



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****

January 13th, 2022 @ 6:00 P.M.

****Commissioner's Room – BECKER COUNTY COURTHOUSE****

APPLICANT: Bakken Detroit Lakes LLC
Paul E & Charlene A Bakken
31166 State hwy 34
Detroit Lakes, MN 56501

Project Location: 25866 Broadway Ave
Detroit Lakes, MN 56501

APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a dwelling to be located:

1. 75' from the ordinary highwater mark of a natural environment lake.
2. 10' from the top of a bluff.
3. 25' from a wetland.

All due to topography and lot configuration.

LEGAL LAND DESCRIPTION: Tax ID number: **16.0128.001**; **Spring Lake** Section 18 Township 140 Range 040; 18-140-40 PT GOVT LOT 1: BEG NE COR SEC 19, S 486.83', W 1340.73' TO SPRING LK, NELY AL LK 502.59', E 1018.24' TO POB. TRACT A.; Tax ID number: **16.0128.003**; **Spring Lake** Section 18 Township 140 Range 040; 18-140-40 PT GOVT LOT 1: COMM NE COR SEC 18, S 486.83' TO POB; S 487.03', W 1413.47' TO SPRING LK, NLY AL LK 521.18', E 1340.73' TO POB. TRACT B.; Holmesville Township

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments:

Public testimony regarding this application will only be received by email, in writing, or in-person at the hearing. Interested parties are invited to submit to the Becker County Department of Planning and Zoning written facts, arguments, or objectives by 12:00 P.M. the 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

EMAIL: nicole.hultin@co.becker.mn.us

To view all application information on this project please visit:

https://www.co.becker.mn.us/government/meetings/planning_zoning/board_adjustments/

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. ****

Variance Application Review

Permit # VAR2021-229

Property and Owner Review

Parcel Number(s): **160128003 160128001**

Owner: **PAUL E & CHARLENE A BAKKEN**

Township-S/T/R: **HOLMESVILLE-18/140/040**

Mailing Address:

**PAUL E & CHARLENE A BAKKEN
31166 ST HWY 34
DETROIT LAKES MN 56501**

Site Address: **25866 Broadway AVE**

Lot Recording Date: **After 1992**

Original Permit Nbr: **SITE2021-87381**

Legal Descr: **18-140-40 PT GOVT LOT 1: COMM NE COR SEC 18, S 486.83' TO POB; S 487.03', W 1413.47' TO SPRING LK, NLY AL LK 521.18', E 1340.73' TO POB. TRACT B.**

Variance Details Review

Variance Request Reason(s):

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

If 'Other', description:

Description of Variance Request: **Request a variance to be located 10' from the top of a bluff, 75' from the ordinary highwater mark of a natural environment lake and 25' from a wetland due topographical issues.**

OHW Setback: **75**

Side Lot Line Setback: **150+**

Rear Setback (non-lake): **N/A**

Bluff Setback: **10**

Road Setback: **1000+**

Road Type:

Existing Imp. Surface Coverage: **1.85**

Proposed Imp. Surface Coverage: **2.42**

Existing Structure Sq Ft: **Camper to be removed**

Proposed Structure Sq Ft: **4236 foot print with partial second level.**

Existing Structure Height: **12**

Proposed Structure Height: **30**

Existing Basement Sq Ft: **No**

Proposed Basement Sq Ft: **No**

Change to roofline? **N/A**

Change to main structural framework? **N/A**

Other Questions Review

1. Is the variance in harmony with the purposes and intent of the ordinance? **Yes**

Explain: **Yes, under chapter 8, section 12, letter J. -3, it states "Unusual topography. In areas of unusual topography or substantial elevation above the lake level, setbacks may be varied to allow a riparian owner reasonable use and enjoyment of his property."**

2. Is the Variance consistent with the Becker County Comprehensive Plan? **Yes**

Explain: **Yes, the property is located in policy district 3, which is designated as the of the County's developed lake shore and population. By granting this variance it will allow extremely low density on parcel of land to include approximately 30 acres of land and 1400' of lakeshore.**

3. Does the proposal put the property to use in a reasonable manner? **Yes**

Explain: **Yes, the property will be used for a single family residential home which is consistent with surround properties on and off Spring Lake.**

4. Are there circumstances unique to the property? **Yes**

Explain: **Yes, the lot elevation meets bluff criteria of the Zoning Ordinance. The building area configuration is limited by the bluff, wetland, and direction of shoreline creating a peninsula or point on the property.**

