



COUNTY OF BECKER

Planning and Zoning

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

Becker County Board of Adjustments Thursday, April 13th, 2017

Agenda

I. Roll Call of Members

II. Minutes Approval for Meeting.

1. Approval of the November 10th meeting minutes

III. Old Business

1. **APPLICANT:** Bruce and Debra Meachum 2141 Rinden Road Cottage Grove, WI 53527 **Project Location:** 30151 Lake 6 Road, Frazee MN **LEGAL LAND DESCRIPTION:** Tax ID number: 030323005 Lake Six PT GOVT LOT 6: COMM S QTR COR TO POB AKA TRACT C; Section 32, TWP 138, Range 40, Burlington Township. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance to construct a dwelling 20 feet from crest of bluff instead of 30 feet due to a steep slope on the other side of the building site.
2. **Applicant:** Bryan Green 1203 4th Avenue NE Dilworth, MN 56554 **Project Location:** 17495 Bijou Circle, Lake Park MN **LEGAL LAND DESCRIPTION:** Tax ID number: 180298000 Bijou lake Lake Park Township BIJOU HEIGHTS 139 43 Block 002 LOTS 9 & 10 & S1/2 OF LOT 11; Section 29, TWP 139, Range 43. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance for an addition onto an existing dwelling that is located 50 feet from the ordinary high water mark of the lake.

IV. New Business

1. **Applicant:** Chris Grohl 1543 22nd Avenue S Fargo, ND 58703 **Project Location:** 43088 county Hwy 56 **LEGAL LAND DESCRIPTION:** Section 21 Township 139 Range 038 PT GOVT LOT 1: COMM SWLY COR TRACT A8 1967 SURVEY TH E 30' TO POB; CONT E 105', N 184.60' TO TOAD LK, TH WLY AL LK 90', TH S 180' TO POB. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance to replace an existing dwelling by removing the basement and replacing with a two floor dwelling that is 60X68.
2. **Applicant:** Alan Olson 3805 20th Street S Fargo, ND 58104 **Project Location:** 37120 Jamco Lane Waubun **LEGAL LAND DESCRIPTION:** Section 13

Township 142 Range 041 SECLUDED ACRES 142 41 Block 001 LOT 2
APPLICATION AND DESCRIPTION OF PROJECT: Request a Variance to place a garage partially in the road right of way and from the Ordinary High Water Mark.

3. **Applicant: Jerry Radermacker** P.O. Box 10417 Fargo, ND 58106 **Project Location:** 11938 Ravenswood beach rd **LEGAL LAND DESCRIPTION:** Section 28 Township 138 Range 041 RAVENSWOOD 1ST ADD LOTS 9, 10; PT LOT 16 HD BLANDING 1ST: COMM SW COR LOT 16, N 232.17' TO POB, N 46.85', NWLY 200.17', E 32.22', SELY 234.96', S 20.54', WLY 94.26' TO POB. TRACT A (.35AC) **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance to place a garage partially in the road right of way.
4. **Applicant: Maxwell Knoll** 17259 Co Hwy 39 **Project Location:** 17259 Co Hwy 39 Frazze **LEGAL LAND DESCRIPTION:** Section 28 Township 139 Range 038 PT NE1/4 OF SE1/4 BEG 470.65' W OF NE COR NE1/4 SE1/4; TH W 183.10', S 81.88, SE 99.15, S 99.96', E 145.19, & N 275.77' TO BEG **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance from the road right of way for construction of a covered walkway.
5. **Applicant: Carrie Wirth** 12615 South Abby Lake N **Project Location:** 12615 South Abby Lake Road **LEGAL LAND DESCRIPTION:** Section 23 Township 138 Range 041 ABBEY LAKE ESTATES Lot 052 Block 001 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance from the Ordinary High Water Mark to replace an existing structure with a larger one.
6. **Applicant: Robert Schmidt** 5427 E River Rd **Project Location:** 16157 Saign Ln Audubon **LEGAL LAND DESCRIPTION:** Section 32 Township 139 Range 042 BLACKHAWK MNT BCH 1ST Block 002 LOTS 4 & 5 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance from the Ordinary High Water Mark to replace an existing structure with a larger one.

V. Set Tentative Date For Next Informational Meeting

1. **Tentative Date For Informational Meeting**
Thursday, May 4th, 7:00 am; 3rd Floor Zoning Meeting Room

VI. Other Discussion

VII. Adjournment



COUNTY OF BECKER

Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

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

TO: Members of the Board of Adjustments

FROM: Planning & Zoning Department

DATE: March 29th, 2017

RE: Board of Adjustment Meeting

A tour has been scheduled for Thursday 6th, at 7:00 am. Please meet at the Planning & Zoning Department 3rd floor Meeting Room. If you cannot make the tour, please contact the office at 218-846-7314.

Thank you.

**Becker County Board of Adjustments
November 10th, 2016**

Present: Chairman Jim Bruflodt, Harry Johnston, Lee Kessler, Jim Kovala, Steve Spaeth, Roger Boatman, Zoning Supervisor Dylan Ramstad Skoyles and E911/Zoning Technician Rachel Bartee.

Chairman Jim Bruflodt called the meeting to order at 7:00 p.m. Rachel Bartee took minutes. Intros were given.

Bruflodt explained the protocol of the meeting and Spaeth read the criteria for which a variance could be granted.

Kovala made a motion to approve the minutes for October 13th, 2016. Kessler seconded. The motion passed unanimously.

FIRST ORDER OF BUSINESS: Erwin Elker, 4025 2nd Street South, Moorhead, MN 56560
Application and Description of Project: Request a Variance to construct a dwelling 54 feet from the ordinary high water mark of the lake due to shape of the property with peninsula issues. The required setback is 100 feet from the OHW of the lake. **Legal Description:** Tax ID number: 020238001 Little Cormorant Lake Audubon Township, PT GOVT LOTS 4 & 5: COMM NW COR GOVT LOT 5 TH S 1356.10' TO NWLY COR CORM SHORES, CONT S 276.69' TO SWLY COR PLAT, TH E 53.33', S 164.85' ...AKA TRACTS A & B; Section 33, TWP 139, Range 42. **Project Location:** The project is located on Maple Ridge Rd

Owner Erwin Elker explained the application to the Board. Tony England was also present he assisted with staking out the structure. Elker is requesting a Variance from the required 100' setback for a dwelling from Little Comrorant Lake to 54', due to the shape of the property with peninsula issues.

Elker asked where he could build on his property. Spaeth stated that he would have to prove practical difficulty. Elker stated that he purchased the land in the 1970's and that he did not have the ability to build until now. He believes that the setback requirements have changed since he purchased the property. Spaeth asked Elker what he would like to build. England stated that they would like to build a 32x32 slab home with a 10x32 porch. England asked if in the future they could also build a garage or eventually a larger home. Spaeth stated no, what they would request currently on the application at this time would be what is approved for that lot. Spaeth stated that all items need to be requested at this time. England stated that if they put in septic the mound would have to be in the ditch. Bruflodt asked what they would use for drinking water. England stated that they would use bottled water. Spaeth asked if the township would allow them to place a septic in the ditch. England stated per Renner Excavating that is where it would have to go. Boatman asked if they were adding a garage to the permit. England asked if they could

80 Owner Bryan Green explained the application to the Board. Green stated that he
81 purchased the property in 1989 and built new around 94'-95'. His reason for requesting the
82 variance is to accommodate to his plans to retire in the house in the next 2-3 years. Green is
83 requesting a Variance to construct an addition onto the existing dwelling at the same setback as
84 the existing cabin which is located 55 feet from the ordinary high water mark of the lake on one
85 side and 7 feet from the deck, 15 feet from dwelling to crest of bluff on the other side due to
86 setback issues of the existing dwelling. David Barron assisted him in staking out the property. He
87 also stated that a septic company had been out to the property and stated there was room to place
88 the appropriate septic system. He would like to begin construction next spring.

89 Boatman noted that the file showed there was a deck on the property and asked if there was a
90 permit for it. Ramstad stated that indeed there was not a permit on file for the deck. Green stated
91 that the deck has been present since 94'-95' when the house was built. Boatman stated the front 5
92 feet of the deck are in the shore impact zone and advised that this will impact the decision. He
93 asked Green if he would be willing to alter the deck, possibly cutting it in half to remove it from
94 the shore impact zone. Green stated that yes he would be willing to remove the front of the deck.
95 Kovala clarified that the shore impact zone for this lake is 50 feet back for the OHW. Bruflodt
96 reiterated that building in the shore impact zone is non-negotiable. Green stated that when they
97 build it back in the 90's that it was approved and that all of the neighbors are ok with the
98 distance. He stated that there is no other way to build it as his lot is too hilly. Kessler stated that
99 it shows a new deck on the plan and asked if he was willing to remove it from the shore impact
100 zone would he then choose to not have a deck? He added that after removing it from the shore
101 impact zone he would only be left with a 5 foot deck which is not very useful. He asked green if
102 he was to have a deck where would he place it. Green stated that he would choose not to have a
103 deck. Ramstad further explained the shore impact zone ordinance, clarifying to Green that only
104 the first 5 feet were in the shore impact zone.

105 Spaeth mentioned that moving the addition away from the water to accommodate for a
106 deck was a possibility; however it may affect the plan. Green asked how far? Ramstad stated that
107 he would have to move it an additional 8 feet. Green stated he would have to contact his
108 contractor about this option. They would have to consider things such as how the roof line
109 matches up and how the addition connects to the house. Johnston stated that is he moved the
110 addition to the back of the house Green would have to move it 12 feet. Bruflodt asked Green if
111 he would like to table the matter until Green could discuss the placement of the deck with his
112 contractor. Ramstad stated the matter could be tabled for Decembers meeting. Spaeth advised
113 green that the board has never passed anything in the shore impact zone. Green asked where
114 could a garage be located, and if they could go east. Spaeth stated that they could go east but
115 they would lose their volleyball court. Green stated the kids are grown and they no longer need
116 it. Green asked how far from the road would the garage have to be. Bruflodt stated 20 feet,
117 adding that Green has enough room to so.

118 At this time, Green requested to table the application until the next meeting. He will
119 review the plan with his contractor to determine if there is room for a garage and a deck.

164 Tuesdays meeting it would have been denied. They were illegally cutting for 20 years. Spaeth
165 stated why they needed a CUP to cut trees? Ramstad stated that ordinance requires it.

166
167 No one spoke in favor of the administrative appeal. No one spoke against the administrative
168 appeal. There was no written correspondence either for or against the appeal. At this time,
169 testimony was closed.

170
171 Bruflodt opened the matter for disussion by the Board. Spaeth stated that he believes that the
172 Club is a non-conforming use and asked if they were in vilolation of getting a CUP. Bruflodt
173 stated only if the County Board denies them. Spaeth confirmed that the Club did not have a
174 CUP initially. Bruflodt replied that a year ago the Club requested to expand and were approved
175 by the Planning Comission and the County Board. Ranstad added that the Planning commission
176 approved the Clubs request to expand, and then the County was sued and lost. Scott Anderson,
177 attorney, stated that the Club did not need a CUP to expand just one to cut the trees. So now the
178 Culb is attempting to rectify the situation by requesting a CUP to cut the trees. Winczewski
179 stated 20 years later. Johnston stated that it expanded the property line but it is still a shooting
180 range. Expanding the CUP would mean that they are changing their use, example adding a car
181 lot. Spaeth said that he agrees with Johnston, that the use is still the same. Spaeth added that
182 Winczewski did not provide enough evidence that there has been a change of use. Boatman
183 agreed that he to believes it's a non-conforming use. Kovala stated that's what happenes when
184 you live by a rifle range, they are loud. He too agreed that it is still an non-conforming use.
185 Kessler also agreed, adding that it is a non-conforming use, it was a non-conforming use and its
186 use has not changed.

187
188 Bruflodt opened the matter to the floor.

189
190 **Motion:** Kessler made a motion to deny the appeal. Spaeth second. All were in favor. Per
191 Bruflodt the appeal was denied as the Club has been founded to be a non-conforming use and it
192 continues to be a non-conforming use. He referenced MN Statue 394.36 and the letters in the file
193 from Patty Johnson (Swenson) and Scott Anderson which also document the Club as a non-
194 conforming use.

195
196 **FOURTH ORDER OF BUSINESS: James Lanier, 19643 Tenada Avenue, Chugiak, AK**
197 **99564. Application and Description of Project:** Request a Variance to construct a new
198 (slightly larger) dwelling in the same location as the existing dwelling which was located 15 feet
199 from the road right of way due to setback issues and a substandard lot of record. The request
200 varies from a 45' setback from the road right of way for a non-riparian dwelling. **Legal**
201 **Description:** Tax ID number: 191329000 Across rd from Lake Melissa FERN BEACH PARK
202 LOT 4; Section 30, TWP 138, Range 41, Lake View Township. **Project Location:** 11666 Fern
203 Beach Blvd., Detroit Lakes MN

FIFTH ORDER OF BUSINESS: Bruce and Debra Meachum, 2141 Rinden Road, Cottage Grove, WI 53527 **Project Location:** 30151 Lake 6 Road, Frazee MN **Application and Description of Project:** Request a Variance to construct a dwelling 20 feet from crest of bluff instead of 30 feet due to a steep slope on the other side of the building site. **Legal Description:** Tax ID number: 030323005 Lake Six, PT GOVT LOT 6: COMM S QTR COR SEC 32 TH W 953.76' AL S LN, TH NW 727.02' TO LK SIX RD, SWLY AL RD 660' TO POB; CONT WLY AL RD 153.54', TH SLY 265.63', TH SW 181.87' TO LAKE SIX, SELY 100.66' & SLY 245' AL LK TO S LN SEC 32, E 350.41', TH NLY 599.23' TO POB AKA TRACT C; Section 32, TWP 138, Range 40, Burlington Township.

Meachum nor Winter were present for this meeting. It was tabled for December.

SIXTH ORDER OF BUSINESS: Informational Meeting. The next informational meeting is scheduled for Thursday, December 8th, 2016 at 7:00 am in the 3rd Floor Meeting Room of the Original Courthouse.

Since there was no further business to come before the Board, Kovala made a motion to adjourn the meeting. Spaeth second. All in favor. Motion carried. Meeting adjourned.

ATTEST

Jim Brufloft, Chairman

Dylan Ramstad Skoyles,
Planning and Zoning Supervisor



COUNTY OF BECKER

Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

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

BOARD OF ADJUSTMENT

NOTICE OF PUBLIC HEARING

HEARING DATE AND LOCATION

Thursday, April 13, 2017 @ 7:00 P.M.

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

APPLICANT: Bruce and Debra Meachum
2141 Rinden Road
Grove, WI 53527

Project Location: 30151 Lake 6 Road, Frazee MN

APPLICATION AND DESCRIPTION OF PROJECT:

Request a Variance to construct a dwelling 20 feet from crest of bluff instead of 30 feet due to a steep slope on the other side of the building site

LEGAL LAND DESCRIPTION: Tax ID number: 030323005 Lake Six

PT GOVT LOT 6: COMM S QTR COR SEC 32 TH W 953.76' AL S LN, TH NW 727.02' TO LK SIX RD, SWLY AL RD 660' TO POB; CONT WLY AL RD 153.54', TH SLY 265.63', TH SW 181.87' TO LAKE SIX, SELY 100.66' & SLY 245' AL LK TO S LN SEC 32, E 350.41', TH NLY 599.23' TO POB AKA TRACT C; Section 32, TWP 138, Range 40, Burlington Township.

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

PLANNING AND ZONING DEPARTMENT

915 Lake Avenue
Detroit Lakes, MN. 56501

FAX Number 218-846-7266

EMAIL: zoning@co.becker.mn.us

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

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

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

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

**Becker County Planning & Zoning
Public Hearing Research**

APPLICANT

Bruce and Debra Meachum

PUBLIC HEARING DATE

April 13th, 2017

APPLICATION

Request a Variance to construct a dwelling 20 feet from crest of bluff instead of 30 feet due to a steep slope on the other side of the building site.

1) BACKGROUND INFORMATION ON PROPERTY

The property is located on Lake Six Road and is on the Lake Six. The property is narrower toward the road and widens out by the lake. The property has a bluff and a steep slope and the owner would like to build on the top of those two features.

2) DEVELOPMENT SUMMARY

Standard Size Lot () Substandard Size Lot (x)
Site Area _____ Sq. Ft _____ 3.8 Acres
Lot width _____ ft Lot Depth _____ ft
Building Area _____ Sq. Ft
Percent Lot Coverage _____ %
Proposed - _____

3) DISCUSSION/DEVELOPMENT ANALYSIS

Sewer System: Septic system is compliant as of 5-22-2007.

Zoning Ordinance, Subdivision Ordinance & Sewer Ordinance References:

Chapter 6 of the Becker County Zoning Ordinance.

4) SUMMARY OF CONCERNS

While this lot is big there is a bluff and a steep slope that provide difficulties when building on the lot. The property also is narrow closer to the road making finding a suitable location difficult.

Is the variance request in harmony with the general purposes and intent of the above citation? (yes) (no)

Explanation: Yes, the lot is oddly shaped and has several geological features that make building on the lot difficult.

- 2. Is the variance consistent with the Becker County Comprehensive Plan? (yes) (no)**

Explanation: Yes

- 3. Without a variance, is the owner deprived of reasonable use of the property? (yes) (no)**

Explanation: No, while building at the proposed location is easier for the owner it is possible to build meeting all the setbacks.

- 4. Is the alleged practical difficulty due to circumstances unique to this property? (yes) (no)**

Explanation: Yes, the property has both a steep slope and a bluff making finding any buildable area difficult.

- 5. Were the circumstances causing the practical difficulty created by someone or something other than the landowner or previous landowner? (yes) (no)**

Explanation: Yes, the lot has geographical features that make meeting the setbacks difficult.

- 6. Will the issuance of the variance maintain the essential character of the locality? (yes) (no)**

Explanation: Yes it is in a residential area and the owner is proposing a modest home.

- 7. Does the alleged practical difficulty involve more than economic considerations? (yes) (no)**

Explanation: No, the main reason for the application is to not have to move as much dirt.



BECKER COUNTY PLANNING & ZONING

915 LAKE AVENUE, DETROIT LAKES, MN 56501

PHONE (218) 846-7314 - FAX (218) 846-7266

VARIANCE APPLICATION

PARCEL	
APP	Variance
YEAR	
SCANNED	

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

First name(s) Bruce and Debra Last Name Meachum
Mailing Address 2141 Rinden Rd. City, State, Zip Cottage Grove, WI 53527
Phone Number 303-349-7747 Project Address: 30151 Lake 6 Rd, France
Parcel number(s) of property: 03032305005 Sect - Twp - Range: 32-138-040
Township Name: Burlington Legal Description: _____

Why is the variance being requested? (Mark all sections that apply)

- ☒ Setback Issues ☐ Lot size not in compliance with minimum standards
☐ Alteration to non-conforming structure ☐ Topographical Issues (hills, slopes, bluffs, wetlands)
☐ Other

Please provide a brief description detailing the above variance request:

Requesting 20 ft. setback from top of bluff because of steep slope on other side of building site. Shorter setback will require much less fill and a tall retaining wall. Property has significant slope away from bluff, so variance would have least environmental impact and no impact on integrity of bluff or lake

What are you applying for less than the minimum distance (setback) from?

Setback must include decks and patios, current and proposed.

- ☐ Ordinary High Water Mark (OHWM) Proposed Distance (setback) _____ feet
☐ Lot Line Proposed Distance (setback) _____ feet
☐ Road Right of Way (ROW) Proposed Distance (setback) _____ feet
Type of Road [] Township [] County [] State
☒ Crest of bluff Proposed Distance (setback) 20 feet
☐ Impervious Surface Coverage Proposed Impervious Lot Coverage _____ sq ft %

Was the lot recorded prior to 1971? Yes No

Was the lot recorded between 1971 & 1992? Yes No

Was the lot recorded after 1992? ☒ Yes ☐ No

Will this be a new lot split? ☒ Yes ☐ No

(CONTINUED ON BACK OF PAGE)



PARCEL	
APP	Variance
YEAR	

What is the current square footage of the structure? _____

What is the proposed addition square footage? 1305 (new)

What is the current height of the structure? _____

What is the proposed height of the structure? _____

Is there a basement to the structure? No

Will the proposed addition have a basement? _____

Will the roofline of the existing structure be changed? _____

Will the main structural framework of the structure be altered? _____

What is the current percentage of lot coverage? _____

What is the proposed percentage of lot coverage? _____

Explanation of request if not covered in Sections above

New manufactured home appx 61' x 26'10" with 1305
ft. of living space plus 12' porch. Porch is on end
of building and not nearer to bluff.

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;
3. Non-refundable filing fee of \$326.00. **Make check payable to Becker County Zoning.**
4. Is the variance request after the fact? [] Yes ☒ No
 If yes, after the fact application fee is an additional \$600.00.

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.

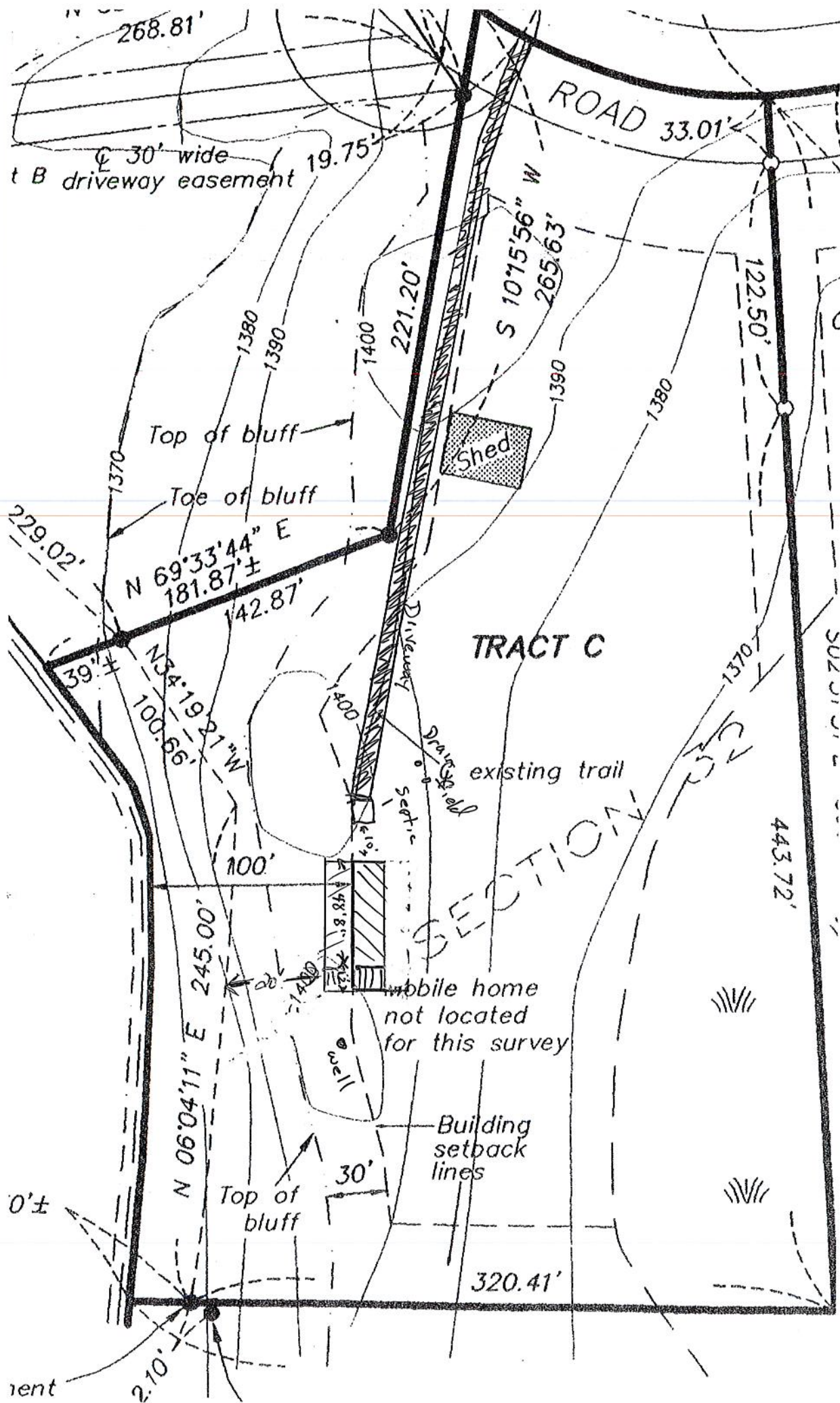
Bruce Meacham
 Printed Name of Landowner or Agent

[Signature] 9/6/16
 Signature of Landowner or Agent Date

(Office Use)

Date Received _____ Accepted [] Rejected [] Date _____

 Zoning Administrator



Characteristics of Proposed Dwelling/Dwelling Additions/Attached Garage/Decks**Cost of Project**() Dwelling 49 ft by 26'10" ft () Attached Garage _____ ft x _____ ft\$ 140,000Outside Dimension (X) Deck/Patio 12 ft x 26'10" ft () Addition to existing _____ ft x _____ ftSetback to Side Lot Line 100' ft & Rear Lot Line _____ ftSetback to Road Right of Way 150' ftSetback to Bluff _____ 20'22' (?)

