

## ZONING OFFICE

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Trina Bergloff, Zoning Administrator/Solid Waste Officer  
Holly Nelson, Deputy Zoning Administrator  
Terry Lakin, Building Technician II/Interim Building Official  
Dennis Ginter, Building Inspector  
Darrick Wotachek, Water Planner/Wetland Specialist  
Erica Wilson, Administrative Assistant/Permit Technician

The Board of Adjustment met at 9:00a.m. on Thursday February 11, 2021 which was held virtual.

Members present: Valerie Marty-Anderson, Jim Fridstrom, Dave Lindahl, Dave Henderson, Larry Fredlund

Other members present: Trina Bergloff, Zoning Administrator, Holly Nelson, Deputy Zoning Administrator, Tim Nelson, Chief Deputy County Attorney

Valerie Marty-Anderson, Chairperson called the meeting to order at 9:00 a.m.

A motion was made by Dave Henderson and seconded by Jim Fridstrom to approve the minutes of the January 14, 2021 meeting with the correction that the meeting was virtual. Motion carried unanimously.

1. The request of David Mohs, 13050 Dunkirk Circle NE, Blaine, MN 55449 (Property Address: 35460 Blackfoot Street NW, Cambridge, MN 55008) to vary the Isanti County Zoning Ordinance, Section 6, Agriculture/Residential District, Subdivision 2, Permitted Uses #19 c #6 requiring all lots shall have no less than a one hundred fifty (150) foot width at the road frontage and at the building setback line. Legal description is the S ½ of the NE 1/4 of Section 18, Township 36, Range 24, Springvale Township.

Terry Rothenbacher was present for this request representing David Mohs. Trina Bergloff stated that this property is zoned Agriculture/Residential District. This property is 73.93 acres. They would like to create a lot (proposed plat Lot 1 Block 3 Hunters Special) 1.93 acres that cannot meet the 150' width at the road frontage and at the building setback line of 120' centerline of township road. They are requesting to have 146.4' lot width at the building setback line and 135.96' lot width at the road right of way. There is an existing parcel (exception) to the south of this proposed lot that cuts through this 73.93 acres. The required lot width at the road frontage and the building setback line is 150'. They can't meet the 150' lot width due to the parcel and driveway to the south which is not owned by Mr. Mohs. If the driveway had to be moved it would destroy several mature trees. Steve Lindgren, Springvale Township stated that as long as it follows Springvale Township requirements and Isanti County's requirements they have no objection to this request. Trina Bergloff stated that there is a camper on the property that appears to be lived in which is not a permitted use in the Agriculture/Residential District. Mr. Moh's was notified by the Zoning Office by a letter. Mr. Moh's has not contacted the Zoning Office regarding this issue. Terry Rothenbacher stated that he will speak to Mr. Moh's and have him contact the Zoning Office as soon as possible. **A motion was made by Dave Lindahl and seconded by Jim Fridstrom to approve this request to vary the Isanti County Zoning Ordinance, Section 6, Agriculture/Residential District, Subdivision 2, Permitted Uses #19 c creating a future platted lot with 146.4' lot width at the building setback line and 135.96' lot width at the road right of way.** Findings: 1. The exception parcel to the proposed plat is existing which the landowner did not create so the

*variance is in harmony with the general purpose and intent of the official control. 2. There is an existing driveway to the south which limits the lot width size for this proposed lot and would be difficult to move the driveway due to mature trees so there are practical difficulties in carrying out the strict letter of any official control. 3. In the Agriculture/Residential District additional housing is a goal of Isanti County Comprehensive Plan so the terms of the variance are consistent with the policies of Isanti County. Motion carried unanimously.*

2. The request of Dustin and Taylor Guinn, 27755 Blue Lake Drive NW, Zimmerman, MN 55398 to construct a pole type structure with less than the required setback to the road right of way of a township road. Legal description is Lot 13 Block 1 & Lots 12 and 17 Block 3 Oak Ridge of Section 31, Township 35, Range 25, Spencer Brook Township.

Dustin and Taylor Guinn were present for this request. Trina Bergloff stated that this property is zoned Shoreland District because of it lying within 1,000' of Blue Lake. They would like to construct a 40' x 60' pole type structure 10' from the road right of way of a township road that has not been constructed. The required setback is 50' from the road right of way. There is a septic system that is located in the middle of this lot for the single family dwelling that is located across the road (Blue Lake Drive) on a different lot. There is a utility easement that runs through this lot. The lot is 22, 410 square feet in size. The imperious surface coverage of the lot is 10.7 percent. Dustin Guinn stated that they would like to construct a pole barn for personal storage in this location due to the sloping of the lot, the septic system location and there is no other place to construct it. Lyle Peterson, Spencer Brook Township stated that at their board meeting on February 8, 2021 they concluded that while they would like to have the building farther off the road right of way, since this is a dedicated road in a plat for some undetermined time in the future, they would not be opposed to this plan as long as it maintains at least a 10' setback from the road right of way. Taylor Guinn stated that their septic system is on this lot and want to avoid that area along with a 4' retaining wall for drainage on the lot. Larry Fredlund asked Dustin Quinn if it would be possible to move the proposed pole structure closer to the septic system because it is not a habitable structure. Dustin Quinn stated that they could move a little closer to the septic system being 15' from the road right of way. **A motion was made by Larry Fredlund and seconded by Dave Lindahl to approve this request to construct a pole type structure 15' from the road right of way of an undeveloped township road (Lot A Oak Ridge) with the following conditions: 1. Must maintain drainage on the lot. 2. The pole type structure must have a rain gutter on the west side of the structure.** Findings: 1. This lot is long and narrow so the variance is in harmony with the general purpose and intent of the official control. 2. Due to the lay of the land with the sloping of the lot and the septic system location there are practical difficulties in carrying out the strict letter of any official control. 3. The township road is not physically constructed currently and the township doesn't know when and if that road would ever be constructed so the terms of the variance are consistent with the polices of Isanti County. Motion carried unanimously.

