

**CHISAGO COUNTY
BOARD OF ADJUSTMENT
OFFICIAL PROCEEDINGS
January 28, 2021 - DRAFT**

The Chisago County Board of Adjustment met in regular session at 7:00 p.m. on Thursday, January 28, 2021 in a synchronous e-meeting due to Declaration of Local Emergency.

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

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

Coordinator Jagoe provided an overview of the electronic meeting format, review of muted microphones, speaking order, how to “raise hand”, with the Chair leading and following meeting order/procedures.

NOMINATIONS OF OFFICERS – Coordinator Jagoe called for nominations for 2021 Chair. Gregg Carlson nominated Becky Strand for Chair. Second by Chip Yeager. Upon multiple calls, no other nominations were made. Roll call vote was taken and motion carried unanimously.

Coordinator Jagoe called for nominations for 2021 Vice Chair. Gregg Carlson nominated Chip Yeager for Vice Chair. Second by John Sutcliffe. Upon multiple calls, no other nominations were made. Roll call vote was taken and motion carried unanimously.

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

APPROVAL OF MINUTES – Motion to approve the October 29, 2020 meeting minutes by Gregg Carlson. Second by John Sutcliffe. Motion carried unanimously.

RECEIPT OF MATERIALS AND SUBMITTALS INTO THE RECORD – Motion by Doug Greene to receive all applications, submittals, reports and other materials into the record by reference. Second by Gregg Carlson. Motion carried unanimously. Meeting materials distributed in advance to the Board of Adjustment and Appeals for their review included: Public Hearing Staff Report with Attachments, Commission Appointment Staff Report, Review of 2021 Meeting Schedule Staff Report and 2021 Rules of Order and Operating Policy Staff Report. Public Hearing Staff Report had been distributed in advance to the Board and the applicant for their review. Copies of all correspondence and meeting materials were made available for electronic distribution.

PUBLIC HEARING

William and Jean Charles – Mr. and Mrs. Charles were present at the hearing to request a variance to add an addition onto the second story of the house closer to Ordinary High Water (OHW) and an attached garage closer to the road than the required setbacks. The property is located at 12220 Mentzer Trail, Chisago Lake Township; Sec. 5, T. 33, R. 20 (PID# 02.01648.00). Coordinator Jagoe presented background information on the Charles’s application. The lot is within the 1952 South Beach Plat located on the south side of South Lindstrom Lake. The property is zoned Rural Residential I (RRI) with Shoreland Overlay. The lot is considered substandard due to the fact the tiny lot size predates shoreland and zoning regulations. It does not meet today’s standards with an existing dwelling that is considered legal nonconforming. The property has been issued two variances to date. The proposed second story addition is for the purpose of enlarging the two existing bedrooms and adding a bathroom. The roof line extend towards OHW while maintaining the existing rear building line of the house. Second part of the remodel will add an attached 30 x 26 garage and encroach

into the front yard setback. Chisago Lake Township recommended approval on January 19, 2021 with no conditions. Technical review was held on January 13, 2021 and had no other identified impacts.

Mr. and Mrs. Charles were present and available to address questions and concerns. Gregg Carlson inquired to the square footage of the attached garage. Doug Greene inquired if the garage had a second floor. Mrs. Charles indicated there will be a storage area above the garage. Discussion was held about the accessory shed on the property and Mrs. Charles indicated the shed will be torn down once the garage has been built. Chip Yeager questioned the location of the septic system on the property for maintenance access. Coordinator Jagoe identified the holding tanks were between the house and road, access was not an issue for maintenance. General discussion was held on setbacks.

Chair Strand sought public comment, no one was present to testify in the matter. With no additional person wishing to speak, ***motion*** by John Sutcliffe to closed the public hearing. Second by Chip Yeager and carried unanimously. Each board member was asked for additional questions and comments. ***Motion*** by Gregg Carlson to approve the variance request to add an addition onto the second story of the house closer to OHW not to encroach beyond existing rear building line and an attached garage with a reduced front yard setback of up to 19 feet from the front property line subject to removal of the detached accessory building at 12220 Mentzer Trail, PID# 02.01648.00 based on findings of fact, staff report, site plan and narrative of record as presented. Second by John Sutcliffe. Roll call vote was taken and motion carried unanimously.

New Business:

Review of 2021 Meeting Dates

Coordinator Jagoe reviewed the 2021 Board of Adjustment meeting schedule. Board of Adjustment Meetings will be held on the last Thursday of every month, starting at 7:00 pm. and affiliated tour is conducted on the preceding Wednesday, starting at 8:00 am. ***Motion*** by Chip Yeager to approve the 2021 Board of Adjustment meeting schedule as presented with rescheduled November meeting date. Second by Gregg Carlson. Roll call vote was taken and motion carried unanimously.

Review of Rules of Order and Operating Policy

Chip Yeager referenced Section 17 that members shall attend no more than three meetings remotely and how is that handled with COVID-19. Coordinator Jagoe indicated the remote meetings due to COVID-19 were covered under Minnesota Executive Orders. The reference was intended for in-person meetings and would limit a board member to no more than three remote attendance meeting in any one year. Gregg Carlson broached different meeting scenarios and how to handle voting procedure. Coordinator Jagoe indicated language in policy exists to address such scenarios. Robert's Rules of Order would be adhered to, tabling the application and consulting the county attorney were a few options to handle each situation. Discussion was held on excused absences and meeting attendance at special meetings. ***Motion*** by John Sutcliffe to establish Resolution #20/0617-1 for Board/Commission Structure, Meeting Order, and General Procedure. Second by Chip Yeager. Roll call vote was taken and motion carried unanimously.

Coordinator Jagoe discussed options on how to complete the oath of office with regard to remote attendance and will provide more information at a later date. ***Motion*** by Chip Yeager to adjourn. Second by Gregg Carlson. Roll call vote was taken and motion carried unanimously. With no further business the meeting was adjourned at 7:48 p.m.