

**Becker County Planning Commission  
September 19, 2006**

**Present:** Waldo Johnson, John Lien, Ray Thorkildson, Jim Brufloft, Jim Kovala, Jeff Moritz, John McGovern, Harry Johnston, Don Skarie, Ken Christianson, Mary Seaberg, Commissioner Larry Knutson, and Planning & Zoning Staff Debi Moltzan.

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

Kovala made a motion to approve the minutes from the August 2006 meeting. McGovern second. All in favor. Motion carried.

Brufloft 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 Tuesday, September 26, 2006.

**FIRST ORDER OF BUSINESS: Ordinance Changes.**

Moltzan explained that the changes before the Board were items that were postponed from the July 2006 meeting. Knutson suggested that these items be postponed until the current changes have been cleaned up and clarified. Knutson further explained some of the confusion with recently approved changes. Further discussion was held.

Knutson made a motion to postpone acting on the proposed changes until the current regulations have been clarified. Lien second. All in favor. Motion carried.

**SECOND ORDER OF BUSINESS: Neil Lewis, Aaxis Development, Wheeler Lake. Request for a change of zone from agricultural to residential and approval of a preliminary plat consisting of 11 lots.**

Chris Heyer, Surveyor, explained the application to the Board. This application was tabled at the August 15, 2006 meeting to allow the developer to make changes to the proposed plat that would address the concerns of the neighborhood. Heyer stated that the new proposal allows for nine lots instead of 11. The lot sizes have been enlarged so a change of zone would not be required. The road has been relocated so that the access to the township road would be in the location of the existing driveway. The reconfiguration of the lots would allow for five riparian lots and four non-riparian lots.

No one spoke in favor of the application. Speaking in opposition to the application were Dave Erickson and Kevin Olson. Written correspondence was received from Brad Wentz, Becker County Highway Department, stating that the relocation of the road met specifications and Steve Kahan, USFW, stating they did not have objections to the project providing it was environmentally sound. At this time, testimony was closed.

Heyer explained that the road building would be monitored by MPCA and stated that the project cannot block natural flow of water. Once the project has been completed and the road turned over to the Township, the Township would monitor the water flow.

McGovern stated that he had contacted the USFW about the development and urged them to respond, stating that the more response there was, the easier it was for the Board to make a decision. Skarie questioned if the Township had been notified. Moltzan stated that a notice of the hearing was sent to each member of the Town Board. Johnston stated that this was the second meeting and if the Township had questions or concerns someone should have contacted the Zoning Office, developer or came to a meeting. Lien stated that if the Township had concerns, they should have responded. Johnston stated that the proposal meets the criteria of the Ordinance. Moritz stated that if the Township did not respond, they must have not thought that this project was that important. Knutson agreed.

Lien stated that, at the last meeting, the concerns of the people and the Board were the density and road location. The new proposal addresses both issues.

**Motion:** Lien made a motion to approve the amended proposal to allow for nine (9) lots, five (5) riparian lots and four (4) non-riparian lots based on the fact that it is compatible with the surrounding area and meets the criteria of the Zoning Ordinance. Kovala second. All in favor except Seaberg & McGovern. Majority in favor. Motion carried.

Knutson made a motion to deny the change of zone from agricultural to residential based on the fact that the change of zone is not compatible with the surrounding area. Moritz second. All in favor. Motion carried.

**THIRD ORDER OF BUSINESS: Robert Hamlin.** Request a change of zone from agricultural to residential and approval of a certificate of survey for three lots, with lot sizes being 60,500 sq ft, 41,600 sq ft, and 40,200 sq ft for the property described as: Pt Govt Lots 1 & 7; Section 1, TWP 140, Range 41; Richwood Township. PID Number 24.0001.000. The property is located on Buffalo Lake.

Hamlin and Scott Walz, Surveyor, explained the application to the Board. Hamlin stated that he owns about 78 acres of land in this area. The previous owner wanted an RV park, so Hamlin bought the property to prevent this. Hamlin has been working with the DNR to be good custodians of the land. Hamlin would now like to create three lake lots, all of which would meet size requirements.

W. Johnson questioned who owned the cul-de-sac and where these lots began. Hamlin stated that he owned the property up to the cul-de-sac. The first lot would abut the cul-de-sac and the other two would be serviced by an easement. There would be provisions for a future road.

No one spoke in favor of the application. Speaking with concerns about the project was Mark Koeck, with concerns about a public access and multi unit housing and wondered

why a culvert was installed on the lake without anyone knowing. There was no written correspondence either for or against the application. At this time, testimony was closed.

Knutson stated that multi unit developments cannot be done without first holding public hearings through the Planning Commission and County Board. Lien stated that he was impressed by the layout of the lots and any issues, such as road or culvert, arising would be addressed by the appropriate authority.

**Motion:** Lien made a motion to approve the change of zone from agricultural to residential and approve the certificate of survey for three tracts of land (60,500 sq ft, 41,600 sq ft, and 40,200 sq ft) based on the fact that it is compatible with the surrounding area and would not be detrimental to the surrounding area. W. Johnson second. All in favor. Motion carried.

