



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****

July 21st, 2022 @ 6:00 P.M.

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

APPLICANT: Paul S Hasson
12603 S Abbey Lake Ln
Detroit Lakes, MN 56501

Project Location: 12603 S Abbey Lake Ln
Detroit Lakes, MN 56501

APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a deck to be located at 48' from the Ordinary High-Water Mark (OHW). Application was tabled from the June 9th, 2022, hearing.

LEGAL LAND DESCRIPTION: Tax ID number: **19.0718.000; Lake View**

Section 23 Township 138 Range 041; ABBEY LAKE ESTATES Lot 056 Block 001 LOTS 54-57. PT VAC RD NW OF LN: COMM ELY COR LOT 54, NW 39.89' TO POB; NE 66' AND TERM (PARCEL A, .25AC).; 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. There 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 # VAR2022-241

Property and Owner Review

Parcel Number(s): **190718000**

Owner: **PAUL HASSON**

Township-S/T/R: **LAKE VIEW-23/138/041**

Mailing Address:

PAUL HASSON

12603 S ABBEY LAKE LN

DETROIT LAKES MN 56501

Site Address: **12603 S ABBEY LAKE LN**

Lot Recording Date: **Between 1971 and 1992**

Original Permit Nbr: **Site 2022-1877**

Legal Descr: **Lot 056 Block 001 of ABBEY LAKE ESTATES LOTS 54-57. PT VAC RD NW OF LN: COMM ELY COR LOT 54, NW 39.89' TO POB; NE 66' AND TERM (PARCEL A, .25AC).**

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 deck 70' from the ordinary high water mark of a natural environment lake and a addition to non-conforming structure 125' from the ordinary high water mark.**

OHW Setback: **70' & 125'**

Side Lot Line Setback: **10+**

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

Bluff Setback: **N/A**

Road Setback: **20+**

Road Type: **Township**

Existing Imp. Surface Coverage: **20.38**

Proposed Imp. Surface Coverage: **20.38**

Existing Structure Sq Ft: **Foot print 974**

Proposed Structure Sq Ft: **Foot print 1118**

Existing Structure Height: **26**

Proposed Structure Height: **26**

Existing Basement Sq Ft: **974**

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: **Yes, current structure does meet the required lake setback. Variance would allow use of the property by offsetting the decreased setback with mitigation.**

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

Explain: **Yes, it is a riparian lot used for recreational/residential purposes.**

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

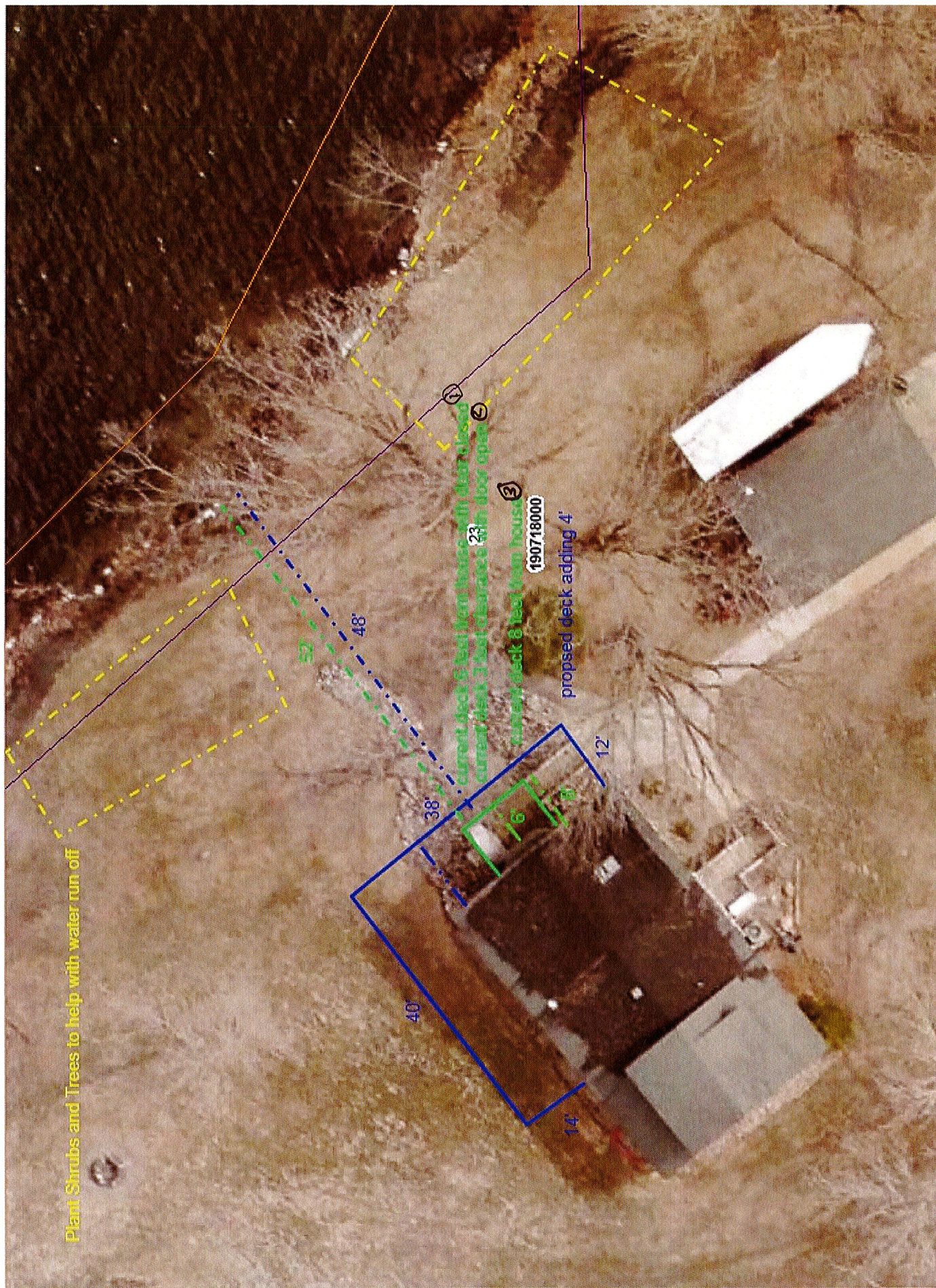
Explain: **Yes, use of the property will remain residential which is consistent with the neighborhood.**

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

Explain: **Yes, the property is substandard in size and a peninsula.**

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

Explain: **Yes, similar homes in the vicinity have similar setbacks.**



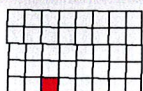
- ① Current deck 6' from house - w- door closed
- ② Current deck 3' clearance - w- door open
- ③ Current deck 8' from house.



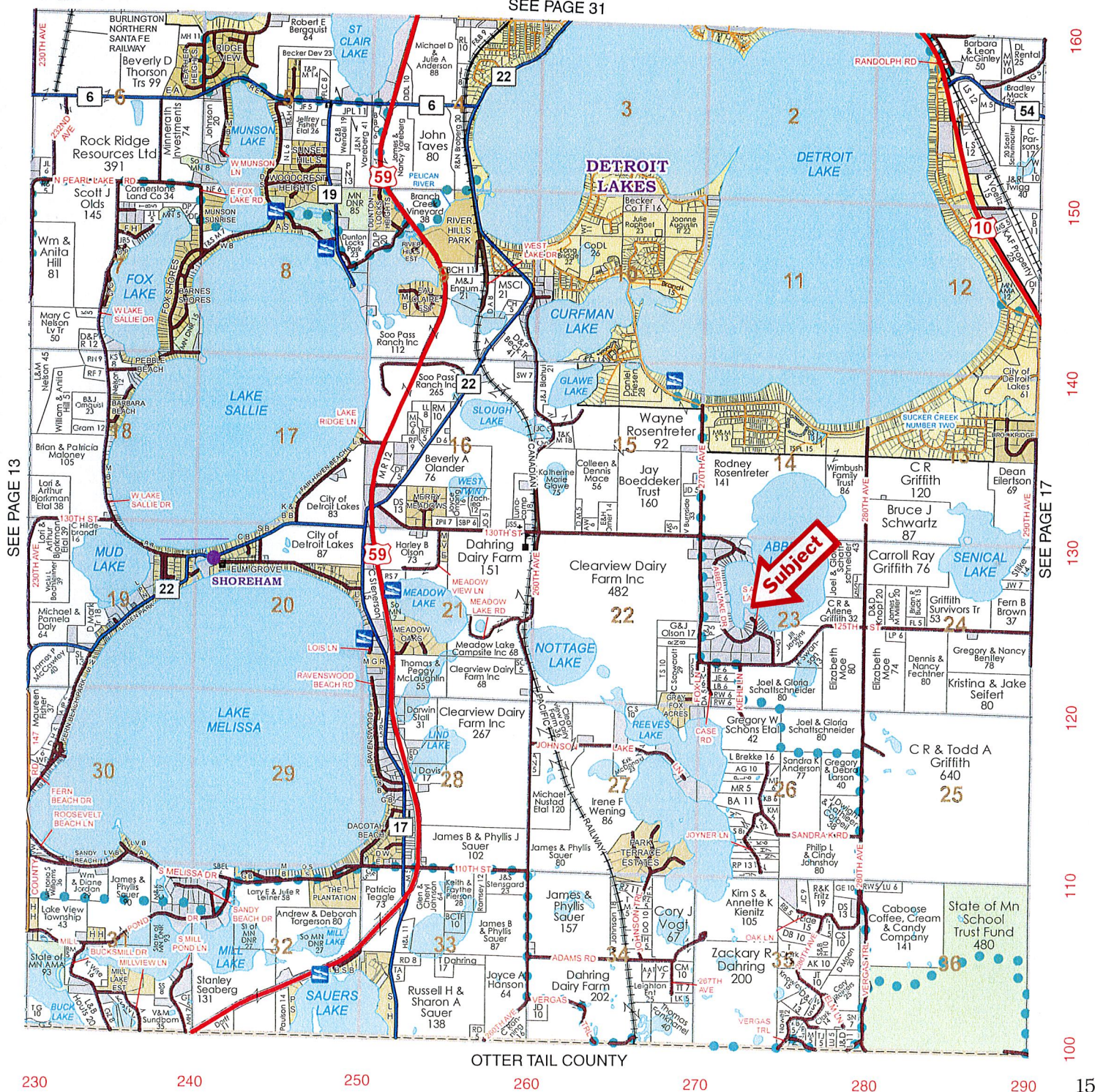
Lake View

Township 138N - Range 41W

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SEE PAGE 31





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****

July 21ST, 2022 @ 6:00 P.M.

