

**OFFICIAL PROCEEDINGS OF THE  
RICE COUNTY BOARD OF ADJUSTMENT  
Commissioner's Room / Government Services Building  
Thursday, April 5, 2018 at 7:00 p.m.**

**I. Call to Order**

- A. Roll Call - The meeting was called to order by Chair Michael Streiff at 7:00p.m. Members present were: Michael Streiff, Preston Bauer, Tom Sammon, Aramis Wells. Staff present were: Director Julie Runkel, Zoning Administrator Trent McCorkell, Planner Nicole Bonde-Jones, Administrative Coordinator Anna Aguilar. Others present: see sign-in sheet.

**B. Reading of Notice**

**Motion by Bauer, seconded by Sammon, to read the notice into the minutes.**

<b>RESULT:</b>	Approved [Unanimous]
<b>AYES:</b>	Streiff, Bauer, Sammon, Wells
<b>ABSENT:</b>	Peters

**C. Motion by Sammon, seconded by Bauer, to approve the agenda as presented.**

<b>RESULT:</b>	Approved [Unanimous]
<b>AYES:</b>	Streiff, Bauer, Sammon, Wells
<b>ABSENT:</b>	Peters

**D. Motion by Sammon, seconded by Bauer, to approve the minutes of March 1, 2018.**

<b>RESULT:</b>	Approved [Unanimous]
<b>AYES:</b>	Streiff, Bauer, Sammon, Wells
<b>ABSENT:</b>	Peters

**II. New Business**

**1. Variance/Sammon - Section 28, Warsaw Township**

Kevin Sammon has applied for a 2,688-sqft variance from the 1200-sqft size limitation and a 11-ft variance from the 16-ft structure height limitation to allow for a 3,888-sqft agricultural machine storage shed with a 27-ft peak height within 300-ft of a protected watercourse. The property is described as: The E1/2 of the SW1/4 of Section 28, Warsaw Township, Rice County, Minnesota. PID #:14.28.3.00.001. The property is Zoned A, Agricultural.

**Motion by Bauer, seconded by Sammon, to approve the variance request with the following conditions and findings for Kevin Sammon. This property is located in Section 28 of Warsaw Township.**

<b>RESULT:</b>	Approved [Unanimous]
<b>AYES:</b>	Streiff, Bauer, Sammon, Wells
<b>ABSENT:</b>	Peters

**CONDITIONS OF APPROVAL - Sammon**

1. The variance is to allow for a 3,888-sqft agricultural shed with a 27-ft peak height to be located 170-ft from Mackenzie Creek, subject to compliance with all other Ordinance regulations.

2. Approved site plan shall be followed.
3. Variance shall be considered void if building permits are not obtained and construction commenced within one year of the variance approval.
4. Failure to comply with the terms of this variance may result in termination of the Variance.

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**Hearing Minutes:**

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

The BOA asked the applicant, Kevin Sammon (KS), to come forward to add comments or answer questions regarding the request.

KS - I have nothing to add.

MS - Have you seen the 4 conditions that are up on the screen right now?

KS - Yeah.

MS - Are you building a cold storage building?

KS - Yeah, storage for my extra machinery.

MS - You are good with the 4 conditions?

KS - Yes.

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

Chair Streiff closed the public testimony portion of the item to the public.

Discussion:

PB - It is pretty straight forward. Looks like the site will work and it is still a good distance from the stream. I would like to make a motion for approval with the 4 conditions.

TS - I'll second that.

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 amendment are met by this proposal:

- Proposed use is allowed in the property's zoning district;
- Request is in harmony with the general purpose and intent of the Zoning Ordinance and consistent with the Comprehensive Plan;
- Applicant proposes to use the property in a reasonable manner not permitted by the Ordinance;
- The request stems from circumstances unique to the property, not one created by the landowner;
- If granted, this variance will not alter the essential character of the locality nor have any significant impact on the surrounding properties;
- This is the minimum variance necessary to afford relief;
- Adequate sewage treatment and water capabilities can be provided;
- The variance would have no significant impact on public health or safety; and
- Special privileges are not conferred to the applicant that are denied owner of other lands, structures, or buildings in the same district

The findings were read by Bauer with the conditions as stated above and with the following additions by staff:

TM: It is an Agricultural use in an Agricultural district. There are similar size buildings near by in the area and the height and size is reasonable for the proposed use.

Motion made, seconded, and approved.

### **III. Adjournment**

Hearing no other items before the BOA, a motion was made by Bauer, second by Wells, to adjourn the meeting at 7:08 pm. Motion carried 4-0.

**Respectfully Submitted**

**Board of Adjustment Chair**

**Anna Aguilar**  
**Administrative Coordinator**

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**Michael Streiff**