

CARVER COUNTY BOARD OF ADJUSTMENT
Regular Meeting September 3, 2025
Minutes

Members Present: Amanda Gorra, Robin Bielefeldt, Scott Selken, Jeff Thompson, Steve Washburn, Andy Steinhagen

Members Absent: Gerry Bruner

Members Late: None

Staff Present: Jason Mielke, Lauren Whetstone, Matt Steele

Pursuant to due call and published notice thereof, the September 3, 2025, meeting of the Carver County Board of Adjustment was called to order by Vice Chairman Gorra at 7:00 p.m.

Vice Chairman Gorra announced the roll call indicated six members present, with the absence of Gerry Bruner.

Agenda – Vice Chairman Gorra asked if there were any additions or deletions to the agenda. Hearing none, she asked for a motion to approve the agenda. A motion was made by Bielefeldt to approve the agenda as printed. Steinhagen seconded the motion for approval. All voted aye. Motion carried.

Minutes – Vice Chairman Gorra asked if there were any corrections to the minutes from the August 6, 2025, meeting. Hearing none, she asked for a motion to approve the minutes. A motion was made by Steinhagen to approve the minutes. Washburn seconded the motion for approval. All voted aye. Motion carried.

Public Hearing - File #PZ20250037 – Brandon Olson – Vice Chairman Gorra called the public hearing to order at 7:01 p.m. to consider the application of Brandon Olson for a variance pursuant to Chapter 54 of the County Code. The purpose of the public hearing was to consider a request for reduced setback from an existing feedlot for a residence on the property. The property is in Section 10 of Dahlgren Township.

The following were present: Brandon Olson, Mark Hesse

The following items were entered into the hearing record:

Exhibit A - Legal Description

Exhibit B - Affidavit of Publication of the Hearing Notice

Exhibit C - Affidavit of Mailing of the Hearing Notice

Exhibit D – Site Plan

Exhibit E - Letter from the Applicant dated July 10, 2025

Exhibit F – Staff Report addressed to the Board of Adjustment and Dahlgren Town Board dated August 25, 2025, and all attachments.

Matt Steele, Carver County Feedlot Officer, stated Donald and Mark Hesse own an approximate 157.93-acre property which includes cropland, wetlands and wooded areas. It is improved with an existing farmstead consisting of agricultural buildings and three '1 per 40' houses. There is one '1 per 40' building eligibility remaining. The applicant is seeking to subdivide an approximate 4-acre parcel from his father-in-law's parcel for a residential lot. The variance request is to allow construction of a house and garage approximately 800 feet from

an existing feedlot. The Chapter 54 County Code requires a setback of 1,000 feet for a new residence from an existing feedlot of 30 animal units or more. Mr. Olson described a practical difficulty exists based on topography and physical features of the property which reduce a suitable area to create a residential lot, including Chaska Creek, woods, wetlands, and production farmland. The proposed location contains high ground and is easily accessible to County Rd 140. Staff proposed an alternate site to the west of Chaska Creek; however, it would have included 6.5 acres of prime ag land, which would require a different variance type. Except for the requested variance reducing the setback to an existing feedlot, the proposed lot meets all other zoning code requirements. Mr. Olson expressed a desire to live near the farming operation as his duties include assisting with the day-to-day farming activities and operation, maintenance and repairs of the equipment. Living nearby will enable him to respond quickly to urgent needs, contribute consistently to the efficiency of the farm, and support the long-term sustainability of the operation. Steele used an aerial photo to illustrate the requested variance distance from the feedlot area. Letters of support for the variance were received from six neighboring property owners. Lori Brinkman, Carver County Senior Environmentalist, reviewed and approved the soil borings for primary and alternate septic locations. Granting the variance would not conflict with the intent of the Comprehensive Plan or County Ordinances and would not alter the character of the neighborhood. It would not materially, adversely affect the health or safety of persons residing or working in the area adjacent to the property or be materially detrimental to the public welfare or injurious to property or improvements in the area. The Dahlgren Town Board reviewed and recommended approval of the variance request at their July 14, 2025, meeting. Steele read the proposed conditions for consideration if the request is approved. If the Board of Adjustment determines that a practical difficulty has not been identified, and that approving the variance would not serve in the interest of justice, the Board of Adjustment would need to identify reasons to support the denial.

