

**OFFICIAL PROCEEDINGS OF THE
RICE COUNTY BOARD OF ADJUSTMENT
Commissioner's Room / Government Services Building
Thursday, July 10, 2025 at 6:00 PM**

I. Call to Order

A. Roll Call

The meeting was called to order both in-person and electronically by Vice Chair Matt Purfeerst at 6:00 p.m.

Members present were: Matt Purfeerst, Garrett Johnson, Kenneth Engen, Jim Cihak
Members absent were: Julia Hogan

Staff present were: Zoning Administrator Trent McCorkell, Senior Planner Jeremy Edwards,
Administrative Coordinator Anna Aguilar, Clerk MacKenzie Klett.

Others present: see Sign-in Sheet and Registrant List.

B. Motion by Jim Cihak, seconded by Garrett Johnson, Reading of the Notice

RESULT: Approved, AYES: Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

C. Motion by Garrett Johnson, seconded by Ken Engen, Approval of the Agenda

RESULT: Approved, AYES: Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

D. Motion by Garrett Johnson, seconded by Ken Engen, to approve the minutes of May 29, 2025.

RESULT: Approved, AYES: Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

II. New Business

1. Variance/Polzin - Section 31, Forest Township

Thomas Polzin, on behalf of landowner Lake Mazaska North Shore Coop, has requested the following variances:

- A 92-ft variance from the 100-ft lake setback requirement to allow for a deck addition and replacement to be located 8-ft from Lake Mazaska.
- A variance from the maximum number of outbuildings on a parcel to allow for replacement of an existing 53-sqft shed with a 200-sqft shed on a parcel containing more than three outbuildings.
- A 36-ft variance from the 100-ft lake setback requirement to allow for a replacement shed to be located 64-ft from Lake Mazaska.
- A 6-ft variance from the 20-ft road setback requirement to allow for a replacement shed to be located 14-ft from a private roadway.
- A 2-ft variance from the 10-ft setback required between buildings to allow for a replacement shed to be located 8-ft from the existing cabin.

The property is described as: Part of Government Lots 1 and 2 in the N1/2 of Section 31, Forest Township, Rice County, Minnesota. PID#s 06.31.2.25.001 & 06.31.2.25.940. Property address is: 6551 143rd St W #41, Lonsdale, MN 55046. The property is Zoned RDS, Recreational Development Shoreland.

Motion by Jim Cihak, seconded by Garrett Johnson, to approve the Variance request with the following conditions and findings for Thomas Polzin, on behalf of landowner Lake Mazaska North Shore Coop. The property is located in Section 31 of Forest Township.

RESULT: Approved, AYES: Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

CONDITIONS OF APPROVAL – Polzin

1. The variance is to allow for a 10-ft by 20-ft accessory storage shed with a 14-ft peak to replace an existing shed. Replacement shed is to be 64-ft from lake Mazaska, 8-ft from the existing

cabin and 14-ft from the private roadway, subject to compliance with all other Ordinance regulations.

2. A variance is also approved to allow for replacement of the existing lakeside deck and a 9-ft by 35-ft deck addition with each being 8-ft from lake Mazaska.
3. Approved site plan shall be followed.
4. A compliance/integrity inspection for the cabin septic tank shall be completed prior to issuance of any structure permits for the shed or decks. If the tank is non-compliant, a compliant tank shall be installed within one year of the variance approval.
5. At least 25-ft of the shoreline within 10-ft landward of the water shall be established and maintained in a natural condition as an un-mowed native vegetative lake buffer.
6. Proper permits shall be obtained prior to any onsite construction.
7. Variance shall be void if a permit for the proposed shed and decks is not obtained within one year of the variance approval.
8. Failure to comply with the terms of this variance may result in termination of the Variance.

Hearing Minutes:

Zoning Administrator Trent McCorkell (TM) presented the request to the Board of Adjustment (BOA).

MP - Is that where their property ends? Where the rock ends on the shoreline?

