

See page 2

SEMI-MONTHLY FOREST LAKE TOWNSHIP MEETING, FEBRUARY 27, 1984

Chairman Richard Damchik called the meeting to order at 7:30 p.m. at the Town Hall. Present were Supervisors Richard Damchik, David Copham, David Kulenkamp, Curtis Sparks (entered just after the pledge of allegiance following the roll taking), Richard Tschida; Attorney Paul Wolff; Engineer Marvin Sorvala; Business Manager Charles Robinson; Treasurer Eunice Gould; and Clerk Jack Buys. The meeting opened with the pledge of allegiance to the flag. The minutes of the February 6, 1984, meeting were approved with Curtis Sparks requesting that they be amended to read David Bala instead of David Copham in his motion for the terms of the Watershed District. Alan Borsheim presented the building inspector's report.

Engineer Marvin Sorvala said he and the business manager had both contacted Don Grover for Green Valley plans for alleviating the water problem. However, Mr. Grover said he had no such plans. Mr. Sorvala stated that he looked over the situation and found that the water is coming from two directions. There are some temporary measures which may be taken by installing culverts, but the only permanent solution will require ponding. The board asked him to determine the cost amount for correction of this problem. Richard Tschida said he should look at the entire problem and not just consider the problem with regard to the one house which is posing the most difficulty.

Noel Messelt requested variance to build a 16 feet by 25 feet addition to the east side of the existing dwelling which would be 55 feet from the North Shore Drive instead of the required 75 feet and to build an attached 20 feet by 22 feet garage to the north side of the existing dwelling which would be 19 feet from the road right of way instead of the required 30 feet. The home is 8 feet from the read property line instead of the required 10 feet. This is located on Lots 1 and 2 except the southwesterly 25 feet of Lot 2, thereof, and vacated street and alleys adjacent, Block 9, Elm's Park Ridge, and is at 6381 236 Street Circle North. The chairman read recommendations from the Planning Commission and from the county. The county would recommend addition to the dwelling but did not recommend approval of the garage 29 feet from the road right of way. There was discussion regarding parking. David Kulenkamp moved to grant the request for addition to the Messelt home toward North Shore Trail and this is to include a 2 foot variance from the side setback and that the town grant a variance to construct a garage in front of the existing garage to be within 29 feet of the road right of way. David Copham seconded. David Kulenkamp said he felt that hardship exists because without this remodeling and addition, there would be inadequate on-site cover storage for the property owner's possessions. David Copham felt it might be made to conform to ordinance for the garage, but it would not be aesthetically correct. Curtis Sparks did not feel there was a hardship and felt the board would be setting a precedent by making a non-conforming use of the property. Richard Tschida thought Mr. Messelt was caught in a problem because of changing times and setback requirements from the time the house was built. Richard Damchik agreed with Curtis Sparks that there was no hardship. The motion carried with Curtis Sparks and Richard Damchik voting no.

Steven and Diane Frokjer were present in regard to a variance to build a home which would be 23 feet from the road right of way instead of the required 30 feet; 44.5 feet from the high water mark instead of the required 50 feet on a lot 75 feet deep instead of the required 130 feet and 6619 square feet instead

February 27, 1984

Page 2 of 3

of the required 15,000 square feet. This is Lot 1, Block 2, King's Forest Hills, and is at 7635 North Shore Circle North. The building will be kept within 800 square feet. These plans met with the approval of Dennis O'Donnell, of Washington County. Mr. O'Donnell felt it would be a hardship to deny this request as it will be a substantial improvement to the entire area. Richard Tschida moved to approve the variance for Diane and Steven Frokjer for a 44.5 feet setback from the high water mark and 23 feet setback from the road right of way according to the plans submitted and a variance for lot area existing 6619 square feet and lot depth existing 85.6 feet. He stated this is a hardship because of the need for major repair and the fact that it is an improvement over the present structure as far as meeting requirements and setbacks. David Kulenkamp seconded. Curtis Sparks felt it was a hardship because they did not have reasonable use of the property without the variances. The motion carried unanimously.