Vice Chairman Gorra asked the applicant if he had any additional comments.

Brandon Olson, 13445 Market Av, reiterated the family's desire to keep a majority of the land in family ownership, while maintaining fairness among all four owners. She stated the proposed parcel configurations are satisfactory to all family members and will allow the agricultural land to remain in the family.

The applicant had no additional comments.

Thompson, speaking as Dahlgren Township supervisor, confirmed the applicant attended their meeting and the board enthusiastically and unanimously approved the request, pleased that the farming operation will be continuing with the family.

There was no one present from the public for comment on the request.

A motion was made by Selken and seconded by Bielefeldt to close the public hearing. Vice Chairman Gorra called for a vote on the motion. All voted aye. Motion carried. The public hearing was closed at 7:10 p.m.

Bielefeldt commented the proposed location appears to be an appropriate location and does not exceed the 2-acre maximum of prime ag land in a residential lot.

A motion was made by Steinhagen to **approve and issue Order #PZ20250037** allowing for a variance for reduced setback to a feedlot of 30 animal units or more, pursuant to Chapter 54.46 (C)(2)(a) of the Carver County Feedlot Ordinance, for the property legally described on the attached Exhibit "A". The Board of Adjustment further orders approval with the following conditions:

1. A Minor Subdivision application shall be submitted and approved prior to the recording of

any deed(s). The parcels shall be subdivided in accordance with the County Zoning Code requirements including but not limited to, a completed Minor Subdivision application, a survey, and SSTS compliance.

2. The permittee shall not locate the proposed residence closer than 800 feet to the nearest feedlot component.
3. The permittee shall obtain the appropriate building permit(s) and septic permit(s) prior to the construction of the residential house. A grading plan and erosion/sediment control plan shall also be prepared, submitted, and implemented in accordance with the CCWMO Water Rules (Chapter 153) as part of the building permit application process. The lowest floor elevation of the residential house must comply with Section 152.117 of the Carver County Zoning Code.
4. The permittee shall obtain a Residential Access Permit by the Carver County Public Works Division.
5. All construction activities shall be done in accordance with the submitted site plan(s). The new construction shall not encroach any closer to the existing feedlot than as approved as part of this permit application (Approx. 800 feet).

Thompson seconded the motion for approval of the request. Vice Chairman Gorra called for a vote on the motion. All voted aye. Motion carried.

Public Hearing - File #PZ20250038 – Alexandra Akins – Vice Chairman Gorra called the public hearing to order at 7:12 p.m. to consider the application of Alexandra Akins for a variance pursuant to Chapter 152 of the County Zoning Code. The purpose of the public hearing was to consider a request to expand a non-conforming lot. The property is in Section 14 of Watertown Township.

The following were present: Alexandra Akins, Connor Schrempp

The following items were entered into the hearing record:

Exhibit A - Legal Description

Exhibit B - Affidavit of Publication of the Hearing Notice

Exhibit C - Affidavit of Mailing of the Hearing Notice

Exhibit D – Site Plan

Exhibit E - Letter from the Applicant received July 7, 2025

Exhibit F – Staff Report addressed to the Board of Adjustment and Watertown Town Board dated August 25, 2025, and all attachments.

