



# 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\*\***

May 11<sup>th</sup> @ 6:00 P.M.

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

**APPLICANT:** Robert Lieberg Revocable Trust  
2241 Clarke Dr.  
Lake Havasu City, AZ 86403-3743

**Project Location:** 20967 Co Hwy 32  
Rochert, MN 56578

### APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a garage twenty feet (20) from the right-of-way and 5' from the side property line. This application was tabled from the April 20<sup>th</sup>, 2023, hearing.

**LEGAL LAND DESCRIPTION: Tax ID Number:** 10.0033.000 **Legal Land Description:** Section 03  
Township 139 Range 040; W 100' OF E 325' OF LOT 6

**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. The 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:** [janai.seley@co.becker.mn.us](mailto:janai.seley@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/](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 # 293

### Property and Owner Review

Parcel Number(s): 100033000

Owner: ROBERT T LIEBERG REVOCABLE TRUST

Township-S/T/R: ERIE-03/139/040

Mailing Address:

2241 CLARKE DR

LAKE HAVASU CITY AZ 86403-3743

Site Address: 20967 CO HWY 32 ROCHERT MN 56578

Lot Recording Date:

Original Permit Nbr: NA

Legal Descr: W 100' OF E 325' OF LOT 6

### 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 garage twenty feet (20) from the right-of-way and 5' from the side property line.**

OHW Setback: 100+

Side Lot Line Setback: 5

Rear Setback (non-lake):

Bluff Setback:

Road Setback: 20

Road Type: County

Existing Imp. Surface Coverage:

Proposed Imp. Surface Coverage:

Existing Structure Sq Ft:

Proposed Structure Sq Ft: 1216

Existing Structure Height:

Proposed Structure Height: 14'

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: **Yes, the garage will provide storage and help keep the area tidy.**

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

Explain: **The proposed garage is an acceptable use of the land**

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

Explain: **The garage size is similar to others in the vicinity.**

4. Are there circumstances unique to the property? **No**

Explain: **N/A**

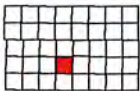
5. Will the variance maintain the essential character of the locality? **Yes**

Explain: **The garage will be constructed to fit in with surrounding buildings in the locality**







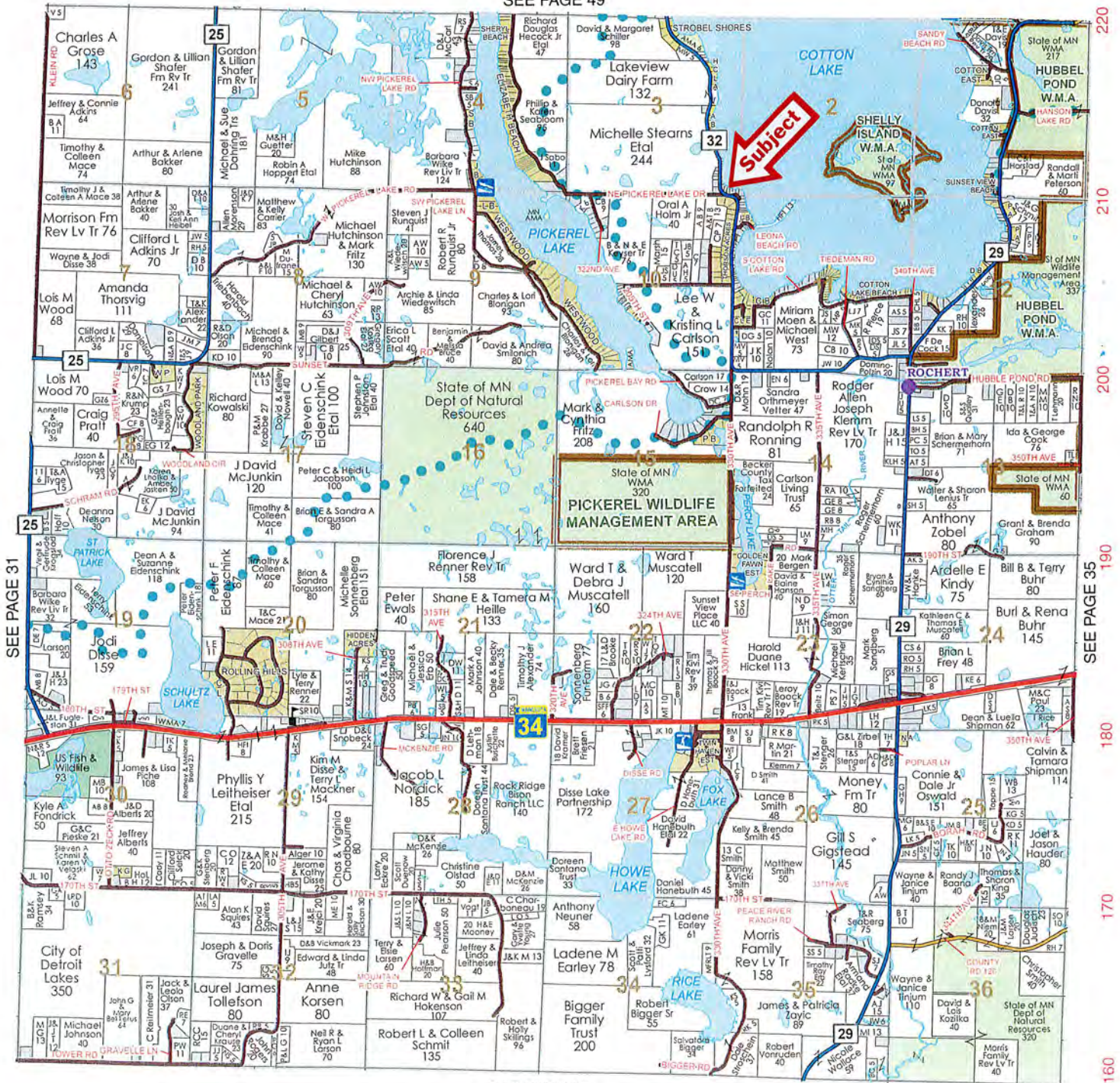


Erie

Township 139N - 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\*\***

May 11<sup>th</sup> @ 6:00 P.M.

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

**APPLICANT:** Dale & Joan Cook  
41248 Co Rd 126  
Detroit Lakes, MN 56501

**Project Location:** 41268 Co Rd 126  
Detroit Lakes, MN 56501

### APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct an addition and deck to existing home. Addition to be located eighty-six and a half (86.5) feet from the ordinary high-water (OHW) mark and eight and a half (8.5) feet from the side property line.

**LEGAL LAND DESCRIPTION:** Tax ID Number: 28.0278.000 **Legal Land Description:** Section 30 Township 140 Range 038 GRANNER SHORES LOTS 2 & 3; Shell Lake Township, Island Lake.

**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. The 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: [janai.seley@co.becker.mn.us](mailto:janai.seley@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/](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 # 281

### Property and Owner Review

Parcel Number(s): **280278000**

Owner: **Joan Cook**

Township-S/T/R: **SHELL LAKE-30/140/038**

Mailing Address:

**41248 CO RD 126**

**DETROIT LAKES MN 56501**

Site Address: **41248 CO RD 126 | DETROIT LAKES MN 56501**

Lot Recording Date:

Original Permit Nbr: **2023-2377**

Legal Descr: **GRANNER SHORES|LOTS 2 & 3**

### 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:

**Property Line Distance from current building.**

**Lake Setback.**

Description of Variance Request: **Applying for a variance to be 86.5' from OHW, and looking to build addition on current building structure.**

OHW Setback: **86.5'**

Side Lot Line Setback: **8.5'**

Rear Setback (non-lake):

Bluff Setback:

Road Setback:

Road Type: **County**

Existing Imp. Surface Coverage: **8.4%**

Proposed Imp. Surface Coverage: **8.4%**

Existing Structure Sq Ft: **21.5'x30' 4.5'x7'**

Proposed Structure Sq Ft: **21.5'x30' 4.5'x7'**

Existing Structure Height: **16'**

Proposed Structure Height: **22'**

Existing Basement Sq Ft: **n/a**

Proposed Basement Sq Ft:

Change to roofline? **No**

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: **Using building that is already there.**

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

Explain: **Using the land for purpose.**

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

Explain: **Yes**

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

Explain: **Building is already there.**

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

Explain: .





