



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****

November 14th, 2024 @ 6:00 P.M.

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

APPLICANT: Lynn R Breitenfeldt RT ET AL
47976 Cty Hwy 51
Perham, MN 56573

Project Location: 43289 218th St
Osage, MN 56570

APPLICATION AND DESCRIPTION OF PROJECT: Request a variance to 1) replace and existing dwelling and attached garage with a larger dwelling to be located thirty-three (33) feet from the centerline of the road and thirty-five (35) feet from the ordinary high-water (OHW) mark; 2) construct a patio to be located forty-six (46) feet from the centerline of the road and thirty-eight (38) feet from the OHW mark; 3) construct a deck to be located twenty-five (25) feet from the OHW mark. Requests one (1) and two (2) deviating from the required setback of fifty-three (53) feet from the centerline of a township road within the shoreland district and requests one (1), two (2), and three (3) deviating from the required setback of one hundred (100) feet from the OHW of a Recreational Development Lake all due to lot size and setback issues.

LEGAL LAND DESCRIPTION: Tax ID Number: 33.0355.000 **Legal Land Description:** Section 04 Township 139 Range 038; 3rd Add to Pines, Lots 17 & 18, Toad Lake.

Replies/Comments: Public testimony regarding this application will only be received by email, in writing, or in-person at the hearing. Interested parties are invited to submit to the Becker County Department of Planning and Zoning written facts, arguments, or objectives by 12:00 P.M. the date of the Hearing. These statements should bear upon the suitability of the location and the adequacy of the Project and should suggest any appropriate changes believed to be desirable.

Replies may be addressed to:

PLANNING AND ZONING DEPARTMENT

915 Lake Avenue
Detroit Lakes, MN 56501

EMAIL: susan.rockwell@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 # 402

Property and Owner Review

Parcel Number(s): 330355000

Owner: LYNN R BREITENFELDT REVOCABLE TRUST

Township-S/T/R: TOAD LAKE-04/139/038

Mailing Address:

47976 CTY HWY 51

PERHAM MN 56573

Site Address: 43289 218TH ST OSAGE MN

Lot Recording Date: Prior to 1971

Original Permit Nbr: SITE2024-3390

Legal Descr: 3RD ADD TO PINES|LOTS 17 & 18

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:

The hardship of the setbacks are due to a township road going through the property, which makes it difficult with the setbacks. We would have liked the dwelling to be further away from the OHW, which we were able to move it about 4 feet away on one side, however that puts the dwelling a 33 feet from the road centerline.

Description of Variance Request: Request a variance to 1) replace and existing dwelling and attached garage with a larger dwelling to be located thirty-three (33) feet from the centerline of the road and thirty-five (35) feet from the ordinary high-water (OHW) mark; 2) construct a patio to be located forty-six (46) feet from the centerline of the road and thirty-eight (38) feet from the OHW mark; 3) construct a deck to be located twenty-five (25) feet from the OHW mark. Requests one (1) and two (2) deviating from the required setback of fifty-three (53) feet from the centerline of a township road within the shoreland district and requests one (1), two (2), and three (3) deviating from the required setback of one hundred (100) feet from the OHW of a Recreational Development Lake all due to lot size and setback issues.

OHW Setback: 42 feet from west corner and 35 feet from east corner of proposed dwelling, 25 feet from front of proposed pervious deck

Side Lot Line Setback: 13 feet from left property line and 25 feet from right property line

Rear Setback (non-lake): na

Bluff Setback: na

Road Setback: 33 feet

Road Type: Township

Existing Imp. Surface Coverage: 19.2%

Proposed Imp. Surface Coverage: 24.9%

Existing Structure Sq Ft: 1300

Proposed Structure Sq Ft: 1620

Existing Structure Height: 14 feet

Proposed Structure Height: 28' 2"

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 proposed dwelling is comparable to other dwellings on the township road. Because of the hardship with the township road going through the property many of the dwellings are from the 33' to 15' from road centerline. We wanted to move closer to the road and further from the lake, but were told that we cannot be in the ROW. We are requesting to be as close to the ROW as possible.

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

Explain: **Proposed variance with the location of the new dwelling, we moved the new dwelling about 4' back from the OHW, therefore the road side of the dwelling is 0' on one corner and 1' on the other corner of the road ROW. In front of the dwelling in the road ROW there are two large trees that will remain intact with the build.**

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

Explain: **Our intent for the dwelling is to be our permanent residence. In the area there has been many improvements and additions to properties which makes the area look very well maintained and appealing. With building a new dwelling it will improve the aesthetics of the property, the cabin that is there now has many structural issues, the main structural beam is sagging to where we had to install a support beam, there is mold in the crawl space, there is no insulation in the floor, and minimal in the walls, and the roof has noticeable sagging.**

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

Explain: **The road running through the property creates a depth on the lakeside that does not allow for either the road or lake setbacks to be met regardless of structure size or location.**

