

The following is the agenda for **Thursday, September 24th, 2026 at 6:00 pm** the Todd County Board of Adjustment will hold a public hearing in the Commissioner's Boardroom, Historic Courthouse, 215 1st Ave South, Suite 301, Long Prairie.

NOTE: This meeting is again being held in-person, and the public is encouraged to attend. Those who do attend in person can find parking atop the hill on the west side of the Historic Courthouse and enter through the North Doors, near the American Flag and monument.

If you have any concerns or questions in regard to the upcoming meeting and the applications on the agenda, feel free to contact the Planning & Zoning Office at either **(320) 732-4420** or toddplan.zone@co.todd.mn.us. All correspondence must include name & mailing address and be received 48 hours before the date and time of the hearing.

Agenda

- Call to Order
- Pledge of Allegiance
- Introduction of Board of Adjustment Members and process review
- Approval of agenda
- Approval of August 27th, 2026, Board of Adjustments meeting minutes
- The applicant is introduced
 - Staff report
 - Applicant confirms if staff report accurately represents the request
 - Site Visit Review
 - Public comment
 - Board review with applicants, staff, and public

1. Dennis Waldvogel: Section 25, Birchdale Township, Big Birch Lake

Site Address: 10736 Angler Trail, Grey Eagle, MN 56336

PID: 03-0059200

1. Request to reduce the Road Right-of-Way setback from 20' to 10' for the replacement of the garage.
2. Request to increase the allowed height for a non-conforming accessory structure from 18' to 25' for the replacement of the garage.
3. Request to increase the allowed roof surface coverage from 15% of the total lot size to 19.18% for the garage replacement all in Recreational Development Shoreland Zoning District.

2. Jason Arnzen, St Rosa Lumber: Section 25, Birchdale Township, Big Birch Lake

Property Owners: Nate and Allie Schmidt

Site Address: 10714 Anger Trail, Grey Eagle, MN 56336

PID: 03-0058700

1. Request to reduce the OHW lake setback from 100' to 70.29'
2. Request to increase the roofed impervious surface area from 15% to 22%

Adjournment.

Next meeting: **October 22, 2026**

Minutes of the Todd County Board of Adjustment Meeting

August 27, 2026

Completed by: Sue Bertrand P&Z Staff

Site visits completed by Adam Ossefoort & Danny Peyton on 8/19/2026

Meeting attended by board members: Rick Johnson, alternate Larry Bebus, Mike Soukup, Danny Payton, 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.

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

Danny motioned to have the agenda approved, as written, Mike seconded, voice vote, no dissent heard, motion carried.

Mike pointed out the conditions on item #1 had a typo on #3 condition and needed to be listed as amended for the motion at the end. Noted and corrected.

Mike motioned to have July 23rd, 2026 meeting minutes approved as amended, Ken seconded, voice vote, no dissent heard, motion carried.

Introduction of the meeting process and etiquette by Rick.

AGENDA ITEM 1: Mike Kloos – PID 11-0060800 – Grey Eagle Township

Request:

1. Request to reduce the 100' OHW setback to 46' for the addition of a two-foot cantilever in Recreational Development Shoreland Zoning District.

Mike was present as the applicant.

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

Proposed Condition(s):

1. Establishment of a 10' vegetated buffer (no mow zone) along the lake frontage. A 6' wide maintained area shall be allowed for dock access.
2. Applicant shall maintain a minimum of 50% vegetative screening as viewed from the lake during leaf on conditions.
3. Applicant shall abide by all other applicable federal, state, and local standards.

Mike confirmed the staff report was accurate.

Danny went over his site visit report with the board. This report may be viewed in full, upon request, at the Planning and Zoning office.

Correspondence received: None.

Public comment: None.

Board discussion:

Ken stated he has a hard time accepting needing a table on the deck as a practical difficulty, and, back in 1996 the variance that was granted came with the condition that there can be no other variance.

Adam stated he has listed information on past variances for applications but what we have been taught, over the years, on those types of conditions is we are unable to enforce them as no one knows what the future holds, and that condition should not hold any bearing in the decision making tonight.

Mike asked Adam if this is accepted, does this change exact for exact?

Adam, yes, however they are independent structures, "house for house and deck for deck" for "exact for exact" purposes.

Danny stated the ten feet no mow zone includes the bottom portion as the no-mow zone, on that level. Would like to see 50% screening and how to shade this house to 50% and what is the time span for that to happen? It might be 20-30 years before it will shade that house.

Mike Kloos stated it is pretty much shaded until around 4:00 p.m.

Adam clarified that he means screening of the structure.

Danny explained what they mean by leaf on 50% screening from the lake, with 50% light to come through the trees and we need tree roots to support the under growth. We are the public; we are the lake.

Rick stated for the record, when you look at the Shoreland Ordinance itself, it is pretty much mandated by the State and the purpose is to achieve the protection of the quality of the surface water and to preserve the natural shoreland of the property. This application seems like you are replacing the deck with better materials and it is a reasonable request to fit a table on the deck. He stated this may not meet all of the criteria, but the board may try to balance the needs of the property owner verses the needs of all of the residents of Minnesota. We are protecting it for their purposes. When it comes to a deck, if he goes by in a boat, does he really know that the deck is two more feet out? Probably not. He feels his line of site is not affected. The board may apply certain conditions to help mitigate the adverse effects, but those conditions must be directly related to the variance we are granting. He would definitely want a no-mow-zone. Big Birch is an impaired lake and the board must be even more strict. He would not require additional screening as he does not feel it directly relates to the variance request, however, it is best management practice for lake shore and you would be a good steward to do so.

Mike Kloos asked about the no mow zone if they were talking about the lower level before you get to the dock?

Rick stated typically, it is from the edge of the water up. The DNR has stated one of the best things a lake shore owner can do is to re-establish the natural vegetation along your shoreline and have asked for 50'. Lakes are becoming impaired because of densely populated lakeshore, and everybody has lawns right up to the edge of the water. Everybody has run-off into the lake. This run-off has an adverse impact on the lake. Big Birch is already impaired, and we need to reverse that and be really careful not to grant a variance that will contribute to that impairment. The no-mow zone is actually the restoration of the natural vegetation along the water's edge.

Mike explained how he bought the place "as is" and just loves it. They enjoy it year-round and the view is the reason. Explained how inconvenient the deck style is. Fifteen feet of deck on both sides of a table that someone has to get up, push their chair in and step to the side for someone else to get by. If he could extend it out a little further, you don't have to hit the glass of your patio door or the glass on the deck.

Rick understands the million-dollar view, however, since 1972, any new development, we cannot do that. You do have a legal non-conforming structure.

Rick called for Criteria Questions individually by request.

Criteria Question #1: Is the variance in harmony with the general purposes and intent of the official control?	
Board Member	Vote and Comments
Mike Soukup	No for the already given reasons.
Dan Peyton	No, under 50% of the setback. DNR says not to build under the 50% (shore impact zone).
Ken Hovet	No, there is no real practical difficulty.
Larry Bebus	No, agreed with Danny.
Rick Johnson	Yes, balance the need of the property owner with all of the state residents. The request is reasonable and it is a deck.
Majority response-No	
Criteria Question #2: Is the variance request consistent with the goals and policies of the comprehensive plan?	
Board Member	Vote and Comments
Mike Soukup	No.
Dan Peyton	No, the Comprehensive plan says to improve the quality of the run-off water and even with the no-mow-zone, the steepness of the slope will not accomplish what we would like to have done.
Ken Hovet	No.
Larry Bebus	No, because it is a non-conforming lot size, the closeness of everything, the landscaping, everything.
Rick Johnson	Yes, it is not unreasonable development with the proper mitigation of conditions.

Majority response- No

Criteria Question #3: Is the property owner proposing to use the property in a reasonable manner not permitted by an official control?	
Board Member	Vote and Comments
Mike Soukup	Yes
Dan Peyton	Yes

Criteria Question #3: Is the property owner proposing to use the property in a reasonable manner not permitted by an official control?

Ken Hovet	Yes
Larry Bebus	Yes
Rick Johnson	Yes

Majority response- Yes

Criteria Question #4: Is the need for a variance due to the circumstances unique to the property not created by the landowner?

Board Member	Vote and Comments
Mike Soukup	No
Dan Peyton	No, it is a table problem.
Ken Hovet	No
Larry Bebus	No, the landowner wants to increase the size because of the difficulty of walking around a table.
Rick Johnson	No

Majority response- No

Criteria Question #5: Will the variance maintain the essential character of the locality?

Board Member	Vote and Comments
Mike Soukup	Yes
Dan Peyton	Yes
Ken Hovet	Yes, didn't think it would be noticed by the public.
Larry Bebus	Yes
Rick Johnson	Yes

Majority response- Yes

Criteria Question #6: Does the need for the variance involve more than just economic considerations?

Board Member	Vote and Comments
Mike Soukup	Yes
Dan Peyton	Yes
Ken Hovet	Yes, environmental considerations, it is an impaired lake.
Larry Bebus	Yes
Rick Johnson	Yes

Majority response- Yes

Criteria Question #7: Have safety and environmental concerns been adequately addressed?

Board Member	Vote and Comments
Mike Soukup	Yes
Dan Peyton	No, still an environmental issue even with the no-mow zone didn't think we had enough on the steep slope.
Ken Hovet	No, established a no-mow-zone but did not come up with a solution for the screening.
Larry Bebus	Yes, if approved with the conditions of the no-mow-zone.
Rick Johnson	Yes, primarily because of the conditions established with the variance.

Majority response- Yes

Summary of criteria question majority responses as follows:

#1	No
#2	No
#3	Yes
#4	No

#5	Yes
#6	Yes
#7	Yes

Danny motioned to deny the variance, Mike seconded.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
Mike Soukup	Yes
Danny Peyton	Yes
Larry Bebus	Yes
Ken Hovet	Yes
Rick Johnson	Yes

Motion carried to deny the variance.

AGENDA ITEM 2: Tamara Marlene Odland – PID 26-0038700 – Ward Township

Request:

1. Request to reduce the 150' lake setback to 131' for a garage addition in Natural Environment Shoreland Zoning District.