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

APPLICANT: Jeff Kloos & Pam Kloos
819 Delores Dr
West Fargo, ND 58078

Project Location: 14178 Tradewinds Rd
Audubon, MN 56511

APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to be at 28.6% impervious surface coverage deviating from the allowable 25% impervious surface coverage within the shoreland district due to lot size.

LEGAL LAND DESCRIPTION: Tax ID number: 17.0815.000; Big Cormorant Lake

Section 07 Township 138 Range 042; JOHNSON BROS EAST LOT 6 & VAC PLAT RD
DOC#543086 & QCD #552754; Lake Eunice 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.

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Variance Application Review

Permit # VAR2022-245

Property and Owner Review

Parcel Number(s): **170815000 N/a**

Owner: **JEFF KLOOS**

Township-S/T/R: **LAKE EUNICE-07/138/042**

Mailing Address:

JEFF KLOOS

819 DELORES DR

WEST FARGO ND 58078

Site Address: **14178 TRADEWINDS RD**

Lot Recording Date: **Prior to 1971**

Original Permit Nbr: **Not sure, it is for a property that we will put a house on 6/2023.**

Legal Descr: **JOHNSON BROS EAST LOT 6 & VAC PLAT RD DOC#543086 & QCD #552754**

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:

Running into troubles with the 25% impervious measurement.

Description of Variance Request: **I am 370 sq ft over the allotted 2545 sq ft on the 10180 sq ft high water level. When we ordered the home from Dynamic homes i used the lot size given when we bought the property. When applying for permit found out the actual it size was smaller. 11,900.(not he 12,150 sq ft i thought it was) we tore down the existing house/decks and Concrete steps. The home we have ordered is 28x50ft(1400 sq ft.) asking for variance so we don't have to tear down the existing 24x24 garage.**

OHW Setback:

Side Lot Line Setback:

Rear Setback (non-lake):

Bluff Setback:

Road Setback:

Road Type:

Existing Imp. Surface Coverage: **13.5%**

Proposed Imp. Surface Coverage: **28.6%**

Existing Structure Sq Ft:

Proposed Structure Sq Ft:

Existing Structure Height:

Proposed Structure Height:

Existing Basement Sq Ft:

Proposed Basement Sq Ft: **Yes, 1400 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: **Dealing with the amount of impervious land percentage. When I ordered the Dynamic home, I used the lot size from the real estate book listing. When applied for permit needed to use the high water mark level measurement. So lot went from 11,900 sq ft to 10,180 sq ft. So 370 sq ft over the 25%(at 28.6%)**

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

Explain: **Not sure what this is.**

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

Explain: **With the old house being torn down, the new house will fit perfectly and look like the other properties close by. Garage by the road, house and then small shed on the water.**

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

Explain: **It is a smaller lot. 50ft wide x137 average side lots.**

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

Explain: **The new house put on lot will fit in perfectly with the neighbors. If variance not granted i will be forced to tear down the existing garage (24x24) then property will look funny without a garage.**

Dynamic Home: $28' \times 50' = 1400 \text{ sq. ft.}$
 existing garage + deck, steps, inside: $24' \times 24' = 576 \text{ sq. ft.}$
 $576 + 14 = 147 \text{ sq. ft.}$
 existing shed ($7.35 \times 20 \text{ ft.}$)
 existing Driveway (8xturnovers)

$2,787$ (247 sq. over the 25% #)
 + 128 for deck (16x8)
 $2,915$
 - 2545 (25% of high water 10,180)
 370 sq. ft. over
 $234.83'$

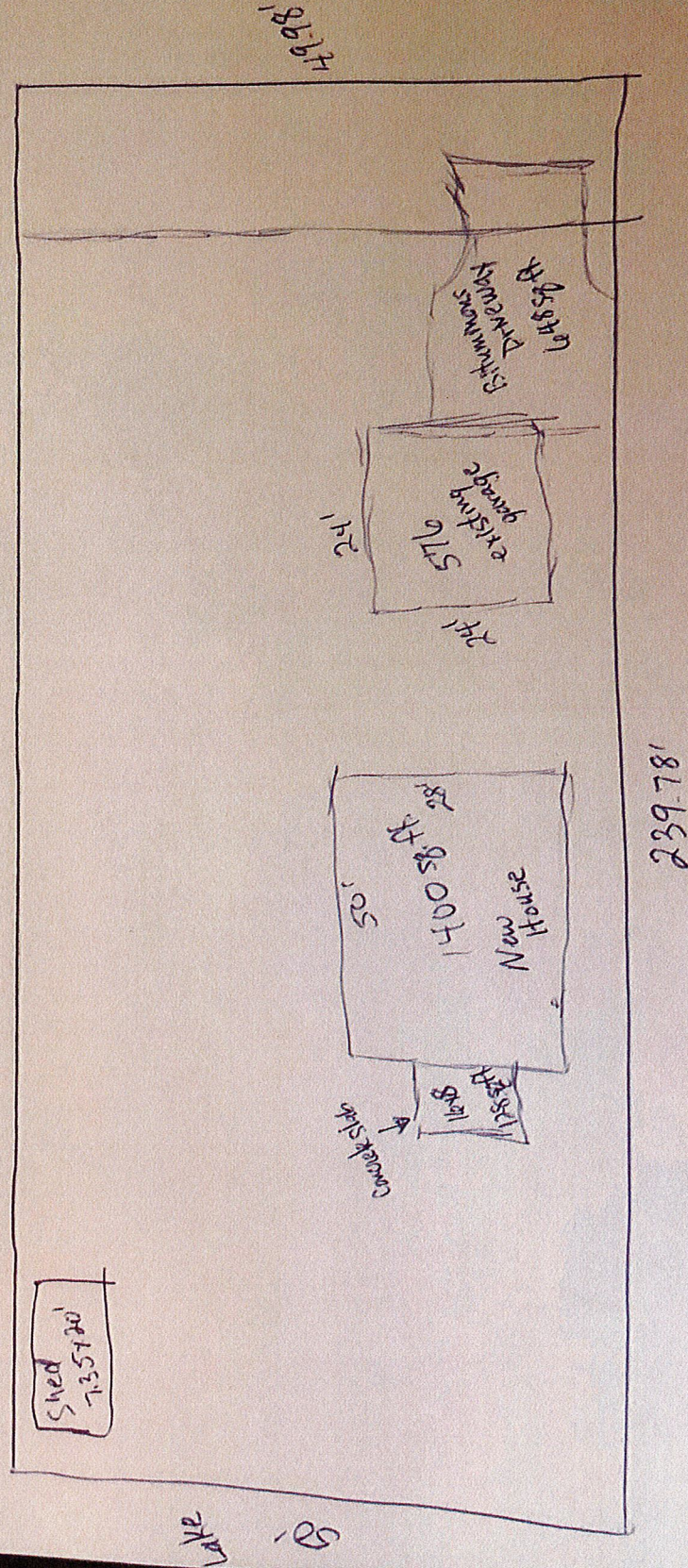
10,180 sq. ft. is high water level

$25\% = 2,545 \text{ sq. ft.}$
 of 10,180

11,900 total sq. ft.
 - 1720 sq. ft. high water level
 10,180

Jeff Kloss
 14178 Tradewinds Road
 Audubon, MN.
 - Big Cornucopia Lake
 Parcel #: 170815000

↑ N



CERTIFICATE OF SURVEY

LOT 6 OF JOHNSON BROTHERS EAST SIDE SUBDIVISION AND
IN GOVERNMENT LOT 7-138-42
BECKER COUNTY, MINNESOTA



Orientation of bearing
system is assumed.

LEGEND

- = Denotes iron monuments found.
- = Denotes monuments surveyed with Minnesota License No. 12004/46538/50320/57622.



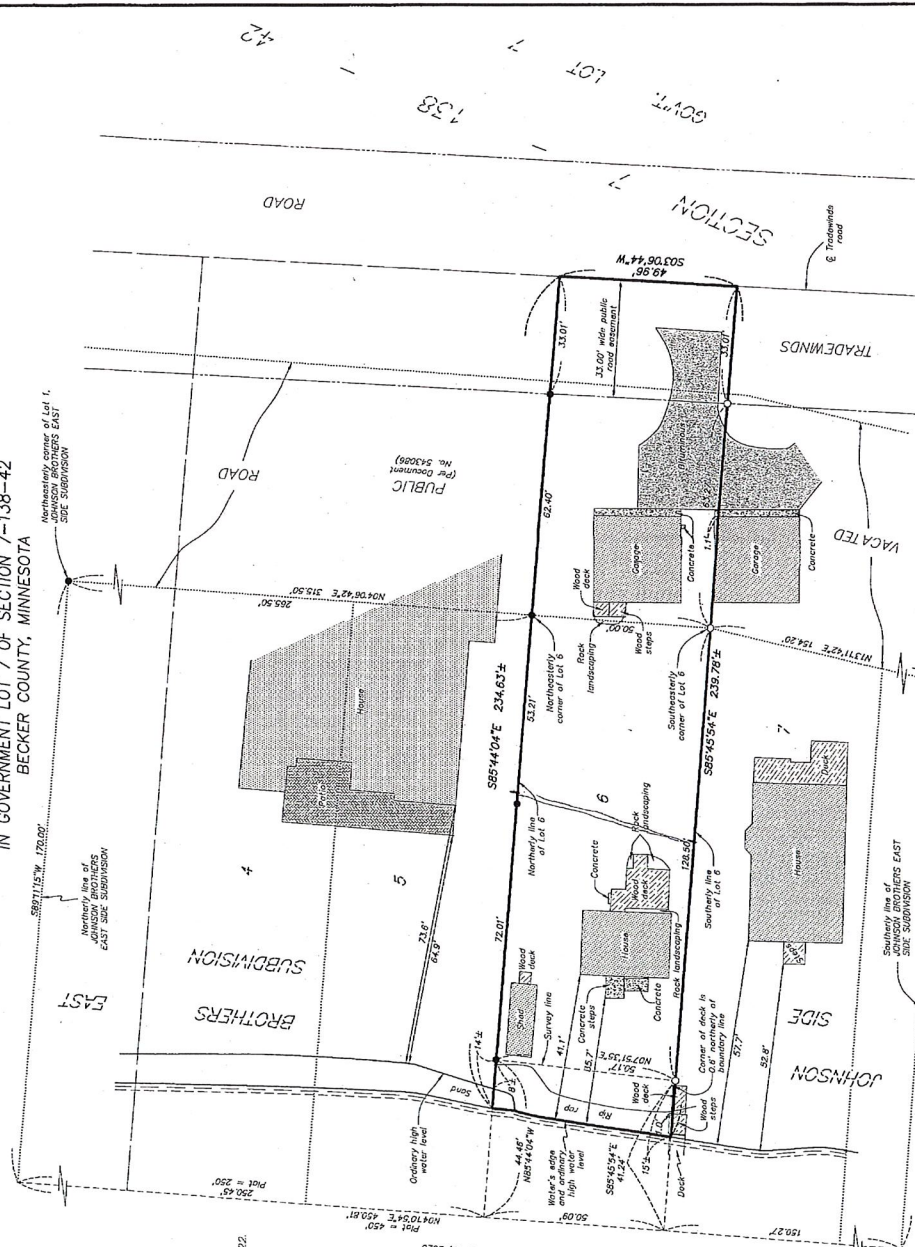
Areas (sq. ft.)
Total area = 11,900, more or less
Area above ordinary high water level and
excluding public road easement = 10,180

