

Becker County Board of Adjustments  
July 10, 2008

**Present:** Members: Jim Bruflodt, Steve Spaeth, Jerry Schutz, Bill Sherlin, Al Chirpich, and Clifford (Kip) Moore.

Zoning Staff: Administrator Patty Swenson and Julene Hodgson.

Chairman Jim Bruflodt called the meeting to order. Julene Hodgson took minutes.

**Minute approval:** The June minutes were discussed. Swenson approached the Board regarding the motion of the second order of business pertaining to the Jim and Barry Shaw request. Swenson wanted to make certain it was the intent of the Board to deny the Variance request. Sherlin, who made the motion, stated it was very clear from the vote and that the motion was worded correctly. Bruflodt re-read the motion and asked a show of hands from those in favor of denying the Variance request. Schutz, Chirpich and Sherlin voted to deny the Variance. Moore was against denying the Variance. Bruflodt and Spaeth who were not present during the voting of the July meeting, did not vote. Bruflodt stated the motion stands. Moore made the motion to approve the minutes from the June 12th, 2008 meeting. Sherlin second. All in favor. Motion carried.

Chairman Bruflodt explained the protocol for the meeting. Spaeth read the criteria for granting or denying a variance.

**NEW BUSINESS:**

**FIRST ORDER OF BUSINESS: APPLICANT** Barbie Cooper 656 Heather Placentia, CA 92870 **Project Location:** 11755 Fern Beach Detroit Lakes, MN 56501 **LEGAL LAND DESCRIPTION:** Tax ID number: R191327000 Lake Melissa Fern Beach Park Lot 1 & N 25' of Lot 2 Section 30, TWP 138, Range 41 Lake View Township. **APPLICATION AND DESCRIPTION OF PROJECT:** Request an after the fact Variance to construct a screened patio/porch area on an existing slab located 20 feet from the road right of way of a township road due to a substandard sized lot of record. This deviates from a dwelling addition to be located 45 feet from the township road right of way.

Barbie Cooper explained the application to the Board. Cooper wanted to screen in an existing slab for a screened porch area. This would allow the owner to see the lake, versus if it were on the back on the dwelling, you would view the road. Bruflodt asked how the structure would be screened to which Cooper stated it would just be screened porch with no framework or glass. The existing slab was put onto the dwelling 15 years ago. Spaeth asked Cooper where the measurement of 20 feet came from for her request. The day of the site visit the Board measured from the stakes that were on the property into the property and the structure was approximately 9 feet from the side property line.

Cooper thought the neighbors did a measurement to the edge of existing road and the stakes they put in by eyeballing it themselves, no property pins were actually located.

No one spoke in favor of the application. No one spoke against the application. There were letters of correspondence in the file in favor of the application. Swenson read letters from Patricia Myers, Susan Lynch, Mr. and Mrs. Nordhogen, Bill and Sandy Alter, Christine Anhalt and George Fevig. Some of the comments where the enclosure would allow the owner to enjoy the lake, it would not go any closer to the road than the existing cottage and it does not impede traffic or cause obstruction. At this time, testimony was closed.

Further discussion was held. Spaeth stated it is hard to approve the Variance as requested when the request was asking for 20 feet from the road right of way, and the measurements taken on-site were a lot different than the request. The road is a 30 feet public road without heavy traffic. Chirpich stated the front of the cottage was further back from the existing road than the side of the cottage is, but it is hard to know how far from the road right of way the cottage truly is without the property pins being located. Schutz stated he didn't have a problem with it being it is a low maintenance road with little traffic and the request is on an existing slab. Moore stated the Board could put a stipulation on the motion to never allow the screened porch to be enclosed or used for living space. Sherlin agreed the road was more like a common interest road for the surrounding cottages only. Lakeview Township Supervisor Hahn stated the road is more like an alley and the Township does not maintain the road. Brufloedt stated he is cautious in making any judgment without knowing where the screened porch would be actually located on the property. Without knowing where the property pins are located, they could be allowing something constructed into the road right of way. They explained to Cooper she could table the application to locate the property pins to know the exact measurement she is requesting for the Variance. Swenson stated the Board should not grant a Variance when guessing where the property lines are located. Schutz explained to Cooper if a motion is made to approve the application, without accurate property information, it could be denied. Schutz stated it would be to the best interest of Cooper to rent a metal detector and locate the property pins and come back to the Board with the correct information. **At this time, the property owner asked to table the Variance application until a later date to bring back the property pins information and measurements to the Board.**

**Informational Meeting.** The next informational meeting is scheduled for Thursday, August 7th, 2008 at 7:00 a.m. at the Planning & Zoning Office.

Since there was no further business to come before the Board, Schutz made a motion to adjourn the meeting. Moore second. All in favor. Motion carried.

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Jim Brufloedt,  
Administrator  
Chairman

ATTEST

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Patricia Swenson, Zoning

