AGENDA
MILLE LACS COUNTY
BOARD OF ADJUSTMENT

May 28, 2018, 7:00 p.m.

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIENCE

III. APPROVAL OF THE MINUTES:

February 26, 2018 Meeting

IV. OLD BUSINESS:
None

V. NEW BUSINESS:

Consideration of a Request by Tim and Nancy Carlson to:
- Reduce the setback to a septic tank from 10 feet to four (4) feet (MR 7080) and.
- Reduce the setback to a mound drainfield from 20 feet to 12 feet (MR7080)

to allow construction of a deck and four season porch on property legally described as Lot 11 Simmons Park Second Addition (05-802-0130, East Side Township). Generally located at 3345 Vista Road, Isle.

Consideration of a Request by Bruce Meyers, applicant Mille Lacs Island Resort, owner to:
- Reduce the setback to the Ordinary High Water Mark from 50 feet to 25 feet (MLCDO Article 5, Table 501)

to allow placement of a screen porch on an existing deck (Lot 3, Mille Lacs Island Resort) on property legally described as Government Lot 3 (SW ¼ of NE ¼), except the West 650 feet and Government Lot 2 (SE ¼ of NW ¼) except the plat of Mi-Nis Terrace and the 5.16 acre tract described on description sketch dated February 5, 1986, all in Section 19, Township 42, Range 25 (08-018-0201, Isle Harbor Township). Generally located at 6448 State Highway 27, Wahkon.
Consideration of a Request by Langley and Catherine Murray to:

- Reduce the setback to the side lot line from 10 feet to eight (8) feet (MLCDO Article 5, Table 501)

To allow construction of a garage on property legally described as Lot 8, Block 7, Port Mille Lacs Golf Acres North (09-969-2650, Kathio Township, Torrens Property). Generally located at 18633, Golf Circle, Garrison.

Consideration of a Request by Daniel Sienko to:

- Reduce the setback from the centerline of a road (90th Street AKA County Road 146) from 100 feet to 70 feet (MLCDO Article 5, Table 501)

To allow construction of a 50 foot by 60 foot detached accessory structure on property legally described as that part of the Southwest Quarter of the Southeast Quarter of Section 23, Township 37, Range 27, Mille Lacs County, Minnesota described as follows: Beginning at the southwest corner of said Southwest Quarter of the Southeast Quarter; thence easterly along the South line thereof a distance of 230.17 feet; thence northerly and parallel with the West line of said Southwest Quarter of the Southeast Quarter a distance of 208.00 feet; thence westerly and parallel with said South line of the Southwest Quarter of the Southeast Quarter a distance of 230.17 feet to said West line of the Southwest Quarter of the Southeast Quarter; thence southerly along said West line a distance of 208.00 feet to said point of beginning (12-023-1100, Milo Township). Generally located at 12462 90th Street, Milaca.

VI. OTHER BUSINESS:

None.

VII. ADJOURNMENT.
MINUTES
MILLE LACS COUNTY BOARD OF ADJUSTMENT
MILLE LACS COUNTY COURTHOUSE
MONDAY FEBRUARY 26, 2018
7:00 P.M.

MEMBERS PRESENT: John Roxbury, Jr, Chris Carlson, Amy Birnbaum, Kyle Weimann,

MEMBERS ABSENT: Paula Soderberg

EX-OFFICIO MEMBERS PRESENT: Michele McPherson, Land Services Director

OTHERS PRESENT: None.

I. CALL TO ORDER:

The meeting was called to order at 7:02 p.m. by Ms. McPherson.

II. PLEDGE OF ALLEGIANCE

Ms. McPherson led those present in the Pledge of Allegiance.

III. ELECT CHAIR AND VICE CHAIR

Motion by Mr. Carlson, seconded by Mr. Weimann to nominate Mr. Roxbury for Chair and to close nominations.

Motion carried unanimously and Mr. Roxbury will serve as Chair for 2018.

Motion by Mr. Roxbury, seconded by Ms. Birnbaum, to nominate Mr. Carlson for Vice Chair and to close nominations.

Motion carried unanimously and Mr. Carlson will serve as Vice Chair for 2018.

IV. APPROVAL OF THE MINUTES

Ms. Birnbaum noted a minor error on Page 2 of the minutes.

Motion by Mr. Carlson, seconded by Ms. Birnbaum to approve the December 27, 2017 meeting minutes as corrected.

Motion carried unanimously.
V. OLD BUSINESS:

None.

VI. NEW BUSINESS:

Consideration of a request by Daniel J. & Diane M. Gaynor to:

- Reduce the setback from 10 feet to 9.5 feet from the West property line for three installed septic tanks (MR 7080) and.
- Reduce the setback from 10 feet to 8 feet from the West property line to install a septic pump tank (MR7080)


Dan and Diane Gaynor were present to represent the request. Mr. Gaynor noted that there are three existing tanks in place at this time. A fourth pump tank needs to be installed and to meet the ordinance requirements would place the tank in the middle of the horseshoe driveway that he and the neighbor use.

Chair Roxbury asked why the tank could not be located at the proper setback.

Mr. Gaynor noted that they could place the tank closer to the garage and reduce that setback to eight feet.

Ms. McPherson noted that if the setback to the garage were to be reduced, the request would need to be re-advertised.

There was no written correspondence.

At 7:07 pm, Chair Roxbury opened the public hearing.

John Stanek, 3134 Blair Way, stated that he is the neighbor to the west and shares the driveway in questions. He cannot place his boat on the property without the aid of the driveway as he does not have enough room to back up and turn around on his lot and the street.

Chair Roxbury asked for clarification on the request.

Ms. McPherson stated that the proposed pump tank needs to be located 10 feet from both the property line and the structure. The only location that meets that criteria is in the area of the site plan midway between the septic mound and the garage. This potentially makes the driveway in that area unusable.

At 7:14 pm, with no further comment, Chair Roxbury closed the public hearing.

Ms. McPherson reviewed the findings of fact.

The Board of Adjustment shall hear requests for variances where it is alleged that the provisions of the Development Ordinance create practical difficulties in complying with
the official controls. Practical difficulties mean that the property owner proposes to use the property in a reasonable manner not permitted by any official control. In granting any variance, the Board of Adjustment may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Development Ordinance, provided the condition is directly related to, and bears a rough proportionality to, the impact created by the variance.