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

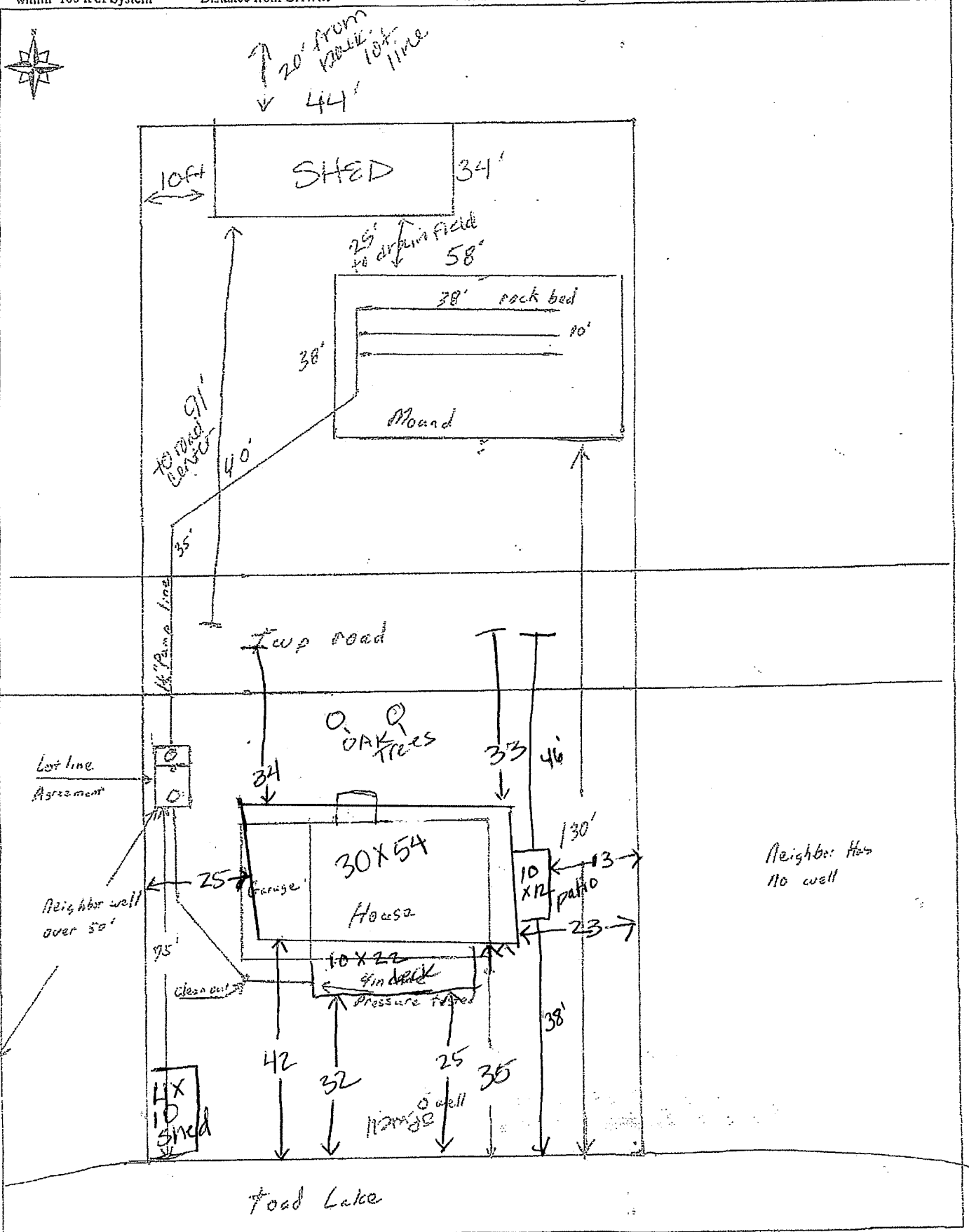
Explain: **This project will be an improvement to the area. The current structure is dilapidated and not aesthetically pleasing to the neighborhood. There are many dwellings in the area that are full time residents and the same ages as we are. The proposed build is to be a two story which will be similar to the two story houses around the area. And with the road being a dead end it is fairly safe to go for walks and such. The lake is a beautiful, clean lake that is not real busy which makes it very appealing to live here. It is definitely a place we would like to have our children and grandkids enjoy.**

*Dimensions of Lot
*Well & Water Line Locations
within 100 ft of System

*Existing & Proposed Buildings
*Distance from Property Lines
*Distance from OHWM

*Easements & setbacks
*Tank Access Route
*Distance from buildings

*Location of any Unsuitable Soil
*Soil Borings & Per Test Locations
*Scale - One inch = 25 ft











