

Becker County Board of Adjustments
March 21, 2024

Present: Members: Acting Chairman Craig Hall, Acting Vice Chair, Mike Sharp, Larry Knutson, Kohl Skalin, Dan Josephson, Planning and Zoning Administrator Kyle Vareberg, and Planning & Zoning Office Support Specialist Susan Rockwell.

Absent: DelVaughn King, and Roger Boatman.

Acting Chairman Craig Hall called the meeting to order at 6:00 p.m. Planning & Zoning Office Support Specialist Susan Rockwell recorded the minutes.

Introductions were given.

Acting Chairman Craig Hall read the protocol for the meeting.

Acting Vice Chairman Mike Sharp read the guidelines of the Minnesota statutes the board must follow to support or deny any request.

OLD BUSINESS:

FIRST ORDER OF BUSINESS: APPLICANT: Rustin L & Jodi L Summers 16307 Sugar Island Rd Audubon, MN 56511 Project Location: 16307 Sugar Island Rd Audubon, MN 56511 **Tax ID Number:** 02.0332.000 **LEGAL LAND DESCRIPTION:** Section 32 Township 139 Range 042; SUGAR ISLAND NLY 5 FT OF LOT 11; & LOT 12; Audubon Township. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to add a deck onto an existing dwelling to be located sixty-four (64) feet from the Ordinary High Water (OHW) mark, deviating from the required setback of one hundred (100) feet on a Recreational Development Lake due to lot size and setback issues.

Rustin Summers presented the application, and he explained he is replacing the stairs, and wants to make the landing larger, 16' x 8'.

Skalin asked if the length is 16' or 18'.

Summers replied 16'.

No correspondence. Testimony closed.

Motion: Knutson motioned to **approve** the variance. The motion was made based on the fact it's in harmony with the purposes and intent of the comprehensive plan and zoning ordinance, it puts the property to use in a reasonable manner, and the essential character of the locality will not change and improves property value for self and neighborhood.

Skalin seconded. All in favor. **Motion carried.** Variance **approved.**

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48 **SECOND ORDER OF BUSINESS: APPLICANT: John W & Tracy L Alin** 3810 15th St S
49 Moorhead, MN 56560 **Project Location:** 23797 Co Hwy 22 Detroit Lakes, MN 56501 **Tax ID Number:**
50 19.1804.000 **LEGAL LAND DESCRIPTION:** Section 19 Township 138 Range 041; SHOREHAM 138
51 41 Block 008 LOT 1; Lake View Township. **APPLICATION AND DESCRIPTION OF PROJECT:**
52 Request a variance to 1) Construct a detached garage to be located twenty (20) feet from the right-of-way
53 (ROW) deviating from the required setback of forty-five (45) feet on a County Highway. 2) Construct a
54 covered deck attached to a dwelling to be located five (5) feet from the side property line deviating from
55 the required setback of six point six (6.6) feet on a lot of record and to be located forty-three (43) from the
56 ROW deviating from the required setback of forty-five (45) feet on a County Highway. 3) Construct a
57 dwelling to be located five (5) feet from the side property line deviating from the required setback of six
58 point six (6.6) feet on a lot of record and to be located thirty-nine (39) feet from the Ordinary High-Water
59 (OHW) mark deviating from the required setback of seventy-five (75) feet on a General Development Lake.
60 4) Construct a covered deck onto a dwelling to be located twenty-seven (27) feet from the OHW deviating
61 from the required setback of seventy-five (75) on a General Development Lake. All requests are due to lot
62 size and setback issues. This application was tabled from the February 8th, 2024, Hearing.
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66 John Alin presented the application, along with the contractor, Nick Grabow. Nick Grabow explained the
67 lot lines are angled, and it is a unique situation. The existing structure encroaches on setbacks to lake and
68 side yard, it's 6.6' on side yard, in order to save for septic.
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70 Knutson asked where new septic will be located.

71 Nick Grabow stated holding tanks will be installed.

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73
74 Vareberg stated the Pelican River Watershed is calculating the impervious surface as more.

75
76 Nick Grabow proposed coverage of 1444', and stated the roadside is a deck.
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78 Vareberg asked about decks, back is pervious, lakeside is impervious.
79

80 Nick Grabow stated both covered porches are included in the impervious calculation, the 16' overhang was
81 not, and impervious coverage is calculated at 24 percent.
82

83 Knutson said he would like to see the home further from the lake, as it is in the shore impact zone.
84

85 Nick Grabow stated he has to put a deep well in, and needs to be 10' from front yard, and 50' from septic.
86

87 Hall stated going from the old structure to new, portions of the home are further back, portions are closer,
88 but most is further back.
89

90 Sharp asked if it was possible to move 10' further back, as there is space.
91

92 Nick Grabow stated moving further back they are too close to the garage.
93

94 Skalin stated they are in the shore impact zone, and the well can go on the property line.
95

96 Hall asked if they could move the house back 5 feet.

97
98 Vareberg stated impervious coverage is 25.36%, and variance should include 26% impervious coverage for
99 leeway.

100
101 No public comment. Testimony closed.

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103 **Sharp** motioned to **approve** the variances as presented, with the exception of moving the
104 primary structure and attached decks an additional 5 feet back, and increasing the impervious
105 coverage to twenty-six (26) percent. The motion was made based on the fact it's in harmony
106 with the purposes and intent of the comprehensive plan and zoning ordinance, it puts the
107 property to use in a reasonable manner, and the essential character of the locality will not change
108 and improves property value for self and neighborhood.

