

**Becker County Planning Commission**  
**March 20, 2007**

**Present:** Waldo Johnson, Larry Knutson, John Lien, Don Skarie, Jim Bruflodt, Jeff Moritz, Harry Johnston, Mary Seaberg, John McGovern, Ray Thorkildson, Zoning Administrator Patricia Johnson and Zoning Staff Debi Moltzan.

**Minutes:** Moritz made a motion to approve the minutes from the February 2007 Meeting. McGovern second. All in favor. Motion carried.

Bruflodt explained the protocol for the meeting. Bruflodt stated that the Planning Commission is a recommending Board and the County Board of Commissioners will act on the recommendations of the Planning Commission on Tuesday, March 27, 2007.

**FIRST ORDER OF BUSINESS: Look Out Rock Properties.** Request a Change of Zone from Agricultural to High Density Residential and a conditional use permit for a multi-unit residential development consisting of 17 units (Phase 1). This application was tabled at the February 20, 2007 Hearing. LEGAL LAND DESCRIPTION: PID Number R100502000; Erie Township; Part of the SE 1/4 NW 1/4 SW 1/4 NE 1/4, NE 1/4 NW 1/4, Section 31, TWP 139, Range 40.

P. Johnson explained that the application was tabled at the last meeting for additional information, which was to include a concept plan of the entire project and input from Township Officials.

Bob Bekkerus, President of Look Out Rock Properties, explained the application. Bekkerus first addressed the road issues. Bekkerus stated that the township road problems have existed for many years and are not being created by this project. Bekkerus agreed that the proposed development may create more traffic, but the speed problems and maintenance are a township issue. Bekkerus felt that the three townships should coordinate maintenance and improvements. The existing curve is not designed to handle high-speed traffic. During the construction phase, the heavy equipment would come in from the north. Bekkerus explained the concept plan, which areas would be the trail system, which areas would be common ground, which area would be the snow park, and which areas would be the buildings sites and roadways. Bekkerus stated that there would be 93 lots between 1 and 2 acres; 5 lots larger than 2 acres; 16 lots under one acre; 19 acres for a trail system 51 acres for common areas and 5 acres for the condo sites.

Scott Walz, Surveyor, stated that some minor changes have been made to the plan and the new proposal would be 16 lots not 17 lots.

Discussion was held regarding the revised plan. Bruflodt stated that the Board would be acting on Phase One and Phase One only.

Public testimony included:

Leroy Squires – Bekkerus may be a good steward of the land, but he has concerns about Phase Two. He is confused about the plan showing a 40 ft road, but everything refers to a 24 ft hard top road, is the road going to be 24 ft with a 40 ft right of way? Will there be individual wells and septic systems? Where will the run off go? Who will regulate the dogs? Will there be a chain link fence around the perimeter of the project?

Walt Lenius, Erie Township Supervisor and Road Supervisor – Erie Township has no objections to Phase One of the project. However, there are concerns with the concept plan and the two entrances on the north township road, fire protection and annexation into the City.

Kathy Froehlich, Burlington Township Supervisor – concerned about the increased traffic, Burlington Township does not have the money to put into this road, Burlington Township does not get any road allotment for this road and would like to see this development entranced from the north.

Anthony Matson – the roadwork has already flooded his land, the water runs down the road and funnels towards his property and the developer should fix the problem. Why can't the zoning be left agricultural? Will the water from Lots 14 to 16 further flood his property? He has also submitted a letter with his concerns.

Gail Hahn, Lake View Township Supervisor – Lake View Township does not have any problems with the development, but is concerned with their ½ mile of road. Lake View Township does not get any of the tax benefits; Erie Township receives all the revenue. The Lake View residents along the road have paid for most of the improvements along the road. Lake View would really like to see the development entered from the north.

Shiloh Wahl – felt that the Board should look at the entire concept plan when making their decision.

Brufloft explained that the Board wanted an idea of what is to come in the future with this project, but the Board will only be acting on Phase One. Each phase would have to come before the Board for approval and just because one phase is approved, does not mean that the other phases will be approved.

