



COUNTY OF BECKER

Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

Phone: 218-846-7314

BOARD OF ADJUSTMENT

NOTICE OF PUBLIC HEARING

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

June 9th, 2022 @ 6:00 P.M.

****Commissioner's Room – Becker County Courthouse****

APPLICANT: Victoria S Williams
23027 Roosevelt Beach Ln
Detroit Lakes, MN 56501

Project Location: 23027 Roosevelt Beach Ln
Detroit Lakes, MN 56501

APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to create twelve (12) riparian lots and one (1) non-riparian lot with some of the pre-existing taxed dwellings being non-conforming in lot area and/or width.

LEGAL LAND DESCRIPTION: Tax ID numbers: **19.0582.000 & 19.0600.000; Lake Melissa**

Section 30 Township 138 Range 041; LOT 3 LESS .60 AC IN SE COR; and Section 31 Township 138 Range 041; LOT 1; Lake View Township

Replies/Comments: Interested parties are invited to submit to the Becker County Department of Planning and Zoning written facts, arguments, or objectives before the scheduled date of the hearing. Their 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, and 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 the day of the hearing for possible rescheduling of the hearing.

Variance Application Review

Permit # VAR2022-243

Property and Owner Review

Parcel Number(s): **190582000 190600000**

Owner: **VICTORIA WILLIAMS**

Township-S/T/R: **LAKE VIEW-30/138/041**

Mailing Address:

VICTORIA WILLIAMS

23027 ROOSEVELT BEACH LN

DETROIT LAKES MN 56501

Site Address: **23027 ROOSEVELT BEACH LN**

Lot Recording Date: **Prior to 1971**

Original Permit Nbr: -

Legal Descr: **LOT 3 LESS .60 AC IN SE COR**

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: **1) Request a variance to create twelve (12) riparian lots and one (1) non-riparian lot with some of the pre-existing taxed dwellings being non-conforming in lot area and/or width.**

OHW Setback: -

Side Lot Line Setback: -

Rear Setback (non-lake): -

Bluff Setback: -

Road Setback: -

Road Type:

Existing Imp. Surface Coverage: -

Proposed Imp. Surface Coverage: -

Existing Structure Sq Ft: -

Proposed Structure Sq Ft: -

Existing Structure Height: -

Proposed Structure Height: -

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. The longstanding use of the Property is no different from any other single-family residential or seasonal recreational development on Lake Melissa or any other General Development lake in Becker County. Individuals have built single-family dwellings or seasonal recreational cabins such as these along essentially the entire lake shore of Lake Melissa, and here, Williams and the Tenants wish to own said lake shore, the improvements thereon, and the yards that they have long maintained. Thus, while the minimum frontage requirements may not fully comply with the current zoning and shoreland development requirements, Williams and the Tenants have established practical boundary lines between their "parcels", and their historical use of the Property is consistent with uses permitted by the ordinance on General Development lakes (i.e., lakes with high levels and mixes of existing development that are heavily developed around the shore) in Becker County.**

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

Explain: **Yes. The comprehensive plan anticipates and acknowledges that General Development lakes will be developed for single-family residential or seasonal recreational purposes. This is exactly the type**

of development that has occurred on the Property, and such development and subsequent use of the Property has been ongoing for at least 40 years and will continue to be used in said manner for the foreseeable future. Williams has no plans or desires to expand the current use of the Property, change the zoning, or otherwise engage in new development; rather, Williams simply desires to formalize the use that has been in place for decades.

