

**Becker County Planning Commission
November 10, 2015**

Members Present: Chairman Jim Bruflodt, Vice Chairman John Lien, Commissioner Larry Knutson, Jim Kovala, Mary Seaberg, Harry Johnston, Jim Kaiser, Ray Thorkildson, David Blomseth, Mary Seaworth, Jeff Moritz, and Zoning Supervisor Eric Evenson-Marden.

Chairman Bruflodt called the Planning Commission meeting to order. Zoning Supervisor Eric Evenson-Marden recorded minutes.

Chairman Bruflodt explained the protocol for the meeting and stated that the recommendations of the Planning Commission would be forwarded to the County Board of Commissioners for final action on November 17, 2015.

Kovala made a motion to approve the minutes for October 20, 2015; John Lien seconded. The motion passed unanimously.

Old Business: None

New Business:

FIRST ORDER OF BUSINESS: APPLICANT: Wendy, Heather & Heidi Harstad 27833 Linden Road Rochert, MN 56578 **Project Location:** 27488 Co. Hwy 21 **LEGAL LAND DESCRIPTION:** 240331000 Richwod Township TOWNSITE OF RICHWOOD 140 41 Block 004 LOTS 7 & 8 & N1/2 LOTS 9 & 10, Section 02, TWP 140, Range 41 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Conditional Use Permit to provide for the sale of alcohol and expand to a full service restaurant. Previous Conditional Use Permit Document #468252 dated 03/27/01 allowed a commercial activity consisting of a fast food establishment in an agricultural zone and was granted on the above described property based on the fact that the use is compatible with the surrounding area and would not be detrimental to the area.

Mr. Evenson-Marden introduced the application.

Heather and Wendy Harstad explained their application to the Board. Heather Harstad stated she would like to bring a restaurant to the community that would have a full service bar and would seat about 40 people. She stated it would be a family oriented restaurant/bar.

Jim Bruflodt asked if anyone would like to speak for or against the proposal. Katherine Bjerke of Richwood, stated she was asked to speak on behalf of others in the community. She said, when the existing off-sale liquor store was proposed, the township felt it was a better alternative than an on-sale establishment; however, it has been robbed twice. She added, there is already a lot of traffic between Detroit lakes and White Earth and felt the restaurant/bar would increase traffic problems. Ms. Bjerke also expressed a concern that

a bar could cause a drop of home values in the village and worried about possible adverse impacts from increased water use and sewage treatment.

Doug Carlson, whose parents are selling the Burger Barn to the Harstads, said Highway 21 is already a busy highway and he did not believe the traffic would increase substantially. He stated the new owners could connect to a well owned by the village to purchase water and the Burger Barn has a fairly new septic system that would be pumped regularly by a contractor. Mr. Carlson supported the proposal because it would be a family based restaurant.

Commissioner Knutson asked Mr. Carlson to clarify if the Burger Barn used sewage holding tanks or if they had a system with drain field. Mr. Carlson stated they pumped the system on occasion but there is a drain field. Ms. Harstad said they have spoken with a septic contractor, Mr. Vareberg, who will evaluate the existing system to determine if it can be added/connected to an unused drain field on the adjoining Chilton property. Jim Kaiser stated the septic system would need to meet the state design standards required for restaurants.

Jim Bruflodt asked for any written correspondence to be read into the record. Mr. Evenson-Marden said eighty-eight (88) individuals signed a petition to *“reopen the previous Burger Barn in Richwood, MN, as a family style restaurant serving a variety of food baskets, soft serve ice cream, alcoholic beverages and additional seating.”* And it further stated, that *“we, the undersigned, are local citizens who support this up and coming business in our community.”* The petition contained numerous comments in support of the restaurant/bar.

Mr. Evenson-Marden read a letter from Doug Carlson stating he felt *“a restaurant that served food and alcohol would be a great addition to the community,”* and another letter, signed by six individuals which said *“a restaurant that serves alcohol in Richwood would be good for the small community.”* The letters were read in their entirety and names entered into the record.

At this time, testimony was closed and Jim Bruflodt opened the discussion of the Board. John Lien stated that the restaurant would be an asset to the community and he supported the application.

Harry Johnston asked if there were plans to have an outdoor patio or bands. Heather Harstad stated that they may have an outdoor patio but they would not have any bands. She said the hours of operation would be 11am to 11pm.

MOTION: John Lein made a motion to approve the application as submitted; Seaworth seconded. The motion passed unanimously.

SECOND ORDER OF BUSINESS: APPLICANT: Don & Pam Skarie 25793 Co. Road 149 Detroit Lakes, MN 56501 Project Location: 25793 Co Road 149 LEGAL LAND DESCRIPTION: 080055001 Detroit Township Floyd Lake GOVT LOT 2 LESS

W 75' OF N 1000'; LESS .18AC (8-55-10); LESS PT NW COR (2.92AC): COMM NE COR SEC 4, W 928.75' TO POB; S 343.56', W 152.32', N 67.62', W 172.68', N 276', E 325' TO POB., Section 04, TWP 139, Range 41 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a change of zone from Agricultural to Residential and a Certificate of Survey for two tracts of land with Tract A consisting of 7.7 useable acres and Tract B consisting of 21,800 square feet.

Mr. Evenson-Marden introduced the application.

Mr. Walz explained the application on behalf of the Pam and Don Skarie. He stated they are creating two lots which meet the requirements for residential zoning on a general development lake. He said lot A would have access frontage on an exiting public road and Lot B would be accessed by an 33 foot easement.

