

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 September 14, 2023 in the County Board Room of the Isanti County Government Center, 555 – 18th Avenue SW, Cambridge, MN 55008.

Members present: Valerie Marty-Anderson, 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

Members not present: Jim Fridstrom

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

A motion was made by Dave Henderson and seconded by Connie Thorp to approve the minutes of the August 10, 2023 meeting as presented. Motion carried unanimously.

1. 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 request was tabled from the August 10, 2023 meeting for the applicant to redesign the covered porch. 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. A new septic design has been submitted to the Zoning Office. The required setback is 120' from the township road. Bradford Township has no objection to this request. Kyle Bergman stated that the property has been surveyed and he will be 3' out of the road right of way with the carport. The carport could not be moved to the north due to the septic location and bluff line from the river. The stairway is dilapidated which is a safety hazard and need to be fixed. Valerie Marty-Anderson stated that the carport was denied at the August 10, 2023. Kyle Bergman stated that there has been a change to his request because the road right of way has been located and the carport is not in it. Kyle Bergman stated that he would cutoff part of the carport so it is further from the centerline of the township road. **A motion was made by Bill Gertz and seconded by Kathy Skiba to approve this request to construct a carport 44' from the centerline of the township road and to construct a covered deck and cricket 49' from the centerline of the township road.** Findings: 1. The structures will be out of the road right of way of the township road and the current stairway is a safety hazard so the variance is in harmony with the general purpose and intent of the official control. 2. Due to the location of the bluff line, septic system, and the layout of the existing house there is no other location to place the

carport and covered porch so there are practical difficulties in carrying out the strict letter of any official control. 3. A garage/carport is needed in Minnesota, so the terms of the variance are consistent with the policies of Isanti County. Motion carried unanimously.

2. The request of Alec & Kelli Nesbit, 41027 Xeon Street NW, Braham, MN 55006 to construct a pole building with an attached lean too with less than the required setback from the side and rear property lines. Legal description is Pt. of the north 667' of the west 528' of the S ½ of the NE ¼ of Section 11, Township 37, Range 24, Maple Ridge Township.

Alec and Kelli Nesbit were present for this request. Trina Bergloff stated that this property is zoned Agriculture/Residential District. This property is 3.81 acres. They would like to construct a 40' x 64' pole type structure with a 10' lean-to 13' from the rear property line and 7' from the side property line. There were two silos in this location that have been removed. The proposed pole type structure will be used for personal storage. The septic system (installed in 2022) is located on the north side of the house and the well is located on the east side of the dwelling. There were silos in this location of the proposed pole building. This property has been surveyed. The required setback is 40' from the rear property line and 30' from the side property line. Alec Nesbit stated that the property elevations drop into the surrounding farm field and the proposed location is the flattest area for the pole type structure. He could move the structure closer to the other pole type structure on the property but would need to keep 15' in between the two structures to be able to plow snow. **A motion was made by Connie Thorp and seconded by Dave Henderson to approve this request to construct a 40' x 64' pole type structure with a 10' lean-to 20' from the rear property line and 15' from the side property line.** *Findings: 1. This structure will be used for personal storage and agriculture purposes which needs to have space between the existing buildings to plow snow, 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 septic and well location there is no other location to place the pole type structure so there are practical difficulties in carrying out the strict letter of any official control. 3. Indoor storage is needed so the terms of the variance are consistent with the policies of Isanti County. Motion carried unanimously.*

3. The request of William & Connie Doty, 26842 Highway 47 NW, Isanti, MN 55040 to construct a storage shed with less than the required setback from the road right of way of State Highway 47. Legal description is the NE ¼ of the NE ¼ fct. of Section 7, Township 34, Range 24, Stanford Township.

Clark Joslin was present for this request representing William & Connie Doty. Holly Nelson stated that this property is zoned Agriculture/Residential District. This property is 33.45 acres. They would like to construct a 16' x 24' woodshed with a 10' x 9' entryway 100' from the road right of way of State Highway 47. The existing house was built in 1914 and is approximately 75' from the right of way of State Highway 47. In 2002 MN DOT purchased in fee title 1.55 acres for State Highway 47 (ROW plat No. 30-33). There is a wetland on the property west of the buildings. He would like to place it close to the existing outside wood burning stove. On January 14, 2010 a variance was granted to

construct a deck 40' from the road right of way of State Highway 47 and to construct a porch 64' from the road right of way of State Highway 47. The required setback is 130' from the road right of way of a State Highway. Bradford Township has no objection to this request. Clark Joslin stated that the existing house and garage are closer to State Highway 47 than this proposed woodshed. The construction of this structure has been started. **A motion was made by Dave Henderson and seconded by Bill Gertz to approve this request to construct a 16' x 24' wood shed with a 10' x 9' entryway 100' from the road right of way of State Highway 47.** *Findings: 1. This structure is further away from State Highway 47 than the existing house, septic system, and garage so the variance is in harmony with the general purpose and intent of the official control. 2. Due to the improvements from MNDOT on State Highway 47 encompassing more property there are practical difficulties in carrying out the strict letter of any official control. 3. A wood shed is practical for an outdoor boiler for heating purposes so the terms of the variance are consistent with the policies of Isanti County.* Motion carried unanimously.

