



COUNTY OF BECKER

Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501
Phone: 218-846-7314 ~ Fax: 218-846-7266

**BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING**
****HEARING DATE AND LOCATION****
Thursday, December 12, 2019 @ 7:00 P.M.
Commissioner's Room-Becker County Courthouse
Detroit Lakes, MN 56501

APPLICANT: Roger Saba
40340 Little Toad Lake Rd
Frazee, MN 56501

Project Location: 40340 Little Toad Lake Rd Frazee, MN

APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a guest cottage to be located on a non-duplex size lot. Said lot has 64.2 ft of lake shore frontage deviating from the required 225 ft of lake shore frontage for a duplex size lot.

LEGAL LAND DESCRIPTION: Tax ID number: 15.0232.000 Little Toad Lake
24-139-39 PT GOVT LOT 1, 2: COMM INT NLY LN RD & E LN RESTRICTED DRIVE IN GORANSON BCH,
NWLY 234.9', NLY 425.42', W 232.99', NLY 62.95' TO POB; S 62.95', E 232.99', SLY 231.21', W 280', NLY
219.98', W 260.22' TO LIT TOAD LK, NLY AL LK 64.2', E 384.62' TO POB. Section 24 Township 139 Range 039,
Height of Land Township.

Replies/Comments: Interested parties are invited to submit to the Becker County Department of Planning, Zoning, and Land Use, written facts, arguments or objectives before the scheduled date of the Hearing. These statements should bear upon the suitability of the location and the adequacy of the Project and should suggest any appropriate changes believed to be desirable. Replies may be addressed to:

PLANNING AND ZONING DEPARTMENT
915 Lake Avenue
Detroit Lakes, MN. 56501

FAX Number 218-846-7266
EMAIL: zoning@co.becker.mn.us

If you have questions about the Project, feel free to call 218-846-7314.

Jurisdiction: This Project comes under the Regulatory Jurisdiction of the Becker County Zoning Laws.

Regulatory Authority: This Application will be reviewed according to the provisions of the Becker County Zoning Ordinance. The decision whether to issue a Permit will be based on an evaluation of the probable impact including cumulative impacts, of the proposed activity. That decision will reflect the concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, will be considered including the cumulative effects: Land Use, Shoreline Protection, Water Supply and Conservation, Safety, Economics, in General, the Needs and Welfare of the People.

** Weather conditions may change the Hearing date and time. If bad weather occurs, please listen to the local Detroit Lakes Radio Stations or contact the Zoning Office, by 4:30 PM on day of Hearing, for possible rescheduling of the Hearing.

Variance Application Review

Permit # VAR2019-22

Property and Owner Review

Parcel Number(s): 150232000

Owner: ROGER SABA

Township-S/T/R: HEIGHT OF LAND-24/139/039

Mailing Address:
ROGER SABA
40340 LITTLE TOAD LK RD
FRAZEE MN 56544

Site Address: 40340 LITTLE TOAD RD

Lot Recording Date: After 1992

Original Permit Nbr: Kevin Lefebvre

Legal Descr: 24-139-39 PT GOVT LOT 1, 2: COMM INT NLY LN RD & E LN RESTRICTED DRIVE IN GORANSON BCH, NWLY 234.9', NLY 425.42', W 232.99', NLY 62.95' TO POB; S 62.95', E 232.99', SLY 231.21', W 280', NLY 219.98', W 260.22' TO LIT TOAD LK, NLY AL LK 64.2', E 384.62' TO POB.

Variance Details Review

Variance Request Reason(s):

- Setback Issues
- Alteration to non-conforming structure
- Lot size not in compliance
- Topographical Issues (slopes, bluffs, wetlands)
- Other

If 'Other', description:

Description of Variance Request: The current lot has two living structures, the main home, and a guest cabin. The property owner would like to rebuild the guest cabin. The proposed cabin would be moved both further from the property line and further from the lake than the existing guest cabin. The proposed cabin meets all of the county's ordinances except the requirements for a duplex lot. There are two requirements, lot size, and lakeshore frontage. Due to a unique parcel shape and size, the lot does not have the required amount of lakeshore frontage, however the impervious of the proposed plan is only at 3.58 % and with a lot size of 92,108 sqft we meet the required 80,000 square foot total lot size. We are requesting a variance to the ordinance in Chapter 5, Section M. Guest cottages. that requires 225 feet of lakeshore.

