



**ITASCA COUNTY
PLANNING COMMISSION/BOARD OF ADJUSTMENT**

123 NE 4th St
Grand Rapids, MN 55744
(218) 327-2857

Wednesday, 7/14/2021

9:00 A.M.

Itasca County Boardroom

The regular meeting of the Itasca County Planning Commission/Board of Adjustment (PC/BoA) was held on 7/14/2021 at 9:00 a.m. in the County Board Room of the Courthouse with the following in attendance:

MEMBERS PRESENT: Richard Kortekaas, Dan Butterfield, Mike Bellomy, Mike Oja, Lisa Maasch;
ABSENT: None;
EXOFFICIO: Environmental Services Director Dan Swenson; Itasca County Surveyor Guy Carlson; Walker Maasch;
GUESTS: Ben Hussman; Jeff Thelemann; Mariette Sears; Janet Lund; Lori Richman; Dan Gray.

Chair Maasch called the Planning Commission/Board of Adjustment meeting to order, opening with the Pledge of Allegiance. Copies of the agenda and opening statement were available for the audience.

Agenda. There were no additions or corrections.

Minutes. Upon the motion of Butterfield/Kortekaas, which carried unanimously, the minutes of the 6/9/2021 hearing were approved as distributed.

DAJ Investments/Minor Subdivision entitled Far Creek Acres (Not a Public Hearing) – Part of NE SW, Section 7, Trout Lake Township 55-24 (Parcel #40-007-3100)—have submitted a minor subdivision entitled Far Creek Acres for acceptance by the PC/BoA. The staff report dated 7/9/2021 was entered into the record. Ben Hussman/DAJ Investments was present and discussed his proposed subdivision. He commented that the existing road on the plat, Far Creek Rd. does have 6"-8" of aggregate underneath and will submit a statement to that effect (as requested by Mr. Swenson to meet the requirement of #7 of County Surveyor Guy Carlson's letter).

Motion: Bellomy/Butterfield motioned to approve the minor subdivision entitled Far Creek Acres as set forth in the 7/9/2021 staff report contingent upon completion of the conditions mentioned in the correspondence from Itasca County Surveyor Guy Carlson and motioned carried unanimously.

Chair Maasch adjourned the Planning Commission meeting and called the Board of Adjustment meeting to order.

Jeff & Dayna Thelemann/Variance— S 326.91' of Lot 5, Section 26, Unorganized Township 59-25, Parcel #59-026-2401, submitted a variance application for variance from Section 5.6.7E of the Zoning Ordinance for construction of a 16'x28' deck to be located 93' from the Ordinary High Water Level (OHWL) of Lum Lake, Natural Environment 2 Class. The staff report dated 7/9/2021 was entered into the record. Jeff Thelemann was present and discussed his application and noted that the placement of the cabin was adjusted to allow for the best view and least removal of trees; they have checked into other options for the deck including the construction of a retaining wall but the proposed plan would have the least impact to the environment and allow the existing trees to remain. Bellomy/Kortekaas motioned to close the public portion of the meeting which carried unanimously.

Motion: Oja/Butterfield motioned to approve the variance application submitted by Jeff & Dayna Thelemann for construction of a 16'x28' deck to be located 93' (closest point) from the OHWL as set forth in the 7/09/2021 staff report. Motion carried unanimously.

Condition/s: 1) Maintain the existing buffer;
2) Comply with Best Management Practices during construction.

Mariette Sears/Variance— Part of Lot 10, Section 32, Unorganized Township 59-25, Parcel #59-032-1322, submitted an application for variance from Section 5.6.7D of the Zoning Ordinance for construction of a 14'x20' bathhouse/storage building. The staff report dated 7/9/2021 was entered into the record. It was noted that a variance was not needed for the holding tank since it was verified that it could meet the required 100' setback. Mariette Sears was present and discussed her application; she explained the cabin has no running water and a privy for sanitation and they would like to add a bathhouse/storage building with a possible 4' deck and holding tank. Mr. Swenson noted that a permit would not be required for the deck since it would be considered a walkway if only 4' in width. Kortekaas/Oja motioned to close the public portion of the meeting which carried unanimously.

Motion: Butterfield/Bellomy motioned to approve the variance application submitted by Mariette Sears for construction of a 14'x20' bathhouse/storage building to be located 61' from the OHWL as set forth in the 7/9/2021 staff report. Motion carried unanimously.

Condition/s: 1) Maintain the existing buffer;
2) Comply with Best Management Practices during construction.

Janet Lund & Lori Richman/Variance— Lot 1 less E 1050', Section 21, Unorganized Township 59-25, Parcel #59-021-2322, submitted a variance application for variance from Section 5.6.7B of the Zoning Ordinance for construction of a 16'x26' cabin addition to be located 80' from the OHWL. The staff report dated 7/9/2021 was entered into the record. Janet Lund & Lori Richman were present and their discussion included that there was a prior variance approved for the cabin (and new addition) to be relocated 75' (as amended) from the OHWL (although it was actually constructed at 80'); the proposed addition will maintain the existing OHWL setback and is needed to add one more bedroom on the main floor; photos of their cabin and neighbors' cabin were submitted for the record (PCBA 13-14) and they also plan to add a drainfield as part of this project. Dan Gray (adjacent neighbor) was present, and in opposition, with concerns regarding the location of the cabin which he considers to be a detriment and devalues his property (when he purchased the property he was under the assumption that the only available building site would be on the NW corner of the parcel where the garage was constructed). It was verified the cabin well exceeds the required side property line setback. In regard to his concern in setting a precedent, it was noted that precedents are not set and each situation is considered independently and variances can be applied for when there is a practical difficulty. It was also noted that currently the cabin is 16'x26', the bathroom will be moved, there will be a net addition of one bedroom and there is an existing 50' buffer which is well maintained. Kortekaas/Oja motioned to close the public portion of the meeting which carried unanimously. At 10:45 a.m. there was a 5-minute recess and meeting was called back to order at 10:52 a.m.

Motion: Bellomy/Oja motioned to approve the variance application submitted by Janet Lund & Lori Richman for construction of a 16'x26' cabin addition to be located 80' from the OHWL as set forth in the 7/9/2021 staff report. Motion carried unanimously.

Condition/s: 1) Maintain the required buffer (as per Variance #120333);
2) Comply with Best Management Practices during construction.

Other:

Water Plan Implementation Committee Report (WPIC). Member Butterfield reported that the County Board voted to approve the One Watershed One Plan (1W1P).

At 11:15 a.m., Kortekaas/Oja motioned to adjourn, and motion carried unanimously.

By: _____
Diane Nelson, Recording Secretary