

Draft
MINUTES OF THE CARLTON COUNTY
BOARD OF ADJUSTMENT MEETING
August 18, 2020

- (1) Chairman Ezell called the meeting to order at 7:00 p.m.
- (2) Members Present: Jack Ezell, John Manninen, Howard Eskuri and Recording Secretary Dave Hurst. Members Absent: Thomas Skare (Alternate).
- (3) Motion by Eskuri, seconded by Manninen, and carried to approve the July 21, 2020, Board of Adjustment meeting minutes.
- (4) Old business: None.
- (5) Chairman Ezell called the Public Hearing to order at 7:01 p.m.
- (6) Chairman Ezell read that the legal ad was sent to the Star Gazette on July 30, 2020, and published in the Star Gazette on August 6, 2020. The legal ad was sent to the Pine Knot on July 30, 2020, and published in the Pine Knot on August 7, 2020.
- (7) Chairman Ezell read the *Finality of Decisions* from Zoning Ordinance 27.
- (8) Chairman Ezell read the *Findings of Fact to Grant a Variance* from Zoning Ordinance 27.
- (9) Variances

a) **Variance Request #320017 – Matthew DeCaigny**

Matthew DeCaigny of PO Box 100, Sawyer, MN 55780 has requested a variance to replace a nonconforming dwelling with a nonconforming dwelling with attached garage on a nonconforming lot. The dwelling and garage are considered nonconforming as they do not meet the required setback from the ordinary high water level (OHWL). The lot is considered nonconforming as it does not meet the required lot width or lot area. The property is described as Part of the Northwest ¼ of the Southwest ¼ in Section 21, Township 49 North, Range 18 West on Big Lake in Perch Lake Township. The property address is 882 Wolner Drive (PIN 92-010-3650).

Matthew DeCaigny was present to speak on his behalf. Mr. DeCaigny said they have an existing cabin that they purchased that has become rotten. They want to replace it with a newer structure that has a garage attached to it. He said because of a power line and their holding tank the structure would need to be seventy-five feet from Big Lake.

Ezell asked if the new structure would be encroaching closer to the Ordinary High Water Level of Big Lake than the existing structure. Mr. DeCaigny said no.

Zoning and Environmental Services Administrator Heather Cunningham's video was viewed. Mr. DeCaigny narrated the video.

Ezell asked if the Board had any questions.

Ezell read Heather Cunningham's Development Review #320017 dated August 13, 2020.

Ezell read the eight conditions listed in the development review and asked if the applicant understood and was okay with those eight conditions. Mr. DeCaigny said yes.

Ezell asked if anyone in the audience was neutral or in support of this request. Bill Jaskari of 3155 Maple Drive, Cloquet, MN 55720 was in support of the request. Mr. Jaskari said he is a board member on the Big Lake Sanitary District and is confident Mr. DeCaigny will follow all conditions and requirements of the variance.

Guy Wefelmeyer of 878 Wolner Drive, Cloquet, MN 55720 was in support of the request. Mr. Wefelmeyer said he lives adjacent to Mr. DeCaigny's property. He said he has lived there for fourteen years and the existing cabin that Mr. DeCaigny is proposing to replace is rotten and ready to fall down the hill.

Ezell read written correspondence from Bruce and Elizabeth Moland of 2100 Timucua Trail, Nokomis, Florida 34275 in support of the request. Mr. and Mrs. Noland own properties at 850 and 858 Wolner Drive, Cloquet, MN 55720.

Ezell asked if anyone in the audience was in opposition of this request. There was no response.

b) **Variance Request #320018 – Vicki Brophy**

Vicki Brophy (FKA Vicki Cisar) of 4897 Birchview Drive, Moose Lake, MN 55767 has requested a variance to construct a nonconforming detached garage. The garage is considered nonconforming as it does not meet the required setback from the side yard line or road right-of-way. The subject property is a nonconforming lot of record. The subject property is described as Lot 1, Block 1 of Oak Ridge Plat in Section 32, Township 46 North, Range 19 West in Moose Lake Township. The property address is 4897 Birchview Drive (PIN 63-240-0010).

