

REDWOOD COUNTY BOARD OF ADJUSTMENT

MINUTES

Meeting Date: June 17, 2024



A meeting of the Redwood County Board of Adjustment convened on Monday, the 17th day of June, 2024. The meeting consisted of two public hearings. The meeting was convened at 31358 350th St., Redwood Falls. The following Board of Adjustment members were present: Dan Tauer, John Schueller, and John Rohlik. The following individuals were also present: Sheldon Logan, Carrie Logan, and Redwood County Land Use & Zoning Supervisor Jeanette Pidde.

At 8:15 a.m., the meeting was called to order by Chair Dan Tauer.

Chair Tauer opened a public hearing on an *Application for Variance*, Permit Application No. 2-24v, submitted by Sheldon and Carrie Logan. Prior to the Board of Adjustment meeting, the Board of Adjustment members were provided an informational packet which included the following information regarding the matter:

1. Sheldon and Carrie Logan are proposing to construct an addition to their existing house located at 31358 350th St., Redwood Falls. The property is located in the Northeast Quarter of the Northwest Quarter, Section 35, Township 113, Range 36, Delhi Township. The full legal description is enclosed.
2. The closest point of the existing house is located approximately 21 feet north of Ramsey Creek. The house is an existing, nonconforming structure.
3. The closest point of the proposed home addition will be approximately 30 feet from Ramsey Creek. There is a 150-foot setback requirement of structures from the ordinary high water mark of the creek. Consequently, the Logans are requesting a variance of 120 feet from the setback requirement.
4. The attached garage is on the west side of the existing house, and on the east side, there is an open area of yard. The creek turns southerly, away from the house, as it moves to the east. The proposed home addition is located as far north as allowed, without encroaching on the front-yard setback.
5. Pursuant to Redwood County Ordinance, written notice shall be provided to all property owners of record within five hundred (500) feet of the affected property via U.S. Mail as to the time and place of the public hearing. Further, written notice shall also be provided to the affected board of township supervisors and the municipal council of any municipality within two (2) miles of the affected property.

Redwood County Government Center - Environmental Department

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The following information was presented to and considered by the Redwood County Board of Adjustment at the public hearing:

Sheldon Logan was present to explain the project. He made the following statements about the application:

- He would like to construct a 10'x21' porch on the front of his house. It would be in the right-of-way setback.
- Two existing houses nearby also have the same porch.
- The porch shouldn't create an issue with snow or sight lines.

The Board had the following questions and comments:

- Has there been erosion on the creek bank?
- Is the current state of the creek representative of the ordinary high water level?

The applicant provided the following responses to the Board:

- A large portion of the bank has been fortified with rock. The creek is never closer than it is currently. There is a lower area with a fire pit on the other side of the house, and the river has not been high enough to flood even that low area.

No one spoke in opposition to the variance.

The Board discussed the statutory factors regarding an application for variance and completed the Application for Variance Checklist.

Rohlik made a motion to approve the variance of 120 feet from the ordinary high water mark of the stream setback requirement, as shown in the application packet. The motion was seconded by Schueller and passed unanimously.

The meeting was continued at 13218 County Highway 4, Walnut Grove. The following Board of Adjustment members were present: Dan Tauer, John Schueller, and John Rohlik. The following individuals were also present: Clay Churchill and Redwood County Land Use & Zoning Supervisor Jeanette Pidde.

At 9:15 a.m., Chair Tauer opened a public hearing on an *Application for Variance*, Permit Application No. 3-24v, submitted by Clay Churchill. Prior to the Board of Adjustment meeting, the Board of Adjustment members were provided an informational packet which included the following information regarding the matter:

1. Clay Churchill is proposing to construct a 42-foot by 64-foot machine shed on his property located at 13218 County Highway 4, Walnut Grove. The property is located in the Northwest Quarter of Section 22, Township 110, Range 39, Gales Township. The full legal description is enclosed.
2. The proposed shop will be 90 feet from the centerline of County Highway 4. There is a 67-foot setback requirement for buildings from the public road right-of-way. The right-of-way of County Highway 4 is 50 feet, and the required setback is 117 feet from the centerline of County Highway 4. Consequently, Churchill is requesting a variance of 27 feet from the setback requirement.

3. The proposed location is on the east side of the existing driveway. Churchill's house and grove are located on the west side of the driveway. Churchill's septic system is located south and southwest of the proposed shop location.
4. Pursuant to Redwood County Ordinance, written notice shall be provided to all property owners of record within five hundred (500) feet of the affected property via U.S. Mail as to the time and place of the public hearing. Further, written notice shall also be provided to the affected board of township supervisors and the municipal council of any municipality within two (2) miles of the affected property.

The following information was presented to and considered by the Redwood County Board of Adjustment at the public hearing:

Clay Churchill was present to explain the project. He made the following statements about the application:

- He has placed flags where the approximate edge of the shed would be located. He will measure again to make sure the shed is at least 90' from the center of the road.
- Water from the neighbor's field runs in the lower part of the property to the east of the proposed shed location, and that part of the property can be completely underwater. The lower part of the property is right behind the proposed shed location.
- The septic tank and mound are just south of the proposed shed location, and he has to be far enough away from those so he doesn't damage them.
- The driveway is on the west side of the proposed shed location. His property doesn't really extend further back, so there's not a better spot for the new shed.

The Board had the following questions and comments:

- How far back does he need to be from the septic tank?
- It doesn't look like the location would cause snow or drifting problems in the road.

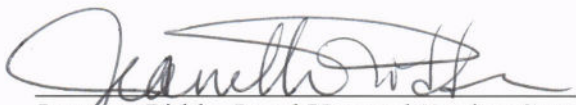
Pidde commented that the new shed would need to be at least 10' away from the septic tank.

No one spoke in opposition to the variance.

Rohlik made a motion to approve the variance of 27 feet from the setback requirement. The motion was seconded by Schueller and passed unanimously.

Discussion was held regarding the Minutes of the Board of Adjustment meeting held on the 6th day of March, 2024. On a motion made by Rohlik and seconded by Schueller, it was passed unanimously that said minutes be approved as presented.

The meeting was adjourned at 9:26 a.m.


Jeanette Pidde, Land Use and Zoning Supervisor
Redwood County Environmental Office


Dan Tauer, Chair
Redwood County Board of Adjustment