

**Beltrami County Planning Commission/Board of Adjustment Meeting
Minutes for Monday, September 28, 2020
County Administration Building – County Board Room
701 Minnesota Avenue NW
Bemidji, Minnesota 56601**

General Business

Members present: Ed Fussy
Don Hazeman
Joe Vene
Wally Byklum
Doug Underthun
John Simmons
Craig Gaasvig

Members absent: None

Others Present: Brent Rud, Director, Beltrami County Environmental Services Department
Shane Foley, Beltrami County Environmental Services Department
Bill Best, Beltrami County Environmental Services Department
Brad & Gayle Aafedt, 13073 Birchview Drive, Bemidji, MN 56601
Sara Israelson, 5032 Island View Dr NE, Bemidji, MN 56601
Tony Gustafson, 12927 Portage LN NE, Bemidji, MN 56601
HwRHWE Weholr, 13109 Birchview Dr. NE, Bemidji, MN 56601
Phil Olson, 4364 Gryce Styne Rd NE, Bemidji, MN 56601

Chairman called the Planning Commission/Board of Adjustment Meeting to order at 6:00 PM. **Board and staff introduced themselves to members of the audience. Brent reviewed the meeting procedures and process for those in attendance and discussed the agenda.** The meeting minutes for August 24, 2020, were brought forward for approval. **Don Hazeman moved to approve the meeting minutes of August 24, 2020 with one correction. Motion seconded by Wally Byklum. Motion carried and approved.**

Board of Adjustment

Variance Request: Heather Erholtz
13109 Birchview Drive NE
Bemidji, MN 56601

Township: Port Hope

Body of Water: Beltrami (4-135) RD

The Purpose of:

Applicant is requesting a variance from the Beltrami County Shoreland Ordinance to tear down and replace an existing 600 square foot structure and replace it with a 2,240 square foot structure on Lake Beltrami. The current structure sits 40 feet from the Ordinary High Water Mark [OHWM] and has a height of 10 feet, the

proposed structure would be placed 50 feet from the OHWM and would have a height of 22'. Lake Beltrami is classified as a Recreational Development Lake with a 100 foot setback.

Legal Description:

Tax Parcel 34.00397.01

Part of Lots 1 & 2, Section 31, Township 148, Range 32. This is a partial legal description. Full legal description is on file in the Beltrami County Environmental Services Department.

Shane gave staff report. Discussed the existing conditions and proposed new structure. Heather Erholtz spoke about her proposal. She discussed the circle driveway and the stormwater that collects in the middle there and how changing the proposal will affect them. Brent and Shane read the submitted public comments.

Phil Olson spoke, representing the Turtle River Watershed Association, requests denial. He stated to maintain the 100' setback to maintain the beauty. He spoke about the importance of buffers (barriers) to protect water quality and why the reduced setback would make that not work. He stated they can meet the setback and should.

Brad Aafedt spoke about rules and why they should be followed. He asked for a survey to be completed prior to building. He asked for the variance to be denied.

Board of Adjustment had discussion and questions about how far could the building be moved back. They discussed possible septic locations and if the electric easement could be crossed or not. **Motion by Wally Byklum to table the variance application of Heather Erholtz for additional information. Motion seconded by Joe Vene. Motion carried and approved.**

Chairman then closed the Board of Adjustment Public Hearing on the proposed variance request of Heather Erholtz.

Chairman opened the Board of Adjustment Public Hearing on the proposed Variance request of Carol Frykman

Variance Request:

Carol Frykman

12854 Portage Ln NE

Bemidji, MN 56601

Township:

Turtle Lake

Body of Water:

Movil (4-152)

The Purpose of:

Applicant proposing to remove a 352 square foot, two story structure located about 3 feet from the lakeshore and construct a 500 square foot, single story structure at 85 feet from the lake's Ordinary High Water Level. Lake Movil (4-152) is classified as a Recreational Development (RD) in the Beltrami County Shoreland Management Ordinance (#6) with a structure setback of 100 feet.

Legal Description:

Tax Parcel 47.00865.00

Lot 5, Block 1 of Idle Beach, Section 34, Township 148, Range 33.

Bill Best gave staff report. Discussed the existing structure and proposed structure. Discussed details of the property and area on Movil Lake. Discussed comments received: County Highway – no concerns, County GIS – no comment. Submitted comment from Michael & Susan Monsrud in support of application.

Staff recommended approval with the following conditions:

1. Complete SSTS Compliance Inspection
2. Preparation and submittal of a Stormwater Management Plan
3. Preparation and submittal of Vegetation Management Plan

Findings of Fact

1. Is the variance in harmony with the intent of the comprehensive plan, zoning ordinance and State Shoreline Management Ordinance rules?

Yes (x) No ()

Why?

Moving existing structure back from the lake.

2. Without the variance is the owner deprived of a reasonable use of the property?

Yes (x) No ()

Why?

Structure is falling apart and needs to be replaced.

3. Is the alleged hardship due to circumstances unique to this property?

Yes (x) No ()

Why?

Nature is destroying the foundation

4. Were the circumstances causing the hardship created by someone or something other than the landowner or previous landowners?

Yes (x) No ()

Why?

Same as number 3.

5. Will the issuance of the variance maintain the essential character of the locality?

Yes (x) No ()

Why?

The proposal will improve the area.

6. Does the alleged hardship involve more than economic consideration?

Yes (x) No ()

Why?

Economic consideration was not discussed.

If all answers are “yes” the criteria for granting the variance request have been met.

Motion by Doug Underthun to approved the variance request of Carol Frykman with staff conditions. Motion seconded by Don Hazeman. Motion carried and approved.

Chairman then closed the Board of Adjustment Public Hearing on the variance request of Carol Frykman.

Chairman stated this completed the business before the Beltrami County Board of Adjustment and Planning Commission, therefore was prepared to entertain a motion to adjourn. **Motion by Doug Underthun to adjourn the Planning Commission/Board of Adjustment Public Hearing for September 28, 2020. Motion was seconded by Don Hazeman. Motion carried and approved. Chair called the meeting for September 28, 2020 officially adjourned. The next meeting will be on Monday, October 26, 2020 at 6:00 PM.**

Respectfully submitted,

Brent Rud
Beltrami County ESD Director

Chairman
Beltrami County Planning Commission