Robert Brophy of 4897 Birchview Drive, Moose Lake, MN 55767, was present to speak on Mrs. Brophy's behalf. Mr. Brophy said they would like to build a twenty-four feet by twenty-eight feet garage for storage of equipment that they don't have room for. He said they need to get closer to the side property line and road setback with the garage.

Ezell asked if the garage could be moved back further. Mr. Brophy said they wanted to use the same driveway and drive into the side of the garage. He said if they move the garage back further they would need to construct a new driveway to enter the garage from the end. He said this may affect snow removal as well. He said currently they park a car ten feet closer to the road than where the garage would be located and they have not had any issues.

Ezell asked if they could move back five feet. Mr. Brophy said that might work, they would probably have to redesign the garage to enter from the end of the garage. He said they might have to push it back further towards the well than five feet.

Ezell asked if the Board had any questions.

Zoning and Environmental Services Administrator Heather Cunningham's video was viewed. Mr. Brophy narrated the video.

Ezell read Heather Cunningham's Development Review #320018 dated August 13, 2020.

Ezell read the eight conditions listed in the development review and asked if the applicant understood and was okay with those eight conditions. Mr. Brophy said yes. Mr. Brophy submitted three pictures to the Board (see attached Exhibit A).

Ezell asked if anyone in the audience was neutral or in support of this request. Clarence Cales of 4893 Birchview Drive was in support of the request. Mr. Cales said he lives next door to Mr. Brophy and would like to see a nice garage built instead of Mr. Brophy storing his things outside. He said he will work with Mr. Brophy on an easement to construct and maintain the garage. He said he has been there for the last two winters and snow removal has not been an issue.

Ezell read a written correspondence from Moose Lake-Windemere Sanitary Sewer District signed by Darla Hall, Executive Director, in support of the request as long as it does not encroach on their utility easement.

Ezell asked if anyone in the audience was in opposition of this request. There was no response.

c) **Variance Request #320019 – Krista Heller**

Krista Heller of 1697 County Road 4, Carlton, MN 55718 has requested a variance to construct an addition onto a nonconforming dwelling and construct a pole barn all on a nonconforming lot. The dwelling is considered nonconforming as it does not meet the required setback from the road centerline. The lot is considered nonconforming as it does not meet lot width or lot area requirements. The property is described as Part of Government Lot 7 in Section 35, Township 48 North, Range 17 West in Twin Lakes Township. The property address is 1697 County Road 4 (PIN 81-066-6460).

Carl Folson of 1697 County Road 4, Carlton, MN 55718, was present to speak on Mrs. Heller's behalf. He said they want to build a thirty feet by thirty feet addition onto their house for more living space and a bedroom. He said they want to construct a pole building in the back corner of their property so they don't have to store their toys outside. He said his previous house had a forty feet by forty feet building so they need some room. Mr. Folson said he is going to get the property surveyed so they maintain the proper setback with the pole building.

Ezell asked if the Board had any questions.

Zoning and Environmental Services Administrator Heather Cunningham's video was viewed. Mr. Folson narrated the video.

Ezell read Heather Cunningham's Development Review #320019 dated August 13, 2020.

Ezell read the five conditions listed in the development review and asked if the applicant understood and was okay with those five conditions. Mr. Folson said yes.

Ezell asked if anyone in the audience was neutral or in support of this request. There was no response.

Ezell asked if anyone in the audience was in opposition of this request. There was no response.

