

DRAFT
MINUTES OF THE CARLTON COUNTY
BOARD OF ADJUSTMENT MEETING
April 19, 2011

The Board of Adjustment meeting was called to order at 7:06 p.m. by Chairman DeMenge.

Members Present: Stan DeMenge, Tom Hill, Doug Suhonen (Alternate), and Steve Bassa (Recording Secretary)

Absent: Marcus Bruning

Motion by Suhonen, seconded by Hill, and supported by all yea votes to approve the March 9, and March 15, 2011 Board of Adjustment meeting minutes as written and submitted.

Chairman DeMenge called the Public Hearing to order at 7:07 p.m.

Chairman DeMenge read that the legal ad was sent to the Arrowhead Leader on April 1, 2011 and published in the Arrowhead Leader on April 7, 2011.

Chairman DeMenge read Article 3, Section 6 of the Carlton County Zoning Ordinance, Ordinance #27.

Variance #311003: 3W Development, LLC

Darren Weets, 531 White Pine Drive, Hermantown, MN was present to speak on behalf of the request.

Mr. Weets and his brothers bought the property about 2 1/2 years ago and built the shop for Weets Brothers Flatwork on it.

The property was bought for speculation that another building (or business) could be located on it, and they certainly want to maximize their investment.

Another building could legally be put on the property and then be leased out to an appropriate business. However, with the economy the way it is, they would like to sell a parcel outright and not have to take the risk of putting up a \$100,000 building, having to lease it, and then getting stuck with a building if the business doesn't work out.

Having the property separated will create a parcel which will bring more tax money into the county.

They are more than willing to upgrade the access road (as suggested in Zoning Administrator Benson's development review), but it is not possible at this time to construct it to the 66' wide standard as required in Ordinance #28.

At this point, he believes that the county should be working with small businesses instead of giving them an option that is not possible.

Is a 66' wide road possible at this time? No. Is a 40' wide road possible? Yes.

Eventually, another business will go on the property whether owned by Weets Brothers or someone else.

The impact will still be there.

With future development likely on the county property to the south, and the other businesses in the immediate area (including two that they have been involved with) that are nice buildings and professionally operated, this proposed development would be a good thing.

There is one private residence that adjoins the area and it obviously appears to be out of place.

There are two local residents who would like to have their business there and remain in the Carlton area where they are from.

DeMenge asked which of the two split proposals Mr. Weets would prefer. He stated it did not matter, both would work.

If they went with the 36' wide proposal (Option 1), the parcel that the existing Weets Flatwork building is on would be a conforming lot width and lot area while the new one would not.

Option 2 would create a new 55' wide lot along the access road, but it would leave the Weets Flatwork building parcel a non-conforming width as well at 131.5'. Option 2, however, would create two, one-acre lots whereas Option 1 would create one 1.15 acre lot and one 0.86 acre lot.

The interested party is looking at constructing a 42' x 80' building.

The current access to the property goes through private property, and they have the support of the people whose property the road goes through.

This variance will not set precedence, as no other small property splits will be possible here.

The proposed electrical contractor business will possibly have no more than two or three semi loads into the property a year. The building will be an office, shop, and warehouse.

DeMenge asked if outside storage was likely.

Mr. Weets responded that it would probably be temporary in nature with maybe some trailers outside of the building.

DeMenge asked if any screening was planned.

Mr. Weets stated that a 15' wooded buffer was left along the adjoining residence's property line when the property was initially cleared. They intend to maintain that buffer but not to construct any additional screening in the commercial use area at this time.

The present access to the Weets' property from Hwy 210 is through the Tall Pines Liquor access and then around the east side of that property.

Suhonen asked exactly what this variance request involves.

It was discussed that the board's main decision is if the lot width/size proposals are adequate for the intended use. The road access issue would be more of an issue with the minor subdivision process, which would still be required and reviewed by the Planning Commission.

Mr. Weets feels that the current 16 1/2' wide road can be expanded at this time to 26 1/2' – 27' wide road which will be more than adequate for the existing and proposed business.

There is currently a (rental) mobile home and power pole on the Tall Pines Liquor property which prevents widening an access road to 66'.

At this time, it does not make sense to spend more money on a large road than for another small business according to Mr. Weets.

The factors to consider "practical difficulties" in the development review are minor in regard to this request according to Mr. Weets.

Requiring a 66' wide access road is not possible at this time, nor is it needed.

Zoning Inspector Bassa's video of the property was viewed at this time with Mr. Weets providing commentary. Mr. Weets stated that a 25' driveway surface could be created (out of the 16 1/2' easement) at this time.

Chairman DeMenge read an April 18, 2011 letter in support from 4th District Commissioner Bob Olean.

John Vernon, Twin Lakes Township representative, stated that he has viewed the situation, and the access road is currently a private, not a township, road. If it is ever taken over by the township, it would have to be brought up to those standards.

Dennis Johnson, 2201 Oak Hills Trail, Carlton, MN 55718, father of one of the potential buyers of the property, had the following comments:

- 1) The proposed electrical contractor building would be 42' x 80' in size.
- 2) The current 15' wooded buffer will remain and not be removed.
- 3) The building would go near the east property line and would provide additional screening from the private residence.
- 4) There will be no hazardous materials stored on the premises and no vehicle repair/maintenance.
- 5) There will be three employees at the building including two in the office.
- 6) Semi truck traffic would be one or two per year.

Carlton County Economic Development Director Pat Oman stated that Carlton County is the only county in the area that is economically expanding. His office has provided economic help

for one of the new businesses in that area. He is in support of the request and stated that development definitely will be expanding in this area.

LeAnn Theisen, 1505 Tall Pines Drive, Carlton, MN 55718, co-owner of Tall Pines Liquor, stated that traffic with the present businesses has not been a problem, and she doesn't anticipate any with the addition of the proposed business. The liquor store is not open when the workers arrive at the office/shops in the morning, and likewise has not been a problem in the afternoons.

Actually, the new businesses have greatly helped with maintaining the access road, repairing potholes, and snowplowing. She is in favor of the request.

Chairman DeMenge read Development Review #311003.

There were no further comments for or against the request.

The public hearing closed at 7:52 p.m. and the Board of Adjustment meeting was re-opened at 8:08 p.m. by Chairman DeMenge.

Variance #311003: 3W Development, LLC

Motion by Hill, seconded by Suhonen and supported by DeMenge to approve Option 1 of the request with the following conditions:

Justifications

1. The change will not have a substantial effect on the character of the neighborhood or be a detriment to neighboring properties.

Conditions

1. The requirements for the road accessing this property must be resolved with the County Planning Commission during the Minor Subdivision process.

2. This option only creates one non-conforming lot.

Motion by Hill, seconded by Suhonen, and supported by all yeas votes to close the Board of Adjustment meeting at 8:09 p.m.

Respectfully submitted,

Steve Bassa
Recording Secretary

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