



Board of Adjustment & Appeals

MINUTES

JANUARY 25, 2021

7:00 PM

**NICOLLET COUNTY
BOARD ROOM**

BOARD MEMBERS	<input checked="" type="checkbox"/> David Wendinger CHAIR	David Hermanson <input checked="" type="checkbox"/>	Justin Laven <input type="checkbox"/>	Ron Regenscheid <input checked="" type="checkbox"/>	David Ubel <input checked="" type="checkbox"/>
ABSENT EXCUSED	<input type="checkbox"/> David Wendinger CHAIR	David Hermanson <input type="checkbox"/>	Justin Laven <input type="checkbox"/>	Ron Regenscheid <input type="checkbox"/>	David Ubel <input type="checkbox"/>
ABSENT	<input type="checkbox"/> David Wendinger CHAIR	David Hermanson <input type="checkbox"/>	Justin Laven <input checked="" type="checkbox"/>	Ron Regenscheid <input type="checkbox"/>	David Ubel <input type="checkbox"/>
STAFF PRESENT	Property and Public Services Director Mandy Landkamer <input checked="" type="checkbox"/>				
	Deputy Zoning Administrator (DZA) Jon Hammel <input checked="" type="checkbox"/>				
	Assistant County Attorney (ACA) Megan E. Gaudette Coryell <input checked="" type="checkbox"/>				
	Other Staff: <input type="checkbox"/>				

ELECTION OF OFFICERS	
CHAIR	Hermanson nominated Wendinger for Chair, seconded by Regenscheid. The Board voted unanimously to elect David Wendinger as Chair for 2021.
VICE-CHAIR	Regenscheid nominated Hermanson for Vice-Chair, seconded by Ubel. The Board voted unanimously to elect David Hermanson as Vice-Chair for 2021.

REVIEW OF CANCELLATIONS & ADDITIONS		None.			
MOTION TO APPROVE MINUTES OF DECEMBER 21, 2020		APPROVE <input checked="" type="checkbox"/>		APPROVE WITH REVISIONS <input type="checkbox"/>	
1ST	David Hermanson <input checked="" type="checkbox"/>	Justin Laven <input type="checkbox"/>	Ron Regenscheid <input type="checkbox"/>	David Ubel <input type="checkbox"/>	David Wendinger <input type="checkbox"/>
2ND	David Hermanson <input type="checkbox"/>	Justin Laven <input type="checkbox"/>	Ron Regenscheid <input type="checkbox"/>	David Ubel <input checked="" type="checkbox"/>	David Wendinger <input type="checkbox"/>
VOTE TO APPROVE MINUTES		PASS <input checked="" type="checkbox"/>		FAIL <input type="checkbox"/>	
				VOTE: 4-0	

Public Hearings

BRIAN AND MARY DUEHRING PLN21-03 REDUCE MINIMUM BUILDABLE AREA FOR THE PURPOSE OF CONSTRUCTING A NEW SINGLE FAMILY DWELLING

APPLICANT COMMENT	Brian and Mary Duehring were present. The applicants had no comment.
PUBLIC COMMENT	Staff received four inquiries/comments concerning the request prior to the meeting, including: Bev Thorn, Andy and Marilyn Fredericks, Suzie Hall, and Brenda Stenzel. None objected to the request.
PUBLIC TESTIMONY	Adjacent landowner Brent Hall (38417 498th Street, North Mankato MN 56003) asked about the well that would serve the proposed dwelling.
	Applicant Brian Duehring responded that there is a well agreement on file with the County to share an existing well with two neighboring landowners and that the existing well is plumbed to the boundary of his property.
	Adjacent landowner John Haley (38411 498th Street, North Mankato MN 56003) explained that when he purchased his property in 2007, he requested the sellers resolve a septic issue prior to purchase; the septic for their property was actually located on the Duehrings' property. To resolve this issue the Duehrings sold the area with the septic system to the previous owners of Mr. Haley's property. Mr. Haley then stated his main concern with the current request was that the dwelling to be built on the Duehrings' property would be a single family dwelling, and not a multi-family dwelling.

MOTION MOTION TO CONTINUE – IN ORDER TO PROVIDE AN OPPORTUNITY FOR THE APPLICANT TO DETERMINE WHETHER OR NOT THERE IS ACCESS TO THE EXISTING WELL, AND PROVIDE VERIFICATION THAT IF THERE IS NOT ACCESS TO THE EXISTING WELL THAT THE PROPERTY CAN SUSTAIN A NEW WELL

1 ST	David Hermanson <input type="checkbox"/>	Justin Laven <input type="checkbox"/>	Ron Regenscheid <input checked="" type="checkbox"/>	David Ubel <input type="checkbox"/>	David Wendinger <input type="checkbox"/>
2 nd	David Hermanson <input checked="" type="checkbox"/>	Justin Laven <input type="checkbox"/>	Ron Regenscheid <input type="checkbox"/>	David Ubel <input type="checkbox"/>	David Wendinger <input type="checkbox"/>

BOARD DISCUSSION

Hermanson asked if there was a place on the property where a new well could be dug.

Mr. Duehring said he had not looked into digging a new well. He understood the well agreement would allow him to connect to the existing shared well on an adjacent property. He would need to consult a well contractor concerning the ability to install a new well.

Regenscheid asked if the applicant understood that there was a limited amount of building space on the property.

Mr. Duehring responded that he understood the building space would be limited.

Mr. Hall stated he was concerned that if another house was added to the shared well it would result in a loss of water pressure for the two houses already connected to the well.

Landkamer stated the well was a part of the conversation and said the Board could request the applicant verify that a well could be dug on the property.

Wendinger asked staff what the requirements were for a well.

Landkamer explained that the County is not a well-delegated county. She stated there would be a 100-foot setback from the septic system.

Mr. Hall pointed out the location of the existing shared well.

Mr. Duehring pointed out the location of the existing stop-valve along the boundary of his property.

Wendinger asked how old the well is.

Mr. Hall stated it was installed in 1995.

Hermanson suggested continuing the request so the applicant could provide more information concerning the well.

Regenscheid agreed with the suggestion.

Mr. Duehring stated he was against a continuance.

Landkamer explained the concern over the well issue was an appropriate cause for a continuance, given the nature of the request.

VOTE PASS FAIL VOTE: 4-0

OLD BUSINESS None.

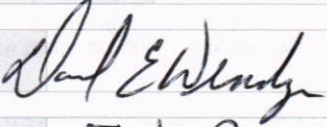
OTHER BUSINESS None.

COMMUNICATIONS None.

MOTION TO ADJOURN 7:42 PM

1 ST	David Hermanson <input type="checkbox"/>	Justin Laven <input type="checkbox"/>	Ron Regenscheid <input checked="" type="checkbox"/>	David Ubel <input type="checkbox"/>	David Wendinger <input type="checkbox"/>
2 nd	David Hermanson <input type="checkbox"/>	Justin Laven <input type="checkbox"/>	Ron Regenscheid <input type="checkbox"/>	David Ubel <input checked="" type="checkbox"/>	David Wendinger <input type="checkbox"/>

VOTE TO ADJOURN PASS FAIL VOTE: 4-0

DAVID WENDINGER, CHAIR  **DATE** 4/19/21

JON HAMMEL, DEPUTY ZONING ADMINISTRATOR 