OHW Setback:

Side Lot Line Setback:

Rear Setback (non-lake):

Bluff Setback:

Road Setback:

Road Type:

Existing Imp. Surface Coverage: 3.92

Proposed Imp. Surface Coverage: 3.58

Existing Structure Sq Ft: 480

Proposed Structure Sq Ft: 698

Existing Structure Height: 11

Proposed Structure Height: 12

Existing Basement Sq Ft: No

Proposed Basement Sq Ft: No

Change to roofline? Yes

Change to main structural framework? N/A

Other Questions Review

1. Is the variance in harmony with the purposes and intent of the ordinance? Yes

Explain: The intent of the ordinance is to protect the lake from overcrowding and having too many structures on a single parcel of land. The variance is in harmony with the intent of the ordinance because the new structure is further back from both the property line and the lake than the existing guest cabin. The proposed plan will put the parcel at 3.58% impervious, well below the required amount. There is also only a very small opening in the trees, so the proposed structure will be appropriately screened to reduce its visibility from public waters. The proposed structure is less than 700 square feet and less than 15 feet tall. The proposed plan will improve the parcel and make it more compliant than the existing parcel is

with the Becker County ordinances as a whole.

2. Is the Variance consistent with the Becker County Comprehensive Plan? **Yes**

Explain: **The purpose of the Becker County Comprehensive Plan is to help guide its land-use activities and help protect from conflicting land uses or undesirable impacts on natural resources. Page 21 of the Becker County Comprehensive Plan highlights the issue of outdated septic systems on lake lots, and the proposed plan would replace the existing septic system used for the guest cabin. The cabin will be located 200 plus feet from the ordinary high water mark and will meet the lot line setback requirements. Page 98 Watershed Goal, Section A -talks about using the impact on the watershed's carrying capacity to guide the decisions on variance applications, and the proposed plan would improve, and reduce the runoff of the lot, thus reducing the effect on the watershed.**

3. Does the proposal put the property to use in a reasonable manner? **Yes**

Explain: **The proposal makes the property function as a parcel with a guest cottage. The site will continue to serve that Saba family for the foreseeable future.**

4. Are there circumstances unique to the property? **Yes**

Explain: **Roger and Grace Saba take care of Roger's aging mother who resides in the primary residence on the parcel. The proposed guest cabin will enable Roger and Grace to better serve their mother's needs while providing an independent living space for both parties.**

5. Will the variance maintain the essential character of the locality? **Yes**

Explain: **The existing property already has a guest cabin, as do other homes on Little Toad Lake. Because of the distance and coverage from the lake, the proposed plan will meet both the character of the locality and help to improve the parcels aesthetic.**

Field Review Form (Pre-Insp)

Permit # SITE2019-240

Property and Owner Review

Parcel Number: 150232000	Inspector Notes:
Owner: ROGER SABA	
Township-S/T/R: HEIGHT OF LAND-24/139/039	
Site Address: 40340 LITTLE TOAD RD	Does posted address sign match site address? Y N

Dwelling Proposed Review

Dwelling/related structure (1A): New Home-Onsite Construction - Existing Dimensions: 24x20 - Proposed Dimensions: 698 square ft - Proposed Roof Changes? Yes
Attached Garage (1B): N/A - Existing Dimensions: NA - Proposed Dimensions: NA - Proposed Roof Changes? N/A
Other dwelling related improvements (1C): Deck - Pervious - Existing Dimensions: 4x4 - Proposed Dimensions: 8x24 - Proposed Roof Changes? N/A
Other dwelling related improvements (1D): N/A - Existing Dimensions: - Proposed Dimensions: - Proposed Roof Changes?
Additional dwelling related projects/info: Demo a garage and not replacing 308sqft
Inspector Notes:

Non-Dwelling Proposed Review

Non-dwelling related project (2A): - Existing Dimensions: - Proposed Dimensions: - If water oriented structure, review 1) elevation difference between highest pt. of structure and lot elevation at standard setback; 2) lot location requirements are met
Non-dwelling related project (2B): - Existing Dimensions: - Proposed Dimensions: - If water oriented structure, review 1) elevation difference between highest pt. of structure and lot elevation at standard setback; 2) lot location requirements are met
Non-dwelling related project (2C): - Existing Dimensions: - Proposed Dimensions: - If water oriented structure, review 1) elevation difference between highest pt. of structure and lot elevation at standard setback; 2) lot location requirements are met
Additional non-dwelling related projects/info:
Inspector Notes:

Setback Review

Road Type/Measurement From: Private Easement - Right of Way		Shoreland 1000/300? Shoreland-Non-Riparian (Property is within 1000 ft of a lake, stream or river but does not border the water)	
Road setback: - Dwelling: 200+ - Non-dwelling:	Pre-Inspection: - Dwell: - Non:	Lake Name: Little Toad (Height of Land S) [RD] River Name:	
Side setback: - Dwelling: 12ft - Non-dwelling:	Pre-Inspection: - Dwell: - Non:	Pond/Wetland on property? No Bluff? No	
Rear setback: - Dwelling: 25ft - Non-dwelling:	Pre-Inspection: - Dwell: - Non:	OHW setback: - Dwelling: 200+ - Non-dwelling:	Pre-Inspection: - Dwell: - Non:
Septic tank setback: - Dwelling: - Non-dwelling:	Pre-Inspection: - Dwell: - Non:	Pond/wetland setback: - Dwelling: - Non-dwelling:	Pre-Inspection: - Dwell: - Non:
Drainfield setback: - Dwelling: - Non-dwelling:	Pre-Inspection: - Dwell: - Non:	Bluff setback: - Dwelling: - Non-dwelling:	Pre-Inspection: - Dwell: - Non:
Well setback: - Dwelling: 100+ - Non-dwelling:	Pre-Inspection: - Dwell: - Non:		

Inspector Notes:

Other Information Review

Setback Averaging (if applicable):
 - Structure type used:
 - Setback of LEFT like structure:
 - Setback of RIGHT like structure:

Any other impervious surface coverage not noted on application?

Authorized Agent Form

(If you are the owner completing & signing the site application no need to complete this form)

- Form must be legible and completed in ink.
- Check appropriate box(es). Write any specific restrictions on the checked item in the space provided (e.g. "garage site permit" or "valid only on permit applications submitted between 06/01/20XX and 08/01/20XX"). If you want your agent to represent you on a conditional use or variance application and also be authorized to obtain the related permit(s), be sure to check and complete the "permit application" item as well. If an item's box is checked and the accompanying space is left blank, the authorization granted on that item is valid for a period of one year from the date of signature on this form until Becker County Planning and Zoning receives signed, written notification from the property owner(s) stating otherwise or the property's ownership changes.

I (we), Saba, Roger & Grace hereby authorize Lighthouse Construction to act
 (landowner-print name) (agent-print name)
 as my (our) agent on the following item(s): appropriate box(es)

- permit application (write in permit "type" – e.g. site, septic, etc.): site permit
- plat application: _____
- conditional use application: _____
- variance application: _____
- other: _____

on my (our) property located at:
 Tax Parcel Number(s): 150232000 Physical Site Address: 40340 Little Toad RD

Legal Description: _____
 Section: 24 Township: 139 Range: 034 Lot: _____ Block: _____ Plat Name: _____

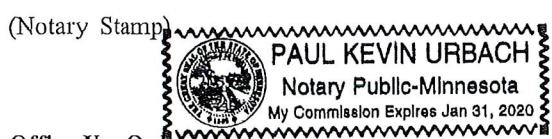
Agent Contact Information

Agent address: 25096 County highway 6 Detroit Lakes MN 56501
 Street City State Zip Code
 Agent phone #(s): (218) 844-1900 Agent fax #: N/A

