

Minutes of the Todd County Board of Adjustment Meeting

June 25, 2026

Completed by: Sue Bertrand P&Z Staff

Site Visits conducted by Adam Ossefoort and Russ VanDenheuvel on June 22, 2026.

Meeting attended by board members: Chair Russ VanDenheuvel, Mike Soukup, Bill Berscheit, alternate Rick Johnson and Planning Commission Liaison Ken Hovet.

Staff members: Adam Ossefoort and Sue Bertrand

Other members of the public: Sign-in Sheet is available for viewing upon request.

Russ called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited and each board member introduced themselves and Russ explained the process for those attending.

Ken motioned to approve the agenda as presented, seconded by Mike, voice vote, no dissent heard, motion carried.

Mike motioned to have May 28, 2026, meeting minutes approved, Bill seconded the motion. Voice vote, no dissent heard. Motion carried.

AGENDA ITEM 1: James & Tracy Marsolek – PID 24-0052200 – Turtle Creek Township, Turtle Lake

Request:

1. Request to reduce the lake setback from 150' to 113' for construction of manufactured home in Natural Environment Shoreland Zoning District.
2. Request to reduce the lake setback from 150' to 112' for construction of detached garage for vehicle & personal storage in Natural Environment Shoreland Zoning District.

James & Tracy were present as the applicants.

Staff Findings: Adam read the new information for the staff report. The staff report is available for viewing upon request in the Planning & Zoning Office.

Proposed Conditions, if approved:

1. All erosion controls shall be installed and reviewed by County staff prior to the start of construction.
2. Applicant shall maintain no less than 50% vegetative screening as viewed from the lake during leaf on conditions.
3. Applicant shall stabilize the erosion between the north property line and lake side deck. Plan for stabilization shall be approved by the Soil and Water Conservation District.
4. Applicant shall abide by all other applicable federal, state, and local standards.

James and Tracy confirmed the staff report was accurate.

Russ went through his site visit report. This may be viewed in full upon request at the Planning and Zoning office.

Correspondence received: None.

Public comment: None.

Board discussion:

Ken asked if the road was managed by the township?

Adam stated publicly dedicated road, privately maintained.

Ken asked if the township had any concerns with them being that close to the road?

Tracy stated no, and the house will be further than the existing camper. The only concern Marsoleks have is mostly just the rocks when plowing if they were any closer.

James stated they found the happy medium where they placed the stakes.

Bill asked if there was any comment from the township.

Adam, on 5/4/2026 they signed however, no comment.

James stated the township told them they did not see any issue with this.

Mike asked how many other houses are in the area?

James stated three other manufactured homes, and a five-bedroom log cabin and they all have two lots. James combined his two lots to make one larger, as he knew he would want to build a house someday. There is a cabin and three or four houses going down past Oxford Trail, to the West, but not on the lake.

Ken stated he noticed the lot is flat until you get down close to the lake, and trusts the existing deck is right on that edge?

James stated the deck is at the top of the slope.

Ken asked how close the garage would be from the top of the slope.

James, guessing about 50'.

Ken asked will there will be enough room for any runoff from the structures to soak into the ground before reaching the lake?

James stated part of his mitigation plan is to remove the pine trees, bring in some dirt and get some grass growing, as nothing will grow under pines.

Ken pointed out the erosion areas and asked what his plans were to correct that?

James stated he is open to suggestions.

Bill stated before you remove trees, he would hope they take the time to meet with Soil and Water, or a professional in regards to that. All you may need is to put some lime in the soil so you can establish some growth there that may provide you with something that will grow tight to the ground. If you tear the Pine trees out, we are going in the wrong direction. He explained how the pine trees slow the water before hitting the ground. He also asked what is the potential for development across the road, and potential increase of traffic?

Tracy added they will have to take some pine trees down to make room for the house.

Discussion on future development across the road.

