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4 **Becker County Planning Commission**
5 **Monday, May 13, 2019**

6 **Members Present:** Chairman Jim Brufloft, Vice Chairman John Lien, County
7 Commissioner Larry Knutson, Ray Thorkildson, Mary Seaberg, Harry Johnston, James
8 Kovala, John Skarie, Brian Bestge, Robert Merritt, and Planning & Zoning Director Kyle
9 Vareberg. **Members Absent:** Dave Blomseth and Jeff Moritz.

10 Chairman Jim Brufloft called the Planning Commission meeting to order at 7:00 pm.
11 Introductions were given. Mary Lou Schmit recorded the minutes.

12 Brufloft explained the protocol for the meeting and stated that the recommendations of
13 the Planning Commission would be forwarded to the County Board of Commissioners for
14 final action on May 21, 2019.

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16 Lien made a motion to approve the minutes from the March 11, 2019 meeting. Merritt
17 second. All in favor. Motion carried.

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19 **New Business:**

20 Richard Vareberg requested to be moved to the first slot due to a meeting conflict.

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22 1. **APPLICANT: Richard Vareberg** 22344 Co Rd 104 Detroit Lakes, MN
23 56501 **Project Location:** 20951 Big Rok Rd Detroit Lakes, MN 56501
24 **LEGAL LAND DESCRIPTION: Tax ID number: 08.1255.301** Section
25 07 Township 139 Range 041 Subdivision Name WHEELER LAKE
26 ESTATES Lot 001 Block 001 Subdivision Cd 08094 **APPLICATION AND**
27 **DESCRIPTION OF PROJECT:** Request a certificate of survey for a
28 subdivision into two lots.

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32 Scott Walz of Meadowland Surveying Inc presented the application. He gave a brief
33 history of the property splits, and indicated that the property meets or exceeds criteria
34 required by the lot ordinance. Only one lot will be split, and no variance is required for
35 building. James Kovala asked if the applicant understood the setbacks on Tract A; Scott
36 Walz replied that he did. Commissioner Knutson stated that the Zoning Department
37 would ensure that. John Lien brought up the existing covenants in place on the property,
38 but Commissioner Knutson reminded everyone that the County doesn't enforce
39 covenants.

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41 No one from the public spoke for or against the application. Written correspondence from
42 the Lorentzes and the Willies was received for the application.

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44 At this time, testimony was closed. Chairman Brufloft opened the matter for discussion
45 by the Board.

47 **MOTION: Johnston made a motion to approve the application as submitted.**
48 **Kovala second. Those in favor: Merritt, Thorkildson, Bestge, Skarie, Lien, Seaberg,**
49 **Knutson, Johnston, and Kovala. Motion carried.**

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51 **2. APPLICANT: Sandra Orthmeyer Vetter** 19818 Co Hwy 32 Rochert, MN
52 **56578 Project Location: Co Hwy 32, Corner of 335th Rochert, MN 56578**
53 **LEGAL LAND DESCRIPTION: Tax ID number: 10.0271.000** Section
54 **14 Township 139 Range 040 E 122 RDS OF N1/2 OF NW1/4 LESS 12.77**
55 **AC & E 2 RDS APPLICATION AND DESCRIPTION OF PROJECT:**
56 **Request a Conditional Use Permit to mine and excavate for gravel, rock and**
57 **black dirt.**

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60 Mark Vetter appeared on behalf of Sandra Vetter, with Dale Renner speaking on their
61 behalf. Mr. Renner is the owner of D & B Septic & Excavation LLC. He plans to spend
62 1 – 2 days a month crushing, and 1 – 2 days a week in the pit. Charles Chadbourne from
63 Erie Township asked if Mr. Renner was doing his own crushing in order to control the
64 number of hours; Mr. Renner replied that he was.

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66 At this time, testimony was closed. Chairman Brufloft opened the matter for discussion
67 by the Board. John Lien indicated that he had no problem with this venture, as it is not
68 visible from the road. Kyle Vareberg clarified that crushing will be 1 to 2 days per
69 month, not 1 to 2 days per week.

