



# 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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### PLANNING COMMISSION NOTICE OF PUBLIC HEARING

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

Monday, August 10th, 2020 @ 7:00 P.M.

**\*\* 3<sup>RD</sup> FLOOR JURY ASSEMBLY ROOM – BECKER COUNTY COURTHOUSE OR  
JOIN VIA MICROSOFT TEAMS MEETING\*\***

APPLICANT: Randy L & Cynthia L Beckett  
14456 80 Ave S  
Glyndon, MN 56547-9528

Project Location: 13022 Red Elm RDG  
Audubon, MN 56511

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Conditional Use Permit to build a retaining wall.

LEGAL LAND DESCRIPTION: Tax ID number: 17.1061.506

RED ELM RIDGE 138 42 Block 001 Lot 6; Section 18 Township 138 Range 042; Lake Eunice Township.

#### REFER TO BECKER COUNTY ZONING ORDINANCE

\*\* In response to the COVID-19 public health emergency declared by Governor Walz, the August Planning Commission Hearing will be conducted with the option of joining 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: 382 004 503# or to access the meeting virtually please follow the link provided on the Becker County website under News & Announcements, "Planning Commission Public Hearing Link".

#### Replies/Comments:

Public testimony regarding this application will only be received by email, in writing, in-person 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.

Replies may be addressed to:

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

EMAIL: [nicole.hultin@co.becker.mn.us](mailto:nicole.hultin@co.becker.mn.us)

To view all application information on this project please visit:

[http://www.co.becker.mn.us/government/meetings/planning\\_zoning/planning\\_commission/](http://www.co.becker.mn.us/government/meetings/planning_zoning/planning_commission/)

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.

# Conditional Use Application Review

Permit # CUP2020-18

## Property and Owner Review

Owner: RANDY L & CYNTHIA L BECKETT	Parcel Number(s): 171061506
Mailing Address: RANDY L & CYNTHIA L BECKETT 14456 80 AVE S GLYNDON MN 56547-9528	Site Address: 13022 RED ELM RDG
	Township-S/T/R: LAKE EUNICE-18/138/042
	Shoreland? Yes Name: Big Cormorant (Lake Eunice & Cormorant) [RD]
Legal Descr: Block 001 of RED ELM RIDGE 138 42 LOT 6	

## Conditional Use Details Review

Description of Conditional Use Request: **Build 2 pieces of retaining wall 9' long X 2' high X 1' wide and 7' long X 2' high X 1' wide. There will be 2 steps 4' wide going between the retaining walls and is existing including a wood walkway. Also there will be black dirt added to plant grass behind the retaining wall and off to each side back to the bottom of the bluff to level out area that has slowly eroded in the last 30 years of use in this small area of this property.**

1. Describe how the conditional use permit, if granted, will not harm the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

**Should not effect other property's as there is natural undisturbed brush on both sides of the proposed retaining wall blocking any view from adjacent property.**

2. Describe how establishing the conditional use will not impede the normal, orderly development and improvement of surrounding vacant property for uses predominant in the area.

**Should not effect any development as were trying to keep this area as natural looking as possible.**

3. Describe how adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

**We feel by building this small retaining wall it will mitigate the continued erosion into the lake.**

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

**Because of such a small project any vehicles can be parked on our private driveway.**

5. Describe how 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.

**There should not be a problem with any disturbance, on any of the concerns above because it is in an isolated area of the lot.**

Additional shoreland questions below (if applicable)

6a. Describe how adequate measures have been or will be taken to assure that soil erosion or other possible pollution of public waters will be prevented, both during and after construction.

**By using a fabric silt barrier fence.**

6b. What measures have been taken to assure that the visibility of structures and other facilities as viewed from public waters will be limited.

**Existing natural foliage will be left in place.**

6c. What measures have been taken to assure that the site is adequate for water supply and on-site sewage treatment.

**Bathroom facilities inside the cabin. Well spigot in yard for water.**

6d. Describe how the types, uses and number of watercrafts that the project will generate can be safely accommodated.

**N/A**

## Business Plan Review

Name of Business:

Business Owners:

Business Type: If 'Other', explain:
Type of Merchandise:
Type of Service:
Hours and Days of Operation:
Number of Employees:
Off-Street Parking Plan:
Size of structure to be used for Business: New or Existing:
Signage Plan:
Exterior Lighting Plan:
Known Environmental Hazards:
Additional Business Plan Information:

**Field Review Form****Permit # LALT2020-83****Property and Owner**Parcel Number: **171061506**Site Address: **13022 RED ELM RDG**Owner: **RANDY L & CYNTHIA L BECKETT**Township-S/T/R: **LAKE EUNICE-18/138/042****Project Details**Project Start & End Date: **8/24/2020-9/1/2021**Distance from OHW: **10 ft**Proj 1 Type: **Retaining Wall (Requires an Approved Conditional Use Permit - Must submit CUP application along with land alteration application)**Proj 1 Purpose: **Other (Please specify next)**Proj 1 Type Descr:  
**Build 16 ft long by 2 ft high retaining wall.**Proj 1 Purpose Descr: **To alleviate gradual erosion that has occurred over the past 31 years that we have owned the property.**

Inspector Notes (Project 1):

Proj 2 Type: **Fill Only**Proj 2 Purpose: **Improve Lawn**

Proj 2 Type Descr:

Proj 2 Purpose Descr:

Inspector Notes (Project 2):

**Additional Details/Erosion Control**Area to be Cut/Excavated: **NA**Area to be Filled/Leveled: **100 ft X 17 ft X 1 ft**Total Cubic Yards of Earthmoving: **63 yards**Fill Type/Material: **Black dirt**Project Summary and/or Additional Projects & Information: **Excavating contractor to use a chute to dump the black dirt down from the top of the slope to the bottom. excavating contractor to spread dirt manually behind the retaining wall and other flat areas on either side of the retaining wall.**Erosion Control Method (1): **Seed & Mulch**Erosion Control Method (2): **Other (Please specify next)**Additional Erosion Control Information: **Excavating contractor to use a chute to dump the black dirt down from the top of the slope to the bottom. excavating contractor to spread dirt manually behind the retaining wall and other flat areas on either side of the retaining wall.**