5. Will the variance maintain the essential character of the locality? **No**

Explain: **Yes, Spring Lake is surrounded by residential and agricultural use. By granting this variance the property will be used in a residential manner.**



160128003

House 40x60
Garage 34x54

75 CHW

160128003

25 Wetland

10 bluff

H

G

E

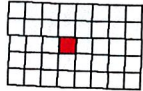


These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Becker County



1:4,514	Date: 12/27/2021
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	



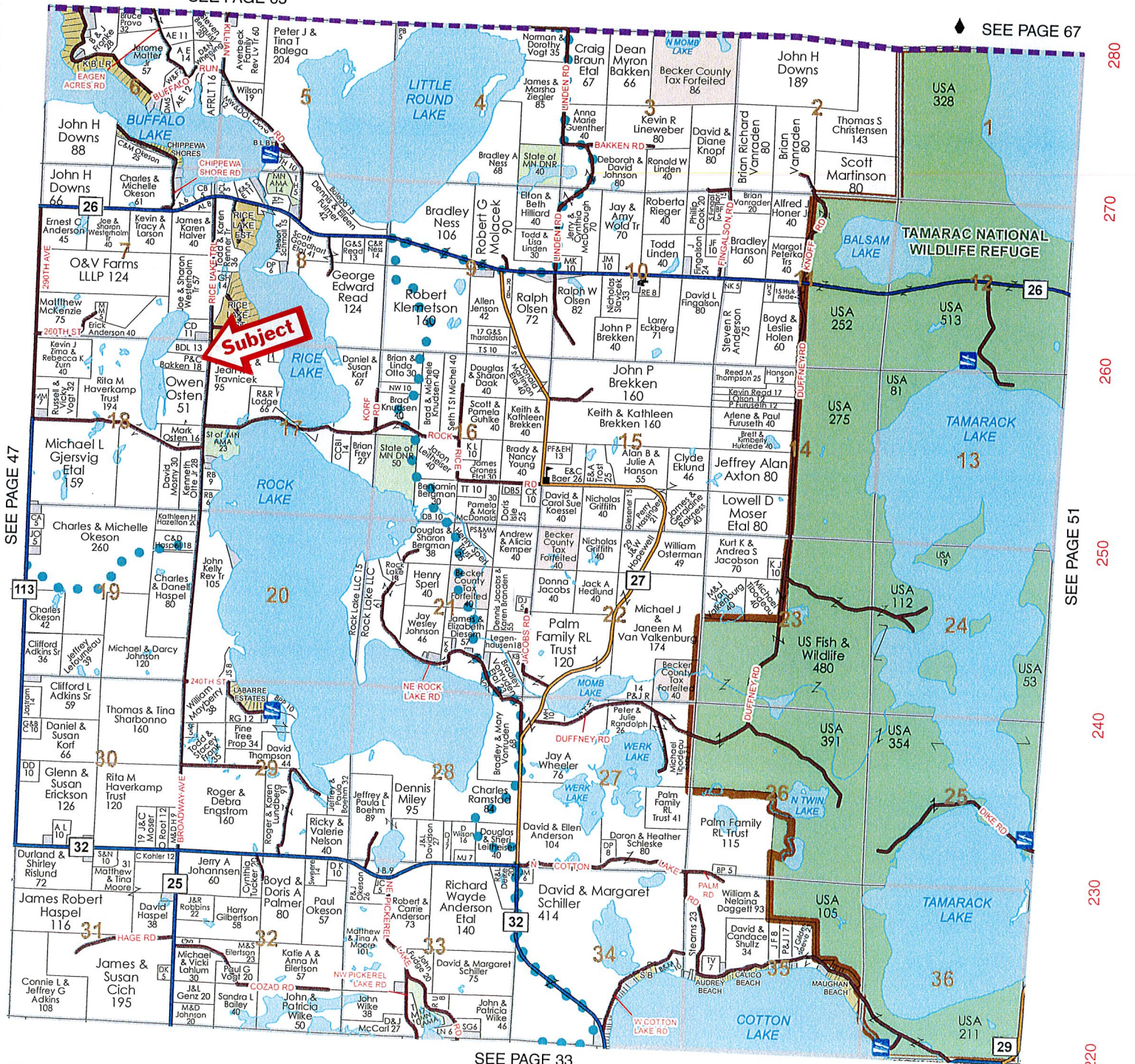
Holmesville

Township 140N - Range 40W

Copyright © 2019 Mapping Solutions

SEE PAGE 65

SEE PAGE 67





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****

January 13th, 2022 @ 6:00 P.M.

