

## ZONING OFFICE

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Trina Bergloff, Zoning Administrator/Solid Waste Officer  
Holly Nelson, Deputy Zoning Administrator  
Dennis Ginter, Building Official  
Terry Lakin, Septic Specialist  
Erica Wilson, Compliance Specialist  
Talisha Zimmerman, Water Planner/Wetland Specialist  
Kerry Birch, Administrative Assistant/Permit Technician

The Board of Adjustment met at 9:00a.m. on Thursday March 9, 2023 in the County Board Room of the Isanti County Government Center, 555 – 18<sup>th</sup> Avenue SW, Cambridge, MN 55008.

Members present: Valerie Marty-Anderson, Jim Fridstrom, Dave Henderson, Connie Thorp, Kathy Skiba

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

Members not present: Bill Gertz

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

A motion was made by Jim Fridstrom and seconded by Kathy Skiba to approve the minutes of the February 9, 2023 meeting as presented. Motion carried unanimously.

1. The request of Amanda Latsch, 1992 338<sup>th</sup> Lane NE, Cambridge, MN 55008 to install a septic system with less than the required setback from the road right of way of a Township Road, with less than the required setback from the side property line and with less setback than the required setback from the single family dwelling. Legal description is Pt Lot 7 Block 2 Soderberg's Addition and Pt SW ¼ of the NW ¼ of Section 28, Township 36, Range 23, Cambridge Township.

**A motion was made by Dave Henderson and seconded by Jim Fridstrom to table this agenda item until the end of the meeting.** Motion carried unanimously.

2. The request of Sauk Lake Cabin LLC, Ricky Chow, 388 16<sup>th</sup> Avenue NW, New Brighton, MN 55112 (Property Address: 3810 416<sup>th</sup> Avenue NW, Braham, MN 55006) to vary the Isanti County Zoning Ordinance, Section 11, Shoreland District, Subdivision 3 #b as it relates to new private access drive regulations. Legal description is Lot 2 Block 1 Lory Lake Shores of Section 5, Township 37, Range 24, Maple Ridge Township.

Ricky Chow was present for this request. Trina Bergloff stated that this property is zoned Shoreland District. It is located on Lory Lake which is a Recreational Development Lake. This property was platted in 2017. At that time it was stated that lots 2 and 3 will have a shared access off 416<sup>th</sup> Avenue. The existing private access drive was constructed by a previous property owner and does not meet the county ordinance requirements of a 24' wide driving surface with a 120' diameter

turning surface at the terminus for a new private access drive. They are proposing to construct a slim hammerhead (T) 120' x 12' rectangle centered with 12' radius corners on the current end of the existing private drive. The requirement is that all new private access drives intended to service two building sites shall have a sixty-six (66) foot easement or owned property and a twenty-four (24) foot driving surface, with a minimum of three (3) inches of class 5 gravel and shall provide an adequate turning surface of at least one hundred twenty (120) feet in diameter at the terminus of the road. The travel surface in the easement shall be built as close as practical to the centerline of the easement and shall have at least 3' on each side of the travel surface to the easement. Said road(s) must be completed prior to the issuance of the Certificate of Occupancy. If the Township in which the private access drive is located has adopted its own road standards, these standards shall govern and the Township will inspect the private access drive. All driveway access points on County or Township roads shall require a permit from the local road authority. Ricky Chow stated that the neighbor to the south (Lot 3) has been unresponsive to construct a cul-de-sac. Trina Bergloff stated that she has spoken to the County Highway Department and they recommended a 20' radius with 16' width. Ms. Bergloff reached out to the fire department. David Nistler, a member of the audience stated he is in favor of this request. Jim Fridstrom stated that he would support a hammerhead (T) 120' x 16' rectangle with 20' radius and 3" class 5 gravel. He would also like to see a 24' driving surface. Mr. Chow stated that he would change his request to a hammerhead (T) 120' x 16' rectangle centered with 20' radius corners. **A motion was made by Jim Fridstrom and seconded by Dave Henderson to approve this request to vary the Isanti County Zoning Ordinance, Section 11, Shoreland District, Subdivision 3 #b as it relates to new private access drive regulations constructing a hammerhead (T) 120' x 16' rectangle centered with 20' radius corners.** Motion carried unanimously. Mr. Chow expressed his concerns with spacing of the back slopes and ditch of the road. He would like to verify that information with the County Highway Engineer before moving forward. A 60 day waiver has been signed. **A motion was made by Jim Fridstrom and seconded by Dave Henderson to withdraw their motion.** Motion carried unanimously. **A motion was made by Jim Fridstrom and seconded by Dave Henderson to table this request until the April 13, 2023 meeting to get standard road recommendations from the County Highway Department.** Motion carried unanimously.

3. The request of Eric Dirksen, 28049 Yellow Pine Street NW, Isanti, MN 55040 to construct a structure/hoop type building with less than the required setback from the side property line. Legal description is Lot 5 Block 2 Bradford Estates of Section 35, Township 35, Range 24, Bradford Township.

