

**Becker County Board of Adjustments
July 11th, 2019**

Present: Members: Chairman Lee Kessler, Jim Kovala, Roger Boatman, Harry Johnston, Delvaughn King, Planning and Zoning Administrator Kyle Vareberg and Zoning Technician Jeff Rusness. Absent was Chairman Jim Bruflo and Brad Bender.

Chairman Lee Kessler called the meeting to order at 7:00 p.m. Zoning Technician Jeff Rusness recorded the minutes.

Introductions were given.

June Minutes were not ready to approve

Kessler/Boatman explained the protocol for the meeting and **Kessler** read the criteria for which a variance could be granted.

OLD BUSINESS:

1. **APPLICANT: Troy and Jennifer Goering** 21035 Co Hwy 22, Detroit Lakes, MN 56501
Project Location: 20584 Co Hwy 22, Detroit Lakes, MN 56501 **LEGAL LAND**
DESCRIPTION: Tax ID Number: 170311000; Section 27 Township 138 Range 042; Pt lots 2 & 3 Beg at SE cor L5 Newport Beh TH SW 84.89', SW 25' to POB; SW 95.03', SW 155.43', NE 148' to LK ELY AL LK to pt 25' W of WLY LN Lot 5 Newport BCH, SE 88.17' to BEG
APPLICATION AND DESCRIPTION OF PROJECT: Request a variance to construct a bunkhouse, to be located at fifty (50) feet from the Ordinary High Water (OHW) of Maud Lake, and ten (10) feet from the Right of Way (ROW), deviating from the required setback of one hundred (100) feet from the OHW on a Recreational Development Lake and deviating from the required setback of forty-five (45) feet from the ROW, for a structure on a county road, due to setback issues. Proposal was tabled by the applicant at the May 9th, 2019 Hearing.

Vareberg presented the application.

Troy Goering introduced himself and what he was proposing.

Rodger Boatman asked if he found his property pins.

Goering said he found the pins by using his plat and measuring everything out accordingly.

Goering also explained how he used the wrong measurements last time and how many more feet he has to work with and explained the setback he was proposing from the road and side property line.

Kovala explained the 25% lot coverage rule and asked if Goering would want to put a second story on the existing garage. Goering asked Kovala to explain what he was proposing, Kovala explained

44 that covering so much of the property would increase run off to Maud Lake and putting a second
45 story would be beneficial for mitigation purposes, Goering explained the expense would be greater
46 than building a new bunk house. Kovala then asked if he could move it closer to the existing
47 garage.

48 Georing explained he would doing anything the board would recommend. Goering said he would
49 even make the bunkhouse smaller. Boatman explained they never approve anything closer than
50 20ft from the road right of way, and Georing is at ten feet(10ft). Boatman also explained about the
51 safety factor and the plows coming by and ruining the siding because of its location. Goering said
52 they are still 20ft back from the edge of the road and willing to moving back and open to any
53 suggestions.

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55 Boatman ask Goering if he would be willing to remove the shed out of the shore impact zone and
56 possibly off the property. Goering said he liked the shed but possibly would remove it as a
57 stipulation, Goering also stated he has a lot of time and money into this shed. Kyle Vareberg stated
58 that it is a permittable structure in its location.

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60 Kovala ask if Goering is willing to change the size of the bunkhouse to be more inline with the
61 surrounding buildings and area, also possibly attaching to the garage.

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63 Johnston said he does not want it put in the shore impact zone.

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65 Goering asked the board if they want to move away from the road it could be made smaller towards
66 the road.

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68 Kovala said his thoughts are (24ftx24ft) twenty four by twenty four and attach it to garage.

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70 Goering said he was willing to make anything work.

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72 There was no written correspondence for the application.

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74 At this time, testimony was closed. Chairman Lee Kessler opened the matter for disussion by the
75 Board.

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77 The board discussed the size of the bunkhouse and stipulations, road setbacks and road right of
78 way.

- 79 **Motion:** Kovala made a motion to approve with stipulations;
80 1: Bunkhouse 24ft x 24ft
81 2: Attach to existing garage
82 3: 50ft from lake
83 4: Gutters not to run towards lake

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85 **Johnston Second:** All in favor. **Motion carried.** Variance approved with stipulations.
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91 **NEW BUSINESS:**

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1. **SECOND ORDER OF BUSINESS: APPLICANT:** Relative's Roost LLC 5610 Hyland Greens Dr Minneapolis, MN 55437 **Project Location:** 19716 Co Rd 131, Detroit Lakes MN 56501. **LEGAL LAND DESCRIPTION: Tax ID Number: 08.0969.000** Section 15 Township 139 Range 041; 1st Add- Floyd Lk Bch Lot 74 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a shed, to be located at two (2) feet from the ROW of a county highway, deviating from the required setback of forty-five feet (45) feet from the ROW of a county highway due to setback issues.

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103 Vareberg presented the application.

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Bruce Palma explained his shed was ruined by a storm two years ago, wanting to build a shed bigger but moving it back two feet back from where it was, therefore leaving enough room for larger vehicles to park, proposing a larger shed that would be 22ft from the edge of the road

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Boatman asked where the right of way was to the shed? Palma stated thirty five feet from right of way and lot line would be nine feet.

