

**Becker County Board of Adjustments**  
**June 13<sup>th</sup>, 2024**

An audio recording of this meeting is available at:  
[https://www.co.becker.mn.us/government/meetings/planning\\_zoning/board\\_adjustments/](https://www.co.becker.mn.us/government/meetings/planning_zoning/board_adjustments/)

**Present:** Members: Chairman Roger Boatman, Vice Chair Mike Sharp, Delvaughn King, Kohl Skalin, Larry Knutson, Craig Hall, and Planning and Zoning Administrator Kyle Vareberg.

**Absent:** Dan Josephson

Chairman Roger Boatman called the meeting to order at 5:58 p.m. Planning & Zoning Technician Nicole Bradbury recorded the minutes.

Introductions were given.

Chairman Roger Boatman read the protocol for the meeting.

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

**Motion: Knutson** made a motion to **approve** the minutes from the February 8, 2024, meeting; **King second.** All in favor. Motion carried.

**OLD BUSINESS:**

**FIRST ORDER OF BUSINESS: APPLICANT: Lila B Charon Rev Trust** 1410 12<sup>th</sup> Ave S Fargo, ND 58103 **Project Location:** 15282 Summer Island Rd Lake Park, MN 56554 **Tax ID Numbers:** 17.1195.000, 17.1196.000, 17.1197.000, & 17.1198.000 **LEGAL LAND DESCRIPTIONS:** Section 06 Township 138 Range 042; SUMMER ISLAND 138 42 Block 003 LOT 6 & RESTRICTED DRIVE, LOT 7 & RESTRICTED DRIVE, LOT 8 & RESTRICTED DRIVE, & LOT 9 & RESTRICTED DRIVE; Lake Eunice Township. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to 1) Replace an existing detached structure with a gazebo to be located three (3) feet from the OHW. 2) Construct a gazebo to be located twenty-two (22) feet from the OHW. 3) Replace an existing dwelling with a dwelling and attached garage to be located nineteen (19) feet from the OHW; all deviating from the required setback of one hundred (100) feet on a Recreational Development Lake due to lot size and setback issues. This application was tabled at the April 11<sup>th</sup> Board of Adjustment Meeting.

One letter was received in regard to this application is entered below:

# CORMORANT LAKES

## *Watershed District*

### **Project information:**

Lila B. Charon Rev Trust property in Becker County Mn (parcel 17119500) located at 15282 Summer Island Road, Lake Park MN 56554. This property is located on Leaf Lake in Lake Eunice Township and within the Cormorant Lakes Watershed District.

The Cormorant Lakes Watershed District (CLWD) suggests the following details be considered as conditions for permits issued by the Becker County Board of Adjustments (BOA) for the Lila B. Charon Rev Trust property. It is the hope of the Watershed District that permitting from both governmental entities provides a workable process for the applicant all while providing protection within the Shore Impact Zone.

Please find the following concerns and suggestions to be considered as part of the BOA variance.

The CLWD wishes to be an active participant in the determination of the restoration permit process and requires a District Permit application and approval prior to portions of the work in the Shore Impact Zone.

### **South Point Boathouse:**

\*The District wants the framed structure and floor removed first, creating an open area for our engineer to investigate and determine the appropriate shoreline restoration process.

\*The District understands that the owner may wish to reserve some of the demolition materials from the Boathouse for future use. Any materials reserved from the site shall be placed in an area out of public view and kept covered until reused. All unsaved demolition materials shall be removed within 10 days and properly disposed off offsite.

\* The District will require a professional engineer to create plans that minimize risk of runoff or water quality issues from footing and concrete removal in and around the South Point Boathouse prior to starting the removal process.

\* Since this new building site is within the Shore Impact Zone this board suggests that finished exterior materials (siding, roofing & other) to be earthtone colors.

**New proposed South Point Area Gazabo placement:**

\*The placement of a new Gazebo shall be landward (North) of the South Boathouse in an area of higher ground, near the rock pile at an elevation that will not be subject to flooding. The District recommends placement be at the location determined by the BOA at a prior site visit. No tree removal is allowed in/near the new placement area.

**New Boathouse/Living Space (area of existing 10’x46 Mobile Home)**

\*The District understands the applicant’s goal to create a boat storage space with upper level living quarters.

\*The District rules require a finished floor grade of at least 18” (1.5 ft) above the highest recorded elevation of 1,356.2 feet or 1,357.5 feet to minimize future flooding damage.

\*The District suggests that once the owner starts removal of the 10’x46’ Mobile Home the owner has 10 days to have the Mobil Home, and any associated materials, off the Charon properties.

\*Since the shoreline on the north side of the existing trailer is extremely close to the Ordinary High-Water Mark and the area has a gradual uneven slope, it is preferable to place the new Boathouse/Living Space as close as possible or abutt the north side of the roadway parcel.

\*Since this site is within the Shore Impact Zone, the District suggests that all outside finished materials (siding, roofing & other) be of an earthtone color.

