

**Becker County Board of Adjustments
July 13, 2006**

Present: Members: Jerry Schutz, Harry Johnston, Jim Brufloft, Al Chirpich and Liz Huesman. Zoning Staff: Patty Johnson and Julene Hodgson

Chairman Harry Johnston called the meeting to order. Julene Hodgson took minutes.

Minute approval: Brufloft made a motion to approve the minutes from the June 8, 2006 meeting. Chirpich second. All in favor. Motion carried.

Johnston explained the protocol for the meeting. Brufloft read the criteria for granting or denying a variance.

FIRST ORDER OF BUSINESS: Arthur Paul and Bev Mitchell Project Location: 13973 Pearl Lake Lane. APPLICATION AND DESCRIPTION OF PROJECT: Request a Variance to repair the foundation under an existing house, 18 feet from the ordinary high water mark of the lake, deviating from the required 100 ft setback.. LEGAL LAND DESCRIPTION: Tax ID number: R.17.0826.000; Lots 4 & 5 & Lot 6 Less S 50 ft; Knollwood Glen; Section 14, TWP 138, Range 42; Lake Eunice Township. The property is located on Pearl Lake.

Arthur Mitchell explained the application to the Board. Mitchell explained the reason for the variance is for maintenance of the existing structure on a sub-standard lot. Brufloft questioned the year the home was built to which Mitchell answered 1950's and the lakeside porchway was on the structure when he purchased it. Schutz asked if there was frost footing under the porch or just slab to which Mitchell answered it is just a slab. The contractor he contacted said they could lay down insulation, re-rod and re-cement.

No one spoke in favor of the application. No one spoke against the application. There was no written correspondence either for or against the application. At this time, testimony was closed.

Further discussion was held. The Board spoke of the structure being 18' from the lake, the structure already closer than existing stringline of neighboring parcels and the lack of pervious by the lake. They spoke of possible removal of the existing deteriorating retaining wall, taking porch area off of structure and replace with pervious area. Huesman noted the possibility of porch removal, foundation repair because the structures would have room to build to the back. The Board spoke of an existing asphalt boat ramp on the lot line of parcel that could be removed to help with water runoff and possible berm areas. Johnson made suggestion to the Chair that the owner could work with the Pelican River Watershed District to work on a water management plan. The Board suggested that if the porch was removed, the owner could have a pervious area planned outside the front door toward lakefront.

Motion: Schutz made the motion to approve the variance to remove the upper porch area, the underporch slab and then repair the foundation of the house. The owner can place pervious material under the door to gain access to the lake. The owner is to work with the Pelican River Watershed District to create a water management plan for the retaining wall area of the parcel to help with runoff to the lake. Heusman second. All in favor. Motion carried.

SECOND ORDER OF BUSINESS: Dennis Lee Project Location: 15817 W Little Cormorant Rd. APPLICATION AND DESCRIPTION OF PROJECT: Request a Variance to construct a garage 60 feet from the centerline of a township road and 4 feet from the side lot line, deviating from the required 78 ft setback from the centerline of the road and 5 ft from the side lot line. LEGAL LAND DESCRIPTION: Tax ID number: R.17.0555.000, Lot 4, Block 1, Blackhawk Mountain Beach First Addition; Section 5, TWP 138, Range 42; Lake Eunice Township. The property is located on Little Cormorant Lake.

Dennis Lee explained the application to the Board. Lee stated the reason for the variance is to gain garage storage on a sub-standard lot. The owners stated the parcel is unique with large trees and a shared driveway for the neighbor to gain access to his parcel.

No one spoke in favor of the application. No one spoke against the application. At this time, testimony was closed.

Further discussion was held. The Board noted that although they would like to take the trees into consideration, trees are not considered hardship of the parcel. The Board noted that upon measuring from the owners front/side property pin, the measurement was only 5' and the least amount the Board has previously granted has been 20' from the front/side property pin and roadway. Schutz discussed the watershed issue of the parcel. A discussion was held on suggestions such as the new garage having rain gutters and a possible French drain between the garage and existing retaining wall to help with the water issue. They asked if the owner had thought about another footprint for the garage.

Motion: Chirpich made a motion to approve a variance to allow the construction of a 22x30 garage 20' from the road right of way and 5' from the side property line. Huesman second. All in favor. Motion carried.

