

**CHISAGO COUNTY
BOARD OF ADJUSTMENT
OFFICIAL PROCEEDINGS
APRIL 28, 2016**

The Chisago County Board of Adjustment met in regular session at 7:00 p.m. on Thursday, April 28, 2016, in the County Board meeting room of the Government Center with the following Board members present: Chairman Frank Storm, Curtis DeYoung, Dick Daniels, and Gregg Carlson.

Also Present: Tara Guy, Assistant Zoning Director

The Chair called the meeting to order and led the assembly in the Pledge of Allegiance. Roll call of Board members was taken and a quorum established, with all members present. The Chair noted that the fifth Board member who had been appointed in January had declined to take the seat, and the position would be advertised in the near future.

Staff Reports on the application had been prepared and distributed in advance to the members, and made available to the audience as well, along with copies of the applicants' files.

APPROVAL OF AGENDA - On motion by Daniels, and second by Curtis DeYoung the meeting agenda was revised to include the election of officers for the year, since the Board had not convened since January. Dick Daniels nominated Frank Storm for Chair, with no further nominations. Frank Storm was elected Chair for the year 2016. Dick Daniels was nominated for Vice-Chair, with no further nominations, and was duly elected. Following election of officers, the agenda was approved as presented.

APPROVAL OF MINUTES - On motion by Carlson and second by Daniels, the minutes of the meeting of March 31, 2016 were approved as drafted.

ADOPTION OF SUBMITTALS/ APPLICATIONS/ STAFF REPORTS - Upon motion by and second by the Staff Report along with all submittals and associated documents and materials being considered by the Board at the evening's meeting are hereby adopted by reference into the record of proceedings.

PUBLIC HEARINGS

Gary Henrikson - Mr. Henrikson was present at the meeting to request a variance to build an attached garage which will result in the property having more than the allowed maximum square footage for accessory storage area. This is located in Fish Lake Township, Northern Pines, Lot 13, Block 2, at 47975 Blue Heron Trail (PID #03.01336.33.) The Fish Lake Township Board had recommended approval with no conditions. Mr. Henrikson explained that he needs additional storage building space to keep his vehicles and equipment sheltered and out of view. His lot is nearly four acres in size, so the usual allowed maximum (2000 square feet, or 5% of the lot area) is disproportionately small, unlike a typical residential lake lot or one acre lot in a subdivision. He explained that he wished to construct an additional 30 x 40 foot pole barn, and to also add 30 x 40 to his existing garage. The new building will be located behind the house, out of sight of the road. There will also be a carport off of the new attached garage. The proposed 3000 square feet of accessory storage area is less than half of the stipulated 5% maximum. The Chair sought comment from the audience, no one was present to offer testimony. After further brief discussion, Dick Daniels moved to adopt the facts in the Staff Analysis as findings in support of approval, and to approve the variance as requested. Curtis DeYoung seconded it and the motion was carried.

Scott Lund - Scott Lund of Whispering Bay Resort was present to request a variance to create (re-establish) three additional campsites closer to the lake, bluff and road than the required setback. This is located in Franconia Township, Sec.4, T.33, R.19, 14430 291st Street (PID#04.00324.00). The Franconia Township Board had Board of Adjustment continued.....Page 2
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recommended approval on a 2-1 split vote. Mr. Lund explained that there had been trailers in this location some years ago, and in fact, in 2010 the County had permitted an extension of the sewer line to serve three new replacement trailers. At that time however, the property had gone into foreclosure, and the three pads were never reconstructed. After his purchase of the property, Mr. Lund had applied for six additional campsites, but Staff had said they could not support anything beyond re-establishment of the original three, and that even those would require a variance, due to the proximity of the sites to the OHWM and the bluff. Mr. Lund explained that he also plans on moving the installed sewer line further back from the lake, and to maximize the setback of the RV sites as well. Discussion followed on the rock catch basin which is the outfall from the culvert under Olympic Trail, and which discharges directly down the hill. Zoning Staff had recommended that Mr. Lund get in touch with Casey Thiel at the NCRS Office in North Branch, as she is a shoreland restoration expert, and she could design an improved erosion control device to stop the deep channeling toward the lake, and Mr. Lund explained that he was prepared to do so. Chairman Storm sought public testimony but there was no one there to comment on the variance. After further brief discussion, Gregg Carlson moved to adopt the facts contained in the Staff analysis as findings in support of approval, and to approve the variance as requested to restore the three pre-existing campsites (depicted as L-7, L-8 and L-9 on the site survey.) Curtis DeYoung seconded it and the motion was carried.

Randy Gatzke - Mr. Gatzke requests re-approval of an expired variance to replace an existing cabin with a new house and garage, closer to the road than the required setback. This is located in Nessel Township, Linwood Hills, Lots 16, 17, and 18, at 49459 Alpine Avenue (PID #06.01168.00-1170). The Nessel Township Board had recommended approval with no conditions. Mr. Gatzke explained that the house design was slightly different from the one approved in 2012, and will have a new deck off the side. It will be in the same location, further from the lake than the existing cabin (and in excess of the required 75 foot setback) and encroaching slightly upon the road. There was no one present to offer comment on the proposal. After brief discussion, Dick Daniels moved to re-approve the variance with the minor variations as described, Gregg Carlson seconded it and the motion was carried.

Douglas Poppens - Mr. Poppens was present at the meeting to request a variance to add a deck, garage and foundation for a future addition, closer to the lake, road and property line than the required setback. This is located in Fish Lake Township, Holiday Shores, Plat II Lot 8, Block 4, at 44878 Bending Circle PID #03.01257.00). The Fish Lake Township Board had recommended approval with no conditions. The house presently meets the required lake setback, but the new deck will encroach 3 - 5 feet upon the OHWM. The slab on the west side will be seven feet from the property line, and doesn't require a variance at this point, since it is a patio at grade. Any future addition on the slab will be required to meet the setback, or obtain another variance. The 24 x 30 foot garage will encroach virtually up to the road right of way, though it will remain about 25 feet from the edge of the traveled road. Mr. Poppens explained that most of the structures along the road have been developed in a similar manner, with many sheds and garages abutting the road right of way. Dick Daniels asked why they didn't attach the garage to the cabin and achieve a little more setback from the road, but Mr. Poppens explained that if they attached the garage, it would block both bedroom windows which are required for egress. The impervious surface on the lot will total 21% if the variance is granted. The Chair called for public comment. There were three persons present to support the request, Jim and

Julie Thill and Scott Merkel. After brief discussion, Gregg Carlson moved to adopt the facts in the Staff analysis as findings in support of approval, Curtis DeYoung seconded it and the motion was carried.

ADJOURNMENT - There being no further business, the meeting was adjourned at 7:19 p.m.