4. The request of William O'Malley, 2512 County Road H2, Moundsview, MN 55112 (property address: 29414 Francis Lake Drive, Isanti, MN 55040) to vary the Isanti County Zoning Ordinance, Section 11, Shoreland District, Subdivision 2 Residential Subdistrict, #2b to allow for a travel trailer/motor home used as a temporary dwelling to exceed the maximum placement of 6 months within a calendar year (from May through October) on a lot and to be less than the required setback from the road right of way of a township road and to be less than the required setback from the ordinary high water mark of the general development lake. Legal description is Lot 14 Block 1 Francis Lake Shores of Section 22, Township 35, Range 24, Bradford Township.

William and Tiffany O'Malley were present for this request. Trina Bergloff stated that this property is zoned Shoreland District. This property is located on Lake Francis which is a General Development Lake. Mr. O'Malley is requesting to have a travel trailer on the property year round. The travel trailer would be 35' from the ordinary high watermark of the lake and 31' from the road right of way of the township road. The travel trailer is currently on the property at this time. This property is in a flood plain. The requirements for a travel/motor home used as temporary dwelling shall be limited to a maximum placement of six months within a calendar year (from May through October), on a lot of record and shall conform to the structure setbacks which are 75' from the ordinary high watermark of the lake, 50' from the road right of way, and 10' from the side property line. The shore impact zone is 37.5' from the OHW of the lake. A letter was received from Judy Helgeson, a neighbor in opposition of this request. A letter was received from Zak Knudson, a neighbor stating that he is in opposition of this request because of the small lots and the area is residential. A letter was received from Jill Osborne stating her concerns with the campers that are currently in the area and they are an eye sore. A letter was received by Anthony Helgeson, a neighbor in opposition of this request due to the fact that this lot has become a campground and is an eye sore. A letter was received by Trace Johnson, a neighbor stating his concerns with this request in regards to a camper trailer, boats, cars and trailers being stored on this lot. William O'Malley stated that the purpose of this travel trailer is for them to stay there in the winter months for ice fishing

and/or snowmobiling or during the holidays since they have family in the area. They do not live in the travel trailer. Valerie Marty-Anderson stated that structures are not allowed in the shore impact zone. Mr. O'Malley stated that they could move the travel trailer to be out of the shore impact zone so it would be 28.5' from the road right of way of the township road and 37'5' from the ordinary high watermark of the lake. **A motion was made by Kathy Skiba and seconded by Dave Henderson to approve a travel trailer/motor home 28'.5 from the road right of way of a township road and 37.5' from the ordinary high watermark of the lake and to deny the request to allow for a travel trailer/motor home exceeding the maximum placement of 6 months within a calendar year (from May through October).** Kathy Skiba asked Mr. O'Malley if there are any other trailers or structures are on the property. Mr. O'Malley stated that there is a snowmobile trailer they use for storage on the property and a water-oriented water accessory structure on the property that belongs to the neighbor to the north. They had the property line surveyed, and the neighbors shed is fully on the O'Malley's property. **A motion was made by Kathy Skiba and seconded by Dave Henderson to withdraw the motion.** Motion carried unanimously. Tiffany O'Malley stated that they will be applying for a variance for a single family dwelling in the next couple of months. Valerie Marty-Anderson asked Mr. & Mrs. O'Malley if they would like to table this request for the setbacks for the travel trailer/camper due to the fact they will be requesting a variance for the setbacks for a single-family dwelling. Tiffany O'Malley stated that they would like to table this request until the November 9, 2023, Board of Adjustment meeting so they can change their request to construct a single-family dwelling since the travel trailer/camper will have to be removed by October 31, 2023. A 60 day waiver has been signed. **A motion was made by Kathy Skiba and seconded by Dave Henderson to deny this request to vary the Isanti County Zoning Ordinance, Section 11, Shoreland District, Subdivision 2 Residential Subdistrict, #2b to allow for a travel trailer/motor home used as a temporary dwelling to exceed the maximum placement of 6 months within a calendar year (from May through October) and to table the request to vary the setback from the road right of way of a township road and to be less than the required setback from the ordinary high water mark of the general development lake.** Motion carried unanimously. *Findings: 1. A travel trailer/camper is moveable so the variance is not in harmony with the general purpose and intent of the official control. 2. There are no practical difficulties in carrying out the strict letter of any official control. 3. A variance would not be consistent with the policies of Isanti County.* Motion carried unanimously.

A motion was made by Kathy Skiba and seconded by Connie Thorp to adjourn the meeting at 11:22 a.m. Motion carried unanimously.

Trina Bergloff
Zoning Administrator
TB:hn