



COUNTY OF BECKER

Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

Phone: 218-846-7314 ~ Fax: 218-846-7266

BOARD OF ADJUSTMENT NOTICE OF PUBLIC HEARING

****HEARING DATE AND LOCATION****

Thursday, August 9, 2018 @ 7:00 P.M.

Commissioner's Room-Becker County Courthouse
Detroit Lakes, MN. 56501

APPLICANT: John & Rodelia Saffuels
25240 E Cozy Cove Rd
Detroit Lakes, MN 56501

Project Location: 25240 E Cozy Cove Rd, Detroit Lakes

APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a deck, to be located at sixty-eighty (68) feet from the OHW of the lake, deviating from the required setback of one hundred and fifty (150) feet from the OHW of a natural environment lake, due to setback issues.

LEGAL LAND DESCRIPTION: Tax ID number: 080068000 Tamarack Lake
E 115' OF LOT 11; Section 04, TWP 139, Range 41, Detroit Township.

Replies/Comments: Interested parties are invited to submit to the Becker County Department of Planning, Zoning, and Land Use, written facts, arguments or objectives before the scheduled date of the Hearing. These statements should bear upon the suitability of the location and the adequacy of the Project and should suggest any appropriate changes believed to be desirable. Replies may be addressed to:

PLANNING AND ZONING DEPARTMENT

915 Lake Avenue
Detroit Lakes, MN. 56501

FAX Number 218-846-7266
EMAIL: zoning@co.becker.mn.us

If you have questions about the Project, feel free to call 218-846-7314.

Jurisdiction: This Project comes under the Regulatory Jurisdiction of the Becker County Zoning Laws.

Regulatory Authority: This Application will be reviewed according to the provisions of the Becker County Zoning Ordinance. The decision whether to issue a Permit will be based on an evaluation of the probable impact including cumulative impacts, of the proposed activity. That decision will reflect the concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, will be considered including the cumulative effects: Land Use, Shoreline Protection, Water Supply and Conservation, Safety, Economics, in General, the Needs and Welfare of the People.

**** Weather conditions may change the Hearing date and time. If bad weather occurs, please listen to the local Detroit Lakes Radio Stations or contact the Zoning Office, by 4:30 PM on day of Hearing, for possible rescheduling of the Hearing.**



BECKER COUNTY PLANNING & ZONING

915 LAKE AVENUE, DETROIT LAKES, MN 56501
PHONE (218) 846-7314 - FAX (218) 846-7266

VARIANCE APPLICATION

PARCEL	
APP	Variance
YEAR	
SCANNED	

PROPERTY OWNER INFORMATION (as it appears on tax statement, purchase agreement or deed)

First name(s) John & Rodelia Last Name Saffeeis
Mailing Address 25240 E. Cozy Cove Rd. City, State, Zip Detroit Lakes
Phone Number 218-849-0046 Project Address: Same
Parcel number(s) of property: 0800 68000 Sect - Twp - Range: 4 Detroit 41
Township Name: Detroit Legal Description: E 1/5 of Lot 11

Why is the variance being requested? (Mark all sections that apply)

- ☒ Setback Issues ☐ Lot size not in compliance with minimum standards
☐ Alteration to non-conforming structure ☐ Topographical Issues (hills, slopes, bluffs, wetlands)
☐ Other

Please provide a brief description detailing the above variance request:

To Build a 12x20 Non-Covered deck. The Edge closest
to the Shore line would be 68'. The house is at
79' to high water mark. Verified by Becker County building
department.

What are you applying for less than the minimum distance (setback) from?

Setback must include decks and patios, current and proposed.

☐ Ordinary High Water Mark (OHWM) Proposed Distance (setback) 68' feet
☐ Lot Line Proposed Distance (setback) _____ feet
☐ Road Right of Way (ROW) Proposed Distance (setback) _____ feet
Type of Road [] Township [] County [] State
☐ Crest of bluff Proposed Distance (setback) _____ feet
☐ Impervious Surface Coverage Proposed Impervious Lot Coverage 4320 sq ft
12.4% %

Was the lot recorded prior to 1971?