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

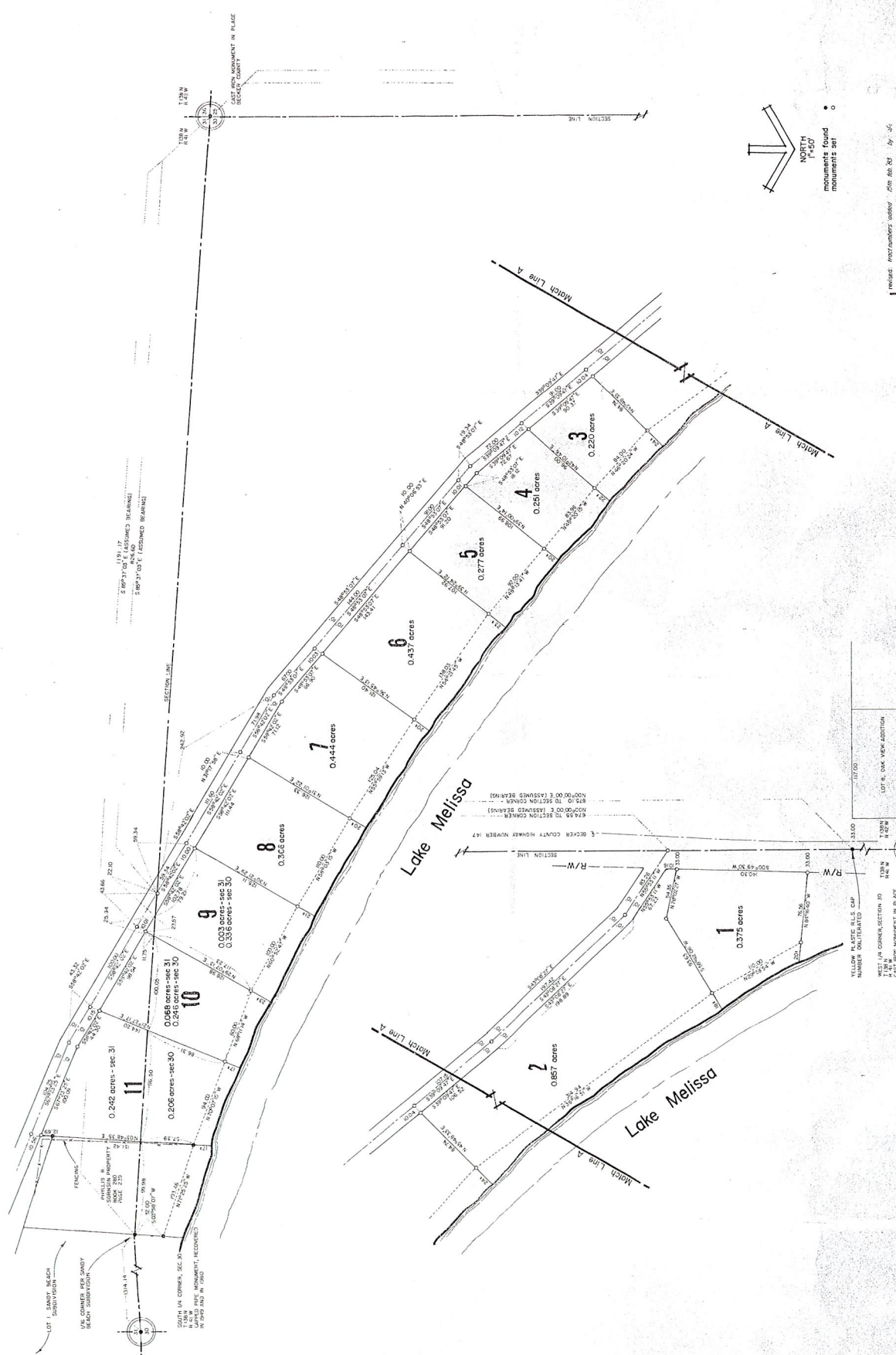
Explain: **Yes.** The manner in which the Property has been used is consistent with the use of nearby properties. As indicated above, upon review of the Becker County GIS map server, one could count no less than twenty (20) nonconforming lake lots within a half mile to the East and West of the Property, and it is worth noting that said neighboring lake lots consist of significantly less lake frontage than any of the proposed lots of the Property.

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

Explain: **Yes.** The Property does not consist of vacant, undeveloped lakeshore that Williams hopes to subdivide, sell, and develop. Instead, the Property was developed while William's predecessor in title owned the Property, with the County's approval (over 40 permits have been issued by the County in regard to the various structures and improvements on and to the Property). As a result, Williams inherited a mess, and Williams and the Tenants now desire to resolve the issue - not exacerbate it - and by doing so, they will remedy what is certainly a perpetual administrative inconvenience at the County level.

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

Explain: **Yes.** Formally subdividing the Property based on the historical use thereof will not alter the essential character of the locality, nor will it have any material adverse impact on the persons or properties in the area. Again, the Property has been used in the current manner for decades, and such use is wholly consistent with the significant lakeshore development of Lake Melissa. Additionally, the current use, and therefore the impact on the health or safety of persons residing or working in the area adjacent to the Property, will not change. No further lakeshore development is proposed in conjunction with the proposed subdivision as each lake lot has already been developed. Furthermore, numerous lots within a half mile to the East or to the West of the Property, and surrounding the lake, do not meet the current frontage and lot area requirements set forth in the ordinance.

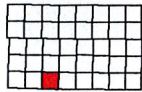


legal survey prepared by:
Lambert P. Vogel and Associates
 2412 Seventh Street North • Fargo, North Dakota 58107 • Telephone: 701-232-8139 •
 Professional Engineer and Registered Land Surveyor • Minnesota • North Dakota



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1:9,028	
Date: 5/26/2022	



Lake View

Township 138N - Range 41W

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