****Commissioner's Room – BECKER COUNTY COURTHOUSE****

APPLICANT: Byers Liquors LLC
PO Box 261
Osage, MN 56570

Project Location: TBD Hwy 34
Osage, MN 56570

APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a building to be:

1. 18' from the state highway right-of-way.
2. To exceed allowable impervious surface coverage by 30%.

All due to lot size.

LEGAL LAND DESCRIPTION: Tax ID number: **21.0282.000** Section 29 Township 140 Range 036; 100' E&W BY 165' N&S LYING 450' E OF NW COR OF NW1/4 OF NE1/4 LESS HWY.; Osage Township

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments:

Public testimony regarding this application will only be received by email, in writing, or in-person at the hearing. Interested parties are invited to submit to the Becker County Department of Planning and Zoning written facts, arguments, or objectives by 12:00 P.M. the 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

EMAIL: nicole.hultin@co.becker.mn.us

To view all application information on this project please visit:

https://www.co.becker.mn.us/government/meetings/planning_zoning/board_adjustments/

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. ****

Variance Application Review

Permit # VAR2021-230

Property and Owner Review

Parcel Number(s): **210282000**

Owner: **BYERS LIQUORS LLC**

Township-S/T/R: **OSAGE-29/140/036**

Mailing Address:
BYERS LIQUORS LLC
PO BOX 261
OSAGE MN 56570

Site Address: **TBD Hwy 34 Osage, MN 56570**
Lot Recording Date: **Between 1971 and 1992**
Original Permit Nbr: **SITE2021-87402**

Legal Descr: **100' E&W BY 165' N&S LYING 450' E OF NW COR OF NW1/4 OF NE1/4 LESS HWY**

Variance Details Review

Variance Request Reason(s):

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

If 'Other', description:

Description of Variance Request: **Request a variance to be located 18' from the state right-of-way and to exceed the allowable impervious surface by 30%.**

OHW Setback: **300+**

Side Lot Line Setback: **15**

Rear Setback (non-lake): **40**

Bluff Setback: **N/A**

Road Setback: **18'**

Road Type: **State**

Existing Imp. Surface Coverage: **23.91**

Proposed Imp. Surface Coverage: **55**

Existing Structure Sq Ft:

Proposed Structure Sq Ft: **1680**

Existing Structure Height:

Proposed Structure Height: **Max 30'**

Existing Basement Sq Ft:

Proposed Basement Sq Ft:

Change to roofline? **N/A**

Change to main structural framework? **N/A**

Other Questions Review

1. Is the variance in harmony with the purposes and intent of the ordinance? **Yes**

Explain: **Yes, although the property is not zoned commercial, it is completely surrounded by commercial property. Storage can be considered nonresidential but has no known adverse impacts to surrounding property.**

2. Is the Variance consistent with the Becker County Comprehensive Plan? **Yes**

Explain: **Yes, one economic goal of the plan is to support locally owned commercial businesses. This storage will be used to support two locally owned business in the immediate vicinity.**

