



# COUNTY OF BECKER

## Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

Phone: 218-846-7314 ~ Fax: 218-846-7266

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### BOARD OF ADJUSTMENT

#### NOTICE OF PUBLIC HEARING

**\*\*HEARING DATE AND LOCATION\*\***

Thursday, February 4<sup>th</sup>, 2021 @ 6:00 P.M.

Commissioner's Room-Becker County Courthouse  
Detroit Lakes, MN 56501

**\*\* PUBLIC HEARING WITH VIRTUAL OPTION CONDUCTED VIA MICROSOFT TEAMS \*\***

Applicant: Nathan E. & Karen B. Derby  
3141 9 ½ St N  
Fargo, ND 58102

Project Location: 17431 Bijou Cir Lake Park, MN

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct detached garage to be located at seventy-two (72) feet from the OHW of the lake, deviating from the required setback of one hundred (100) feet from a recreational development lake, due to setback issues. Application was tabled at the November 12<sup>th</sup>, 2020 Hearing by the applicant.

LEGAL LAND DESCRIPTION: Tax ID number: 18.0284.000 & 18.0285.000; Bijou Lake

(18.0284.000) Section 29 Township 139 Range 043; BIJOU HEIGHTS 139 43 Block 001 LOTS 51 & 52 & (18.0285.000) Section 29 Township 139 Range 043; BIJOU HEIGHTS 139 43 Block 001 LOT 53 S OF FOLL LN: BEG ON W LN L53 22.50' S OF SE COR L54; TH NELY TO A POINT ON THE MEANDER LN 57.50' S OF NE COR L54, TH E PARALLEL TO S LN L53 TO LK

\*\* In response to the COVID-19 public health emergency declared by Governor Walz, the January 28<sup>th</sup> Tour & February 4<sup>th</sup>, 2021 Board of Adjustment Hearing will be conducted with the option to join in person or via Microsoft Teams Meeting as allowed under Minnesota Statutes, Section 13D.021. To join the Microsoft Teams Meeting by phone please dial +1 763-496-5929 and use Conference ID: **740 128 028#** (Tour) & **844 728 571#** (Hearing) or to access the meetings virtually please follow the link provided on the Becker County website under News & Announcements, "Board of Adjustment Public Hearing Link".

**Replies/Comments:** Public testimony regarding this application will only be received by email, in writing, or by participating in the remote public hearing. 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.

#### PLANNING AND ZONING DEPARTMENT

915 Lake Avenue  
Detroit Lakes, MN 56501

EMAIL: [rachel.bartee@co.becker.mn.us](mailto:rachel.bartee@co.becker.mn.us)

To view all application information on this project please visit:

[http://www.co.becker.mn.us/government/meetings/planning\\_zoning/board\\_adjustments/](http://www.co.becker.mn.us/government/meetings/planning_zoning/board_adjustments/)

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 # VAR2020-99

## Property and Owner Review

Parcel Number(s): 180284000 180285000

Owner: NATHAN E & KAREN B DERBY

Township-S/T/R: LAKE PARK-29/139/043

Mailing Address:

NATHAN E & KAREN B DERBY

3141 9 1/2 ST N

FARGO ND 58102

Site Address: 17431 BIJOU CIR

Lot Recording Date:

Original Permit Nbr: SITE2020-900

Legal Descr: Block 001 of BIJOU HEIGHTS 139 43 LOTS 51 & 52

## 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: **Proposed garage at 72 feet from OHWM. Existing structures and septic will not allow building outside of 100 ft OHWM.**

OHW Setback: 72

Side Lot Line Setback: 10

Rear Setback (non-lake):

Bluff Setback:

Road Setback: 49

Road Type:

Existing Imp. Surface Coverage: 11.2

Proposed Imp. Surface Coverage: 13.4

Existing Structure Sq Ft:

Proposed Structure Sq Ft: 672

Existing Structure Height:

Proposed Structure Height: 18

Existing Basement Sq Ft: NO

Proposed Basement Sq Ft: NO

Change to roofline? N/A

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: **Although the proposed garage would be at 72 feet from OHWM, it would not influence the lake as the land topography does not allow runoff from the area to the lake. The proposed build area is in a low spot and there is a ridge between it and the water. The proposed structure would not extend past the existing structures on the property and hence would not adversely affect view from neighboring properties.**

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

Explain: **Addition of the proposed garage would increase property values and would not adversely affect neighboring views of lake. Topography limits runoff from area to the lake. Proposed garage will allow storage of boats/trailers which were previously stored outside in plain view.**

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

Explain: **There is room on the property for the structure and neighboring properties also have existing garages and additional storage buildings.**

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

Explain: **Location of existing structures and septic prohibit building and staying outside of 100 ft distance from OHWM. The topography is such that no runoff would occur from the proposed build site.**

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

Explain: **Neighboring properties have garages and additional storage buildings. The proposed garage will be finished to match existing structures and fit in well.**

# Field Review Form (Pre-Insp)

Permit # SITE2020-900

## Property and Owner Review

Parcel Number: <b>180284000</b>	Inspector Notes:
Owner: <b>NATHAN E &amp; KAREN B DERBY</b>	
Township-S/T/R: <b>LAKE PARK-29/139/043</b>	
Site Address: <b>17431 BIJOU CIR</b>	Does posted address sign match site address? Y N

## Dwelling Proposed Review

Dwelling/related structure (1A): - Existing Dimensions: - Proposed Dimensions: - Proposed Roof Changes?
Attached Garage (1B): - Existing Dimensions: - Proposed Dimensions: - Proposed Roof Changes?
Other dwelling related improvements (1C): - Existing Dimensions: - Proposed Dimensions: - Proposed Roof Changes?
Other dwelling related improvements (1D): - Existing Dimensions: - Proposed Dimensions: - Proposed Roof Changes?
Additional dwelling related projects/info:
Inspector Notes:

## Non-Dwelling Proposed Review

Non-dwelling related project (2A): <b>Detached Garage</b> - Existing Dimensions: - Proposed Dimensions: <b>24W x 28L x 18H</b> - 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): <b>N/A</b> - 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): <b>N/A</b> - 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: <b>Public/Township Rd - Right of Way</b>		Shoreland 1000/300? <b>Shoreland-Riparian (Property is bordering a lake, river or stream)</b>	
Road setback: - Dwelling: - Non-dwelling: <b>49</b>	Pre-Inspection: - Dwell: - Non:	Lake Name: <b>Bijou (Lake Park) [RD]</b>	River Name:
Side setback: - Dwelling: - Non-dwelling: <b>10</b>	Pre-Inspection: - Dwell: - Non:	Pond/Wetland on property? <b>No</b> Bluff? <b>No</b>	
Rear setback: - Dwelling: - Non-dwelling: <b>143</b>	Pre-Inspection: - Dwell: - Non:	OHW setback: - Dwelling: - Non-dwelling: <b>72</b>	Pre-Inspection: - Dwell: - Non:
Septic tank setback: - Dwelling: - Non-dwelling: <b>50</b>	Pre-Inspection: - Dwell: - Non:	Pond/wetland setback: - Dwelling: - Non-dwelling:	Pre-Inspection: - Dwell: - Non:
Drainfield setback: - Dwelling: - Non-dwelling: <b>103</b>	Pre-Inspection: - Dwell: - Non:	Bluff setback: - Dwelling: - Non-dwelling:	Pre-Inspection: - Dwell: - Non:
Well setback: - Dwelling: - Non-dwelling: <b>25</b>	Pre-Inspection: - Dwell: - Non:		

Inspector Notes:

## Other Information Review

Setback Averaging (if applicable):  
 - Structure type used: **Garage to Garage**  
 - Setback of LEFT like structure: **100**  
 - Setback of RIGHT like structure: **100**

Any other impervious surface coverage not noted on application?

Kyle P. Vareberg

# Mitigation Plan

**From:** Ed J. Clem  
**Sent:** Wednesday, December 2, 2020 3:56 PM  
**To:** nderby3141@cableone.net  
**Cc:** Kyle P. Vareberg  
**Subject:** Stormwater french drain design for Nathan Derby, Bejou Lake  
**Attachments:** SKM\_C45820120216220.pdf

Nathan,

I'm attaching a drawing of the rock infiltration basin design we discussed to handle stormwater from your proposed detached garage. I understand the Board of Adjustments asked you to have our office design a stormwater bmp to avoid stormwater from impacting yours and your neighbor's property. Because of the clay soils, I recommend an overflow pipe either being bored or dug through the ridge so that heavier rainfalls don't cause flooding. You described how the water ponds temporarily in that area now after heavy rains, so the extra impervious surface from the new garage will exacerbate that. An underground outlet will relieve excess clean water from the infiltration basin. The outlet into the lake should be protected with geotextile and rip rap at the outflow, although it should rarely run out. I sized the rock basin to hold 1.2 inches from a rain event, which is what is recommended for 90% sediment removal from the runoff.

The rock basin should be 10' X 6' X 30" depth of rock, as shown in the drawing, or whatever other dimensions you choose that will result in at least 134 cubic ft of rock. You should cover the rock with geotextile fabric and then you can place 6" of topsoil on top of that and seed lawn grass if desired.

The roof gutter downspouts should outlet directly into the rock, below ground level. The outlet pipe should be solid non-perforated drain tile or pvc pipe to avoid plugging by tree roots. The outlet should have some type of rodent guard to prevent critters from crawling in and plugging the pipe.

The rock in the basin should be angular landscape rock or sewer rock, about 1" average diameter. Do not use pea rock, the pore spaces are not big enough to store the amount of water I have this designed for.

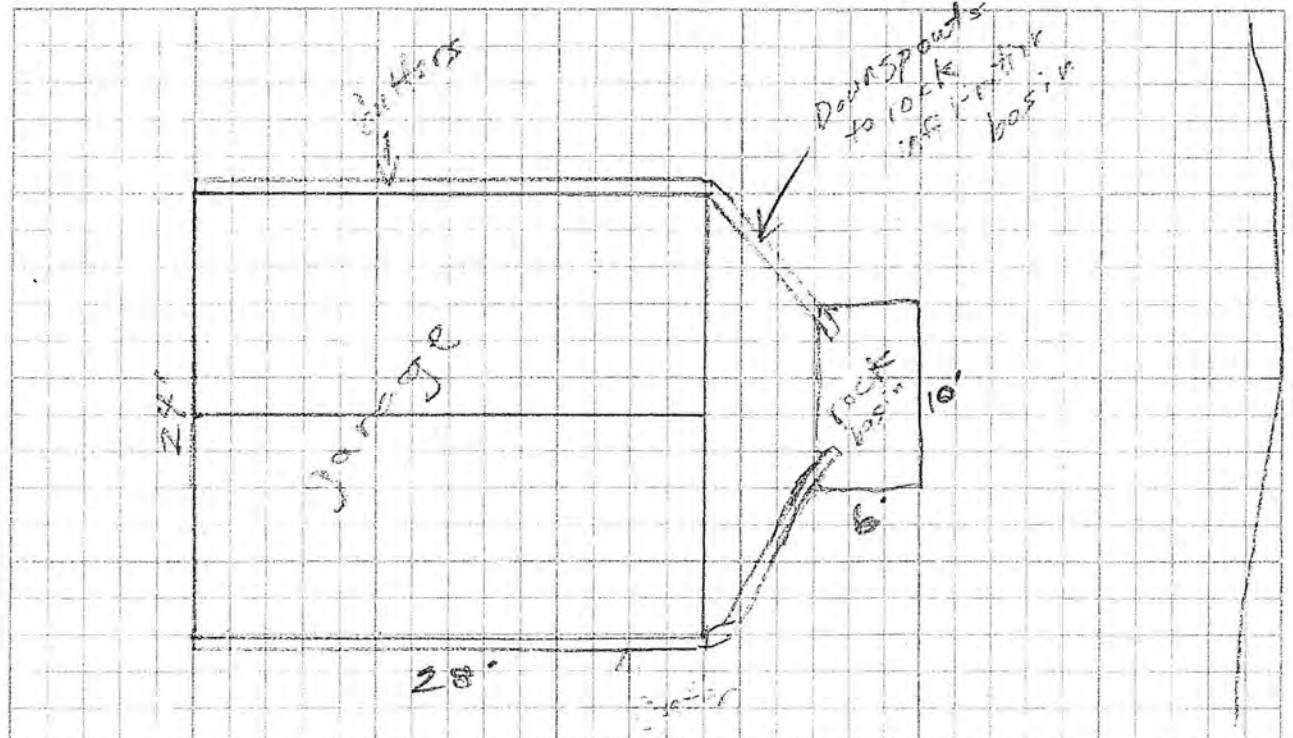
Let me know if you have questions or need more info on this. Thanks

