

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
Darrick Wotachek, Water Planner/Wetland Specialist
Erica Wilson, Administrative Assistant/Permit Technician

The Board of Adjustment met at 9:00a.m. on Thursday July 14, 2022 in the County Board Room of the Isanti County Government Center, 555 – 18th Avenue SW, Cambridge, MN 55008.

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 Jim Fridstrom and seconded by Larry Fredlund to approve the minutes of the June 9, 2022 meeting as presented. Motion carried unanimously.

1. The request of Richard Horbul, 33355 Rhinestone Street NW, Princeton, MN 55371 to construct an addition of a breezeway and attached garage to an existing dwelling with less than the required setback from the road right of way of a Township Road. Legal description is Lot 12 Torell Shores of Section 28, Township 36, Range 25, Wyanett Township.

Richard Horbul was present for this request. Trina Bergloff stated that this request was tabled from the June 9, 2022 meeting in order for the applicant to be present for questions and for the applicant to provide the impervious surface coverage of the lot and to scale back the size of the garage. This property is located on Green Lake which is a General Development Lake. They would like to construct an attached 12' x 12' breezeway and a 24' x 48' garage. They are requesting to be 11' from the road right of way of the township road. The house was built in 1966. A new septic system was installed in 2019 for three bedrooms. In 2019 a building permit was issued to convert the existing garage into living space. This property is located in a mapped flood plain area. The flood elevation for Green Lake is 926'. The lowest floor of the proposed addition would need to be 1' above 926'. The impervious surface area is at 21% coverage of the lot. There has been no input from Wyanett Township regarding this request. The required setback is 50' from the road right of way of a township road. Richard Horbul stated that they have limited storage space on the property and would like to store his items indoors. Larry Fredlund asked Mr. Horbul if he could shorten the length of the garage so there is not such an infringement towards the road right of way. Mr. Horbul stated that he would like to stay with his request because Wyanett Township has no issues with it and it is a township road. **A motion was made by Larry Fredlund and seconded by Dave Henderson to approve this request to construct an attached 12' x 12' breezeway and an attached garage 20' from the road right of way of a Township Road unless Wyanett Township submits a letter to the Isanti County Zoning Office stating that Wyanett Township has no issues with the setback of being 16' to 19' from the road right of way from the Township Road.**

Findings: 1. This is a dead end road with not a lot of daily traffic so the variance is in harmony with the general purpose and intent of the official control. 2. The existing house was built in 1966, and the placement of the existing septic system makes this the only location to construct the breezeway and garage so there are practical difficulties in carrying out the strict letter of any official control. 3. Indoor storage is necessary so the terms of the variance are consistent with the polices of Isanti County. Motion carried unanimously.

2. The request of Ryan Vettleson & Ulrika Vettleson, 5211 332nd Lane NW, Cambridge, MN 55008 to construct a shed with less than the required setback from the side property line and with less than the required setback from the road right of way of the Township Road. Legal description is Pt. of Govt. Lot 2 of Section 36, Township 36, Range 25, Wyanett Township.

Ryan Vettleson was present for this request. Trina Bergloff stated that this request was tabled from the June 9, 2022 meeting. This property is 0.34 acres. It is located on Spectacle Lake which is a General Development Lake. They would like to construct a shed 3' from the east side property line and 21' from the road right of way of a township road. Impervious surface of the lot is 17.62% with this proposed structure. The required setbacks are 10' from the side property lines, 75' from the ordinary high watermark of the lake and 50' from the road right of way of township road. A building permit is not needed due to fact that it is under 200 square feet but the structure does need to meet the required setbacks. Ryan Vettleson stated that the shed is 10' x 12' for personal storage. There is no other location to construct the shed due to the lay out of the property. **A motion was made by Dave Lindahl and seconded by Larry Fredlund to approve this request to construct a shed 3' from the east side property line and 21' from the road right of way of the Township Road.** *Findings: 1. Two other sheds have been removed from the property so the variance is in harmony with the general purpose and intent of the official control. 2. Due to the location of the drain field and placement of trees there are no other locations to construct the shed so there are practical difficulties in carrying out the strict letter of any official control. 3. Indoor storage is necessary and they are under the impervious surface percentage requirement so the terms of the variance are consistent with the polices of Isanti County. Motion carried unanimously.*

3. The request of William Remus (Gerald Remus, Executor or State), 30448 Highway 47, Isanti, MN 55040 and JB Properties of Bradford, LLC, (Bryan & Jen Hathaway), 3472 305th Avenue NW, Isanti, MN 55040 to vary the lot size requirement for a duplex. Legal description is Pt NE ¼ of the SE ¼ desc as: S 125' of N 490' of E 208.48' of Less MN DOT R/W Plat 30-24 Parcel 6 of Section 18, Township 35, Range 24, Bradford Township.

Bryan and Jen Hathaway were present for this request representing William & Gerald Remus. Trina Bergloff stated that this property is located in downtown Bradford which is zoned Rural Service Center. The property is 0.56 acres. The house was built in 1950. It has been used as a duplex according to the Isanti County Assessor's Office since 2012.

