



# COUNTY OF BECKER

## Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

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

### PLANNING COMMISSION NOTICE OF PUBLIC HEARING

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

Monday, May 13, 2019 @ 7:00 P.M.

**3<sup>rd</sup> Floor Jury Assembly Room New Addition-Becker County Courthouse**  
Detroit Lakes, MN 56501

APPLICANT: Sandra Orthmeyer-Vetter  
19818 Co Hwy 32 Rochert, MN 56578

Project Location: Co Hwy 32, Corner of 335<sup>th</sup>  
Rochert, MN

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Conditional Use Permit to mine and excavate for gravel, rock and black dirt. Hours of operation will be 7am-530pm Monday through Friday. Crushing would occur one to two days per week. Hauling would occur a few days per week.

LEGAL LAND DESCRIPTION: Tax ID number: 100271000

E 122 RDS OF N1/2 OF NW1/4 LESS 12.77 AC & E 2 RDS; Section 14, TWP 139, Range 40, Erie Township.

#### REFER TO BECKER COUNTY ZONING ORDINANCE

**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](mailto: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.**



~ CONDITIONAL USE APPLICATION ~

BECKER COUNTY PLANNING & ZONING

915 LAKE AVENUE, DETROIT LAKES, MN 56501  
PHONE (218) 846-7314 - FAX (218) 846-7266

PARCEL	
APP	CUP
YEAR	
SCANNED	

PROPERTY OWNER INFORMATION (as it appears on tax statement, purchase agreement or deed)

Are you the property owner or the Authorized Agent?  Owner  Authorized Agent

\*Authorized Agents **must** attach a completed Authorized Agent Form

Parcel number(s) of property: 100271000

Property Owner Name(s): Sandra Orthmeyer Vetter

Mailing Address: 19818 Co. Hwy. 32 City, State, Zip Rochert, MN 56578

Phone Number(s): 218-846-2688 Owner Email Address renner4@arvig.net

Project Address: 19818 Co. Hwy. 32 City, State, Zip Rochert, MN 56578

Watershed Management District: \_\_\_\_\_ Pelican \_\_\_\_\_ Cormorant None Other

Township Name: Erie Sect - Twp - Range: 14 - 139 - 40

Legal Description: E 122 RDS of N 1/2 of NW 1/4 Less 12.77 acres & E 2 RDS

Property Size 47.23 acres Is there a pond or wetland on the property?  Yes  No

Is any part of the property within 1,000 feet of a like lake or within 300 feet of a river/stream?  Yes  No

REASON FOR CONDITIONAL USE REQUEST:

To mine and excavate for gravel, rock and black dirt.

The information provided for this document is truthful and accurate to the best of my knowledge. I understand that this statement is null and void if any of the above information is not supplied or is inaccurate.

Dale Renner  
SIGNATURE OF APPLICANT

April 2, 2019  
DATE

OTHER INFORMATION NEEDED TO COMPLETE THE APPLICATION:

1. A copy of the deed from the Recorder's Office;
2. Completed Site Application with sketch showing all setbacks, platted or surveyed dimensions of the lot and all existing and proposed buildings; parking area and all other materials deemed necessary.
3. Is the request in relation to some sort of business endeavor or commercial activity (home business, campground)  Yes  No
4. Non-refundable filing fee of \$280 (\$380.00 if Commercial). If in Cormorant Township add \$25.00 surcharge to the filing fee. Make check payable to Becker County Zoning. A second check to record the document of \$46 made payable to Becker County Recorder.
5. Is the conditional use permit request after the fact? Is the request in the application already in place or operation?  Yes  No  
*If yes, after the fact application fee is an additional \$600.00.*

Office Use Only

This application is hereby (accepted) or (rejected) as presented.

\_\_\_\_\_  
SIGNATURE - ZONING ADMINISTRATOR

\_\_\_\_\_  
DATE







Please answer the following questions as they relate to your specific CUP request:

1. **Effect on surrounding property.** That the conditional use will not harm the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

The project will not harm any properties in the area.

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2. **Effect on orderly, consistent development.** That establishing the conditional use will not impede the normal, orderly development and improvement of surrounding vacant property for uses predominant in the area.

The material taken will not affect surround land.

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3. **Adequate facilities.** That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

There is an approach there already and will make a road on the land to the pit.

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4. **Adequate parking.** That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Parking will be in the field, on-site.

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5. **Not a nuisance.** That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance, and to control lighted signs and other lights so that no disturbance to neighboring properties will result.

The hours we run will be normal busines hours, Monday - Friday, 7:00 am to 5:30 pm. The operation will be sheilded by trees and we will be operating in a low area.

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6. **Additional criteria for shoreland areas.** In Shoreland areas, it shall be found that adequate measures have been or will be taken to assure that:

- a. **Pollution.** Soil erosion or other possible pollution of public waters will be prevented, both during and after construction;

N/A

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- b. **View from public waters.** That the visibility of structures and other facilities as viewed from public waters will be limited;

N/A

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- c. **Adequate utilities.** That the site is adequate for water supply and on-site sewage treatment; and

N/A

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- d. **Watercraft.** That the types, uses, and number of watercrafts that the project will generate can be safely accommodated.

N/A

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~ LAND ALTERATION PERMIT ~  
**BECKER COUNTY PLANNING & ZONING**  
 915 LAKE AVENUE, DETROIT LAKES, MN 56501  
 PHONE (218) 846-7314 - FAX (218) 846-7266

PARCEL	_____
APP	Land Alt
YEAR	_____
SCANNED	_____

PARCEL NUMBER 100271000 PROJECT ADDRESS 19818 Co. Hwy. 32, Rochert

DIRECTIONS TO PROPERTY: Go E on St. Hwy. 34 to Co. Hwy. 29. Go N to Co. Hwy. 32. Turn W and follow 2nd approach past 335th Avenue.

**LEGAL DESCRIPTION**  
 E 122 RDS of N 1/2 of NW 1/4 Less 12.77 acres & E 2 RDS

LAKE/WETLAND/RIVER NAME	LK/WETL/RIV CLASS	SECTION	TWP	RANGE	TOWNSHIP NAME
None		14	139	40	Erie

PROPERTY OWNER	ADDRESS	PHONE NO
Sandra Orthmeyer Vetter	19818 Co. Hwy. 32, Rochert	

CONTRACTOR	LICENSE NO	PHONE NO
D & B Septic & Excavation LLC	2591	218-841-5879

<b>Type of Project</b>		<b>Project Purpose</b>		<b>Project Scope</b>	
<input type="checkbox"/> Vegetation Removal <input type="checkbox"/> Fill Only <input type="checkbox"/> Grading Only <input type="checkbox"/> Grading & Filling <input checked="" type="checkbox"/> Other (specify) Moving for sand, gravel & black dirt		<input type="checkbox"/> Clear Land <input type="checkbox"/> Road or Driveway <input type="checkbox"/> Elevate Building Site <input type="checkbox"/> Improve Lawn <input checked="" type="checkbox"/> Other (specify) To excavate for materials		Project Start Date <u>May 2019</u> Project Completion Date <u>Months of Operation</u> Project is adjacent to <input type="checkbox"/> Lake <input type="checkbox"/> Stream <input checked="" type="checkbox"/> non shoreland Name of water body _____ Distance work will be from Ordinary High Water Mark _____ ft	
<b>Type of Erosion Control</b>		<b>Alterations:</b>			
<input type="checkbox"/> sod <input type="checkbox"/> stake-sod <input type="checkbox"/> seed only <input type="checkbox"/> seed & mulch <input type="checkbox"/> mulch only <input checked="" type="checkbox"/> other _____ The runoff excavated will be contained on project site		Area to be cut/excavated <u>950</u> ft <u>750</u> ft <u>10</u> ft Length        Width        Depth Area to be filled/leveled <u>950</u> ft <u>750</u> ft <u>0</u> ft Length        Width        Depth Type of Soils and/or fill material <u>Black Dirt, Sand, Rock, Gravel</u> Total Cubic Yards of Earthmoving Requested <u>8000</u>			

**Brief description of the work to be done:**

Work will be during normal business hours - 7:00 a.m. - 5:30 p.m., Monday-Friday. We will keep all slopes to required elevations. We would like to excavate sand, gravel, rock, and black dirt for this project.




To complete this application, a detailed site plan must be attached.  
 The site plan must include the following information:

PARCEL	
APP	Land Alt
YEAR	

1. Size of the property, showing the location of the lot lines;
2. Area that the work is to be done (width and length of project);
3. Final slopes of project;
4. Drainage plan showing direction of drainage and how the drainage will be contained;
5. Distance the project will be from lake; river; stream; property lines; wetlands and structures.

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge. I also understand that, once issued, the permit will be valid for a period of six (6) months. I also understand that bare ground shall be covered temporarily with mulches or similar materials and permanent vegetation cover shall be established as soon as excavation is completed. I also understand that I am responsible for securing any other local, state, or federal permits that may be required, including but not limited to watershed districts, MN Department of Natural Resources, Soil and Water Conservation, MN Pollution Control Agency or US Army Corps of Engineers.

  
 Signature

4/5/19  
 Date

Additional notes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Application Fee: \_\_\_\_\_ + Fines \_\_\_\_\_ + Total Fees \_\_\_\_\_

Application is hereby **GRANTED** in accordance with the application and supporting information by order of:  
 \_\_\_\_\_ as of this date \_\_\_\_\_

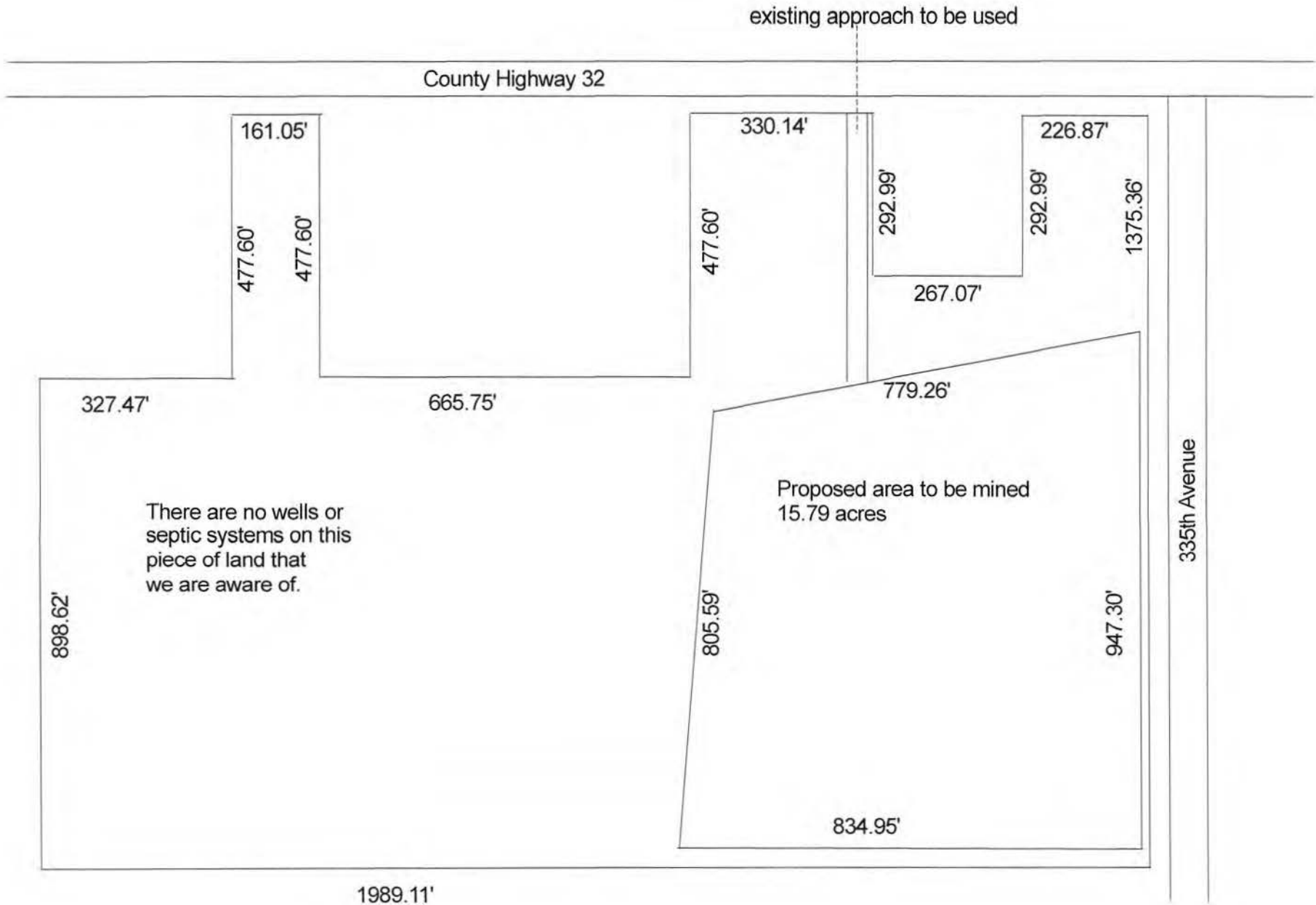
Application is hereby **DENIED** based on the fact that \_\_\_\_\_