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110 **Skalin seconded.** All in favor. **Motion carried.** Variance **approved.**

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115 **New Business:**

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118 **FIRST ORDER OF BUSINESS: McLain Schneider & Crystal Schneider** 1022 10th St S Fargo, ND
119 58103 **Project Location:** 11443 W Lake Eunice Rd Detroit Lakes, MN 56501 **Tax ID Number:**
120 17.0432.000 **LEGAL LAND DESCRIPTIONS:** Section 27 Township 138 Range 042; BERGQUIST
121 BEACH LOT 7; Lake Eunice Township. **APPLICATION AND DESCRIPTION OF PROJECT:**
122 Request a variance to construct a deck to be located thirty-nine (39) feet from the Ordinary High-Water
123 (OHW) mark deviating from the required setback of seventy-five (75) feet on a General Development Lake
124 due to setback issues.

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129 Crystal Schneider presented the application. She stated she has existing pavers that extend 12 feet out,
130 would like to replace with a deck, and remove the existing pavers, saving impervious surface.

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134 No public comment. Testimony closed.

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136 **Skalin** motioned to **approve** the variance. The motion was made based on the fact it's in
137 harmony with the purposes and intent of the comprehensive plan and zoning ordinance, it puts
138 the property to use in a reasonable manner, and the essential character of the locality will not
139 change and improves property value for self and neighborhood.

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141 **Knutson seconded.** All in favor. **Motion carried.** Variance **approved.**

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144 **SECOND ORDER OF BUSINESS: APPLICANT: Larry C & Nancy J Hlavnicka** 32871 355th St
145 Ogema, MN 56569 **Project Location:** 32871 355th St Ogema, MN 56569 **Tax ID Number:** 20.0365.000
146 **LEGAL LAND DESCRIPTIONS:** Section 26 Township 142 Range 040; 26-142-40 PT GOVT LOT 1:
147 COMM NE COR GOVT LOT 1, W 408.75' TO POB; W 115.71' TO CTR RD, W 411.42', S 497.31', SLY
148 16.58' TO CTR RD, SLY 121.83' TO STRAW LK, ELY AL LK TO PT S POB, N 138' TO POB.; Maple
149 Grove Township. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to
150 construct a detached storage structure to be located sixty (60) feet from the Ordinary High-Water (OHW)
151 mark deviating from the required setback of one hundred (100) feet on a Recreational Development Lake
152 due to setback issues.

153
154 Larry Hlavnicka presented the application asking for a variance setback of 60' for OHW for a shed, stating
155 he is 20 feet from the road, and he needs to be 25 feet from septic mound system.

156
157 Knutson stated he was at the property, it is close to the mound system, this is the only practical location,
158 and it will fit well.

159
160 No public comment. Testimony closed.

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163 **Knutson** motioned to **approve** the variance; **Sharp** seconded. All in favor. **Motion carried.**
164 Variance **approved.**

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167 **THIRD ORDER OF BUSINESS: APPLICANT: Eischens Family Trust** 24942 Co Hwy 48 Osage,
168 MN 56570 **Project Location:** 24942 Co Hwy 48 Osage, MN 56570 **Tax ID Number:** 21.0195.000
169 **LEGAL LAND DESCRIPTIONS:** Section 20 Township 140 Range 036; PT E1/2 OF NE1/4; BEG
170 241.10' S OF NE COR TH W 290.93', S 26.20', W 385.21', S 235.14', E 675.03' & N 275.41' TO BEG;
171 Osage Township. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to allow a
172 subdivision of land into two (2) non-conforming lots within four hundred (400) feet of a Tier Two (2)
173 Natural Environment Lake.

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175 Vareberg spoke regarding the application stating the proposed lot will be for the applicant's parents, and
176 they want to build a slab on grade home.

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178 Josephson asked if one lot could be conforming.

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180 Vareberg stated no.

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182 Skalin said he struggles with this not being ok.

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184 Vareberg said this will be addressed in the comprehensive plan.

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186 No public comment. Testimony closed.

187 **Skalin** motioned to **approve** the variance; **Sharp** seconded. All in favor. **Motion carried.**
188 Variance **approved.**

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190 **FOURTH ORDER OF BUSINESS: Ronald L Ketcher** 515 Elm St W Norwood Young America,
191 MN 55368 **Project Location:** 54809 Pearl St Osage, MN 56570 **Tax ID Number:** 21.0475.000 **LEGAL**
192 **LAND DESCRIPTION:** Section 20 Township 140 Range 036; VAN NICE SHORES 20-140-36 LOT 9

193 VAN NICE SHRS. PT NE1/4 SE1/4: COMM SW COR SE1/4 SEC 20, N 2643.41', E 2641.12', W 797.78',
194 SLY 163.2' TO POB; S 39.74', E 149.63', S 49.41', SWLY 151.77', S 67.72', NW 57' TO POND, NLY AL
195 POND TO PT W OF POB, E 29' TO POB. TRACT A (.33AC).; Osage Township. **APPLICATION AND**
196 **DESCRIPTION OF PROJECT:** Request an extension of variance recorded document number 686097.

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198 Applicant was not present.

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200 Vareberg stated this was approved in 2021.

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202 **Knutson** motioned to **approve** the variance; **Skalin** seconded. All in favor. **Motion carried.**
203 Variance **approved.**

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205 As there was no further business to come before the Board, **Sharp** made a motion to adjourn the meeting.
206 **Skalin** second. All in favor. Motion carried. The meeting adjourned at 7:00 pm.

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212 _____ ATTEST _____
213 Acting Chair, Craig Hall Kyle Vareberg,
214 Planning and Zoning Administrator

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