Irene Johnson – the road is a major issue, what is known as swamp road is not passable during the spring. She felt that all the lots should be 2 to 3 acres in size.

Mike Johnson – there has been more water on his property this spring after the little bit of road work that has already been done on the project.

Pete Gunderson – will the rezoning be done on the entire parcel or just Phase One? No one is sure of exactly how many units will be on the entire sites.

Knutson stated that the road will be a private road within the common interest community, not a public township road. Knutson asked Lenius if 170<sup>th</sup> were to be

rebuilt, would the landowners be accessed for the improvements. Lenius stated that the road improvements would come from the road funds, which is from everyone's taxes.

Larry Jones – Detroit Township should be involved, even though they do not have road frontage. Jones questioned if he heard the Townships correctly, if there is no funding then there is no road improvements?

Linda Leithheiser – she is a resident of Lake View Township. When the road was improved, she had to pay \$750.00 for her share of the improvement.

Lavonne Gunderson – wanted to know if an EAW was done.

Virgil Mastin – he is ok with Phase One, but the road should not go through the entire project.

Testimony was closed and further discussion was held regarding the road, zoning and lot sizes. Knutson questioned what surrounding areas were zoned. P. Johnson stated, that as the Ordinance is written, a residential planned unit development is only allowed in a high-density residential district. Lien questioned if the Tech Panel reviewed the application. P. Johnson stated that this development is not within the shoreland district so the Tech Panel would not have reviewed it. P. Johnson also stated that planned unit developments are not under the jurisdiction of the City, just subdivisions. Brufloodt stated that most of the concerns of the residents can be worked out between the residents and the developer and the road issues will have to be worked out between the Townships. Knutson felt that some questions have arisen, for which there are no answers. W. Johnson felt that there should be a community well. Lien stated that lot sizes seem to be on everyone's mind. Lien stated that the plan is misleading, but the green space and common areas are preserved and this is the only way this type of development can be accomplished. Moritz stated that when he first looked at the plan, he was concerned with the density, but after he studied the plan further and saw the entire concept plan, he understood the green space and has changed his mind. Johnston stated that the wording "high density" is misleading, this looks like a lot/block subdivision, but it is not, it is a common interest community. Johnston felt that the road right of way should be increased to 66 feet for future improvements.

Walz stated that the topography will not allow for a centralized septic system, but it may be possible to centralize the water.

Lien stated that the 66 ft road easement may take away from the lot sizes and the lots may have to be adjusted. Knutson was concerned with the run off occurring. Moritz stated that this may correct itself once vegetation is established. Walz stated that a SWPP plan was done for the road and another SWPP plan will have to be done for Phase One.

Johnston stated that some of the lots in Phase One are less than one acre, but in the overall concept plan, the lots average 1.3 acres in size and would not have a problem with

approving with the intent that the lot sizes remain at this average. Bekkerus stated that the concept plan is just that and does not want to be locked into the 1.3-acre lot size.

Skarie had concerns with the number of private wells and septic systems. He would like to see a common well. Skarie felt that a 40 ft road would not be sufficient for future purposes. Knutson stated that if this were to be annexed into the City, the cost of improvements would be accessed to the landowner, not the developer and this is a great concern that should be considered. Lien stated that the Zoning Office will monitor the wells and septic systems. Johnston stated that he did not see any problems with the well and septic systems, but felt that the road should have a 66 ft wide corridor. Johnston stated that it could still remain a private road for the CIC, but if future improvements were made, the 66 ft corridor would be in place. Lien stated that he could see the benefits of having the 66 ft corridor in place now. P. Johnson stated that Phase Two could change or not happen, so a stipulation can be made to have the 66 ft corridor in Phase One.

**Motion:** Johnston made a motion to approve the change of zone from agricultural to high density residential and approve a conditional use permit for a multi-unit residential development consisting of 16 units based on the fact that the use would not be detrimental to the surrounding area with the stipulation that the change of zone is only for the area to be known as Phase One and that the road corridor be a 66 ft easement rather than a 40 ft corridor. W. Johnson second. All in favor except Knutson, McGovern, and Thorkildson. Majority in favor. Motion carried.

