

**Becker County Board of Adjustments**  
**May 9<sup>th</sup>, 2024**

An audio recording of this meeting is available at:  
[https://www.co.becker.mn.us/government/meetings/planning\\_zoning/board\\_adjustments/](https://www.co.becker.mn.us/government/meetings/planning_zoning/board_adjustments/)

**Present:** Members: Chairman Roger Boatman, Acting Vice Chair Dan Josephson, Delvaughn King, Kohl Skalin, Larry Knutson, Craig Hall, and Planning and Zoning Administrator Kyle Vareberg.

**Absent:** Mike Sharp

Chairman Roger Boatman called the meeting to order at 6:00 p.m. Planning & Zoning Technician Nicole Bradbury recorded the minutes.

Introductions were given.

Chairman Roger Boatman read the protocol for the meeting.

Acting Vice Chairman Dan Josephson read the guidelines of the Minnesota statutes the board must follow in order to support or deny any request.

**Motion: King** made a motion to **approve** the minutes from the March 21, 2024, meeting; **Josephson second**. All in favor. Motion carried.

**NEW BUSINESS:**

**FIRST ORDER OF BUSINESS: APPLICANT: Steffl Family Trust** 1050 North Shore Drive Detroit Lakes, MN 56501 **Project Location:** 32675 W Cotton Lake Rd Rochert, MN 56578 **Tax ID Number:** 16.0246.000 **LEGAL LAND DESCRIPTION:** Section 34 Township 140 Range 040; 34-140-40 PT GOVT LOT 5: COMM WLY COR LOT 1 BLK 1 SILVER BAY, SW 375.11', SWLY 348.37', S 26.52' TO POB; NW 38.23, SW 95.41', SE 99.51', NE 5.72', SE 191.61 TO COTTON LK, NELY AL LK 76.53', NW 279.99' TO POB. TRACT B, Cotton Lake. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to 1) Replace an existing deck at fifty-seven (57) feet from Ordinary High Water (OHW) mark deviating from the required setback of one hundred (100) feet on a Recreational Development Lake, 2) replace an existing dwelling with a dwelling and attached garage to be located at seventy-five (75) feet from the Ordinary High Water (OHW) mark deviating from the required setback of 100 hundred (100) feet on a Recreational Development Lake, 3) to be located ten (10) feet from the right-of-way (ROW) deviating from the required setback of twenty (20) feet on a township road within the shoreland district all due to lot size and setback issues.

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44 There was an amendment to the request to be at twenty-six (26) percent impervious surface  
45 coverage.

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47 One letter was received in regard to this application is entered below:  
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**From:** Matter, Ione <IMatter@ISD12.org>  
**Sent:** Monday, May 6, 2024 10:28 AM  
**To:** Nicole Bradbury  
**Cc:** Ione Matter  
**Subject:** [EXTERNAL]Parcel Number 160246000 - Permit #345 - Steffl Trust

**BECKER COUNTY SECURITY NOTICE :**

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Below are the concerns that should be addressed at the Variance Application Review scheduled for 6:00pm on May 9th.

1. Since the "existing cabin" and deck will be torn down this build project should be considered "**new construction**" and should meet the required setback from the ordinary high water mark (OHW) determined by setback averaging plus 20 feet as outline in Chapter 5 section 2, bullet point C in the Zoning Ordinance of Becker County.

A.) Option 1. Build the "cabin only" on the lake side of the lot and the "detached garage" on the back side of the lot. This building option would comply with the Zoning ordinance, no variances would be required.

B.) Option 2. Orientation of the "new construction cabin" could be rotated 90 degrees to help meet both the shoreline and township road setback issues. The overall depth of the cabin will be reduced 12 feet. The garage will maintain it's orientation. Variances will still be required.

2. The water mitigation lot size should be limited to the area on the lake side of the township road. Approximately 14,500 sqft as measured on the Interactive Map. Water runoff from impervious surfaces on the lake side of the road will never flow or drain across the road. Gutters on the "new construction cabin should be required as well as a french drain to accept the water from impervious surfaces. Application indicates mitigation measures will be used, but measures are not documented.

