

**Draft**  
**MINUTES OF THE CARLTON COUNTY**  
**BOARD OF ADJUSTMENT MEETING**  
**June 16, 2020**

- (1) Chairman Ezell called the meeting to order at 7:01 p.m.
- (2) Members Present: Jack Ezell, John Manninen, Howard Eskuri, Thomas Skare (Alternate) and Recording Secretary Dave Hurst. Members Absent: None.
- (3) Motion by Manninen, seconded by Skare, and carried to approve the May 19, 2020, Board of Adjustment meeting minutes as presented.
- (4) Old business: None.
- (5) Chairman Ezell called the Public Hearing to order at 7:02 p.m.
- (6) Chairman Ezell read that the legal ad was sent to the Star Gazette on May 28, 2020, and published in the Star Gazette on June 4, 2020. The legal ad was sent to the Pine Knot on May 28, 2020, and published in the Pine Knot on June 5, 2020.
- (7) Chairman Ezell read the *Finality of Decisions* from Zoning Ordinance 27.
- (8) Chairman Ezell read the *Findings of Fact to Grant a Variance* from Zoning Ordinance 27.
- (9) Variances

a) **Variance Request #320008 – Stanley Swedberg**

Stanley Swedberg of 1981 Lakeview Drive, Carlton, MN 55718 has requested a variance to allow a deck and construct a new deck onto a nonconforming dwelling. The dwelling is considered nonconforming as it does not meet the required setback from the road right-of-way. The request also includes replacing a nonconforming garage. The garage is considered nonconforming as it does not meet the required setback from the road right-of-way. The two lots together are considered legal, nonconforming and are buildable without a variance as long as setbacks are met. The subject property is described as Lots 30 and 31 of Lee's Chub Lake Addition in Section 23, Township 48 North, Range 17 West on Chub Lake in Twin Lakes Township. The property address is 1981 Lakeview Drive (PIN 81-270-0540 and 0560).

Jeremy Loucks of 202 Pioneer Drive, Wrenshall, MN 55797 was present to speak on Stanley Swedberg's behalf. Mr. Loucks said he was hired to replace an existing deck on the lakeside of the house. The new deck will be a little bigger than the existing deck that was there. He said the road is higher than the garage so in the spring water runs into the garage. He said the after-the-fact deck was a replacement for an existing deck that was already there but had become rotten.

Zoning and Environmental Services Administrator Heather Cunningham's video was viewed. Mr. Loucks narrated the video.

Ezell asked if the Board had any questions.

Ezell read Heather Cunningham's Development Review #320008 dated June 11, 2020.

Ezell read the seven conditions listed in the development review and asked if the applicant understood and was okay with those seven conditions. Mr. Loucks said yes.

Ezell asked if anyone in the audience was neutral or in support of this request. There was no response.

Ezell asked if anyone in the audience was in opposition of this request. There was no response.

b) **Variance Request #320009 – Robert Walton**

Robert Walton of 1615 Ridgeview Drive, Carlton, MN 55718 has requested a variance to replace an existing wooden post and beam foundation with a block foundation on a nonconforming dwelling on a nonconforming lot. The applicant would also like to amend the request, per email dated May 20, 2020, by adding a 5 feet, 8 inch by 8 feet addition to the west corner. The dwelling is considered nonconforming as it does not meet the required setback from the side yard line and ordinary high water level (OHWL) of Big Lake. The lot is considered nonconforming as it does not meet the required lot width. The subject property is described as Part of Government Lot 1 in the Northwest ¼ of the Southwest ¼ in Section 21, Township 49 North, Range 18 West on Big Lake in Perch Lake Township. The property address is 3290 Welter Drive (PIN 92-010-3680).

Robert Walton was present to speak on his behalf. Mr. Walton said the current cabin has a wood beam foundation sitting directly on the ground which is starting to rot. He said the cabin was constructed in 1958. He said they had checked with a contractor about lifting the cabin up and putting a concrete block foundation underneath it. He said they will be implementing their shoreland mitigation plan. He said the cabin was added on to in 1977 with a variance which made it kind of an odd shape, they would like to add a small addition which would square up the cabin to make it easier for the contractor. He said the current cabin has a crawl space underneath it and condition #6 of the development review says no crawl space or basement can be added to the structure. He said they would need some type of crawlspace for plumbing, heating, and ventilation. He said the wood platform next to the lake would be removed in addition to the shed by the lake they have already removed.