Ed Clem

Becker SWCD

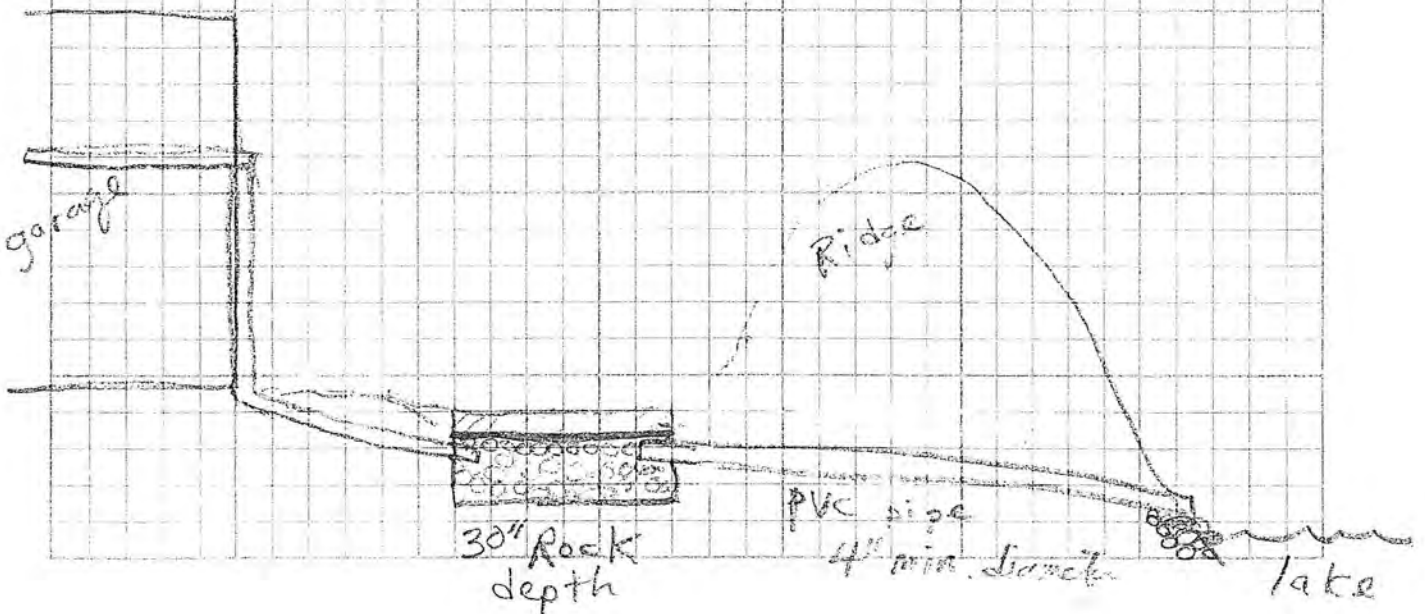
218-234-8709

STATE		PROJECT <i>Nathan Derby French drain</i>		
BY <i>Ed Clem</i>	DATE	CHECKED BY	DATE	JOB NO.
SUBJECT				SHEET <u>        </u> OF <u>        </u>



$24' \times 28' = 672 \text{ ft}^2$

$672 \times .2 \text{ cover factor} = 134 \text{ cubic feet of rock}$   
 (10' x 6' x 2.25')





Letter from LKPK Twp Board

**Rachel D. Bartee**

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**From:** lpclerk@arvig.net  
**Sent:** Monday, November 9, 2020 8:39 PM  
**To:** Rachel D. Bartee  
**Subject:** Variance at 17431 Bijou Circle, Lake Park

**BECKER COUNTY SECURITY NOTICE:**

This email originated from an external sender. Exercise caution before clicking on any links or attachments and consider whether you know the sender. For more information please contact support.

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Planning and Zoning,

We, the Lake Park Township Board, reviewed the variance request by **Nathan E & Karen B Derby** at our monthly meeting on Monday Nov 9th.

We have no issues with this variance and it has met our approval.

Respectfully  
John Madson, Clerk  
Lake Park Township



## Impervious Surface & Land Alteration Information [\[Edit\]](#)

Last update

### Lot Area:

28934

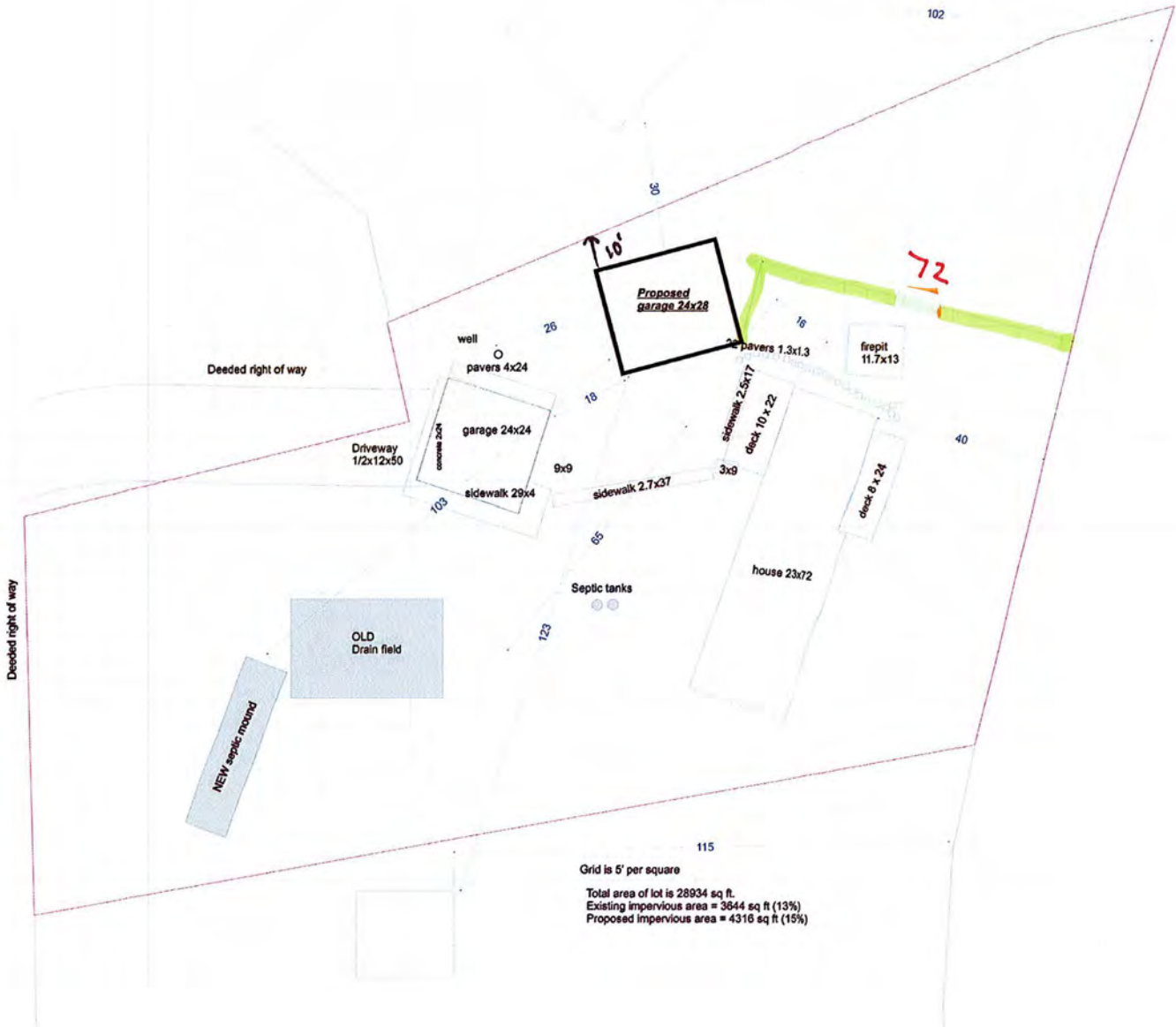
List of Impervious Surface, (Dimensions) and Square Footage. INCLUDE proposed structures in below information and calculation.

pavers	$4*24=96$	garage	$24*24=576$	sidewalk	$29*4=116$
driveway area	$0.5*12*50=300$	apron	$2*24=48$	garage entry	$9*9=81$
sidewalk	$2.7*37=99.9$	landing	$3*9=27$	sidewalk	$2.5*17=42.5$
pavers	$1.3*1.3*22=37.18$	firepit	$11.7*13=152.1$	house	$23*72=1656$
PROPOSED new garage	$24*28=672$				

Total sum of all impervious surface: 3904

Impervious Surface Sum (in sq ft) divided by the lot area (in sq ft). 0.134

Multiply the impervious lot coverage answer from the last question by 100 and enter here as a percent: 13.4%



Grid is 5' per square  
Total area of lot is 28934 sq ft.  
Existing impervious area = 3644 sq ft (13%)  
Proposed impervious area = 4316 sq ft (15%)

STATE OF MINNESOTA  
COUNTY OF BECKER

BECKER COUNTY BOARD OF ADJUSTMENT  
294191 VARIANCE PROCEEDINGS

In the Matter of: WILLARD GEARY

REQUEST: TO BUILD A DECK 55 FT. FROM HIGH  
WATER MARK

ORDER OF VARIANCE  
OR  
DENIAL OF VARIANCE

-OWNER-

The above entitled matter came on to be heard before the Board of Adjustment on the 15 day of NOVEMBER, 1977, on a petition for a Variance Pursuant to the Becker County Zoning Ordinance, for the following described property:

LOTS 51 and 52, BIJOU HEIGHTS, BLOCK 1, SECTION 29, TWP 139, RANGE 43, LAKE PARK TOWNSHIP.

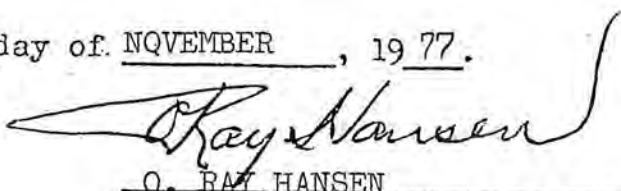
VARIANCE REQUESTED:

REQUEST TO BUILD A DECK 55 FEET FROM THE HIGH WATER MARK OF BIJOU LAKE.

IT IS ORDERED that a Variance (*abt*) be granted upon the following conditions or reasons:

- 1) IF THE LOCATION OF THE HOME IS LESS THAN 10 FEET FROM THE SEPTIC SYSTEM, THE SYSTEM WILL HAVE TO BE MOVED.
- 2) DECK WILL NOT BE CLOSER TO THE LAKE THAN THE HOMES OF THE ADJOINING PROPERTY OWNERS.
- 3) REQUEST FOR A 55 FOOT SET BACK FROM HIGH WATER MARK IS GRANTED.

DATED this 15 day of NOVEMBER, 1977.



O. RAY HANSEN  
CHAIRMAN OF BOARD OF ADJUSTMENT

STATE OF MINNESOTA )  
COUNTY OF BECKER ) SS.

BECKER COUNTY OFFICE  
OF PLANNING AND ZONING

I, Floyd Svenby, Zoning Administrator for the County of Becker, with and in for said County, do hereby certify that I have






Becker County Planning & Zoning  
 915 Lake Ave  
 Detroit Lakes, MN 56501  
 (218) 846-7314  
 www.co.becker.mn.us

## Certificate of Compliance Inspection Report - Permit #: SS2020-512

<b>Owner &amp; Property Information</b>	
<b>Owner Name:</b> CHRISTOPHER J & TRACY M SPIES  <b>Mailing Address:</b> CHRISTOPHER J & TRACY M SPIES 520 ARABIAN AVE BISMARCK ND 58503  <b>Parcel #:</b> 191472000  <b>Secondary Parcel #:</b>	<b>Site Address:</b> 15571 W MUNSON LN  <b>Township - Sec/Twp/Rng:</b> LAKE VIEW - 05/138/041  <b>Legal Description:</b> MUNSON BEACH 138 41 LOTS 13 AND 14  <b>Designer:</b> Super Septic Inc of Pelican Rapids, L901 (Wayne Johnson)  <b>Installer:</b> Super Septic Inc of Pelican Rapids, L901 (Wayne Johnson)

<b>Inspector Verified Specifications</b>	
<b>Insp- Effluent Screen Installed:</b> No <b>Insp- Alarm Required:</b> Yes <b>Insp- Lift Pump in System:</b> Yes <b>Insp- Number of Bedrooms:</b> 3	<b>Insp- Tank Nbr/Size:</b> 0/existing 1500/2 <b>Insp- Drainfield Type:</b> Pressure Bed <b>Insp- Drainfield Size:</b> 384 <b>Insp- Soil Verification:</b> #1:72" 10 yr 5/4 sand : see attached (pit) #2:N/A #3:N/A

<b>Inspector Verified Setbacks</b>	
<b>Insp- Tank Dist to Road</b> 10+ existing <b>Insp- Tank Dist to Nearest Prop Line</b> 10+ existing <b>Insp- Tank Dist to Nearest Structure</b> 10' existing <b>Insp- Tank Dist to Well</b> 50' existing <b>Insp- Tank Dist to OHW</b> 96 existing <b>Insp- Tank Dist to Pond/Wetland</b> n/a <b>Insp- Tank Dist to Pressure Line</b> 60 existing	<b>Insp- Drainfield Dist to Road</b> 10+ <b>Insp- Drainfield Dist to Nearest Prop Line</b> 10' <b>Insp- Drainfield Dist to Nearest Structure</b> 20+ <b>Insp- Drainfield Dist to Well</b> 50'+ <b>Insp- Drainfield Dist to OHW</b> 100 <b>Insp- Drainfield Dist to Pond/Wetland</b> n/a <b>Insp- Drainfield Dist to Pressure Line</b> 40

<b>Certificate of Compliance</b>	
<p>(Yes) Certificate is hereby granted based upon the application, addendum from, plans, specifications and all other supporting data. With proper maintenance, this system can be expected to function satisfactory, however this is not a guarantee.            Certification Date: 9/3/2020</p>	<p><b>Zoning Office Signature:</b></p> <div style="text-align: center;">   <hr style="width: 80%; margin: auto;"/> </div> <p style="text-align: center;"><b>Jeff Rusness - ISTS Inspector</b></p>

\* Certificate of Compliance is not valid unless signed by a Registered Qualified Employee \*



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.