by order of: \_\_\_\_\_ as of this date \_\_\_\_\_

Receipt Number \_\_\_\_\_ Date Paid \_\_\_\_\_

Additional Receipt Number \_\_\_\_\_ Date of Additional Receipt \_\_\_\_\_

Date of Final Inspection: \_\_\_\_\_





**Operation Plan for Aggregate Mining  
Tax Parcel – 100271000**

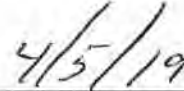
1. Name of Applicant: D & B Septic & Excavation LLC  
Street Address: 31664 State Highway 34  
City, State, Zip Code: Detroit Lakes, MN 56501  
Phone Number: 218-841-5879
2. Landowner: Sandra Orthmeyer Vetter
3. Legal Description: E 122 RDS OF N1/2 OF NW ¼ LESS  
12.77 ACRES & E 2 RDS
4. Attachments: Tax Statement and Map
5. Currently land is zoned agricultural.
6. Material to be excavated: Fill sand, various rock sizes and gravel
7. Estimated groundwater depth in the area is greater than 30 feet.
8. Timetable for commencement and cessation of mining operations:  
Months of Operation: May through November  
Days: Monday through Friday  
Hours: 7 am to 5:30 pm
9. Top Soil Management: We will be following the gravel veins, not digging up the complete acreage. The topsoil will be stripped and stockpiled for future reclamation. Topsoil will be pushed back when project is complete. Seeding will be done where necessary to reduce storm water erosion.
10. The primary method of mining to be used on 14.99 acres of land will be the process of taking aggregate with loaders and a portable crusher. The additional machinery involved will include a conveyor and trucks.
11. The operation should not need additional screening from the view of the surrounding land uses since the area cannot be seen from the road.
12. The noise generated from the operation will be controlled by tree buffering and working a lower area.
13. The dust generated from the operation will be controlled by applying water when dust is flying.
14. Any erosion from the exposed earth will be confined to the area of the proposed pit and will be controlled in the best way possible.



15. Post mining reclamation plan: Upon completion of the removal of aggregate materials the pit edges will be sloped and topsoil will be spread over the unused portions of the pit area and planted with grass. The pit restoration will be ongoing with the depletion of the material.
16. Access to the pit area: We will be using an existing approach to the property and building a road to the mining area.



D & B Septic & Excavation LLC  
Dale Renner



Date

**D & B Septic & Excavation LLC and Sandra Orthmeyer Vetter  
Pit Agreement**

**Main Goal** – The main goal is to mine for gravel, sand, rock and black dirt.

**Gravel Pit Agreement** – A locked rate of \$1.00 per yard as long as we hold the Land Alteration Permit and Conditional Use Permit.

**Payment Schedule** – Payment will be made by the 15<sup>th</sup> of the month for the mining done the previous month.

**Licenses and Permits** – D & B Septic & Excavation LLC shall obtain and keep current all necessary licenses and permits as deemed necessary by any government entity.

**Mining Plan** – All mining activities must comply with plan for site.

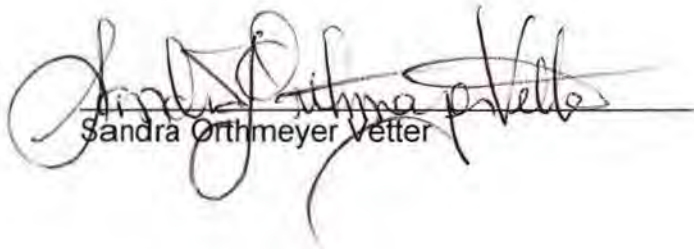
**Backfilling** – All backfilling will be completed before leaving premises.

**Access** – Sandra Orthmeyer Vetter shall have the right to enter upon the premises at any time for the purpose of inspection in accordance to the Mining Plan or Backfill Plan.



Dale Renner  
D & B Septic & Excavation LLC

4/4/19  
Date



Sandra Orthmeyer Vetter

4/3/19  
Date

*needs to  
be notarized*



# COUNTY OF BECKER

## Planning and Zoning

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

### Authorized Agent 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), Sandra Orthmeyer Vetter hereby authorize Dale Renner 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.): Land Alteration Permit
- plat application: \_\_\_\_\_
- conditional use application: \_\_\_\_\_
- variance application: \_\_\_\_\_
- other: \_\_\_\_\_

on my (our) property located at:  
 Tax Parcel Number(s): 100271000 Physical Site Address: 19818 Co. Hwy. 32 Rochert

Legal Description: E 122 RDS of N 1/2 of NW 1/4 Less 12.77 acres and E 2 RDS

Section: 14 Township: 139 Range: 40 Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Plat Name: \_\_\_\_\_

#### Agent Contact Information

Agent address: 31664 State Highway 34 Detroit Lakes MN 56501  
 Street City State Zip Code  
 Agent phone #(s): 218-841-5879 Agent fax #: \_\_\_\_\_

Agent email address: renner4@arvig.net

Sandra Orthmeyer Vetter \_\_\_\_\_ 4-7-19  
 Property Owner(s) Signature(s) Date  
 State of Minnesota  
 County of Becker

On this 7 day of April before me personally appeared Sandra Orthmeyer Vetter to me  
 known to be the person(s) described in and who executed the foregoing instrument; and acknowledged that  
she executed the same as her free act and deed.

(Notary Stamp)



Jennifer L Beck  
 Notary Public January 31, 2022

Office Use Only:  
 Date received:

Expiration Date:







575917

BECKER COUNTY RECORDER  
STATE OF MINNESOTA

Document No. 575917

January 14, 2010 at 1:45 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 14<sup>th</sup> day of Jan, 2010

Ryan L. Tangen  
Becker County Auditor/Treasurer

By SKS Deputy

10.0271.000

(Top 3 inches reserved for recording data)

WARRANTY DEED  
Individual(s) to Individual(s)

Minnesota Uniform Conveyancing Blanks  
Form 10.1.1 (2006)

DEED TAX DUE: \$ 1.65

DATE: December 31, 2009  
(month/day/year)

FOR VALUABLE CONSIDERATION, \$10.00 and other Valuable Considerations  
FRANK B. <sup>Orthmeyer</sup> and INEZ M. ORTHMEYER <sup>husband & wife</sup> Married ("Grantor"),  
hereby conveys and warrants to SANDRA ORTHMEYER VETTER  
(insert name of each Grantee)

in BECKER County, Minnesota, legally described as follows: 47.23 AC

SECT-14 TWP-139 Range-040  
E 122 RDS OF N 1/2 OF NW 1/4  
LESS 12.77 AC & E2 RDS  
Parcel I.P.R 10.0271.000 ERIE

see attached  
for more complete  
legal description

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

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: No Exceptions

Total Consideration for this transfer is \$500<sup>00</sup> or less.

BECKER COUNTY DEED TAX  
AMT. PD. \$ 1.65  
Receipt # 440390  
Becker County Auditor/Treasurer

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.
- 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.

Grantor

Frank Orthmeyer  
(signature)

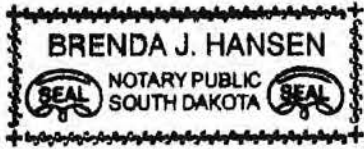
Inez M. Orthmeyer  
(signature)

chg  
paid  
well  
non/std  
extra

State of ~~Minnesota~~, County of Lincoln  
South Dakota

This instrument was acknowledged before me on 12-31-09, by Frank B Orthmeyer  
and Inez M Orthmeyer, husband and wife  
(month/day/year)  
(insert name and marital status of each Grantor)

(Seal, if any)



Brenda J Hansen

(signature of notarial officer)

Title (and Rank):

Head Teller

**BRENDA J. HANSEN**

My commission expires:

**My Commission Expires 11/18/2012**  
(month/day/year)

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

FRANK B ORTHMEYER  
133 W Doral Ct,  
Sioux Falls, SD. 57108

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

(insert name and address of Grantee to whom tax statements should be sent)

To: SANDRA ORTHMEYER-VETTER  
19818 Co. Hwy 32  
Rochert MN. 56578



The North Half ( $N\frac{1}{2}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of Section Fourteen (14), Township One Hundred Thirty-Nine (139), North of Range Forty (40) West of the Fifth (5<sup>th</sup>) Principal Meridian excepting and reserving therefrom the following described tracts:

1. The East two (2) rods thereof.
2. The West thirty-eight (38) rods thereof.
3. A parcel of land eighteen (18) rods lying North and South and sixteen (16) rods lying East and West in the Northwest Corner of the West twenty (20) rods of the East thirty-two (32) rods.
4. The North twenty-nine (29) rods of the East twenty (20) rods of the West fifty-eight (58) rods of the Northwest Quarter of the Northwest Quarter ( $NW\frac{1}{4}$  of  $NW\frac{1}{4}$ ) of Section Fourteen (14), Township One Hundred Thirty-Nine (139), Range Forty (40).
5. A tract of land described as follows:-Commencing at the Northeast Corner of the North Half ( $N\frac{1}{2}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of said Section Fourteen (14), Township One Hundred Thirty-Nine (139), Range Forty (40), thence West on the North line of said North Half ( $N\frac{1}{2}$ ) of Northwest Quarter ( $NW\frac{1}{4}$ ), fifty-two (52) rods to the point of beginning, thence South twenty-nine (29) rods parallel to the East line of said North Half ( $N\frac{1}{2}$ ) of Northwest Quarter ( $NW\frac{1}{4}$ ), thence West thirty-five (35) rods parallel to the North line of said North Half ( $N\frac{1}{2}$ ) of Northwest Quarter ( $NW\frac{1}{4}$ ), thence North twenty-nine (29) rods parallel to the East line of said North Half ( $N\frac{1}{2}$ ) of Northwest Quarter ( $NW\frac{1}{4}$ ) to the North line thereof, thence East on said North line thirty-five rods (35) to the point of beginning.





**Subject** →

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.

1:11,267

Date: 4/8/2019

Becker County

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





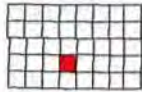
# Mobile, on-line, paperless or in person!