Ezell asked about moving the cabin away from the lake eighteen feet. Mr. Walton said his contractor told him they wouldn't know until they picked the cabin up if would be able to be moved. Mr. Walton said his preference would be to move the cabin back if possible.

Mr. Walton said they would be willing to remove the eight feet by eight feet lakeside deck if they were allowed to have the six feet by eight feet addition.

Skare asked Mr. Walton if he had put that counter proposal in writing. Mr. Walton said no.

Ezell asked if the Board had any questions.

Zoning and Environmental Services Administrator Heather Cunningham's video was viewed. Mr. Walton narrated the video.

Ezell asked if the elevation of the house will be changed. Mr. Walton said it will be the same or slightly higher so they can maintain a good ground to wall distance.

Ezell read Heather Cunningham's Development Review #320009 dated June 11, 2020.

Ezell read the nine conditions listed in the development review and asked if the applicant understood and was okay with those nine conditions. Mr. Walton said yes, but they would like some discussion on the proposed addition. Ezell said the County is pretty firm in regards to additions in the shore impact zone.

Ezell asked if anyone in the audience was neutral or in support of this request. Keith Depre of 833 Brower Drive, Cloquet, MN was in partial support of the request. Mr. Depre is a supervisor for Perch Lake Township and was attending the meeting on behalf of the Town Board. He said the township would be supportive of the request with the conditions put forth by Zoning Administrator Cunningham. He said

the township would not be supportive of any additions onto the existing structure in the shore impact zone. He said the Big Lake sanitary sewer project is not happening so they need to do everything they can to protect the water quality of Big Lake. He said putting the new foundation under the cabin is fine and they will need some sort of a crawlspace to access utilities. He would rather see a dirt floor under the cabin rather than a concrete slab. He said crawlspaces generally have a dirt floor. He said they would strongly support moving the cabin back eighteen feet if possible. He said the length of the structure that is in the shore impact zone is another thing, when you approve structures that means they are going to be staying there for that much longer.

Melissa Walton (Robert's wife) of 1615 Ridgeview Drive, Carlton, MN 55718, was in support of this request. She said she is absolutely in support of having a crawlspace with a concrete floor. She said if they are going to run ductwork or have heat they would need a concrete floor. She said they have been cleaning up a tremendous amount of garbage under the cabin and where the shed was located. They have been picking up garbage since they purchased the property in 2016 that was potentially washing into the lake. She said the addition would make it easier for the contractor because it would be one outside corner instead of an inside corner, and they would be willing to remove the lakeside deck if it meant having the addition.

Ezell read a written correspondence from Robert Westerlund of 844 Wolner Drive, Cloquet, MN 55720, in support of the request.

Ezell asked if anyone in the audience was in opposition of this request. There was no response.

c) **Variance Request #320010 – William and Lorri Werner; Carla Werner**

William and Lorri Werner of 3204 Bobs Drive, Cloquet, MN 55720 and Carla Werner of 3202 Bobs Drive, Cloquet, MN 55720 have requested a variance to install a shared subsurface sewage treatment system between two properties. The septic system requires a variance as the system will not meet the required side yard setback. The properties are described as Part of Lot 14, Lot 15 and Lot 16, Block 2 of Camp Magney Cabin Sites and Part of Government Lot 4 all in Section 21, Township 49 North, Range 18 West on Big Lake in Perch Lake Township. The property addresses are 3202 and 3204 Bobs Drive (PIN 92-050-0630, 0640, 0660 and 92-010-4067 and 4068).

William and Carla Werner were present to speak on their behalf. Mr. Werner said they have been on holding tanks waiting for the Big Lake sanitary system to come through. He said now that the sanitary sewer is not going to happen they want to put a shared septic system between the two properties. He said the system will overlap the property lines which is causing the problem. He said he will be removing a one stall garage which is the only structure which is in the way. Mr. Werner said he handed in the legal easement for the septic system to Mr. Hurst which was one of the conditions listed (see attached).

Ezell asked if the Board had any questions.

Zoning and Environmental Services Administrator Heather Cunningham's video was viewed. Mr. Walton narrated the video.

Ezell read Heather Cunningham's Development Review #320010 dated June 11, 2020.

Ezell read the five conditions listed in the development review and asked if the applicant understood and was okay with those five conditions. Mr. Werner said yes.

