

JOINT PLANNING BOARD MEETING AGENDA
LESAUK TOWN HALL – 311 4TH AVE. SO., SARTELL, MN

TUESDAY, AUGUST 26, 2025
5:30 P.M.

- 1. PLEDGE OF ALLEGIANCE**
- 2. AGENDA REVIEW AND ADOPTION**
- 3. REVIEW AND APPROVAL OF 5-27-25 JOINT PLANNING BOARD MINUTES**
- 4. 5:30 PUBLIC HEARING - UDERMANN VARIANCES - ACCESSORY BUILDING IN THE FRONT YARD AND DISTANCE FROM FEEDLOT**
- 5. RESOLUTION 2025-13 – RECOMMENDATION FOR APPROVAL FOR UDERMANN VARIANCES – ACCESSORY BLDG & FEEDLOT DISTANCE**
- 6. ADJOURNMENT**

Joint Planning Board Meeting
May 27, 2025

The meeting of the Joint Planning Board of LeSauk Township and the City of Sartell was called to order by Chairman Dan Heim at 5:30 p.m. with LeSauk Township members and City of Sartell members and 0 interested parties.

PRESENT: LeSauk Township Supervisors Dan Heim, Jeff Westerlund; City of Sartell Joint Planning Board members Ryan Fitzthum, Tim Elness, Rusty Deters; and Recording Secretary Mary Barron-Traut.

AGENDA: DAN HEIM MOTIONED TO APPROVE THE AGENDA, SECOND BY TIM ELNESS. The motion passed 5-0.

MINUTES APPROVAL: RYAN FITZTHUM MOTIONED TO APPROVE THE 4-22-25 JOINT PLANNING BOARD MINUTES AS PRESENTED, SECOND BY RUSTY DETERS. The motion passed 5-0.

Public Hearing – Adoption of Cannabis Business Ordinance : Dan Heim opened the public hearing to the floor regarding the adoption of the Ordinance regulating Cannabis Businesses in the township.

DAN HEIM CALLED FOR COMMENTS FOR OR AGAINST THE CANNABIS ORDINANCE, AND AS THERE WERE ZERO INTERESTED PARTIES IN ATTENDANCE, HE MOTIONED TO CLOSE THE FLOOR, SECOND MY TIM ELNESS, the motion passed 5-0.

Dan Heim informed the JPB members that any cannabis business would be allowed only in the A20 zoning area. Tim Elness asked if the ordinance mirrored Sartell's cannabis ordinance; Mayor Fitzthum confirmed that it did.

AS THERE WAS NO FURTHER DISCUSSION, DAN HEIM MOTIONED TO APPROVE THE LESAUK CANNABIS BUSINESS ORDINANCE, SECOND BY JEFF WESTERLUND, the motion passed 5-0.

There being no further business, RYAN FITZTHUM MOTIONED TO ADJOURN THE MEETING, SECOND BY JEFF WESTERLUND, the motion passed 5-0.

