



COUNTY OF BECKER

Planning and Zoning

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Becker County Board of Adjustments Agenda

****Public Hearing at Becker County Courthouse with Virtual Option****

Thursday, May 13th, 2021

** In response to the COVID-19 public health emergency declared by Governor Walz, the May 6th, 2021 Tour and May 13th, 2021 Board of Adjustment Hearing will be conducted with the option to join in person or via Microsoft Teams Meeting as allowed under Minnesota Statutes, Section 13D.021. To join the Microsoft Teams Meeting by phone please dial +1 763-496-5929 and use Conference ID: **882 153 465# (Tour) & 693 275 552# (Hearing)** or to access the meeting virtually please follow the link provided on the Becker County website under News & Announcements, "Board of Adjustment Public Hearing Link".

I. Roll Call of Members

II. Minutes Approval for Meeting

1. Approval of the April 8th, 2021 meeting minutes.

III. New Business

- 1. APPLICANT: Aaron R. Behrmann** 18912 Blauert Rd Frazee, MN 56544 **Project Location:** 18912 Blauert Rd Frazee, MN 56544 **LEGAL LAND DESCRIPTION: Tax ID Number: 33.0172.002;** Section 19 Township 139 Range 038; PT N1/2 OF NE1/4; BEG 990' E OF NW COR, TH S 1320, E TO CTR OF TWP RD, N AL RD TO N LN & W TO POB; Toad Lake Township; **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a detached garage to be located at forty-four (44) feet from the centerline of a township road, deviating from the required setback of fifty-three (53) feet from the centerline of a township road for a detached structure on a non-riparian lot, due to topography.
- 2. APPLICANT: Stephen & Savannah Erb** 724 Richwood Rd Detroit Lakes, MN 56501 **Project Location:** 27335 Sandra K Rd Detroit Lakes, MN 56501 **LEGAL LAND DESCRIPTION: Tax ID Number: 19.0492.006;** Section 26 Township 138 Range 041; PT GOVT LOTS 2 & 3: COMM NE COR GOVT LOT 4 SEC 26 TH N 33.50', W 1.01', NWLY 192.74', NW 148.15 NWLY 124.92', NW 391.07', NWLY 450.34' AL RD, NLY 165.86', TH NE 57.21' TO POB; TH CONT NE 377.79', TH W 635' TO JOHNSON- REEVES LK, SWLY AL LK 395.70' TO POINT W OF POB, TH E 681' TO POB LESS RD AKA TRACT 4; Lake View Township; **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a patio, dwelling and attached garage to be located at one hundred twelve (112) feet from the OHW of a lake, deviating from the required setback of one hundred fifty (150) feet from a natural environment lake, due to topography and setback issues.
- 3. APPLICANT: Raymond F. & Joann M. Matheny** 1317 Glasgow Road St. Cloud, MN 56303 **Project Location:** 43503 218th St Osage, MN 56570 **LEGAL LAND DESCRIPTION: Tax ID Number: 33.0340.000;** Section 04 Township 139 Range 038; 2ND ADD TO THE PINES LOT 14 & PT LOT 15: COMM NW COR LOT 16, E 74.04' TO POB; SWLY 49.67', S 33.27', SWLY 109.94' TO TOAD LK, E 99.63', NLY 195', W 75.40' TO POB; Toad Lake Township **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a dwelling to be located at twenty-four (24) feet from the rear property line, deviating from the required setback of forty (40) feet from a rear property line, due to setback issues.
- 4. APPLICANT: Eric J. Lunde** 20936 Husby Rd Detroit Lakes, MN 56501 **Project Location:** 26397 Co Hwy 37 Detroit Lakes, MN 56501 **LEGAL LAND DESCRIPTION: Tax ID Number: 28.0056.000;** Section 10

Township 140 Range 038; 10-140-038 PT GOVT LOT 4: COMM W QTR COR SEC 10 TH S 16' TO CTR LN CSAH #37, TH NE 504.52' TO POB; CONT NE 164.98', SE 147.41' TO SHELL LK, SWLY 167.96' AL LK, NW 124.42' TO POB AKA TRACT C; Shell Lake Township **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a dwelling addition to be located at fifty (50) feet from the ordinary high-water mark of the lake, deviating from the required setback of one hundred (100) feet from the OHW of a recreational development lake and to be located at sixty-eight (68) feet from the centerline of a county highway, deviating from the required setback of ninety-five (95) feet from the centerline of a county highway, due to setback issues, topography and lot size.

