



SCOTT COUNTY
BOARD OF ADJUSTMENT
MEETING MINUTES

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

Monday, May 12, 2025
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 Vonnhof, Donna Hentges and Lee Watson.

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

II. APPROVAL OF APRIL 14, 2025 BOARD OF ADJUSTMENT MINUTES

Chair Huber called for a motion to approve the minutes. Motion by Commissioner Robbins; second by Commissioner Vonnhof to approve the minutes of April 14, 2025 Board of Adjustment meeting.

III. PUBLIC HEARING

3.1 PUBLIC HEARING 6:30 PM: BECKER VARIANCE (PL#2025-025)

- A. Request for a Variance from the Required Front Yard Setback.
- B. Request for a Variance to Increase the Size of a Non-Conforming Structure by More Than 50%.
- C. Request for a Variance to Increase the Lot Impervious Surface Beyond the 25% Allowed in the RR-3 Zoning District

Location: Section 12
Township: Helena
Current Zoning: RR-3, Residential Suburban Single Family

Nathan Hall presented the staff report for this application. Board of Adjustment packets, staff reports, video recording and approved minutes are available for download at the Scott County Website link: [May 12, 2025 Board of Adjustment](#) or by visiting www.scottcountymn.gov/pacreports and selecting the current date.

Commissioner Comments and Questions:

Commissioner Robbins questioned why there was no township recommendation on this variance request and what options the board has to act on the request without this recommendation.

Mr. Hall explained there was confusion as to the date and location of the town board meeting to obtain a recommendation. Mr. Hall said the Helena Town Board is holding a special meeting on May 21 and could provide a recommendation at that meeting. Without a recommendation today, the Board could approve this request with a condition that the applicant would not be able to receive a building permit without the township recommendation.

Commissioner Hentges questioned the living space above the garage.

Mr. Hall responded that the space is intended for the master suite for the main house.

Commissioner Husain asked what the highway department's comments were on this variance and if they approved the modified plans.

Mr. Hall indicated the highway department did not support the original layout plans of the project, but the applicant's designer has submitted a new design that the highway department has approved.

Commissioner Vonhof clarified that voting will now only take place on the variance request to increase the size of a non-conforming structure by more than 50% and to increase the lot impervious surface beyond the 25% allowed in the RR-3 Zoning District, not the front yard setback request.

Mr. Hall confirmed.

Commissioner Robbins questioned if there is a timeframe for this project.

Mr. Hall explained that would be a question the applicant would have to answer.

Commissioner Huber commented that he appreciates the applicant working with staff and the departments to bring this project into compliance.

Commissioner Picha questioned if the septic utilities line runs along the north or south side of the highway.

Mr. Hall stated he was unsure which side of the highway, but it is not within the variance area.

Commissioner Vonhof made a comment that the site is very much in line with the rest of the neighborhood.

Chair Huber opened the public hearing at 6:48 pm.

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 Vonhof. The motion carried unanimously.

Motion by Commissioner Watson; second by Commissioner Vonhof, based on the variance criteria listed in the Staff Report, I recommend approval of a variance to increase the size of the non-conforming structure by more than 50% and to increase the impervious lot coverage to 30%, with the condition that the applicant maintains the average setback of 8.25 feet to the road right-of-way, does not encroach on the shore impact zone, and includes best management practices in the design, and with a condition that a building permit shall not be issued until a recommendation is provided at the May 21, 2025 town board meeting.

Commissioner Robbins commented on his concern on making a decision without township approval.

Kevin Becker, Applicant, stated he lives about 300 ft from the Helena /Cedar Lake Township boundaries and receives information from Cedar Lake Township regularly and indicated it was not until after the Cedar Lake Township meeting that he learned the property is actually in Helena Township.

Commissioner Robbins thanked the applicant for this explanation and commented that he feels better about the motion now knowing that the applicant made an honest attempt to obtain a township recommendation prior to tonight's public hearing.

Chair Huber called for a vote on the motion to continue 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. GENERAL & ADJOURN

Motion by Commissioner Robbins; second by Commissioner Hentges to adjourn the meeting at 6:53 PM. The motion carried unanimously.



Ray Huber
Chair, Board of Adjustment



Rachel Nosbush
Deputy Clerk to the Board



Date



Date