Respectful submitted,

Mary Barron-Traut
Joint Planning Board Recording Substitute Secretary 1`

NOTICE TO LESAUK TOWNSHIP RESIDENTS

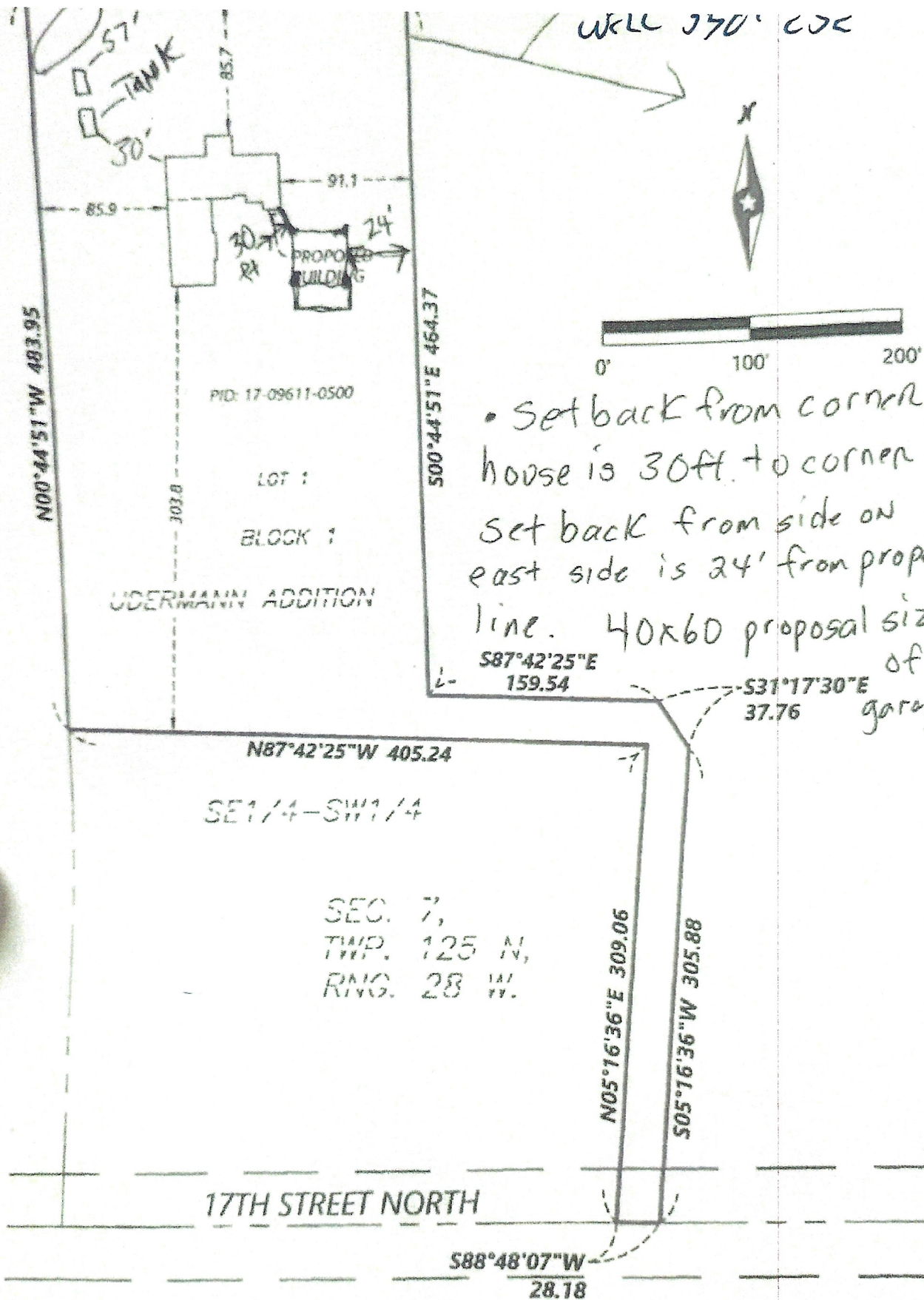
Notice is hereby given to the residents of LeSauk Township that on Tuesday, August 26, 2025, beginning at 5:30 p.m., or as soon thereafter as possible, the Joint Planning Board of LeSauk Township and the City of Sartell, will conduct a public hearing to consider applications filed by John Udermann, 2611 17th St. No., Sartell, MN 56377. Applicant is applying for two variances; construction of a 40 x 60 square foot accessory building in the front yard and a variance from the 700-foot feedlot setback for the planned accessory building.

The public hearing will take place at the LeSauk Town Hall, 311 4th Ave. So., Sartell, MN 56377.

The legal description of the parcel is as follows: That part of the Southeast Quarter of the Southwest Quarter of Section 7, Township 125 North, Range 28 West, Stearns County, Minnesota, described as follows:
Commencing at the southwest corner of the said Southeast Quarter; thence North 88 degrees 48 minutes 07 seconds East, assumed bearing along the south line of said Southeast Quarter of the Southwest Quarter, a distance of 372.25 Feet to the point of beginning; thence North 05 degrees 16 minutes 36 seconds East, a distance of 309.06 feet; thence North 87 degrees 42 minutes 25 seconds West, a distance of 405.24 feet to the west line of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 44 minutes 51 seconds West, along said west line, a distance of 516.94 feet; thence North 89 degrees 56 minutes 03 seconds East, a distance of 254.03 feet; thence South 00 degrees 44 minutes 51 seconds East, a distance of 497.37 feet; thence South 87 degrees 42 minutes 25 seconds East, a distance of 159.54 feet; thence South 31 degrees 17 minutes 30 seconds East, a distance of 37.76 feet; thence South 05 degrees 16 minutes 36 seconds West, a distance of 305.88 feet to the south line of said Southeast Quarter; thence South 88 degrees 48 minutes 07 seconds West, along said south line, a distance of 28.18 feet to the point of beginning.

