



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****

February 8th, 2022 @ 6:00 P.M.

****3RD FLOOR JURY ASSEMBLY ROOM – BECKER COUNTY COURTHOUSE****

APPLICANT: Tobias J & Sarah C Miller
15961 Co Hwy 39
Frazee, MN 56544

Project Location: 15961 Co Hwy 39
Frazee, MN 56544

APPLICATION AND DESCRIPTION OF PROJECT:
Request a Conditional Use Permit for mining operations.

LEGAL LAND DESCRIPTION: Tax ID number: Tax ID number: **33.0235.000** Section 29 Township 139 Range 038;
29-139-38 W 1/2 NE1/4 SW1/4 & W1/2 SW1/4 LESS N 615'; W 330' SE1/4 SW1/4.; Toad Lake Township

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments:

Public testimony regarding this application will only be received by email, in writing, or in-person at the hearing. Interested parties are invited to submit to the Becker County Department of Planning and Zoning written facts, arguments, or objectives by 12:00 P.M. the 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

To view all application information on this project please visit:

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 # CUP2021-51

Property and Owner Review

Owner: TOBIAS J & SARAH C MILLER

Parcel Number(s): 330235000

Mailing Address:

TOBIAS J & SARAH C MILLER
15961 CO HWY 39 #2
FRAZEE MN 56544

Site Address: 15961 Co Hwy 39 Frazee, MN 56544

Township-S/T/R: TOAD LAKE-29/139/038

Shoreland? Yes Name: My lake is not listed below

Legal Descr: 29-139-38 W 1/2 NE1/4 SW1/4 & W1/2 SW1/4 LESS N 615'; W 330' SE1/4 SW1/4.

Conditional Use Details Review

Description of Conditional Use Request: **open a gravel pit**

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.

the proposed site is surrounded by agricultural property and will be returned to field/pasture when complete

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 surrounding property is agricultural and the gravel pit will not effect any development around it

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

no utilities will be needed at the site, drainage will stay as it is erosion will be confined to the area of the proposed pit

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.

there will be employee parking at the pit site

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.

dust will be controlled by applying water as needed, noise will be controlled by keeping our equipment in the pit and location is off public roadway by 1200', our crusher screen plant our mobile units designed for urban use and produce minimal noise, we operate this equipment at our other site with no complaints of noise, odor or fumes

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.

erosion will be contained in the proposed pit area, areas not in use will be seeded to prevent erosion, when mining is complete top-soil will be placed back and reseeded

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

there will be no permanent structures the lake is a unnamed natural environment lake no boats/jet skis

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

non needed on site

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

na

Business Plan Review

Name of Business: Howard's Driveway, Inc.

Business Owners: Jeremy Howard

Business Type: Service If 'Other', explain:
Type of Merchandise: asphalt, aggregates
Type of Service: we provide asphalt paving services
Hours and Days of Operation: 7am- 8pm
Number of Employees: 15
Off-Street Parking Plan: our business is not located at this site, we will have a couple employees working there with off street parking provided
Size of structure to be used for Business: our business is not located at this address no structure needed New or Existing:
Signage Plan: stop sign at intersection of township road, and 15mph sign on access road
Exterior Lighting Plan: none
Known Environmental Hazards: no
Additional Business Plan Information: no

Field Review Form**Permit # LALT2021-172****Property and Owner**Parcel Number: **330235000**

Site Address:

Owner: **TOBIAS J & SARAH C MILLER**Township-S/T/R: **TOAD LAKE-29/139/038****Project Details**Project Start & End Date: **4/4/2022-4/5/2032**Distance from OHW: **80=**Proj 1 Type: **Other (Please explain next)**Proj 1 Purpose: **Other (Please specify next)**Proj 1 Type Descr:
open gravel pitProj 1 Purpose Descr: **to mine sand gravel and rock**

Inspector Notes (Project 1):

Proj 2 Type:

Proj 2 Purpose:

Proj 2 Type Descr:

Proj 2 Purpose Descr:

Inspector Notes (Project 2):

Additional Details/Erosion ControlArea to be Cut/Excavated: **Est. 1820x740x38**Area to be Filled/Leveled: **na**Total Cubic Yards of Earthmoving: **298,000**Fill Type/Material: **na**Project Summary and/or Additional Projects & Information: **Area to be mined and reclaimed is shown on attached map. Area to be cut is also shown on map.**Erosion Control Method (1): **Seed Only**Erosion Control Method (2): **No Additional Methods**Additional Erosion Control Information: **Area to be mined and reclaimed is shown on attached map. Area to be cut is also shown on map.**

Inspector Notes (Earthmoving and Erosion Control):

**Operation Plan for Aggregate Mining
Tax Parcel – 33.0235.000**

1. **Name of Applicant:** Howard's Driveway, Inc.
2. **Street Address:** 56700 CTY HWY 40
City, State, Zip Code: Menahga MN 56464
Phone Number: 218 564 4483
3. **Landowner:** Tobias J & Sarah C Miller
4. **Legal Description:** 29-139-38 W ½ NE ¼ SW1/4 & W1/2 SW ¼ LESS N615'; W330' SE ¼ SW 1/4

Mining plan. A mining plan containing the following information:

a. Map. A general map of the area defining: See Attached.

(1) Property boundaries; See attachment for map defining property boundaries.

(2) Location and names of all streams and roads on or within three hundred feet (300') of the project site; The site is accessed by 170th St. There identified wetlands, a unnamed natural environment lake and a unnamed stream/creek on the north side of the lake.

(3) Location of structures on or adjacent to the site, identifying the purpose of each structure; Structures on the property and adjacent to the property are used either for residential purposes or agricultural purposes.

(4) Boundaries of previous excavations on the property; There are no known previous excavation boundaries on the site.

(5) Location and description of proposed mining site boundary stakes with the permanent reference point described. See attached boundary point map.

1. **Attachments:** See attachment for map defining property boundaries, phase locations, mine boundaries and estimated volume of materials.
2. **Current land use:** Agricultural
3. **Current Zone:** Agricultural
4. **Material to be Excavated:**
Sand, gravel and rocks.

5. **Estimated Groundwater Depth:** Observed 12'.
6. **Timetable for commencement and cessation of mining operations:** April 2022.

Months of Operation: Thaw-freeze.
Days: Mon- Sat.
Hours: 6am-8pm.
7. **Topsoil Management:** Top soil will be stripped and stockpiled for future reclamation and used for erosion control.
8. **Primary Method of Mining:** Wheel loaders, excavator and dozer. There will also be a screen plant, crusher and stacker.
9. **Screening necessary:** The site should not need additional screening due to the distance off the public roadway and adjacent residences.
10. **Noise Control:** The noise generated by the operation will be screened by keeping the equipment in the mining cut and the distance to the roadway, our crusher and screen plant are mobile units designed to operate in urban areas and produce relatively low noise
11. **Dust Control:** Dust will be controlled by applying water when needed.
12. **Pollution control:** There will be no storage of tanks or chemicals on the site. All equipment will be monitored frequently to ensure it is operating properly.
13. **Erosion Control:** Erosion will be confined to the area of the proposed pit. Topsoil from the area will be used a flat top berm along a section of the natural environment lake located on the property.
14. **Site plan and staging plan.**
 1. Site plan drawing and description of the sequential stages of the mining activity. See attached map.
 2. No mining refuse dumps, sediment or wash ponds or sediment basins will be on site. Equipment utilized for crushing and screening will be located in the best placement of each phase to minimize noise.
 3. Estimated total volume of materials to be extracted by phase. See map.

15. **Post Mining Reclamation Plan:** When mining is complete pit banks will be sloped and topsoil will be placed back and reseeded as phases are completed.

16. **Access to Pit Area/Haul Route:** We will access using existing approach and constructing a driveway as shown on the map. 170th st and Co Hwy 39 will be used after exiting the property.

20. **Extractive use standards.**

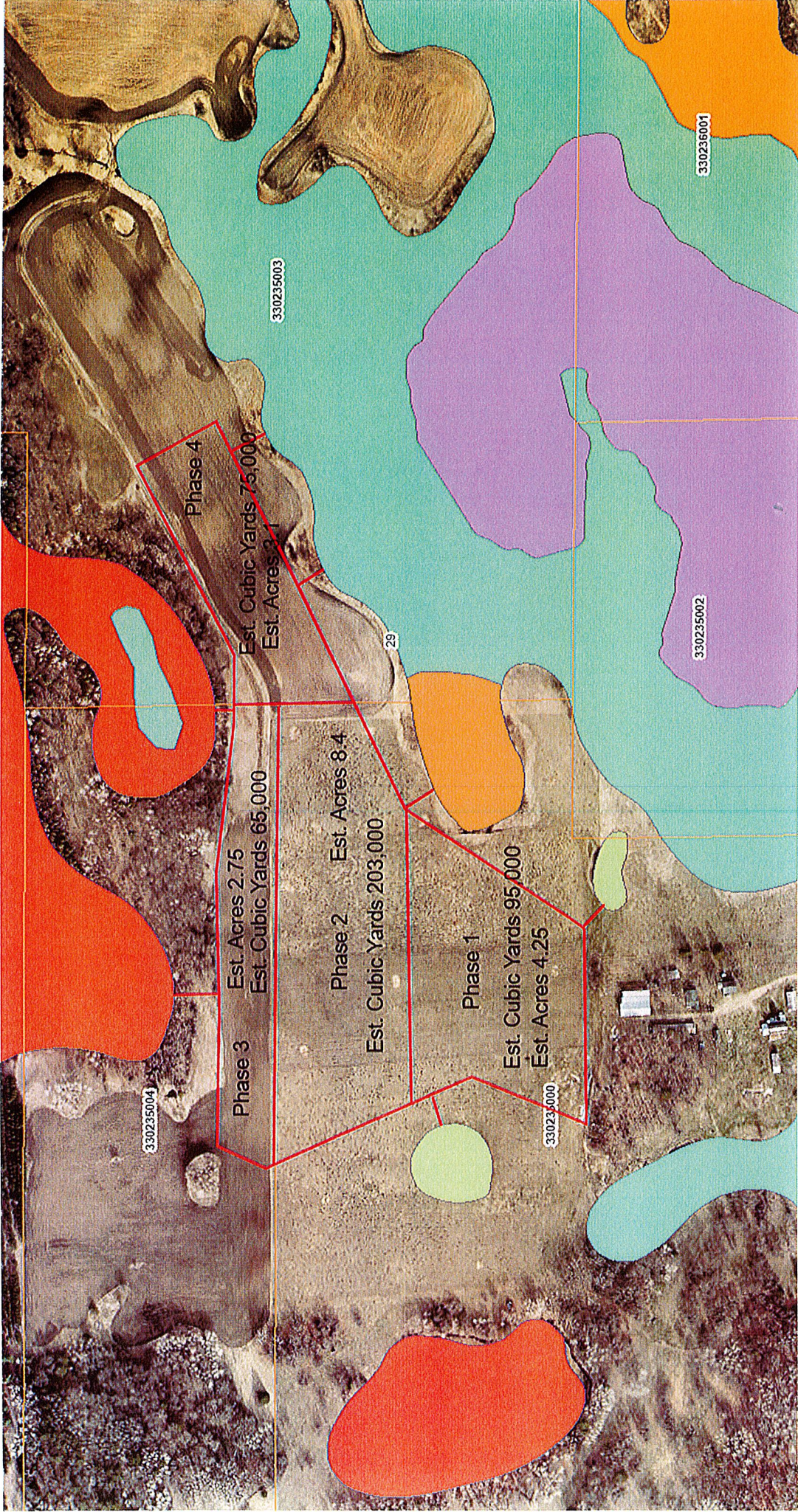
1. Shoreland areas. Processing machinery in shoreland shall be located consistent with all setback