Agent email address: kevin@lighthouseconstruct.com

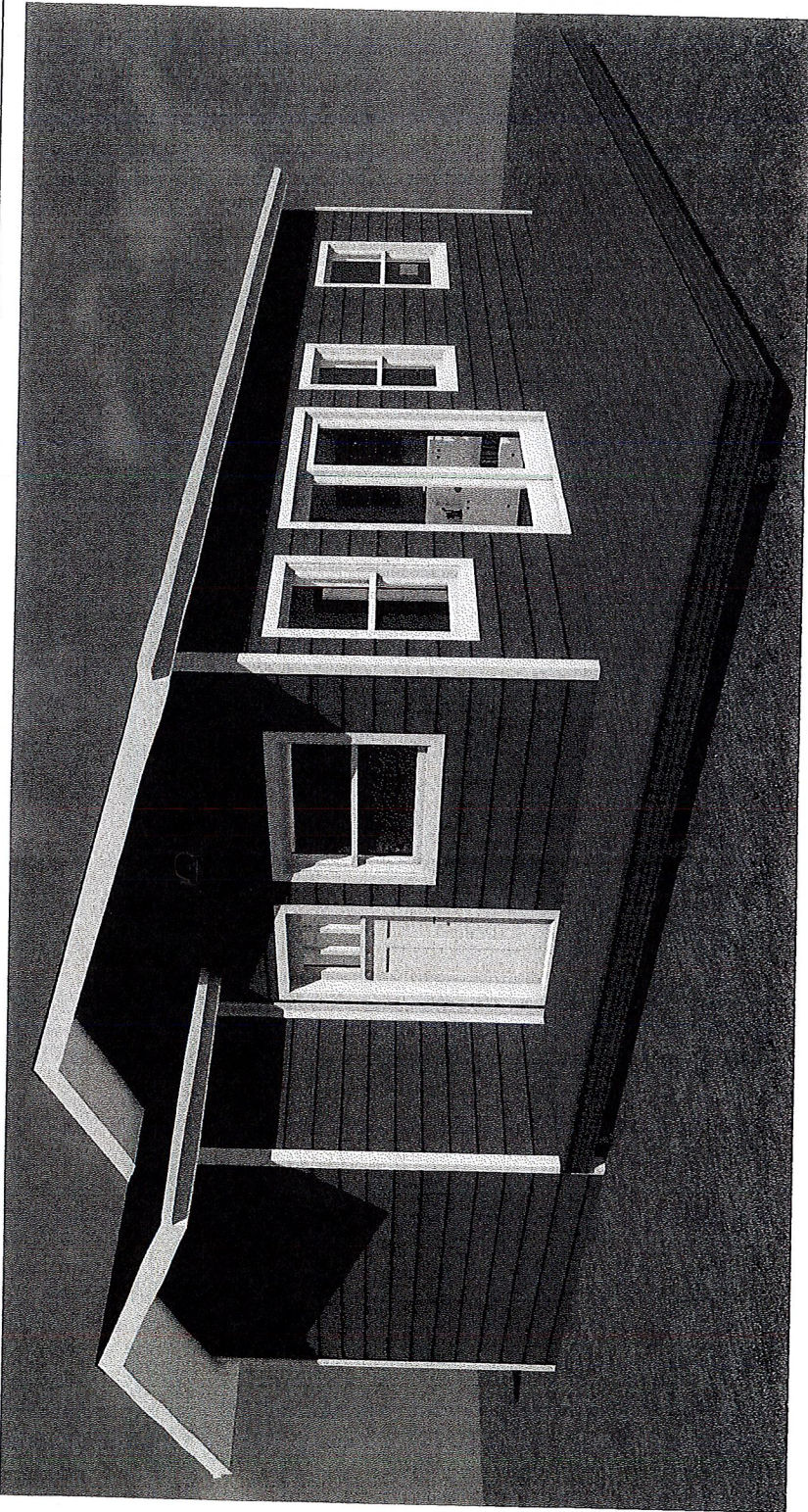
Roger J. Saba Property Owner(s) Signature(s) 28 Oct 2019 Date
 State of Minnesota
 County of Becker

On this 28 day of October before me personally appeared Saba, Roger & Grace
 to me known to be the person(s) described in and who executed the foregoing instrument; and acknowledged
 that He/She executed the same as her/his free act and deed.

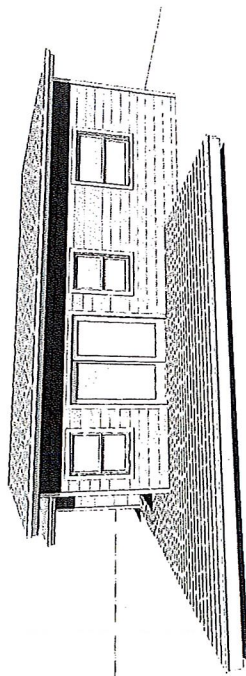


Paul Urbach
 Notary Public

Office Use Only:
 Date received: _____ Expiration Date: Jan 31, 2020



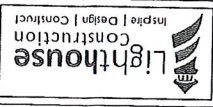
SABA GUEST HOUSE



Little Toad Lake

Notice & Disclaimer
 These plans are drawn to comply with the owner's specifications, and any changes made to them after the Preliminary Design Agreement is signed will be done at the owner's expense and risk. Lighthouse Construction is not responsible for all dimensions and enclosed drawings. Lighthouse Construction is not liable for errors once construction has begun. Lighthouse Construction is not responsible for errors in the preparation of this plan to avoid mistakes. Lighthouse Construction can not guarantee construction error. The selected General Contractor is responsible for all other details prior to construction and be solely responsible thereafter.

