

**Becker County Planning Commission
October 20, 2009**

Present: John McGovern, Don Skarie, Dan Schlauderaff, Harry Johnston, Jim Kovala, John Lien, Mary Seaberg, Commissioner Larry Knutson and Zoning Staff Debi Moltzan.

Vice Chairman Lien called the meeting to order at 7:00 pm. Debi Moltzan took minutes.

Minutes: Kovala made a motion to approve the September 15, 2009 minutes. Seaberg second. All in favor. Motion carried.

Lien explained the protocol for the meeting and explained that the recommendations of the Planning Commission would be forwarded to the County Board of Commissioners for final action on Tuesday, October 27, 2009.

FIRST ORDER OF OLD BUSINESS: David and Ella Brenneman, Clarification of existing Conditional Use Permit Document #568321 issued April 28, 2009.

Moltzan explained that conditional use permit states that the cemetery is to begin 600 feet north of the road. Brenneman wanted clarification as to whether this means the burial plots begin 600 feet north of the road or if the actual boundary of the cemetery is to begin 600 feet north of the road. Moltzan further stated that if the cemetery boundary begins 600 feet north of the road, the cemetery would be in the wetland and if the cemetery did not have road frontage, an easement would have to be created to access it.

Lien stated that he made the motion and felt that the 600 feet was an arbitrary number and that they should not have to be held to that number. Discussion was held as to the minimum acreage to begin a cemetery, location of the wetlands, and setbacks from property lines and wetlands.

Motion: Kovala made a motion to amend Document No. 568321, amending the conditional use permit to establish an Amish Church Cemetery based on the fact that the use would not be detrimental to the surrounding area, with the cemetery with the southern boundary being the County road right of way and the northern boundary being fifty (50) feet from the wetland, with the first burial plots being fifty (50) feet from the westerly property line and fifty (50) feet from the wetlands, and with a natural vegetation growth and evergreen trees planted along the westerly property line as a buffer. Knutson second. All in favor. Motion carried. Approval of amendment recommended.

FIRST ORDER OF NEW BUSINESS: Timothy Tyge. Request a conditional use permit for a second dwelling on the property to be utilized by a family member due to medical reasons for the property described as: Frac SW1/4 N of RD BEG 1150's of NW Cor of SW1/4; TH S, Section 18, TWP 139, Range 40, Erie Township. PID Number 10.0300.004. The property is located at 19243 Co Hwy 25.

The applicant has withdrawn this application.

SECOND ORDER OF NEW BUSINESS: Rob Hesby. Request approval of a certificate of survey for a 1.3 acre tract with a remainder tract of 7.6 acres and request a change of zone from agricultural to residential for the 1.3 acre tract. The property is described as: Pt of Govt Lot 2, Section 21, TWP 138, Range 42; Lake Eunice Township. PID Number 17.0232.000. The property is located at 13065 Town Hall Rd, Maud Lake.

Scott Walz, surveyor, explained the application to the Board. The entire parcel is located between Dorff Beach Road and Town Hall Road. This portion of property is separated from the rest of the buildable property by a wetland. The tract of land meets the criteria of a residential lot.

Johnston questioned if there were any structures on the property. Walz stated that this piece of property was vacant; the garage seen was on the adjacent property.

No one spoke in favor of the application. No one spoke against the application. There was no written correspondence either for or against the application. There was no written correspondence either for or against the application. At this time testimony was closed and further discussion was held.

Seaberg stated that the area across the road from this tract was residential in character, so it would be a good fit. Lien agreed.

Motion: Seaberg made a motion to approve the certificate of survey for a 1.3 acre tract with a remainder tract of 7.6 acres and the change of zone from agricultural to residential for the 1.3 acre tract based on the fact that the split meets the criteria of the zoning ordinance and is compatible with the surrounding area. Johnston second. All in favor. Motion carried. Approval recommended.