3. Does the proposal put the property to use in a reasonable manner? **Yes**

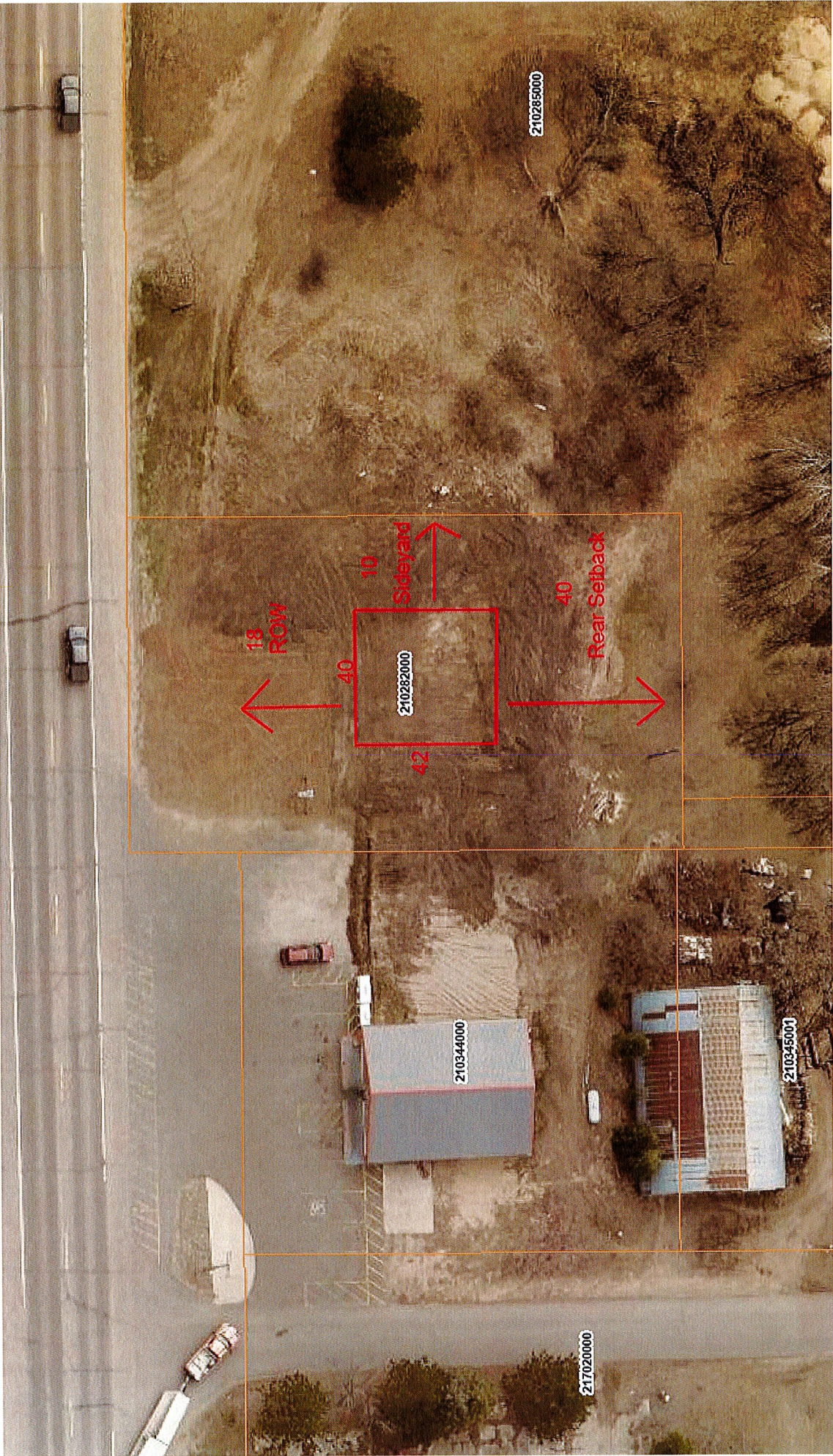
Explain: **Yes, storage is not known