Inspector Notes (Earthmoving and Erosion Control):



**BECKER COUNTY PLANNING & ZONING  
ENVIRONMENTAL REVIEW TECHNICAL PANEL  
(ERTP) APPLICATION FOR RETAINING WALLS**

915 LAKE AVE, DETROIT LAKES, MN 56502-0787  
PHONE (218) 846-7314 - FAX (218) 846-7266

PARCEL	
APP	ERTP
YEAR	

The Planning & Zoning Department and the Environmental Review Panel will hold a pre-application meeting with Applicants regarding conceptual plans submitted for retaining wall requests. The request should include any proposed projects that will be located within the shore impact zone of any Lake, River or Stream. The process is to review the project plans and conduct a site visit prior to submittal of a formal application to the Planning & Zoning Department. If the ERTTP recommends approval to proceed, the Applicant may proceed with the public hearing process.

*Prior to the pre-application meeting, an applicant should provide the following information about the project:*

- Contact Name and Phone Number: Randy Beckett 701-388-4363 Cell
- Property Owners Name: Randy + Cynthia Beckett
- Parcel Number: 17.1061.506
- Legal Description: Section 18, Township 138, Range 042, Block 001 Lot 6 Red ELM Ridge 138 42
- Section 18 Township Lake Eunice <sup>SECTION</sup> 18 Range 042
- Lake Name: Big Cormorant Lake Classification RD
- Length of shoreline in Project: 195
- Is the proposal to replace an existing retaining wall? Yes  No
- Length and Height of existing retaining wall: N/A
- To construct a new retaining wall or expand an existing? New  Expand
- Length and Height of new or expansion requested: 16' x 2'
- Is there any existing rip rap along the shoreline? Yes  No
- Distance work will be from the Ordinary High Water Mark 10'
- Amount of cubic yards of earth movement requested: None
- Are emergent aquatic plants found along shoreline? NO
- Does the site have any wetlands and/or low areas? Yes  No
- Are any springs or seeps present? NO
- Does the site contain any steep slopes? NO Are there any bluffs present? Yes
- Do any parties involved in this application have any ownership interest in, or options on, other properties in the vicinity of the project? NO

**Brief description of request:**

16' Long Retaining wall in 2 pieces, existing stairway  
to go between sections of retaining wall  
Reason for building: To prevent further erosion.

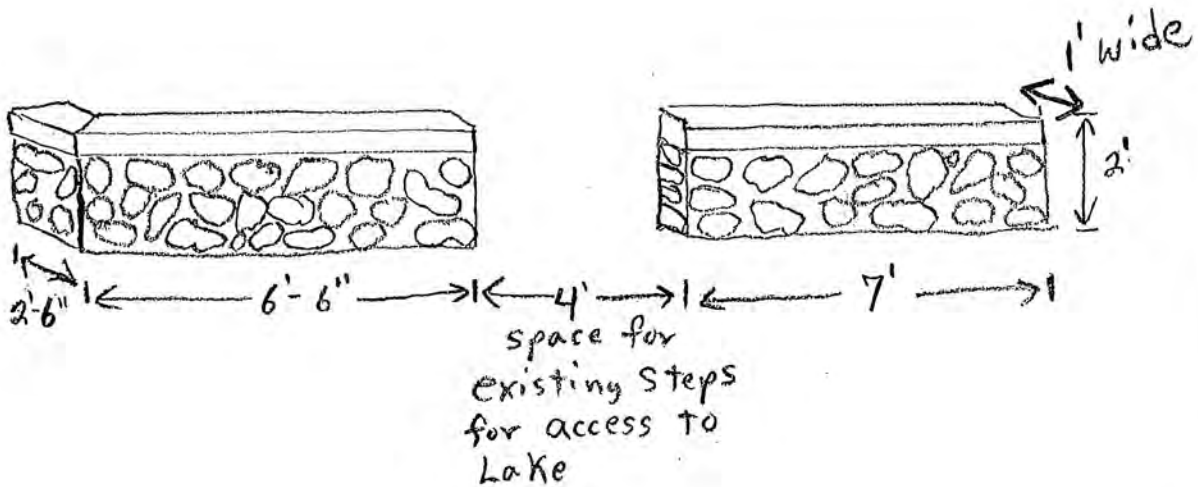
(more information on back)

**SKETCH:**

- 1) Sketch location of ~~RV~~. Include distance from property lines.
- 2) Property lines/road right of ways and proposed RV location **must be well marked/staked** or application will be **DENIED**. Date Staked: \_\_\_\_\_

PARCEL	17.1061.506
APP	RV
YEAR	

Stone Retaining Wall built from local rocks and Mortar.



Application Fee: \_\_\_\_\_ + Cormorant Surcharge \_\_\_\_\_ + 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 \_\_\_\_\_