Yes ☒ No ☐

Was the lot recorded between 1971 & 1992?

Yes ☐ No ☒

Was the lot recorded after 1992?

Yes ☐ No ☒

Will this be a new lot split?

Yes ☐ No ☒

What is the current square footage of the structure? 1736

What is the proposed addition square footage? 240

What is the current height of the structure? 18'

What is the proposed height of the structure? 3.5 feet

Is there a basement to the structure? yes

Will the proposed addition have a basement? No

Will the roofline of the existing structure be changed? No

Will the main structural framework of the structure be altered? No

What is the current percentage of lot coverage? 12%

What is the proposed percentage of lot coverage? 12.4%



Application for Site Permit
Becker County Planning and Zoning
915 Lake Ave, Detroit Lakes, MN 56501
Phone: 218-846-7314 Fax: 218-846-7266
www.co.becker.mn.us

PARCEL	
APP	SITE
YEAR	
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Property will be staked by _____
Date: _____

Please Print or Type All Information

Parcel Number (s)	Property (E911) Address	**911 Address Needed	Legal Description
0800 68000	25240 EAST COZY COVE RD		E 115 of Lot 11

Lake/River Name	Lake/River Class	Township Name	Section	TWP No.	Range
TAMARACK	NE	DETROIT	4	139	41

Property Owner	Last Name	First Name	Mailing Address	Phone
Saffeeis	John		25240 EAST COZY COVE RD	218-849-0046
Contractor Name Lic # _____				

Proposed Project (Check those that apply)

<input type="checkbox"/> New Dwelling	<input type="checkbox"/> Addition to Dwelling	<input type="checkbox"/> Replacement Dwelling*	<input type="checkbox"/> Mobile/Manfac. Home
<input type="checkbox"/> Attached Garage	<input type="checkbox"/> Detached Garage	<input type="checkbox"/> Storage Structure	<input type="checkbox"/> Addition to Non-dwelling
<input type="checkbox"/> Stairway	<input checked="" type="checkbox"/> Deck	<input type="checkbox"/> Recreational Unit	<input type="checkbox"/> Water Oriented Structure
<input type="checkbox"/> Fence	<input type="checkbox"/> Other _____	<input type="checkbox"/> Non Conforming Replacement (identify) _____	

*Existing Dwelling to be removed prior to _____

Onsite Water Supply () Deep Well () Shallow Well Well Depth _____
MN Rules Chapter 4725 (MN well code) requires a 3' minimum structure setback to well

Onsite Sewage Treatment System
Type of System _____ Date of Installation _____ Last Date Certified _____
Must have current certificate of compliance on septic system prior to issuance of a permit

Lot Information Shoreland ☒ Riparian ☒ Non Riparian ☐ Non Shoreland _____

Lot Area _____ sq ft or 0.8 acres Water Frontage 115 ft Bluff () Yes (☒) No
Impervious coverage refers to anything water cannot pass through. Structures, areas covered by a roof, concrete, asphalt, Class 5, sidewalks, patio pavers, etc. should all be included in this calculation. Decks should be included in this calculation if they have plastic underlayment or impervious surface underneath. Anytime you exceed 15% lot coverage a stormwater management plan and/or mitigation is required. **INCLUDE PROPOSED STRUCTURES IN CALCULATION.**

Please Note: Unless otherwise provided, a minimum of a 12 foot wide driveway from the nearest road right of way to the proposed structure must be included in both your plan and impervious surface calculation.

Impervious Surface	Dimensions	Sq. Footage	Impervious Surface	Dimensions	Sq. Footage
On property			On property		
Ex: Patio	10 x 12	120			
DRIVEWAY	12 x 100	1200			
House		1736			
Garage		1152			
			Total Impervious Material _____		

Impervious Lot Coverage 4088 ÷ 34848 = _____ x 100 = 12 %
Total Impervious Lot Area Impervious Coverage Percentage



Topographical Alteration/Earth moving

(☒) None () 10 cubic yards or less () 11-50 cubic yards () over 50 cubic yards
Project over 50 cubic yards a storm water management plan must be included.

