

BECKER COUNTY PLANNING COMMISSION
April 15, 2003

MEMBERS PRESENT: Waldo Johnson, Larry Knutson, Julia Miller, Jim Bruflodt, Jeff Moritz, John McGovern, Harry Johnston, James Kovala, Ken Christianson, Don Skarie and Commissioner Dave Seaberg.

OTHERS PRESENT: Patricia Johnson, Zoning Administrator; Debi Moltzan, Zoning Supervisor of Inspectors

The meeting was called to order by Chairman James Kovala. Kovala stated that the recommendations of the Planning Commission would be forwarded to the County Board of Commissioners for final decision on Tuesday, April 22, 2003.

Moritz made a motion to approve the minutes from the March 18, 2003 meeting. Bruflodt second. All in favor. Motion carried. Minutes approved.

FIRST ORDER OF NEW BUSINESS: Robin Adams. Request for a certificate of survey for two parcels of land located in Section 29, Burlington Township.

Chris Heyer, surveyor, explained the application. The current tract would be subdivided into two tracts, one being 3.11 acres in size and the other being 3.12 acres in size; an easement would serve the second tract. Each tract exceeds minimum lot size and will remain agricultural.

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. Testimony was closed.

Discussion was held.

Motion: Christianson made a motion to approve the certificate of survey for two tracts of land, one being 3.11 acres and the other being 3.12 acres, based on the fact that the subdivision meets the requirements of the Zoning Ordinance and Subdivision Ordinance. Skarie second. All in favor. Motion carried.

SECOND ORDER OF NEW BUSINESS: Brent & Kathy Schwartzrock. Request for a certificate of survey for two parcels of land located in Section 9, Cormorant Township.

Scott Walz, surveyor, explained the application. The current tract would be subdivided into two tracts, one being 40,300 sq ft and 40,700 sq ft. The lots are currently zoned residential. Each lot has adequate lake frontage and road frontage.

No one spoke in favor of the application. No one spoke against the application. Written correspondence was received from Cormorant Township, which wished to remain neutral. Testimony was closed.

Discussion was held.

Motion: W. Johnson made a motion to approve the certificate of survey for two tracts of land, one being 40,300 sq. ft and 40,700 sq ft based on the fact that the subdivision meets the requirements of the Zoning Ordinance and Subdivision Ordinance. Seaberg second. All in favor. Motion carried.

THIRD ORDER OF NEW BUSINESS: Robert and Aileen Horne. Request for a certificate of survey for three parcels of land located in Section 16 of Detroit Township.

Aileen Horne and Dan Holzgrove explained the application. Horne would like to split off three tracts from the 37-acre parcel. All three tracts would abut an existing TWP road and would be nonriparian lots to Big Floyd Lake. Each lot exceeds the minimum lot size for an agricultural tract of land.

No one spoke in favor of the application. No one spoke against the application. Written correspondence was received from Brad Grant, Soil & Water Conservation, with comment that wetlands must be avoided. Testimony was closed.

Discussion was held.

Motion: Moritz made a motion to approve the certificate of survey for three tracts of land, being 2.51 acres, 3.00 acres and 2.52 acres in size, based on the fact that the subdivision meets the requirements of the Zoning Ordinance and Subdivision Ordinance. Brufloft second. All in favor. Motion carried.

FOURTH ORDER OF NEW BUSINESS: Q5 Investments, LLLP, Preliminary Plat of Thunderbolt Ranch. Request for a change of zone from agricultural to residential and approval of a preliminary plat consisting of 10 lots in Section 33 of Cormorant Township, property located on Lake 610.

Brant Beeson explained the application for the developer, along with Chris Heyer, surveyor. The proposed plat meets the requirements of the Zoning Ordinance and Subdivision Ordinance. Each lot exceeds the minimum requirements. Restrictive covenants will be placed on the plat to protect wetlands, vegetation growth, as well as control the type of development and structures. Wetlands, vegetation and such are also governed by government agencies.