TM - Because this is a single parcel, as a cooperative they don't have individual lot lines other than the perimeter of the 74 acres. But I would guess that's where they have agreed to maintain things.

GJ - Looks like the shed would be increased in size but the deck is strictly replacement on the front side?

TM - The lake side would be staying the same, replacing what you are seeing, but also being added onto to come around the side of the cabin. And the shed does increase in size, it goes from 50sqft to 200sqft.

MP - The shed we are seeing on the right, the mono slope, that is on the neighboring property?

TM - I am not sure, it's on the 74 acres, so I am not sure who's that is. I would assume since it opens towards the neighboring cabin that it is probably theirs.

JC - The current deck is that close to the lake and the shed replacement is a similar distance from the private roadway.

TM - It is a similar location but a larger building so it is getting closer to some degree, to either the roadway or the cabin.

MP - How do we do impervious surface with this 74-acre parcel?

TM - It is 25% of the 74 acres. I have not calculated it recently for this site, but it would take a lot to get up there.

The BOA asked the applicant, Thomas Polzin (TP), to come forward to add comments or answer questions regarding the request.

TP - I think one of the questions you asked about was a shed that is there?

MP - Yes, the mono slope one.

TP - That is a fence.

MP - That is a fence?

TP - When you are looking towards the red cabin that is a fence line. Some of it was taken down because that tree is going to get cut down. I think he has a shed further forward on that side of the fence but that is a fence there.

MP - Are you aware of the 8 conditions associated with this?

TP - Yes, and the shed will not be any closer to the road, it will be closer to the cabin. It is sitting right on top of the septic, which was deemed sturdy enough to handle a shed, it will be a shed on skids. At the end of the shed closest to the road is the access to the tank, so I couldn't go over that or any closer to the road.

GJ - Do you know of other sheds of similar size around there?

TP - Yes, there are a few, but I didn't measure them. There are plenty of sheds along that road.

Vice Chair Purfeerst opened the public testimony portion of the item to the public and the following spoke:

James Fisher - *Fairfax Way* - I live within 3,000-ft of the site. You've heard me before; I would like to see us become more compliant instead of less compliant. As lakeshore owners, we have an obligation to not only take care of our own property but provide property and an experience for people on the lake. And by building closer and closer to the lake each time, we are depriving that and going against the DNR's wishes that we as lakeshore owners provide an atmosphere at our cost to the people using the lake. I would just like to see us become more compliant. This is a tough one. The next-door neighbor added on substantially to their deck. In fact, they just had a track hoe out there on Monday redoing the shoreline. So, it is kind of tough to deny the next-door neighbor to do the same thing and I get that. But once again, I am pleading that we try to get more compliant instead of less compliant, we owe that for the future. Thank you.

Vice Chair Purfeerst closed the public testimony portion of the item to the public.

Discussion:

GJ - I do think there are some situations where it wouldn't be warranted. I think that replacing the existing deck, although it requires a variance, isn't encroaching any more. I understand that it is still too close to the lake, but I think that just about every building on that site is in the same boat.

MP - The reason I asked about impervious is because I'm sure if we looked at this as an individual lot, we would be over the impervious surface limit already. But where he is proposing to put the deck addition is impervious already. And I agree with putting a bigger shed in, I don't know the exact dimensions of the existing shed, but it looks like a small shed.

JC - It says 53-ft. The only reason I would consider approving this is because it is existing. We are not going any closer. I don't see any reason not to approve this. I'll be honest when I first saw this list I thought, oh boy, but I get it. I motion to approve this subject to the 8 conditions.

GJ - I second.