Ezell asked if anyone in the audience was neutral or in support of this request. Keith DePre was in support of the request. He said the town board was supportive of this request and now that the sanitary system isn't happening people are going to have to be creative to find ways to put septic systems in. He had a question regarding why each house didn't have their own septic tank. Hurst told him that is usually

the case but for this particular site it didn't work. Mr. Depre said due to the small lot sizes on Big Lake this might be more common in the future and the town board is in support of this request.

Ezell asked if anyone in the audience was in opposition of this request. There was no response.

d) **Variance Request #320011 – Robert A. Franckowiak**

Robert A. Franckowiak of 2957 Hardwood Lake Road, Cloquet, MN 55720 has requested a variance to construct a nonconforming addition onto a dwelling. The dwelling will be considered nonconforming with the construction of the addition as it will not meet the required setback from the road centerline. The property is described as Part of the Southwest ¼ of the Southeast ¼ in Section 3, Township 49 North, Range 18 West in Perch Lake Township. The property address is 2957 Hardwood Lake Road (PIN 92-010-0510).

Robert Franckowiak was present to speak on his behalf. They want to put a living room/entryway addition on the front of their house. He said they cannot put the addition on any other side of the house. He said the addition will meet the thirty five feet setback from the road right-of-way.

Ezell asked if the Board had any questions.

Zoning and Environmental Services Administrator Heather Cunningham's video was viewed. Mr. Franckowiak narrated the video.

Ezell read Heather Cunningham's Development Review #320011 dated June 11, 2020.

Ezell read the four conditions listed in the development review and asked if the applicant understood and was okay with those four conditions. Mr. Franckowiak said yes.

Ezell asked if anyone in the audience was neutral or in support of this request. Keith Depre was in support of the request.

Ezell read a written correspondence from Perch Lake Town Board Chair Gary Harms in support of the request.

Ezell asked if anyone in the audience was in opposition of this request. There was no response.

(10) The public hearing closed at 8:11 p.m.

(11) The Board of Adjustment meeting re-opened at 8:29 p.m.

**Variance Request #320008– Stanley Swedberg**

A motion was made by Eskuri, seconded by Manninen, and carried to **Approve** the findings of fact, decision, and eight conditions as amended by the Board of Adjustment (added condition eight) listed on Carlton County Findings of Fact Worksheet dated June 16, 2020, and signed by Board Chair Ezell.

**FINDINGS OF FACT:**

a. *Is the property owner proposing to use the property in a reasonable manner not permitted by this Ordinance?*

Yes  *Why or why not?*

Decks: the applicant is proposing a reasonable use of the property with respect to the decks. The after-the-fact deck and proposed deck will meet setback requirements from the OHWL and will not encroach further on the setback to the road right-of-way.

No  *Why or why not?*

Garage: Carlton County cannot issue variances or zoning permits for structures located in the road right-of-way.

- b. *Is the practical difficulty unique to the subject property and not created by the property owner or prior property owner?*  
Yes  No  Why or why not?

The practical difficulty appears to be the development of the property in 1968, just after the first zoning ordinance was adopted. The owners at the time were issued a zoning permit for the house and the garage. No setback information was included on the zoning permit.

- c. *If the variance is granted, it will not alter the essential character of the locality?*  
Yes  No  Why or why not?

The granting of the variance should not alter the essential character of the locality. The dwelling and garage have been in this location since 1968. It appears that many of the dwellings and garages located in this plat do not meet the setback to the road right-of-way. While this office does not have the authority to request the garage is removed from the road right-of-way, we cannot legally permit its replacement in this location based on the information provided to this office to date.

- d. *Does the practical difficulty involve more than economic considerations?*  
Yes  No  Why or why not?

It does not appear that economic considerations constitute the practical difficulty for reasonable use of this property. The practical difficulty is the development of the property just after the first zoning ordinance was adopted. The dwelling and garage were permitted with unidentified setbacks.

- e. *If the variance is granted, it will not be granting a use that is not allowed in the zoning district in which the subject property is located?*  
Yes  No  Why or why not?

The variance will not be granting a use that is not allowed within the R-1 Zoning District. The use will be residential.

- f. *Are the terms of the variance consistent with the Carlton County Community-Based Comprehensive Plan?*  
Yes  Why or why not?

Decks: The Carlton County Community-Based Comprehensive Plan specifically addresses setbacks from roadways. Road setbacks are primarily a public safety and maintenance issue. The setback allows for clear zones for traffic, snow removal, and maintenance, as well as emergency vehicles (police, fire and ambulance) to be able to properly travel and provide service through the area. This office is not aware of any past issues with a reduced setback for the garage and dwelling.

