

**CARVER COUNTY BOARD OF ADJUSTMENT**  
**Regular Meeting – July 3, 2019**  
**Minutes**

Members Present: Scott Hoese, Richard Kvitek, Virgil Stender, Mark Willems, Robin Bielefeldt

Members Absent: None

Members Late: Doug Weber

Staff Present: Jason Mielke, Kathleen Russell

Pursuant to due call and published notice thereof, the July 3, 2019, meeting of the Carver County Board of Adjustment was called to order by Chairman Hoese at 7:00 p.m.

**Minutes** – A motion was made by Kvitek and seconded by Stender to approve the minutes of the June 5, 2019, meeting as corrected. All voted aye. Motion carried.

**Public Hearing - File # 20190019 – Myron Stuewe** –Chairman Hoese called the public hearing to order at 7:01 p.m. to consider the application of Myron Stuewe pursuant to Chapter 152 of the County Code. The purpose of the public hearing was to consider a request for exceeding more than 2 acres of prime ag soils in a new residential lot pursuant to Chapter 152 of the County Code. The property is located in Section 28 of Young America Township.

The following were present: Myron Stuewe, Ron Trick

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 June 3, 2019

Exhibit F – Letter to the Board of Adjustment and Young America Township dated June 24, 2019, and all attachments

Russell explained the applicant owns an approximate 34.76-acre parcel and would like to subdivide approximately 10 acres for a new residential lot. The proposed parcel would contain approximately 3.7 acres of prime ag soils, which exceeds the County Code maximum of 2 acres of prime ag soils allowed in a new residential lot by 1.7 acres. The applicant expressed a practical difficulty exists in that the proposed lot meets all of the requirements for a new lot except for the use of prime agricultural land. The proposed parcel configuration would also have less impact on farming practices by straightening a line and removing a short turn. Young America Township heard the request and recommended approval. Russell read the condition for consideration if the request is approved.

Ron Trick, representing Young America Township, confirmed the Township's recommendation for approval.

Bielefeldt asked about the driveway access and also utilities on the site.

Mr. Stuewe stated the existing access will be extended and will follow the tree line to the building site. A few trees will need to be removed. He explained there is a power pole on the west side of the road and there had been electricity at this site when he had grain bins there. That service was removed when the bins were removed.

Bielefeldt asked about the plans for the ag land that is included with the proposed lot.

Mr. Stuewe replied that it would remain in ag production until his daughter and son-in-law decide what they want to do with that portion of the lot.

Bielefeldt recognized that the ag land is and has been actively farmed and questioned why this would be included in the residential lot.

Mr. Stuewe stated it will be easier to have the field 'squared off' and it is his preference to have straight lines and square fields.

A motion was made by Willems and seconded by Stender to conclude the public hearing. All voted aye. Motion carried. The public hearing was concluded at 7:07 p.m.

A motion was made by Willems and seconded by Hoese to **approve and issue Order PZ20190019** allowing for more than 2 acres of prime ag soils in a new residential lot and the following condition:

1. A Minor Subdivision application shall be submitted and approved prior to the recording of any deed(s). The parcel(s) shall be subdivided in accordance with the Zoning Code requirements, including but not limited to, a survey and primary and alternate on-site septic locations.

Hoese, Kvittek, Willems, and Stender voted aye. Bielefeldt voted nay. Weber abstained from the vote as he had arrived late to the meeting. Motion carried.

### **Adjournment**

Having completed the agenda items and seeing no other business, Chairman Hoese deemed the meeting adjourned at 7:08 p.m.