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71 **MOTION: Lien made a motion to approve the application as submitted; Skarie**
72 **second. Those in favor: Merritt, Thorkildson, Bestge, Skarie, Lien, Seaberg,**
73 **Knutson, Johnston, and Kovala. Motion carried.**

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75 **3. APPLICANT: Michael Larson** 2249 Main Ave E., West Fargo, ND 58078
76 **Project Location: 25130 Co Hwy 22, Detroit Lakes, MN 56501 LEGAL**
77 **LAND DESCRIPTION: Tax ID number: 19.0332.000** Section 16
78 **Township 138 Range 041 16-138-41 PT SW1/4: COMM SW COR SEC 16 N**
79 **1323.92', E 444.71', S 33' TO POB; SW 147.60', S 319.65', SE 117.62',**
80 **NELY 250.12', ELY 34.27', NE 103.36', SE 17', NE 129.97', NE 81.09',**
81 **NW 167.51'', N 56.39', W 314.7' TO POB. TRACT A, B. APPLICATION**
82 **AND DESCRIPTION OF PROJECT: Request a Conditional Use permit**
83 **for a building supply store.**

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86 Zachary Felt appeared on behalf of Michael Larson, as he will be leasing a 45x60 part of
87 the building plus 2 bays and the house.

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89 Mary Seaberg asked how they would access the site; Mr. Felt indicated that the existing
90 driveway by the home would be used, and he has the option to apply for a permit to
91 widen the shoulders by 10 feet. John Lien inquired as to the scope and size of this
92 venture. Mr. Felt replied that he would be dealing mostly with contractors, with a little

93 bit of lumber, and a quick turnaround of the products they would be ordering. His intent
94 is to expand and eventually grow out of that location. Chairman Brufloft asked about
95 signage on Highway 59. Mr. Felt replied that he would be talking to the Department of
96 Transportation about installing a sign, and knew that he would most likely require a
97 variance in future for a larger sign.

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99 Don Goetz, a neighbor of the property, asked about the footprint and lighting. He would
100 just like more information, and is not against the project. He wants to know what kind of
101 additional traffic it would bring. Mr. Felt responded that he has no plans to change the
102 lighting at this stage, and that there are already existing motion cameras on the property.
103 His hours of operation are scheduled as 7:00 a.m. to 5:30 p.m. Monday through
104 Thursday, 7:00 a.m. to 6:00 p.m. on Friday, and 8:00 a.m. to 3:00 p.m. on Saturday.

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106 At this time, testimony was closed. Chairman Brufloft opened the matter for discussion
107 by the Board.

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109 **MOTION: Thorkildson made a motion to approve the application as submitted;**
110 **Merritt second. Those in favor: Merritt, Thorkildson, Bestge, Skarie, Lien,**
111 **Seaberg, Knutson, Johnston, and Kovala. Motion carried.**

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113 4. **APPLICANT: Richard & Dana Laine** 20781 Co Rd 117 Osage, MN
114 56570 **Project Location:** 20781 Co Rd 117 Osage, MN **LEGAL LAND**
115 **DESCRIPTION: Tax ID number: 33.0118.000** Section 10 Township 139
116 Range 038 LOT 1 & SW1/4 OF NW1/4 **APPLICATION AND**
117 **DESCRIPTION OF PROJECT:** Request a Conditional Use Permit for a
118 Commercial Planned Unit Development (PUD) to have 14 RV sites and a 21
119 slip dock system.

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121 Richard and Dana Laine appeared along with their surveyor, Jack Rosenthal. Mr.
122 Rosenthal described the planned development. He stressed that the sites are spacious, are
123 in line with Becker County Zoning Ordinances, and meet all setbacks. The original plan
124 called for 24 sites, and has been reduced to 14.

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126 Chairman Brufloft asked about parking for trailers, and was told that East of the lots the
127 land has not yet been excavated. Mr. Skarie asked if there was room for 14 trailers and
128 additional parking to the South. Mr. Rosenthal indicated that there was, but they would
129 need to work with the DNR. Mr. Skarie indicated concern about disturbing that
130 vegetation.

