

BOARD OF ADJUSTMENT & APPEALS REGULAR MONTHLY MEETING MINUTES

OCTOBER 21, 2024	7:00 PM	E.O.C. CONFERENCE ROOM
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ROLL CALL	MEMBERS PRESENT	MEMBERS 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	☒ John Zehnder, Zoning Specialist (ZS) ☒ Justin Hughes, Assistant County Attorney (ACA) ☒ Crystal Madden, Recording Secretary ☒ Other staff: Sheila Reem, Sanitarian

REVIEW OF CANCELLATIONS & ADDITIONS	None.
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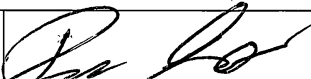
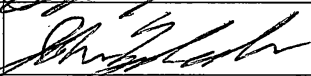
APPROVAL OF SEPTEMBER 16, 2024 MINUTES	MOTION	SECOND
APPROVE	☐ Lloyd Hoffmann, <i>Vice Chair</i> ☐ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☒ Jon Thoreson ☐ Dave Ubel	☐ Lloyd Hoffmann, <i>Vice Chair</i> ☒ Justin Laven ☐ Randy Schwab, <i>Chair</i> ☐ Jon Thoreson ☐ Dave Ubel
VOTE TO APPROVE MINUTES	☒ PASS	☐ FAIL VOTE: 4 - 0

PUBLIC APPEARANCES	None.
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VARIANCE PUBLIC HEARINGS	
PLN24-17	APPLICANT/LANDOWNER: Pete Forrey with Forrey Septic Systems Systems & Excavating / Joyce Cornelius
DESCRIPTION OF REQUEST	Reduction of property line, right of way, and structural setbacks for a replacement septic system in the Urban/Rural Residential and Conservancy Zoning Districts PID: 01.683.0070
CONFLICT OF INTEREST	None.
SITE VISIT & PUBLIC CONTACT	No Board Members 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 Pete Forrey with Forrey Septic Systems & Excavating located at 18656 568th Avenue, Mankato. Additionally, present to represent the property owner, Joyce Cornelius, was Teresa Nordby located at 10220 Frasier Street, Circle Pines.
PUBLIC TESTIMONY	Tim Ulman at 40683 Purrier Court, North Mankato, was present to provide testimony in opposition of the request with concern that the proposed septic mound location would force drainage from the ditch over onto his property, thereby causing water damage to his dwelling. Forrey responded that drainage water will be diverted down the property line and explained that the Ulman dwelling is located uphill from the property line, so water damage will not be an issue. Joan Untiedt, Belgrade Township Clerk, located at 42394 Kerns Drive, North Mankato was present to provide official testimony on behalf of Belgrade Township in opposition of the request due to concerns for snow removal within the cul-de-sac and right-of-way. Forrey responded there will be no encroachment to the road right-of-way, and that the proposed location will not interfere with the township's snow removal. Corky Berdan, Belgrade Township Supervisor, located at 40380 Timm Road, North Mankato, was present to provide official testimony on behalf of Belgrade Township. Burdan questioned Forrey about

	the path of the swell drainage across the property. Forrey explained the direction of drainage across the property with respect to the variance request. Josh Wolling located at 40609 Purrier Court, North Mankato was present to provide testimony in favor of the request.		
BOARD DISCUSSION	Further discussion between the applicant, board members, and staff took place. Sheila Reem, Nicollet County Sanitarian, provided testimony about the history of the subdivision plat, drainage down the property line, and Minnesota state septic regulations.		
RECESS & DECISION	ACA Hughes called for a ten (10) minute recess to determine the outcome of a tied vote. A motion for recess was made by Vice Chair Hoffmann, seconded by Member Laven, and the motion to recess passed by vote of 4-0, in favor. A recess was called at 8:12 p.m. The meeting resumed at 8:26 p.m., and ACA Hughes reported that a tie vote is considered denial or fail.		
BOARD ACTION - MOTION	MOTION	SECOND	
DENIAL OF THE VARIANCE REQUEST	☐ 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 DENY REQUEST	☐ PASS	☒ FAIL	VOTE: 2 - 2

ADDITIONAL ITEMS			
OLD BUSINESS	None.		
OTHER BUSINESS	None.		
COMMUNICATIONS	None.		
ADJOURN MEETING	MOTION	SECOND	
8:32 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: 4 – 0

RANDY SCHWAB, CHAIR		DATE	11/18/2024
JOHN ZEHNDER, ZONING SPECIALIST		DATE	11/18/2024