3. The permit indicates future septic location will be in the back lot. What type of septic system is it, Holding tank, Mound system or Drain field? What is the required setback from the property line?

4. Not sure if the number of campers should be addressed at this meeting, however the campers impervious surfaces could be used in the water mitigation calculation.

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50 Better Matter and her daughter shared concerns for the project and asked for more information.  
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52 **Motion: Hall** motioned to **approve** the amended application with the stipulation they mitigate  
53 stormwater to stay on their property. It is recommended to work with Becker Soil and Water or  
54 the agency of their choice with the additional recommendation of French drains based on the  
55 findings it meets the intent of the ordinance, it's in harmony with the official controls, and it will  
56 not alter the character of the locality. **Skalin seconded.** King, Sharp, Hall, Knutson, and Skalin  
57 in favor. Josephson opposed. **Motion carried.** Variance **approved.**

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60 **SECOND ORDER OF BUSINESS: APPLICANT: Matthew E & Sarah M Mueller** 754  
61 Riverbend Rd Oxbow, ND 58047 **Project Location:** 14854 E Munson Dr Detroit Lakes, MN  
62 56501 **Tax ID Numbers:** 19.1165.000, **LEGAL LAND DESCRIPTIONS:** Section 08 Township  
63 138 Range 041; DUTTON'S REARRANGEMT LOTS 61 TO 64 INCL. LIFE ESTATE TO  
64 ARNOLD MACKNER; Munson Lake. **APPLICATION AND DESCRIPTION OF PROJECT:**  
65 Request a variance to 1) replace a patio with a deck to be located nineteen (19) feet from Ordinary  
66 High Water (OHW) 2) construct a deck to be located nineteen (19) feet from the OHW, and 3) to  
67 construct a three (3) season porch to be located thirty-three (33) feet from OHW all deviating from  
68 the required setback of one hundred (100) feet on a Recreational Development Lake due to lot size  
69 and setback issues.

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71 **This application was tabled before the meeting.**

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74 **THIRD ORDER OF BUSINESS: APPLICANT: Fairbanks Cumber Family Revocable**  
75 **Living Trust** 21138 Sunset View Rd Rochert, MN 56578 **Project Location:** 21138 Sunset View  
76 Rd Rochert, MN 56578 **Tax ID Number:** 10.0742.000 **LEGAL LAND DESCRIPTION:**  
77 Section 01 Township 139 Range 040; Sunset View Beach 139 40 Lots 12 and 13, Cotton Lake.  
78 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to 1) enclose an  
79 existing deck forty (40) feet from the Ordinary High Water (OHW) mark.

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82 **Motion: Hall** motioned to **approve** the variance based on the fact its in harmony with the  
83 official controls and the character of the locality, it meets the intent of the ordinance, and it won't  
84 negatively affect neighbors. **King seconded.** King, Hall, Knutson, Boatman and Skalin in favor.  
85 Josephson opposed. **Motion carried.** Variance **approved.**

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88 **FOURTH ORDER OF BUSINESS: APPLICANT: Curt J Lynde & Kristine M Lynde**  
89 27398 Bullert Rd Ogema, MN 56569 **Project Location:** 19063 Co Rd 131 Detroit Lakes, MN  
90 56501 **Tax ID Number:** 08.0334.000 **LEGAL LAND DESCRIPTION:** Section 21 Township  
91 139 Range 041; 50' E&W X 100' N&S LYING 200 FT W OF NE COR NW1/4 OF NE1/4 OF  
92 NE1/4.; Detroit Township **APPLICATION AND DESCRIPTION OF PROJECT:** Request a  
93 variance to construct a detached structure to be located eleven (11) feet from the side property

94 line deviating from the required setback of fifteen (15) feet on a commercially zoned lot and to  
95 be fifteen (15) feet from the rear property line deviating from the required setback of twenty (20)  
96 feet all due to lot size and setback issues.

