

Becker County Board of Adjustments
January 8, 2003

The meeting was called to order by Vice Chairman Naomi Champ. Present were Members Harry Johnston, Charles Rew, James Elletson, Tom Disse, Dan Holzgrove, and Zoning Administrator Patricia Johnson. Minutes were recorded by Debi Moltzan.

Disse made a motion to approve the minutes of the December 11, 2002 meeting. Rew second. All in favor. Motion carried.

FIRST ORDER OF NEW BUSINESS: Leo Keane. An application has been filed by Leo Keane, purchaser of the property described as Lots 29 & 30 Cotton Lake Beach; Section 11, TWP 139, Range 40, Erie Township, to construct a dwelling twenty (20) feet from the edge of the bluff due to the topography of the lot.

Dave Schiller, Realtor, explained the application. Schiller explained that he represents both the seller's (Anderson) and the purchaser (Keane). Keane is a building contractor in the Montana Mountains. This lot is a lot of record, but has restricted buildable area. Keane is willing to construct a smaller cabin because of this. There are two issues that need to be addressed. The first issue is the bluff setback and the second is the road setback. Keane would like to build as close to the bluff as possible to be as far of the road as possible. The cabin would have a poured foundation and the deck would be placed on cylinders, to reduce impact on the topography. The driveway would have a turn-around so that no one would be backing directly onto the road.

Disse questioned if the house would have a garage under the house. Schiller stated that the plans submitted show that the garage would be under the house. Schiller questioned how long a variance would be good for if granted. Johnson stated that the variance goes with the property (forever) but a site permit is only good for six months. Schiller stated that Keane was under the impression that the variance was only good for six months and construction may not be able to take place until after that.

Further discussion was held regarding the bluff, bluff impact zone and road setback.

Elletson questioned if the old wooden shed would be removed. Schiller stated that he would assume that the shed would be removed because there is very little of it left.

No one spoke in favor of the application. No one spoke against the application. Mr. & Mrs. Vince Minch were present, observing what takes place and how decisions are made. Johnson stated that the Erie Township Board had contacted the office and stated that they did not have any objections to the application. At this time, testimony was closed.

Elletson stated that this lot does contain a bluff as defined in our Ordinance. If the required setbacks of 78 feet from the centerline of the road and 30 feet from the bluff were to be adhered to, there would be no room to build because the setbacks actually overlap. Allowing for a turn around in the driveway can minimize the setback from the

road. A reasonable solution could be setting the structure 20 feet from the bluff and 40 feet from the centerline of the road. This would allow for a 32 ft structure, which would all be behind the 20 ft setback.

Disse stated that this bluff is so close to not being a bluff that a structure would actually have a less impact than a larger bluff.

Elletson stated that the 40 ft setback from the centerline of the road actually places the structure 7 ft off the road right-of-way.

Johnston stated that this is a tough lot to work with but it is a lot of record. The proposed structure is not an overly large structure and by placing cylinders under the deck, there could be less of an impact on the bluff. Johnston and Rew both agreed with Elletson's proposal.

Elletson then made a motion to approve a variance to allow a structure twenty (20) feet from the edge of the bluff, forty (40) feet from the centerline of the road based on the fact that the lot is a lot of record and with the stipulations that the driveway provide a turnaround so that the traffic is not backing directly out onto the road and that the existing shed be removed from the property. Johnston second. All in favor. Motion carried.

SECOND ORDER OF NEW BUSINESS: Tentative Meeting Date and Possible New Appointments.

Johnson stated that the next informational meeting is scheduled for Thursday, February 6, 2003 at 8:30 am at the Zoning Office.

Johnson also stated that the new Commissioner's would be looking at their districts and there could be possible changes in appointments and changes in the Board.

Since there was no further business to come before the Board, Champ adjourned the meeting.

Naomi Champ, Vice Chairman

ATTEST _____

Patricia L. Johnson, Administrator