Tamara was present as the applicant.

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

Proposed Condition(s):

1. Maintain the existing vegetated buffer area along the lake frontage
2. All erosion controls shall be installed and reviewed by County staff prior to the start of construction.
3. Applicant shall abide by all other applicable federal, state, and local standards.

Tamara confirmed the staff report was accurate.

Dan went over his site report. This report may be viewed, in full, upon request at the Planning and Zoning office.

Correspondence received: None.

Public comment: None.

Board discussion:

Danny mentioned this is on flat level ground on the opposite side of the lake, no issues, mentioned where this garage is going, only a portion will be in the setback and the back part will be in the buildable area.

Ken, still within the allowed impervious surface?

Adam, yes, no increase in total as the garage is on the existing concrete.

Rick, practical difficulty is lacking the lot depth, and this property achieves all the other requirements, has that going in her favor. 42,000 sq. ft. with structures at 9%, that's low, total at 17%, that's low, meets all other setback requirements and this is a reasonable request to have an attached 24' x 30' garage. This is reasonable, and reasonable for safety. Sees nothing unreasonable about this application.

Larry agrees with Rick.

Ken agrees with Rick and added it fits in the neighborhood, isn't going to be visible from the lake, it's already flat and can't find any reason to deny this.

Danny asked if we are adding a structure, do we need to control the water? Danny further noted that the soils of the area are very sandy.

Adam stated it is already flat, sandy loam and he is not a fan of gutters as it concentrates the water from the roof and directs it to a pour point.

Danny mentioned he doesn't want heated water coming off the roof and into the lake. Would like to cool it down.

Rick did not see any significant impact that would work against the Ordinances we have to protect the water. Loves the existing vegetation buffer, huge fan of shoreline restoration. He would ask for the cost share project to be maintained, through the condition, and propose it remain there indefinitely.

Adam, yes, as opposed to the cost share project having an end of life. Does not mean landowners will get rid of it, but they will not be penalized if they do, on the cost share side of things.

Dan, and we can make it indefinite.

Rick, based on the discussion, he didn't feel the need to go over the criteria questions and asked for a motion.

Ken suggested to not go through the criteria and motioned to approve with the proposed conditions, Mike seconded.

Conditions:

1. Maintain the existing vegetated buffer area along the lake frontage
2. All erosion controls shall be installed and reviewed by County staff prior to the start of construction.
3. Applicant shall abide by all other applicable federal, state, and local standards.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
Mike Soukup	Yes
Danny Peyton	Yes
Larry Bebus	Yes
Ken Hovet	Yes

Rick Johnson	Yes
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Motion carried to grant the variance.

AGENDA ITEM 3: Tom Brichacek – PID 19-0022300 & 19-0021700 – Moran Township

Request:

1. Request to reduce the road right of way setback from 35' to 20' for placement of additional office space.

Tom was present as the applicant.

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

Proposed Condition:

1. No conditions

Tom confirmed the staff report was accurate.

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

Correspondence received: Yes, from our Public Works Department, Loren Fellbaum, and does not have an issue with this variance request. This letter may be viewed fully upon request at the Planning and Zoning office.

Public comment: None.

Board discussion:

Rick, how did the building get there in the first place? Not meeting the setbacks?

Adam, it was granted a variance in 1989.

Tom stated before that, the existing building had burned down and was rebuilt in that exact location.

Rick Brichacek, 40921 County 21, Browerville, Tom's dad and previous owner, stated he bought it in 1972 and it had been in that location since around 1960.

Rick asked if he could recall what the practical difficulty was, at that time for building that close and why it was not rebuilt meeting the setback?

Rick Brichacek stated he wished he had met the setback. He explained looking back, he was only 21 years old, and the house was already at that setback. There probably wasn't even a code back then.

Tom stated they had widened County 21 since then.

Adam stated the expansion of the road right of way would be the change how the structure would relate to the road.

Ken, the existing building is your main business building?

Tom, yes, we build cabinets and did all the woodwork for the courthouse when it was remodeled.

Ken, the setback from the highway is for safety reasons. He didn't see any safety issues, any more than the buildings that are already there.

Rick, agreed with Ken and added granting this variance would not have any additional impact, and stated this is reasonable development.

Danny stated the road sign would get hit before anything.

Mike stated, with seeing staff report images and knowing Todd County Public Works does not see an issue, he is okay with this.

Rick asked the board how they feel about having a condition of "no service entry doors on the roadside or requiring any parking to be in the back"?

The board did not respond, so Rick left it at that.

Tom stated the south side is the plan.

Danny made a motion to for-go the criteria questions and grant the variance, Ken seconded.

1. No conditions.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
Mike Soukup	Yes
Danny Peyton	Yes
Larry Bebus	Yes
Ken Hovet	Yes
Rick Johnson	Yes

Motion carried.

Rick called for a short recess and reconvened at 7:30 pm.

AGENDA ITEM 4: Dennis Waldvogel – PID 03-0059200 – Grey Eagle Township

Request(s):

1. Request to reduce the road right of way setback from 20' to 10' for a garage replacement.
2. Request to increase the allowed height for a nonconforming structure from 18' to 25'.

3. Request increase the allowed roofed impervious surface coverage from 15% to 19.18%. Dennis was present as the applicant.

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

Proposed Condition(s):

1. Development and submittal of a stormwater management plan prior to Land Use Permitting. Stormwater planning shall include a preconstruction erosion control plan.
2. All erosion controls shall be installed and reviewed by County staff prior to the start of construction.
3. Establishment of a 10' vegetated buffer (no mow zone) along the lake frontage. A 6' wide maintained area shall be allowed for dock access.
4. Land owner shall maintain a minimum of 50% screening of the proposed structure as viewed from the lake during leaf on conditions.
5. Applicant shall abide by all other applicable federal, state, and local standards.

Dennis confirmed the staff report was accurate.

Danny went over his site report. This report may be viewed in full, upon request, at the Planning and Zoning office. Noted Dennis has an issue with the water that he does not know how to solve. Felt Public Works and the Township would have to get involved. Not sure why the lawnmower was parked where it was.

Rick stated he will deviate from process to let Dennis explain the placement of the lawnmower.

Dennis stated the lawn mower was parked outside the garage because there is no room inside. He also stated this pooling of water "issue" was brought before the township and the County a few years ago and they have not come up with a plan.

Rick confirmed there was no intent to deceive with the parked lawn mower.

Dennis did explain the Township dug across the road, in the ditch, to try help with the water issues.

Correspondence received: None.

Public comment:

Gary Krig, 10730 Angler Trail, one property between he and Dennis. Has seen a foot of water in Dennis's garage. They are here to support his variance request. The lots were set up under the old zoning and he really does have a hardship there, he will raise it up, but it is not solving the pooling of the water problem, may even move it down the line to his own lot. Would rather see all his stuff inside for security reasons, looks better and helps maintain everything and keep in good condition. It is a Band-Aid that is proposed, and would really like to see the County engineering get involved and get that area fixed.

Larry are you going to raise it up?

Dennis, yes.

Board discussion:

Ken, corner of garage is right up against the right-of-way.

Adam confirmed.

Ken you are asking for a larger square and using up all the setbacks.

Dennis, got that information from the County, and in practicality where the road is it is 45' from the travelled road.

Ken understands the travel. Has the township weighed in?

Larry has tried some different things and have not figured it out yet, and confirmed they did dig out the ditch. He is going to be getting water onto his lot a lot.

Ken how high would you have to raise it up?

Dennis, two feet.

Ken, where is the water going to go?

Larry stated the lot is lower than the ditch on the other side, so even if he built it up, water will fill up that ditch run down again and cause problems in other areas.

Dennis wants the township to look at again, to help correct that issue.

Danny asked where the road ditch drains?

Larry stated he didn't believe there was an outlet just sits there until it leaches into the ground.

Dennis, it just sits there until it evaporates.

Rick, fair to say, any water that accumulates there, just sits there and never flows into the lake.

Danny mentioned the tile that dumps onto the rip rap for the movement of water, trying to lower the water in his property, to us, it is bad for the lake as water goes directly into the lake. Has no idea how to correct the issue. Not seeing good or bad, with the tile, just does not see a solution, what the public road should be doing, drain the road ditch without going onto the properties. Since it is the township road it should go back to the township to solve this.

Ken, his concern is that it would create a larger problem somewhere else, granting a raised garage of a larger size is going to move the problem somewhere else.

Rick, how are we going to manage the water off the larger garage without more pooling? The solution is outside this hearing. May be grounds not to grant this variance until this is fixed. Seeing a picture of a drain tile, where is that water coming from and what is the purpose of the drain tile?

Dennis stated it was put in about a year ago, had his lakeshore redone he had asked for tiling, and it was put in there as a grate to catch water by the garage.

Rick stated we do not want the water sent directly to the lake.

More discussion on tiling

Margaret Krig, 10730 Angler Trail, had problems on our road for years, this ditch that Birchdale township dug out, when there is a heavy rain or snow buildup, it goes nowhere. It fills up and runs over to our side of the road. She stated she is in Birchdale township, from the tar road to the dirt road to the top of the hill, that is Grey Eagle twp. Three years ago, she set up a meeting with Birchdale township, said to talk about Grey Eagle, and they said go to the County. Suggested all sit down together, the two townships and the County for a solution and not point fingers at each other. The County comes out, takes notes and goes away and nothing gets done. Dennis's garage gets wet, freezes and busts all up, repeatedly. The garage is heaved and cannot even use the service door. Now, he may be potentially denied. She stated they pay a lot of taxes and none of them have children in the schools, so why can't they have a road that works? All they get is the "run around". They were told the road was built in the wrong location. Who put the road in the wrong spot and whose responsibility is it to fix it and how do we correct it? Jane lives on the other side of Dennis and sometimes it is a foot deep with sand. Nobody seems to want to fix it for us. Can't asphalt because it is in the wrong location. We have a water problem that nobody seems to want to address, and now Dennis must have a crappy garage because of it?