5. **APPLICANT: David P. & Terri Obermiller** 2939 Peterson Pkwy N Fargo, ND 58102 **Project Location:** 32378 Strawberry Ct Ogema, MN 56569 **LEGAL LAND DESCRIPTION: Tax ID Number:** 32.0041.001; Section 02 Township 141 Range 040; PT LOT 3, BEG 838.5' SE OF NW COR TH SE AL LAKE 100' SW 155.5' NW 119' & NE 132' TO BEG; Sugar Bush Township **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a deck to be located at forty (40) feet from the lake, deviating from the required setback of one hundred (100) feet from a recreational development lake, due to setback issues.
6. **APPLICANT: Craig J. & Mary G. Aldrich** 721 2nd St N Wahpeton, ND 58075 **Project Location:** 43303 218th St Osage, MN 56570 **LEGAL LAND DESCRIPTION: Tax ID Number:** 33.0354.000; Section 04 Township 139 Range 038; 3RD ADD TO PINES; LOTS 15 & 16; Toad Lake Township; **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct an addition to an existing non-conforming dwelling to be at thirty-six (36) from the OHW of a lake, deviating from the required setback of one hundred (100) feet from a recreational development lake and to be located at thirty-five (35) feet from the centerline township easement road, deviating from the required setback of fifty-three (53) from the centerline of a township easement road, due to topography and setback issues.
7. **APPLICANT: BCANS Enterprises LLC** 29783 387th St Waubun, MN 56589 **Project Location:** 38622 Cedar Crest Cir Waubun, MN 56589 **LEGAL LAND DESCRIPTION: Tax ID Number:** 20.0233.000; Maple Grove Township; Section 08 Township 142 Range 040; 8-142-40 GOVT LOT 2 LESS 4.61 AC FOR NEMEC BCH, NEMEC 1ST ADDN; TRACTS SOLD, LESS 3.17 AC FOR 20-0233-001, -002, -003. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a deck addition to an existing non-conforming structure to be located at forty-one (41) feet from the OHW of a lake, deviating from the required setback of one hundred (100) feet from a recreational development lake, due to setback issues.
8. **APPLICANT: Jamie & Rena Stenseth** 709 Wyndemere Dr West Fargo, ND 58078 **Project Location:** 21737 Co Hwy 32 Rochert, MN 56578 **LEGAL LAND DESCRIPTION: Tax ID Number:** 10.0034.001; Section 03 Township 139 Range 040; 3-139-40 PT GOVT LOT 1: BEG SW COR LOT 1 BLK 1 STROBEL SHRS, W 78.49' TO CTR CSAH 32, S AL CTR HWY 145.86', ELY 265.05' TO COTTON LK, N AL LK 99.94', W 261.13' TO POB.; Erie Township **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a porch to be located at fifty (50) feet from the lake, deviating from the required setback of one hundred (100) feet from a recreational development lake, due to setback issues.
9. **APPLICANT: Kathryn A. Fiandaca & Dan Fiandaca** 5526 28th Ave N Moorhead, MN 56560 **Project Location:** 21237 Co Hwy 32 Rochert, MN 56578 **LEGAL LAND DESCRIPTION: Tax ID Number:** 10.0573.000; Section 03 Township 139 Range 040; ALJOE BEACH 139 40 LOTS 22 & 23; Erie Township **APPLICATION AND DESCRIPTION OF PROJECT:** Requesting a variance to construct a deck to be at fifteen (15) feet and a dwelling to be at twenty-seven (27) feet from the OHW of a lake, deviating from the required setback of one hundred (100) feet from a recreational development lake. Also requesting a variance to construct a dwelling to be located at seventy (70) feet and a deck to be located at ninety (90) feet from the centerline of a county road, deviating from the required setback of ninety-five (95) feet from a county road centerline, all due to setback issues and lot size.
10. **APPLICANT: Lund Novak RT For the Shed** 37748 Tulaby Lake Dr Waubun, MN 56589 **Project Location:** 37748 Tulaby Lake Dr Waubun, MN 56589 **LEGAL LAND DESCRIPTION: Tax ID Number:** 09.0037.000; Section 03 Township 142 Range 039; COMM S COR LOT 4, ADA SHRS, N 295.06' TO POB; SWLY 33.45' TO