The Board of Adjustment may grant a variance, provided the following findings are made where relevant in a given case:

A. The variance proposes the use of land in a reasonable manner;
B. The plight of the landowner is due to circumstances unique to the property and not created by the landowner;
C. The variance, if granted, will not alter the essential character of the area;
D. Economic considerations alone shall not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems, and may include earth sheltered construction as defined by the State of Minnesota, when it is in harmony with official controls; and
E. No variance shall be granted that would allow any use that is not allowed in the zoning district in which the subject property is located.

A variance was granted to this property July 24, 2017 to reduce the setback from the Ordinary High Water Mark of Mille Lacs Lake to 55.2 feet for a new dwelling. at that same time a variance was denied to increase the impervious surface area to 28.5%.

When the Allowed Use Certificate was applied for in August, the survey submitted with that application showed that the house would be 28.4 feet from the West property line and 23.5 feet from the East property line and that the septic tanks would meet all required setbacks. It appears that the structure was not placed where it was stated it was going to be placed when applying for the Building Permit and Allowed Use Certificate. A survey done January 22, 2018 shows the structure 23.4 feet from the West property line and 28.5 feet from the East property line, a shift of five feet from the original proposal.

The 23.4 feet does not allow septic tanks to be placed between the structure and the property lines and still meet the required setback. Three septic tanks were installed December 12, 2017. When inspecting the tanks, it was determined that they were only 9.5 feet from the West property line. When the Land Services Office reviewed the design for permitting, all setbacks shown on the septic design, indicated they would be met. It was at the time of the install inspection it was discovered that they could not meet all setbacks. The septic pump tank was not installed at that time; the installed tanks are being used as holding tanks.

The applicant would like to install the septic pump tank closer to the property line so they have more of a turnaround area when they back out of their garage. It does appear that there might be room to move the septic pump tank closer to the mound and meet all the required setbacks; they might not have the parking/turn around area they would like. The new survey does not show a turnaround or what the impervious surface area would be with the turnaround; with what is shown on the January 22, 2018 survey, along with the existing garage (which wasn’t included in the impervious surface area on this survey) they will be at 21.7% impervious surface area.
A. Does the applicant propose the use of land in a reasonable manner?  
   It is very reasonable, a requirement in fact to have some sort of sewage disposal 
   if there is a structure used for human occupancy on the property.

B. Is the plight of the landowner due to circumstances unique to the property and 
   not created by the landowner?  
   It appears that the circumstances are due to the property owner’s contractor who 
   built the structure. It was not placed in the location that was shown when the 
   structure was permitted. If it had been placed in the location shown on the 
   survey from June 23, 2017 it was shown that the septic tank setbacks could be 
   met.

C. Will the variance, if granted, not alter the essential character of the area?  
   The variance, if granted, would not alter the essential character of the area.

D. Economic considerations alone shall not constitute practical difficulties. Practical 
   difficulties include, but are not limited to, inadequate access to direct sunlight for 
   solar energy systems, and may include earth sheltered construction as defined 
   by the State of Minnesota, when it is in harmony with official controls. 
   Economic considerations, are not a factor.

E. Is the proposed use allowed in the zoning district in which the subject property is 
   located?  
   The proposed use by the applicant is a required use in any district where a 
   dwelling is located, unless they have a municipal/public sewer system available 
   to hook up to.

Staff recommends approval of the request to reduce the setback from the West property 
line for the installed three septic tanks to 9.5 feet from the West property line, and denial 
of the request to reduce the setback to eight (8) feet from the West property line for the 
septic pump tank.

Mr. Carlson asked about the driveway’s condition.

Mr. Gaynor stated that it is currently rubble and would not be replaced. They will be 
planting grass in the spring.

**Motion by Mr. Carlson, seconded by Ms. Birnbaum to approve the variance**
**request by Daniel J. & Diane M. Gaynor to:**

- Reduce the setback from 10 feet to 9.5 feet from the West property line for 
  three installed septic tanks (MR 7080) and.
- Reduce the setback from 10 feet to 8 feet from the West property line to 
  install a septic pump tank (MR 7080)

**On Property legally described as that, Lot 14, Block B, Waldemere (17-920-0250, 
South Harbor Township). Generally located at 7112 Blair Way, Wahkon.**

Motion carried unanimously.
Consideration of a request by Stephen Rose, applicant for Steve & Lynn Hall Owners to:

- Increase the impervious surface area to 30.7% for replacement of an existing cabin, to include a patio, porch, walkway and parking pad (MLCDO Article 5, Table 501)

On property legally described as, Lot 16, Block B, Murry Beach Addition, (17-562-0140, South Harbor Township). Generally located at 11304 Twilight Rd., Onamia.

Stephen Rose of Nor-Son was present to represent the owners, Steve and Lynn Hall. He stated that he wanted to clarify the confusion regarding the application. He stated that the applicants are intending to remove the existing cabin on the site and replace it with a new home. Included in the proposal is 400 square feet of pervious paver parking area.

Ms. McPherson stated that the proposal was advertised with all possible impervious surface included. She noted that per DNR interpretation, once development has reach the 25 percent maximum, pervious pavers must be considered as impervious. No “credit” is given.

Mr. Rose stated that the proposed dwelling meets the required setbacks while the current structure does not. He stated that the septic system, which is on the lake side of the current structure, will be relocated to a parcel across the road. There is a small reduction in the amount of impervious surface from 27.98 percent to 27.81 percent.

Mr. Carlson asked for clarification of the amount of impervious surface.

Ms. McPherson stated that the advertise 30.7 percent included the 400 square foot parking area which will not be constructed. The amount requested is 27.81 percent.

Mr. Weimann asked why the project can’t meet the maximum 25 percent.

Mr. Rose stated that that is the amount that is there at this time.

Ms. Birnbaum asked if the house was one or two story.

Mr. Rose stated that it is partially two story. He noted that the existing house has a basement, but it is not really habitable space.

There was no written correspondence.

At 7:27 pm, with no public comment, Chair Roxbury opened and closed the public hearing.

Mr. Carlson clarified that the setbacks were met.

Mr. Rose stated yes.

Ms. Birnbaum asked where the drainfield would be located.

Mr. Rose indicated the location on the parcel across Twilight Road.
Chair Roxbury asked how much impervious would need to be removed to meet the 25 percent maximum.

Ms. McPherson stated 407.25 square feet.

Ms. McPherson reviewed the findings of fact.

The Board of Adjustment shall hear requests for variances where it is alleged that the provisions of the Development Ordinance create practical difficulties in complying with the official controls. Practical difficulties mean that the property owner proposes to use the property in a reasonable manner not permitted by any official control. In granting any variance, the Board of Adjustment may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Development Ordinance, provided the condition is directly related to, and bears a rough proportionality to, the impact created by the variance.