THIRD ORDER OF BUSINESS: Anthony & Kathryn Altebelli Project Location: 25924 Brolin Beach Road. APPLICATION AND DESCRIPTION OF PROJECT: Request a Variance to construct an addition onto the existing house 9 feet from the right of way of a public alley, which would deviate from the required 45 ft setback from a public road way. LEGAL LAND DESCRIPTION: Tax ID number: R.08.0278.000, Pt Lot 1, A 60 ft Wide strip Bet Rd & Lk lying S of Alley on S end of Lots 1, 2 & 3 Brolin Beach; Section 16, TWP 139, Range 40; Detroit Township. The property is located on Floyd Lake.

The **Son of Anthony & Kathryn Altebelli** explained the application to the Board. The owners want to add onto their existing structure to retire to this area on a sub-standard sized lot. The owners didn't think the small roadway/alley was public dedicated alley. Johnson explained the alley is dedicated to the public by deed of record.

No one spoke in favor of the application. No one spoke against the application. There was no written correspondence either for or against the application. At this time, testimony was closed.

Further discussion was held. Johnston spoke to owner regarding the drilling of a new water well on the parcel. The owner understood this would have to be done. The Board suggested other blueprints with the possibility of the addition going away from the alley and going closer to the side property line instead. Johnson spoke of the possibility of going through the procedure to have the alley vacated which would allow the owners to build up to but not into the road.

Motion: Schutz made the motion to allow a variance to construct an addition onto the existing dwelling 9' from the right of way of the alley. Huesman second. All in favor. Motion carried.

FOURTH ORDER OF BUSINESS: Timothy Dooher Project Location: 11930 Ravenswood Beach Dr. APPLICATION AND DESCRIPTION OF PROJECT: Request a Variance to construct a garage 10 feet from the road right of way and 35 feet from the rear property line, deviating from the required setback of 45 ft from the road right of way and 40 ft from the rear lot line. LEGAL LAND DESCRIPTION: Tax ID number: R.19.1700.000, Lot 11 and Pt Lot 16 Ravenswood First Addition; Section 28, TWP 138, Range 41; Lake View Township. The property is located on Lake Melissa.

Timothy Dooher explained the application to the Board. Dooher stated the reason for the variance was to gain garage storage space across the road from dwelling. The hardship was due to the topography of the parcel. He has a purchase agreement pending on this parcel that was recently surveyed for split.

Lake View Township Supervisor Gail Hahn spoke in opposition of the application. She stated they felt the structure would be too close or actually in the road right of way and the township maintenance department, who maintain road because of permanent residences on that roadway, thought it would be difficult to maintain the road with structure so close. They do not want the liability for snow or rocks hitting structure. A letter submitted by a Jason Leucuta spoke in opposition of the application. His concern was the newly surveyed area showed no markings for the pin areas. He said he thought where the area was marked for the structure was actually in the road right of way, not on the owners actual parcel. Neighbor Michael McElroy wrote a letter in favor of the application. He stated the neighbors to the south have built garages in similar locations on Ravenswood Beach Road. At this time, testimony was closed.

Further discussion was held. There was discussion on the drainage issues and the bluff that is part of the parcel. There was question of erosion problems with soil disturbance already in 1988 on the bottom of the bluff area and what would stabilize this. The Board questioned if the owner could gain access into the structure at the narrow end of the parcel. The Board questioned if the owner could possibly turn the garage or present a different size or blueprint. The suggestion was made to the owner to find the monuments for a resurvey of the parcel, then mark where the structure would be.

Motion: Per the owners request, Huesman made the motion to accept a 30 day table of application. Chirpich second. All in favor. Motion carried.

Since there was no further business that came before the board, Johnston made the motion to adjourn, Chirpich second. All in favor. Motion carried.

Informational Meeting.

The next informational meeting is scheduled for Thursday, August 3rd, 2006 at 7:00 a.m. at the Planning & Zoning Office.

Since there was no further business to come before the Board, Spaeth made a motion to adjourn the meeting. Chirpich second. All in favor. Motion carried.

Jim Bruflo, Chairman

ATTEST

Patricia Johnson, Zoning Administrator