Lauren Whetstone, Land Management Planner, explained the applicant, Alexandra Akins, owns an approximate 2-acre legal non-conforming parcel in Government Lot 5, Section 14, Watertown Township. She would like to increase the size of the legal non-conforming lot by purchasing adjacent land to install a septic system to serve a new house to be constructed on the property. The current parcel is non-conforming because it lacks appropriate road frontage, and a variance is required to expand a legal non-conforming parcel. The parcel had structures existing prior to the ordinance date of July 1974, allowing it to be considered legal-non-conforming. The parcel meets all other Zoning Criteria. Ms. Akins became the owner of the parcel in March 2025. In May 2025, a variance was approved for reduced setback from the Ordinary High Water Level (OHWL) of Mud Lake for construction of a new house. The area for the septic system identified with that plan was found to be in a non-compliant location. Ms. Akins would like to purchase

approximately .31-acre of adjacent land to accommodate the septic system. She stated the expansion of the subject property “allows for the septic system to be placed in a location with passing soil samples as well as in a location where drainage from the system will not result in water flow problems into the nearby shed.” The proposed location is to the southwest of an existing accessory structure and meets the 150-foot shoreline setback. A minor subdivision will be required to reconfigure the parcels. Two alternative septic locations were evaluated. One site was unsuitable due to poor soils and the other location was near the existing structure which would exacerbate drainage issues. The proposed site avoids these issues and allows for a continued field access on the adjacent parcel. Senior Environmentalist, Lori Brinkman, confirmed both proposed SSTS locations meet the minimum requirements for a Type I mound system standards. She supports the proposed location for its storm water management and property line setbacks. No comments were received from the MnDNR concerning this request. Granting of the variance does not conflict with the intent of the Comprehensive Plan and would not alter the character of the neighborhood. It would not materially or adversely affect the health or safety of person residing or working in the area, or be materially detrimental to the public welfare or injurious to property or improvements in the area. The Watertown Town Board reviewed the request and recommended approval at their August 4, 2025, meeting. Whetstone read the proposed conditions for consideration if the request is approved. If the Board of Adjustment determines that a practical difficulty has not been identified, and that approving the variance would not serve in the interest of justice, the Board of Adjustment would need to identify reasons to support the denial.

Alexandra Akins, 10480 Swede Lake Rd, clarified the septic location previously identified for the house which did not get constructed was chosen as their alternate site, but failed due to soil changes, which led to the proposed site southwest of the shed. She stated there are existing drainage issues near the shed, but the proposed septic site will not interfere with that. They are working to correct those drainage issues.

No one was present to speak for the Watertown Township Board, and Vice Chairman Gorra acknowledged the recommendation for approval as stated on the Township recommendation form.

There was no one present from the public for comment on the request.

A motion was made by Selken and seconded by Steinhagen to close the public hearing. Vice Chairman Gorra called for a vote on the motion. All voted aye. Motion carried. The public hearing was closed at 7:19 p.m.

Bielefeldt stated he visited the site and felt the proposal to increase the lot size was a reasonable request to resolve the problem.

A motion was made by Bielefeldt to **approve and issue Order #PZ20250038** allowing for a variance to allow the expansion of a legal non-conforming lot for SSTS purposes pursuant to Chapter 152.009 (M) of the Carver County Zoning Code, for the property legally described on the attached Exhibit “A”. The Board of Adjustment further orders approval with the following conditions:

1. A Minor Subdivision application shall be submitted and approved prior to the recording of any deed(s). The parcels shall be subdivided in accordance with the County Zoning Code requirements, including but not limited to a completed Minor Subdivision application, a survey, and SSTS compliance.
2. The permittee shall obtain all required SSTS permits prior to the commencement of construction for the proposed new house.

3. The SSTS shall be located consistent with the submitted site plan dated August 11, 2025, and installed according to the final design approved by the Carver County Environmental Services Department.
4. The permittee shall comply with all conditions of Variance PZ20250015 (reduced OHWL setback).
5. No further expansion of the subject parcel shall be permitted without first obtaining all necessary variances, if applicable.

Selken seconded the motion for approval of the request. Vice Chairman Gorra called for a vote on the motion. All voted aye. Motion carried.

Other Business

Mielke mentioned that the County Board is planning to review the reimbursement amount for all the various advisory boards at their January meeting.

Adjournment

A motion was made by Bielefeldt and seconded by Selken to adjourn the meeting. All voted aye. The meeting was adjourned at 7:23 p.m.