Dennis is open to meeting with the County. They came out a few years ago, they were going to do some surveying and they took a look around and said they would write a report and he followed up three or four times and apparently the report never got done. Probably cannot give me an answer tonight, but what is our next step to get that water rectified? He is looking for direction.

Rick stated this is outside the scope, do not have the knowledge and the expertise and does not feel comfortable giving direction on that, and doesn't feel the board needs to, just that the board needs to focus on your variance request.

Larry stated the last meeting they were at when they brought this to the township, there were some comments two to three weeks ago, maybe dig a deeper ditch, and that is not going to work. He does not know what happened between you and the County, and where that stands, he would not even comment on that.

Dennis stated he could meet one on one with Adam outside the meeting about this.

Adam stated Deja and he have both been out there and up and down the road with water issues a number of times. This is more than the variance request at hand, and we are getting way off the topic. Yes, outside of the meeting we can look at this.

Rick agrees with Ken's comment we would be adding to this problem if we allow this larger structure to be built.

Mike Soukup would those first two conditions get the County engineers involved.

Adam stated he did not want to speak on behalf of our Public Works engineers but fairly confident they don't deal with private property, they deal with County highways, this is a township road, it is not their jurisdiction.

Mike, who's ditch is it?

Adam, township has ownership of that right-of-way.

Dennis, could the township and the County collaborate?

Adam, definitely, may not be the Public Works department. That's why we have had our Soil and Water Staff out there to look at solutions, Larry, our Soil and Water supervisor also. It is a complicated situation that requires a complicated solution.

Larry and the township has worked with the County on issues.

Ken stated the DNR agency may have to get involved as they deal with water and may have a solution, especially if the water will be put in the lake.

Adam stated he would also like to say Big Birch Lake is in the Sauk River Watershed District that could be involved and they have talked with them about this area.

Danny, there is potential cost share.

Mike, is this something that we should table? By tabling it you have not lost any money. If we table, we only have sixty days but if you table, it may be indefinite and it gives us time to talk with these other agencies.

Danny agreed to table as he has bad feeling, the water situation must be addressed first, before we can grant this.

Rick agreed, deep complex issue and it will take more than sixty days.

Adam application was accepted on 8/3 as a gov't unit we may extend another sixty days until October 2, and as a gov't unit may notify in writing another sixty days so December 1, is 120 days.

Rick, you are running a risk of it being denied if we continue and go to the criteria questions.

Ken made the motion to table, Larry seconded. Voice vote, no dissent heard, motion carried to table.

AGENDA ITEM 5: Jason Arnzen, St. Rosa Lumber – PID 03-0058700 – Birchdale Township

Request(s):

1. Request to reduce the lake setback from 100' to 70.29'.
2. Request to increase the roofed impervious surface from 15% to 25.4%
3. Request to increase the total impervious surface from 25% to 27.9% for a dwelling replacement.

Jason Arnzen, St. Rosa Lumber and Allie Schmidt, owner, 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 Condition(s):

1. Development and submittal of a stormwater management plan prior to Land Use Permitting. Stormwater planning shall include a preconstruction erosion control plan.
2. All erosion controls shall be installed and reviewed by County staff prior to the start of construction.
3. Establishment of a 10' vegetated buffer (no mow zone) along the lake frontage. A 6' wide maintained area shall be allowed for dock access.
4. Land owner shall maintain a minimum of 50% screening as viewed from the lake during leaf on conditions.
5. Applicant shall abide by all other applicable federal, state, and local standards.

Jason confirmed the staff report was accurate.

Danny went over his site visit report. This report may be viewed in full, upon request, at the Planning and Zoning Office.

Correspondence received: None.

Public comment: None.

Board discussion:

Danny asked about the surveyor's note is hard to read.

Adam read aloud, "the total proposed roof area is 4,297 sq. ft. which is 30.4% of the lot" and assuming he is going to ask why is he not requesting that as a request instead of 27.9%?

Danny, correct.

Jason, the 27.9% was for impervious, and the 30.4% was roof coverage.

Adam, that makes sense as that includes all of the overhangs and eaves, but the actual impervious surface is 27.9%.

Danny, so, the proposed is less than the original impervious surface?

Adam, no. We are not counting the overhang of the building as impervious surface, just measuring at the foundation, that is the difference between those numbers.

Jason, so we also have a calculation on the right hand side, the current impervious surface is 33.4% and the proposed of 27.9%, an overall reduction.

Ken, so tell us how you are getting that reduction.

Allie, removing a lot of unnecessary concrete.

Jason, mainly in between the shed the garage and the existing cabin, a lot of concrete and pavers getting removed.

Ken, the buildings are taking up a lot of the lot, small lot.

Discussion on what all is being removed exact for exact plus the addition toward the road.

Rick, the proposal will remove the deck out of the shore impact zone and move it back and under the proposed roof of new structure as a covered porch area. What is the square footage of the old home?

Allie, about 1500 square feet.

Rick, new?

Jason 2584 square feet with the patio.

Rick, just a comment, you have a practical difficulty, the lot is too small, avoiding the shore impact zone, that is good, as we are not allowed to issue permits in the shore impact zone and for him it is all about his comfort zone, 2/3rd expansion. You could build a new home exact for exact, and if not, the new would have to meet current regulations and standards. Significant expansion. He is getting hung up on: Should be 15% roof, going to 25%, does it comply with the comprehensive plan and is the development reasonable? That is out of his comfort zone. Minor variances he can live with, but this is a 69% deviation. Understands what they are trying to do.

Ken, he might add that this lake is already impaired.

Danny, gets back to too big of structure on too small of a lot.

Rick, during the formation of the regulations, the biggest complaint from the State of Minnesota is the density, too many structures, right on the water, they want to see a more natural shoreline.

Allie, stated they designed it to be low profile from the lake and kept the width the same, adding onto the roadside, chose to keep it one story to allow view of the lake to the neighbors on the hill, if that makes a difference.

Jason stated after talking to the County, thought best to keep it one level, get rid of the deck in the shore impact zone, start the building line there and put extra square footage on the back side.

Danny, more variances give more of a negative feeling, how far to get down to two requests? If you let go of the open patio, what would that bring you down to?

Jason, 2120 square feet.

Danny, pointed out it is sandy-loam soil so there is a little bit of clay in the sand, so it doesn't drain as fast. Gained a few feet off the shoreline. Didn't think there would be much problem with storm water management due to it being so flat. About the buffer zone, we could request 15' to 20' depth of natural vegetation. A lot more water movement during heavy rain, oversized structure needs oversized water control.

Ken agreed.

Rick, this lake is the least restrictive of our three classifications, and the reason we have minimums for depth/width is to have the adequate ground space to effectively handle all of the water off all of the structures. Doesn't see how this can be achieved with this footprint.

Danny, 3% over in total impervious. It is why he suggested a more strict no-mow-zone to handle the water.

Rick, height of the old home?

Jason, 13' to 14' high. We are keeping it under the 18'. Now we have 33.4% and going down to 27.9%, if there is not a water issue now we won't have to worry about it. The impervious is going down and it will have even more places to go as we are at 34% impervious, going down to 27%. Impervious is going down from the original.

Danny said change the proposed 10' to 20' no-mow-zone with a minimum of 4" cut on the proposed conditions, and it will take care of any erosion and water flow across the yard and looks fantastic.

Rick and the board agreed with the change.

Adam amended.

Rick called for Criteria Questions individually by request, addressing all three requests.

Criteria Question #1: Is the variance in harmony with the general purposes and intent of the official control?	
Board Member	Vote and Comments
Mike Soukup	No, because of the size of the structure in relation to the lot size.
Dan Peyton	No, the house is way past the 15%, up to 25%
Ken Hovet	No, same reasons
Larry Bebus	No, same reasons

Rick Johnson	No, same reasons
Majority response- No	
Criteria Question #2: Is the variance request consistent with the goals and policies of the comprehensive plan?	
Board Member	Vote and Comments
Mike Soukup	Yes
Dan Peyton	Yes, improving of no-mow-zone and out of shore impact zone.
Ken Hovet	No
Larry Bebus	Yes
Rick Johnson	No, too much development on a small lot, on an impaired lake

Majority response- Yes

Criteria Question #3: Is the property owner proposing to use the property in a reasonable manner not permitted by an official control?	
Board Member	Vote and Comments
Mike Soukup	Yes
Dan Peyton	Yes
Ken Hovet	No
Larry Bebus	Yes
Rick Johnson	No

Majority response- Yes

Criteria Question #4: Is the need for a variance due to the circumstances unique to the property not created by the landowner?	
Board Member	Vote and Comments
Mike Soukup	No, for the want of a bigger home in comparison than to what the lot allows you to do.
Dan Peyton	Yes
Ken Hovet	Yes
Larry Bebus	Yes, size of lot
Rick Johnson	Yes, small lot

Majority response- Yes

Criteria Question #5: Will the variance maintain the essential character of the locality?	
Board Member	Vote and Comments
Mike Soukup	Yes
Dan Peyton	Yes, keeping to one story is the essential character.
Ken Hovet	Yes, appearance will not change much from either the lake or road.
Larry Bebus	Yes
Rick	Yes, same reasons as Ken

Majority response- Yes

Criteria Question #6: Does the need for the variance involve more than just economic considerations?	
Board Member	Vote and Comments
Mike Soukup	Yes
Dan Peyton	Yes
Ken Hovet	Yes, we have environmental considerations being it is an impaired lake
Larry Bebus	Yes
Rick Johnson	Yes, because it's a small lot

Majority response- Yes

Criteria Question #7: Have safety and environmental concerns been adequately addressed?	
--	--

Board Member	Vote and Comments
Mike Soukup	Yes
Dan Peyton	Yes, due to the additional no-mow-zone to try to control the water
Ken Hovet	No, still find it questionable if we have addressed all of the run-off.
Larry Bebus	Yes, with the addition of the 20' no-mow-zone and conditions stated
Rick Johnson	Yes, because of the conditions, especially the development and submittal of a stormwater management plan approved by the County prior to permitting. Has full faith in their ability to do that.

