

AGENDA FOR THE MONDAY, APRIL 10, 2017
BOARD OF ADJUSTMENT HEARING – 6:00 PM

Re-Organization

1. **Larry Olson:** Lot Three (3) of Sunset Beach on Diamond Lake, Section 28,
Harrison Township. (5076 165th St NE)

Applicant requests a reduced side yard setback of 7' for construction of a house addition in an R-1 Shoreland Residential Management District. Ordinance requires a side yard setback of 10 feet.

APPLICATION FOR VARIANCE

Kandiyohi County Zoning

County Office Building, 400 SW Benson Ave, Willmar, MN 56201 320-231-6229

Version: September 2011

OFFICE USE Fee \$350.00	Hearing Date 4-10-17	Application Number 324613
Date Received 3/15/17	Date Mailed	Zone R-1 AS400 Excel X

Applicant Larry D. Olson
First MI Last
Mailing Address 717 Richland Ave S.W. City: Willmar State: Mn Zip 56201
Property Address 5076 165th St N.E.
Lake Diamond Township Harrison Section 28
Tax Parcel Number 19-700-0070 Daytime Phone 320-262-1384
Legal Description (from Deed): SECT-28 TWP-120 Rang-33 Lot-003
Sunset Beach on Diamond lake (Torrens)

Explain Request Here: (SEE ATTACHMENTS)
Request a reduced side yard setback of 7' for a
house addition in an R-1 Shoreland Residential Management
District

Applicant hereby agrees to have property staked before Variance Board will view and before decision can be reached I hereby certify with my signature that all data on my application forms, plans and specifications are true and correct to the best of my knowledge. NOTICE: Any violation of the conditions established in conjunction with the Variance granted pursuant to this application may be prosecuted as a misdemeanor as more fully provided in CHAPTER 2: 2-8 and 2-9 of the Kandiyohi County Zoning Ordinance.

Signature of Property Owner (legal name) Barbara A. Olson Date 3-15-17 DOB 7-16-53
3-15-17 DOB: 3-5-55
Signature of Applicant (legal name) _____ Date _____ DOB _____

This variance must be utilized within one (1) year.
This variance does not constitute a building permit, sewage system permit, grading/filing permit, or the like. Separate permits may be applied for and obtained in order to accomplish all of the goals of your project.
The issuance if this variance does not negate the need to secure other permits from other local units of government, state agencies or federal agencies who may also have jurisdiction over portions of your project.