THIRD ORDER OF NEW BUSINESS: Richard White and Teri Elsey. Request approval of a certificate of survey for a 2.9 acre tract with a remainder tract of 82.7 acres for the property described as: NW 1/4 NE 1/4 Govt Lot 10 and Govt Lot 9, Section 31, TWP 139, Range 42, Audubon Township. PID Number 02.0215.000. The property is located on Little Cormorant Lake at 17001 Co Rd 103.

White explained the application to the Board. They would like to subdivide the 2.9-acre tract with the house from the remaining acreage. The out buildings would be on the

remainder tract. An easement is in place to allow access to the house tract and to the out buildings.

No one spoke in favor of the application. No one spoke against the application. Written correspondences in favor of the application were received from Audubon Township and Rob Jordahl. At this time, testimony was closed and further discussion was held.

Lien stated that the application meets the criteria of the Zoning Ordinance.

Motion: Kovala made a motion to approve the certificate of survey to allow a 2.9-acre tract with a remainder tract of 82.7 acres based on the fact that the application meets the criteria of the Zoning Ordinance and is not detrimental to the surrounding area. Skarie second. All in favor. Motion carried. Approval recommended.

FOURTH ORDER OF NEW BUSINESS: Beau Jacobson. Request approval of a conditional use permit for a business consisting of the sale of crop insurance and the sale of crop seed to include bulk and sacked seed storage) for the property described as: 10 ac split; NE Cor..., Section 06, TWP 140, Range 43, Cuba Township. PID Number is a split from 07.0025.000. The property is located on Co Hwy 14.

Jacobson explained the application to the Board. A business would consist of selling crop insurance and selling crop seed. The building would be a Foltz building and storage tanks for bulk seed. When completed it would look like a regular farm site with a farm building and storage tanks.

Speaking in favor of the application was Bill Sherlin, who felt that an agricultural related business should be allowed in an agricultural district. No one spoke against the application. There was no written correspondence either for or against the application. At this time, testimony was closed and further discussion was held. Knutson felt the application was a good fit with the surrounding area and is a needed service.

Motion: Seabaerg made a motion to approve a conditional use permit to allow a conditional use permit for a business consisting of the sale of crop insurance and the sale of crop seed to include bulk and sacked seed storage based on the fact that it would not be detrimental to the surrounding area. Kovala second. All in favor. Motion carried. Approval recommended.

FIFTH ORDER OF NEW BUSINESS: Final Plat of The Woods on Lake Maud II, Brad Solheim developer. PID Number 17.1252.800.

The preliminary plat was approved July 2009 for a plat of consisting four (4) lots with the stipulation that purchasers must be made aware of DNR spawning regulations and the developer maintains the road until the Township takes over the maintenance of the road.

Motion: Johnston made a motion to approve the final plat of The Woods on Lake Maud II based on the fact that it meets the criteria of the Zoning Ordinance. Kovala second. All in favor. Motion carried. Approval recommended.

SIXTH ORDER OF NEW BUSINESS: Final Plat of Common Interest Community No. 72, Viking Bay, Vicki Grondahl developer. PID number 06.0018.000.

The conditional use permit for a cluster development was approved June 1984 for five (5) riparian and five (5) non-riparian units.

Johnston stated that the conditional use permit was 25 years old and has not been enacted until now and the density does not meet today's criteria. Johnston felt that the ordinance needed to be changed to put time lines on conditional use permits that are not enacted within a certain period of time. Lien agreed.

Grondahl stated that, when they applied for the conditional use permit, they were ahead of their times and people did not understand the CIC concept. She has ran a resort for the last 32 years and now wants to convert it from a resort to a CIC. There are eleven (11) rental units now and the conditional use permit allows for ten (10).

Motion: Seaberg made a motion to approve the final plat of CIC No. 72, Viking Bay, based on the fact that it meets the conditions of the conditional use permit. McGovern second. All in favor. Motion carried. Approval recommended.

SEVENTH ORDER OF NEW BUSINESS: Informational Meeting.

The next informational meeting is scheduled for Thursday November 12, 2009 at 8:00 am in the Third Floor Meeting Room of the Original Courthouse.

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

John Lien, Vice Chairman

Jeff Moritz, Secretary

ATTEST

Patricia L. Swenson, Administrator