The Board of Adjustment reviewed the variance application and found that the applicant has established that all of the following criteria from Section 503 of the Zoning Ordinance are met by this proposal:

- *The variance request in harmony with the general purpose and intent of the Zoning Ordinance and consistent with the Comprehensive Plan?* **Yes**
- *The proposed use is an allowed use in the zoning district in which the property is located?* **Yes**
- *The proposed sewage treatment system is or can be made compliant with the Rice County Sewage and Wastewater Treatment Ordinance?* **Yes**
- *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance?* **Yes**
- *The plight of the landowner is due to circumstances unique to the property not created by the landowner?* **Yes**
- *The variance, if granted, will not alter the essential character of the locality?* **Yes**
- *The applicant has established that there are practical difficulties in complying with the Zoning Ordinance, not constituting economic considerations alone?* **Yes**

The findings were read by JC with the conditions as stated above with no additions by staff.

Motion made, seconded, and approved unanimously.

2. **Variance/Streitz - Section 1, Richland Township**

Tricia Streitz has applied for the following Variance:

- A 4-ft variance from the 10-ft setback required between detached buildings.

The property is described as: Part of the NE1/4 of the NW1/4, Section 1, Richland Township, Rice County, Minnesota. PID# 16.01.2.00.001. Property address: 12459 210th St E, Kenyon, MN 55946. The property is Zoned A, Agricultural.

Motion by Garrett Johnson, seconded by Ken Engen, to approve the Variance request with the following conditions and findings for Tricia Streitz. The property is located in Section 1 of Richland Township.

RESULT: Approved, AYES: Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

CONDITIONS OF APPROVAL – Streitz

1. The variance is to allow for a proposed 30-ft by 30-ft detached garage with a 60sqft deck and spiral stairs to be located 6-ft from an existing house, subject to compliance with all other Ordinance regulations.
2. A septic system compliance inspection shall be completed prior to issuance of any building permits for the garage. If the onsite system is found to not be in compliance, a compliant system shall be installed by not later than June 1, 2026.
3. Garage shall not be used as living space and shall not have a kitchen or bedroom within it.
4. Approved site plan shall be followed.
5. Failure to comply with the terms of this variance may result in termination of the Variance.

----- Hearing Minutes:

Zoning Administrator Trent McCorkell (TM) presented the request to the Board of Adjustment (BOA).

MP - For the condition that has a blank, what do we have to decide on, what details do we need to figure out?

TM - Generally, with any of the conditions for approval, it's approving the exact structure. Why I have left that blank is because I am assuming they want to do something more on it, and we would have to add that into the size. Or they would have to come back later for an additional variance.

GJ - When you mean combined, how involved is that? Like an archway or walkway?

TM - There are a couple different things with attaching structures. The building code can be very specific about what is considered attached. For zoning we have been able to be a little more flexible with that. Our standard has been that it is at least an enclosed breezeway. It could be screened in, but it has a roof over it and a connection. That is what we have been able to allow for zoning.

MP - If they had come and gotten a permit before they started construction would they have had to get a variance with an existing structure there or would they have been grandfathered in?

TM - No, they would have either had to attach it or move it over.

The BOA asked the applicant, Tricia Streitz (TS), to come forward to add comments or answer questions regarding the request.

TS - This project has taken on its own personality and taken way longer than we anticipated and has gotten way larger than we initially anticipated. When we brought this property in 2017, the house you saw was an outbuilding that had a tree through it. The property was a mess, so we've done a ton of work to it as a whole. That structure existed when we purchased the property, as did the garage next to it, which also had trees growing through it. Once we finished the house area, we didn't think about doing the garage because it was there, so we just poured the slab and went for it. Apologies on that. So now we are 4-ft too close to the house and we are asking to be allowed to continue. As for attaching the buildings, the house itself only has one doorway because of the structure it is, and the brick work we were advised not to cut into it. That doorway was existing when we purchased the property, as were the window holes, we just put in new windows. Where the garage was built makes sense with where the road is and where the mature trees are on the property. And to take those down would have altered the characteristics of the property, because a lot of trees have diminished, but I know that's not always a reason to allow. We are just asking that we can move forward. We do have plans for the upstairs, it is not living quarters. It's just the two of us, we don't have kids, there is nobody moving in. We will just be using that upstairs space as a sewing room and fitness room.

