

**Becker County Planning Commission  
December 20, 2011**

**Members Present:** Harry Johnston, Chairman Jim Bruflodt, Commissioner Larry Knutson, Jim Kovala, John McGovern, Ray Thorkildson, Mary Seaberg, David Blomseth, John Lien, Dan Schlauderaff, Jeff Moritz, Zoning Administrator Patty Swenson and Zoning Technician Julene Hodgson.

Chairman Bruflodt called the meeting to order. Zoning Technician Julene Hodgson recorded the minutes.

Kovala made a motion to approve the minutes from October 18<sup>th</sup>, 2011. McGovern second. All in favor. Motion carried.

Chairman Bruflodt explained the protocol for the meeting and stated that the recommendations of the Planning Commission would be forwarded to the County Board of Commissioners for final action on December 27<sup>th</sup>, 2011.

**FIRST ORDER OF BUSINESS:** Tony Nistler 13609 Rosman Erickson Rd Lake Park, MN 56554 **Project Location:** 13609 Rosman Erickson Rd **LEGAL LAND DESCRIPTION:** 060055001 Cormorant Township Pt of the S 1/2 of the S 1/2 of the SW 1/4 of the N/W 1/4... Tract A .26 acre to be conveyed to Schermer Tract B 1.50 Acre Remnant of 8.20 Acre, Section 04, TWP 138, Range 43 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Certificate of Survey to allow a lot line adjustment (Tract A) to be attached to the neighbor, Tract B consisting of 1.50 acres with a remnant tract of 8.20 acres. A change of zone request from Agricultural to Residential is for Tract B only.

Scott Walz explained the application to the Board on behalf of Tony Nistler. The tract A would be attached to the neighbors property, as in a lot line adjustment, due to a structure encroachment. Tract B is the tract with the dwelling and structures on it and they would like this seperated from the remainder of the property. The Tract B parcel does not meet the 2.5 acres to remain zoned agricultural and the tract is residential in character so the request includes a zone change for this tract only. This tract is outside the shoreland district. The remnant tract is within the shoreland area, across the road from the lake and is a large tract.

No one spoke in favor of the application. No one spoke against the application. There was no written correspondence. At this time, testimony was closed and further discussion was held.

John Lien stated this was a “straight forward” request that meets the provisions of the Ordinance. There were no further questions or concerns from the Board.

**Motion: Seaberg made a motion to approve the Certificate of Survey to allow a lot line adjustment (Tract A) to be attached to the neighbor, Tract B consisting of 1.50**

**acres with a remnant tract of 8.20 acres and a change of zone request from Agricultural to Residential for Tract B only based on the fact that the request meets the criteria of the Ordinance. Moritz second. All in favor. Motion carried.**

**SECOND ORDER OF BUSINESS:** Chad Stenerson Shady Hollow 7414 E Turquoise Scottsdale, AZ 85258 **Project Location:** 12672 Co Hwy 17 **LEGAL LAND DESCRIPTION:** 190425000 Lake View Township Govt Lot 2 and the N 7 1/2 Ac of Govt Lot 3, Section 21, TWP 138, Range 41 **APPLICATION AND DESCRIPTION OF PROJECT:** Request clarification of the existing Conditional Use Permit #367913 and amend the existing Conditional Use Permit #367913 to allow camping during the F.A.C.E. music festivals.

Chad Stenerson explained the application to the Board. When tallying up the number of letters submitted in opposition of the campground request, he thought of pulling that part of his request, but then decided he wanted to present it to the Board. He lives there also and has a lot of interest in the area, has a good reputation and doesn't want to "fix what isn't broken". Stenerson read the note presented to the Board for his request and plan of action. Stenerson wants this to be run like a private hotel, by reservation only and with stringent rules for those that would have reservations to stay there. Stenerson stated the clientele would be older people, have self-contained campers only, each having a reserved spaces and one entrance into the camping area which would eliminate people parking on the highway waiting to get in. Stenerson stated during the reservation process it would be determined how many would be allowed into the south parking lot area, depending on the sizes of the units and possibly up to 50. He would allow the entrance into the south parking lot from Highway 59 only for the campers and Co Rd 17 would be used for local traffic and the flea market traffic. This would control traffic and security and his plans included providing a shuttle service to and from the WeFest grounds. There would be no hook ups provided due to all units being self-contained units, but there is a certified well on the premises and 9 porta-johns if needed. Stenerson stated there would be security on the premises 24 hours a day with staff maintaining the parking and camping area also knowing who has reservations and what they drive. Stenerson stated if the Board was to recommend his request, they could state certain stipulations attached to it or place a trial time frame onto it- like one year and then revisit the request. The added revenue would be put back into the "flea market"; this would draw more people and have a better presentation. Stenerson explained the second item he wished to request from the Board was to be able to bring in more structures to accommodate his vendors for the flea market. The wording on the previous conditional use permit # 367913 states all new structures will face State Highway 59, to which Stenerson stated most of the existing structures do not face State Highway 59. Stenerson would like the option of constructing/placing any new structures wherever they meet the required property setbacks and make the most sense for the roadways within the property. He recently purchased the property and the Health Department wanted to know what wording was in place to allow short order food on the premises. Stenerson's third request is for the wording to the previous conditional use permit to include "having the permission to sell food and soft beverages". The site has had a short-order food menu with soft drinks for many years. There was nothing stated on the conditional use permit # 367913 referring to this.

