

Becker County Board of Adjustments
April 9, 2003

Chairperson Naomi Champ called the meeting to order. Present were Members Charles Rew, Tom Oakes, Jerome Flottesmesch, Terry Kalil and Zoning Administrator Patricia Johnson. Minutes were recorded by Debi Moltzan.

Rew made a motion to approve the Minutes from the March 12, 2003 meeting. Kalil second. All in favor. Motion carried. Minutes approved.

FIRST ORDER OF NEW BUSINESS: Dennis Vessey. A request for a variance to construct a garage and shed six feet from the side property line and 26% impervious surface coverage on property described as Pt Lot 1 Beg 230 ft NE of Sly Cor Th NW to Lk NE 90 ft Al Lk SE 200.89 feet & SW Al Rd 100 ft to Beg; Section 11, TWP 139, Range 41, Detroit Township.

Vessey explained the application to the Board. He would like to construct a garage addition onto the existing garage that one corner would be six feet from the side property line and the other corner would be ten feet from the side property line. There is no other place to build on the property.

Flottesmesch questioned as to why the garage could not be moved over two feet to meet the ten ft setback. Gail Vessey stated she did not want to lose a window. Flottesmesch stated that a hardship of the property had to be demonstrated. Oakes felt that the property already had reasonable use.

Discussion was held regarding the setback, lot coverage and whether or not a hardship existed.

Speaking in favor of the application was Keith Stensgard. No one spoke in opposition to the application. There was no written correspondence either for or against the application. At this time testimony was closed.

Further discussion was held regarding the lot line setbacks and whether there was another location on the property to locate a smaller storage shed.

Flottesmesch made a motion to deny the request for the 8 ft by 32 ft storage addition to the existing garage, which would be six (6) feet from the side lot line and deny the request for 26% impervious lot coverage based on the fact that no hardship could be demonstrated. Flottesmesch then made a motion to approve a variance to allow a 28 ft by 34 ft garage to be attached to the existing garage with a side yard setback of eight (8) feet where the new addition meets the existing garage and a ten (10) feet setback at the roadside side lot line based on the fact that the existing house and garage do not run parallel with the lot line and only one corner of the new structure would be eight (8) feet from the side lot line, not the entire structure. Oakes second. All in favor. Motion carried.

SECOND ORDER OF NEW BUSINESS: David Derstine. A request for a variance to construct a garage/storage building eighty (80) feet from the centerline of a County road due to the wetlands on property described as Pt Govt Lot 9 Comm SW Cor Sec 2 Th N 600 ft Th E 768.66 ft SE 380.55 ft to POB; Th NW 380.55 ft Th Swly 329.81 ft Al CSAH #29 Th Swly 409.94 ft to Big Rock Lake Th SW 370 ft to S Ln Govt Lot 9, Th E 590 Ft Th Nwly 500 ft to POB; Section 2, TWP 138, Range 40, Burlington Township.

Derstine explained the application to the Board. Due to the lake, road and wetlands, all the required setbacks cannot be met.

Flottemesch questioned if the shed could be moved closer to the wetland. Derstine stated that it could be moved somewhat closer, but not much. Oakes questioned the type of structure to be built. Kalil questioned the height.

No one spoke in favor of the application. Speaking in opposition to the application was Joe Magers, representing Rueben & Mary Jaeger. They believe the Derstine property encroaches into the Jaeger property and the property may encroach into the Jaeger property.

There was no written correspondence either for or against the application. At this time, testimony was closed.

Flottemesch stated that as far as the Board is concerned, the request is only from the road and it is the property owner's responsibility to meet the side yard setback. Rew stated that the Board does not determine lot lines. Johnson stated that lot line disputes are civil but if the lot lines are marked, the location of the new structure can be verified from those markers.

Champ stated that the request is from the road and that the Board cannot get into an area where they are not qualified.

Kalil made a motion to approve a storage shed ninety (90) feet from the centerline of the County Road with the entrance to the shed parallel, not perpendicular, with the road based on the fact that the location of the wetlands does not allow to meet the required setbacks. Oakes second. All in favor. Motion carried. Variance approved.

THIRD ORDER OF NEW BUSINESS: Informational Meeting. The next informational meeting is scheduled for Thursday, May 8, 2003 at 8:30 a.m. at the Planning and Zoning Office.

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

Naomi Champ, Chairperson

ATTEST _____

Patricia L. Johnson, Zoning Administrator