Ezell read emailed correspondence from Brenden and Brenda Moors of 1709 County Road 4, Carlton, MN 55718 in opposition to the request.

d) **Variance Request #320020 – John Buskala**

John Buskala of 1010 Cloquet Avenue, Cloquet, MN 55720 has requested a variance to construct an addition and two decks on a nonconforming dwelling. Retain a patio in the shore impact zone. The dwelling is considered nonconforming as it does not meet the required setback from the ordinary high water level (OHWL). The request also includes retaining non-vegetative cover in the shore impact zone. The subject property is described as Lot 2, Exhibit A of Government Lot 3 in Section 28, Township 49 North, Range 18 West on Big Lake in Perch Lake Township. The property address is 3165 Heritage Road (PIN 92-034-5400).

Mr. and Mrs. Buskala were present to speak on their behalf. Mr. Buskala said they have a one hundred year old small family cabin. He said they want to build a small addition on the cabin that will include a bathroom to make the cabin more comfortable. He said they plan on installing a septic system.

Ezell asked if they would be willing to remove one of the proposed decks or the patio. Mrs. Buskala said she was unclear as to which deck Cunningham wanted removed, but she was willing to do that. Hurst explained Cunningham recommended either remove the patio or one of the three decks on the cabin. Mrs. Buskala said she is agreeable to removing one of the decks.

Ezell asked if the Board had any questions.

Zoning and Environmental Services Administrator Heather Cunningham's video was viewed. Mr. and Mrs. Buskala narrated the video.

Ezell read Heather Cunningham's Development Review #320020 dated August 13, 2020.

Ezell read the eight conditions listed in the development review and asked if the applicant understood and was okay with those eight conditions. Mr. Buskala said yes.

Ezell asked if anyone in the audience was neutral or in support of this request. There was no response.

Ezell asked if anyone in the audience was in opposition of this request. There was no response.

(10) The public hearing closed at 8:10 p.m.

(11) The Board of Adjustment meeting re-opened at 8:29 p.m.

Variance Request #320017– Matthew DeCaigny

A motion was made by Eskuri, seconded by Manninen, and carried to **Approve** the findings of fact, decision, and eight conditions by the Board of Adjustment listed on Carlton County Findings of Fact Worksheet dated August 18, 2020, and signed by Board Chair Ezell.

FINDINGS OF FACT:

- a. *Is the property owner proposing to use the property in a reasonable manner not permitted by this Ordinance?*
Yes No *Why or why not?*

The applicant is proposing a reasonable use of the property. The dwelling cannot be constructed to meet the setback due to the location of the power line and recorded easement. It appears reasonable to have setback of 75 feet from the OHWL. The average dwelling setback along Wolner Drive is 77 feet to the OHWL. The average square footage for a dwelling along Wolner Drive is 2,025 square feet. The applicant is requesting 2,128 square feet.

- b. *Is the practical difficulty unique to the subject property and not created by the property owner or prior property owner?*
Yes No *Why or why not?*

The practical difficulty for construction on a nonconforming lot appears to be the creation and development of lots prior to official controls as well as the power line and recorded road easement.

- c. *If the variance is granted, it will not alter the essential character of the locality?*

Yes No Why or why not?

The granting of the variance for a dwelling at 75 feet from the OHWL would not alter the essential character of the locality. The average setback for dwellings along Wolner Drive is 77 feet from the OHWL. A dwelling setback of 75 feet would be in line with the character of the neighborhood. The average square footage for a dwelling along Wolner Drive is 2,025 square feet. The applicant is requesting 2,128 square feet.

d. *Does the practical difficulty involve more than economic considerations?*
Yes No Why or why not?

It does not appear that economic considerations constitute the practical difficulty for reasonable use for this property. The practical difficulty for construction on a nonconforming lot appears to be the creation and development of lots prior to official controls as well as the location of the power line and recorded road easement.

e. *If the variance is granted, it will not be granting a use that is not allowed in the zoning district in which the subject property is located?*
Yes No Why or why not?

The variance will not be granting a use that is not allowed within the R-1 Zoning District. Single family residences are a permitted use.

f. *Are the terms of the variance consistent with the Carlton County Community-Based Comprehensive Plan?*
Yes No Why or why not?