CLIENT SIGN-OFF	DATE	DATE: 9/20/2019	SCALE: NTS	SHEET: A-1
CLIENT INFO	PROJECT ESTIMATOR: Anthony Boehm	PROJECT MANAGER: Kevin LeMay	PROJECT DESIGNER: Anna Sanders	
CLIENT INFO	594, Roger	40940 Little Toad Road	Frazee, MN	
CLIENT INFO	230% CO. HWY. 6	DETROIT LAKES, MN 55501	218.84.1499	
CLIENT INFO	SECTION #:	SIGN OFF & DATE:		
CLIENT INFO	COVER PAGE			



CLIENT SIGN-OFF
DATE

Revision #:
Sign Off & Date:

PROJECT ESTIMATOR: Kevin Becken
PROJECT MANAGER: Kevin LeFevre
DETROIT LAKES, MN 55501
25216 CO. HWY. 6
218.644.1400

CLIENT INFO
Saba, Roger Todd Road
France, NH



PAGE #:
FLOOR PLAN

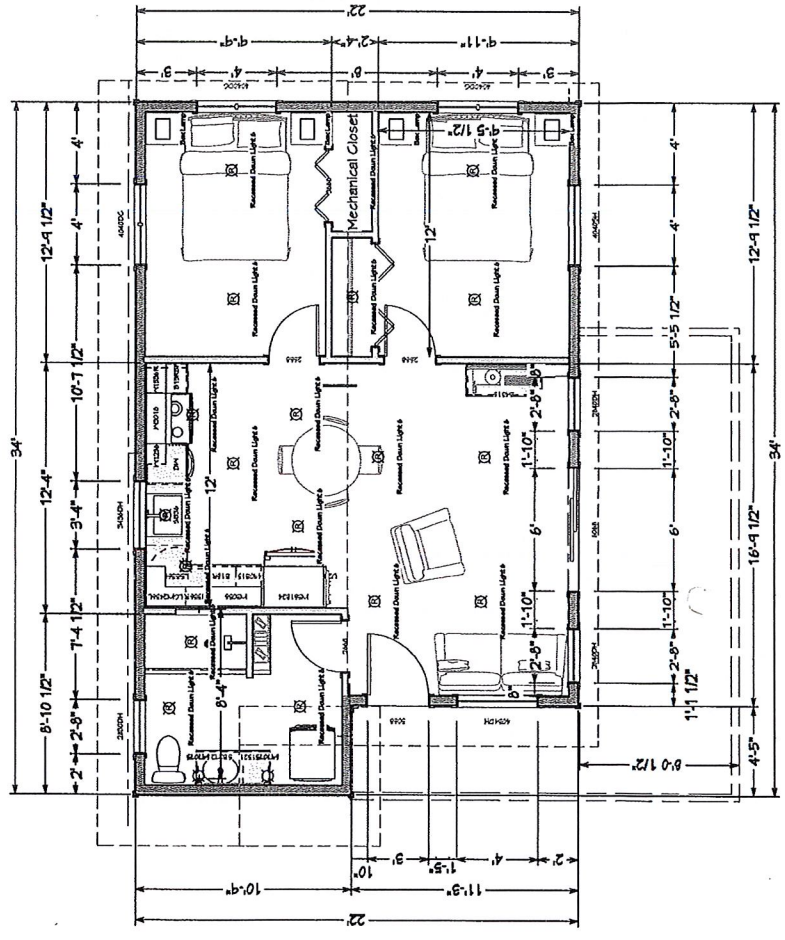
DATE:
9/20/2019

SCALE:
1/4" = 1'-0"

SHEET:
A-3

Notice & Disclaimer:
These plans are drawn to comply with the owner's specifications, and any changes made to them after the Preliminary Design Agreement is completed are the responsibility of the owner. Lighthouse Construction is not responsible for any errors or omissions in the drawings. The contractor is responsible for all dimensions and enclosed drawings. Lighthouse Construction is not liable for errors once construction has begun. Lighthouse Construction is not responsible for any errors or omissions in the drawings. While every effort has been made in the preparation of this plan to avoid mistakes, Lighthouse Construction can not guarantee a perfect plan. The architect, engineer, contractor, and other responsible thereafter.