Need to make a loan payment in the middle of the night? Want to transfer funds first thing in the morning from your phone? Like to download bank statements into your checking software? Need to check account balances anywhere - anytime? Pop in for cash at the ATM?



and whenever it is convenient for you!

www.mahnomenbank.com Toll Free: 877-935-5251 24-Hour TeleBanc: 1-800-933-5814  
103 North Main Street - Mahnomen MN - 218-935-5251 and 205 Main Avenue West - Twin Valley MN - 218-584-5161

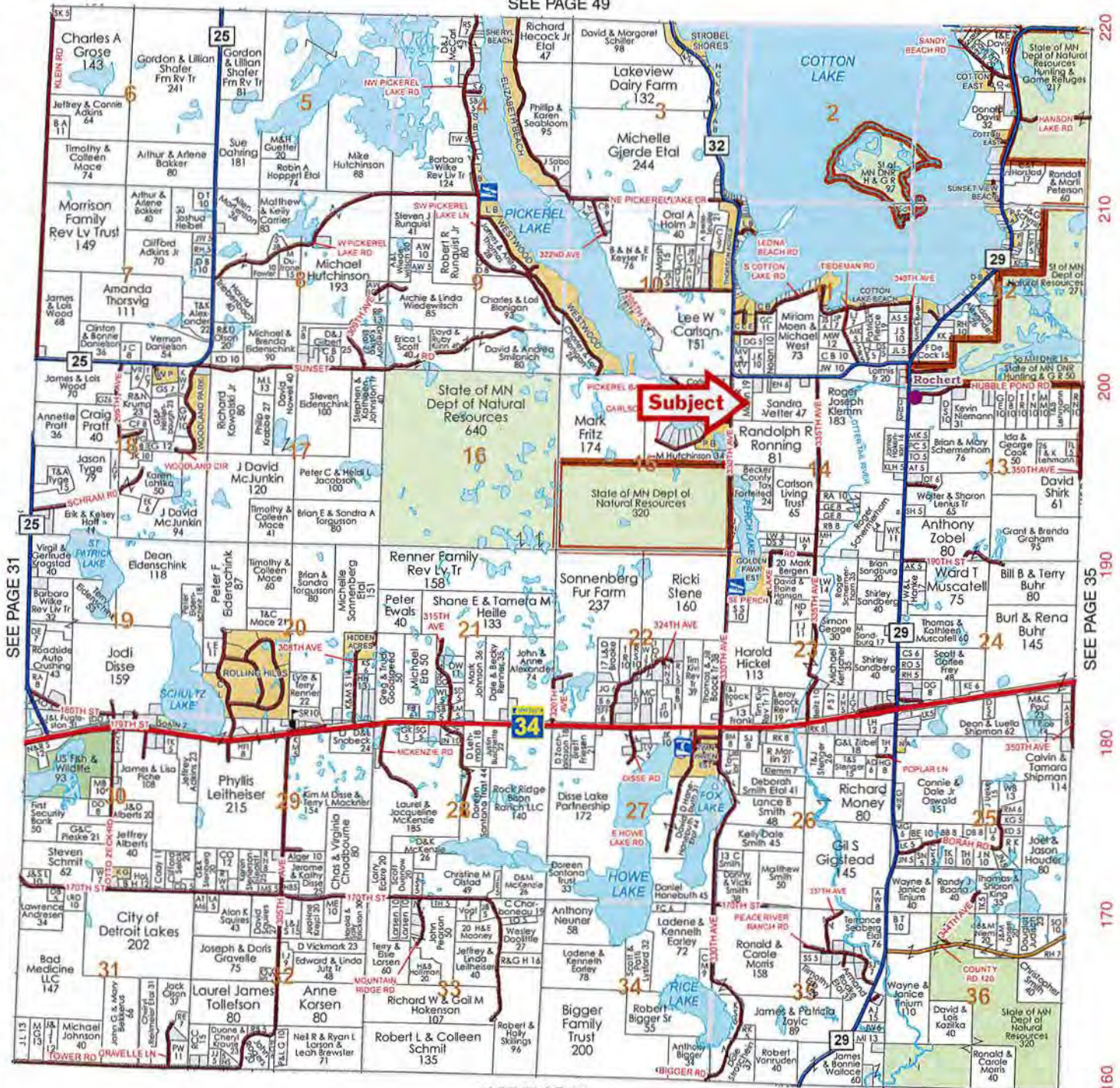


## Erie

## Township 139N - Range 40W

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SEE PAGE 49



SEE PAGE 17





# COUNTY OF BECKER

## *Planning and Zoning*

915 Lake Ave, Detroit Lakes, MN 56501

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

### PLANNING COMMISSION NOTICE OF PUBLIC HEARING

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

Monday, May 13, 2019 @ 7:00 P.M.

**3<sup>rd</sup> Floor Jury Assembly Room New Addition-Becker County Courthouse**  
Detroit Lakes, MN 56501

APPLICANT: Michael Larson  
2249 Main Ave E  
West Fargo, ND 58078

Project Location: 25130 Co Hwy 22

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Conditional Use Permit for a building supply store.

#### LEGAL LAND DESCRIPTION: Tax ID number: 190332000

16-138-41 PT SW1/4 SW1/4; COMM SW COR SEC 16 N 1323.92', E 444.71', S 33' TO POB; SW 147.60', S 319.65', SE 117.62', NELY 250.12', ELY 34.37', NE 103.36', SE 17', NE 129.97', NE 81.09', NW 167.51', N 56.39', W 314.7' TO POB. TRACT A, B.; Section 16, TWP 138, Range 41, Lake View Township.

#### REFER TO BECKER COUNTY ZONING ORDINANCE

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BECKER COUNTY PLANNING & ZONING

915 LAKE AVENUE, DETROIT LAKES, MN 56501  
PHONE (218) 846-7314 - FAX (218) 846-7266

PARCEL	
APP	CUP
YEAR	
SCANNED	



PROPERTY OWNER INFORMATION (as it appears on tax statement, purchase agreement or deed)

Are you the property owner or the Authorized Agent?  Owner  Authorized Agent

\*Authorized Agents must attach a completed Authorized Agent Form

Parcel number(s) of property: 190332000

Property Owner Name(s): Michael W. Larson

Mailing Address: 2249 Main Ave. E. City, State, Zip WEST FARGO, ND 58078

Phone Number(s): (701) 261-1300 Owner Email Address \_\_\_\_\_

Project Address: 25130 Co Hwy 22 City, State, Zip DETROIT LAKES, MN 56501

Watershed Management District:  Pelican  Cormorant  Other

Township Name: Lake View Sect - Twp - Range: 16 - 138 - 041

Legal Description: \_\_\_\_\_

Property Size 4.39 ACRES Is there a pond or wetland on the property?  Yes  No

Is any part of the property within 1,000 feet of a like lake or within 300 feet of a river/stream?  Yes  No

REASON FOR CONDITIONAL USE REQUEST:

PROPERTY IS ZONE AG. (TAXED COMM.) WANT TO OPEN

RETAIL HOME BUILDING SUPPLY STORE: DOORS, WINDOWS, SIDING, DECK.  
& MISC. BUILDING MAT.

The information provided for this document is truthful and accurate to the best of my knowledge. I understand that this statement is null and void if any of the above information is not supplied or is inaccurate.

[Signature]  
SIGNATURE OF APPLICANT

4/17/19  
DATE

OTHER INFORMATION NEEDED TO COMPLETE THE APPLICATION:

1. A copy of the deed from the Recorder's Office;
2. Completed Site Application with sketch showing all setbacks, platted or surveyed dimensions of the lot and all existing and proposed buildings; parking area and all other materials deemed necessary. - ATTACHED
3. Is the request in relation to some sort of business endeavor or commercial activity (home business, campground)  Yes  No
4. Non-refundable filing fee of \$280 (\$380.00 if Commercial). If in Cormorant Township add \$25.00 surcharge to the filing fee. Make check payable to Becker County Zoning. A second check to record the document of \$46 made payable to Becker County Recorder.
5. Is the conditional use permit request after the fact? Is the request in the application already in place or operation?  Yes  No  
*If yes, after the fact application fee is an additional \$600.00.*

Office Use Only

This application is hereby (accepted) or (rejected) as presented.

\_\_\_\_\_  
SIGNATURE - ZONING ADMINISTRATOR

\_\_\_\_\_  
DATE

PARCEL	
APP	CUP
YEAR	

**BUSINESS PLAN**

Name of Business: LumBros. Building Solutions, LLC (Single member-LLC)

Business Owners: Zachary Felt - (218) 234-9046 ← MAIN CONTACT

Owners of Business: Zacharyfelt@gmail.com  
Zach@LumBros.Build

Type of Business: Retail Sales Service Other

If other type of business please describe: \_\_\_\_\_

Type of Merchandise: DOORS, WINDOWS, SIDING, DECKING, SOME FRAMING MATERIALS

Type of Service: MATERIAL ESTIMATES, QUOTES, PLAN DRAWING, DELIVERY

Hours and Days of Operation: ~~MON-FRI~~ MON-THURSDAY: 7-5:30, FRI <sup>7-6</sup> ~~8-3~~, Sat 8-3

Number of Employees: 2 or 3

Off - street Parking Plan: Retail by EXISTING House, Employees (2-3 cars) by Shop

Size of Structure to be used for Business: About 1/2 of Existing 60x120 BLDG, & All of 30x32 <sup>House,</sup> ALSO BOTH Detached old garages

New Structure: \_\_\_\_\_ Existing Structure: X

Signage Plan: T.B.D. Will APPLY FOR PERMIT @ Later DATE

Exterior Lighting Plan: WHAT IS CURRENTLY THERE - NOT SURE?

Any known Environmental Hazards: [ ] Yes  No

If yes please Explain: \_\_\_\_\_

Any Additional Business Plan Information: \_\_\_\_\_

HELP CLIENTS (HOME OWNERS, CONTRACTORS, ARCHITECTS)  
SELECT APPROPRIATE MATERIALS; SUPPLY SAID MATERIALS.  
BE A POSITIVE CHANGE TO THE LOCAL BUILDING  
INDUSTRY. DETROIT LAKES' ONLY 100% LOCALLY OWNED  
BUILDING SUPPLY STORE! PROMOTE COOP-PLUS BUILDING BY  
EDUCATING BUILDERS & HOME OWNERS THRU FACE-TO-FACE  
GROUP & 1 ON 1 TEACHING (WHEN NEEDED) EVENTUALLY TEACH COMMUNITY  
& BEST PRACTICES. ED CLASSES ON HOME PRODUCTS



Please answer the following questions as they relate to your specific CUP request:

1. **Effect on surrounding property.** That the conditional use will not harm the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

ONLY POSITIVE, EXISTING OLD HOUSE NEEDS SOME LOVE, CLEAN UP & MAINTAIN INTERIOR PROPERTY.

2. **Effect on orderly, consistent development.** That establishing the conditional use will not impede the normal, orderly development and improvement of surrounding vacant property for uses predominant in the area.

No

3. **Adequate facilities.** That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

YES

4. **Adequate parking.** That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

YES

5. **Not a nuisance.** That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance, and to control lighted signs and other lights so that no disturbance to neighboring properties will result.

N/A - Besides future signage but that will be towards Hwy 59, ONLY SMALL DIRECTIONAL SIGNAGE WILL BY APPROACH (CH22) ~~BY~~

6. **Additional criteria for shoreland areas.** In Shoreland areas, it shall be found that adequate measures have been or will be taken to assure that:

- a. **Pollution.** Soil erosion or other possible pollution of public waters will be prevented, both during and after construction;

X

- b. **View from public waters.** That the visibility of structures and other facilities as viewed from public waters will be limited;

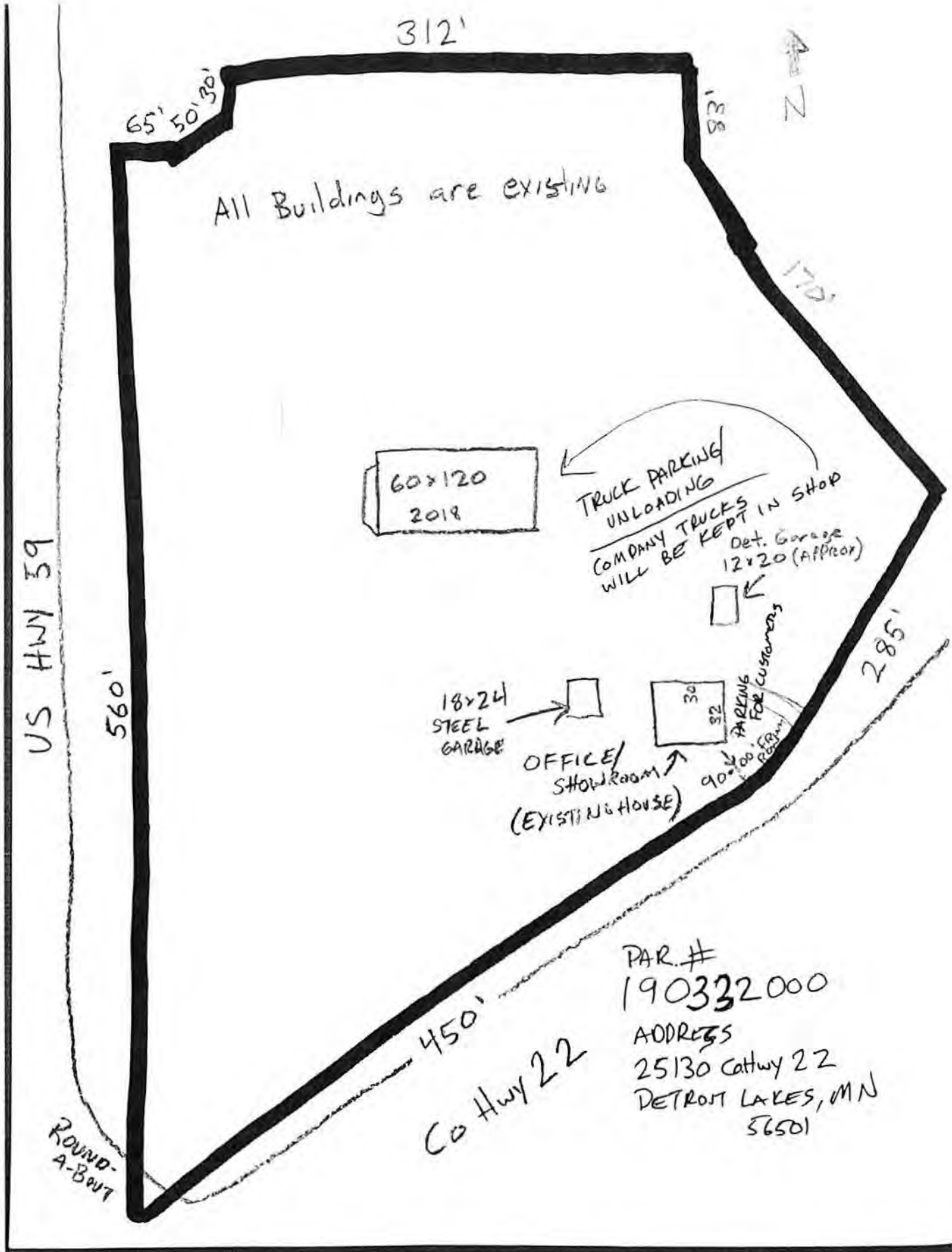
X

- c. **Adequate utilities.** That the site is adequate for water supply and on-site sewage treatment; and

X

- d. **Watercraft.** That the types, uses, and number of watercrafts that the project will generate can be safely accommodated.

