

**Minutes
of the
Steele County Board of Adjustments
May 2nd, 2023**

Call to Order:

The meeting was called to order by Chair Schmidt at 7:00 pm. Members present were Schmidt, Lammers, Jaster, Nelson, Ulrich, and staff member Oolman.

Agenda:

Motion by Jaster, second by Ulrich to approve the agenda as submitted. Motion passed

Public Hearing – Variance #655 Rypka

This hearing is to consider a variance request to transfer property from the Jerome A. Rypka Testamentary Trust to David Rypka, Dann Rypka, and Dixon Rypka individually without completing a septic compliance inspection.

Questions & Comments:

- Dixon Rypka -The property will be developed at some point in the future. They don't see any way the house will be saved as part of a development, but would like to keep it for the present time as their brother stays there occasionally when he is in town. The well is in the house and services the other buildings so it would be difficult to shut that off.
- Schmidt- What triggered the transfer to begin with?
Rypka indicated it was the acquisition of a portion of the property for the roundabout.
- Schmidt- What could occur that would make the Ripka's upgrade the septic system.
Oolman answered, if it was found thru some other means other than a compliance inspection to be non-compliant, they would still have to upgrade or discontinue use.

The public hearing was opened.

- Dave Dietz, Owatonna Township, stated the township does not have an issue with this if there is a sunset date put on when the septic needs to be inspected by, if the property is not developed.

As there were no other comments the public hearing was closed.

Discussion:

- Schmidt felt that the variance was appropriate but would like to see a sunset date put on it by which the property would need to be inspected or developed into the city.
- Further discussion by board members on the sunset date. It was felt that 5 years was an appropriate amount of time.

1) Is the variance in harmony with the intent of the comprehensive plan and ordinance?

All members felt the request met the intent of the comprehensive plan and ordinance.

2) Is the property owner proposing to use the property in a reasonable manner?

All members felt the property owner was using the property in a reasonable manner.

3) The plight of the applicant is due to circumstances unique to the property.

All members felt the uniqueness of the property contributed to the plight of the applicant.

4) Was the plight of the landowner created by someone other than the landowner?

All members felt the circumstances were created by someone other than the landowner.

5) The variance will not alter the essential character of the locality.

All members felt the character of the locality would remain the same.

6) Economic considerations alone are not the only practical difficulty?

All members did agreed economics were not the only reason for the request.

Motion by Ulrich, second by Nelson to grant variance request #655 based upon the findings of the board with the following condition.

1. The septic must be inspected or abandoned within 5 years of the property transfer.

Motion to approve passed 5 to 5.

Adjournment:

Motion by Schmidt, second by Lammers to adjourn. Motion passed. Meeting adjourned at 7:30 PM.