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: 4/26/2023                                                                                                          |  |

Becker County





Parcel  
280227

Parcel  
280278000

existing  
section to stay

10' →  
8.5' →

N →  
Property  
line

Left area above

replacing  
this  
section exactly  
where it is and  
over deck with  
new structure

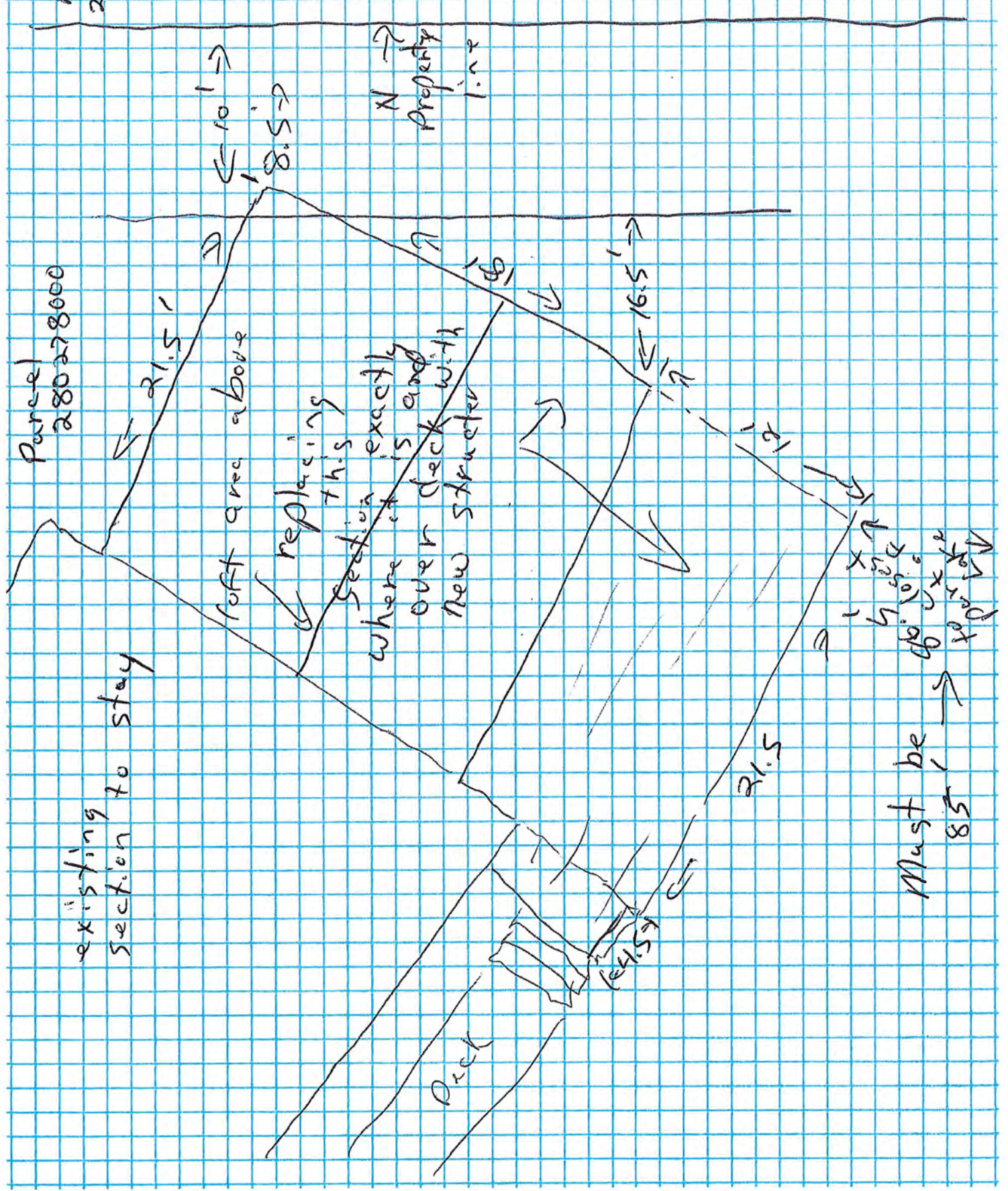
16.5' →

21.5'

Must be  
8.5' →  
do not  
touch

Deck

16.5'







65 ft on  
Back

40

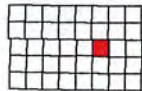
Closest 26.5 ft to 1st  
Closest point to 1st

2 1/2'

11 6 4 30

4





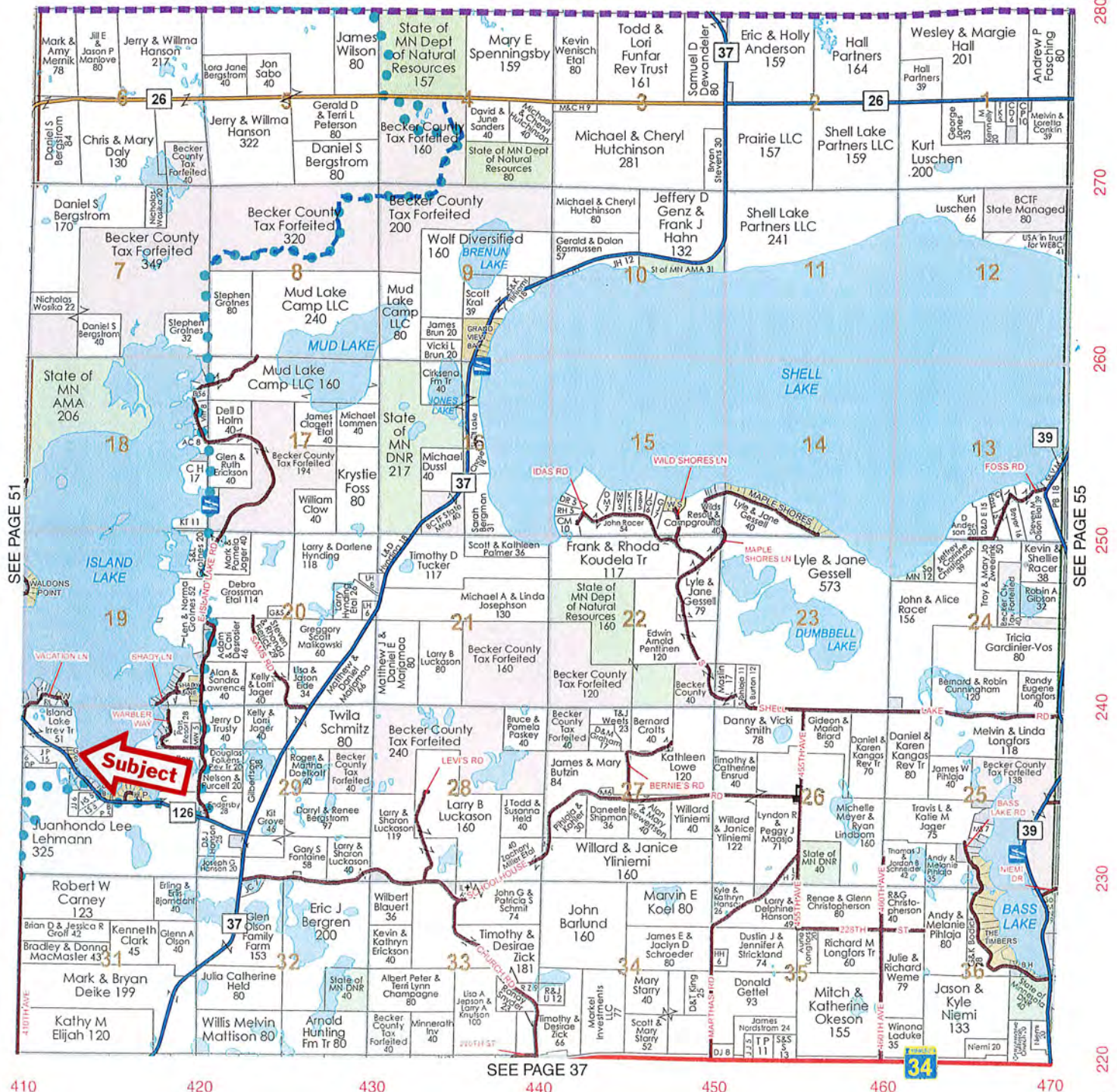
## Shell Lake

## Township 140N - Range 38W

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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\*\***

May 11<sup>th</sup> @ 6:00 P.M.

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

**APPLICANT:** Robert A Lesage & Richard L Lesage  
PO Box 458  
Redwood Falls, MN 56283

**Project Location:** 30414 Co Hwy 35  
Ponsford, MN 56575

### APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a dwelling sixty-five (65) feet from the ordinary high-water mark on a natural environment lake, deviating from the required setback of one hundred and fifty (150) feet due to topographical issues.

**LEGAL LAND DESCRIPTION: Tax ID Number:** 25.0074.002 **Legal Land Description:** Section 20 Township 141 Range 038 PT GOVT LOT 1: COMM SE COR, N 130.12', W 236.16' TO CTR RD, NLY AL RD 729.61', SW 517.21', W 104.89' TO LK, SLY AL LK 330.97', NE 195.15', SE 388' E 54.05' TO POB; Round Lake Township, Ice Cracking Lake.