The terms of the variance do not appear to be in conflict with the Carlton County Community-Based Comprehensive Plan with respect to a reduced setback. The plan encourages preserving and restoring native vegetation along shorelines. The applicant has an approved Shoreland Mitigation Plan.

DECISION:

If ALL answers are YES by a majority of the Board of Adjustment, the criteria for granting of the Variance have been met and the Variance is approved. Please confirm with the applicant that the following conditions are acceptable.

Granted: Replace a nonconforming dwelling with a nonconforming dwelling with attached garage on a nonconforming lot.

Denied:

CONDITIONS:

1. The applicant must undertake the project according to the plans and specifications detailed in the application or as modified by the Board of Adjustment.
2. The applicant must have an approved zoning permit within one year. All work must begin within one year of issuance of the zoning permit. This means that there is enough of the structure(s) in place to determine that it meets the dimensions depicted on the

zoning permit. If this condition is not met, the request shall be deemed null and void. The Zoning Administrator is authorized to extend that period of time for good cause shown.

3. The permit will be periodically reviewed by the County to assure compliance with the permit and permit conditions.
4. The County may enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
5. The dwelling with attached garage must meet a setback of at least 75 feet from the OHWL of Big Lake.
6. The applicant shall complete a septic compliance inspection by November 1, 2020.
7. The applicant shall complete the requirements of the Shoreland Mitigation Plan by August 18, 2021.
8. If the applicant fails to meet the conditions set forth by the Board of Adjustment, the Board of Adjustment may revoke the variance.

Variance Request #320018 – Vicki Brophy

A motion was made by Manninen, seconded by Eskuri, and carried to **Approve** the findings of fact, decision, and nine conditions as amended by the Board of Adjustment as listed on Carlton County Findings of Fact Worksheet dated August 18, 2020, and signed by Board Chair Ezell.

FINDINGS OF FACT:

- a. *Is the property owner proposing to use the property in a reasonable manner not permitted by this Ordinance?*
Yes No . . . *Why or why not?*

This area has historically been used for parking and is paved with asphalt. The applicant is proposing a reasonable use of the property with the construction of a detached garage. The attached garage is a single stall. The applicant will be removing an unpermitted shed. However, it is not reasonable to have a one foot side yard setback and one foot setback to the road right-of-way. The applicant would need to be on the neighbor's property to construct and maintain the garage. The garage could be reduced in size or shifted closer to the well. The proposed garage was measured 14 feet from the well. Three feet is the required setback from the garage eave to well. If the request is granted, a survey should be required to establish the road right-way and side yard line. In addition, an easement should be obtained and recorded from the neighbor to maintain the garage.

- b. *Is the practical difficulty unique to the subject property and not created by the property owner or prior property owner?*
Yes No . . . *Why or why not?*

It appears the practical difficulty in meeting the ordinance requirements is the creation and development of property under an older ordinance.

- c. *If the variance is granted, it will not alter the essential character of the locality?*
Yes No *Why or why not?*

They are proposing an additional six feet from the right of way of Birchview Drive from their original request. This area has been historically used for parking. The granting of the variance could alter the essential character of the locality. It appears other structures located in this plat meet the setback to the road right-of-way and side yard setback. As this office could not make this determination, the applicant needs to demonstrate that the project will not alter the essential character of the locality if the variance is to be granted.

- d. *Does the practical difficulty involve more than economic considerations?*
Yes No *Why or why not?*

It does not appear that economic considerations constitute the practical difficulty for reasonable use of this property. The applicants would like a detached garage. The practical difficulty appears to be the development of this lot under an older ordinance.

- e. *If the variance is granted, it will not be granting a use that is not allowed in the zoning district in which the subject property is located?*
Yes No *Why or why not?*

The variance will not be granting a use that is not allowed within the R-1 Zoning District. The use will be residential.