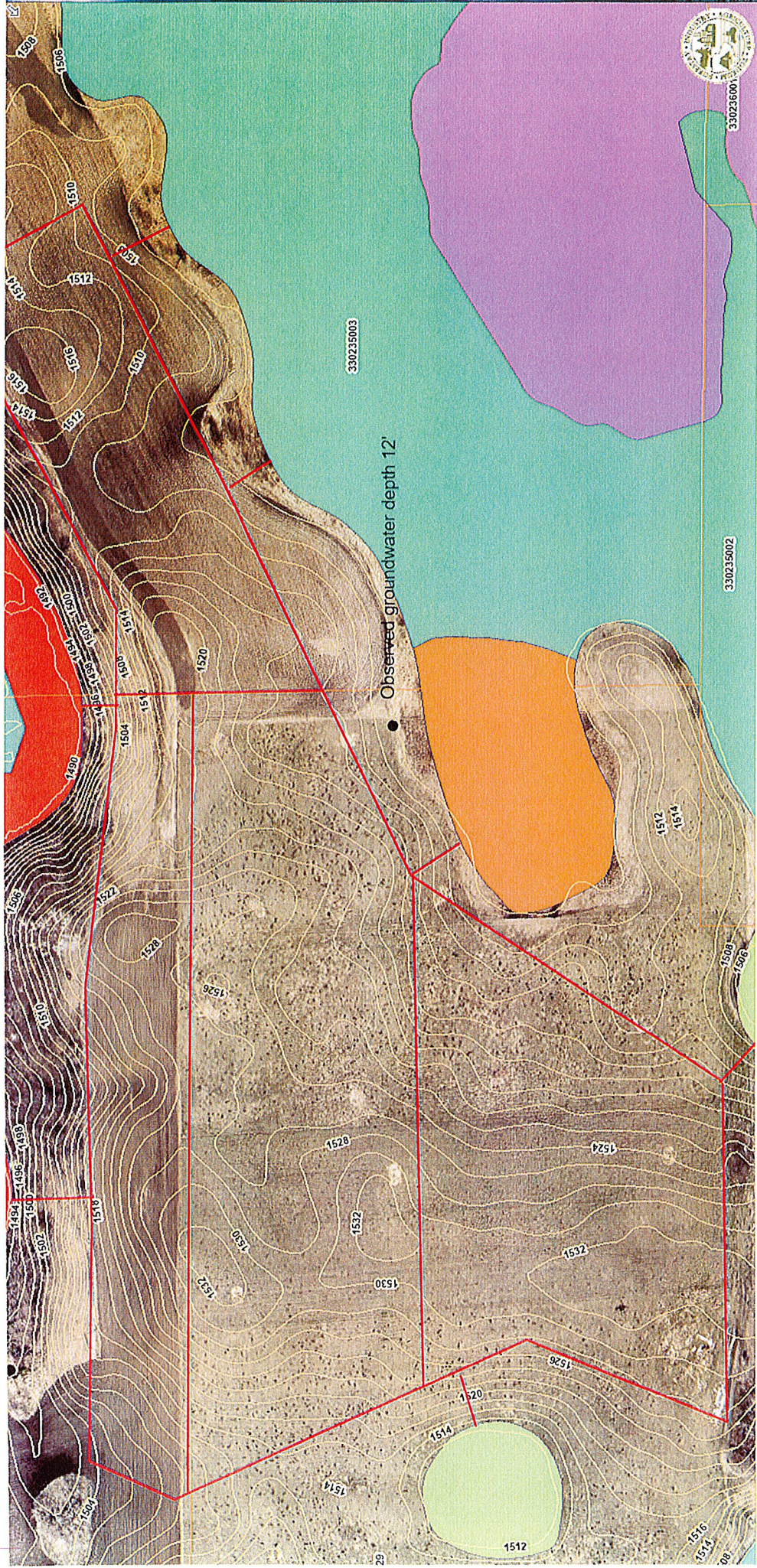
standards for structures from ordinary high water levels of public waters and from bluffs. All processing equipment will be located 150' or more from the OHW of the natural environment lake located on the property.

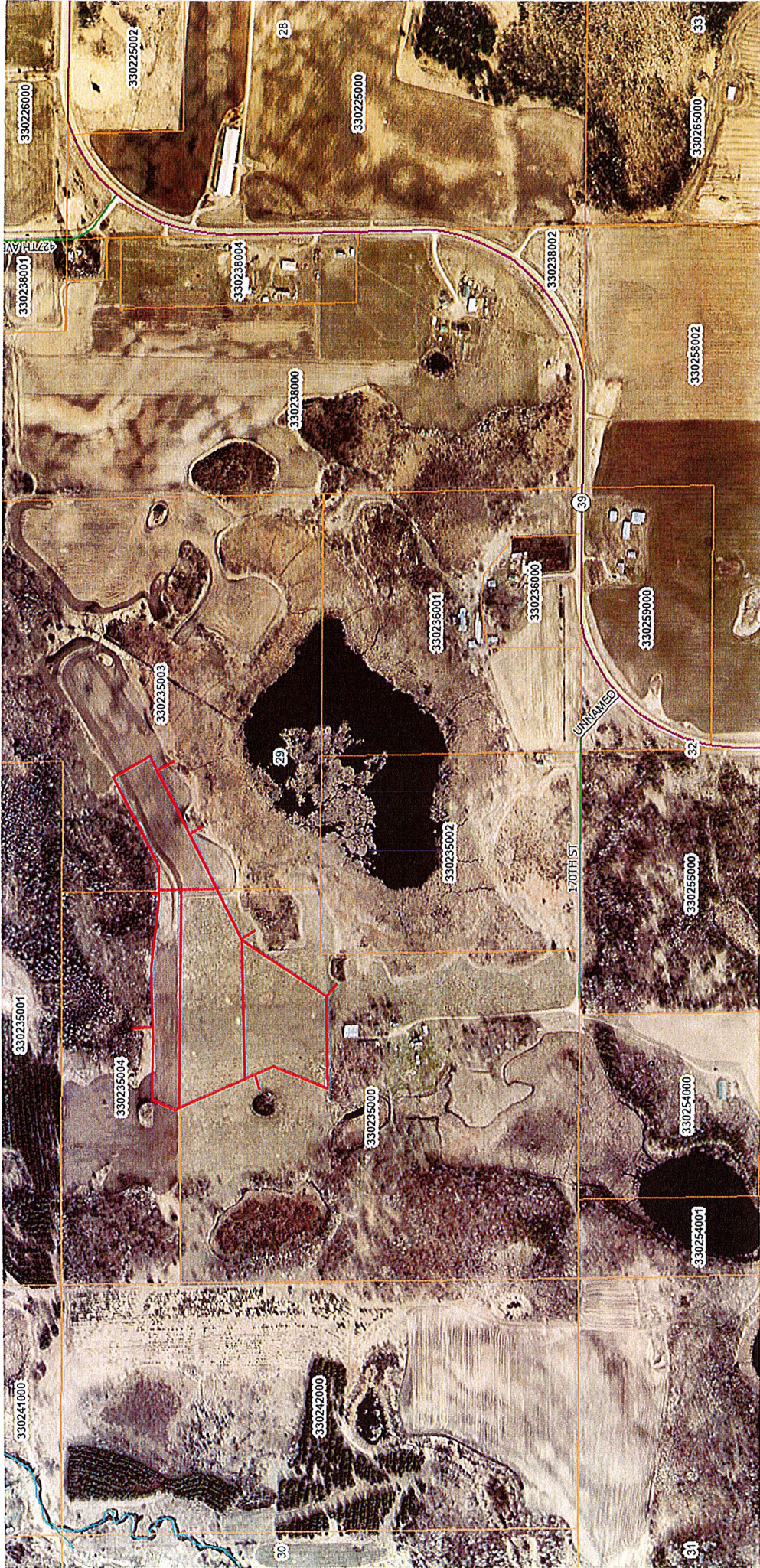
2. Metals and peat. Mining of metallic minerals and peat shall meet the provisions of Minnesota