No  Why or why not?

Garage: we cannot legally permit the replacement of the garage in this location based on the information provided to this office to date.

As this request is an after-the-fact, additional factors are considered:

- i. *Why did the applicant fail to obtain a variance, and did the applicant act in good faith;*

The applicants indicated verbally that they were not aware they needed a variance or zoning permit.

j. *Did the applicant attempt to comply with the law by obtaining permits;*

The applicant is attempting to comply by the submission of this after-the-fact variance request as well as the new construction.

k. *Did the applicant obtain a permit from another entity that violated the law;*

It does not appear that the applicant obtained a permit from another entity that violated the law.

l. *Did the applicant make a substantial improvement in the property;*

The applicant made did not make a substantial improvement to the property with the construction of a deck.

m. *Did the applicant complete repairs, construction before the applicant was informed of the impropriety;*

The applicant completed the construction before he was informed of the impropriety.

n. *Is the nature of the property residential/recreational and not commercial;*

The nature of the property is residential.

o. *Are there similar structures in place;*

There are similar structures in place in the locality as noted above.

p. *Would the benefits to the public be outweighed by the detriments to the applicant if regulations were enforced?*

The benefits of moving the deck do not outweigh the detriment to the applicant. They are also applying for an additional deck and replacement of a garage.

#### **DECISION:**

*If ALL answers are YES by a majority of the Board of Adjustment, the criteria for granting of the Variance have been met and the Variance is approved. Please confirm with the applicant that the following conditions are acceptable.*

*Granted:* Allow a deck and construct a new deck onto a nonconforming dwelling. Replace a nonconforming garage.

*Denied:* NA

#### **CONDITIONS:**

1. The applicant must undertake the project according to the plans and specifications detailed in the application or as modified by the Board of Adjustment.

2. The applicant must have an approved zoning permit within one year. All work must begin within one year of issuance of the zoning permit. This means that there is enough of the structure(s) in place to determine that it meets the dimensions depicted on the zoning permit. If this condition is not met, the request shall be deemed null and void. The Zoning Administrator is authorized to extend that period of time for good cause shown.
3. The permit will be periodically reviewed by the County to assure compliance with the permit and permit conditions.
4. The County may enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
5. The applicant shall have a septic compliance inspection by September 1, 2020.
6. The shed shall be removed from the property or permitted and relocated to meet setback requirements.
7. If the applicant fails to meet the conditions set forth by the Board of Adjustment, the Board of Adjustment may revoke the variance.
8. No work shall commence on the garage until a licensed survey is submitted to the Zoning Administrator indicating the garage would be a minimum of one foot outside of the road right-of-way.

**Variance Request #320009 – Robert Walton**

A motion was made by Manninen, seconded by Eskuri, and carried to **Approve** the findings of fact, decision, and nine conditions listed on Carlton County Findings of Fact Worksheet dated June 16, 2020, as amended and signed by Board Chair Ezell.

**FINDINGS OF FACT:**

- a. *Is the property owner proposing to use the property in a reasonable manner not permitted by this Ordinance?*  
 Yes  *Why or why not?*

Replace foundation: the property owner appears to be proposing a reasonable use of the property in a reasonable manner with respect to repairing the foundation. It appears reasonable to replace a wood foundation with a block foundation. This office strongly suggests that the structure is moved back 18 feet.

No  *Why or why not?*

Addition: however, it is not reasonable to add an addition, no matter the size or purpose, to a dwelling located in the shore impact zone. This office does not support expansion of structures located in the shore impact zone. This would include adding a crawl space or basement to this structure.

- b. *Is the practical difficulty unique to the subject property and not created by the property owner or prior property owner?*  
 Yes  No  *Why or why not?*

The practical difficulty for the subject property appears to be the location of the driveway easement, location of the septic tank and topography constraints.

- c. *If the variance is granted, it will not alter the essential character of the locality?*  
Yes  Why or why not?

Replace foundation: the granting of the variance with respect to the foundation should not alter the essential character of the locality. Several of the dwellings along this shoreline do not meet the setback requirements from the OWHL and side yard line. In addition, many of the lots do not meet lot width.

No  Why or why not?

Addition: It would alter the essential character of the locality to allow expansion of a structure located in the shore impact zone.

- d. *Does the practical difficulty involve more than economic considerations?*  
Yes  No  Why or why not?