X



All Buildings are existing

60x120  
2018

TRUCK PARKING/  
UNLOADING  
COMPANY TRUCKS  
WILL BE KEPT IN SHOP  
Det. Garage  
12x20 (Approx)

18x24  
STEEL  
GARAGE

OFFICE/  
SHOW ROOM  
(EXISTING HOUSE)

30  
32

PARKING  
FOR CUSTOMERS  
90x60

285'

US HWY 59

560'

450'

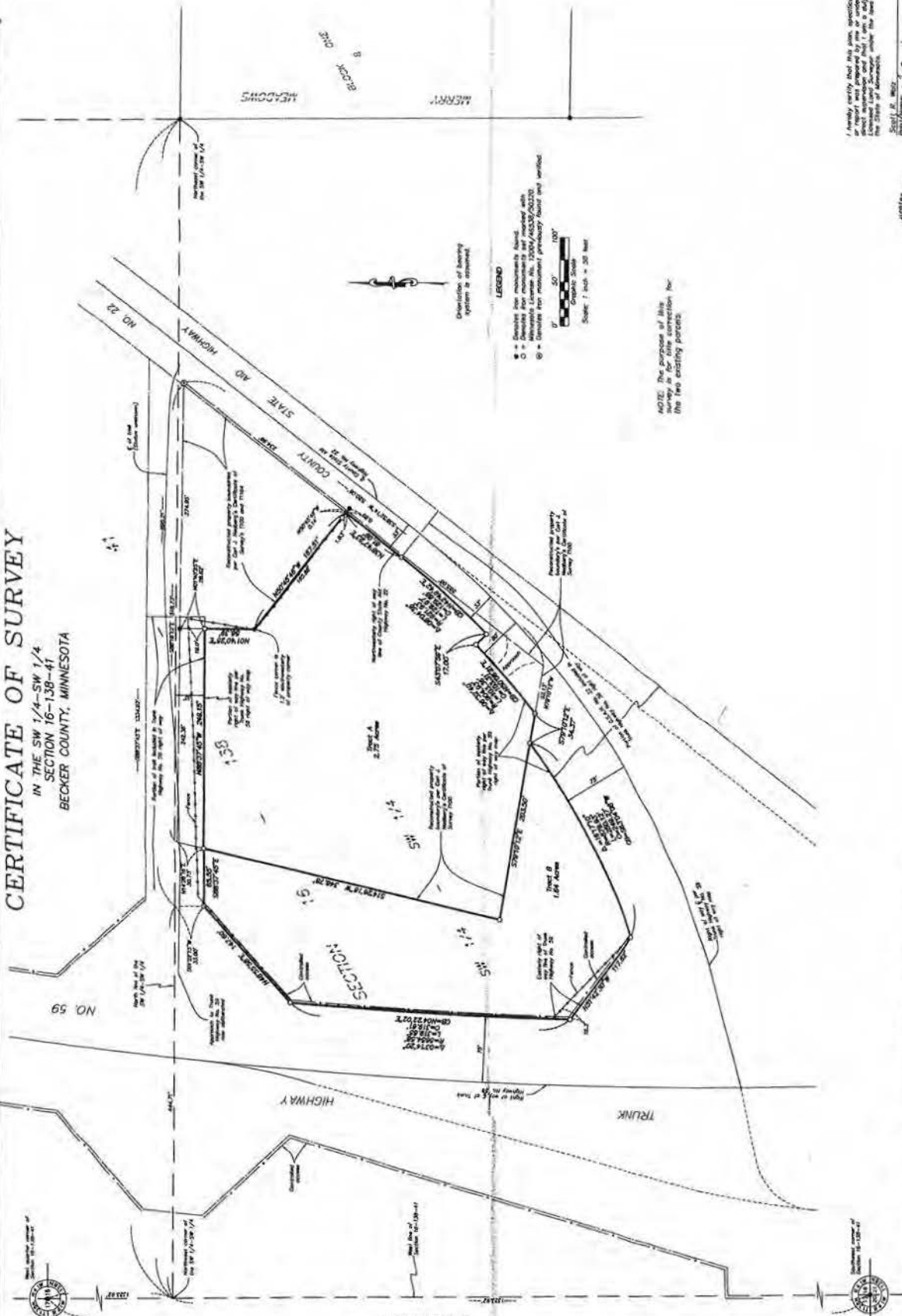
Co Hwy 22

PAR. #  
190332000  
ADDRESS  
25130 CATHY 22  
DETROIT LAKES, MN  
56501

ROUND-  
A-BOUT

# CERTIFICATE OF SURVEY

IN THE SW 1/4-SW 1/4  
SECTION 16-138-41  
BECKER COUNTY, MINNESOTA



<b>MEADOWLAND SURVEYING, INC.</b> 1118 HWY 59 SOUTH DETROIT LAKES, MN 56501 OFFICE 218-847-4289 FAX 218-846-1545 EMAIL: <a href="mailto:frank@meadowlandsurveying.com">frank@meadowlandsurveying.com</a> www.meadowlandsurveying.com	<b>CLIENT:</b> DONALD A. SAGORNE HODGMAN 22132 CO HWY 22 DETROIT LAKES, MN 56501	COMP FILE: J:\SECTION\138\00000005 CHD FILE: J:\SECTION\138\00000005 DWG FILE: 1380000005.DWG COMP JTI: JPF DRAWN BY: JPF
	DATE: December 28, 2017 SHEET: 29 OF 48 DRAWING NUMBER: T9281-15	SCALE: 1" = 20' DATE: December 28, 2017 SHEET: 29 OF 48

REPRODUCED FROM ORIGINAL COPY



649129

BECKER COUNTY RECORDER  
STATE OF MINNESOTA  
Document No. 649129

March 8, 2018 at 1:53 PM  
I hereby certify that the within  
instrument was recorded in this office.  
Patricia Swenson, County Recorder  
By SKS Deputy

CERTIFICATE OF REAL  
ESTATE VALUE FILED # 015410

No delinquent taxes and transfer entered  
this 8<sup>th</sup> day of May, 2018  
Mary E. Hendrickson  
Becker County Auditor/Treasurer  
By [Signature] Deputy

chg  
paid  
well

Becker County Recorder  
Well Certificate Received 03-08-2018  
Patricia Swenson  
Deputy [Signature] Becker County Recorder

2018  
combination

19.0332.000 Rev.  
19.0331.000 Rev.

(Top 3 inches reserved for recording data)

WARRANTY DEED  
Individual(s) to Joint Tenants

Minnesota Uniform Conveyancing Blanks  
Form 10.1.5 (2013)

SURVEYORS SKETCH ( ) NOT REQUIRED eCRV: 778688

DEED TAX DUE: \$577.50 (✓) FILED SURVEY BOOK 29 PAGE DATE: February 23, 2018  
PAGE-48

FOR VALUABLE CONSIDERATION, Donald J. Koosmann and Christine L. Koosmann aka Christine L. Koosman, married to each other ("Grantor"), hereby conveys and warrants to Michael W. Larson and Leah M. Larson ("Grantee"), as joint tenants, real property in Becker County, Minnesota, legally described as follows:

Tract A:

That part of the Southwest Quarter of the Southwest Quarter in Section 16, Township 138 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:  
Commencing at an iron monument which designates the southwest corner of said Section 16; thence North 00 degrees 45 minutes 44 seconds East 1323.92 feet on an assumed bearing along the west line of said Section 16 to the northwest corner of said Southwest Quarter of the Southwest Quarter; thence South 88 degrees 37 minutes 45 seconds East 444.71 feet along the north line of said Southwest Quarter of the Southwest Quarter; thence South 01 degree 22 minutes 15 seconds West 33.00 feet to an iron monument on the easterly right of way line of Trunk Highway No. 59; thence South 88 degrees 37 minutes 45 seconds East 65.55 feet along the easterly right of way line of said Trunk Highway No. 59 to an iron monument, said point is the point of beginning; thence South 14 degrees 26 minutes 16 seconds West 346.78 feet to an iron monument; thence South 79 degrees 10 minutes 12 seconds East 203.50 feet to an iron monument on the easterly right of way line of said Trunk Highway No. 59; thence continuing South 79 degrees 10 minutes 12 seconds East 34.37 feet along the easterly right of way line of said Trunk Highway No. 59 to an iron monument; thence northeasterly continuing along the easterly right of way line of said Trunk Highway No. 59 on a curve concave to the northwest, having a central angle of 06 degrees 32 minutes 40 seconds and a radius of 904.93 feet, for a distance of 103.36 feet (chord bearing North 50 degrees 08 minutes 21 seconds East) to an iron monument; thence South 43 degrees 07 minutes 59 seconds East 17.00 feet continuing along the easterly right of way line of said Trunk Highway No. 59 to an iron monument; thence northeasterly continuing along the easterly right of way line of said Trunk Highway No. 59 on a curve concave to the northwest, having a central angle of 08 degrees 04 minutes 38 seconds and a radius of 921.93 feet, for a distance of 129.97 feet (chord bearing North 42 degrees 49 minutes 42 seconds East) to iron monument on the northwesterly right of way line of County State Aid Highway No. 22; thence North 38 degrees 47 minutes 23 seconds East 81.09 feet along the northwesterly right of way line of said County State Aid Highway No. 22; thence North 50 degrees 45 minutes 46 seconds West 1.63 feet to an iron monument; thence continuing North 50 degrees 45 minutes 46 seconds West 165.88 feet to an iron monument; thence North 01 degree 40 minutes 25 seconds East 56.39 feet to an iron monument on the easterly right of way line of said Trunk Highway No. 59; thence North 88 degrees 37 minutes 45 seconds West 249.15 feet along the easterly right of way line of said Trunk Highway No. 59 to the point of beginning.

AND

BECKER COUNTY DEED TAX

AMT. PD. \$ 577.50  
Receipt # 075398  
Becker County Auditor/Treasurer

① CTS 196100

Tract B:

That part of the Southwest Quarter of the Southwest Quarter in Section 16, Township 138 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:  
 Commencing at an iron monument which designates the southwest corner of said Section 16; thence North 00 degrees 45 minutes 44 seconds East 1323.92 feet on an assumed bearing along the west line of said Section 16 to the northwest corner of said Southwest Quarter of the Southwest Quarter; thence South 88 degrees 37 minutes 45 seconds East 444.71 feet along the north line of said Southwest Quarter of the Southwest Quarter; thence South 01 degree 22 minutes 15 seconds West 33.00 feet to an iron monument on the easterly right of way line of Trunk Highway No. 59, said point is the point of beginning; thence South 88 degrees 37 minutes 45 seconds East 65.55 feet along the easterly right of way line of said Trunk Highway No. 59 to an iron monument; thence South 14 degrees 26 minutes 16 seconds West 346.78 feet to an iron monument; thence South 79 degrees 10 minutes 12 seconds East 203.50 feet to an iron monument on the easterly right of way line of said Trunk Highway No. 59; thence southwesterly along the easterly right of way line of said Trunk Highway No. 59 on a curve concave to the northwest, having a central angle of 16 degrees 17 minutes 10 seconds and a radius of 879.93 feet, for a distance of 250.12 feet (chord bearing South 63 degrees 04 minutes 08 seconds West) to an iron monument; thence North 51 degrees 42 minutes 30 seconds West 117.62 feet continuing along the easterly right of way line of said Trunk Highway No. 59 to an iron monument; thence northerly continuing along the easterly right of way line of said Trunk Highway No. 59 on a curve concave to the east, having a central angle of 03 degrees 14 minutes 20 seconds and a radius of 5654.58 feet, for a distance of 319.65 (chord bearing North 04 degrees 22 minutes 02 seconds East) to an iron monument; thence North 48 degrees 55 minutes 58 seconds East 147.60 feet continuing along the easterly right of way line of said Trunk Highway No. 59 to the point of beginning.