Majority response- Yes

Summary of criteria question majority responses as follows:

#1	No
#2	Yes
#3	Yes
#4	Yes
#5	Yes
#6	Yes
#7	Yes

Danny motioned to approve, Larry seconded with the five conditions as presented.

Conditions:

1. Development and submittal of a stormwater management plan prior to Land Use Permitting. Stormwater planning shall include a preconstruction erosion control plan.
2. All erosion controls shall be installed and reviewed by County staff prior to the start of construction.
3. Establishment of a 20' vegetated buffer (no mow zone) along the lake frontage. A 6' wide maintained area shall be allowed for dock access.
4. Land owner shall maintain a minimum of 50% screening as viewed from the lake during leaf on conditions.
5. Applicant shall abide by all other applicable federal, state, and local standards.

Roll call vote commenced as follows:

Board member	Vote (yes or no)
Mike Soukup	No
Danny Peyton	Yes
Larry Bebus	Yes
Ken Hovet	No
Rick Johnson	No

Motion failed, so the variance has been denied.

Rick stated his reasons for denial as the unanimous vote of "No" on #1 criteria, and we need a "yes" on all seven. Stated he could not get past the significant variances, could not allow expansion in an area that's already densely populated, couldn't allow it to continue and grow. Looking at the ordinance and Comprehensive Plan, we have a lot of non-conforming lots and looking at the spirit and intent: allow to replace exact for exact and improve without a variance, but if you want to expand, it is not allowed with the belief that if it is not allowed, eventually these non-conforming structures, and perhaps non-conforming lots would disappear. This is an impaired lake. Must have a tough standard. He has read reports from the DNR

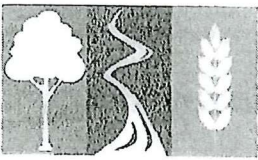
since 1972, that these standards are not working. Lakes are continuing to be impaired. The DNR is sending out warnings this is not working, with a lot of the fault pointed at the Boards that grant the variances.

Ken stated his “no” to the variance requests are too much of a deviation percent.

Mike, stated his “no” as the total deviations flag it for him. When you take all the categories, it is too much for too small of a lot.

Ken motioned to adjourn and Danny seconded, voice vote, no dissent heard, motion carried and the meeting adjourned at 9:05 PM.

DRAFT



WHERE THE FOREST MEETS THE PRAIRIE

Todd County

MINNESOTA EST. 1855

PLANNING & ZONING
215 1st Avenue South, Suite 103
Long Prairie, MN 56347

Phone: 320-732-4420 Fax: 320-732-4803
Email: ToddPlan.Zone@Co.Todd.MN.US

Receipt # 2026-0416

Appeal for a Variance

Applicant Dennis Waldvogel

Mailing Address 10736 Angler Trail, Grey Eagle, MN 56336

Site Address Same

Phone Number _____ Cell Number _____

E-Mail Address _____

Property Owners Name & Address (if not applicant) _____

Parcel Number(s) 03-0059200

Section: _____ Township Birchdale

Zoning District (circle one): AF-1; AF-2; R-10; R-2; UG; RT; Commercial; Industry; or
Shoreland (Lake or River Name): Big Birch Lake

Full and Current Legal Description(s): Lot-12 BLK-2 HARCORA LODGE (25-127-33)

(attach if necessary)

Do you own land adjacent to this parcel(s) _____ Yes ☒ No

Septic System: Date installed _____ Date of Compliance Inspection 06-30-2026

Is a new system needed: _____ yes ☒ no _____ STS Design attached

Required for applications with existing septic systems: Approved design submitted for new system to be installed, new system installed within previous 5 years, or passing compliance inspection on existing system in previous 3 years

Variances Requested:

What standards or requirements are you unable to maintain? (Check all that apply)

Lot width _____ Lot area _____ Lake or River setback _____ Bluff setback _____
Road right-of-way setback ☒ Side Yard setback _____ Buildable area _____
Impervious surface coverage ☒ Building/Structure Height ☒ Other _____

Did you meet with the Township Board to present the Application for Variance?

Yes ☒ No _____ Date of the meeting 07 / 28 / 2026



Optional Township Board Signature



Board Position

LIST YOUR VARIANCE REQUEST(s) and what, if the variance were granted, you intend to build or use the land for. **For example:** "Request to reduce the 10ft structural setback from my west side lot line to 8ft for the construction of a detached garage to be used for vehicle and personal storage."

- 1.) Based on survey, the NE corner of the proposed garage encroaches about 10 feet of the 20 foot road setback. However, the actual edge of the traveled road placement, would place the NE corner of the proposed garage at approximately 45 feet from the southernly edge of the actual current traveled road.
- 2.) This variance is requested to remove an existing 24 ft x 24 ft detached garage that is dilapidated from years of flooding from road run off. A new detached garage will be constructed measuring 36 ft by 32 ft with a height of 25 feet. The proposed structure will be used as a residential accessory building serving the existing residence. The second floor is for storage.
- 3.) Existing total impervious roof coverage currently is 15.25%. Proposed total impervious roof coverage is 19.18%. Since I'm already just over the 15% roofed limit with the existing house and garage and the proposal replaces existing garage, I am requesting relief from the coverage standard while keeping the overall development compact and avoiding a larger building footprint elsewhere on the lot.
- 4.)

**State Statutes Section 394.7 Subd7: Variances: Practical Difficulties. The BOA shall have the exclusive power to order the issuance of variances from the requirements of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of official control, and when variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with official rules; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties.

The Board of Adjustment may impose conditions in the granting of a variance. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

EXPLAIN YOUR PRACTICAL DIFFICULTIES or reason why you need your request approved.**

Due to the surrounding topography and the hill located across the roadway, the proposed structure will not obstruct neighboring views. The proposed garage is compatible with surrounding properties and the residential character of the Big Birch Lake Area.

The proposed garage is an accessory structure, serving an existing residence and will not increase traffic, utility demand, or public service requirements. There will be no commercial activity, excessive noise, odors or glare.

The proposed structure will replace an old dilapidated garage and will maintain and improve the appearance and value of the property.

It is important that you flag your related property lines and proposed building locations

Have you flagged your lot? (Y) (N)

SKETCH DRAWING

See Attached

The applicant or agent hereby makes application for a variance agreeing to do all such work in accordance with all Todd County Ordinances. Applicant or agent agrees that site plan, sketches, and other attachments submitted herewith are true and accurate. Applicant or agent agrees that, in making application for a variance grants permission to Todd County, at reasonable times during the application process and thereafter, to enter applicant's premises to determine the feasibility of granting said variance or for compliance of that application with any applicable county, state, or federal ordinances or statutes. If any of the information provided by the applicant in his/her application is alter found or determined by the county to be inaccurate, the County may revoke the variance based upon the supply of inaccurate information.

If the applicant is not the property owner, both signatures are required below.

Dennis Waldvogel

Applicant Name Printed

Dennis Waldvogel

Property Owner Name Printed

Signature

Signature (If different than applicant)

Date

Date

IMPERVIOUS SURFACE WORKSHEET (FOR SHORELAND ONLY)

APPLICANT INFORMATION

Name Dennis Waldvogel Site Address 10736 Angler Trail
 Phone () City Grey Eagle State MN Zip 56336
 Mailing Address 10736 Angler Trail, Parcel Number 03-05 9200
Grey Eagle, MN 56336 Lake/River Name Big Birch Lake

IMPERVIOUS SURFACE: is a constructed hard surface that either prevents or retards the entry of water into the soil or causes water to run off the surface in greater quantities & at an increased rate of flow than prior to development.

LOT/STRUCTURE DIMENSIONS

Total lot area: 14,639 sq ft

List all structures (structure's foundation footprint: length, width, and total area)

Existing	Proposed
1. Existing House 1656 sq ft	No change 1656 sq ft
2. Existing Garage 576 sq ft	Proposed Garage 1152 sq ft
3.	
4.	
5.	
6.	
7.	
8.	

List all non-roofed hard surfaces: Examples include sidewalks, paver stones, retaining walls, patios, decks, driveways & parking areas (asphalt, concrete or gravel), and areas of landscaping underlain with plastic or other impervious liners:

Existing	Proposed
1. Concrete Apron 240 sq ft	Proposed 430 sq ft
2. Patio and sidewalks estimated at 200 sq ft	No change 200 sq ft
3.	
4.	
5.	
6.	
7.	
8.	

**Total of 25% of lot may be covered by impervious surfaces (15% of which are from
roofed structures)**

****Existing total impervious coverage is 18.4%. Proposed total impervious coverage would be 23.49% which is approximately 3 percentage points more AND is still under the 25% total.**

****Existing total impervious roof coverage currently is 15.25%. Proposed total impervious roof coverage is 19.18%. Since I'm already just over the 15% roofed limit with the existing house and garage and the proposal replaces existing garage, I am requesting relief from the coverage standard while keeping the overall development compact and avoiding a larger building footprint elsewhere on the lot.**

1. List in the table below any efforts by landowner to reduce project impact by removing or reducing impervious surfaces.

List Structure or Impervious Surface to Be removed	Square footage to be removed	Location of structure or impervious surface to be removed (see table below)		
Example: concrete drive to lake	8' x 35' = 280 sq ft	(C) Within Impact Zone		
Existing Garage	24ftx24ft= 576 sq ft	A. Outside Shoreland building setback		
Location of variance request in reference to Ordinary High Water level		General Development Lake	Recreational Development Lake	Natural Environment Lake and Rivers / Streams
A. Outside shoreland building setback		75'+	100'+	150' +
B. Between Shore Impact Zone and Building Setback		37.5' to 75'	50' to 100'	75' to 150'
C. Within Shore Impact Zone		0 to 37.5'	0 to 50'	0 to 75'

2. List below any Storm Water Management Best Management Practices (BMP's) that will be installed to help mitigate impacts of development.

INFILTRATION BMP's

List any measures you plan on taking to increase water infiltration and retention. Examples include rain gutters, rain gardens, retention swales, berms, sub-surface tile, etc. Efforts to install BMP's will be graded positively in the site evaluation. Locate projects on site map.