**FOURTH ORDER OF BUSINESS: Mark Strand.** Request a change of zone from agricultural to residential and approval of a certificate of survey for two lots, with each lot being 80,200 sq ft in size, for the property described as: Pt SW ¼ SW ¼ & Pt Govt Lot 5; Section 34, TWP 138, Range 43; Cormorant Township. PID Number 06.0469.008. The property is located on Lake 610.

Strand explained the application to the Board. He would like to split the one lot into two lots. Strand's intentions are to build on one lot and sell the other lot.

McGovern questioned what would be built and where, due to the topography. Strand stated that the openness of the lot was deceiving. There is plenty of room to build a year round home.

No one spoke in favor of the application. No one spoke against the application. Written correspondence was received from Cormorant Township, stating they did not have concerns with the project.

Further discussion was held. Christianson stated, that even though not required, he would like to see contours on certificates of survey, even if the contours were 5 or 10 ft intervals.

**Motion:** Christianson made a motion to approve the change of zone from agricultural to residential and approve the certificate of survey for two lots (each lot being 80,200 sq ft) based on the fact that it is compatible with the surrounding area and would not be detrimental to the surrounding area. Lien second. All in favor. Motion carried.

**FIFTH ORDER OF BUSINESS: William Simpson.** Request a Conditional Use Permit for a home occupation consisting of an insurance agency office within the home for the property described as: Pt S ½ NE ¼ & N ½ SE ¼; Comm E Qtr Cor Sec 19; Section 19, TWP 139, Range 39; Height of Land Township. PID Number 15.0193.001.

Simpson explained the application to the Board. Simpson is currently operating out of the Accel Realty Building. The realty company is expanding, so he is losing his office space. Simpson would like to relocate his business to his home on Highway 34. The insurance agency is primarily auto/home/small business. Traffic consists of 2 to 3 customers per day, with most of the work being done over the phone and Internet.

Kovala questioned if an addition would be placed onto the existing structure. Simpson stated that, at first, he thought of a separate building, then adding on, and has now decided to use room within the existing home. If there were future expansion of the structure, he would apply for the appropriate permits.

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.

Further discussion was held. Kovala stated that there may have been more discussion if an addition would have been placed on the home.

**Motion:** Kovala made a motion to approve the conditional use permit for an insurance agency office within the home based on the fact that it would not be detrimental to the surrounding area. Moritz second. All in favor. Motion carried.

**SIXTH ORDER OF BUSINESS: Craig Lindstrom.** Request a conditional use permit to allow a two story detached accessory structure for the property described as: Pt Lot 9, Beg 505.68 ft N of SE Cor Lot 9 Th NW 580.17 ft SW; Section 18, TWP 142, Range 37; Forest Township. PID Number 12.0128.000. The property is located on Bad Medicine Lake.

No one was present to explain the application to the Board. Kovala stated that this same application was before the Board last year and denied because the structure exceeded height and number of stories. Since then, the height restriction was changed to allow a 22 ft high structure and 1-½ stories. The topography of this lot would be ideal for a two-story structure built into the hill. With the screening, the structure would not be seen from the lake.

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.

Further discussion was held regarding the topography and screening of the location.

**Motion:** Kovala made a motion to approve an accessory structure to be two full stories in height based on the fact that the structure would take advantage of the natural topography, without harming the topography, and there is adequate screening for the structure. Knutson second. All in favor. Motion carried.

**SEVENTH ORDER OF BUSINESS: Shirley Simonson.** Request a change of zone from agricultural to residential and approval of a certificate of survey for two tracts of land, with lot sizes being 1.9 acres and 1.8 acres for the property described as: Govt Lot 9; Section 32, TWP 142, Range 36; Savannah Township. PID Number 27.0181.001. The property is located on Boot Lake.

Shirley Simonson and Greg Simonson, son, explained the application to the Board. They would like to create two lake lots and keep the remnant. Each lot exceeds size requirements. They have been in contact with the Township regarding the project.

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.

Further discussion was held regarding the location, shoreline, lot sizes, and road.

**Motion:** Knutson made a motion to approve the change of zone and approve the certificate of survey to allow two tracts of land (1.9 acres and 1.8 acres) based on the fact that it meets the criteria of the Zoning Ordinance and Subdivision Ordinance. Kovala second. All in favor. Motion carried.

**EIGHTH ORDER OF BUSINESS: Informational Meeting.**

The next informational meeting is scheduled for Thursday, October 12, 2006 at 7:00 am at the Planning and Zoning Office.

Brufloft suggested that the tour times be earlier in the morning. This would allow the people on the Board with other jobs to begin the meeting earlier and return to their job earlier. It would also allow for getting done earlier in the day. Discussion was held on which time would be best.

Christianson made a motion to change the time of the informational meetings to 7:00 am with the tour to follow the meeting. McGovern second. All in favor. Motion carried.

The new time will begin with the October 2006 meeting.

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

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Jim Brufloft, Chairman

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Jeff Moritz, Secretary

ATTEST

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Patricia L. Johnson, Administrator