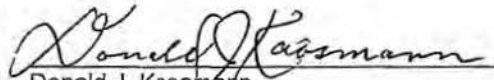
Check here if all or part of the described real property is Registered (Torrens)

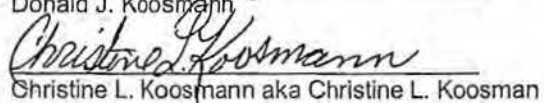
together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

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.

Grantor

  
 Donald J. Koosmann

  
 Christine L. Koosmann aka Christine L. Koosman

State of Minnesota  
County of Becker

This instrument was acknowledged before me on February 23, 2018, by Donald J. Koosmann and Christine L. Koosmann aka Christine L. Koosman, married to each other.



*[Handwritten Signature]*  
 \_\_\_\_\_  
 (signature of notarial officer)  
 Title (and Rank): clerk  
 My commission expires: 01/31/20  
 (month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:  
 Consolidated Title Services  
 828 Minnesota Avenue  
 Detroit Lakes, MN 56501  
 180100 kiw/ *[Handwritten Initials]*

TAX STATEMENTS FOR THE REAL PROPERTY  
 DESCRIBED IN THIS INSTRUMENT SHOULD BE  
 SENT TO:  
 Michael W. Larson and Leah M. Larson  
 5531 44th Avenue S.  
 Fargo, ND 58104





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.

1:2,817

Date: 4/16/2019

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

Becker County







Community  
Development Bank  
FSB

Phone: 218-983-3241 • Fax: 218-983-3243  
516 Main Street  
Ogema, MN 56569

Construction Loans • Lot Purchase  
Ag Loans • Commercial Loans  
Home Finance

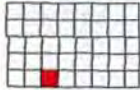
comdevbank.com



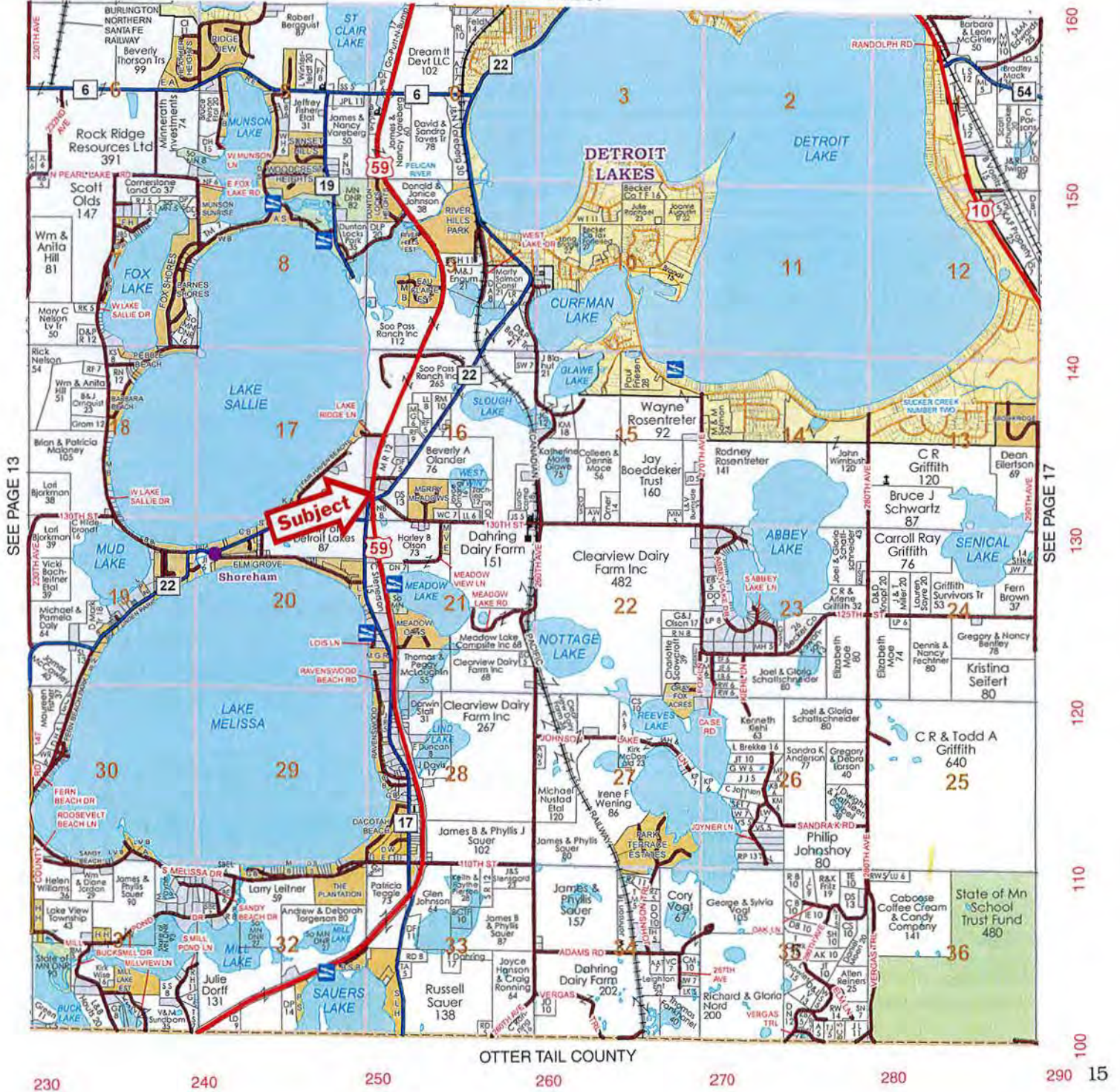
Lake View

Township 138N - Range 41W

Copyright © 2016 Mapping Solutions



SEE PAGE 31



SEE PAGE 13

SEE PAGE 17

OTTER TAIL COUNTY

230

240

250

260

270

280

290

15





# COUNTY OF BECKER

## Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

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

### PLANNING COMMISSION NOTICE OF PUBLIC HEARING

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

Monday, May 13, 2019 @ 7:00 P.M.

**3<sup>rd</sup> Floor Jury Assembly Room New Addition-Becker County Courthouse**  
Detroit Lakes, MN 56501

APPLICANT: Richard & Dana Laine  
20781 Co Rd 117  
Osage, MN 56570

Project Location: 20781 Co Rd 117

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Conditional Use Permit for a Commercial Planned Unit Development (PUD) with 14 RV sites and a 21 slip dock system.

LEGAL LAND DESCRIPTION: Tax ID number: 33.0118.000

LOT 1 & SW1/4 OF NW1/4; Section 10, TWP 139, Range 38, Toad Lake Township.

#### REFER TO BECKER COUNTY ZONING ORDINANCE

**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](mailto: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.





~ CONDITIONAL USE APPLICATION ~

BECKER COUNTY PLANNING & ZONING

915 LAKE AVENUE, DETROIT LAKES, MN 56501  
PHONE (218) 846-7314 - FAX (218) 846-7266

PARCEL	
APP	CUP
YEAR	
SCANNED	

PROPERTY OWNER INFORMATION (as it appears on tax statement, purchase agreement or deed)

Are you the property owner or the Authorized Agent?  Owner  Authorized Agent

\*Authorized Agents must attach a completed Authorized Agent Form

Parcel number(s) of property: 33.0118.000

Property Owner Name(s): Richard and Dana Laine

Mailing Address: 20781 Co Rd 117 City, State, Zip Osage, MN 56570

Phone Number(s): 218 849-4537 DANA  
218 573-3415 HOME Owner Email Address lainedana@hotmail.com

Project Address: 20781 Co Rd 117 City, State, Zip Osage, MN 56570

Watershed Management District: \_\_\_\_\_ Pelican \_\_\_\_\_ Cormorant  Other Ottertail

Township Name: Toad Lake Sect - Twp - Range: 10 - 139 - 38

Legal Description: Lot 1 and SW 1/4 of NW 1/4

Property Size 35.92 ACRES Is there a pond or wetland on the property?  Yes  No

Is any part of the property within 1,000 feet of a like lake or within 300 feet of a river/stream?  Yes  No

REASON FOR CONDITIONAL USE REQUEST:

We want to develop a 14 unit RV park "Ly-Mee's RV Sites" with a 21 slip dock system; 12x24 Well house; 2 picnic shelters a road between 2 rows of R.V.'s; parking area's; common area's

The information provided for this document is truthful and accurate to the best of my knowledge. I understand that this statement is null and void if any of the above information is not supplied or is inaccurate.

Richard Laine Dana Laine 4-17-19  
SIGNATURE OF APPLICANT DATE

OTHER INFORMATION NEEDED TO COMPLETE THE APPLICATION:

1. A copy of the deed from the Recorder's Office;
2. Completed Site Application with sketch showing all setbacks, platted or surveyed dimensions of the lot and all existing and proposed buildings; parking area and all other materials deemed necessary.
3. Is the request in relation to some sort of business endeavor or commercial activity (home business, campground)  Yes  No
4. Non-refundable filing fee of \$280 (\$380.00 if Commercial). If in Cormorant Township add \$25.00 surcharge to the filing fee. Make check payable to Becker County Zoning. A second check to record the document of \$46 made payable to Becker County Recorder.
5. Is the conditional use permit request after the fact? Is the request in the application already in place or operation?  Yes  No  
*If yes, after the fact application fee is an additional \$600.00.*

Office Use Only  
This application is hereby (accepted) or (rejected) as presented.

\_\_\_\_\_  
SIGNATURE - ZONING ADMINISTRATOR

\_\_\_\_\_  
DATE





PARCEL	
APP	CUP
YEAR	

**BUSINESS PLAN**

Name of Business: Ly-Nee RV SITES

Business Owners: Richard and Dana Laine

Owners of Business: Richard and Dana Laine

Type of Business:                      Retail Sales                      Service                      Other X

If other type of business please describe: 14 unit Recreational Vehicle site

Type of Merchandise: N/A

Type of Service: N/A

Hours and Days of Operation: Seasonal occupancy May 1 - September 30

Number of Employees: Owner operator's (2)

Off - street Parking Plan: Each unit parks 2 vehicles; addition parking for carts + trailers

Size of Structure to be used for Business: 12 x 24 Well house - 2 picnic shelters

New Structure: 12x24 well house                      Existing Structure: NONE

Signage Plan: 48 Sq ft Ly-Nee RV Site; speed limit; Invasive species; Directional; Site numbers

Exterior Lighting Plan: MN statute overhead security light; soft blue bulb - solar lighting on paths

Any known Environmental Hazards: [ ] Yes [X] No

If yes please Expalin: \_\_\_\_\_

Any Additional Business Plan Information: Surveying-done; wetland delineation-done; SWPPP done, Tenant Contract-Park rules-done; lot sizes far exceed state minimums, We've had two preapp meetings, reassessed-dreamed smaller. Midwest Bank will finance. We've consulted: Septic, electric, plumbing, well drilling, earth moving contractors. All are ready to go. All are licensed according to MN Statute.



Please answer the following questions as they relate to your specific CUP request:

1. **Effect on surrounding property.** That the conditional use will not harm the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or substantially diminish or impair property values within the immediate vicinity.

***We do not anticipate any harm in the use and enjoyment of other property in the immediate vicinity.*** We own the land to the North of the proposed site to 210<sup>th</sup> Street; to the South, the property line will start at the existing driveway to the South of the sites and includes two different parcels before sharing a property line with a neighbor; the rest of our farm acreage lies to the East of the sites and our property line includes the land across County Road 117 to the shores of Toad Lake which is to the West. (2131 feet of lakeshore) We planted over 100 trees last summer along the sides and back of the site area. We believe that a well managed RV park on a recreational lake will positively affect local property values.

2. **Effect on orderly, consistent development.** That establishing the conditional use will not impede the normal, orderly development and improvement of surrounding vacant property for uses predominant in the area.

