



BOARD OF ADJUSTMENT & APPEALS

MINUTES	JANUARY 23, 2023	7:00 PM	NICOLLET COUNTY BOARD ROOM
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ROLL CALL	BOARD MEMBERS PRESENT	BOARD MEMBERS ABSENT EXCUSED	NICOLLET COUNTY STAFF PRESENT
	<input type="checkbox"/> Justin Laven <input checked="" type="checkbox"/> Lloyd Hoffmann <input checked="" type="checkbox"/> Randy Schwab <input checked="" type="checkbox"/> Jon Thoreson <input checked="" type="checkbox"/> Dave Ubel	<input checked="" type="checkbox"/> Justin Laven <input type="checkbox"/> Lloyd Hoffmann <input type="checkbox"/> Randy Schwab <input type="checkbox"/> Jon Thoreson <input type="checkbox"/> Dave Ubel	<input checked="" type="checkbox"/> Spencer Crawford, Deputy Zoning Administrator (DZA) <input checked="" type="checkbox"/> Loria Rebuffoni, Property Services Supervisor (PSS) <input checked="" type="checkbox"/> Roxann Klein, Assistant County Attorney (ACA) <input checked="" type="checkbox"/> Crystal Madden, Recording Secretary <input type="checkbox"/> Other Staff:

ELECTIONS	MOTION	2ND
BOARD NOMINATES <i>JUSTIN LAVEN</i> FOR CHAIR	<input type="checkbox"/> Justin Laven <input type="checkbox"/> Lloyd Hoffmann <input checked="" type="checkbox"/> Dave Ubel <input type="checkbox"/> Jon Thoreson <input type="checkbox"/> Randy Schwab	<input type="checkbox"/> Justin Laven <input checked="" type="checkbox"/> Lloyd Hoffmann <input type="checkbox"/> Dave Ubel <input type="checkbox"/> Jon Thoreson <input type="checkbox"/> Randy Schwab
VOTE TO ADOPT NOMINATION OF CHAIR	<input checked="" type="checkbox"/> PASS <input type="checkbox"/> FAIL	VOTE: 4 - 0
BOARD NOMINATES <i>LLOYD HOFFMANN</i> FOR VICE CHAIR	<input type="checkbox"/> Justin Laven <input type="checkbox"/> Lloyd Hoffmann <input checked="" type="checkbox"/> Dave Ubel <input type="checkbox"/> Jon Thoreson <input type="checkbox"/> Randy Schwab	<input type="checkbox"/> Justin Laven <input type="checkbox"/> Lloyd Hoffmann <input type="checkbox"/> Dave Ubel <input checked="" type="checkbox"/> Jon Thoreson <input type="checkbox"/> Randy Schwab
VOTE TO ADOPT NOMINATION OF VICE CHAIR	<input checked="" type="checkbox"/> PASS <input type="checkbox"/> FAIL	VOTE: 4 - 0

APPROVAL OF November 21, 2022 MINUTES	MOTION	2ND
<input checked="" type="checkbox"/> APPROVE <input type="checkbox"/> APPROVE WITH REVISIONS	<input type="checkbox"/> Justin Laven, <i>Chair</i> <input checked="" type="checkbox"/> Lloyd Hoffmann, <i>Vice Chair</i> <input type="checkbox"/> Randy Schwab <input type="checkbox"/> Jon Thoreson <input type="checkbox"/> Dave Ubel	<input type="checkbox"/> Justin Laven, <i>Chair</i> <input type="checkbox"/> Lloyd Hoffmann, <i>Vice Chair</i> <input type="checkbox"/> Randy Schwab <input checked="" type="checkbox"/> Jon Thoreson <input type="checkbox"/> Dave Ubel
VOTE TO ADOPT FINDINGS OF FACT	<input checked="" type="checkbox"/> PASS <input type="checkbox"/> FAIL	VOTE: 4 - 0

PUBLIC HEARINGS

PLN23-01	APPLICANT/LANDOWNER: ISG / Minnesota Valley Lutheran High School
DESCRIPTION	Reduction of the bluffline setback to 0' for the purpose of constructing a school addition.
STAFF REPORT PRESENTED BY	Spencer Crawford, DZA
APPLICANT TESTIMONY	Nathan Hemer, a civil engineer with ISG, explained the details of the project. He stated the addition would function as a storm shelter per state statute, with the first floor being underground and the second story being above grade. He explained from a technical standpoint how the structure would not impact the bluff. Board Member Ubel asked if building code would be followed, and Hemer confirmed building code would be upheld. DZA Crawford noted the County does not provide building inspections; if there were any, it would come from the state. Board Member Ubel stated he