MP - And you would like a deck coming off there?
 TS - Yes, a spiral staircase and a 10-ft deck, 4'x6'.
 MP - So if you look at condition #1, "the variance is to allow for a proposed 30-ft by 30-ft detached garage with a 10ft deck/stairs to be located 6-ft from an existing house, subject to compliance with all other Ordinance regulations". Is that what you are thinking?
 TS - Yes.
 MP - And you are aware of the other conditions?
 TS - Yes, the septic is compliant and no one is living there.
 TM - If the deck is 4'x6' it would be 24 sq ft.
 TS - I was thinking that wasn't correct when I said that.
 MP - So you would like a 24 sq ft deck?
 TM - 24 sq ft deck with stairs.

Applicant gives floor plan drawing to staff and board members

TS - It's a 10-ft steel channel for deck cantilevered into trusses.
 MP - We just want to make sure we get it right.
 TS - Also the siding on the house is metal and brick, we have metal roofing on the house and garage and it will be metal siding on the garage as well.
 TM - It looks like the deck proposed is 10-ft along the side of the building, but it is unclear how far out it is coming.
 TS - That's up for what's allowed.
 TM - Building code is going to dictate some things for that size, so I am not sure if proposing a 4-ft is going to be sufficient. It might require a 6-ft depth, those are kind of in the range for minimums that we see for access points. And it looks like it is going to have a spiral staircase.
 MP - I am just trying to think what we should put in that blank spot to suffice so you don't have to come back here. TM what would you recommend we put in that spot.
 TM - Generally 6-ft should meet the building code requirements. But if they were proposing it bigger than that and you set it at 6-ft, then they'd have to scale it back.
 JC - Could we put it so it meets building code?
 TM - It will have to meet that anyway.
 JC - Can we put that verbiage in the condition that way?
 TM - You could specify minimum building code size but that is probably going to be smaller yet. Minimum code is usually pretty narrow.
 MP - Can we recommend a maximum square footage that can't be exceeded and is compliant with building code? Can we do it that way?
 TM - If you are to do that, I think you will want to go with a 10'x6', 60 sq ft size, per their site plan as well. Tie it to the drawing that was submitted if you'd like to go with it. Otherwise, you'd probably want to table and get those actual dimensions in there.
 MP - Do you have an opinion on how big of a deck you want to put on?
 TS - Whatever will pass. It's just a landing pad, not a hangout deck. It is just to get the exterior stairs up there and to the door.
 MP - A 10'x6', 60 sq ft seems like a pretty good landing pad. But that's up to you. Do you want us to table it? Or do you want us to put in 60 sq ft?
 TS - If it was smaller than that and was still okay with building code, is that allowed?
 MP - If it's smaller than 60 sq ft?
 TS - Yeah.
 MP - I think that'd be fine.
 TM - If you have 60 sq ft approved and decide to only do 40 sq ft for the building permit that shouldn't be an issue.
 MP - It would be more of an issue if they wanted to go bigger.
 TM - If you wanted to go bigger than that is definitely an issue.
 TS - I don't think so.
 MP - Okay so 60 sq ft is good?
 TS - Yes.
 MP - Okay, so a 60 sq ft deck and stairs.
 TS - Would that include the footprint for the stairs as well?
 TM - The wording I recommend if you go with that is, "60 sq ft deck and spiral stairs per the drawing"

as well, so we will need a copy and to include that as part of the record.

MP - Does that sound okay?

TS - Yes.

Vice Chair Purfeerst opened the public testimony portion of the item to the public and no one spoke.

Vice Chair Purfeerst closed the public testimony portion of the item to the public.

Discussion:

GJ - I feel a little bit more inclined to approve it than not, because if we were not to grant it and they did a breezeway it doesn't really change anything. The building is still 6-ft away.

KE - Yes, but then it'd be attached.

GJ - Correct, but if you are looking at the fire code it's still the same but you just have a 6-ft breezeway in between. And I do know what she's saying about the brick and that it was an existing building.

