

Polk County
Board of Adjustment
April 22, 2016

Call to Order: 10:15 a.m.

Members in Attendance: Robert Franks, Donovan Wright, Mike Powers, Courtney Pulkrabek,
and Rolland Gagner

Members Absent: none

Also Present: Polk County Environmental Services' staff: Josh Holte & Aly Bergstrom.

Minutes: A motion was made by Gagner to approve the minutes from the March 25, 2016
meeting. Second by Wright. All in favor.

Public Hearing: VARIANCE Donald & JoAnn Andringa Parcel# 74.00549.00

Powers read the notice, waiving the reading of the full legal description and turned the meeting
over to Holte.

Holte stated that the applicants are requesting a variance to exceed the maximum height of an
accessory structure in order to build a 28' by 48' (1,344 square foot) accessory structure
on a riparian lot located less than 300 feet from the OHW in the Shoreland District.

Holte read the PCZO, Section 18.2225 E and 18.2225 F that pertained to the request.

Holte went over the pertinent facts and stated that the applicants own a riparian lot on Union
Lake. The lot is 76,000 square feet. The applicants would like to build a 1,344 square
foot structure for a shop/storage. The applicants would like to have a small bathroom and
floor drains in the building. The applicants plan to install a holding tank for the garage.
The applicants will need to get a septic design submitted before the building permit
application is approved. The applicants will be required to complete and record a no
guesthouse wavier before the building permit is issued.

Holte added that the structure is proposed to be approximately 285 feet from the OHW. The
structure is proposed to be 20 feet from the right-of-way and 10 feet from the property
line. The applicants would like to have a 6-12 pitch on the roof to match their new home.

Because of the pitch of the roof, the applicants are applying for the variance to exceed the 15-foot height requirement. The proposed structure would be 17' 8¾". The applicants will need to receive a conditional use permit from the County Board in order to build the 1,344 square foot garage and connect it to a septic system.

Holte stated that the applicants are building a new home on the property, and they received a variance extension last year for that project. The variance was required for the house since there is a guesthouse already on the property. The applicants' practical difficulty is that the contractor recommended a 10-foot wall for the door opener installation and a 6-12 roof is better than a 4-12 for snow and shingle life. It would also match the pitch on the roof of the house. The applicants currently have an 8' by 12' shed and a small (~8' by 10') concrete pump/boathouse on the property. The applicants also added that the proposed garage is going to be as far back on the lot as possible from the lake and is partially beyond the 300' riparian area.

Holte said that comments have been received by neighbors, Kurt and Joyce Eickhof, stating that they would be unable to attend the hearing. Kurt stated, "I oppose the building of this structure. Please let the Andringa's know that I am willing to work with them at finding an amendable solution for their garage structure." Holte then read the complete letter from the Eickhofs.

Holte went over slides showing the application, maps and pictures of the property.

Jore asked where the 15-foot height limitation originated from. Holte said that is in the PCZO, but originally was developed by the DNR Shoreland Requirements.

Gagner commented on the request saying that there is no concern to block anyone else's view on this lot.

Holte said that part of the reasoning for staff's recommendation for approval is because part of the proposed building will be beyond 300 feet from the OHW.

Pulkrabek commented that the roof height would still be 6 inches too high if a lower, feasible pitch was used instead.

Holte stated that staff is recommending approval of the variance, with the following conditions:

1. No future development shall be allowed on the lot that would exceed the 25% impervious surface requirement. (This shall include sidewalks, patios, pavers, etc.)
2. The applicants shall maintain adequate vegetative screening between the 1,344 square foot structure and the OHW for Union Lake.
3. The applicants shall plant and maintain adequate vegetative screening between the 1,344 square foot structure and the westerly property line.
4. The small concrete shed/boathouse shall be removed by 4/26/2017 and the applicants shall be limited to a maximum of two accessory structures on the property with a maximum total square footage of 1,600 square feet.

5. The applicants must receive a CUP from the Polk County Board in order to construct the proposed garage.

The Board had no other questions. Holte asked the board the hardship questions.

Question	Pulkrabek	Franks	Gagner	Wright	Powers
1.	No	No	No	No	No
2.	Yes	Yes	Yes	Yes	Yes
3.	No	No	No	No	No
4.	Yes	Yes	Yes	Yes	Yes
5.	No	No	No	No	No
6.	No	No	No	No	No
7.	No	No	No	No	No

Holte stated with 25 no's and 10 yes's the criteria has been met for the Board to either grant or deny the variance request.

Holte informed the board that in order to follow the recommendations passed by the Planning Commission, the Board of Adjustment would have to remove condition #3 of the staff recommendations.

Motion to approve the Variance request with staff recommendations, excluding condition #3, was made by Wright. Second by Gagner. All in favor.

With no other business to come before the Board the meeting adjourned by Powers.