VEGETATION BMP's

Vegetation planting along lake shore areas is also a Best Management Practice. Planting areas of your lakeshore impact zone with permanent vegetation helps infiltrate water, reduce lake impact, provide habitat, and screen the dwelling from other lake users. Plantings are graded positively in the site evaluation. List any areas to be planted or restored and mark the location on your site map.

Todd County Planning & Zoning Board of Adjustment

Criteria Questions for Findings of Fact

Supporting/Denying a Variance

These criteria questions are for information only and completion on this application is not required.

For after-the-fact requests, use the set of criteria questions on the Page 11 as well.

The criteria for the granting of a variance are set forth in Section 5.03 of the Todd County Planning and Zoning Ordinance. Additionally, Minnesota Statute 394.27, Subd. 7 identifies that all the criteria must be met before the granting of a variance. A variance may only be granted where the strict enforcement of the county zoning controls results in a practical difficulty. Variances will only be granted when the Board of Adjustments answers a majority "Yes" to each of the seven questions set forth below.

The following questions may be asked by the Board of Adjustment as an aid to help build a body of information, findings of fact, for supporting or denying a request for a variance. These questions are included as an aid for the applicant to better understand the variance process.

DECISIONAL STANDARDS WHEN GRANTING OR DENYING A VARIANCE

1. Is the variance in harmony with the general purposes and intent of the official control?

Yes (☒) No ()

Reasons?

2. Is the variance request consistent with the goals and policies of the comprehensive plan?

Yes () No ()

Reasons?

3. Is the property owner proposing to use the property in a reasonable manner not permitted by an official control?

Yes () No

4. Is the need for a variance due to the circumstances unique to the property not created by the landowner?

Yes (☒) No ()

Reasons?

The existing residence is relatively small and lacks adequate storage space. Construction of the second-story storage area is the most practical solution to meet storage needs while minimizing additional lot coverage. Building upwards reduces the need for a larger building footprint. Current garage structure is dilapidated, not functional and needs to be torn down.

(Continued)

5. Will the variance maintain the essential character of the locality?

Yes (☒) No ()

Reasons?

The garage will be constructed using quality residential materials and designed to complement the existing residents and surrounding neighborhood. The garage will be used for residential storage and vehicle parking.

6. Does the need for the variance involve more than just economic considerations?

Yes () No (☒)

Reasons?

See question 7

7. Have safety and environmental concerns been adequately addressed?

Yes (☒) No ()

Reasons?

Due to the way the township road was constructed, storm-water runoff currently flows toward the existing garage and pools around and in the structure, causing flooding and water intrusion. The new garage foundation will be raised approximately one block higher than the existing foundation and site grading improvements will be completed to improve drainage and reduce flooding concerns.

The Board of Adjustment may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance. (Mitigating impervious surface with storm water management, deep rooted vegetative buffers, rain gardens, etc.)

GOV'T LOT 7

AGENCE SAYS LOCATION AS REQUESTED BY CLIENT
IT IS THE AGENCY'S RESPONSIBILITY TO VERIFY LOCATIONS AND SETBACKS REQUIREMENTS
BEFORE CONSTRUCTION OF IMPROVING THE FACILITY.

I HEREBY CERTIFY THAT THIS SURVEY PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A FULLY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNATURE: DAVID A. ENGELMEYER MN LICENSE NUMBER 548335

Engelmeyer Land Surveying

PREPARED FOR: DENNIS WALVOGEL
Certificate of Survey

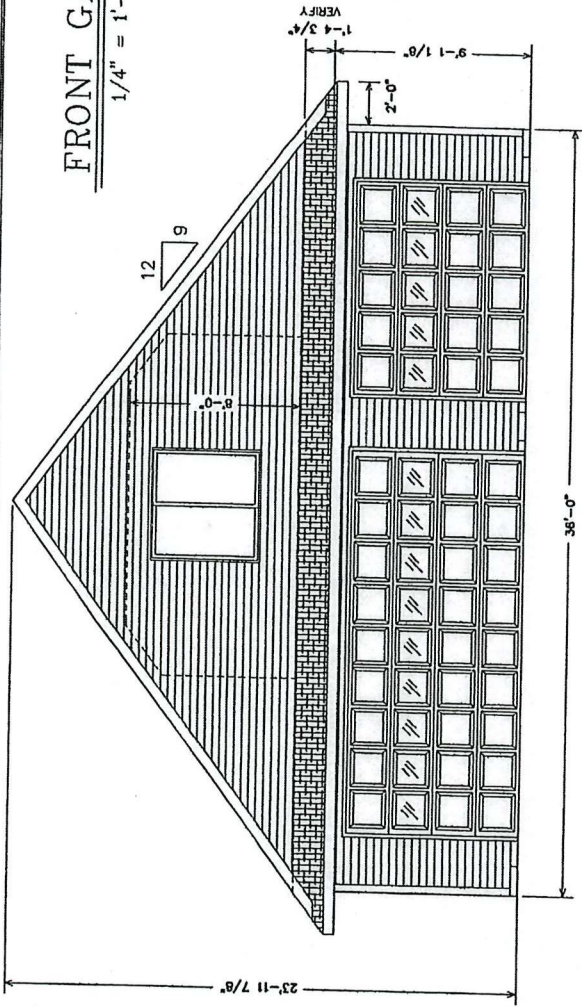
CERTIFICATE OF SURVEY
 SEC. 34, T40N, R25E, DEINIS25 P40
 JGD NO. 115-25
 P-3-3711 FB: 196-47
 Date: 06-19-2026
 P. D. BOX 12-4 MELROSE MN 56352
 PHONE: (320) 256-7288 or (320) 836-2291
 FAX: (320) 836-2453
 email: engelsruebellet@net
 email: engelmeyerlanosurveying.com

THE FIELD SURVEY FOR THIS PROJECT WAS COMPLETED ON 10-27-2025.

[illegible]

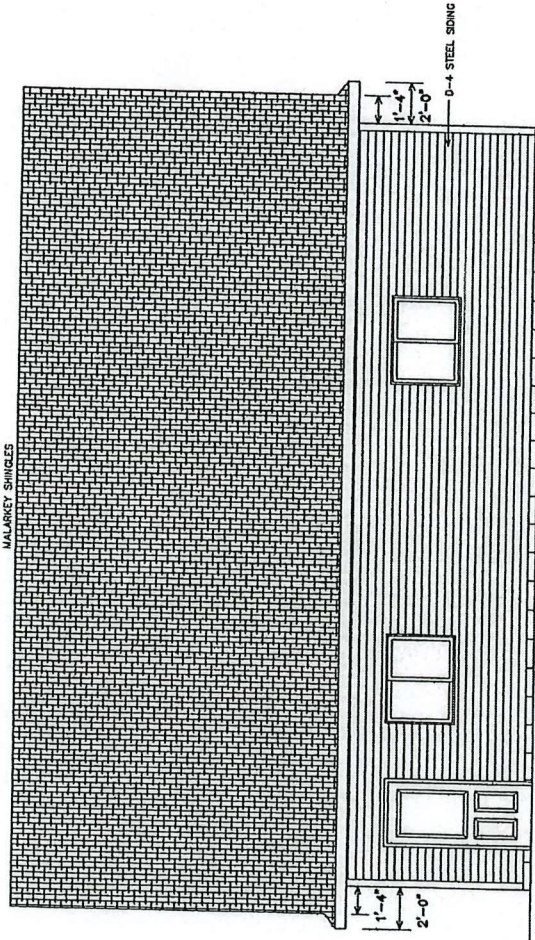
FRONT GABLE VIEW

1/4" = 1'-0" SCALE



LEFT EAVE VIEW

1/4" = 1'-0" SCALE



PLEASE VERIFY
THAT THESE PLANS ARE NOT
BEING USED FOR CONSTRUCTION

THESE PLANS FURNISHED BY ST. ROSA LUMBER INC. WERE PREPARED BY ONE OF OUR
EXPERIENCED DRAFTSMEN. HOWEVER, OUR DRAFTSMEN ARE NOT FULLY QUALIFIED AS
PROFESSIONAL ENGINEERS OR ARCHITECTS. ST. ROSA LUMBER INC. EXPRESSLY
DISCLAIMS ANY LIABILITY FOR ANY ERRORS OR OMISSIONS.

**ST. ROSA
LUMBER INC.**
2800 10TH AVE S.W. #1000 SEASIDE, OR 97138
(503) 838-2281 OR (503) 838-1131

DATE
04/20/24

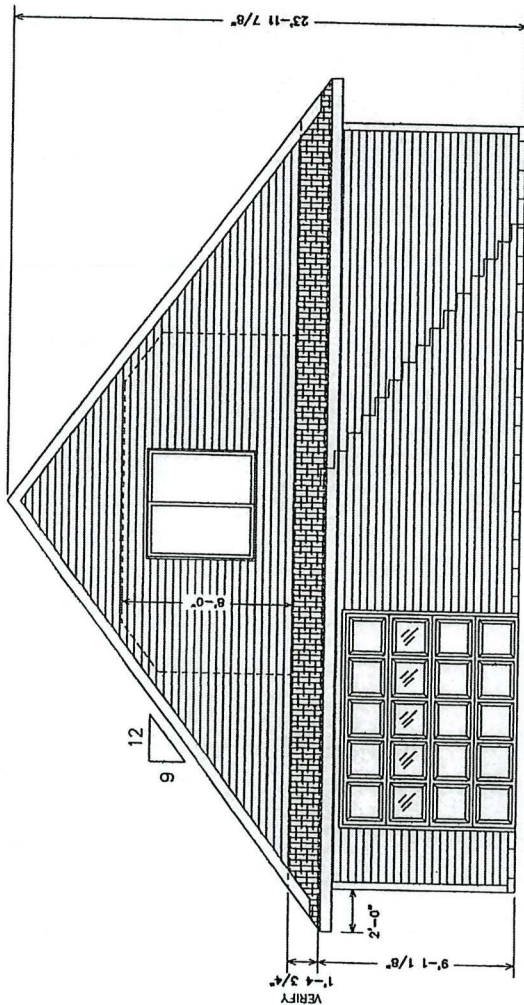
PROJECT NAME
DENNIS WALVOGEL

SCALE
1/4" = 1'-0"

