

Becker County Planning Commission
April 13th, 2021

Members Present: Chairman Dave Blomseth, County Commissioner Larry Knutson, Jeff Moritz, Mary Seaberg, Harvey Aho, Tommy Ailie, Kohl Skalin, Chuck Collins, and Zoning Director Kyle Vareberg. **Members Absent:** Brian Bestge, Bob Merritt, Ray Thorkildson

Acting Chairman Dave Blomseth called the Planning Commission meeting to order at 6:00 pm. Introductions were given. Becker County Zoning Office Support Specialist Nicole Hultin recorded the minutes.

Harvey Aho made a motion to approve the minutes from the March 8th, 2021 meeting. Chuck Collins second. All members in favor. Motion carried.

Chairman Dave Blomseth 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.

New Business:

1. **APPLICANT: Lee W Carlson & Kristina L Carlson** 20368 Co Hwy 32 Rochert, MN 56578 **Project Location:** 15248 310th Ave Frazee, MN 56544 **LEGAL LAND DESCRIPTION:** Tax ID number: 03.0029.000 Section 05 Township 138 Range 040; 5-138-40 E1/2 SE1/4. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Change of Zone from Agricultural to Residential.

Scot Walz with Meadowland Surveying presented the application.

Walz stated that subdivision for this parcel falls under the two (2) mile extra-territorial jurisdiction of the City of Detroit Lakes, and that the city has approved the subdivision requested by Carlson pending approval of a change of zone from Agricultural to Residential.

Walz stated that this approval is for four (4) lots, therefore they do not believe it will increase traffic significantly.

Vareberg read into record those who had sent letters of opposition. All letters were received and read by the Planning Commission members before the hearing.

Knutson asked if the entire eighty (80) acres fell under the two (2) mile extra-territorial jurisdiction.

47 Walz stated just this portion that they are planning to subdivide.

48

49 Testimony Closed.

50

51 Vareberg clarified that the request of zone change is just for the four (4) lots that are
52 being subdivided, and that the remainder will remain Agricultural.

53

54 Skalin commented that if we want the community to keep thriving, that this is what we
55 need.

56

57 Ailie agreed.

58

59 **MOTION: Skalin motioned to accept the application as submitted; Collins**
60 **second. All in favor. Motion carried.**

61

62 Second applicant had not arrived at this time. Vareberg ask the Board for permission to
63 move applicant three (3) into the second position of the night.

64

65 The Board agreed.

66

67 **3. APPLICANT: Edwin W Smith** 26207 Co Hwy 37 Detroit Lakes,
68 MN 56501 **Project Location:** 48513 Pow Wow Hwy Ponsford, MN
69 56575 **LEGAL LAND DESCRIPTION:** Tax ID number:
70 05.0050.000 Section 05 Township 140 Range 037; BEG NW COR
71 NW1/4 OF NE1/4 TH E 225', TH S 175', TH W 225', TH N 175' TO
72 POB REF: 05.7005.004 IN 2009. **APPLICATION AND**
73 **DESCRIPTION OF PROJECT:** Request a Conditional Use Permit
74 to operate a job-training center.

75

76 Jean Krufft presented the application virtually.

77

78 Krufft stated they would like to build a steel building to open a job-training center. She
79 stated that there is a small group in Pine Point that currently meets and makes wooden
80 toys. The purpose of this facility is to help prepare people for the workforce. The goal is
81 to also help develop entrepreneurial skills, financial management skills, and other skills
82 to help one generate an income.

83

84 Krufft also stated they are working with a screen-printing company that will come in and
85 employ clients to do screen-printing.

86

87 Knutson asked if the note in the business plan regarding fifteen (15) to twenty (20)
88 employees was clients or students.

89

90 Krufft stated that since this is a job-training facility while they will be students in training,
91 they will also be working as employees to learn these skills. She noted that fifteen (15) to

92 twenty (20) would be the maximum there would be at a time, but that it would most often
93 only be around ten (10).

94
95 Blomseth asked for clarification on the hours of operation.

96
97 Kruft said the first year the business plan states 10:00am to 2:00pm as most would not be
98 used to working long hours. She stated that as they learned more skills, they would be
99 able to work longer hours, and then at that time they would increase the hours to 9:00am
100 to 5:00pm.

101
102 Testimony Closed.

103
104 Collins made a motion to approve. Moritz second.

105
106 Aho asked if 10:00am to 2:00pm for the first year would hinder development in the event
107 they wanted to increase hours during the first year.

108
109 Blomseth stated that starting day one (1) the hours of operation could be 9:00am to 5:00
110 pm.

111
112 It was amended that the hours of operation would be from 9:00am to 5:00pm starting and
113 day one (1).

114
115
116 **MOTION: Collins motioned to approve with the amended hours; Moritz**
117 **second. Roll Call. All in favor. Motion carried.**

118
119 At this time, the second applicant had arrived, so his request moved into position three
120 (3) of the meeting.

