

**Becker County Planning Commission**  
**May 15, 2007**

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

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

Minute Approval: Kovala made a motion to approve the minutes from the April meeting with one correction, on page 5, change the word impinge to infringe. Johnson second. All in favor. Motion carried.

Bruflodt explained the protocol for tonight's meeting and stated that the Planning Commission is a recommending Board. The recommendations of the Planning Commission would be forwarded to the County Board of Commissioners for final action on Tuesday, May 22, 2007.

Bruflodt announced that the Fourth Order of Business, Northern Resort Development, was tabled by the applicant and would not be heard tonight.

**FIRST ORDER OF BUSINESS: Bruce Danielson.** This application was tabled by the applicant at the April Meeting. The request is an amendment to the existing Conditional Use Permit, recorded as Document No. 539264, to sell half of the existing building to be utilized as an electrical business for the property described as Pt Govt Lot 3; Comm NLY Cor Lot 4 Lake Ida Bch, Wly 188.11; Section 27, TWP 138, Range 43; Cormorant Township. PID Number 06.0380.002.

Carl Malmstrom, attorney, explained application to the Board. Danielson and Evenson were also present. Malmstrom stated that there was some indication that Danielson was trying to circumvent the previous conditional use permit, but has not. Danielson is trying to amend the CUP before another business comes in, the only thing Danielson did was modify the interior of the building. Malmstrom stated that the wording of the application is not truthful, Danielson does not want to sell half of the building, and he wants to sell one-half undivided interest in the real estate so that Danielson and Evenson are co-owners of the property. Evenson would not be running his business out of this building; just storing equipment and supplies, there would not be an office. Danielson would retain his office and storage for his equipment and supplies. The request for the sign would have to be modified to allow advertising for both businesses, one sign structures with two advertisements.

Moritz questioned if Evenson has started his business in the structure. Danielson stated that Evenson has been storing some scaffolding in the structure. Danielson stated that

Evenson has already invested in the property, but does not intend on having an office in the structure. Johnson questioned what type of road Grondahl was. Danielson stated that Grondahl Road was a Township road.

No one spoke in favor of the application. Speaking in opposition to the application was Al Shober, Clarence Krogh and Teresa Murphy. Written correspondence against the application was received from Marvin Wright. At this time, testimony was closed.

Knutson questioned Murphy if she was against this application or what may happen in the future. Murphy stated that what is happening now is setting a precedence. Knutson stated that the building size has not changed; Danielson is just requesting to change what he wants to do inside the building.

Further discussion was held regarding the modified request and the operations that will or will not take place inside the building.

**Motion:** Johnson made a motion to approve a conditional use permit for warehousing and storage only, with no commercial activity. Thorkildson second.

Malmstrom stated that the current conditional use permit already allows Danielson to have his office in the building and felt that the motion needed to be clarified.

Johnson modified his motion to read: approve an amendment to the existing conditional use permit to allow an office, warehousing and storage for a construction business and allow warehousing and storage for an electrical business and allow one two-sided sign, with maximum size of 4 ft by 8 ft, with the stipulation that there only be one office for the construction business and no office for the electrical business and based on the fact that the two owners will be co-owners of the real estate, not just the building. Thorkildson second.

Johnston questioned why a sign would be needed for the second business if the structure did not contain a business office. Kovala also questioned why advertisement was needed if there was no office. Danielson stated that Evenson has made a large investment in the property and should be able to advertise. Evenson stated that his office is in Pelican Rapids and has no intentions of relocating the office; he just wanted storage in the Cormorant area.

A vote was taken on the motion with everyone in favor except Johnston, McGovern, Lien, and Kovala. Majority in favor. Motion carried.

**SECOND ORDER OF BUSINESS: James O'Dell.** Request a Change of Zone from Agricultural to Residential and approval of a certificate of survey for two tracts of land, one 3.5 acres 1.7 acres for the property described as Pt of Govt Lot 1; Section 8, TWP 140, Range 40; Holmesville Township. PID Number 16.0047.000.

O'Dell and Scott Walz explained the application to the Board. The original intent was to divide the property into three tracts, but after the wetlands were delineated, there is only enough high ground for two lots. Walz stated that O'Dell does not use the property enough to keep it as one tract.

McGovern questioned how the lake would be accessed with the amount of wetlands. Walz stated that the wetland is a Type 1 wetland; it is seasonally wet and can be mowed during the summer, if necessary, a boardwalk would have to be constructed. Walz stated that there were no concerns that came up before the Technical Review Panel.

