantings — a blend of low plants, shrubs and trees. Also help air quality by sequestering carbon dioxide.

Our property has 130 feet of shoreline — filter strips are shown to be most effective if they are in the range of 50-150 feet, so we have great opportunity to create a large filter strip.

Best Practices:

Use Lake Water and Rain Water for any irrigation needs
Rake away dead leaves and brush away from the lake — maintain a vegetation compost bin away from the shoreline

Maintain as much existing trees and shrubs as possible as they have more beneficial aspects to minimizing run off due to their size and existing root systems

Vegetation BMP's for Variance Request by Kolin Knudson and Molly Brennan

Our plan for the property is to plant native plantings along the lakeshore, as well as around the property lines, within the property itself, and along the ditches and berms around Fable Road.

The intention is multi-faceted.

- 1 to create and ensure buffer zones to protect the lake from run off and erosion and stabilize and maintain any existing intact shoreland.
- 2 to create and improve wildlife habitat
- **3** to filter nutrients with native plantings that support the environment, and the eradication of any non-native invasive species that hurt the surroundings
- 4 to screen the dwelling from other lake users

We are using the Todd County Comprehensive Plan as our guiding principle to mimic the goals and actions plans in relation to protecting and enhancing the properties natural resources, combatting lakeshore erosion, and exploring Green Certification. We are also using resources from the DNR Website to determine which native plantings are most beneficial for shoreline restoration, and which plantings are best suited for slope areas and ditches to help filter agricultural run off from nearby farm land. The hope is to also use plantings to aid in our overall stormwater management plan, to assist in keeping rain water where it falls.

Intended vegetation plantings include the following:

Red Osier Dogwood - along the shoreline for erosion control, but also around the sight-lines of the dwelling from the water to provide a natural screen.

Lake Sedge - planted in any ditch areas to aid in drainage

Marsh Spikerush - planted in any parts of the property deemed wetland habitats Northern Blue Flag - an iris that excels in wet conditions and provides natural beauty as well as attracts birds and butterflies

River Bulrush - aids in preventing erosion by waves. Provides colonies of food for waterfowl as well as a habitat for spawning fish.

Spotted Joe Pye Weed - flowering plant that attracts butterflies and bees Virginia Wildrye - beneficial planting in ditches or wetlands that provides habitat for birds, small mammals, and ducks, while also helping with filtration and restoration White Meadowsweet - grows over 6 feet tall, providing a natural screen while also attracting birds and butterflies

Smooth Sumac - tall tree that provides natural screen and attracts bees, birds and butterflies

Ferns/Wildflowers that can be planted along ditch and throughout property that all have filtering properties and also attract bees, birds and butterflies — Rough Blazing Star, Smooth Blue Aster, Wild Bergamot

In lieu of grass on our property (we intend to have a fully NO MOW land) we can incorporate some areas of nodding wild rye and June grass for aesthetic and drainage

IMPERVIOUS SURFACE WORKSHEET (FOR SHORELAND ONLY)

| (FOR SHOKELAND GNET) | | | |
|---|--|--|--|
| APPLICANT INFORMATION | | | |
| Name Kolin Knudson | Site Address | | |
| Phone (6/2) 394-9857 | City OSO KICState MNZip | | |
| Mailing Address 4018 Park Avenue | Parcel Number D - 0050800 | | |
| Minneapolis, MN 95407 | Lake/River Name OSakis | | |
| IMPERVIOUS SURFACE: is a constructed hard surface that either water to run off the surface in greater quantities & at an increased ra | r prevents or retards the entry of water into the soil or causes te of flow than prior to development. | | |
| LOT/STRUCTURE | DIMENSIONS | | |
| Total lot area: 14, 297 sq ft | | | |
| | | | |

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

| | Existing | Proposed |
|----|-----------|-----------------------------------|
| 1. | nt di | - Cabin-main Structure- 485 Sq. A |
| 2. | 11639 | 22'4" Wide 26'8" Deep |
| 3. | 1013 | 14' height |
| 4. | 35 | Garage - 24' x 22' = 528 cg.ft. |
| 5. | | - HGHT = 13' |
| 6. | + 288 | Driveway = 288 sq.ft |
| 7. | | 0 |
| 8. | (1,301 to | (a) coverage) |