to have any adverse impacts on neighboring property.**

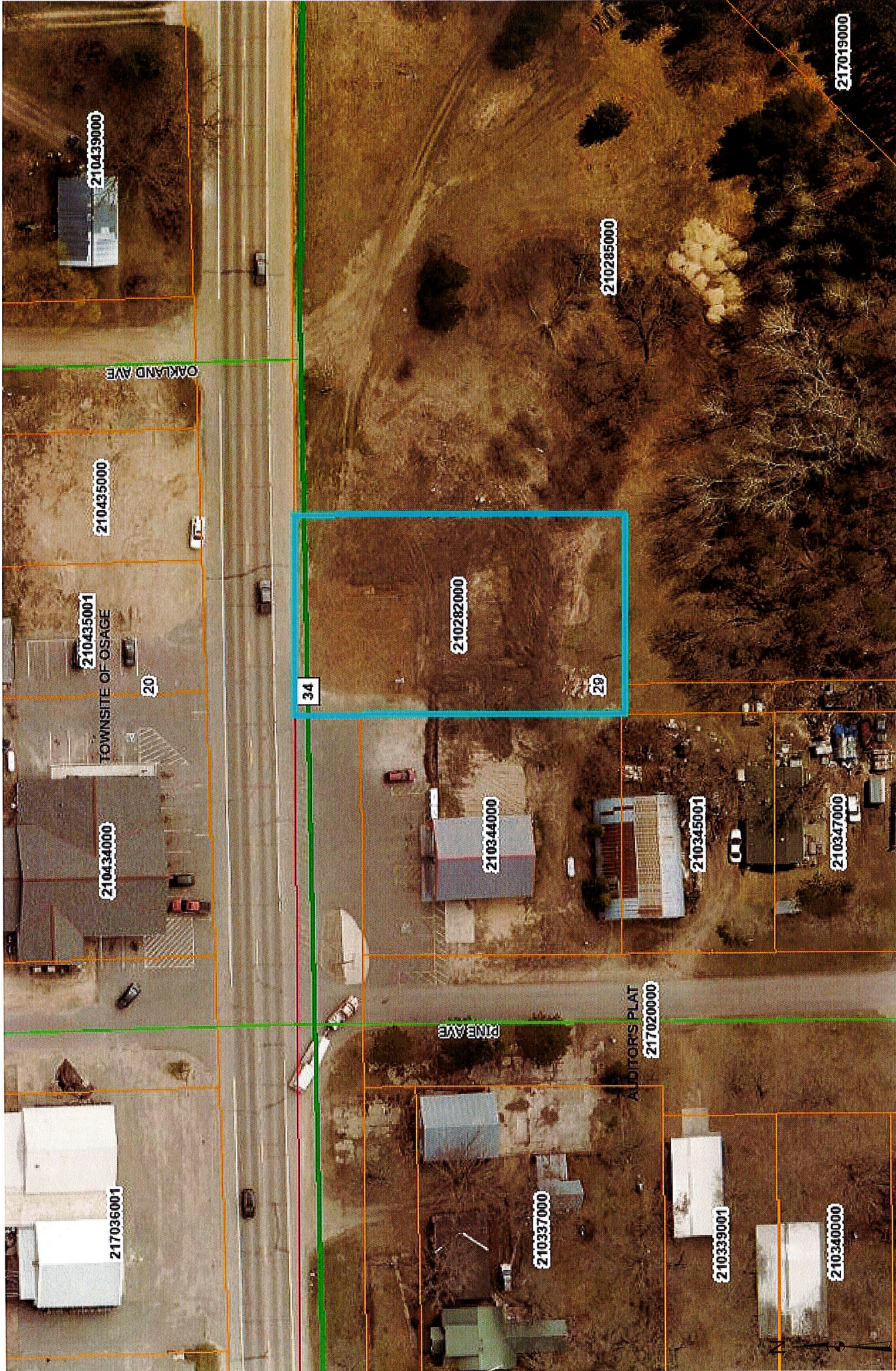
4. Are there circumstances unique to the property? **Yes**