1:1,056

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

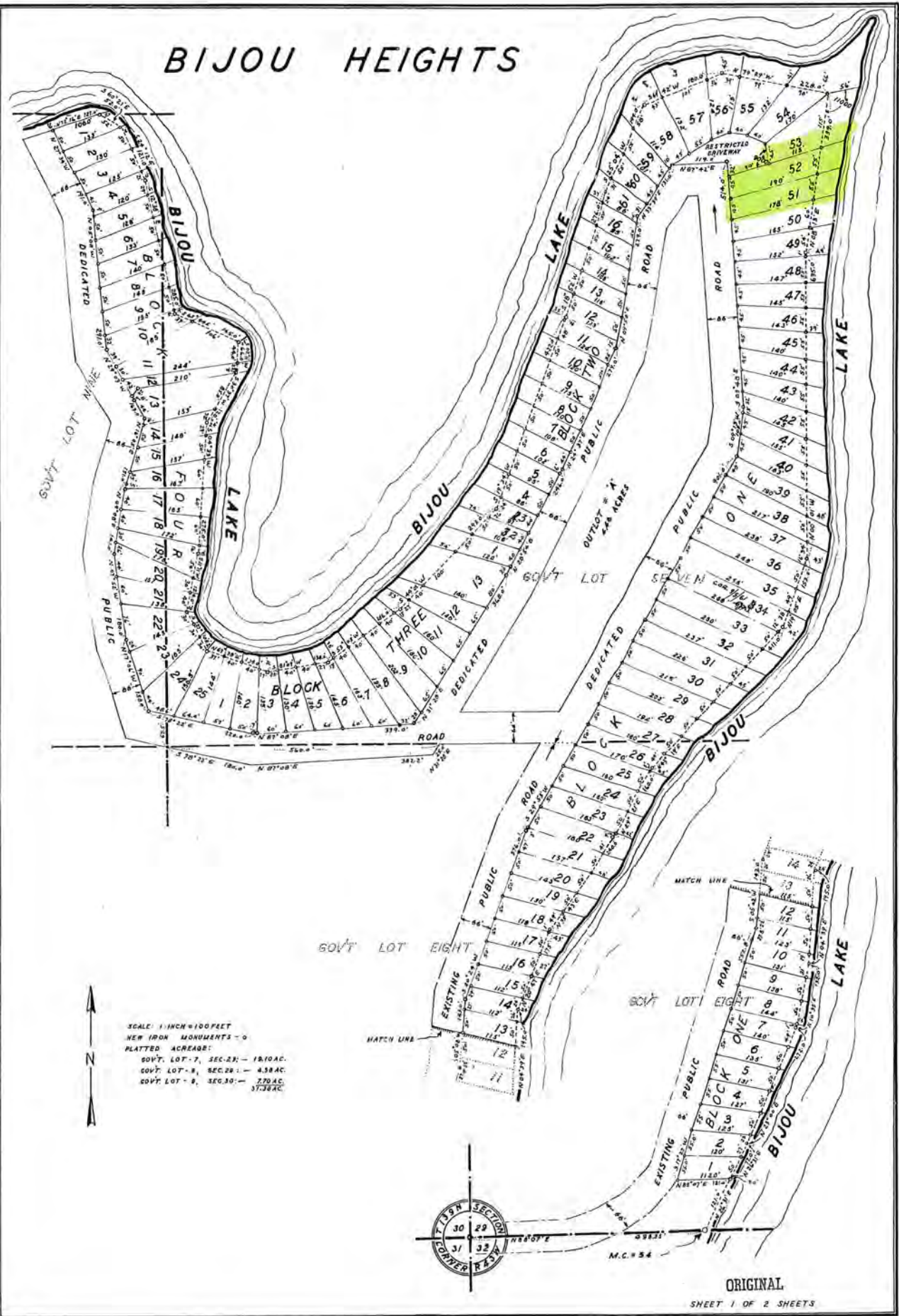
Date: 10/14/2020

Becker County





# BIJOU HEIGHTS



7C 0884

7C 808 A



Platted 1961

# BIJOU HEIGHTS

BE IT KNOWN THAT The Cormorant Development Company, a Minnesota Corporation, owner and proprietor of that certain land in Government Lots Seven (7) and Eight (8) in Section Twenty-nine (29) and Government Lot Nine (9) in Section Thirty (30), all in Township One Hundred Thirty-nine (139) North, Range Forty-three (43) West of the Fifth (5th) Principal Meridian, described as follows, to-wit:

All of said Government Lot Seven (7);

All that part of said Government Lot Eight (8) located as follows: Beginning at a point on the shoreline of Bijou Lake, which point bears North 26° 31' East 121.0 feet along the said shore line from Neander Corner #34 (Southeast corner of said Government Lot 8); thence running South 88° 07' West 112.0 feet; thence running Northeastly along the Southeastly line of an existing Public Road by the following four courses, viz: North 17° 27' East 552.8 feet, North 05° 02' East 143.0 feet, North 20° 24' East 376.0 feet and North 29° 53' East 206.0 feet, more or less, to the North line of said Government Lot 8; thence running Easterly 256.0 feet, more or less, on the North line of said Government Lot 8 to the water's edge of Bijou Lake; thence running Southwestly along the water's edge of Bijou Lake to a point which bears North 88° 07' East 9.0 feet, more or less, from the point of beginning; thence running South 88° 07' West 9.0 feet, more or less, to the point of beginning. ALSO a tract to be used for public road purposes described as follows: Beginning at the Northwest corner of the said Government Lot 8; thence running South 78° 22' East 180.0 feet; thence North 87° 08' East 382.2 feet; thence North 31° 28' East 25.0 feet, more or less, to the North line of said Government Lot 8; thence running Westerly 560.0 feet, more or less, on the North line of said Government Lot 8 to the point of beginning and there terminating.

All that part of said Government Lot Nine (9) located as follows: Beginning at a point which bears Northerly 67.5 feet on and along the East line of said Government Lot 9 from the Southeast corner thereof; thence running by the following nine courses to the water's edge of Bijou Lake, viz: North 78° 22' West 38.0 feet, North 17° 02' West 158.0 feet, North 07° 52' West 180.0 feet, North 09° 08' East 141.0 feet, North 16° 05' East 151.0 feet, North 29° 03' West 163.0 feet, North 05° 08' West 291.0 feet, North 27° 34' West 191.0 feet and North 72° 16' East 127.0 feet, more or less, to the water's edge of Bijou Lake; thence running Southeastly along the said water's edge to intersect the East line of said Section 30; thence running Southerly on the East line of said Section 30 to the point of beginning and there terminating. ALSO a strip of land in said Government Lot 9 sixty-six (66.0) feet in width to be used for road purposes, lying Southerly and Westerly of the sforesdescribed tract and running contiguously therewith.

has caused the said land to be surveyed and platted into one hundred fifteen (115) Alvarian lake shore Lots divided into four (4) Blocks, one Outlot # "A", a Restricted or Common Driveway and Roadways, which roadways are hereby dedicated to the public use forever, and also hereby dedicate Lot # 13 of Block # 3 for Public use as a boat landing site; all to be known as BIJOU HEIGHTS and all as shown on the herein plat.

IN WITNESS WHEREOF, the said Corporation has caused this plat to be executed in its corporate name by its President and its Secretary, this 22<sup>nd</sup> day of July, 1961.

In Presence of:  
*Sarah Paulsen*  
*B. J. Kohler*

THE CORMORANT DEVELOPMENT COMPANY  
By *Leif D. Thrane*, its President  
By *Jerome D. Lenz*, its Secretary

State of Minnesota }  
County of Becker }

On this 22<sup>nd</sup> day of July, 1961, before me, a Notary Public, within and for said County, personally appeared Leif D. Thrane and Jerome D. Lenz to me personally known, who, being each by me duly sworn did say that they are respectively the President and Secretary of THE CORMORANT DEVELOPMENT COMPANY, the Corporation named in the foregoing instrument, that the said instrument was signed in behalf of said Corporation by authority of its Board of Directors and said Leif D. Thrane and Jerome D. Lenz acknowledged said instrument to be the free act and deed of said corporation.

*Catharine Wedberg*  
CATHARINE WEDBERG  
Notary Public, BECKER COUNTY, MINN.  
My Commission Expires JULY 18, 1967

I HEREBY CERTIFY that I made the survey of BIJOU HEIGHTS in accordance with the provisions of the statute pertaining to such surveys, that this plat is a correct representation of the survey, that all distances are correctly shown, that the monuments for guidance of future surveys have been correctly placed as shown, that the outside boundary lines are correctly designated, that there are no wet lands and that there are no public roads except as shown on the herein plat.

*Catharine Wedberg*  
Minnesota Registered Land Surveyor #5277  
Subscribed and sworn to before me this 22<sup>nd</sup> day of July, A.D. 1961.  
*Catharine Wedberg*  
CATHARINE WEDBERG  
Notary Public, BECKER COUNTY, MINN.  
My Commission Expires JULY 18, 1967

The annexed plat is hereby approved by the Board of Commissioners of Becker County, Minnesota, this 12<sup>th</sup> day of July, A.D. 1961.

ATTEST:  
*Leif D. Thrane*  
County Auditor  
I have paid and Transfer entered this 12<sup>th</sup> day of July, 1961.  
*Callie E. Randall*  
County Auditor, 1961

*Ralph Nelson*  
Chairman of County Board  
I hereby certify that taxes for the year 1961 on the lands described within are paid July 12, 1961.  
*John J. Kelly*  
County Treasurer

OFFICE OF REGISTER OF DEEDS  
COUNTY OF BECKER, MINN.  
I hereby certify that the within instrument was filed in this office for record on this 13<sup>th</sup> day of July, 1961.  
A. D. 1961.  
and was duly recorded in Book 12 of Plats, Page 22.  
*E. P. Miller*  
Register of Deeds

ORIGINAL

SHEET 2 OF 2 SHEETS

TC 868 B

430497

# BIJOU HEIGHTS 430497

CERTIFICATE OF SURVEY  
DIVISION OF OUTLOT A  
BIJOU HEIGHTS  
BECKER COUNTY, MINNESOTA

OFFICE OF COUNTY RECORDS  
COUNTY OF BECKER, MINN.  
I hereby certify that the within instrument was filed in this office for record on the 13 day of JUN 1997  
A. D. at 11 o'clock A.M.  
and was duly recorded in Book 97  
of Surveys Page 109  
*M. M. Whitmore*  
County Registrar

Charge   
Paid   
Numerical   
Tract   
Grantor   
Grantee   
Compared

**NOTE**  
THIS CERTIFICATE OF SURVEY WAS SUPERIMPOSED OVER A COPY OF THE OFFICIAL PLAT OF BIJOU HEIGHTS. DATA SHOWN ON THE EXTERIOR OF OUTLOT A AND THE DEDICATED ROAD LINE ALONG BLOCKS ONE, TWO AND THREE ARE SHOWN BASED ON FOUND MONUMENTATION AND A CALCULATED 66.00' WIDE ROAD CORRIDOR. OTHER BEARING AND DISTANCE DATA SHOWN HEREON ARE FROM THE ORIGINAL PLAT AND SHOULD BE TREATED AS RECORD ONLY.

SURVEYOR:  
Roy A. Smith and Associates  
Lincoln Professional Center  
Detroit Lakes, Minnesota

**LEGEND**  
○ = Iron monument of Record  
⊙ = Denotes iron monuments found.  
● = Denotes iron monuments set marked with Minnesota Registration No. 12004.  
Orientation of this bearing system is assumed.  
Scale: 1 inch = 100 feet.