Type of road _____

Setback to Wetland _____

Is wetland protected () Yes () No

Setback to OHW (straight horizontal distance) _____

Elevation above OHW (Straight vertical distance) _____

Setback to septic tank 10'Setback to drainfield 40'Total No. Bedrooms 2Maximum height proposed _____ # of Stories 1

Roof Change () Yes () No

Basement () Yes (X) No Walkout Basement () Yes (X) No

Characteristics of Proposed Non Dwelling/Non Dwelling Additions/Detached Garages/Storage Sheds

() Garage _____ ft by _____ ft () Storage Shed _____ ft x _____ ft () Fence _____ ft long x _____ high () Other _____ ft x _____ ft

Outside Dimension () Addition to existing structure _____ ft x _____ ft () Fence _____ ft x _____ ft

Cost of Project

Setback to Lot Line _____ ft & Rear Lot Line _____ ft

Setback to Road Right of Way _____ ft

\$ _____

Setback to Bluff _____

Type of road _____

Setback to Wetland _____

Is wetland protected () Yes () No

Setback to OHW (straight horizontal distance) _____

Elevation above OHW (Straight vertical distance) _____

Setback to septic tank _____

Setback to drainfield _____

Roof Change () Yes () No

Maximum height proposed _____ # of Stories _____

Bathroom proposed () Yes () No

Sleeping Quarters proposed () Yes () No

Garages and storage sheds cannot contain amenities for independent human habitation*Characteristics of Proposed Water Oriented Structure*****Cost of Project \$**

() Stairway () Deck () Boathouse () Screen Porch () Gazebo () Storage Structure

Outside Dimension _____ ft by _____ ft

Sq ft _____

Setback to Lot Line _____ ft & _____ ft

Setback to Bluff _____

Setback to OHW (straight horizontal distance) _____

Elevation above OHW (Straight vertical distance) _____

Setback to septic tank _____

Setback to drainfield _____

Maximum height proposed _____

***Sleeping facilities or water supplies are not permitted in these structures**THIS IS A SITE PERMIT ONLY AND DOES NOT CONSTITUTE A BUILDING PERMIT
AS SET FORTH IN MN STATE STATUTES.

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, a permit is valid for a period of one (1) year from the date of issuance. If my property is located within the shoreland district, I understand that it is my responsibility to inform the Planning & Zoning Office once the building footings have been constructed. A Site Permit may be revoked at any time upon violation of said Ordinances and approved setbacks. Any changes to this site permit results in nullification of this permit and a new permit will have to be obtained.

Signature

Date

8/25/16

SKETCH OF PROPERTY

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.
-

PARCEL	
APP	SITE
YEAR	

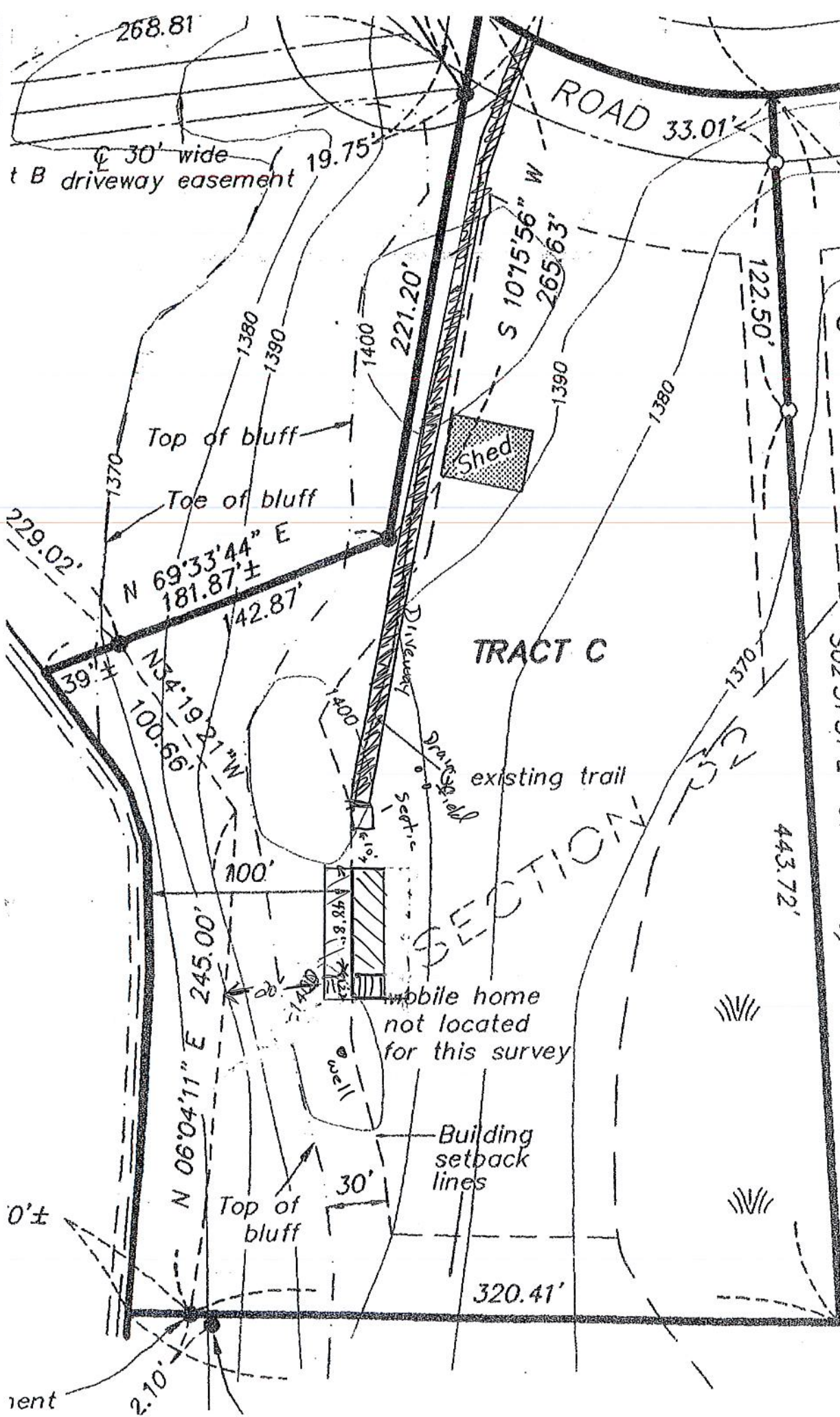
Attached



Remember EROSION CONTROL!

Please use best management practices and/or silt fence to control erosion on all projects.







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.

Becker County



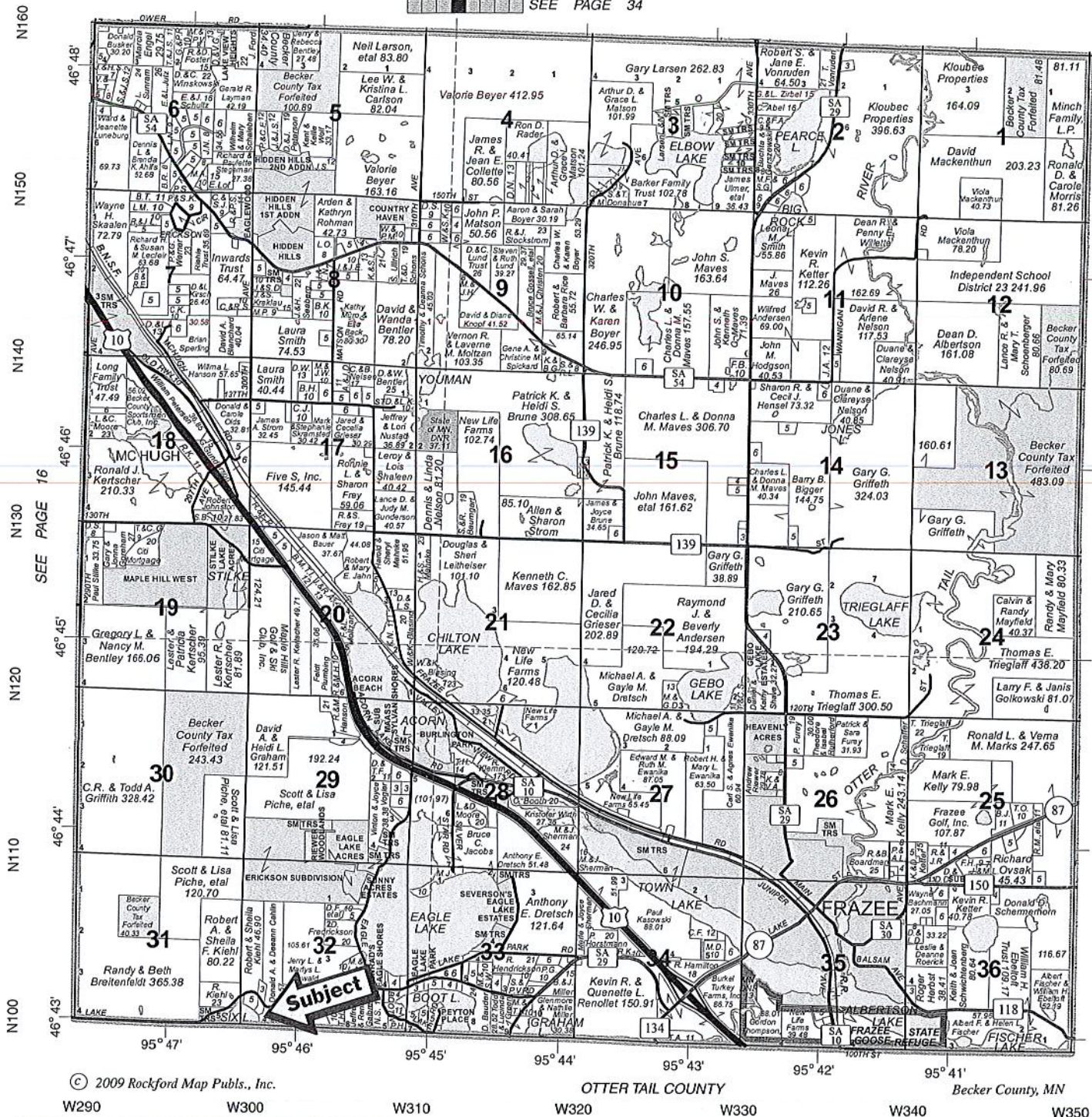
1:2,995	Date: 9/28/2016
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This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

BURLINGTON

T.138N.-R.40W.

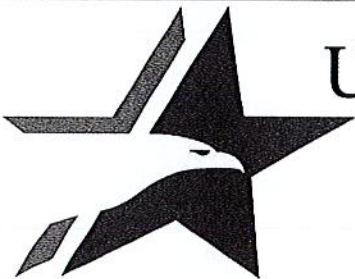
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W290 W300 W310 W320 W330 W340 W350



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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

BOARD OF ADJUSTMENT NOTICE OF PUBLIC HEARING

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

Thursday, April 13, 2017 @ 7:00 P.M.

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

APPLICANT: Bryan Green
1203 4th Avenue NE
Dilworth, MN 56554

Project Location: 17495 Bijou Circle, Lake Park MN

APPLICATION AND DESCRIPTION OF PROJECT:

Request a Variance for an addition onto an existing dwelling that is located 50 feet from the ordinary high water mark of the lake.

LEGAL LAND DESCRIPTION: Tax ID number: 180298000 Bijou

BIJOU HEIGHTS 139 43 Block 002

LOTS 9 & 10 & S1/2 OF LOT 11; Section 29, TWP 139, Range 43, Lake Park Township.

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

PLANNING AND ZONING DEPARTMENT

915 Lake Avenue
Detroit Lakes, MN. 56501

FAX Number 218-846-7266

EMAIL: zoning@co.becker.mn.us

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

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

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

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

**Becker County Planning & Zoning
Public Hearing Research**

APPLICANT

Bryan Green

PUBLIC HEARING DATE

April 13th, 2017

APPLICATION

Request a Variance for an addition onto an existing dwelling that is located 50 feet from the ordinary high water mark of the lake.

1) BACKGROUND INFORMATION ON PROPERTY

The property is located off of Bijou Circle on Bijou Lake. The layout of the property is such that a steep is located on the southern portion of the property and levels out toward the northern end of the parcel. The road is located to the east and the lake to the west. The property has an existing structure and deck that the proposed project will meet.

2) DEVELOPMENT SUMMARY

Standard Size Lot (x)	Substandard Size Lot ()
Site Area <u>4,645.86</u> Sq. Ft	<u>.11</u> Acres
Lot width <u>175</u> ft	Lot Depth <u>178</u> ft
Building Area <u>1440</u> Sq. Ft	
Percent Lot Coverage <u> </u> %	
Proposed - <u>4.9</u>	

3) DISCUSSION/DEVELOPMENT ANALYSIS

Sewer System: Septic system will be replaced as part of the project.

Zoning Ordinance, Subdivision Ordinance & Sewer Ordinance References:

Chapters 6 of the Becker County Zoning Ordinance.

4) SUMMARY OF CONCERNS

The owners would like to add an addition that is in line with their current structure.

Is the variance request in harmony with the general purposes and intent of the above citation? (yes) (no)

Explanation: Yes, the proposed project is to add an addition in line with the current structure.

2. **Is the variance consistent with the Becker County Comprehensive Plan? (yes) (no)**

Explanation: yes

3. **Without a variance, is the owner deprived of reasonable use of the property? (yes) (no)**

Explanation: No, while the proposed location is the only location suitable, the property does have a structure already located on it.

4. **Is the alleged practical difficulty due to circumstances unique to this property? (yes) (no)**

Explanation: Yes, the topography of the lot does not provide for many places to build.

5. **Were the circumstances causing the practical difficulty created by someone or something other than the landowner or previous landowner? (yes) (no)**

Explanation: No, the existing structure was built and now forces the applicant to place the addition in the proposed location.

6. **Will the issuance of the variance maintain the essential character of the locality? (yes) (no)**

Explanation: Yes it is in a residential area and the owner is proposing a modest home.

7. **Does the alleged practical difficulty involve more than economic considerations? (yes) (no)**

Explanation: Yes

Becker County Variance Application:
Submitted by: Bryan and Ellen Green
Regarding: Property on Lake Bijou

Answers to the questions as they relate to our specific Variance request:

1) **In your opinion, is the Variance in harmony with the purposes and intent of the ordinance?**

Yes.

Our existing structure was approved and built according to the string line theory in 1995. The rule changed in 2013 taking in account the new bluff area and setbacks. The bluff falls away as you go north on our property. The distance from the lake also increases. The new addition would not be in the 2013 designated bluff area. We would also remove 5 feet from our existing deck to meet the shore impact zone specifications.

2) **In your opinion, is the Variance consistent with the Comprehensive Plan?**

Yes.

We are planning on moving and living on our property full time. Without the variance, we could not reside there in the winter months. Without the variance, we would be unable to reside there full time. With both of us planning for retirement in the near future, we would be deprived of the opportunity to retire on Lake Bijou.

3) **In your opinion, does the proposal put property to use in a reasonable manner?**

Yes.

When constructing our current cabin back in 1995, following the guidelines at that time, we purposefully left room to the north of our cabin in hope of adding on, and retiring at Lake Bijou. Lake Bijou is classified as a recreational lake, therefore our addition would need to be built 100 feet back from the shoreline. If we set back our addition in accordance to this ruling, our addition would not be connected to our existing house.

4) **In your opinion, are there circumstances unique to the property?**

Yes.

Our property is extremely unique with a hilly terrain. We feel our options are very limited. The lot line to the south is too close to our neighbor's property. To the west, our cabin faces the lake. An addition to the east would not allow room for an attached garage, and meet road setback guidelines.

5) **In your opinion, will the variance maintain the essential character of the locality?**

Yes.

Issuance of the variance will maintain the essential character of the locality. Our neighbors to the south have built a new house and garage where they live permanently. We have visited with our neighbors to the north, and they have been supportive of our plans. Lake Bijou has many well established year-round homes. It is our hope to retire on Lake Bijou.

Respectfully submitted:

Bryan and Ellen Green



PARCEL	
APP	SITE
YEAR	
SCANNED	

Property will be staked by _____

Date: _____

Please Print or Type All Information

Parcel Number (s)	Property (E911) Address	**911 Address Needed	Legal Description
180298000	17495 Bijou Cir Lake Park, MN		section 29 Township 139 Range 043 Bijou Heights 139 43 Block 002 Lots 9 + 10 + 5 1/2 of Lot 11

Lake/River Name	Lake/River Class	Township Name	Section	TWP No.	Range
Lake Bijou		Lake Park	29	139	043

Property Owner	Last Name	First Name	Mailing Address	Phone
	Green,	Bryan + Ellen	1203 4th Ave NE Dilworth, MN 5529	2# 701-371-2045
Contractor Name Lic #				

Proposed Project (Check those that apply)

<input type="checkbox"/> New Dwelling	<input checked="" type="checkbox"/> Addition to Dwelling	<input type="checkbox"/> Replacement Dwelling*	<input type="checkbox"/> Mobile/Manfac. Home
<input checked="" type="checkbox"/> Attached Garage	<input type="checkbox"/> Detached Garage	<input type="checkbox"/> Storage Structure	<input type="checkbox"/> Addition to Non-dwelling
<input type="checkbox"/> Stairway	<input checked="" type="checkbox"/> Deck	<input type="checkbox"/> Recreational Unit	<input type="checkbox"/> Water Oriented Structure
<input type="checkbox"/> Fence	<input type="checkbox"/> Other _____	<input type="checkbox"/> Non Conforming Replacement (identify) _____	

*Existing Dwelling to be removed prior to _____

Onsite Water Supply (☒) Deep Well (☐) Shallow Well Well Depth 189 ft.
MN Rules Chapter 4725 (MN well code) requires a 3' minimum structure setback to well

Onsite Sewage Treatment System -to be installed
Type of System new mound septic Date of Installation _____ Last Date Certified _____
Must have current certificate of compliance on septic system prior to issuance of a permit

[illegible]

Topographical Alteration/Earth moving

() None () 10 cubic yards or less (~~20~~) 11- 50 cubic yards () over 50 cubic yards

Project over 50 cubic yards a storm water management plan must be included.

Characteristics of Proposed Water Oriented Structure* **Cost of Project \$** _____

() Stairway () Deck () Boathouse () Screen Porch () Gazebo () Storage Structure

Outside Dimension _____ ft by _____ ft Sq ft _____

Setback to Lot Line _____ ft & _____ ft Setback to Bluff _____

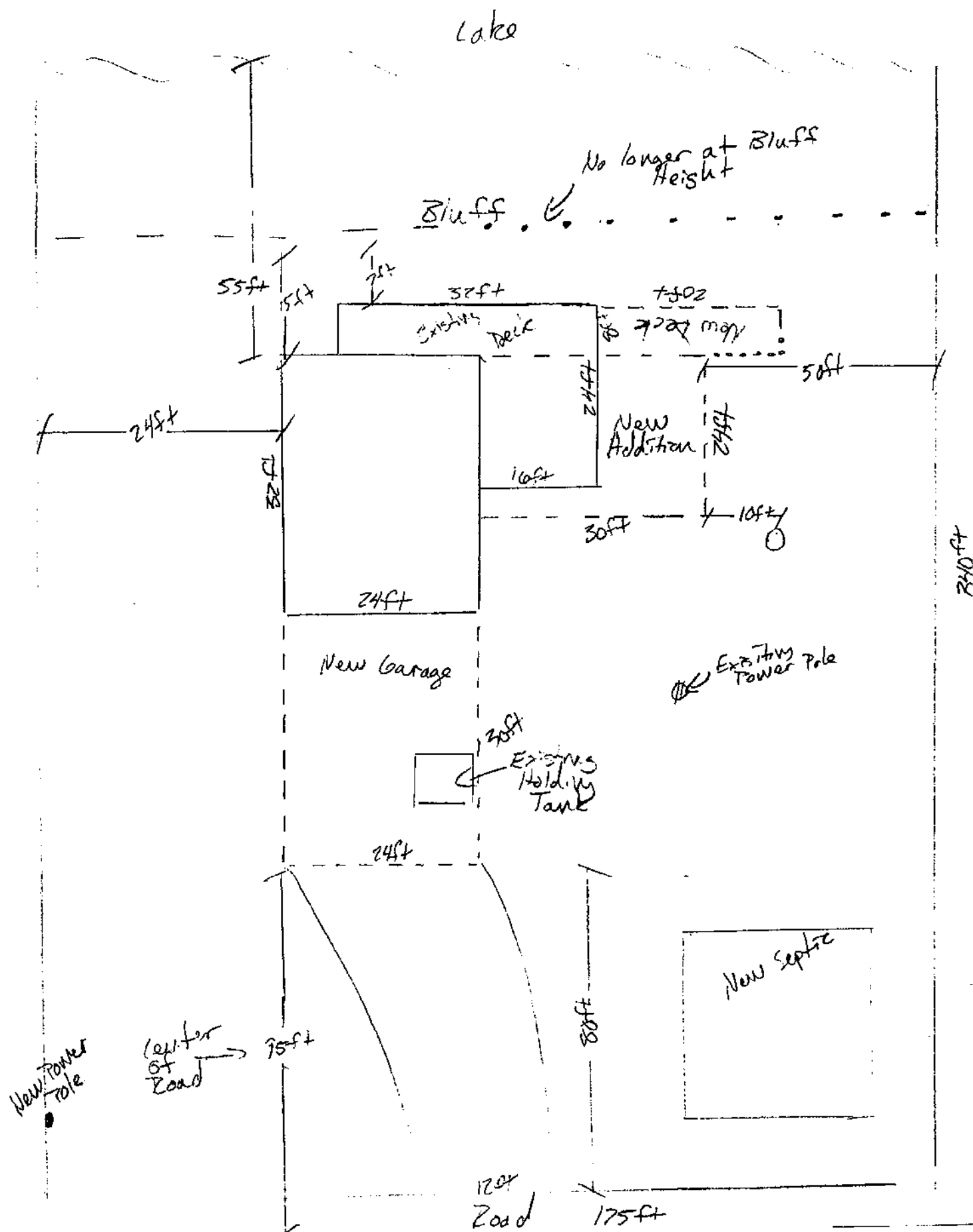
Setback to OHW (straight horizontal distance) _____ Elevation above OHW (Straight vertical distance) _____

Setback to septic tank _____ Setback to drainfield _____

Maximum height proposed _____

***Sleeping facilities or water supplies are not permitted in these structures**

11/29/16
Date



SKETCH OF PROPERTY

PARCEL	
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.