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Becker County



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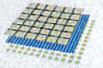
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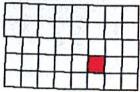
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- District/Boundary Maps
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- Topographical Maps
- City Maps
- Multi-County Maps
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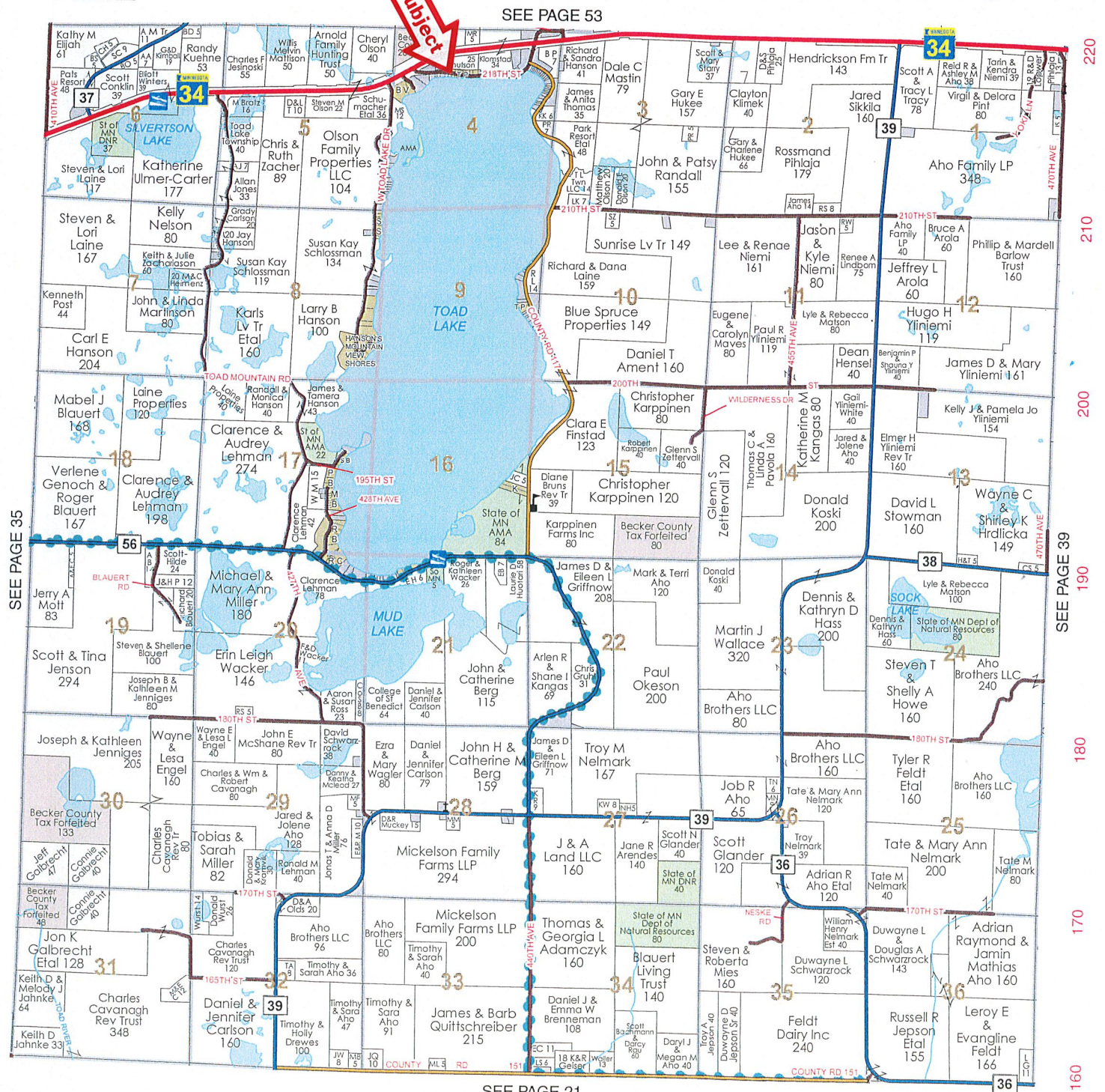
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Toad Lake

Township 139N - 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****

November 14th, 2024 @ 6:00 P.M.

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

APPLICANT: Mattson Bros Inc
12307 Co Hwy 14
Lake Park, MN 56554

Project Location: TBD 290th St
Hitterdal, MN 56552

APPLICATION AND DESCRIPTION OF PROJECT: Request a variance to construct a solar array to be located zero (0') from the road right-of-way (ROW) deviating from the required setback of twenty (20) feet from the ROW of a township road within the shoreland district and to be located twenty-five (25) feet from a wetland deviating from the required setback of fifty (50) feet due to setback issues.

LEGAL LAND DESCRIPTION: Tax ID Number: 01.0118.001 **Legal Land Description:** Section 32 Township 141 Range 043; E1/2 OF NW1/4 & SW1/4 OF NE1/4, Atlanta Township.

Replies/Comments: Public testimony regarding this application will only be received by email, in writing, or in-person at the hearing. Interested parties are invited to submit to the Becker County Department of Planning and Zoning written facts, arguments, or objectives by 12:00 P.M. the date of the Hearing. These statements should bear upon the suitability of the location and the adequacy of the Project and should suggest any appropriate changes believed to be desirable.