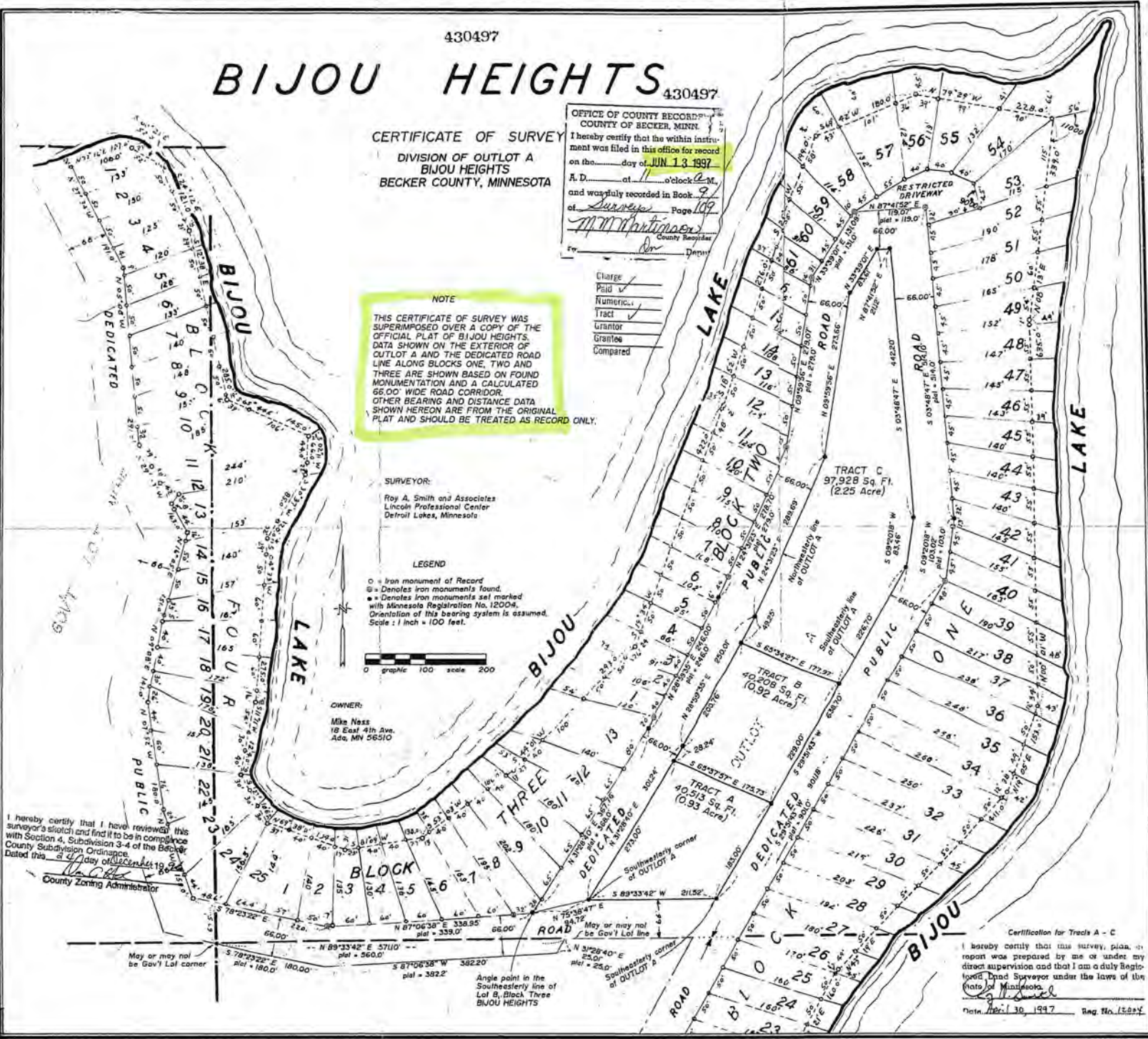
0 graphic 100 scale 200

OWNER:  
Mike Nass  
18 East 4th Ave.  
Ada, MN 56510

I hereby certify that I have reviewed this surveyor's sketch and find it to be in compliance with Section 4, Subdivision 3-4 of the Becker County Subdivision Ordinance.  
Dated this 13 day of JUN 1997.  
*[Signature]*  
County Zoning Administrator

Angle point in the Southeastery line of Lot B, Block Three BIJOU HEIGHTS

Certification for Tracts A - C  
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.  
*[Signature]*  
Date JUN 30 1997 Reg. No. 15824





495984

**CERTIFICATE OF REAL ESTATE VALUE FILED #1615**

No delinquent taxes and transfer entered

this 15 day of May, 2003

Keith A. Brekken  
County Auditor, Becker Co

By [Signature] Deputy

18.0284.000

18.0285.000

State Deed Tax due hereon \$ \_\_\_\_\_

BECKER COUNTY RECORDER-STATE OF MN

Document No. 495984

Date MAY 15 2003 12:45 P.M.

I hereby certify that the within instrument was recorded in the office of Becker County Recorder.

[Signature]

County Recorder \_\_\_\_\_ Dpty.

Date: 5/9/03

**WARRANTY DEED**

M11673E03

FOR VALUABLE CONSIDERATION, James A. Krabbenhoft and Norma A. Krabbenhoft, husband and wife, Grantors, hereby warrants and convey to Nathan E. Derby and Karen B. Derby, Grantees, as joint tenants and not as tenants in common, real property in Becker County, State of Minnesota, described as follows:

Lots 51, and 52, Block 1, Bijou Heights according to the certified Plat thereof on file and of record in the office of the County Recorder in and for Becker County, Minnesota.

AND

All that part of Lot 53, Block 1 of Bijou Heights, lying Southerly of the following described line: Commencing at a point on the Westerly line of Lot 53, 22.5' Southerly of the Southeasterly corner of Lot 54; thence Northeasterly to a point on the meander line shown on the plat of Bijou Heights, 57.5' Southerly of the Northeasterly corner of Lot 54; thence extending Easterly on a line parallel with the South line of Lot 53 to the shore of Bijou Lake.

- ( ) The seller certifies that the seller does not know of any wells on the described real property.
- ( ) A well disclosure certificate accompanies this document.
- () 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.

together with all hereditaments and appurtenances belonging thereto.

chg  
✓ paid  
well  
non/std  
extra

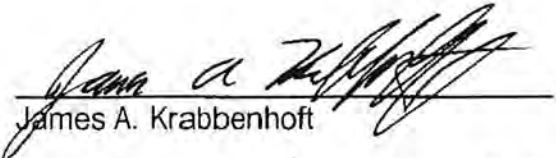
The Title Co.



MAY 15 2003

RECEIPT # 250608  
BECKER COUNTY  
DEED TAX  
AMT. PD. \$ 313.50

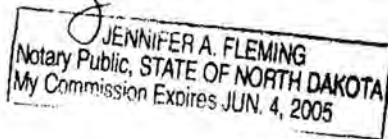
BECKER COUNTY TREASURER

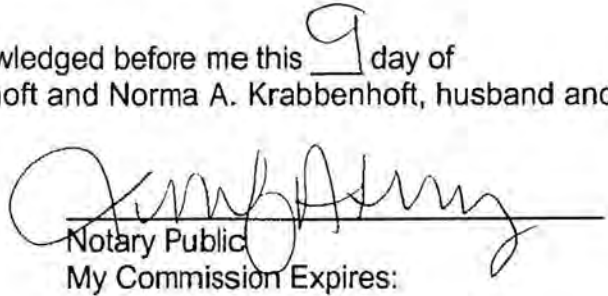
  
James A. Krabbenhoft

  
Norma A. Krabbenhoft

STATE OF NORTH DAKOTA    )  
COUNTY OF CASS            )

The foregoing instrument was acknowledged before me this 9 day of May, 2003 by James A. Krabbenhoft and Norma A. Krabbenhoft, husband and wife.



  
Notary Public  
My Commission Expires:

Tax Statements for the real property described in this instrument should be sent to:  
Nathan E. Derby and Karen B. Derby            and   State Bank of Fargo  
17431 Bijou Circle  
Lake Park, Minnesota 56554

**THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):**  
Lisa J. Wheeler, P.C.  
17 S. 7th St.  
Fargo, North Dakota 58103

Becker County  
Auditor-Treasurer Office  
915 Lake Avenue  
Detroit Lakes, MN 56501  
218-846-7311  
www.co.becker.mn.us

PIN: 18.0284.000  
BILL NUMBER: 077040  
LENDER:  
OWNER NAME: DERBY NATHAN E & KAREN B

# TAX STATEMENT

# 2020

2019 Values for taxes payable in

Step	VALUES AND CLASSIFICATION	
	2019	2020
1	Taxes Payable Year:	
	Estimated Market Value:	136,600
	Homestead Exclusion:	0
	Taxable Market Value:	136,600
	New Improvements:	93,100
	Property Classification:	Seasonal
<i>Sent in March 2019</i>		
2	<b>PROPOSED TAX</b>	
<i>Sent in November 2019</i>		
3	<b>PROPERTY TAX STATEMENT</b>	
	First half taxes due 05/15/2020	\$888.00
	Second half taxes due 10/15/2020	\$888.00
	Total taxes due in 2020	\$1,776.00

**TAXPAYER(S):**

NATHAN E & KAREN B DERBY  
3141 9 1/2 ST N  
FARGO ND 58102

## \$\$\$

**REFUNDS?**  
You may be eligible for one or even two refunds to reduce your property tax. Read the back of this statement to find out how to apply

**PROPERTY ADDRESS**  
17431 BLJOU CIR  
LAKE PARK, MN 56554

**DESCRIPTION**  
Section 29 Township 139 Range 043  
SubdivisionName BLJOU HEIGHTS 139  
43 Block 001 SubdivisionCd 18001

Line 13 Detail  
S-1010/15 SOLIC 40.00  
Principal 40.00  
Interest 0.00

Tax Detail for Your Property:		2019	2020	
1. Use this amount on Form M1PR to see if you are eligible for a property tax refund. File by August 15. If this box is checked, you owe delinquent taxes and are not eligible.		<input type="checkbox"/>	\$0.00	
2. Use these amounts on Form M1PR to see if you are eligible for a special refund.		\$0.00	\$0.00	
Tax and Credits	3. Property taxes before credits	\$1,044.00	\$1,736.00	
	4. Credits that reduce property taxes			
	A. Agricultural and rural land credits	\$0.00	\$0.00	
	B. Other credits	\$0.00	\$0.00	
	<b>5. Property taxes after credits</b>	<b>\$1,044.00</b>	<b>\$1,736.00</b>	
Property Tax by Jurisdiction	6. BECKER COUNTY	\$515.09	\$843.91	
	7. LAKE PARK	\$139.84	\$213.99	
	8. State General Tax	\$181.53	\$331.18	
	9. SCHOOL DISTRICT 2889	A. Voter approved levies	\$131.92	\$217.71
		B. Other local levies	\$49.88	\$87.96
		C. TIF	\$0.00	\$0.00
	10. Special Taxing Districts	A. BC EDA	\$2.89	\$4.75
		B. Others	\$22.85	\$36.50
		C. OTHER	\$0.00	\$0.00
	11. Non-school voter approved referenda levies	\$0.00	\$0.00	
	12. Total property tax before special assessments	\$1,044.00	\$1,736.00	
	13. Special assessments	\$40.00	\$40.00	
<b>14. YOUR TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS</b>		<b>\$1,084.00</b>	<b>\$1,776.00</b>	
Tax Amount Paid			\$0.00	

# 2

## 2nd Half Payment Stub - Payable 2020

Detach and return this stub with your 2nd half payment.  
To avoid penalty, pay on or before October 15, 2020.

PIN: 18.0284.000  
AIN:  
BILL NUMBER: 077040  
TAXPAYER(S):

NATHAN E & KAREN B DERBY  
3141 9 1/2 ST N  
FARGO ND 58102

Paid By \_\_\_\_\_

Total Property Tax for 2020	\$1,776.00
<b>2nd Half Tax Amount</b>	<b>\$888.00</b>
Penalty, Interest, Fee Amount	\$0.00
Amount Paid	\$0.00
<b>2nd Half Total Amount Due</b>	<b>\$888.00</b>
Balance Good Through	10/15/2020
	Seasonal

**MAKE CHECKS PAYABLE TO:**  
Becker County  
Auditor-Treasurer Office  
915 Lake Avenue  
Detroit Lakes, MN 56501

# 1

## 1st Half Payment Stub - Payable 2020

Detach and return this stub with your 1st half payment.  
To avoid penalty, pay on or before May 15, 2020.  
If your tax is \$100.00 or less, pay the entire tax by May 15, 2020.

