

**Becker County Board of Adjustments
June 9, 2016**

Present: Board Members Harry Johnston, Jim Kovala, Roger Boatman, Jim Bruflodt, Lee Kessler and Zoning Staff Debi Moltzan. Member Steve Spaeth was absent.

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

Kovala made a motion to approve the minutes from the May 2016 meeting. Boatman second. All in favor. Motion carried.

Bruflodt explained the protocol for the meeting and Kessler read the criteria for which a variance could be granted.

FIRST ORDER OF BUSINESS: Jim Melting. Request a variance to construct a dwelling sixteen (16) feet from the road right of way for the property described as: Lot 6 Birch Beach, Section 24, Township 139, Range 39, Height of Land Township. The property is located on Little Toad Lake at 18314 Sunset Drive.

Richard Larsen explained the application to the Board. The existing cabin would be removed and a new, slightly larger cabin constructed. The cabin would meet the setback average plus twenty (20) feet from the lake but would require a variance of four (4) feet from the road right of way (requiring a 16 ft. setback instead of the required 20 ft. setback). The deck would be constructed to the side of the cabin.

Johnston questioned where the road right of way was. Larsen stated that the property had been surveyed and the right of way had been marked.

No one spoke in favor of the application. No one spoke against the application. Written correspondence was received from Steve Spaeth, who felt there was no practical difficulty and the variance should be denied. At this time, testimony was closed and further discussion was held.

Kessler stated that the road is a dead end road. Kessler questioned if the house could be rotated to meet the setbacks. Larsen stated that the house has been reconfigured and rotated to best fit the lot; they want to face the lake, not the bay. Kovala, Boatman and Bruflodt agreed that the structure size was not excessive and the road was a dead end road with minimal traffic.

Motion: Kessler made a motion to approve a variance to allow a dwelling sixteen (16) feet from the road right of way based on the fact that the practical difficulty is the size of the substandard

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size lot with the stipulation that gutters be installed on the house to control water runoff from entering the lake and be directed into French drains and return the shoreline to its natural state. Boatman second. All in favor. Motion carried. Variance approved with stipulations.

SECOND ORDER OF BUSINESS: Patricia Sukko. Request a variance to construct an addition onto a nonconforming structure that is eighty-two (82) feet from the ordinary high water mark of the lake for the property described as: Pt Lot 3 Beg 420' E of NE Cor L1 Calico Bch Th E Al Rd 170' S 226.09' to Lk W Al Lk 170' & N 213.16' to Beg; Section 35, TWP 140, Range 40, Holmesville Township.

Steve Swanson, contractor, explained the application to the Board. A three season porch will be constructed to the side of the house on the existing patio. The patio would not be expanded.

No one spoke in favor of the application. No one spoke against the application. Written correspondence was received from Steve Spaeth in favor of the variance. At this time, testimony was closed and further testimony was held.

Johnston stated that the proposed porch would be located on an existing patio, which meets the 100 ft. setback even though the existing house is less than 100 feet from the ordinary high water mark of the lake, no additional impervious material will be added.

Motion: Johnston made a motion to approve a variance to construct an addition onto a nonconforming structure that is eighty-two (82) feet from the ordinary high water mark based on the fact that the addition would not be detrimental to the surrounding area with the stipulation that the addition be placed on top of the existing patio and no additional impervious material be added. Kovala second. All in favor. Motion carried. Variance approved.

THIRD ORDER OF BUSINESS: Emmy and Timothy Amble. Request a variance to construct a dwelling ten (10) feet from the road right of way and fifty-three (53) feet from the ordinary high water mark of the lake for the property described as: Lots 31 and 32 Fern Beach Third Addition; Section 30, TWP 138, Range 41, Lake View Township. The property is located on Lake Melissa at 11649 Fern Beach Road.

The Amble's explained the application to the Board. They would like to construct this home to be their year round home. The proposed setbacks are consistent with the setbacks of the neighboring structures and are needed in order to get a septic system.

Kessler questioned if the proposed location of the drainfield is accurate. Amble stated it was. Johnston stated that the proposed house was in string line, but did not meet the setback average plus 20 feet. Amble stated that is why they were also requesting the lake setback variance.

No one spoke in favor of the application. No one spoke against the application. Written correspondence was received from Bill Jordon, Lake View Township, stating he had no objections to the application; Sandra Alter in favor of the application; Elizabeth McMilan, Barbara Lanier and Jim Lanier in favor of the application; and Steve Spaeth in opposition of the application. At this time, testimony was closed and further discussion was held.

Moltzan explained that the office had received a septic permit application, which had not yet been approved due to the fact that there was no documentation that the TWP would agree to having the drainfield closer to the road right of way than the required 10 ft. and that since this was a new house and not an existing house, the 20 ft. setback from the drainfield to the house was not met. Boatman questioned if the house could be reduced in size. Amble stated that they have already been downsized and that the request is not an unreasonable size of house. Emmy Amble stated that they wanted one level, not a tall house. Boatman stated that the project is pushing 25% impervious coverage and probably should be re-evaluated.

At this time, Amble asked to table their application.

FOURTH ORDER OF BUSINESS: Dion Brandt and Lisa Dunham. Request a variance to construct a detached garage ten (10) feet from the road right of way for the property described as: Pt Govt Lot 2; Comm NE Cor Govt Lot 2 AKA Meander Cor #94 Th W 177.52' Al N Ln to POB; Th W 321.94', Th S 39.19' to Nly Ln Pub Rd, Th SE 276.84' Al Rd, Th NE 173.30' Al Nwly Ln Public Rd to POB; Section 8, TWP 142, Range 40, Maple Grove Township. The property is located across the road from White Earth Lake on 387th Street.

Brandt explained the application to the Board. He would like to construct a 30 ft. by 36 ft. garage 17 feet from the road right of way due to the location of the well.

Boatman questioned why the garage could not be moved to the other side of the well where there is ample room. Brandt stated that the property is owned by four owners and if each wants a garage, he must crowd this corner.

No one spoke in favor the application. Speaking in opposition to the application was Fred Brower, with concerns about water run off to the road and the resort's lake access. Written correspondence was received from Steve Spaeth stating there was not practical difficulty to grant the variance. At this time, testimony was closed and further discussion was held.

Brufloft felt that there was no practical difficulty to grant the variance and the garage or location could be reconfigured. Brufloft suggested that all the property owners should get together and work out a plan and placement if four (4) garages are wanted. Johnston stated that the property

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is unique with the topography, but the request is a manmade situation and there is room to place the structure meeting all setbacks. Kovala stated that the garage size was excessive to be that close to the right of way. Johnston and Kessler felt that there was plenty of room to locate a garage not requiring a variance.

At this time, Brandt asked to table the application.

FIFTH ORDER OF BUSINESS: Informational Meeting.

The next informational meeting is scheduled for Thursday, July 7, 2016 at 7:00 am in the 3rd Floor Meeting Room of the Original Courthouse.

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

Jim Brufloft, Chairman

ATTEST

Steve L. Skoog, Land Use Director