

**Becker County Board of Adjustments**  
**July 12, 2012**

**Present:** Board Members Al Chirpich, Lee Kessler, Steve Spaeth, Kip Moore, Jerry Schutz and Zoning Staff Debi Moltzan. Absent were Jim Bruflodt and Bill Sherlin.

Vice Chairman Spaeth called the meeting to order at 7:00 pm. Debi Moltzan took minutes.

Moore made a motion to approve the minutes from the June 2012 meeting with one correction in the 5<sup>th</sup> order of business. Chirpich second. All in favor. Motion carried.

Spaeth explained the protocol of the meeting and Chirpich read the criteria for which a variance can be granted.

**FIRST ORDER OF BUSINESS: Gary and Virginia Fugere.** Request a variance to construct a dwelling 39 Ft. from the OHW instead of the required 100 Ft. and 19 Ft. from the Co ROW instead of the required 45 Ft. for the property described as: Lot 3, Block 002, Isthumus Beach 1<sup>st</sup>, Sec 27, TWP 138, Range 42, Lake Eunice Township. Tax ID number: 170759000. The property is located at 20690 Co Hwy 22 on Maud Lake.

Gary Fugere explained the application to the Board. The existing cabin would be removed and a new home would be constructed. The new home would be located outside the shore impact zone, but the deck would be in the shore impact zone but no closer to the lake than the old cabin. Fugere further stated that the concrete slab, sidewalks, storage sheds, well house and ½ of the shared slab would be removed, increasing the green space between the house and the lake. The deck would be a pervious deck.

Schutz questioned if one foot could be cut off the garage so it would meet the 20 ft setback from the right of way. Fugere stated that they could do that. Moore stated that the plan was thought out and well marked on site so that there were no questions as to what was being done. Schutz felt that the proposal was a win-win situation for everyone. Fugere's could get a new home and the County could get the structure further from the lake and get rid of a lot of impervious material out of the shore impact zone.

Discussion was held regarding the entrance into the garage, how the Fugere's would back out of the garage and enter the road, where the 'old' string line was located, where the setback average plus 20 ft was located, shortening the garage, impervious lot coverage and mitigation.

No one spoke in favor of the application. No one spoke against the application. Written correspondence against the application was received from David Kragnes. At this time, testimony was closed and further discussion was held.

**Motion:** Schutz made a motion to approve a variance to allow a dwelling at fifty-one (51) feet from the ordinary high water mark of the lake, with a deck no larger than 12 ft

by 16 ft lakeside of the dwelling (12 ft toward the water) and twenty (20) feet from the road right of way, based on the fact that the lot is a substandard size lot of record. Moore second.

Further discussion was held regarding mitigation on the property. Chirpich felt that there should be a stipulation that gutters are placed on the house with the water being diverted away from the lake and plantings are used for mitigation.

Chirpich made a motion at add the following amendment be added to the motion: stipulation that gutters are placed on the house with the water being diverted away from the lake and plantings are used for mitigation. Moore seconds the amendment.

The vote was called on the original motion with everyone voting in favor of the motion. The vote was called on the amendment to the motion with everyone voting in favor of the amendment. Motion and amendment to the motion carried.

**SECOND ORDER OF BUSINESS: Informational Meeting.** The next informational meeting is scheduled for Thursday, August 2, 2012 at 7:00 am in the Third Floor Meeting Room of the Original Courthouse.

Since there was no further business to come before the Board, Schutz made a motion to adjourn the meeting. Chirpich second. All in favor. Meeting adjourned at 7:21 p.m.

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Steve Spaeth, Vice Chairman

ATTEST \_\_\_\_\_  
Patricia Swenson, Zoning Administrator