**Northwest Point Recreational Deck Platform, Walkway and Other**

\*The District understands the owners’ right to utilize his property and agrees that a 14 foot diameter (154 sq ft) wooden recreation deck platform or the appropriate square footage size if another shape is used. The platform shall be placed at-grade in an area approved by the BOA and CLWD. The District understands the applicant request to place a season removable Gazebo/Tent on top of the platform providing it is removed from the site each winter.

\*The District has no objections to allowing a walkway to and from the Deck Platform providing that any earthwork is done under a district permit.

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49 **Motion: Hall** motioned to **approve** the application with the amended change in request number  
50 three (3) to change the word dwelling to bunkhouse with the stipulation that they follow the  
51 recommendations of the Cormorant Lakes Watershed District (CLWD) in the letter on file with

52 the Becker County Zoning office and that they work with the CLWD on a stormwater  
53 management plan based on the findings which are on file with the Becker County Zoning office.  
54 **Knutson seconded.** All in favor. **Motion carried.** Variance **approved.**

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57 **SECOND ORDER OF BUSINESS: APPLICANT: Jaeden G Pederson & Lorie M Pederson**  
58 1439 12<sup>th</sup> St Ct West Fargo, ND 58078 **Project Location:** 15591 W Little Cormorant Rd Audubon,  
59 MN 56511 **Tax ID Number:** 17.1252.832 **LEGAL LAND DESCRIPTION:** Section 05  
60 Township 138 Range 042; Block 001 Lot 002 THREE LAKES HIDEAWAY; Little Cormorant  
61 Lake. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct  
62 a storage shed to be located fifteen (15) feet from the road right-of-way (ROW) deviating from the  
63 required setback of twenty (20) feet on a township road within the shoreland district due to setback  
64 issues. This application was tabled at the May 9<sup>th</sup> Board of Adjustment Meeting.

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67 **Motion: Hall** motioned to **approve** the variance for the amended design and layout based on the  
68 findings that it fits within the harmony and intent of the official control, and it shouldn't have  
69 any negative drawback to that area; also based on the fact that the township is now on board with  
70 the setback. **Skalin seconded.** All in favor. **Motion carried.** Variance **approved.**

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74 **NEW BUSINESS:**

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76 **THIRD ORDER OF BUSINESS: APPLICANT: Jonathan Wayne Wiser & Lisa Carol**  
77 **Bortnem-Wiser** 14646 Tradewinds Rd, Audubon MN 56511 **Project Location:** 14646  
78 Tradewinds Rd, Audubon, MN 56511 **Tax ID Number:** 17.1293.000 **LEGAL LAND**  
79 **DESCRIPTION:** Section 07 Township 138 Range 042; TRADE WINDS BEACH, LOT 47 Big  
80 Cormorant Lake. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance  
81 to be at thirty-five (35) percent impervious coverage deviating from the allowable coverage of  
82 twenty-five (25) percent in the shoreland district.

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85 **Motion: Sharp** motioned to **approve** the application based on the fact that its harmonious with  
86 the purposes and intents of the official controls and the comprehensive plan, the request puts the  
87 property to reasonable use and will not alter the character of the locality as there are several lots  
88 in that vicinity that are developed similar to this request with the stipulation that they work with  
89 the Cormorant Lakes Watershed District on a stormwater mitigation plan. **King seconded.** All in  
90 favor. **Motion carried.** Variance **approved.**

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93 **FOURTH ORDER OF BUSINESS: APPLICANT: Christopher Rofidal & Dawn Rofidal**  
94 **RT 5037 W 56<sup>th</sup> St Edina, MN 55436, Project Location:** 39187 W Juggler Rd, Waubun, MN  
95 56589 **TAX ID Number:** 25.0135.002 **LEGAL LAND DESCRIPTION:** Section 2 Township  
96 142 Range 38: PT GOVT LOTS 6 & 7: COMM SW COR GOVT LOT 6, TH E 394.64' AL S  
97 LN GOVT LOT 6, TH N 357.38' TO POB; TH NE 378.42', SE 791.06', TH CONT SE 12'  
98 MORE OR LESS TO WATER'S EDGE, TH SWLY AL WATER'S EDGE TO LN WHICH  
99 INTERSECTS W/ POB, TH NW 938.35' TO POB AKA TRACT 2, Juggler Lake.

100 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a  
101 deck and screened porch to be located eighty-six (86) feet from the Ordinary High-Water (OHW)  
102 mark deviating from the required setback of one hundred (100) feet on a Recreational  
103 Development Lake due to setback issues.

