



**Meeting of the Board of Adjustments
Held at the Elk River City Hall
Tuesday, June 24, 2025**

Members Present:

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

Members Absent:

None

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 Johnson and seconded by Commissioner Booth to approve the agenda. Motion carried 7-0

4. CONSIDER MINUTES

Moved by Commissioner Johnson and seconded by Commissioner Booth to approve the following draft minutes as outlined in the packet. Motion carried 7-0.

4.1 Draft Minutes from May 27, 2025

5. PUBLIC HEARINGS

5.1 Variance: Wetland Setback for Driveway, David Held - 20189 Meadowvale Rd NW

Mr. Carlton presented the staff report.

Commissioner Rydberg asked if the proposed driveway to the east lot is currently dividing the wetland or is there a culvert under it.

Mr. Carlton felt there would need to be a culvert to keep the hydrologic connection and water flow active but will check with environmental staff.

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

Moved by Commissioner Booth and seconded by Commissioner Rydberg to approve the Variance request for David Held to allow a driveway to encroach up to 1-foot from a delineated wetland, and into the wetland setback ordinance, for the following reasons:

- 1. The general purpose and intent of the ordinance are met.**
- 2. The property has a land use of Residential and the use is consistent with the Comprehensive Plan.**
- 3. The proposed use is reasonable and is 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 following conditions:

- 1. The plat of Meadow Hills must be approved by the City Council and recorded with Sherburne County.**
- 3. The applicant shall work with staff for an on-site review of the driveway location prior to beginning construction activities.**
- 4. All areas within the 25-foot wetland buffer strip and 20-foot wetland buffer strip setback that are not part of the driveway or side slope shall not be maintained as yard areas (no mowing, planting, or landscaping) and must be left to grow naturally.**
- 5. All conditions and best practices outlined by the Wetland Conservation Act via the Technical Evaluation Panel decision shall be satisfied.**

Motion Carried 7-0.

5.2 Variance: Zero Lot Line Setback, Todd Bialon with Jarvis LLC - 9672 163rd Ave. NW

Mr. Leeseberg presented the staff report.

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

Moved by Commissioner Johnson and seconded by Commissioner Rydberg to approve the parking lot east side 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 General Industrial 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 following conditions:

- 1. Conditional Use Permit (CU 25-06) shall be approved and recorded.**
- 2. If the applicant wishes to construct the fence on the property line, written permission from the adjacent property owner to the east shall be obtained and provided to the city.**

Motion Carried 7-0.

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6. MOTION TO ADJOURN REGULAR MEETING
Moved by Commissioner Johnson and seconded by Commissioner Booth to adjourn the meeting. Motion carried 7-0.

The meeting adjourned at 6:42 p.m.

Minutes prepared by Jennifer Green.



Perry Beise, Chair



Tina Allard, City Clerk