Becker County Parcel Information

[Values & Taxes](#)
 [Zoning Info](#)
 [Land Info](#)
 [Bldg. Info](#)
 [Addnl. Features](#)
 [Sales Info](#)
 [New Search](#)

Summary	
Parcel Number:	180298000 GIS Map 
Property Address:	17495 BIJOU CIR LAKE PARK
Owner Name:	BRYAN L & ELLEN A GREEN
Owner Address:	1203 4TH AVE NE DILWORTH MN 56529
Legal Description:	Section 29 Township 139 Range 043 BIJOU HEIGHTS 139 43 Block 002 LOTS 9 & 10 & S1/2 OF LOT 11

Valuation & Taxation top ▲			
Tax Assessment Year	2016 Values	2015 Values	2014 Values
Estimated Building Value		\$63,200	\$57,700
Estimated Land Value		\$68,800	\$68,800
Estimated Machinery Value			
Total Estimated Value		\$132,000	\$126,500
Tax Payable Year		2016 Payable	2015 Payable
Taxable Market Value		\$132,000	\$126,500
Tax Details - <i>please see statement</i>		≡ 2016 Statement	≡ 2015 Statement
Total Tax Levied		\$1,144.00	\$1,114.00
Total Payments		-\$572.00	-\$1,114.00
Unpaid Balance		\$572.00	\$0.00
No prior years unpaid.			

Zoning District top ▲	
Township	LAKE PARK
Zoning District	RESIDENTIAL
Other Descriptions	Plat of Bijou Heights

Land Area top ▲					
Deed Acres	Front Ft.	Eff. Ft.	Sq. Ft.	Est. Acres	Green Acres
	125				

Land Information			
Record # 1 : SRR - NON-HOMESTEAD			
Item	Description	Flags	Size
1	DEV BEJOU LAKE(RD)		1 UT
2	FF-BEJOU LAKE-FAIR		50 FF
3	FF-BEJOU LAKE-AVG		75 FF
4	WATER/SEWER/ELEC HK		1 UT

Building Information top ▲		
Record # 1 : SRR - NON-HOMESTEAD		
Bldg # 1 details:		
Bldg Use	SINGLE FAM	Sketch:
Year Built	1995	
Ext Wall	VERICAL BD	
Roof Cover	ASPHALT	
Roof Structure	GABLE	
Int Wall	DRYWALL	
Floor 1	LAMINATE	
Floor 2		

Heat Type				
Heat Fuel		2	2	2
A/C		4	4	1
Frame	WOOD FRAME			
Story Ht				
Bathrooms	1	+-----10-----+		
Bedrooms	2	+-----16-----+-----14-----+		
Height		DEK1996		
Perimeter				
Foundation	CON BLK	1		
		6		
		+-----24-----+		

Code	Description	Area	Year
OCS1995	1/CRW SPC	384	1995
FCS1995	1.25/CR SP	384	1995
DEK1996	DECK	414	1996

Additional Features

top ▲

Record # 1 : SRR - NON-HOMESTEAD

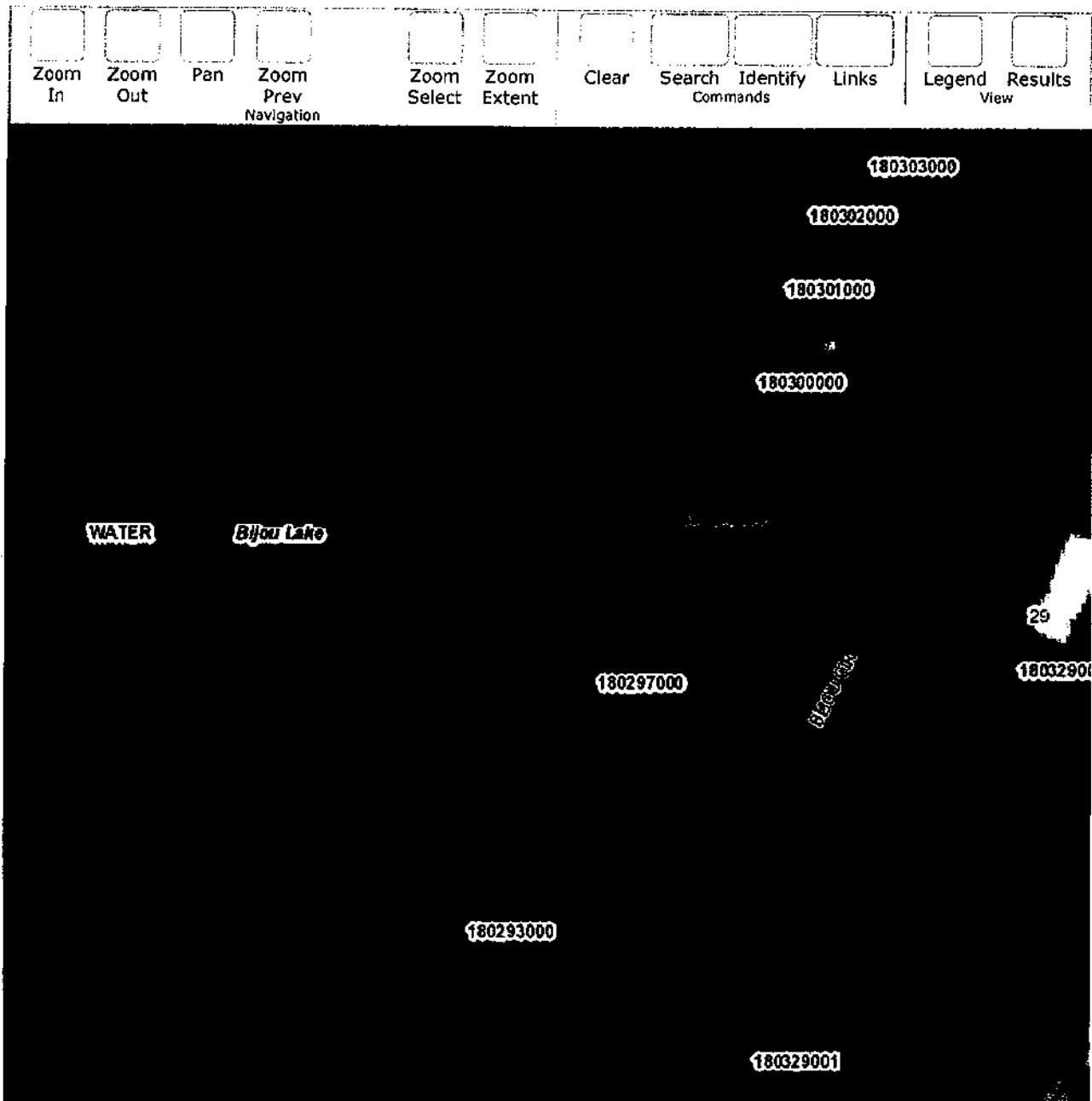
Item	Description	Size	Year
1	WOOD DECK	414	1996
2	STORAGE SH	120	2001
3	WOOD DECK	40	1996
4	WOOD DECK	60	1996

Sales Information

top ▲

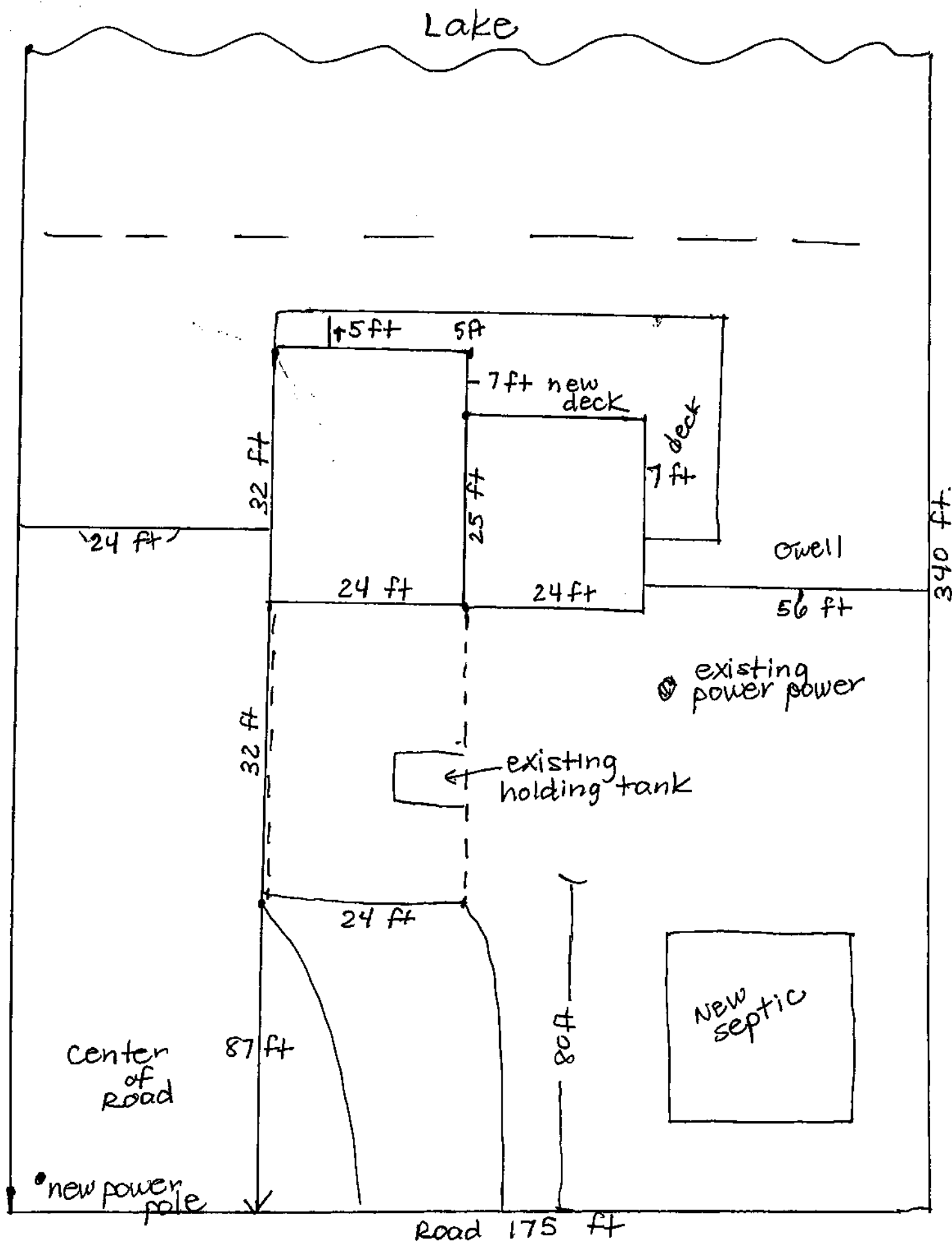
Sale Date: 3/31/1989 - Property Type: Seasonal Rec. Residential

Buyer	GREEN, BRYAN L.	Seller	TOUTANT, RAYNALD J.
Sale Price	\$20,000	Ins Type	Warranty Deed
Adj Sale Price	\$20,000	Q/U	U
Adj Reason		Q/U Reason	Relative sale

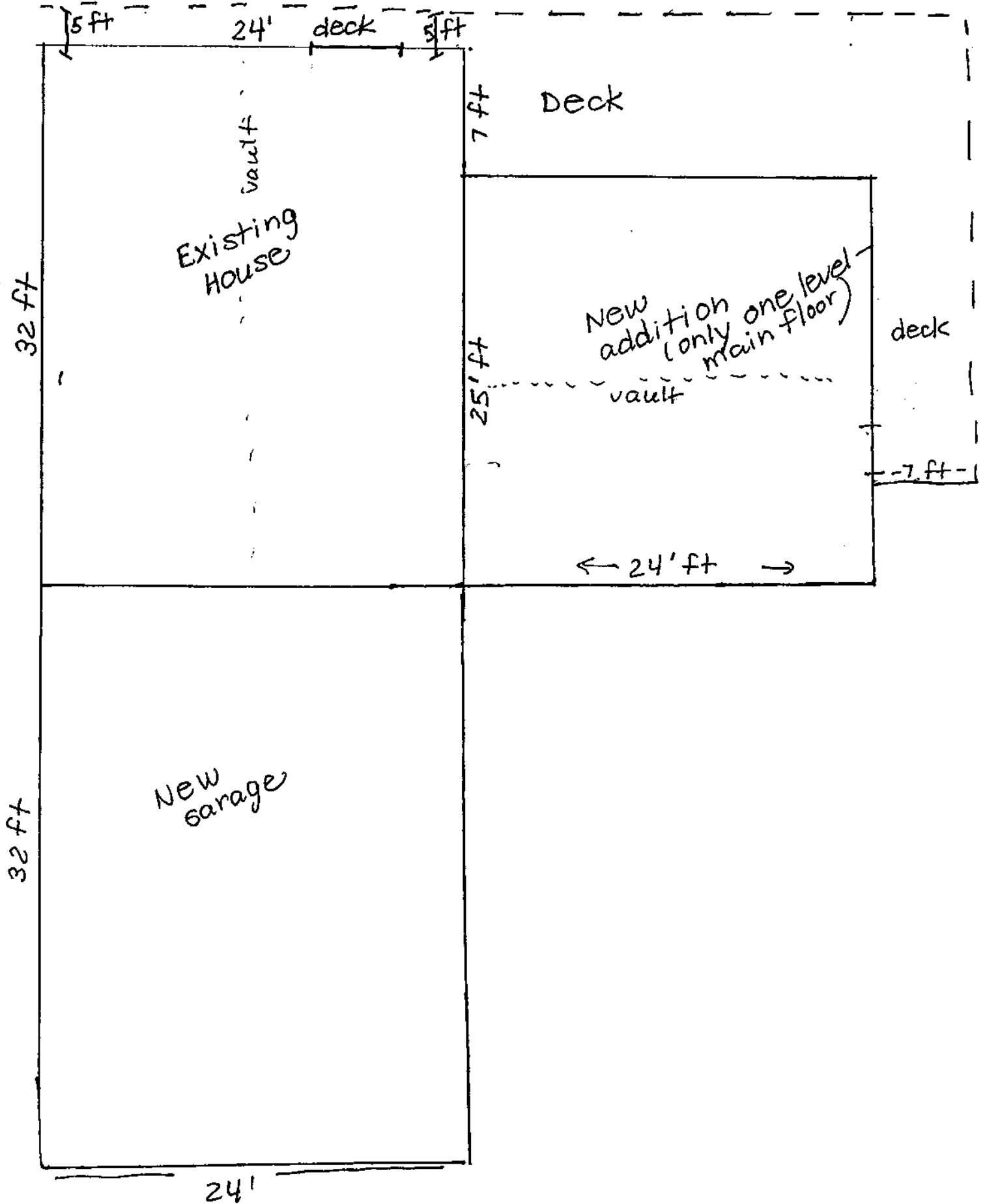


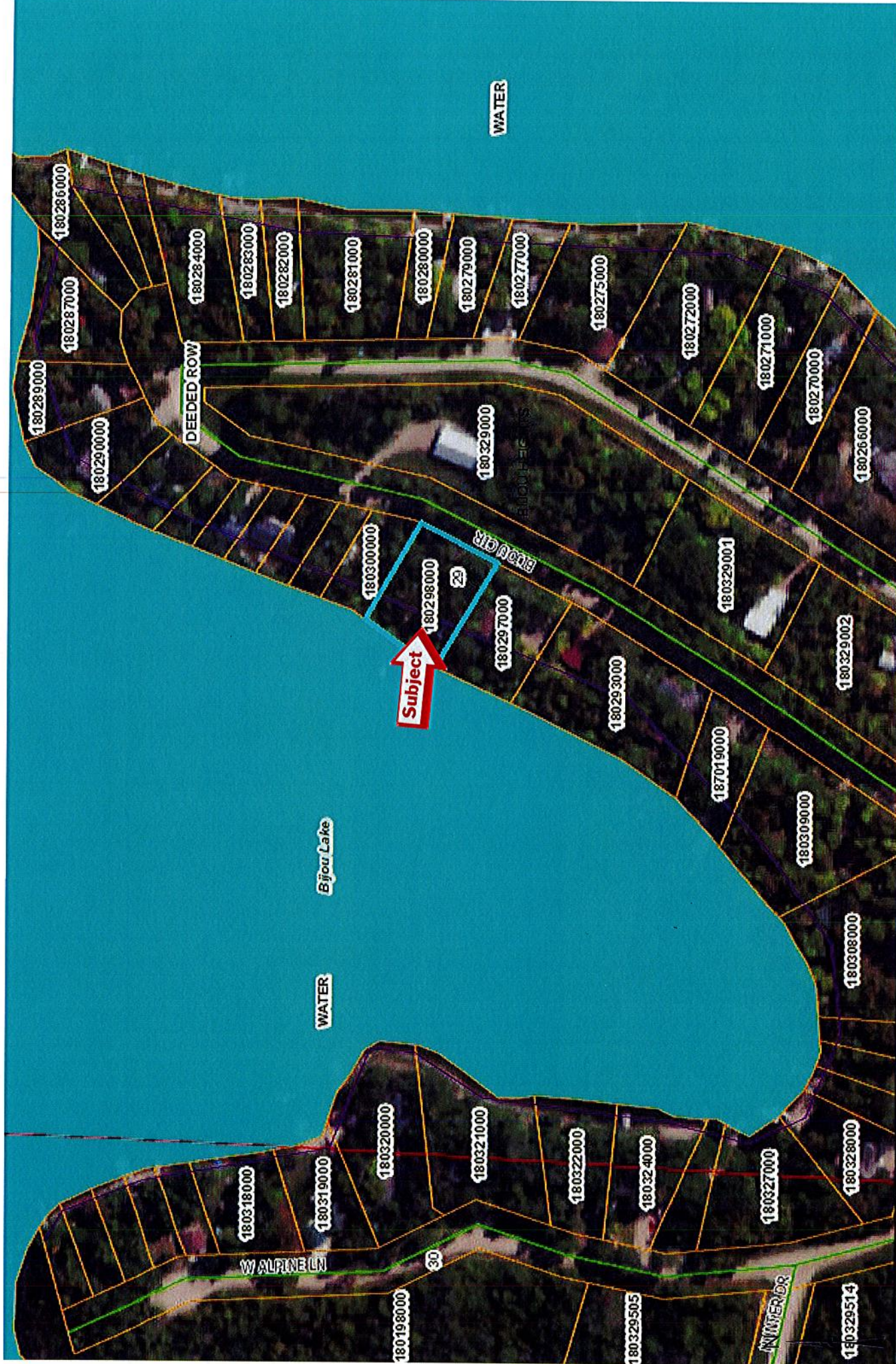
Parcel Number	Property Address	Property City	Owner Name	Owner First Name
180298000	17495 BIJOU CIR	LAKE PARK	BRYAN L & ELLEN	BRYAN L & ELLEN A

Scale 1: 1200 X: 2148382.533 Y: 999545.7954



Lake





18.0298.000

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.

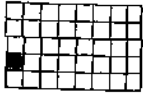
1:2,246

Date: 3/24/2017

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



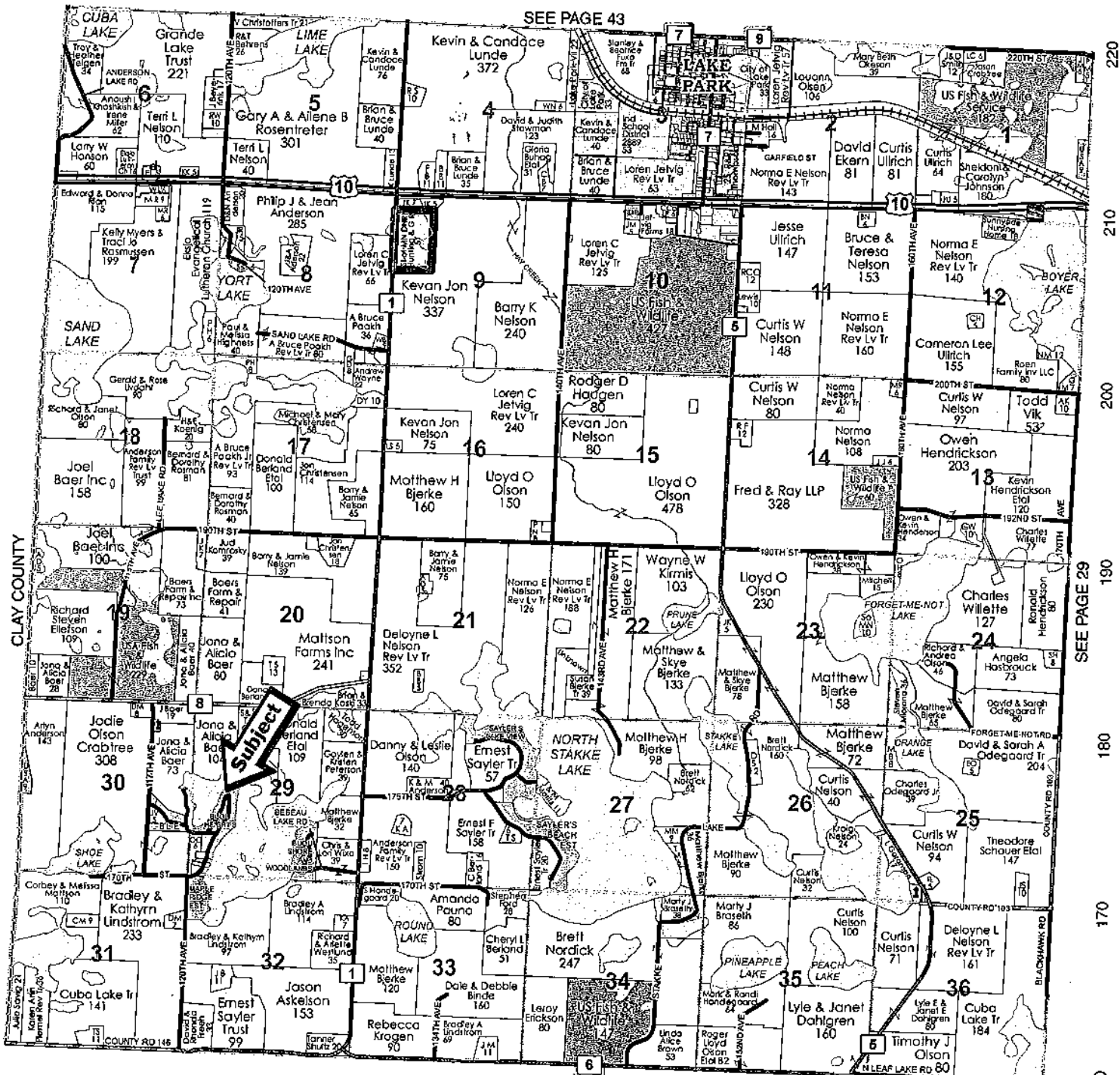
A Marketing Company
"Serve, Connect and Celebrate
Our Community"
1340 Richwood Rd.
Detroit Lakes, MN 56501
Phone: 218-847-5624



Lake Park

Township 139N - Range 43W

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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

BOARD OF ADJUSTMENT

NOTICE OF PUBLIC HEARING

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

Thursday, April 13, 2017 @ 7:00 P.M.

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

APPLICANT: Chris and Jerri Gruhl
1543 22nd Avenue S
Fargo, ND 58103

Project Location: 43088 Co Hwy 56, Frazee MN

APPLICATION AND DESCRIPTION OF PROJECT:

Request a Variance to replace an existing dwelling by removing the basement and replacing with a two floor dwelling that is 60X68.