63855



LIVING AREA
648 SQ FT

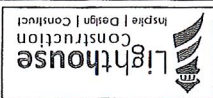
62

CLIENT SIGN-OFF: _____
DATE: _____

Architect No.: _____
Sign Off & Date: _____

PROJECT ESTIMATOR: Anthony Bohm
PROJECT MANAGER: Kevin Letendre
PROJECT DESIGNER: Anna Sanders
22096 CO. HWY. 6
DETROIT LAKES, MN 55011
218.244.1900

CLIENT INFO
Sara, Roger
40340 Little Town Road
France, MN

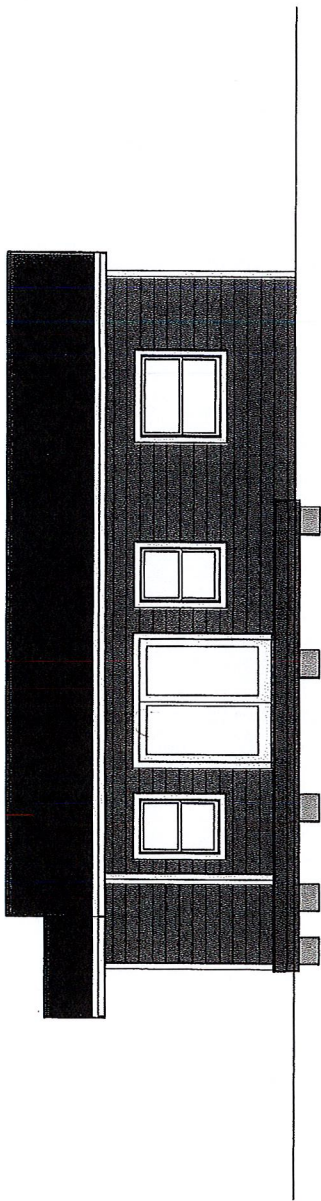


PAGE: _____
ELEVATION: _____

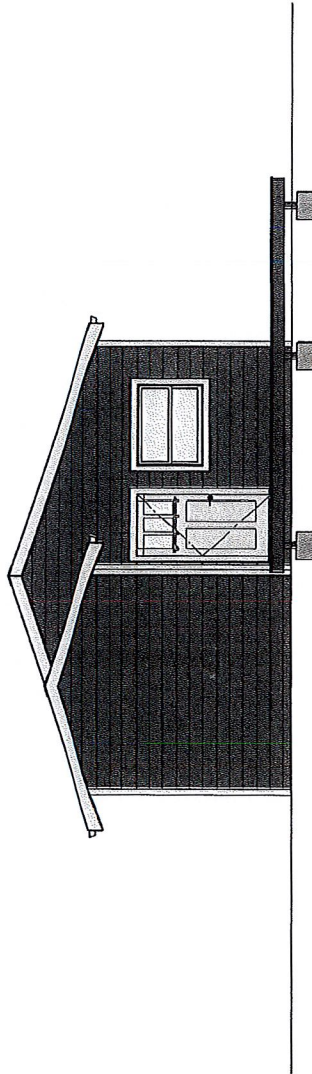
DATE: 9/20/2019

SCALE: 1/4" = 1'-0"