The Board of Adjustment may grant a variance, provided the following findings are made where relevant in a given case:

A. The variance proposes the use of land in a reasonable manner;
B. The plight of the landowner is due to circumstances unique to the property and not created by the landowner;
C. The variance, if granted, will not alter the essential character of the area;
D. Economic considerations alone shall not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems, and may include earth sheltered construction as defined by the State of Minnesota, when it is in harmony with official controls; and
E. No variance shall be granted that would allow any use that is not allowed in the zoning district in which the subject property is located.

The property currently has an impervious surface coverage of 27.98 percent, including the home, garage, boat house, decks, sidewalks and driveway. The applicant is proposing to remove the house, decks, sidewalks and driveway and replace the structure with a larger house, porch, patio and a walkway, eliminating the driveway. These changes will bring the impervious surface area to 27.81 percent. They would also like the board to consider a 22 foot x 20 foot parking pad, (not shown on the site plan) which would bring the impervious surface area to 30.7 percent.

The current home does not meet property line setbacks, the proposed new home will meet property line setbacks. The site sketch shows the proposed home is almost double the size of the existing home. It might be possible to decrease the size of the home being proposed and thus decreasing the impervious surface area, so it might be possible to replace the existing home, meet all the setbacks and either meet the 25 percent impervious surface area or have it at less than the 27 or 30 percent proposed. A home design was not included with the application, so it is hard to tell if it possible to reduce the size and still somewhat maintain the style home they wanted.

A new septic system is being proposed on a lot across the street with the septic tank being installed on this parcel, the Land Services office has not received any type of septic design, so we do not know the exact size or location of the septic tank(s).
A. Does the applicant propose the use of land in a reasonable manner?
   It is reasonable to have a dwelling on the parcel, there is already a dwelling on
   the property which is reasonable use. The applicant/owners want to enlarge the
   home.

B. Is the plight of the landowner due to circumstances unique to the property and
   not created by the landowner?
   Currently the lot is smaller than the minimum lot area for a single lot in
   Shoreland, it does not appear this lot was created by the property owner. The
   larger dwelling proposed is because the owners want a larger home.

C. Will the variance, if granted, not alter the essential character of the area?
   The variance, if granted, would not alter the essential character of the area, it just
   has the potential for more runoff.

D. Economic considerations alone shall not constitute practical difficulties. Practical
   difficulties include, but are not limited to, inadequate access to direct sunlight for
   solar energy systems, and may include earth sheltered construction as defined
   by the State of Minnesota, when it is in harmony with official controls.
   Economic considerations, are not a factor.

E. Is the proposed use allowed in the zoning district in which the subject property is
   located?
   The proposed use by the applicant is an allowed use.

Staff recommends denial of the request to increase the impervious surface area to
30.7% on this parcel. The request does not meet all five of the criteria, it does not meet
item B, as it is created by the home owners request for a house almost double the size
of the existing home that is helping to make the impervious surface area so great.

Ms. McPherson stated that if the Board wished to approve the variance, a requirement
for a rain garden or other water management best management practice would be
appropriate.

Mr. Weimann asked if this lot was comparable with other lots around the lake.

Ms. McPherson stated that in terms of lot size, this lot would be on the larger size given
when it was platted. Many more lots are in the 50 to 65 foot lot width category with only
a lot area of around 10,000 square feet.

Ms. Birnbaum stated that the owners have control of the house design and as such,
could get the impervious surface down to the maximum 25 percent.

Chair Roxbury concurred.

Mr. Carlson stated that he disagreed with staff's evaluation of criteria B.

Mr. Weimann stated that this lot is not unique when compared to other lots around the
lake.
Mr. Weimann stated that some of the patio pavers could be removed or the structure made smaller to eliminate the 407.25 square feet that the proposal is over.

Motion by Mr. Weimann, seconded by Ms. Birnbaum, to deny the variance as requested.

Motion by Mr. Carlson to amend the motion to require the applicant to remove the pavers to meet the maximum 25 percent impervious surface. The amendment failed to receive a second.

Motion carried, Mr. Carlson opposed.

VII. OTHER BUSINESS:

None.

VIII. ADJOURNMENT:

There being no further business,

Motion by Mr. Weimann, seconded by Mr. Carlson to adjourn the meeting.

Motion carried unanimously.

The meeting of the Mille Lacs County Board of Adjustment adjourned at 8:00 pm.

Respectfully submitted,

[Signature]

Michele McPherson
Director, Land Services Office
REQUEST

- Reduce the setback to a septic tank from ten (10) feet to four (4) feet (MR 7080.2150); and
- Reduce the setback to an SSTS absorption area from twenty (20) feet to twelve (12) feet (MR 7080.2150).

Generally located at 3345 Vista Rd., Isle, MN.

APPLICANT INFORMATION

Timothy & Nancy Carlson
300 Pratt St.
P.O. Box 2
Marine on St. Croix, MN  55047

OWNER INFORMATION

-Same as above-

PROPERTY INFORMATION

Property Address: 3345 Vista Rd., Isle, MN
Property PID: 05-802-0130
Property Zoning: S-2 High Density Residential Shoreland

Description of Adjacent Uses:
- Northerly: Single-Family Dwellings, S-2 High Density Residential Shoreland
- Easterly: Single-Family Dwellings, S-2 High Density Residential Shoreland
- Southerly: Single-Family Dwellings, S-2 High Density Residential Shoreland
- Westerly: Single-Family Dwellings, S-2 High Density Residential Shoreland

EVALUATION CRITERIA

Mille Lacs County Development Ordinance (MLCDO) Section 1206.2:

Variances. The Board of Adjustment shall hear requests for variances where it is alleged that the provisions of the Development Ordinance create practical difficulties in complying with the official controls. Practical difficulties mean that the property owner proposes to use the property in a reasonable manner not permitted by any official control. In granting any variance, the Board of Adjustment may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Development Ordinance, provided the condition is directly related to, and bears a rough proportionality to, the impact created by the variance. The Board of Adjustment may grant a variance, provided the following findings are made where relevant in a given case:

A. The variance proposes the use of land in a reasonable manner;
B. The plight of the landowner is due to circumstances unique to the property and not created by the landowner;
C. The variance, if granted, will not alter the essential character of the area;
D. Economic considerations alone shall not constitute practical difficulties. Practical
difficulties include, but are not limited to, inadequate access to direct sunlight for solar
energy systems, and may include earth sheltered construction as defined by the State
of Minnesota, when it is in harmony with official controls; and

E. No variance shall be granted that would allow any use that is not allowed in the zoning
district in which the subject property is located.