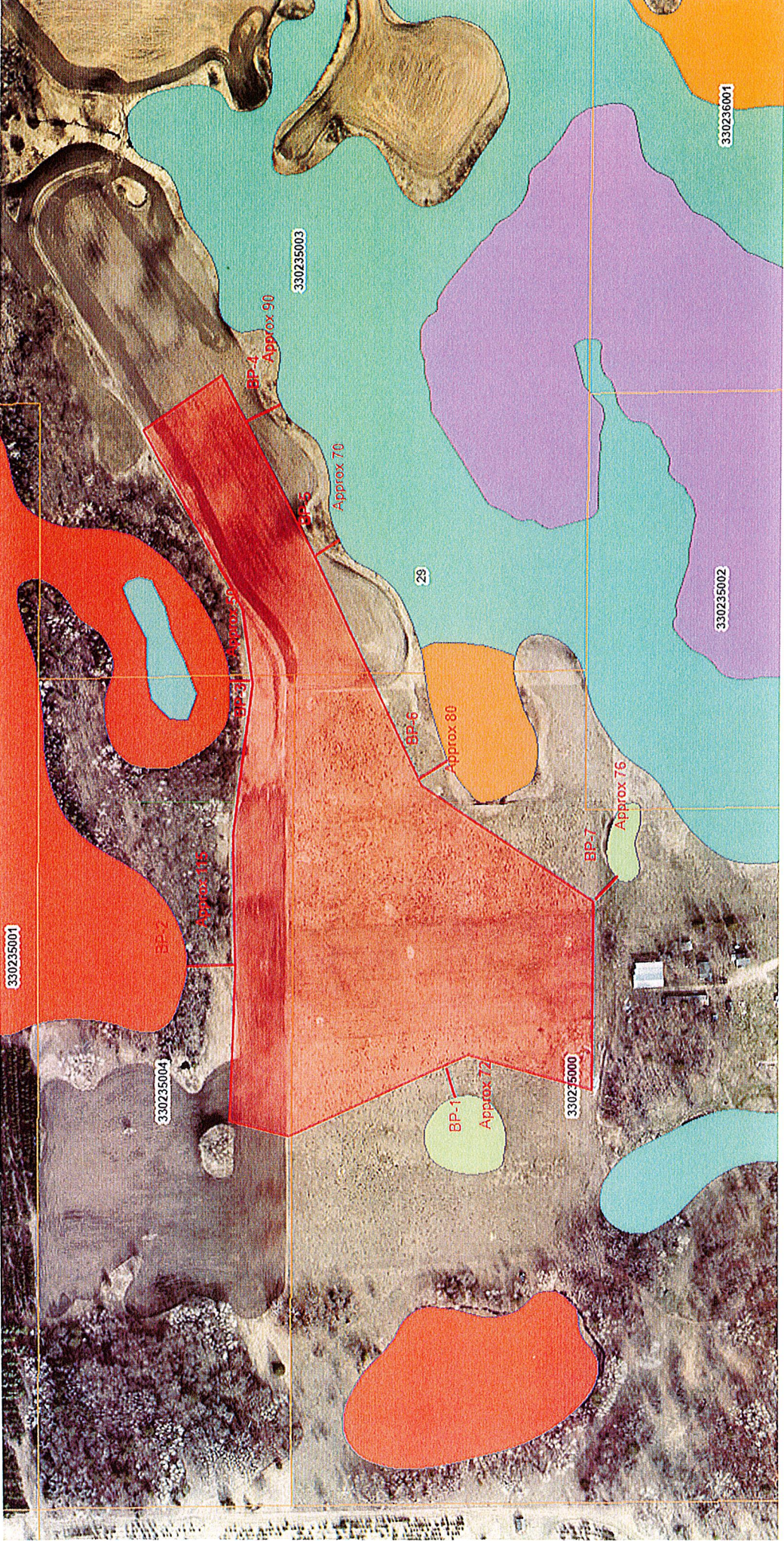
Statutes, Sections 93.44 to 93.51. N/A

Note: There will be no wash plant or asphalt plant located on the property. Materials will be screened, stacked, and crushed only.









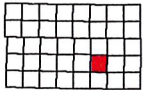
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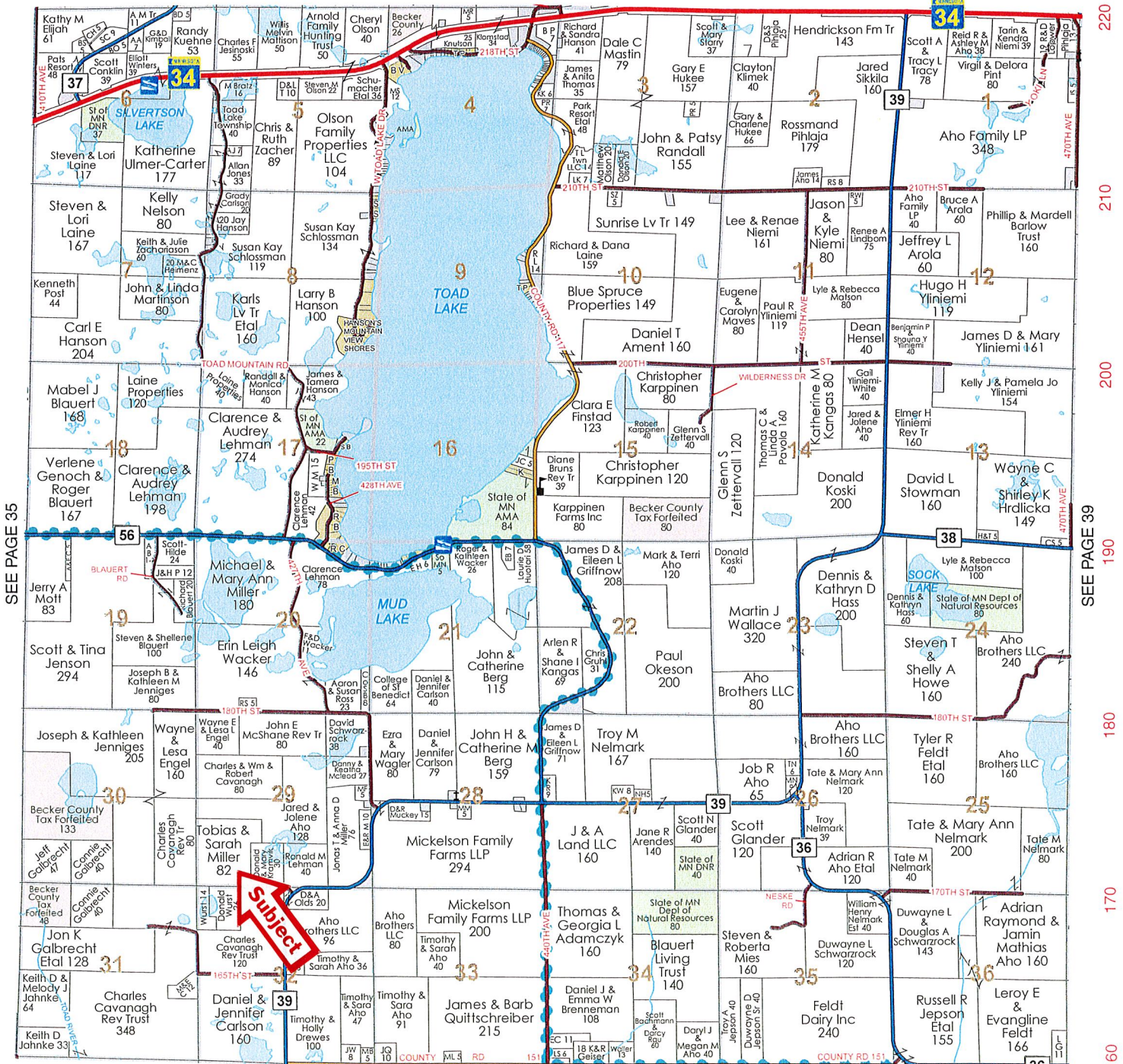


Toad Lake

Township 139N - Range 38W

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

February 8th, 2022 @ 6:00 P.M.

****3RD FLOOR JURY ASSEMBLY ROOM – BECKER COUNTY COURTHOUSE****

APPLICANT: Jared & Jolene Aho
19534 Co Hwy 39
Frazee, MN 56544

Project Location: TBD 427th Ave
Frazee, MN 56544

APPLICATION AND DESCRIPTION OF PROJECT:
Request a Conditional Use Permit for mining operations.

LEGAL LAND DESCRIPTION: Tax ID number: **33.0235.004** Section 29 Township 139 Range 038; 29-139-38 N 615' W1/2 NE1/4 SW1/4; N 615' W1/2 SW1/4. Tax ID number **33.0235.003** Section 29 Township 139 Range 038; SW1/4 NE1/4, NW1/4 SE1/4, E1/2 NE1/4 SW1/4; Toad Lake Township

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments:

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Conditional Use Application Review

Permit # CUP2021-52

Property and Owner Review

Owner: JARED & JOLENE AHO	Parcel Number(s): 330235004 330235003
Mailing Address: JARED & JOLENE AHO 19534 CO HWY 39 FRAZEE MN 56544-8570	Site Address: TBD 427th Ave Frazee, MN 56544
	Township-S/T/R: TOAD LAKE-29/139/038
	Shoreland? Yes Name: My lake is not listed below

Legal Descr: **29-139-38 N 615' W1/2 NE1/4 SW1/4; N 615' W1/2 SW1/4.**

Conditional Use Details Review

Description of Conditional Use Request: **open a gravel pit**

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.

the proposed site is surrounded by agricultural property and will be returned to field/pasture when complete

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 surrounding property is agricultural and the gravel pit will not effect any development around it

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

no utilities will be needed at the site, drainage will stay as it is erosion will be confined to the area of the proposed pit

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there will be employee parking at the pit site

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.

dust will be controlled by applying water as needed, noise will be controlled by keeping our equipment in the pit and location is off public roadway by 1200', our crusher screen plant our mobile units designed for urban use and produce minimal noise, we operate this equipment at our other site with no complaints of noise, odor or fumes

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.