Eric Dirksen was present for this request. Trina Bergloff stated that this property is zoned Agriculture/Residential District. This property is 1.88 acres. They have constructed a structure/hoop building too close from the side property line. All other setback requirements have been met. The required setback is 30' from the

side property line. A letter was received from Lindsay Logan, a neighbor supporting this request. Eric Dirksen stated that he has constructed a temporary hoop building 5' from the side property line. He has found the front line survey pin. Eric Dirksen stated that due to the layout of the property and drainage there is no other location to place the structure. Jim Fridstrom stated his concerns with the structure being temporary in nature. He felt it can be moved to meet the required setbacks. Barton Barnes, a member of the audience and a neighbor to the south stated his concerns with a lean-to on the south side of the property that may be too close to the property line as well. Eric Dirksen stated that was a different structure and he will find the survey pins on that side of the property as well. **A motion was made by Jim Fridstrom and seconded by Dave Henderson to deny this request to construct a structure/hoop type building 5' from the side property line due to the fact that the structure is temporary in nature and can be moved to another location of the property meeting the required setbacks.** *Findings: 1. The structure is temporary and can be moved to meet the setbacks so the variance is not in harmony with the general purpose and intent of the official control. 2. The temporary structure can be removed and/or relocated on the property so there are no practical difficulties in carrying out the strict letter of any official control. 3. The terms of the variance are not consistent with the policies of Isanti County.* Motion carried unanimously.

4. The request of David & Sarah Nistler, 30619 Julliard Street NE, North Branch, MN 55056 to reconstruct an addition (kitchen, basement & 2<sup>nd</sup> story) to the single family dwelling with less than the required setback from the ordinary high watermark of the creek and to construct an attached garage and breezeway with less than the required setback from the ordinary high watermark of the creek. Legal description is the SE ¼ of the NW ¼ Fct Except N 430' of Section 14, Township 35, Range 22, North Branch Township.

David and Sara Nistler were present for this request. Trina Bergloff stated that this property is zoned Shoreland District. The property is located within 300' of the creek. The setback requirement is 150' from the ordinary high watermark of the creek. This property is 26.97 acres. They would like to reconstruct the existing kitchen addition that has no foundation and is dilapidated. The house was built in 1900. They would construct a basement under the kitchen addition lifting the existing house 2'. The kitchen addition would be 35' x 14'. This proposed addition would be 88' from the ordinary high watermark of the creek. They would also like to construct a 24' x 42' attached garage and breezeway 79' from the creek. Currently there is no attached garage on this property. Dave Henderson questioned the elevation of the lot and bluff area. Sara Nistler stated that she has a letter of map amendment from FEMA removing the house location from the flood plain. **A motion was made by Jim Fridstrom and seconded by Kathy Skiba to table this request until the end of the meeting.** Motion carried unanimously.

**A motion was made by Jim Fridstrom and seconded by Dave Henderson to untable Agenda item #1.** Motion carried unanimously.

Amanda Latsch was present for this request. Valerie Marty-Anderson stated that this request was tabled from the January 12, 2023 meeting for the property owner to contact the septic designer to get a new septic which would locate the septic system to be out of the road right of way of the Township Road. Holly Nelson stated that a septic permit was issued October 10, 2022. Hasslefree Septic Service installed a box mound on the property. The Zoning Office received a telephone call from Cambridge Township stating that the box mound was too close to the road right of way. Our septic inspector conducted an inspection and questioned the location of the road right of way. They are requesting that the NE corner of the septic box mound be 28" into the road right of way and the NW corner of the septic box mound be 6" into the road right of way. Mike Peterson, the septic designer was present and stated that he designed the system and there is no other location to place the system. Jim Fridstrom stated that he would not support any of the septic system in the road right of way. Amanda Latsch stated that the septic system meets the required setback from the house, septic tanks and side property lines. Mike, Hasslefree Septic stated that he installed the septic system per the design. Mike Peterson, septic designer stated that he would design a new septic system so that the septic system is out of the road right of way. Amanda Latsch stated that she would like to amend her request to have the septic system o' from the road right of way. **A motion was made by Kathy Skiba and seconded by Connie Thorp to approve this request to install a septic system o' from the road right of way of a Township Road.** *Findings: 1. They redesigned the septic system so that the septic system is out of the road right of way so the variance is in harmony with the general purpose and intent of the official control. 2. There is no other location to place the septic system due to the well, house, and tank locations, and this is a small lot so there are practical difficulties in carrying out the strict letter of any official control. 3. A full septic system is better septic tanks alone which is improving the property so the terms of the variance are consistent with the policies of Isanti County.* *Aye: Kathy Skiba, Connie Thorp, Dave Henderson, Valerie Marty-Anderson. Nay: Jim Fridstrom.* Motion carried.

**A motion was made by Jim Fridstrom and seconded by Dave Henderson to untable agenda item #4.** Motion carried unanimously.

Sara Nistler stated that the elevation of the house is 925' and the creek elevation is 906'. Valerie Marty-Anderson questioned Mr. & Mrs. Nistler if the garage could be turned to meet the 88' setback from the ordinary high watermark of the creek so it would be the same distance as the existing single family dwelling. Sara Nistler stated that the garage and breezeway could be turned so it would be 88' from the ordinary high watermark of the creek. **A motion was made by Jim Fridstrom and seconded by Dave Henderson to approve this request to construct a 35' x 14' kitchen with a basement 88' from the ordinary high watermark of the creek**

**and to construct a 24' x 42' attached garage and breezeway 88' from the ordinary high watermark of the creek.** *Findings: 1. The existing dwelling is already 88' from the ordinary high water mark of the creek so the variance is in harmony with the general purpose and intent of the official control. 2. The house is existing and was built in 1900 so there are practical difficulties in carrying out the strict letter of any official control. 3. Garages are needed in Minnesota and this will be improving the property so the terms of the variance are consistent with the policies of Isanti County.* Motion carried unanimously.

**A motion was made by Jim Fridstrom and seconded by Kathy Skiba to adjourn the meeting at 11:21 a.m.** Motion carried unanimously.

Trina Bergloff  
Zoning Administrator

TB:hn