ANALYSIS

The applicants previously secured a permit to add a 24 ft. x 24 ft. addition to back of the existing
garage, and are now seeking, through this variance, approval to construct a four season porch
and a deck that would connect the four season porch to the aforementioned garage addition.
The existing deck, which will be replaced by construction of the proposed deck, was built
without a permit. The existing deck does not meet the setbacks from the septic tank and SSTS
absorption area; after review, it appears that the existing deck is approximately 2 feet from the
septic tank.

Multiple options exist for the landowner to eliminate or reduce the required variance. It appears
that the four season porch could be moved to the east, eliminating or reducing the requested
variance. Furthermore, if a walkway, instead of deck, was utilized between the four season
porch and the larger deck adjacent to the garage it would also reduce the necessary variance.
The applicant also has the option to move or modify the structures, or move the septic tank or
SSTS absorption area, to allow for construction without requiring a variance. Compliance on
the existing septic system is unknown and should work need to be done on the system to bring
it into compliance once construction has commenced on the deck and four season porch it
could impede the work on the septic system. The applicant has a signed agreement to inspect
the system by June 1, 2018 that was done when he applied for the permit for the garage
addition.

VARIANCE CRITERIA

A. Does the applicant propose the use of land in a reasonable manner?
   Currently, the applicant has reasonable use of the property, and it currently has an existing
   (non-conforming) deck.

B. Is the plight of the landowner due to circumstances unique to the property and not created by
the landowner?
   The plight of the landowner is due to circumstances created by the property owner, which are
   not unique to the property in question.

C. Will the variance, if granted, not alter the essential character of the area?
   The variance, if granted, would not alter the essential character of the area, as similar
development is present on adjacent parcels.

D. Economic considerations alone shall not constitute practical difficulties. Practical difficulties
include, but are not limited to, inadequate access to direct sunlight for solar energy systems,
and may include earth sheltered construction as defined by the State of Minnesota, when it is
in harmony with official controls.
   Economic considerations are not a factor. It appears that no practical difficulty exists.

E. Is the proposed use allowed in the zoning district in which the subject property is located?
The proposed use is an allowed use in the zoning district in which the subject property is
located.
RECOMMENDATION

Staff recommends denial of both requests, reducing the setback from a septic tank to four (4) feet and reducing the setback from the SSTS absorption area to twelve (12) feet.

ATTACHMENTS

- Application
- Description from Applicant
- Property sketch
- Location Map
- Photographs
- Impervious Surface Worksheet
- Agreement to Septic Compliance Inspection
APPLICATION SUBMITTAL REQUIREMENTS

☐ Description of requested Variance, including:
  o How it is reasonable;
  o How it is compatible with surrounding properties; and
  o How it is due to the unique condition of the property creating a legitimate need for the variance.

☐ Measurements of all hard surfaces such as driveways, structures, walkways, decks, patios, etc.

☐ Site Plan

☐ Certificate of Compliance if property is located in Shoreland or Wild and Scenic River Districts
**Application for a Variance**

**TERMS AND CONDITIONS**

The information in this application and submitted materials are true and correct to the best of my knowledge. I agree that all work will comply with all applicable federal and state regulations and the Mille Lacs County Development Ordinance. I also agree to allow Mille Lacs County staff to enter the property during normal business hours to conduct tests and inspections as may be needed to process the permit application.

**Signature of Applicant/Owner**

Nancy Carlson

**Date**

4-10-18

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**Notes:**

Has signed an agree to inspect form.
Nancy & I purchased this property from Glen Shaleen’s estate after her father passed away up here in August 2010. Nancy’s father built the garage in 1995 with the hope of convincing his wife to move up here to be their permanent residence. His wife finally gave in and they completed building the house in 1999, and the day they were to move in Glen’s wife passed away. Glen at least got 11 years of enjoyment up here before he passed away. Now Nancy and I are having the same discussion of trying to move up here on a permanent basis. We came up with three things that we felt we needed to do in order to make this happen. (1) We really wanted a 4 season porch out the back of the house, to give us a little more living space. (2) We needed to add onto the back of the garage to get enough storage for 2 vehicles, boat, and toys. I hate having stuff outside, so a person can keep a place looking nice and neat. (3) We have a 12’ X 12’ deck off the back of the house, in which we wanted to add onto and have it go towards the new addition to the garage.

How it is reasonable:

The requested variance is reasonable because we are creating space to make this property our permanent residence to accommodate our family and extended family and friends. This would allow our friends and family to visit us and share in the beauty of Mille Lacs County, thus making an economic impact in the community. In addition, we would be increasing the property value and add to the overall curb appeal of the home. To summarize, the reasons for the variance will bring value to home, bring tax value to the county and allow us to make Mille Lacs County our home.

How it is compatible with surrounding properties:

The view of the property from the roadside will be unchanged. The additions to the home will only increase living space in the exterior of the home. The additional space onto the garage will not differ in appearance only depth. The deck is just an extension onto an existing deck structure. All the homes surrounding us have Decks, Garages, and Porches, thus being compatible with the surrounding properties.

How it is due to the unique condition of the property creating a legitimate need for the variance:

When I went for the permit I was told that I need a variance for the deck and the 4 season porch, as it is too close to the sewer system. In response to that I have scaled back the existing deck blueprint, from 12’ out from the patio door to 8’, thus coming 4’ closer to the home and further away from the sewer system. One post from the 4 season porch will be 4’ from the septic tank and 12’ from the mound system. The two outer posts for the deck will be 4’ from the septic tank and 18’ from the mound system. All other posts do not interfere with the sewer or infringe on anyone’s property lines. In the future if we had to do work on the sewer system or use the alternative site, this variance approval would not interfere with any of that work, as the 4 season porch is 8’ off the ground, and the deck is about 6’ off the ground.
Mille Lacs County Impervious Surface Worksheet

To be used for determining the impervious coverage in the Shoreland and Wild & Scenic River Districts. Parcels are allowed 25% coverage per State Rule.

Parcel Owner: Timothy & Nancy Carlson

Applicant: Timothy & Nancy Carlson

Parcel ID: 05-802-0130

Parcel Address: 3345 Vista Road Isle, MN 56342

Step 1. Determine the parcel area. This can be accomplished using existing survey data, plat information, and/or direct measurements of known property. Discuss with staff if questions.