Discussion was held regarding the proposed road and tying into the existing Great Grandpa Lane. Heyer stated that most townships are trying to get away from cul-de-sacs and that tying into the existing twp road is the best solution.

No one spoke in favor of the application. Speaking in opposition to the application was Cindy Whipperling, with concerns about the road and wetlands. Written correspondence was received from Brad Grant, Soil & Water Conservation, stating that the wetland cannot be impacted; Becker County Highway Department, with concern about the road alignment with North Ida Heights Road; Cormorant Township, with no concerns; David & Andrea NcNabb; and Tom & Terri Neyens. Testimony was closed.

Further discussion was held regarding the road alignment with North Ida Heights Road, density, lot size, covenants, wetland protection, and building setbacks. Beeson suggested that if the road alignment was the only issue, then the plat could be approved with the condition that the alignment be changed before final approval. Some Board Members felt that those issues should be addressed before final approval. P. Johnson stated that the wetlands, vegetation removal, aquatic vegetation and building location are regulated by government agencies and can be enforced.

Motion: Johnston made a motion to table the application to allow the developer to realign the road with North Ida Heights Road and allow the Board to see the covenants that would be placed on the plat. Bruflodt second. All in favor. Motion carried.

FIFTH ORDER OF NEW BUSINESS: Donna Jorschumb. Request for a conditional use permit to allow a commercial use consisting of a paintball facility in an Agricultural Zone in Section 28 of Holmesville Township.

Marty Jorschumb explained the application. There would be three paintball fields located on 25 acres of land. A game would consist of approximately 30 people at a time.

Discussion was held regarding the protection between fields, referring, and location. Jorschumb stated that not all fields would be played on at one time. There would be three fields to give variety. Referees are used to make sure everyone follows the rules and plays fairly. Referees are required by the insurance company. The paintballs can travel 150 to 200 feet. Net barriers would be put up next to the road for protection.

No one spoke in favor of the application. Speaking in opposition was Jeff Boehm, concerned about lot line locations and how this relates to his lot lines. There was no written correspondence either for or against the application. Testimony was closed.

Further discussion was held, which included a buffer setback, lot line locations, and location of fields to neighboring property. Consensus of the Board was that a new plan should be submitted showing the relationship of the playing fields with the lot lines, the playing fields with the neighboring properties and showing the buffer zone. Discussion was held regarding the 60-day rule.

Motion: Jorschumb requested that the application be tabled until a time that he can submit a new site plan showing the information suggested by the Board.

SIXTH ORDER OF NEW BUSINESS: Q5 Investments, LLLP, Preliminary Plat of Chesapeake Beach. Request for a change of zone from agricultural to residential and approval of a preliminary plat consisting of three lots in Section 28 of Audubon Township. The property is located on Little Cormorant Lake.

Brant Beeson explained the application for the developer. The lots abut an existing township road, there are no wetlands and each lot exceeds minimum lot requirements.

Discussion was held regarding the elevation, building area, and the drainage ditch.

No one spoke in favor of the application. Brad Hanson, Audubon TWP Board had concerns about blocking the drainage ditch. Written correspondence was received from Brad Grant, Soil & Water Conservation, with a comment that the soil conditions may require larger drainfields; and James Renslow, Little Cormorant Lake Assn, with concerns about elevation. Testimony was closed.

Further discussion was held regarding the elevation and the drainage ditch/culvert. Christianson question Hanson if the Township had acted on application formally. Hanson stated that the Township could not act on the matter because they did not get the notice until after their meeting. Hanson stated that Zoning is not doing their job because the Townships are not being informed. Moritz stated that he understood that the Townships and Watersheds want to be active, but the timing of the notifications is not by Zoning's choosing.

Motion: W. Johnson made a motion to approve the change of zone from agricultural to residential and approve the preliminary plat consisting of three (3) lots based on the fact that the change of zone is consistent with lakeshore development and that the plat meets the criteria of the Zoning Ordinance and Subdivision Ordinance. Knutson second. All in favor. Motion carried.