Property features outside of the road
Right of Way
Concrete 648
Concrete 77
Concrete 529
Shed 145
Rock Landscaping 50
Wood 48
Wood 12

Encasement property features:
Concrete 2
Concrete 3
Concrete 4
Wood 4
Wood 5

FIG 6
CORMORANT LAKE

Ordinary high water level = 1333.84 (NGVD 29) on September 11, 2020
Highest known water elevation = 1336.24 (NGVD 29) per MN DNR
Water elevation = 1336.24 (NGVD 29) per MN DNR



I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Philip W. Meyer
Surveyor
September 24, 2020
Date: 53829
License #

DRAWING NUMBER: T9771-15

SURVEY DISCLAIMER:
This survey was prepared without the benefit of title, or an abstraction of the parcel for easements of record and/or other matters affecting the title. The surveyor is not responsible for any errors or omissions in the survey or for any consequences, reservations, rights of way, setbacks, lines, appurtenances, or other matters affecting the title or for any consequences, reservations, rights of way, setbacks, lines, appurtenances, or other matters affecting the title. The use of this survey is at the user's risk. The surveyor is not responsible for any errors or omissions in the survey or for any consequences, reservations, rights of way, setbacks, lines, appurtenances, or other matters affecting the title. The use of this survey is at the user's risk.

MEADOWLAND SURVEYING, INC.
1118 HWY 59 SOUTH, DETROIT LAKES, MN 55001
EMAIL: frontdesk@meadowlandsurveying.com
www.meadowlandsurveying.com
218-947-4288

CLIENT:
ANY RULEY
3117 NORTH 10TH STREET
FARGO, ND 58102

COMP FILE: 5/7/20
DWG FILE: 7/13/20
COMP BY: JSL
DRAWN BY: JSL

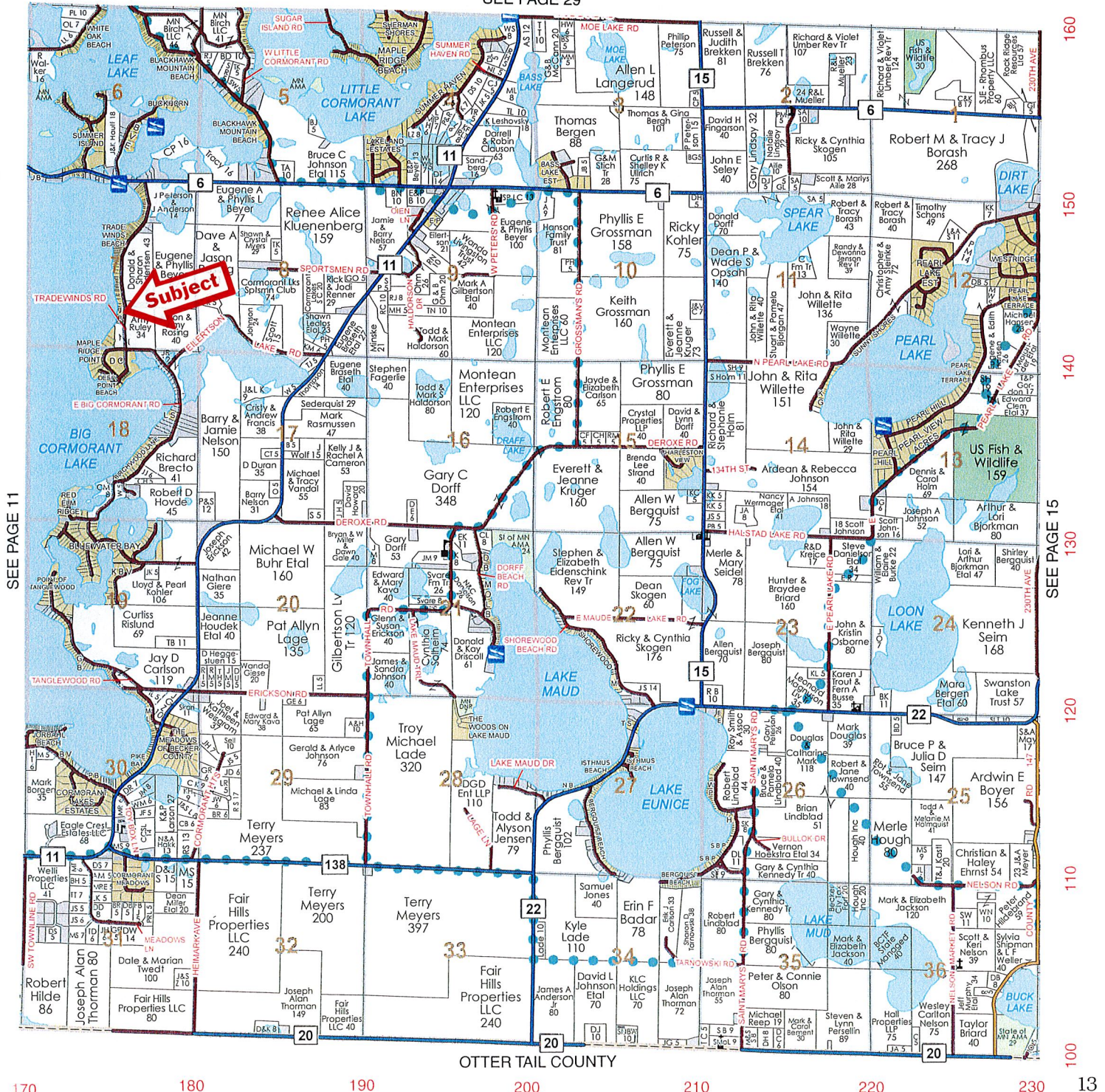


Lake Eunice

Township 138N - Range 42W

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SEE PAGE 29





COUNTY OF BECKER

Planning and Zoning

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BOARD OF ADJUSTMENT

NOTICE OF PUBLIC HEARING

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

July 21ST, 2022 @ 6:00 P.M.

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

APPLICANT: Raymond Reading
25213 Town & Country Estate Rd
Detroit Lakes, MN 56501

Project Location: 25213 Town & Country Estate Rd
Detroit Lakes, MN 56501

APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to be at twenty-seven (27) percent impervious surface coverage deviating from the allowable twenty-five (25) percent impervious surface coverage within the shoreland district due to lot size.

LEGAL LAND DESCRIPTION: Tax ID number: **08.0131.000; Floyd Lake**

Section 09 Township 139 Range 041; PT LOT 5 BEG 135' W & 2134.5' S OF NW COR LOT 1
OAKLAND BCH TH N 75' E 183.6' S 75' AL LK & W 189.1' TO BEG; Detroit 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.

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Variance Application Review

Permit # VAR2022-246

Property and Owner Review

Parcel Number(s): **080131000**

Owner: **RAYMOND READING**

Township-S/T/R: **DETROIT-09/139/041**

Mailing Address:
**25213 TOWN & COUNTRY ESTATE RD DETROIT
LAKES, MN 56501**

Site Address: **25213 TOWN & COUNTRY ESTATE RD
DETROIT LAKES, MN 56501**

Lot Recording Date: **Prior to 1971**

Original Permit Nbr: **92994**

Legal Descr: **PT LOT 5 BEG 135' W & 2134.5' S OF NW COR LOT 1 OAKLAND BCH TH N 75' E 183.6' S 75' AL
LK & W 189.1' TO BEG**

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:

Total Impervious is 27% not 25%

Description of Variance Request: **Total Impervious is 27% not 25%. This has been our seasonal lake place for over 15 yrs and we are now making it our permanent residence. The current place does not fit our year round needs and it only has a one stall garage even too small for any of our vehicles. The current property also has no parking on site due to the poor original design. Our new plan will help keep our vehicles off the road right of way. Also there is an extreme elevation change between ourselves and neighbors and our new home would fix that and also improve water mgmt by implementing French Drains.**

OHW Setback:

Side Lot Line Setback:

Rear Setback (non-lake):

Bluff Setback:

Road Setback:

Road Type:

Existing Imp. Surface Coverage: **14**

Proposed Imp. Surface Coverage: **27**

Existing Structure Sq Ft: **1396**

Proposed Structure Sq Ft: **2095**

Existing Structure Height: **18 ft**

Proposed Structure Height: **28 ft**

Existing Basement Sq Ft: **1396**

Proposed Basement Sq Ft: **2095**

Change to roofline? **Yes**

Change to main structural framework? **Yes**

Other Questions Review

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

Explain: **The homes around me are year round homes and have plenty of garage and parking spaces for their use. We fall within all the regulatory setbacks and the only variance request is for total impervious where we are at 27% Other approved variances on the same lake have been approved for much higher amounts.**

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

Explain: **Yes we are improving the property and implementing french drains which will benefit all neighboring properties. This is an improvement both aesthetically and environmentally.**

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

Explain: **Yes because this will be our permanent residence and it is only at 27% total impervious.**