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915 Lake Avenue
Detroit Lakes, MN 56501

EMAIL: susan.rockwell@co.becker.mn.us

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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 # 403

Property and Owner Review

Parcel Number(s): **010118001**

Owner: **MATTSON BROS INC**

Township-S/T/R: **ATLANTA-32/141/043**

Mailing Address:
12307 CO HWY 14
LAKE PARK MN 56554

Site Address: **12307 CO HWY 14 | LAKE PARK MN**
56554

Lot Recording Date: **Prior to 1971**

Original Permit Nbr: **Unknown**

Legal Descr: **E1/2 OF NW1/4 & SW1/4 OF NE1/4**

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:

Due to a wetland defined on the public waters inventory, there would need to be a 50' setback. Requesting to be closer in order to avoid intruding on tillable area as little as possible.

Description of Variance Request: **Request a variance to construct a solar array to be located zero (0') from the road right-of-way (ROW) deviating from the required setback of twenty (20) feet from the ROW of a township road within the shoreland district and to be located twenty-five (25) feet from a wetland deviating from the required setback of fifty (50) feet due to setback issues.**

The property owner would like to us to build a solar array for their use at the 0 foot mark from the road right of way. The array will be 9'10" wide and approximately 225 feet long.

OHW Setback: **25 feet from a wetland**

Side Lot Line Setback: **10 feet**

Rear Setback (non-lake):

Bluff Setback:

Road Setback: **Proposed 0 foot setback from township road right of way**

Road Type: **Township**

Existing Imp. Surface Coverage:

Proposed Imp. Surface Coverage:

Existing Structure Sq Ft:

Proposed Structure Sq Ft:

Existing Structure Height:

Proposed Structure Height: **10 feet**

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: **Solar Panels for private use are not currently regulated in the Becker County Zoning Ordinance, however it has been recommended that structure setbacks be followed, and since we are requesting to be within the regular structure setbacks, we are asking for a variance.**

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

Explain: **The Becker County Comprehensive Plan currently does not address solar panels, but we do not**

believe there would be any conflict.

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

Explain: **Having the array at the proposed location will reduce the tillable land needed to accommodate the solar array.**

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

Explain: **The location of the wetland as defined on the public waters inventory reduces the amount of non-tillable area for placement of the array. Being at 25' would be ideal.**

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

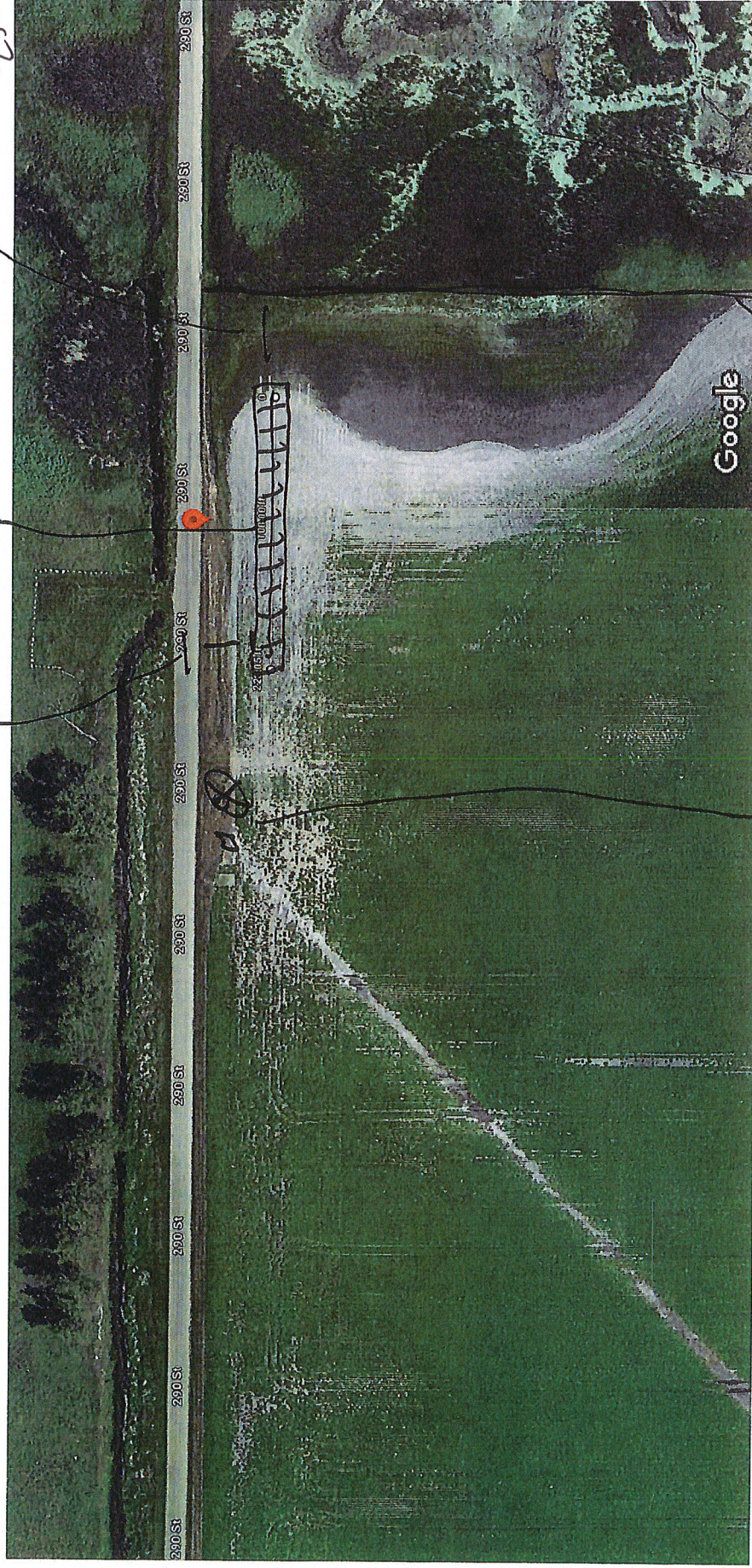
Explain: **We do not believe the proximity to the road or wetland will not change the character of the area.**