The public is invited to attend this public hearing and such persons wishing to be heard on this matter, will be heard at this time. Both oral & written testimony will be considered. Written testimony may be sent to the Town Clerk at the address listed below or by emailing the email address listed below.

(s) Marlyce L. Plante
2293 Pinecone Road
Sartell, MN 56377
lesauktownship@gmail.com
LeSauk Township Clerk
Publish: August 15, 2025





New garage will be very similar to above that is on house now, will use same siding, roof and windows as above doors will be same color and style, may have one door less and size may vary. lumber style walls and ends, not post frame,

**LE SAUK TOWNSHIP – CITY OF SARTELL
JOINT PLANNING BOARD
STEARNS COUNTY, MINNESOTA
RESOLUTION NO. 2025-13**

**RESOLUTION RECOMMENDING GRANTING VARIANCES
FOR THE PROPERTY LOCATED AT 2621 17TH STREET NORTH**

WHEREAS, John D. Udermann and Mary Lou G. Udermann (collectively the “Applicant”), submitted an application to Le Sauk Township (“Town”) for two variances for the Applicant’s property (PID No. 17.09611.0500) located at 2621 17th Street North, and legally described on the attached Exhibit A (“Property”);

WHEREAS, the Applicant proposes to construct an approximately 2,400 square foot accessory building in the front yard of the Property and is seeking a variance from the restriction in Section 560.04(a) of the Le Sauk Township Zoning and Subdivision Regulations (“Zoning Code”), which provides that “no accessory building, other than a garage, shall be located within any yard other than rear yard in a residential district.”

WHEREAS, the Applicant is requesting this variance because the tank and drainage field for the septic system servicing the dwelling are located behind the dwelling;

WHEREAS, because the proposed accessory building is located within 700 feet of a feedlot, Applicant is also seeking a variance from Section 560.15, subd.2(g) of the Zoning Code which provides a “setback a minimum distance of seven hundred (700) feet from an animal feedlot....”;

WHEREAS, the Applicant is requesting this variance because the whole of the Property lies within 700 feet of an existing feedlot;

WHEREAS, the Property is located in the Town’s Agricultural District (A-20) and is within the Residential Overlay District (RO-1);

WHEREAS, the Property currently contains a single-family dwelling with an attached garage;

WHEREAS, Section 530.05(c) of the Zoning Code allows one accessory building up to 3,600 square feet in the R-1 District;

WHEREAS, pursuant to Sections 590.02 and 590.04 of the Zoning Code, variance requests in the A-20 District are subject to a Type 2 review, which requires the Le Sauk Township – City of Sartell Joint Planning Board (“JPB”) to hold a public hearing on the proposed variance and to submit a written report with its recommendation to the Town for a final decision by the Town Board sitting as the Board of Appeals and Adjustments;

WHEREAS, the JPB reviewed and considered the application at a duly noticed public hearing held on August 26, 2025; and

WHEREAS, the JPB hereby finds and determines as follows:

- a. The Property contains approximately 3.36 acres.
- b. The location of the septic system for the dwelling on the Property impedes the Applicant from placing the proposed accessory building in the backyard as would typically be required.
- c. Section 540.04, subd. 3 of the Zoning Code states that accessory uses allowed in the RO-1 Subdistrict are the same as those allowed in the R-1 district.
- d. The term accessory building is defined broadly to include any “subordinate building or structure on the same lot exclusively occupied by or devoted to a use incidental to the main use.”
- e. Under Section 560.04(a) of the Zoning Code, a proposed accessory building cannot be located within any yard other than rear yard in the R-1 District.
- f. The Applicant needs a variance from the rear yard requirement for accessory buildings in Section 560.04(a) of the Zoning Code to allow the placement of the proposed accessory building.
- g. Under Section 560.15, subd.2(g) of the Zoning Code, a setback of 700 feet from a feedlot is required.
- h. Because the entire Property is located within 700 feet of a feedlot, the Applicant needs a variance from the 700 foot setback requirement to allow placement of the proposed accessory building.
- i. In accordance with the “practical difficulties” standard set forth in Minnesota Statutes, section 462.357, subdivision 6(2) and Section 605.04 of the Zoning Code, the primary considerations for demonstrating practical difficulties are that (1) the property owner proposes to use the property in a reasonable manner not permitted by the Zoning Code, (2) the plight of the landowner is due to circumstances unique to the property not created by the landowner, (3) the variance is consistent with the general purposes and intent of the Zoning Code, (4) the variance is consistent with the comprehensive plan, and (5) the variance, if granted, will not alter the essential character of the Town. Economic considerations alone do not constitute “practical difficulties.”
- j. The variance criteria set forth in Section 605.04 of the Zoning Code also requires the Town to consider the following: (1) exceptional or extraordinary circumstances that apply to the property that do not apply to other properties in the same district or vicinity, and result from lot size or shape, topography or other circumstances over which the owners of the property have had no control, (2) whether literal interpretation of the

provisions of Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same district, (3) the special conditions or circumstances do not result from the actions of the applicant, (4) granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Code to others of other lands, structures, or buildings in the same district, and (5) the variance shall not allow any use that is not permitted under the Zoning Code for a property in the district where the affected applicant's land is located.

- k. Granting the requested variances are in keeping with the spirit and intent of the Zoning Code.
- l. The Applicant is proposing to use the Property in a reasonable manner as the limitations imposed on the Property restrict where an accessory building may be placed. Additionally, adding an accessory building is reasonable under the circumstances and is consistent with how other properties are used in the area.
- m. The variance request is based on circumstances unique to the Property, is not limited to economic considerations, and is not created by the Applicant in that the accessory building is reasonably sized and located given the nature of the Property.
- n. Granting the proposed variance would not revise or amend district boundary lines, zoning, property use, or nonconforming use restrictions.
- o. Strict compliance with the limitation contained Sections 530.05(c) and 560.04(a) of the Zoning Code, as explained, constitute practical difficulties for the Applicant in complying with the Zoning Code and the same constitute practical difficulties allowing for the approval of the variance as requested.
- p. The requested variance meets the criteria set forth in Section 605.04 of the Zoning Code.

NOW, THEREFORE, BE IT RESOLVED, the JPB hereby recommends the Town Board approve and issue the requested variances allowing an approximately 2,400 square foot accessory building to be constructed in the front yard of the Property, conditioned on compliance with all of the following:

- 1. The Applicant shall obtain all other permits as may be required consistent with the Zoning Code including, but not limited to, a building permit.
- 2. The accessory building shall be constructed in the location on the Property indicated on the map attached hereto as Exhibit B.
- 3. Except to the extent exempted by the variance granted herein, the accessory building shall otherwise be constructed in accordance and in compliance with the requirements of the Zoning Code.
- 4. The accessory building shall be constructed using similar siding and roofing materials to those used on the residential dwelling.

5. The Applicant shall comply with all applicable federal, state and local laws, rules, and ordinances.
6. The Applicant must adhere to, and remain in compliance with, the requirements of this variance, applicable performance standards, and such other requirements as may apply.
7. Utilization of the Property pursuant to this variance constitutes, and shall be deemed, acceptance of, and agreement to, the terms and conditions of this variance without exception, qualification, or reservation.
8. If construction in accordance with the Plan is not substantially started within 12 months from the date of the issuance of the variance, the variance shall become void. A substantial start means more than preliminary steps have been taken such that preparations to initiate the use are mostly complete.
9. All conditions of this variance must be complied with, shall run with the land, and shall not in any way be affected by the subsequent sale, lease, or other change from current ownership of the Property.

Adopted this 26th day of August 2025.

BY THE JOINT PLANNING BOARD

Chairperson

Attest: _____
Secretary

EXHIBT A

Legal Description of the Property

Lot 1, Block 1, Udermann Addition, Stearns County, Minnesota.

EXHIBIT B

Map showing location of the accessory building