**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. The 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:** [janai.seley@co.becker.mn.us](mailto:janai.seley@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/](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 # 288

### Property and Owner Review

Parcel Number(s): **250074002**

Owner: **Robert Lesage**

Township-S/T/R: **ROUND LAKE-20/141/038**

Mailing Address:

**PO Box 458 Redwood Falls, MN 56283**

Site Address: **30414 Co Hwy 35 Ponsford, MN 56575**

Lot Recording Date:

Original Permit Nbr: **SITE2023-2386**

Legal Descr: **PT GOVT LOT 1: COMM SE COR, N 130.12', W 236.16' TO CTR RD, NLY AL RD 729.61', SW 517.21', W 104.89' TO LK, SLY AL LK 330.97', NE 195.15', SE 388' E 54.05' 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:

Description of Variance Request: **Request to build a dwelling 65' from the OHW of a NE lake due to practical difficulty of wetland on property.**

OHW Setback: **65'**

Side Lot Line Setback: **35'**

Rear Setback (non-lake):

Bluff Setback:

Road Setback: **100'+**

Road Type: **County**

Existing Imp. Surface Coverage:

Proposed Imp. Surface Coverage: **1%**

Existing Structure Sq Ft:

Proposed Structure Sq Ft: **2964'**

Existing Structure Height:

Proposed Structure Height: **21'**

Existing Basement Sq Ft:

Proposed Basement Sq Ft: **NA**

Change to roofline? **N/A**

Change to main structural framework?

### Other Questions Review

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

Explain: **Yes, the practical difficulty of a wetland on the lot limits the area where a home can be built.**

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

Explain: **Yes, there are other homes in the locality**

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

Explain: **Yes, dwelling must be placed in requested area on lot due to wetland.**

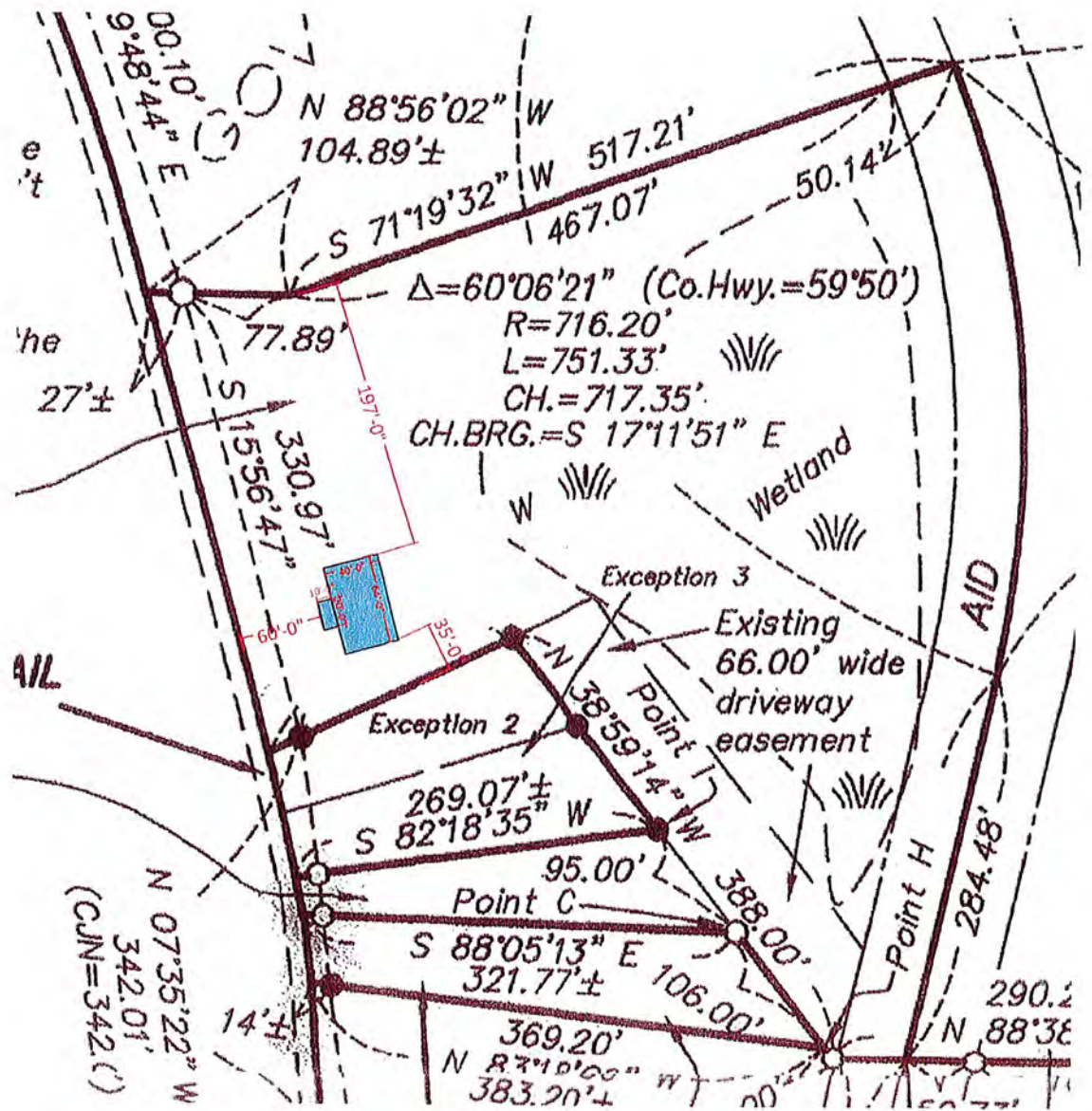
4. Are there circumstances unique to the property? **Yes**

Explain: **Wetland coverage on property.**

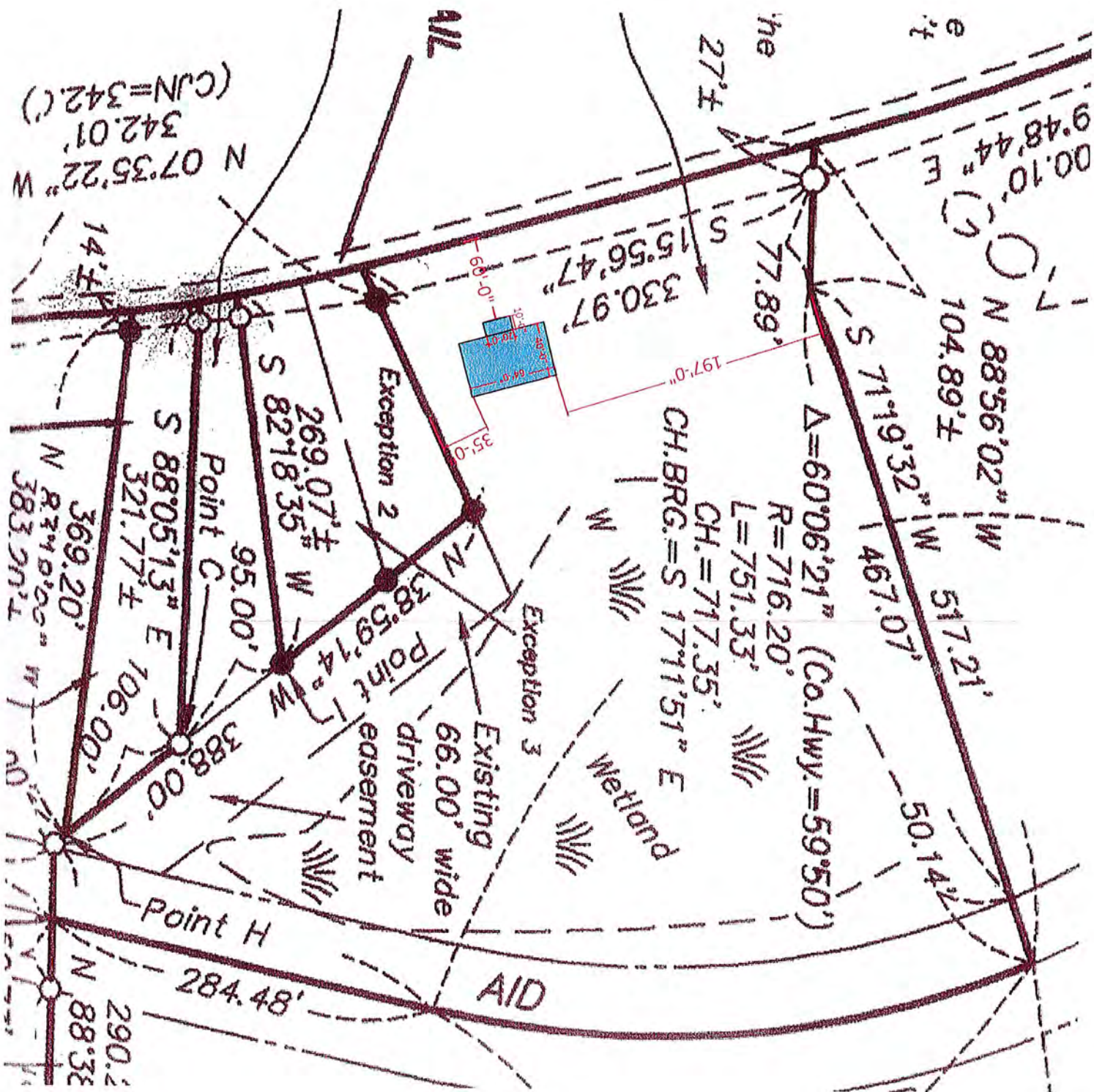
5. Will the variance maintain the essential character of the locality? **Yes**