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

there will be no permanent structures the lake is a unnamed natural environment lake no boats/jet skis

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

non needed on site

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

na

Business Plan Review

Name of Business: **Howard's Driveway, Inc.**

Business Owners: **Jeremy Howard**

Business Type: **Service** If 'Other', explain:

Type of Merchandise: **asphalt, aggregates**

Type of Service: **we provide asphalt paving services**

Hours and Days of Operation: **Mon- Sat 7am-8pm**

Number of Employees: **15**

Off-Street Parking Plan: **our business is not located at this site, we will have a couple employees working there with off street parking provided**

Size of structure to be used for Business: **our business is not located at this address no structure needed**

New or Existing:

Signage Plan: **stop sign at intersection of township road, and 15mph sign on access road**

Exterior Lighting Plan: **none**

Known Environmental Hazards: **no**

Additional Business Plan Information: **no**

Field Review Form

Permit # LALT2021-173

Property and Owner

Parcel Number: 330235004	Site Address:
Owner: JARED & JOLENE AHO	Township-S/T/R: TOAD LAKE-29/139/038

Project Details

Project Start & End Date: 4/4/2022-4/5/2032	Distance from OHW: 150' plus
Proj 1 Type: Other (Please explain next)	Proj 1 Purpose: Other (Please specify next)
Proj 1 Type Descr: open gravel pit	Proj 1 Purpose Descr: to mine sand, gravel and rock

Inspector Notes (Project 1):

Proj 2 Type:	Proj 2 Purpose:
Proj 2 Type Descr:	Proj 2 Purpose Descr:

Inspector Notes (Project 2):

Additional Details/Erosion Control

Area to be Cut/Excavated: Est. 1785x155x38	Area to be Filled/Leveled: na
Total Cubic Yards of Earthmoving: 140,000	Fill Type/Material: na

Project Summary and/or Additional Projects & Information: **Area to be mined and reclaimed is shown on attached map. Area to be cut is shown on map.**

Erosion Control Method (1): Seed Only	Erosion Control Method (2):
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Additional Erosion Control Information: **Area to be mined and reclaimed is shown on attached map. Area to be cut is shown on map.**

Inspector Notes (Earthmoving and Erosion Control):

**Operation Plan for Aggregate Mining
Tax Parcel – 33.0235.003,33.0235.004**

1. **Name of Applicant:** Howard's Driveway, Inc.
2. **Street Address:** 56700 CTY HWY 40
City, State, Zip Code: Menahga MN 56464
Phone Number: 218 564 4483
3. **Landowner:** Jared & Jolene Aho
4. **Legal Description:** 29-139-38 SW ¼ NE ¼ NW1/4 SE1/4 E1/2 NE1/4 SW1/4

Mining plan. A mining plan containing the following information:

a. **Map.** A general map of the area defining: See Attached.

(1) Property boundaries; See attachment for map defining property boundaries.

(2) Location and names of all streams and roads on or within three hundred feet (300') of the project site; The site is accessed by 170th St. There identified wetlands, a unnamed natural environment lake and a unnamed stream/creek on the north side of the lake.

(3) Location of structures on or adjacent to the site, identifying the purpose of each structure; Structures on the property and adjacent to the property are used either for residential purposes or agricultural purposes.

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5. **Attachments:** See attachment for map defining property boundaries, phase locations, mine boundaries and estimated volume of materials.
6. **Current land use:** Agricultural
7. **Current Zone:** Agricultural
8. **Material to be Excavated:**
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9. **Estimated Groundwater Depth:** Observed 12'.

10. **Timetable for commencement and cessation of mining operations:** April 2022.

Months of Operation: Thaw-freeze.

Days: Mon- Sat.

Hours: 6am-8pm.

11. **Topsoil Management:** Top soil will be stripped and stockpiled for future reclamation and used for erosion control.

12. **Primary Method of Mining:** Wheel loaders, excavator and dozer. There will also be a screen plant, crusher and stacker.

13. **Screening necessary:** The site should not need additional screening due to the distance off the public roadway and adjacent residences.

14. **Noise Control:** The noise generated by the operation will be screened by keeping the equipment in the mining cut and the distance to the roadway, our crusher and screen plant are mobile units designed to operate in urban areas and produce relatively low noise

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16. **Pollution control:** There will be no storage of tanks or chemicals on the site. All equipment will be monitored frequently to ensure it is operating properly.

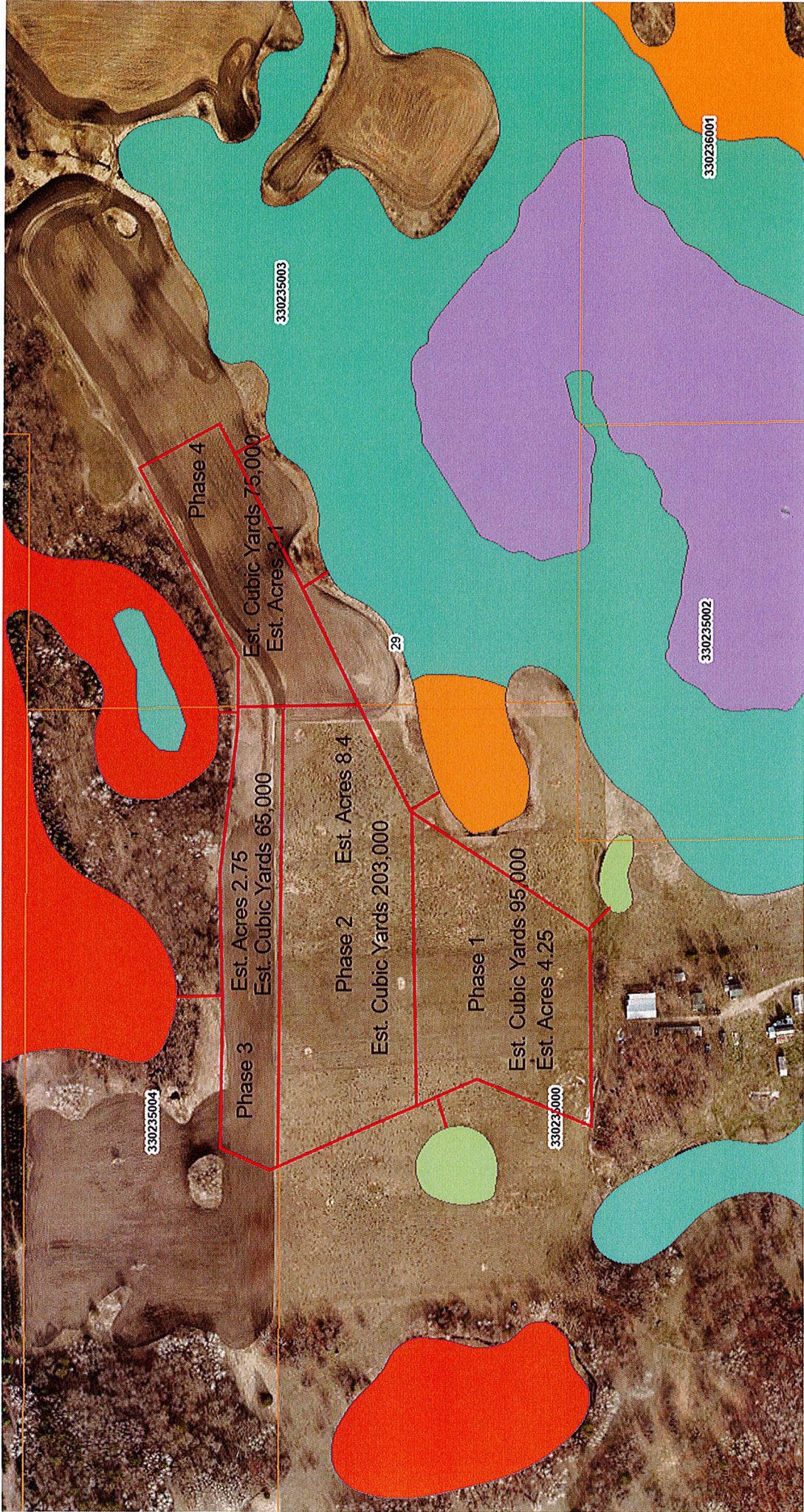
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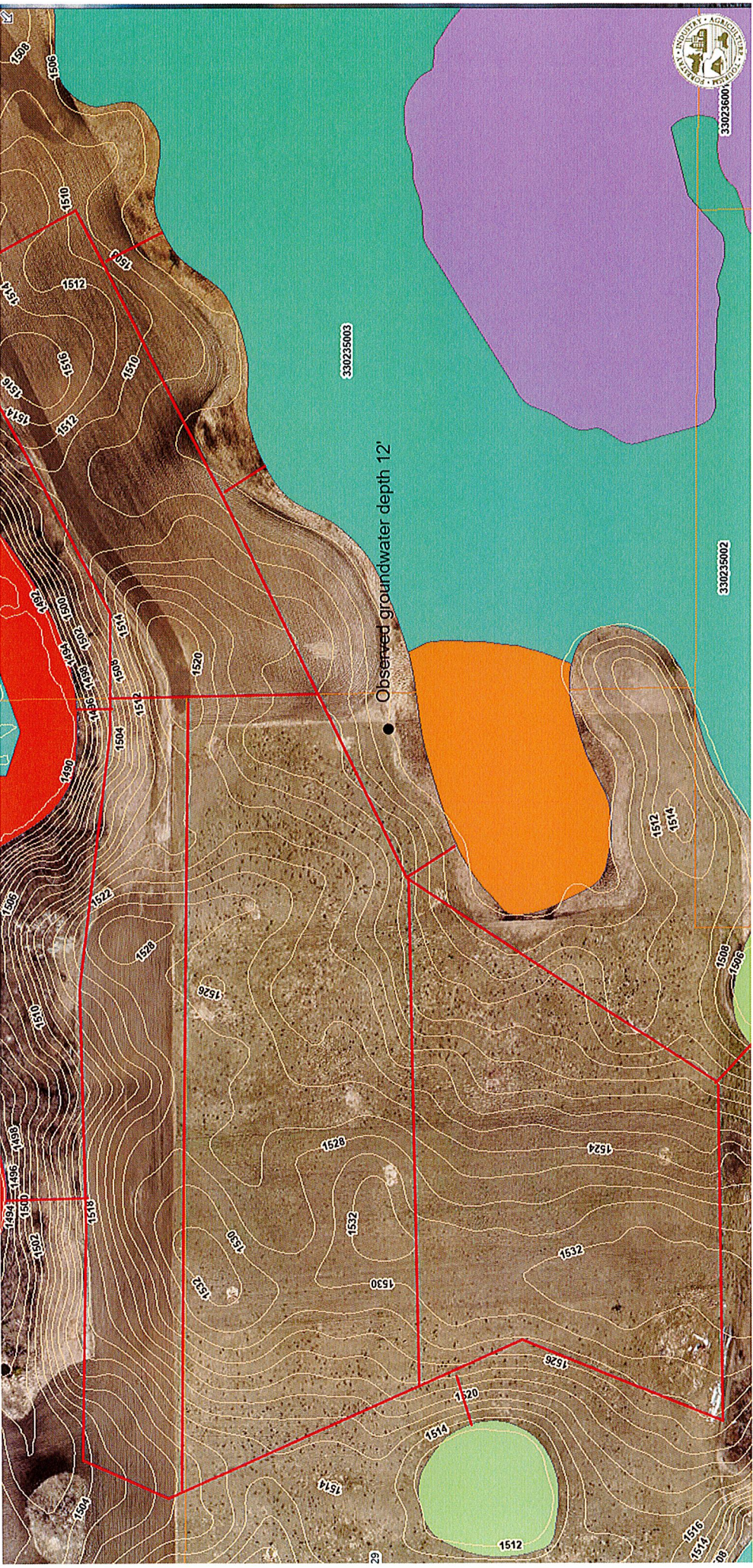
18. **Site plan and staging plan.**