SHEET: A-6



Elevation 1

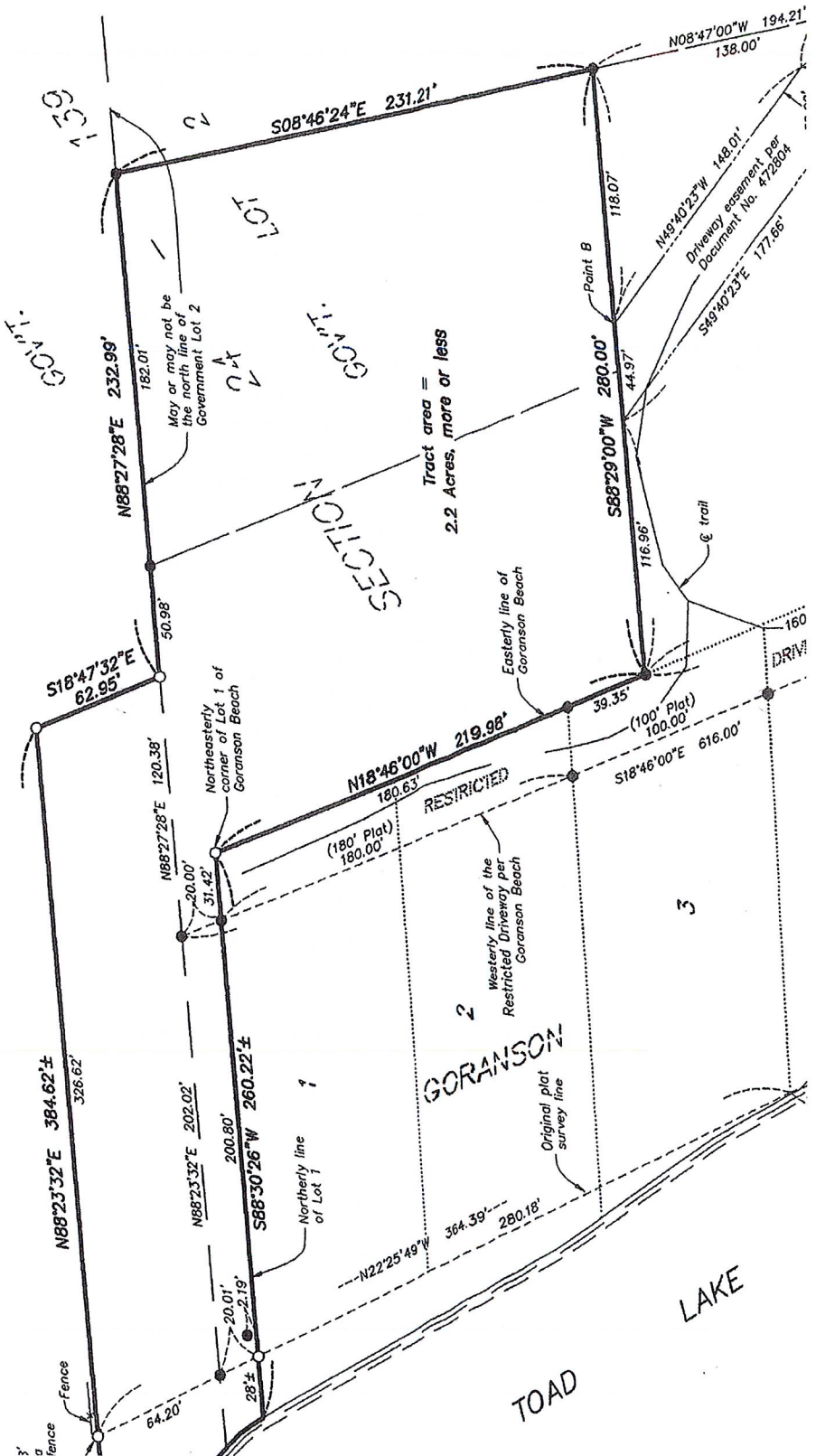


Elevation 2

Notice & Disclaimer
These plans are drawn to comply with the owner's specifications, and any changes made to them shall be the responsibility of the owner. Lighthouse Construction will be held responsible for the accuracy and responsibility. The homeowner shall verify all dimensions and enclosed drawings. Lighthouse Construction is not liable for errors or omissions. Construction is not the released General Contractor. While every effort has been made in the preparation of this plan to avoid mistakes, Lighthouse Construction does not warrant that the attached General Contractor must verify all dimensions and other details prior to construction and be solely responsible therefor.

CERTIFICATE OF SURVEY

IN GOVERNMENT LOTS 1 AND 2 OF
SECTION 24-139-39
BECKER COUNTY, MINNESOTA



Orien
Syst

● = Denotes in
○ = Denotes in
Minnesota



Scale

661537

BECKER COUNTY RECORDER
STATE OF MINNESOTA
Document No. 661537

September 5, 2019 at 9:10 AM
I hereby certify that the within
instrument was recorded in this office.
Patricia Swenson, County Recorder
By SKS Deputy

No delinquent taxes and transfer entered
this 5th day of Sept, 20 19
Mary E Hendrickson
Becker County Auditor/Treasurer
By JDS Deputy

15.0232.000 - Revision
(Top 3 inches reserved for recording data)

SURVEYORS SKETCH () NOT REQUIRED
() FILED SURVEY BOOK 30 PAGE 12

TRUSTEE'S DEED
by Individual Trustee

Minnesota Uniform Conveyancing Blanks
Form 10.4.1 (2013)

eCRV number: _____

*

DEED TAX DUE: \$ 1.65

DATE: June 21 19
(month/day/year)

FOR VALUABLE CONSIDERATION, _____
(insert name of each Trustee)

Barbara J. Blauert, as Trustee
of Barbara J. Blauert Revocable Living Trust dated the 14th day of July, 2014, and any amendments thereto
(insert name of Trust)

("Grantor"), hereby conveys and quitclaims to Roger Saba
(insert name of each Grantee)

("Grantee"), real property in Becker County, Minnesota, legally described as follows:

see attached "Exhibit A"

Total consideration for this transaction is \$500 or less.

Check here if all or part of the described real property is Registered (Torrens)

together with all hereditaments and appurtenances belonging thereto.

