

Polk County
Board of Adjustments
April 25, 2014

Call to Order: 9:15 A.M.

Members in Attendance: Kerry Winkelmann, Robert Franks, Osmund Moe, Courtney Pulkrabek, and Donovan Wright.

Members Absent: None

Also Present: Polk County Environmental Services' staff: Josh Holte & Michelle Erdmann.

Minutes: A motion was made by Moe to approve the minutes from February 28, 2014 meeting. Second by Wright. All in favor.

Public Hearing: Variance Roger Grimsley Parcel #74.00755.00

Winkelmann read the notice and turned the meeting over to Holte.

Holte stated the applicant has requested a variance to reduce the side yard setback from 10' to 3.5' for the replacement of a 22 x 26 garage on a lot on Maple Lake. The Ordinance calls for a 10 foot setback from the side property lot lines. The applicant is also requesting a variance to reduce the front yard setback off the ROW from 20' to 17' for the replacement of the garage. The garage would be 50' off the center of the road. The setback is 53' off the center of the road. During the site visit, staff was able to locate property line pins thereby getting good measurements for the garage to property lines.

PCZO ordinance requirements for this request are found in section 18.2212 d. and 18.2212 e.

The applicant's lot is approximately 100 feet wide by 165 feet deep (17,545 sq. ft.). The applicant must submit a passing septic compliance inspection before any permit would be issued. The applicant's stated practical difficulty is that they would like to replace the garage on the existing footprint, and it would be difficult to move the garage to meet setback requirements. The location of the existing septic system would make it hard to move the garage further from the property line.

DNR area hydrologist, Stephanie Klamm submitted comments stated: I have reviewed the attached variance request for the reduction of side setbacks and a ROW setback for the replacement of a garage. Based on the information in the request form and the Polk County Ordinance, I see no reason not to grant the variance, he is replacing an existing garage on the same footprint that is already there. As long as he is meeting the 100' back from the lake and the septic system is up to

code. I see no issues with this variance; the existing garage appears to have been in place before the ordinance was adopted.

Holte then went over slides showing the property and its location. Staff feels that it would be hard for the applicant to move the garage to meet the side yard setback, without impacting the septic system. Therefore staff recommends approval of the variance request with the following condition:
 1) applicant must remove one of the small sheds located on the property in order to meet the requirements of PCZO 18.2225 before 4/25/2015. Holte stated during our site visit we noticed that the applicant has 2 small sheds in addition to the garage on the property. The ordinance only allows for 2 accessory structures total on a riparian lot.

Grimsley stated that the roof is collapsing and he would like to use the same cement foundation for the new garage. Yell asked about putting the garage on the back lot? Grimsley said he has a pole shed back there with a gravel floor. Yell asked about moving the garage to the other side of the septic system? Holte said that would not work, the drain field runs to close the property line.

Wright asked about moving the new garage closer to the house? Grimsley said that there is a large black maple in the way. Rolland Gagner asked about the setback off the road? Holte said Grimsley is asking to go 17' off the ROW vs. the required 20'.

The Board had no further questions for Mr. Grimsley. Holte asked the board the hardship questions.

Question	Pulkrabek	Moe	Franks	Wright	Winkelmann
1.	No	No	No	No	Yes
2.	No	No	No	No	No
3.	No	No	No	No	No
4.	No	No	No	No	No
5.	No	No	No	No	No
6.	No	No	No	No	No
7.	No	No	No	No	No

Holte stated with 34 No's and 1 Yes the criteria has been met if the Board wishes to grant the variance.

Pulkrabek made a motion to approve the variance request with staff conditions. Second by Wright. All in favor.

Meeting was adjourned.