***There are no surrounding vacant lots or projects currently being planned in our area.*** Becker County has a five year plan that possibly includes working on County Road 117. Our goal is to have the infrastructure done before the end of this season and to have some RV owners committed to next season, possibly setting up their site this fall.

3. **Adequate facilities.** That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

***Adequate facilities will be provided during, as is practically possible, and upon completion of the project.*** We have completed Wetland Delineation; a copy of the report from Aquatic Solutions is available. We have completed a **SWPPP (drainage)**; a report from Jane and Stewart Hofland is available. We hired Compass Consultants, Inc. to survey the project site. A one way access road runs North to South between the two rows of RV's and connects with the existing driveway. (easement will be addressed) speed limit signs will be posted; Consultations have been made with Johnson Well Drilling (**water**); we plan to build a **12x24 well house** and are researching **storm shelter** options. Wade's Plumbing and Bergstrom Backhoe will be doing the **septic system** and **plumbing**; Itasca Mantrap and Frazee Electric have been consulted for **utilities**. There will be two picnic shelters; one in front for viewing the lake and one behind the RV's. Each site can have a fire ring.

4. **Adequate parking.** That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

***There will be no street parking.*** Each RV site will have ample room to park two (2) vehicles. The area per unit in the front row are 5595 to 5600 square feet; the second row area per unit measures from 3515 to 3883 square feet, far exceeding the minimum 2500 square feet required. There will be a golf cart parking area allowed in a portion of a common area; initially, boat trailers and toys i.e. paddle boats will

be parked behind the back row of RV's until we can assess and provide a better option when the RV's are on the ground.

5. **Not a nuisance.** That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance. And to control lighted signs and other lights so that no disturbance to neighboring properties will result.

***We will do everything within our power to mitigate anything that could be construed as a nuisance. Our location (described in #1) is ideal for this small RV site. There is ample space on the sites and from neighboring properties that would allow us the ability to prevent or control the listed nuisances. Our neighbors at Bambi's Resort have been supportive and helpful by providing us with a copy of their Tenant Contract, including park rules, regulations and expectations. We will provide a copy to all tenants. Pets will be leashed, garbage will be covered, and we'll provide a large trash container with signage about recycling. We will be living within earshot so if noise becomes a nuisance, we'll be able to address it quickly. Lighting will follow MN Statute, we anticipate using a bulb with a soft orange hue. Paths will be lighted with solar lighting.***

6. **Additional criteria for shoreland areas.** In Shoreland areas, it shall be found that adequate measures have been or will be taken to assure that:
  - a. **Pollution.** Soil erosion or other possible pollution of public waters will be prevented, both during and after construction.

***We will adhere to all MN Statutes concerning pollution controls during and after the project is completed. The SWPPP report addresses all the necessary steps we will need to take to prevent soil erosion or other possible pollution of public waters. The shoreline calculations allow for a 21 slip dock system for this project. Given the high probability that RV owners would like to put a boat in the lake and that they would want to keep it on a lift when not in use, a 21 slip dock would allow each of the 14 RV sites one slip for a boat or a pontoon. With respect for the aquatic plant life and the eco system we will undoubtedly impact, we will seek and follow the recommendations of the DNR concerning the least invasive way to put the dock system into the lake.***

- b. **View from public waters.** That the visibility of structures and other facilities as viewed from public waters will be limited.

***There are trees on the west side of County Road 117 (lake side), that limit the view of structures and facilities, from the lake in the summer. It is our plan to plant enough trees and shrubs to beautify the west side of the RV Park without impeding people's view the lake from their sites. For safety reasons, we plan to erect a fence along the west side of the grounds, with an opening, located across from the dock system, so that we can funnel foot traffic to a specific area so people can cross County Road 117 to get to the dock. At this time, we have no designated swimming area.***

- c. **Adequate utilities.** That the site is adequate for water supply and on-site sewage treatment; and

*The site is adequate for water supply and on-site sewage treatment. Johnsons well drilling; Wade's Plumbing; Frazee Electric; Itasca Mantrap; Bergstrom Backhoe have all been consulted. Wade came to the site and sees no challenges with it. All of these entities are waiting for us to call. MN Statutes will be followed and have been discussed.*

- d. **Watercraft.** That the types, uses, and number of watercrafts that the project will generate can be safely accommodated.

*The dock system will be built to safely accommodate the number of watercrafts and signage will be placed in appropriate areas and the rules will be provided in the Tenant Contract packet. The shoreline calculations allow for a 21 slip dock system for this project. Given the high probability that RV owners would like to put a boat in the lake and that they would want to keep it on a lift when not in use, a 21 slip dock would allow each of the 14 RV sites one slip for a boat or a pontoon. With respect for the aquatic plant life and the eco system we will undoubtedly impact, we will seek and follow the recommendations of the DNR concerning the **least invasive** way to put the dock system into the lake. RV owners will use the public access at the South end and North end of Toad Lake to put in and take out their watercraft. There will be a **parking area for tenant's trailers** at Ly-Nee's RV Sites. **We will add an Invasive species sign by the dock and provide a flyer in the Tenant Contract packet.***

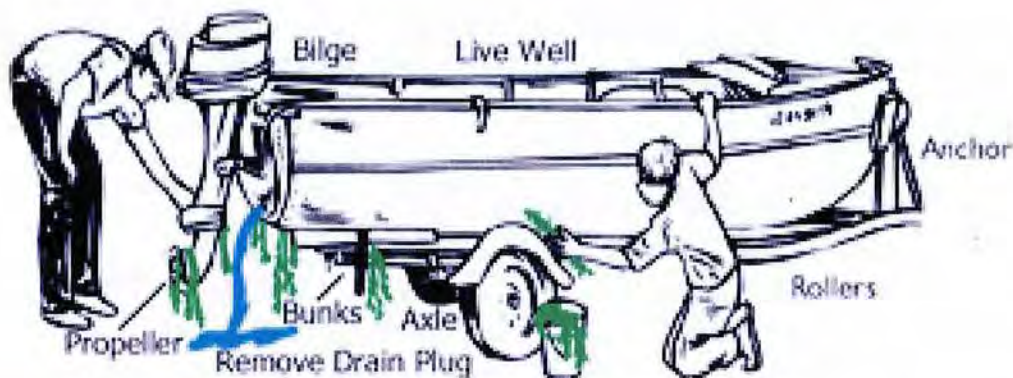


# PROTECT YOUR WATERS!

## Prevent the Spread of Invasive Species

*Invasive Plants and Animals Can Impact Boating, Fishing, Swimming and the Environment*

**REMOVE** any visible mud, plants, fish or animals before transporting equipment.



**ELIMINATE** water from equipment before transporting.

**CLEAN & DRY** anything that comes into contact with water (boats, trailers, waders, equipment, dogs, etc.).

**NEVER** release plants, fish or animals into a body of water unless they came out of that body of water.



**STOP AQUATIC  
HITCHHIKERS!**  
[www.ProtectYourWaters.net](http://www.ProtectYourWaters.net)

For further information scan this QR  
code with a smartphone, or visit:  
[www.dec.ny.gov/animals/48321.html](http://www.dec.ny.gov/animals/48321.html)



392232

WARRANTY DEED

Form No. 5-M

Individual(s) to Joint Tenants

No delinquent taxes and transfer entered;  
Certificate of Real Estate Value (  ) filed  
( ) not required  
Certificate of Real Estate Value No. 1190

November 6 1992

Keith H. Breckem

County Auditor

By M.H. Deputy

STATE DEED TAX HEREON: \$ 165.00

Date: November 6 1992

BECKER COUNTY RECORDER  
STATE OF MINNESOTA  
Microfilm No. 392232  
Date NOV. 06 1992 2:30 PM  
I hereby certify that the within instrument  
was recorded in the office of Becker  
County Recorder  
M.M. Martinson  
Dpty. Co. Recorder

BECKER COUNTY RECORDER  
Well Certificate Received NOV. 06 1992  
M.M. Martinson  
Dpty. Co. Recorder

Reserved for Recording Data

FOR VALUABLE CONSIDERATION, Helen S. Laine, a widow and not remarried  
(marital status)  
hereby conveys and warrants to Richard Laine and Dana Laine  
joint tenants, real property in Becker County, Minnesota,  
described as follows:

The Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) and  
Lot One (1) or the Northwest Quarter of the Northwest Quarter (NW  
1/4 NW 1/4) of Section 10, Township 139 North of Range 38 West of  
the Fifth Principal Meridian in Becker County, Minnesota.

together with all hereditaments and appurtenances belonging thereto,  
subject to the following exceptions: Easements, restrictions and  
reservations of record, if any.

Helen S. Laine  
Helen S. Laine

RITA PATRICKSON, CO. CLERK  
RECEIPT # 6320  
BECKER COUNTY  
DEED TAX  
AMT. PD. \$ 165.00

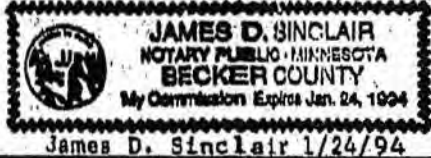
Charge   
Paid   
Numerical   
Tract   
Grantor  
Grantee  
Compared

Hummel

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF Becker )

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of November, 1992, by Helen S. Laine, a widow and not remarried Grantor.

Notarial Stamp or Seal  
(or other title or rank)



James D. Sinclair  
signature of person taking acknowledgment

Tax Statements for the real property described in this instrument should be sent to (Include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY:  
(Name and Address)

HUMMEL, SINCLAIR, PEARSON,  
EVANS, HUNT & HEISLER, P.A.  
910 Lincoln Avenue  
P.O. Box 743  
Detroit Lakes, MN 56501  
jds/cmo

Richard and Dana Laine  
Route 1, Box 336  
Osage, MN 56570





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.

1:16,901

Date: 4/17/2019

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

Becker County





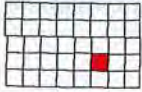
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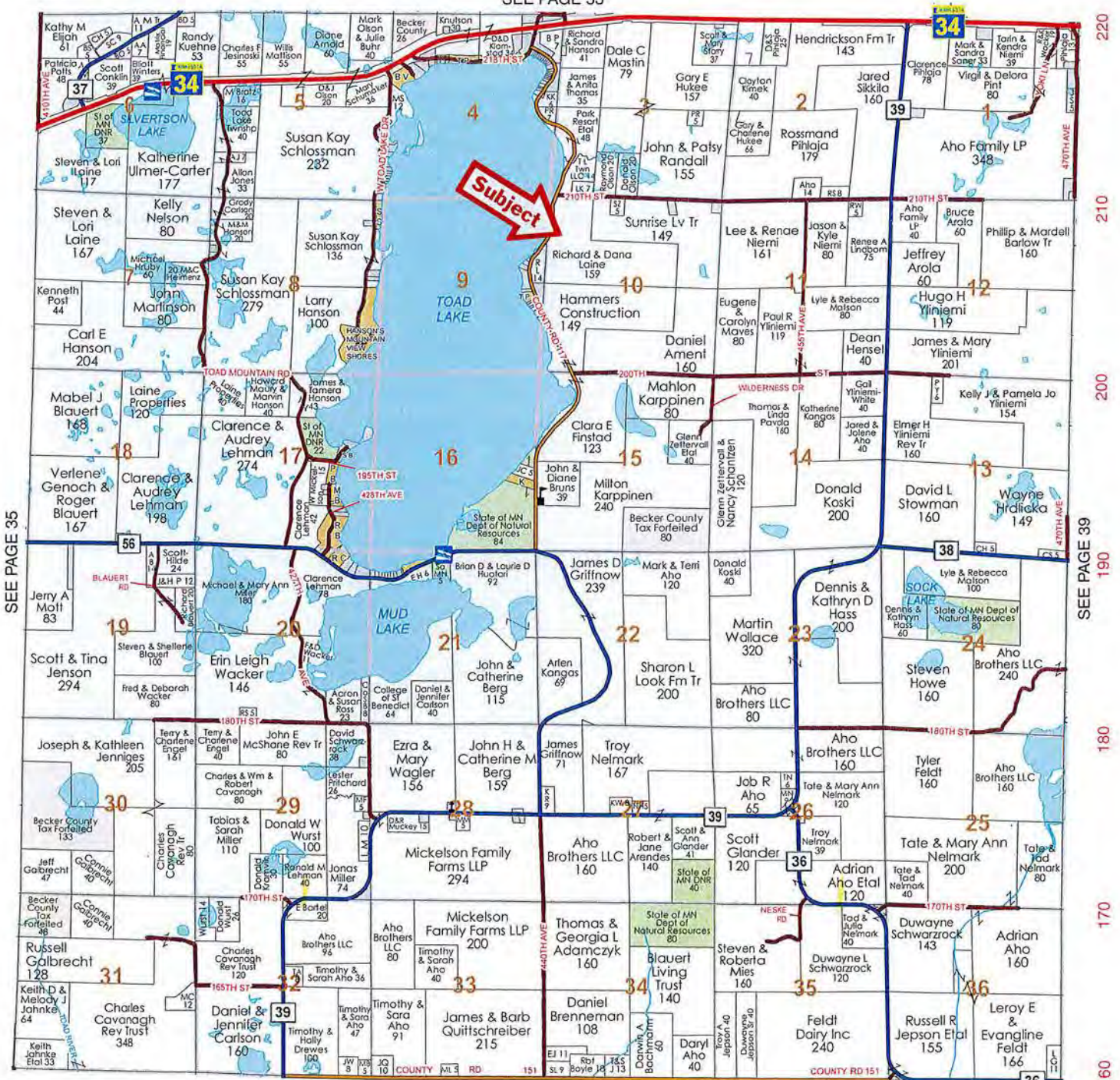


Toad Lake

Township 139N - Range 38W

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SEE PAGE 53



SEE PAGE 35

SEE PAGE 39

SEE PAGE 21





# COUNTY OF BECKER

## *Planning and Zoning*

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

---

### PLANNING COMMISSION NOTICE OF PUBLIC HEARING

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

Monday, May 13, 2019 @ 7:00 P.M.