LEGAL LAND DESCRIPTION: Tax ID number: 330184000 Toad Lake

PT GOVT LOT 1: COMM SWLY COR TRACT A8 1967 SURVEY TH E 30' TO POB; CONT E 105', N 184.60' TO TOAD LK, TH WLY AL LK 90', TH S 180' TO POB; Section 21, TWP 139, Range 38, Toad Lake Township.

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

PLANNING AND ZONING DEPARTMENT

915 Lake Avenue
Detroit Lakes, MN. 56501

FAX Number 218-846-7266

EMAIL: zoning@co.becker.mn.us

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

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

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

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

**Becker County Planning & Zoning
Public Hearing Research**

APPLICANT

Chris Grohl

PUBLIC HEARING DATE

April 13th, 2017

APPLICATION

Request a Variance to replace an existing dwelling by removing the basement and replacing with a two floor dwelling that is 60X68.

1) BACKGROUND INFORMATION ON PROPERTY

The property is located on County Road 56 on Toad Lake. It is located in a predominantly residential area. The lot itself is substandard.

2) DEVELOPMENT SUMMARY

Standard Size Lot () Substandard Size Lot (X)
Site Area _____ Sq. Ft _____ .4 Acres
Lot width 90 ft Lot Depth _____ ft
Building Area _____ Sq. Ft
Percent Lot Coverage _____ %
Proposed - _____

3) DISCUSSION/DEVELOPMENT ANALYSIS

Sewer System: Septic system will be replaced as part of the project.

Zoning Ordinance, Subdivision Ordinance & Sewer Ordinance References:

Chapters 6 of the Becker County Zoning Ordinance.

4) SUMMARY OF CONCERNS

The owner is rebuilding the existing structure in a similar area except they are removing the basement and adding a second story to the building. This will expand the existing building by 20X8.

Is the variance request in harmony with the general purposes and intent of the above citation? (yes) (no)

Explanation: Yes, the proposal is to build a structure that is larger than the existing but make improvements so the house does not flood.

- 2. Is the variance consistent with the Becker County Comprehensive Plan? (yes) (no)**

Explanation: yes

- 3. Without a variance, is the owner deprived of reasonable use of the property? (yes) (no)**

Explanation: Yes, the owner currently has a basement that reportedly floods and is looking to fix those issues by removing the basement and building up.

- 4. Is the alleged practical difficulty due to circumstances unique to this property? (yes) (no)**

Explanation: Yes, the topography of the lot means that the basement floods.

- 5. Were the circumstances causing the practical difficulty created by someone or something other than the landowner or previous landowner? (yes) (no)**

Explanation: No, the house was built with a basement where one should not really have been.

- 6. Will the issuance of the variance maintain the essential character of the locality? (yes) (no)**

Explanation: Yes it is in a residential area and the owner is proposing a modest home.

- 7. Does the alleged practical difficulty involve more than economic considerations? (yes) (no)**

Explanation: Yes



BECKER COUNTY PLANNING & ZONING

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

VARIANCE APPLICATION

PARCEL	
APP	Variance
YEAR	
SCANNED	

RECEIVED

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

First name(s) Chris Last Name Grow
Mailing Address 1543 22nd Ave S. City, State, Zip Fargo ND 58103
Phone Number 701-361-0183 Project Address: 43088 County Hwy 56
Parcel number(s) of property: 33.0184.0000 Sect - Twp - Range: 21-139-38
Township Name: Trond Lake Legal Description: Lot 1 LESS 3.72 Ac
+ Lot 2 LESS E 540' + LESS Plat

Why is the variance being requested? (Mark all sections that apply)

- ☒ Setback Issues ☒ Lot size not in compliance with minimum standards
☐ Alteration to non-conforming structure ☐ Topographical Issues (hills, slopes, bluffs, wetlands)
☐ Other

Please provide a brief description detailing the above variance request:

See Attach Removal of existing structure filling
basement + slab on grade. Replace with
60 x 68 2 Floors

What are you applying for less than the minimum distance (setback) from?

Setback must include decks and patios, current and proposed.

48' Ordinary High Water Mark (OHWM) Proposed Distance (setback) 48' feet
102' Lot Line Proposed Distance (setback) 102' feet
102' Road Right of Way (ROW) C.L. Proposed Distance (setback) 102' feet
Type of Road [] Township [] County [] State
NA Crest of bluff Proposed Distance (setback) feet
 Impervious Surface Coverage Proposed Impervious Lot Coverage sq ft
 %

Was the lot recorded prior to 1971? Yes

Yes

No

Was the lot recorded between 1971 & 1992?

Yes

No

Was the lot recorded after 1992?

Yes

No

Will this be a new lot split?

Yes

No

What is the current square footage of the structure? 1296

What is the proposed addition square footage?

What is the current height of the structure? 16'

What is the proposed height of the structure? 30'

Is there a basement to the structure? yes

Will the proposed addition have a basement?

Will the roofline of the existing structure be changed? yes

Will the main structural framework of the structure be altered? yes

What is the current percentage of lot coverage?

What is the proposed percentage of lot coverage?

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;
3. Non-refundable filing fee of \$326.00. **Make check payable to Becker County Zoning.**
4. Is the variance request after the fact? [] Yes [x] No
If yes, after the fact application fee is an additional \$600.00.

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

- 1) In your opinion, is the Variance in harmony with the purposes and intent of the ordinance?
Yes (x) No () Why or why not?
In harmony w/ neighborhood all beaches non conforming lots.
- 2) In your opinion, is the Variance consistent with the Comprehensive Plan?
Yes (x) No () Why or why not?

- 3) In your opinion, does the proposal put property to use in a reasonable manner?
Yes (x) No () Why or why not?
As a non-conforming lot it will be a useable lot.
- 4) In your opinion, are there circumstances unique to the property?
Yes (x) No () Why or why not?
water level with basement
- 5) In your opinion, will the variance maintain the essential character of the locality?
Yes (x) No () Why or why not?
As a non-conforming lots + asking for reasonable lot use.

The Board of Adjustments must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of the County and other applicable ordinances.

Applicant's Signature: [Signature] Date: 10/26/2016

Fee Owner's Signature: _____ Date: _____

(Office Use)

Date Received _____ Accepted [] Incomplete Application [] Date _____

Zoning Administrator



Application for Site Permit
Becker County Planning and Zoning
915 Lake Ave, Detroit Lakes, MN 56501
Phone: 218-846-7314 Fax: 218-846-7266
www.co.becker.mn.us

PARCEL	
APP	SITE
YEAR	
SCANNED	

Project must be staked out on the lot prior to permit being approved

Please Print or Type All Information

Parcel Number (s)	Property (E911) Address	**911 Address Needed	Legal Description
33.0184.000	40888	43088 CD Hwy 56	FRAZEE MN

Lake/River Name	Lake/River Class	Township Name	Section	TWP No.	Range
TOAD LAKE	RD	TOAD LAKE	21	139	38

Property Owner	Last Name	First Name	Mailing Address	Phone
brund	CHRIS		1543 22 nd Ave S. Fargo, ND 58103	701-361-0183
Contractor Name Lic #				

Proposed Project (Check those that apply)

<input checked="" type="checkbox"/> New Dwelling	<input type="checkbox"/> Addition to Dwelling	<input type="checkbox"/> Replacement Dwelling*	<input type="checkbox"/> Mobile/Manfac. Home
<input type="checkbox"/> Attached Garage	<input type="checkbox"/> Detached Garage	<input type="checkbox"/> Storage Structure	<input type="checkbox"/> Addition to Non-dwelling
<input type="checkbox"/> Stairway	<input type="checkbox"/> Deck	<input type="checkbox"/> Recreational Unit	<input type="checkbox"/> Water Oriented Structure
<input type="checkbox"/> Fence	<input type="checkbox"/> Other	<input type="checkbox"/> Non Conforming Replacement (identify)	

*Existing Dwelling to be removed prior to

Onsite Water Supply ☒ Deep Well () Shallow Well Well Depth 50+
MN Rules Chapter 4725 (MN well code) requires a 3' minimum structure setback to well

Onsite Sewage Treatment System
Type of System _____ Date of Installation _____ Last Date Certified 2014
Must have current certificate of compliance on septic system prior to issuance of a permit

Lot Information Shoreland ☒ () Riparian () Non Riparian Non Shoreland _____

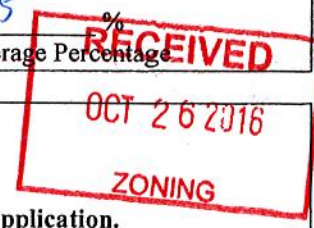
Lot Area _____ sq ft or _____ acres Water Frontage _____ ft Bluff () Yes () No
Impervious coverage refers to anything water cannot pass through. Structures, areas covered by a roof, concrete, asphalt, Class 5, sidewalks, patio pavers, etc. should all be included in this calculation. Decks should be included in this calculation if they have plastic underlayment or impervious surface underneath. Anytime you exceed 15% lot coverage a stormwater management plan and/or mitigation is required. **INCLUDE PROPOSED STRUCTURES IN CALCULATION.**

Please Note: Unless otherwise provided, a minimum of a 12 foot wide driveway from the nearest road right of way to the proposed structure must be included in both your plan and impervious surface calculation.

Impervious Surface	Dimensions	Sq. Footage	Impervious Surface	Dimensions	Sq. Footage
On property			On property		
Ex: Patio	10 x 12	120			
DRIVEWAY	10 x 12	120 pervious paver			
House	60 x 68	4080			
Patio	12 x 24	pervious pavers - 288			
	4488	17,424?			
Total Impervious Material					
Impervious Lot Coverage	2064	÷ 20790	= .2575	x 100 =	25.75 %
Total Impervious		Lot Area		Impervious Coverage Percentage	

Topographical Alteration/Earth moving

() None (☒) 10 cubic yards or less () 11-50 cubic yards () over 50 cubic yards
Project over 50 cubic yards a storm water management plan must be included with permit application.



Characteristics of Proposed Dwelling/Dwelling Additions/Attached Garage/Decks		Cost of Project \$ _____
<input checked="" type="checkbox"/> Dwelling <u>60</u> ft by <u>68</u> ft <input type="checkbox"/> Attached Garage _____ ft x _____ ft		
Outside Dimension <input type="checkbox"/> Deck/Patio _____ ft x _____ ft <input type="checkbox"/> Addition to existing _____ ft x _____ ft		
Setback to Side Lot Line <u>10</u> ft & Rear Lot Line _____ ft Setback to Road Right of Way <u>102</u> ft		
Setback to Bluff <u>NA</u> Type of road <u>CH</u>		
Setback to Wetland <u>NA</u> Is wetland protected <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Setback to OHW (straight horizontal distance) <u>64</u> Elevation above OHW (Straight vertical distance) _____		
Setback to septic tank <u>10</u> Setback to drainfield <u>20</u>		
Total No. Bedrooms _____ Maximum height proposed _____ # of Stories <u>2</u>		
Roof Change <input type="checkbox"/> Yes <input type="checkbox"/> No Basement <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Walkout Basement <input type="checkbox"/> Yes <input type="checkbox"/> No		

Characteristics of Proposed Non Dwelling/Non Dwelling Additions/Detached Garages/Storage Sheds		Cost of Project \$ _____
<input type="checkbox"/> Garage _____ ft by _____ ft <input type="checkbox"/> Storage Shed _____ ft x _____ ft <input type="checkbox"/> Fence _____ ft long x _____ high <input type="checkbox"/> Other _____ ft x _____ ft		
Outside Dimension <input type="checkbox"/> Addition to existing structure _____ ft x _____ ft <input type="checkbox"/> Fence _____ ft x _____ ft		
Setback to Lot Line _____ ft & Rear Lot Line _____ ft Setback to Road Right of Way _____ ft		
Setback to Bluff _____ Type of road _____		
Setback to Wetland _____ Is wetland protected <input type="checkbox"/> Yes <input type="checkbox"/> No		
Setback to OHW (straight horizontal distance) _____ Elevation above OHW (Straight vertical distance) _____		
Setback to septic tank _____ Setback to drainfield _____		
Roof Change <input type="checkbox"/> Yes <input type="checkbox"/> No Maximum height proposed _____ # of Stories _____		
Bathroom proposed <input type="checkbox"/> Yes <input type="checkbox"/> No Sleeping Quarters proposed <input type="checkbox"/> Yes <input type="checkbox"/> No		
*Garages and storage sheds cannot contain amenities for independent human habitation		

Characteristics of Proposed Water Oriented Structure*		Cost of Project \$ _____
<input type="checkbox"/> Stairway <input type="checkbox"/> Deck <input type="checkbox"/> Boathouse <input type="checkbox"/> Screen Porch <input type="checkbox"/> Gazebo <input type="checkbox"/> Storage Structure		
Outside Dimension _____ ft by _____ ft Sq ft _____		
Setback to Lot Line _____ ft & _____ ft Setback to Bluff _____		
Setback to OHW (straight horizontal distance) _____ Elevation above OHW (Straight vertical distance) _____		
Setback to septic tank _____ Setback to drainfield _____		
Maximum height proposed _____		
*Sleeping facilities or water supplies are not permitted in these structures		

THIS IS A SITE PERMIT ONLY AND DOES NOT CONSTITUTE A BUILDING PERMIT
AS SET FORTH IN MN STATE STATUTES.

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, a permit is valid for a period of one (1) year from the date of issuance. If my property is located within the shoreland district, I understand that it is my responsibility to inform the Planning & Zoning Office once the building footings have been constructed. A Site Permit may be revoked at any time upon violation of said Ordinances and approved setbacks. Any changes to this site permit results in nullification of this permit and a new permit will have to be obtained. Project must be staked out on the lot prior to approval of permit. Project will be staked by (date) _____.

Signature _____

Date _____

SKETCH OF PROPERTY

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.
 5. Indicate where erosion control measures will be implemented and indicate storm water drainage pattern and how it will be maintained on the property.
-

PARCEL	
APP	SITE
YEAR	



Remember EROSION CONTROL!

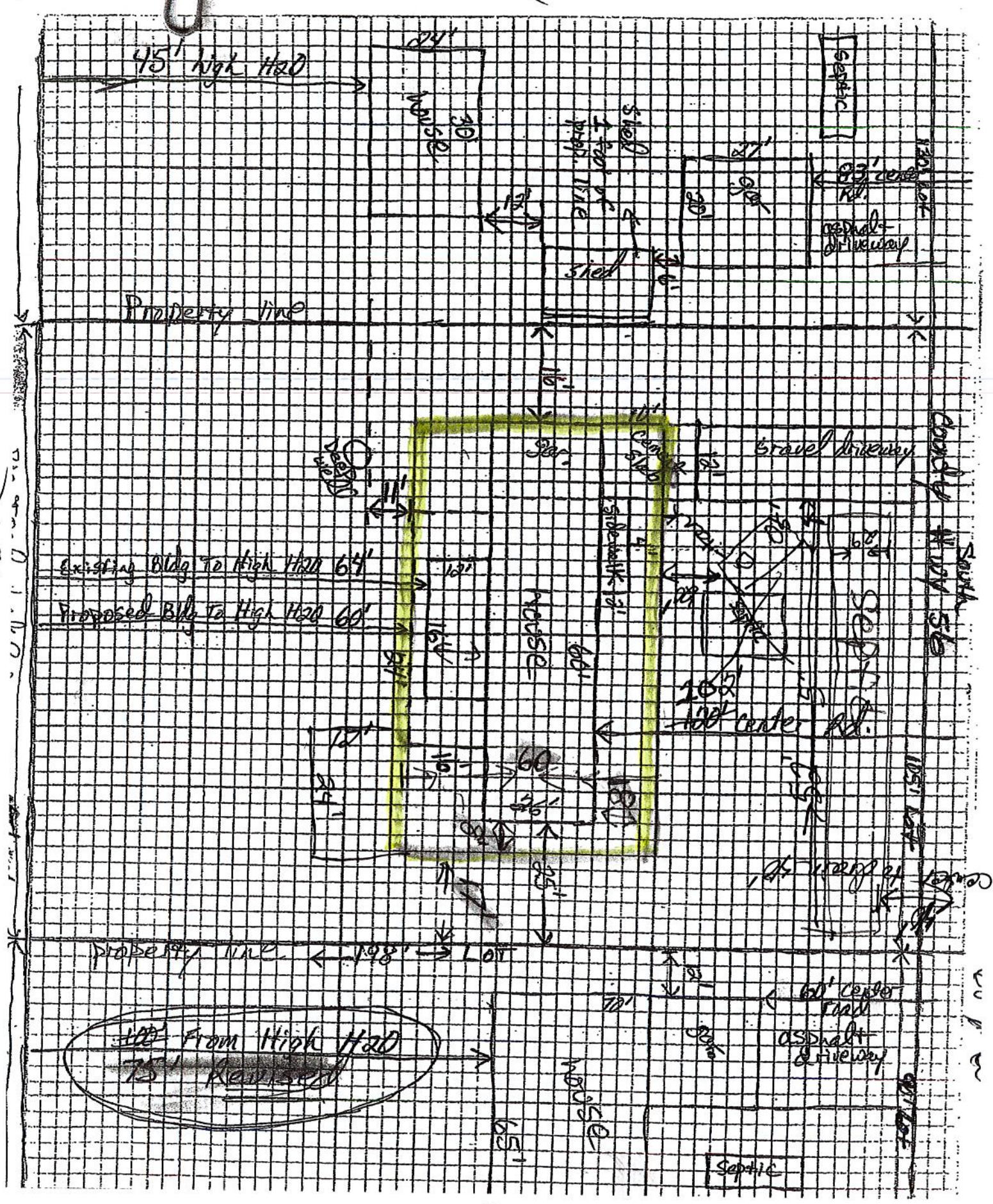
Please use best management practices and/or silt fence to control erosion on all projects.

When Chris Gruhl purchased the cabin on the south end of Toad lake the former owner said they had water once. Chris waited 3 years before finishing off basement. The basement was dug 2' to low so its lower then lake level on high & normal years. If we get a 3" or 4" rain at 1 time my sump pumps some times can't keep up so I end up with water. Now when winter comes its a challenge to keep pipes that carry water back to the lake from freezing. Concrete blankets, heat tapes, etc..

Chris has even purchased a camera system so I can look 24 hours a day. So I can look while at any place & see if the basement has taken on water. (camera system \$400.00)

we keep rugs up when we leave
for the week in the basement. we
also have furniture on wood blocks
in basement so the water won't
wick up into basement.

North



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- District/Boundary Maps
- Radius Maps

- Topographical Maps
- City Maps
- Multi-County Maps

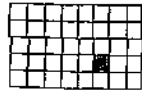
- Township Maps
- Hunting Lodge Maps
- Special Feature or Location Maps



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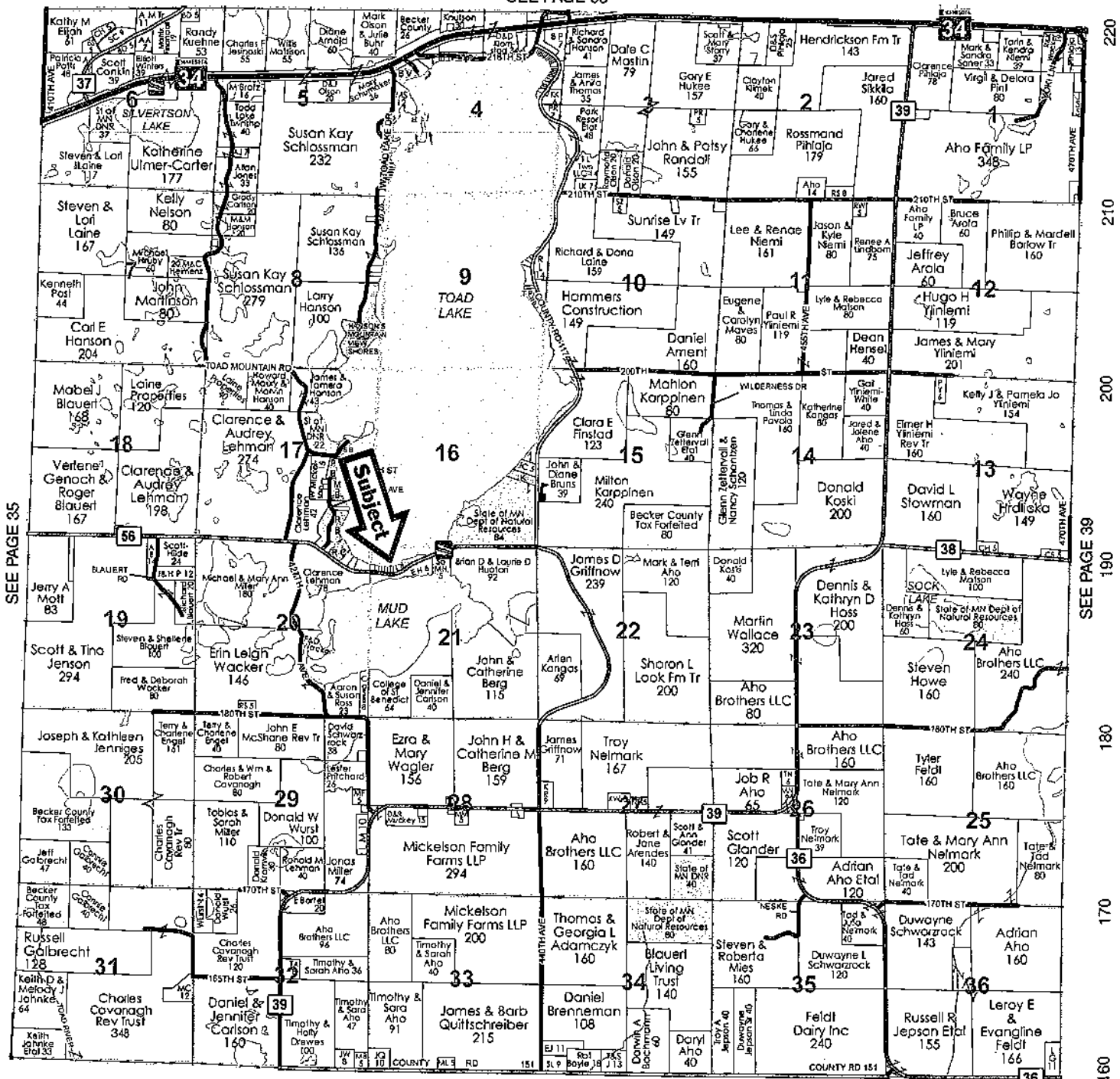


Toad Lake

Township 139N - Range 38W

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SEE PAGE 53



SEE PAGE 21



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.

33.0184.000	
1:2,246	
Date: 3/29/2017	



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



COUNTY OF BECKER

Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

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

**BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING
HEARING DATE AND LOCATION
Thursday, April 13, 2017 @ 7:00 P.M.
Commissioner's Room-Becker County Courthouse
Detroit Lakes, MN. 56501**

APPLICANT: Alan Olson
3805 20th St. S.
Fargo, ND 58104

Project Location: 37120 Jamoo Lane, Waubun

APPLICATION AND DESCRIPTION OF PROJECT:

Request a Variance to place a garage partially in the road right of way and from the Ordinary High Water Mark.

LEGAL LAND DESCRIPTION: Tax ID number: 360254000 Gay Bowl/Casebeer

SECLUDED ACRES 142 41 Block 001

LOT 2; Section 13, TWP 142, Range 41, White Township.

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

PLANNING AND ZONING DEPARTMENT

915 Lake Avenue
Detroit Lakes, MN. 56501

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

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

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

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

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

**Becker County Planning & Zoning
Public Hearing Research**

APPLICANT

Alan Olson

PUBLIC HEARING DATE

April 13th, 2017

APPLICATION

Request a Variance to place a garage partially in the road right of way and from the Ordinary High Water Mark.

1) BACKGROUND INFORMATION ON PROPERTY

The property is on an isthmus between Gay-Bow Lake and Casebeer Lake at the end of a road with a cul de sac.