It has been a rental property for several years. A variance was granted September 12, 2019 to construct a pitched roof on this dwelling 32' from the road right of way of State Highway 47. The required lot area in this district is one acre with a lot width of 100'. The required lot size for a duplex is the minimum lot area and lot width increased by 50 percent which would be 1.5 acres and 150' lot width. Dave Henderson stated that this property has been used as a duplex for several years. Tim Nelson stated that "an after the fact variance" has a criteria and in this case is attempting to have the property become compliant. It shows good faith and has been used as a duplex for several years. Gwen Heffner, neighbor to the south stated that she has no objection to this request. Bryan Hathaway stated that the septic is compliant for four bedrooms which this dwelling has. **A motion was made by Larry Fredlund and seconded by Jim Fridstrom to approve this request to vary the lot size requirement for a duplex which is 1.5 acres and 150' lot width.** *Findings: 1. A goal of Isanti County Comprehensive Plan is to create affordable housing. This duplex has existed for several years so the variance is in harmony with the general purpose and intent of the official control. 2. This use is permitted in this district and there is no way to acquire more property so there are practical difficulties in carrying out the strict letter of any official control. 3. This request fits into the criteria of an after the fact variance and the county will benefit for additional housing so the terms of the variance are consistent with the policies of Isanti County.* Motion carried unanimously.

4. The request of Jerady Olson, 2356 103rd Avenue, Braham, MN 55006, to vary the Isanti County Zoning Ordinance, Section 6, Agriculture/Residential District, Subdivision 2, Permitted Uses, #19 b to exceed the maximum lot size of three acres for a future lot and to vary the Isanti County Subdivision Ordinance, Section 3 Design Standards, Subdivision 2 Lots, creating two lots without the minimum required frontage on a public dedicated road or street. Legal description is Outlot D of Woodland Hills of Section 26, Township 36, Range 24, Springvale Township.

Jim Fridstrom stated that he knows the applicant but has no interest in this decision. He would not be bias and the relationship he has with the applicant would not interfere with his decision.

Kyle Roddy was present for this request representing Jerady Olson. Trina Bergloff stated that this property is 40 acres. This Outlot was created in the plat for Woodland Hills in 2005. At that time, the ordinance allowed two building rights per quarter quarter section and both rights from this quarter quarter were transferred to the NE ¼ of the NW ¼. With the adoption of the new Zoning Ordinance in 2014, two additional building rights were reclaimed by this property but it is still an Outlot. The landowner would like to utilize the two available building rights and is requesting a variance to create two parcels within the quarter quarter section that both exceed the three acre maximum lot size and both have less than the minimum lot frontage of 150' on a public road. Access to this property would be by the existing 66' easement. The requested lot sizes are Lot 1 – 22.42 acres and Lot 2 – 17.48 acres. The required lot size is a minimum of one acre, maximum of three acres with 150' of lot width. The driveway (easement) has been there since the 1980's. Valerie Marty Anderson stated her concerns that this has no cul-de-sac for emergency vehicles and it is not a township road which our

ordinance requires public road frontage for each lot on a plat. Trina Bergloff stated that Springvale Township commented that the property has access off of a private road named 338th Avenue NW, so the town board is not requiring a driveway permit due to not accessing a township road. **A motion was made by Jim Fridstrom 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 to exceed the maximum lot size of three acres for a future lot and to vary the Isanti County Subdivision Ordinance, Section 3 Design Standards, Subdivision 2 Lots, creating two lots without the minimum required frontage on a public dedicated road or street with Lot 1 being 22.42 and Lot 2 being 17.48 acres.** Larry Fredlund questioned if this would set a precedence for all other property in Isanti County that are in this situation. Kyle Roddy stated that this property is unique. The property owner did not create the situation. After much discussion the applicant has modified their request to create one lot 40 acres in size that is accessed by a private road easement and the second building right would be transferred to another parcel or if the private road easement becomes a Township Road. **A revised motion was made by Jim Fridstrom and seconded by Dave Henderson to approve this request to plat a lot (40 acres in size) that is accessed by a private road easement that is not the last remaining building right and that the last remaining building right will be transferred to another parcel or if the private road easement becomes a Township Road.** *Findings: 1. This meets the intent of the Isanti County Ordinance being only one lot on an easement so the variance is in harmony with the general purpose and intent of the official control. 2. There is already an existing driveway being utilized with a long road with several property owners being impacted so there are practical difficulties in carrying out the strict letter of any official control. 3. The property is zoned Agriculture/Residential with the lot being 40 acres with open space and if it was the last remaining building right it could be accessed by a private road easement.* Jim Fridstrom – Aye, Larry Fredlund – Aye, Dave Henderson – Aye, Dave Lindahl – Aye, Valerie Marty-Anderson, Nay. Motion carried.

A motion was made by Dave Lindahl and seconded by Larry Fredlund to adjourn the meeting at 11:53 a.m. Motion carried unanimously.

Trina Bergloff
Zoning Administrator

TB:hn