MP - And there was a shed there existing, so I think it's kind of what they were dealt too.

GJ - It's unfortunate that it is after-the-fact, but I do understand it being an old building that was torn down. I motion to approve with the 5 conditions and updating condition #1 to a 60 sq ft deck and spiral stairs.

KE - I second.

The Board of Adjustment reviewed the variance application and found that the applicant has established that all of the following criteria from Section 503 of the Zoning Ordinance are met by this proposal:

- *The variance request in harmony with the general purpose and intent of the Zoning Ordinance and consistent with the Comprehensive Plan? **Yes***
- *The proposed use is an allowed use in the zoning district in which the property is located? **Yes***
- *The proposed sewage treatment system is or can be made compliant with the Rice County Sewage and Wastewater Treatment Ordinance? **Yes***
- *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance? **Yes***
- *The plight of the landowner is due to circumstances unique to the property not created by the landowner? **Yes, there was an existing building there that was torn down.***
- *The variance, if granted, will not alter the essential character of the locality? **Yes***
- *The applicant has established that there are practical difficulties in complying with the Zoning Ordinance, not constituting economic considerations alone? **Yes***

The findings were read by GJ with the conditions as stated above with no additions by staff.

Motion made, seconded, and approved unanimously.

3. **Variance/Benson - Section 17, Wells Township**

Mike and Lisa Benson, on behalf of landowner Southeast Shoreline French Lake Cooperative, have applied for the following Variance:

- An 82.5-ft variance from the 120-ft lake setback to allow for an addition to an existing cabin located 37.5-ft from French lake.

The property is described as: Lot 1, Block 1, SESFLC Addition, Wells Township, Rice County, Minnesota. PID#s 10.17.2.76.923 & 10.17.2.76.001. Property address: 5989 177th St W #23, Faribault, MN 55021. The property is Zoned GDS, General Development Shoreland.

Motion by Garrett Johnson, seconded by Jim Cihak, to approve the Variance request for the 8-ft by 8-ft addition onto the existing cabin with the following conditions and findings for Mike and Lisa Benson, on behalf of landowner Southeast Shoreline French Lake Cooperative. The property is located in Section 17 of Wells Township.

RESULT: Approved, AYES: Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

CONDITIONS OF APPROVAL – Benson

1. The variance is to allow for an 8-ft by 8-ft addition onto the existing cabin located 37.5-ft from French Lake, subject to compliance with all other Ordinance regulations.
2. Approved site plan shall be followed.
3. Proper permits shall be obtained prior to any onsite construction.
4. At least 25-ft of the shoreline within 10-ft landward of the water shall be established and maintained in a natural condition as an un-mowed native vegetative lake buffer.
5. Variance shall be void if a building permit for the proposed building is not obtained within one year of the variance approval.
6. Failure to comply with the terms of this variance may result in termination of the Variance.

Mike and Lisa Benson, on behalf of landowner Southeast Shoreline French Lake Cooperative, have applied for the following Variances:

- A 17-ft variance from the 20-ft road setback to allow for a new shed to be located 3-ft from a private road.
- A 5-ft variance from the 10-ft setback required between buildings to allow for new shed to be located 5-ft from an existing cabin.
- A variance from the maximum number of outbuildings on a parcel to allow for a new additional shed to be added to a property currently exceeding the allowable three outbuildings per riparian parcel.

The property is described as: Lot 1, Block 1, SESFLC Addition, Wells Township, Rice County, Minnesota. PID#s 10.17.2.76.923 & 10.17.2.76.001. Property address: 5989 177th St W #23, Faribault, MN 55021. The property is Zoned GDS, General Development Shoreland.

Motion by Jim Cihak, seconded by Matt Purfeerst, to deny the Variance requests for the new 10-ft by 14-ft storage shed with the following conditions and findings for Mike and Lisa Benson, on behalf of landowner Southeast Shoreline French Lake Cooperative. The property is located in Section 17 of Wells Township.