46°59'30.5"N 96°09'45.7"W - Google Maps

ROAD SETBACK

46°59'30.5"N 96°09'45.7"W - Google Maps
fx
~~SUBSET~~ S corner
Pylon 33 VDOT survey / center

SET-BACKS
10 ft
25 ft from
wetland
3 ft from
side

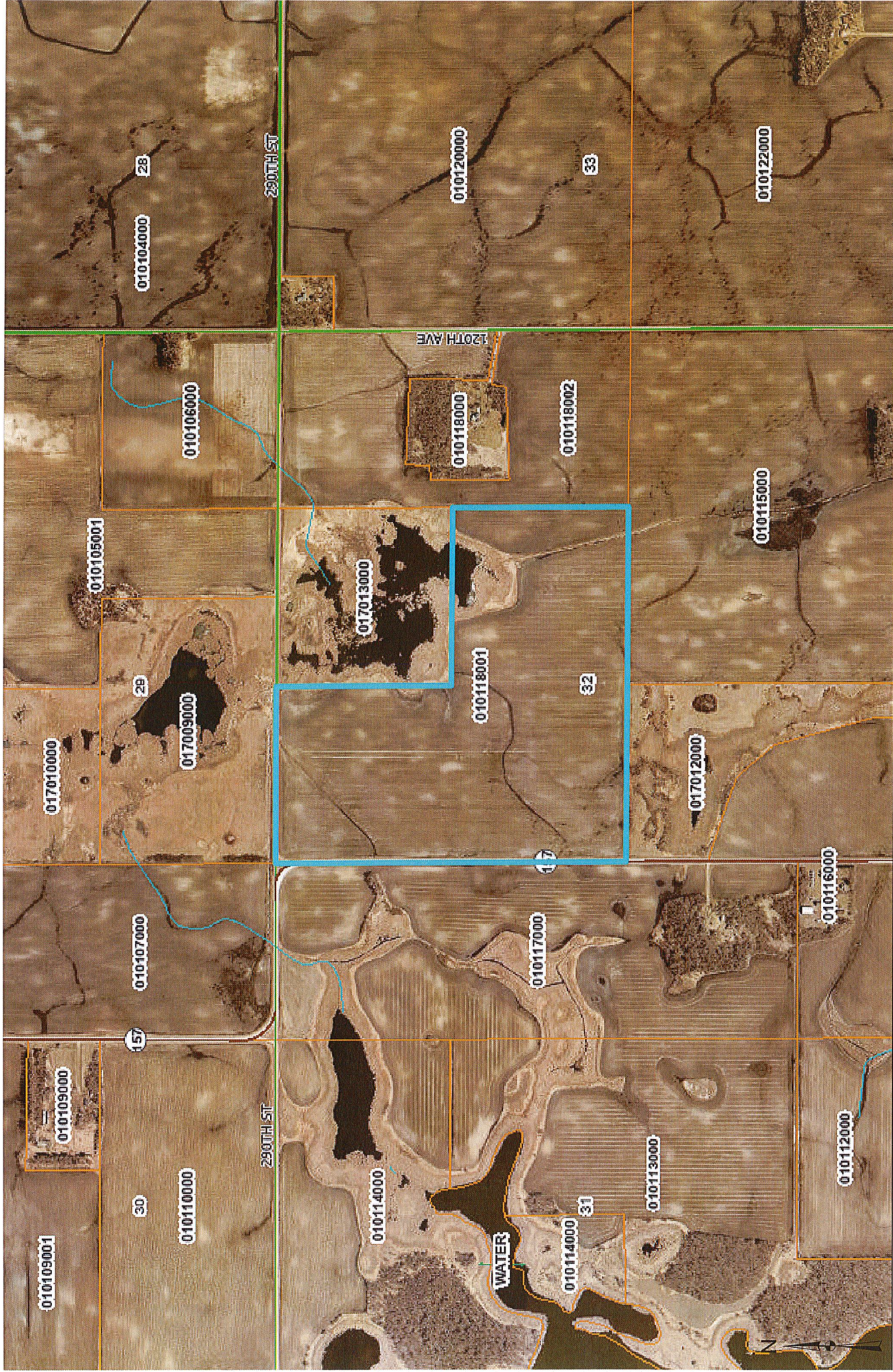


FIRE PUMP
 37.5 KW A
 200 AMP
 110 V

Imagery ©2024 Maxar Technologies, Map data ©2024 50 ft 50 ft

PROPERTY
LINE

DATE



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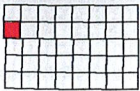
Becker County