SR. FT.
1296

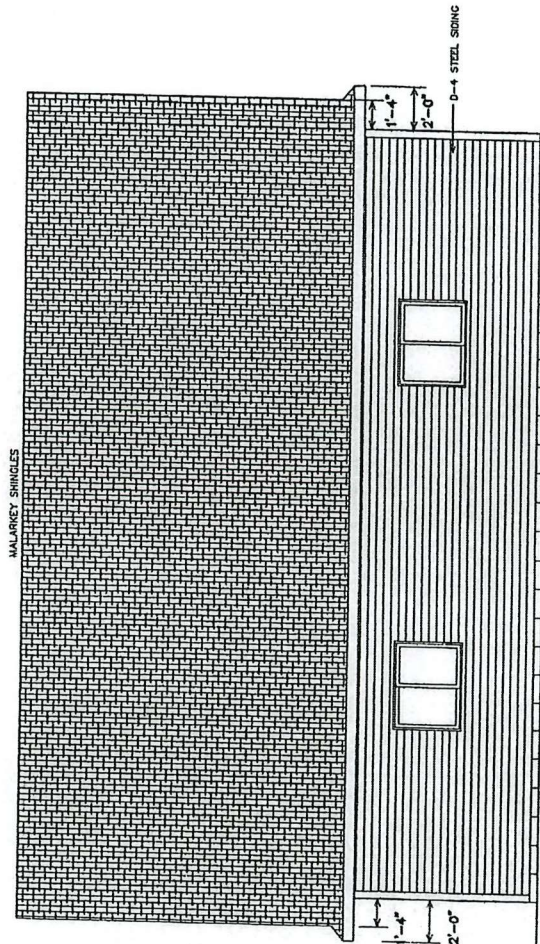
DRAWN BY
JOSH H.

A-4



REAR GABLE VIEW

1/4" = 1'-0" SCALE



RIGHT EAVE VIEW

1/4" = 1'-0" SCALE

PERMANENT TO BE USED FOR CONSTRUCTION

THESE PLANS, PREPARED BY ST. ROSA LUMBER INC., ARE PREPARED BY ONE OF OUR
EXPERIENCED DRAFTSMEN. HOWEVER, OUR DRAFTSMEN ARE NOT FULLY QUALIFIED AS
PROFESSIONAL ENGINEERS OR ARCHITECTS. ST. ROSA LUMBER INC. EXPRESSLY
DISCLAIMS ANY LIABILITY IF ANY ERRORS HAVE BEEN MADE.

ST. ROSA LUMBER INC.
20333 COUNTY ROAD 17, PRESERVE, WA 98337
(360) 836-2354 OR 1-866-278-1751

DATE: 04/20/24

PROJECT NAME:

DENNIS WALVOGEL

SCALE: 1/4" = 1'-0"

DRAWN BY: JOSH H.

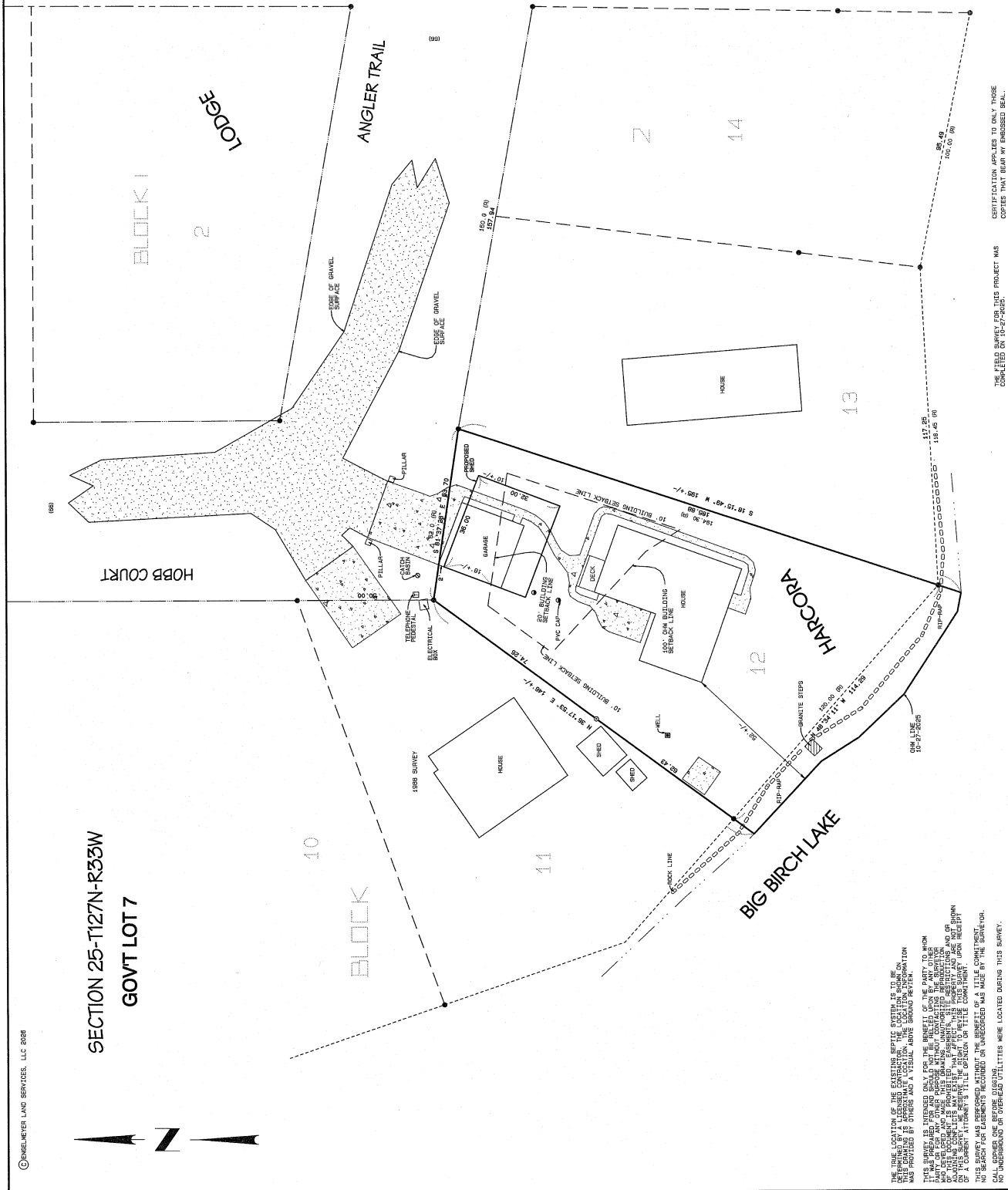
SS. FT. 1214

A-5

SECTION 25-1127N-R33W
GOVT LOT 7

- DENOTES IRON PIPE PLACED THIS SURVEY CAPPED LS NO. 54838
- DENOTES 1/2" IMPLANT IRON MONUMENT FOUND THIS SURVEY UNLESS OTHERWISE NOTED
- (M) DENOTES MEASURED
- (R) DENOTES RECORD DATA
- ▨ DENOTES APPROXIMATE GRAVEL SURFACE
- ▩ DENOTES CONCRETE SURFACE

PROPOSED SCD LOCATION AS REQUESTED BY CLIENT.
THIS SURVEY IS PREPARED FOR THE CLIENT'S INFORMATION AND SETBACK REQUIREMENTS. IT IS THE CLIENT'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND SETBACK REQUIREMENTS. THIS SURVEY IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF ENGELMEYER LAND SERVICES, LLC.



I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNATURE: *David A. Engelmeier*
DATE: 06-19-2026 MN. LICENSE NUMBER: 54838

Engelmeier Land Surveying	
PREPARED FOR: DENNIS MALVOGEL	
Certificate of Survey	
cc: MALVOGEL DENNIS25 PRO	JOB NO: 115-25
Date: 06-19-2026	P-3-3711 FB: 186-47
41701 COUNTY ROAD 167	
P.O. BOX 124, MEADOWS, MN 55352	
TEL: (763) 538-2434 OR (260) 636-2281	
FAX: (763) 538-2434	
WWW.ENGELMEIERLANDSURVEYING.COM	

THE FIELD SURVEY FOR THIS PROJECT WAS COMPLETED ON 10-27-2025. CERTIFICATION APPLIES TO ONLY THOSE COPIES THAT BEAR MY EMBOSSED SEAL.

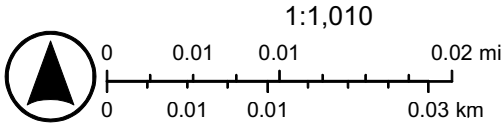
THE TRUE LOCATION OF THE EXISTING SEPTIC SYSTEM IS UNKNOWN. THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM IT WAS PREPARED AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE. THE SURVEYOR HAS NO LIABILITY FOR ANY DAMAGE TO THE PROPERTY OR PERSONS OR FOR ANY LOSS OF PROFITS OR OTHER MONETARY LOSS. THE SURVEYOR HAS NO LIABILITY FOR ANY DAMAGE TO THE PROPERTY OR PERSONS OR FOR ANY LOSS OF PROFITS OR OTHER MONETARY LOSS. THE SURVEYOR HAS NO LIABILITY FOR ANY DAMAGE TO THE PROPERTY OR PERSONS OR FOR ANY LOSS OF PROFITS OR OTHER MONETARY LOSS.