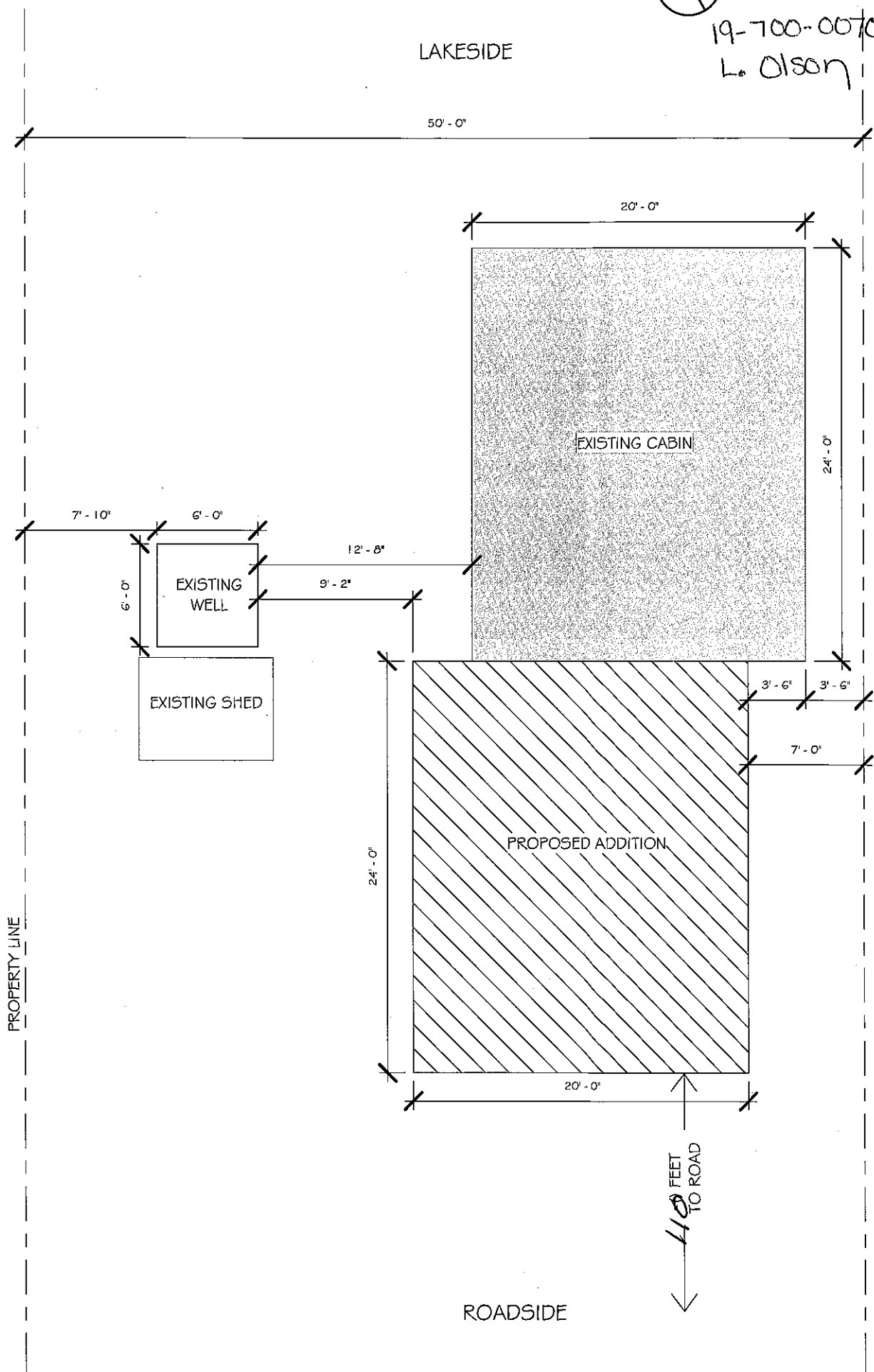


NORTH

19-700-0070
L. Olson

LAKESIDE

50'-0"



ROADSIDE

40 FEET TO ROAD

4-10-17 BOA Draft Findings

Larry Olson:

The Board of Adjustment finds that there are no practical difficulties affecting the land in question that do not apply generally to other property in the same vicinity. In support of this general finding for denial of the variance, the Board of Adjustment finds the following:

1. The Board finds that the applicant's request is a substantial variation from the requirements of the zoning ordinance. The Board finds that the applicant's proposal represents a substantial variation of 30% of the side-yard setback.
2. The Board finds that granting the request for variance would not have an adverse effect on government services.
3. The Board finds that the issuance of the variance will not affect a substantial change in the character of the neighborhood in and of itself. However, the Board also notes that any other landowner may make the same argument for a dwelling addition closer to a property line and/or any other required setback, and that the granting of such requests would actually effect a substantial change in the character of the neighborhood.
4. The Board finds that the applicants have ample area for a dwelling addition, thus the applicants have feasible alternatives that would alleviate the need for a variance.
5. The Board finds that the need for a variance is caused by the landowners desire to have a dwelling addition in one specific site on the parcel. The Board finds no substantially unique feature of the property in question which would cause the applicant practical difficulty in meeting the standards of the ordinance.
6. The Board finds that given the aforementioned findings, denying the variance serves the interests of justice. The Board finds that granting of the variance would not be in harmony with the general purpose and intent of the ordinance. The Board finds that the applicant is allowed substantial and reasonable use of the property and cannot justly be granted ability to vary from accepted standards in a manner not afforded to others.