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Date: 10/28/2024

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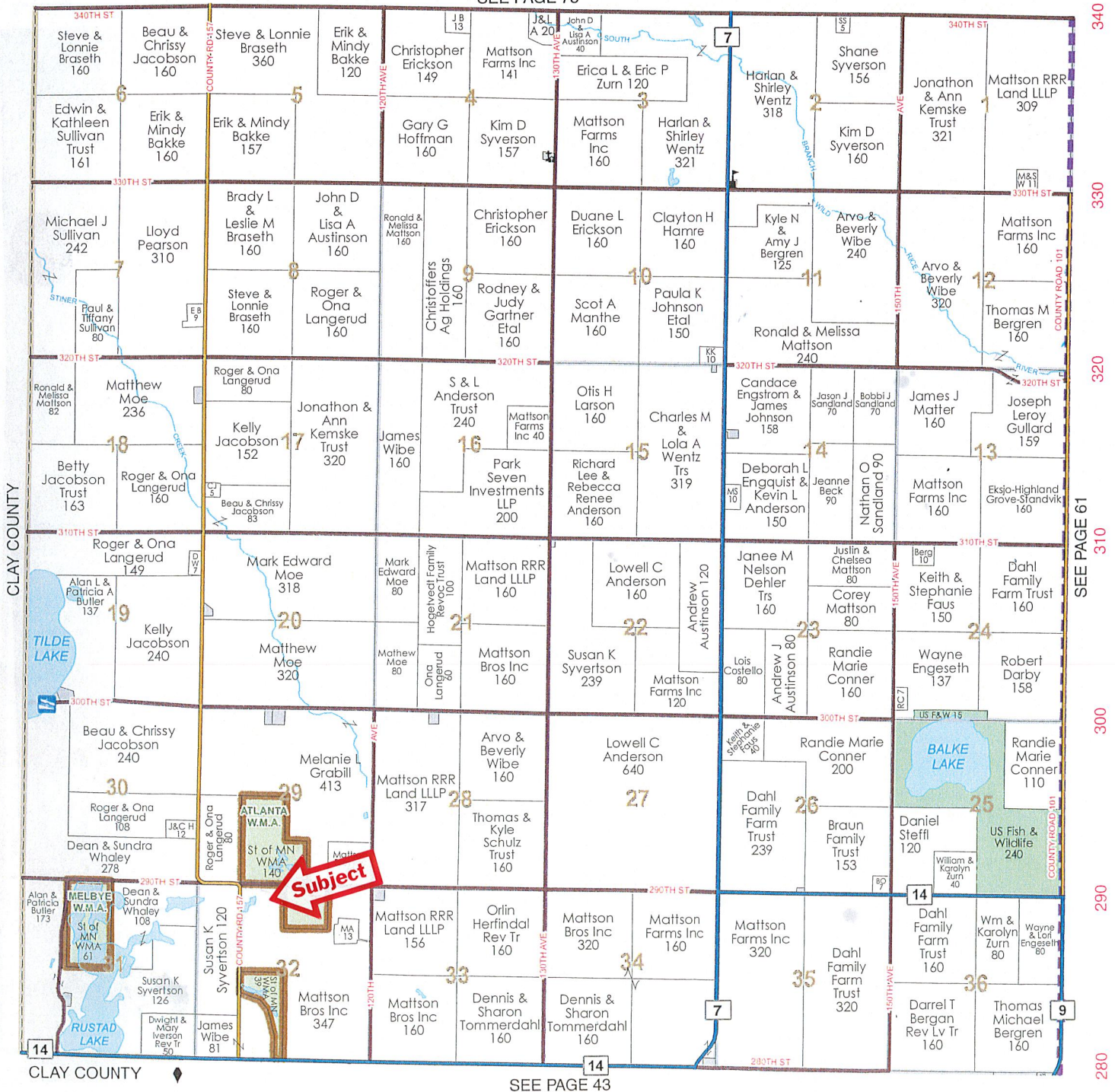


Atlanta

Township 141N - Range 43W

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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****

November 14th, 2024 @ 6:00 P.M.

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

APPLICANT: Branch Creek Investments
704 Shorewood Dr
Detroit Lakes, MN 56501

Project Location: 14909 Branch Creek Rd
Detroit Lakes, MN 56501

APPLICATION AND DESCRIPTION OF PROJECT: Request a variance to construct a dwelling with attached garage to be located ten (10) feet from the rear property line deviating from the required setback of forty (40) feet due to topographical issues.

LEGAL LAND DESCRIPTION: Tax ID Number: 19.0845.027 **Legal Land Description:** Section 09 Township 138 Range 041; Block 001 Lot 018 BRANCH CREEK LOT 18 BLK 1., Lake View Township.