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132 Mr. Laine then described where the dock could potentially be placed, the future work on
133 County Road 117, and a walking area to the lake. Mr. Laine, Mr. Merritt, and Mr.
134 Rosenthal went on to discuss the easement along the road, adjusting the driveway,
135 avoiding disturbance of the bullrushes, and where to put the dock. Mr. Laine, Mr.
136 Merritt, Commissioner Knutson, Mr. Lien, Mr. Kovala, and Mr. Bestge then discussed
137 walkways between the road and lake, access to the North being too steep, safety
138 concerns, traffic speed, visibility, and the proximity of the RV sites to the road.

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Speaking for and against the application were: John Nipp, Rich Cieslak, Lori Mitchell, Clark Lee, Dave Radel, Rick Lien, Yvonne Kangas, Patty Swenson, Douglas LeSage of Toad Lake Association and Bambi Resort, Allan Meyer of Toad Lake Association, Steve Mitchell, Jim Hanson. Pros and cons included: no storm shelter, visibility, road crossing safety, number of docks and slips, eyesore, environmentally bad for lake, garbage, lack of law enforcement patrols, zoning issues, willingness to amend, landscaping, sewage and fertilizer runoff. (Full context of all letters submitted are on file at the Becker County Zoning Office).

Kyle Vareberg read the opinion of the Becker County Attorney recommending either 14 docks and lifts, or 21 docks with no lifts.

At this time, testimony was closed. Chairman Brufloodt opened the matter for discussion by the Board. The Board discussed the issues already brought forward, with most agreeing that they most likely would not approve the project in its current version. Mr. Merritt asked Commissioner Knutson, if the Planning Commission denies, will the County Board remand the issue back to the Commission. Many tentative ideas were put forward. At this point, Mr. Laine came forward and requested that the application be tabled indefinitely. This request was accepted by the Board.

5. Public Hearing for Notice of Intent to Amend an Ordinance

The general purpose and subject matter of Zoning Ordinance Sections is as follows:

1. AMENDMENT: Planning Commission total members required – Chapter two, section two.

State statute allows only eleven members on the board. Recommended that Commissioner will not vote, thus maintaining the correct numbers.

MOTION: Merritt made a motion to approve the amendment as submitted; Lien second. Those in favor: Merritt, Thorkildson, Bestge, Skarie, Lien, Seaberg, Johnston, and Kovala. Motion carried.

2. AMENDMENT: Additions and expansions of a principal structure on a non-conforming lot – Chapter three, section seven

After explanation by Kyle Vareberg, it was determined that the Board is already following the intent of the law. The correct precedent has already been set, permits are still required, the DNR has approved, and the language will now be corrected. At this point it was noted that on some of the member's agendas, the amendments were not listed correctly. Let it be noted that #2 and #3 should be combined.

MOTION: Seaberg made a motion to approve the amendment as submitted; Bestge second. Those in favor: Thorkildson, Bestge, Skarie, Lien, Seaberg, Knutson, Johnston, and Kovala. Merritt opposed. Motion carried.

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3. AMENDMENT: Essential Services – Chapter four, section eleven

The suggestion is to remove the requirement for an EIS for sub-stations and transmission lines that supply power to both Becker and Otter Tail Counties.

MOTION: Seaberg made a motion to approve the amendment as submitted; Lien second. Those in favor: Merritt, Thorkildson, Bestge, Skarie, Lien, Seaberg, Johnston, and Kovala. Motion carried.

4. AMENDMENT: Restoration of a non-conformity – Chapter three, section five

This amendment is similar to number 2; a specific time frame is in force to replace a destroyed or damaged non-conforming structure in the same footprint. Some discussion was held about ensuring that the amendment and ordinance is clear to avoid challenges. Rewrites should be reviewed.

MOTION: Lien made a motion to approve the amendment as submitted; Seaberg second. Those in favor: Merritt, Thorkildson, Bestge, Skarie, Lien, Seaberg, Johnston, and Kovala. Motion carried.

- 1) Tentative Date for Next Informational Meeting:**
Wednesday, June 5th, 2019; 8:00 a.m.; 3rd Floor Meeting Room at the Becker County Courthouse, Detroit Lakes, MN.

Since there was no further business to come before the Board, Thorkildson made a motion to adjourn; Skarie second. Motion carried. The meeting adjourned.

Jim Bruflo, Chairman

Jeff Moritz, Secretary

ATTEST _____

Kyle Vareberg, Zoning Administrator