121
122 **2. APPLICANT: Michael Griffin** 1710 Brainard Blvd Apt 209 Detroit
123 Lakes, MN 56501 **Project Location:** 29999 McHugh Rd Frazee, MN
124 56544 **LEGAL LAND DESCRIPTION: Tax ID number:** 03.0175.001
125 Section 18 Township 138 Range 040; 18-138-40 PT NE1/4 SE1/4, PT
126 SE1/4 SE1/4 COMM E QTR COR SEC 19, W 1472.46', W 14.03', W
127 266.66' TO NE HWY ROW, SE AL HWY ROW 1086.89' TO POB; NE
128 342.06' TO SW RR ROW, SELY AL ROW 926.73', SW 229.46', NW AL
129 HWY ROW 915.56' TO POB. TRACT B. **APPLICATION AND**
130 **DESCRIPTION OF PROJECT:** Request a Change of Zone from
131 Agricultural to Commercial.

132
133
134 Michael Griffin presented this application.

135
136 Aho asked what he planned to do with commercial property.

137

138 Griffin stated that he plans to operate a spray foam business on this property.
139 Seaberg commented that it is all commercial in this area Griffin is requesting the change
140 of zone.

141
142 **MOTION: Seaberg motioned to approve as submitted; Ailie second. Roll**
143 **Call. All in favor. Motion carried.**

144
145
146 **4. APPLICANT: Aaron T Simon** 29631 S Dakota Beach Rd Waubun,
147 MN 56589 **Project Location:** 29631 S Dakota Beach Rd Waubun,
148 MN 56589 **LEGAL LAND DESCRIPTION: Tax ID number: Tax**
149 **ID number:** 20.0600.000 Section 05 Township 142 Range 040;
150 SOUTH DAK BEACH REV Block 002 LOT 15 **Tax ID number:**
151 20.0585.000 Section 05 Township 142 Range 040; SOUTH DAK
152 BEACH REV Block 001 LOTS 10 & 11 **APPLICATION AND**
153 **DESCRIPTION OF PROJECT:** Request a Conditional Use Permit
154 to construct a fence eight (8) feet high deviating from the allowable
155 height of six (6) feet.

156
157 Aaron Simon presented the application.
158
159 Simon spoke on the small lot sizes in this area. Simon shared that they have tried other
160 ways to keep others and animals out of their yard, as well as keeping their own dogs in
161 their yard.

162
163 Simon stated they do not feel a fence would obstruct the view of the neighbor on the East
164 side but would be willing to remain at six (6) feet on the west side as that side would
165 obstruct views at eight (8) feet.

166
167 Seaberg asked if the applicant was wanting eight (8) feet all the way to the road.

168
169 Simon stated they would like to ask for six (6) feet on the west side, ten (10) feet on the
170 east, and that everywhere that the ordinance states four (4) feet, it would only be four (4)
171 feet. Due to elevation on the East side, Simon does not feel eight (8) feet would be high
172 enough.

173
174 Andrea Simon, sister to Aaron Simon, spoke.

175
176 Andrea Simon stated that she spends all summer at this cabin with their mother.

177
178 Andrea Simon shared incidents of harassment from the neighbor on the East side which
179 has contributed to their desire to have the fence ten (10) feet high on the East side.

180
181 Vareberg read into record an anonymous opposition letter that was received after the
182 Planning Commission members had already received and read other letters.

183

184 Knutson asked Aaron Simon to draw on his Sketch the amended changes he was
185 requesting since submitting this application.

186
187 Simon responded to a comment in the anonymous letter that was read regarding barking
188 dogs. Simon stated that they felt pressured to put bark collars on their dogs to help keep
189 peace in the neighborhood. Simon said they struggle with the fact that they felt pressured
190 to do this, while neighboring dogs are still free to bark and antagonize their dogs.

191
192 Vareberg had visited the property and stated that based on distances and elevation, that an
193 eight (8) foot high fence would defeat the purpose of investing in a fence, and that he
194 recommended ten (10) feet.

195
196 Knutson commented that there does need to be something on the East side.

197
198 Skalin asked if the board could stipulate a style of fence.

199
200 Blomseth said solid material and best side facing neighbor.

201
202 Moritz asked if they would be using the same material for all the fencing.

203
204 Simon said yes.

205
206 Neighbor Michael Zak spoke virtually. Zak asked about the amended request from eight
207 (8) to ten (10) feet and said that he disagrees with the requests and feels six (6) feet
208 should be fine.

209
210 Knutson asked Simon if they know exactly where their property lines are.

211
212 Simon said Zak had a survey done, so they know exactly where that line is, and they will
213 work with the neighbors on the west side to be sure the fence is within their property
214 lines.

