

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
Kerry Birch, Administrative Assistant/Permit Technician

The Board of Adjustment met at 9:00a.m. on Thursday August 10, 2023 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 Henderson, Bill Gertz, Connie Thorp, Kathy Skiba

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 Dave Henderson to approve the minutes of the July 13, 2023 meeting as presented. Motion carried unanimously.

1. The request of Cristiano & AmberJoy Rosa, 32960 Hilary Circle, Cambridge, MN 55008 to construct a pole type structure with less than the required setback from the rear and side property line. Legal description is Lot 8 Block 1 Hilary 3rd Addition of Section 31, Township 36, Range 23, Cambridge, MN 55008.

Cristiano Rosa was present for this request. Trina Bergloff stated that this property is zoned Agriculture/Residential District. This agenda item was tabled from the July 13, 2023 meeting so the applicant could contact Cambridge Township regarding a driveway access permit and possibly reposition the structure. This property is 1.16 acres. They would like to construct a 30' x 40' pole type structure for personal storage 33' from the rear property line. The required setback is 40' from the rear property line and 30' from the side property line. The house was built in 1994 and has an attached garage. At the time the house was built the setback from the rear property line was 35' and was zoned residence. In 1996 was zoned urban service area 2 and the setback was 35' from the rear as well. The septic system is located north of the house and the well is to the east of the house. Mr. Rosa stated that he has repositioned the pole structure 3' closer to the house and stated that they will meet the setback to the side property line. He has found the surveyed property lines. He would like to construct the pole type structure regardless of a driveway access permit being approved. **A motion was made by Dave Henderson and seconded by Bill Gertz to approve this request to construct a pole type structure 33' from the rear property line.** *Findings: 1. The pole type structure has been repositioned to accommodate the lot 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 septic system and well location there are practical difficulties in carrying out the*

strict letter of any official control. 3. Indoor storage will improve the property so the terms of the variance are consistent with the policies of Isanti County. Motion carried unanimously.

2. The request of Douglas Darling, 2055 338th Lane NE, Cambridge, MN 55008, to construct an addition to the single family dwelling with less than the required setback from the centerline of the township road and to construct a garage with less than the required setback from the centerline of a township road and side property line. Legal description is Lot 1 Block 1 Soderberg's Addition of Section 28, Township 36, Range 23, Cambridge Township.

Douglas Darling was present for this request. Trina Bergloff stated that this property is zoned Agriculture/Residential. A previous variance was granted March 9, 2000 to construct a single family dwelling 35' from the road right of way and 15' from the west side property line. The existing dwelling was going to be removed. They did not construct the new single family dwelling. This property was previously zoned urban service area 2 which the setback was 30' from the right of way of a township road and 20' from the side property line. Then changed to 100' from the centerline of the Township Road. They are requesting to construct a 6' x 8' enclosed entryway 87' from the centerline of a township road; which would be in line with the existing dwelling to the road and to construct a detached garage 87' from the centerline of a township road and 11' from the side property line. The required setbacks are 120' from the centerline of the township road, 130' from the centerline of the county road, and 30' from the side property line. Mr. Darling stated that the septic system is on the north side of the lot along with lowlands. Jim Fridstrom stated that he viewed the property and there is no other location to place the garage and it would be in line with the existing house on the property. **A motion was made by Jim Fridstrom and seconded by Dave Henderson to approve this request to construct an addition to the single family dwelling 87' from the centerline of a township road and to construct a garage 87' from the centerline of a township road and 11' from the side property line.** *Findings: 1. The addition to the house and garage will be no closer to the road than the existing house so the variance is in harmony with the general purpose and intent of the official control. 2. Due to the lay of the land and the location of the septic system there are practical difficulties in carrying out the strict letter of any official control. 3. There is no garage on the property and garages are needed in Minnesota so the terms of the variance are consistent with the policies of Isanti County. Motion carried unanimously.*

3. The request of Kyle Bergman, 29617 River Ridge Road NW, Isanti, MN 55040, to construct a carport and covered porch with less than the required setback from the centerline of a township road. Legal description is Lot 9 Block 1 River Ridge of Section 24, Township 35, Range 24, Bradford Township.

Kyle Bergman was present for this request. Trina Bergloff stated that this property is zoned Rum River Scenic District. This property is located on the Rum River. He is requesting to construct a 22' x 20' carport 33' from the centerline of the township road and a 5' x 17' covered porch to the front of the dwelling 40' from the centerline of the township road. The carport is already constructed. The house was built in 1959. The line up rule does not apply in this situation. This property has a noncompliant septic system. A new septic design has been submitted to the Zoning Office. All other setbacks can be met. The required setback is 120' from the centerline of the township road. Kyle Bergman stated that the reason for the carport and covered porch is for safety reasons. The existing stairs are a hazard in the winter due to the ice dams and unusable. There is little traffic on the township road because he is located in the middle of a road that has outlets on both ends. He owns five lots. There is a garage on the lot to the south. There is no garage on the parcel with the house. He did not know he needed a building permit for this structure which is why it is already constructed. He turns out on the township road to back out of the property. Jim Fridstrom stated that the majority of this request would be in the road right of way. Valerie Marty-Anderson asked the applicant if he could relocate the carport to the north. Ms. Bergman stated that the proposed new septic system is designed in that area. **A motion was made by Jim Fridstrom and seconded by Dave Henderson to deny this request to construct a carport 33' from the centerline of the township road in this location.** *Findings: 1. This proposed new carport would be encroaching into the road right of way of a township road so the variance is not in harmony with the general purpose and intent of the official control. 2. There are other locations to place the carport on the property so there are not practical difficulties in carrying out the strict letter of any official control. 3. There is a garage on the lot to the south in which he owns so the terms of the variance are not consistent with the policies of Isanti County.* Motion carried unanimously.