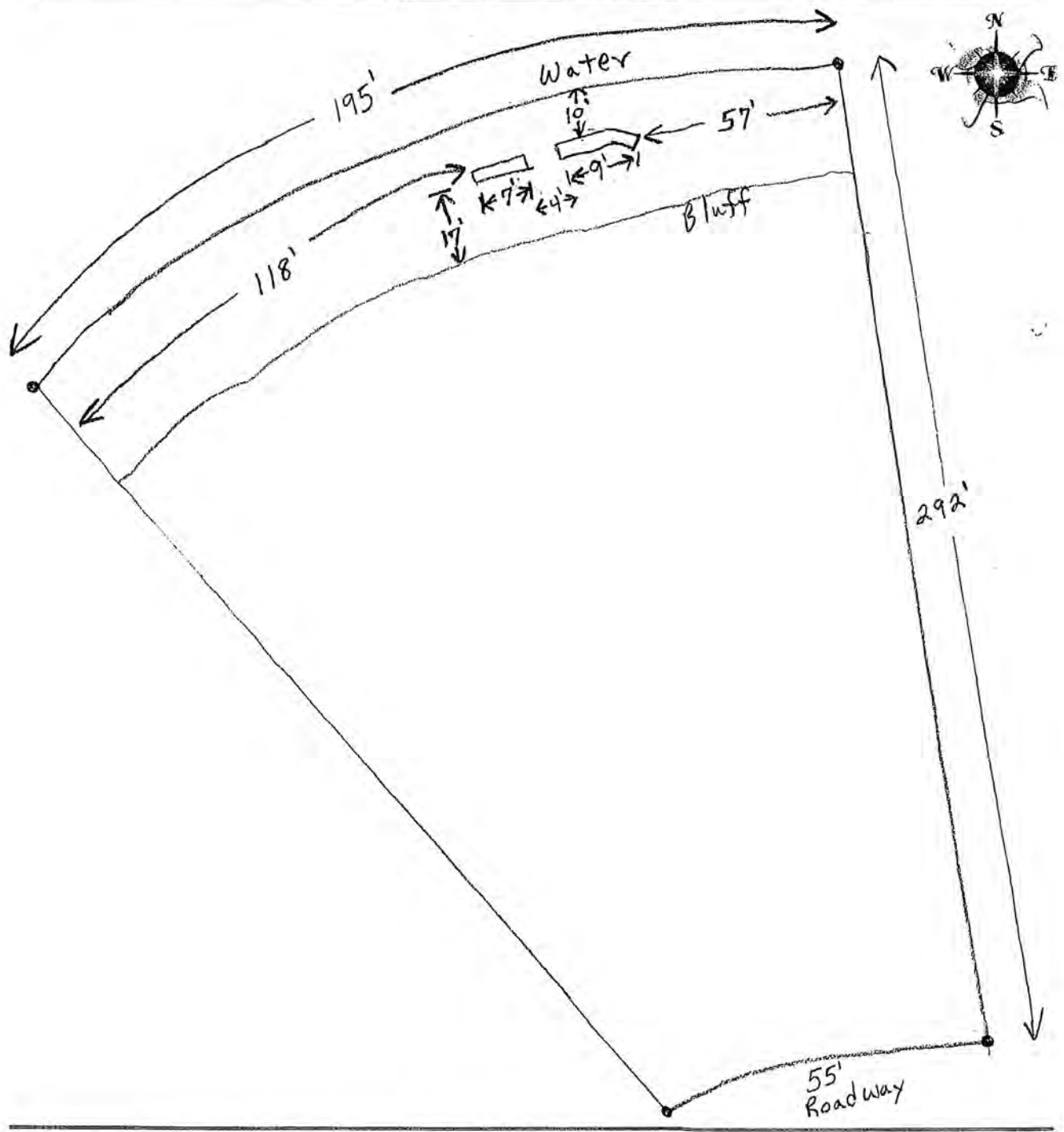
Additional Receipt Number \_\_\_\_\_ Date of Additional Receipt \_\_\_\_\_

Compliance Inspection  
 Date: \_\_\_\_\_ Report: \_\_\_\_\_ By whom: \_\_\_\_\_

**SKETCH OF PROPERTY**

PARCEL	17-1061-506
APP	SITE
YEAR	

1. Please sketch all impervious coverage on your property; include dimensions.
2. Sketch roadways adjacent to property - **Include driveway location**.
3. If you will be exceeding 15% impervious surface coverage, include a copy of your stormwater management plan. This applies to ANY lot that exceeds 15% coverage.
4. If proposed project is a detached garage/storage shed that *will exceed 1 story*, include detailed design.



**Remember EROSION CONTROL!**  
Please use best management practices and/or silt fence to control erosion on all projects.