- f. *Are the terms of the variance consistent with the Carlton County Community-Based Comprehensive Plan?*
Yes No *Why or why not?*

This area has been historically used for parking and the applicant will be seven feet from the right of way of Birchview Drive. The Carlton County Community-Based Comprehensive Plan addresses setbacks from roadways. Road setbacks are primarily a public safety and maintenance issue. The setback allows for clear zones for traffic, snow removal, and maintenance, as well as emergency vehicles (police, fire and ambulance) to be able to properly travel and provide service through the area. A reduced setback of 1 foot could impair the ability for snow removal. The applicant needs to demonstrate that the garage cannot be moved closer to the well. The applicant needs to demonstrate that a reduced setback of 1 foot would not impair the ability for snow removal.

DECISION:

If ALL answers are YES by a majority of the Board of Adjustment, the criteria for granting of the Variance have been met and the Variance is approved. Please confirm with the applicant that the following conditions are acceptable.

Granted: Construct a nonconforming detached garage

Denied:

CONDITIONS (if granted):

1. The applicant must undertake the project according to the plans and specifications detailed in the application or as modified by the Board of Adjustment.
2. The applicant must have an approved zoning permit within one year. All work must begin within one year of issuance of the zoning permit. This means that there is enough of the structure(s) in place to determine that it meets the dimensions depicted on the zoning permit. If this condition is not met, the request shall be deemed null and void. The Zoning Administrator is authorized to extend that period of time for good cause shown.
3. The permit will be periodically reviewed by the County to assure compliance with the permit and permit conditions.
4. The County may enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
5. The shed shall be removed prior to construction of the garage.
6. A survey shall be completed to establish the side yard line and road right-of-way before a zoning permit can be issued. This must be submitted to the Zoning and Environmental Services with the zoning permit.
7. An easement to construct and maintain the garage shall be obtained from the property owner of PIN 63-240-0020 and recorded. This must be submitted to the Zoning and Environmental Services with the zoning permit.
8. If the applicant fails to meet the conditions set forth by the Board of Adjustment, the Board of Adjustment may revoke the variance.
9. The proposed garage shall be built no closer than forty feet to the centerline of Birchview Drive, or seven feet from the right of way.

Variance Request #320019 – Krista Heller

A motion was made by Eskuri, seconded by Manninen, and carried to **Approve** the findings of fact, decision, and six conditions as amended by the Board of Adjustment as listed on Carlton County Findings of Fact Worksheet dated August 18, 2020, and signed by Board Chair Ezell.

FINDINGS OF FACT:

- a. *Is the property owner proposing to use the property in a reasonable manner not permitted by this Ordinance?*
Yes No *Why or why not?*

It appears the applicant is proposing a reasonable use of the property. The applicant is proposing an addition. The dwelling nearly meets the setback at 84 feet setback to the road centerline and the addition will not encroach any further. The construction of a pole barn also appears to be

reasonable. This office has concerns that the septic system will not pass a compliance inspection. Prior to issuing a zoning permit for the addition and pole barn, a septic compliance inspection needs to be completed.

- b. *Is the practical difficulty unique to the subject property and not created by the property owner or prior property owner?*
Yes No *Why or why not?*

The practical difficulty appears to be the development of the property prior to official controls with respect to the setback from the centerline. The current property owner did not own the property when it was split in 1978 and likely was not aware it was nonconforming when they purchased the property.

- c. *If the variance is granted, it will not alter the essential character of the locality?*
Yes No *Why or why not?*

The granting of the variance should not alter the essential character of the locality. The dwelling is only one foot short of the road setback and the addition will not encroach any further. The proposed pole barn will meet all applicable setbacks.

- d. *Does the practical difficulty involve more than economic considerations?*
Yes No *Why or why not?*

It does not appear that economic considerations constitute the practical difficulty for reasonable use for this property. The practical difficulty appears to be the development of this property prior to official controls and subsequent subdivision at a time when the subdivision did not require prior approval.