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105 One letter was received for this application and is entered below:  
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Our address: 39087 W Juggler Lake Rd. **No objections whatsoever** to setback request from Dawn and  
Chris Rofidal

--  
Drs. Gail and Jerry Noller  
1416 Oakwood Drive  
Anoka, MN 55303  
763-427-6897

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110 **Motion: Hall** motioned to **approve** the application based on the findings of fact that it falls in  
111 line with the harmony of the purposes and intent of the official control, it puts the property to use  
112 in a reasonable manner, and it's a reasonable request. **Knutson seconded.** All in favor. **Motion**  
113 **carried. Variance approved.**

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117 **FIFTH ORDER OF BUSINESS: APPLICANT: Mark A How & Sarah K How 17550 200<sup>th</sup>**  
118 **St Audubon, MN Project Location:** 17550 200<sup>th</sup> St Audubon MN 56511 **Tax ID Number:**  
119 02.0043.000, **LEGAL LAND DESCRIPTION:** Section 07 Township 139 Range 042; W1/2  
120 GOVT LOT 4. PT GOVT LOT 5 N OF LN: COMM SW COR GOVT LOT 5, N 226.31', NE  
121 728.38', NE 762.5' TO POB; W 139.35', NW 200' & TERM. Audubon Township.  
122 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a  
123 detached structure 1) to be located forty-nine (49) from the centerline deviating from the required  
124 setback of fifty-three (53) feet on a township road within the shoreland district and 2) to be  
125 located fifty-six (56) feet from the Ordinary High-Water (OHW) mark deviating from the  
126 required setback of one hundred and fifty (150) feet on a Natural Environment Lake due to lot  
127 size and setback issues.

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130 **Motion: Sharp** motioned to **approve** application with the stipulation they remove the structure  
131 closest to the road based on the findings of fact that it puts the property to use in a reasonable  
132 manner that's consistent with the official controls and comprehensive plan, it will not alter the  
133 character of the locality, and the impervious surface coverage will remain low. **Hall seconded.**  
134 All in favor. **Motion carried.** Variance **approved.**

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138 **SIXTH ORDER OF BUSINESS: APPLICANT: Marilyn Slavin & Danielle M Ely** 4338  
139 Velvet Ridge Ct Las Vegas, NV 89129 **Project Location:** 27190 Little Floyd Lake Rd Detroit  
140 Lakes, MN 56501 **Tax ID Number:** 08.1102.000 **LEGAL LAND DESCRIPTION:** Section 11  
141 Township 139 Range 041; MADSEN'S GROVE LOT 6; Little Floyd Lake. **APPLICATION**  
142 **AND DESCRIPTION OF PROJECT:** Request a variance to construct an addition to a non-  
143 conforming structure within the shore impact zone of a general development lake and to be at  
144 thirty-seven (37) percent impervious surface coverage deviating from the allowable coverage of  
145 twenty-five (25) percent within the shoreland district due to lot size.

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148 **Motion: Knutson** motioned to **approve** the application based on the findings of fact that it fits  
149 within the character of the locality and it's in harmony with that area. **Skalin seconded.** All in  
150 favor. **Motion carried.** Variance **approved.**

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154 **SEVENTH ORDER OF BUSINESS: APPLICANT: Bradley E Amundson ET AL** 860  
155 Lakeridge Place, West Fargo, ND 58078 **Project Location:** 17218 S Big Cormorant Rd  
156 Audubon, MN 56511, **Tax ID Number:** 17.0352.000 **LEGAL LAND DESCRIPTION:**  
157 Section 30 Township 138 Range 042: 50X200' 33' W OF NE COR LOT 4, Big Cormorant Lake.  
158 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to be at twenty-  
159 nine (29) percent impervious surface coverage deviating from the allowable twenty-five (25)  
160 percent impervious surface coverage within the shoreland district.

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163 **Motion: Sharp** motioned to **approve** the application with the stipulation that the two (2) storage  
164 structures closest to the lake be removed based on the findings of fact that it puts the property to  
165 use in a reasonable manner that's consistent with the official controls and the comprehensive  
166 plan, it does not alter the character of the locality as the amount of impervious surface coverage  
167 is being decreased, the locality will benefit from the cleanup of the property. **King seconded.** All  
168 in favor. **Motion carried.** Variance **approved.**

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172 **EIGHTH ORDER OF BUSINESS: APPLICANT: Terry J Welle RLT & Chrissie J Welle**  
173 **RLT** 2862 28th Ave SW, Fargo, ND 58103 **Project Location:** 20334 Co Rd 131 Detroit Lakes,  
174 MN 56501 **Tax ID Number:** 08.1008.000 **LEGAL LAND DESCRIPTION:** Section 10  
175 Township 139 Range 041; FLOYD LAKE POINT/LOT 34, Big Floyd Lake. **APPLICATION**

176 **AND DESCRIPTION OF PROJECT:** Request a variance to be at twenty-eight (28) percent  
177 impervious surface coverage deviating from the allowable twenty-five (25) percent impervious  
178 surface coverage within the shoreland district.

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181 **Motion: Skalin** motioned to approve the application based on the fact the proposed structure is  
182 in the exact same footprint. **King seconded.** All in favor. **Motion carried.** Variance **approved.**

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186 As there was no further business to come before the Board, **Sharp** made a motion to adjourn the  
187 meeting. **King** seconded. All in favor. Motion carried. The meeting adjourned at 7:05 pm.

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\_\_\_\_\_ ATTEST \_\_\_\_\_  
Chairman Roger Boatman Kyle Vareberg,

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Planning and Zoning Administrator