**SECOND ORDER OF BUSINESS: Thomas Campbell.** Request a Conditional Use Permit to operate a plumbing business from the home in an Agricultural Zone. LEGAL LAND DESCRIPTION: PID Number R240260001; Richwood Township; Pt SE 1/4 SE 1/4 Beg at SE Cor TH W 193.93 N 172.34 W 161.91 NLY 1031.86 E 257.87, Section 33, TWP 140, Range 41

Campbell explained the application. He would like to operate a plumbing business out of his home. The only employees would be himself and his partner. The business office would be located within the home and he would be working out of his van. Most of the vending would be done through Goodin Company. There would be no customers coming to the house. Extra materials would be stored in an out building.

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. Lien stated that the area has clear access. Skarie stated that the buildings are in an isolated location.

**Motion:** Lien made a motion to approve a conditional use permit for plumbing business to be run out of the home based on the fact that the use would not be detrimental to the surrounding area. Skarie second. All in favor. Motion carried.

**THIRD ORDER OF BUSINESS: David Bjornlie.** : Request a Change of Zone From Agricultural to Residential. LEGAL LAND DESCRIPTION: PID Number R191463502; Lake View Township; Lot 3 Block 1 Meadow Oaks, Section 21, TWP 138, Range 41. The property is located on Meadow Lake.

Bjornlie explained the application to the Board. He would like to change the zone from agricultural to residential in order to split his lot. Since his property is located within two miles of the City of Detroit Lakes, the City will handle the actual subdivision process, the County would just act on the zone change. P. Johnson stated that the property is already residential in use.

Speaking in favor of the application was Gail Hahn, Lake View Township Supervisor. 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.

**Motion:** Skarie made a motion to approve the change of zone from agricultural to residential based on the fact that the property is residential in character and the zone change would not be detrimental to the surrounding area. Seaberg second. All in favor. Motion carried.

**FOURTH ORDER OF BUSINESS: Russell Davis.** : Request a Change of Zone From Agricultural to Residential and approval of a Certificate of Survey for one (1) residential lot and three (3) agricultural lots. LEGAL LAND DESCRIPTION: PID Number R100001001; Erie Township; Pt Govt Lot 1, Section 01, TWP 139, Range 40. The property is located on Cotton Lake.

Chris Heyer and Russ Davis explained the application. Heyer explained that the alteration of lot lines was to correct lot lines to allow the existing structures to be on the correct property. The existing five parcels already have lake frontage, so no new lots are being created, just lot lines being adjusted and correcting a larger problem.

Discussion was held regarding which structure belonged on which lot, where the existing lot lines are where the new lot lines will be.

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.

**Motion:** Lien made a motion to approve the change of zone from agricultural to residential for one tract of land and approve the certificate of survey for four tracts of land based on the fact that the survey is to correct bad legal descriptions and adjust lot lines. Seaberg second. All in favor. Motion carried.

**FIFTH ORDER OF BUSINESS: Final Plat of Whitetail Meadows, Don Skarie, Developer.** The 5 lot plat is located in Section 4, TWP 139, Range 41; Detroit Township.

P. Johnson stated that the preliminary plat as approved in July 2006 for five lots. Everything is in order for final plat approval.

**Motion:** Lien made a motion to approve the final plat of Whitetail Meadows, a five-lot subdivision, based on the fact that the final plat meets the criteria of the Zoning Ordinance and Subdivision Ordinance. Moritz second. All in favor except Skarie, who abstained from voting. Motion carried.

**SIXTH ORDER OF BUSINESS: Informational Meeting.** The next informational meeting is scheduled for Thursday, April 12, 2007 at 8:00 am at the Planning & Zoning Office.

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

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Jim Bruflo dt, Chairman

ATTEST

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Jeff Moritz, Secretary

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Patricia Johnson, Administrator