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

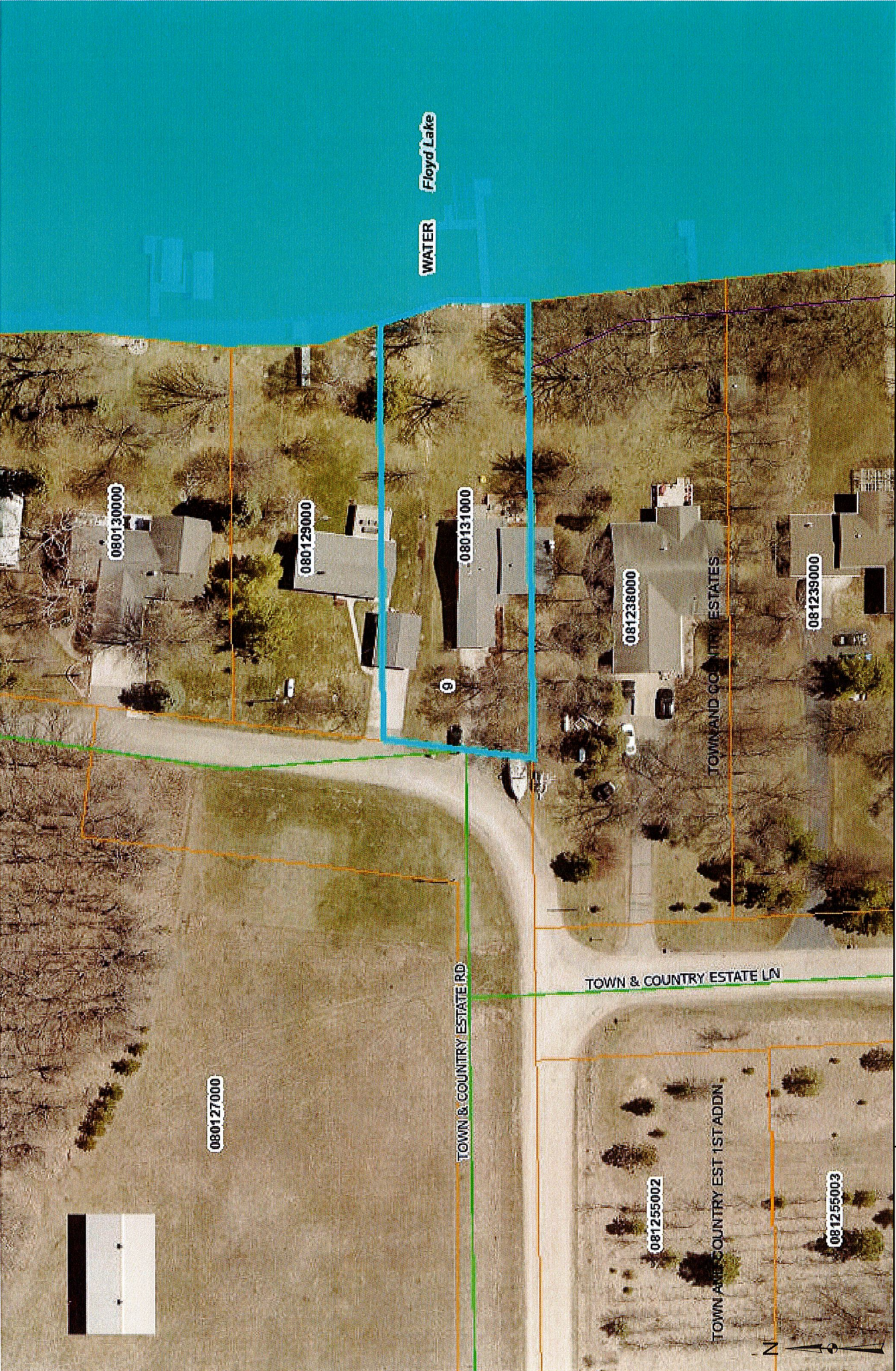
Explain: **Lot of Record before 1971**

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

Explain: **Yes all the homes around me are year round residences and this will improve the aesthetics of our neighborhood and fit in with the rest of the homes on my beach.**







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	
1:1,128	Date: 6/26/2022
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	

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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****

July 21ST, 2022 @ 6:00 P.M.

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

APPLICANT: Robert H Hedlund
25687 E Cozy Cove Rd
Detroit Lakes, MN 56501

Project Location: 25687 E Cozy Cove Rd
Detroit Lakes, MN 56501

APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to allow a thirty-three (33) foot wide easement to access more than two (2) tracts for ingress and egress.

LEGAL LAND DESCRIPTION: Tax ID number: **08.0063.000; Floyd Lake**

Section 04 Township 139 Range 041; PT LOT 9 BEG 697' W 269.1' NE & 976' NW OF MC#24 TH SW 353.14' NW 994.98' N 660' NE 266.3' & SE 1000.1' AL LK TO BEG; Detroit 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.

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Variance Application Review

Permit # VAR2022-247

Property and Owner Review

Parcel Number(s): **080063000**

Owner: **ROBERT H HEDLUND**

Township-S/T/R: **DETROIT-04/139/041**

Mailing Address:

ROBERT H HEDLUND

25687 E COZY COVE RD

DETROIT LAKES MN 56501

Site Address: **25687 E COZY COVE RD**

Lot Recording Date:

Original Permit Nbr: **NA**

Legal Descr: **PT LOT 9 BEG 697' W 269.1' NE & 976' NW OF MC#24 TH SW 353.14' NW 994.98' N 660' NE 266.3' & SE 1000.1' AL LK TO BEG**

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:

n the Zoning Ordinance of Becker County, Chapter 8, Section 4(E)(3.), it states "The easement from the property to the public road must be at least sixty-six (66) feet wide when servicing three (3) or more tracts of land..." Mr. Hedlund would like to subdivide his land. Use of the existing easement would also be needed for the new parcel but would go against the ordinance listed.

Description of Variance Request: **The request is to allow an additional third property to use the easement currently provided to allow ingress and egress.**

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?

Change to main structural framework?

Other Questions Review

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

Explain: **My understanding is that the purpose of this ordinance is to limit many small tracts of land being divided and used for a high density of housing being serviced by a small drive. Mr. Hedlund has nearly 14 acres of land and would be looking to divide over 3 acres.**

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

Explain: **Floyd Lake is classified as a General Development Lake. This means that lots must be 100 feet wide, set backs for builds at 75 feet and 50 feet for septic systems. The proposed variance would allow Mr. Hedlund to sell approximately 3.5-4 acres and around 350 feet of shoreline. This is more than adequate to meet any building restrictions.**

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

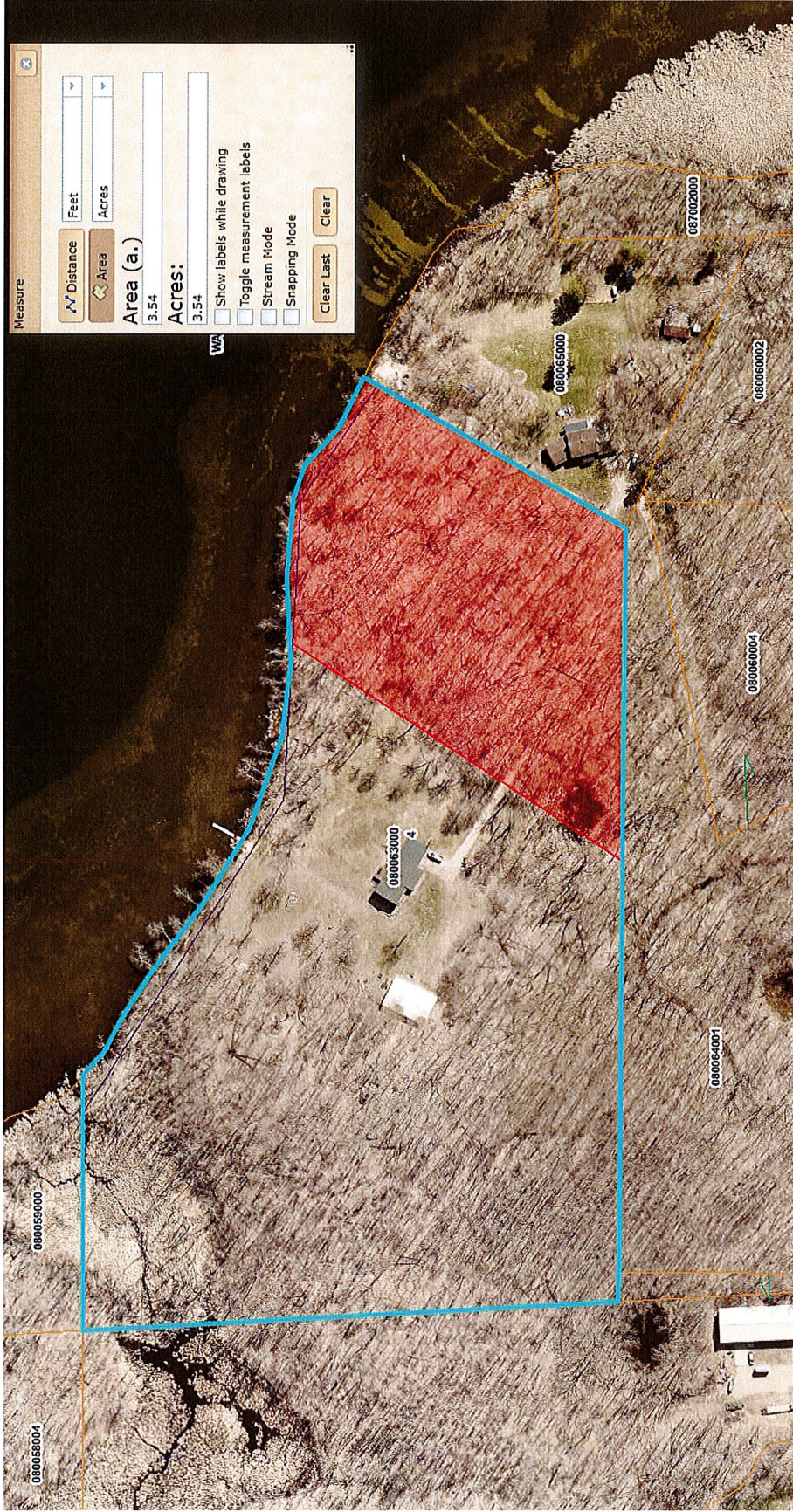
Explain: **Mr. Hedlund has indicated that he has more land than he needs. There are no immediate plans for the property if sold.**