Kyle Bergman stated that the covered porch would enclose the new stairway from the front door of the house. He would like to extend the roof and stairway so they are away from the house for snow and ice removal. Without the carport he is not sure how he would construct the covered porch. Kathy Skiba suggested to table this request for Mr. Bergman to resign the covered porch. **A motion was made by Jim Fridstrom and seconded by Dave Henderson to table this request to construct a covered porch until the September 14, 2023 Board of Adjustment meeting for the applicant to redesign the covered porch.** Motion carried unanimously.

4. The request of Sara Brueske, 707 339th Avenue NE, Cambridge, MN 55008, to vary the Isanti County Zoning Ordinance requiring any kennel facility to be at least 1,000' from any residential house except that of the owner, and a minimum of ½ mile from 10 or more homes, or platted lot. Legal description is the S ½ of the NW ¼ of the NE ¼ fct of Section 30, Township 36, Range 23, Cambridge Township.

Sara Brueske was present for this request. Holly Nelson stated that this property is zoned Agriculture/Residential District. This property is 10.8 acres. They are requesting to vary the Isanti County Zoning Ordinance requiring any kennel facility to be at least 1,000' from any residential house except that of the owner, and a minimum of ½ mile from 10 or more homes, or platted lot. They have 69 houses within ½ mile and eight houses within 1,000'. The two closest neighbors are 335' to the west and 535' to the east. According to the Isanti County Zoning Ordinance three adult dogs are allowed without the need for an Interim Use Permit for a kennel. A letter was received from Peter & Lydia Hughes, 33843 Quincy Street NE, Cambridge, MN 55008 stating that they had no concerns with this request. A letter was received from Joe & JoAnn Long, 391 341st Avenue NE, Cambridge, MN 55008 in support of this request. A letter was received from Jessica Flach, Area Manager – Purina Farms stating that Ms. Brueske takes exceptional care of the dogs mentally and physically. A letter was received from Tracy & Adrian Custer, 5964 Stone Church Road, Gerald, MO 63037 stating they were neighbors with Sara Brueske for eight years in Montana and never had any issues or complaints regarding the dogs. A letter was received from Jess Kittredge, The Canine Coach stating that they have worked with Sara Brueske and would recommend her training of dogs and their experience has been positive. A letter was received by Dr. Shanetel Julius, DVM stating the good welfare of the dogs and is in support of this request. A letter was received from Susan Hibbard, a neighbor stating her support of this request. A letter was received by Denise Matheson & Patrick Grady, a neighbor to the south stating their support of this request. Jacob Nosbush, Cambridge City Planner provided written comments stating that the City of Cambridge is considering future annexation of this property. If a variance is granted, it would give a permanent allowance to this property to keep said animals. The City would like to have the following conditions: 1. Use shall cease upon annexation into the City of Cambridge; or 2. Set end date of use. Sara Brueska stated that she has private ownership of thirteen dogs but also runs a dog training business. The training area is a 100' x 200' open field located on her property. The trainings are three classes per week with a limit of fifteen dogs per class. The parking area is 6,000 square feet. There are trees around the property lines for a buffer to neighboring properties. Her personal dogs are housed inside their house. There is a small fenced in area in the backyard for her personal dogs. Her training classes consist of sport specific lessons. The training classes will be held daylight hours only. Jim Fridstrom stated that since there is no definite date for annexation into the City of Cambridge or if the property will even be annexed should not impact the Board of Adjustment's decision at this time. He is concerned with the number of houses within 1,000' requirement. Launa Anderson, the closest neighbor to the east stated her concerns with the rural neighborhood setting and the negative impact it would have on the neighbors. Paul Anderson, the closest neighbor to the east stated his concerns regarding the events being held on the property, breeding dogs and the type of dog training being taught. He stated that events have already been held on the property where people and their dogs came to train on her property and a fee was taken. There is no hardship and he is not in favor of this request. Bruce Mickelson, a

member of the audience stated his concerns with the amount of houses within ½ mile of the property. The purpose of the Isanti County Zoning Ordinance is for public health, safety, and welfare. He does not support this request. Dave Henderson stated that this property is close to the city limits and is a high density area. Sara Brueske stated that she would not do the trainings as a business but would like to keep her personal dogs. Jim Fridstrom stated that there are 69 houses within ½ mile which is too many for a kennel. **A motion was made by Jim Fridstrom and seconded by Kathy Skiba to deny this request to vary the Isanti County Zoning Ordinance requiring any kennel facility to be at least 1,000' from any residential house except that of the owner, and a minimum of ½ mile from 10 or more homes, or platted lots.** *Findings: 1. There are too many houses (69) within ½ mile and this would be an extreme variation from the Isanti County Zoning Ordinance, so the variance is not in harmony with the general purpose and intent of the official control. 2. This is a high density area with several neighboring properties so there are no practical difficulties in carrying out the strict letter of any official control. 3. The intent of the Isanti County Zoning Ordinance is for public health, safety, and welfare of others so the terms of the variance are not consistent with the policies of Isanti County.* Nay: Bill Gertz, Connie Thorp. Motion carried.

A motion was made by Jim Fridstrom and seconded by Dave Henderson to adjourn the meeting at 11:30 a.m. Motion carried unanimously.

Trina Bergloff
Zoning Administrator

TB:hn