Gary Lundeen requested variance to build a 22 feet by 26 feet garage 29 feet from the road right of way at one corner. David Kulenkamp moved to grant a variance to Gary Lundeen for a one foot variance on the south corner of the garage so that it will be 29 feet from the road right of way and that the Town grant a land size variance because it is only 8,000 square feet. Richard Tschida seconded. David Kulenkamp said the motion was based on the fact that Mr. Lundeen he going to remove a structure closer to the road, and this will make the building more nearly conform to the setbacks of the road. The motion carried unanimously.

The following license applications were considered: Shore Line Lounge for an on-off beer license. Curtis Sparks moved and Richard Tschida seconded to approve. Motion carried unanimously. Log Cabin Tavern for cigarettes, juke box, foos ball machines, pinball, pool table, on-off malt liquor licenses, and dance permit. David Kulenkamp moved and Richard Tschida seconded to approve. Motion carried unanimously. Willow Point Resort for cigarettes and juke box. David Kulenkamp moved and Richard Tschida seconded for approval. Motion carried unanimously.

Business Manager Charles Robinson reported law now requires a resolution stating that the Town has and is operating under urban powers. Curtis Sparks moved and Richard Tschida seconded that the Town adopt such a resolution. The motion carried unanimously.

Curtis Sparks said he had received a complaint that Curt Lee, 21590 Fondant Avenue North, was burning noxious smelling materials. He said this is not the first time he had received such a complaint about Mr. Lee. Upon checking the complaint, Mr. Sparks said it appeared that Mr. Lee is running a repair shop in his garage; also Mr. Lee had dumped oil along his drive which was running down the ditch. As this is against the law, Mr. Sparks reported the matter and showed a letter from the Pollution Control to Mr. Lee. There was discussion.

Mr. Robinson reported the county is making calcium chloride available again. The board authorized him to advertise in the paper if residents wish this treatment. Residents must pay the costs if they wish this done in their neighborhoods.

The board directed Mr. Robinson to contact the Department of Natural Resources and the Watershed District regarding reconstruction of the outlet for Clear Lake.

February 27, 1984

Page 3 of 3

Mr. Robinson said the hearing for the Marjorie Morgenstern garage has been set. He sent her a certified letter about the matter to determine if she wished to remove it herself or have the Town do it. If she does not respond by this Friday, he will contact a mover about the garage.

The chairman presented a notice of release for the frontage road from the Minnesota Department of Transportation. There were various items of correspondence which required no action.

David Kulenkamp moved and Richard Tschida seconded for adjournment. The meeting adjourned at 9:15 p.m.

Jack Buys
Jack Buys, Clerk

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 5 1984

Joan Andrews Howe
Secretary of State

#35099

TOWN OF FOREST LAKE

21350 Forest Blvd. N.
FOREST LAKE, MINNESOTA 55025

Phone 464-4348

February 28, 1984

Office of Secretary of State
Documents Registration
180 State Office Building
St. Paul, Minnesota 55155

Dear Sirs:

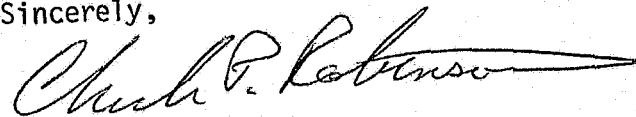
This letter is in regard to MSA 368.01, Section 30, which requires Towns to file with the Secretary of State its intent to exercise Urban Powers.

The Town of Forest Lake is and has exercised Urban Powers under the authority of having 1,200 residents in platted areas, having a population of 5,000 and being located within twenty (20) miles of a city with over 20,000 population.

Please find a copy of the Minutes of the February 27, 1984, Town Board Meeting with the Resolution stating that the Town operates under Urban Powers.

If you have any questions, please do not hesitate to call.

Sincerely,



Charles P. Robinson
Business Manager
TOWN OF FOREST LAKE

CPR/db
Encl: Minutes re: resolution

35099