Characteristics of Proposed Dwelling/Dwelling Additions/Attached Garage/Decks () Dwelling ____ ft by ____ ft () Attached Garage ____ ft x ____ ft		Cost of Project \$ _____
Outside Dimension () Deck/Patio <u>12</u> ft x <u>20</u> ft	() Addition to existing ____ ft x ____ ft	
Setback to Side Lot Line <u>10'</u> ft & Rear Lot Line ____ ft	Setback to Road Right of Way <u>53'</u> ft	
Setback to Bluff <u>NA</u>	Type of road <u>Township Rd.</u>	
Setback to Wetland <u>NA</u>	Is wetland protected () Yes (X) No	
Setback to OHW (straight horizontal distance) <u>68'</u>	Elevation above OHW (Straight vertical distance) <u>N/A</u>	
Setback to septic tank <u>10'</u>	Setback to drainfield <u>20'</u>	
Total No. Bedrooms <u>N/A</u>	Maximum height proposed _____ # of Stories _____	
Roof Change () Yes (X) No		Basement () Yes (X) No Walkout Basement () Yes () No

Characteristics of Proposed Non Dwelling/Non Dwelling Additions/Detached Garages/Storage Sheds () Garage ____ ft by ____ ft () Storage Shed ____ ft x ____ ft () Fence ____ ft long x ____ high () other ____ ft x ____ ft		Cost of Project \$ _____
Outside Dimension () Addition to existing structure ____ ft x ____ ft () Fence ____ ft x ____ ft		
Setback to Lot Line ____ ft & Rear Lot Line ____ ft	Setback to Road Right of Way ____ ft	
Setback to Bluff ____	Type of road ____	
Setback to Wetland ____	Is wetland protected () Yes () No	
Setback to OHW (straight horizontal distance) ____	Elevation above OHW (Straight vertical distance) ____	
Setback to septic tank ____	Setback to drainfield ____	
Roof Change () Yes () No	Maximum height proposed _____ # of Stories _____	
Bathroom proposed () Yes () No	Sleeping Quarters proposed () Yes () No	
*Garages and storage sheds cannot contain amenities for independent human habitation		

Characteristics of Proposed Water Oriented Structure* () Stairway () Deck () Boathouse () Screen Porch () Gazebo () Storage Structure		Cost of Project \$ _____
Outside Dimension ____ ft by ____ ft	Sq ft _____	
Setback to Lot Line ____ ft & ____ ft	Setback to Bluff _____	
Setback to OHW (straight horizontal distance) ____	Elevation above OHW (Straight vertical distance) ____	
Setback to septic tank ____	Setback to drainfield _____	
Maximum height proposed _____ *Sleeping facilities or water supplies are not permitted in these structures		

THIS IS A SITE PERMIT ONLY AND DOES NOT CONSTITUTE A BUILDING PERMIT
AS SET FORTH IN MN STATE STATUTES.

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge. I also understand that, once issued, a permit is valid for a period of one (1) year from the date of issuance and that Planning and Zoning Staff may visit my property to ensure compliance. If my property is located within the shoreland district, I understand that it is my responsibility to inform the Planning & Zoning Office once the building footings have been constructed. A Site Permit may be revoked at any time upon violation of said Ordinances and approved setbacks. Any changes to this site permit results in nullification of this permit and a new permit will have to be obtained.

Signature

Date

5/9/17

J. **Residential planned unit developments.** Residential subdivisions with lot sizes smaller than or dwelling unit densities exceeding those in Table 5-5, below, shall be designed and approved as a Conservation Subdivision Development under Chapter 8, Section 7.

1. **Limit on multi-family development.** No more than twenty-five percent (25%) of a lake's shoreline can be in duplex, triplex, or quad developments.

K. **Additional setbacks requirements for specific uses.** The following setbacks are required for the specified uses.

1. Churches shall not be located closer than fifty feet (50') to any lot line of an adjoining parcel that is used for agricultural or residential use.
2. Essential services shall not be located closer than fifty feet (50') to any lot line of an adjoining parcel that is used for agricultural or residential use.
3. Schools shall not be located closer than fifty feet (50') to any lot line of an adjoining parcel that is used for agricultural or residential use.
4. A twin home shall be exempt from the side yard requirements of this Ordinance on the common boundary between the dwellings.

