

**Becker County Board of Adjustments**  
**January 13<sup>th</sup>, 2022**

**Present:** Members: Acting Chairman Lee Kessler, Craig Hall, Justin Knopf, Delvaughn King, Michael Sharp, Zoning Technician Joseph Doll and Planning and Zoning Director Kyle Vareberg. Absent was Chairman Roger Boatman.

Acting Chairman Lee Kessler called the meeting to order at 6:00 p.m. Zoning Technician Joseph Doll recorded the minutes.

Introductions were given.

Acting Chairman Lee Kessler explained the protocol for the meeting and **Sharp** read the criteria for which a variance could be granted.

**NEW BUSINESS:**

**FIRST ORDER OF BUSINESS: APPLICANT: Paul & Charlene Bakken** 31166 St Hwy 34 Detroit Lakes, MN 56501 **Project Location: 25866 Broadway Ave Detroit Lakes, MN 56501 Tax ID Number:** 16.0128.003 & 16.0128.001 **LEGAL LAND DESCRIPTION:** Section 18 Township 140 Range 040; 18-140-40 PT GOVT LOT 1: COMM NE COR SEC 18, S 486.83' TO POB; S 487.03', W 1413.47' TO SPRING LK, NLY AL LK 521.18', E 1340.73' TO POB. TRACT B. & 18-140-40 PT GOVT LOT 1: BEG NE COR SEC 19, S 486.83', W 1340.73' TO SPRING LK, NELY AL LK 502.59', E 1018.24' TO POB. TRACT A.; Holmesville Township. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a dwelling to be located at:

- 1) 75' from the ordinary highwater mark of a natural environment lake.
- 2) 10' from the top of a bluff.
- 3) 25' from a wetland.

Vareberg introduced the application.

Cody Bouchie was present on behalf of the Bakken property. Bouchie explained his request to construct a dwelling to be located at 75' from the ordinary highwater mark of a natural environment lake, 10' from the top of a bluff and 25' from a wetland.

Bouchie stated the proposed location would be less difficult to build than other areas on the property.

The specific location and orientation of the structures were discussed and clarified. Bouchie stated he was fine with controlling water run off with land scaping.

Dennis Haverkamp asked about the building placement changes

Vareberg stated the setbacks would not change, just the orientation of the building.

45 Haverkamp spoke about the history of his lake lot and areas around the lake. He expressed his concerns  
46 for the water quality of the lake. Haverkamp stated that he was against the request.

47  
48 Joe Westerholm stated there should be exception to the setbacks and the lake should stay natural.

49  
50 Clint Danielson spoke against the application.

51  
52 Jeff Westerholm read his letter as submitted to the Board and stated that the request should be denied.

53  
54 Tracy Larson stated that she supports the statements made by Jeff Westerholm.

55  
56 Testimony was closed.

57  
58 Acting Chairman Lee Kessler opened the matter for discussion by the Board.

59  
60 The board discussed the application.

61  
62 **Motion:** Sharp made a motion to **deny**.

63  
64 **King second.** Sharp, King, and Knopf in favor. Hall against **Motion carried.** Variance **denied.**

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66 **SECOND ORDER OF BUSINESS: APPLICANT: Byers Liquors LLC** PO Box 261 Osage,  
67 MN 56570 **Project Location:** TBD St Hwy 34 Osage, MN 56570 **Tax ID Number:** 21.0282.000  
68 **LEGAL LAND DESCRIPTION:** Section 29 Township 140 Range 036; 100' E&W BY 165'  
69 N&S LYING 450' E OF NW COR OF NW1/4 OF NE1/4 LESS HWY; Osage Township  
70 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a  
71 building to be:

- 72  
73
  1. 18' from the state highway right-of-way.
  2. To exceed allowable impervious surface coverage by 30%.

74 All due to lot size.

75  
76  
77 Vareberg introduced the application and stated the ROW setback had been amended to 0 feet

78  
79 Kevin Byer was present of behalf of Byers Liquors LLC. Kevin Byer explained the request to construct an  
80 addition to the liquor store building. The addition would provide more storage space for the current  
81 business as well as potential retail rental space for future use.

82  
83 Vareberg explained that the request also needs to include a variance to the parking requirements,  
84 which are dependent on the type of business that would use the space.

85  
86 No one spoke for or against the application. There were no written correspondences for or against the  
87 application.

88

89 At this time, testimony was closed. Acting Chairman Lee Kessler opened the matter for discussion by the  
90 Board.

91  
92 Hall stated that Osage could benefit from the additional retail space.

93  
94 **Motion:** Hall made a motion to:

- 95  
96 1) **Approve** a variance to construct an addition to be located at 0' from the state highway right-of-way.  
97 2) **Approve** a variance to allow impervious surface coverage of 55%.  
98 3) **Approve** a variance from the parking requirements of The Becker County Zoning Ordinance set forth  
99 in table 7-1 with the stipulation that the applicant provide the maximum available parking spaces.

100  
101 **Sharp second.** All in favor. **Motion carried.** Variance **approved.**

102  
103 **THIRD ORDER OF BUSINESS: APPLICANT: Kevin Byer** PO Box 261 Osage, MN 56570 **Project**  
104 **Location:** 54586 St Hwy 34 Osage, MN 56570 **Tax ID Number:** 21.0435.001 & 21.0435.00 **LEGAL**  
105 **LAND DESCRIPTION:** Section 20 Township 140 Range 036; TOWNSITE OF OSAGE Lot 003 Block  
106 002 & TOWNSITE OF OSAGE Lot 004 Block 002; Osage Township **APPLICATION AND**  
107 **DESCRIPTION OF PROJECT:** Request a variance to construct a building to be:

- 108  
109 1) 0' from the township right-of-way.  
110 2) To exceed allowable impervious surface coverage by 53%.  
111 3) To vary from the required parking requirements.  
112 4) 38' from the state highway right-of-way.

113  
114 Vareberg introduced the application.

115  
116 Owner Kevin Byer was present. Kevin explained the request to construct the addition to the existing garage.  
117 Byer stated that there would be a 32x 32 seating area and the remainder of the space could be used to lease  
118 to other retail businesses.

119  
120 No one spoke for or against the application. There were no written correspondences for or against the  
121 application.

122  
123 At this time, testimony was closed. Acting Chairman Lee Kessler opened the matter for discussion by the  
124 Board.

125  
126 **Motion: Sharp** made a motion to:

- 127 1) **Approve** a variance to construct a building 0' from the township right-of-way.  
128 2) **Approve** a variance to exceed allowable impervious surface coverage by 53%.  
129 3) **Approve** a variance from the parking requirements of The Becker County Zoning Ordinance set  
130 forth in table 7-1 with the stipulation that the applicant provide the maximum available parking  
131 spaces.  
132 4) **Approve** a variance to construct a building 38' from the state highway right-of-way.

133

134 **Hall second.** All in favor. **Motion carried.** Variance **approved.**

135

136 As there was no further business to come before the Board, **King** made a motion to adjourn the meeting.

137 **Hall** seconded. All in favor. Motion carried.

138

139 Meeting adjourned at 6:54pm.

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142 \_\_\_\_\_ ATTEST \_\_\_\_\_

143 Acting Chairman Lee Kessler

Kyle Vareberg,  
Planning and Zoning Administrator

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