- e. *If the variance is granted, it will not be granting a use that is not allowed in the zoning district in which the subject property is located?*
Yes No *Why or why not?*

The variance will not be granting a use that is not allowed within the A-2 Zoning District. The use will be residential.

- f. *Are the terms of the variance consistent with the Carlton County Community-Based Comprehensive Plan?*
Yes No *Why or why not?*

The Carlton County Community-Based Comprehensive Plan addresses setbacks from roadways. Road setbacks are primarily a public safety and maintenance issue. The setback allows for clear zones for traffic, snow removal, and maintenance, as well as emergency vehicles (police, fire and ambulance) to be able to properly travel and provide service through the area. This office is not aware of any past issues with a reduced setback of one foot.

DECISION:

If ALL answers are YES by a majority of the Board of Adjustment, the criteria for granting of the Variance have been met and the Variance is approved. Please confirm with the applicant that the following conditions are acceptable.

Granted: Construct an addition onto a nonconforming dwelling and construct a pole barn all on a nonconforming lot.

Denied:

CONDITIONS:

1. The applicant must undertake the project according to the plans and specifications detailed in the application or as modified by the Board of Adjustment.
2. The applicant must have an approved zoning permit within one year. All work must begin within one year of issuance of the zoning permit. This means that there is enough of the structure(s) in place to determine that it meets the dimensions depicted on the zoning permit. If this condition is not met, the request shall be deemed null and void. The Zoning Administrator is authorized to extend that period of time for good cause shown.
3. The County may enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
4. The lot is considered buildable in the future as long as setback, lot coverage and septic requirements are met. In addition, the dwelling is considered buildable in the future with a setback of 84 feet to the road centerline.
5. If the applicant fails to meet the conditions set forth by the Board of Adjustment, the Board of Adjustment may revoke the variance.
6. The applicant must submit a property survey with the Zoning Permit Application.

Variance Request #320020 – John Buskala

A motion was made by Manninen, seconded by Eskuri, and carried to **Approve** the findings of fact, decision, and eight conditions as amended by the Board of Adjustment as listed on Carlton County Findings of Fact Worksheet dated August 18, 2020, and signed by Board Chair Ezell.

FINDINGS OF FACT:

- a. *Is the property owner proposing to use the property in a reasonable manner not permitted by this Ordinance?*
Yes No *Why or why not?*

The property owner appears to be proposing a reasonable use of the property in a reasonable manner with respect to the addition of a bathroom. This office would suggest that it is not reasonable to have three decks and a patio in the shore impact zone. This office suggests that at least one of the decks or the patio is removed.

- b. *Is the practical difficulty unique to the subject property and not created by the property owner or prior property owner?*
Yes No *Why or why not?*

The practical difficulty for the subject property appears to be the topographic constraint of being located on a peninsula with shoreland setbacks on both sides.

- c. *If the variance is granted, it will not alter the essential character of the locality?*
Yes No *Why or why not?*

The granting of the variance with respect to the addition should not alter the essential character of the locality. Several of the dwellings along this shoreline do not meet the setback requirements from the OHWL. It could alter the essential character of the locality to allow three decks and a patio in the shore impact zone. This office suggests that at least one of decks or the patio is removed.

- d. *Does the practical difficulty involve more than economic considerations?*
Yes No *Why or why not?*

It does not appear that economic considerations constitute the practical difficulty for reasonable use of this property. The practical difficulty for the subject property appears to be the topographic constraint of it being located on a peninsula.

- e. *If the variance is granted, it will not be granting a use that is not allowed in the zoning district in which the subject property is located?*
Yes No *Why or why not?*

The variance will not be granting a use that is not allowed within the R-1 Zoning District. The use will be residential.