Explain: **Yes, there are other homes nearby.**

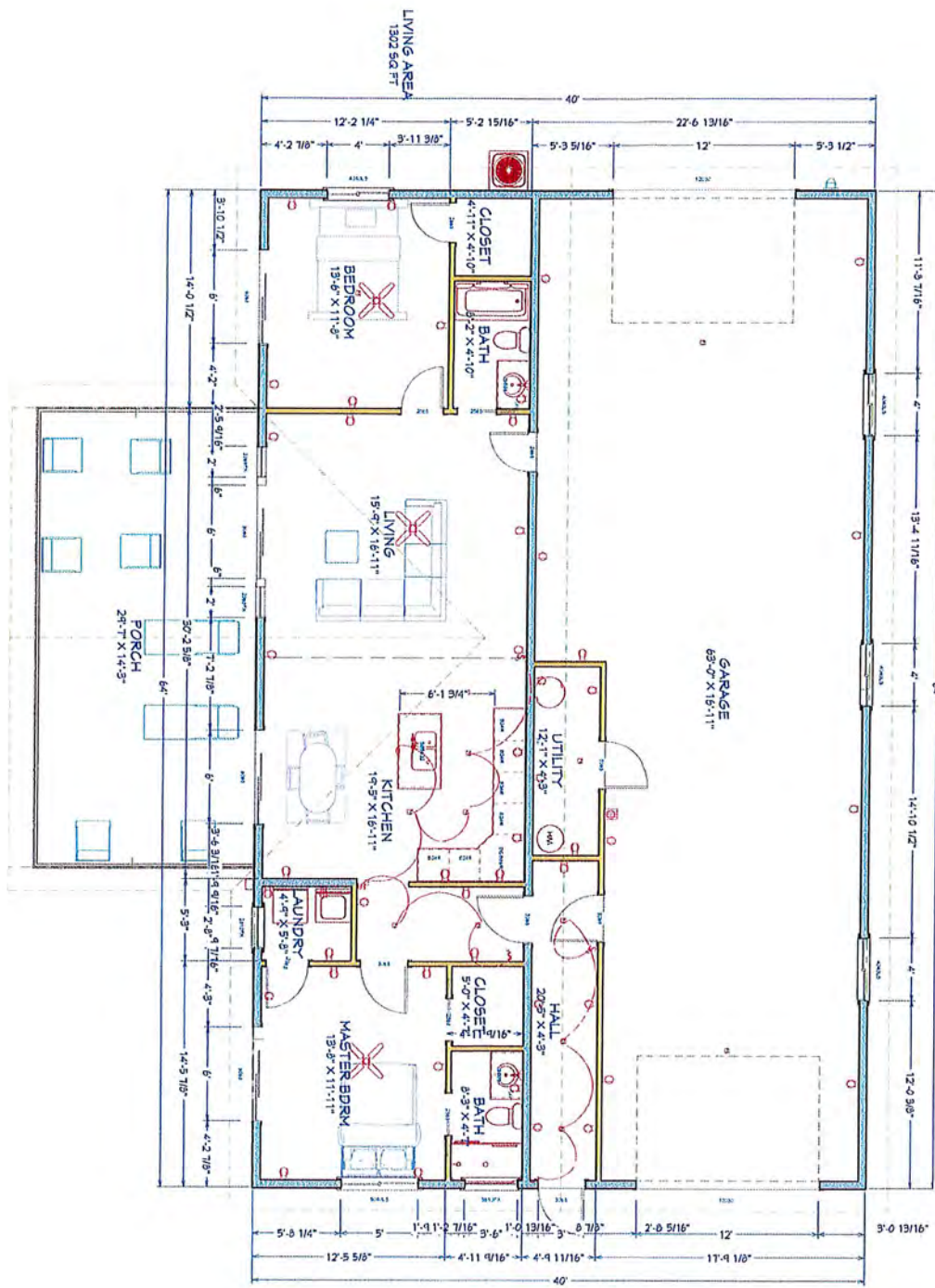
















19

WATER

UNNAMED

Ice Cracking Lakeshore Est.

20

35

Ice Cracking Lot

Becker County

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.

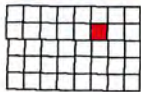
1:3,607

Robert J. Sipe

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

Date: 8/31/2022



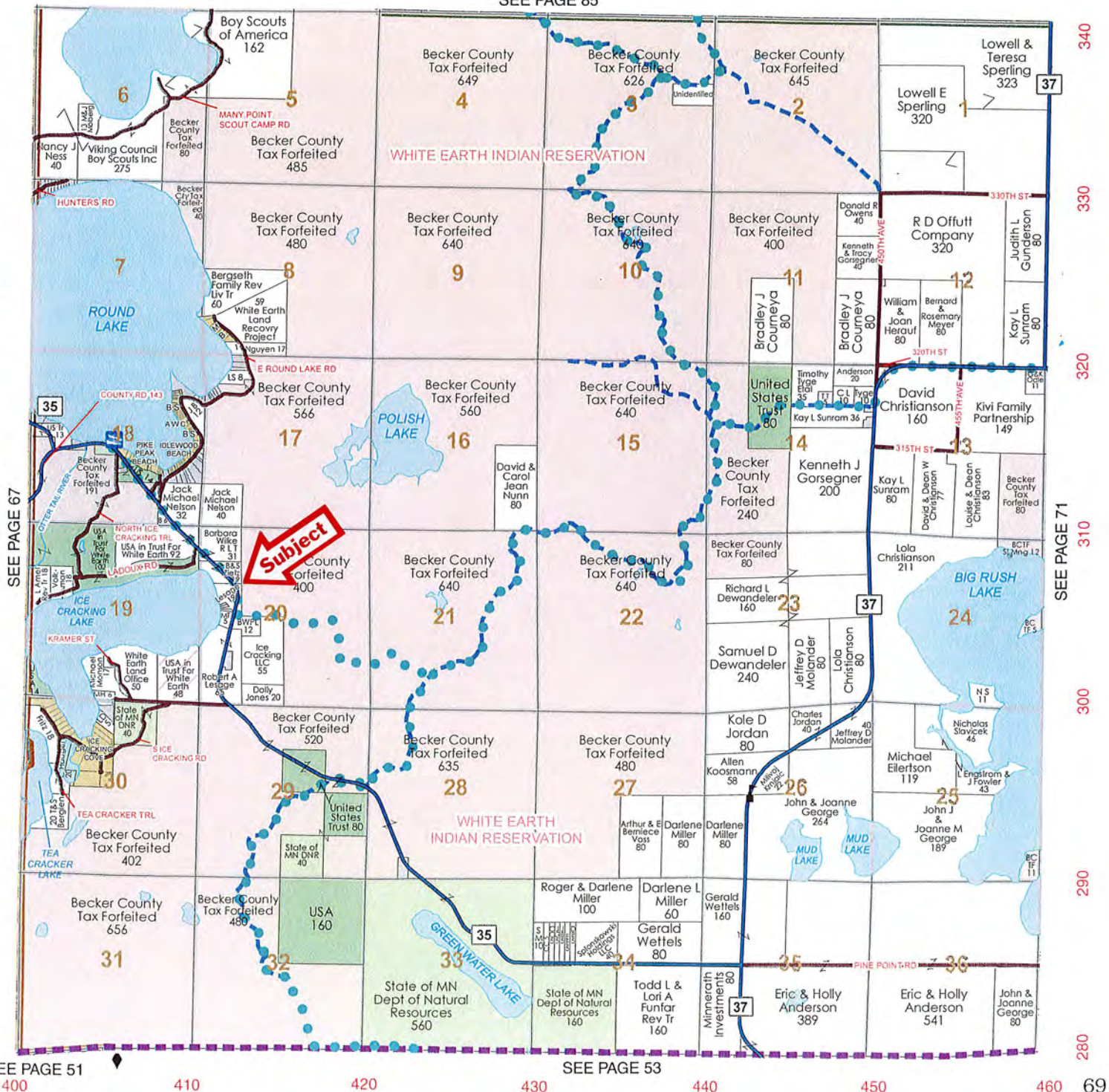


## Round Lake (S)

## Township 141N - Range 38W

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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\*\***

May 11<sup>th</sup> @ 6:00 P.M.