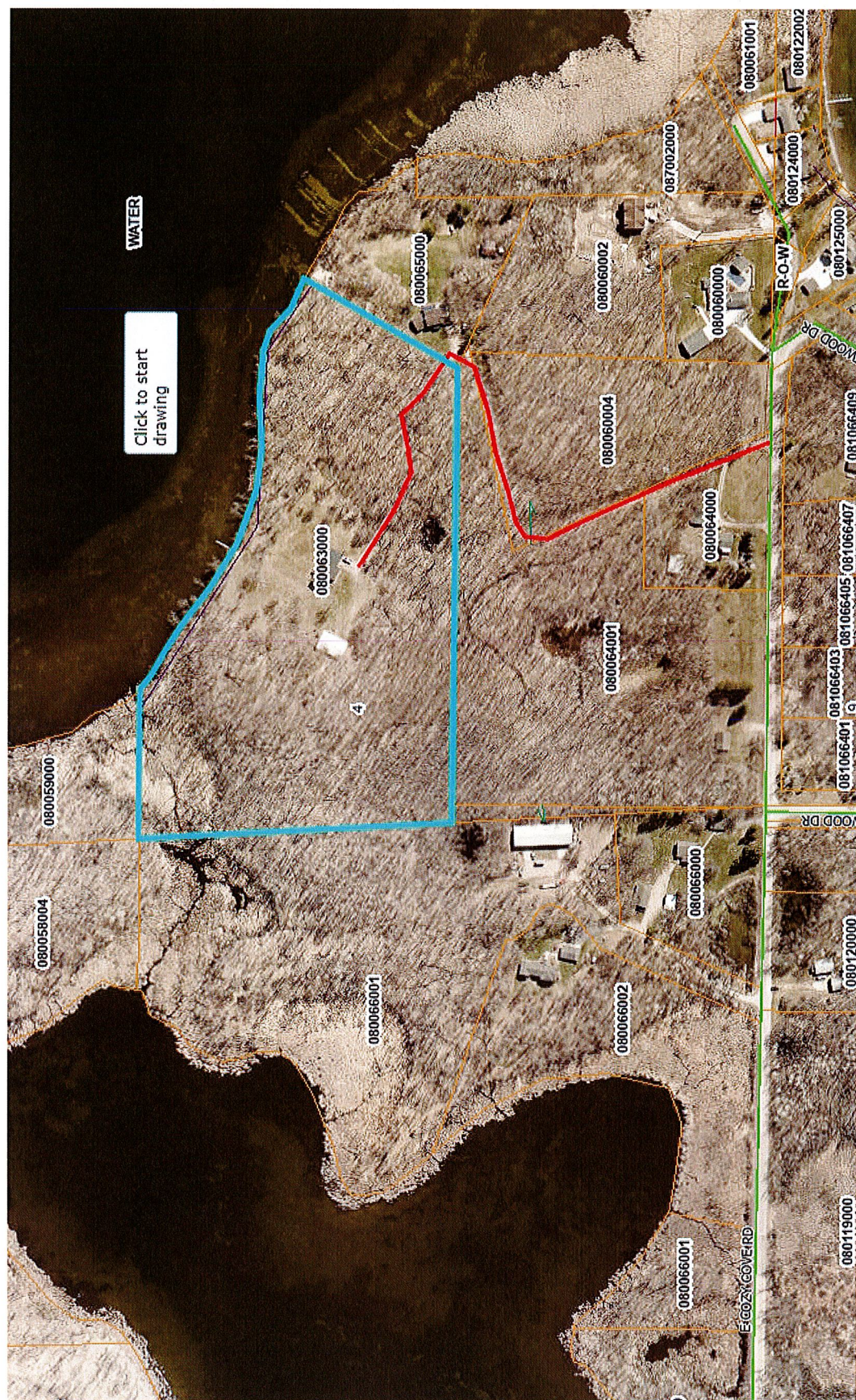
4. Are there circumstances unique to the property? **Yes**

Explain: **The property has an ingress/egress easement. Due to the size of the easement and the current ordinance, only two properties can be served by the easement.**

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

Explain: **Allowing another property to be served by the easement would have minimal impacts on the usage of the easement due to the size of the properties.**





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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****

July 21ST, 2022 @ 6:00 P.M.

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

APPLICANT: 6367 Boat Properties
24147 Wine Lake Rd
Detroit Lakes, MN 56501

Project Location: 24147 Wine Lake Rd
Detroit Lakes, MN 56501

APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct an addition to an existing building to be located eighty-nine (89) feet from the Ordinary High-Water (OHW) deviating from the required setback of one hundred and fifty (150) feet on a Natural Environment Lake due to lot shape.

LEGAL LAND DESCRIPTION: Tax ID numbers: **08.0320.000 & 08.0319.001; Detroit Township**

Section 20 Township 139 Range 041; 20-139-41 PT GOVT LOT 6 IN SEC 20 OF FOLL PARCEL: COMM SW COR SEC 20, NE 334.6' TO POB; NE 514.5' AL LK, ELY 245' TO SW ROW RD, SE 804.7' TO NE LN RR, NW TO N LN SEC 29, E TO PT 200' N OF RR, NW TO POB & Section 20 Township 139 Range 041; 20-139-41 PT GOVT LOT 6 SEC 20 OF FOLL PARCEL: COMM SW COR SEC 20, E 755.86', SELY 189.57', SE 38.2' TO POB; NW 856.81' TO CTR RD, SELY AL RD 1388.34', NWLY 712.52' TO POB. & PT GOVT LOT 6 SEC 20 OF FOLL PARCEL: COMM SW COR SEC 20, E 755.86', SELY 189.57', SE 38.2' TO POB; NW 856.81' TO CT RD, SELY AL RD 1388.34', NWLY 712.52' TO POB.

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. There 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 # VAR2022-250

Property and Owner Review

Parcel Number(s): 080320000 080319001

Owner: BOAT PROPERTIES LLC

Township-S/T/R: DETROIT-20/139/041

Mailing Address:

BOAT PROPERTIES LLC

24147 WINE LAKE RD

DETROIT LAKES MN 56501

Site Address: 24147 WINE LAKE RD

Lot Recording Date:

Original Permit Nbr: SITE2022-1973

Legal Descr: 20-139-41 PT GOVT LOT 6 IN SEC 20 OF FOLL PARCEL: COMM SW COR SEC 20, NE 334.6' TO POB; NE 514.5' AL LK, ELY 245' TO SW ROW RD, SE 804.7' TO NE LN RR, NW TO N LN SEC 29, E TO PT 200' N OF RR, NW TO POB.

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:

Lot Shape

Description of Variance Request: Request a variance to construct an addition to an existing building to be located eighty-nine (89) feet from the Ordinary High-Water Mark(OHW) deviating from the required setback of one hundred and fifty (150) feet on a Natural Environment Lake due to lot shape.

OHW Setback: 89'

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: 60x200

Proposed Structure Sq Ft: 60x100

Existing Structure Height:

Proposed Structure Height: 20'

Existing Basement Sq Ft:

Proposed Basement Sq Ft:

Change to roofline?

Change to main structural framework?

Other Questions Review

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

Explain: Unable to meet the required setback from the OHW due to the narrowing shape of the lot.

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

Explain: Proposed addition is in compliance with the surrounding structures.

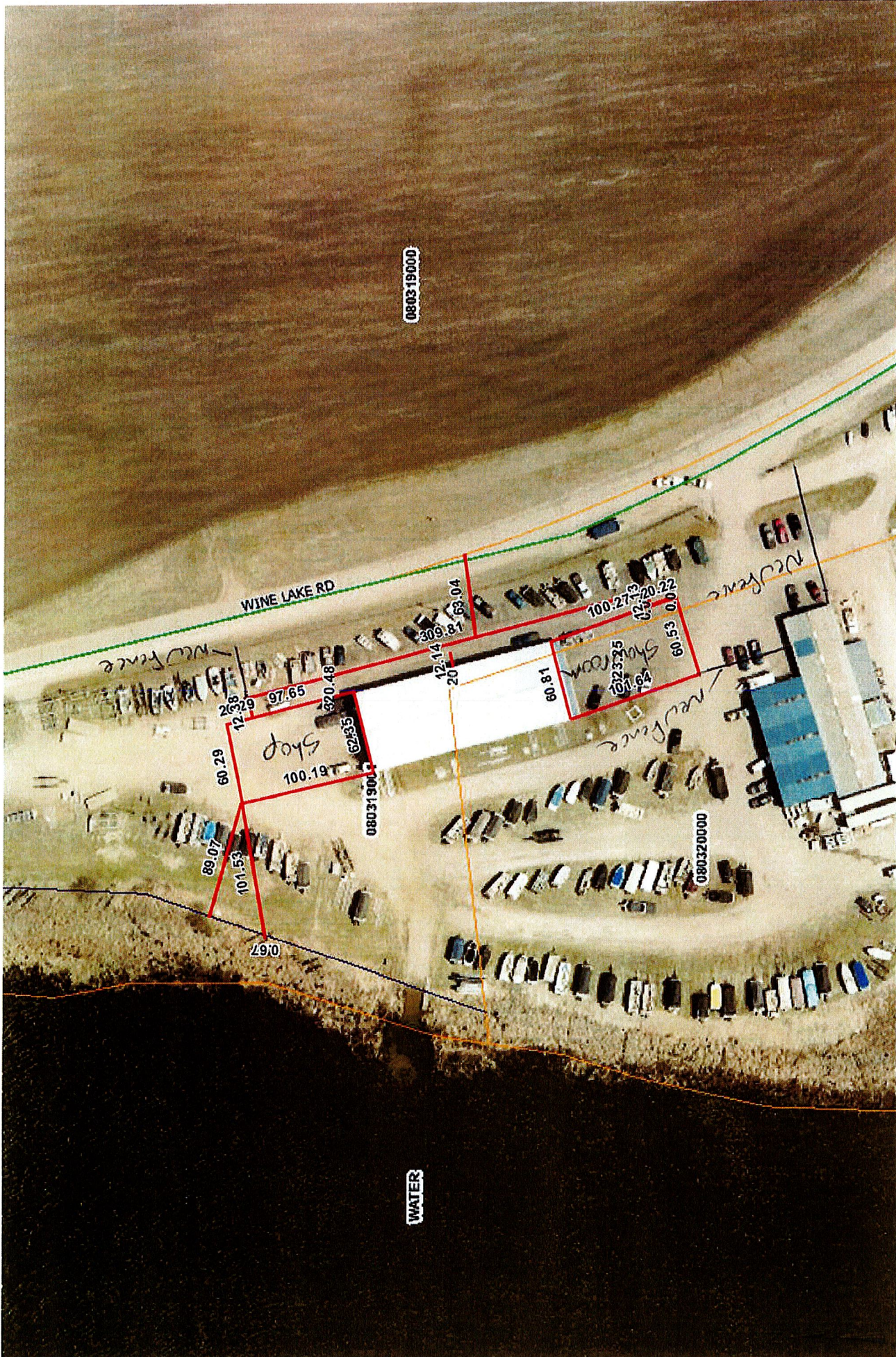
3. Does the proposal put the property to use in a reasonable manner? Yes

Explain: Property has been used for commercial use for some time and this will be beneficial to the growth of the business.

4. Are there circumstances unique to the property? Yes

Explain: The shape of the property narrows significantly to the North making it difficult to meet the lake setback.