X-8

# RED ELM RIDGE

## PART OF GOV'T. LOTS 5 and 6, SECTION 18, TWP. 138, RGE. 42 BECKER COUNTY, MINNESOTA

DEVELOPER  
JOHN L. PETERSON  
Meyersdale, PA

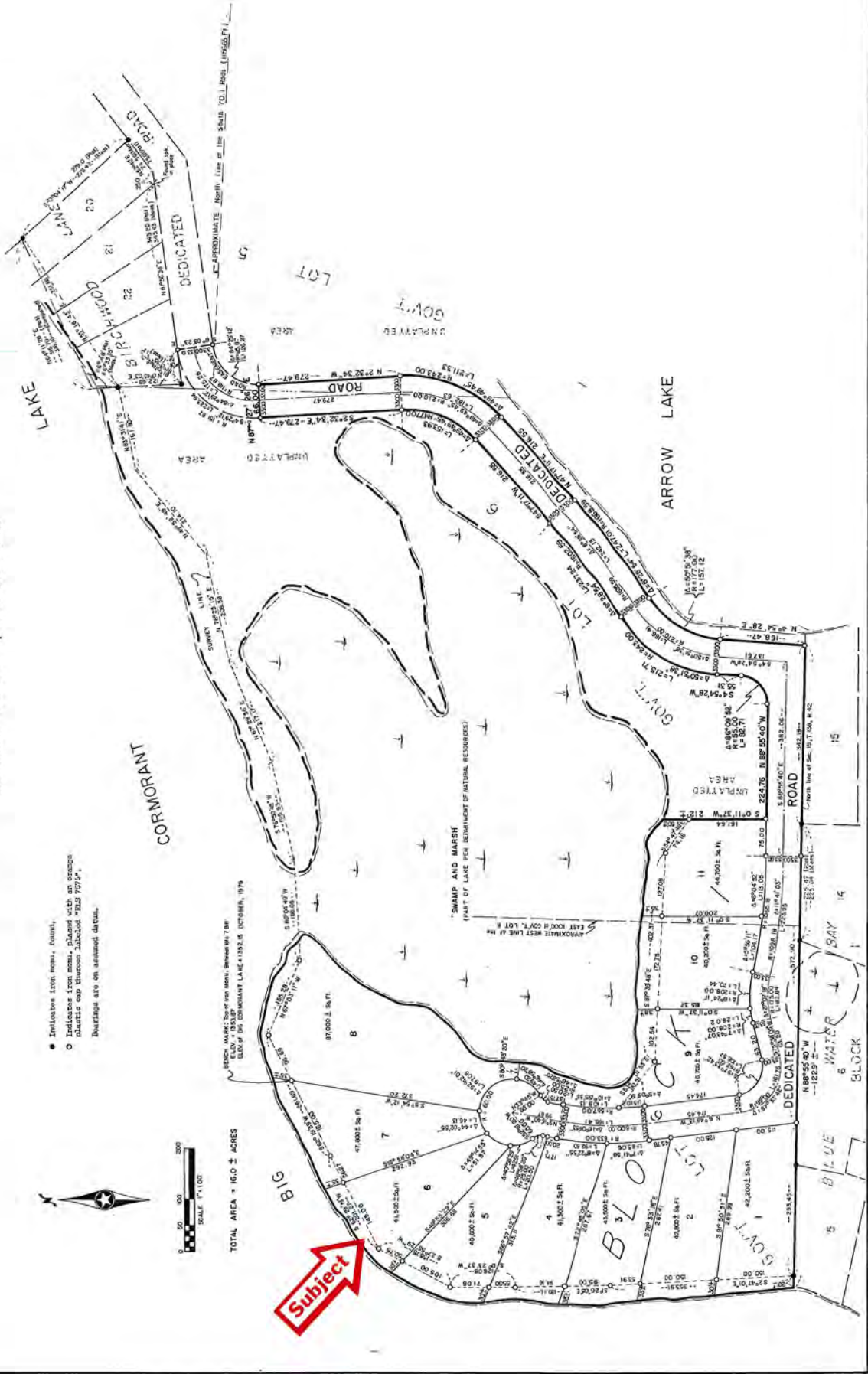
Prepared by:  
ROBERT B. COLLARD & ASSOCIATES, INC.  
313 So. Mill, Puyallup Falls, WI



TOTAL AREA = 16.0 ± ACRES

- Indicates iron nails, found.
  - Indicates iron nails, placed with an auger.
  - Indicates iron nails, placed with a hand auger.
  - Indicates iron nails, placed with a hand auger.
- Boundaries are on assumed datum.

BRANCH MARKS TOP OF MAIN BRANCH MARK  
ELEV. 1343.87  
ELEV. OF THE CORNER MARK 4132.00, OCTOBER, 1979





X-1

# RED ELM RIDGE

## PART OF GOV'T. LOTS 5 and 6, SECTION 18, TWP. 138, RGE. 42 BECKER COUNTY, MINNESOTA

Developer:  
3030 L. PETERSON  
Meyers, MN

Prepared by:  
ROBERT B. COLLARD & ASSOC., INC.  
Fergus Falls, MN

This is to certify that DANA E. JOHNSON and MARRYL JOHNSON, husband and wife, and LAWRENCE E. BECKER and MARY R. BECKER, husband and wife, owners and proprietors of Lots 5 and 6, Section 18, Township 138, Range 42, Becker County, Minnesota, described as follows: Beginning at the northeast corner of Lot 15, Block 1 of the subdivision Plat of BLUE WATER BAY as of public record in the office of the County Recorder in and for said Becker County, said point also being on the easterly line of said Section 18; then on an assumed bearing of South 88° 55' 40" East on the southerly line of said Section 18 and on the northerly line of said Lot 15 for a distance of 342.19 feet; thence North 4° 54' 28" East 188.47 feet; thence on a bearing of 177° 50' 00" East for a distance of 177.50 feet for a distance of 177.50 feet; thence on a compound curve to the left, central angle of 9° 39' 54", radius of 168.59 feet for an arc distance of 247.01 feet; thence North 4° 54' 28" East 218.55 feet; thence on a compound curve to the left, central angle of 9° 39' 54", radius of 168.59 feet for an arc distance of 211.33 feet; thence North 4° 54' 28" East 279.47 feet; thence South 89° 27' 30" West 16.00 feet; thence South 89° 27' 30" West 279.47 feet; thence on a compound curve to the right, central angle of 49° 49' 45", radius of 177.00 feet for an arc distance of 153.53 feet; thence South 89° 17' 11" West 316.35 feet; thence on a compound curve to the right, central angle of 49° 49' 45", radius of 177.00 feet for an arc distance of 227.24 feet; thence on a compound curve to the left, central angle of 80° 21' 38", radius of 243.00 feet for an arc distance of 215.71 feet; thence South 4° 54' 28" West 50.31 feet; thence on a compound curve to the right, central angle of 80° 09' 55", radius of 35.00 feet for an arc distance of 25.71 feet; thence North 88° 55' 40" West 254.76 feet; thence North 0° 11' 30" East 212 feet more or less to the shoreline of March water area, per Minnesota Department of Natural Resources (as depicted on said plat); thence westerly northerly, northeasterly, northerly, northeasterly and southerly on said shoreline of said water area and on the shoreline of Big Cormorant Lake to the southerly line of said Section 18; thence South 88° 55' 40" East on the southerly line of said Section 18 and on the northerly line of said BLUE WATER BAY for a distance of 886 feet more or less to point of beginning.

Have caused this same to be surveyed, plotted and hereafter known as RED ELM RIDGE as shown by this plat and hereby dedicate to the public for public use forever all streets, roads and cul-de-sacs as shown.

Witness our hands this 5th day of Dec. 1979  
DANA E. JOHNSON  
MARRYL JOHNSON

State of Minnesota  
County of Becker

On this 5th day of Dec. 1979, before me DANA E. JOHNSON and MARRYL JOHNSON, husband and wife, as is known to be the persons named in the foregoing instrument who executed the same as their own free act and deed.

