

## Thursday, March 19, 2026 Regular Board of Supervisors Meeting

Meeting called to order by Chairman Ken Mattson at 7:00 PM. Supervisors Mary Fratzke and Ed Hamlin were present. Also present was Clerk Kim Christenson, Treasurer Lisa Olson, and Zoning Administrator Gerald Evenson.

Ken Mattson called for a moment of silence for the late supervisor Gene Carda

Pledge of allegiance was said.

Moved, Second, Carried MSC (Ed, Mary) to approve the agenda as amended: add social media post on Facebook discussion.

Mary Fratzke nominated Ken Mattson for board chair. Ed Hamlin seconded the nomination. Ken accepted the position.

Ken Mattson nominated Mary Fratzke for vice board chair. Ed Hamlin seconded the nomination. Carried unanimously.

MSC (Ken, Ed) to set the regular meeting of the Board of Supervisors as the third Thursday of the month at the Knife Lake Town Hall with the following exception:

- June regular board meeting will be held on the 3<sup>rd</sup> Wednesday of that month which is June 17.

All meetings will start at 7:00pm.

MSC (Ed, Mary) to designate the Kanabec County Times as the official publication for Knife Lake Township.

MSC (Ken, Ed) to set the meeting, hourly, mileage, and copy fees at: Elected officials \$100.00 per meeting and \$25.00 per hour, copy reimbursements set at \$0.15 single sided and \$0.20 double sided, mileage rate for township business at the federal rate.

MSC (Ken, Mary) that the Zoning Administrator will receive \$50.00 per meeting and \$25.00 per hour. Also approved \$50.00 per permit/application issued will be paid to the Zoning Administrator.

Planning Commission will receive \$50.00 per planning commission meeting. The members of the planning commission will receive a minimum of 1 hour paid per site visit (\$25.00) and \$25.00 per hour if site visit is over one hour. Planning commission will receive mileage from their residence to the site and mileage returning to their residence.

Set the application fees for Conditional Use Permit (CUP) and Interim Use Permits (IUP), Variance and Land Use Permit. Condition Use Permit and Interim Use Permit fee \$1,500.00, gravel pit permit fee \$2,500.00. The township will retain a minimum of \$1,000, along with the additional amount needed to pay township costs related to the CUP/IUP, with any unused amount returned to applicant.

Land Use Permit fee \$100, with the amount increasing to \$300 if the project started before a permit is obtained.

MSC (Ed, Mary) to approve the minutes of the February 19, 2026 Board of Audit Meeting as presented.

MSC (Ed, Mary) to approve the minutes of the February 19, 2026 Board of Supervisors Meeting as presented.

All monthly bills were reviewed. MSC (Ken, Ed) to approve and pay the bills.

Board spoke with Jerry Black concerning snow plowing concerns received from the residents. The board received a complaint from a resident on 235<sup>th</sup> Ave stating the cul de sac was not being plowed. The board also received a complaint from Mark Burley on Point Trail. Mark stated that Point Trail was plowed very poorly on the last snow fall and that the school bus could not make it down the road. Jerry stated that his plow driver couldn't plow Point Trail correctly because a snowmobile was in the way. Ken Mattson stated that he talked with school and asked the school to call him when the school bus can not make it down a township road. The school stated that the driver didn't say anything about Point Trail being impassable on the last snow fall.

Jerry Black also stated that he would like to include ditch mowing in the next contract. Current contract will expire in July 2027.

The board discussed a letter they received from Sherman Builders concerning the decision made at the February 19, 2026 board meeting on their variance application. The board consulted with the township attorney and the attorney drafted a resolution for the board to pass at this meeting.

It was moved by Ken Mattson, seconded by Ed Hamlin and carried unanimously to approve the following resolution:

## **RESOLUTION NO. 1 2026-03-19**

### **A RESOLUTION ADOPTING FINDINGS AND FORMALLY DENYING THE VARIANCE APPLICATION OF 1089, LLC / SHERMAN BUILDERS**

#### **I. APPLICATION & PROCEDURAL HISTORY**

**WHEREAS**, on January 13, 2026, the Township Zoning Administrator received a variance application from 1089, LLC/Sherman Builders requesting approval to create approximately twenty (20) residential lots of 1.6 acres each on property located in Sections 25 and 36 of Knife Lake Township, identified as PID 10.01700.00 and 10.02325.00; and

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on February 10, 2026, reviewed the property and proposed development, received public testimony, and acknowledged that it would take into consideration all comments made by the public and the applicant and present its findings to the Town Board at the February 19, 2026, meeting; and

**WHEREAS**, the Town Board unanimously voted to deny the variance application from 1089, LLC/Sherman Builders at the February 19, 2026, Town Board meeting; and

#### **II. STATUTORY TIMING & EXTENSION**

**WHEREAS**, under Minn. Stat. § 15.99, subd. 2(c), when a multimember governing body denies a land use request, it must provide the applicant with a written statement of the reasons for denial, and if the written statement is not adopted at the same meeting as the denial, it must be adopted at the next meeting following the denial but before expiration of the statutory decision period; and