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

**APPLICANT:** Anthony W & Kim M Matter  
2333 Hillcrest Ln  
Hawley, MN 56549

**Project Location:** 33648 S Cotton Lake Rd  
Rochert, MN 56578

### APPLICATION AND DESCRIPTION OF PROJECT:

1. Request a variance to create a half-acre backlot to be attached 215 feet from a riparian lot deviating from the 200-foot requirement.
2. Request a variance to create a 28-foot-wide easement deviating from the required width of 33 feet.

**LEGAL LAND DESCRIPTION:** Tax ID Numbers: 10.0595.000 & 10.0179.002 **Legal Land Description:** Section 11 Township 139 Range 040 COTTON LAKE BEACH LOTS 12 & 13; Section 11 Township 139 Range 040 PT GOVT LOT 5, 7, PT S1/2: COMM SW COR SEC 11, E 3299.47', NELY 734.01', NLY 349.12', NLY 330' TO POB; N 576.73', NE 131.74', N 255.46', NELY 93.79', NWLY 150.27', ELY AL RD 140.57', ELY AL RD 533.04', S 1130.68', W 813.01' TO POB. Cotton Lake, Erie 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. The 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: [janai.seley@co.becker.mn.us](mailto:janai.seley@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/](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.

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## Variance Application Review

Permit # 287

### Property and Owner Review

Parcel Number(s): 100595000 100179002

Owner: ANTHONY W & KIM M MATTER

Township-S/T/R: ERIE-11/139/040

Mailing Address:  
2333 HILLCREST LN  
HAWLEY MN 56549

Site Address: 33648 S COTTON LAKE RD

Lot Recording Date: Prior to 1971

Original Permit Nbr: N/A

Legal Descr: COTTON LAKE BEACH|LOTS 12 & 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: I have two, (2) variance requests.

I am looking to purchase a 1/2 acre lot from Ryan Pierce, Parcel ID 100179002. I would like to build a 32 foot by 64 foot storage shed on the proposed lot. I also require a Right of Way easement across Parcel ID, 100594000, owned by PAUL KOZOJED.

The 1/2 acre lot will be directly South of Parcel ID, 100594000, owned by PAUL KOZOJED. The proposed lot is approximately 215 feet from my, Anthony Matter Parcel ID 100595000, back lot line which exceeds the 200 foot requirement.

1.) I am asking for a variance of the 200 foot requirement.

I will also require a Right of Way easement through Parcel ID, 100594000, owned by PAUL KOZOJED. The right of way easement will be 32 feet in width excluding the area east the the garage. Please review attached print.

2.) I am asking for a variance to the 32 foot Right of Way Easement requirement.

The lot has not been surveyed and is not staked. I would like the variances approved prior to the purchase the proposed lot.

|                                   |                                      |
|-----------------------------------|--------------------------------------|
| OHW Setback:                      | Side Lot Line Setback:               |
| Rear Setback (non-lake):          | Bluff Setback:                       |
| Road Setback:                     | Road Type:                           |
| Existing Imp. Surface Coverage: 0 | Proposed Imp. Surface Coverage: 9.4% |
| Existing Structure Sq Ft: N/A     | Proposed Structure Sq Ft: 2048       |
| Existing Structure Height: N/A    | Proposed Structure Height: 18        |
| Existing Basement Sq Ft: N/A      | Proposed Basement Sq Ft: No          |



|                                                                                                                                                                                                                        |                                                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| Change to roofline? <b>N/A</b>                                                                                                                                                                                         | Change to main structural framework? <b>N/A</b> |
| <b>Other Questions Review</b>                                                                                                                                                                                          |                                                 |
| 1. Is the variance in harmony with the purposes and intent of the ordinance? <b>Yes</b><br>Explain: <b>1.) The 200 foot requirement from existing lot is arbitrary.</b>                                                |                                                 |
| <b>2.) The right of way easement width requirement should be determined by the two land owners. If the width of the right of way meets the requirements of the two land owners the right of way should be allowed.</b> |                                                 |
| 2. Is the Variance consistent with the Becker County Comprehensive Plan? <b>Yes</b><br>Explain: <b>The proposed lot is an appropriate use of land.</b>                                                                 |                                                 |
| 3. Does the proposal put the property to use in a reasonable manner? <b>Yes</b><br>Explain: <b>A back lot with a storage shed is consistent with other back lots and structures in the area.</b>                       |                                                 |
| 4. Are there circumstances unique to the property? <b>No</b><br>Explain: <b>After land survey the lot will be a "standard lot".</b>                                                                                    |                                                 |
| 5. Will the variance maintain the essential character of the locality? <b>Yes</b><br>Explain: <b>A back lot with a storage shed is consistent with other back lots and structures in the area.</b>                     |                                                 |





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.

|                                                                                                                          |  |
|--------------------------------------------------------------------------------------------------------------------------|--|
| 1:1,761                                                                                                                  |  |
| This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features. |  |
| Date: 4/7/2023                                                                                                           |  |

Propose 1/2 acre lot  
Tony Matter



472008

**CERTIFICATE OF REAL  
ESTATE VALUE FILED**

No delinquent taxes and transfer entered  
this 18th day of July, 20 01

Keith A. Becker  
County Auditor, Becker Co

By KO Deputy

10.0595.000

BECKER COUNTY RECORDER-STATE OF MN  
Document No. 472008

Date JUL 18 2001 3:30 P.M.

I hereby certify that the within instrument  
was recorded in the office of Becker  
County Recorder.

M. M. Martinson  
County Recorder DM Dpty.

Form No. 5-M - **WARRANTY DEED**

STATE DEED TAX DUE HEREON: \$ 428.67 \*

Date: July 12, 2001

FOR VALUABLE CONSIDERATION, the Grantors **James M. Buzick and Norma Flore Buzick, husband and wife each in his and her own right and as spouse of the other**, hereby convey and warrant to the Grantees, **Anthony W. Matter and Kim M. Matter, husband and wife, as joint tenants and not as tenants in common**, real property in **Becker County, Minnesota**, described as follows:

Lots Numbered Twelve (12) and Thirteen (13), COTTON LAKE BEACH,  
according to the certified Plat thereof on file and of record in the office of the  
County Recorder in and for Becker County, Minnesota.

P.N.: 10-0595-000

RECEIPT # 181184  
BECKER COUNTY  
DEED TAX  
AMT. PD. \$ 428.67  
BECKER COUNTY TREASURER

JUL 18 2001

Together with all hereditaments and appurtenances belonging thereto; subject to the  
following exceptions: Easements, restrictions, and reservations of record, if any.

☐ The Grantor(s) certify that the Grantor(s) does/do not know of any wells located on the  
described real estate.

☐ A Well Disclosure Certificate accompanies this document.

☒ The Grantor(s) certify that the status and number of well(s) on the described real estate has  
not changed since the last previously filed Well Disclosure Certificate.

James M. Buzick  
James M. Buzick

chg  
paid  
well  
non / std  
extra

Norma Flore Buzick  
Norma Flore Buzick

MTG



STATE OF MINNESOTA )  
 )ss  
COUNTY OF BECKER )

The undersigned Notary Public does hereby certify that **James M. Buzick and Norma Flore Buzick**, husband and wife, each in his and her own right and as spouse of the other, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 12<sup>th</sup> day of July, 2001.