Rick stated they are asking for the setback from the lake and they have proposed to go thirty feet instead of twenty feet from the right-of-way because the road is not centered. They are encroaching further on the lake because the road is not centered. Confirmed they have found the sweet spot that works for them on this lot.

James, yes, where they feel comfortable from the road and feels it is reasonable.

Rick, all safety set aside, you have a non-conforming lot and you do have a difficulty. You need almost 200 feet to do what you want. Moving closer to the road you would need two variances and run into bigger safety concerns. Rick mentioned he sees more room to the SE than where they chose and asked why that is the sweet spot for them? We need to make sure your variance is the minimum required to obtain that.

James went up to the overhead and explained the issue with the road being 7 feet from the right-of-way. He would also like to have room to park a car in the driveway outside of the garage without sitting in the right-of way, and how the septic and drainfield is further south on the lot where the lot is a bit wider near the woods.

Tracy added the homes up the road have kids that visit with 4-wheelers and motorbikes up and down that road.

Rick appreciated the explanation and added that sometimes the board must balance the needs of the applicant to the residence and protecting the lake.

James added they want the best for everyone, for themselves, the lake and the future owners.

Rick informed them how the DNR has recommended the entire 75 feet of shore impact zone be fully vegetated with natural vegetation. It prevents erosion, stops storm water, creates infiltration. He sees a major problem at this site with the lack of vegetation on that slope.

James explained maybe on the top side plant grass but on the hillside, some type of plantings, get some Hosta's, even if it is just wildflowers or some switchgrass or whatever to help slow that run-off. The last thing he wants to do is mow up and down that thing as he is not getting any younger.

Rick, no mowing lawn, do not remove trees, what he likes is as much natural shoreline vegetation as you can get to grow there as that is what is going to protect the lake from storm water run-off.

Tracy stated some of the tree roots are showing above ground and would have to be removed to get the house in there and they will remove the trees that will be too close to the new house or possibly damaging during a storm.

Russ, okay with the application, and would like to concentrate on the conditions. Would like to see the survey, felt there is a little guessing going on.

James stated the stakes were in the woods, with a big reflector.

Bill stated maybe go to the recorders' office to see if there is a survey on record. #3 condition: Applicant shall stabilize the west line correction.

Adam explained where the erosion problem area was on the overhead, and corrected the condition.

Mike, were there any provisions we should have been aware of when the variance was granted before for the RV?

Bill #1 condition, what sort of erosion controls?

Adam explained construction erosion control, silt fence, those things.

Rick stated huge fan of restoring natural vegetation along the shoreline, and asked the board what they thought of 50 feet for buffer zone?

Mike, are you saying the mowing height would be restricted for the first 50 feet?

Rick, meaning totally undisturbed for the first 50 feet and replanting the shoreland with natural vegetation that is common in that area.

Bill stated he was in favor of that and they will need to broaden the scope of erosion control on a permanent basis for this lot.

Ken how many feet between the water and the top of the slope, okay with the whole hillside?

James, close to fifty feet and is 100% in favor.

Rick stated the board will not specify what you have to do here, but require you to work with Todd County Staff to come up with a plan that will effectively mitigate all of the erosion on that slope and effectively handle all of the stormwater coming off the roof of the new structure so it doesn't go into the lake.

More discussion on the slope erosion.

Adam stated there were no conditions on the old variance to answer Mike's question on the past variance.

James asked for just the slope.

Adam revised the condition #4 to read to the top of the slope.

Russ asked for a survey.

Adam added condition #5, for the submittal of a certificate of survey.

Rick made the motion to grant with the amended conditions and Ken seconded.