215
216 **MOTION: Aho motioned to approve the amended request of ten (10) feet**
217 **along the East, six (6) feet on the west, and four (4) feet in the road setback**
218 **and shore impact zone; Seaberg second. Roll Call. All in favor. Motion**
219 **carried.**

220
221
222 **5. APPLICANT: Christopher W Foltz & Nicole L Foltz 23748 Co**
223 **Hwy 21 Detroit Lakes, MN 56501 Project Location: 23748 Co Hwy**
224 **21 Detroit Lakes, MN 56501 LEGAL LAND DESCRIPTION: Tax**
225 **ID number: 24.0195.000 Section 26 Township 140 Range 041; 26-**
226 **140-041 PT NE1/4 OF NW1/4, PT SE1/4 OF NW1/4 & PT GOVT**
227 **LOT 1: COMM N QTR COR SEC 26 TH W 694.11',AL N LN, TH S**
228 **1299.83' TO POB; E 694.14', S 66.02', W 694.18', S 62.92', SW**
229 **639.39', W 794.14', N 1089.70', E 649.15', SE 449.74', E 427.72' TO**

230 **POB. APPLICATION AND DESCRIPTION OF PROJECT:**
231 Request a Conditional Use Permit to operate a boarding kennel.
232

233 Nicole Foltz presented the application.
234

235 Foltz stated she would like to board dogs. Foltz feels there is a need for more boarding
236 options in the area. Foltz stated that there would be fifteen (15) kennels, an indoor play
237 space, and two (2) outdoor spaces.
238

239 Blomseth asked if most of the kennels would be inside.
240

241 Foltz stated that all the kennels would be inside, and that the dogs would be let out six (6)
242 to eight (8) times a day.
243

244 Seaberg asked if there would be a chain-link fence on the outside.
245

246 Foltz said yes, they are planning a chain-link fence outside for the run area.
247

248 Skalin asked if this was a horse barn.
249

250 Foltz said it is an old dairy barn, and that the plan is to remodel a section of the inside.
251 Foltz stated that one side is used for horse stalls and farm animals, and the other side is a
252 machine shed.
253

254 Seaberg asked if Foltz was going to limit it to fifteen (15) dogs.
255

256 Foltz said she will not limit it to fifteen (15). Foltz stated that some of the kennels are
257 bigger, so families could request that all their dogs stay together in one kennel.
258

259 Moritz asked what the maximum number of dogs would be that she could have at a time.
260

261 Foltz said twenty-five (25) to twenty-six (26).
262

263 Testimony closed.
264

265 Seaberg stated that she thinks this is a good idea.
266

267 Skalin motioned to approve; Ailie Second.
268

269 Blomseth asked if they should stipulate a maximum number of dogs.
270

271 Moritz thinks it would be good to stipulate to prevent numbers from getting out of
272 control.
273

274 Foltz said she would like a maximum number of forty (40), so that she has room to
275 expand if there is a demand.

276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321

Blomseth asked if Skalin and Ailie wanted to amend their motions to cap the number of dogs to forty (40).

MOTION: Skalin motion to approve the request with a maximum capacity of forty (40) dogs; Ailie second. Roll Call. All in favor. Motion carried.

6. Zoning Ordinance Amendments:

Chapter 5, Table 5-4: Road Setbacks. Reduce required road setback from U.S. and State highways from 85’ to 50’ and reduce required road setback from expressway and four lane highways from 110’ to 50’.

Blomseth mentioned there had been some discussion on changing it to thirty (30’) outside of the shoreland.

Seaberg asked who recommended fifty (50) feet.

Knutson said the Zoning ordinance review committee suggested fifty (50) feet because that is what the DNR requires in the shoreland, and there was some uncertainty administratively about having different setbacks outside the shoreland. Knutson said there is not an issue with having different setbacks in and out of shoreland.

Knutson stated that it would cut down on variances and give people more property control.

Aho asked if they would be stepping on any toes by having a thirty (30) foot setback outside of shoreland.

Vareberg stated that the DOT says as long as it is not in their road right-of-way, that they are fine with it.

Skalin and Seaberg think the setback should be changed to thirty (30) feet outside of shoreland.

MOTION: Seaberg motioned to approve setbacks for US and State Highways outside of the shoreland from eighty-five (85) feet to thirty (30) feet, Expressway and four-lane highways from one-hundred and ten (110) feet to thirty (30) feet; to approve setbacks in the shoreland for US and State Highways from eighty-five (85) feet to fifty (50) feet, Expressway and four-lane highways from one-hundred and ten (110) feet to fifty (50) feet, based on the fact that there is enough room with the road right-of-way; Second Skalin. Roll Call. All in favor. Motion carried.

322 **Other Business:**

323

324 **I) Tentative Date for Next Informational Meeting: May 5th, 2021; 8:00 am; 3rd Floor**
325 **Meeting Room in the Becker County Courthouse, Detroit Lakes, MN.**

326

327 **Since there was no further business to come before the Board, Seaberg made a**
328 **motion to adjourn. Skalin second. All in favor. Motion carried. The meeting**
329 **adjourned.**

330

331

332 _____
David Blomseth, Chairman

_____ **Jeff Moritz, Secretary**

333

334 ATTEST

335

336

337

Kyle Vareberg, Zoning Administrator