LAWRENCE E. BECKER  
MAY R. BECKER  
by commission expires Sept. 3, 1986

Witness our hands this 5th day of Dec. 1979  
LAWRENCE E. BECKER  
MAY R. BECKER

State of Minnesota  
County of Becker

On this 5th day of Dec. 1979, before me LAWRENCE E. BECKER and MARY R. BECKER, husband and wife, as is known to be the persons named in the foregoing instrument who executed the same as their own free act and deed.

LAWRENCE E. BECKER  
MAY R. BECKER  
by commission expires Sept. 3, 1986

Witness our hands this 25th day of Dec. 1979  
ROBERT B. COLLARD

State of Minnesota  
County of Becker

On this 25th day of Dec. 1979, before me ROBERT B. BYR and DORA L. BYR, husband and wife, as is known to be the persons named in the foregoing instrument who executed the same as their own free act and deed.

ROBERT B. BYR  
DORA L. BYR  
by commission expires Dec. 15, 1980

State of Minnesota  
County of Becker

I, Robert B. Collard, a Registered Land Surveyor, do hereby certify that I have surveyed the property described on this plat as RED ELM RIDGE; that said plat is a correct representation of my survey; that all distances are correctly shown on the plat; that the monuments for guidance of future surveys have been correctly placed in the ground as shown; that the outside boundary lines are correctly designated on the plat; that there are no wet lands or public highways on or across the premises shown.

ROBERT B. COLLARD  
Registered Land Surveyor No. 7573

State of Minnesota  
County of Otter Tail

On this 9th day of December, 1979, before me the undersigned, personally appeared Robert B. Collard, as is known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his own free act and deed.

ROBERT B. COLLARD  
by commission expires 12/27/83

State of Minnesota  
County of Becker

On this 25th day of Dec. 1979, before me the undersigned, personally appeared Robert B. Collard, as is known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his own free act and deed.

ROBERT B. COLLARD  
by commission expires 12/27/83

Approved by Becker County, Minnesota, this 5th day of Dec. 1979  
CARL BEYER  
County Auditor

Plat approved by the Township Board of Lake Dunlop Township, Becker County, Minnesota, this 5th day of Dec. 1979  
MAYOR J. JOHNSON  
Chairman

Approved by the Becker County Planning Commission this 15th day of Dec. 1979  
ROBERT B. COLLARD  
Chairman

Plat is hereby approved by County Engineer of Becker County, this 8th day of Dec. 1979  
DORIS L. BECKER  
County Engineer

I hereby certify that proper evidence of title has been presented to, and examined by me, and I hereby approve this plat as to form and content.  
DORIS L. BECKER  
County Engineer

State of Minnesota  
County of Becker

On this 8th day of Dec. 1979, before me the undersigned, personally appeared Robert B. Collard, as is known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his own free act and deed.

ROBERT B. COLLARD  
by commission expires 12/27/83

State of Minnesota  
County of Becker

On this 8th day of Dec. 1979, before me the undersigned, personally appeared Robert B. Collard, as is known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his own free act and deed.

ROBERT B. COLLARD  
by commission expires 12/27/83

OFFICE OF COUNTY ENGINEER, BECKER COUNTY, MINN.  
I hereby certify that the within instrument was filed in my office for record on this 8th day of Dec. 1979, and that the same has duly received its proper filing stamp.  
ROBERT B. COLLARD  
County Engineer

BECKER COUNTY RECORDER  
STATE OF MINNESOTA  
**Document No. 656456**

January 11, 2019 at 8:31 AM  
I hereby certify that the within  
instrument was recorded in this office.  
Patricia Swenson, County Recorder  
By JD Deputy

P.I.D. 17.1061.506

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Multiple Individuals to Multiple Individuals

Minnesota

**TRANSFER ON DEATH DEED**

(shall convey after-acquired title)

This Indenture effective the 10<sup>th</sup> day of January, 2019, from Grantor to Grantee Beneficiary:

1. **Definitions.** For the purpose of this Indenture:
  - a. "Grantor" and "Grantor Owner" shall collectively mean, Randy L. Beckett and Cynthia L. Beckett, husband and wife, whose mailing address is 14456 80<sup>th</sup> Avenue South, Glyndon, Minnesota 56547.
  - b. "Grantee" and "Grantee Beneficiary" shall collectively mean:
    - (1) Holly C. Hammond, whose mailing address is 17814 Highway 75 South, Moorhead, Minnesota 56560, **and who is the grantee of an undivided fifty (50%) percent interest in the Property;** and
    - (2) Kyle S. Beckett, whose mailing address is 4603 229<sup>th</sup> Place Southwest, Mountlake Terrace, Washington 98043, **and who is the grantee of an undivided fifty (50%) percent interest in the Property.**
  - c. "Indenture" shall mean this transfer on death deed between Grantor Owner and Grantee Beneficiary. THIS TRANSFER ON DEATH DEED IS REVOCABLE. IT DOES NOT TRANSFER ANY OWNERSHIP INTEREST UNTIL THE DEATH OF THE GRANTOR OWNER. IT REVOKES ALL PRIOR BENEFICIARY DESIGNATIONS BY THE GRANTOR OWNER FOR THIS INTEREST IN THE PROPERTY.
  - d. "Effective Date" shall mean the date of death of the Grantor Owner. chg \_\_\_\_\_  
paid  \_\_\_\_\_  
well \_\_\_\_\_
  - e. "Property" shall mean the following described real estate, together with all improvements, hereditaments and appurtenances, in the County of Becker, in the State of Minnesota:

See attached Exhibit "A".

2. **Conveyance.** As of the Effective Date, Grantor Owner hereby conveys and quit claims the Property to Grantee Beneficiary.

3. **Minnesota State Deed Tax.** No state deed tax due pursuant to Minnesota Statutes Section 287.22(15).

4. **Title.** When effective, this Indenture conveys any and all interests in the Property acquired by the Grantor Owner before, on, or after the date of this Indenture.

5. **Benefit.** This Indenture shall benefit, and shall be binding upon, the parties and their respective successors in interest.