Explain: **Yes, the two parcels are non-conforming in lot size.**

5. Will the variance maintain the essential character of the locality? **Yes**

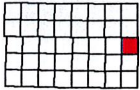
Explain: **Yes, the property is located on a commercial corridor and will continue to be used commercially.**





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.

	1:1, 128
	Date: 12/27/2021
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	

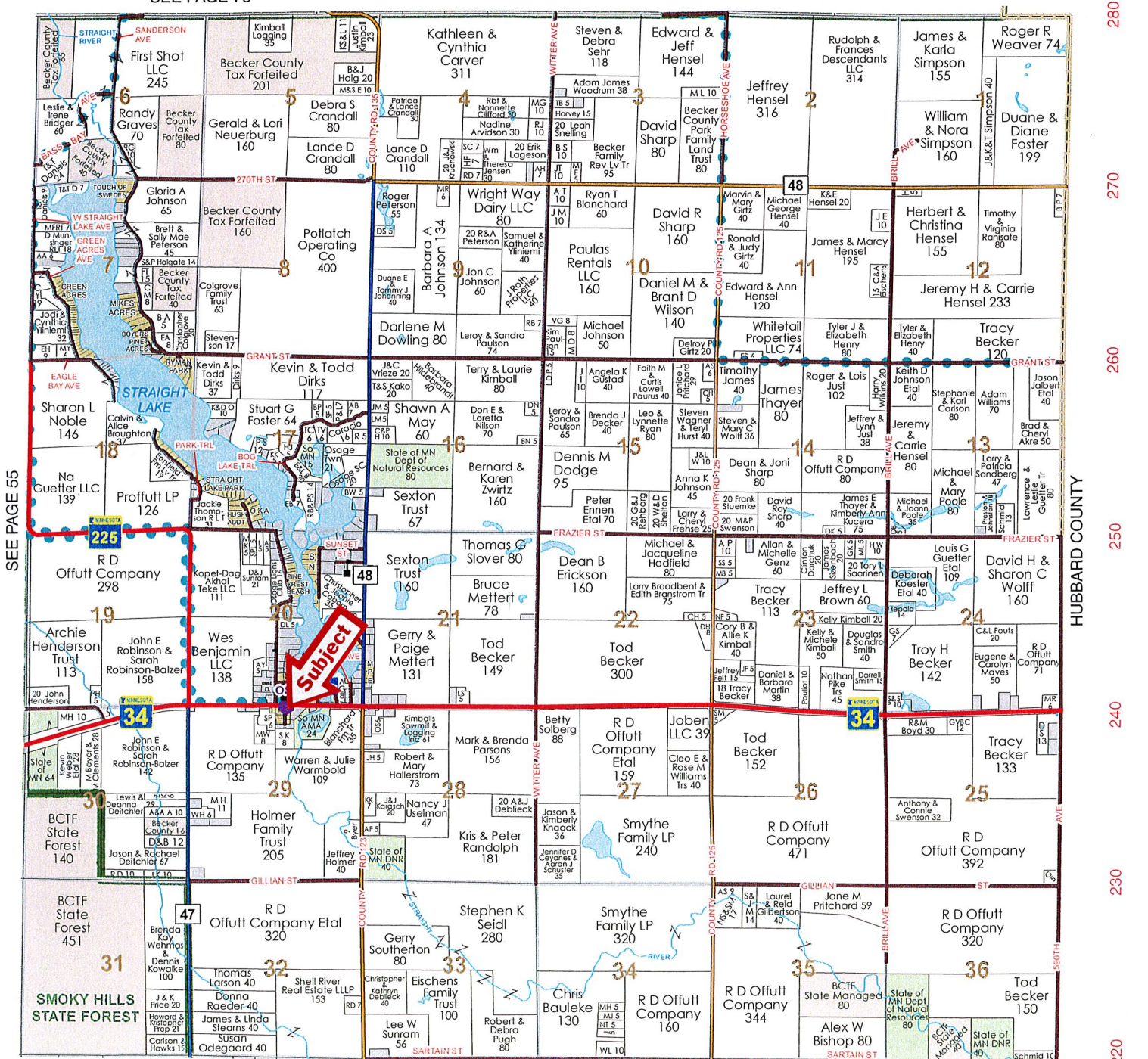


Osage

Township 140N - Range 36W

Copyright © 2019 Mapping Solutions

SEE PAGE 73



SEE PAGE 41



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****

January 13th, 2022 @ 6:00 P.M.

****Commissioner's Room – BECKER COUNTY COURTHOUSE****

APPLICANT: Kevin P Byer
PO Box 261
Osage, MN 56570

Project Location: TBD Hwy 34
Osage, MN 56570

APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a building to be located:

1. 0' from the township right-of-way.
2. To exceed allowable impervious surface coverage by 53%.
3. To vary from the required parking requirements.
4. 38' from the state highway right-of-way.

All due to lot size.

LEGAL LAND DESCRIPTION: Tax ID number: **21.0435.001** Section 20 Township 140 Range 036; TOWNSITE OF OSAGE Lot 003 Block 002; Tax ID number: **21.0435.000** Section 20 Township 140 Range 36; TOWNSITE OF OSAGE Lot 004 Block 002; Osage Township

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments:

Public testimony regarding this application will only be received by email, in writing, or in-person at the hearing. Interested parties are invited to submit to the Becker County Department of Planning and Zoning written facts, arguments, or objectives by 12:00 P.M. the 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

EMAIL: nicole.hultin@co.becker.mn.us

To view all application information on this project please visit:

https://www.co.becker.mn.us/government/meetings/planning_zoning/board_adjustments/

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. ****

Variance Application Review

Permit # VAR2021-231

Property and Owner Review

Parcel Number(s): **210435001 210435000**

Owner: **KEVIN BYER**

Township-S/T/R: **OSAGE-20/140/036**

Mailing Address:

KEVIN BYER

PO BOX 261

OSAGE MN 56570

Site Address: **54586 ST HWY 34**

Lot Recording Date: **Prior to 1971**

Original Permit Nbr: **SITE2021-87438**

Legal Descr: **Lot 003 Block 002 of TOWNSITE OF OSAGE**

Variance Details Review

Variance Request Reason(s):



Setback Issues



Alteration to non-conforming structure



Lot size not in compliance



Topographical Issues (slopes, bluffs, wetlands)



Other

If 'Other', description:

Description of Variance Request: **Request a variance to construct a building to be: 1. 0' from the township right-of-way. 2. To exceed allowable impervious surface coverage by 53%. 3. To vary from the required parking requirements 4. 38' from the state highway right-of-way. All due to lot size.**

OHW Setback: **500+**

Side Lot Line Setback: **N/A**

Rear Setback (non-lake): **40**

Bluff Setback: **N/A**

Road Setback: **0**

Road Type: **Township**

Existing Imp. Surface Coverage: **54.81**

Proposed Imp. Surface Coverage: **83**

Existing Structure Sq Ft: **728**

Proposed Structure Sq Ft: **4184**

Existing Structure Height: **12**

Proposed Structure Height: **30**

Existing Basement Sq Ft:

Proposed Basement Sq Ft:

Change to roofline? **Yes**

Change to main structural framework? **No**

Other Questions Review

1. Is the variance in harmony with the purposes and intent of the ordinance? **Yes**

Explain: **Commercial districts are intended to have higher impervious surfaces, building heights, and used for retail sales and other commercial use.**

2. Is the Variance consistent with the Becker County Comprehensive Plan? **Yes**

Explain: **Yes, the plan supports locally owned businesses.**

3. Does the proposal put the property to use in a reasonable manner? **Yes**

Explain: **Yes, the project is located next to an existing grocery store and will be used in a very similar manner in terms of traffic, noise, and parking.**

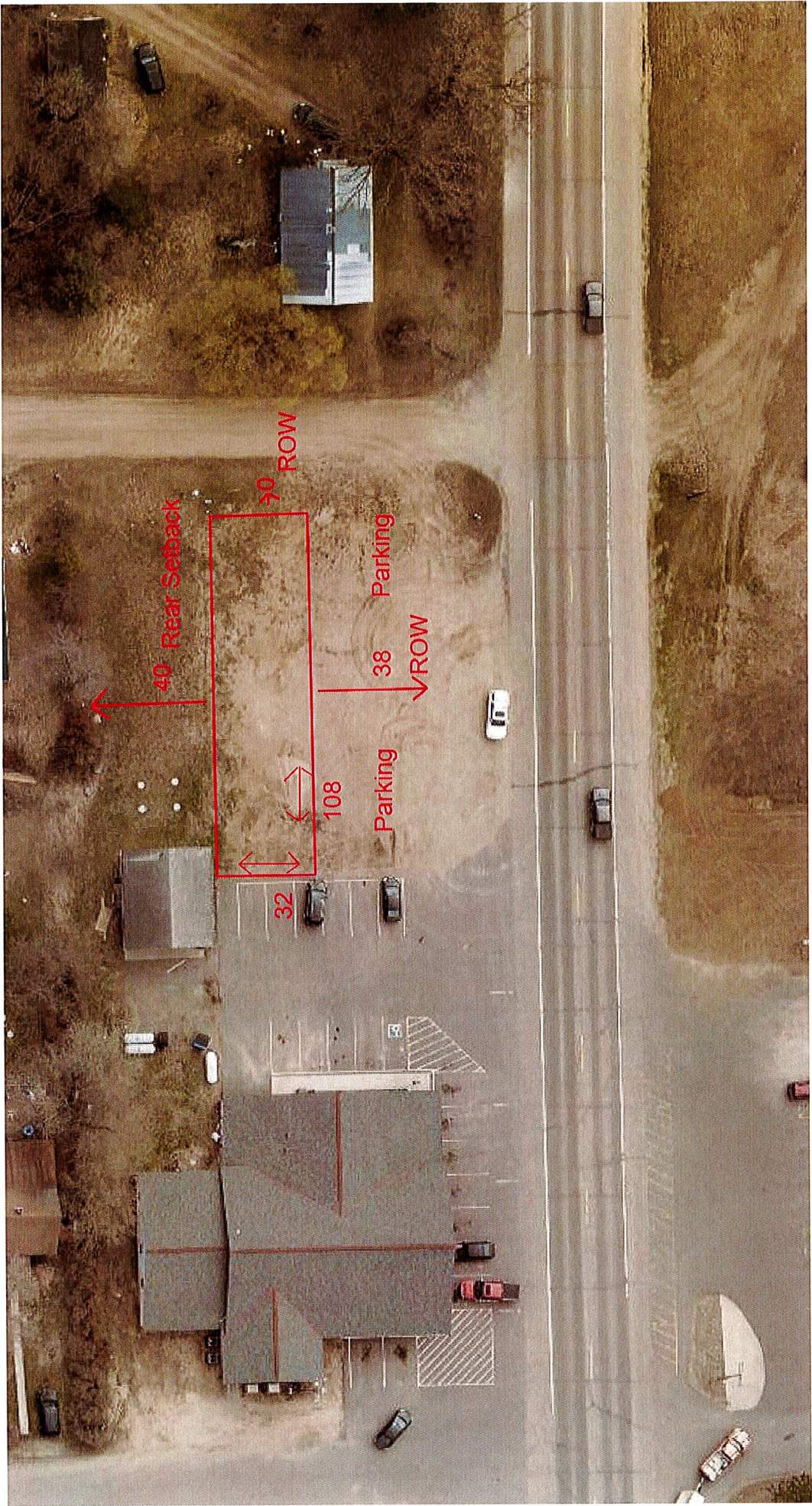
4. Are there circumstances unique to the property? **Yes**