Replies/Comments: Public testimony regarding this application will only be received by email, in writing, or in-person at the hearing. Interested parties are invited to submit to the Becker County Department of Planning and Zoning written facts, arguments, or objectives by 12:00 P.M. the date of the Hearing. These statements should bear upon the suitability of the location and the adequacy of the Project and should suggest any appropriate changes believed to be desirable.

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Detroit Lakes, MN 56501

EMAIL: susan.rockwell@co.becker.mn.us

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Variance Application Review

Permit # 405

Property and Owner Review

Parcel Number(s): **190845027**

Owner: **Branch Creek Investments**

Township-S/T/R: **LAKE VIEW-09/138/041**

Mailing Address:
704 Shorewood Dr Detroit Lakes, MN 56501

Site Address: **14909 Branch Creek Rd Detroit Lakes, MN 56501**

Lot Recording Date: **After 1992**

Original Permit Nbr: **NA**

Legal Descr: **Lot 018 Block 001 of BRANCH CREEK|LOT 18 BLK 1.**

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 dwelling with attached garage to be located ten (10) feet from the rear property line deviating from the required setback of forty (40) feet due to topographical issues.**

OHW Setback:

Side Lot Line Setback:

Rear Setback (non-lake): **10'**

Bluff Setback:

Road Setback:

Road Type:

Existing Imp. Surface Coverage:

Proposed Imp. Surface Coverage:

Existing Structure Sq Ft:

Proposed Structure Sq Ft: **TBS**

Existing Structure Height:

Proposed Structure Height: **TBD**

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: **Due to wetland and sloping, the best buildable area on the property would need to be closer to the rear property line than allowed. We would meet all other setbacks.**

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

Explain: **We will be meeting all other setbacks.**

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

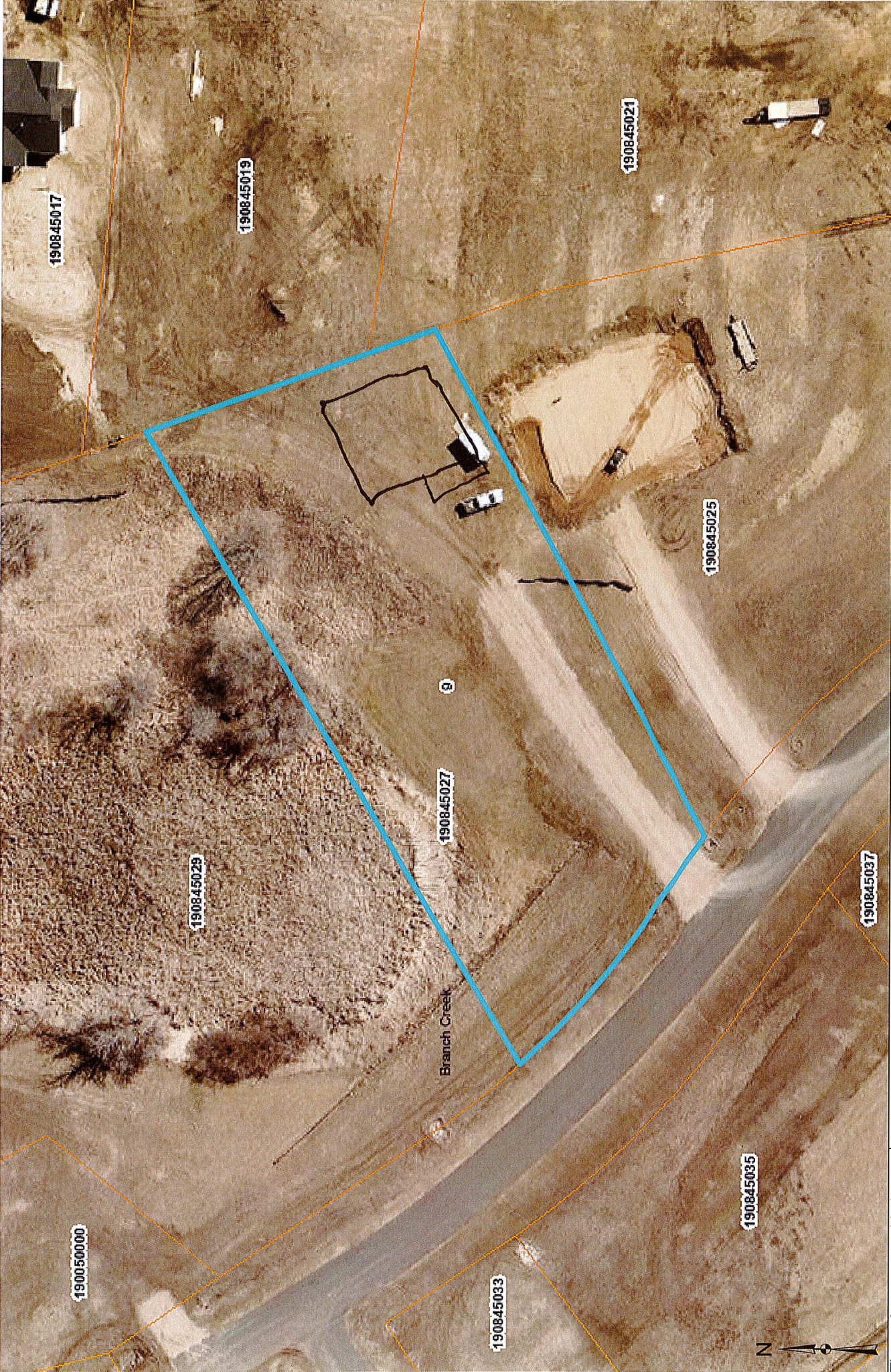
Explain: **This is part of a residential plat. We would be building a home like all the other homes in the neighborhood without having to cut into the hill, pushing us closer to the wetland.**

