



ITASCA COUNTY PLANNING COMMISSION/BOARD OF ADJUSTMENT

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

Wednesday, 11/13/2024

11:30 A.M.

Itasca County Boardroom

The regular meeting of the Itasca County Planning Commission/Board of Adjustment (PC/BoA) was held on Wednesday, 11/13/2024, at 11:30 a.m.* in the County Board Room of the Courthouse with the following in attendance:

MEMBERS PRESENT: Mike Bellomy, Richard Kortekaas, Dan Butterfield, Mike Oja;

ABSENT: Lisa Maasch;

EXOFFICIO: Environmental Services Director Katie Benes; Commissioner Terry Snyder;

GUESTS: Dave & Leanne Brenden; Paul Venne (via phone call); Gary & Teresa Tonneslan;
Scott Stoltenberg; Robert Bourman; Kevin Pierzina;

*Members met at the Courthouse at 8:30 a.m. to view the properties and then returned to the Courthouse to hold the meeting.

Chair Bellomy 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.

Minutes. Upon the motion of Butterfield/Kortekaas, which carried unanimously, the minutes of the 10/9/2024 hearing were approved as distributed.

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

Autumn Lane/Dave & Leanne Brenden/CUP—(Parts of Lots 17 & 18, Cohasset Heights, Section 34, Unorganized Township 56-26, Parcels #64-430-0172, 64-430-0181) — submitted a conditional use permit (CUP) application to construct a second Group Home II for up to 16 residents. The following documents were added to the record: PCBA 10 – letter recommending approval from Commissioner Cory Smith; PCBA 11 – Sheriff dispatch records; and PCBA 12 – letters of support submitted by the applicants (6 pgs.). The property was viewed on the overhead screen; it was noted the existing garage will be removed. Dave & Leanne Brenden were present and discussed their conditional use permit application for a second Group Home II as they would like to expand to serve more people due to high demand. They noted there are three existing accesses off of Pincherry Rd and they may add a fourth access off of Pincherry Rd. Members addressed Mr. Cooper's concerns (which were submitted in his 11/6/2024 email) and they reviewed the sheriff's dispatch report (21 calls in the last twelve months); noted the original CUP was issued in 1997 (prior to his purchasing his property); there would be no additional traffic on County Rd. 322 (since all accesses are off Pincherry Rd.) and his property is not adjacent to these parcels. Kortekaas/Butterfield motioned to close the public portion of the meeting which carried unanimously.

Motion: Butterfield/Kortekaas motioned to approve the CUP application submitted by Autumn Lane/Dave & Leanne Brenden for a second Group Home II for up to 16 residents as set forth in the 11/8/2024 staff report. Motion carried unanimously with the following condition:

Condition/s: Comply with Best Management Practices during construction

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

Call Back to the Table - Paul & Sandra Venne/Variance—(Lots 27, 28, 29 & 30 Urika Beach, Section 23, Harris Township 54-25, Parcels #19-600-0270, 19-600-0280, 19-600-0290, 19-600-0300) —submitted an application for variance from Sections 5.6.7 and 3.8.1C of the Zoning Ordinance for construction of a 16'x56' manufactured home/6'x56' deck to be located 62' from the Ordinary High Water Level (OHWL) of Pokegama Lake, General Development and 35' from the centerline of Sunny Beach Addition Rd. This application was tabled at the 10/9/2024 meeting (to allow for renotification) since the applicant requested his application be amended for deck to be located 57' (closest point) from the OHWL and manufactured home to be located 62' from the OHWL and 57' (closest point) from the centerline of the platted road (as were determined at the site inspection). The applicants waived the MS 15.99 time limit requirements on 10/12/2024. Paul Venne was present (via phone call) and discussed his application. Members discussed concerns regarding the existing living quarters in the garage which were not previously approved/permitted, only a garage with laundry facilities was permitted. Mr. Venne commented that the existing living quarters in the garage will be removed with the construction of the manufactured home. Peggy Clayton, with Harris Township, was present and mentioned the township had approved the original application on 9/29/2024 but since they did not receive updated information on the tabled/amended application they had no further recommendation at this time. Kortekaas/Oja motioned to close the public portion of the meeting which carried unanimously. There was further discussion regarding the living quarters in the garage. It also mentioned the manufactured home will have a shed roof and will only direct runoff towards the lake.

Motion: Butterfield/Kortekaas motioned to approve the amended variance application submitted by Paul & Sandra Venne for construction of a 6'x56' deck located 57' and 16'x56' manufactured home to be located 62' from the OHWL and 57' from the centerline of Sunny Beach Addition Rd. as set forth in the updated 11/8/2024 staff report. Motion carried unanimously.