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.

Discussion was held regarding the size of the lots, the location and size of the wetlands and access to the lake. Lien stated that he did not have a problem with the application but felt that the shoreline and wetlands should be protected and possibly that a conservation easement should be put into place. Moritz also felt that the wetlands should be protected. Walz questioned what would be required that is not already covered by the wetland conservation act. Knutson felt that there would not be a problem considering the amount of lakeshore and felt that if the Technical Review Panel did not have a problem with the wetlands, the Planning Commission should not have an issue. Moritz felt that the Board should pick the suitable site for docking and have it indicated on the survey. Johnston stated that he looked at the property and did not see any problem and stated that the docks would be placed in the easiest location.

**Motion:** Johnston made a motion to approve the change of zone from agricultural to residential and approve a certificate of survey to allow two tracts of land, one 3.5 acres in size and one 1.7 acres in size based on the fact that it meets the criteria of the Zoning Ordinance and is not detrimental to the surrounding area. Seaberg second. All in favor except Moritz and McGovern. Majority in favor. Motion carried. Moritz stated that he is not opposed to the application he felt that the Board has run into wetland issues time after time and this is the opportunity to protect the wetlands.

**THIRD ORDER OF BUSINESS: Lorren Crawford and Mark Geihl.** Request a change of zone from agricultural to residential and approval of a certificate of survey for two tracts of land, one tract being 1.5 acres in size and one tract being 2.3 acres in size for the property described as: Pt Govt Lot 9, Section 3, TWP 139, Range 41; Detroit Township. PID Number 08.0041.000.

Mark Geihl and Scott Walz explained the application to the Board. The property was bought by Geihl and Crawford in 1992. They are not looking at selling the property just splitting it to prevent future legal issues should something happen to one couple or the other. Geihl did not understand the need to change the zone since his tax statement showed residential. Walz explained the need for the change of zone and apologized for not explaining this to Geihl in advance.

McGovern questioned if there was a dock on the property now. Geihl stated that they do not have a dock on the property now and really don't have any intentions of placing one there. Moritz questioned if there was any thought to placing a conservation easement on the wetlands. Geihl stated that he cannot speak for Crawford, but Geihl did not feel that a conservation easement was necessary because there would be a location to place a dock without too much disturbance to the wetlands or cattails.

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.

Discussion was held regarding the elevation of the lot, the water table, vegetation and lake access. Lien stated that removal of vegetation would require permits from the DNR. Thorkildson felt that this would be the time to address the wetlands. Moritz stated that he is not concerned about the present owners or the next owners, but down the second and third owners may not understand the importance of protecting the wetlands. Walz questioned if it would help to place a statement on the survey stating that they need to contact the DNR for vegetation removal.

**MOTION:** Johnson made a motion to approve the change of zone from agricultural to residential and approval of a certificate of survey for two tracts of land, one being 1.5 acres in size and one being 2.3 acres in size with the stipulation that the location of the docks for both tracts be approved by the Department of Natural Resources. Kovala second. All in favor except Moritz and McGovern. Majority in favor. Motion carried. Moritz stated that he was not opposed to the subdivision but was opposed to the lack of protection of the wetlands and lakeshore.

**FOURTH ORDER OF BUSINESS: Northern Resort Development. This application was tabled at the request of the applicant.**

**FIFTH ORDER OF BUSINESS: Final Plat of Baby Boomers.** The preliminary plat was approved in January 2007. This approval was for a change of zone from agricultural to residential and the preliminary plat consisting of 6 lots based on the fact that the application is not a detriment to the surrounding area, with the stipulation that the plat include the conservation easement, walkway, docking as shown in the revised plan and all storm water be diverted to the north. The conservation easement signs have been posted and everything is in order for final approval.

**Motion:** Moritz made a motion to approve the final plat of Baby Boomers based on the fact that the final plat meets the criteria of the Zoning Ordinance and Subdivision Ordinance. Seaberg second. All in favor. Motion carried.

**SIXTH ORDER OF BUSINESS: Informational Meeting.** The next informational meeting is scheduled for Thursday, June 14, 2007 at 8:00 am at the Planning & Zoning Office.

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

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Jim Brufloft, Chairman

ATTEST

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Jeff Moritz, Secretary

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Patricia L. Swenson, Administrator