

February 23, 2026

## Jessenland Township Planning and Zoning Minutes

1. Review and approve minutes of January 26, 2026 meeting: approved with addition of discussion of data centers, Matt/Deb (note that the data center discussion was in the minutes but in printing, “Word” had removed the spacing that separated it from the previous “Other Business” item)
2. Approve agenda: Matt/Deb
3. Requests:

Over the Counter: Graham, Tom at 32786 266<sup>th</sup> Ln., mining renewal, approved

Conditional Use:

Variance: Variance: Nye, Charles at 32744 Scenic Byway and Terlinden, Wendell submitted a recorded survey that was required in the rescission of the variance application addressing driveway and slope setbacks

Other:

4. Action:
5. Other Business:

The Town Board will wait until the March Annual Meeting to consider the recommendation of Planning and Zoning to raise the variance fee from \$260 to \$450, but only for those variances that will not be tied to a corresponding C.U.P.

The following draft language on property splits was motioned by Matt to be presented to the Town Board in March. Rosemary 2<sup>nd</sup>. Passed.

Section 14-General Regulations, Subdivision 8-Additional Requirements, Exceptions and Modifications, #6. When any existing parcel of real property is split into two or more smaller parcels: a. The split shall be made such that all existing structures comply with the existing setback regulations for the classification of the subject property. b. The split shall require Township zoning administrator approval. c. If the property is within a district with a minimum new lot size of ten (10) or more acres, and the split results in a parcel smaller than the applicable minimum new lot size, or not meeting any other setbacks and or regulations for that district, the Town shall require a restrictive covenant prohibiting the establishment of a new dwelling on either parcel resulting from the split. d. In case of loss by peril of the existing dwelling, the Town may allow rebuilding or replacing of an existing dwelling with one dwelling which conforms to applicable zoning requirements via the variance process.

The current ordinance, that would be replaced, reads as: #6. When an existing parcel of real property is split into two or more smaller parcels, the split shall be made in such a way so that all existing structures must comply with the existing setback regulations for the classification of the subject property.

The question of how our ordinances address data centers was answered by Andrew Tiede in an email, “Your ordinance does specifically prohibit anything not allowed by the ordinance. While I won’t claim to have your entire ordinance memorized, I am not aware of any contradictory text that would allow a data center. So strictly speaking, this does appear to already be prohibited. If we want to take this further, we can explicitly define and prohibit data centers.” Doug pointed out that it would be easier and cheaper to be proactive. There is a concern of eminent domain being used. Martha will contact Tiede and ask for language for the ordinance that would explicitly define and prohibit data centers.

Annual Township Meeting is on Tuesday, March 10<sup>th</sup> at 7pm

Re-appointments needed from Town Board at their March meeting for BOA (Kyle Iverson ending 2<sup>nd</sup> term) and P&Z (Rosemary Dieball ending 2<sup>nd</sup> term).

6. Adjourned.
7. Next regular meeting: March 16, 2026 at 7:00 p.m.

\_\_\_\_\_ Rosemary Dieball, clerk

Members present: Rosemary Dieball, Deb Boettcher, Matthew Skelley, Doug Thomas