*Tanya M. SueDEL*  
Notary Public  
My commission expires: 1/31/05

Mail tax statements to:

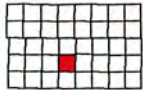
**Anthony W. Matter and**

**Kim M. Matter**

14410 - 4<sup>th</sup> Ave N  
Plymouth, MN 55447

This document prepared by:  
Minnesota Title & Closing Company  
714 Lake Avenue, Suite 103  
Detroit Lakes, MN 56501  
Telephone: (218) 847-1297



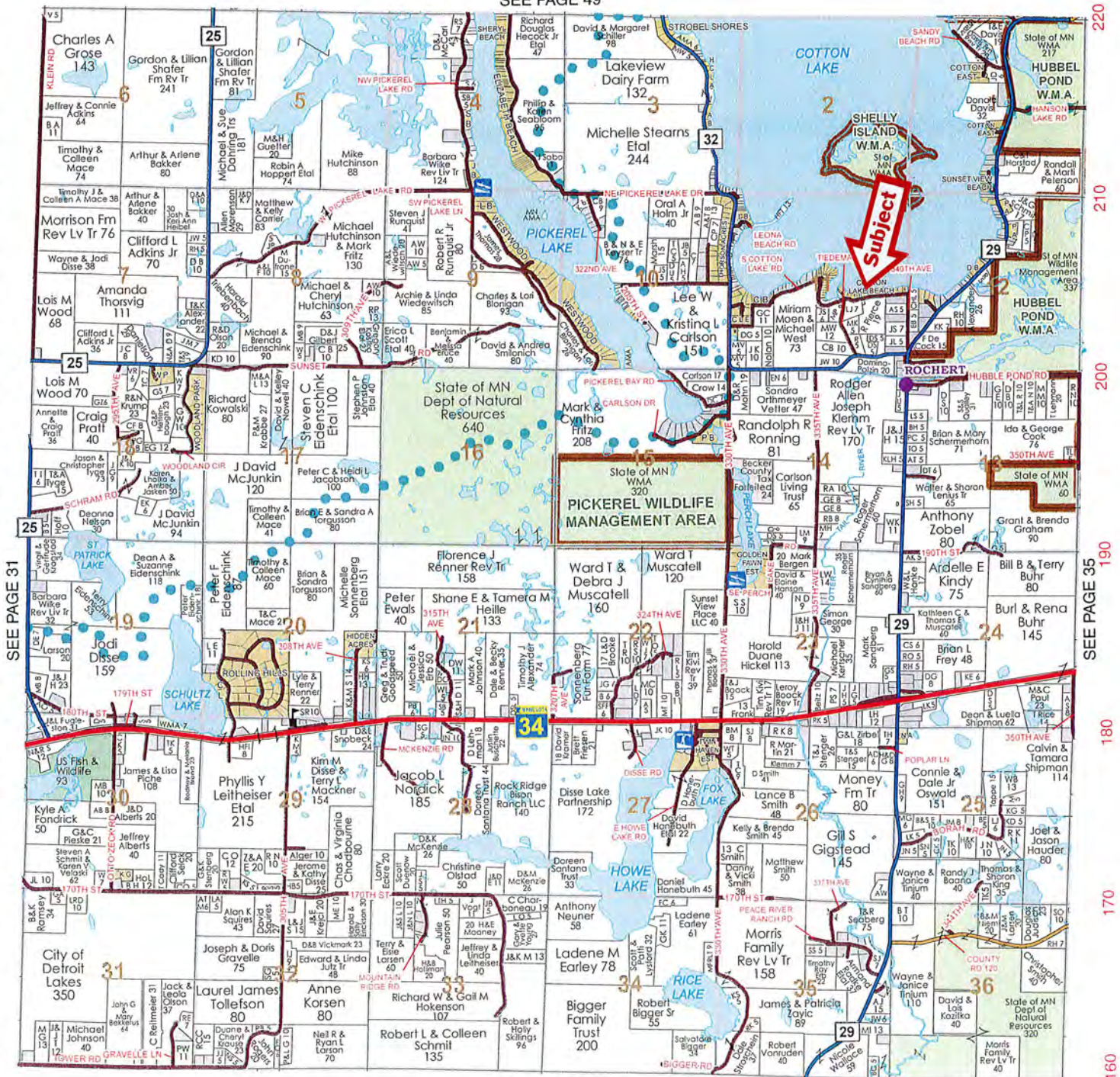


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# Township 139N - Range 40W

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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\*\***

May 11<sup>th</sup> @ 6:00 P.M.

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

**APPLICANT:** Jerry J Gunderson  
17565 220<sup>th</sup> St  
Audubon, MN 56511

**Project Location:** 41306 Co Rd 126  
Detroit Lakes, MN 56501

### APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a 26'x 60' home to be located forty-five (45) feet from the ordinary high-water (OHW) mark and six point eight (6.8) feet from the right-of-way on a county road.

**LEGAL LAND DESCRIPTION: Tax ID Number:** 28.0280.000 **Legal Land Description:** Section 30 Township 140 Range 038 GRANNER SHORES LOTS 6 & 7, Shell Lake Township, Island Lake.

**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. The 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:** [janai.seley@co.becker.mn.us](mailto:janai.seley@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/](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 # 286

### Property and Owner Review

Parcel Number(s): **280280000**

Owner: **Jerry Gunderson**

Township-S/T/R: **SHELL LAKE-30/140/038**

Mailing Address:  
**17565 220TH ST  
AUDUBON MN 56511**

Site Address: **41306 CO RD 126 Detroit Lakes, MN  
56501**

Lot Recording Date: **Prior to 1971**

Original Permit Nbr: **SITE2023-2378**

Legal Descr: **GRANNER SHORES  
LOTS 6 & 7**

### 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 26'x60' home to be located 45' from the OHW and 6.8' from the ROW.**

OHW Setback: **45' from OHW**

Side Lot Line Setback: **40'**

Rear Setback (non-lake): **57'**

Bluff Setback: **N/A**

Road Setback: **6.8'**

Road Type: **County**

Existing Imp. Surface Coverage:

Proposed Imp. Surface Coverage: **17%**

Existing Structure Sq Ft: **23'x57'**

Proposed Structure Sq Ft: **26'x60' (1560 sqft)**

Existing Structure Height: **15'**

Proposed Structure Height: **20ft**

Existing Basement Sq Ft: **N/A**

Proposed Basement Sq Ft: **N/A**

Change to roofline? **N/A**

Change to main structural framework?

### Other Questions Review

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

Explain: **The home will replace an existing home of similar size and maintain the character of the locality.**

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

Explain: **Yes, the variance request put the property to use in the same way as before with a slightly larger structure.**

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

Explain: **Yes, the replacement home is a similar size and will maintain the character of the locality.**

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

Explain: **Unique lot size does not allow for proper setbacks according to the Becker County Zoning Ordinance requirements.**

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

Explain: **The existing home will be a similar size.**



~~Terry~~ Gunderson Variance

Lot 14070 SQ FT-

NEW 26X60 = 1560

Existing Garage = 432

Drive Way 36X12 = 432

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: 4/6/2023

gunderson

Becker County











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: 4/25/2023



Becker County









# 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\*\***

May 11<sup>th</sup> @ 6:00 P.M.

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

**APPLICANT:** Marlene M Young Trust  
1145 Broadway  
Fargo, ND 58102

**Project Location:** 23588 S Melissa Dr.  
Detroit Lakes, MN 56501

### APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a detached 14' x 24' garage 3 feet from the side property line.

**LEGAL LAND DESCRIPTION:** Tax ID Number: 19.0775.000 **Legal Land Description:** Section 30 Township 138 Range 041 ANDERSONS REARRANGEMENT LOTS 20 & 21; Lake View Township, Lake Melissa.

**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. The 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:** [janai.seley@co.becker.mn.us](mailto:janai.seley@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/](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 # 280

### Property and Owner Review

Parcel Number(s): **190775000 Anderson rearrangement lot 20 & 21**

Owner: **Marlene M Young Trust**

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

Mailing Address:  
**1145 Broadway Fargo, ND 58102**

Site Address: **23588 S Melissa Dr. Detroit Lakes, MN 56501**

Lot Recording Date: **Prior to 1971**

Original Permit Nbr: **site2023-2371**

Legal Descr: **ANDERSONS REARRANGEMENT|LOTS 20 & 21**

### 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: **Our existing garage is 10 x 20 feet and is 3 feet from our property line, also the side of our house lines up with the current side of the garage. We are requesting to stay in the same place, 3 feet from our side property line as we tear down existing garage and replace with a slightly larger 14 x 24 garage. If we are forced to move it over by 10 feet, it will be almost directly in front of our back door to our house. Please allow us to keep it in the same spot.**

OHW Setback: **220 ft**

Side Lot Line Setback: **3 ft.**

Rear Setback (non-lake):

Bluff Setback:

Road Setback: **38 ft**

Road Type: **Township**

Existing Imp. Surface Coverage: **4083.25 SF (15.35%)**

Proposed Imp. Surface Coverage: **4219.25 (15.86%)**

Existing Structure Sq Ft: **10 x 20 ft**

Proposed Structure Sq Ft: **14 x 24 ft.**

Existing Structure Height: **14 ft.**

Proposed Structure Height: **30 ft.**

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: **The existing garage structure was constructed before the current ordinance was adopted. Placing the new garage structure in the same place allows us to minimize the impact to the surrounding property. The use of the structure will remain the same as a garage. Our neighbors have no issue with us keeping our garage at the existing spot, three feet from the property line and are willing to sign paperwork confirming this.**

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

Explain: **We have reviewed the 4 goals under the Lane Use section of the Comp Plan. Goal 4 alludes to making good use of existing infrastructure. We believe that applies to this situation. Constructing the new garage in the same place as the current one makes the best use of the property. Forcing the new garage to move 10 feet from the property line would not be a good use of available space, and would force us to**



**convert pervious area to impervious area.**

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

**Explain:** If you look at the plat of our property and current garage, you can see that the garage is off to the side of the property and lines up with our Lake house. This allows us to use our lake property in best manner possible, as it allows us to keep an open area in front of the lake home. Currently, our garage is not large enough to store all of our items out of the weather and elements. Every spring, summer and fall we are forced to park our lawn mowers, and various other items out on our lawn. If we are forced to move our garage ten feet away from the property line, it would look out of place on our property and block the view of our lake home and decrease the value of our property. The current access point from South Melissa Dr. also lines up with the existing garage location and this is how the property has been used for 60+ years. We feel that this is the most reasonable use of the property to continue this historic land use.