3. The request of Brian and Lisa Swanson, 15130 Waco Street NW, Ramsey, MN 55303 and Eunice Barnes, 6250 253<sup>rd</sup> Avenue NE, Stacy, MN 55079 to vary the Isanti County Zoning Ordinance, Section 6, Agriculture/Residential District, Subdivision 2, Permitted Uses #19 b requiring each single family home shall be located on a minimum of one (1) acre in size and a minimum of one (1) contiguous buildable area. All new lots that require platting shall be one (1) acre – three (3) acres in size. For any new plat, however, one lot contained within the plat within each quarter-quarter section may exceed three (3) acres. Legal description is Pt NW ¼ & Pt NE ¼ and Outlots A, B & C Barnes Addition of Section 20, Township 34, Range 22, Oxford Township.

Kyle Roddy, LHB Surveying, Inc. was present for this request representing Brian and Lisa Swanson. Trina Bergloff stated that this property is zoned Agriculture/Residential District. These parcels total 100+ acres. The Swanson's would like to buy this property and subdivide/plat. A plat was done in 1999 when two parcels per quarter quarter section was allowed. Since that time the Isanti County Zoning Ordinance has changed to four parcels per quarter quarter section. They would like to utilize the remaining building rights. The requirement is one acre minimum and three acre maximum unless it is the last remaining building right in the quarter quarter section. Kyle Roddy stated that two of the proposed new lots would exceed the three acre maximum lot size requirement. The proposed new lots would be Lot 1 Block 1 – 25.6 acres (NE ¼ of the NW ¼) and Lot 1 Block 2 – 13.6 acres. Jessica Iserman, a neighbor stated her concerns with building by the creek. Carla Okerlund, a neighbor stated her concerns with an additional housing development in the neighborhood and Nebula Street with additional driveways. Brian Swanson stated that they are working with Oxford Township regarding Nebula Street. They do not have the final details on the preliminary plat or where the driveways are going to be placed. Sandy Hagen, Oxford Township stated that they are working with the Swanson's regarding the driveway accesses. Trina Bergloff stated that County Ditch #13 runs through this property. Mike Miller, Oxford Township sent a letter stating that Oxford Township is in opposition of this request due the fact that they do not see a hardship and lack of easements to these properties. **A motion was made by Larry Fredlund to approve this request to vary the Isanti County Zoning Ordinance, Section 6, Agriculture/Residential District, Subdivision 2, Permitted Uses #19 b requiring each single family home shall be located on a minimum of one (1) acre in size and a minimum of one (1) contiguous buildable area. All new lots that require platting shall be one (1) acre – three (3) acres in size. For any new plat, however, one lot contained within the plat within each quarter-quarter section may exceed three (3) acres. Motion failed due to lack of a second motion.** Kyle Roddy stated that the Swanson's are losing a building right in making one larger lot in the NW ¼ section so there is no question if it has the last remaining building right in that quarter quarter section. There is a road that divides this property and divides the quarter quarter section as well. Richard Heilman, County Engineer has no concerns with the concept plan. Glen Larson, questioned where the new lots were going to be located. **A motion was made by Jim Fridstrom to table this request to vary the Isanti County Zoning Ordinance, Section 6, Agriculture/Residential District, Subdivision 2, Permitted Uses #19 b requiring each single family home shall be located on a minimum of one (1) acre in size and a minimum of one (1) contiguous buildable area. All new lots that require**

**platting shall be one (1) acre – three (3) acres in size. For any new plat, however, one lot contained within the plat within each quarter-quarter section may exceed three (3) acres. Motion failed due to lack of a second motion.** Larry Fredlund stated that a preliminary plat will need to be approved and before that happens it needs to be reviewed by the township and the planning commission members. **A motion was made by Dave Lindahl and seconded by Dave Henderson to approve this request to vary the Isanti County Zoning Ordinance, Section 6, Agriculture/Residential District, Subdivision 2, Permitted Uses #19 b requiring each single family home shall be located on a minimum of one (1) acre in size and a minimum of one (1) contiguous buildable area. All new lots that require platting shall be one (1) acre – three (3) acres in size. For any new plat, however, one lot contained within the plat within each quarter-quarter section may exceed three (3) acres by creating two lots greater than three acres and to create a lot greater than three acres that is not the last remaining building right.**

*Findings: 1. Due to the location of the road separating the parcels and existing outlots the variance is in harmony with the general purpose and intent of the official control. 2. Due to the lay of the land and there is no other way to divide the property meeting the letter of the law there are practical difficulties in carrying out the strict letter of any official control. 3. They are meeting the density of four parcels per quarter quarter section requirement so the terms of the variance are consistent with the polices of Isanti County.*

Motion carried unanimously.

A motion was made by Jim Fridstrom and seconded by Dave Lindahl to adjourn the meeting at 11:10 a.m. Motion carried unanimously.

Trina Bergloff  
Zoning Administrator

TB:hn