Total Surface Area of Parcel: 39,520 sq ft

Step 2. Determine the total proposed impervious surface area on the parcel. Impervious surfaces includes all non-natural, non-vegetated surfaces including but not limited to, buildings, driveways and parking areas (paved or gravel), sidewalks, patios, decks, porches, and some landscaping.

- Dwelling: 1,120 sq ft
- Garage: 930 sq ft
- Shed: 210 sq ft
- Driveway: 1,212 sq ft
- Sidewalk: 172 sq ft
- Deck: 144 sq ft
- Patio: 0 sq ft
- Impervious Landscaping: 0 sq ft
- Other New (less than 2 years): 0 sq ft
- Other Existing (more than 2 years): 276 sq ft
- Other DELL Addition: 644 sq ft

Total Impervious Surface: 5,306 sq ft

Step 3. Determine the proposed percent of impervious surface coverage on the parcel

Percent Impervious = 100 x (Step 2 / Step 1) = 100 x (5,306 / 39,520) = 13.43% (allowed 25%)

Revised 3/19/2013
MILLE LACS COUNTY ATTORNEY’S OFFICE AND
MILLE LACS COUNTY LAND SERVICES/ZONING OFFICE

SEPTIC COMPLIANCE AND/OR INSTALLATION AGREEMENT
PROPERTY OWNER INFORMATION

PROPERTY OWNER: Timothy & Nancy Carrol

SITE ADDRESS: 3345 Vista Road

MAILING ADDRESS (If differs from above): 300 Pratt St Po Box 2
Marine, MN 55047

In accordance with Chapter 3, Article 3, of the Mille Lacs County Code of Ordinances, the above named property owner hereby agrees to have a compliant septic system installed or an Subsurface Sewage Treatment System (SSTS) compliance inspection completed before June 1, 2018 for the parcel of property in Mille Lacs County, Minnesota, described below. Pursuant to this agreement, should said parcel require the installation of a new system, said property owner further agrees to submit to the Mille Lacs County Land Services/Zoning Office an acceptable replacement design and purchase a septic permit no later than ______________. A conforming septic system shall be installed during the ______________ construction season. Failure to comply with deadlines as stated will result in enforcement action by the Mille Lacs County Attorney’s Office.

REASON FOR WINTER WINDOW: ✔ Building Permit __ Public Hearing
                                          ____ Property Transfer ___ Other: ______________

LEGAL DESCRIPTION
Section 037 Township 043 Range ______________

PARCEL NUMBER 05-802-0130 TOWNSHIP NAME EAST SIDE TWP

PLEASE NOTE: YOU MUST SIGN THIS FORM IN THE PRESENCE OF A NOTARY PUBLIC.

I hereby swear and affirm that the above information is true and correct.

3-7-18 Date

Property Owner’s Signature

Witness

Name & Title (Print)
REQUEST
Reduce the setback to the Ordinary High Water Mark from 50 feet to 25 feet.

APPLICANT INFORMATION
Bruce Meyers, Mille Lacs Island Resort

PROPERTY INFORMATION
Property Address: 6448 State Highway 27
Property PID: 08-018-0201
Property Zoning: S-2, High Density Residential/Surface Water Oriented Commercial Shoreland

EVALUATION CRITERIA
From the Development Ordnance Section 1206.2

Variances. The Board of Adjustment shall hear requests for variances where it is alleged that the provisions of the Development Ordinance create practical difficulties in complying with the official controls. Practical difficulties mean that the property owner proposes to use the property in a reasonable manner not permitted by any official control. In granting any variance, the Board of Adjustment may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Development Ordinance, provided the condition is directly related to, and bears a rough proportionality to, the impact created by the variance. The Board of Adjustment may grant a variance, provided the following findings are made where relevant in a given case:

A. The variance proposes the use of land in a reasonable manner;
B. The plight of the landowner is due to circumstances unique to the property and not created by the landowner;
C. The variance, if granted, will not alter the essential character of the area;
D. Economic considerations alone shall not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems, and may include earth sheltered construction as defined by the State of Minnesota, when it is in harmony with official controls; and
E. No variance shall be granted that would allow any use that is not allowed in the zoning district in which the subject property is located.

ANALYSIS
The applicant leases Lot 3 from the owner, Great American Resorts. Located on the lease space is a park model with three attached decks. The closest point of encroachment is a deck six by 12 feet. The applicant desires to place a screen porch on top of the eight by 14 foot deck on the side of the park model.

The County has approved multiple variances over the years to allow placement of screen porches on existing decks, decks, and park models. A map showing the issued variances is attached for the Board's information.
A. The variance proposes the use of land in a reasonable manner;
   The requested variance is for a use that is reasonable. Screen porches are a useful extension of living space in a lake environment. Similar porches have been in use and approved in the resort.

B. The plight of the landowner is due to circumstances unique to the property and not created by the landowner;
   It is unclear if the applicant purchased the improvements as is or if they placed them there. Given the age of the resort and the pattern of development, the variance requested is likely the result of actions by others.

C. The variance, if granted, will not alter the essential character of the area;
   Other than the addition of a porch on an existing deck, the character of the resort will not be altered if the variance is granted. A similar variance was granted for the adjacent Lot 4.

D. Economic considerations alone shall not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems, and may include earth sheltered construction as defined by the State of Minnesota, when it is in harmony with official controls; and
   Economic considerations are not a factor.

E. No variance shall be granted that would allow any use that is not allowed in the zoning district in which the subject property is located.
   The requested variance is not for a use.

RECOMMENDATION
The variance requested meets the criteria for granting a variance. Staff recommends that the Board of adjustment grant the variance.

ATTACHMENTS
- Plat Book Location Map
- Aerial Photo
- Site Plan
- Application
- Applicant's Written Narrative
- Map of Variances Previously Granted
Meyers/MLIR Setback Variance

Date: 5/2/2018

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.
MILLE LACS ISLAND RESORT
SEASONAL SITE ALTERATION REQUEST

TENANT REQUESTING: Bruce & Diane Meyers

SEASON SITE #: 3

TYPE OF ALTERATION:
X DECK
Screen Porch

SHED SIZE ______ BRAND ______

LANDSCAPE ONLY ______ TYPE ______

PLEASE DRAW A DIAGRAM OF SITE AND CHANGES BELOW:

Diagram drawing of site alterations

TENANT SIGNATURE: Bruce Meyers DATE: 8/16/2016

OFFICE USE ONLY
APPROVED X NOT APPROVED

REASON FOR DENIAL OR CONDITIONS OF APPROVAL: MUST STAY IN PLEET FROM ANY STRUCTURES ON ADJOINING SITES AND MUST SEEK ANY AND ALL COUNTY PERMITS REQUIRED.