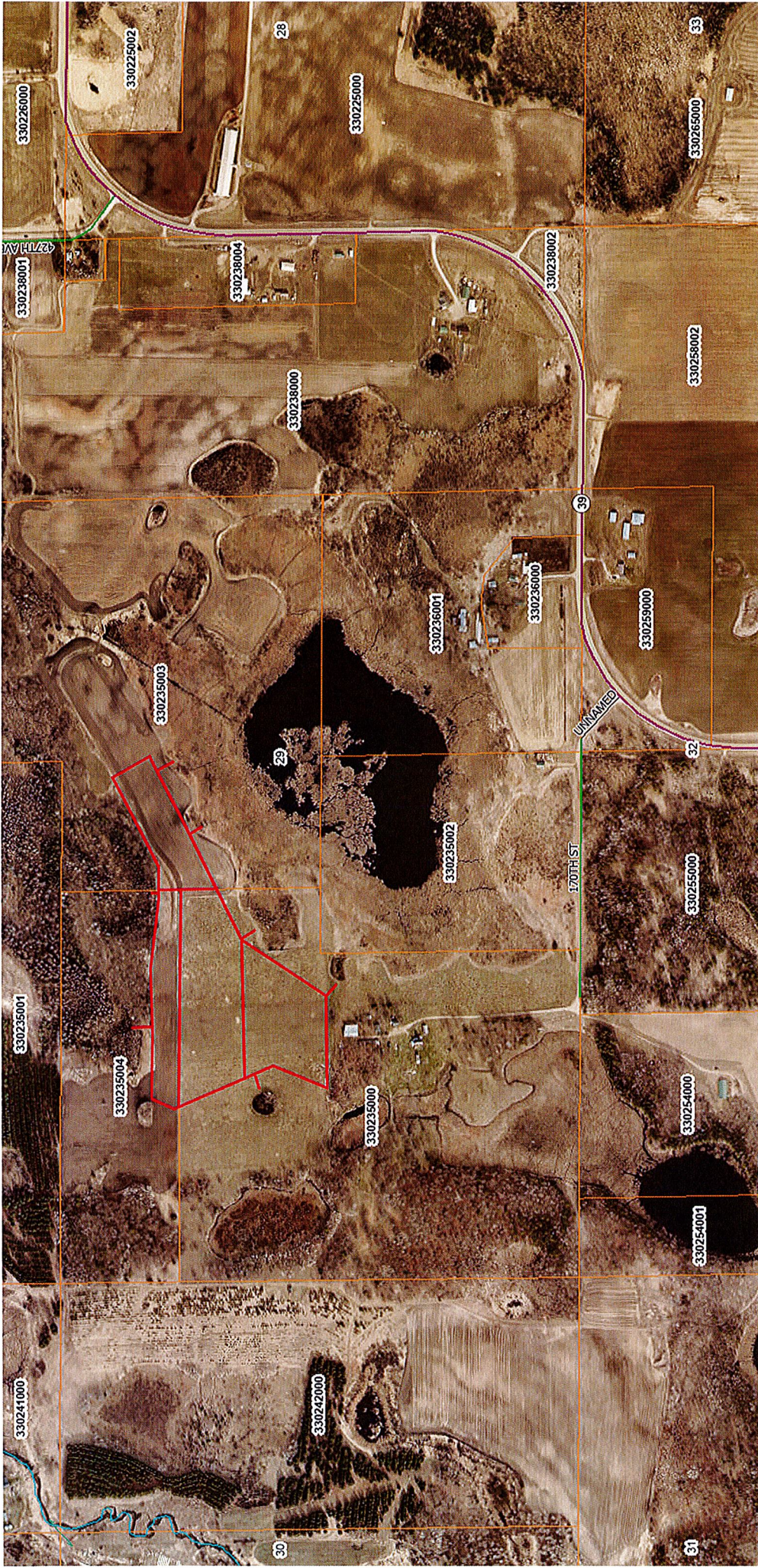
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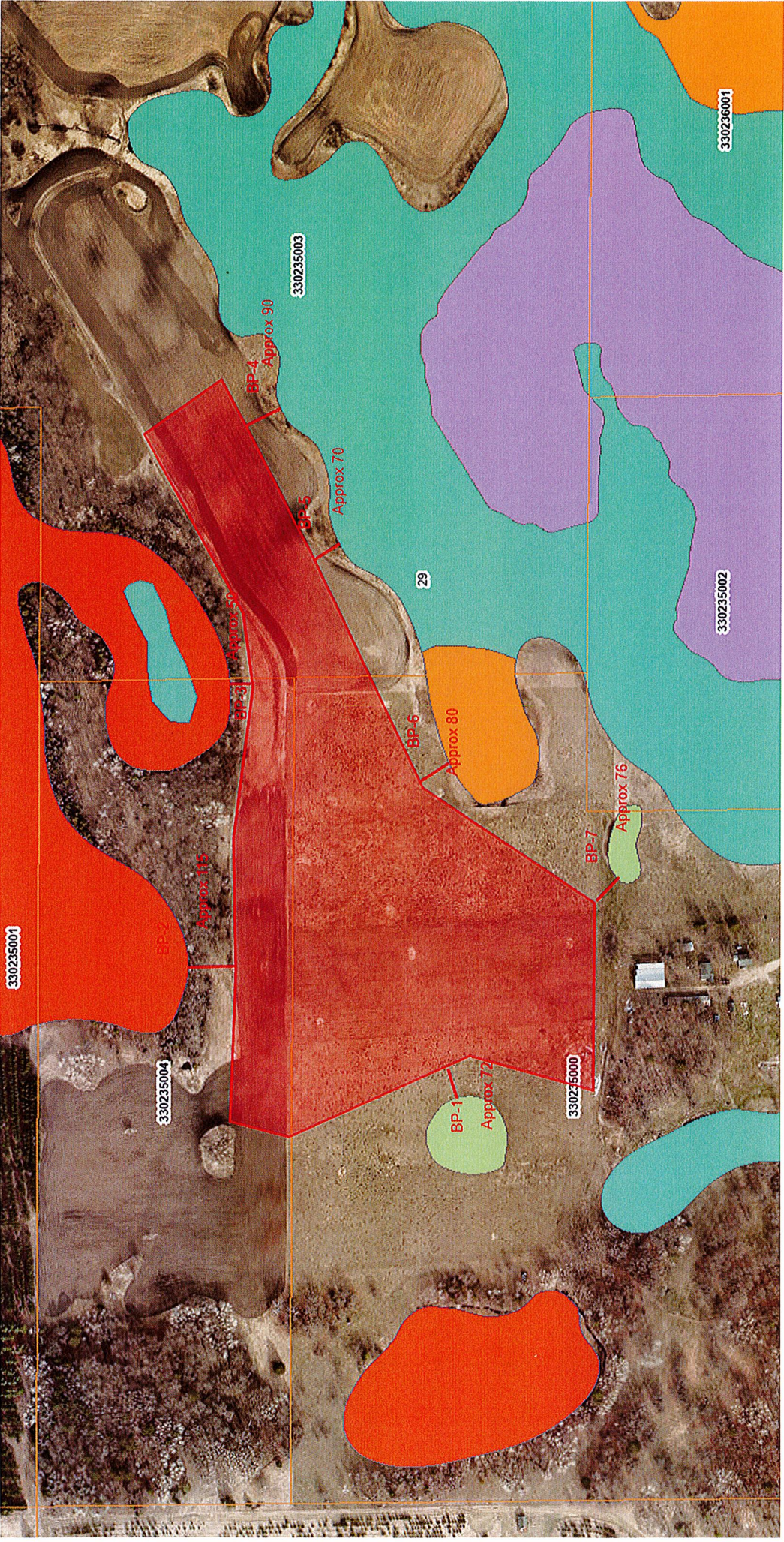
19. **Post Mining Reclamation Plan:** When mining is complete pit banks will be sloped and topsoil will be placed back and reseeded as phases are completed.
20. **Access to Pit Area/Haul Route:** We will access using existing approach and constructing a driveway as shown on the map. 170th st and Co Hwy 39 will be used after exiting the property.
20. **Extractive use standards.**
- 1. Shoreland areas. Processing machinery in shoreland shall be located consistent with all setback standards for structures from ordinary high water levels of public waters and from bluffs.** All processing equipment will be located 150' or more from the OHW of the natural environment lake located on the property.
- 2. Metals and peat. Mining of metallic minerals and peat shall meet the provisions of Minnesota Statutes, Sections 93.44 to 93.51. N/A**

Note: There will be no wash plant or asphalt plant located on the property. Materials will be screened, stacked, and crushed only.