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Kovala stated the board would recommend moving it back 20ft minimum from property line because you do not have practical difficulties.

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Boatman said they are trying to minimize the distance from the roadway and sight lines, he explained twenty feet from the property line is our standard for a variance and that this application has no practical difficulties.

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Palma stated his concern about usable yard space if we move the shed back, and also stated the neighboring garages are closer to the road than what we are proposing.

122 Kessler was not sure the measurements were correct on the application.

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Palma explained how the numbers and measurement were figured.

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Kyle Vareberg explained to Kessler the setback numbers on the application.

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128 Johnston explained by removing one small tree the setback 20 feet from property line would work
129 out.

130 Palma explained the small tree would not be removed due to family significant.

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132 Palma asked for verification on the Minnesota State Statue, rebuilding shed in same location.

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134 The board agreed with his explanation he received last year from the Becker County Zoning office.

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137 There was written correspondence for the application. No one spoke for or against the application.
138 At this time, testimony was closed. Chairman Lee Kessler opened the matter for disussion by the
139 Board.

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141 Kovala said if they are making it bigger the shed would have to move back eleven more feet.

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143 **Motion:** Boatman made a motion to deny the application due to proximity to the road right of way
144 and safety issues.

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146 **Johnston second.** All In favor **Motion carried.** Variance **Denied**

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1481. **THIRD ORDER OF BUSINESS: APPLICANT: Lawrence Cossette** 5200 21st Ave S #307 Fargo,
149 ND 58103 **Project Location:** 25969 Brolin Beach Detroit Lakes, MN 56501 **LEGAL LAND**
150 **DESCRIPTION: Tax ID Number: 08.1227.502;** Section 16 Township 139 Range 041, REBNE
151 ACRES Block 001 LOT 2 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a
152 variance to construct a deck, to be located at fifty-eight (58) feet from the Ordinary High Water
153 (OHW) mark of a General Development lake, deviating from the required setback of seventy-five
154 (75) feet from the OHW, due to setback issues.

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157 Vareberg presented the application.

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159 Larry Cossette explained the proposed application and explained to the board how the deck and
160 measurement are shown on the drawing.

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162 Johnston asked if the one time deck addition per the ordinance would work on this application.

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164 Vareberg explained that it would not work due to the date the dwelling was built.

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167 No one spoke for or against the application. There was no written correspondence for or against
168 the application. At this time, testimony was closed. Chairman Lee Kessler opened the matter for
169 disussion by the Board.

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Motion: Boatman made a motion to **approve** the application to build a deck extending no more than twelve feet from the house and no bigger than two hundred and forty square feet, fifty eight feet from the OHW.

Kovala second. All in favor. **Motion carried.** Variance **approved.**

FORTH ORDER OF BUSINESS: APPLICANT: Joel & Wendy Welinski PO BOX 297 Medford, MN 55049 **Project Location:** 34256 E Boot Lake Rd Park Rapids, MN 56470 **LEGAL LAND DESCRIPTION: Tax ID Number: 27.0181.003;** Section 32 Township 142 Range 036 32-142-036 PT GOVT LOT 6: COMM SE COR TH W 802.36' TO CTR LN E BOOT LK RD & POB; NELY 285.98', NE 46.89', NW 243.52', W 100' TO BOOT LK, SLY TO S LN GOVT LOT 6, E 136' TO POB AKA TRACT B **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a dwelling and an attached garage to be located at fifty (50) feet from the Ordinary High Water (OHW) mark of a Recreational Development lake, deviating from the required setback of one hundred (100) feet from the OHW, due to setback issues.

Vareberg presented the application.

Joel Welinski explained his application, and gave the board their own set of house plans to follow along with his presentation. His property was designed by mother nature and needs a variance to be able to build there house.

Johnston asked Vareberg how close can you build to the wetland on said property.

Vareberg explained because it is not on public wetland map it would be up to but not into the wetland.

Welinski said he will be about fifty feet from the wetland.

No one spoke for or against the application. There was no written correspondence for or against the application. At this time, testimony was closed. Chairman Lee Kessler opened the matter for disussion by the Board.

Motion: kovala made a motion to **approve** the application as presented, to construct a dwelling and an attached garage to be located at fifty (50) feet from the Ordinary High Water (OHW) mark of a Recreational Development lake, deviating from the required setback of one hundred (100) feet from the OHW, due to setback issues.

213 **King second.** All in favor. **Motion carried.** Variance **approved.**

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217 **ELEVENTH Informational Meeting.** The next informational meeting is scheduled for
218 Thursday, August 1st, 2019 at 9:00 a.m. in the 3rd Floor Meeting Room of the Original Courthouse.
219 As there was no further business to come before the Board, Kovala made a motion to adjourn the
220 meeting. King seconded. All in favor. Motion carried. Meeting adjourned.

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222 _____ ATTEST _____

223 Chairman Jim Bruflo

Kyle Vareberg,
Planning and Zoning Administrator

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