5. Will the variance maintain the essential character of the locality? **Yes**
Explain: **This will just be an addition to an already operating business.**



Becker County



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Date: 5/9/2022

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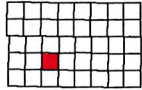
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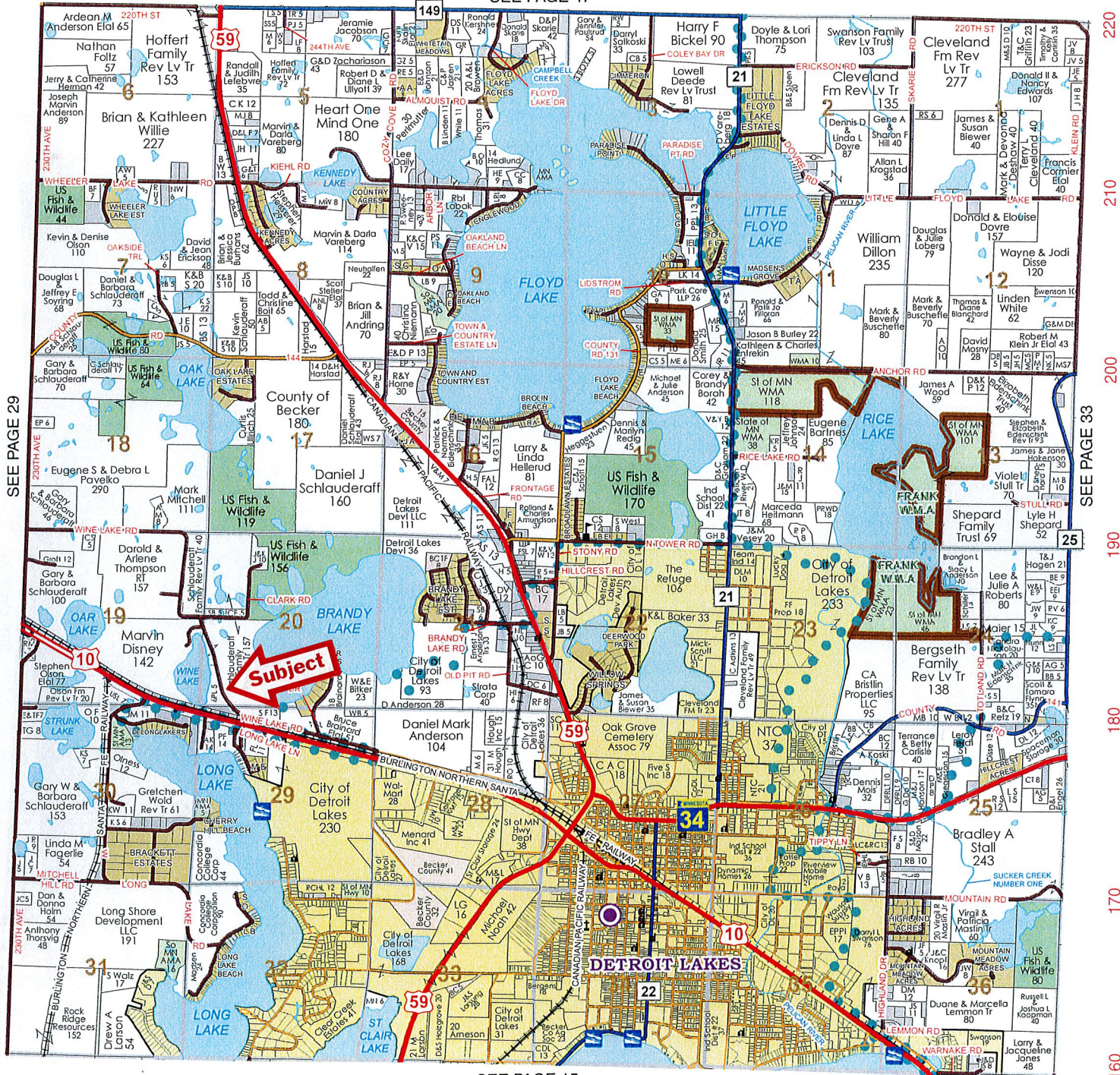


Detroit

Township 139N - Range 41W

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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****

July 21ST, 2022 @ 6:00 P.M.

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

APPLICANT: Richard Magnuson & Charlotte Magnuson
3011 4th St NW
West Fargo, ND 58078

Project Location: 29349 N Sugar Bush Hts Rd
Ogema, MN 56569

APPLICATION AND DESCRIPTION OF PROJECT:

- 1.) Request a variance to construct a dwelling to be located sixty (60) feet from the Ordinary High-Water Mark (OHW).
- 2.) Request a variance to construct a deck to be located fifty (50) feet from the OHW.

All deviating from the required setback of one hundred (100) feet on a recreational development lake due to setback and topographical issues.

LEGAL LAND DESCRIPTION: Tax ID number: **32.0402.000; Big Sugar Bush Lake**

Section 08 Township 141 Range 040; SUGAR BUSH HGTS 3RD PT LOT 1 N OF LN: COMM SE COR LOT 1, N 210.46' TO POB; W 20', NW 494.51' TO SUG BUSH LK AND TERM. & PT: COMM SE COR LOT 1, N 210.47', W 20', NW 449.25', TO BIG SUG BUSH LK, S AL LK TO PT NW OF POB, SE 354.88' TO POB (TRACT A).; Sugar Bush 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. There 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 # VAR2022-248

Property and Owner Review

Parcel Number(s): **320402000**

Owner: **RICHARD MAGNUSON**

Township-S/T/R: **SUGAR BUSH-08/141/040**

Mailing Address:
RICHARD MAGNUSON
3011 4TH ST NW
WEST FARGO ND 58078

Site Address: **29349 N SUGAR BUSH HTS RD**

Lot Recording Date: **After 1992**

Original Permit Nbr: **NA**

Legal Descr: **SUGAR BUSH HGTS 3RD PT LOT 1 N OF LN: COMM SE COR LOT 1, N 210.46' TO POB; W 20', NW 494.51' TO SUG BUSH LK AND TERM. & PT: COMM SE COR LOT 1, N 210.47', W 20', NW 449.25', TO BIG SUG BUSH LK, S AL LK TO PT NW OF POB, SE 354.88' TO POB (TRACT A).**

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:

Lake on 2-3 sides of property as well as wetland to the east, and slopes to the SE

Description of Variance Request: **Requesting a variance to construct a dwelling to be located 60' from the OHW of a recreational Development lake, deviating from the required setback of 100' and requesting to construct a deck to be located 50' from the OHW all due to setback and topographical issues.**

OHW Setback: **50'**

Side Lot Line Setback:

Rear Setback (non-lake):

Bluff Setback:

Road Setback:

Road Type:

Existing Imp. Surface Coverage: **0%**

Proposed Imp. Surface Coverage: **TBD**

Existing Structure Sq Ft:

Proposed Structure Sq Ft: **TBD**

Existing Structure Height:

Proposed Structure Height: **TBD**

Existing Basement Sq Ft:

Proposed Basement Sq Ft: **TBD**

Change to roofline?

Change to main structural framework?

Other Questions Review

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

Explain: **Unable to meet the required setback from the OHW due to the shape of the parcel with 266.99 ft. of shoreline, wetlands, and topographical issues.**

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

Explain: **Proposed structures would be in compliance with the surrounding structures.**

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

Explain: **Currently unable to meet setbacks. Approval would allow for a home to be built on this property putting it to good use.**

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

Explain: **Unique shape of parcel extending into the water with 266.99 ft of shoreline as well as wetlands and topographical issues. Proposal would be for best placement of future home and deck.**

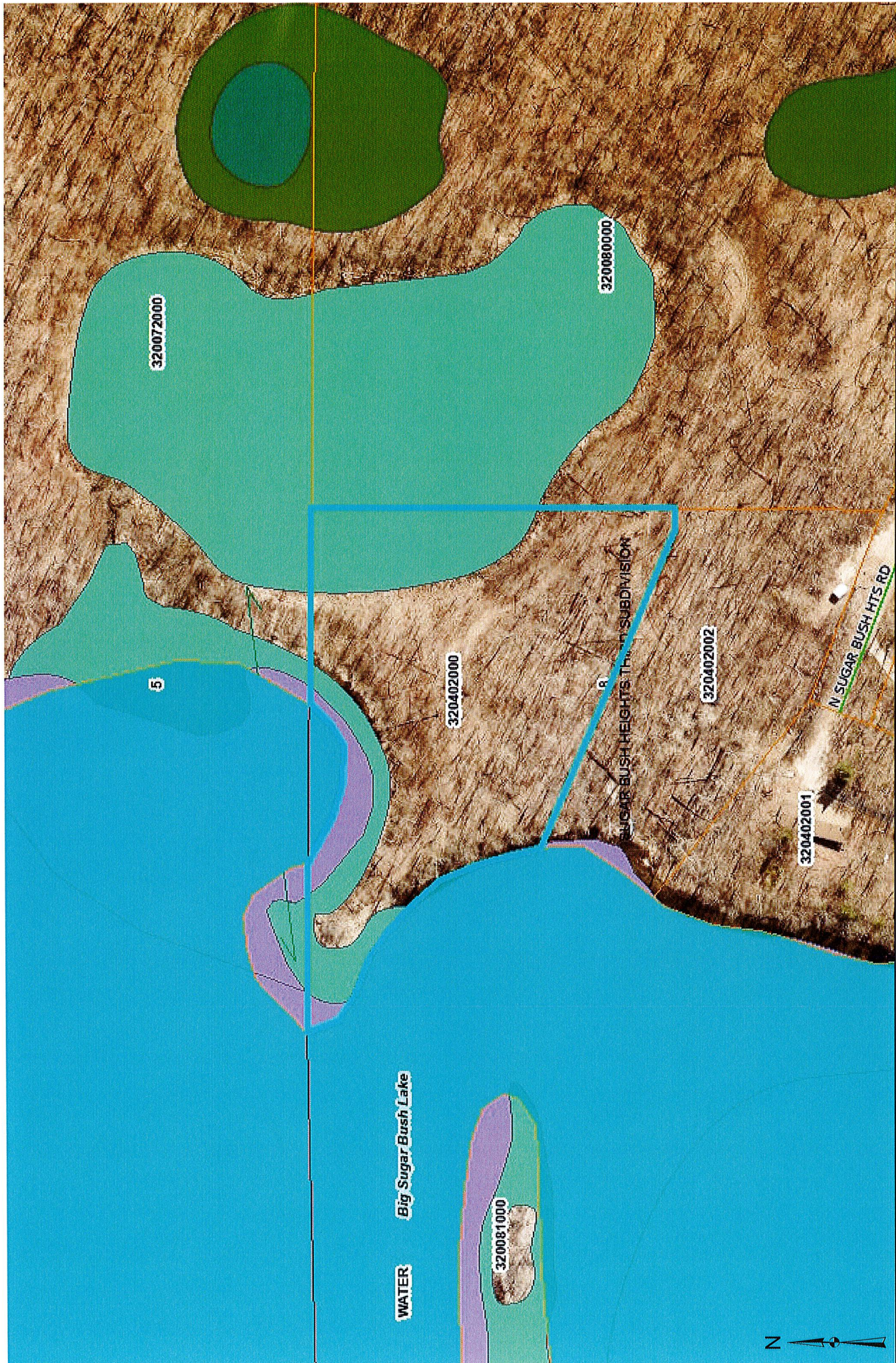
5. Will the variance maintain the essential character of the locality? **Yes**

