

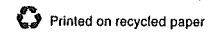


**POLK COUNTY**

ENVIRONMENTAL SERVICES

Waste Management/Planning and Zoning

Post Office Box 375  
320 Ingersoll  
Crookston, MN 56716  
(218) 281-6445  
(218) 281-5700  
(218) 281-6471 FAX  
1-800-482-6804  
environmental.svs@co.polk.mn.us



## NOTICE

Notice is hereby given that a hearing has been set for March 27, 2020 at 9:03 a.m. in the meeting room at Polk County Environmental Services, 320 Ingersoll Ave., Crookston, Minnesota, to consider the application of Peter O'Neill, 2514 S 10<sup>th</sup> St, Grand Forks, ND 58201 for a Variance to reduce the setback off the OHWM from 100' to 30' for the replacement of an existing garage on a parcel of land located at: 16139 340<sup>th</sup> St SE, Mentor, MN 56736 and described as Lot Four (4), Block One (1), Hoveland's Addition in part of Government Lot Six (6), Section Thirty-five (35), Township One Hundred Forty-nine (149) North of Range Forty-three (43) West of the Fifth Principal Meridian, according to the Official Plat thereof now on file and of record in the office of the County Recorder in and for the County of Polk and State of Minnesota, parcel #32.00348.00. All property owners within 500 feet of the proposed Variance are invited to appear at said hearing.

Dated: February 26, 2020

Jacob J. Snyder  
Planning & Zoning Administrator

VARIANCE APPLICANT INFORMATION

NAME: Peter O'Neill Parcel #: 32-348 DATE: 2/1/2020

The above named individual, firm or corporation hereby respectfully submits the following supplemental data in support of the preliminary information provided on the accompanying Land Use/Zoning Permit Application dated 2/6/20 for the purpose of securing a variance from existing land use zoning controls.

A variance may be granted only when it is in harmony with the general purposes and intent of the zoning ordinance, consistent with the comprehensive plan and where the strict enforcement of the county ordinance will result in a practical difficulty. Determination that a practical difficulty exists is based upon the consideration of the following criteria as defined in MN Statutes, Section 394.27:

1. The property owner proposes to use the property in a reasonable manner not permitted by an official control.
2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
3. The variance, if granted, will not alter the essential character of the locality.
4. Economic considerations alone do not constitute practical difficulties.
5. No variance may be granted for the property that would allow any use that is not allowed in said zoning district.
6. The board of adjustment may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

RECEIVED  
FEB 06 2020  
POLK COUNTY ENV. SVCS.

1. Specify the section of the ordinance from which the variance is sought: 18.2211 Offm setback 100'

2. Explain how you wish to vary from the provisions of the ordinance: Roughly 30' setback off Maple Lake

3. Explain the "practical difficulty" imposed if strict application of the ordinance is enforced: Due to the fact I am surrounded by water on three sides it is impossible to follow all provisions of ordinance.

Please answer the following questions to determine if a "practical difficulty" exists. Why or why not?

1. In your opinion, is the variance consistent with the Polk County Zoning Ordinance? Yes  No   
*With the fact the property is a peninsula it is impossible to meet setback requirements. I will be moving 2 feet back from present structure.*
2. In your opinion, is the variance consistent with the Comprehensive Plan? Yes  No   
*We will attempt to contain runoff thru use of rain barrels and natural plantings*
3. In your opinion, does the proposal put the property to use in reasonable manner? Yes  No   
*Not allowing variance would eliminate any opportunity for a garage*
4. In your opinion, are the circumstances unique to the property, not created by the landowner? Yes  No   
*A lake peninsula is extremely limiting for development.*
5. In your opinion, will the variance maintain the essential character of the locality? Yes  No   
*Only replacing a existing structure with a much nicer one*
6. In your opinion, does the need for the variance involve more than just economic considerations? Yes  No   
*Again the land is a very unique property*
7. In your opinion, is there another feasible method to alleviate the need for a variance? Yes  No   
*I would be unable to have any garage or reasonable storage*

FOR OFFICE USE ONLY - ORDER GRANTING OR DENYING VARIANCE

In accordance with the findings stated in the Board of Adjustment minutes, the Board of Adjustment of Polk County hereby ( ) approves, ( ) denies the foregoing Application for Variance. If approved, said approval is subject to the provisions following section 5 of the Zoning Ordinance.

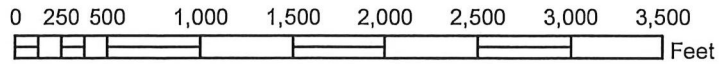
By: \_\_\_\_\_ (Authorized signature) \_\_\_\_\_ (Title) \_\_\_\_\_ (Date)



**Legend**

- E911\_Road
- Polk\_GIS.DBO.Parcels
- Shoreland District
- Sections
- ✳ Indicates Parcel Location

\*NOTE: Property is entirely within the shoreland district of Maple Lake. (Shoreland = extends 1000 ft Maple Lake)



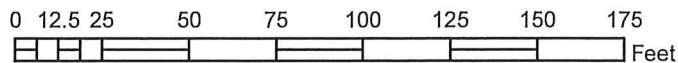
**Variance Request:** proposed variance to reconstruct an existing accessory building 30 feet from Maple Lake. The Existing garage is located 28 feet from Maple Lake and is 28' x 30' in size. The proposed request is to replace the garage with a 28' x 28' (784 sqft) garage 30 feet from Maple Lake. Parcel #32.00348.00 located in Sec. 35 SE 1/4 of Grove Park-Tilden Township.

Map Created 2/21/2020  
 By: Jacob Snyder  
 Planning & Zoning Admin.



**Legend**

- E911\_Road
- Polk\_GIS.DBO.Parcels
- Proposed Garage location
- ✱ Indicates Parcel Location



**Variance Request:** proposed variance to reconstruct an existing accessory building 30 feet from Maple Lake. The Existing garage is located 28 feet from Maple Lake and is 28' x 30' in size. The proposed request is to replace the garage with a 28' x 28' (784 sqft) garage 30 feet from Maple Lake.

\*NOTE: Property is entirely within the shoreland district of Maple Lake. (Shoreland = extends 1000 ft Maple Lake)

Map Created 2/21/2020  
 By: Jacob Snyder  
 Planning & Zoning Admin.