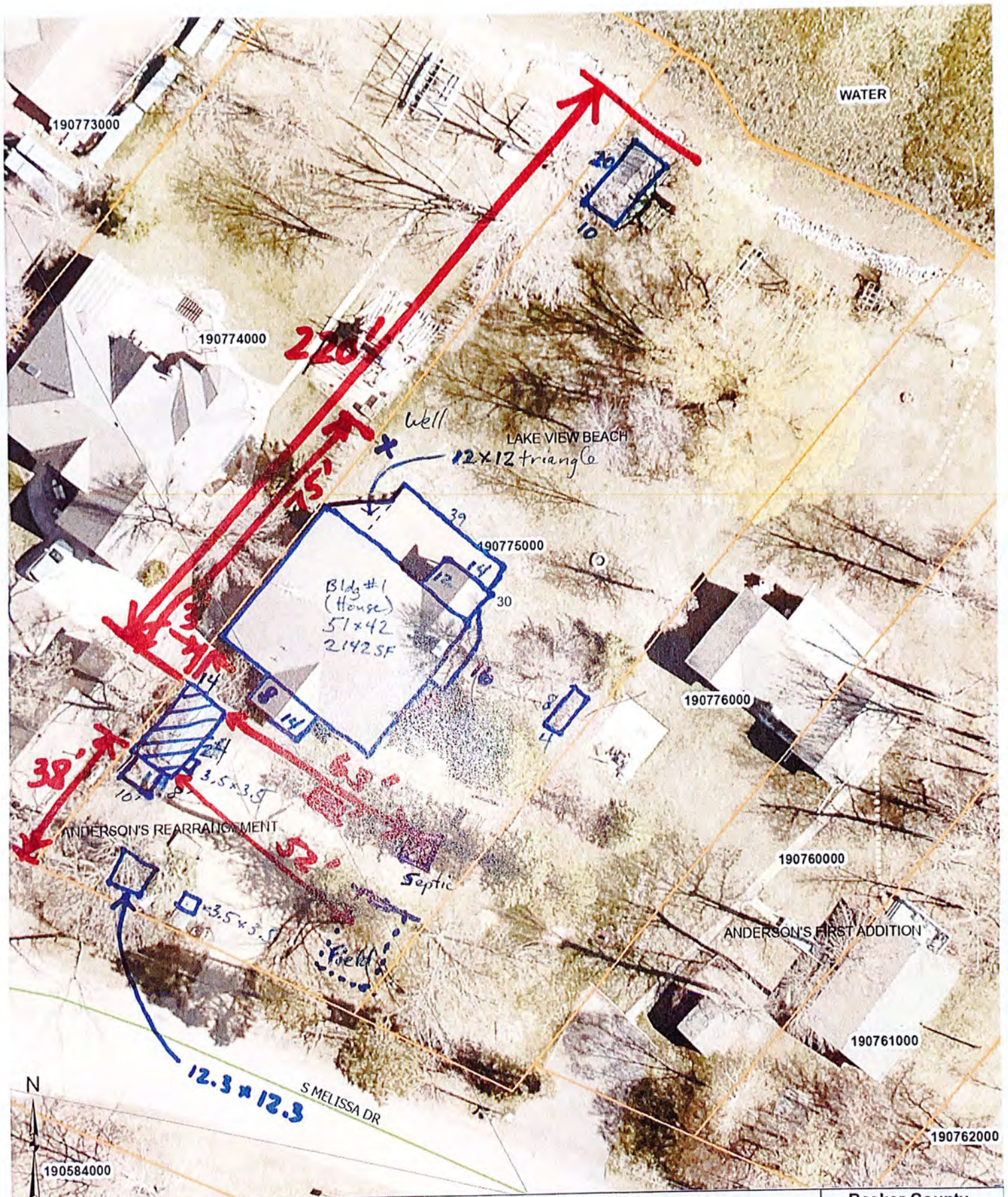
**4. Are there circumstances unique to the property? Yes**

**Explain:** One of the goals in the Comprehensive Plan is Sense of Place. Action 9 says to enforce codes to maintain the quality, character, and value as well as livability of all areas. Keeping the garage in the same space at our lake helps with the quality, value of our property, and livability, it will allow us to keep an open space in front of our house and will not block our view or the front steps into the house. Also, the way the vehicles circulate and park on the property would be affected if we needed to move the garage over ten feet before starting construction.

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

**Explain:** Giving us the variance will allow us to keep our new garage lined up with our existing house and will allow us to keep with the original spacing and design of the lake home, and keep our property value.





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.



23588 S Melissa Drive

New proposed garage 14x24 = 336 SF (on site of removed garage)

1:600

Date: 3/24/2023

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

Becker County





564040

No delinquent taxes and transfer entered  
this 17th day of NOV, 2008

Ryan L. Targen  
Becker County Auditor/Treasurer  
By JB Deputy

19-0775-000

49-0932-010

BECKER COUNTY DEED TAX

AMT. PD. \$ 1.105

Receipt # 406538  
Becker County Auditor/Treasurer

BECKER COUNTY RECORDER  
STATE OF MINNESOTA  
**Document No. 564040**

November 17, 2008 at 2:12 PM  
I hereby certify that the within  
instrument was recorded in this office.  
Darlene Maneval, County Recorder  
By HB Deputy

Trustee to Limited Liability Limited Partnership

Minnesota

**TRUSTEE'S DEED**

(shall convey after-acquired title)

This Indenture effective the 30th day of September, 2008, from Grantor to Grantee:

1. **Definitions.** For the purpose of this Indenture:
  - a. "Grantor" shall mean Marlene Mae Young, as Trustee of the Marlene Mae Young Revocable Living Trust under agreement dated December 14, 2001, whose mailing address is 1145 Broadway, Fargo, North Dakota 58102.
  - b. "Grantee" shall mean Marlene Young Lake Property LLC, a limited liability company organized under the laws of the State of North Dakota whose mailing address is 1145 Broadway, Fargo, North Dakota 58102.
  - c. "Indenture" shall mean this trustee's deed between Grantor and Grantee.
  - d. "Property" shall mean the following described real estate, together with all improvements, hereditaments and appurtenances, in the County of Becker, in the State of Minnesota:

Tract One: Lots Twenty (20) and Twenty-one (21) of Anderson's Rearrangement of Lots Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17), of Lake View Beach and Add. of Lots Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21) and Twenty-two (22), according to the certified plat thereof on file and of record in the office of the County Recorder, the same constituting a part of Government Lot Four (4), Section Thirty (30), Township One Hundred Thirty-eight (138) North, Range Forty-one (41) West of the Fifth Principal Meridian.

19-0775-000

chg  
✓ paid  
well  
non/std  
extra



49-0932-010

Tract Two: Time unit(s) [unit weeks(s)] numbered 50 on file and of record in the office of the County Recorder, of Apartment Unit E-201, together with Storage Space numbered 4.27, and together with an undivided 1.70345 percent interest in the undivided percent interest appurtenant to said Apartment Unit (being an undivided 4.27 percent interest) in the common areas and facilities of Edgewater East Condominium, the post office address of which is Detroit Lakes, Minnesota, according to the Declaration of Condominium on file and of record in the office of the County Recorder, Becker County, Minnesota, dated September 26, 1978, as amended and restated, AND ACCORDING TO THE DECLARATION OF INTERVAL OWNERSHIP of Edgewater Beach Club Interval Owners Association, Inc., the post office address of which is Detroit Lakes, Minnesota, which said Declaration and attached Bylaws and floor plans, dated the 22<sup>nd</sup> day of May, 1980, are recorded on file and of record in the office of the County Recorder, Becker County, Minnesota, and more particularly described as follows:

That part of Government Lot Six (6), Section Thirty-four (34), Township One Hundred Thirty-nine (139) North of Range Forty-one (41) West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Beginning at Government Meander Corner No. 5, the Southwest corner of said Government Lot Six (6) located on the southerly line of said Section Thirty-four (34); thence North 89°50'59" East 250.00 feet on an assumed bearing along the Southerly line of said Section Thirty-four (34); thence North 57°50'59" East 42.50 feet; thence North 37°14'07" West 473.19 feet; thence North 49°19'05" West 87.69 feet; thence South 31°40'55" West 320.48 feet, more or less, to the water's edge of Detroit Lakes; thence in a southeasterly direction along the water's edge of said Detroit Lake to the intersection with a line bearing South 89°50'59" West from the point of beginning; thence North 89°50'59" East 17.00 feet, more or less, along the southerly line of said Section Thirty-four (34) to the point of beginning.