*Randy L. Beckett*

\_\_\_\_\_  
Randy L. Beckett

*Cynthia L. Beckett*

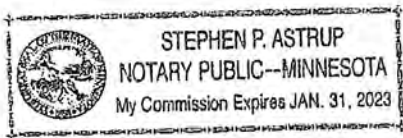
\_\_\_\_\_  
Cynthia L. Beckett

STATE OF MINNESOTA            )  
  ) ss  
COUNTY OF CLAY                )

On this 10th day of January, 2019, before me, a Notary Public within and for said County, personally appeared Randy L. Beckett and Cynthia L. Beckett, husband and wife, known to me to be the persons who are described in and who executed the foregoing Indenture, and acknowledged that they executed the same as their free act and deed.

*Stephen P. Astrup*

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



THIS INSTRUMENT WAS DRAFTED  
WITHOUT OPINION BY:

REAL ESTATE TAX STATEMENTS TO:

Stephen P. Astrup  
VOGEL LAW FIRM  
215 30<sup>th</sup> Street North  
Moorhead, MN 56560  
Telephone: 218-236-6462  
Fax: 218-236-9873  
053653.18000 (SPA:kac)

Randy L. Beckett  
Cynthia L. Beckett  
14556 80<sup>th</sup> Ave. S.  
Glyndon, MN 56547

3501571.1

**EXHIBIT "A"**

LOT NUMBERED SIX (6), . . . BLOCK NUMBERED ONE (1), . . . RED ELM RIDGE,  
. . . according to the certified Plat thereof on file and of record in the office of the County  
Recorder in and for Becker County, Minnesota.



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Becker County

<p>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.</p>	<p>1:2,257</p>
<p>This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.</p>	<p>Date: 7/14/2020</p>

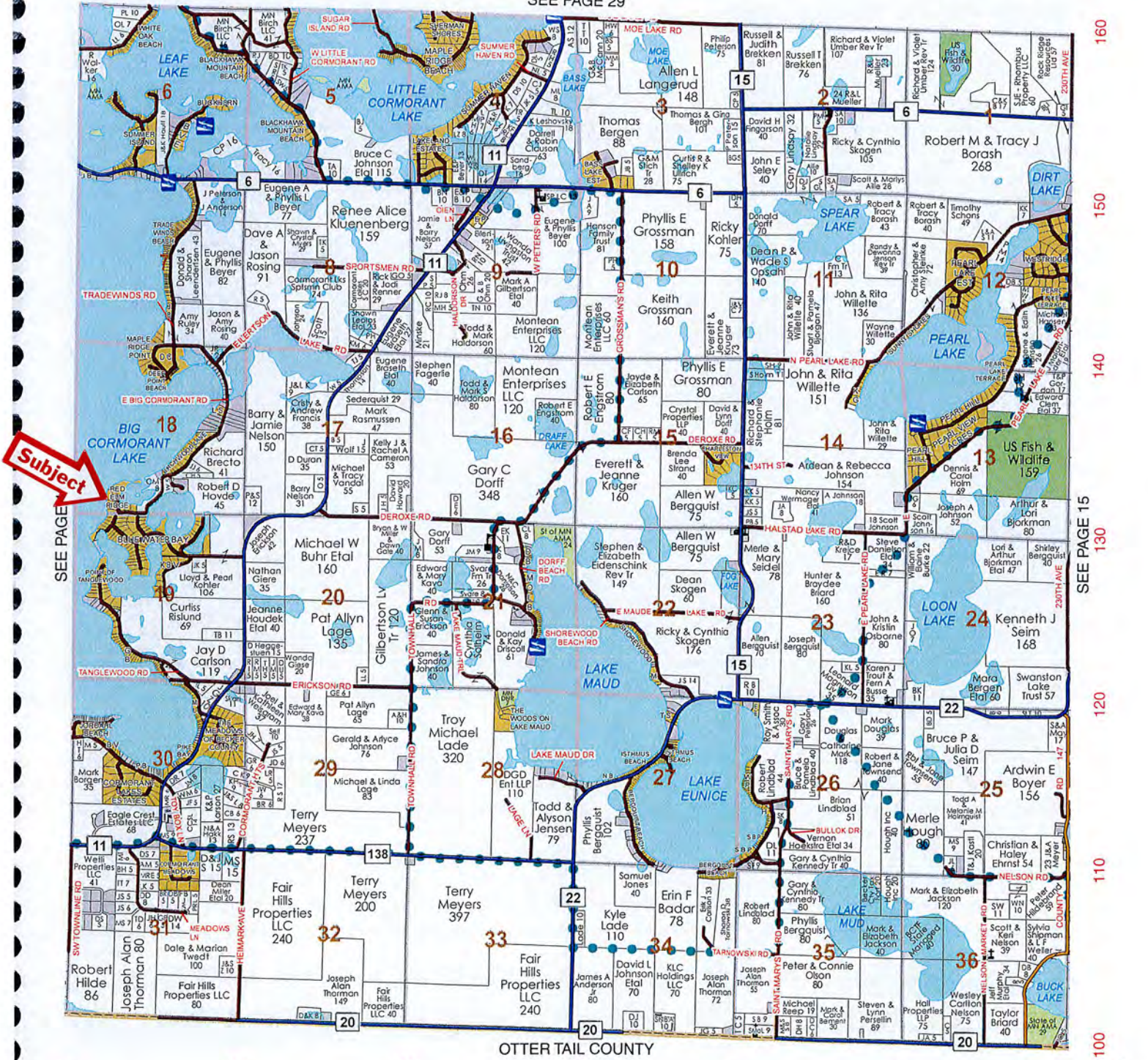


# Lake Eunice

# Township 138N - Range 42W

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SEE PAGE 29



**Subject**

SEE PAGE

160  
150  
140  
130  
120  
110  
100

170 180 190 200 210 220 230 13

OTTER TAIL COUNTY



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

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**\*\* 3<sup>RD</sup> FLOOR JURY ASSEMBLY ROOM – BECKER COUNTY COURTHOUSE OR  
JOIN VIA MICROSOFT TEAMS MEETING \*\***

APPLICANT: Brian L Johnson & Julie A Johnson  
28191 Mountain Rd  
Detroit Lakes, MN 56501

Project Location: 16747 Highland Dr  
Detroit Lakes, MN 56501

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Conditional Use Permit to operate a youth group facility.