RESULT: Approved, AYES: Garrett Johnson, Matt Purfeerst, Ken Engen, Jim Cihak, NAYS: None

FINDINGS OF FACT – Benson

- A previous variance had been granted for a shed associated with this cabin.
- The PUD parcel already exceeds the number of sheds per lakeshore property unlike most other lakeshore properties.
- The property is a large parcel with room for meeting setback requirements.
- Adding additional sheds will alter the character of the property.

Hearing Minutes:

Zoning Administrator Trent McCorkell (TM) presented the request to the Board of Adjustment (BOA).

MP - So the screened-in porch is where they want to put the 8'x8' office?

TM - No, they want to put that on the deck behind the screened-in porch. I believe it will show up in one of the later photos.

KE - So, you said a proposed addition to the shed is going onto the deck?

TM - Not the addition to the shed, the addition to the cabin is going on the deck.

KE - So the addition to the cabin is going on the deck.

TM - Yes, on the site plan the 12'x16' that you are seeing over to the left is the screened-in porch. The deck is behind it with the small office addition, which is 8'x8'. And then the 10'x14' shed that is proposed on the east side of the cabin.

MP - What did you say about this cabin and the association?

TM - As part of the planned unit development approval, which was done to create this site, they had some specifics for things that are allowed. This was a site that was cabins on a single large parcel previously. The homeowners group bought the property and to get themselves an option to do things such as apply for variances; they had to go through the planned unit development process. It's a little different than the Lake Mazaska one we saw earlier because that is grandfathered. This is a newly created one. As part of the planned unit development, it has some specific items that they needed to do and things that are allowed. They had to put a turn-around in on the road, which they have done, and a group septic system had to go in. And there are details not allowing stuff within 37.5-ft of the water, we are right at that with this item, but we are okay there. It also has in there that buildings proposed would be replacements only. So, the number of cabins is limited, and the number of sheds is limited. And this would be a variance from that, as proposed at least.

MP - Have we seen one of these come in front of the board and get approved in this particular area?

TM - No, not with development. You have seen several variances, mainly for cabin and shed replacements, some getting larger but not new structures.

The BOA asked the applicant, Mike and Lisa Benson (MB & LB), to come forward to add comments or answer questions regarding the request.

MB - We live at the cabin, but we go south in the winter. We just started this; she works from home so that is what the addition is for. It's for a tiny office because the cabin is kind of small. As far as the shed, the only other thing I've got to say is that they say you can have two outbuildings and the one they are counting as a storage shed is our living room, which is a screened-in porch. We don't use it as a shed, that just gives you a little background.

LB - The cabin doesn't have any closets, so I am going to have an office with a full-size desk, right now I have a 2'x3' table that I use for my laptop and computer screen. And like TM said we aren't going any closer to the lake, we are staying on top and just losing some of the deck. And as far as the shed, we actually applied for a variance for the first shed that we put up because our property didn't have any shed at all, and you guys approved that back in 2001. We are just looking for additional storage for summer living.

TM - The white shed off to the side is yours, right?

LB - Yes, that white one is ours.

TM - So if it was 2001, that was an older set of regulations.

MP - So that was after they made an association?

LB - Oh I'm sorry, 2021.

MB - It's been less than 5 years.

LB - Yeah, this is our 5th summer out on the lake.

TM - It must have been replacing some structure at that time.

LB - No it wasn't.

Vice Chair Purfeerst opened the public testimony portion of the item to the public and no one spoke.

Vice Chair Purfeerst closed the public testimony portion of the item to the public.

Discussion:

KE - I was going to say they have approved a variance for a shed on the property before. So, adding another one I don't know, it does sit behind the house so it's not any closer to the lake.

GJ - I am inclined to approve the addition onto the cabin, but I would rather leave the shed out. That was part of the planned unit development. Obviously, one ended up there at some point, but there is a reason why it was written that everything was going to be replacement only. And there is a shed there already that was recently built, so I am fine with the cabin addition, but I would feel better if we left the shed out of it. That's my opinion.