MANAGEMENT SIGNATURE: ______ DATE: 3/16/18
Application for a Variance

INSTRUCTIONS
Before you apply for a Variance, all property taxes must be current. Please complete this application in full. Incomplete or incorrect applications will be returned to the applicant. The application and required submittal documents may be submitted in person or mailed to:

Mille Lacs County Land Services Office
635 2nd Street SE
Milaca, MN 56353

APPLICANT INFORMATION
Name: Bruce Meyers
Contact Phone: 651-278-6828
Mailing Address: 3244 Hillside Court, Enga, MN 55121
E-mail Address: Meyerslander@comcast.net

Are you purchasing the property on a Contract for Deed? (circle one) Y N
If yes, please have the Contract Holder sign here: __________________________

PROPERTY INFORMATION
Property Address: Lot 3, Mille Lacs Island Resort, Waikon, MN
Parcel ID Number: (e.g. 00-000-0000) from your tax statement: 08-980-8003

Is the property located within 1,000 feet of a lake or 300 feet of a river? (circle one) Y N

APPLICATION SUBMITTAL REQUIREMENTS
☑ Description of requested Variance, including:
☑ How it is reasonable;
☑ How it is compatible with surrounding properties; and
☑ How it is due to the unique condition of the property creating a legitimate need for the variance.
☑ Measurements of all hard surfaces such as driveways, structures, walkways, decks, patios, etc.
☐ Site Plan
☐ Certificate of Compliance if property is located in Shoreland or Wild and Scenic River Districts

Attached (Attachment A)

Mille Lacs County Land Services, 635 2nd Street SE, Milaca, MN 56353
320-983-8308 • www.co.mille-lacs.mn.us

November 2015

1 of 2
Application for a Variance

TERMS AND CONDITIONS

The information in this application and submitted materials are true and correct to the best of my knowledge. I agree that all work will comply with all applicable federal and state regulations and the Mille Lacs County Development Ordinance. I also agree to allow Mille Lacs County staff to enter the property during normal business hours to conduct tests and inspections as may be needed to process the permit application.

Bruce L. Meyers
Signature of Applicant/Owner

09/09/2018
Date

OFFICE USE ONLY
Date Application Received: ________________
Taxes Verified as Current:  Y  N
Zoning District: ____________________________
Any Violations on Property:  Y  N
Ownership Verified:  Y  N
Date Staff Approved Application as Complete: ________________

☐ Ownership
☐ Setbacks
☐ Floodplain
☐ Wetlands
☐ Public Waters
☐ Impervious Surface

Board of Adjustment Date: ________________
60-Day Expiration Date: ________________
Recording Order Number: ________________
Reviewer Initials: ________________

Notes:
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

Application for a Variance

Mille Lacs County Land Services, 635 2nd Street SE, Milaca, MN 56353
320-983-8308 • www.co.mille-lacs.mn.us

November 2015
Description of Requested Variance:
Since the property (Lot 3, Mille Lacs Island Resort) contains my park model home (400 sq. feet) and the existing front deck is located 25 feet from the lakeshore of Mille Lacs Lake, I was told that I would need a variance. Besides the park model home, all other decks and hard surfaces, including a small shed, all add up to 291 square feet of hard surfaces.

The request for a variance is reasonable because the construction plan proposes to place a screen porch on top of an existing deck without expanding the size of the existing deck. The existing railings on the 8 foot by 14 foot deck will be removed and the new screen porch will be build on top of the deck.

This construction is compatible to other park model homes in the area (Lot 4, Lot 8, and others) that have built a screen porch on an existing deck.

Since there are other lots with screen porches and the 8 by 14 foot screen porch that I wish to build is smaller than most of them, I believe, the request is a valid request. The screen porch will protect my family from rain, insects, and provide a comfortable means to stay outside.

The existing hard surface structures (291 square feet) aside from the park model home are:
- Front deck (8’ by 14’)
- Side front deck large (8’ by 14’) – will contain the 8’ by 14’ deck.
- Side rear deck (8’ by 7’)
- Shed (3’ by 3.66’)

A hand drawn site representation is provided as part of the attached Mille Lacs Island Resort Seasonal Site Alteration Plan.

A Building Permit Application including the builder’s (Screen Pro Co., LLC) plan is attached.

If you have any questions, please call me at 651-452-6969.

Bruce W. Meyers
REQUEST
Reduce the side yard setback from 10 feet to eight (8) feet.

APPLICANT INFORMATION
Langley & Catherine Murray
8653 Banyan Bay Boulevard
Fort Myers, FL 33908

PROPERTY INFORMATION
Property Address: 18633 Golf Circle, Garrison
Property PID: 09-969-2650
Property Zoning: R-2, Medium Density Residential
All adjacent properties are zoned similarly.

EVALUATION CRITERIA
From the Development Ordinance Section 1206.2

Variances. The Board of Adjustment shall hear requests for variances where it is alleged that the provisions of the Development Ordinance create practical difficulties in complying with the official controls. Practical difficulties mean that the property owner proposes to use the property in a reasonable manner not permitted by any official control. In granting any variance, the Board of Adjustment may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Development Ordinance, provided the condition is directly related to, and bears a rough proportionality to, the impact created by the variance. The Board of Adjustment may grant a variance, provided the following findings are made where relevant in a given case:

A. The variance proposes the use of land in a reasonable manner;
B. The plight of the landowner is due to circumstances unique to the property and not created by the landowner;
C. The variance, if granted, will not alter the essential character of the area;
D. Economic considerations alone shall not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems, and may include earth sheltered construction as defined by the State of Minnesota, when it is in harmony with official controls; and
E. No variance shall be granted that would allow any use that is not allowed in the zoning district in which the subject property is located.

ANALYSIS
The subject parcel was platted in the mid-1960's by Bohmer-Herberger Corporation as part of a large seasonal resort development. The lots were sold over time but no construction was ever done by the developer. Over time, the lots have been used for recreational camping and some have been built on. Many have gone tax forfeit and been bought by adjacent owners to make larger building sites. The lots are small, typically 55 to 75 feet wide and 120 to 130 feet deep. The subject property is 65 by 130.

Located on the subject parcel is a 33 by 45 foot cabin. The applicants propose to construct a 20 x 24 foot garage.
A. The variance proposes the use of land in a reasonable manner;

The addition of a garage on the site is reasonable. Storage of cars, recreational and maintenance items is best done inside a structure to protect them from the elements and from theft.