2) DEVELOPMENT SUMMARY

Standard Size Lot (X) Substandard Size Lot ()
Site Area _____ Sq. Ft _____ Acres
Lot width 416 ft Lot Depth _____ ft
Building Area _____ Sq. Ft
Percent Lot Coverage _____ %
Proposed - _____

3) DISCUSSION/DEVELOPMENT ANALYSIS

Sewer System: Septic system will be replaced as part of the project.

Zoning Ordinance, Subdivision Ordinance & Sewer Ordinance References:

Chapters 6 of the Becker County Zoning Ordinance.

4) SUMMARY OF CONCERNS

The owner is looking to place part of his garage in what is a cul de sac at the end of a public road.

Is the variance request in harmony with the general purposes and intent of the above citation? (yes) (no)

Explanation: No, generally speaking building in the road right of way is not allowed upon, and vacating the road way is a much better option.

- 2. Is the variance consistent with the Becker County Comprehensive Plan? (yes) (no)**

Explanation: No

- 3. Without a variance, is the owner deprived of reasonable use of the property? (yes) (no)**

Explanation: No, he could move the garage back off the road right of way.

- 4. Is the alleged practical difficulty due to circumstances unique to this property? (yes) (no)**

Explanation: No.

- 5. Were the circumstances causing the practical difficulty created by someone or something other than the landowner or previous landowner? (yes) (no)**

Explanation: No.

- 6. Will the issuance of the variance maintain the essential character of the locality? (yes) (no)**

Explanation: Yes it is in a residential area and the owner is proposing a modest home.

- 7. Does the alleged practical difficulty involve more than economic considerations? (yes) (no)**

Explanation: No



BECKER COUNTY PLANNING & ZONING

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

VARIANCE APPLICATION

PARCEL	
APP	Variance
YEAR	2017
SCANNED	

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

First name(s) ALAN Last Name OLSON
Mailing Address 3805 20TH ST S City, State, Zip FARGO North Dakota 58104
Phone Number 701 361 7392 Project Address: 37120 TAMOU LAKE WAUBUN MN.
Parcel number(s) of property: R.36.0254.000 Sect - Twp - Range: 13-142-041 56589
Township Name: _____ Legal Description: Secluded Acres 142-41
Block 001 Lot 2

Why is the variance being requested? (Mark all sections that apply)

- ☒ Setback Issues ☐ Lot size not in compliance with minimum standards
☐ Alteration to non-conforming structure ☒ Topographical Issues (hills, slopes, bluffs, wetlands)
☐ Other

Please provide a brief description detailing the above variance request:

Requesting to LOCATE Garage on Property, to MINIMIZE Removal & Altering Topographical & Trees & Earth Moving, Lot HAS A NATURAL opening. Making to LOCATE to MINIMIZE Impact on Above. Also Respect Setbacks AS MUCH AS POSSIBLE. Lot HAS ELEVATION & POOL This Request is the Simplest & OFFERS the Least Amount of Impact to SECURE the ORIGINAL Lot Topography & Vegetation (TREES.)

What are you applying for less than the minimum distance (setback) from?

Setback must include decks and patios, current and proposed.

- ☒ Ordinary High Water Mark (OHWM) EAST Proposed Distance (setback) 97.4 feet Gny Bow / W. GRASS
☒ Lot Line W. GRASS Proposed Distance (setback) 100 feet
☒ Road Right of Way (ROW) Proposed Distance (setback) 33.12 feet
Type of Road [] Township [] County [] State (PRIVATE)
☒ Crest of bluff Proposed Distance (setback) NA feet
Impervious Surface Coverage Proposed Impervious Lot Coverage _____ sq ft _____ %

- Was the lot recorded prior to 1971? Yes ☐ No ☐
Was the lot recorded between 1971 & 1992? Yes ☐ No ☐
Was the lot recorded after 1992? Yes ☒ No ☐
Will this be a new lot split? Yes ☐ No ☒

- What is the current square footage of the structure? 0
What is the proposed addition square footage? 1120
What is the current height of the structure? 0
What is the proposed height of the structure? 15'
Is there a basement to the structure? NO
Will the proposed addition have a basement? NO
Will the roofline of the existing structure be changed? NO
Will the main structural framework of the structure be altered? NO
What is the current percentage of lot coverage? 5137 6.21%
What is the proposed percentage of lot coverage? 6257 7.57%



OTHER INFORMATION NEEDED TO COMPLETE THE APPLICATION:

Copy of Deed

1. A copy of the deed from the Recorder's Office;
2. Completed Site Application with sketch showing all setbacks, platted or lot and all existing and proposed buildings;
3. Non-refundable filing fee of \$326.00. **Make check payable to Becker** (
4. Is the variance request after the fact? [] Yes [X] No
If yes, after the fact application fee is an additional \$600.00.

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

- 1) In your opinion, is the Variance in harmony with the purposes and intent of the ordinance?
Yes (X) No () Why or why not?
Utilize Property With Least Impact to Natural/Original Environment
Without Will Need to Remove Wall Over 50yds Material & ^{Remove} Natural Trees
- 2) In your opinion, is the Variance consistent with the Comprehensive Plan?
Yes (X) No () Why or why not?
Locates Building in Harmony with Property & Scenery
- 3) In your opinion, does the proposal put property to use in a reasonable manner?
Yes (X) No () Why or why not?
Google Map Gives Insight to About & Elevation & Challenges From All Sides
Keeps it Simple / Workable
Although A Distance From House, We Feel it is a better Alternative Than Major Modification to Lot
- 4) In your opinion, are there circumstances unique to the property?
Yes (X) No () Why or why not?
Lot Elevation is Substantial, We Located Home on Highest Point Respecting Setbacks. The Proposed Garage Simply Locates on the 1st to Simply Locate on the Drivable Level Area on our lot
- 5) In your opinion, will the variance maintain the essential character of the locality?
Yes (X) No () Why or why not?
In Harmony With Environment & Scenery (out of the way) ~~none~~

The Board of Adjustments must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of the County and other applicable ordinances.

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. Planning and Zoning Staff along with Board of Adjustment Members may visit my property to review submitted plan requests.

Applicant's Signature: *Alan D. Olson*

Date: *2-28-17*

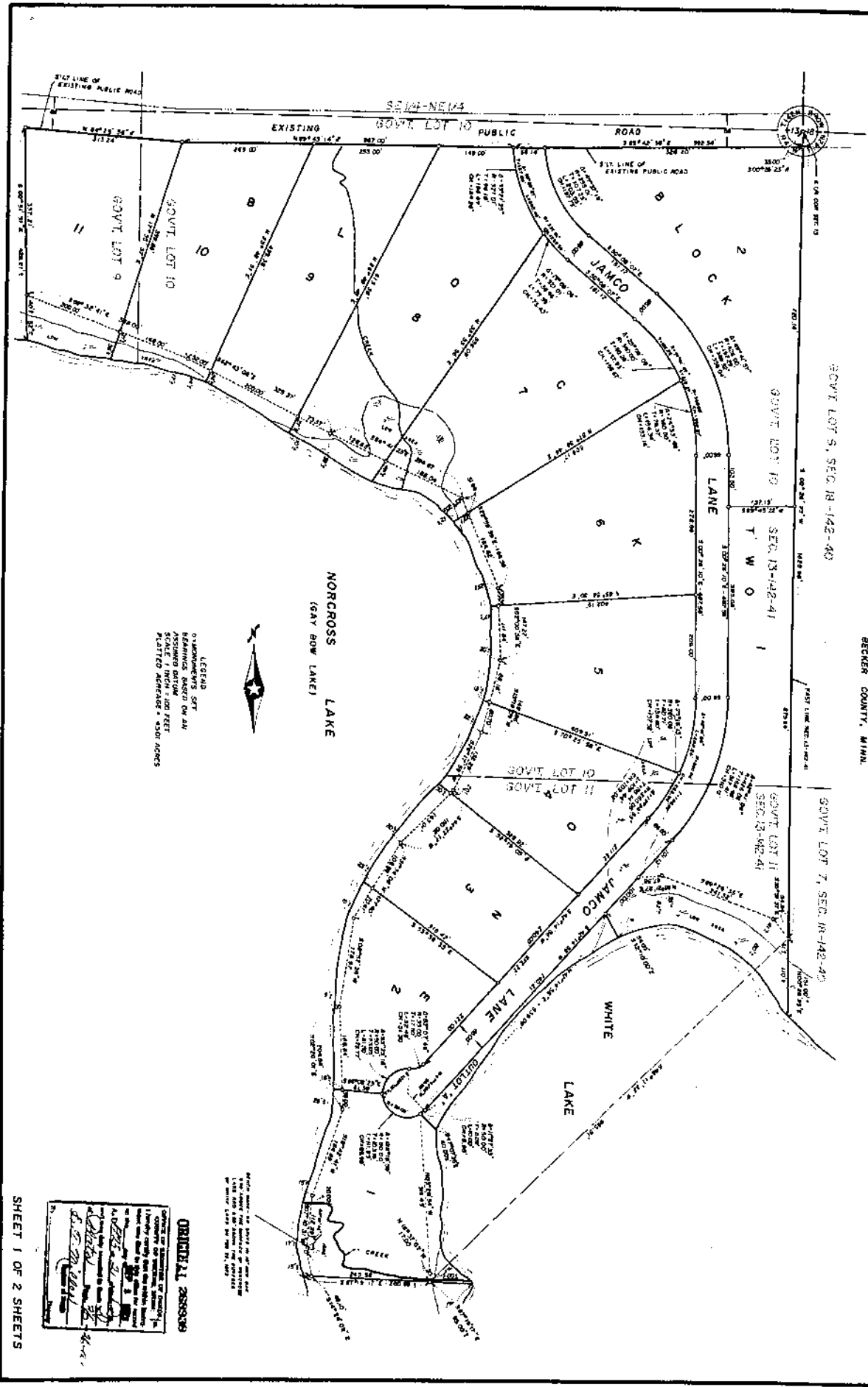
(Office Use)

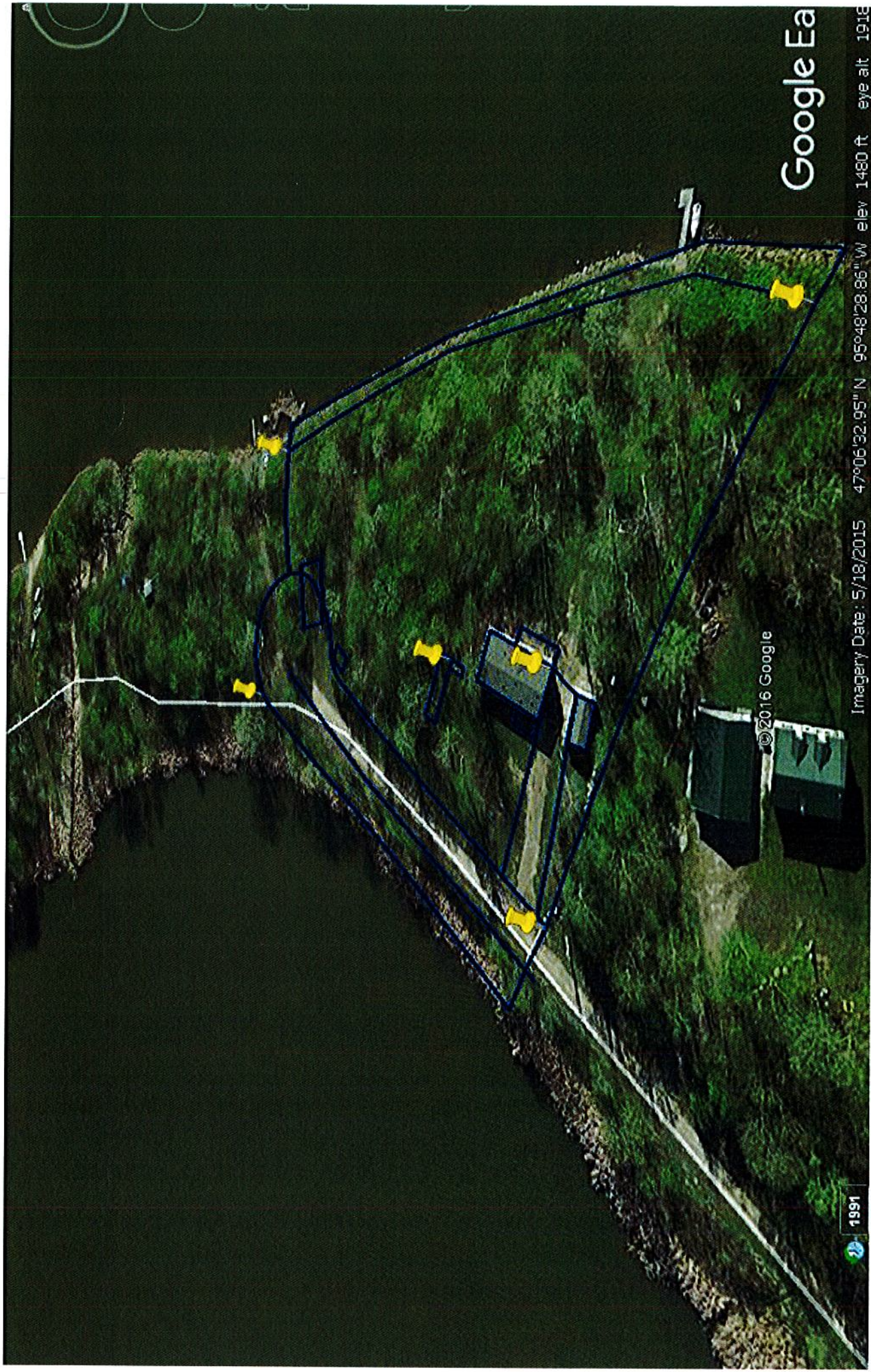
Date Received _____ Accepted [] Incomplete Application [] Date _____

Zoning Administrator

SECLUDED ACRES

IN GOVT LOTS 9, 10 & 11, SECTION 13, T142N, R41W
BECKER COUNTY, MINN.



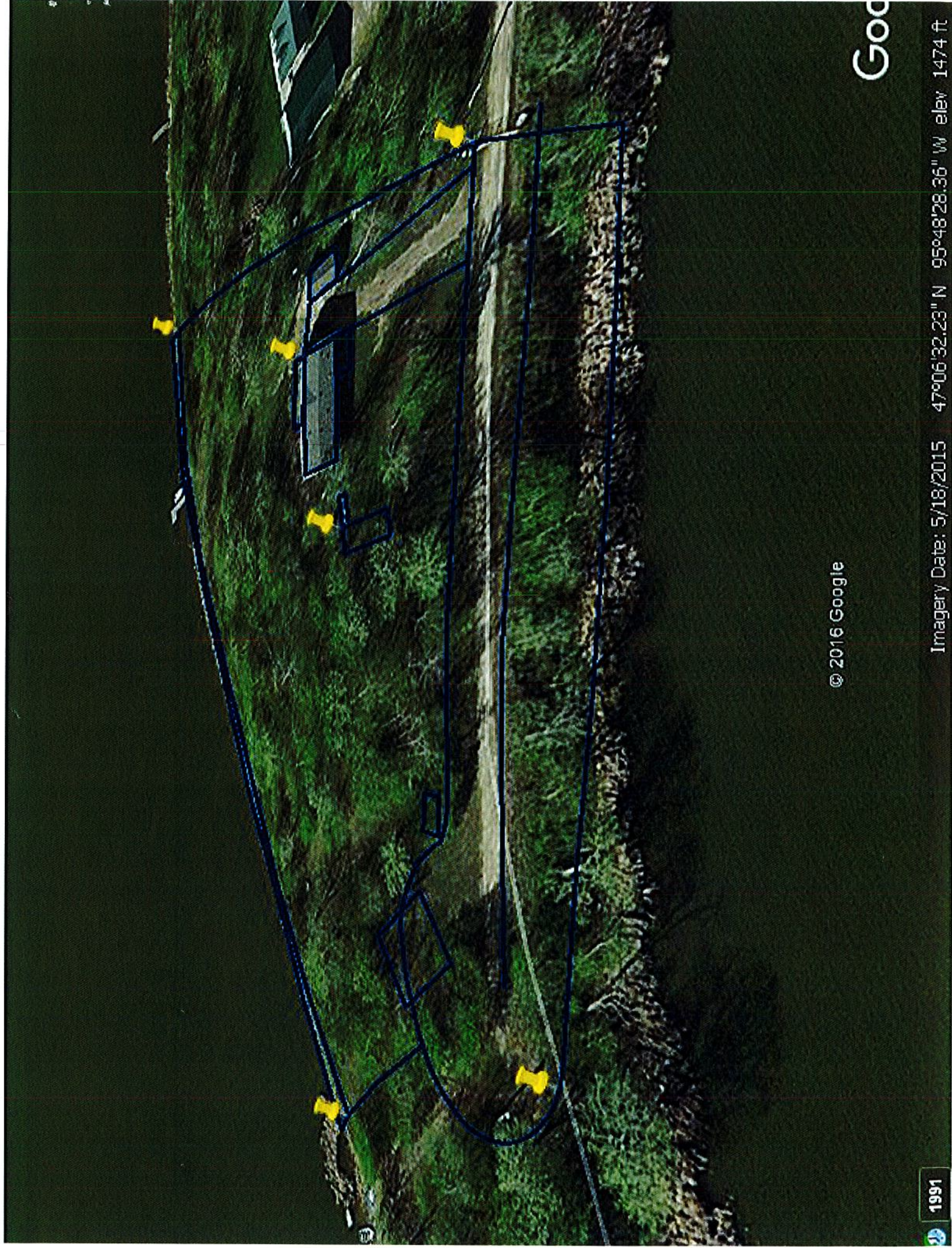


Google Earth

© 2016 Google

Imagery Date: 5/18/2015 47°06'32.95" N 95°48'28.86" W elev 1480 ft eye alt 1918

1991



© 2016 Google

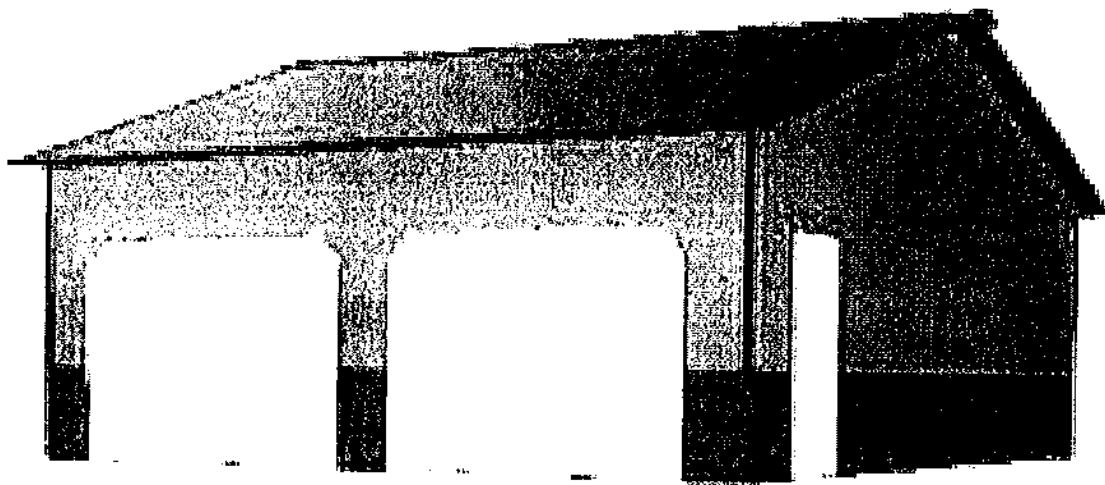
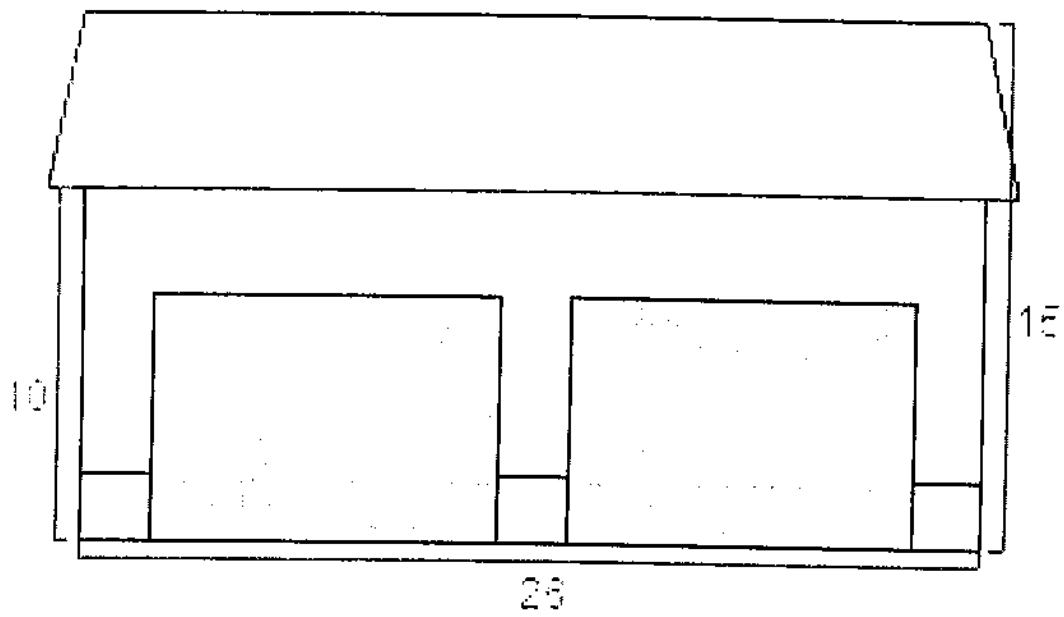
Go



© 2016 Google

1991

Imagery Date: 5/18/2015 47°06'32.92" N 95°48'28.97" W elev 1481 ft



End View

100'

100'

End View

100'

100'

End View

100'

100'

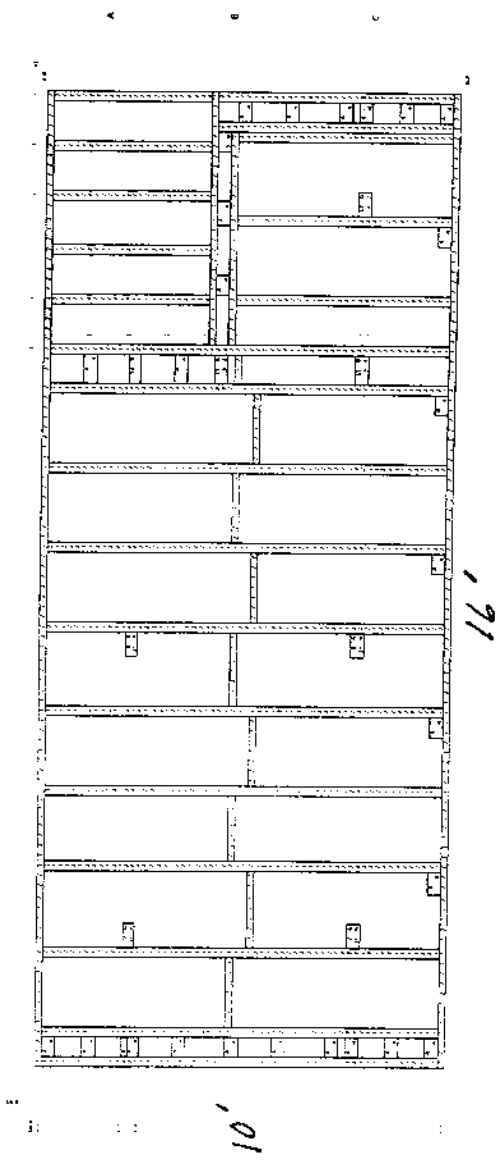
100'

100'