**LESS THE FOLLOWING TRACT:**

Commencing at the Southeast corner of said Section Thirty-four (34); thence South 89°50'59" West 685.15 feet on an assumed bearing along the South line of said Section Thirty-four (34) to the point of beginning; thence North 45°32'45" East 107.27 feet; thence North 24°10'39" East 54.45 feet; thence North 37°14'07" West 345.32 feet; thence North 49°19'05" West 29.70 feet; thence South 41°34'54" West 61.79 feet; thence South 34°25'59" East 83.42 feet; thence South 30°14'31" West 43.30 feet; thence South 48°52'56" East 11.07 feet; thence North 30°27'09" East 40.17 feet; thence South 34°25'59" East 98.80 feet; thence South 34°36'31" West 13.70



feet; thence North 89°31'01" East 15.42 feet; thence South 34°24'59" East 72.35 feet; thence South 06°55'41" West 60.62 feet; thence South 37°31'23" West 84.50 feet; thence South 88°25'09" West 78.60 feet, more or less, to the water's edge of Detroit Lake; thence Southeasterly along the water's edge of said Detroit Lake to the south line of said Section Thirty-four (34); thence North 89°50'59" East 30.00 feet, more or less, along the South line of Section Thirty-four (34), to Meander Corner No. 5; thence continuing North 89°50'59" East 109.75 feet along the south line of said Section Thirty-four (34) to the point of beginning.

2. **Consideration and Conveyance.** For a valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby conveys and quit claims the Property to Grantee.

3. **Tax Statements.** Tax statements for the Property should be sent to:

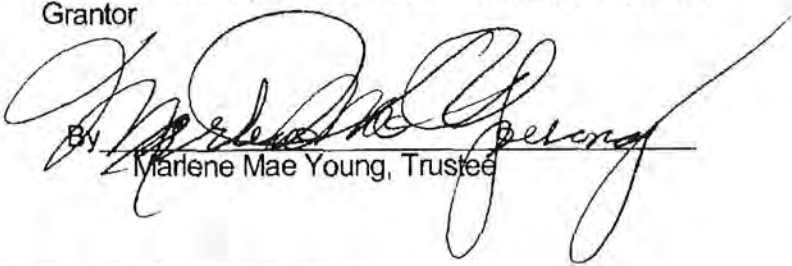
Marlene Young Lake Property LLC  
1145 Broadway  
Fargo, ND 58102

4. **Minnesota State Deed Tax.** Minnesota State Deed Tax shall be due in the amount of One and 65/100 (\$1.65) Dollars.

5. **After-Acquired Title.** This Indenture shall convey all after-acquired title of the Grantor.

6. **Benefit.** This Indenture shall benefit, and shall be binding upon, the parties and their respective successors in interest.

MARLENE MAE YOUNG REVOCABLE LIVING  
TRUST under agreement dated December 14, 2008, ✓  
Grantor

By 

Marlene Mae Young, Trustee

The total consideration for this transfer of property is \$500.00 or less.

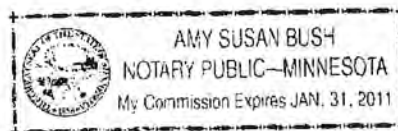


STATE OF MINNESOTA )  
COUNTY OF CLAY )ss

On this 12 day of November, 2008, before me personally appeared Marlene Mae Young, known to me to be the Trustee of the Marlene Mae Young Revocable Living Trust under agreement dated December 14, 2001, described in and who executed the within and foregoing instrument, and acknowledged that she executed the same as the free act and deed of said trust.

Amy S. Bush  
Notary Public

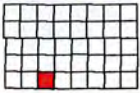
THIS INSTRUMENT WAS DRAFTED  
WITHOUT OPINION BY:



To- William L. Guy III  
Vogel Law Firm  
215 30th Street North  
P.O. Box 1077  
Moorhead, Minnesota 56561-1077  
(218) 236-6462  
WLG-37406.08000 (drl)  
695796.1

1-31-2011



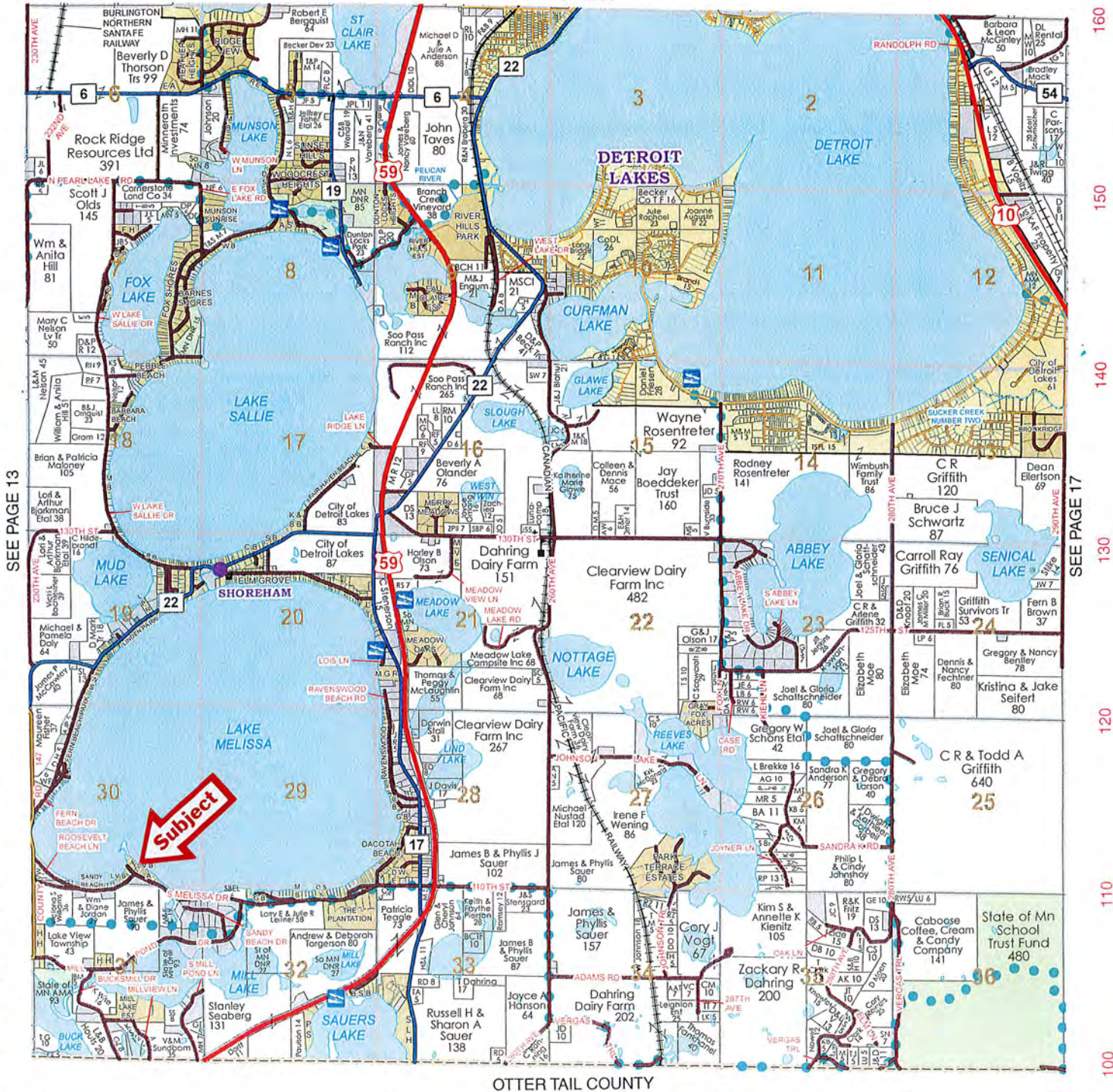


Lake View

Township 138N - Range 41W

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OTTER TAIL COUNTY