PIN: 18.0284.000  
AIN:  
BILL NUMBER: 077040  
TAXPAYER(S):

NATHAN E & KAREN B DERBY  
3141 9 1/2 ST N  
FARGO ND 58102

Paid By \_\_\_\_\_

Total Property Tax for 2020	\$1,776.00
<b>1st Half Tax Amount</b>	<b>\$888.00</b>
Penalty, Interest, Fee Amount	\$0.00
Amount Paid	\$0.00
<b>1st Half Total Amount Due</b>	<b>\$888.00</b>
Balance Good Through	05/15/2020
	Seasonal

**MAKE CHECKS PAYABLE TO:**  
Becker County  
Auditor-Treasurer Office  
915 Lake Avenue  
Detroit Lakes, MN 56501

Becker County  
Auditor-Treasurer Office  
915 Lake Avenue  
Detroit Lakes, MN 56501  
218-846-7311  
www.co.becker.mn.us

PIN: 18.0285.000  
BILL NUMBER: 076857  
LENDER:  
OWNER NAME: DERBY NATHAN E & KAREN B

**TAXPAYER(S):**

NATHAN E & KAREN B DERBY  
3141 9 1/2 ST N  
FARGO ND 58102

**\$\$\$**

**REFUNDS?**  
*You may be eligible for one or even two refunds to reduce your property tax. Read the back of this statement to find out how to apply*

**PROPERTY ADDRESS**

**DESCRIPTION**

Section 29 Township 139 Range 043  
SubdivisionName BIJOU HEIGHTS 139  
43 Block 001 SubdivisionCd 18001

**TAX STATEMENT**

**2020**

2019 Values for taxes payable in

Step	VALUES AND CLASSIFICATION		
	Taxes Payable Year:	2019	2020
<b>1</b>	Estimated Market Value:	7,800	7,800
	Homestead Exclusion:	0	0
	Taxable Market Value:	7,800	7,800
	New Improvements:		
	Property Classification:	Seasonal	Seasonal
<i>Sent in March 2019</i>			
<b>2</b>	<b>PROPOSED TAX</b>		54.00
<i>Sent in November 2019</i>			
<b>3</b>	<b>PROPERTY TAX STATEMENT</b>		
	First half taxes due 05/15/2020		\$54.00
	Second half taxes due		N/A
	Total taxes due in 2020		\$54.00

Tax Detail for Your Property:				
Taxes Payable Year:		2019	2020	
1. Use this amount on Form M1PR to see if you are eligible for a property tax refund. File by August 15. If this box is checked, you owe delinquent taxes and are not eligible. <input type="checkbox"/> \$0.00				
2. Use these amounts on Form M1PR to see if you are eligible for a special refund. \$0.00				
Tax and Credits	3. Property taxes before credits	\$56.00	\$54.00	
	4. Credits that reduce property taxes			
	A. Agricultural and rural land credits	\$0.00	\$0.00	
	B. Other credits	\$0.00	\$0.00	
5. Property taxes after credits		\$56.00	\$54.00	
Property Tax by Jurisdiction	6. BECKER COUNTY	A. County	\$29.73	\$29.05
	7. LAKE PARK		\$8.06	\$7.36
	8. State General Tax		\$6.25	\$5.65
	9. SCHOOL DISTRICT 2889	A. Voter approved levies	\$7.61	\$7.49
		B. Other local levies	\$2.87	\$3.03
		C. TIF	\$1.32	\$1.26
	10. Special Taxing Districts	A. BC EDA	\$0.16	\$0.16
		B. Others	\$1.32	\$1.26
		C. TIF	\$0.00	\$0.00
	11. Non-school voter approved referenda levies		\$0.00	\$0.00
	12. Total property tax before special assessments		\$56.00	\$54.00
	13. Special assessments		\$0.00	\$0.00
14. YOUR TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS		\$56.00	\$54.00	
		Tax Amount Paid	\$0.00	

**2**

**2nd Half Payment Stub - Payable 2020**

Detach and return this stub with your 2nd half payment.  
To avoid penalty, pay on or before .

Total Property Tax for 2020	\$54.00
<b>2nd Half Tax Amount</b>	N/A
Penalty, Interest, Fee Amount	\$0.00
Amount Paid	\$0.00
<b>2nd Half Total Amount Due</b>	<b>\$0.00</b>
Balance Good Through	Seasonal

PIN: 18.0285.000  
AIN:  
BILL NUMBER: 076857  
TAXPAYER(S):

Paid By \_\_\_\_\_

NATHAN E & KAREN B DERBY  
3141 9 1/2 ST N  
FARGO ND 58102

**MAKE CHECKS PAYABLE TO:**  
Becker County  
Auditor-Treasurer Office  
915 Lake Avenue  
Detroit Lakes, MN 56501

**1**

**1st Half Payment Stub - Payable 2020**

Detach and return this stub with your 1st half payment.  
To avoid penalty, pay on or before May 15, 2020.  
If your tax is \$100.00 or less, pay the entire tax by May 15, 2020.

Total Property Tax for 2020	\$54.00
<b>1st Half Tax Amount</b>	<b>\$54.00</b>
Penalty, Interest, Fee Amount	\$0.00
Amount Paid	\$0.00
<b>1st Half Total Amount Due</b>	<b>\$54.00</b>
Balance Good Through	05/15/2020 Seasonal

PIN: 18.0285.000  
AIN:  
BILL NUMBER: 076857  
TAXPAYER(S):

Paid By \_\_\_\_\_

NATHAN E & KAREN B DERBY  
3141 9 1/2 ST N  
FARGO ND 58102

**MAKE CHECKS PAYABLE TO:**  
Becker County  
Auditor-Treasurer Office  
915 Lake Avenue  
Detroit Lakes, MN 56501





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.

1:2,113

Date: 10/8/2020

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

Becker County





# Need Additional Plat Books?

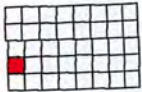
Becker Soil & Water Conservation District • 809 - 8th Street SE • 218-846-7360  
 Becker County Auditor/Treasurer's Office • Courthouse, 2nd Floor • 218-846-7311  
 Detroit Lakes Sport Shop • 930 Washington Avenue • 218-846-2645  
 Chamber of Commerce • 700 Summit Avenue • 218-846-9202



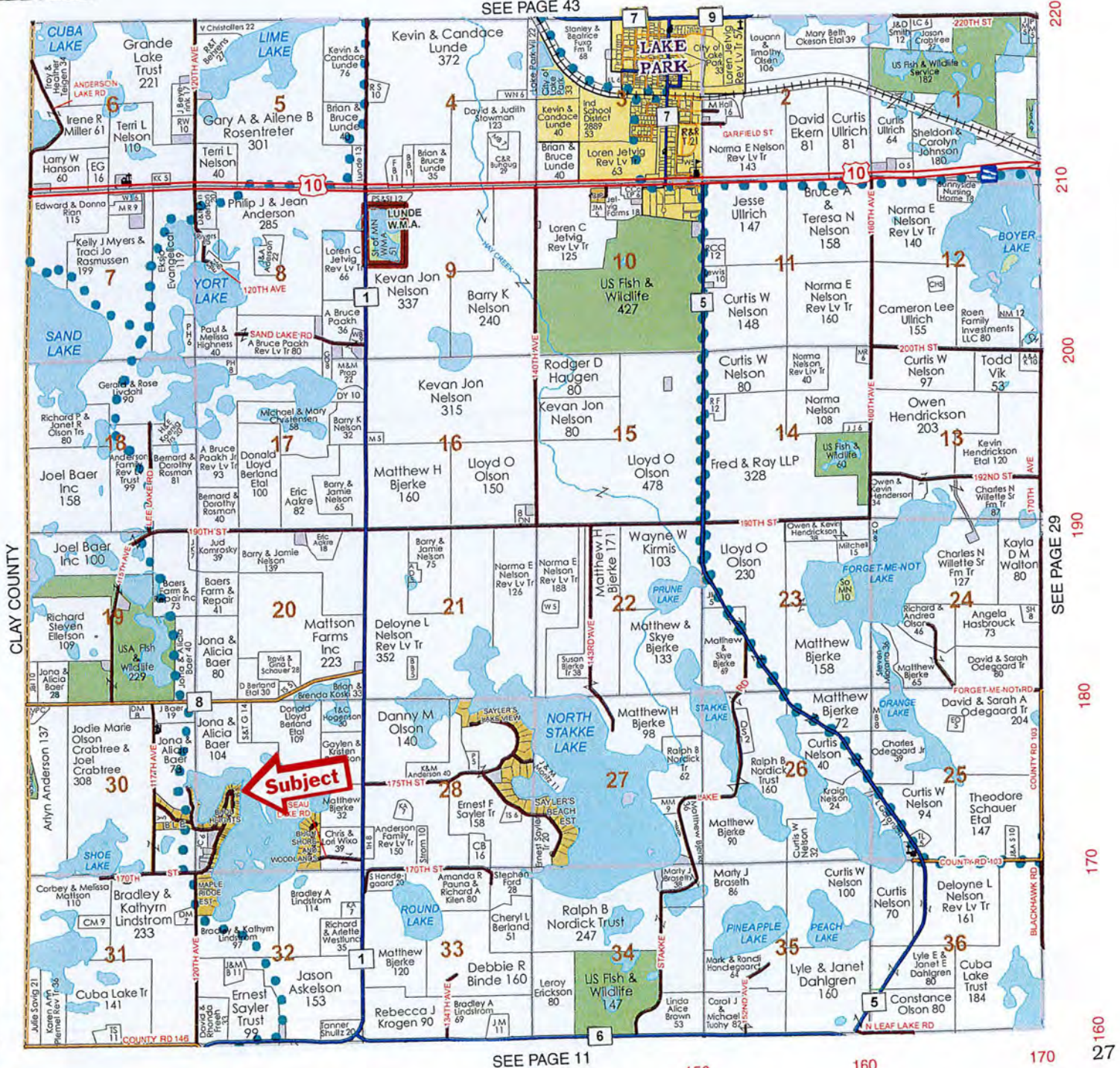
Township 139N - Range 43W

Copyright © 2019 Mapping Solutions

Lake Park



SEE PAGE 43



SEE PAGE 11





# 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, February 4<sup>th</sup>, 2021 @ 6:00 P.M.

Commissioner's Room-Becker County Courthouse

#### \*\* PUBLIC HEARING WITH VIRTUAL OPTION CONDUCTED VIA MICROSOFT TEAMS \*\*

Applicant: Hanson Properties of Shoreham  
1462 East Shore Dr  
Detroit Lakes, MN 56501

Project Location: 24110 Co Hwy 22 Detroit Lakes, MN

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a patio or deck to be located at thirty-nine (39) feet from a County ROW, deviating from the required setback of forty-five (45) feet from a County ROW. Also requesting a variance to construct a deck or patio to be located at twenty-four (24) feet from the OHW of a tributary, deviating from the required setback of one hundred (100) feet from the OHW of a tributary. Also requesting a variance to be at 37.22% lot coverage, deviating from the allowed lot coverage of 30% on a commercial zoned lot. All do to setback issues and lot size.

LEGAL LAND DESCRIPTION: Tax ID number: 19.1869.000 & 19.1870.000; Lake Sallie;(19.1869.000) Section 20 Township 138 Range 041; WESTS ADD – SHOREHAM BLOCK A LOT 1 EX NELY 235' & (19.1870.000) Section 20 Township 138 Range 041; WESTS ADD – SHOREHAM BLOCK A 95' STRIP LYING 140' W OF SLY LINE OF LOT 1

\*\* In response to the COVID-19 public health emergency declared by Governor Walz, the January 28<sup>th</sup> Tour & February 4<sup>th</sup>, 2021 Board of Adjustment Hearing will be conducted with the option to join in person or via Microsoft Teams Meeting as allowed under Minnesota Statutes, Section 13D.021. To join the Microsoft Teams Meeting by phone please dial +1 763-496-5929 and use Conference ID: **740 128 028#** (Tour) & **844 728 571#** (Hearing) or to access the meetings virtually please follow the link provided on the Becker County website under News & Announcements, "Board of Adjustment Public Hearing Link".

**Replies/Comments:** Public testimony regarding this application will only be received by email, in writing, or by participating in the remote public hearing. 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.

#### PLANNING AND ZONING DEPARTMENT

915 Lake Avenue  
Detroit Lakes, MN 56501

EMAIL: [rachel.bartee@co.becker.mn.us](mailto:rachel.bartee@co.becker.mn.us)

To view all application information on this project please visit:

[http://www.co.becker.mn.us/government/meetings/planning\\_zoning/board\\_adjustments/](http://www.co.becker.mn.us/government/meetings/planning_zoning/board_adjustments/)

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 # VAR2020-103

## Property and Owner Review

Parcel Number(s): 191869000 191870000 <i>Both Parcels</i>	
Owner: HANSON PROPERTIES OF SHOREHAM	Township-S/T/R: LAKE VIEW-20/138/041
Mailing Address: HANSON PROPERTIES OF SHOREHAM 1462 EAST SHORE DR DETROIT LAKES MN 56501	Site Address: 24110 CO HWY 22 DETROIT LAKES MN 56501
	Lot Recording Date: Prior to 1971
	Original Permit Nbr: SITE2020-70910
Legal Descr: WESTS ADD - SHOREHAM BLOCK A LOT 1 EX NELY 235'	

## Variance Details Review

Variance Request Reason(s):	If 'Other', description:
<input checked="" type="checkbox"/> Setback Issues	This project is on two parcels. One of the parcels is a standard lot and one is substandard. This project is redoing the existing deck but because the two lots total impervious is over 30%, a variance is required, otherwise, a variance would not be needed.
<input type="checkbox"/> Alteration to non-conforming structure	
<input type="checkbox"/> Lot size not in compliance	
<input type="checkbox"/> Topographical Issues (slopes, bluffs, wetlands)	
<input checked="" type="checkbox"/> Other	

Description of Variance Request: Request to redo the existing deck and to square it out, which will add approximately 150 SF additional permiable area which will improve the lot. In addition, the soil mitigation work will also significantly improve the stormwater management of the parcels. Request a variance to construct a patio or deck to be located at thirty-nine (39) feet from a County ROW, deviating from the required setback of forty-five (45) feet from a County ROW. Also requesting a variance to construct a deck or patio to be located at twenty-four (24) feet from the OHW of a tributary, deviating from the required setback of one hundred (100) feet from the OHW of a tributary. Also requesting a variance to be at 37.22% lot coverage, deviating from the allowed lot coverage of 30% on a commercial zoned lot. All do to setback issues and lot size.