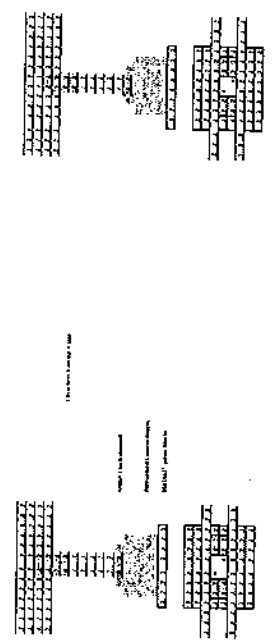
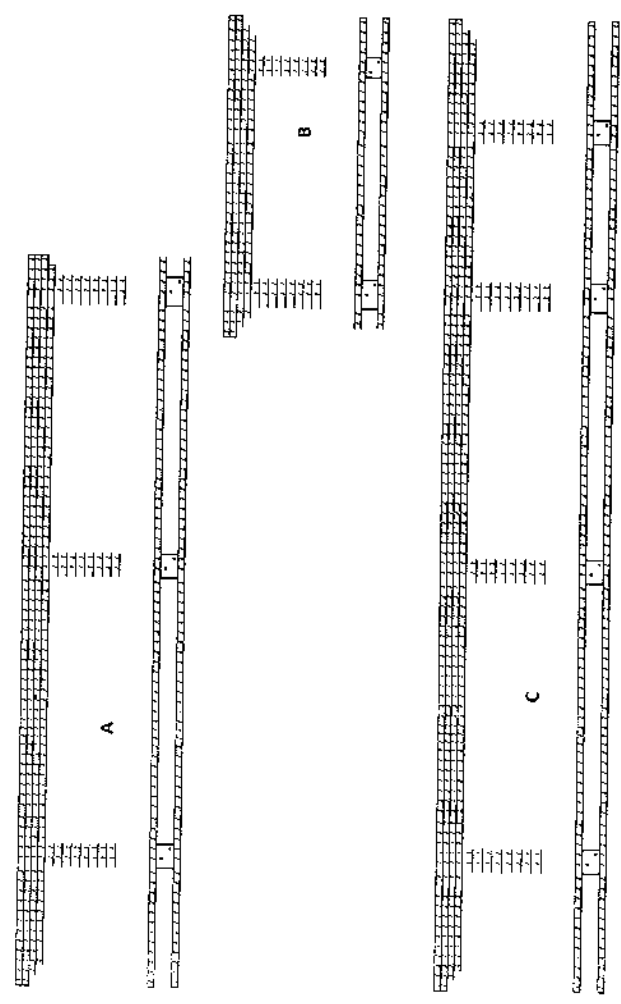
100'

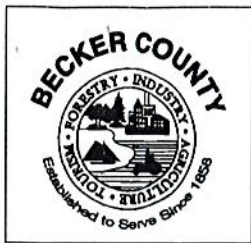
100'

Left Elevation



Deck 10x28





Application for Site Permit
Becker County Planning and Zoning
915 Lake Ave, Detroit Lakes, MN 56501
Phone: 218-846-7314 Fax: 218-846-7266
www.co.becker.mn.us

PARCEL	
APP	SITE
YEAR	2017
SCANNED	^

Property will be staked by _____
Date: _____

Please Print or Type All Information

Parcel Number (s) R.36.0254.000 Property (E911) Address 37120 JAMCO LANE WABUEN MN 56589 Legal Description 142-41 Block 001
Subdivided Acres

Lake/River Name GAY BOW/CASE BEER Lake/River Class NE/GD Township Name 13 Section 142 TWP No. 041 Range

Property Owner Last Name OLSON First Name ALAN Mailing Address 3805 20TH ST S Phone 701 3617392
FARGO ND 58104
Contractor Name Lic # _____

Proposed Project (Check those that apply)

☐ New Dwelling ☐ Addition to Dwelling ☐ Replacement Dwelling* ☐ Mobile/Manfac. Home
☐ Attached Garage ☒ Detached Garage ☒ Storage Structure ☐ Addition to Non-dwelling
☐ Stairway ☒ Deck ☐ Recreational Unit ☐ Water Oriented Structure
☐ Fence ☐ Other _____ ☐ Non Conforming Replacement (identify) _____

*Existing Dwelling to be removed prior to _____

Onsite Water Supply ☒ Deep Well () Shallow Well Well Depth 162
MN Rules Chapter 4725 (MN well code) requires a 3' minimum structure setback to well

Onsite Sewage Treatment System

Type of System MOUND Date of Installation 8-13-13 Last Date Certified 8-13-13
Must have current certificate of compliance on septic system prior to issuance of a permit

Lot Information Shoreland ☒ () Riparian (X) Non Riparian Non Shoreland _____

Lot Area 82670 sq ft or _____ acres Water Frontage 422 ft Bluff () Yes (X) No
Impervious coverage refers to anything water cannot pass through. Structures, areas covered by a roof, concrete, asphalt, Class 5, sidewalks, patio pavers, etc. should all be included in this calculation. Decks should be included if they have plastic underlayment or impervious surface underneath. Anytime you exceed 15% lot coverage a stormwater management plan and/or mitigation is required. **INCLUDE PROPOSED STRUCTURES IN CALCULATION.**

Please Note: Unless otherwise provided, a minimum of a 12 foot wide driveway from the nearest road right of way to the proposed structure must be included in both your plan and impervious surface calculation.

Impervious Surface Dimensions Sq. Footage Impervious Surface Dimensions Sq. Footage
On property On property

Ex: Patio	10x12	120			
DRIVEWAY	31x117.5	2925	Deck	10x16	160
Shed	12x24	288	Deck	10x28	280
BWELLING	48x28	1344	Storage Shed/Garage	28x40	1120
Shed	10x14	140			
			Total Impervious Material		

Impervious Lot Coverage 6257 ÷ 82670 = .0757 x 100 = 7.57 %
Total Impervious Lot Area Impervious Coverage Percentage

Topographical Alteration/Earth moving

() None () 10 cubic yards or less (X) 11- 50 cubic yards () over 50 cubic yards
Project over 50 cubic yards a storm water management plan must be included.

Characteristics of Proposed Dwelling/Dwelling Additions/Attached Garage/Decks		Cost of Project
<input type="checkbox"/> Dwelling ____ ft by ____ ft <input type="checkbox"/> Attached Garage ____ ft x ____ ft		\$ <u>2,000</u>
Outside Dimension <input checked="" type="checkbox"/> Deck/Patio <u>10</u> ft x <u>48</u> ft <input type="checkbox"/> Addition to existing ____ ft x ____ ft		
Setback to Side Lot Line <u>51</u> ft & Rear Lot Line <u>168</u> ft	Setback to Road Right of Way <u>110</u> ft	
Setback to Bluff _____	Type of road _____	
Setback to Wetland _____	Is wetland protected <input type="checkbox"/> Yes <input type="checkbox"/> No	
Setback to OHW (straight horizontal distance) <u>168 FT</u>	Elevation above OHW (Straight vertical distance) _____	
Setback to septic tank <u>43</u>	Setback to drainfield <u>53</u>	
Total No. Bedrooms _____	Maximum height proposed _____ # of Stories _____	
Roof Change <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Basement <input type="checkbox"/> Yes <input type="checkbox"/> No Walkout Basement <input type="checkbox"/> Yes <input type="checkbox"/> No

Characteristics of Proposed Non Dwelling/Non Dwelling Additions/Detached Garages/Storage Sheds		Cost of Project
<input checked="" type="checkbox"/> Garage <u>28</u> ft by <u>40</u> ft <input type="checkbox"/> Storage Shed ____ ft x ____ ft <input type="checkbox"/> Fence ____ ft long x ____ high <input type="checkbox"/> Other ____ ft x ____ ft		
Outside Dimension <input type="checkbox"/> Addition to existing structure ____ ft x ____ ft <input type="checkbox"/> Fence ____ ft x ____ ft		
Setback to Lot Line <u>16</u> ft & Rear Lot Line <u>16</u> ft	Setback to Road Right of Way <u>33.12</u> ft	
Setback to Bluff _____	Type of road <u>GRAVEL / PRIVATE</u>	
Setback to Wetland _____	Is wetland protected <input type="checkbox"/> Yes <input type="checkbox"/> No	
Setback to OHW (straight horizontal distance) <u>92.4</u>	Elevation above OHW (Straight vertical distance) <u>15'</u>	
Setback to septic tank <u>109'</u>	Setback to drainfield <u>92'</u>	
Roof Change <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Maximum height proposed <u>15'</u> # of Stories <u>1</u>	
Bathroom proposed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Sleeping Quarters proposed <input type="checkbox"/> Yes <input type="checkbox"/> No	
*Garages and storage sheds cannot contain amenities for independent human habitation		

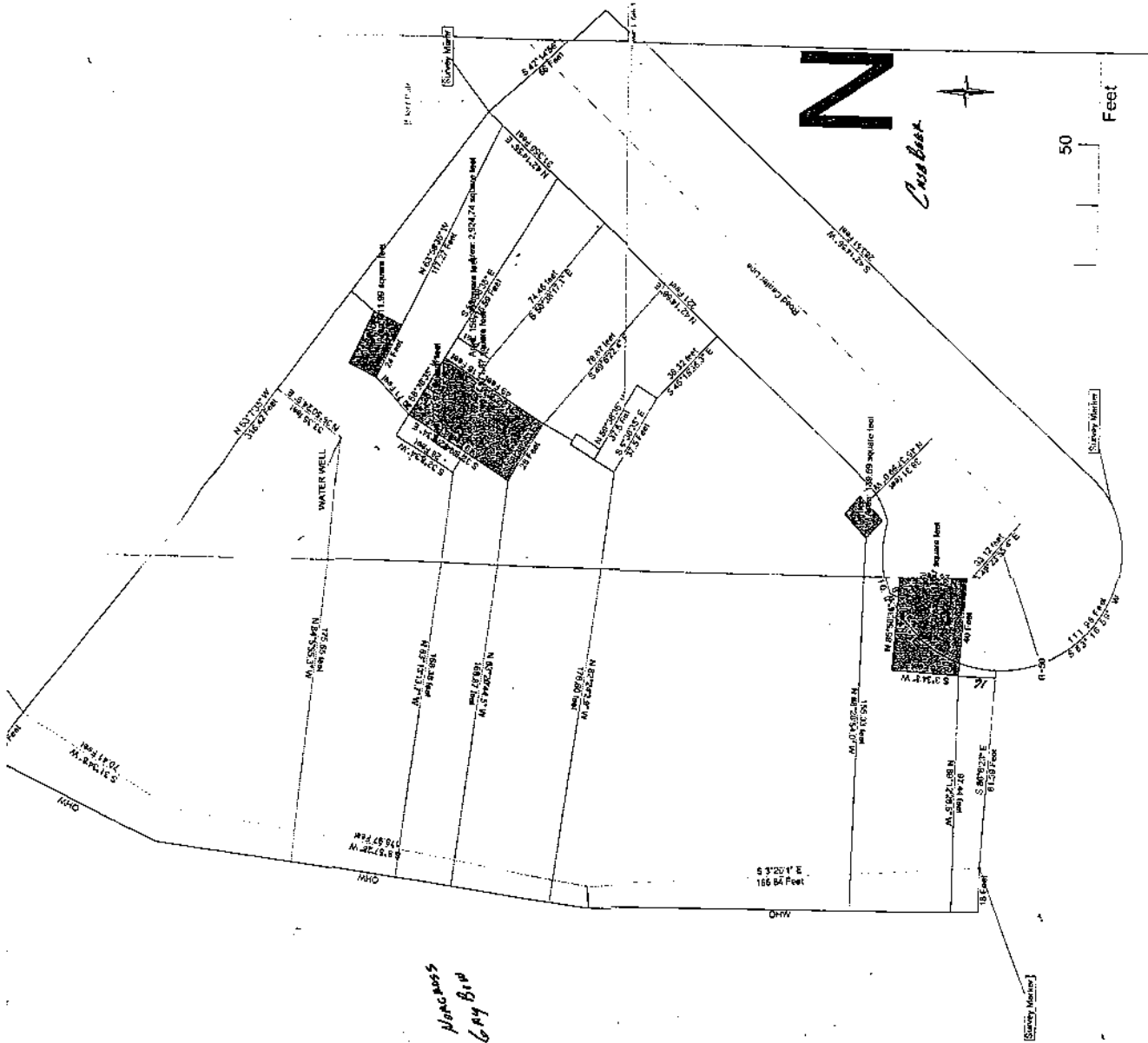
Characteristics of Proposed Water Oriented Structure*	Cost of Project \$
<input type="checkbox"/> Stairway <input type="checkbox"/> Deck <input type="checkbox"/> Boathouse <input type="checkbox"/> Screen Porch <input type="checkbox"/> Gazebo <input type="checkbox"/> Storage Structure	_____
Outside Dimension ____ ft by ____ ft	Sq ft _____
Setback to Lot Line ____ ft & ____ ft	Setback to Bluff _____
Setback to OHW (straight horizontal distance) _____	Elevation above OHW (Straight vertical distance) _____
Setback to septic tank _____	Setback to drainfield _____
Maximum height proposed _____	
*Sleeping facilities or water supplies are not permitted in these structures	

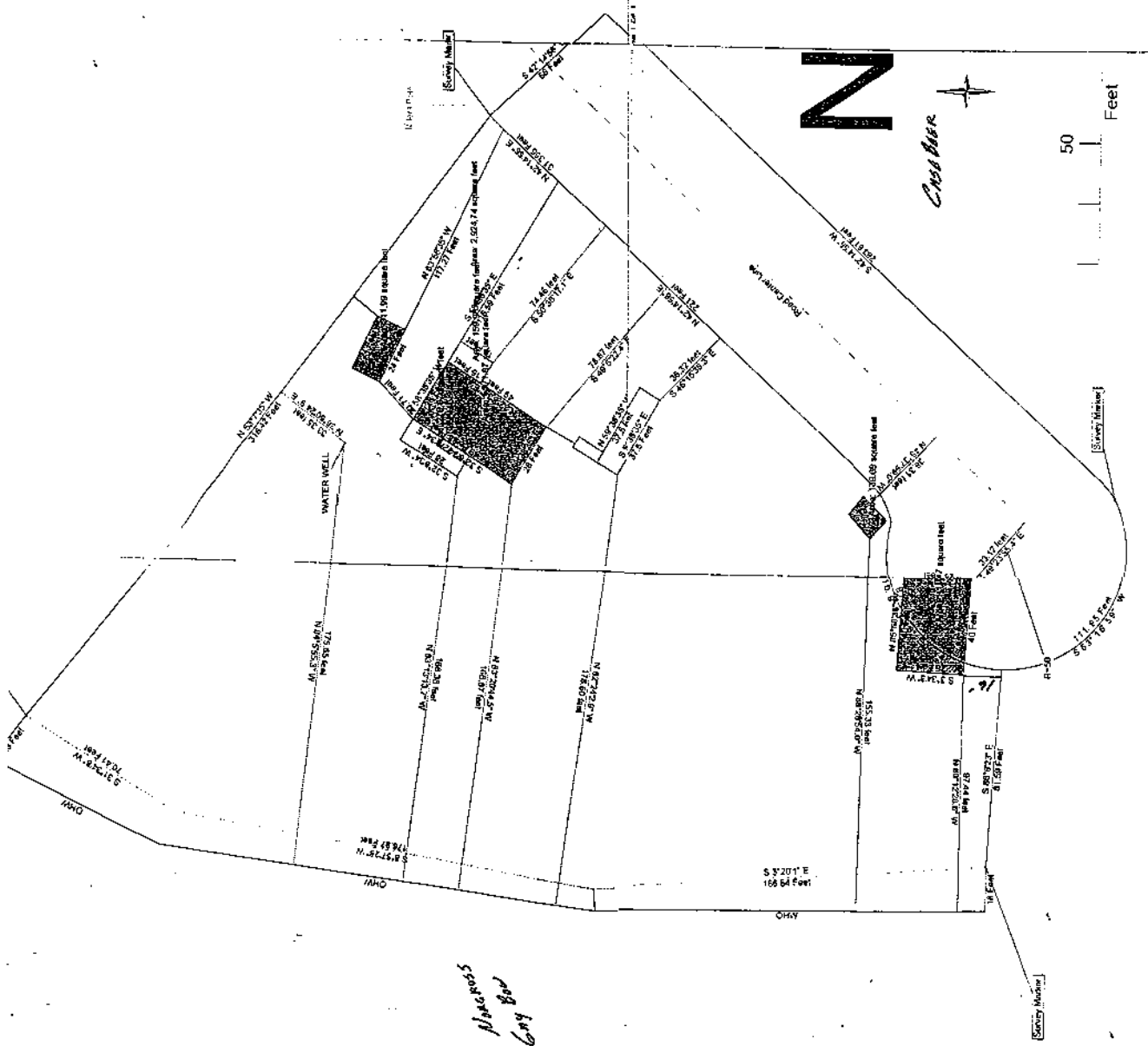
THIS IS A SITE PERMIT ONLY AND DOES NOT CONSTITUTE A BUILDING PERMIT
AS SET FORTH IN MN STATE STATUTES.

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, a permit is valid for a period of one (1) year from the date of issuance. If my property is located within the shoreland district, I understand that it is my responsibility to inform the Planning & Zoning Office once the building footings have been constructed. A Site Permit may be revoked at any time upon violation of said Ordinances and approved setbacks. Any changes to this site permit results in nullification of this permit and a new permit will have to be obtained.

Signature

Date





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), ALAN D. OLSON hereby authorize _____ to act
(landowner-print name) (agent-print name)
as my (our) agent on the following item(s): appropriate box(es)

☒ permit application (write in permit "type" – e.g. site, septic, etc.): SITE PERMIT

☐ plat application: _____

☐ conditional use application: _____

☒ variance application: Garage Storage Shed / Garage

☐ other: _____

on my (our) property located at:

Tax Parcel Number(s): R. 36. 0254. 000 Physical Site Address: 37120 JANGO LANE WABOVN MN

Legal Description: SECLUDED ACRES 142-41 BLOCK 001

56589

Section: 13 Township: 142 Range: 041 Lot: 2 Block: 001 Plat Name: _____

Agent Contact Information

Agent address: _____
Street City State Zip Code

Agent phone #(s): _____ Agent fax #: _____

Agent email address: _____

Property Owner(s) Signature(s)

Date

State of Minnesota
County of Becker

On this _____ day of _____ before me personally appeared _____

to me known to be the person(s) described in and who executed the foregoing instrument; and acknowledged

that _____ executed the same as _____ free act and deed.

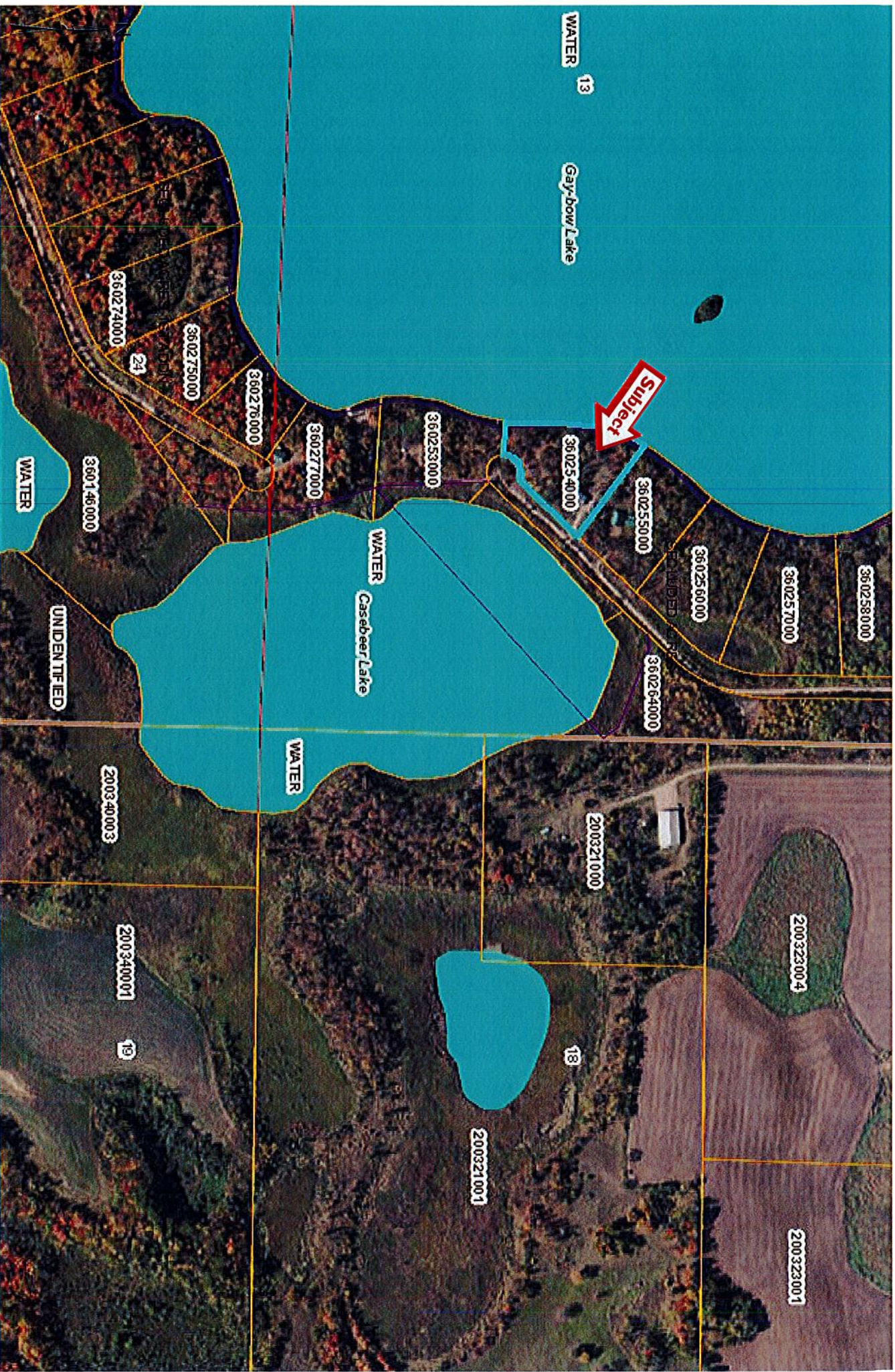
(Notary Stamp)

Notary Public

Office Use Only:

Date received: _____ Expiration Date: _____

Becker County



Conservation is humanity caring for the future.
- Nancy Newhall

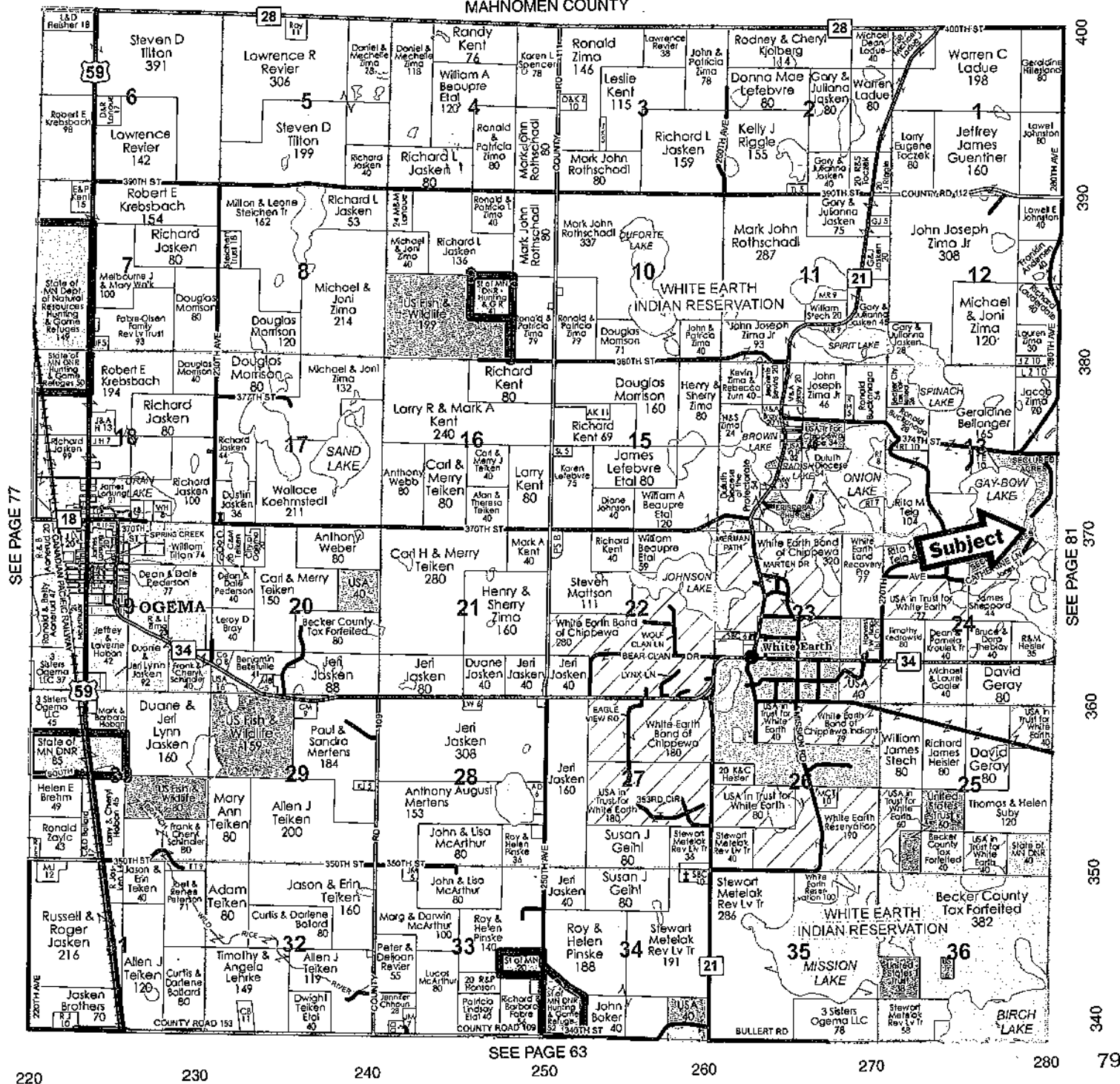


White Earth

Township 142N - Range 41W

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MAHNOMEN COUNTY





COUNTY OF BECKER

Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

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

BOARD OF ADJUSTMENT NOTICE OF PUBLIC HEARING

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

Thursday, April 13, 2017 @ 7:00 P.M.