**WHEREAS**, the Township, through its attorney, issued a written extension on March 13, 2026, pursuant to Minn. Stat. § 15.99, subd. 3(f), extending the 60-day decision period to 120 days in order to allow the Town Board to prepare and adopt written findings consistent with the reasons stated on the record; and

**WHEREAS**, the adoption of this resolution at the Town Board's March 19, 2026, meeting constitutes the next meeting following the February 19, 2026, denial and therefore satisfies the statutory requirement for timely written findings; and

### **III. CONTENTS OF THE RECORD**

**WHEREAS**, the Town Board finds that the record upon which this decision is based includes the variance application submitted on January 13, 2026; the Planning Commission's February 10, 2026 public hearing, including all public comments made therein; the Planning Commission's recommendation presented to the Town Board at its February 19, 2026 meeting; and all information and statements made available to the Town Board at the time it voted to deny the application on February 19, 2026; and

### **IV. ORDINANCE REQUIREMENTS**

**WHEREAS**, Section 5, Subd. 5(a) of the Township's Zoning Ordinance requires a minimum lot size of five (5) acres for each dwelling unit, and the applicant's proposal does not meet that requirement, which bears directly on whether the proposed use is reasonable under the first prong of the practical difficulties test; and

### **V. PRACTICAL DIFFICULTIES STANDARD**

**WHEREAS**, under Minn. Stat. § 462.357, subd. 6, a variance may be granted only when the *applicant establishes* "practical difficulties," meaning (1) the proposed use is reasonable, (2) the circumstances are unique to the property and not created by the landowner, and (3) the variance will not alter the essential character of the locality; and

### **VI. TESTIMONY FROM THE FEBRUARY 10, 2026, PUBLIC HEARING**

**WHEREAS**, during the public hearing, Rick Mattson raised concerns regarding the lack of a defined solution for the proposed south entrance and questioned whether an alternate entrance could be provided, which relates to whether the proposed development pattern is reasonable and compatible with the area; and

**WHEREAS**, LeRoy Sipes, whose property adjoins the east side of the development, expressed concern that the proposed density could create conflicts with his cattle operation, including the risk of people being injured by cattle, and further expressed concern that twenty new wells could strain groundwater resources during dry conditions, concerns that relate to

whether the proposed development would alter the essential character of the locality under the third prong of the practical difficulties test; and

**WHEREAS**, Ed Hamlin commented on the potential for odor impacts from existing agricultural uses, including cattle, on future homeowners within the proposed development, further supporting that the proposed density may alter the essential rural and agricultural character of the area; and

**WHEREAS**, Wayne Zaudtke stated that the Township may not be able to handle a development of this size, expressed concern that increased density would place additional demands on fire, police, and other services, and emphasized that the Township's zoning ordinance requires five acre lots and should remain that way, concerns that also relate to the essential character prong; and

**WHEREAS**, several members of the public, including those noted above, questioned whether the proposed 1.6 acre lots and the scale of the development would be compatible with the Township's existing rural and agricultural character, which again bears on the essential character prong; and

## **VII. APPLICANT STATEMENTS**

**WHEREAS**, during the hearing, the representative of the applicant, Michael Odencrans, acknowledged that the request was not based on a hardship and stated that he applied for the variance because the Township Board directed him to do so, which directly addresses the second prong of the practical difficulties test by demonstrating that no unique circumstances of the property prevent compliance with the ordinance; and

## **VIII. COMPREHENSIVE PLAN SUPPORT**

**WHEREAS**, Minn. Stat. § 462.357, subd. 6(2) makes clear, “[v]ariations shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variations are consistent with the comprehensive plan.”

**WHEREAS**, the Township's Comprehensive Plan identifies agriculture and low density residential uses as the primary land uses within the Township and states that developments which increase service burdens or negatively impact the Township's ability to provide services should be discouraged, which is consistent with the concerns expressed by Wayne Zaudtke regarding increased service demands and by other residents regarding compatibility with agricultural operations, and which supports the conclusion that the proposed development would alter the essential character of the locality; and

**WHEREAS**, the Township's Comprehensive Plan explicitly states that “future higher density residential development should be guided to areas in which public water supply and sewage disposal can best be provided,” and the concerns raised by LeRoy Sipes regarding the need to install approximately twenty individual wells for the proposed development demonstrate that the variance request is incompatible with this Comprehensive Plan policy because the subject property is not served by public water supply or public sewage disposal systems.