It does not appear that economic considerations constitute the practical difficulty for reasonable use of this property. The dwelling cannot be replaced to meet the 100 feet setback due to topography and wetland constraints. This office strongly suggests that the structure is moved back 18 feet and economic considerations should not factor into this decision.

- e. *If the variance is granted, it will not be granting a use that is not allowed in the zoning district in which the subject property is located?*  
Yes  No  Why or why not?

The variance will not be granting a use that is not allowed within the R-1 Zoning District. The use will be residential.

- f. *Are the terms of the variance consistent with the Carlton County Community-Based Comprehensive Plan?*  
Yes  Why or why not?

Replace foundation: the Carlton County Community-Based Comprehensive Plan specifically addresses preserving and restoring native vegetation along shorelines. The applicant has an approved Shoreland Mitigation Plan which includes removing a deck located by the shoreline.

No  Why or why not?

Addition: with respect to the addition, it appears to be in conflict with the Carlton County Community-Based Comprehensive Plan. The plan encourages preserving and restoring native vegetation along shorelines and discourages development in the shore impact zone.

#### **DECISION:**

*If ALL answers are YES by a majority of the Board of Adjustment, the criteria for granting of the Variance have been met and the Variance is approved. Please confirm with the applicant that the following conditions are acceptable.*

*Granted: Replace an existing wooden post and beam foundation with a block foundation.*

*Denied: Add a 5 feet, 8 inch by 8 feet addition to the west corner.*

**CONDITIONS:**

1. The applicant must undertake the project according to the plans and specifications submitted to the County with the application or as amended by the Board of Adjustment.
2. The applicant must have an approved zoning permit within one year. All work must begin within one year of issuance of the zoning permit. This means that there is enough of the structure(s) in place to determine that it meets the dimensions depicted on the zoning permit. If this condition is not met, the request shall be deemed null and void. The Zoning Administrator is authorized to extend that period of time for good cause shown.
3. The County may enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
4. The applicant must provide a notarized statement from the contractor attesting to the fact that the structure cannot be moved 18 feet further from the OHWL. This can be provided after the contractor has lifted the structure and determined it cannot be moved. This shall be provided when the applicant requests inspection of the work depicted on the zoning permit.
5. The request for an addition is denied.
6. No basement can be added to the structure. A crawl space is allowed but cannot be higher than four feet, can have a concrete floor and must be used only for utilities and not habitation or storage.
7. The applicant shall institute the mitigation practices by June 16, 2021. This includes removing the deck located by the lake, which constitutes the water oriented accessory structure for this property. No water oriented accessory structure shall be allowed for this property.
8. The applicant shall have a septic compliance inspection by September 1, 2020.
9. If the applicant fails to meet the conditions set forth by the Board of Adjustment, the Board of Adjustment may revoke the variance.

**Variance Request #320010 – William and Lori Werner; Carla Werner**

A motion was made by Eskuri, seconded by Manninen, and carried to **Approve** the findings of fact, decision, and five conditions listed on Carlton County Findings of Fact Worksheet dated June 16, 2020, and signed by Board Chair Ezell.

**FINDINGS OF FACT:**

1. The property owner is proposing to use the property in a reasonable manner not permitted by this Ordinance.  
Yes  No  Why or why not?

The applicants are proposing to use the property in a reasonable manner not permitted by ordinance. It is reasonable to have a shared septic system that does not meet the side yard setback. All other aspects of the system will conform to the ordinance and Minnesota Rules, Chapter 7080. The septic system will have a recorded easement that details the responsibility for maintenance, repairs and replacement, if applicable.

2. Economic considerations alone do not constitute a practical difficulty if a reasonable use for the property exists under the terms of this Ordinance.  
Yes  No  Why or why not?

Economic considerations alone do not constitute a practical difficulty for the property. The applicants would like to share a septic system instead of installing two individual septic systems due to a limited suitable area on both properties.

3. The request will not effect a substantial change in the character of the neighborhood or will not result in a substantial detriment to neighboring properties.  
Yes  No  Why or why not?

The request should not change the character of the neighborhood or result in a substantial detriment to neighboring properties. The system will be installed in conformance to the ordinance and Minnesota Rules, Chapter 7080.

4. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located.  
Yes  No  Why or why not?

The variance request is not for a use that is not permitted in an R-1 zoning district. The proposed use is residential.

5. The practical difficulty is unique to the subject property and is not created by the property owner or prior property owners.  
Yes  No  Why or why not?

The practical difficulty is unique to the subject property and was not created by the property owner or prior property owners. It appears that the practical difficulty is related to limited suitable soil on both properties.

