



SCOTT COUNTY
BOARD OF ADJUSTMENT
MEETING MINUTES

Scott County Government Center
County Board Room 226
200 Fourth Ave West
Shakopee, Minnesota

Monday, March 11, 2024
County Board Room at 6:30 PM

I. ROLL CALL AND INTRODUCTIONS

Chair Huber opened the meeting at 6:30 PM with the following members present: Ammar Husain, Jay Picha, Kent Robbins, Ray Huber, Tom Vohnhof, Donna Hentges and Lee Watson.

County Staff Present: Brad Davis-Planning Manager, Marty Schmitz-Zoning Administrator; Greg Wagner-Principal Planner, Nathan Hall-Associate Planner; Tom Wolf-County Board Commissioner and Rachel Nosbush-Deputy Clerk to the Board.

II. APPROVAL OF JANUARY 8, 2024 BOARD OF ADJUSTMENT MINUTES

Chair Huber called for a motion to approve the minutes. Motion by Commissioner Vohnhof; second by Commissioner Robbins to approve the minutes of January 8, 2024. The motion carried unanimously with Commissioner Watson abstaining.

III. PUBLIC HEARING

3.1 PUBLIC HEARING 6:30 PM: PATRICK & KAREN DWYER VARIANCE (PL#2024-002)

- A. Request for a Variance From the Required 75-Foot Setback to the Ordinary High-Water Level and Variance From the 25% Impervious Surface Maximum.

Location: Section 9
Township: Spring Lake
Current Zoning: RR-3 Residential Suburban Single Family District

Greg Wagner presented the staff report for this application. The specific details within the staff report and video are available at the Scott County Website link: [March 11, 2024 Board of Adjustment Agenda Packet](#). The staff report can be found in the full agenda packet located by clicking Board of Adjustment.

The agenda packet can also be found by visiting the official county website at www.scottcountymn.gov and searching under >Government>then County Board Agendas and Minutes>then search Board of Adjustment.

Commissioner Comments and Questions:

Commissioner Robbins questioned if there had ever been a time where the water table had risen to a concerning level.

Mr. Wagner explained that ordinary high water levels are set by the DNR using data over several years so the OHWL does not change much through out the years. Mr. Wagner further explained there are controlled outlets for Spring Lake and Prior Lake that helps control the water levels in normal years so it doesn't fluctuate much.

Commissioner Husain questioned why Applicant is waiting to complete Phase II of their plan.

Mr. Wagner explained it is mainly a financial decision and they will complete Phase II when they are able.

Commissioner Husain questioned what would happen if FEMA denied the map amendment and what would happen to the application if it is denied.

Mr. Wagner responded Staff is confident FEMA will amend the floodplain elevation based on the available data and since adjacent parcels also amend the floodplain map; however, if FEMA denies the amendment then the County would not be able to issue building permits.

Commissioner Vonhof commented on the non-permitted boat launch and that Applicant is removing it completely.

Mr. Wagner confirmed and further commented that the boat launch was never properly permitted there would be no permit needed to remove the boat launch from the DNR.

Commissioner Hentges questioned if Staff ever looks at surrounding properties when working with properties on the lake like this.

Mr. Wagner explained usually variances that are approved like this are because Applicants are improving the site and making the property more compliant.

Commissioner Huber made comment that Prior Lake has had a long history of high water tables and with the now controlled outlets there have been improvements but FEMA will still need to look at the water level.

Chair Huber asked for motion to open the public hearing. Motion by Commissioner Robbins to ~~close~~ ^{open} the public hearing; second by Commissioner Vonhof. The motion carried unanimously.

Public Comments and Questions at the Podium

No one approached the podium.

Chair Huber called for a motion to close the public hearing.

Motion by Commissioner Watson to close the public hearing; second by Commissioner Robbins. The motion carried unanimously.

Motion by Commissioner Vonhof; second by Commissioner Robbins, based on the criteria for approval listed in the staff report, to approve the requested variance from the required 75-foot setback to 60 feet from the Ordinary High-Water Level and variance from the 25% impervious surface maximum to 62.33%. And noting Spring Lake Townships approval.

Chair Huber called for a vote on the motion to approve the request as follows:

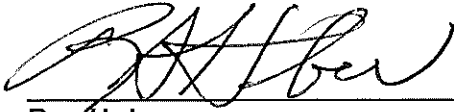
Commissioner Husain: Aye
Commissioner Picha: Aye
Commissioner Robbins: Aye
Commissioner Huber: Aye
Commissioner Vonhof: Aye
Commissioner Hentges: Aye
Commissioner Watson: Aye

The motion passed unanimously with 7 Ayes.

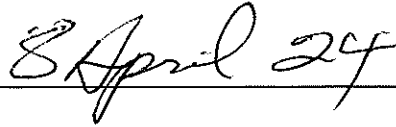
IV. WORKSHOP: DEVELOPMENT TRENDS, REGIONAL PLANNING & ORDINANCE UPDATE

V. GENERAL & ADJOURN

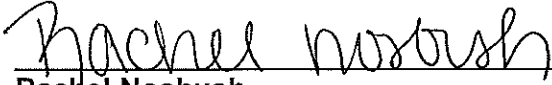
Motion by Commissioner Robbins ; second by Commissioner Hentges to adjourn the meeting at 6:51 PM. The motion carried unanimously.



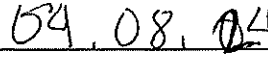
Ray Huber
Chair, Board of Adjustment



Date



Rachel Nosbush
Deputy Clerk to the Board



Date