MP - It seems like a lot. They are adding on and asking for another shed. I understand it is a primary residence.

GJ - Which is fine, I just think that adding an extra shed now, it's only been 4 years since the other one was built. I am more inclined to follow the planned unit development on that and not allow new structures, keep it to replacements only.

MP - And even with allowing the addition to the cabin, that would be a new one the way I understand

it.

GJ - No it's attached, it is part of the cabin. It allows the cabin to get a little bigger but keeping it within the size of the deck. Again, more or less, my opinion is sticking with replacements only.

KE - I understand that.

JC - I agree with what GJ is talking about and to be within 3-ft, I know it's a private road but that is really close, but we are pretty much going against what the ordinance has written if we allow that. My thoughts would be to not allow those parts of the request.

GJ - I motion to approve the 6 conditions excluding the variances for the new shed building, only approving the request for the addition on to the cabin.

TM - If you are going to split the request, you should do that in two different motions. A motion to deny the shed request, if that is what you are wanting to do, and then a motion to approve the addition. Keep those separate and have separate findings for those.

GJ - I motion to approve the variance request for the 82.5-ft variance from the 120-ft lake setback for the addition to the existing cabin with the six modified conditions.

JC - I second.

TM - The first condition would be modified to say "the variance is to allow for an 8-ft by 8-ft addition onto the existing cabin located 37.5-ft from French Lake, subject to compliance with all other Ordinance regulations". The other five conditions would stay the same.

The Board of Adjustment reviewed the variance application and found that the applicant has established that all of the following criteria from Section 503 of the Zoning Ordinance are met by this proposal:

Cabin Addition:

- *The variance request in harmony with the general purpose and intent of the Zoning Ordinance and consistent with the Comprehensive Plan? **Yes***
- *The proposed use is an allowed use in the zoning district in which the property is located? **Yes***
- *The proposed sewage treatment system is or can be made compliant with the Rice County Sewage and Wastewater Treatment Ordinance? **Yes***
- *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance? **Yes***
- *The plight of the landowner is due to circumstances unique to the property not created by the landowner? **Yes, the cabin is already very close to the lake. They are just replacing part of the deck with the addition***
- *The variance, if granted, will not alter the essential character of the locality? **Yes***
- *The applicant has established that there are practical difficulties in complying with the Zoning Ordinance, not constituting economic considerations alone? **Yes***

The findings were read by GJ with the conditions as stated above with no additions by staff.

Motion made, seconded, and approved unanimously.

JC - I motion to deny the other 3 variance requests for item #3.

MP - I second.

The Board of Adjustment reviewed the variance application and found that the applicant has not established that all of the following criteria from Section 503 of the Zoning Ordinance are met by this proposal:

Shed:

- *The variance request in harmony with the general purpose and intent of the Zoning Ordinance and consistent with the Comprehensive Plan? **Yes***
- *The proposed use is an allowed use in the zoning district in which the property is located? **Yes***
- *The proposed sewage treatment system is or can be made compliant with the Rice County Sewage and Wastewater Treatment Ordinance? **Yes***
- *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance? **Yes***

- *The plight of the landowner is due to circumstances unique to the property not created by the landowner?* **Yes**
- *The variance, if granted, will not alter the essential character of the locality?* **No**
- *The applicant has established that there are practical difficulties in complying with the Zoning Ordinance, not constituting economic considerations alone?* **Yes**

The findings were read by JC with the conditions as stated above with no additions by staff.

Motion made, seconded, and approved unanimously.

III. Adjournment

Hearing no other items before the BOA, a motion was made by GJ, second by KE, to adjourn the meeting at 6:50 pm. Motion carried 4-0.

Respectfully Submitted



MacKenzie Klett
Office Support Specialist

Board of Adjustment



Matt Purfeerst, Vice Chair