

Becker County Board of Adjustments
June 8th, 2023

Present: Members: Chairman Roger Boatman, Michael Sharp, Delvaughn King, Dan Josephson, Kohl Skalin, Craig Hall, Larry Knutson, Planning & Zoning Administrator Kyle Vareberg, and Planning & Zoning Office Support Specialist Janai Seley.

Chairman Roger Boatman called the meeting to order at 6:00 p.m. Planning & Zoning Office Support Specialist Janai Seley recorded the minutes.

Introductions were given.

King made a motion to approve the minutes from the May 11th meeting with no changes. **Hall** seconded. All in favor, Motion carried.

OLD BUSINESS:

FIRST ORDER OF BUSINESS: APPLICANT: Robert Lieberg Revocable Trust 2241 Clarke Dr Lake Havasu City, AZ 86403-3743 **Project Location:** 20967 Co Hwy 32 Rochert, MN 56578 **Tax ID number:** 10.0033.000 **LEGAL LAND DESCRIPTION:** Section 03 Township 139 Range 040; W 100' OF E 325' OF LOT 6 **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, and to be at thirty-eight (38) percent impervious surface coverage. This application was tabled from the May 11th, 2023 hearing.

Robert Lieberg presented the application. He explained his amended application to be 8 feet from the right of way. He added that he would like to remove part of his impervious rock driveway to better accommodate the placement of a garage and reduce impervious coverage. He also noted that many trees along his driveway were cleared in a tornado last summer, and the visibility into the roadway is not a concern.

Knutson asked for clarification on the setback.

Vareberg said the required setback for a garage on this parcel would be 78 feet from the centerline of the road, and the applicant is proposing a 41-foot setback from the centerline.

Sharp asked if there is any existing mitigation for the current 38% impervious surface coverage.

Lieberg said no, but there are no current issues with stormwater drainage on the lot. He added there is an additional amendment to the variance to be 1 foot from the property line.

Skalin said the 1-foot setback from the side property line is not realistic.

Hall asked if the applicant would be willing to remove the existing basketball court to mitigate the impervious surface coverage on the lot.

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Lieberg said he would be willing to remove the basketball court.

Hall asked the applicant if moving the garage to 55 feet from the centerline would be possible.

Lieberg said he could move the garage to 55 feet from the centerline, but it will require reworking his circular driveway.

Testimony closed.

Motion: Hall motioned to **approve** the variance, with revisions, to construct a garage 55 feet from the centerline of the road, 5 feet from the side property line, and the impervious coverage of the lot remains the same. Additionally, the applicant must obtain stormwater mitigation from the Becker County Planning & Zoning Office. Based on the findings of fact that the proposal makes the property more functional for the homeowner and does not alter the character of the locality.

King second. All in favor. **Motion carried.** Variance **approved.**

SECOND ORDER OF BUSINESS: Robert A Lesage & Richard L Lesage PO BOX 458 Redwood Falls, MN 56283 **Project Location:** 30414 Co Hwy 35 Ponsford, MN 56575 **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. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a dwelling sixty-five (65) feet from the ordinary high-water mark on a recreational development lake, deviating from the required setback of one hundred (100) feet due to topographical issues. This application was tabled from the May 11th, 2023 hearing.

Douglas Lesage presented the application. He explained the ditch running through the property can be rerouted and proposed to build at 75 feet from the ordinary high-water mark.

Testimony closed.

Hall thinks the proposal is reasonable and consistent with the locality.

Motion: Sharp motioned to approve the variance with an amendment to be at 75 feet from the ordinary high-water mark given the unique topography of the lot. Additionally, the request puts the property to use in a reasonable manner and does not alter the character of the locality.

Skalin second. All in favor. **Motion carried.** Variance **approved.**

Chairman Roger Boatman read the protocol for the meeting.

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89 Mike Sharp read the guidelines of the Minnesota statutes the board must follow in order to support
90 or deny any request.

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92 **NEW BUSINESS:**

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94 **FIRST ORDER OF BUSINESS: APPLICANT: Joel Moore & Dawn Moore** PO Box 67
95 Arthur, ND 58006-0067 **Project Location:** 21855 NW Pickerel Lake Rd Detroit Lakes, MN
96 56501 **Tax ID number:** 10.0050.000 **LEGAL LAND DESCRIPTION:** PT GOVT LOT 9;
97 BEG AT INTER OF S LN OF LOT 9 & PICKREL LK, TH W 315.51', N 238.95', NE 334.40'
98 TO LK & S TO BEG; Pickerel Lake, Erie Twp. **APPLICATION AND DESCRIPTION OF**
99 **PROJECT:** Request a variance to construct a storage shed to be located at thirty-seven (37) feet
100 from the Centerline (CL) of a Township Road, deviating from the required setback of fifty-three
101 (53) feet due to setback issues.

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103 Joel Moore presented the application. He explained the need for a storage building on the property
104 and outlined that the proposed location is most practical for the lot and will leave the most
105 vegetation undisturbed.

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107 Boatman asked for clarification on the proposed size of the building.

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109 Moore said the proposed size is 70' x 36'.

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111 Sharp asked if the other storage structures on the property will be removed.

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113 Moore said the existing shed near the road will be moved toward the lake, more than 100 feet
114 away.

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116 Boatman asked Vareberg the allotted square footage for a shed per ordinance.

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118 Vareberg said there is no ordinance restricting square footage on a storage shed.

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120 Josephson asked if there is a maximum number of accessory structures allowed per parcel.

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122 Vareberg said there is no limit to the number of accessory structures allowed, the allowed
123 impervious lot coverage just cannot be exceeded.

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125 Testimony closed.

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127 **Motion:** Hall motioned to approve the variance to construct a storage shed 37 feet from the
128 centerline of a township road, deviating from the required 53-foot setback given the request puts
129 the property to use in a reasonable manner, does not alter the character of the locality, and is
130 consistent with the purpose and intent of the ordinance.

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132 **Skalin second.** All in favor. **Motion carried.** Variance **approved.**

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SECOND ORDER OF BUSINESS: APPLICANT: 6367 Boat Properties 24147 Wine Lake Rd Detroit Lakes, MN 56501 **Project Location:** 24147 Wine Lake Rd Detroit Lakes, MN 56501 **Tax ID numbers:** 08.0320.000 & 08.0319.001 **LEGAL LAND DESCRIPTIONS:** 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; Detroit Township, Wine Lake. **APPLICATION AND DESCRIPTION OF PROJECT:** Request an amendment to Variance 2022-250 approved 07/21/2022. To construct an addition to an existing building to be located seventy (70) feet from the ordinary high-water (OHW) mark, deviating from the required setback of one hundred and fifty (150) feet on a Natural Environment Lake due to lot shape.

Kevin Tinjum presented the application. He explained the request is an amendment to the variance approved last summer.

Josephson said both parcels are exempted into the airport zoning ordinance already, if there are no concerns with FAA he doesn't see any issues with the proposal.

Skalin asked if the applicant has been working with Becker County Soil and Water.

Tinjum said yes, permits are already obtained for the project through Becker County Soil and Water.

Motion: Sharp made a motion to **approve** the amended variance to build at 70 feet from the ordinary high-water mark, subject to FAA approval, given the proposal puts the property to use in a reasonable manner, does not alter the character of the locality, and is in harmony with the purposes and intents of the ordinance.

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

As there was no further business to come before the Board, King made a motion to adjourn the meeting. Hall second. All in favor. Motion carried. Meeting adjourned at 6:58 pm.

_____ ATTEST _____
Chairman Roger Boatman Kyle Vareberg,
Planning and Zoning Administrator