**3<sup>rd</sup> Floor Jury Assembly Room New Addition-Becker County Courthouse**  
Detroit Lakes, MN 56501

APPLICANT: Richard Vareberg  
22344 Co Rd 104  
Detroit Lakes, MN 56501

Project Location: 19458 Us Hwy 59

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Certificate of Survey for a subdivision into two lots.

LEGAL LAND DESCRIPTION: Tax ID number: 081255301

WHEELER LAKE ESTATES Lot 001 Block 001; Section 07, TWP 139, Range 41, Detroit Township.

#### REFER TO BECKER COUNTY ZONING ORDINANCE

**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](mailto: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.**





**SUBDIVISION / ZONE CHANGE**  
**BECKER COUNTY**  
**PLANNING & ZONING**  
 915 LAKE AVENUE, DETROIT LAKES, MN 56501  
 PHONE (218) 846-7314 - FAX (218) 846-7266

PARCEL	
APP	ZONE / SURVEY
YEAR	
SCANNED	

**RECEIVED**  
**APR 22 2019**  
**ZONING**

Application for: Zone Change  Certificate of Survey  Preliminary Plat  
 (Complete Section 1) (Complete Section 2) (Complete Section 3)

Applicant's Name: Richard Vareberg

Applicant's Address: 19458 US Hwy 59  
Detroit Lakes Mn 56501

Telephone(s): 218-849-2177 Date of Application: 4-22-19

Signature of Applicant: [Signature]

Parcel ID Number: 081255301 Project Address: 20951 Big Rok Rd

Legal Description of Project:  
Wheeler Lake Estates Lot 1 B/K 1

**SECTION 1**

\*Zone Change For Existing Parcel Number \_\_\_\_\_  
 Current Zoning \_\_\_\_\_ Requested Zoning \_\_\_\_\_  
 Is the change within 2 miles of any city limits? \_\_\_\_\_

**SECTION 2**

\*Certificate Of Survey: Number of Lots 1  
 Shoreland (within 1000 ft of lake)  Nonshoreland \_\_\_\_\_  
 Current Zoning of property as  
 Is a change of zone required? \_\_\_\_\_ yes  no \_\_\_\_\_  
 If yes, change from \_\_\_\_\_ Zone to \_\_\_\_\_ Zone.  
 Total acreage of parcel to be subdivided 2.3 + 2.3 usealose area  
 Is the change within 2 miles of any city limits? NO  
 \*\*Include a copy of the purchase agreement if applicant is not the owner of the

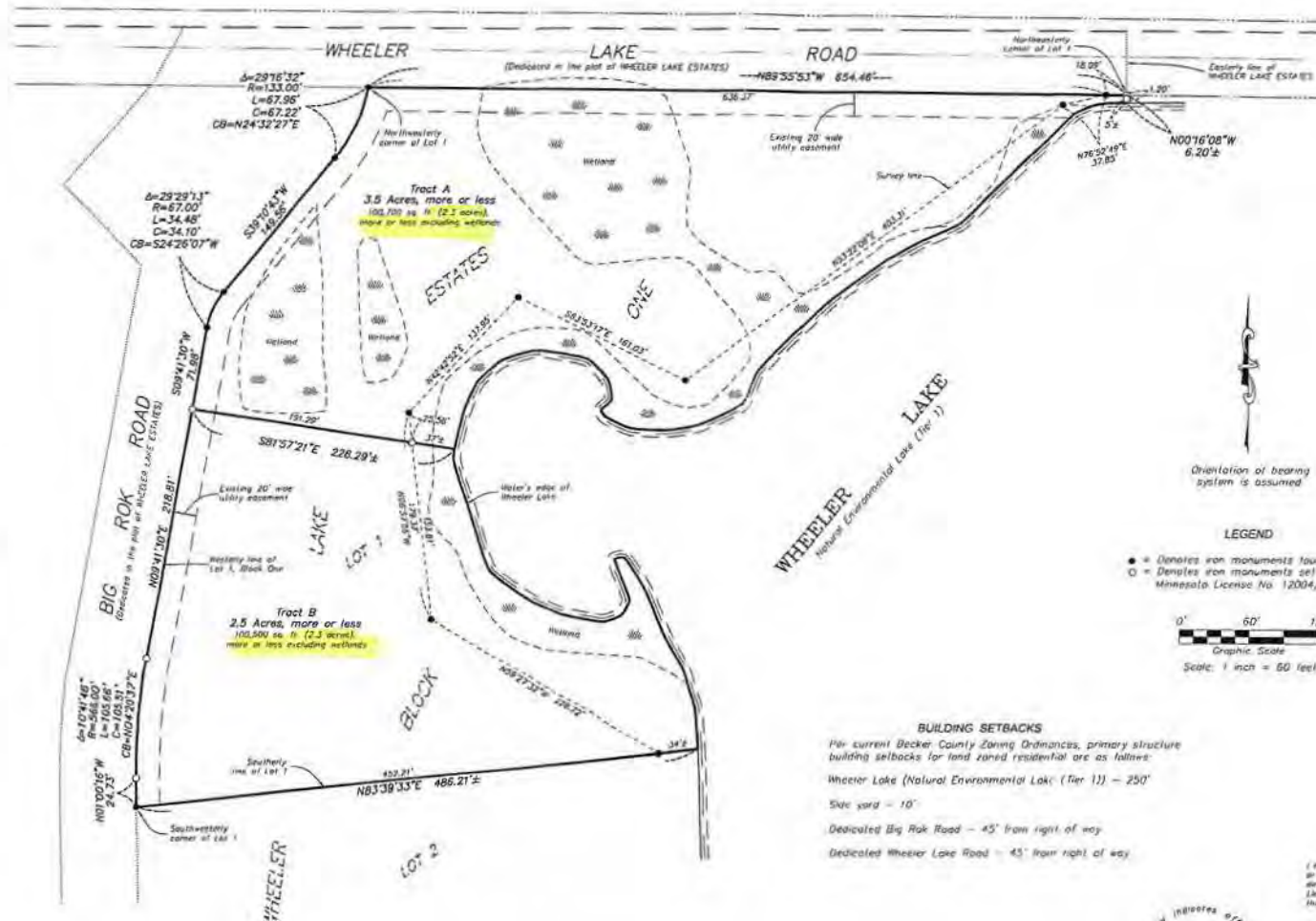
**SECTION 3**

\*For Preliminary Plat:  
 Number of Lots \_\_\_\_\_  
 Name of Subdivision \_\_\_\_\_  
 Name of Proposed Roads \_\_\_\_\_  
 Shoreland (within 1000 ft of lake) \_\_\_\_\_ Non-shoreland \_\_\_\_\_  
 Current Zoning of property \_\_\_\_\_  
 Is a change of zone required? \_\_\_\_\_ yes \_\_\_\_\_ no \_\_\_\_\_  
 If yes, change from \_\_\_\_\_ Zone to \_\_\_\_\_ Zone.  
 Total acreage of parcel to be subdivided \_\_\_\_\_  
 Is the change within 2 miles of any city limits? \_\_\_\_\_  
 \*\*Include a copy of the purchase agreement if applicant is not the property owner.

Date Received 4-22-19 Date Accepted \_\_\_\_\_ Authorized Signature \_\_\_\_\_  
 Application Fee \_\_\_\_\_ Notice Fee Recording Fee \_\_\_\_\_ Date Paid \_\_\_\_\_  
 Receipt Number \_\_\_\_\_

# CERTIFICATE OF SURVEY

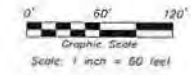
LOT 1, BLOCK ONE  
WHEELER LAKE ESTATES  
BECKER COUNTY, MINNESOTA



Orientation of bearing system is assumed

**LEGEND**

- = Denotes iron monuments found.
- = Denotes iron monuments set marked with Minnesota License No. 12004/46538/50320



**BUILDING SETBACKS**  
Per current Becker County Zoning Ordinances, primary structure building setbacks for land zoned residential are as follows:  
Wheeler Lake (Natural Environmental Lake (Tier 1)) - 250'  
Side yard - 10'  
Dedicated Big Rok Road - 45' from right of way  
Dedicated Wheeler Lake Road - 45' from right of way

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  
Richard Varesberg  
Signature: [Signature]  
Date: 10/25/2015  
License #: 13647

**MEADOWLAND SURVEYING, INC.**  
1118 HWY 59 SOUTH, DETROIT LAKES, MN 56501  
OFFICE: 218-847-4289 FAX: 218-846-1945  
EMAIL: frontdesk@meadowlandsurveying.com  
www.meadowlandsurveying.com

**CLIENT:**  
RICHARD VARESBERG  
20929 BIG ROK ROAD  
DETROIT LAKES, MN 56501

COMP FILE:	DTSECIGN\COCOR005
CRD FILE:	DTSECIGN\COCOR005
LWD FILE:	DTNARELURC_C05
COMP BY:	JPF
DRAWN BY:	JPF

Minor error indicated a official copy

**DRAWING NUMBER: T9486-15**



# MEADOWLAND SURVEYING INC

1118 Hwy 59 South, Detroit Lakes, Minnesota 56501  
(office) 218-847-4289 (fax) 218-846-1945  
[www.meadowlandsurveying.com](http://www.meadowlandsurveying.com)


## Richard Vareberg – Wheeler Lake Estates --- Northerly portion of Lot 1, Block One

### Land description:

That part of Lot 1, Block One, in WHEELER LAKEESTATES, said plat is on file and of record in the office of the Recorder in Becker County, Minnesota, which lies NORTHERLY of the following described line:

Commencing at a found iron monument which designates the southwesterly corner of said Lot 1; thence North 01 degree 00 minutes 16 seconds West 24.73 feet on an assumed bearing along the westerly line of said Lot 1 to an iron monument; thence northerly continuing along the westerly line of said Lot 1 on a curve concave to the east, having a central angle of 10 degrees 41 minutes 46 seconds and a radius of 566.00 feet, for a distance of 105.66 feet (chord bearing North 04 degrees 20 minutes 37 seconds East) to an iron monument; thence North 09 degrees 41 minutes 30 seconds East 218.81 feet continuing along the westerly line of said Lot 1 to an iron monument, said point is the point of beginning of the line to be described; thence South 81 degrees 57 minutes 21 seconds East 191.29 feet to an iron monument; thence continuing South 81 degrees 57 minutes 21 seconds East 37 feet, more or less, to the water's edge of Wheeler Lake and said line there terminates. The above described tract contains 3.5 acres, more or less.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota and that the above legal description was prepared from information on Certificate of Survey T9486-15 dated April 25, 2019, and said legal description is legally sufficient to locate the boundary lines shown on said Certificate of Survey.