- f. *Are the terms of the variance consistent with the Carlton County Community-Based Comprehensive Plan?*
Yes No *Why or why not?*

The Carlton County Community-Based Comprehensive Plan specifically addresses preserving and restoring native vegetation along shorelines. The applicant has an approved Shoreland Mitigation Plan. The plan encourages preserving and restoring native vegetation along shorelines and discourages development in the shore impact zone. During the site visit for the development review, it was noted that the buffer is being used to store equipment. All equipment, including trailers and boats, must be removed from the shoreland buffer.

As this request is an after-the-fact, additional factors are considered:

- i. *Why did the applicant fail to obtain a variance, and did the applicant act in good faith;*

The applicant indicated verbally that he was not aware he needed a variance or zoning permit for the patio.

- j. *Did the applicant attempt to comply with the law by obtaining permits;*

The applicant is attempting to comply by the submission of this after-the-fact variance request for the patio.

- k. *Did the applicant obtain a permit from another entity that violated the law;*

It does not appear that the applicant obtained a permit from another entity that violated the law.

l. *Did the applicant make a substantial improvement in the property;*

The applicant did not make a substantial improvement to the property with the construction of a patio.

m. *Did the applicant complete repairs, construction before the applicant was informed of the impropriety;*

The applicant completed the construction before he was informed of the impropriety.

n. *Is the nature of the property residential/recreational and not commercial;*

The nature of the property is residential/recreational and not commercial.

o. *Are there similar structures in place;*

There are not similar structures in place in the locality.

p. *Would the benefits to the public be outweighed by the detriments to the applicant if regulations were enforced?*

The benefits of removing the patio could outweigh the detriment to the applicant.

DECISION:

If ALL answers are YES by a majority of the Board of Adjustment, the criteria for granting of the Variance have been met and the Variance is approved. Please confirm with the applicant that the following conditions are acceptable.

Granted: Construct an addition and one deck on a nonconforming dwelling. Retain a patio in the shore impact zone.

Denied: This office does not support the retaining of three decks and a patio in the shore impact zone. This office suggests that at least one of the decks or the patio is removed.

CONDITIONS:

1. The applicant must undertake the project according to the plans and specifications submitted to the County with the application or as amended by the Board of Adjustment.
2. The applicant must have an approved zoning permit within one year. All work must begin within one year of issuance of the zoning permit. This means that there is enough of the structure(s) in place to determine that it meets the dimensions depicted on the zoning permit. If this condition is not met, the request shall be deemed null and void. The Zoning Administrator is authorized to extend that period of time for good cause shown.
3. The County may enter onto the premises at reasonable times and in a reasonable manner to insure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
4. The applicant shall institute the mitigation practices by August 18, 2021. This includes removing all equipment, including trailers and boats, from the shoreland buffer.

5. The applicant must remove one deck or the patio in the shore impact zone by August 18, 2021.
6. The recreational vehicle must be removed from the property by August 18, 2021.
7. Pressurized water cannot be connected to the dwelling until a permitted septic system is installed.
8. If the applicant fails to meet the conditions set forth by the Board of Adjustment, the Board of Adjustment may revoke the variance

(12) Other Business. None

(13) A motion was made by Eskuri, seconded by Manninen, and supported by all yea votes to close the Board of Adjustment meeting at 8:33 p.m.

Respectfully submitted,

Dave Hurst
Recording Secretary

Attachment: Exhibit A



Exhibit A (page 1 of 3)
Var #320018 - Brophy/Cisar
Submitted to Board of Adjustment during the 8-18-20 meeting

4897

599-RKX
MA

Exhibit A (page 2 of 3)
Var #320018 - Brophy/Cisar
Submitted to Board of Adjustment during the 8-18-20 meeting