OHW Setback: Deck to be 24' to OHW of a tributary	Side Lot Line Setback: N/A
Rear Setback (non-lake): N/A	Bluff Setback: N/A
Road Setback: Deck to be 39' from a Co ROW	Road Type: County
Existing Imp. Surface Coverage: 33.14%	Proposed Imp. Surface Coverage: 32.27% is decking is pervious; 37.22% if decking is impervious
Existing Structure Sq Ft: Existing is pervious decking	Proposed Structure Sq Ft: 2400
Existing Structure Height: N/A	Proposed Structure Height: N/A
Existing Basement Sq Ft: N/A	Proposed Basement Sq Ft: N/A
Change to roofline? No	Change to main structural framework? No

## Other Questions Review

1. Is the variance in harmony with the purposes and intent of the ordinance? <b>Yes</b> Explain: <b>See Attachment</b>
2. Is the Variance consistent with the Becker County Comprehensive Plan? <b>Yes</b> Explain: <b>See Attachment</b>
3. Does the proposal put the property to use in a reasonable manner? <b>Yes</b> Explain: <b>See Attachment</b>



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

Explain: **See Attachment**

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

Explain: **See Attachment**

# Field Review Form (Pre-Insp)

Permit # SITE2021-1040

## Property and Owner Review

Parcel Number: <b>191870000</b>	Inspector Notes:
Owner: <b>HANSON PROPERTIES OF SHOREHAM</b>	
Township-S/T/R: <b>LAKE VIEW-20/138/041</b>	
Site Address: <b>24110 CO HWY 22</b>	Does posted address sign match site address? Y N

## Dwelling Proposed Review

Dwelling/related structure (1A): - Existing Dimensions: - Proposed Dimensions: - Proposed Roof Changes?
Attached Garage (1B): - Existing Dimensions: - Proposed Dimensions: - Proposed Roof Changes?
Other dwelling related improvements (1C): - Existing Dimensions: - Proposed Dimensions: - Proposed Roof Changes?
Other dwelling related improvements (1D): - Existing Dimensions: - Proposed Dimensions: - Proposed Roof Changes?
Additional dwelling related projects/info:
Inspector Notes:

## Non-Dwelling Proposed Review

Non-dwelling related project (2A): <b>Water Oriented Deck</b> - Existing Dimensions: <b>2225 sq ft existing</b> - Proposed Dimensions: <b>2400 sq feet (175' larger than existing) (decking/patio)</b> - 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): <b>N/A</b> - 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): <b>N/A</b> - 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: <b>County Rd - Right of Way</b>		Shoreland 1000/300? <b>Shoreland-Riparian (Property is bordering a lake, river or stream)</b>	
Road setback: - Dwelling: <b>N/A</b> - Non-dwelling: <b>Deck to ROW 39'</b>	Pre-Inspection: - Dwell: - Non:	Lake Name: <b>Sallie (Lake View) [GD]</b> River Name: <b>PELICAN RIVER</b>	
Side setback: - Dwelling: <b>N/A</b> - Non-dwelling: <b>15+</b>	Pre-Inspection: - Dwell: - Non:	Pond/Wetland on property? <b>No</b> Bluff? <b>No</b>	
Rear setback: - Dwelling: <b>N/A</b> - Non-dwelling: <b>N/A</b>	Pre-Inspection: - Dwell: - Non:	OHW setback: - Dwelling: <b>N/A</b> - Non-dwelling: <b>24' to tributary &amp; 75+ from Sallie</b>	Pre-Inspection: - Dwell: - Non:
Septic tank setback: - Dwelling: <b>N/A</b> - Non-dwelling: <b>10+</b>	Pre-Inspection: - Dwell: - Non:	Pond/wetland setback: - Dwelling: <b>N/A</b> - Non-dwelling: <b>N/A</b>	Pre-Inspection: - Dwell: - Non:
Drainfield setback: - Dwelling: <b>N/A</b> - Non-dwelling: <b>N/A</b>	Pre-Inspection: - Dwell: - Non:	Bluff setback: - Dwelling: <b>N/A</b> - Non-dwelling: <b>N/A</b>	Pre-Inspection: - Dwell: - Non:
Well setback: - Dwelling: <b>N/A</b> - Non-dwelling: <b>3+</b>	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?



## VARIANCE REQUEST SUMMARY [revised]

### HOTEL SHOREMAN

#### REQUESTS:

1. To replace the existing deck with new. This variance is asking to replace the existing wood deck with a stone deck system that in essence, or spirit of the law, would meet the current County Ordinance guidelines, but does NOT meet the Ordinance letter of the law. This will be explained in more detail on Exhibits A & B.
  - a. In addition, by replacing the existing deck, the property owner would like to square out the deck which would add approximately an additional 175 SF of decking compared to the existing. We are stating that the deck system will be considered pervious and thus would actually reduce the overall impervious area of the property. Exhibit C shows the small additional area.
2. Fences - Because the existing fences, which were constructed years ago, do not meet the current setback requirements, new fence construction is also a variance request. Exhibit D shows the fences with "red" lines. Exhibit E shows the actual setback of the fences which does not meet the current setback requirements.
  - a. This variance is also asking for a fence height of 6' instead of the Ordinance height of 4'. As a restaurant, the 6' height provides more privacy for both the patrons and from people driving by the road.

The Hotel Shoreham is located on two parcels of land [191869000 and <sup>19</sup>181870000]. The Hotel was constructed in 1910 making it one of the oldest establishments in our community with a rich history. Between the Hotel [restaurant] and the Pizzeria building, there is a deck that is used for outdoor dining. This Variance Request is to remove the existing deck and replace it with a new patio/deck system. Below are facts and information relevant to this property:

- These two parcels currently have total impervious lot coverage of approximately 34%. (33.14)
  - The County Ordinance states that commercial property should not exceed 30% impervious surface coverage.
  - After completion of the project, the actual percentage of impervious coverage will decrease slightly as a portion of sidewalk leading to the restaurant will become part of the new deck/patio. The new impervious surface coverage will be approximately 32%. (if deck/patio included 37.22%)
  - The existing structures include cabins that were built in 1909, the Hotel was built in 1910, and the newest building, the Pizzeria, was built in 1929.
  - The lots' impervious coverage has not changed in nearly 100 years.
- In the latest Becker County Comprehensive Plan, The Minnesota Department of Economic Security reported that the "Eating and drinking establishments" industry created the largest number of jobs.
  - Many of the clients/patrons of the Hotel Shoreham are non-residents and as a result, they bring dollars into the County as opposed to local dollars spent that are circulating.
  - One of the County's economic development goals is to support existing businesses, and encourage existing tourism.



- This proposed project is consistent with the County's economic development policies in which they support businesses in their efforts to expand, ensuring such efforts are consistent with the County's land use and infrastructure goals.
- During these unprecedented times dealing with COVID-19, no industry has suffered more than the hospitality [restaurant] business. Because of COVID, restaurant outdoor seating has become more critical to their survival. By upgrading the outdoor deck, the Hotel will be able to entice more patrons to dine outside allowing for easier social distancing and stabilize its overall revenue.
  - The ability to serve more patrons also creates more employment opportunities for the community.

### CURRENT DECK

The current deck is an aging system of joists [sleepers] laying on the ground with deck boards fastened. There is nothing under the deck except ground. That is, there is not a rock bed or other filtration system in place. The current water run-off simply follows the contour of the ground. See photos.



Current Deck





Current Deck







Sample of proposed Deck



On the following page are cross-sections of the existing situation and the proposed [Exhibit A]. Note the difference in the quality of stormwater management between the existing and the proposed. The existing deck is deck boards sitting on top of sleepers right on the ground. The water run-off simply follows the contour of the ground and runs into the Pelican River. The proposed system will have approximately 2 feet of topsoil removed and a combination of pea rock, sand bed, and crushed aggregate will be installed

Sample of proposed Deck





to create a much better stormwater management system. We consider this project a mitigation project upgrade because of its improvement to the property.

On the following page is Exhibit B that shows the ¼" spacing of decking compared to the proposed paver. In a two square foot area, both applications have eight (8) linear feet of spacing. However, the undercarriage of the paver system using pedestals covers less ground than traditional 2x material running the full length of the deck. In addition, the proposal is better because the pedestals set the ¼" gapping and it will not change. With wood decking, there can be shrinkage and expansion over time.

**In Summary**, owners of the Hotel Shoreham are wanting to improve their business and simultaneously improve the quality of their property from a stormwater management perspective, which is intended to protect the lakes and rivers and protect their investment into the future. In addition, COVID has made the operating of a restaurant much more difficult and challenging to comply with social distancing and other requirements. Better outdoor space will allow the organization to keep the restaurant environment safer for both its patrons and employees. The outcome of this project is in harmony with the goals and objectives of the County Comprehensive Plan. It creates a win-win for everybody.

#### **EXHIBIT SUMMARY**

**EXHIBIT A** - This Exhibit shows the existing soil condition compared to the proposed new stone deck. The existing deck is basically sitting on hard, compacted ground. In reality, very little water run-off is permeating into the ground. A lot of the water run-off is simply following the contour of the land and eventually running into the river. Our proposed deck would create a permeable bed of rock and washed sand for the water to percolate into the ground.

**EXHIBIT B** - As stated above, this Exhibit shows the comparison of allowable 8" deck boards and the proposed 2'x2' stone deck pieces. Please note that both wood planks and stone squares are both impervious. Please do not get confused with the concept of pervious pavers, this deck system is completely different. The concept of allowing a deck to be considered pervious is because the deck has ¼ inch gapping between the boards. The concept is that the water will permeate into the ground below the deck. With a deck, there is always some air space between the ground and the deck pieces. This is true with a wood deck system as well as the stone deck system we are proposing. As a side note, a pervious paver system does NOT have the air space, pavers are placed right on the ground.

Exhibit B shows that by using allowable 8" deck boards [as allowed by the Ordinance], in a two square foot area, for example, there will be eight lineal feet of ¼ inch gapping for the water to run through. Our point by using 2'x2' stone material is that both systems create the exact amount of ¼ inch gapping for the water to permeate the ground. This Exhibit illustrates this in a two square foot example. In any amount of area, the ¼ inch gapping would be the same amount whether 8" boards are used or 2'x2' square material is used.

**This variance is asking to board to look at the logic or spirit of the Ordinance. The proposed 2'x2' deck meets the same gapping as a deck with 8" boards, but does not meet the requirement by the 'letter of the law'. We are asking the board to approve the 2'x2' material because in reality, it is better than the existing wood system. In this scenario, the 2'x2' system is better because the gapping with the stone deck system will be consistent whereas the wood system will vary based on swelling of wood. Also, because the current system has the undercarriage directly on the**



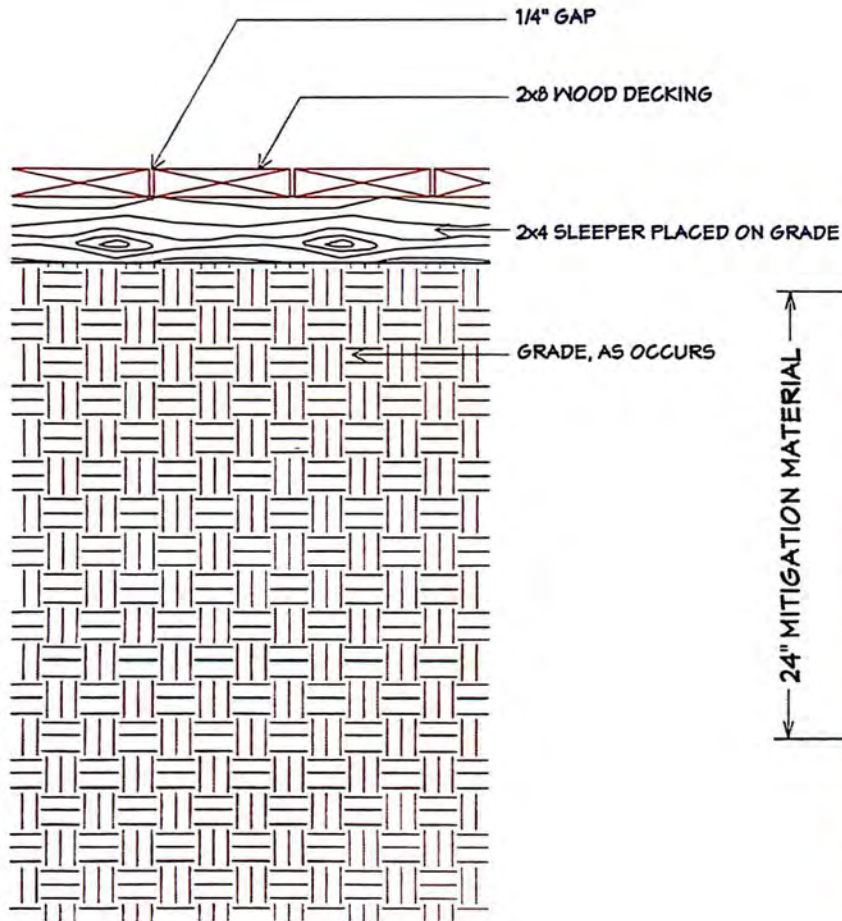
**ground, there is more covered surface area with the wood deck system than the stone deck system that uses round pedestals as the undercarriage.**

EXHIBIT C - This exhibit shows the proposed additional [approximate] 175 SF of deck to be built in order to simply square out the new deck. As mentioned above, this actually will reduce the overall amount of impervious area of the lot.