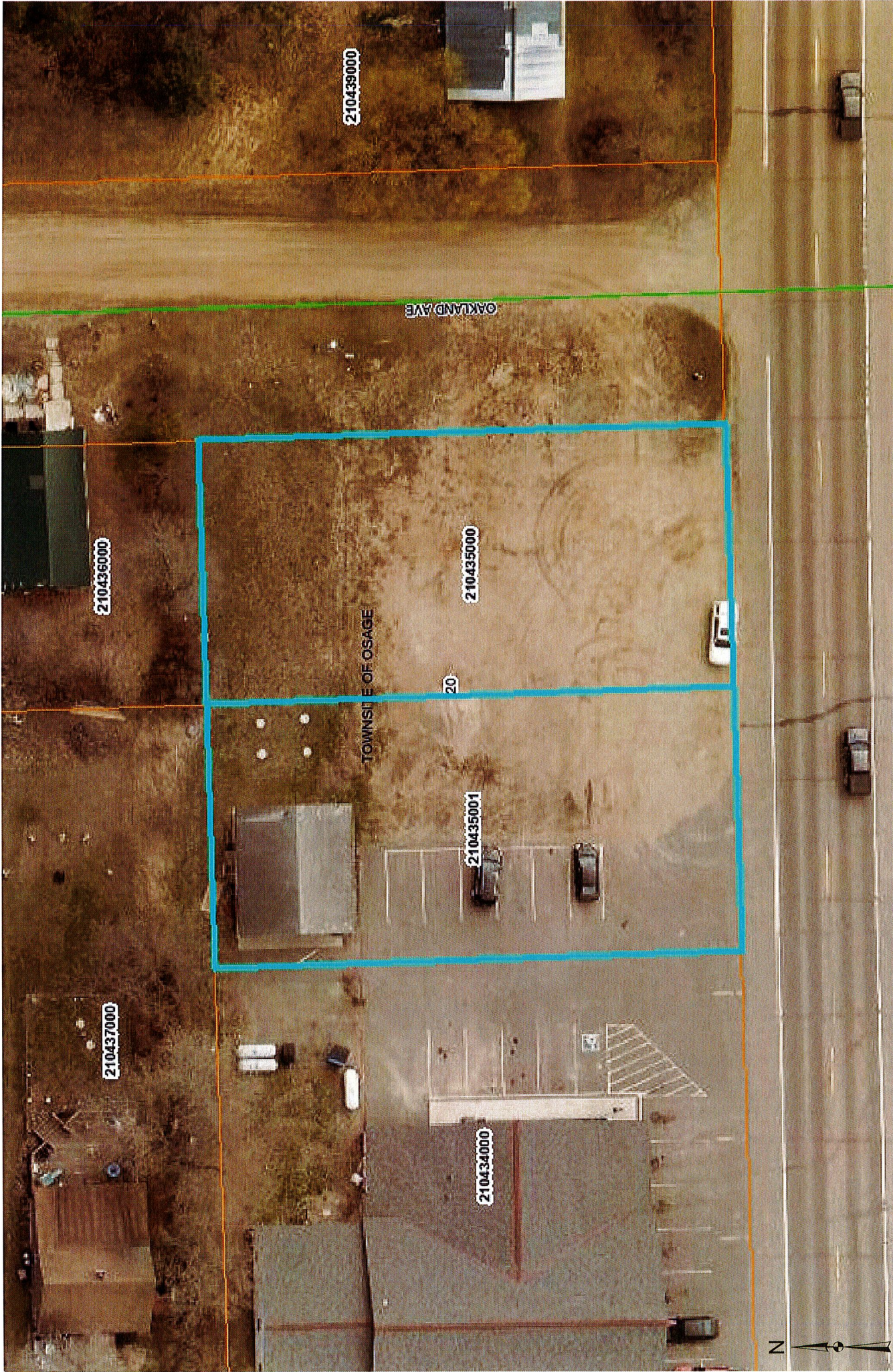
Explain: **Yes, the property is substandard in lot size.**

5. Will the variance maintain the essential character of the locality? **Yes**

Explain: **Yes, the project is located along a commercial corridor on a state high way with multiple other commercial uses in the immediate vicinity to include a gas station/restaurant/bar, liquor store, and**

grocery store.





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.

1:564

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

Date: 12/27/2021

Becker County