LEGAL LAND DESCRIPTION: Tax ID number: 08.0628.000

208' x 208' IN SW COR OF NW1/4 of NW1/4; Section 36 Township 139 Range 041; Detroit Township.

#### REFER TO BECKER COUNTY ZONING ORDINANCE

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EMAIL: [nicole.hultin@co.becker.mn.us](mailto:nicole.hultin@co.becker.mn.us)

To view all application information on this project please visit:

[http://www.co.becker.mn.us/government/meetings/planning\\_zoning/planning\\_commission/](http://www.co.becker.mn.us/government/meetings/planning_zoning/planning_commission/)

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.



# Conditional Use Application Review

Permit # CUP2020-20

## Property and Owner Review

Owner: BRIAN JOHNSON

Parcel Number(s): 080628000

Mailing Address:

Site Address: 16747 HIGHLAND DR

BRIAN JOHNSON

28191 MOUNTAIN RD

DETROIT LAKES MN 56501

Township-S/T/R: DETROIT-36/139/041

Shoreland? No Name:

Legal Descr: 208'X208' IN SW COR OF NW1/4 OF NW1/4

## Conditional Use Details Review

Description of Conditional Use Request: **Request a CUP for youth group activities.**

1. Describe how the conditional use permit, if granted, will not harm the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

**Most activities will take place in side that include group discussion and skits. Youth group activities are not known to harm the use and enjoyment of any neighboring properties, nor diminish property value.**

2. Describe how establishing the conditional use will not impede the normal, orderly development and improvement of surrounding vacant property for uses predominant in the area.

**The parcel is adjacent to two public roads, one residential home, and one active existing Church. Activities will be similar to the existing Church to the south.**

3. Describe how adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

**Access to the facility will be provided from Paula St. The facility will be equipped with bathrooms that are handicap accessible, seating, a kitchen (most meals are catered) and office space. The parcel has very minimal topographical change and drainage should not be an issue.**

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

**The parcel is 1 acre in size. Parking will be provide for staff and those attending that are able to drive (some cannot do to age).**

5. Describe how 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 youth group will not create any offensive odors, fumes, dust or vibration. Noise should not be in excess of a normal amount from those attending arriving and leaving.**

Additional shoreland questions below (if applicable)

6a. Describe how adequate measures have been or will be taken to assure that soil erosion or other possible pollution of public waters will be prevented, both during and after construction.

6b. What measures have been taken to assure that the visibility of structures and other facilities as viewed from public waters will be limited.

6c. What measures have been taken to assure that the site is adequate for water supply and on-site sewage treatment.

6d. Describe how the types, uses and number of watercrafts that the project will generate can be safely accomodated.

## Business Plan Review

Name of Business:

Business Owners:

Business Type: If 'Other', explain:

Type of Merchandise:

Type of Service:

Hours and Days of Operation:

Number of Employees:

Off-Street Parking Plan:

Size of structure to be used for Business:

New or Existing:

Signage Plan:

Exterior Lighting Plan:

Known Environmental Hazards:

Additional Business Plan Information:

February 7, 2020 at 2:01 PM  
I hereby certify that the within  
instrument was recorded in this office.  
Patricia Swenson, County Recorder  
By JD Deputy

665634

No delinquent taxes and transfer entered  
this 7<sup>th</sup> day of Feb., 2020  
Mary E Hendrickson  
Becker County Auditor/Treasurer  
By [Signature] Deputy

WARRANTY DEED

eCRV# 1062851

STATE DEED TAX DUE HEREON: \$115.50

Date: 2-3-2020, 2020

FOR VALUABLE CONSIDERATION, the Grantor, **John Walden**, a single person, hereby conveys and warrants to the Grantees, **Brian Johnson and Julie Johnson**, as Joint Tenants, real property in Becker County, Minnesota, described as follows:

That part of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼ ), Section Thirty-six (36), Township One Hundred Thirty Nine (139) North of Range Forty-one (41) West of the 5<sup>th</sup> P.M., described as follows: Commencing at the Southwest corner of said NW ¼ of the NW ¼ of Section 36; thence running North on the section line a distance of 208 feet; thence East and parallel with the North line of said section a distance of 208 feet; thence South and parallel with the West line of said section a distance of 208 feet; thence West on the quarter line and parallel with the North line of said section a distance of 208 feet to the point of beginning.

P.N. 08.0628.000

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

The Grantor(s) certify that the status and number of well(s) on the described real estate has not changed since the last previously filed Well Disclosure Certificate.

[Signature]  
[Signature]  
John Walden

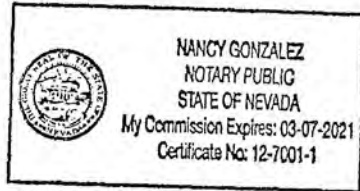
BECKER COUNTY DEED TAX  
AMT. PD. \$ 115.50  
Receipt # 733838  
Becker County Auditor/Treasurer

chg  
paid  
well

MTC

STATE OF NV )  
COUNTY OF Clark ) SS.

This instrument was acknowledged before me on 02/04, 2020, by John Walden, a single person.