L. **Nonconforming Deck Additions.** A deck addition not meeting the required setback from the ordinary high water level may be allowed without a variance if all of the following criteria and standards are met:

1. The structure existed on the date the Becker County Zoning Ordinance shoreland structure setbacks were established.
2. A thorough evaluation of the property and structure reveals no reasonable location for a deck meeting or exceeding the existing ordinary high water level setback of the structure.
3. The deck encroachment toward the ordinary high water level does not exceed twelve (12) feet of the current structure setback or required setback for new construction.
4. The deck is no more than 240 square feet in size.
5. The deck addition cannot extend into the shore impact zone. — 68 feet is in the SIZ of on NE Lake
6. The deck is constructed in a pervious manner, and is not roofed, enclosed or screened; and
7. Notwithstanding any existing impervious areas below a second story deck, the ground underneath a deck must remain pervious.

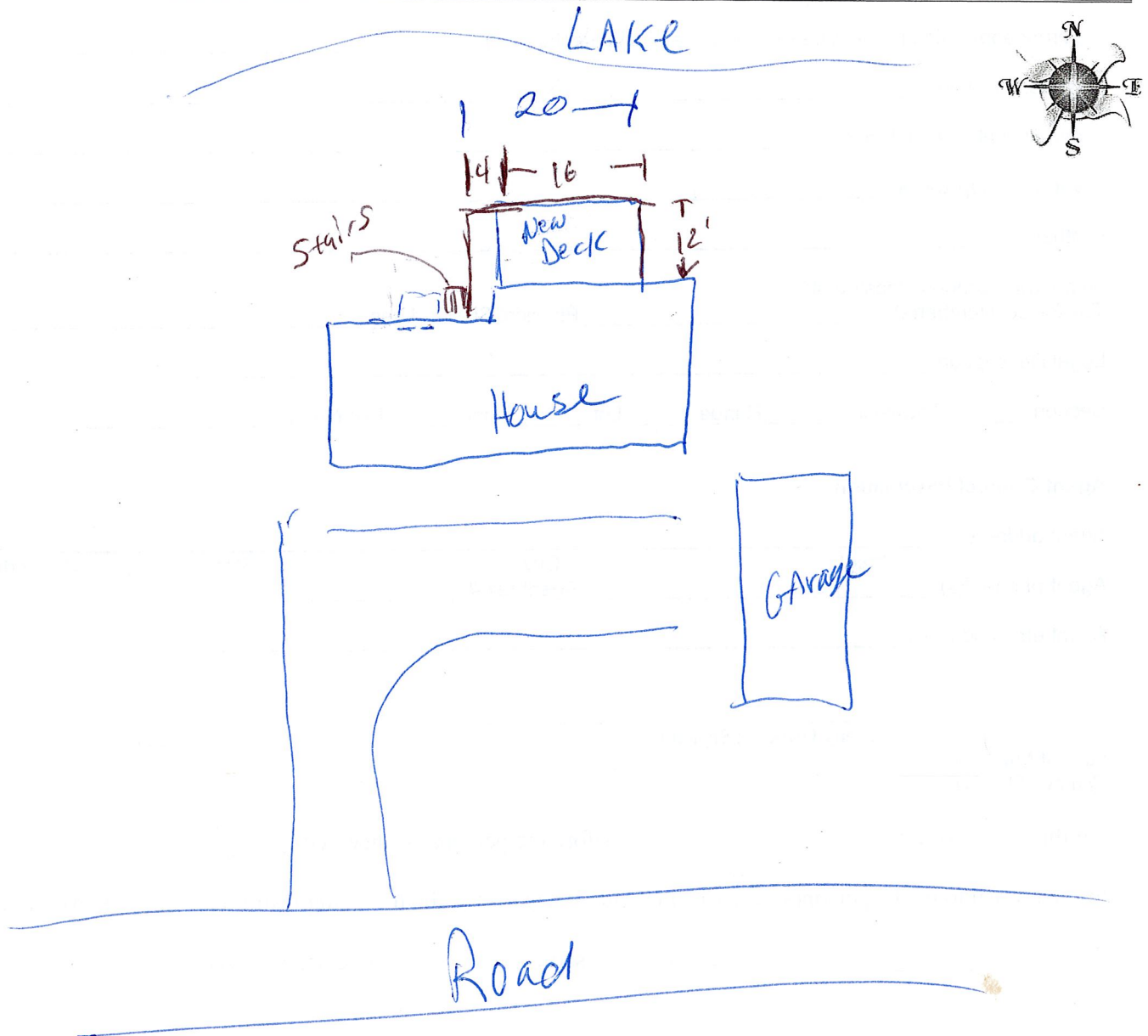
M. **Guest cottages.** One guest cottage may be located on a lot, which meets or exceeds the duplex lot area and width dimensions presented in Table 5-5, below, provided the following standards are met:

1. **Cottage located with smallest duplex building envelope possible.** If the lot exceeds the minimum lot dimensions for duplex lot, the guest cottage shall be located within the smallest duplex-sized lot that could be created including the principal dwelling unit;
2. **Size and height limits.** A guest cottage shall not cover more than seven hundred (700) square feet of land surface and shall not exceed fifteen feet (15') in height; and
3. **Screening.** A guest cottage shall be located or designed to reduce its visibility from public waters and adjacent shorelands by use of vegetation, topography, increased setbacks, or color, assuming summer leaf-on conditions.
4. **Detached accessory building not a guest cabin.** A detached accessory building or structure, such as a garage, shall not be used as a guest cabin capable of providing independent human habitation.

SKETCH OF PROPERTY

1. Please sketch all impervious coverage on your property; include dimensions.
2. Sketch roadways adjacent to property - Include driveway location.
3. Indicate setback distances, including distance to: Side Lot Line, Rear Lot Line, ROW/Centerline, Septic Tank and Drainfield.
4. If you will be exceeding 15% impervious surface coverage, include a copy of your stormwater management plan. This applies to ANY lot that exceeds 15% coverage.
5. If proposed project is a detached garage/storage shed that *will exceed 1 story*, include detailed design.
6. Indicate where erosion control measures will be implemented and indicate storm water drainage pattern and how it will be maintained on the property.

PARCEL	
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Remember EROSION CONTROL!

Please use best management practices and/or silt fence to control erosion on all projects.



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

1:749		Date: 7/5/2018
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.		

Becker County



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OTHER INFORMATION NEEDED TO COMPLETE THE APPLICATION:

1. A copy of the deed from the Recorder's Office;
2. Completed Site Application with sketch showing all setbacks, platted or surveyed dimensions of the lot and all existing and proposed buildings;
3. Non-refundable filing fee of \$326.00. **Make check payable to Becker County Zoning.**
4. Is the variance request after the fact? [] Yes [X] No
If yes, after the fact application fee is an additional \$600.00.

Please answer the following questions as they relate to your specific variance request:

- 1) In your opinion, is the Variance in harmony with the purposes and intent of the ordinance?
Yes (X) No () Why or why not?
Yes we are proposing to build a Non-covered deck to view the Lake and wild life on the Lake but still at a distance far enough back so not to disturb anything.
- 2) In your opinion, is the Variance consistent with the Becker County Comprehensive Plan?
Yes () No () Why or why not?
- 3) In your opinion, does the proposal put property to use in a reasonable manner?
Yes (X) No () Why or why not?
I does Not change the use of the property in any way
- 4) In your opinion, are there circumstances unique to the property?
Yes () No (X) Why or why not?
The house was Built close enough to the set back the we could have a 4 ft. Deck to keep it with in the set back limits. (Not enough Room to put a chair)
- 5) In your opinion, will the variance maintain the essential character of the locality?
Yes (X) No () Why or why not?
yes, and I do not believe it could be seen by any of the Neibors.

The Board of Adjustments must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of the County and other applicable ordinances.

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge. Planning and Zoning Staff along with Board of Adjustment Members may visit my property to review submitted plan requests.

Applicant's Signature:  Date: 7/1/2018

(Office Use)

Date Received _____ Accepted [] Incomplete Application [] Date _____

Zoning Administrator