Stenerson stated this is a nice attraction and this would be for soft drinks only, with no liquor sold on premises, to continue to promote a family attraction. Brufloft asked if before the Health Department contacted Stenerson, were he and the previous owners selling food to which Stenerson answered yes. Stenerson stated he has kept the same products and many of the same vendors that have been there for many years. Kovala asked if Stenerson was asking for camping during all of the music festivals or just WeFest to which Stenerson answered just the WeFest concert.

No one spoke in favor of the application. Sara Seunjenz, Duane Espegard, Sid Mauch and Tom Conmy spoke against the application. The same concerns were voiced regarding traffic, safety, decrease in value to neighboring properties, the area being a residential area in character, security questions and sanitation concerns. Suntjens stated the Board must read all criteria for granting such a request; one of them is to not adversely affect neighboring properties. Conmy suggested the Board check with the County Attorneys office before any recommendation to allow camping on the Flea Market grounds. Lake View Supervisor Gail Hahn spoke on behalf of Lake View Township. The Township members were also apposed to the request for camping with the same concerns. There were 112 written correspondences against the camping request with 3 letters for the request- all letters were given to the Board members and the originals are in the property file. Swenson read a letter on file from Sheriff Tim Gordon opposed to the request. Some of his concerns were: additional burden on staff for security, insurance, medical and traffic emergencies, safety issues, fire protection and public safety. At this time, testimony was closed and further discussion was held.

Commissioner Knutson asked Stenerson if he would consider withdrawing the camping request part of his application so the Board could still act on the rest of the request to which Stenerson stated that would be his wish if the Board were not in favor of a recommendation for the camping part of the request. Brufloft asked Stenerson to verify the request again, was he asking to re-word the previous Conditional Use to include the permission to sell food and soft drinks, have the verbiage taken off regarding how structures are faced on the property, to which Stenerson stated yes. Commissioner Knutson stated he did not see a problem with amending the wording to include food and taking off the wording of any new structures to only face Highway 59. Seaberg agreed. Kovala asked if there was any opposition from anyone regarding these two areas of Stenersons request, to which there were none. Brufloft stated the Board is to take the camping request off of the table per the request of Stenerson and only act on the rest of the request. There were no further questions or concerns from the Board.

**Motion: Lien made a motion to amend the existing Conditional Use Permit #367913 to allow the retail sales of crafts, antiques and food with soft drink vendors and to remove the previous stipulation that all structures will face State Highway #59, based on the fact that the use will not be detrimental to the area and deny the request to have camping on the above described property based of the fact the request for camping does not meet the criteria of the Ordinance and would affect surrounding properties. Kovala second. All in favor. Motion carried.**

**THIRD ORDER OF BUSINESS:** Shane and Tamera Heille 18485 315th Ave Detroit Lakes, MN 56501 **Project Location:** Broadway Ave **LEGAL LAND DESCRIPTION:** 160128001 Holmesville Township Spring Lake PT GOVT LOT 1: BEG NE COR SEC 18 TH S 973.86' AL E LN, TH W 1413.94' TO SPRING LK, TH WLY, NLY, NELY TO N LN SEC 18, Section 18, TWP 140, Range 40 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Certificate of Survey to allow 1 tract (Tract A) consisting of 12.6 acres with a remainder tract (Tract B) consisting of 17.7 acres on agricultural zoned property.

Scott Walz explained the application to the Board for Shane and Tamera Heille. The tracts are large enough that no wetland impacts would be necessary now or in the future. Each tract has shoreline property that exceeds the current requirements.

No one spoke in favor of the application. No one spoke against the application. Swenson read written correspondence from The Becker County Soil and Water District Administrator Brad Grant with the comment that the proposed tracts are large enough that no wetland impacts would be necessary now or in the future. At this time, testimony was closed and further discussion was held.

Lein stated there is no reason not to approve the request and the survey meets all the requirements of the Ordinance. There were no further questions or concerns from the Board.

**Motion: Lien made a motion for the approval of a Certificate of Survey to allow 1 tract (Tract A) consisting of 12.6 acres with a remainder tract (Tract B) consisting of 17.7 acres on agricultural zoned property based on the fact the Certificate of Survey meets the criteria of the ordinance. Seaberg second. All in favor. Motion carried.**

**FORTH ORDER OF BUSINESS: Informational Meeting.**

There are no Planning Commission applications for the month of December therefore there will be no informational meeting in January.

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

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Jim Bruflo, Chairman

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Jeff Moritz, Secretary

ATTEST \_\_\_\_\_  
Patricia Swenson, Zoning Administrator