

**Becker County Board of Adjustments  
December 10, 2015**

**Present:** Board Members Harry Johnston, Jim Kovala, Lee Kessler, Jim Bruflodt, Steve Spaeth, Zoning Supervisor Eric Evenson-Marden and Zoning Staff Debi Moltzan.

Chairman Bruflodt called the meeting to order at 7:00 p.m. Debi Moltzan took minutes.

Kovala made a motion to approve the November 2015 minutes, with minor typographical corrections. Johnston second. All in favor. Motion carried.

Bruflodt explained the protocol for the meeting and Spaeth read the criteria which must be met in order to grant a variance.

**FIRST ORDER OF BUSINESS: Cynthia Lura.** Request a variance to construct a detached garage twelve (12) feet from the road instead of the required twenty (20) feet from the road right of way for the property described as: PID Number 19.1467.000, Lots 3 and 4 Munson Beach, Section 5, TWP 138, Range 41, Lake View Township.

Evenson-Marden presented the application and Cynthia and Dale Lura explained their request. Lura's would like to construct a detached garage which would be fifteen (15) feet from the road right of way and twelve (12) feet from the edge of the road. After the survey, it was found that the road is in the wrong place and their property actually goes into the asphalt approximately three (3) feet. The drainfield is located to the north of the house and their entrance to the house is on the south side. By moving the garage to the north and down the hill, water would enter the garage.

Evenson-Marden stated that the lot is a nonconforming lot and reviewed the criteria under which a variance could be granted.

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

Johnston stated that the north side of the lot slopes toward the lake and the neighbor. The amount of slope would require seven (7) to eight (8) feet of fill. It would be hard to stabilize this fill, which would cause increased run off to the neighbor and to the lake. Johnston further stated that the garage would allow reasonable use of the property under the official control, the circumstances unique to the property were not created by the landowner and it would not alter the essential character of the locality because there are approximately nine (9) other garages that

close to the road in the area. Johnston felt the garage could be moved five (5) feet closer to the house.

Spaeth felt that the nine (9) other garages could not be entered into the equation because they were there before zoning. Brufloft stated that if the garage was constructed on the north side, a berm would have to be constructed to stop the water flow from affecting the neighbor and lake. Kessler also agreed that moving the garage to the north would create issues for the neighbor and lake with the increased fill.

Spaeth stated that a garage could be constructed on the property without a variance – there are alternatives, one of which being constructing a basement under the garage instead of filling to grade.

**Motion:** Spaeth made a motion to deny the variance due to the fact that there are alternative locations to construct a garage which would not require a variance. Kessler second. Voting in favor of the motion were Spaeth, Kessler and Brufloft. Voting against the motion were Johnston and Kovala. Majority in favor. Motion carried. Variance denied.

**SECOND ORDER OF BUSINESS: Richard Callender.** Request a variance to construct an addition onto a nonconforming dwelling which is seventy-seven (77) feet from the ordinary high water mark of the lake instead of the required one hundred (100) feet for the property described as: PID Number 10.0201.000, Pt Lot 2 Beg 1096.8 ft SE & 71 ft W of N ¼ Sec Cor Th S Al Rd 212.19 ft W 232.10 ft NE Al LK 265.15 ft & E 112.49 ft to Beg; Section 12, TWP 139, Range 40, Erie Township.

Evenson-Marden presented the application and Richard and Nancy Callender, along with the contractors Randy Thane, explained the application to the Board. The Callender's would like to move to the lake permanently. The master bedroom is currently located on the upper story. With health issues, they would like to add onto the house to enlarge the lower bedroom and add onto the garage for more storage.

Evenson-Marden explained that the house is located outside the shore impact zone and the addition would meet the required setbacks and reviewed the criteria under which a variance could be granted.

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. At this time, testimony was closed and further discussion was held.

Kessler stated that the request fits the area and there would be no increased run off to the lake. Kovala, Spaeth and Brufloft agreed; however agreed that the house should be guttered to control any additional run of toward the lake.

**Motion:** Spaeth made a motion to approve the variance based on the fact that it conforms to the surrounding area and does not increase run off to the lake with the stipulation that all storm water from the roof of the structure be controlled. Kovala second. All in favor. Motion carried.

**THIRD ORDER OF BUSINESS: informational Meeting.** There will be no meeting held in January 2016.

Evenson-Marden addressed the Board stating it has been an honor and pleasure to serve and work with them and is impressed with the work the Board has done.

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

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Jim Brufloft, Chairman

ATTEST

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Eric Evenson-Marden, Zoning Supervisor