

**Minutes
of the
Steele County Board of Adjustments
August 1, 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 Ulrich, second by Jaster to approve the agenda as submitted. Motion passed

Minutes:

Motion by Nelson, second by Ulrich to approve the July 11th, 2023, minutes as submitted. Motion passed.

Public Hearing – #657 (Brown/ Bartsch - Feedlot Setback)

This hearing is to consider a variance request from Justin and Tess Brown to construct a new residence less than 1000 feet from a neighboring registered feedlot. The property is located in the SW ¼, SW ¼, SE ¼ Section 35, Meriden Township and is owned by Dale Bartsch.

The public hearing was opened.

- Herbert Rand, owner of the registered feedlot asked what the effect of the variance would be on his feedlot. Would he be able to expand in the future?
Oolman explained he would be able to expand his feedlot but not closer to the proposed residence than he currently is. Currently we would measure the setback from the closest edge of the nearest building.
- Rand - Have you ever approved a variance like this before?
Oolman- Not to build a residence closer to a feedlot. The County has approved variances to re-register an existing site as a feedlot less than 1000 feet to an existing residence.
- Schmidt- You have maintained your registration for years. When is the next time you need to register it?
Rand - 2 more years.
- Rand - Has concerns about putting livestock in the facility in the future and the owners complaining about odors.
Brown- We are aware of the smells that come with a feedlot.
- Schmidt- Does the feed lot registration go with the property?
Oolman- Yes it stays with the property as long as they maintain the registration and buildings that can house livestock.
- Ulrich – Can a stipulation be put on the variance that the owners can't object to the feedlot?
Oolman indicated that would be difficult as the owners may change over time. Also, odors have a health standard, and you can't waive your rights to a health standards.

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

The board reviewed the criteria for considering variance request #657

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

All members felt the request did not meet the intent of the comprehensive plan and ordinance because the requested residence did not meet the feedlot setback.

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

All members felt the property owner was proposing to use 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 applicant.

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

All members felt the character of the locality would not remain the same as the variance would allow a residence that does not meet the setback.

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

All member's agreed economics were not the only reason for the request.

Motion by Nelson, second by Ulrich to deny variance request #657 as it did not meet all of the criteria needed to grant a variance. Motion to deny passed by a vote of 5 to 0.

Adjournment:

Motion by Jaster, second by Lammers to adjourn. Motion passed. Meeting adjourned at 7:29 PM.