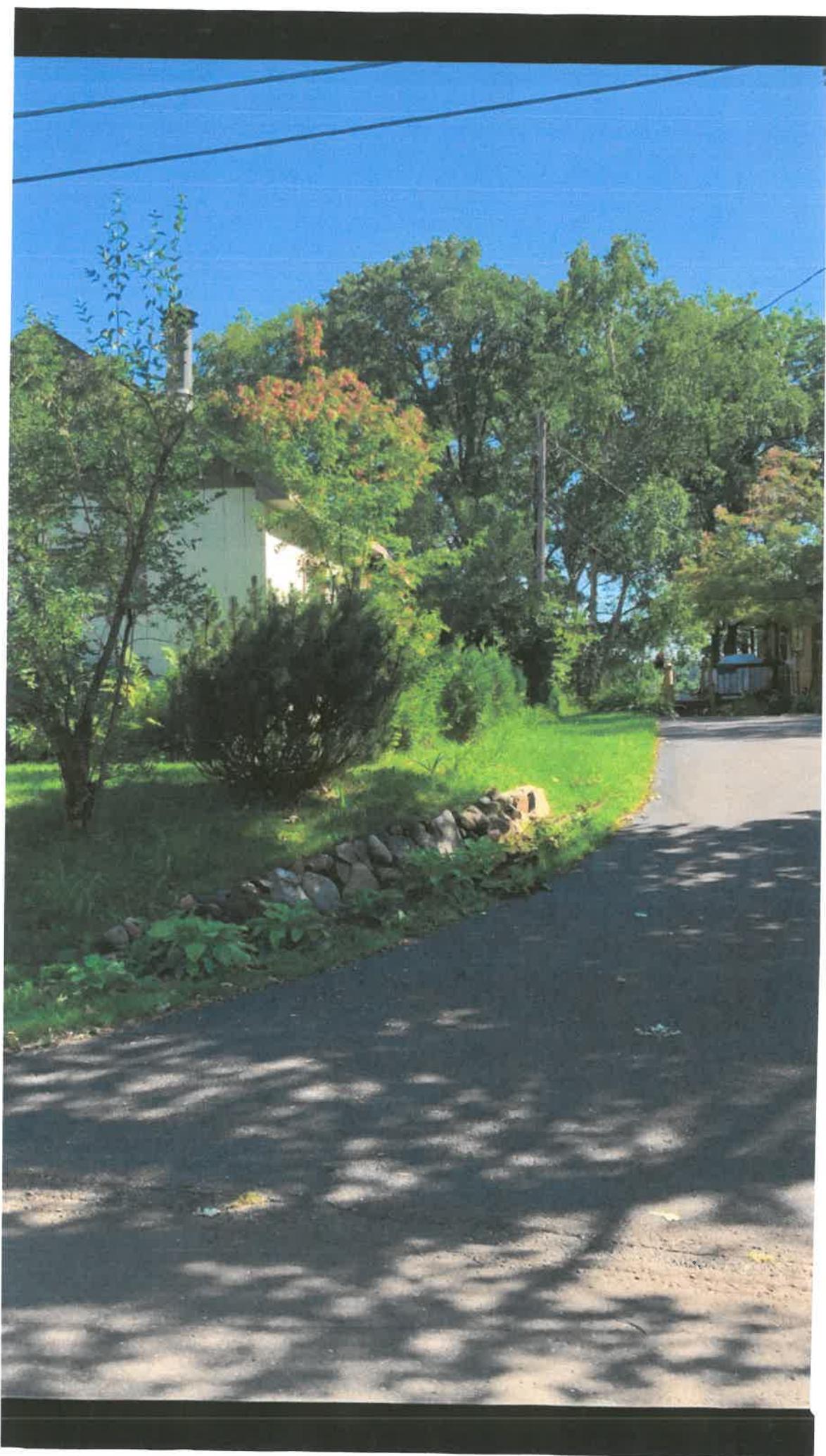


Exhibit A (page 3 of 3)
Var #320018 - Brophy/Cisar
Submitted to Board of Adjustment during the 8-18-20 meeting