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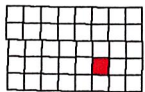
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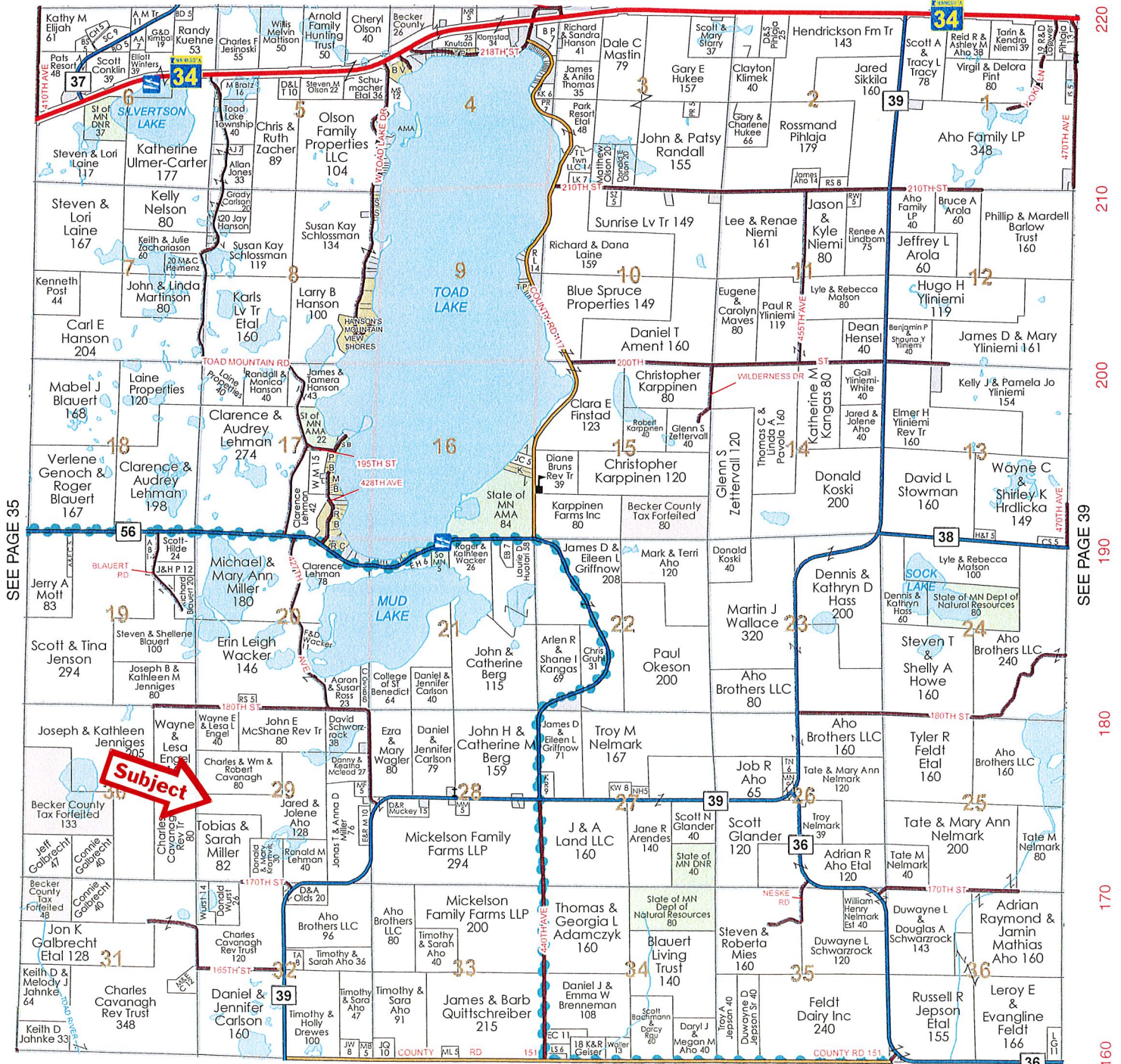


Toad Lake

Township 139N - Range 38W

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SEE PAGE 21



COUNTY OF BECKER

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****3RD FLOOR JURY ASSEMBLY ROOM – BECKER COUNTY COURTHOUSE****

APPLICANT: Josh & Kayla Swangler
21246 Co Hwy 29
Rochert, MN 56578

Project Location: 18178 Co Hwy 29
Detroit Lakes, MN 56501

APPLICATION AND DESCRIPTION OF PROJECT:

Request a Preliminary Plat for an eleven (11) unit Multi-Unit Storage Structure Development to be known as PRIORITY STORAGE OF THE LAKES.

LEGAL LAND DESCRIPTION: Tax ID number: **10.0379.000** Section 23 Township 139 Range 040; 23-139-40 PT SE1/4 SE1/4: COMM SE COR SEC 23, N 1215.56', W 38.72' TO POB; W 225.28', S 91.24', E 18.27', S 39.18', E 60.25', SLY 169.06', ELY AL HWY 125.45', N AL HWY 269.30' TO POB. TRACT C.; Erie Township

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments:

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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	

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

Applicant's Name: Tosh Swangler

Applicant's Address: 21246 Co Hwy 29
Rochert, MN 56578

Telephone(s): 701-219-6202 Date of Application: _____

Signature of Applicant: [Signature] (MEDICAL SURVEY, ALERT FOR SWANGLER)

Parcel ID Number: 100379000 Project Address: 18178 Co Hwy 29

Legal Description of Project:
See attached

SECTION 1

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

SECTION 2

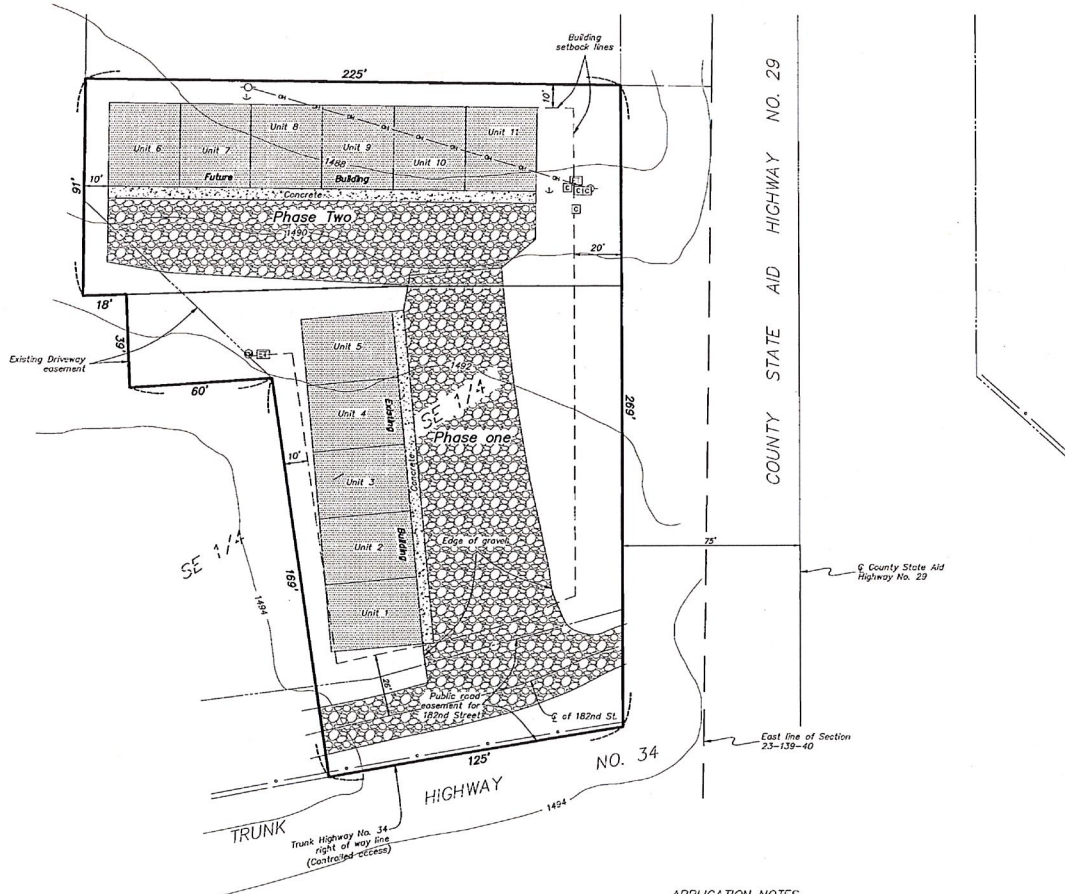
*Certificate Of Survey: Number of Lots _____
 Shoreland (within 1000 ft of lake) _____ Nonshoreland _____
 Current Zoning of property _____
 Is a change of zone required? _____ yes _____ no
 If yes, change from _____ Zone to _____ Zone.
 Total acreage of parcel to be subdivided _____
 Is the change within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

SECTION 3 property.

*For Preliminary Plat:
 Number of Lots 11
 Name of Subdivision PRIORITY STORAGE OF THE LAKES
 Name of Proposed Roads NA
 Shoreland (within 1000 ft of lake) _____ Non-shoreland X
 Current Zoning of property Commercial
 Is a change of zone required? _____ yes X no
 If yes, change from _____ Zone to _____ Zone.
 Total acreage of parcel to be subdivided 1.12 acres
 Is the change within 2 miles of any city limits? NO
 **Include a copy of the purchase agreement if applicant is not the property owner.

Date Received 1/10/22 Date Accepted _____ Authorized Signature _____
 Application Fee _____ Notice Fee Recording Fee _____ Date Paid _____
 Receipt Number _____

PRELIMINARY SITE PLAN OF
PRIORITY STORAGE OF THE LAKES
 A COMMON INTEREST COMMUNITY



APPLICATION NOTES

1. PRIORITY STORAGE OF THE LAKES is a proposed 11 unit common interest community storage building development located in Section 23, Township 139 North, Range 40 West. The garage units will be for individual ownership and the balance of the land, including concrete surfaces, the gravel driving surfaces and storm water retention will be commonly owned by the unit owners and maintained through an association.
2. The project will be done in two phases. The first phase will be on the southerly portion of the property containing 5 units in the existing building. The second phase will be for the 6 units in the proposed northerly building.
3. The property is zoned Commercial. A variance has been granted by the Becker County Board of Adjustments granting approval for 75% Impervious surface coverage, 10 foot side yard setback, 10 foot rear yard setback, 20 foot setback from County Highway right of way and 26 feet from the centerline of the township road. (Document No. 6B1823)
4. The two buildings will have a maximum building height of 25 feet.
5. A storm water pollution prevention plan in accord with MPCA requirements will be prepared prior to construction of the second building.
6. The units will have electricity with no sewer or water services.
7. The units will be sold individually.
8. The project area is mostly in an open area with no wetlands and not in a flood plain.
9. Elevation contours at two foot intervals are shown per Becker County GIS Lidar data.
10. Areas
 Total area = 48,947 sq. ft. (1.12 acres)
 Proposed and existing gravel drive area = 12,667 sq. ft.
 Gravel in existing township road easement = 3,098 sq. ft.
 Concrete area = 1,569 sq. ft.
 Buildings = 11,667 sq. ft.
 Total impervious surface = 29,021 sq. ft. (59%)



LEGEND

- 1490— = Denotes elevation contour line per Becker County GIS Lidar data.
 - = Denotes overhead power line.
 - = Denotes power pole.
 - ◇— = Denotes guy wire.
 - ◇— = Denotes guy wire.
 - = Denotes Communication pedestals.
 - = Denotes electrical transformer.
 - = Denotes electrical meter.
- 0' 30' 40'
- Graphic Scale
- Scale: 1 inch = 30 feet

MEADOWLAND SURVEYING, INC.