Explain: **There are structures nearby that are closer than what is being requested. This will not change the character and locality of the area.**




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1:2,257		Date: 6/26/2022
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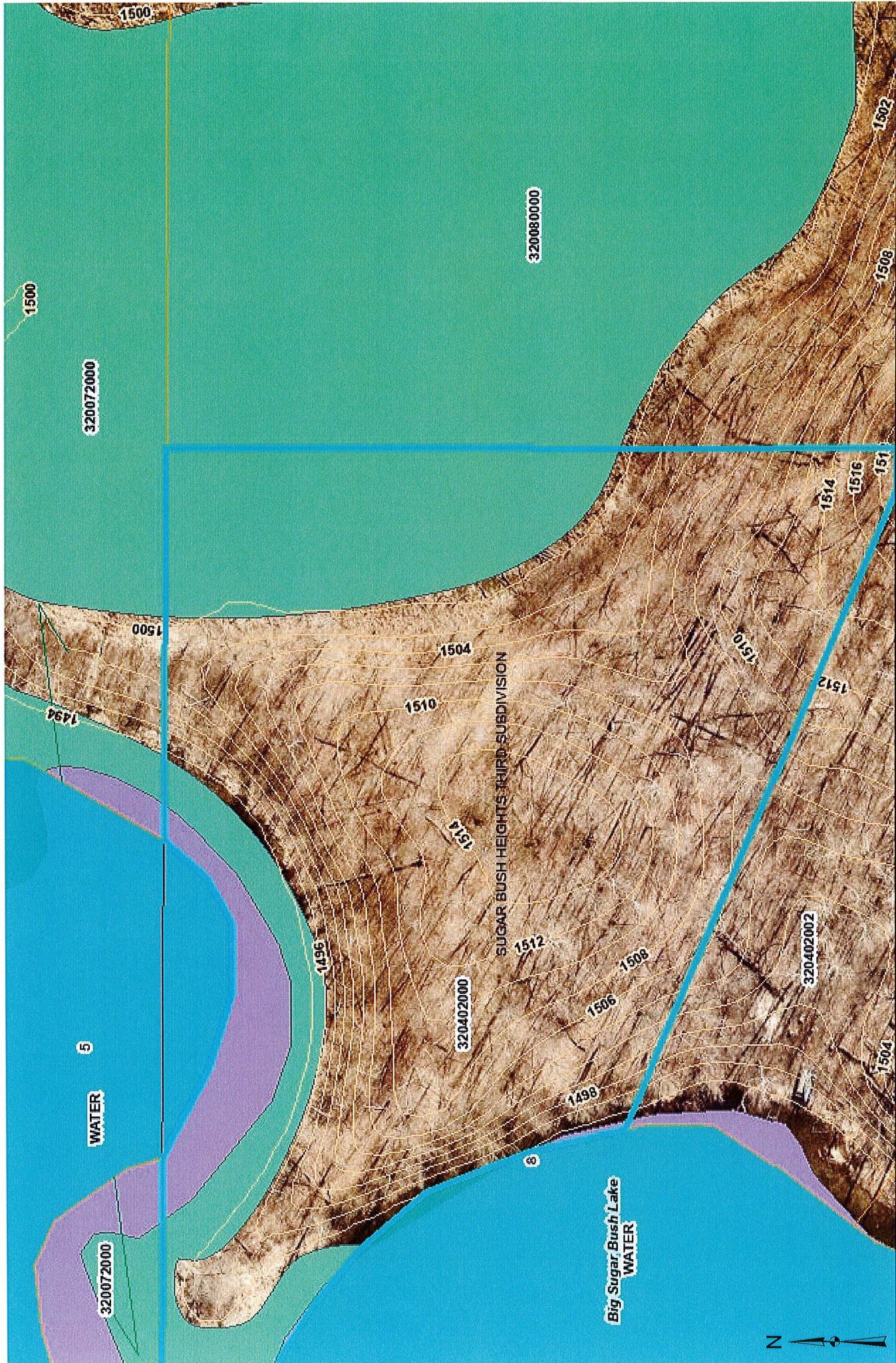
Becker County



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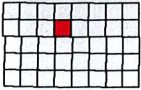
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Becker County

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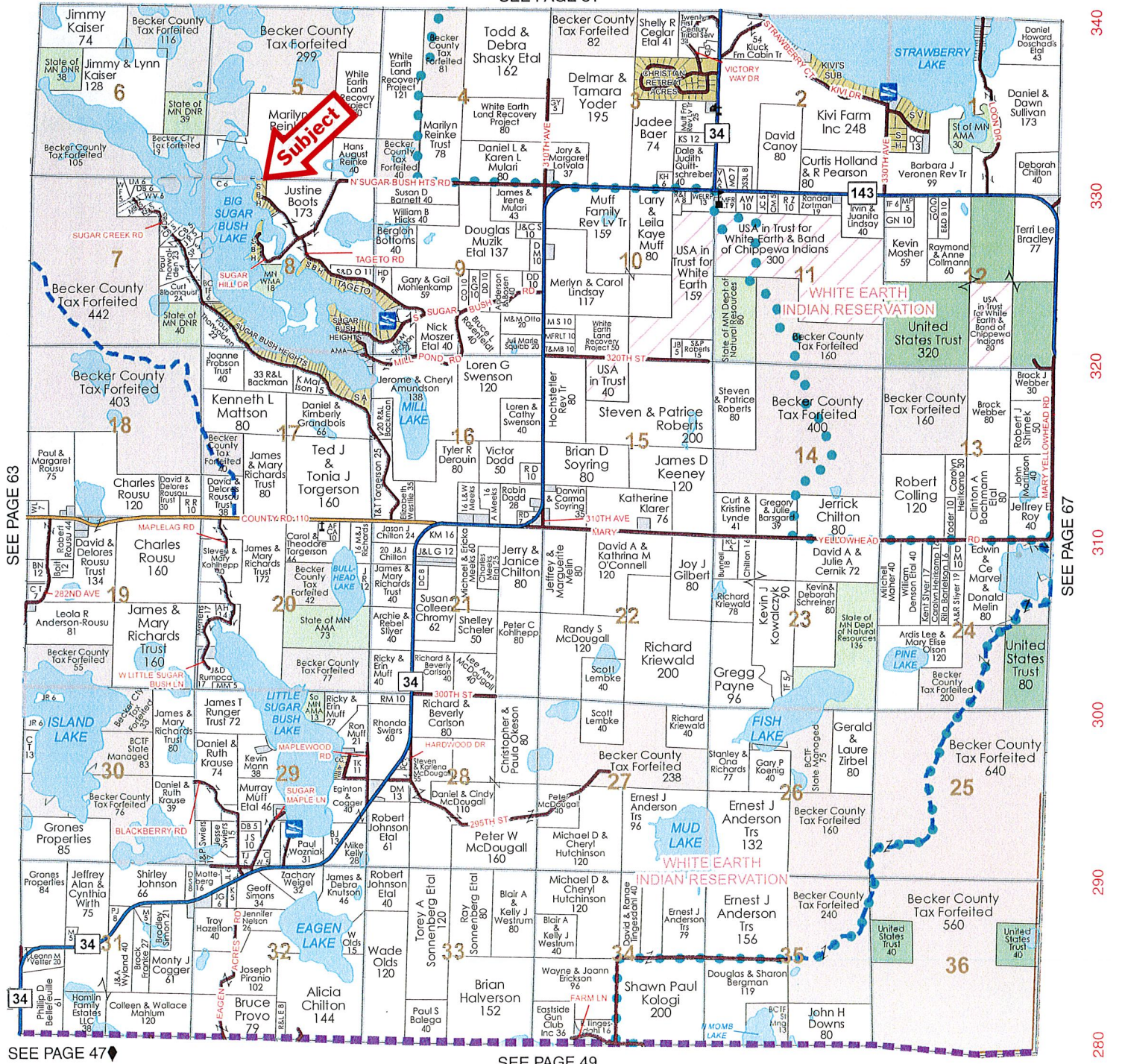


Sugar Bush (W)

Township 141N - Range 40W

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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****

July 21ST, 2022 @ 6:00 P.M.

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

APPLICANT: Steven G & Lori A Mitchell
3839 Kensington Dr
West Fargo, ND 58078

Project Location: 19309 428th Ave
Frazee, MN 56544

APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to be at 27% impervious surface coverage deviating from the allowable 25% impervious surface coverage within the shoreland district due to lot size.

LEGAL LAND DESCRIPTION: Tax ID number: 33.0298.000; Toad Lake

Section 17 Township 139 Range 038; MARK'S BEACH 139 38 LOT 13; Toad Lake 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 # VAR2022-249

Property and Owner Review

Parcel Number(s): **330298000**

Owner: **STEVEN G & LORI A MITCHELL**

Township-S/T/R: **TOAD LAKE-17/139/038**

Mailing Address:

**STEVEN G & LORI A MITCHELL
3839 KENSINGTON DR
WEST FARGO ND 58078**

Site Address: **19309 428th Ave Frazee, MN 56544**

Lot Recording Date: **Prior to 1971**

Original Permit Nbr: **SITE 2022-1916**

Legal Descr: **MARK'S BEACH 139 38 LOT 13**

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 at 27% impervious surface coverage deviating from the allowable 25% impervious surface coverage within the shoreland district.**

OHW Setback:

Side Lot Line Setback:

Rear Setback (non-lake):

Bluff Setback:

Road Setback:

Road Type:

Existing Imp. Surface Coverage: **22%**

Proposed Imp. Surface Coverage: **27%**

Existing Structure Sq Ft: **24x22**

Proposed Structure Sq Ft: **24x30**

Existing Structure Height:

Proposed Structure Height: **30'**

Existing Basement Sq Ft: **No**

Proposed Basement Sq Ft:

Change to roofline?