No one spoke for or against the application. There was no written correspondence either for or against the proposal. At this time, testimony was closed.

Jim Brufloft opened the matter for disussion by the Board. It was the consensus of the Board that the request met the criteria of the Ordinance.

MOTION: Jim Kaiser made a motion to approve the application as submitted; Jim Kovala seconded. The motion passed unanimously.

THIRD ORDER OF BUSINESS: APPLICANT: Scott Erickson 1112 South Shore Drive Detroit Lakes, MN 56501 **Project Location:** 20488 County Hwy 20 **LEGAL LAND DESCRIPTION:** 170393000 Lake Eunice Township PT SW1/4 SE1/4: BEG S QTR COR SEC 34, E 668,20', N 612.63', W 669.13', S 637.44' TO POB., Section 34, TWP 138, Range 42 **APPLICATION AND DESCRIPTION OF PROJECT:** Request an approval of a Final Plat for a Common Interest Development (Toy Locker CIC).

Mr. Evenson-Marden introduced the application. He noted the applicants mailing address was listed on the agenda rather than the location of the plat. The address of the plat is 20448 County Road 20, Detroit Lakes.

Scott Walz explained the application to the Board on behalf of Mr. Erickson. He said the developer was requesting approval of the final plat for the first phase of a condo storage development. Jim Brufloft asked Mr. Walz to describe the location of the first phase and questioned if outside storage would be allowed. Mr. Walz indicated the first phase would be located in the northwest corner of the parcel and that he did not believe outside storage was allowed but would check with the plat covenants.

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

Jim Bruflodt opened the matter for discussion by the Board. Jim Lien said he felt the request meets the criteria of the Ordinance.

MOTION: Harry Johnston made a motion to approve the application as submitted; Mary Seaberg seconded. The motion passed unanimously.

FORTH ORDER OF BUSINESS: APPLICANT: Sara Aurelius and Vince & Joyce Vogler 11252 Eagle Lake Road Frazee, MN 56544 **Project Location:** 11252 Eagle Lake Road **LEGAL LAND DESCRIPTION:** 030292000 Burlington Township Eagle Lake E1/2 OF SE1/4 LESS 21.46 ACRES, Section 29, TWP 138, Range 40 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a change of zone from Agricultural to Residential. The Certificate of Survey will be reviewed by the City of Frazee Planning and Zoning Commission.

Mr. Evenson-Marden introduced the application. He explained the City of Frazee would be exercising their extra-jurisdictional authority in this area and the county would only be acting on a request for a change of zoning.

Mr. Jack Rosenthal spoke on behalf of Voglers. He explained the application was to request a change of zoning from general agriculture to residential and that the Voglers have received a letter of support of the zoning change from the City of Frazee.

Jim Kaiser asked if the request was for the entire parcel or just a portion of it. Mr. Rosenthal stated that the change of zoning was not the entire parcel, rather is was solely for Parcel A

No one spoke for or against the application. There was no written correspondence for or against the proposal. At this time, testimony was closed and further discussion was held.

It was the consensus of the Board that the request met the criteria of the Ordinance.

MOTION: John Lien made a motion to approve the application as submitted for Parcel A; Jeff Moritz seconded, the motion passed unanimously.

FIFTH ORDER OF BUSINESS: APPLICANT: Wayne Volk 5144 16th Avenue S. Minneapolis, MN 55417 **Project Location:** Easement Road off Bog Lake Trail **LEGAL LAND DESCRIPTION:** 210110000 Osage Township Straight Lake PT GOVT LOT 2 LYING SLY OF FOLL DESC LINE: COMM NE COR TH S 610.50' TO POB; TH W TO STRAIGHT LK & THERE TERM LESS PT GOVT LOT 2...Section 17, TWP 140, Range 36 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Certificate of Survey for two tracts of land with Tract One consisting of 4.14 lot area and Tract Two consisting of 3.24 lot area. A variance was approved October 9th, 2015 to allow a fourteen (14) foot wide easement to service two tracts of land instead of the required thirty-three (33) feet due to the fact that the rules changed during their process of subdivision; the number of tracts being serviced by the easement will not change; and the easement is similar in size and condition as other easements in the area.

Mr. Evenson-Marden introduced the application.

The applicant, Mr. Volk, explained he is asking to divide his lot into two tracts. He stated he received a variance from the Board of Adjustment on October 9, 2015 to allow of a 14 foot wide access easement rather than the 33 foot easement required by the current ordinance.

Jim Kaiser asked for clarification on which easements would serve the lots. Mr. Volk explained two lots will be accessed by the 14 foot easement from the east and the lot to the north of his property would continue to use an easement through the resort.

No one spoke for or against the application. There was no written correspondence either for or against the proposal. At this time, testimony was closed.

MOTION: David Blomseth made a motion to approve the application as submitted; Ray Thorkildson seconded. The motion passed 10-1 with Jim Kovala opposed.

Informational Meeting: The next informational meeting is scheduled for Wednesday, December 2, 2015 at 8:00 am in the Third Floor Meeting Room of the Original Courthouse.

Since there was no further business to come before the Board, Jim Kovala made a motion to adjourn; Ray Thorkildson seconded. Motion carried. The meeting adjourned at 7:50 pm.

Jim Brufloft, Chairman

Jeff Moritz, Secretary

ATTEST

Eric Evenson-Marden, Zoning Supervisor