**DECISION:**

*If ALL answers are YES by a majority of the Board of Adjustment, the criteria for granting of the Variance have been met and the Variance is approved. Please confirm with the applicant that the following conditions are acceptable.*

Granted: Install a shared subsurface sewage treatment system between two properties. The septic system requires a variance as the system will not meet the required side yard setback.

*Denied: NA*

**CONDITIONS:**

1. The applicants must undertake the project according to the plans and specifications submitted to the County with the application.
2. The applicants must have an approved application for the septic system to the Carlton County Zoning Office within 12 months of granting the variance. If this condition is not met, the request shall be deemed null and void. The Zoning Administrator is authorized to extend that period of time for good cause shown.

3. The permit will be periodically reviewed by the County to assure compliance with the permit and permit conditions.
4. The County may enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
5. The easement agreement for the septic system must be approved by the Zoning and Environmental Services Administrator and Carlton County Recorder by September 1, 2020. The easement agreement for the septic system must be recorded by October 1, 2020.

**Variance Request #320011 – Robert Franckowiak**

A motion was made by Manninen, seconded by Eskuri, and carried to **Approve** the findings of fact, decision, and four conditions listed on Carlton County Findings of Fact Worksheet dated June 16, 2020, as amended and signed by Board Chair Ezell.

**FINDINGS OF FACT:**

- a. *Is the property owner proposing to use the property in a reasonable manner not permitted by this Ordinance?*  
 Yes  No  Why or why not?

It appears the applicant is proposing a reasonable use of the property. The applicant is proposing an addition to enter the dwelling. The proposed addition will meet the 35 feet setback to the right-of-way. Hardwood Lake Road dead-ends approximately one-half mile to the west.

- b. *Is the practical difficulty unique to the subject property and not created by the property owner or prior property owner?*  
 Yes  No  Why or why not?

The practical difficulty appears to be the development of the property prior to official controls.

- c. *If the variance is granted, it will not alter the essential character of the locality?*  
 Yes  No  Why or why not?

The granting of the variance should not alter the essential character of the locality. Located on the property is a garage, likely constructed prior to official controls. The garage is approximately 38 feet from the centerline or 3 feet from the road right-of-way.

- d. *Does the practical difficulty involve more than economic considerations?*  
 Yes  No  Why or why not?

It does not appear that economic considerations constitute the practical difficulty for reasonable use for this property. The practical difficulty appears to be the development of this property prior to official controls.

- e. *If the variance is granted, it will not be granting a use that is not allowed in the zoning district in which the subject property is located?*  
 Yes  No  Why or why not?

The variance will not be granting a use that is not allowed within the A-2 Zoning District. The use will be residential.

f. *Are the terms of the variance consistent with the Carlton County Community-Based Comprehensive Plan?*

Yes  No  *Why or why not?*

The Carlton County Community-Based Comprehensive Plan addresses setbacks from roadways. Road setbacks are primarily a public safety and maintenance issue. The setback allows for clear zones for traffic, snow removal, and maintenance, as well as emergency vehicles (police, fire and ambulance) to be able to properly travel and provide service through the area. This office is not aware of any past issues with a reduced setback for the existing garage. Hardwood Lake Road is a dead-end road that does not see a lot of traffic.

**DECISION:**

*If ALL answers are YES by a majority of the Board of Adjustment, the criteria for granting of the Variance have been met and the Variance is approved. Please confirm with the applicant that the following conditions are acceptable.*

*Granted: Construct a nonconforming addition onto a dwelling.*

*Denied: NA*

**CONDITIONS:**

1. The applicant must undertake the project according to the plans and specifications submitted to the County with the application or as amended by the Board of Adjustment.
2. The applicant must have an approved zoning permit within one year. All work must begin within one year of issuance of the zoning permit. This means that there is enough of the structure(s) in place to determine that it meets the dimensions depicted on the zoning permit. If this condition is not met, the request shall be deemed null and void. The Zoning Administrator is authorized to extend that period of time for good cause shown.
3. The County may enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
4. If the applicant fails to meet the conditions set forth by the Board of Adjustment, the Board of Adjustment may revoke the variance.

(12) Other Business. There was none.

(13) A motion was made by Eskuri, seconded by Manninen, and supported by all yeas votes to close the Board of Adjustment meeting at 8:39 p.m.

Respectfully submitted,

Dave Hurst  
Recording Secretary

Attachment: Werner SSTS Easement