Change to main structural framework? **Yes**

Other Questions Review

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

Explain: **Property is a non-conforming lot of record. Proposed detached garage meets all of the setbacks, but is over on impervious due to lot size.**

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

Explain: **Proposed garage is in compliance with the surrounding structures.**

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

Explain: **The new garage will have a second story/bonus area for a craft room and office.**

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

Explain: **The lot was created and structures built before 1971. Lot size is much smaller than today's conforming standards.**

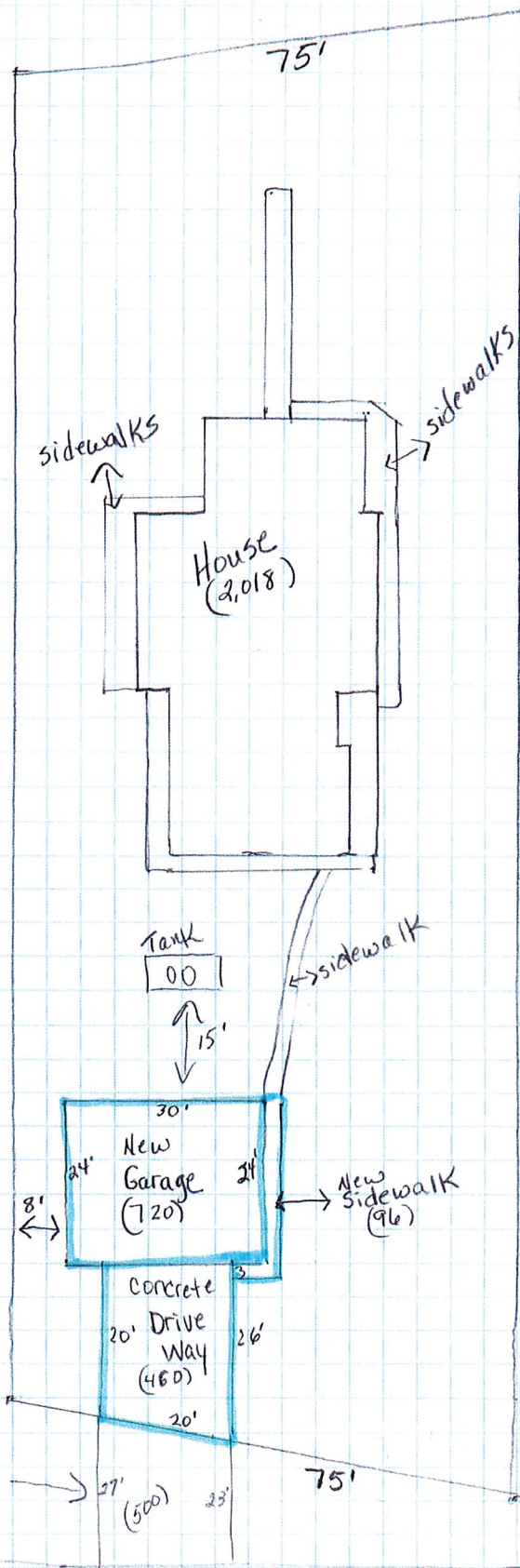
5. Will the variance maintain the essential character of the locality? **Yes**

Explain: **This will not change the character of the locality as other structures in the neighborhood are all on small conforming lots, and this would allow for more useable space on the property.**

33.0298.000

Toad Lake

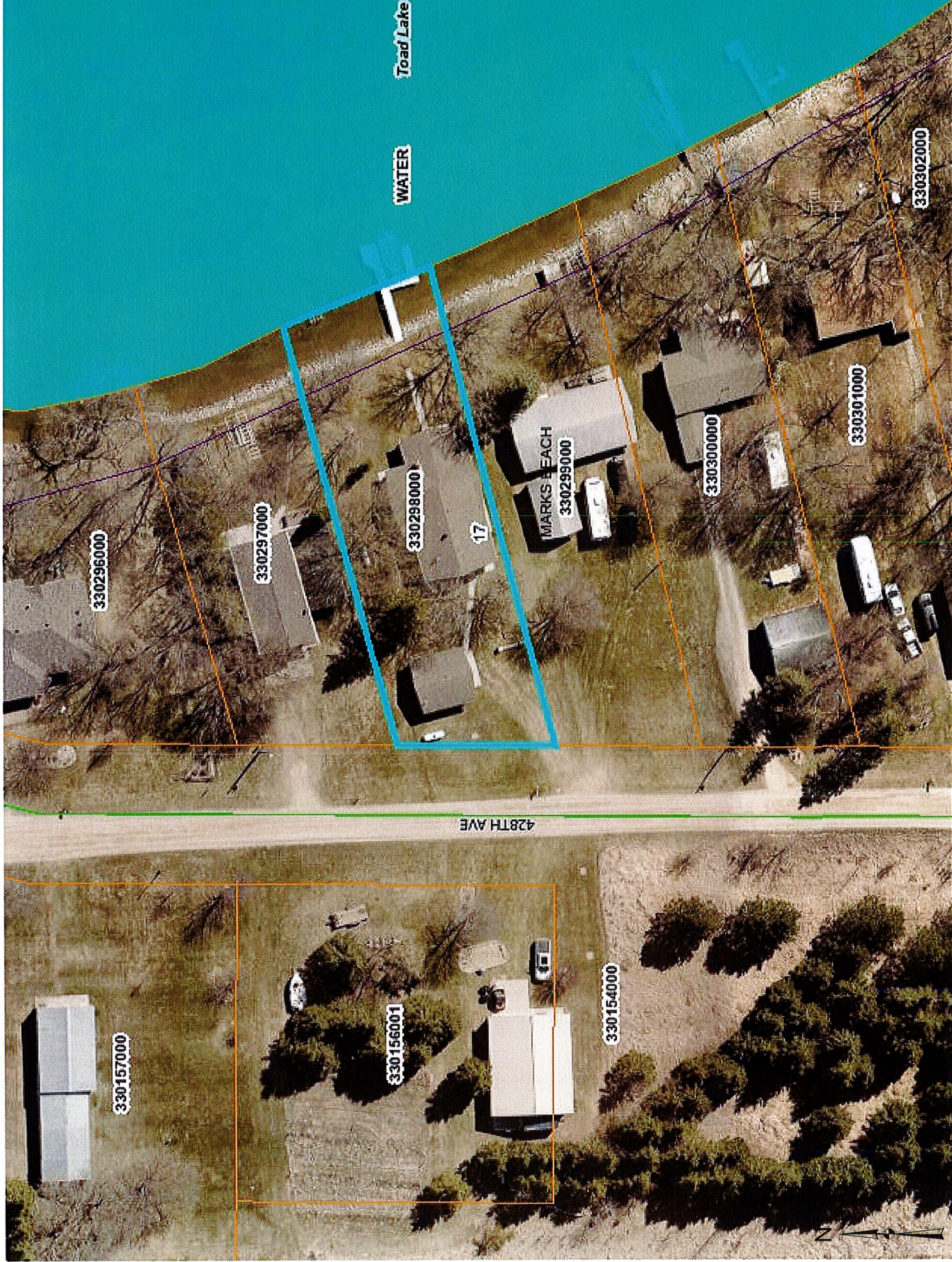
Steve & Lori
Mitchell
19309 428th Ave
Frazee



A portion of
the New Approach
will be
IN R.O.W.

428th Ave





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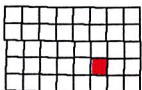
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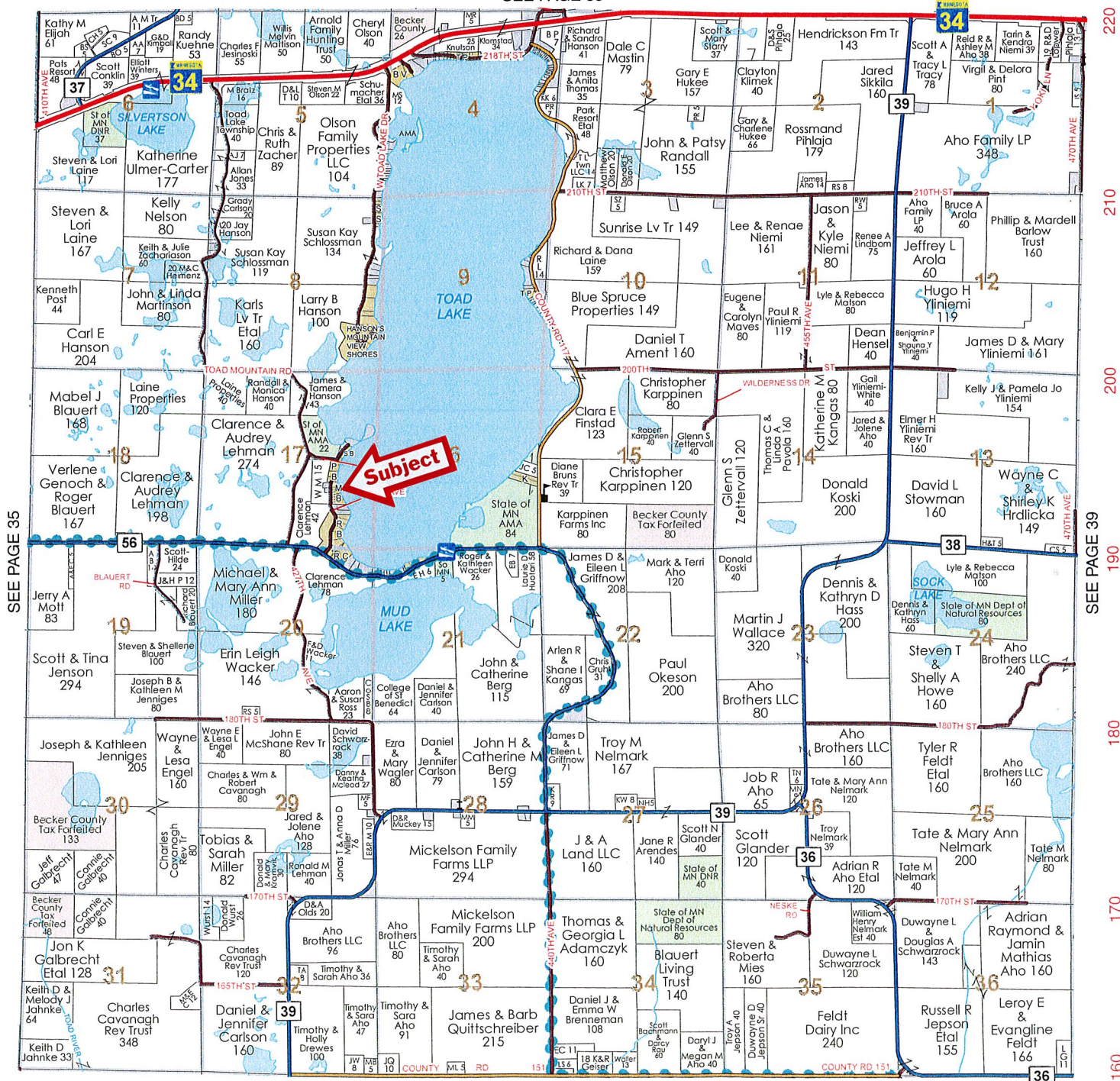


Toad Lake

Township 139N - Range 38W

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