

Becker County Board of Adjustments  
May 8<sup>th</sup>, 2008

**Present:** Members: Jim Bruflodt, Jerry Schutz, Bill Sherlin, Al Chirpich, Merle Earley and Clifford (Kip) Moore.  
Zoning Staff: Julene Hodgson.

Chairman Jim Bruflodt called the meeting to order. Julene Hodgson took minutes.

**Minute approval:** The December minutes were discussed. Chirpich made the motion to approve the minutes from the December 17th, 2007 meeting. Sherlin second. All in favor. Motion carried.

Bruflodt explained the protocol for the meeting. Schutz read the criteria for granting or denying a variance.

**NEW BUSINESS:**

**FIRST ORDER OF BUSINESS: APPLICANT:** Donald E Anderson 3106 Rivershore Dr Moorhead, MN 56560 **Project Location:** 48019 Whitetail Dr. Ponsford, MN **LEGAL LAND DESCRIPTION:** Tax ID number: R120249508 Bad Medicane Lake Whitetail Ridge block 001 Lot 8 & Trl Tract NE of Lot 8 & SW of Road Section 04, TWP 142, Range 37, Forest Township.

**APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance to construct a garage 10 feet from the road right of way due to the topography of the property. This deviates from a 20 feet setback from the road right of way of a township dedicated road for a detached accessory structure.

Donald Anderson explained the application to the Board. John Backes, a member of the Forest Township Board was also present on behalf of the applicant. The owner thanked the Board members who were present regarding his request. The owner stated there were topography issues with the property. The public road is not maintained by Forest Township. Anderson wanted the structure constructed in a way that he could drive into the structure on one end and drive out of the structure on the other end, without difficulty. Schutz asked if there were to be overhead door on both the south and the north end, to which Anderson stated yes. Bruflodt stated there were other options for structure placement on the site that would not require a variance. The structure could be moved closer to the side property line and into the property. A different size or dimensions could be proposed if placed along the easterly property line. These would allow for a parking area by the road right of way. Sherlin stated the options of location, size or small changes would help the structure to fit the property. Previously the Board has stayed firm on a 20 foot setback from the public road right of ways due to future road improvements, safety issues and parking. There is concern of vehicles or personal property being parked in the road right of ways.

No one spoke in favor of the application. Audience observer Jim Shaw who lives in Lakeview Township suggested he uses a four-wheeler to help him park his boat in his garage. No one spoke against the application. Hodgson read a letter of support from Forest Township that was in the file. At this time, testimony was closed.

Further discussion was held. Sherlin stated the Board upholds the County Regulations, regardless of the Township support. If there were no other options, a Variance would possibly be granted with the explanation of property hardship as to why it was granted. The Board discussed the issues of vacating roads, which would not be an option. Brufloft stated if the structure was constructed north and south on the property, the easement road could still be used. The site seems suitable with unique circumstances, but not a hardship of the property. Sherlin reminded the Board that they are not to design the garages to fit the property, that is the owners responsibility. It is the owners privilege to submit a new site plan and proposal into the Zoning office for review.

**MOTION: Chirpich made a motion a Variance be denied as proposed due to an undemonstrated hardship of the property. Schutz second. All in favor. Motion carried.**

**Informational Meeting.** The next informational meeting is scheduled for Thursday, July 3rd, 2008 at 7:00 a.m. at the Planning & Zoning Office.

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

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| _____                                      | ATTEST | _____                    |
| Jim Brufloft,<br>Administrator<br>Chairman |        | Patricia Swenson, Zoning |