

Monday July 11, 2011

The Deuel County Zoning Board met on Monday July 11, 2011 at 7:00 P.M., in the Commissioners' room of the Courthouse in Clear Lake. Those present were members Dennis Kanengieter, Gary Jaeger, Jay Gislason, and Mike Dahl. Also present were Attorney John Knight and Zoning Officer Jodi Theisen.

- 1) Chariman Dennis Kanengieter called the meeting to order. Motion by Jaeger, seconded by Dahl to approve the July 11, 2011 agenda. All voted in favor and motion carried.
- 2) Motion by Jaeger, seconded by Dahl to approve Block 1 Poppen Addition in SE1/4 22-117-48, Lowe Township. All voted in favor and motion carried.
- 3) Motion by Jaeger, seconded by Dahl to approve Block 1 Kreger Addition in NE1/4 34-115-50, Havana Lake Township. All voted in favor and motion carried.
- 4) Motion by Dahl, seconded by Jaeger to approve Lots 1 & 2 Salzer Addition in SE1/4 23-116-50, Goodwin Township. All voted in favor and motion carried.
- 5) Motion by Jaeger, seconded by Dahl to approve Block 1 Quam Addition in SW1/4 33-113-49, Blom Township. All voted in favor and motion carried.
- 6) Lawrence Rogge applied for a Variance to build a 30 x 30 house 35 feet from the high water mark and 29 feet from the edge of the road on Outlot 9 Ash Point Addition in Gov Lot 9 SW1/4 4-114-47 at Lake Cochrane. Rogge also applied for a special exception to replace the current landscaping within the 35 feet of the high water mark with a new retaining wall, replace the sand with grass, and also to place large cement blocks along the sides of lot. Rogge stated that he would like to remove the wood terraces and to dig out about 16 yard of dirt so they can have a walk out basement onto a cement slab. Jaeger asked how tall the basement will be. Rogge stated that his basement will be 9 feet so they will dig out about 6 feet of depth and the basement will be 3 feet higher than the ground. Rogge explained to the board that he would like to place big cement blocks that will be about 6 feet tall along the side of the lot for the walk out basement and cement slab area. Kanengieter was concerned about how the lot would look from the lake side more like a tunnel than the natural terrain of the lake. Jaeger wondered if the 3 trees on the south side of the lot if they would be moved. Rogge stated that the blocks would be besides them and they would be staying. There would be 5 feet on both sides of house and the blocks for the walk out basement. Kanengieter was wondering about the rain off of the roof of the house and Rogge stated that they would put tile to the water. The board requested that they put a railing or fence on top of blocks on the

south side so no one would fall off the 6 foot drop. Rogge also stated that he would like to dig some of the dirt along the high water mark to pour cement 5 feet under the water for a retaining wall which would be 2 feet above the water level. Motion Gislason, seconded Dahl to grant a variance to place a 30 x 30 House 35 feet from the high water mark and 29 feet from the edge of the road. And to grant the special exception for the retaining wall on the high water mark and to remove about 16 yards of dirt with removing the terraces replacing with sod, cement pad in front of walk out basement, and placing cement blocks along the side of the lot that is 6 feet tall. On condition that Rogge would show the boards a landscaping plan to make the view from the lake not look so much like a tunnel to the basement. The findings for this variance includes that the lot size is 40 feet which restricts the area to build on, and there was a bank that was dug out with existing landscaping already on the lot. Roll call vote Gislason-yes, Dahl-yes, Jaeger-yes, Kanengieter-yes and motion carried.

- 7) The board also discussed about some trees located across from Rogge's lot that was removed that might be in the driveway or on Cochrane's property. The board told the neighbors and Rogge that is not a zoning issue.
- 8) Scott Keogh applied for a Special Exception to build a 40 x 60 steel frame shed on Lot 29B Agnes Place Addition Government Lot 8 5-114-47 Lake Cochrane, Norden Township. Keogh stated that they are going to make a natural drainage way from the back lot to the lake because this lot holds the water. The steel building is going to have a bathroom roughed in but not hooked up to sewer right now because in the future Keogh plans on building a new house on the lot across from this one and digging in a new septic tank at that time. Motion Jaeger, seconded Dahl to grant a special exception to build a 40 x 60 steel frame shed on Lot 29B Agnes Place Additio on condition the Zoning Office receives a letter of written permission for the drainage way from the neighbor. All voted in favor and motion carried.
- 9) Ronald Ruud applied for a Variance to replat 3 lots into 2 60 foot lots, which are smaller than our ordinance allows on lots 18-19-20 Severson Bay Gov Lot 5 & 4-114-47. Ruud stated that he purchased lots 18-19 with an A frame house and lot 20 later which is a bare lot and now he has gotten married and his family has expanded and they need more room. So he was hoping to replat into 2 lots and build a new house on one lot and keep the A frame house on the other lot. The board questioned if these lots were nonconforming lots and that they can't be split because of common ownership and now they are one lot instead of 3 lots. Motion Jaeger, seconded Gislason to table this variance until the August 8 meeting when the definition of nonconforming lot description is defined by Attorney John Knight. All voted in favor and motion carried.

- 10) Travis Young came before the Zoning board to discuss the Meyer Addition and which septic system he was going to be using. Young is going to be purchasing the lot 2 Meyer Addition and will be building a new house on that location in the future. Young stated that he is going to be putting in a mound septic system on that lot. The board had no objection to the mound system.
- 11) Motion by Dahl, seconded by Gislason to approve Lot 1 & 2 Meyer Addition in Gov Lot 5 8-116-48, Altamont Township. All voted in favor and motion carried
- 12) Tod Neilsen appeared before Zoning Board to talk about his bank at Lot 13 Agnes Place Addition Gov Lot 8 5-114-47 Lake Cochrane, Norden Township. On Monday July, 4, 2011 during the night Tuesday morning Lake Cochrane received a lot of rain in a short amount of time. The water came down west side of Neilsen house and caused his hill which is located toward the water to erode and slide in Lake Cochrane. He came before the board to ask for suggestions to help stop the erosion and what he could do about the bank. The board granted him an emergency shoreline repair permit for stabilization with the intent to apply for a special exception permit on August 8, 2011 meeting. The board suggested fabric, rock, or cement landscaping blocks to help with the erosion issue also maybe a mini excavator to help clean the dirt and tree roots out of the lake.
- 13) Todd Knuston came before the Zoning Board to talk about replating his 3 lots Outlot 14-15-16 Ash Point into 2 65 foot lots. He explained to the board that he owns these lots with Brian Hansen. That the families are growing and the mobile home on the lot is getting to small for both families and that they would like to split into lots so they can have two separate houses. The board told him when the definition of nonconforming lot description is defined by Attorney John Knight they, would let him know and would talk about this issue at that time.
- 14) Kanengieter called the meeting.

Jodi Theisen
Zoning Office

Dennis Kanengieter
Chairman, Zoning Board