1118 HWY 59 SOUTH, DETROIT LAKES, MN 56501
 EMAIL: frontdesk@meadowlandsurveying.com
www.meadowlandsurveying.com
 218-847-4289

CLIENT:

JOSH SWANGLER
 21246 COUNTY HIGHWAY 29
 ROCHERT, MN 56578

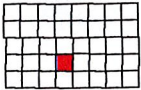
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DWG FILE:	23SWANGLER_PP
COMP BY:	JSL
DRAWN BY:	JSL

Prepared on January 10, 2022



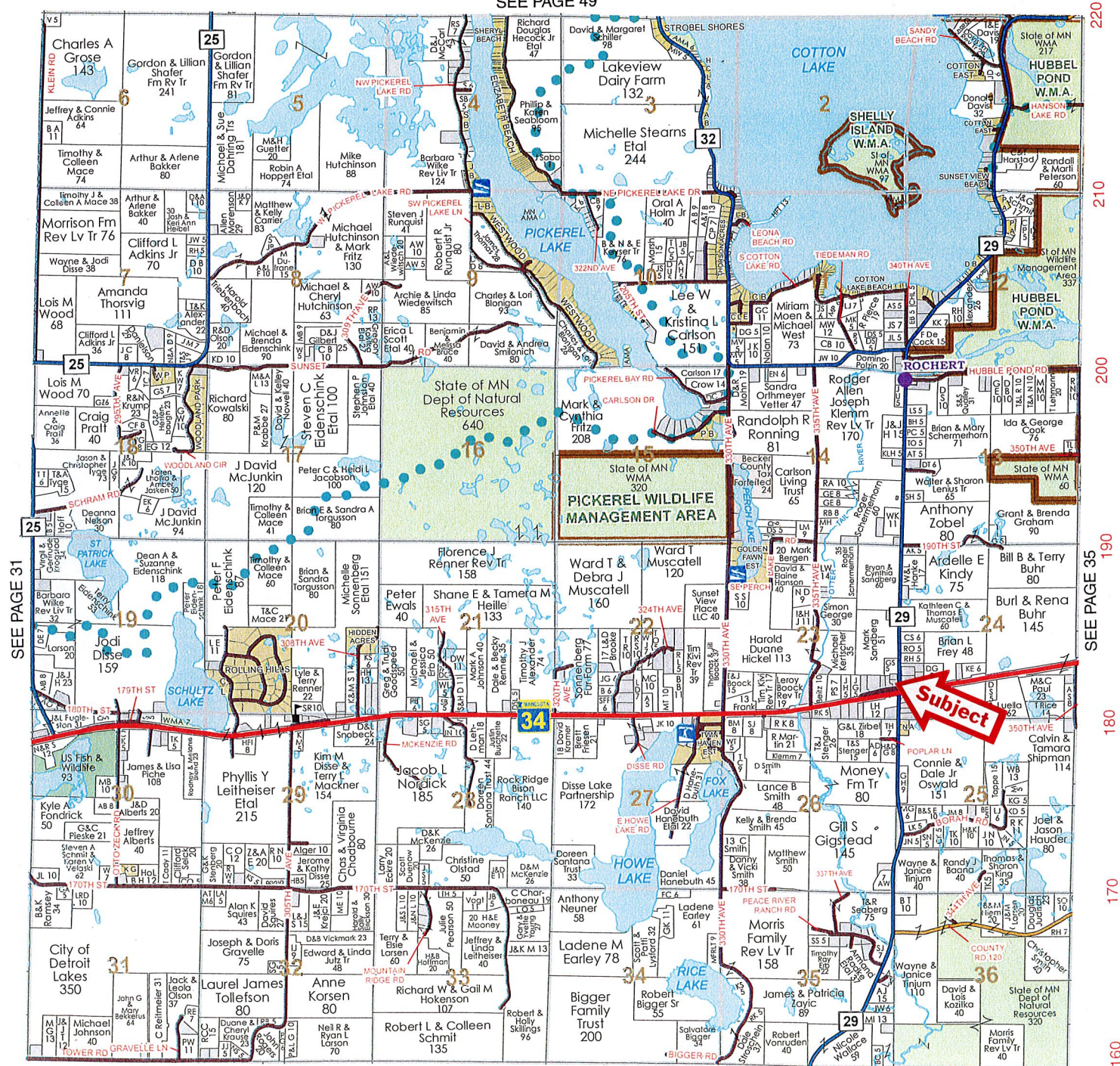
Township 139N - Range 40W

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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****

February 8th, 2022 @ 6:00 P.M.

****3RD FLOOR JURY ASSEMBLY ROOM – BECKER COUNTY COURTHOUSE****

APPLICANT: Fred G S Lassonde III &
Anna Lassonde
28304 125th St
Detroit Lakes, MN 56501

Project Location: 28304 125th St
Detroit Lakes, MN 56501

APPLICATION AND DESCRIPTION OF PROJECT:

Request a Conditional Use Permit to operate an automotive shop for repair and restoration.

LEGAL LAND DESCRIPTION: Tax ID number: **19.0482.000** Section 24 Township 138 Range 041; 24-138-41 PT W1/2 SE1/4 NW1/4: COMM W QTR COR SEC 24, E 1324.14' TO POB; N 365.5', E 595.89', S 365.51', W 596.06' TO POB.; Lake View Township

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments:

Public testimony regarding this application will only be received by email, in writing, or in-person at the hearing. Interested parties are invited to submit to the Becker County Department of Planning and Zoning written facts, arguments, or objectives by 12:00 P.M. the 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

To view all application information on this project please visit:

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 # CUP2022-54

Property and Owner Review

Owner: FRED LASSONDE	Parcel Number(s): 190482000
Mailing Address: FRED LASSONDE 28304 125TH ST DETROIT LAKES MN 56501	Site Address: 28304 125th St Detroit Lakes, MN 56501
	Township-S/T/R: LAKE VIEW-24/138/041
	Shoreland? No Name:

Legal Descr: 24-138-41 PT W1/2 SE1/4 NW1/4: COMM W QTR COR SEC 24, E 1324.14' TO POB; N 365.5', E 595.89', S 365.51', W 596.06' TO POB.

Conditional Use Details Review

Description of Conditional Use Request: **Requesting permit to operate an automotive repair shop on property. Will be oriented to classic truck and mud truck repair and restoration.**

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.

There is only one property within eyesight of my property, but the residence has trees blocking the view of my property. I have one section of the property, near my shop, where I would keep the vehicles parked.

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.

There are no vacant properties nearby currently. Just fields and woods.

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

I have a shop to do the repairs in. I also have a driveway leading up to the shop and a concrete apron.

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.

I have approximately an acre of land around the shop that could be used for parking the vehicles that I will be working on and for Customers to park.

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.

I don't believe there will be odors, fumes or dust. Also I don't think there are any residences close enough to be affected by any noise that I would be making. Additionally I generally would only be working during the day.

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 accommodated.

Business Plan Review

Name of Business: **Minnesota Classic Truck and 4x4**

Business Owners: **Fred Lassonde**

Business Type: **Service** If 'Other', explain:

Type of Merchandise: **I likely will sell some used Classic truck parts as a means of getting rid of leftover parts I don't need.**

Type of Service: **Primary service will be repair and modification to classic trucks and cars. Additionally I will be repairing some mud trucks and possibly building off road vehicles in the future. To fill in gaps I will do some general mechanic work.**

Hours and Days of Operation: **10 AM to 5 PM Mon- Fri**

Number of Employees: **Just me for now, but possibly family members in the future (Son, brother, etc)**

Off-Street Parking Plan: **I have an area to the south of my shop that is approx 100x 100 feet for parking. This accessed via part of my driveway. This location is approximately 40 feet from 125th St.**

Size of structure to be used for Business: **Shop size is 30x40 feet. I also have a 25x25 foot garage I may use for storage.**

New or Existing: **Existing Structure**

Signage Plan: **I expect I will put a sign in my yard near the driveway approximately 3x3 feet in size. This will not be lighted. Additionally I may eventually put a sign on the front of the shop.**

Exterior Lighting Plan: **I currently have yard lights on the front and back of the Shop. I do not plan to add any additional lighting.**

Known Environmental Hazards: **Oil, coolant and gasoline. I will drain and contain fluids in proper storage containers until time of disposal/removal.**

Additional Business Plan Information:

190482001

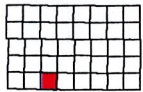
190482000

24

125TH ST

- ① Shop to be used for repairs & restoration
- ② Parking



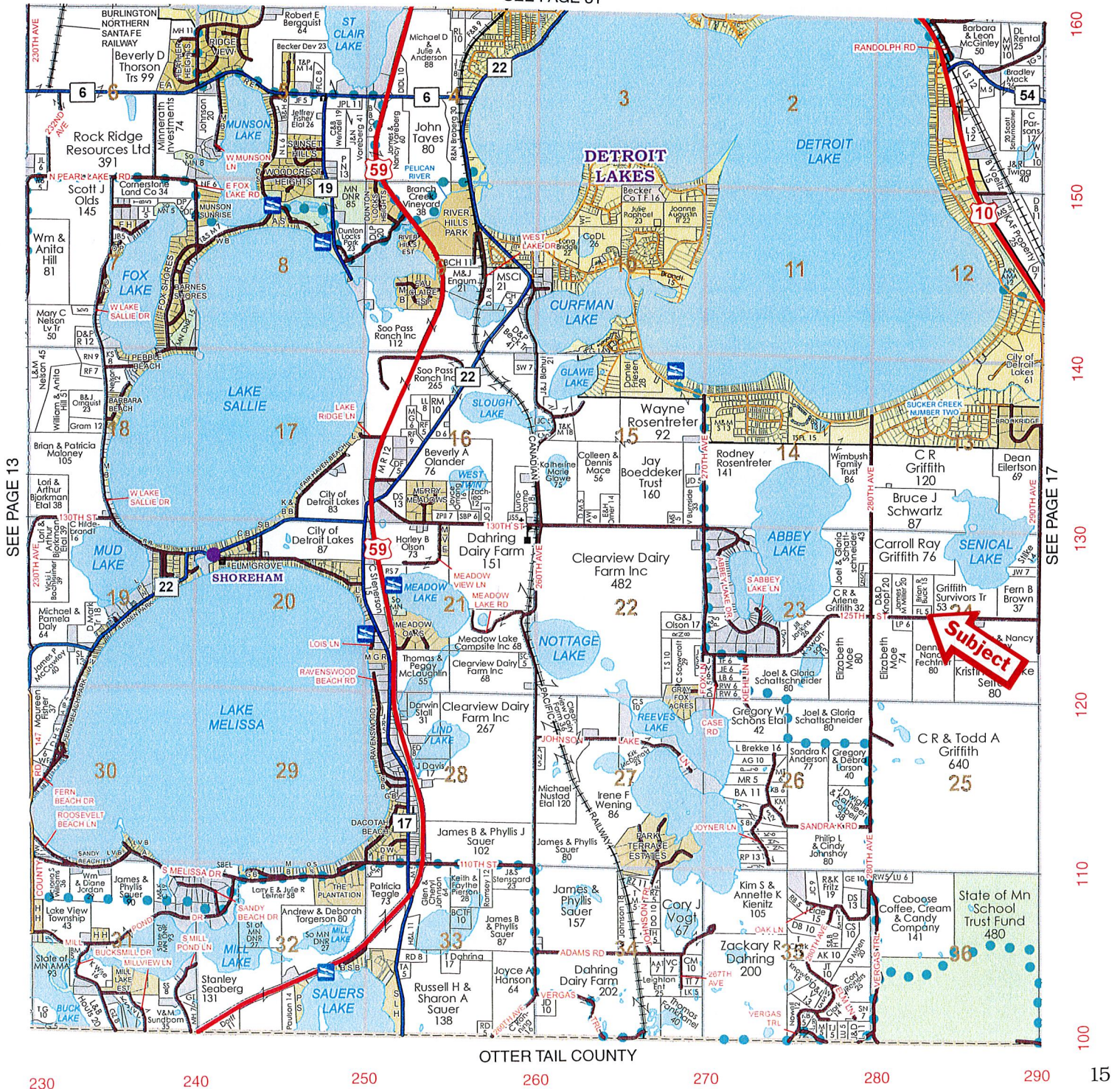


Lake View

Township 138N - Range 41W

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OTTER TAIL COUNTY

Recommended Amendments to the Becker County Zoning Ordinance

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

Proposal # 1.) Chapter 8, Section 4, Letter E, numbers 2 & 3; Section 5, Letter H, number 2, Letter e, numbers 1 & 2; Easements: To Reduce the width from sixty-six (66) feet to thirty-three (33) feet for all private easements regardless of the number of tracts it serves.

- E. **Road frontage requirement.** No site permit shall be issued for a lot, plot or tract of land not having frontage on a public road unless:
1. The property has no access to a public road except by an easement over the land of others;
 2. The easement from the property to a public road must be at least thirty-three (33) feet wide, when servicing one (1) or two (2) tracts of land; except that this provision does not apply to property that is accessed by a forest management road; and
 3. ~~The easement from the property to the public road must be at least sixty-six (66) feet wide when servicing three (3) or more tracts of land; except that this provision does not apply to property that is accessed by a forest management road; and~~
 4. The easement from the property to the public road has a graded and serviceable driving surface.
- e. **Minimum road frontage.** Every lot must have at least sixty-six feet (66') of frontage on a public dedicated road or street other than an alley except that a lot created by a Surveyor's Sketch is not required to have frontage on a public road if access is provided:
- (1) The easement from the property to a public road must be at least thirty-three (33) feet wide, when servicing one (1) or two (2) tracts of land; except that this provision does not apply to property that is accessed by a forest management road;
 - (2) ~~The easement from the property to the public road must be at least sixty-six (66) feet wide when servicing three (3) or more tracts of land; except that this provision does not apply to property that is accessed by a forest management road;~~
 - (3) The easement from the property to the public road has a graded and serviceable driving surface.

Proposal # 2.) Chapter 3, Section 7, number 7; Chapter 5, Table 5-4.5; Chapter 6, Section 10, Letter D, numbers 1-3; Chapter 8, Section 3, Letter C. 1. d & Letter D and F; Section 6, Letter E, Number 4, Letter H, Number 3, letter d; Section 9, Letter H, number 5; Section 11, Letter J, number 6; Section 15, Letter A and C.

Impervious Surface Coverage: To increase the allowed percentage outside of the shoreland.

7. Impervious surface coverage of the parcel or lot shall conform to Table 5-4.5 for the approved land use.

Table 5-4.5 – Maximum Impervious Surface Coverage for Land Use Districts

Requirements	General Agriculture	Special Protection	Residential	High Density Residential	Water Oriented Commercial	Commercial	Industry
Maximum impervious surface coverage <u>in the shoreland</u>	25%	20%	25%	25%	25%	%	%
<u>Maximum impervious surface coverage outside the shoreland</u>	<u>75%</u>	<u>20%</u>	<u>40%</u>	<u>75%</u>	<u>NA</u>	<u>85%</u>	<u>85%</u>
Maximum floor area coverage	NA	NA	NA	35%	35%	40%	50%

D. Impervious Surface Coverage for Zoning Districts. Impervious surface coverage of lots shall conform to the following limits:

1. Impervious surface coverage shall not exceed the allowable percent as shown in table 5-4.5
- ~~2. Impervious surface coverage shall not exceed twenty five percent (25%) of the lot area for lots in residential, agricultural, high density and water oriented commercial districts.~~
- ~~3. Impervious surface coverage shall not exceed thirty percent (30%) of the lot area for lots in commercial districts.~~

~~4. Impervious surface coverage shall not exceed thirty five percent (35%) of the lot area for lots in industry districts.~~

d. Notwithstanding any local, state or federal permitting requirements, any land disturbance activity resulting in an excess of 35% total lot impervious surface coverage, all impervious surface coverage in excess of 35% shall comply with the permanent stormwater managements of the Construction Stormwater (CSW) general permit from the Minnesota Pollution Control Agency (MPCA).

e.

~~D. **Impervious surface coverage.** Impervious surface coverage of all lots shall not exceed the allowable percentage of the lot area in the appropriate Zoning District as specified in Table 5-4 of this Ordinance.~~

D. Impervious surface coverage. Impervious surface coverage of the parcel or lot shall conform to Table 5-4.5 for the approved land use.

F. Permanent Stormwater Management.

a. Stormwater runoff shall not adversely impact neighboring properties, regardless of impervious surface coverage.

a. Notwithstanding any local, state or federal permitting requirements, any land disturbance activity resulting in an excess of 35% total lot impervious surface coverage, all impervious surface coverage in excess of 35% shall comply with the permanent stormwater managements of the Construction Stormwater (CSW) general permit from the Minnesota Pollution Control Agency (MPCA).

4. **Lot coverage.** Maximum lot coverage for mobile home parks and recreational vehicle parks shall not exceed the percent allowable in table 5-4.5 ~~be twenty five percent (25%)~~ excluding roads and parking areas.

d. **Impervious surface limit.** In Non-Shoreland MUDs impervious surface coverage shall not exceed the percent allowable in table 5-4.5 ~~twenty five percent (25%)~~ of the MUD area.

~~5. **Maximum impervious surface.** Impervious surface coverage cannot exceed twenty five percent (25%) of commercial/transient MUD suitable area.~~

5. **Maximum impervious surface.** Impervious surface coverage of the parcel or lot shall conform to Table 5-X for the approved land use and/or permanent stormwater management requirements of Chapter 8 Section F.

J. Impervious Surface. Impervious surface coverage of the parcel or lot shall conform to Table 5-4.5 for the approved land use.

~~**A. Density.** The density of multi-unit storage structure developments shall be determined by the allowable impervious surface coverage for the land use district.~~

A. Density. The density of multi-unit storage structure developments shall be determined by the allowable impervious surface coverage for the land use district and/or the approved land use.

~~**C. Erosion control and stormwater management.** Erosion control and stormwater management shall be developed in accord with any Minnesota Pollution Control Agency requirements or Watershed District in which the multi-unit storage structure development is situated. If the multi-unit storage structure development is not located with and Watershed District or if the governing Watershed District nor MPCA does not have or require erosion control and stormwater management standards the multi-unit storage structure development shall:~~

C. Erosion control and stormwater management. Erosion control and stormwater management shall be developed in accordance with any Minnesota Pollution Control Agency and/or Watershed District requirements in which the multi-unit storage structure development is situated. If the multi-unit storage structure development is not located within a Watershed District, or if the governing Watershed District and MPCA do not require any erosion control and stormwater management standards for the proposed development, the multi-unit storage structure development shall:

Proposal # 3.) Chapter 2, Section 2, Letter C; Section 3, Letter G; Board Conduct: To establish policy for attendance.

Conduct. The Commission or Board may call for the removal of any member for non-performance of duty or misconduct in office. Upon a second meeting absence in a 12-month period, the Secretary may notify the member of such absence via letter. If a member has three absences in any 12-month period, the Secretary may certify this fact to the Commission or Board and the Commission or Board may notify the County Board. The Commission or Board may appoint a replacement for the unexpired term as if the member has resigned.

Proposal # 4.) Chapter 5, Section 2, Table 5-2 & Letter E; Wetland Setbacks: To eliminate the setback for all wetlands on riparian lots and to implement a setback for wetlands listed in the Public Waters Inventory for all lots.

Table 5-2 Minimum setbacks for structures and sewage treatment systems in shoreland areas

	Public Water Classification – See Appendix A						Protected Waters & Wetlands
	Lakes			Rivers and Streams			
	Natural Environment	Recreational Development	General Development	Remote	Forested & Transition	Agriculture & Tributary	
Structure setback lake lots	150	100	75	200	150	100	50
Sewage treatment system setback	150	75	50	150	100	75	50

E. ~~Protected Waters and Wetlands.~~ Protected waters and wetlands that are not currently classified as ~~natural environment~~ a lakes shall have a 50' buffer of natural vegetation between the protected water/wetland and any structure, septic system or use.

***The entirety of the Zoning Ordinance is subject to change as the amendments may affect more than one chapter or section.**