## **IX. PLANNING COMMISSION RECOMMENDATION TO TOWN BOARD**

**WHEREAS**, the Planning Commission unanimously recommended denial of the applicant's variance request at the February 19, 2026, Town Board meeting; and

**WHEREAS**, Planning Commission Member Dave Etter stated in support of denial at the February 19, 2026 Town Board meeting that the state legislature had changed the applicable variance standard from "undue hardship" to the "practical difficulties" standard, thereby framing the Planning Commission's recommendation in terms of the practical difficulties test; and he further stated that use of the practical difficulties standard should remove any ambiguity regarding which legal standard applies, which supports the Town Board's finding that the applicant did not satisfy the requirements of Minn. Stat. § 462.357, subd. 6; and

**WHEREAS**, at the February 19, 2026 Town Board meeting, Planning Commission Chair Keith Van Hale, while presenting the Planning Commission's recommendation to the Board, stated that the Township's five acre minimum lot size requirement had been in effect for approximately nineteen years, and further stated that the applicant was aware of the shape and characteristics of the property at the time it was purchased, which relates to the second prong of the practical difficulties test because it demonstrates that no unique circumstances of the property prevent compliance with the ordinance.

**WHEREAS**, the Planning Commission concluded that the proposed lot sizes and development pattern did not meet the Township's setback and dimensional requirements and determined that it could not recommend approval without a defined and compliant road access plan, which relates both to the reasonableness prong and to whether the development would alter the essential character of the locality; and

## **X. BOARD MEMBER STATEMENTS**

**WHEREAS**, at the February 19, 2026 Town Board meeting, Chairman Ken Mattson asked whether the Supervisors had any questions for the applicant or the Planning Commission, and Supervisors Mary Fratzke and Ed Hamlin confirmed that they had personally attended the February 10, 2026 Planning Commission public hearing on the variance request and were therefore familiar with the record created at that hearing; and

**WHEREAS**, Supervisor Mary Fratzke stated at the February 19, 2026 Town Board meeting that she agreed with the Planning Commission regarding the five acre minimum lot size requirement and expressed concern that the applicant was proposing to place a substantial number of lots in that area, which relates to both the reasonableness prong and the essential character prong of the practical difficulties test, as well as to the incompatibility with the Comprehensive Plan; and

## **XI. PRACTICAL DIFFICULTIES ANALYSIS**

**WHEREAS**, the Town Board finds that the applicant did not establish the first prong, that the applicant proposes to use the property in a reasonable manner not permitted by the zoning ordinance, because the proposed housing density in such close proximity to agricultural and commercial operations is not a reasonable use of the subject property; and

**WHEREAS**, the Town Board further finds that the applicant did not establish the second prong, that the plight of the landowner is due to circumstances unique to the property not created

by the landowner, because no physical circumstances unique to the property were identified that prevent compliance with the five-acre minimum lot size; and

**WHEREAS**, the Town Board further finds that the applicant did not establish the third prong, essential character, because the concerns raised by Rick Mattson, LeRoy Sipes, Ed Hamlin, and Wayne Zaudtke demonstrate that the proposed development would alter the essential rural and agricultural character of the locality by introducing a significantly higher density pattern, increasing potential conflicts with existing agricultural operations, and increasing demands on Township services; and

## **XII. RESOLUTION**

**NOW, THEREFORE, BE IT RESOLVED** that the Knife Lake Township Board of Supervisors hereby denies the variance application submitted by 1089, LLC/Sherman Builders because the applicant failed to establish practical difficulties as required by Minn. Stat. § 462.357, subd. 6, because granting the variance would be inconsistent with the Township's zoning ordinance, incompatible with the essential character of the locality, and unsupported by any unique circumstances relating to the property not caused by the applicant, and for all the reasons set forth in the Whereas clauses of this resolution.

**7:40pm** - The chairperson called for public comment three times. Those responded included:

Keith Van Hale – asked the board if they would be willing to cut back on the annual donations because the township will most likely need those funds down the road.

**7:42pm** – The chairperson closed public comment.

MSC (Mary, Ed) to make a donation of \$250 to each organization that requested Health & Welfare funds at the Knife Lake Township annual meeting.

The Planning Commission along with the Knife Lake Township Supervisors will hold a public hearing on Thursday, April 16, 2026 at 5:00pm to discuss changes made to the township's zoning ordinance. The regular meeting of the Knife Lake Board will follow at 8:00pm.

The board discussed the abandonment of Garden Street. Mary stated that both townships need to abandon the road and a public hearing does need to take place but the public hearing can be combined into one hearing with both townships attending. The board will discuss this again at the April board meeting.

The board discussed the fire contract with the City of Mora. The board instructed the clerk to send the final version to the township attorney for final review. The board will discuss this again at the April board meeting.

MSC (Ken, Mary) to re-appoint Dave Etter to the Knife Lake Township Planning Commission for a 3-year term commencing immediately and expiring on April 2029.

There was one land use permits were issued last month.

There were zero shoreland permits issued since December 2024.

The board discussed concerns about snow plowing that were posted on social media.

MSC (Mary, Ed) to adjourn. Meeting adjourned at 8:48 PM.

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Clerk

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Chairman