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. | Driveway - 1 |
| 2. | J |
| 3. | |
| 4. | A TENDER OF CAPTURATE LAND SERVICE |
| 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 ren | | ocation emoved | of structure or i | impervious surface to be) |
|--|--|-------------------------------------|------------------------|---|--|
| Example: | 8' x 35' = 280 sq ft | (| (C) Within Impact Zone | | |
| of Managaratic angless | nesses the street or | | 2607 to 2604 | o goles and solve version may version directly. Version | sance, resumble, and sance of a verlance. I see modes in a placed |
| | | | | | |
| beoplani eta antitrium | sound some nev L with a | zu(bA b.t Door, a gn Laonshay | necsie wholes | ne asreo by th for supporting o Loetes contarsta | olicenng quartions tra- nation, hodings of fact said for the appriosoft to |
| Location of variance reque Ordinary High Water level | st in reference to | Gen Develop Lal | pment | Recreational Development Lake | Natural Environment Lake and Rivers / Streams |
| Ordinary High Water level A. Outside shoreland buildin | g setback | Develo | pment ke | | |
| Location of variance reque Ordinary High Water level A. Outside shoreland buildin B. Between Shore Impact Zon C. Within Shore Impact Zon | g setback one and Building Setback | Develo _j Lal | pment ke '+ | Development Lake | Lake and Rivers / Streams |

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.

Document attached highlighting plans of Pain gutters, bosins, trees, filter strips, etc

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.

Document attached

Todd County Planning & Zoning Board of Adjustment Criteria Questions for Findings of Fact Supporting/Denying a Variance

These criteria questions are for information only and completion on this application is not required.

For after-the-fact requests, use the set of criteria questions on the Page 11 as well.

The criteria for the granting of a variance are set forth in Section 5.03 of the Todd County Planning and Zoning Ordinance. Additionally, Minnesota Statute 394.27, Subd. 7 identifies that all the criteria must be met before the granting of a variance. A variance may only be granted where the strict enforcement of the county zoning controls results in a practical difficulty. <u>Variances will only be granted when the Board of Adjustments answers a majority "Yes" to each of the seven questions set forth below</u>.

The following questions may be asked by the Board of Adjustment as an aid to help build a body of information, findings of fact, for supporting or denying a request for a variance. These questions are included as an aid for the applicant to better understand the variance process.

DECISIONAL STANDARDS WHEN GRANTING OR DENYING A VARIANCE

| Is the variance in harmony with the general purposes and intent of the official control? Yes (x) No () |
|--|
| Me nave read and understood the Toold County Comprehensive Plan and believe our build cound be an example of an environmentally responsible and compliant build. 2. Is the variance request consistent with the goals and policies of the comprehensive plan? |
| and believe our build could be an example of an environmentally |
| Is the variance request consistent with the goals and policies of the comprehensive plan? Yes () No () |
| See above- pus colocococios adherence of sustainable |
| energy goals with solar panels |
| 3. Is the property owner proposing to use the property in a reasonable manner not permitted by an official control? |
| Yes (No () |
| our ment is a 3 or 4 season private dwelling |
| 4. Is the need for a variance due to the circumstances unique to the property not created by the landowner? Yes (No () |
| additionally, the current landowner has merged two |
| Platz in adherence with the Country Plans (Continued) |
| |

| 5. | Will the variance maintain the essential character of the locality? Yes (No () |
|-----------|---|
| 149 | Reasons? Wanted, we would be 57.4 ft as meacived with the TC by 15 Max |
| | mhouse. 10-0050300, Scide, measures 49.5 A from build, 41 from posses the need for the variance involve more than just economic considerations? Yes (N No () |
| In 9 | ranting this variance, the opportunity to build the optimal |
| home | for this environment, neighborhood and lake will exist. |
| 7. I | Have safety and environmental concerns been adequately addressed? Yes (X) No () |
| NO SE | Reasons? Atty concerns at Fable Road is a quiet, dead end Road. Vinon mental concerns are being considered and met. |
| allen | vinonmental concerns are being considered and met. |
| rain gard | ing impervious surface with storm water management, deep rooted vegetative buffers, dens, etc.) |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