Check applicable box:

- The Seller certifies that the Seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: _____.)
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

BECKER COUNTY DEED TAX
AMT. PD. \$ 1.65
Receipt # 720982
Becker County Auditor/Treasurer

chg
paid
well

Grantor

Barbara J. Blauert
(signature of Trustee) Barbara J Blauert

(signature of Trustee)

State of Minnesota, County of Belle

This instrument was acknowledged before me on 6-21-2019, by _____
(month/day/year) (insert name of each Trustee)

Barbara J. Blauert
as Trustee of Barbara J. Blauert Revocable Living Trust dated the 14th day of July, 2014, and any amendments thereto
(insert name of Trust)



Mary J. Zweerink
(signature of Notarial officer)
Title (and Rank): NOTARY
My commission expires: 1-31-2020
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

Consolidated Title Services
828 Minnesota Avenue
Detroit Lakes, MN 56501
CL# 190907 rmr/ 2

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:
(insert legal name and residential or business address of Grantee)

Roger Saba

EXHIBIT A

That part of Government Lot 1 and that part of Government Lot 2 in Section 24, Township 139 North, Range 39 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Commencing at a found iron monument at the intersection of the northerly line of a Dedicated Public Road and the easterly line of a Restricted Driveway according to GORANSON BEACH, said plat is on file and of record in the office of the Recorder in said County; thence North 65 degrees 31 minutes 00 seconds East 229.67 feet on an assumed bearing along the northerly line of said Dedicated Public Road to a point hereinafter referred to as Point A; thence continuing North 65 degrees 31 minutes 00 seconds East 5.23 feet along the northerly line of said Dedicated Public Road to a found iron monument; thence North 08 degrees 47 minutes 00 seconds West 194.21 feet to a found iron monument; thence North 08 degrees 46 minutes 24 seconds West 231.21 feet to a found iron monument; thence South 88 degrees 27 minutes 28 seconds West 182.01 feet to a found iron monument; thence continuing South 88 degrees 27 minutes 28 seconds West 50.98 feet to an iron monument; thence North 18 degrees 47 minutes 32 seconds West 62.95 feet to an iron monument, said point is the point of beginning; thence South 18 degrees 47 minutes 32 seconds East 62.95 feet to an iron monument; thence North 88 degrees 27 minutes 28 seconds East 50.98 feet to a found iron monument; thence continuing North 88 degrees 27 minutes 28 seconds East 182.01 feet to a found iron monument; thence South 08 degrees 46 minutes 24 seconds East 231.21 feet to a found iron monument; thence South 88 degrees 29 minutes 00 seconds West 118.07 feet to a point hereinafter referred to as Point B; thence continuing South 88 degrees 29 minutes 00 seconds West 161.93 feet a found iron monument on the easterly line of said GORANSON BEACH; thence North 18 degrees 46 minutes 00 seconds West 39.35 feet to a found iron monument; thence continuing North 18 degrees 46 minutes 00 seconds West 180.63 feet along the easterly line of said GORANSON BEACH to an iron monument at the northeasterly corner of Lot 1 of said GORANSON BEACH; thence South 88 degrees 30 minutes 26 seconds West 31.42 feet along the northerly line of said Lot 1 to a found iron monument; thence continuing South 88 degrees 30 minutes 26 seconds West 200.80 feet along the northerly line of said Lot 1 to an iron monument; thence continuing South 88 degrees 30 minutes 26 seconds West 28 feet, more or less, along the northerly line of said Lot 1 to the water's edge of Little Toad Lake; thence northwesterly along the water's edge of said Little Toad Lake to the intersection with a line which bears South 88 degrees 23 minutes 32 seconds West from the point of beginning; thence North 88 degrees 23 minutes 32 seconds East 58 feet, more or less, to an iron monument; thence continuing North 88 degrees 23 minutes 32 seconds East 326.62 feet to the point of beginning.

ALSO HEREIN INCLUDED is an easement for driveway purposes over, under and across that part of said Government Lot 2 described as follows:

Beginning at the aforementioned Point A; thence North 65 degrees 31 minutes 00 seconds East 5.23 feet along the northerly line of said Dedicated Public Road to a found iron monument; thence continuing North 65 degrees 31 minutes 00 seconds East 25.29 feet along the northerly line of said Dedicated Public Road; thence North 35 degrees 01 minute 50 seconds West 100.80 feet; thence North 49 degrees 40 minutes 23 seconds West 148.01 feet to the aforementioned Point B; thence South 88 degrees 29 minutes 00 seconds West 44.97 feet; thence South 49 degrees 40 minutes 23 seconds East 177.66 feet; thence South 35 degrees 01 minute 50 seconds East 91.37 feet to the point of beginning of said driveway easement.



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

1:4,225

Date: 11/13/2019

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

Becker County