B. The plight of the landowner is due to circumstances unique to the property and not created by the landowner;

The applicants recently purchased the property. They did not plat the lot nor did they build the cabin.

C. The variance, if granted, will not alter the essential character of the area;

The variance requested is minimal. Granting the variance should not alter the character of the area. Garages are a normal site in the area.

D. Economic considerations alone shall not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems, and may include earth sheltered construction as defined by the State of Minnesota, when it is in harmony with official controls; and

Economic considerations are not a factor.

E. No variance shall be granted that would allow any use that is not allowed in the zoning district in which the subject property is located.

The variance is for not a use.

RECOMMENDATION

The variance requested meets the criteria for granting a variance. Staff recommends that the Board of adjustment grant the variance.

ATTACHMENTS

- Plat Book Location Map
- Plat Book Port Mille Lacs Street Map
- Aerial Photo
- Site Plan
- Application
- Applicant's Written Narrative
Langley & Catherine Murray
Garrison, MD 20640
Garage 20' x 24' x 16'

Site Plan - 09-969-2650

Existing Cabin

Holding Tank

Well

Proposed Garage

Golf Circle Road
Application for a Variance

INSTRUCTIONS
Before you apply for a Variance, all property taxes must be current. Please complete this application in full. Incomplete or incorrect applications will be returned to the applicant. The application and required submittal documents may be submitted in person or mailed to:
Mille Lacs County Land Services Office
635 2nd Street SE
Milaca, MN 56353

APPLICANT INFORMATION
Name: Langley + Catherine Murray
Contact Phone: 515.229.6203
Mailing Address: 8653 Rianyan Pay Blvd, Ft Myers, FL 33908
E-mail Address: ldmcmnn 10250@gmail.com

Are you purchasing the property on a Contract for Deed? (circle one) Y ☒
If yes, please have the Contract Holder sign here:

PROPERTY INFORMATION
Property Address: 18633 Gulf Circle, Garrison, MN
Parcel ID Number: (e.g. 00-000-0000) from your tax statement: 09.969.2650
Is the property located within 1,000 feet of a lake or 300 feet of a river? (circle one) Y ☒

APPLICATION SUBMITTAL REQUIREMENTS
☐ Description of requested Variance, including:
  o How it is reasonable;
  o How it is compatible with surrounding properties; and
  o How it is due to the unique condition of the property creating a legitimate need for the variance.
☐ Measurements of all hard surfaces such as driveways, structures, walkways, decks, patios, etc.
☐ Site Plan
☐ Certificate of Compliance if property is located in Shoreland or Wild and Scenic River Districts
Application for a Variance

TERMS AND CONDITIONS
The information in this application and submitted materials are true and correct to the best of my knowledge. I agree that all work will comply with all applicable federal and state regulations and the Mille Lacs County Development Ordinance. I also agree to allow Mille Lacs County staff to enter the property during normal business hours to conduct tests and inspections as may be needed to process the permit application.

Signature of Applicant/Owner

Date

OFFICE USE ONLY

Date Application Received: 4-18-18
Taxes Verified as Current: Y N
Zoning District: ____________________________
Any Violations on Property: Y N
Ownership Verified: Y N
Date Staff Approved Application as Complete: ____________________________

☐ Ownership
☐ Setbacks
☐ Floodplain
☐ Wetlands
☐ Public Waters
☐ Impervious Surface

Board of Adjustment Date: ____________________________
60-Day Expiration Date: ____________________________
Recording Order Number: ____________________________
Reviewer Initials: ____________________________

Notes:

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

Application for a Variance

Mille Lacs County Land Services, 635 2nd Street SE, Milaca, MN 56353
320.983-8308 • www.co.mille-lacs.mn.us

November 2015

2 of 2
Request for Variance:

- Requesting side yard variance from 10 ft to possibly two to five feet setback. Lot 09.969-2660. We already spoke to Donna and she has given us permission to do so, if needed to extend over her property line.
- Garage will be built at an angle due to our lot being so narrow (65 ft).
- Garage will have similar look to new log cabin townhomes off Baffie Bend.
REQUEST
Reduce the setback to the centerline of the road from 100 feet to 70 feet.

APPLICANT INFORMATION
Daniel Sienko
PO Box 536
Elk River, MN 55330

PROPERTY INFORMATION
Property Address: 12462 90th Street
Property PID: 12-023-1100
Property Zoning: Agricultural Residential
All properties zoned similarly.

EVALUATION CRITERIA
From the Development Ordinance Section 1206.2

Variances. The Board of Adjustment shall hear requests for variances where it is alleged that the provisions of the Development Ordinance create practical difficulties in complying with the official controls. Practical difficulties mean that the property owner proposes to use the property in a reasonable manner not permitted by any official control. In granting any variance, the Board of Adjustment may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Development Ordinance, provided the condition is directly related to, and bears a rough proportionality to, the impact created by the variance. The Board of Adjustment may grant a variance, provided the following findings are made where relevant in a given case:

A. The variance proposes the use of land in a reasonable manner;
B. The plight of the landowner is due to circumstances unique to the property and not created by the landowner;
C. The variance, if granted, will not alter the essential character of the area;
D. Economic considerations alone shall not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems, and may include earth sheltered construction as defined by the State of Minnesota, when it is in harmony with official controls; and
E. No variance shall be granted that would allow any use that is not allowed in the zoning district in which the subject property is located.

ANALYSIS
Located on the subject property is a single family dwelling which encroaches into both road setbacks. The parcel’s west property line is on the west side of CSAH 5 as opposed to on the centerline. The submitted survey indicates the current buildable area (in orange) accounting for road, property line and septic setbacks. There is approximately 57 feet between the house and east property line and 24 feet between the 90th Street road setback and the setback to the septic absorption area. Assuming the septic tanks are relocated, the applicant would have a buildable area of 24 by 50 feet, providing seven (7) feet of separation between the house and accessory structure.

Staff Report Variance
Mille Lacs County Land Services, 635 2nd Street SE, Milaca, MN 56353
www.co.mille-lacs.mn.us

December 2015
320-963-8308
The applicant is proposing a reduction to the 90th Street road setback to 70 feet, this would make the proposed structure 50 feet wide and 54 feet deep, not the indicated 60.

A. The variance proposes the use of land in a reasonable manner;

A garage is a reasonable use for the property. A 24 by 50 foot garage is reasonable. A small variance of six (6) feet to make the garage 30 x 50 feet would be reasonable as the garage would then be set at the same distance from the road as the house.

