Becker County Board of Adjustments
September 26th, 2022

Present: Members: Chairman Roger Boatman, Michael Sharp, Justin Knopf, Delvaughn King, Dan Josephson, Kohl Skalin, and Office Support Specialist Janai Seley

Absent: Craig Hall, Zoning Administrator Kyle Vareberg

Chairman Roger Boatman called the meeting to order at 6:03 p.m. Office Support Specialist Janai Seley recorded the minutes.

Introductions were given.

Chairman Roger Boatman explained the protocol for the meeting.

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

NEW BUSINESS:

FIRST ORDER OF BUSINESS: APPLICANT: Brian W McDonald & H L Kivi 12620 Vicinity Ln Audubon, MN 56511 **Project Location:** 12620 Vicinity Ln Audubon, MN 56511 **Tax ID Number:** 17.0837.506 **LEGAL LAND DESCRIPTION:** Section 19 Township 138 Range 042 KOHLER'S BAY VIEW Lot 006 Block 001; Lake Eunice Township. **APPLICATION AND DESCRIPTION OF PROJECT:**

1.) Request a variance to construct a deck and an addition to be located at ninety (90) feet from the ordinary high-water mark (OHW), deviating from the required setback of one hundred (100) feet from the OHW on a Recreational Development Lake due to setback issues.

Sam Rufer presented the application on behalf of Brian McDonald. He explained there is a practical difficulty on the lot in the form of a drainage ditch, and it would be most practical to rebuild the deck in the same location.

Boatman asked if they will be building in the same footprint.

Rufer responded that the proposed deck is smaller in size but within the footprint of the previous deck.

Josephson asked for clarification of what is being requested.

Rufer responded the request is for a walk-out basement and deck within the same footprint of the existing deck, but smaller in size.

Testimony Closed.

Motion: Sharp made a motion to **approve** the variance as submitted based on the findings that it puts the property to use in a reasonable manner that is consistent with the comprehensive plan and intent of the ordinance, it does not alter the character of the locality as neighboring structures are as close or closer to the lake and the amount of impervious coverage will remain relatively low.

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

SECOND ORDER OF BUSINESS: APPLICANT: Ronald L Ketcher 515 Elm St W Norwood Young America, MN 55368 **Project Location:** 54809 Pearl St Osage, MN 56570. **Tax ID Number:** 21.0475.000 **LEGAL LAND DESCRIPTION:** Section 20 Township 140 Range 036 VAN NICE SHORES 20-140-36 LOT 9 VAN NICE SHRS. PT NE1/4 SE1/4: COMM SW COR SE1/4 SEC 20, N 2643.41', E 2641.12', W 797.78', SLY 163.2' TO POB; S 39.74', E 149.63', S 49.41', SWLY 151.77', S 67.72', NW 57' TO POND, NLY AL POND TO PT W OF POB, E 29' TO POB. TRACT A (.33AC); Osage Township. **APPLICATION AND DESCRIPTION OF PROJECT:**

1.) Request a variance to place a shed thirteen (13) feet from the road right-of-way (ROW), deviating from the required setback of twenty (20) feet from the ROW on a township road due to setback issues.

Ronald and Melissa Ketcher presented their application. They explained they would like to move an existing shed onto their lot across the road and construct a new year-round home where the shed is currently located. Last year, they relocated a cabin to the lot where the shed is proposed to be moved under a separate variance application.

Josephson asked for clarification on the proposed location of the cabin on the lot.

Melissa explained the back of the cabin and the back of the shed are parallel to each other in the proposal.

Skalin expressed concerns about the location of the shed, saying that a thirteen-foot setback would not provide enough room to safely park a vehicle.

Melissa explained the shed will be used strictly for storage and reiterated that lot will be used seasonally for temporary guest housing.

Skalin proposed that the Ketchers move their shed back on the lot to improve functionality and allow for ample parking room.

The Ketchers agreed that moving the shed back on the lot would be best for all parties.

Testimony Closed.

Motion: Skalin made a motion to **approve** an amended variance for the placement of a shed 10 feet from the rear property line and 10 feet from the side property line, ensuring there is no impact to the road right of way.

Knopf Second. All in favor. **Motion carried.** Variance **approved.**

THIRD ORDER OF BUSINESS: APPLICANT: Kathryn S Christensen 1117 3rd Ave S Fargo, ND 58103 **Project Location:** 33802 Loon Dr Ogema, MN 56569 **Tax ID Number:** 32.0015.000 **LEGAL LAND DESCRIPTION:** Section 01 Township 141 Range 040 PT GOVT LOT 2 KNOWN AS LOTS 3 & 4 & 50; Sugar Bush Township **APPLICATION AND DESCRIPTION OF PROJECT:**

1) Request a variance to construct an addition to be located fifty (50) feet from the Ordinary High-Water mark (OHW), deviating from the required setback of one hundred (100) feet on a Recreational Development Lake due to setback issues.

Kathryn Christensen presented the application. She explained there is a 24-foot distance between the two cabins on the lot, and she would like to construct an addition to connect them due to a growing family.

Boatman asked if the two lots have been officially combined and recorded by the recorder's office.

Christensen said yes, they were combined into one lot before she purchased the property from her parents.

Testimony closed.