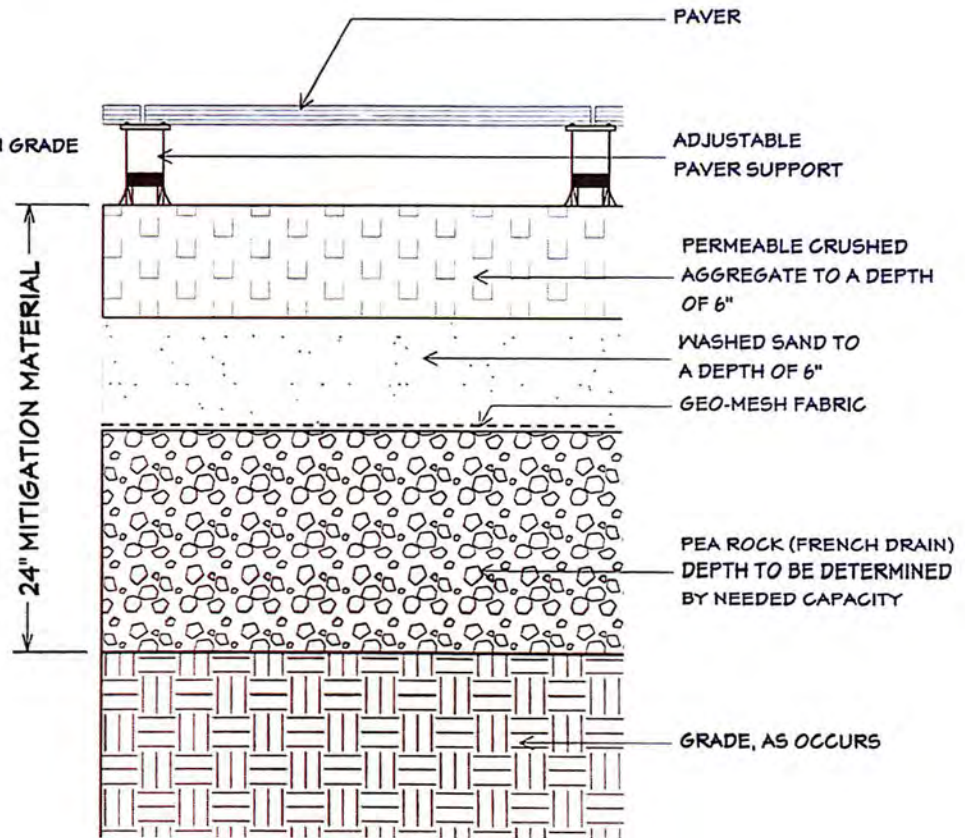
EXHIBIT D - This Exhibit shows the placement of the fences, set the "red" lines. These new fences are very close to the existing fences to be replaced. Our staking of the lot will show where the proposed fences will vary slightly.

EXHIBIT E - The existing fences do not meet the setback requirements and thus the new fence will not meet the Ordinance requirements either. This Exhibit shows the setbacks from the lake, the river, and the road.

**PROJECT: HOTEL SHOREHAM  
EXHIBIT A**

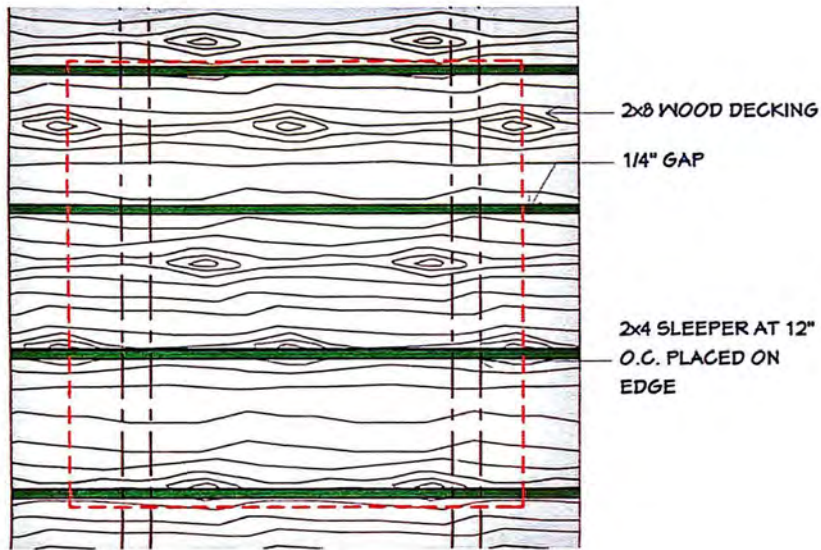


**SECTION AT GRADE (DECKING)  
EXISTING**



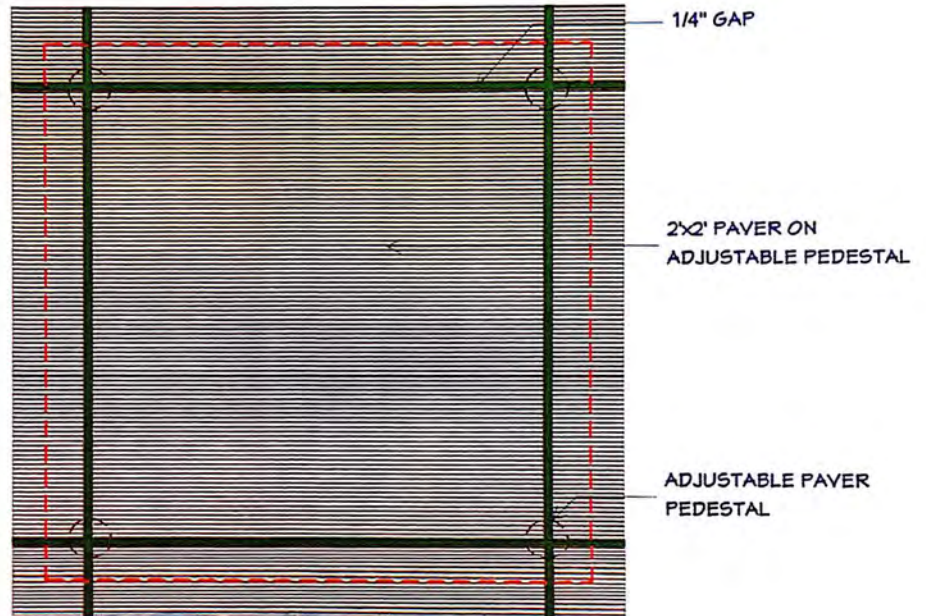
**SECTION AT GRADE (PAYERS)  
PROPOSED**

**PROJECT: HOTEL SHOREHAM  
EXHIBIT B**



NOTE: 8 LF OF OPENING IN A 2 SF SECTION  
OF DECK ASSUMING A 1/4" GAP

**PLAN DETAIL AT GRADE (DECKING)  
EXISTING**



NOTE: 8 LF OF OPENING IN A 2 SF SECTION  
OF DECK ASSUMING A 1/4" GAP

**PLAN DETAIL AT GRADE (PAYERS)  
PROPOSED**



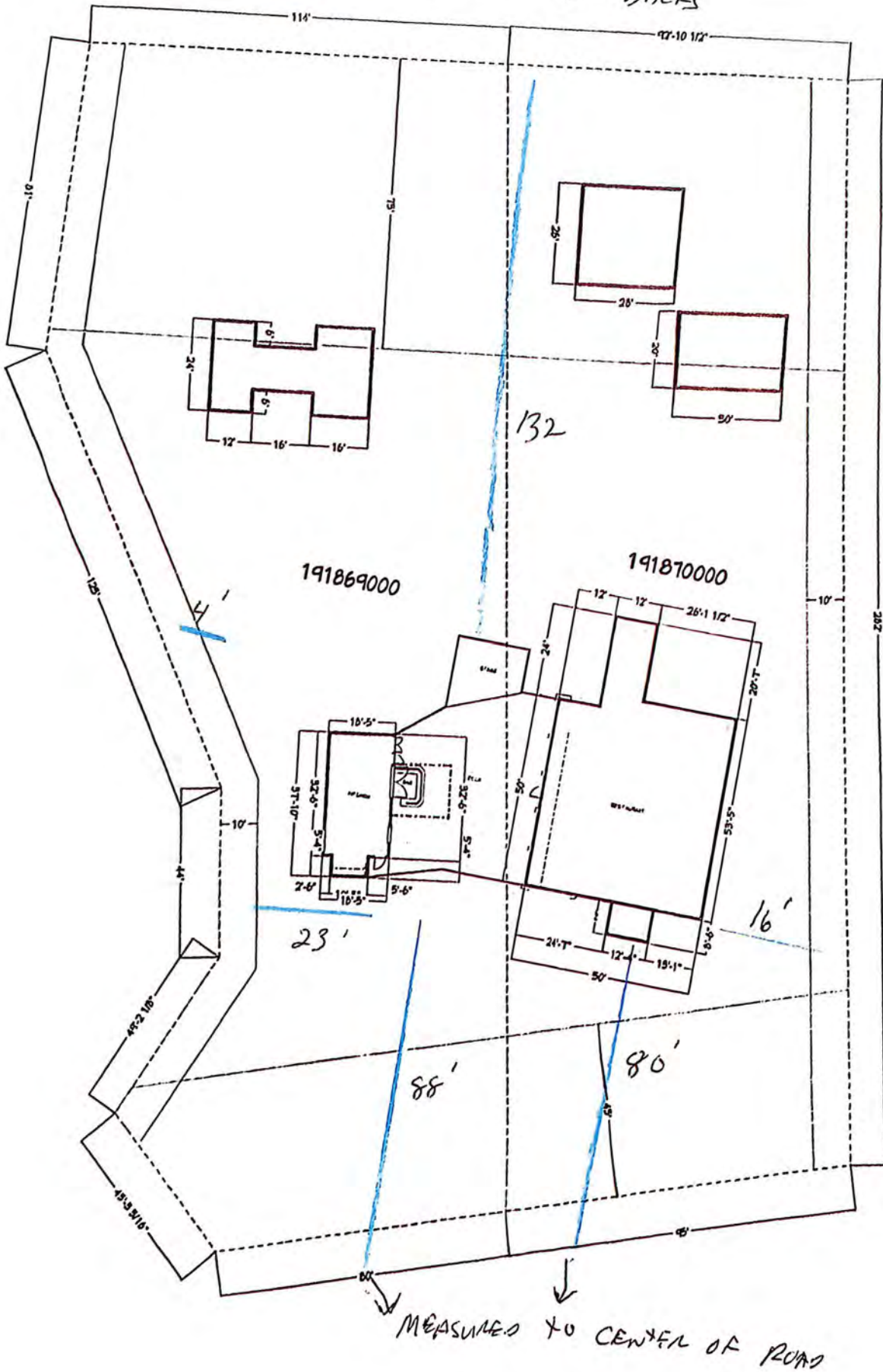




# Exhibit E

BLUE = SET BACKS

Fence  
Setbacks







## HOTEL SHOREHAM - PARCELS 191869000 & 1918700000

TOTAL LOT COVERAGE (both parcels)	48,520				
ALLOWABLE IMPERVIOUS @ 30%	14,556				
			EXISTING	Proposed not including Deck/Patio	PROPOSED
Cabin - East	26	28	728	728	728
Cabin - Middle	20	30	600	600	600
Cabin - West [44x28 less insets of 156 SF]			1076	1076	1076
Snack Bar [Pizza] 18.5x32.5 + 5x10]			624	624	624
Restaurant [48x47; 14x24; 34x12; 12x12]			3144	3144	3144
Sidewalk [into restaurant] (to be removed)	40	6	240	0	0
Sidewalk	3	38	114	114	114
Dumpster Slab	12	22.5	270	270	270
Cabin - East Steps 1	5	5	25	25	25
Cabin - East Steps 2	5	5	25	25	25
Cabin - Middle Steps	5.5	10	55	55	55
Cabin - West patio slab	6	16	96	96	96
Parking Lot - 191869000 total (to be reduced)			5232	5052	5052
Less: Green Space	40	16	(640)	(640)	(640)
Less: Green Space	55	10	(550)	(550)	(550)
Parking Lot - 1918700000 total			5695	5695	5695
Less: Green Space	45	12	(540)	(540)	(540)
Less: Green Space	58	2	(116)	(116)	(116)
Delivery Driveway - to be grass 1157					
New Deck as proposed			-	-	2400
			16078	15658	18058
			33.14%	32.27%	37.22%

**Rachel D. Bartee**

---

**From:** Kyle P. Vareberg  
**Sent:** Tuesday, January 19, 2021 1:18 PM  
**To:** Rachel D. Bartee  
**Subject:** FW: Hotel Shoreham Deck Modifications

**From:** PRWD Permit <prwdpermit@arvig.net>  
**Sent:** Monday, December 28, 2020 12:09 PM  
**To:** mikel@lighthouseconstruct.com  
**Cc:** Kyle P. Vareberg <kyle.vareberg@co.becker.mn.us>  
**Subject:** Hotel Shoreham Deck Modifications

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**BECKER COUNTY SECURITY NOTICE :**

**This email originated from an external sender. Exercise caution before clicking on any links or attachments and consider whether you know the sender. For more information please contact support.**

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Mike,

Here is the Becker County Definition of Pervious decks from their Ordinance:

*Pervious decks. Decks shall be considered pervious if all of the following conditions are met: (1) Maximum material (board) width is eight inches (8"); (2) Minimum spacing between material (boards) is one-quarter inch (1/4"); and (3) The area under the deck is pervious material. Decks not meeting these requirements shall be considered as impervious.*

The proposed concrete deck pavers do not meet the above criteria and would be considered impervious pavers. However, the composite decking boards we discussed on site may be installed in a way to fit this criteria.

