



**Meeting of the Board of Adjustments  
Held at the Elk River City Hall  
Tuesday, April 22, 2025**

**Members Present:**

Chair Perry Beise, Commissioner Eric Johnson, Commissioner Robert Rydberg, Commissioner Dennis Booth, Commissioner James Zahler, Commissioner Dornan Bland

**Members Absent:**

Commissioner Anthony Kaba

**Staff Present:**

Community Development Director Zack Carlton, Senior Planner Chris Leeseberg, and Sr. Administrative Assistant/Recording Secretary Jennifer Green

**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 Rydberg and seconded by Commissioner Johnson to approve the agenda. Motion carried 6-0.**

**4. CONSIDER MINUTES**

**Moved by Commissioner Johnson and seconded by Commissioner Booth to approve the following consent item. Motion carried 6-0.**

4.1 Draft Minutes from February 25, 2025

**5. PUBLIC HEARINGS**

5.1 Variance: Rear Yard Setback, Michael and Lori Long, 13032 196th Ct. NW

Mr. Leeseberg presented the staff report.

Chair Beise noted in the Action Requested portion of the staff report that Reason #2 should state the land use is residential, not industrial.

Chair Beise opened the public hearing. There being no one present to speak, Chair Beise closed the public hearing.

Commissioner Rydberg asked how many variances the city has granted to residents with a similar situation. He stated they should be hesitant to set precedence but noted if the access door was

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constructed on the opposite side, a variance wouldn't be required.

Mr. Leeseberg stated this instance was different because the property line follows the wetland boundary instead of the property including the wetland. They've had several requests for setback variances where wetlands are a part of the property.

Commissioner Zahler arrived at 6:36 p.m.

**Moved by Commissioner Johnson and seconded by Commissioner Booth to approve the rear yard setback variance of 10-feet for the following reasons:**

- 1. The general purpose and intent of the ordinance are met.**
- 2. The property has a land use of ~~industrial~~ residential, and the use is consistent with the Comprehensive Plan.**
- 3. The proposed use is reasonable and is otherwise permitted in the zoning ordinance.**
- 4. The plight of the petitioner is due to circumstances unique to the property, not a consequence of the petitioner's own action or inaction.**
- 5. The variance will not alter the essential character of the locality.**

**Motion carried 6-0.**

5.2 Variance: Front Yard Setback, Brian Copeland, 18378 Boston St. NW

Mr. Leeseberg presented the staff report.

It was noted in the Action Requested portion of the staff report that Reason #2 should state the land use is residential, not industrial.

Commissioner Johnson asked what happens if the total impervious surface area is over the allowed 45% lot coverage after obtaining the survey.

Mr. Leeseberg stated the variance request would not be granted, and the applicant would have to reapply for a larger percentage of lot coverage.

Commissioner Rydberg asked about the rock being on top of a type of weed stop and water passes through.

Mr. Leeseberg stated a survey would provide an accurate amount of impervious surface coverage.

Chair Beise opened the public hearing.

**Brian Copeland**, 18378 Boston St. NW, noted his request is for a 22'x7' porch, not 22'x17' as presented. He explained he thought he did install landscape fabric, but if it was plastic under the rocks, he stated he could remove the rock and place a landscape fabric that water does pass through.

Commissioner Johnson asked Mr. Copeland if he was o.k. with the condition of obtaining a survey to validate the amount of impervious surface.

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Mr. Copeland stated he was hoping not to have to complete a survey due to the cost being a few thousand dollars. He stated he calculated 41.2% of impervious surface coverage.

There being no one else to speak, Chair Beise closed the public hearing.

After a brief discussion regarding the survey requirement, it was the consensus of the Board of Adjustments to not require the survey as the landscape fabric was a weed barrier and not plastic.

**Moved by Commissioner Booth and seconded by Commissioner Johnson to approve the front yard setback variance of 8-feet for the following reasons:**

1. The general purpose and intent of the ordinance are met.
2. The property has a land use of ~~industrial~~ residential and the use is consistent with the Comprehensive Plan.
3. The proposed use is reasonable and is otherwise permitted in the zoning ordinance.
4. The plight of the petitioner is due to circumstances unique to the property, not a consequence of the petitioner's own action or inaction.
5. The variance will not alter the essential character of the locality.

~~And with the condition that a survey, prepared by a licensed professional surveyor, be submitted that accurately quantifies the total impervious surface area on the site.~~

**Motion Carried 6-0.**

6. MOTION TO ADJOURN REGULAR MEETING

**Moved by Commissioner Johnson and seconded by Commissioner Booth to adjourn the meeting. Motion carried 6-0.**

The meeting adjourned at 6:50 P.M.

Minutes prepared by Jennifer Green.



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Perry Beise, Chair



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Tina Allard, City Clerk