B. The plight of the landowner is due to circumstances unique to the property and not created by the landowner;

The landowner did not place the dwelling or the septic on the site. If the septic was located westerly of its current location, the applicant could construct a structure farther north on the site.

C. The variance, if granted, will not alter the essential character of the area;

There are no similarly situated structures in the area. The area is predominantly farm fields with farmsteads that are set back from the road. A structure set closer to the road may look out of place but it would not create and adverse impact on adjacent properties.

D. Economic considerations alone shall not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems, and may include earth sheltered construction as defined by the State of Minnesota, when it is in harmony with official controls; and

Economic considerations are not a factor absent the alternative to relocate the septic to provide buildable area north of the proposed location which would allow the applicant to construct a building without the need for a variance.

E. No variance shall be granted that would allow any use that is not allowed in the zoning district in which the subject property is located.

The proposed garage is allowed in the zoning district.

RECOMMENDATION

Staff recommends denial of the variance as requested but recommends that the Board of Adjustment consider granting a variance to reduce the setback from 100 feet to 94 feet to allow for construction of a 30 by 50 foot building.

ATTACHMENTS

- Plat Book Location Map
- Aerial Photo
- Site Plan (x2)
- Application
- Applicant's Written Narrative
Sienko Setback Variance Request

Date: 5/2/2018

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.
Application for a Variance

INSTRUCTIONS

Before you apply for a Variance, all property taxes must be current. Please complete this application in full. Incomplete or incorrect applications will be returned to the applicant. The application and required submittal documents may be submitted in person or mailed to:

Mille Lacs County Land Services Office
635 2nd Street SE
Milaca, MN 56353

APPLICANT INFORMATION

Name: Daniel Sleiko
Contact Phone: 763-274-0217
Mailing Address: P.O. Box 536 Elk River, MN 55330
E-mail Address: paradoxcleaning@gmail.com

Are you purchasing the property on a Contract for Deed? (circle one) Y (N)
If yes, please have the Contract Holder sign here: N/A

PROPERTY INFORMATION

Property Address: 12462 90th St, Milaca MN 56063
Parcel ID Number: (e.g. 00-000-0000) from your tax statement: 120231100
Is the property located within 1,000 feet of a lake or 300 feet of a river? (circle one) Y (N)

APPLICATION SUBMITTAL REQUIREMENTS

☐ Description of requested Variance, including:
  o How it is reasonable;
  o How it is compatible with surrounding properties; and
  o How it is due to the unique condition of the property creating a legitimate need for the variance.
☐ Measurements of all hard surfaces such as driveways, structures, walkways, decks, patios, etc.
☐ Site Plan
☐ Certificate of Compliance if property is located in Shoreland or Wild and Scenic River Districts

Mille Lacs County Land Services, 635 2nd Street SE, Milaca, MN 56353
320-983-8308 • www.co.mille-lacs.mn.us

November 2015
Application for a Variance

Mille Lacs County

TERMS AND CONDITIONS

The information in this application and submitted materials are true and correct to the best of my knowledge. I agree that all work will comply with all applicable federal and state regulations and the Mille Lacs County Development Ordinance. I also agree to allow Mille Lacs County staff to enter the property during normal business hours to conduct tests and inspections as may be needed to process the permit application.

Signature of Applicant/Owner

Date

4/17/18

OFFICE USE ONLY

Date Application Received: 4/17/18

Taxes Verified as Current: Y N

Zoning District:

Any Violations on Property: Y N

Ownership Verified: Y N

Date Staff Approved Application as Complete: ________________

☐ Ownership
☐ Setbacks
☐ Floodplain
☐ Wetlands
☐ Public Waters
☐ Impervious Surface

Board of Adjustment Date: ________________

60-Day Expiration Date: ________________

Recording Order Number: ________________

Reviewer Initials: ________________

Notes:

_________________________________

_________________________________

_________________________________

_________________________________

Application for a Variance

Mille Lacs County Land Services, 635 2nd Street SE, Milaca, MN 56353
320-983-8308 • www.co.mille-lacs.mn.us

November 2015

2 of 2
To whom it may concern,

I'm submitting a request for a 30' variance on a proposed post frame garage/shed off of 90th street (gravel road) reducing the current requirement of a 100' set back down to a 70' set back.

After surveying the property, it was determined that due to a past road relocation (125th or co. rd. 5), an existing septic mound system and a slightly irregular shape to the property lines, that a desired 50x60 garage structure would not meet current set back requirements from 90th street. To the west my home would prevent expansion to the west, to the North my mound system would prevent expansion to the north and to the east I would be meeting the 20' required property set back from my neighbors property which I would like to maintain.

Currently I can only build a 50 foot wide x approximately 35 foot deep building. The driveway comes in from the south off of 90th street so the entrance doors would only allow a 35 foot deep/long camper or boat. There are 4 feet of needed overhead eaves (2' on north and south sides for a total of 4') which are part of the set back measurement reducing the structure down to about 41 feet. In addition due the irregular and slight angle of the property in order to square the building it would have to be reduced even further to around 35 feet. This would prevent my camper and tow vehicle from being stored as well as a boat with trailer. The purpose of the building is for storage and protection of these 2 items along with normal everyday covered garage parking. I could request only an 80 foot setback instead of the 70 being requested however it would be very difficult for the construction company to accurately account for the slight angle of the property and we would like a slight cushion of that additional 10 feet to accommodate for this issue. The set back from the mound system can’t be modified and the new building would be placed tight against that northern property line setback.

Upon purchase of the property approximately 3 years ago I was unfortunately informed that the set back from 90th was only 50' by both the county and a surveyor. Due to the current Mound system placement I’m hoping that the 100 foot actual required set back can be reconsidered and brought down to 70 foot. The actual southern building wall will be closer to the 85 foot set-back mark but the eaves and squaring of the building require the additional 15 feet.

I believe the additional 30 feet (and associated building) is reasonable considering the properties unique shape, size and history of abandonment/vandalism and general derelict through many years due primarily to the parcel size and inability to build a structure of practical use. This is my personal residence and not an investment property and I would like to retire on the land. I also believe that it would be more in line with surrounding properties which all have barns/detached garages etc. (all immediate land surrounding me is farm field).

I have included the survey and highlighted pertinent information. If this variance is approved it would require new septic tanks to also be installed which I have confirmed can be placed to the west of the home. As you can see I am willing to invest in the property to make it viable for my own use IF I can build a structure that accommodates my specific needs and hopefully eliminate previous years (prior to my ownership)of a blight on surrounding property and homeowners.

Thank you for your consideration

Daniel Sienko