Site Map

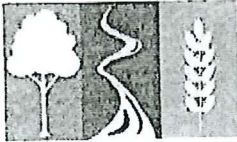


8/5/2026, 11:57:35 AM

- | | |
|----------------|--------------------|
| ▣ Address | ▣ Public Waterbody |
| Road Network | |
| — TWP - GRAVEL | ▣ Township |
| --- Driveways | ▣ Section |
| ▣ Parcels | ▣ Quarter Quarter |



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



WHERE THE FOREST MEETS THE PRAIRIE

Todd County

• MINNESOTA • EST. 1855 •

Received

Aug 31st 2026

Todd County Planning
& Zoning

PLANNING & ZONING
215 1st Avenue South, Suite 103
Long Prairie, MN 56347
Phone: 320-732-4420 Fax: 320-732-4803
Email: ToddPlan.Zone@Co.Todd.MN.US

Accepted 9/2/2026
KLM

Appeal for a Variance

Applicant Jason Arzen
Mailing Address 29033 Cord 17 Forest, MN
Site Address 10714 Angler Trail Grey Eagle, MN
Phone Number [REDACTED] Cell Number [REDACTED]
E-Mail Address [REDACTED]
Property Owners Name & Address (if not applicant) Nate & Allie Schandt

Parcel Number(s) 03-00-58700
Section: 25 Township Birchdale
Zoning District (circle one): AF-1; AF-2; R-10; R-2; UG; RT; Commercial; Industry; or
Shoreland (Lake or River Name): Shoreland - Big Biran Lake
Full and Current Legal Description(s): Sec. 25 T127 N R 33 W
(attach if necessary)

Do you own land adjacent to this parcel(s) Yes ☒ No

Septic System: Date installed Holding Tank only 1996 Date of Compliance Inspection 8-6-26
Is a new system needed: yes ☒ no STS Design attached

Required for applications with existing septic systems: Approved design submitted for new system to be installed, new system installed within previous 5 years, or passing compliance inspection on existing system in previous 3 years

Variances Requested:

What standards or requirements are you unable to maintain? (Check all that apply)

Lot width Lot area Lake or River setback ☒ Bluff setback
Road right-of-way setback Side Yard setback Buildable area ☒
Impervious surface coverage Building/Structure Height Other

Did you meet with the Township Board to present the Application for Variance?

Yes ☒ No Date of the meeting 7/28/26

[Signature]
Optional Township Board Signature

[Signature]
Board Position

LIST YOUR VARIANCE REQUEST(s) and what, if the variance were granted, you intend to build or use the land for. **For example:** "Request to reduce the 10ft structural setback from my west side lot line to 8ft for the construction of a detached garage to be used for vehicle and personal storage."

- 1.) Requesting to build a new dwelling the same distance from the lake as existing dwelling. Does not meet 100' setback.
- 2.) 70.29' from OHWL to point of expansion

- 3.) Requesting to cover more than 15% with roof structures.
~~24-6-X~~ 22% 9/3/26 gmb

4.)

****State Statutes Section 394.7 Subd7: Variances: Practical Difficulties.** The BOA shall have the exclusive power to order the issuance of variances from the requirements of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of official control, and when variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with official rules; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties.

The Board of Adjustment may impose conditions in the granting of a variance. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

EXPLAIN YOUR PRACTICAL DIFFICULTIES or reason why you need your request approved.**

The existing lake setback requirements do not allow a new dwelling to be built on this property. The lot is not large enough to meet existing requirements for roof coverage. We are not able to reduce the roof coverage by building a second story because of the county's height restrictions, it would block the neighbors view, & it would change the look from the lake. They are trying to build a very practical cabin on a difficult lot.

It is important that you flag your related property lines and proposed building locations

Have you flagged your lot? (Y) (N)

SKETCH DRAWING

See
attached

The applicant or agent hereby makes application for a variance agreeing to do all such work in accordance with all Todd County Ordinances. Applicant or agent agrees that site plan, sketches, and other attachments submitted herewith are true and accurate. Applicant or agent agrees that, in making application for a variance grants permission to Todd County, at reasonable times during the application process and thereafter, to enter applicant's premises to determine the feasibility of granting said variance or for compliance of that application with any applicable county, state, or federal ordinances or statutes. If any of the information provided by the applicant in his/her application is later found or determined by the county to be inaccurate, the County may revoke the variance based upon the supply of inaccurate information.

If the applicant is not the property owner, both signatures are required below.

Jason Arzen
Applicant Name Printed

Nate & Allie Schmidt

Property Owner Name Printed

Appeal for Variance

Signature

Signature (If different than applicant)

Date

Date

8-31-26

8-31-26

AUTHORIZED AGENT FORM

I hereby authorize Jason Arnzen to act as my authorized agent
for all public hearing(s) and legal relations with this application on property located at:

Site address 10714 Angler Trail Grey Eagle, MN

Section # 25 Township Name Birchdale

Parcel Number(s) Sec. 25 T127 N R33W / 03-00-58700

Property Owner(s) name (print) Nate + Allie Schmidt

Property Owner(s) Signature(s) N-S Schmidt Date 8-31-26

Authorized Agent(s) name (print) Jason Arnzen

Authorized Agent(s) Signature(s) Jason Arnzen Date 8-31-26

Authorized Agent Phone Number [REDACTED]

IMPERVIOUS SURFACE WORKSHEET (FOR SHORELAND ONLY)

APPLICANT INFORMATION

Name Jason Arnzen Site Address 10714 Angler Trail
 Phone [REDACTED] City Grey Eagle State MN Zip 56336
 Mailing Address 29033 Co Rd 17 Parcel Number 03 - 00 - 58700
Freeport, MN 56331 Lake/River Name Big Birch Lake

IMPERVIOUS SURFACE: is a constructed hard surface that either prevents or retards the entry of water into the soil or causes water to run off the surface in greater quantities & at an increased rate of flow than prior to development.

LOT/STRUCTURE DIMENSIONS

Total lot area: 14,128 sq ft

List all structures (structure's foundation footprint: length, width, and total area)

Existing	Proposed
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	

On Survey

List all non-roofed hard surfaces: Examples include sidewalks, paver stones, retaining walls, patios, decks, driveways & parking areas (asphalt, concrete or gravel), and areas of landscaping underlain with plastic or other impervious liners:

Existing	Proposed
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	

On Survey

Total of 25% of lot may be covered by impervious surfaces (15% of which are from roofed structures)

1. List in the table below any efforts by landowner to reduce project impact by removing or reducing impervious surfaces.

List Structure or Impervious Surface to Be removed	Square footage to be removed	Location of structure or impervious surface to be removed (see table below)		
Example: concrete drive to lake	8' x 35' = 280 sq ft	(C) Within Impact Zone		
Deck	10' x 68' = 680 ^{sq ft}	C - within impact zone		
Concrete / pavers	988 ^{sq ft}	B - Between shore impact zone + building setback		
Misc. landscaping	14 ^{sq ft}	B - Between shore impact zone + building setback		
Shed	267 ^{sq ft}	A General Development Lake	Recreational Development Lake	Natural Environment Lake and Rivers / Streams
Location of variance request in reference to Ordinary High Water level				
A. Outside shoreland building setback		75'+	100'+	150' +
B. Between Shore Impact Zone and Building Setback		37.5' to 75'	50' to 100'	75' to 150'
C. Within Shore Impact Zone		0 to 37.5'	0 to 50'	0 to 75'

2. List below any Storm Water Management Best Management Practices (BMP's) that will be installed to help mitigate impacts of development.

INFILTRATION BMP's

List any measures you plan on taking to increase water infiltration and retention. Examples include rain gutters, rain gardens, retention swales, berms, sub-surface tile, etc. Efforts to install BMP's will be graded positively in the site evaluation. Locate projects on site map.

Rain gutters to be installed on all 4 sides of new home.

Lot is flat + should have no concerns with water issues because we are reducing the impervious surface by 8.8 percent.

VEGETATION BMP's

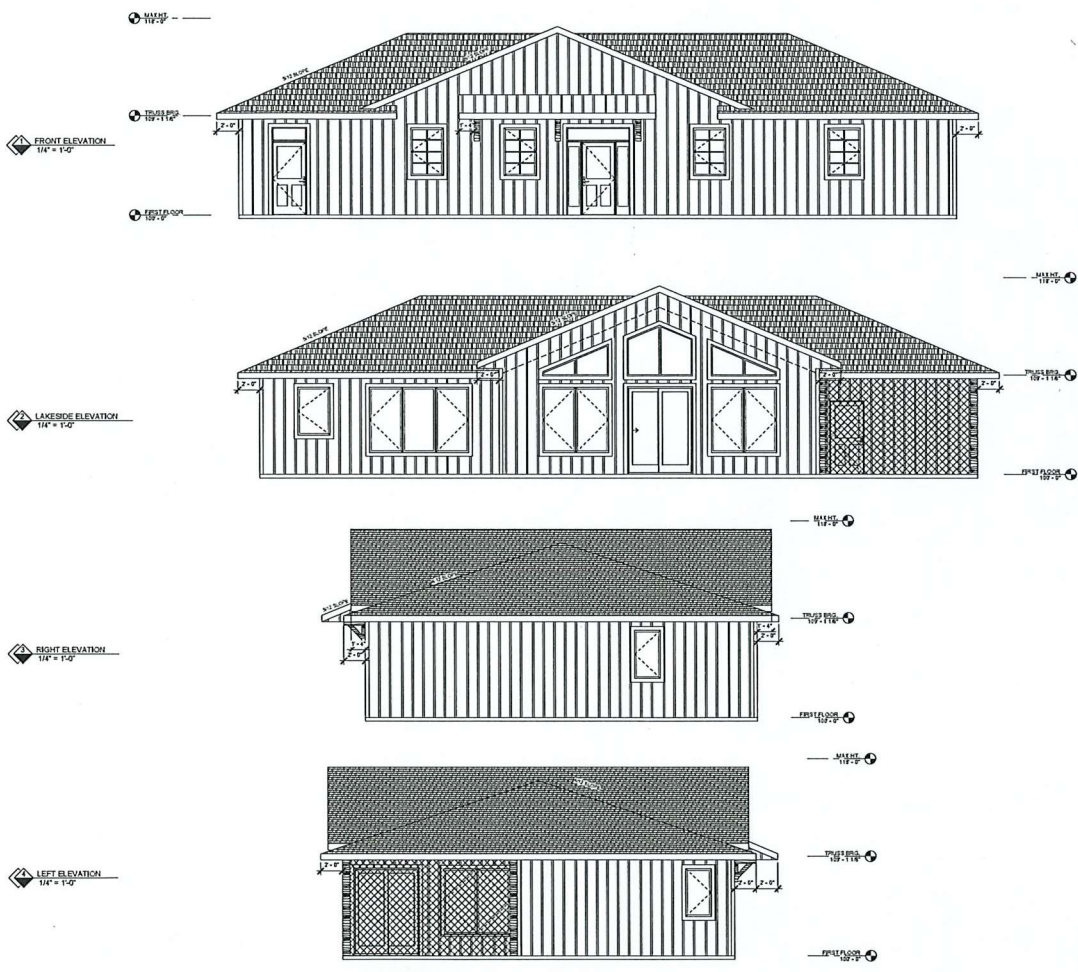
Vegetation planting along lake shore areas is also a Best Management Practice. Planting areas of your lakeshore impact zone with permanent vegetation helps infiltrate water, reduce lake impact, provide habitat, and screen the dwelling from other lake users. Plantings are graded positively in the site evaluation. List any areas to be planted or restored and mark the location on your site map.

