



ITASCA COUNTY
PLANNING COMMISSION/BOARD OF ADJUSTMENT
123 NE 4th St
Grand Rapids, MN 55744
(218) 327-2857

Wednesday, 9/13/2023

9:00 A.M.

Itasca County Boardroom

The regular meeting of the Itasca County Planning Commission/Board of Adjustment (PC/BoA) was held on Wednesday, 9/13/2023, at 9:00 a.m. in the County Board Room of the Courthouse with the following in attendance:

MEMBERS PRESENT: Dan Butterfield, Mike Bellomy, Richard Kortekaas, Mike Oja;
ABSENT: Lisa Maasch;
EXOFFICIO: Dan Swenson, Environmental Services Director; Greg Stoltz, Environmental Services Coordinator; Katie Benes, Administrative Staff;
GUESTS: Kelly Kirwin, Peggy Clayton, Brian Erickson, Brian Williams, Dale Juntunen (via phone)

Chair Butterfield 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. Upon the motion of Kortekaas/Oja, which carried unanimously, the agenda was approved as distributed and motion carried unanimously.

Minutes. Upon the motion of Bellomy/Oja, which carried unanimously, the minutes of the 8/9/2023 hearing were approved as distributed.

Karl Larsen/Lake Academy/CUP—(Part of SE SE, Section 12, Harris Township 54-25, Parcel #19-012-4431) submitted an conditional use permit (CUP) application for a Day Care Facility II. Added to the record was PCBA 01c - Harris Twp. Findings. There was discussion regarding the septic system and it was questioned if it was large enough for the proposed use. Mr. Stoltz commented that only a septic designer could determine if the system is large enough. Kelly Kirwin was present, representing the applicant, and her comments included that the school has been operating since 9/5/2023 (with 7 students) and the applicants submitted a CUP, as required, to be able to increase the allowed number of students to 16. Peggy Clayton with Harris Township was present and commented that Harris Township has recommended approval. Kortekaas/Bellomy motioned to close the public portion of the meeting which carried unanimously. There was further discussion and it was noted that the applicants will also need to comply with state requirements.

Motion: Butterfield/Oja motioned to approve the CUP application submitted by Karl Larsen for a Day Care Facility II as set forth in the 9/8/2023 staff report. Motion carried unanimously.

Condition/s: Septic system shall be monitored annually for 5 yrs.

Bellomy/Oja motioned to adjourn the Planning Commission meeting and open the Board of Adjustment meeting and motion carried unanimously.

Brian Erickson/Brian Williams/Variance—(Part of Govt Lot 2, Section 17, Marcell Township 59-26, Parcel #26-017-4103) submitted a variance application for installation of a septic system to be located 50' (closest point) from the Ordinary High Water Level (OHWL) of Forest Lake. The staff report was corrected for property address to be Marcell (instead of Bigfork). An updated septic site plan (PCBA 02A) was added to the record

which placed the system further from the OHWL (as discussed at the site inspection when proposed tanks were measured to be 28' from OHWL). Brian Erickson was present and discussed his variance request which is needed to upgrade his septic system since he cannot meet the required OHWL setback due to the parcel size and location of wetlands. Brian Williams was present and discussed the advanced design which includes pre-treatment and his updated septic plan (which will need to be approved by the septic designer) that places the tank/s 40' from the OHWL (closest point) and mound >40' from the OHWL. The updated septic plan places the mound closer to the dwelling (approx. 12') and would also require a variance. Kortekaas/Oja motioned to close the public portion of the meeting which carried unanimously.

Motion: Bellomy/Oja motioned to approve the amended variance application submitted by Brian Erickson/Brian Williams for installation of septic system (two septic tanks and mound) to be located no closer than 40' from the OHWL and mound to be located no closer than 12' from the dwelling as set forth in the 9/8/2023 staff report. Motion carried unanimously.

At 9:55 a.m. there was a 5-minute recess.

Christopher & Maureen Kirkevold/Dale Juntunen/Variance—(Lot 6, Block 1, Loons Call, Section 26, Stokes Township 60-27, Parcel #38-425-0130) submitted a variance application for construction of a dwelling/decks/screen porch to be located 80' (closest point) from the OHWL of Hatch Lake. Three documents were added to the record: PCBA 09- Loons Call plat map, PCBA 10- SSTS design, PCBA 11- GIS map (with 80' & 100' OHWL setbacks). Dale Juntunen, contractor, was present via phone and discussion included that the applicants have amended their plan and reduced the west 14'x28' deck to 12'x28'. The structure plans were reviewed by the PCBA members and discussed with the contractor who mentioned all setbacks were measured from eaves. An aerial photo was also reviewed along with the parcel width and structure width. There was considerable discussion as to whether or not the structure could be constructed without a variance. Mr. Swenson commented that he had been to the site several times and the setbacks were difficult to measure (consistently) due to the irregular shoreline and the contractor's measurements are conservative. It was also mentioned that there are wetlands along the west side of the parcel. Mr. Juntunen explained that the applicant's original plan placed the dwelling closer to the north end of the peninsula and OHWL and they amended their plan to place the dwelling further to the south and further from the OHWL. Members also reviewed the construction plans further. It was mentioned that the GIS photo (PCBA #11) with 80'/100' OHWL setbacks shown is only a tool, approximate and not 100% accurate. It was also noted that no comments were received from any agencies. The public portion of the meeting was closed and there was further discussion.

Motion: Bellomy/Kortekaas motioned to approve the amended variance application submitted by Christopher & Maureen Kirkevold/Dale Juntunen for construction of an 1844 SF dwelling/12'x16' screen porch/12'x28', 6'x12' decks, 10'x13' covered deck porch to be located 80' (closest point) from the OHWL as set forth in the 9/8/2023 staff report. Motion carried unanimously.

Condition/s: Comply with Best Management Practices

Other: Water Plan Implementation Committee (WPIC) Report. No report per Member Butterfield since there was minimal new information.

At 11:10 a.m., the meeting was adjourned.

By: _____
Diane Nelson, Recording Secretary