Commissioner's Room-Becker County Courthouse

Detroit Lakes, MN. 56501

APPLICANT: Jerry & Nola Radermacher
PO Box 10417
Fargo, ND 58106

Project Location: 11938 Ravenswood Beach Rd.

APPLICATION AND DESCRIPTION OF PROJECT:

Request a Variance to place a garage partially in the road right of way.

LEGAL LAND DESCRIPTION: Tax ID number: 191699000 Melissa

RAVENSWOOD 1ST ADD

LOTS 9, 10; PT LOT 16 HD BLANDING 1ST: COMM SW COR LOT 16, N 232.17' TO POB, N 46.85', NWLY 200.17', E 32.22', SELY 234.96', S 20.54', WLY 94.26' TO POB. TRACT A (.35AC); Section 28, TWP 138, Range 41, Lake View Township.

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

PLANNING AND ZONING DEPARTMENT

915 Lake Avenue

Detroit Lakes, MN. 56501

FAX Number 218-846-7266

EMAIL: zoning@co.becker.mn.us

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

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

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

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

**Becker County Planning & Zoning
Public Hearing Research**

APPLICANT

Jerry Radermacker

PUBLIC HEARING DATE

April 13th, 2017

APPLICATION

Request a Variance to place a garage partially in the road right of way.

1) BACKGROUND INFORMATION ON PROPERTY

The property is a back lot at the end of a road. This lot is narrow and has several topographical features that make meeting the setbacks difficult

2) DEVELOPMENT SUMMARY

Standard Size Lot () Substandard Size Lot (X)
Site Area _____ Sq. Ft _____ Acres
Lot width 100 ft Lot Depth _____ ft
Building Area _____ Sq. Ft
Percent Lot Coverage _____ %
Proposed - _____

3) DISCUSSION/DEVELOPMENT ANALYSIS

Sewer System: No septic system as part of the project and would not be needed.

Zoning Ordinance, Subdivision Ordinance & Sewer Ordinance References:

Chapters 6 of the Becker County Zoning Ordinance.

4) SUMMARY OF CONCERNS

The owner is looking to place part of his garage in what is a cul de sac at the end of a public road.

Is the variance request in harmony with the general purposes and intent of the above citation? (yes) (no)

Explanation: No, generally speaking building in the road right of way is not allowed upon, and vacating the road way is a much better option.

2. Is the variance consistent with the Becker County Comprehensive Plan? (yes) (no)

Explanation: No

- 3. Without a variance, is the owner deprived of reasonable use of the property? (yes) (no)**

Explanation: No, he could request the township to vacate the portion and then request a variance from the right of way.

- 4. Is the alleged practical difficulty due to circumstances unique to this property? (yes) (no)**

Explanation: Yes the topography is such that finding a suitable area for the project would be difficult.

- 5. Were the circumstances causing the practical difficulty created by someone or something other than the landowner or previous landowner? (yes) (no)**

Explanation: Yes the lot is narrow and the topography is such that it would be hard to find a different area.

- 6. Will the issuance of the variance maintain the essential character of the locality? (yes) (no)**

Explanation: Yes it is in a residential area and the owner is proposing a modest home.

- 7. Does the alleged practical difficulty involve more than economic considerations? (yes) (no)**

Explanation: Yes



BECKER COUNTY PLANNING & ZONING

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

VARIANCE APPLICATION

PARCEL	
APP	Variance
YEAR	
SCANNED	

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

First name(s) Jerry & Nola Last Name Rademacher
Mailing Address P.O. Box 10417 City, State, Zip Fargo, ND 58106
Phone Number 701 212-0009 Project Address: 11938 Ravenswood Beach Rd.
Parcel number(s) of property: 191699.000 Sect - Twp - Range: 28 - 138 - 041
Township Name: Township 138 Lakeview Legal Description: LOT - 9; 10 & TRACT A
HD Blandings 1st Addition To Ravenswood

Why is the variance being requested? (Mark all sections that apply)

- ☒ Setback Issues ☐ Lot size not in compliance with minimum standards
☐ Alteration to non-conforming structure ☐ Topographical Issues (hills, slopes, bluffs, wetlands)
☒ Other Township Road Right of Way (Working with Lakeview Township on This) Bill Jordan.

Please provide a brief description detailing the above variance request:

I am asking for a variance to have a storage building to be
32' away from center of Ravenswood Beach Road.

What are you applying for less than the minimum distance (setback) from?

Setback must include decks and patios, current and proposed.

- ☐ Ordinary High Water Mark (OHWM) Proposed Distance (setback) _____ feet
☐ Lot Line Proposed Distance (setback) _____ feet
☒ Road Right of Way (ROW) Proposed Distance (setback) 32 feet
Type of Road [] Township [X] County [] State from Center of Road
☐ Crest of bluff Proposed Distance (setback) _____ feet
☐ Impervious Surface Coverage Proposed Impervious Lot Coverage _____ sq ft

Was the lot recorded prior to 1971?

☒ Yes ☐ No

Was the lot recorded between 1971 & 1992?

☐ Yes ☒ No

Was the lot recorded after 1992?

☐ Yes ☒ No

Will this be a new lot split?

☐ Yes ☒ No

What is the current square footage of the structure?

N/A

What is the proposed addition square footage?

780 sq ft unattached building

What is the current height of the structure?

N/A

What is the proposed height of the structure?

Is there a basement to the structure?

No

Will the proposed addition have a basement?

No

Will the roofline of the existing structure be changed?

N/A

Will the main structural framework of the structure be altered?

N/A

What is the current percentage of lot coverage?

780 sq ft of Road Right of Way

What is the proposed percentage of lot coverage?

780 sq ft.



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;
3. Non-refundable filing fee of \$326.00. **Make check payable to Becker County Zoning.**
4. Is the variance request after the fact? [] Yes [X] No
If yes, after the fact application fee is an additional \$600.00.

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

- 1) In your opinion, is the Variance in harmony with the purposes and intent of the ordinance?
Yes (X) No () Why or why not?
I feel that the proposed variance will be sufficient.
Setbacks should not cause any concerns of the intended ordinance.
- 2) In your opinion, is the Variance consistent with the Comprehensive Plan?
Yes (X) No () Why or why not?
I believe the proposed option for variance leaves sufficient room to roadway & not to interfere with normal traffic & snow removal. I did discuss this topic at Lake View Township meeting on November 14th 2016 with Bill Jordan
- 3) In your opinion, does the proposal put property to use in a reasonable manner?
Yes (X) No () Why or why not?
My biggest concern is the security of my personal property. I had someone break into my temporary storage trailer last winter & would feel better having in a permanent storage structure. Also to park my pickup inside out of elements & roadway.
- 4) In your opinion, are there circumstances unique to the property?
Yes (X) No () Why or why not?
This would help the security of personal property & help keep the property clean & organized as I like it. Also will help when my wife & I move down there full time after retirement with personal belongings
- 5) In your opinion, will the variance maintain the essential character of the locality?
Yes (X) No () Why or why not?
There are many structures along Ravenswood Beach Rd that are similar to what I'm proposing & would maintain good character of neighborhood.

The Board of Adjustments must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of the County and other applicable ordinances.

Applicant's Signature: [Signature] Date: 12/30/16

Fee Owner's Signature: [Signature] Date: 12/30/16

(Office Use)

Date Received _____ Accepted [] Incomplete Application [] Date _____

Zoning Administrator

Date application received _____ Received By: _____ Assigned To: _____

Pre-inspection required ☐ Yes ☐ No Date pre-inspection completed: _____ By: _____

Footing Inspection Required: ☐ Yes ☐ No Date footing inspection completed: _____ By: _____

Mitigation Required: ☐ Yes ☐ No Worksheet completed by: _____

Date mitigation document sent to owner _____ date returned _____

Year of septic installation _____ Date of last certificate of compliance _____

New certificate of compliance required: ☐ Yes ☐ No

Comments from septic contractor: _____

Impervious calculation

Impervious Surface
On property:

DRIVEWAY

Total Impervious area
100 = _____

Additional notes: _____

240 H1
1510 H1

304 H2

404 9m

conc 940

Sheet 120

RNC 50

RNC 30

comp 72

3636

Sheet 780 Proposed
4410

Impervious Surface
On property:

Dimensions

Sq. Footage

TOTAL SQ FT: _____

x

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 _____

Revised permit for added amount _____ OR Voided first receipt and given new receipt number _____

Date owner notified of application outcome: _____



Application for Site Permit
Becker County Planning and Zoning
915 Lake Ave, Detroit Lakes, MN 56501
Phone: 218-846-7314 Fax: 218-846-7266
www.co.becker.mn.us

PARCEL	
APP	SITE
YEAR	
SCANNED	

Property will be staked by _____
Date: _____

Please Print or Type All Information

Parcel Number (s)	Property (E911) Address	**911 Address Needed	Legal Description
191699000	11938 Ravenswood Beach Rd		TRACT A HD Blandings 1 st Addn Ravenswood

Lake/River Name	Lake/River Class	Township Name	Section	TWP No.	Range
Melissa	General Development	Lake View	28	138	041

Property Owner	Last Name	First Name	Mailing Address	Phone
Rademacher	Jerry		PO Box 10417 Fargo ND 58106	701-212-0009
Contractor Name Lic #	RHR Construction Inc ND # 30171 MN # 20522885			

Proposed Project (Check those that apply)

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> New Dwelling | <input type="checkbox"/> Addition to Dwelling | <input type="checkbox"/> Replacement Dwelling* | <input type="checkbox"/> Mobile/Manfac. Home |
| <input type="checkbox"/> Attached Garage | <input type="checkbox"/> Detached Garage | <input checked="" type="checkbox"/> Storage Structure | <input type="checkbox"/> Addition to Non-dwelling |
| <input type="checkbox"/> Stairway | <input type="checkbox"/> Deck | <input type="checkbox"/> Recreational Unit | <input type="checkbox"/> Water Oriented Structure |
| <input type="checkbox"/> Fence | <input type="checkbox"/> Other | <input type="checkbox"/> Non Conforming Replacement (identify) _____ | |

*Existing Dwelling to be removed prior to _____

RECEIVED
FEB 24 2017
ZONING

Onsite Water Supply ☒ Deep Well ☐ Shallow Well Well Depth _____
MN Rules Chapter 4725 (MN well code) requires a 3' minimum structure setback to well

Onsite Sewage Treatment System

Type of System Ravenswood Beach Association
Central Septic System Date of Installation 1978 Last Date Certified 2016
Must have current certificate of compliance on septic system prior to issuance of a permit

Lot Information Shoreland ☒ Riparian ☒ Non Riparian ☐ Non Shoreland ☐

Lot Area _____ sq ft or _____ acres Water Frontage _____ ft Bluff ☐ Yes ☐ No
Impervious coverage refers to anything water cannot pass through. Structures, areas covered by a roof, concrete, asphalt, Class 5, sidewalks, patio pavers, etc. should all be included in this calculation. Decks should be included in this calculation if they have plastic underlayment or impervious surface underneath. Anytime you exceed 15% lot coverage a stormwater management plan and/or mitigation is required. **INCLUDE PROPOSED STRUCTURES IN CALCULATION.**

Please Note: Unless otherwise provided, a minimum of a 12 foot wide driveway from the nearest road right of way to the proposed structure must be included in both your plan and impervious surface calculation.

Impervious Surface	Dimensions	Sq. Footage	Impervious Surface	Dimensions	Sq. Footage
On property			On property		

Ex: Patio 10 x 12 120
DRIVEWAY

Storage Building 26' x 30' 780

Total Impervious Material 780

Impervious Lot Coverage $\frac{4416}{34848} = .1267$ x 100 = 12.67 %
Total Impervious Lot Area Impervious Coverage Percentage

Topographical Alteration/Earth moving

☐ None ☒ 10 cubic yards or less ☐ 11- 50 cubic yards ☐ over 50 cubic yards
Project over 50 cubic yards a storm water management plan must be included.

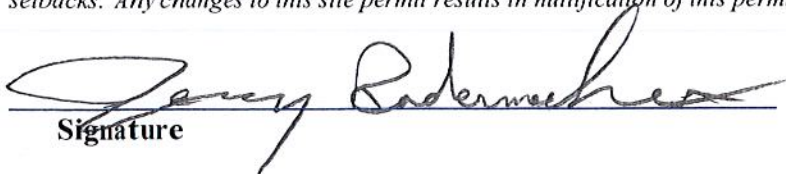
Characteristics of Proposed Dwelling/Dwelling Additions/Attached Garage/Decks		Cost of Project
() Dwelling ____ ft by ____ ft () Attached Garage ____ ft x ____ ft		\$ _____
Outside Dimension () Deck/Patio ____ ft x ____ ft () Addition to existing ____ ft x ____ ft		
Setback to Side Lot Line ____ ft & Rear Lot Line ____ ft	Setback to Road Right of Way ____ ft	
Setback to Bluff _____	Type of road _____	
Setback to Wetland _____	Is wetland protected () Yes () No	
Setback to OHW (straight horizontal distance) _____	Elevation above OHW (Straight vertical distance) _____	
Setback to septic tank _____	Setback to drainfield _____	
Total No. Bedrooms _____	Maximum height proposed _____ # of Stories _____	
Roof Change () Yes () No	Basement () Yes () No Walkout Basement () Yes () No	

Characteristics of Proposed Non Dwelling/Non Dwelling Additions/Detached Garages/Storage Sheds		Cost of Project
() Garage ____ ft by ____ ft () Storage Shed <u>26</u> ft x <u>30</u> ft () Fence ____ ft long x ____ high () other ____ ft x ____ ft		
Outside Dimension () Addition to existing structure ____ ft x ____ ft () Fence ____ ft x ____ ft		
Setback to Lot Line ____ ft & Rear Lot Line <u>10</u> ft	Setback to Road Right of Way <u>32</u> ft	\$ <u>5,000</u>
Setback to Bluff _____	Type of road <u>Township Road</u>	
Setback to Wetland _____	Is wetland protected () Yes () No	
Setback to OHW (straight horizontal distance) <u>100+</u>	Elevation above OHW (Straight vertical distance) _____	
Setback to septic tank _____	Setback to drainfield <u>Central septic</u>	
Roof Change () Yes () No	Maximum height proposed <u>14'</u> # of Stories <u>1</u>	
Bathroom proposed (X) Yes () No	Sleeping Quarters proposed () Yes (X) No	
*Garages and storage sheds cannot contain amenities for independent human habitation		

Characteristics of Proposed Water Oriented Structure*	Cost of Project \$
() Stairway () Deck () Boathouse () Screen Porch () Gazebo () Storage Structure	
Outside Dimension ____ ft by ____ ft	Sq ft _____
Setback to Lot Line ____ ft & ____ ft	Setback to Bluff _____
Setback to OHW (straight horizontal distance) _____	Elevation above OHW (Straight vertical distance) _____
Setback to septic tank _____	Setback to drainfield _____
Maximum height proposed _____	
*Sleeping facilities or water supplies are not permitted in these structures	

THIS IS A SITE PERMIT ONLY AND DOES NOT CONSTITUTE A BUILDING PERMIT
AS SET FORTH IN MN STATE STATUTES.

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, a permit is valid for a period of one (1) year from the date of issuance. If my property is located within the shoreland district, I understand that it is my responsibility to inform the Planning & Zoning Office once the building footings have been constructed. A Site Permit may be revoked at any time upon violation of said Ordinances and approved setbacks. Any changes to this site permit results in nullification of this permit and a new permit will have to be obtained.


Signature

1/21/17
Date

SKETCH OF PROPERTY

PARCEL	
APP	SITE
YEAR	

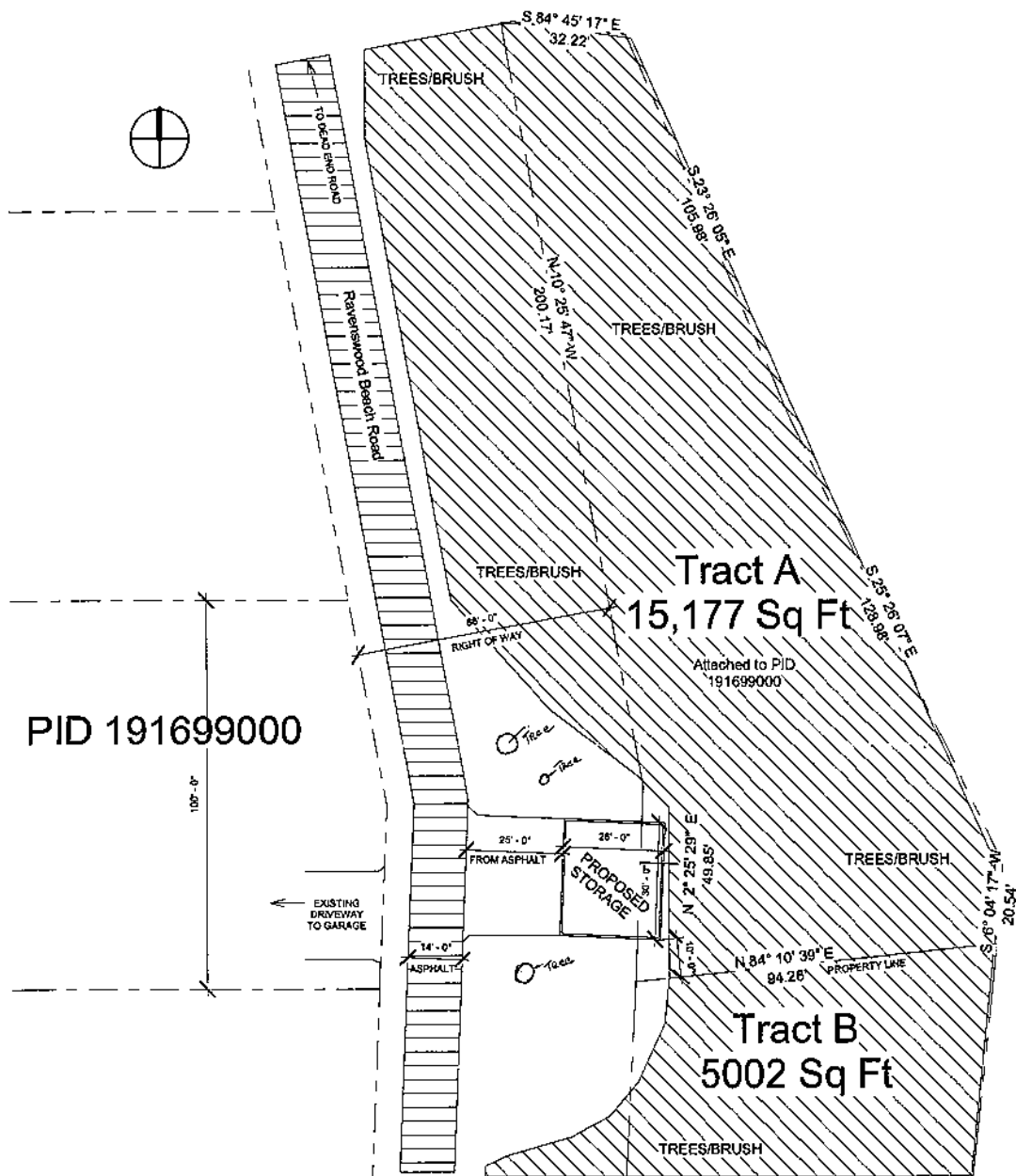
1. Please sketch all impervious coverage on your property; include dimensions.
 2. Sketch roadways adjacent to property - **Include driveway location.**
 3. If you will be exceeding 15% impervious surface coverage, include a copy of your stormwater management plan. This applies to ANY lot that exceeds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

See Attached
Prints.



Remember EROSION CONTROL!

Please use best management practices and/or silt fence to control erosion on all projects.

