

Becker County Board of Adjustments
April 9, 2015

Present: Board Members Steve Spaeth, Jim Bruflodt, Al Chirpich, Lee Kessler, Harry Johnston and Zoning Staff Debi Moltzan.

Chairman Bruflodt called the meeting to order at 7:00 p.m. Debi Moltzan took minutes.

Kessler made a motion to approve the minutes from the January 2015 meeting. Chirpich second. All in favor. Motion carried.

FIRST ORDER OF BUSINESS: Jerome Holmer Family Trust. Request a Variance to construct an addition onto an existing dwelling. The existing structure is 48 feet from the ordinary high water mark of the lake and the proposed addition would be 50 feet from the ordinary high water mark of the lake for the property described as: Tax ID number: 210185000, PT E1/2 NE1/4: BEG NE COR NE1/4 SE1/4, W 907.50', S 150' W 314' TO STR LK, NW AL LK 137', NELY 88.83', N 294.06', E 454.64', SE 217.50', E 558.52', S 191.62' TO POB. TRACT B; Section 20, TWP 140, Range 36, Osage Township. The property is located on Straight Lake at 24510 Co Hwy 48.

Howard and Kandess Erickson explained the application to the Board. They would like to add a 14 ft by 16 ft addition to the west side of the house with a 8 ft by 60 ft deck on the cove side of the house, 10 ft by 14 ft deck on the east side of the house and an 8 ft by 14 ft deck on the west side of the house, making the deck a wrap-around deck.

Bruflodt questioned if the septic system was new. Erickson stated that the system had recently been upgraded. Kessler questioned if gutters would be placed on the house. Erickson stated that he would be adding gutters to the house and has been working with SWCD on creating retention areas to hold the water from the hill and driveway area away from the house and away from the lake.

Discussion was held regarding the setback of the existing structure and the setback of the proposed additions, topography, current drainage problems and controlling run off.

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 and further discussion was held.

Motion: Spaeth made a motion to approve a variance to construct an addition onto an existing dwelling fifty (50) feet from the ordinary high water mark of the lake based on the topography of the lot, the fact that the structure would be located outside the shore impact zone with the stipulation that any portion of the existing concrete located less than fifty (50) feet from the ordinary high water mark of the lake must be removed; that the house be guttered with the run off being directed into retention areas; and the owner work with Becker County Soil and Water Conservation to control the run off from the driveway and northerly hill side from entering the lake. Kessler second. All in favor. Motion carried.

SECOND ORDER OF BUSINESS: Joy McNamara. Request a Variance to reconstruct a commercial building 89 feet from the centerline of the County road and 35 feet from the rear property line instead of the required 95 feet from the centerline of the County road and 40 feet from the rear lot line for the property described as: Tax ID number: 191080000, LOTS 8 & 24 LESS HWY, LOTS 9 & 23 & E 20' OF LOT 22 & VAC RD; Block 2; DACOTAH BEACH; Section 28, TWP 138, Range 41, Lake View Township. The property is located at 11284 Co Hwy 17.

Scott Walz and Joy McNamara explained the application to the Board. The business was destroyed by fire and the owner wants to rebuild at the same setbacks as the prior building. The former building had several additions to it and was not ADA accessible and did not meet current Health Department Regulations. The new building would be 'squared off', increasing the size slightly to accommodate the new regulations.

Spaeth questioned what the practical difficulty was. Walz stated that the practical difficulty was that the lot was too narrow to meet the setbacks; that the setbacks being requested are the same setbacks of the former building that was destroyed by fire. Spaeth questioned if the building could be made narrower and longer. McNamara stated that it may be possible, but her contractor was not present to answer that.

Chirpich stated that if the building was 'squared off' and the shed removed, then in all actuality, the structure would be moved further from the rear lot line. Chirpich questioned why the building could be moved further from the road and give a larger variance from the rear lot line.

Speaking in favor of the application were: Charles Magnuson, Tim Schuett, John Okkeson (as a citizen), John Erickson, Dustin Richter and Patty Kabetzke. No one spoke against the application. Written correspondence in favor of the application was received from Brian Halverson and Richard Lynch. At this time testimony was closed and further discussion was held.

Discussion included the fact that the requested setbacks were the same as the building that was destroyed by fire; squaring off the building would make the use more practical; run off; and making a new building ADA compliant and compliant with MN Depart of Health regulations.

Motion: Kessler made a motion to deny the variance to construct a building eighty-nine (89) feet from the centerline of the road based on the fact that no practical difficulty could be proven. Kessler made a motion to approve a variance to construct a building twenty-nine (29) feet from the rear property line based on the fact that the lot is not deep enough to meet the required setbacks; that the proposed building is the same width and length as the former building; with the stipulation that a berm be placed along the westerly property line to prevent run off from the building onto neighboring property. Johnston second. All in favor. Motion carried.

THIRD ORDER OF BUSINESS: Informational Meeting. The next informational meeting is scheduled for Thursday, May 7, 2015 at 7:00 am in the Third Floor Meeting Room of the Original Courthouse.

FOURTH ORDER OF BUSINESS: Election of Officers.

Spaeth cast a unanimous ballot for Bruflo dt as Chairman. Kessler second. All in favor. Motion carried. Chirpich cast a unanimous ballot for Spaeth as Vice Chairman. Bruflo dt second. All in favor. Motion carried.

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

Jim Bruflo dt, Chairman

ATTEST

Patricia Swenson, Acting Zoning
Administrator