

Warsaw Township

Township Board Meeting Minutes

October 11, 2021

1. CALL MEETING TO ORDER

Chair Egland called the meeting to order at 6:00 pm and the Pledge of Allegiance was recited.

Members Present: Duwain Egland, Larry Madsen, Emery Maher, Diane McCorkell and Darla Frandrup

Others Present: Bob Flom, Mike Flom, Cassandra O'hern, and Larry Enfield

2. APPROVE MEETING MINUTES

Motion made by Supervisor Maher to approve the minutes as read; Supervisor Madsen seconded. All voted in favor; motion carried.

3. NEW BUSINESS

- Two members of the Planning Commission, Cassandra O'hern and Larry Enfield updated the Board on their recommendation for Michael Flom's Variance to build a new shed. The Planning Commission did a site visit and based on this, and ordinance findings, unanimously recommended the approval of the Variance. See attached for complete recommendation from the Planning Commission. Supervisor Madsen moved to approve the Variance application as submitted by Michael Flom; Supervisor Egland seconded. Supervisor Maher voted against the motion; motion carried.
- The Fischbach's attended the October Planning Commission meeting with questions about opening a small business out of their home. The Planning Commission found the Fischbach's do not need approval from the Township because home businesses that are small enough fall within permitted usages. The Township is not "approving it" or "disapproving" it; rather deferring to the county on this issue.
- Supervisor Madson moved to approve the Warsaw Township Hall as the official polling place for 2022; Supervisor Maher seconded. All voted in favor; motion carried. A resolution was also signed and will be sent to the County.
- There was nothing new to report with the Stanton Township shared road agreement. Darla will contact their Clerk for an update.
- Supervisor Maher moved to approve and sign the 2022 Nerstrand Fire Contract for \$6,000; this is a \$470.59 increase from 2021. Supervisor Madsen seconded. All voted in favor; motion carried.
- Marie Valburg contacted Darla and would like to act upon an approved appeal from Goodhue County from 2006 to add a building site to her property. The Valburg property is zoned A2 and currently has 12 building sites, the maximum allowed. Darla followed up with Samantha Pierret, Planner/Zoning Administrator from Goodhue County. Samantha said a variance for an

abandoned homestead on 45.001.0700 was approved in 2006 without an expiration date. Photos of an old foundation were submitted and the 1894 plat book shows a dwelling site. The approval was for a replacement site which must be sited “as close as practical” to the original home. The County said the old foundation is in the wooded area so the new house would need to be placed as close as practical to that old foundation area. Joel Stenhaug signed the Township approval in 2004. Darla will send this to the Planning Commission for their thoughts on how to move forward.

- Larry Enfield approached the Board with a building permit request to build a greenhouse on his property located at 2250 County 9 Blvd., Dennison. Supervisor Madsen moved to approve the building permit as submitted; Supervisor Eglund seconded. All voted in favor; motion carried.

4. ADJOURN

Motion made by Supervisor Madsen to adjourn the meeting; Supervisor Maher seconded. All in favor; motion carried.

Approved on 11/8/2021

Duwain Eglund, Chairman

Darla Frandrup, Clerk

The Warsaw Township Planning Commission held a public hearing on October 6, 2021, to consider the variance request received by Michael Flom. No individuals appeared at the hearing in opposition to the application. No individuals appeared in support of the application; however, the variance application stated that the two adjacent property owners approved of the variance request and a member of the commission verified this information.

Based upon a review of the Warsaw Township Zoning Ordinance, the Variance application, information provided by Michael Flom and a review of the property and proposed construction of a new building, the planning commission makes the following findings under Chapter VI, Subp. 6.4.3:

- a. There are practical difficulties in complying with the Ordinance that are not based solely on economic considerations.
 - a. Lot size
 - b. Square footage of the lot does not leave alternatives
 - c. Location of house and septic system
 - d. Existing buildings are already non-conforming and while the layout of the new building changes, it does not create much of a difference in total footage that does not meet the setback requirement.
- b. All building, grading and development activities shall be reviewed with the goal of minimizing loss or disruption of "Prime Agricultural Soils..."
 - a. Building does not impact prime agricultural soils as it is within "homestead" area.
- c. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography, or other circumstances over which the owners of the property since the enactment of this Ordinance have had no control.
 - a. Lot size and location of the existing dwellings
- d. The issuance of the variance is in harmony with the general purpose and intent of the Ordinance.
 - a. It does not conform to setback requirement, but the use of the building is in harmony with the general purpose.
- e. The applicant proposes to use the property in a reasonable manner permitted by the Ordinance.
 - a. Yes.
- f. The variance, if granted, will not alter the essential character of the locality.
 - a. It will not alter the essential character of the locality
 - b. Will improve the property
 - c. Will improve public safety by limiting current practice of backing up on roadway with large trailer/machinery.
- g. The plight of the applicant is due to circumstances unique to the property not created by the owner.
 - a. Yes. The house was built in 1960's, garage has been added onto several times.
- h. The variance will not allow any use that is not permitted under the Ordinance for a property in the zone where the affected applicant land is located.
 - a. No, it does not.

Given these findings, the Planning Commission voted unanimously to recommend granting the applied for variance.