

DRAFT

**Becker County Planning Commission Meeting
March 18, 2008**

Present: Members Mary Seaberg, John McGovern, John Lien, Harry Johnston, Ray Thorkildson, Jim Bruflodt, Jim Kovala, Jeff Moritz, Phil Majerus, Zoning Administrator Patricia Swenson, and Zoning Staff Debi Moltzan.

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

Minute approval: Seaberg made a motion to approve the minutes from the February 2008 meeting. Thorkildson second. All in favor. Motion carried.

Bruflodt explained the protocol of the meeting. Bruflodt explained that the recommendations of the Planning Commission would be forwarded to the County Board of Commissioners for final action on Tuesday, March 25, 2008.

FIRST ORDER OF BUSINESS: Daniel Thompson and David Thompson. Request a conditional use permit to construct a second dwelling on the property and maintain the existing dwelling as a guest cottage. The lot meets the criteria for a guest cottage, however, both the existing dwelling and the proposed dwelling exceed the 700 sq ft maximum permitted for a guest cottage for the property described as: Lots 2, 3 and SW ¼ of that Qtr Section 29, Township 140, Range 40 less west 21 feet of Qtr of the NW ¼; Section 29, TWP 140, Range 40. PID Number 16.0192.000. The property is located on Rock Lake.

Swenson explained that the application is scheduled for public hearing in April. Thompson is not able to attend the April meeting and has asked to discuss the application at this meeting.

Thompson explained that one other person on the lake has asked for the exact application and feels that he should have the same. There is an existing house and he would like to build a second house without removing the existing home.

Bruflodt questioned if there would be any changes made to the existing home and if the log cabin on the top of the ridge was going to be removed. Thompson stated that there would be no changes to the existing home and that, if there was no historical value to the log cabin, the log cabin would be removed.

Kovala questioned why Thompson didn't split the property, and then there could be one house per lot and size did not matter. Thompson stated that someday they would like to subdivide the property, but did not want to do it now.

Bruflodt stated that some of the Board members have viewed the property and there are great concerns with the size and location of the existing dwelling. Most of the existing

home is not only too close to the lake, but the majority of the dwelling is located within the shore impact zone. There is also concern that the ridge may collapse during excavation for a new dwelling.

Lien stated that a conditional use permit may be allowed for a second dwelling, but in this case, the existing is so far out of compliance that a second dwelling should not be allowed. If the property were subdivided, then the existing dwelling would be allowed to remain. Brufloft questioned if there was any thought of tearing down the existing dwelling. Thompson stated that might be a possibility in the future, but not now.

Thompson restated that this request is the same as the Blanding request, which was granted. Johnston stated that the Blanding request was granted by a different Board, under different regulations and different circumstances – the existing dwelling was not as large as this request and the existing dwelling was not in the shore impact zone as this request. Johnston felt that the property should be subdivided.

Further discussion was held regarding the existing dwelling location and size, and the subdivision of the land. Brufloft stated that a decision cannot be made at this meeting, but he was under the impression from the members that looked at the property that the application, as presented, could not be supported. Swenson stated that if the property was subdivided, both tracts of land must meet the criteria of the Zoning Ordinance. Swenson stated that Thompson could revise his request for a certificate of survey for two tracts of land. If the certificate of survey was not complete, stipulations could be placed on a preliminary drawing so that the final survey could be approved when completed.

SECOND ORDER OF BUSINESS: Dan Moen. This application has been pulled from the agenda.

THIRD ORDER OF BUSINESS: Lyle Pederson. Request approval of a Certificate of survey for 2 tracts of land (Tract 1 and 2 of the survey would be combined for a total of 5.0 acres and Tract 3 would remain as shown at 10.5 acres).

Pedersons were not present at the meeting, so Swenson explained the application to the Board. Tracts 1 & 2 would be combined into one lot and Tract 3 would be a separate buildable lot.

No one spoke in favor of the application. No one spoke against the application. Written correspondence was received from Two Inlets Lake Area Association, in favor of the application with the stipulation that Tracts 1 & 2 be combined as one lot. At this time, testimony was closed.

Further discussion was held. Brufloft stated that Tract 1 does not have road access and may not have enough buildable area to stand as a separate buildable tract and that the only access to it is a foot bridge from Tract 2. Lien stated that he would have liked to have seen elevations on the survey. McGovern questioned why three septic systems were

located on the survey. Swenson stated that there is a certificate of compliance in the file for a septic system, but the other systems may need to be verified.

Motion: Lien made a motion to approve the certificate of survey for two tracts of land based on the fact that it does meet the criteria of the Zoning Ordinance and Subdivision Ordinance with the stipulation that Tract 1 & 2 be combined as one buildable tract. Moritz second. All in favor. Motion carried.

FOURTH ORDER OF BUSINESS: Final Plat of Brush Lake Estates.

Swenson explained that the change of zone from agricultural to residential and the preliminary plat for ten (10) lots was approved in June 2007 with the stipulation that a common lake access be created on Lot 1, Block 2 near the culvert. Everything is in order for final approval.

Motion: Johnston made a motion to approve the final plat of Brush Lake Estates based on the fact that the plat meets the criteria of the Zoning Ordinance and Subdivision Ordinance and the stipulations have been met. Lien second. All in favor. Motion carried.

FIFTH ORDER OF BUSINESS: Final Plat of Valhalla Shores. Application incomplete, removed from agenda.

SIXTH ORDER OF BUSINESS: Informational Meeting. The tentative date for the next informational meeting is scheduled for Thursday, April 10, 2008 at 8:00 am at the Planning and Zoning Office.

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

Jim Bruflo, Chairman

ATTEST

Jeff Moritz, Secretary

Patricia Swenson, Administrator