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98 One letter was received for this application and is entered below:  
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**Reply to 19063 county road 131 application**

Letting a building (commercial) being build past setbacks and larger than that lot allows will create issues for the residents to the west, east, and north of the property and ongoing issues for this community. There are currently issues with the lot now with customers parking on the sides of county road 131, vehicles parking in neighboring driveways blocking all access to their properties. The cars that park on 131 block the view of traffic making it difficult for residents to leave their driveways safely as they are unable to see oncoming traffic.

I don't know that anyone would like to come home & not be able to access their driveway especially with young children.

The property has not been the same owners it was just sold a couple years ago and the person doing the project is not the name of the person asking for this variance.

What is this building going to be? What kind of traffic will be in/out? What does a detached structure mean for this commercial property? Will it be commercial storage, office space, a warehouse for a business?

If the variance passes for larger building are the owners going to put what they desire in the building and cause issues for surrounding homeowners with issues listed above? This is not at all beneficial for any of the residential houses to the west it will only make the properties unsafe and less valued.

We have already had many big changes to county road 131/Tower Road over the past years including Foltz trucking growth, an ice shack, Highway department, in the works is a city building. This has increased the traffic immensely. There are many units gassing up at the highway department including law enforcement, employees coming and going and big equipment. We would like to save this part of the road for what is left of residential living. As you all are well aware we are in a huge housing shortage and we cant just pick up and move our children.

Please consider that we are trying to live here with small children and maybe some of the issues with traffic etc need to be taken up at another meeting but allowing this variances only opens up for more issues for the residence of south county road 131.

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Thank you

Sent from Iphone  
Lindsay Bozovsky

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104 **After some discussion, the applicant tabled the application.**

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107 **FIFTH ORDER OF BUSINESS: APPLICANT: Jaeden G Pederson & Lorie M Pederson**  
108 1439 12<sup>th</sup> St Ct West Fargo, ND 58078 **Project Location:** 15591 W Little Cormorant Rd  
109 Audubon, MN 56511 **Tax ID Number:** 17.1252.832 **LEGAL LAND DESCRIPTION:** Section  
110 05 Township 138 Range 042; Block 001 Lot 002 LITTLE LAKES HIDEAWAY; Little  
111 Cormorant Lake. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance  
112 to construct a storage shed to be located five (5) feet from the road right-of-way (ROW)  
113 deviating from the required setback of twenty (20) feet on a township road within the shoreland  
114 district due to setback issues.

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116 Letters received for this application are entered below:  
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We are writing regarding the variance to construct a storage shed to be located five (5) feet from the road right-of-way deviating from the required setback of 20 feet on a township road within the shoreland district due to set back issues.

We have been lake owners on Little Cormorant Lake for over 26 years. Our concerns regarding the variance are as follows:

1. The application fails to identify sufficient reason to grant the variance.
2. There is more than sufficient space for the storage shed to be located on the property without a variance. The application states "the size of lot is larger than many neighboring properties." This is clearly evident by the map.
3. The proposed storage shed is **40 x 80** (3,200 square feet and 23 feet in height) and will clearly impact the visibility for traffic and pedestrians. Little Cormorant Road is a busy road with lots of traffic, including not only vehicles, but also golf carts, razors, rangers, runners, bikers and walkers.
4. All of the surrounding properties on the road that have detached garages comply with the setback requirements.

Based on the foregoing, we respectfully request the Planning Commission deny a variance. Thank you.

Bruce and Michelle Donarski  
15705 West Little Cormorant Road  
Audubon, MN

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Hi Nicole, let me know if I need to revise below but I was at the lake and saw the proposed markers for the building and would like to add another bullet point on why this should be denied. The variance would infringe on the road right away where the natural gas lines and Arvig fiber run in that ditch. Thank you

120 **Bruce Donarski** | Account Executive

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**After some discussion the applicant tabled the application.**

