

BOARD OF ADJUSTMENT & APPEALS REGULAR MONTHLY MEETING MINUTES

AUGUST 19, 2024	7:00 PM	COUNTY BOARD ROOM
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ROLL CALL	COMMISSIONERS PRESENT	COMMISSIONERS ABSENT EXCUSED	NICOLLET COUNTY STAFF PRESENT
	☒ Lloyd Hoffmann, <i>Vice Chair</i> ☒ Justin Laven ☒ Randy Schwab, <i>Chair</i> ☒ Jon Thoreson ☒ Dave Ubel	☐ Lloyd Hoffmann, <i>Vice Chair</i> ☐ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☐ Dave Ubel	☒ Spencer Crawford, Zoning Specialist (ZS) ☒ John Zehnder, Zoning Specialist (ZS) ☒ Justin Hughes, Assistant County Attorney (ACA) ☒ Other Staff: Crystal Madden, Recording Secretary ☒ Other Staff: Michelle Zehnder Fischer, County Attorney (CA)

REVIEW OF CANCELLATIONS & ADDITIONS	None.
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APPROVAL OF JULY 15, 2024 MINUTES	MOTION		SECOND
APPROVE	☐ Lloyd Hoffmann, <i>Vice Chair</i> ☐ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☒ Dave Ubel		☒ Lloyd Hoffmann, <i>Vice Chair</i> ☐ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☐ Dave Ubel
VOTE TO APPROVE MINUTES	☒ PASS	☐ FAIL	VOTE: 5 - 0

FINDINGS OF FACT PLN24-13, MILLER	MOTION		SECOND
APPROVE	☐ Lloyd Hoffmann, <i>Vice Chair</i> ☒ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☐ Dave Ubel		☐ Lloyd Hoffmann, <i>Vice Chair</i> ☐ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☒ Dave Ubel
VOTE TO APPROVE THE FINDINGS OF FACT	☒ PASS	☐ FAIL	VOTE: 5 - 0

PUBLIC APPEARANCES	None.
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VARIANCE PUBLIC HEARINGS	
PLN24-10	APPLICANT/LANDOWNER: Darv Turbes / United Farmers Cooperative
DESCRIPTION OF REQUEST	Continuance from July 15, 2024 meeting. The request is for a reduction of the front yard setback in the Limited Industry Zoning District from one hundred (100) feet to seventy-three feet for a bulk storage tank, and placement of a bulk storage tank without a berm in the Limited Industry Zoning District. PID: 06.541.0020
CONFLICT OF INTEREST	Board Member Schwab recused himself due to a conflict of interest.
SITE VISIT & PUBLIC CONTACT	Board Members Hoffmann, Laven, & Thoreson visited the site. There was no contact with Board Members from members of the public.
STAFF REPORT PRESENTED BY	ZS Crawford
APPLICANT TESTIMONY	Present to represent the application was Greg Haupert, with Sobalvarro & Haupert located at 3601 18th Street South, St. Cloud, and Merle Bohlin with United Farmers Cooperative located at 29566 300 th Street, Sleepy Eye.

PUBLIC TESTIMONY	No one was present to provide public testimony. No other correspondence was received.		
BOARD DISCUSSION	Further discussion between the Applicant, Board, and Staff took place.		
BOARD ACTION - MOTION	MOTION	SECOND	
APPROVE VARIANCE with conditions, as recommended by Staff	☐ Lloyd Hoffmann, <i>Vice Chair</i> ☒ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☐ Dave Ubel	☐ Lloyd Hoffmann, <i>Vice Chair</i> ☐ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☒ Dave Ubel	
VOTE TO APPROVE REQUEST	☒ PASS	☐ FAIL	VOTE: 4 - 0

VARIANCE PUBLIC HEARINGS

PLN24-14	APPLICANT/LANDOWNER: Angela Honstad		
DESCRIPTION OF REQUEST	An after-the-fact request to develop a bluff and reduce the bluffline setback for the purpose of constructing a home addition with a basement and ten (10) foot wide wrap-around deck in the Conservancy Zoning District. PID: 04.022.1015		
CONFLICT OF INTEREST	None.		
SITE VISIT & PUBLIC CONTACT	Board Members Hoffmann, Laven, Schwab, & Ubel visited the site. There was no contact with Board Members from members of the public.		
STAFF REPORT PRESENTED BY	ZS Zehnder		
APPLICANT TESTIMONY	Present to represent the application was Angie & Ryan Honstad located at 43778 Spruce Haven Lane, New Ulm.		
PUBLIC TESTIMONY	Kevin Masrud at 43938 Spruce Haven Lane, New Ulm was present to provide testimony in favor of the request. No other correspondence was received.		
BOARD DISCUSSION	Further discussion between the Applicant, Board, and Staff took place.		
BOARD ACTION - MOTION	MOTION	SECOND	
APPROVE VARIANCE with conditions, as recommended by Staff	☒ Lloyd Hoffmann, <i>Vice Chair</i> ☐ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☐ Dave Ubel	☐ Lloyd Hoffmann, <i>Vice Chair</i> ☐ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☒ Dave Ubel	
VOTE TO APPROVE REQUEST	☒ PASS	☐ FAIL	VOTE: 5 - 0

ADDITIONAL ITEMS

OLD BUSINESS	None.		
OTHER BUSINESS	A motion was made by Member Laven, and seconded by Member Thoreson, for Staff to draft a report with recommendations for amending Section 708: Bulk Storage of the Nicollet County Zoning Ordinance. The motion passed by a vote of 5-0, with all in favor. Member Laven requested an update from Staff concerning adding a zoning permit reminder to the County Line newsletter. DZ Zehnder stated the reminder will be included in the next newsletter.		
COMMUNICATIONS	None.		
ADJOURN MEETING	MOTION	SECOND	
8:13 PM	☐ Lloyd Hoffmann, <i>Vice Chair</i> ☒ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☐ Dave Ubel	☐ Lloyd Hoffmann, <i>Vice Chair</i> ☐ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☒ Dave Ubel	

VOTE TO ADJOURN MEETING	☒ CARRIED	☐ FAILED	VOTE: 5 – 0
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JOHN ZEHNDER, ZONING SPECIALIST		DATE	9/16/2024
RANDY SCHWAB, CHAIR		DATE	9/16/2024