

**Beltrami County Planning Commission/Board of Adjustment Meeting
Minutes for Monday, August 26, 2024
County Administration Building – County Board Room
701 Minnesota Avenue NW
Bemidji, Minnesota 56601**

General Business

Members present: Don Hazeman
Bill Best
Bruce Poppel
Doug Underthun
Craig Gaasvig

Members absent: Todd Stanley
Ed Fussy

Others Present: Brent Rud, Director, Beltrami County Environmental Services Department
Greg Larson, Beltrami County Environmental Services Department
Shannon Schmidt, Beltrami County Environmental Services Department
Patrick Frenzel, 6975 Danielle Ln NE, Bemidji, MN 56601

Co-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, as well as the agenda, for those in attendance. The meeting minutes for July 22, 2024, were brought forward for approval. Bruce Poppel moved to approve the meeting minutes of July 22, 2024. Motion seconded by Bill Best.**

Motion carried and approved.

Board of Adjustment

New Business

Variance Request of: **Brandon J Thompson, Trustee**
Brandon J Thompson Trust
16367 Big Turtle Dr NE
Bemidji, MN 56601

Township: Turtle Lake
Body of Water: Big Turtle Lake (4-159) RD

The Purpose of:

The applicant is requesting a variance from the Beltrami County Shoreland Management Ordinance to construct a 40' x 60' garage within the structure setback of Big Turtle Dr NE in Turtle Lake Township. Big Turtle Dr NE is a township administered roadway which requires a 20' structure setback from the right of way. The new garage construction is proposed to be built 5' from the road right of way.

Legal Description:

Tax Parcel 47.00314.01

That part of Government Lot One (1), Section Twenty-two (22), Township One Hundred Forty-eight (148) North, Range Thirty-three (33) West, described as follows: Full legal description is on file in the Beltrami County Environmental Services Department.

Brent Rud addressed the Board, letting them know that the property owner requested that this hearing be tabled until such a time as a new property survey can be conducted. A revised variance request will be submitted at that time.

Motion by Doug Underthun to table the variance request of Brandon J Thompson until a later date. Bill Best seconded the motion.

Motion unanimously carried and approved.

Variance Request of:

Monte Sharbono – White Birch Resort LLC
TBD N Blackduck Lake Rd NE
Hines, MN 56647

Township:

Hines

Body of Water:

Blackduck River (FR)

The Purpose of:

The applicant is requesting a variance from the Beltrami County Shoreland Management Ordinance to construct a home and garage on a bare lot within the structure setback of the Blackduck River. The Blackduck River is classified as a forested river segment district which requires a 150' structure setback. The applicant is proposing a 50' setback from the river for construction of the proposed 30' x 45' house.

Legal Description:

Tax Parcel 18.00707.00

Lot Five (5), Block One (1), Albie Estates. A full legal description is on file in the Beltrami County Environmental Services Department.

Brent Rud addressed the Board again. The property owner has requested that this hearing be tabled until the October 2024 meeting. This will give the property owner time to meet with the Hines Township Board before submitting a revised variance request.

Motion by Bruce Poppel to table the variance request of Monte Sharbono – White Birch Resort LLC until a later date. Doug Underthun seconded the motion.

Motion unanimously carried and approved.

Variance Request of:

**Todd R Patton, Trustee
Todd R Patton Revocable Trust
14788 Strand Rd NW
Shevlin, MN 56676**

Township:

Roosevelt

Body of Water:

Perch Lake (4-308) NE

The Purpose of:

The applicant is requesting a variance from the Beltrami County Shoreland Management Ordinance to build a 12' x 35' addition onto existing home that is within the structure setback of Perch Lake (NE 4-308). Perch Lake is classified as a natural environment lake which requires a 150' structure setback. The proposed addition will be constructed onto the north side of the house, going away from the lake. The existing house is currently located approximately 84' from the OHWL.

Legal Description:

Tax Parcel 38.00279.00

Government Lot Five (5), Section Twenty-three (23), Township One Hundred Forty-nine (149), Range Thirty-five (35), Beltrami County, Minnesota.

Greg Larson gave the staff report, discussing lot and lake information, as well as details of the variance application. Maps showing the location and topography of the parcel on Perch Lake were viewed. The long driveway through state land was also viewed on the map. Photos of the lot and current structures from all angles were also viewed. Proposed building plans were viewed. Todd Patton purchased this property in 2010. The parcel is 16.98 acres in size. A building permit without a variance was issued in 1988 to add on to the original structure, which is located 84' from the OHWL. The proposed bedroom/bathroom addition would be built on the north side of the cabin, away from the lake. The new garage on the property was recently permitted and was built behind the structure setback. The existing septic was installed in 2010 and passed compliance in 2024. Staff recommends approval of the variance request with the condition that a Vegetation Management Plan be submitted and approved by ESD before implementation.

Pat Frenzel, contractor for the applicant, approached the podium. The Board asked why it is necessary to add another bedroom/bathroom to the existing structure. Pat explained that as the property owners are getting older, descending the stairs to the basement master bedroom is becoming more difficult. To avoid stairs, the master bedroom with a bathroom would be moved to the back of the house. Pat then asked what a Vegetation Management Plan would entail.

Greg Larson will work with the property owner to add more vegetation between the cabin and the shoreline where bare dirt can be seen in photos.

The Board opened the floor for public comment. Emailed comments received from the public were read aloud by Greg Larson.

- Email – **Heidee Kennedy, Roosevelt Township Board Deputy Clerk:** Board has reviewed the variance request packet and has no comments or concerns. Thank you for the notification and the opportunity to review in advance of tonight’s hearing.

Finding no further public comment, the Co-Chairman closed the floor for public comment on the Todd R Patton, Trustee, variance request.

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? A Building Permit was issued in 1988 to add to the original cabin without a variance. This request is to add to the back of the home, away from the lake.
2. Without the variance is the owner deprived of a reasonable use of the property?
Yes (x) No ()
Why? With concern for the health and safety of the occupants, the master bedroom would be moved from the basement level to ground level.
3. Is the alleged hardship due to circumstances unique to this property?
Yes (x) No ()
Why? The existing cabin does not meet lake setback requirements. The cabin was built prior to the Shoreland Management Ordinance being put in place.
4. Were the circumstances causing the hardship created by someone or something other than the landowner or previous landowners?
Yes (x) No ()
Why? Shoreland Management rules came after the cabin was built.
5. Will the issuance of the variance maintain the essential character of the locality?
Yes(x) No ()
Why? The addition would be added to the back of the house and out of sight from the lake.
6. Does the alleged hardship involve more than economic consideration?
Yes (x) No ()
Why? Economic considerations are not an issue and were not discussed.

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

Motion by Doug Underthun to approve the variance request of Todd R Patton, Trustee, with the following condition: 1.) A Vegetation Management Plan must be submitted and approved by ESD before implementation. Bill Best seconded the motion.

Motion unanimously carried and approved.

Co-Chairman then closed the Board of Adjustment Public Hearing on the proposed Variance request of Todd R Patton, Trustee.

Motion by Brue Poppel to adjourn the Planning Commission/Board of Adjustment Public Hearing for August 26, 2024. Motion was seconded by Doug Underthun. Motion carried and approved. Co-Chair called the meeting for August 26, 2024, officially adjourned. The next meeting will be held on Monday, September 30, 2024, at 6:00 PM.

Respectfully submitted,



Brent Rud
Beltrami County ESD Director



Vice Chairman
Beltrami County Planning Commission