Conditions:

1. All erosion controls shall be installed and reviewed by County staff prior to the start of construction.
2. Applicant shall maintain no less than 50% vegetative screening as viewed from the lake during leaf on conditions.
3. Applicant shall stabilize the erosion between the west property line and lake side deck. Plan for stabilization shall be approved by the Soil and Water Conservation District.
4. Establishment of a vegetated buffer (no mow zone) to cover from the OHWL to the top of the slope.
5. Submittal of a property line survey to be completed prior to land use permitting.
6. Applicant shall abide by all other applicable federal, state, and local standards.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
Rick Johnson	Yes
Ken Hovet	Yes
Mike Soukup	Yes
Bill Berscheit	No
Russ VanDenheuvel	Yes

Motion carried, variance has been granted.

AGENDA ITEM 2: David and LaDonna Hillmer – PID 26-0019200 – Ward Township

Request:

1. Request to reduce the rear property line setback from 50' to 26' for potential boundary adjustment in AF-2 Zoning District.

David and LaDonna were present as the applicants.

Staff Findings: Adam read the staff report. The staff report is available for viewing upon request in the Planning

& Zoning Office.

Proposed Conditions, if approved:

1. No conditions

David confirmed the staff report was accurate.

Russ went through his site visit report. This may be viewed in full upon request at the Planning and Zoning office.

Correspondence received: None.

Public comment: None.

Board discussion:

Ken, normal side setback?

Adam, 30 feet. Adam explained the rear and side property lines shown on the survey.

Bill asked the size of the new lot?

David, close to twenty acres.

Adam confirmed.

Ken, no trouble with the proposed as family has agreed, but family may not always own this, and the 26-foot setback is awfully close for a house.

Bill agreed for a farmyard, it is awfully tight.

Mike agreed, if you think about farm equipment going through there.

Donna would like to keep the house and stated there is a big area on the other side.

Bill if this is accomplished, it would not be a traffic lane?

Dave and LaDonna, no, just to access to the buildings.

Adam showed on the overhead that this is not a travel lane.

Bill made the motion to grant the variance, Mike seconded.

1. No conditions

Roll call vote commenced as follows:

Board member	Vote (yes or no)
Rick Johnson	Yes
Ken Hovet	Yes
Mike Soukup	Yes
Bill Berscheit	Yes
Russ VanDenheuvel	Yes

Motion carried, variance has been granted.

AGENDA ITEM 3: Joan Matuke & Larry Hotvedt: – PID 17-0016802 – Little Sauk Township

Request:

1. Request to create a new substandard lot in Recreational Development Shoreland Zoning District.

Joan & Larry were present as the applicants.

Staff Findings: Adam read the staff report. The staff report is available for viewing upon request in the Planning & Zoning Office.

Proposed Conditions, if approved:

1. Proposed new parcel of land shall forever be connected to the associated, adjacent lot within the Maple Shelter Plat. No lots shall be sold separately from one another.

Larry confirmed the staff report was accurate.

Site report was given by Russ. This report may be viewed, in full, upon request at the Planning and Zoning office.

Correspondence received: None.

Public comment: None.

Board discussion:

Russ stated we just did a few of these, a few months ago.

Adam, yes, and explained, we had a group of five initially, and another on the other side and it is really the only way they can expand the property they own, is through this process. We have them record a document that ties the two together, so that is what the condition is intended to do. We help create the document, have them all sign, they pay the recording fee and have it recorded. We do have to go through the variance process because it is a substandard and we cannot do a property line adjustment because these lots are in the Maple Shelter Plat already.

Rick, we have seen this before and there is absolutely no adverse impacts. It is a slam dunk case to grant this variance and motioned to grant, Bill seconded.

1. Proposed new parcel of land shall forever be connected to the associated, adjacent lot within the Maple Shelter Plat. No lots shall be sold separately from one another.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
Rick Johnson	Yes
Ken Hovet	Yes
Mike Soukup	Yes
Bill Berscheit	Yes
Russ VanDenheuvel	Yes

Motion carried, variance approved.

Ken motioned to adjourn, Bill seconded, voice vote, no dissent heard, motion carried and the meeting adjourned at 7:05 PM.