Roy A. Smith  
Minnesota Licensed Land Surveyor No. 12004



# MEADOWLAND SURVEYING INC.

1118 Hwy 59 South, Detroit Lakes, Minnesota 56501  
(office) 218-847-4289 (fax) 218-846-1945  
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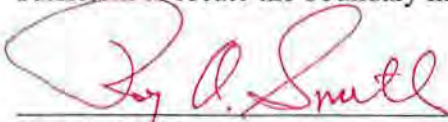
## Richard Vareberg – Wheeler Lake Estates --- Southerly portion of Lot 1, Block One

### Land description:

That part of Lot 1, Block One, in WHEELER LAKE ESTATES, said plat is on file and of record in the office of the Recorder in Becker County, Minnesota, which lies SOUTHERLY of the following described line:

Commencing at a found iron monument which designates the southwesterly corner of said Lot 1; thence North 01 degree 00 minutes 16 seconds West 24.73 feet on an assumed bearing along the westerly line of said Lot 1 to an iron monument; thence northerly continuing along the westerly line of said Lot 1 on a curve concave to the east, having a central angle of 10 degrees 41 minutes 46 seconds and a radius of 566.00 feet, for a distance of 105.66 feet (chord bearing North 04 degrees 20 minutes 37 seconds East) to an iron monument; thence North 09 degrees 41 minutes 30 seconds East 218.81 feet continuing along the westerly line of said Lot 1 to an iron monument, said point is the point of beginning of the line to be described; thence South 81 degrees 57 minutes 21 seconds East 191.29 feet to an iron monument; thence continuing South 81 degrees 57 minutes 21 seconds East 37 feet, more or less, to the water's edge of Wheeler Lake and said line there terminates. The above described tract contains 2.5 acres, more or less.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota and that the above legal description was prepared from information on Certificate of Survey T9486-15 dated April 25, 2019, and said legal description is legally sufficient to locate the boundary lines shown on said Certificate of Survey.



Roy A. Smith  
Minnesota Licensed Land Surveyor No. 12004







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: 4/22/2019

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

Becker County





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Surveying the Lakes Area Since 1946

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1118 Highway 59 South • Detroit Lakes, Minnesota 56501  
frontdesk@meadowlandsurveying.com

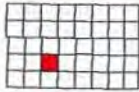
**218-847-4289**

www.meadowlandsurveying.com

Meadowland Surveying, Inc. is a local family owned company and has performed over 10,000 surveys in the lakes area. Our office routinely works with attorneys, architects, engineers and governmental agencies to ensure successful project completion for our clients.

**EXPERIENCE MATTERS!**

FORMERLY DETROIT LAKES

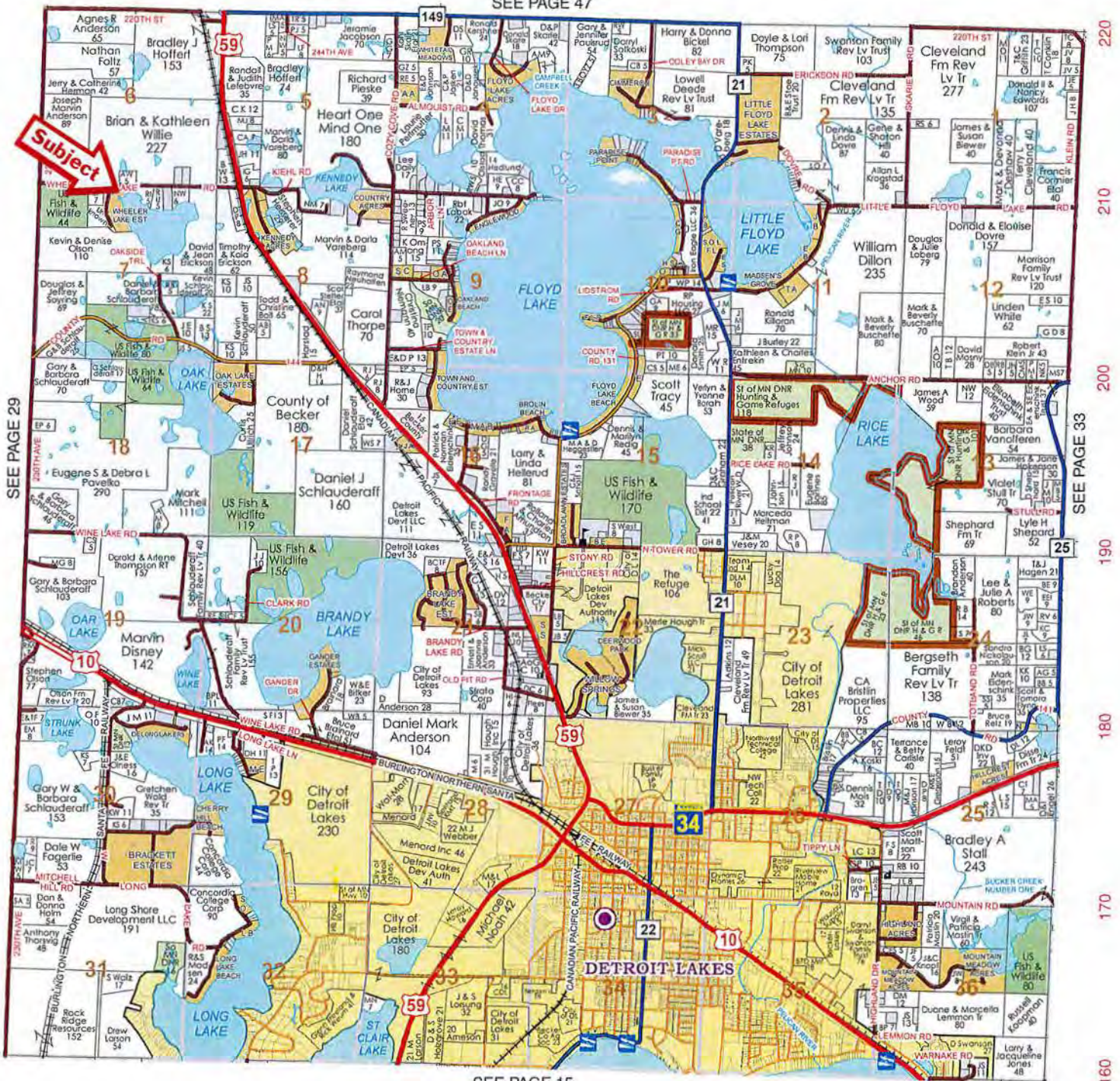


Detroit

Township 139N - Range 41W

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SEE PAGE 47



SEE PAGE 15



# Recommended Amendments to the Becker County Zoning Ordinance

*Proposed language is indicated by underline. Language to be removed has been "strike-throughed".*

## **Proposal #1.) Planning Commission - Chapter Two, Section two, Letter A.**

Recent conversations have taken place surrounding the total number of members required by our Zoning Ordinance to establish the Planning Commission. During these conversations, it was noted that our current member total, twelve (12), is more than Minnesota State Statute allows. The Statute allows no more than eleven members and our ordinance states it shall be composed of no less than eleven. Direction given by County Board of Commissioners is to remove the requirement for a County Commissioner to be a voting member and instead be a liaison to the board. The proposal has also staggered term limits differently, leveling out the number of appointments to be made on certain years.

### **Proposal: 11 member board**

#### **Section 2 Planning Commission**

- A. **Creation and membership.** A Planning Commission is established. The Commission is vested with the authority as provided by this Ordinance and by Minnesota Statutes, Chapter 394 as amended. The Commission shall be composed of not less more than eleven (11) members appointed by the Becker County Board, each Commissioner shall appoint two Becker County residents and the Board Of Adjustment Chair. The Becker County Board may appoint one or more Commissioner to the Planning Commission as a liaison. A term shall be for a period of ~~(3)~~ not more than 4 years with one third of the members appointed each year. Each member shall be entitled to one (1) vote. No voting member of the Commission shall have received, during the two (2) years prior to appointment, any substantial portion of income from business operations involving the development of land within the county. An appointment to fill a vacancy shall be only for the unexpired portion of the term.

## **Proposal #2.) Additions and Expansion on non-conforming lots. Chapter three, Section seven.**

The current Zoning Ordinance allows an addition or expansion of a structure on a non-conforming lot one time without a variance. The proposal would allow additions or expansions to a structure on a non-conforming lot at any time, as long as all setbacks and impervious surface requirement are met.

Remove section seven.

### **~~Additions/expansions of a principal structure on a nonconforming lot.~~**

~~Additions/expansions of a principal structure on a nonconforming lot may be allowed one time without a variance provided all of the following criteria will be met. However, the Zoning administrator may refer to the Board of Adjustment for variance consideration any application presenting extraordinary circumstances.~~

- ~~1. The property does not have a previously approved variance and there have been no prior additions to the existing structure.~~
- ~~2. The addition/expansion will not decrease the setback of the existing structure from the ordinary high water level,~~
- ~~3. The addition/expansion will not exceed fifty (50) percent of the total living area of the existing structure and the completed structure cannot be larger than 1500 square feet in lot area coverage.~~
- ~~4. The existing structure may be expanded vertically, but limited to twenty-four (24) feet total structure height and limited to 1500 square feet in total structure living space and no increase in the lot area coverage.~~
- ~~5. The existing structure must be located outside the shore impact zone,~~
- ~~6. The completed project is subject to the protection zone criteria specified in Chapter 6, Section 10, Paragraph E,~~
- ~~7. Impervious surface coverage of the parcel or lot shall not exceed 25 percent.~~
- ~~8. The existing structure and proposed addition/expansion must meet all other setback distance requirements of this Ordinance.~~

**Proposal #3.) Additions and Expansion of a nonconforming principal structure.  
Chapter three, Section seven.**

Becker County has a fair amount of nonconforming structures due to the age of plats on the most populated lakes. The proposal would limit the amount of variances seen by the BOA and grant reasonable sized additions in a reasonable manner.

**Additions/expansions of a nonconforming principal structure on.**

Additions/expansions of a nonconforming principal structure may be allowed one time without a variance provided all of the following criteria will be met. However, the Zoning administrator may refer to the Board of Adjustment for variance consideration any application presenting extraordinary circumstances.

1. The property does not have a previously approved variance and there have been no prior additions to the existing structure.
2. The addition/expansion will not decrease the setback of the existing structure from the ordinary high water level.



3. The addition/expansion will not exceed fifty (50) percent of the total living area of the existing structure and the completed structure cannot be larger than 1500 square feet in lot area coverage.

4. The existing structure may be expanded vertically, but limited to twenty-four (24) feet total structure height and limited to 1500 square feet in total structure living space and no increase in the lot area coverage.

5. The existing structure must be located outside the shore impact zone.

6. The completed project is subject to the protection zone criteria specified in Chapter 6, Section 10, Paragraph E.

7. Impervious surface coverage of the parcel or lot shall not exceed 25 percent.

8. The existing structure and proposed addition/expansion must meet all other setback distance requirements of this Ordinance.

#### **Proposal #4.) Essential Services. Chapter four, section eleven.**

The Zoning Office has recently had conversations with two different electric companies with proposals to build sub-stations and transmission lines within the County. Both proposals will supply power to both Becker and Otter Tail Counties. The Ordinances defines the proposals as non-local services and requires a mandatory Environmental Impact Statement (EIS). The County holds discretionary power to require Environmental Review at all times, for projects which are not exempt under state rule. The suggestion is to remove the requirement and require a conditional use permit or follow the procedure for local services.

Remove Chapter four, section 11, letter B, 2.

~~**Maps and EIS.** The owner shall file with the County Engineer and the County Zoning Administrator such maps showing the location, alignment and type of service proposed as well as an Environmental Impact Statement indicating areas of conflict and solutions to such environmental conflicts as shall be required.~~

#### **Proposal #5.) Remove Restoration of a non-conformity. Chapter three, Section five.**

Remove chapter three, section five and adhere to MN Statute § 394.36 Subd. 4.

~~No building that has been damaged by fire, explosion, act of God or the public enemy to the extent of more than fifty percent (50%) of its market value shall be restored except in conformity with this Ordinance~~

§Subd. 4. **Nonconformities; certain classes of property.**

“This subdivision applies to homestead and nonhomestead residential real estate and seasonal residential real estate occupied for recreational purposes. Except as otherwise provided by law, a nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an official control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion. If the nonconformity or occupancy is discontinued for a period of more than one year, or any nonconforming building or structure is destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged, any subsequent use or occupancy of the land or premises must be a conforming use or occupancy. If a nonconforming building or structure is destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, the board may impose reasonable conditions upon a zoning or building permit in order to mitigate any newly created impact on adjacent property or water body. When a nonconforming structure in the shoreland district with less than 50 percent of the required setback from the water is destroyed by fire or other peril to greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, the structure setback may be increased if practicable and reasonable conditions are placed upon a zoning or building permit to mitigate created impacts on the adjacent property or water body.”