RD, NWLY 162.91', NELY 164.23' AL CREEK, SELY 184.73' AL LK, SWLY 132.88' TO POB.; Eagle View Township **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a deck onto a non-conforming structure to be located at seventy-three (73) feet from the OHW of the lake, deviating from the required setback of one hundred (100) feet from a recreational development lake, due to setback issues.

- 11. APPLICANT: Richard W & Cindy Hulswit** 3701 Norman Ct S Fargo, Nd 58104 **Project Location:** 35267 325th Ave Ogema, MN 56569 **LEGAL LAND DESCRIPTION: Tax ID Number:** 20.0402.000; Section 26 Township 142 Range 040; PT LOT 6 BEG 226.9' W & 218' NW OF INTER S LN LOT 6 & LK TH NW 75' SE 98' S AL LK 75' & NW 110' TO BEG; Maple Grove Township **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a patio onto an existing non-conforming dwelling to be located at eighty (80) feet and a deck to be located at thirty-five (35) from the lake, deviating from the required setback of one hundred (100) feet from a recreational development lake. Also requesting for the patio to be located zero (0) feet to the dedicated public road right of way, deviating from the required setback of twenty (20) feet from the ROW of a dedicated public road, with mitigation to include gutters to downspouts to water retention areas, due to setback issues.
- 12. APPLICANT: Robert & Sheila Bodell Hoerner** 227 S Montana St Warren MN 56762 **Project Location:** 15534 E Munson Dr Detroit Lakes, MN 56501 **LEGAL LAND DESCRIPTION: Tax ID Number:** 19.1134.000; Section 05 Township 138 Range 041; R S DUTTON'S SUB DIV LOTS 5 & 6; Lake View Township **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a deck onto an existing non-conforming structure to be located at eighty-one (81) feet from the lake, deviating from the required setback of one hundred (100) feet from a recreational development lake, due to setback issues.
- 13. APPLICANT: Keith H. & Mary L. Leikas** 4150 40th Ave S #221 Fargo, ND 58104 **Project Location:** S Melissa Dr Detroit Lakes, MN 56501 **LEGAL LAND DESCRIPTION: Tax ID Number: 19.0585.000;** Section 30 Township 138 Range 041; LOT 4 LESS .43 AC & LESS 2 1/2 AC & LAKE VIEW BCH & ANDERSONS 1ST ADD & REARRANGMNT; Lake View Township **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a shed to be at one (1) foot from a dedicated township ROW, deviating from the required setback of twenty (20) feet from a dedicated township ROW for a detached structure. Also requesting to construct a shed to be located at eight (8) feet from the rear property line, deviating from the required setback of twenty (20) feet from the rear property line for a detached structure, due to topography and setback issues.
- 14. APPLICANT: Nathan J. & Stacy Schwendeman** 50338 Good Oak Tr Frazee, MN 56544 **Project Location:** 10375 Eagle Lake Rd Detroit Lakes, MN 56501 **LEGAL LAND DESCRIPTION: Tax ID Number: 03.0454.103;** Section 32 Township 138 Range 040; CONRAD'S EAGLE SHORES Block 001; LOT 3 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a shed to be located at sixty-seven (67) feet from the lake, deviating from the required setback of one hundred (100) feet from a recreational development lake, due to setback issues.
- 15. APPLICANT Jackpine Intl LLC** 6001 W Parmer Ln Suite 370512 Austin, TX 78727 **Project Location:** 30614 Cone Cove Dr. Park Rapids, MN 56470 **LEGAL LAND DESCRIPTION: Tax ID Number:** 34.0180.000; Section 23 Township 141 Range 036.; CONE COVE SHORES FIRST ADDN Block 001; LOT 2.; Two Inlets Township **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a screen porch to be located at fifty-seven (57) feet from a tributary and eighty (80) feet from the lake, deviating from the required setbacks of hundred (100) feet from a tributary and a recreational development lake, due to setback issues.
- 16. APPLICANT: Linda M. Lee & Michael L. Sand** 200 4th Ave N #409 Fargo, ND 58102 **Project Location:** 13134 Red Elm Ridge Audubon, MN 56511 **LEGAL LAND DESCRIPTION: Tax ID Number:** 17.0197.003; Section 18 Township 138 Range 042; 18-138-42 PT GOVT LOT 6: BEG SE COR LOT 11 BLK 1 RED ELM RIDGE, N AL N ROW RD 1130.89' TO BIG CORM LK, SWLY AL LK 1223.77', S 176' TO POB. PARCEL B.;