126 **SIXTH ORDER OF BUSINESS: APPLICANT: Michael D & Carla A Johnson** 2611 Major  
127 Ave N Golden Valley, MN 55422 **Project Location:** 38025 Lloyd Larson Ln S Ponsford, MN  
128 56575 **Tax ID Number:** 12.0060.003 **LEGAL LAND DESCRIPTION:** Section 08 Township  
129 142 Range 037; PT GOVT LOT 4: COMM SE COR TH W 459.64' TO POINT A, CONT W  
130 37.60' AL S LN, TH NE 170.37' TO POB; CONT NE 183.72', TH NW 352.32' TO BAD MED  
131 LK, SLY AL LK 225', TH SE 305.04' TO POB AKA TRACT A; Bad Medicine Lake.  
132 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a  
133 deck, screened porch, and a second story addition to an existing dwelling to be located zero (0)  
134 feet from a bluff deviating from the required setback of thirty (30) feet due to setback issues.

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Letters received for this application are entered below:

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I am writing regarding Mike and Carla Johnson's variance request. We live a few lots south of the Johnsons. I don't really understand why a variance is needed since there has been an existing dwelling/basement at this site for about 20 years but rules change I guess. As a neighbor, I have no problem with this variance request. They have a nice hidden structure now and this would not require land alterations or damage to the shoreline area.

Thank you,  
Barb Christiansen

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To Whom it May Concern,

We are direct neighbors to Mike & Carla Johnson and are aware of their plans. We are totally in support of their building project and approve of the addition to their existing walk out home. Our hope is that they do not have to go through the nightmare that we experienced. Like Mike and Carla, we received a permit and built a walk-out structure on our lot in 2009. We enjoyed the use of the home until we got close to retirement, got our plans ready to build up, hired a builder and obtained a mortgage. Only then when the builder applied for the permit and was denied, did we learn of the bluff issue, which obviously the county was aware of, but never shared with the lake owners that might be affected. Hopefully based on our struggles and costs to obtain our permit Mike & Carla will not have to deal with the same. We are looking forward to having them as year-round neighbors.

Alan & Karen Hefner  
38015 Lloyd Larson Lane S  
Ponsford, MN 56575  
952-300-0296

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144 Rolf Christiansen spoke in favor of the application.

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147 **Motion: Skalin** motioned to **approve** the variance based on the fact it falls in harmony with the  
148 official controls and the character of the locality, and he has a practical difficulty. **Hall**  
149 **seconded.** All in favor. **Motion carried.** Variance **approved.**

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152 **SEVENTH ORDER OF BUSINESS: APPLICANT: Rindt Revocable Trust** 1219 S 83<sup>rd</sup> St  
153 Grand Forks, ND 58201 **Project Location:** 26295 Co Hwy 37 Detroit Lakes, MN 56501 **Tax ID**  
154 **Number:** 28.0041.000 **LEGAL LAND DESCRIPTION:** Section 09 Township 140 Range 038  
155 COM AT NE COR LOT 1 TH W 41 RDS S 370' SE AT ANGLE OF E 45 DEG TO SHELL  
156 LAKE NE AL SHORE TO E LINE LOT 1 & N TO BEG; Shell Lake. **APPLICATION AND**  
157 **DESCRIPTION OF PROJECT:** Request a variance to 1) construct a deck to be located thirty  
158 (30) feet from the Ordinary High-Water (OHW) and 2) relocate a shed from forty (40) feet from  
159 the OHW to sixty-five (65) feet from the OHW and six (6) feet from the side property line; both  
160 requests deviating from the required set back of one hundred feet on a Recreational Development  
161 Lake and the shed deviating from the required side setback of ten (10) feet all due to lot size and  
162 setback issues.

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165 **Motion: Knutson** motioned to **approve** the variance. **Skalin seconded.** All in favor. **Motion**  
166 **carried.** Variance **approved.**

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As there was no further business to come before the Board, **Hall** made a motion to adjourn the meeting. **King** seconded. All in favor. Motion carried. The meeting adjourned at 7:17 pm.

\_\_\_\_\_ ATTEST \_\_\_\_\_  
Chairman Roger Boatman Kyle Vareberg,  
Planning and Zoning Administrator