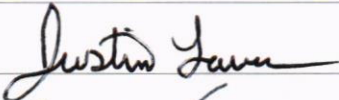
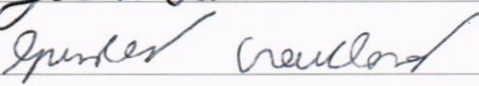
	did a site visit and observed there were trees that would need to be trimmed before construction. Board Member Thoreson asked Hemer why ISG went in the geographical direction they did with the addition. Hemer responded that they were required due to the building's current layout.		
PUBLIC TESTIMONY	None.		
BOARD DISCUSSION	None.		
BOARD ACTION - APPROVAL	MOTION		2ND
<input checked="" type="checkbox"/> APPROVAL WITH CONDITIONS AS LISTED BY STAFF <input type="checkbox"/> APPROVAL WITH REVISED CONDITIONS	<input type="checkbox"/> Justin Laven, <i>Chair</i> <input type="checkbox"/> Lloyd Hoffmann, <i>Vice Chair</i> <input type="checkbox"/> Randy Schwab <input type="checkbox"/> Jon Thoreson <input checked="" type="checkbox"/> Dave Ubel		<input type="checkbox"/> Justin Laven, <i>Chair</i> <input type="checkbox"/> Lloyd Hoffmann, <i>Vice Chair</i> <input checked="" type="checkbox"/> Randy Schwab <input type="checkbox"/> Jon Thoreson <input type="checkbox"/> Dave Ubel
VOTE TO APPROVE PERMIT	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	VOTE: 4 - 0

PLN23-02	APPLICANT/LANDOWNER: Gregg & Lois Bode		
DESCRIPTION	Reduction of the side yard setback to 2' for the purpose of constructing a garage.		
STAFF REPORT PRESENTED BY	Spencer Crawford, DZA		
APPLICANT TESTIMONY	None.		
PUBLIC TESTIMONY	None.		
BOARD DISCUSSION	<p>Board member Thoreson asked staff what the intent of the official control was. DZA Crawford replied the intent was to keep density low to protect the Shoreland area and separate land uses. Board member Thoreson then asked staff if the County had approved a variance for a property line setback under two (2) feet before. DZA Crawford replied that he was not aware of any, but it probably had happened, and the board did just approve a 0 foot bluff setback variance request. Board member Thoreson asked staff what the intent of the comprehensive plan is. DZA Crawford replied the health, safety, and general welfare of the county. Board Member Thoreson asked the applicant, Gregg Bode, if his neighbor had any concern with the garage being so close to the property line. Bode affirmed that his neighbor had no concern. Board Member Thoreson asked Bode why he isn't building the garage in the opposite direction of the proposed site. Bode responded to maintain the view of the lake and the location of existing water and power lines.</p>		
BOARD ACTION - APPROVAL	MOTION		2ND
<input checked="" type="checkbox"/> APPROVAL WITH CONDITIONS AS LISTED BY STAFF <input type="checkbox"/> APPROVAL WITH REVISED CONDITIONS	<input type="checkbox"/> Justin Laven, <i>Chair</i> <input type="checkbox"/> Lloyd Hoffmann, <i>Vice Chair</i> <input type="checkbox"/> Randy Schwab <input type="checkbox"/> Jon Thoreson <input checked="" type="checkbox"/> Dave Ubel		<input type="checkbox"/> Justin Laven, <i>Chair</i> <input type="checkbox"/> Lloyd Hoffmann, <i>Vice Chair</i> <input type="checkbox"/> Randy Schwab <input checked="" type="checkbox"/> Jon Thoreson <input type="checkbox"/> Dave Ubel
VOTE TO APPROVE REQUEST	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	VOTE: 4-0

ADDITIONAL ITEMS

OLD BUSINESS	None.
OTHER BUSINESS	None.
COMMUNICATIONS	None.

MOTION TO ADJOURN MEETING	1ST MOTION		2ND MOTION
07:39 PM	<input type="checkbox"/> Justin Laven, <i>Chair</i> <input type="checkbox"/> Lloyd Hoffmann, <i>Vice Chair</i> <input checked="" type="checkbox"/> Randy Schwab <input type="checkbox"/> Jon Thoreson <input type="checkbox"/> Dave Ubel		<input type="checkbox"/> Justin Laven, <i>Chair</i> <input type="checkbox"/> Lloyd Hoffmann, <i>Vice Chair</i> <input type="checkbox"/> Randy Schwab <input checked="" type="checkbox"/> Jon Thoreson <input type="checkbox"/> Dave Ubel
VOTE TO ADJOURN MEETING	<input checked="" type="checkbox"/> PASS	<input type="checkbox"/> FAIL	VOTE: 4 - 0

JUSTIN LAVEN, CHAIR		DATE	2/27/2023
SPENCER CRAWFORD, DEPUTY ZONING ADMINISTRATOR		DATE	2/27/2023