Lake Eunice Township **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a deck to be located at fifty-five (55) feet and a dwelling to be located at sixty-five (65) feet from a lake, deviating from the required setback of hundred (100) feet from a recreational development lake. Also requesting a variance to construct a dwelling to be located at one hundred (100) feet from a lake, deviating from the required setback of one hundred fifty (150) feet from a natural environment lake. Also requesting to construct a dwelling to be located at seventeen (17) feet from the ROW, deviating from the required setback of twenty (20) feet on a riparian lot on a dedicated public road, due to setback issues and lot size.

- 17. APPLICANT Craig S Anderson & Claudine G. Anderson** 29231 Sugar Hill Dr Ogema, MN 56570 **Project Location:** 17641 Kettering Tr Lakeville, MN 55044 **LEGAL LAND DESCRIPTION:** **Tax ID Number:** 32.0423.000; Section 08 Township 141 Range 040; SUGAR BUSH HGTS 5TH LOTS 6 & 7 AND NLY 48.76' OF LOT 5; Sugar Bush Township **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a deck to be located at eighty-four (84) feet from the lake, deviating from the required setback of hundred (100) feet from a recreational development lake, due to setback issues.
- 18. APPLICANT Tamara Spry** 1450 9th St N Fargo, ND 58102 **Project Location:** 11314 S Lake Eunice Rd Detroit Lakes, MN 56501 **LEGAL LAND DESCRIPTION:** **Tax ID Number:** 17.1069.000; Section 26 Township 138 Range 042; SANDY BEACH PARK; LOT 8; Lake Eunice Township **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a porch onto an existing non-conforming dwelling to be located at fifty-two (52) feet from the lake, deviating from the required setback of seventy-five (75) from a general development lake, due to setback issues.
- 19. APPLICANT John & Amy Ommen** 2441 E County Club Dr S Fargo, ND 58103 **Project Location:** 23302 S Melissa Dr Detroit Lakes, MN 56501 **LEGAL LAND DESCRIPTION:** **Tax ID Number:** 19.1735.000; Section 31 Township 138 Range 041; SANDY BEACH 138 41 Block 001; LOTS 5, 6 AND 7; Lake View Township **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a screen porch to be located at sixty-five (65) feet from the lake, deviating from the required setback of seventy-five (75) feet from a general development lake, due to setback issues.
- 20. APPLICANT Jennifer Ann Ficenc** 10035 Oak Shore Dr Lakeville, MN 55044 **Project Location:** 33571 N Cotton Lake Rd Rochert, MN 56578 **LEGAL LAND DESCRIPTION:** **Tax ID Number:** 16.0271.000; Section 35 Township 140 Range 040; PT LOT 3 BEG 250' NE OF LOT 1 CALICO BCH TH E 100' S 185.29' TO LAKE W 100' AL LAKE & N 177.68' TO BEG; Holmesville Township **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a detached garage to be located at two (2) feet from the ROW, deviating from the required setback of twenty (20) feet from a dedicated public ROW, due to setback issues.

IV. Other Business

1. **Set Tentative Date For Next Informational Meeting**
Thursday, June 3rd, 2021 8:00 am; 3rd Floor Zoning Meeting Room

V. Adjournment