- Grass to be planted in all areas of impervious removal.
- Vegetated buffer (no mow zone) to be planted along the lake frontage.

1) DIMENSIONS SHOWN RELATIVE TO LOCATE STRUCTURE AND CANNOT REPRESENT FINAL LONGCUTS AND GRADE MODIFICATION.
2) SEE 1 ON A301 FOR ADDITIONAL INFORMATION.



DISCLAIMER
THIS PLAN OR SPEC OR DESIGN OR ANY PART THEREOF IS NOT TO BE USED FOR CONSTRUCTION OF ANY STRUCTURE OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF ST. ROSA LUMBER INC. THE USER ASSUMES ALL LIABILITY FOR ANY DAMAGE OR LOSS OF ANY KIND.



PROJECT NAME
SCHMIDT, NATE & ALLIE
SITE ADDRESS: 10714 ANGLER TRAIL
GREY EAGLE, MN
CONTACT INFORMATION: 651-472-2546
ALLIEREINKE@GMAIL.COM

REVISIONS / ISSUE		
No.	Description	Date

DATE
08/01/2024
DRAWN BY:
ELLIE SAND
SHEET NAME

ELEVATIONS

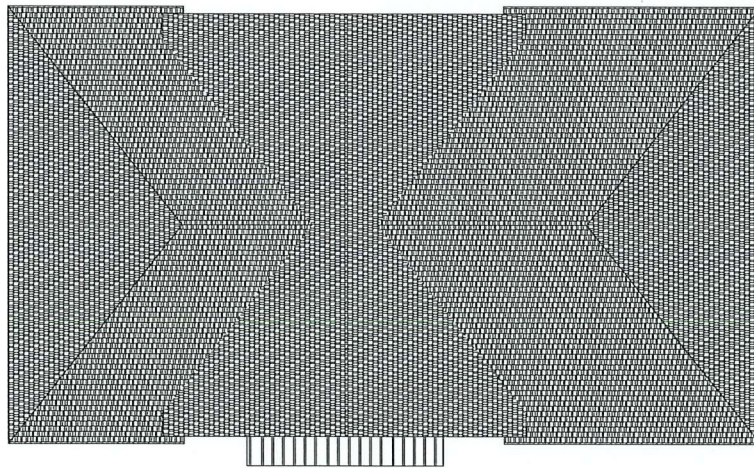
PRELIMINARY
THESE PLANS ARE NOT TO BE USED FOR CONSTRUCTION

A301

PRELIMINARY - NOT FOR CONSTRUCTION



S201



ROOF PLAN
1/4" = 1'-0"

ST. ROSA LUMBER INC.
Build with the Best

DISCLAIMER:
THIS PLAN IS PREPARED BY ST. ROSA LUMBER INC. FOR THE PROJECT AND IS NOT TO BE USED FOR ANY OTHER PROJECT. THE PROJECT IS THE PROPERTY OF ST. ROSA LUMBER INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM ST. ROSA LUMBER INC.

PROJECT NAME:
SCHMIDT, NATE & ALLIE
SITE ADDRESS: 10714 ANGLER TRAIL
GREY EAGLE, MN
CONTACT INFORMATION: 651-472-2546
ALLIEREINKE@GMAIL.COM

REVISIONS / ISSUE		
No.	Description	Date

SQ. FT.:

DATE
08/31/2026

DRAWN BY:
ELIE SAND

SHEET NAME:

ROOF PLAN

A204

PRELIMINARY
THESE PLANS ARE NOT TO BE USED FOR CONSTRUCTION

PRELIMINARY - NOT FOR CONSTRUCTION

CERTIFICATE OF SURVEY

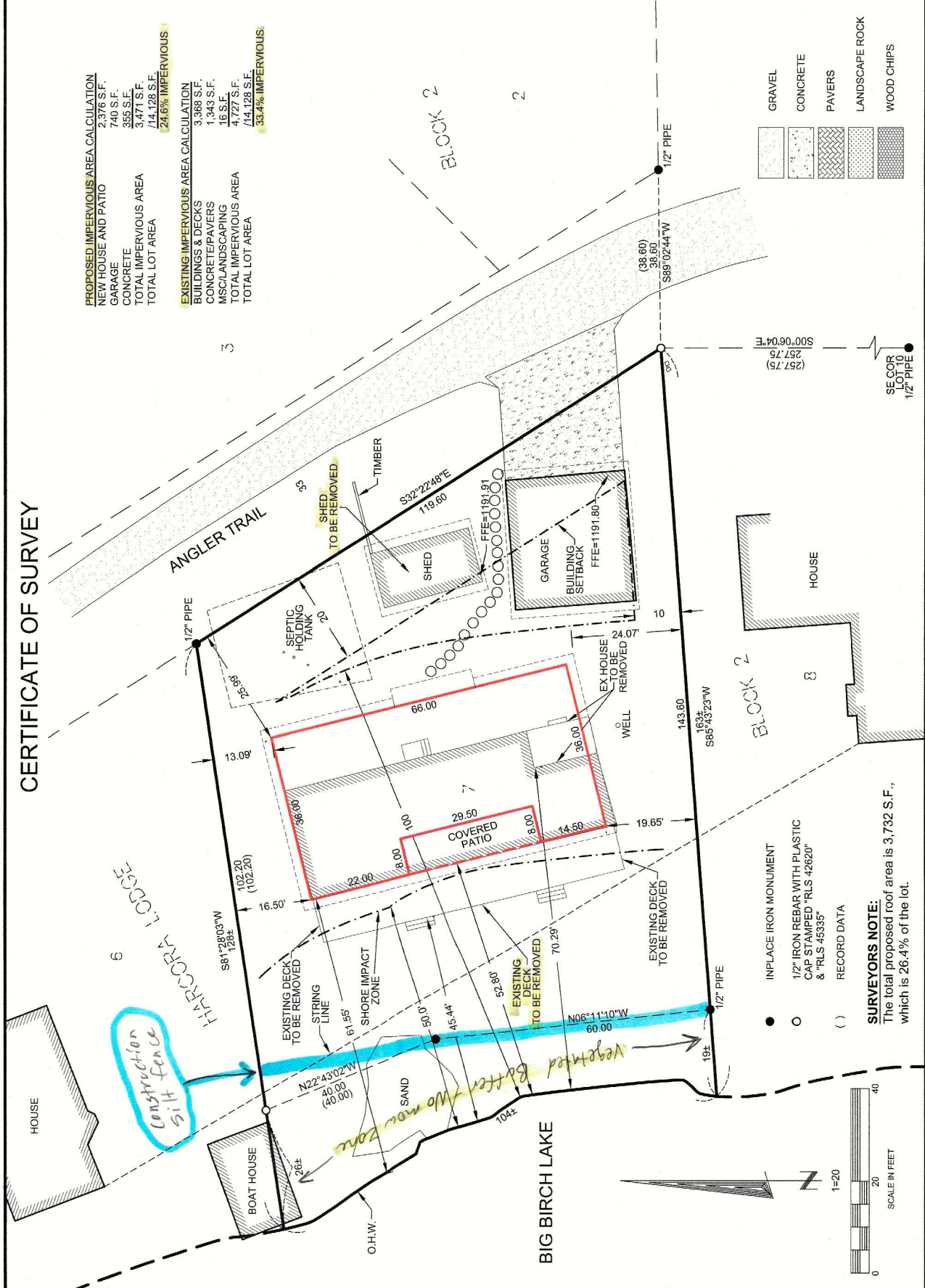
SEC. 25 T 127 N R 33 W

DATE: 8/31/2026 • DRAWN BY: JSM • CHECKED: BMN • JOB NO. 12919A
 REQUESTED BY: ST. ROSA LUMBER

509 22ND AVE. EAST, SUITE 101
 ALEXANDRIA, MINNESOTA 56308
 PH. (320) 762-4111
 www.nybergsurveying.com

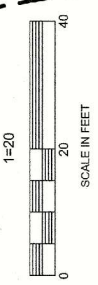


I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.
 Brad M. Nyberg
 Date August 31st, 2026
 License No. 42620



PROPOSED IMPERVIOUS AREA CALCULATION	
NEW HOUSE AND PATIO	2,376 S.F.
GARAGE	740 S.F.
CONCRETE	355 S.F.
TOTAL IMPERVIOUS AREA	3,471 S.F.
TOTAL LOT AREA	14,128 S.F.
	24.6% IMPERVIOUS
EXISTING IMPERVIOUS AREA CALCULATION	
BUILDINGS & DECKS	3,368 S.F.
CONCRETE/PAVERS	1,343 S.F.
MSC/LANDSCAPING	16 S.F.
TOTAL IMPERVIOUS AREA	4,727 S.F.
TOTAL LOT AREA	14,128 S.F.
	33.4% IMPERVIOUS

- GRAVEL
- CONCRETE
- PAVERS
- LANDSCAPE ROCK
- WOOD CHIPS



SURVEYORS NOTE:
 The total proposed roof area is 3,732 S.F., which is 26.4% of the lot.

- IN PLACE IRON MONUMENT
- 1/2" IRON REBAR WITH PLASTIC CAP STAMPED "RLS 42620" & "RLS 45335"
- () RECORD DATA

Site Map



8/5/2026, 1:13:33 PM