Condition/s: 1) Remove the living quarters from the garage;
2) Comply with Best Management Practices during construction;

Call Back to the Table – Gary & Teresa Tonneslan/Scott Stoltenberg/Variance—(Part of Govt Lot 3, Section 20, Marcell Township 59-26, Little North Star/Recreational Development 1-Phosphorus Sensitive, Parcel #26-020-1403) — submitted an application for variance from Section 3.8.1A.2 of the Zoning Ordinance to replace the existing 24'x32' garage with a 28'x40' garage to be located 95' from the centerline of State Hwy. 38. It was determined at the 10/9/2024 meeting that the garage setbacks were not measured from the eaves and the application was tabled to allow for renotification for amended garage setback and include a variance for OHWL setback. Applicants have waived the MS 15.99 time limit requirements. ESD Katie Benes met with Rian Reed, DNR, and Scott Stoltenberg onsite. Rian Reed was able to establish the OHWL (which was in question due to the marshy shoreline) and after discussion, the applicant agreed to rotate garage to not go closer to the OHWL, not change road setback request and would avoid filling in wetlands (so the original application was not amended). It was noted the proposed garage will be located 39.5' from the OHWL (measured from eaves) and be no closer than the existing garage (no OHWL variance required). Gary and Teresa Tonneslan were present and discussed their application. Kortekaas/Oja motioned to close the public portion of the meeting which carried unanimously.

Motion: Bellomy/Oja motioned to approve the variance application submitted by Gary & Teresa Tonneslan/Scott Stoltenberg for a 28'x40' garage to be located 95' from the centerline of State Hwy. 38 as set forth in the updated 11/8/2024 staff report. Motion carried unanimously.

Condition/s: 1) Comply with Best Management Practices during construction;

At 1:00 p.m. the meeting was recessed for 5 min.

Marcell Community Church/Robert Bourman/Variance—(Part of Govt Lot 10, Section 18, Marcell Township 59-26, Parcel #26-018-4403) — submitted a variance application for variance from Sections 3.8.1A.2 and 4.2.6 of the Zoning Ordinance for construction of a church addition (approx. 5000 SF) to be located 123' from the centerline of State Hwy. 38 and construction would further exceed the allowed impervious surface. ESD Katie Benes amended the staff report for church addition to be up to 5000 SF (instead of approx. 5000 SF). Staff determined the existing impervious surface is 43% and after construction will be 52%. An aerial photo was viewed on the overhead screen and the church was measured to be approximately 700' from the OHWL and located on the other side of State Hwy. 38. Robert Bourman/agent was present and discussed the proposed church addition needed for their growing congregation; he explained that they were unable to purchase additional property from the landowner to the west but did purchase a portion of the property from the Marcell Family Center earlier this year; they do not use lawn fertilizer and will be upgrading their septic system. The existing storage shed will be removed. Commissioner Snyder was present and in support of the application. Kortekaas/Oja motioned to close the public portion of the meeting which carried unanimously.

Motion: Butterfield/Oja motioned to approve the variance application submitted by Marcell Community Church/Robert Bourman for construction of a church addition (up to 5000 SF) to be located 123' from the centerline of State Hwy. 38 and will further exceed the allowed impervious surface as set forth in the 11/8/2024 staff report. Motion carried unanimously.

Condition/s: 1) Comply with Best Management Practices during construction;

Janelle DeSanto (VLS LLC)/Variance—(Lot 2, Block 1, Thorpe Bros Deer Lake Cabin Sites, Section 31, Unorganized Township 57-26, Parcel #65-550-0104) — submitted an application for variance from Section 5.6.7B of the Zoning Ordinance for construction of a 10'x50' deck (to replace a 10'x16' deck/platform which was permitted as a patio platform with a 160 SF size limit) to be located 79' (closest point) from the OHWL. Commissioner Snyder recommended approval on 11/12/2024. Kevin Pierzina was present as representative and discussed the variance request for the proposed deck which will not be going closer to the OHWL than the existing deck/platform. There was discussion regarding the vegetative buffer requirements and representative agreed to comply with those requirements. Kortekaas/Butterfield motioned to close the public portion of the meeting which carried unanimously.

Motion: Bellomy/Butterfield motioned to approve the variance application submitted by Janelle DeSanto for construction of a 10'x50' deck to be located 79' (closest point) from the OHWL as set forth in the 11/13/2024 staff report. Motion carried unanimously.

Condition/s: 1) Comply with lakeshore mitigation requirements;
2) Comply with Best Management Practices;

At 2:00 p.m., Chair Bellomy motioned to adjourn, and motion carried unanimously.

By: _____
Diane Nelson, Recording Secretary