

## REDWOOD COUNTY BOARD OF ADJUSTMENT

### MINUTES

**Meeting Date: March 6, 2024**



A meeting of the Redwood County Board of Adjustment convened on Wednesday, the 6<sup>th</sup> day of March, 2024. The meeting consisted of one public hearing. The meeting was convened at 42668 300<sup>th</sup> St., Morton. The following Board of Adjustment members were present: John Schueller and John Rohlik. Dan Tauer was absent. The following individuals were also present: Josh Gewerth, Redwood County Environmental Director Nick Brozek, and Land Use & Zoning Supervisor Jeanette Pidde.

At 8:25 a.m., the meeting was called to order by Chair John Rohlik.

The first order of business was the election of officers for the 2024 calendar year.

On a motion by Schueller, seconded by Rohlik, Dan Tauer was nominated for Board of Adjustment Chair for 2024. The motion passed unanimously.

On a motion by Rohlik, seconded by Schueller, John Schueller was nominated for Board of Adjustment Vice-Chair for 2024. The motion passed unanimously.

At 8:30 a.m., Vice-Chair Schueller opened a public hearing on an *Application for Variance*, Permit Application No. 1-24v, submitted by Josh Gewerth. Prior to the Board of Adjustment meeting, the Board of Adjustment members were provided an informational packet which included the following information regarding the matter:

1. Joshua Gewerth is proposing to replace his existing, non-compliant septic system with a new system to serve his house located at 42668 300<sup>th</sup> St, Morton. The property is a 7.48-acre tract located in the North Half of the Northeast Quarter, Section 28, Township 112, Range 34, Sherman Township.
2. The house is located approximately 95 feet north of an unnamed stream. The house is an existing, nonconforming structure. The current septic system is a pipe to the stream.
3. As proposed by the septic designer, the new septic tank will be approximately 118 feet from the stream, and the mound will be approximately 135 feet from the stream. There is a 150-foot setback requirement of on-site septic systems from the ordinary high water mark of the stream. Consequently, Mr. Gewerth is requesting a variance of at least 32 feet from the setback requirement.

Redwood County Government Center - Environmental Department

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4. The septic designer took into consideration the location of Mr. Gewerth's house, well, driveway area, outbuildings, soils, land contours, and grove in his determination of the best location for the new septic system. Cost and practicality of locating the system further from the stream were also considered.
5. Pursuant to Redwood County Ordinance, written notice shall be provided to all property owners of record within five hundred (500) feet of the affected property via U.S. Mail as to the time and place of the public hearing. Further, written notice shall also be provided to the affected board of township supervisors and the municipal council of any municipality within two (2) miles of the affected property.

The following information was presented to and considered by the Redwood County Board of Adjustment at the public hearing:

Josh Gewerth was present to explain the project. He made the following statements about the application:

- He is replacing his septic system with a new, compliant system. It would be closer than 150' from the stream.
- There are flags marking the proposed location of both the tank and drain field.
- The septic designer looked at the location of the house and the lay of the land to find the best location for the new system.

The Board had the following questions and comments:

- Is 32 feet enough of a variance? It could be rounded up to 35 feet to allow some flexibility during construction.

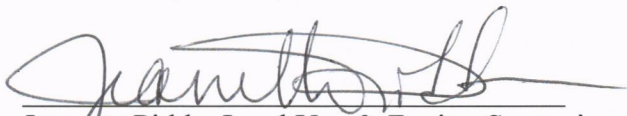
No one spoke in opposition to the variance.

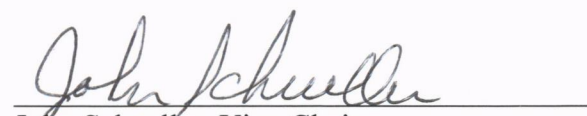
The Board discussed the statutory factors regarding an application for variance and completed the Application for Variance Checklist.

Rohlik made a motion to approve the variance of 35 feet from the ordinary high water mark of the stream setback requirement. The motion was seconded by Schueller and passed unanimously.

Discussion was held regarding the Minutes of the Board of Adjustment meeting held on the 15<sup>th</sup> day of May, 2023. On a motion made by Rohlik and seconded by Schueller, it was passed unanimously that said minutes be approved as presented.

The meeting was adjourned at 8:33 a.m.

  
Jeanette Pidde, Land Use & Zoning Supervisor  
Redwood County Environmental Office

  
John Schueller, Vice-Chair  
Redwood County Board of Adjustment