Any impervious covering over the deck area will require stormwater management plan (for example: stormwater could be routed to be captured and treated under deck area if there is adequate separation from groundwater).

Lastly, the discussed alterations to the Shore Impact Zone will require a permit from PRWD. We would be happy to review your finalized plans for this area once they are ready.

Please give me a call if you have any questions.

Thank you,  
Adam Mortenson  
Water Resource Coordinator  
Pelican River Watershed District  
Wells-Fargo Bldg – Suite 201  
211 Holmes Street West  
Detroit Lakes, MN 56501  
[www.prwd.org](http://www.prwd.org)  
(218) 846-0436



# Authorized Agent Form

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

1. Form must be legible and completed in ink.
2. 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), Hanson Properties & Shoreham 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
- plat application: \_\_\_\_\_
- conditional use application: \_\_\_\_\_
- variance application: only if needed
- other: \_\_\_\_\_

on my (our) property located at:  
 Tax Parcel Number(s): 191869000; 19187000 Physical Site Address: 24110 Co Hwy 22; Detroit Lakes  
 Legal Description: Block A Lot 1 ex. WELY 235'; Block AA 95' Strip lying 140' W of SW Line of Lot 1  
 Section: 20 Township: 138 Range: 041 Lot: 1 Block: AA Plat Name: West Adds - Shoreham

### Agent Contact Information

Agent address: 25096 Co. Hwy 6 Detroit Lakes MN 56501  
 Street City State Zip Code  
 Agent phone #(s): 218.844.1900 Agent fax #: \_\_\_\_\_  
 Agent email address: jeffb@inspireawayholdings.com

*Cole Hanson*

12.08.20


Property Owner(s) Signature(s)

Date

State of Minnesota  
 County of Becker

On this 9 day of December 2020 before me personally appeared Cole Hanson

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.

(Notary Stamp)  PAUL KEVIN URBACH  
 Notary Public  
 Minnesota  
 My Commission Expires Jan 31, 2025

*Paul Urbach*  
 Notary Public

Office Use Only:  
 Date received: \_\_\_\_\_

Expiration Date: 1/31/2025

620324

BECKER COUNTY RECORDER  
STATE OF MINNESOTA  
**Document No. 620324**

October 15, 2014 at 12:34 PM  
I hereby certify that the within  
instrument was recorded in this office.  
Darlene Maneval, County Recorder  
By \_SKS\_ Deputy

No delinquent taxes and transfer entered  
this 15<sup>th</sup> day of OCT, 2014

Mary E Hendrickson-deputy  
Becker County Auditor/Treasurer  
By [Signature] Deputy

**QUIT CLAIM DEED**

Individual to Corporation  
or Partnership

STATE DEED TAX  
DUE HEREON: \$1.65

*A*

Dated: October 13, 2014

FOR VALUABLE CONSIDERATION, THOMAS W. HANSON and TERRY JO HANSON, husband and wife, Grantors, hereby convey and quitclaim to HANSON PROPERTIES OF SHOREHAM, LLC Grantee, a Limited Liability Company under the laws of Minnesota, real property in Becker County, Minnesota, described as follows:

See Attached Exhibit "A"

together with all hereditaments and appurtenances belonging thereto.

BECKER COUNTY DEED TAX  
AMT. PD. \$ 1.65  
Receipt # 574499  
Becker County Auditor/Treasurer

[Signature: Thomas W. Hanson]  
Thomas W. Hanson

[Signature: Terry Jo Hanson]  
Terry Jo Hanson

chg  
paid  
well



STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF BECKER )

The foregoing instrument was acknowledged before me this 13th day of October, 2014, by THOMAS W. HANSON and TERRY JO HANSON, husband and wife, Grantors.

\_\_\_\_\_  
Notary Public



THE TOTAL CONSIDERATION FOR THIS INSTRUMENT  
IS \$500.00 OR LESS.

I am familiar with the property described in this instrument and I certify that status and number of wells on the described real property has not changed since the last previously filed well disclosure certificate.

*Thomas W. Hanson*

\_\_\_\_\_  
Buyer, Seller or Authorized Person

Tax statements for the real property described in this instrument should be sent to:

Hanson Properties of Shoreham, LLC  
24945 North Melissa Drive  
Detroit Lakes, MN 56501

This instrument was drafted by:  
PEMBERTON, SORLIE, RUFER & KERSHNER, P.L.L.P.  
903 Washington Avenue, PO Box 1409  
Detroit Lakes, Minnesota 56502  
Telephone: 218-847-4858

*NIL TO:*

EXHIBIT A

Lot One (1), in Block "A" of John K. West's Addition to Shoreham, according to the certified plat thereof on file and of record in the office of the County Recorder in and for Becker County, Minnesota, except that portion described as follows, to-wit: Commencing at the most easterly corner of Lot One (1) in Block "A" of said John K. West's Addition to Shoreham; thence northwesterly along the northeasterly line of said lot to the shore of Lake Sallie, which is also the most northerly corner of said lot; thence southwesterly along the shore of said lake a distance of 235 feet; thence southeasterly and parallel with the northeasterly line of said lot to the southeasterly line of said lot; thence northeasterly along said last described line a distance of 235 feet to the place of beginning.

P.N.: 19.1869.000

Common address: Co. Hwy. 22, Detroit Lakes, MN 56501

AND

That part of Lot One (1), Block A, JOHN K. WEST'S ADDITION TO SHOREHAM, according to the Plat thereof on file and of record in the office of the County Recorder in and for Becker County, Minnesota, described as follows, to-wit: Commencing at a point on the southerly line of said Lot 1 which is 140 feet southwesterly from the most easterly corner of said Lot; thence running northwesterly and parallel with the northeasterly line of said Lot to the meander line of Lake Sallie; thence southwesterly along said meander line a distance of 95 feet; thence southeasterly and parallel to the northeasterly line of said Lot to the southeasterly line of said Lot which is also the northwesterly boundary line of the public road shown on above named plat; thence northeasterly on said last described line a distance of 95 feet to the place of beginning.

P.N.: 19.1870.000

Common address: 11024 Co Hwy 22, Detroit Lakes, MN 56501

AND

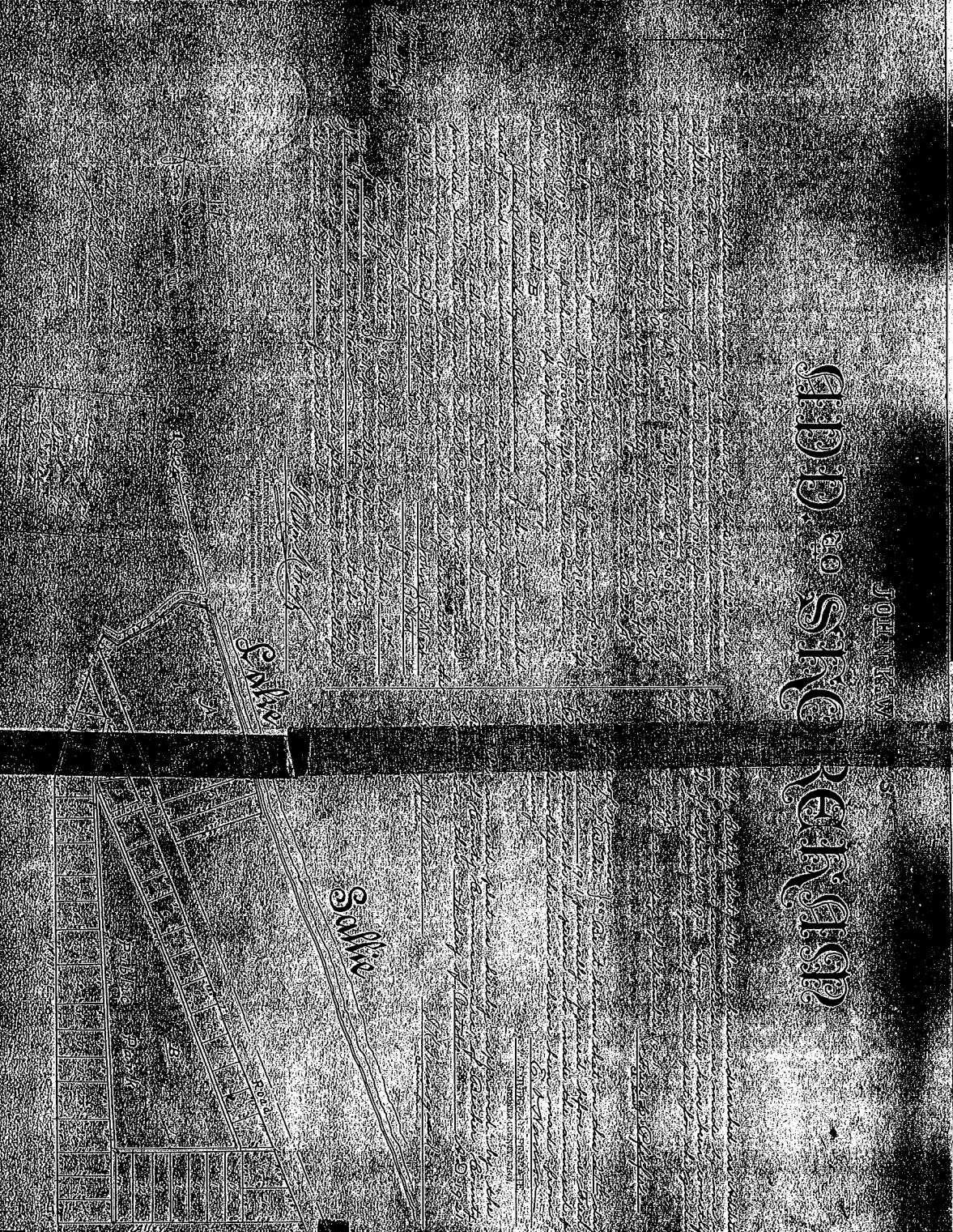
Lots Numbered One (1), Forty (40), Forty-One (41), Forty-Two (42) and Forty-Three (43), all in Block "B", John K. West's Subdivision to Shoreham, Becker County, Minnesota.

P.N.: 19.1876.000

Common address: n/a



Original



JOHN R. W. WALKER  
 ARCHT.  
 100 N. 1st St. St. Louis, Mo.

*Walker*

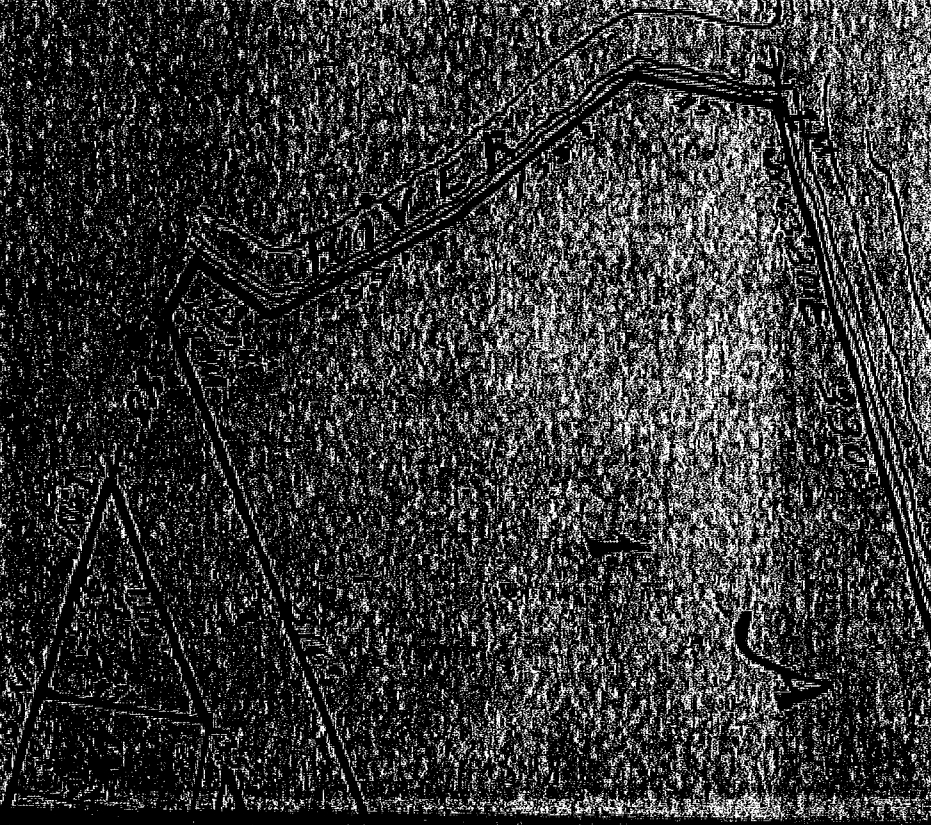
*Walker*

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C-100

Country Mine  
Explosives April 5, 1922

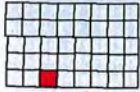
General











# Lake View

# Township 138N - Range 41W

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SEE PAGE 31



SEE PAGE 13

SEE PAGE 17

230 240 250 260 270 280 290 15