SEVENTH ORDER OF NEW BUSINESS: Brian Larson. Request for a certificate of survey for two parcels of land located in Section 17, Osage Township. Property located on Bog Lake.

Larson explained the application. There is one parcel that would be split into two tracts. The tracts would be 11.6 acres and 3.7 acres in size. Each lot exceeds minimum lot size and has adequate lake frontage and road frontage.

No one spoke in favor of the application. No one spoke against the application. Written correspondence was received from Brad Wentz, Becker County Highway Department, with comment that an approach permit would be required.

Discussion was held.

Motion: Christianson made a motion to approve the certificate of survey for two parcels of land, one being 11.6 acres in size and the other being 3.7 acres in size, based on the

fact that the subdivision meets the requirements of the Zoning Ordinance and Subdivision Ordinance. Miller second. All in favor. Motion carried

EIGHTH ORDER OF NEW BUSINESS: Greg & Mary Damlo, White Pines Resort. Request for a change of zone from commercial to high density residential and conversion of a planned unit development; Request approval of a certificate of survey for one tract and a change of zone from commercial to residential; and Request approval of a conditional use permit to allow a two story accessory structure on property located in Section 14, Two Inlets Township. The property is located on Two Inlets Lake.

P. Johnson explained that each application would have to be acted upon separately with separate motions and findings. Brufloft stated that he would be abstaining from this application.

Greg & Mary Damlo explained the application. First, change of zone from commercial to high density residential to convert the resort to a common interest community. The cabins would be owned by individual people and those people would own the land in common interest, which is allowed for under Section 7 of the Ordinance. The current resort in compliance with the density as outlined in Section 7. The second request is for the approval of a certificate of survey and change of zone. This one-acre tract would be subdivided from the resort tract. This parcel would be attached to the island. This lot does meet the criteria of the Ordinance. The third request would be for a two story accessory structure. The structure would be one story with a walkout basement. The lower level would be an utility building for water meters, pressure tanks and water softeners. The upper level would be for a fish-cleaning shed.

Discussion was held. W. Johnson stated that the two-story structure would not obstruct any view because it would be built into the hill. Johnston questioned the docking situation. P. Johnson stated that this resort meets the letter of the law.

No one spoke in favor the application. No one spoke against the application. Written correspondence was received from Terry & Dennis Goodrum. Testimony was closed.

Discussion was held regarding the conversion, the certificate of survey and the accessory structure. The consensus of the Board was that the proposal was a nice proposal that complied with the Ordinance.

Motion:

1. Moritz made a motion to change the zone from commercial to high density residential for the resort property based on the fact that the use would be compatible with the surrounding area. Miller second. All in favor except Brufloft, who abstained.
2. Moritz made a motion to approve the conversion of the resort to a residential planned unit development based on the fact that the present resort in compliance with Section 7 of the Zoning Ordinance and the conversion is allowed by Section

- 7 of the Ordinance. Knutson second. All in favor except Brufloft, who abstained.
3. W. Johnson made a motion to approve a conditional use permit for a two-story accessory structure to be used as a utility building and fish cleaning house based on the fact that it is actually a one-story with walk-out basement, would not obstruct any view and would blend into the property. Skarie second. All in favor except Brufloft, who abstained.
 4. Christianson made a motion to approve a change of zone from commercial to residential and approve a certificate of survey for one lot based on the lot does meet the requirements of the Zoning Ordinance and Subdivision Ordinance and is compatible with the surrounding area. McGovern second. All in favor except Brufloft, who abstained.

NINTH ORDER OF NEW BUSINESS: Informational Meeting.

The next informational meeting is scheduled for Thursday, May 15, 2003 at 8:30 a.m. at the Planning and Zoning Office.

Adjournment: W. Johnson made a motion to adjourn. Knutson second. All in favor. Meeting adjourned.

James Kovala, Chairman

ATTEST

Jeff Moritz, Secretary

Patricia L. Johnson, Administrator