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

Explain: **The wetland and slope push us into the one corner of the property for best buildable area.**

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

Explain: **This plat is being developed as residential homes and this is what we are intending to do.**



Becker County

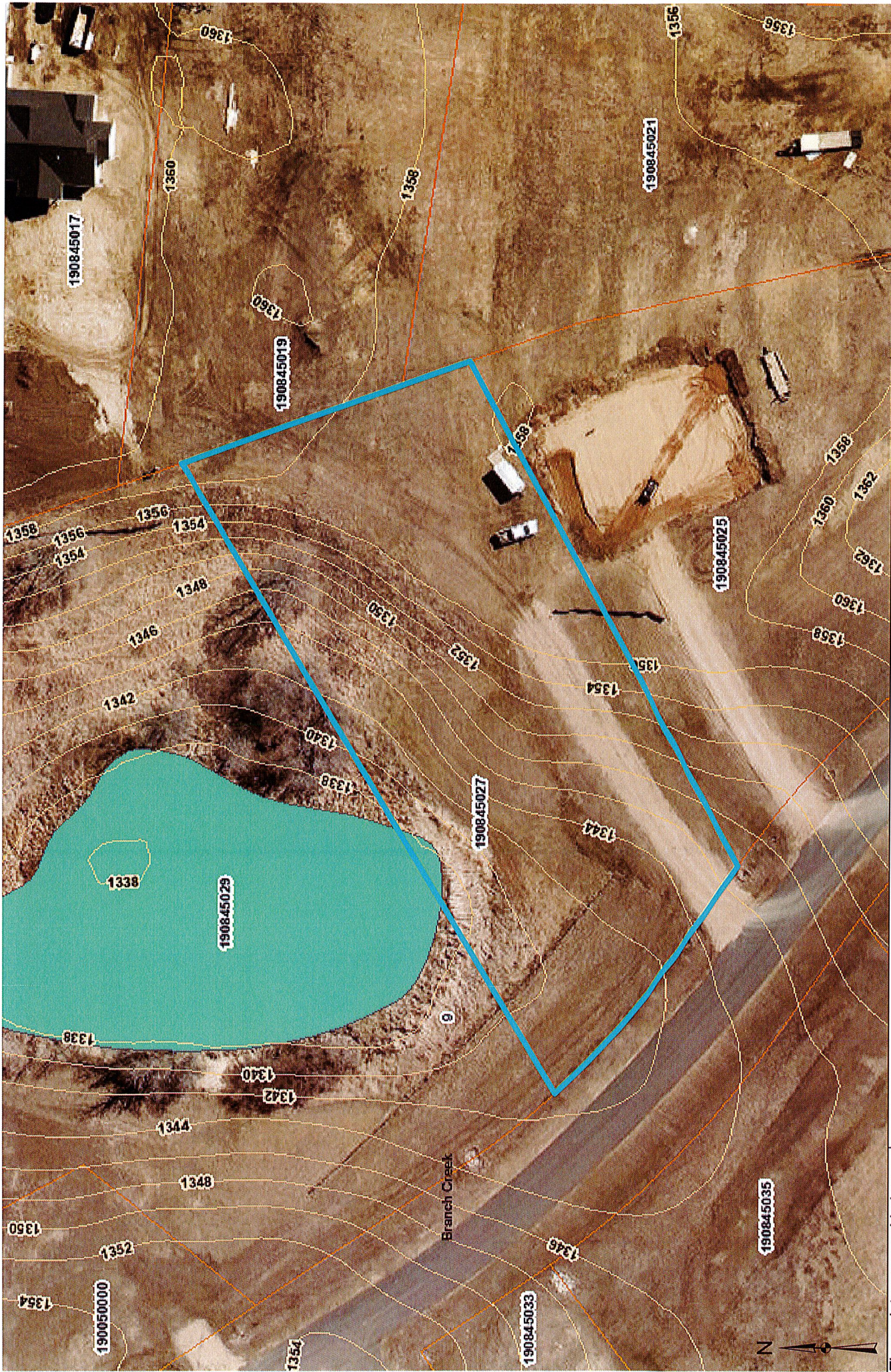


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Date: 10/30/2024

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Becker County



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Date: 10/30/2024

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Lake View

Township 138N - Range 41W

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