Nancy Gonzalez  
Notary Public  
My commission expires: 03/07/2021

Mail tax statements to:  
Brian Johnson and Julie Johnson  
28191 Mountain Rd  
Detroit Lakes, MN 56501

This document prepared by:  
Minnesota Title & Closing Company  
819 Washington Avenue  
Detroit Lakes, MN 56501  
Telephone: (218) 847-1297

# 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), BRIAN L. JOHNSON JULIE A. JOHNSON hereby authorize PAUL WHITE 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.): \_\_\_\_\_
- plat application: \_\_\_\_\_
- conditional use application: \_\_\_\_\_
- variance application: \_\_\_\_\_
- other: \_\_\_\_\_

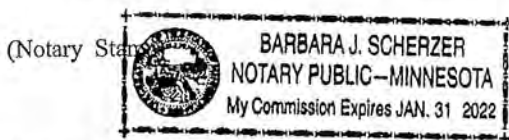
on my (our) property located at:  
 Tax Parcel Number(s): 080628000 Physical Site Address: 16747 HIGHLAND DRIVE  
Sec. 36 Township 139 Range 041  
 Legal Description: 208 X 268 110 SW COR NW 1/4 OF NW 1/4  
 Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Plat Name: \_\_\_\_\_

### Agent Contact Information

Agent address: 2245 EDGEWOOD DRIVE DEWITT CAERS MN 56501  
 Street City State Zip Code  
 Agent phone #(s): 218-844-6290 Agent fax #: \_\_\_\_\_  
 Agent email address: BUTCHW20@HOTMAIL.COM

Julie Johnson B. Johnson  
 Property Owner(s) Signature(s) Date 7-20-2020  
 State of Minnesota  
 County of Becker

On this 20 day of July, 2020 before me personally appeared Julie A Johnson and Brian L Johnson  
 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.



Barbara J. Scherzer  
 Notary Public

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



**Subject**

Source: Esri, Maxar, GeoEye, Earthstar, GeoGraphics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community 081137504



Becker County

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.

1:2,257

Date: 7/20/2020

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

# MEADOWLAND SURVEYING INC

For all your land survey needs, contact our friendly staff at:  
 1118 Highway 59 South • Detroit Lakes, Minnesota 56501  
 frontdesk@meadowlandsurveying.com

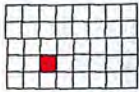
**218-847-4289**

www.meadowlandsurveying.com

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**EXPERIENCE MATTERS!**

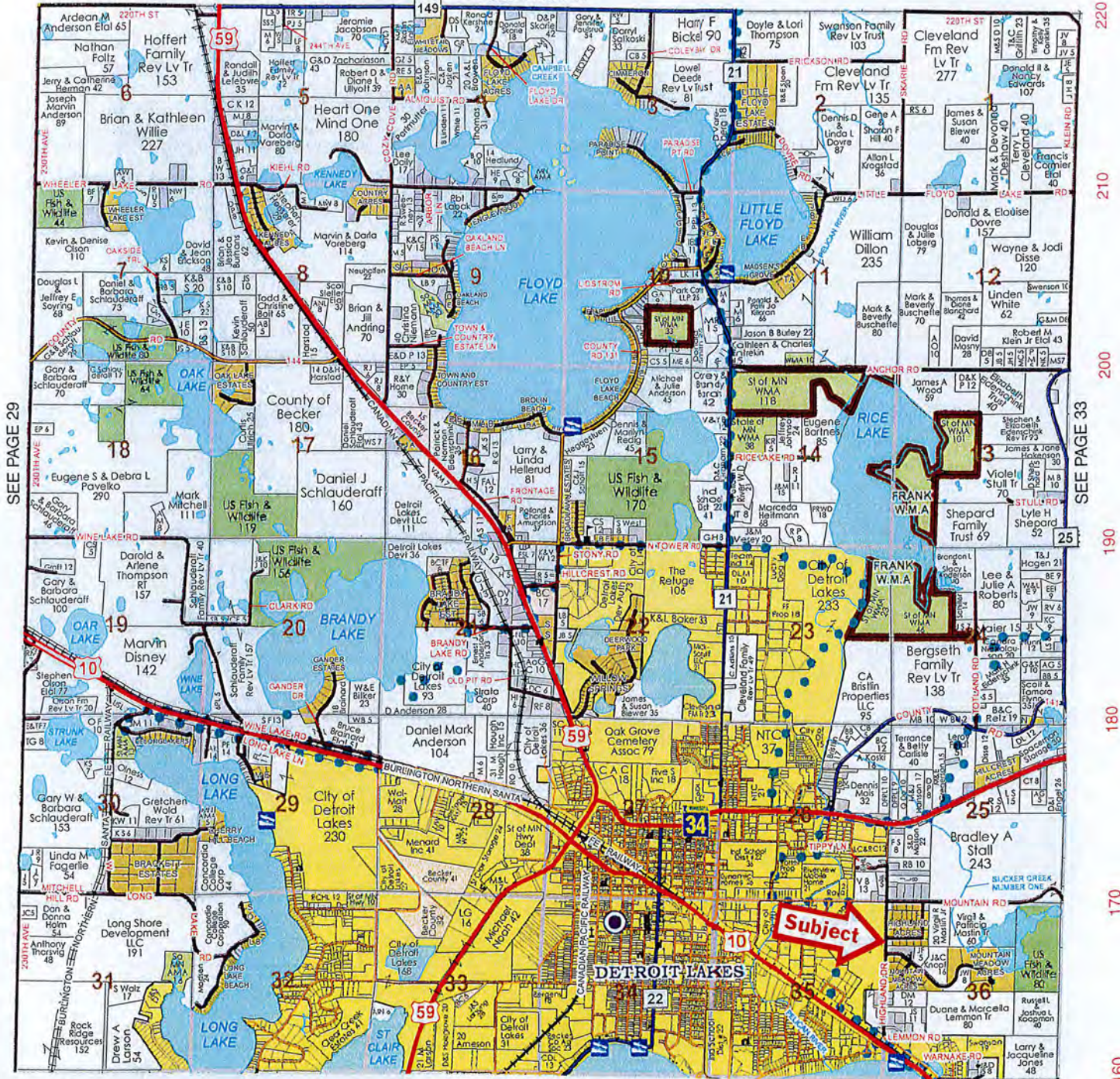


Detroit

Township 139N - Range 41W

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SEE PAGE 47



SEE PAGE 15