



**Meeting of the Board of Adjustments
Held at the Elk River City Hall
Tuesday, November 25, 2025**

Members Present: Chair Perry Beise, Commissioner Eric Johnson, Commissioner Dennis Booth, Councilmember Jennifer Wagner

Members Absent: Commissioner Robert Rydberg, Commissioner Anthony Kaba, Commissioner Dornan Bland

Staff Present: Community Development Director Zack Carlton, Senior Planner Chris Leeseberg, and Recording Secretary Katie Porath

1. CALL MEETING TO ORDER

Pursuant to due call and notice thereof, the meeting was called to order at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. CONSIDER AGENDA

Moved by Commissioner Johnson and seconded by Commissioner Booth to approve the agenda. Motion carried 4-0.

4. CONSIDER MINUTES

Moved by Commissioner Johnson and seconded by Commissioner Booth to approve the following consent items as outlined in their respective staff reports. Motion carried 4-0.

4.1 DRAFT Minutes - October 28, 2025

5. PUBLIC HEARINGS

5.1 Variance: Structure Size Variance, Benjamin Poythress - 13640 Island View Dr NW

Mr. Leeseberg presented the staff report.

The public hearing is still open from the October 28, 2025 Board of Adjustments meeting.

Andrea Poythress, 13640 Island View Dr NW, presented their revised plan which reduced the size requested to 590 square feet from the original 780 square feet. She stated that neighbors had

submitted letters of support which were distributed to the Commission for their reference.

Chair Beise closed the public hearing.

Chair Beise felt that 590 square feet was too much over the allowed 400 square feet. Commissioner Booth agreed. Commissioner Johnson added that the request does not seem to meet the five criteria for granting a Variance. He may be in favor of granting a Variance for 420 square feet, the size of the existing site.

Moved by Commissioner Booth to deny the Variance proposal to exceed the permitted size of a water-oriented storage structure, as the following standards have not been met:

- 1. Allowing a structure nearly twice the size of what is permitted within the shore impact zone does not meet the general purpose and intent of the ordinance.**
- 2. The property has a land use guidance for residential, and the proposed single-family residential use is consistent with the Comprehensive Plan.**
- 3. The proposed use is not reasonable as the property already contains a permitted 100 SF. water-oriented structure that serves the intended purpose of storing lake-related equipment.**
- 4. There are no circumstances unique to the property that create hardship. The request results from the applicant's desire for additional space, which is a self-created condition, not a property hardship.**
- 5. Granting the variance would permit a structure nearly twice the size allowed within proximity to the lake that could alter the essential character.**

Chair Beise asked if the Commission would like to approve a Variance for 420 square feet. Mr. Carlton stated, if the Commission wished to approve that size they could amend their motion.

Moved by Commissioner Booth and seconded by Commissioner Johnson to amend the Variance proposal to exceed the permitted size of a water-oriented storage structure by 20 square feet for a total size of 420 square feet. Motion carried 4-0.

Mr. Carlton stated that the applicant can appeal the Board of Adjustment decision in writing by December 5, 2025. If the applicant appeals the decision the item will go to the December 15, 2025 City Council meeting for review.

5.2 Variance: Parking and Wetland Setbacks in Support of an Apartment Building, Pat Briggs - 17379 Twin Lakes Rd NW

Mr. Carlton presented the staff report.

Chair Beise asked when the 24 month timeline for a proof of parking plan would begin. Mr. Carlton stated it would begin when the certificate of occupancy was issued.

Commissioner Zahler asked about proof of parking for other similar sites. Mr. Carlton stated that Elk River Lodge has had a proof of parking plan in place since 2017 and Clear Sky since 2023.

Commissioner Zahler asked if any of these sites have had to implement their plan. Mr. Carlton stated that they have not. Mr. Carlton added that the city may look to rewrite the ordinance that pertains to parking standards.

Chair Beise opened the public hearing.

Morgan and Matthew Lerfald, 17395 Twin Lakes Rd, stated their concerns with the proposed project including zoning in the area, issues with neighboring properties, traffic concerns, snow removal, encroachment into the wetlands, and property values.

Ms. Lerfald asked the Commission to conduct a comprehensive traffic study from Highway 10 to 181st Ave NW before a parking variance could be granted.

Mr. Lerfald asked the Commission to table the discussion and look at the zoning of the area.

Chair Beise closed the public hearing.

Commissioner Johnson stated he does not see the plight of the petitioner and cannot see approving either variance. The applicant is able to work within the confines of the property. He would not recommend any parking under 2 1/2 per unit.

Commissioner Booth asked if the decision on the application could be postponed while the Commission looks at zoning of the site. Mr. Carlton stated that the Commission has to act on the active application during a certain timeline and in accordance with state statutes.

Commissioner Booth agreed that there was plenty of room on the site to meet the parking and wetland setbacks or the apartment size could be reduced.

**Moved by Commissioner Johnson and seconded by Commissioner Booth to deny the Variance request due to the request not meeting the five criteria, specifically criteria number four.
Motion carried 4-0.**

Mr. Carlton stated that the item will go to the December 15, 2025, City Council meeting for review.

6. MOTION TO ADJOURN REGULAR MEETING

Moved by Commissioner Johnson and seconded by Commissioner Booth to adjourn the meeting. Motion carried 4-0.

The meeting adjourned at 7:08 p.m.

Minutes prepared by Katie Porath.



Perry Beise, Chair



Jolene Richter, Deputy City Clerk