Motion: Sharp motioned to approve the request as presented given the request puts the property to use in a reasonable manner that is consistent with the purposes and intent of the comprehensive plan, does not alter the character of the locality, and does not drastically increase the amount of impervious surface coverage.

King Second. All in Favor. **Motion carried**. Variance **approved.**

FOURTH ORDER OF BUSINESS: APPLICANT: Carolyn Diercks-Bergschneider & Maren Diercks 6422 E Bethany Place Denver, CO 80222 **Project Location:** 31382 E Round Lake Rd Ponsford, MN 56575 **Tax ID Number:** 25.0508.000 **LEGAL LAND DESCRIPTION:** Section 18 Township 141 Range 038; IDLEWOOD BEACH LOT 1, N 1/2 LOT 2 AMEND IDLEWOOD BCH. PT GOVT LOT 2: BEG NE COR GOVT LOT 2, W 47', SW 262' AL DRIVE, E 96', N 292' TO POB.; Round Lake Township **APPLICATION AND DESCRIPTION OF PROJECT:**

1) Request a variance replace a garage with a larger footprint to be located five (5) feet six (6) inches from the side property line, deviating from the required setback of ten (10) feet due to setback issues.

Ron Muff presented the application on behalf of Carolyn Diercks-Bergschneider and Maren Diercks. He explained the existing garage was damaged in a storm over the summer, and his clients would like to rebuild the garage with a larger footprint and sleeping quarters above.

Boatman asked if the garage would also have a kitchen and bathroom.

Muff said no, it will only have an open sleeping quarters.

Testimony Closed.

Motion: Sharp motioned to approve the request as presented given the request puts the property to use in a reasonable manner that is consistent with the purposes and intent of the comprehensive plan and zoning ordinance, the request does not alter the character of the locality, and the garage maintains the same setback.

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

FIFTH ORDER OF BUSINESS: APPLICANT: Kevin P Byer PO Box 261 Osage, MN 56570 **Project Location:** 54958 & 54980 St Hwy 34 Park Rapids, MN 56470 **Tax ID Numbers:** 21.0172.000 & 21.0173.001 **LEGAL LAND DESCRIPTION:** Section 20 Township 140 Range 036; SE1/4 OF SE1/4 LYING E OF LK & RIVER LESS 7.36 AC TO STATE LESS HWY & TR SOLD; PT SE1/4 OF SE1/4 BEG 293.6' N & 33' W OF SE COR SE1/4; TH W 75', S TO HWY, NE'LY 93' TO N 120' TO BEG; Osage Township. **APPLICATION AND DESCRIPTION OF PROJECT:**

1) Request a variance to place a structure located ten (10) feet from the road right-of-way (ROW), ten (10) feet from the rear property line, and ten (10) feet from the side property line, deviating from the required setbacks of an industrial zoned property due to setback issues.

Kevin Byer presented the application. He explained there are other structures along the same road in Osage with similar setbacks as he is proposing.

Boatman asked about the proposed impervious surface coverage of the lot, stating a decision cannot be made without accurate and complete information. Boatman suggests tabling the application until the October 20th meeting so that the applicant can gather more information for the board.

Sharp agreed with Boatman and said there is not enough information for the board to vote on the application.

Motion: Sharp made a motion to table the application until the October 20th meeting to work with the applicant further on the setback issues surrounding the property.

King Second. All in favor. **Motion carried.** Application **tabled.**

SIXTH ORDER OF BUSINESS: APPLICANT: KBCB Properties LLC 4963 35th Ave S Fargo, ND 58104 **Project Location:** 54906 St Hwy 34 Osage, MN 56570 **Tax ID Number:** 21.0174.000 **LEGAL LAND DESCRIPTION:** Section 20 Township 140 Range 036 BEG 313.20' N & 267.50' W OF SE COR SE1/4 OF SE1/4 TH W 100', S 211.50' TO ROW HWY 34, TH E AL ROW HWY 100' & N TO POB; Osage Township. **APPLICATION AND DESCRIPTION OF PROJECT:**

1) Request a variance to place a structure to be ten (10) feet from the road right-of-way (ROW) and ten (10) feet from the side property line, deviating from the required setbacks of a commercial zoned property due to setback issues.

Kevin Byer presented the application.

Knopf states the side property setback requested is against Byer's own lot line, as he owns the adjoining parcel.

Byer agrees yes, road right-of-way is the reason for the variance.

Sharp says the request is reasonable and the structure will not fall in the road right-of way.

Testimony closed.

Motion: Sharp motions to approve the variance as requested given the request puts the property to use in a reasonable manner that is consistent with the purposes and intent of the comprehensive plan and zoning ordinance, the request does not alter the character of the locality, and there is sufficient setback to park a vehicle in front of the garage.

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

EIGHTH ORDER OF BUSINESS: Informational Meeting. The next informational meeting is scheduled for October 13th, 2022, in the 3rd Floor Zoning Meeting Room of the Original Courthouse. As there was no further business to come before the Board, **King** made a motion to adjourn the meeting. **Knopf** second. All in favor. Motion carried. Meeting adjourned at 7:07 pm.

_____ ATTEST _____

Chairman Roger Boatman

Kyle Vareberg,
Planning and Zoning Administrator