

CHISAGO COUNTY
BOARD OF ADJUSTMENT
OFFICIAL PROCEEDINGS
January 2, 2020 - DRAFT

The Chisago County Board of Adjustment met in regular session at 6:00 p.m. on Thursday, January 2, 2020 in County Board Room of the Government Center.

Staff Present: Jessica Jagoe; Land Services Coordinator and Diane Sander; Land Services & Parks Specialist.

The Chair called the meeting to order and led the assembly in the Pledge of Allegiance. The roll call of Board members was then taken. Board members present: Chair John Sutcliffe, Becky Strand, Gregg Carlson and Chip Yeager. Doug Greene arrived late. A quorum was established with members present.

APPROVAL OF AGENDA – Motion by Gregg Carlson to accept the agenda as presented. Second by Chip Yeager. Motion carried unanimously.

APPROVAL OF MINUTES – Gregg Carlson requested to make an addition to the minutes of the December 9, 2019 meeting. The sentence “**Motion to approve an addition up to 20 x 32...**” Should be, “**Motion by Gregg Carlson to approve an addition up to 20 x 32...**” Motion by Gregg Carlson to approve the corrected December 9, 2019 minutes. Second by Becky Strand. Motion carried unanimously.

ADOPTION OF MATERIALS AND SUBMITTALS INTO THE RECORD – By consensus the Board of Adjustment approved to adopt all applications, submittals, reports and other materials into the record by reference. Staff Reports had been distributed in advance to the Board and applicant for their review. Copies were made available at the entrance to the hearing room.

PUBLIC HEARING

Jason Foster – Mr. Foster was present at the hearing to request a variance to construct an accessory structure closer to side property line than the required setback. The property is located on 877 454th Street Court, Fish Lake Township; Sec.16, T.36, R.22, (PID #03.01116.03).

Coordinator Jagoe presented background information on the Anchor Heights Plat and Foster’s application. The property is zoned agriculture with a detached non-agriculture accessory structure setback of 20 feet. Mr. Foster purchased Outlot A in 2017 for a combined area of over three acres. Technical reviewed was held on December 11, 2019 and no other impacts or impacts to neighboring properties were raised or identified. Fish Lake Township Board recommended approval of the variance on December 9, 2019 with no conditions.

Mr. Foster reported he has a hobby of restoring cars and has already invested money into a crane system and paint booth for the accessory structure. The accessory structure will be set at the very back of the lot to minimize the side setback. The Anchor Heights Plat was 40 acres but does not have the typical five acre lots. Board members questioned Mr. Foster on the crane and building size. John Sutcliffe asked if this was a hobby or going to be a commercial business. Mr. Foster reported the vehicle restoration work would remain a hobby. Chip Yeager pointed out the property is unique and is more RRII than the Agriculture Zoning District, which was not created by Mr. Foster.

Chair Sutcliffe sought public comment, but no one was present to testify in the matter. With no additional person wishing to speak, Chair Sutcliffe closed the public hearing and asked for additional questions and comments. **Motion** by Gregg Carlson to approve the variance request to construct an accessory structure no less than 18 feet on both sides of the structure to the side setback. Motion is based on the Staff Report, subject to the following condition, and Findings of Fact. Second by Becky Strand. Motion carried unanimously.

Condition of Approval:

1. The accessory structure will not be used for commercial use.

Findings of Fact:

1. The Variance application as proposed is consistent with the zoning regulations and Comprehensive Plan for Chisago County.
2. The Variance application does not change the character of the neighborhood and is determined to be a reasonable use of the property and hereby can be supported by the Board of Adjustment and Appeals.
3. The Variance application as presented has met the threshold as required by MN State Statute 397 and County Ordinance 8.06.D and is attributed to the unique development of the Anchor Heights Plat with smaller lots sizes as designed to be more characteristic of residential zoning districts.

ADJOURNMENT - Gregg Carlson moved to adjourn. Second by Chip Yeager. Motion carried unanimously. With no further business, the meeting was adjourned at 6:25 p.m.