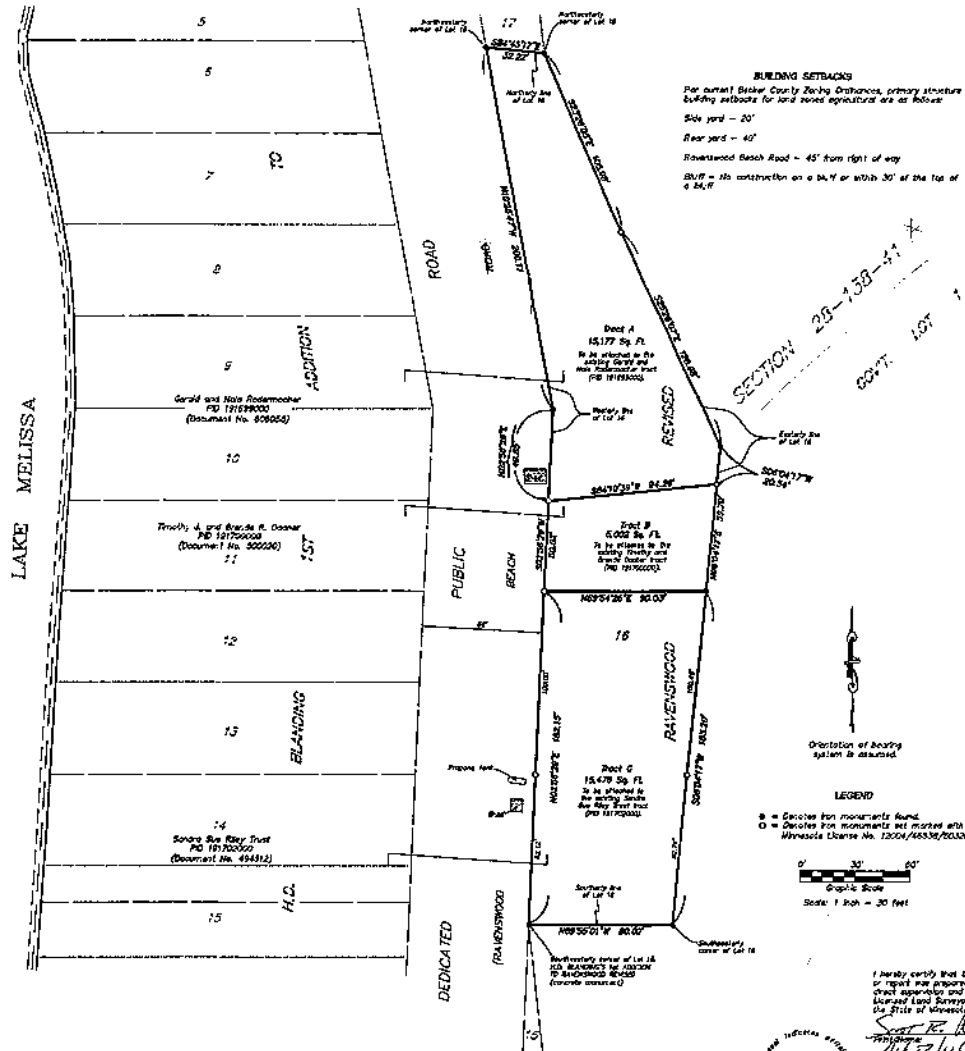


① Site
1" = 30'-0"

Jerry Radermacher	Site Plan - Proposed Storage	
11938 Ravenswood Beach Road, Detroit Lakes, MN	Project number	
	Date	3-7-16
	Drawn by	SR
	Checked by	JR
	<div data-bbox="1323 1969 1360 2011">2</div> <div data-bbox="1247 2026 1377 2047">Scale 1" = 30'-0"</div>	

CERTIFICATE OF SURVEY

IN LOT 18
H.D. BLANDING'S 1ST ADDITION TO RAVENSWOOD REVISED
BECKER COUNTY, MINNESOTA



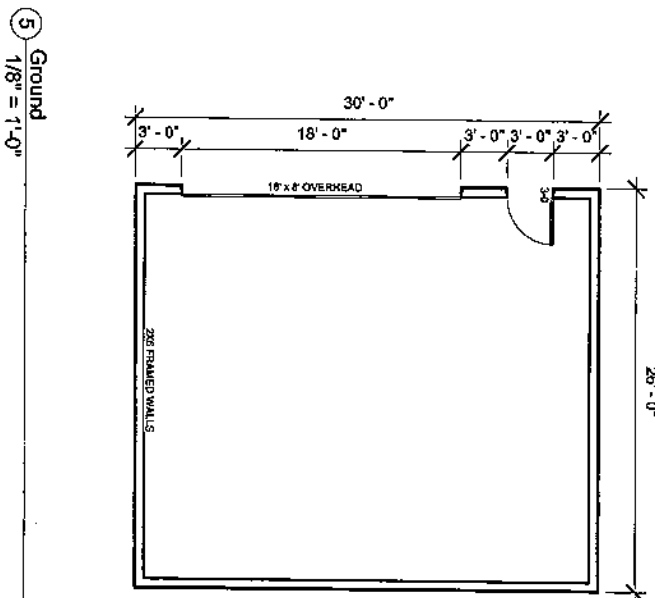
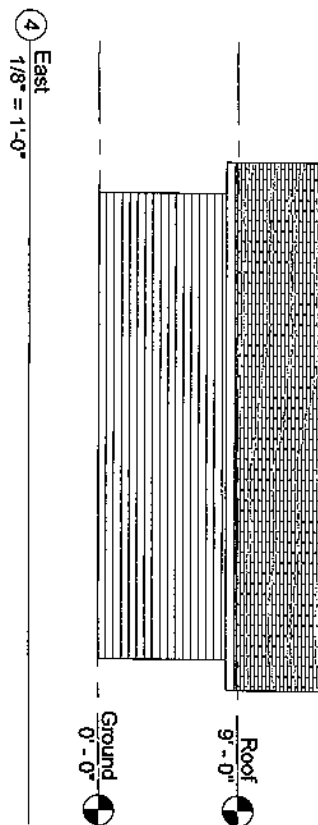
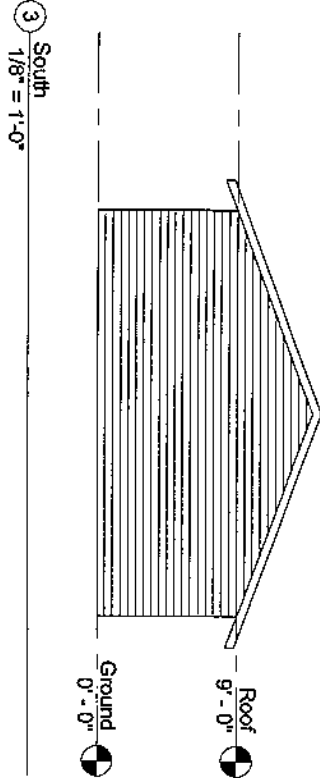
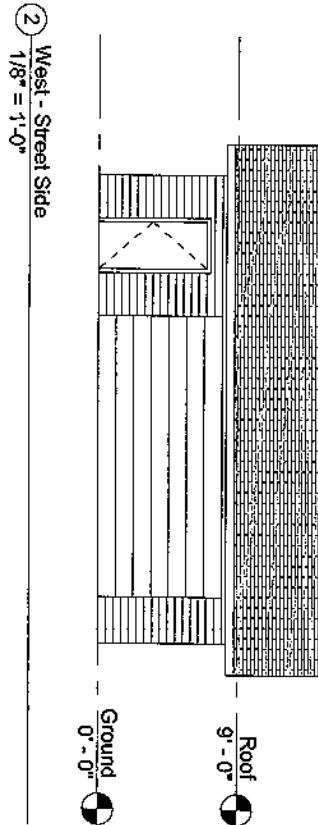
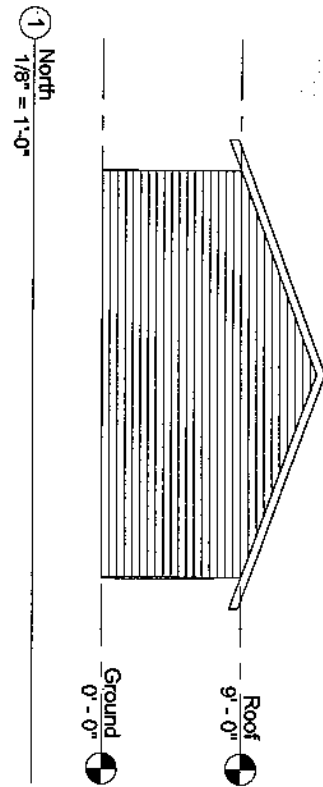
MEADOWLAND SURVEYING, INC.
1118 HWY 58 SOUTH, DETROIT LAKES, MN 56604
OFFICE: 218-847-4288 FAX: 218-848-1348
EMAIL: info@meadowlandsurveying.com
www.meadowlandsurveying.com

CLIENT:
SHAWNEE BAY TRUST
1118 HWY 58 SOUTH, DETROIT LAKES, MN 56604

COMP FILE: 21800000000000000000
CAD FILE: 21800000000000000000
DWG FILE: 21800000000000000000
COMP FILE: 21800000000000000000
DWG FILE: 21800000000000000000

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.

Signature
Date: 11/11/17
Drawing Number: T8941-15



Jerry Radermacher		Plans - Proposed Storage	
11938 Ravenswood Beach Road, Detroit Lakes, MN	Project number	Project Number	1
	Date	Issue Date	
	Drawn by	Author	
	Checked by	Checker	
			Scale 1/8" = 1'-0"



COUNTY OF BECKER

Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

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

**BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING
HEARING DATE AND LOCATION
Thursday, April 13, 2017 @ 7:00 P.M.
Commissioner's Room-Becker County Courthouse
Detroit Lakes, MN. 56501**

APPLICANT: Maxwell Knoll
17259 Co. Hwy. 39
Frazee, MN 56544

Project Location: 17259 Co. Hwy. 39, Frazee

APPLICATION AND DESCRIPTION OF PROJECT:

Request a Variance from the road right of way for construction of a covered walkway.

LEGAL LAND DESCRIPTION: Tax ID number: 330231000

PT NE 1/4 of SE 1/4; Section 28, TWP 139, Range 38, Toad Lake Township.

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

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

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

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

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

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

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**Becker County Planning & Zoning
Public Hearing Research**

APPLICANT

Maxwell Knoll

PUBLIC HEARING DATE

April 13th, 2017

APPLICATION

Request a Variance from the road right of way for construction of a covered walkway.

1) BACKGROUND INFORMATION ON PROPERTY

The property is located on County Hwy 39 with the existing structure located very close to the road. The state required that the owner improve the sidewalk in front of the structure and the owner put a roof over the sidewalk.

2) DEVELOPMENT SUMMARY

Standard Size Lot () Substandard Size Lot (X)
Site Area _____ Sq. Ft 1.02 Acres
 Lot width _____ ft Lot Depth _____ ft
Building Area _____ Sq. Ft
Percent Lot Coverage _____ %
Proposed - _____

3) DISCUSSION/DEVELOPMENT ANALYSIS

Sewer System: No septic system as part of the project and would not be needed.

Zoning Ordinance, Subdivision Ordinance & Sewer Ordinance References:

Chapters 6 of the Becker County Zoning Ordinance.

4) SUMMARY OF CONCERNS

The owner is looking to place a covered sidewalk 35 feet from the centerline.

Is the variance request in harmony with the general purposes and intent of the above citation? (yes) (no)

Explanation: Yes, this project is on the ROW boundary out of the right of way and our ordinance allows for the public access to the structure.

2. Is the variance consistent with the Becker County Comprehensive Plan? (yes) (no)

Explanation: Yes

- 3. Without a variance, is the owner deprived of reasonable use of the property? (yes) (no)**

Explanation: Yes, the sidewalk allows for access to the property and covering it makes it better comply with the state.

- 4. Is the alleged practical difficulty due to circumstances unique to this property? (yes) (no)**

Explanation: Yes the structure and the former sidewalk are located very close to the road.

- 5. Were the circumstances causing the practical difficulty created by someone or something other than the landowner or previous landowner? (yes) (no)**

Explanation: Yes, the state required them to replace their sidewalk and suggested they cover it.

- 6. Will the issuance of the variance maintain the essential character of the locality? (yes) (no)**

Explanation: Yes the area is predominantly used for agriculture and this operation has been there for years.

- 7. Does the alleged practical difficulty involve more than economic considerations? (yes) (no)**

Explanation: Yes



BECKER COUNTY PLANNING & ZONING

915 LAKE AVENUE, DETROIT LAKES, MN 56501

PHONE (218) 846-7314 - FAX (218) 846-7266

VARIANCE APPLICATION

PARCEL	
APP	Variance
YEAR	
SCANNED	

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

First name(s) maxwell Last Name Knoll
Mailing Address 17259 CO Hwy 39 City, State, Zip Frazee, MN 56544
Phone Number 334-2639-maxwell (son) Project Address: 17259 CO Hwy 39
849-9645-tom Parcel number(s) of property: 33.0231.000 Sect - Twp - Range: 28-139-38 Frazee
Township Name: Toad Lake Legal Description: PT NE 1/4 OF SE 1/4
sect. 28 Twp 139 Range 038.

Why is the variance being requested? (Mark all sections that apply)

- ☒ Setback Issues ☐ Lot size not in compliance with minimum standards
☐ Alteration to non-conforming structure ☐ Topographical Issues (hills, slopes, bluffs, wetlands)
☐ Other

Please provide a brief description detailing the above variance request:

Request an after the fact variance for an open porch
on the front (road side) of Toad Lake Store, which is
35' 4" from center line of County Hwy 39. Health Dept
wanted the existing concrete walkway replaced due to poor
condition, so it's been replaced with wood and added a
roof over it.

What are you applying for less than the minimum distance (setback) from?

Setback must include decks and patios, current and proposed.

- ☐ Ordinary High Water Mark (OHWM) Proposed Distance (setback) _____ feet
☐ Lot Line Proposed Distance (setback) _____ feet
☒ center line Road Right of Way (ROW) Proposed Distance (setback) 35' 4" feet
Type of Road [] Township [X] County [] State
☐ Crest of bluff Proposed Distance (setback) _____ feet
☐ Impervious Surface Coverage Proposed Impervious Lot Coverage _____ sq ft
_____ %

Was the lot recorded prior to 1971? Yes No

Was the lot recorded between 1971 & 1992? Yes No

Was the lot recorded after 1992? Yes No

Will this be a new lot split? Yes No

(CONTINUED ON BACK OF PAGE)

What is the current square footage of the structure? 2,208 sf
What is the proposed addition square footage? 300 sf open porch
(6x50)

PARCEL	
APP	Variance
YEAR	

What is the current height of the structure? —

What is the proposed height of the structure? 8'

Is there a basement to the structure? yes

Will the proposed addition have a basement? NO

Will the roofline of the existing structure be changed? NO

Will the main structural framework of the structure be altered? NO

What is the current percentage of lot coverage? 12.6%

What is the proposed percentage of lot coverage? 12.6%

Explanation of request if not covered in Sections above

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;
3. Non-refundable filing fee of \$326.00. **Make check payable to Becker County Zoning.**
4. Is the variance request after the fact? [☒] Yes [] No
If yes, after the fact application fee is an additional \$600.00.

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.

Maxwell Knoll
Printed Name of Landowner or Agent

Max Knoll 12-2-16
Signature of Landowner or Agent Date

(Office Use)

Date Received _____ Accepted [] Rejected [] Date _____

Zoning Administrator

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;
3. Non-refundable filing fee of \$326.00. **Make check payable to Becker County Zoning.**
4. Is the variance request after the fact? [] Yes [] No
If yes, after the fact application fee is an additional \$600.00.

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

- 1) In your opinion, is the Variance in harmony with the purposes and intent of the ordinance?
Yes (X) No () Why or why not?
Needed to update the condition of the original concrete entrance which was not meeting the road setback requirements due to placement of the bar/restaurant.
- 2) In your opinion, is the Variance consistent with the Comprehensive Plan?
Yes (X) No () Why or why not?
The open porch is needed for safe entry into the bar/restaurant.
- 3) In your opinion, does the proposal put property to use in a reasonable manner?
Yes (X) No () Why or why not?
Has to have a safe entry into the establishment. This is the main entrance.
- 4) In your opinion, are there circumstances unique to the property?
Yes (X) No () Why or why not?
Because the building was originally built so close to the road, with the entrance facing the road, that's why the open porch does not meet road setbacks.
- 5) In your opinion, will the variance maintain the essential character of the locality?
Yes (X) No () Why or why not?
Same as #4, original entrance faces the road and to continue using this entrance, it had to be updated.

The Board of Adjustments must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of the County and other applicable ordinances.

X Applicant's Signature: Max Knoll Date: 12-12-16

Fee Owner's Signature: _____ Date: _____

(Office Use)

Date Received _____ Accepted [] Incomplete Application [] Date _____

Zoning Administrator

Rear of Lot

shed

shed

Septic
(X)

old
Garage

entry way

Living
Quarters
(2 story
on this
half.)

open
porch

Bar / Restaurant
area

50'
open porch

6'

35' From
center Line

Co Hwy 39

County Hwy 39





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), Maxwell Knoll hereby authorize Joyce Holm 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): 33.0231.000 Physical Site Address: 17259 Co Hwy 39
Legal Description: _____ Frazee
Section: 28 Township: 139 Range: 38 Lot: _____ Block: _____ Plat Name: _____

Agent Contact Information

Agent address: 13600 E. Pearl LK Rd Detroit Lakes, mn 56501
Agent phone #(s): 218-849-4834 Agent fax #: _____
Agent email address: joyceholm@hotmail.com

Max Knoll 12-2-16
Property Owner(s) Signature(s) Date

State of Minnesota
County of Becker

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

(Notary Stamp)

Notary Public

Office Use Only:
Date received: _____

Expiration Date: _____



Application for Site Permit
Becker County Planning and Zoning
915 Lake Ave, Detroit Lakes, MN 56501
Phone: 218-846-7314 Fax: 218-846-7266

www.co.becker.mn.us

PARCEL	
APP	SITE
YEAR	
SCANNED	

Property will be staked by _____
Date: _____

Please Print or Type All Information

Parcel Number (s)	Property (E911) Address	**911 Address Needed	Legal Description
33.0231.000	17259 CO. Hwy. 39		Frazee, MN 56544

Lake/River Name	Lake/River Class	Township Name	Section	TWP No.	Range
—	—	Toad Lake	28	139	38

Property Owner	Last Name	First Name	Mailing Address	Phone
Knoll, Maxwell			17259 CO Hwy 39	334-2639
Contractor Name Lic #	(30N)		Frazee, MN 56544	849-9645-Tom Knoll (Dad)

Proposed Project (Check those that apply)

<input type="checkbox"/> New Dwelling	<input type="checkbox"/> Addition to Dwelling	<input type="checkbox"/> Replacement Dwelling*	<input type="checkbox"/> Mobile/Manfac. Home
<input type="checkbox"/> Attached Garage	<input type="checkbox"/> Detached Garage	<input type="checkbox"/> Storage Structure	<input type="checkbox"/> Addition to Non-dwelling
<input type="checkbox"/> Stairway	<input type="checkbox"/> Deck	<input type="checkbox"/> Recreational Unit	<input type="checkbox"/> Water Oriented Structure
<input type="checkbox"/> Fence	<input checked="" type="checkbox"/> Other open porch on front of Bar/Restaurant	<input type="checkbox"/> Non Conforming Replacement (identify) (Replace existing concrete walkway)	

*Existing Dwelling to be removed prior to _____

Onsite Water Supply (☒) Deep Well () Shallow Well Well Depth 150'
MN Rules Chapter 4725 (MN well code) requires a 3' minimum structure setback to well

Onsite Sewage Treatment System

Type of System Tank & drainfield Date of Installation _____ Last Date Certified _____
Must have current certificate of compliance on septic system prior to issuance of a permit

Lot Information Shoreland () Riparian () Non Riparian Non Shoreland ☒

Lot Area 44,431 sq ft or 1.02 acres Water Frontage _____ ft Bluff () Yes () No
Impervious coverage refers to anything water cannot pass through. Structures, areas covered by a roof, concrete, asphalt, Class 5, sidewalks, patio pavers, etc. should all be included in this calculation. Decks should be included in this calculation if they have plastic underlayment or impervious surface underneath. Anytime you exceed 15% lot coverage a stormwater management plan and/or mitigation is required. **INCLUDE PROPOSED STRUCTURES IN CALCULATION.**

Please Note: Unless otherwise provided, a minimum of a 12 foot wide driveway from the nearest road right of way to the proposed structure must be included in both your plan and impervious surface calculation.

Impervious Surface	Dimensions	Sq. Footage	Impervious Surface	Dimensions	Sq. Footage
On property			On property		

Ex: Patio	10 x 12	120			
DRIVEWAY	25 x 70	1750	open porch on Back	20 x 16	320
Bar / Liv. Quart.	—	2,208	Entry on back of L.Q.	8 x 24	192
old Garage	18 x 24	432	Shed	5 x 5	25
Shed	16 x 24	384	open porch on Front.	6 x 50	300

Impervious Lot Coverage $\frac{5,611}{44,431} \times 100 = 12.6\%$
Total Impervious Lot Area Impervious Coverage Percentage

Topographical Alteration/Earth moving

☒ None () 10 cubic yards or less () 11- 50 cubic yards () over 50 cubic yards
Project over 50 cubic yards a storm water management plan must be included.

Characteristics of Proposed Dwelling/Dwelling Additions/Attached Garage/Decks

Cost of Project

() Dwelling ____ ft by ____ ft () Attached Garage ____ ft x ____ ft

\$ 1,200

Outside Dimension () Deck/Patio ____ ft x ____ ft ~~(X) Addition to existing~~ 6 ft x 50 ft → open porch on front of bar.

Setback to Side Lot Line 10' ft & Rear Lot Line 200' ft Setback to Road Right of Way 35' 4" ft

Setback to Bluff ____

Type of road County

Setback to Wetland ____

Is wetland protected () Yes (X) No

Setback to OHW (straight horizontal distance) ____

Elevation above OHW (Straight vertical distance) ____

Setback to septic tank +20

Setback to drainfield +20

Total No. Bedrooms ____

Maximum height proposed 8 # of Stories 1

Roof Change () Yes () No

Basement () Yes (X) No Walkout Basement () Yes (X) No

Characteristics of Proposed Non Dwelling/Non Dwelling Additions/Detached Garages/Storage Sheds

() Garage ____ ft by ____ ft () Storage Shed ____ ft x ____ ft () Fence ____ ft long x ____ high () other ____ ft x ____ ft

Outside Dimension () Addition to existing structure ____ ft x ____ ft () Fence ____ ft x ____ ft

Setback to Lot Line ____ ft & Rear Lot Line ____ ft

Setback to Road Right of Way ____ ft

Setback to Bluff ____

Type of road ____

Setback to Wetland ____

Is wetland protected () Yes () No

Setback to OHW (straight horizontal distance) ____

Elevation above OHW (Straight vertical distance) ____

Setback to septic tank ____

Setback to drainfield ____

Roof Change () Yes () No

Maximum height proposed ____ # of Stories ____

Bathroom proposed () Yes () No

Sleeping Quarters proposed () Yes () No

*Garages and storage sheds cannot contain amenities for independent human habitation

Characteristics of Proposed Water Oriented Structure*

Cost of Project \$

() Stairway () Deck () Boathouse () Screen Porch () Gazebo () Storage Structure

Outside Dimension ____ ft by ____ ft

Sq ft ____

Setback to Lot Line ____ ft & ____ ft

Setback to Bluff ____

Setback to OHW (straight horizontal distance) ____

Elevation above OHW (Straight vertical distance) ____

Setback to septic tank ____

Setback to drainfield ____

Maximum height proposed ____

*Sleeping facilities or water supplies are not permitted in these structures

THIS IS A SITE PERMIT ONLY AND DOES NOT CONSTITUTE A BUILDING PERMIT
AS SET FORTH IN MN STATE STATUTES.

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, a permit is valid for a period of one (1) year from the date of issuance. If my property is located within the shoreland district, I understand that it is my responsibility to inform the Planning & Zoning Office once the building footings have been constructed. A Site Permit may be revoked at any time upon violation of said Ordinances and approved setbacks. Any changes to this site permit results in nullification of this permit and a new permit will have to be obtained.

Signature

Date

12-2-16

Rear of Lot

shed

shed

(X) ^{Septic}

old
Garage

entry way

open
porch

Living
Quarters
(2 story
or this
half)

Bar / Restaurant
area

50'
open porch

↑ 35' from
center line.

CO Hwy 39



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), Maxwell Knoll hereby authorize Joyce Holm 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): 33.0231.000 Physical Site Address: 17259 Co Hwy 39

Legal Description: _____ Frazee, mn

Section: 28 Township: 139 Range: 38 Lot: _____ Block: _____ Plat Name: _____

Agent Contact Information

Agent address: 13600 E. Pearl LK Rd Detroit Lakes, mn 56501
Street City State Zip Code

Agent phone #(s): 218-849-4834 Agent fax #: _____

Agent email address: joyceholm@hotmail.com

Max Knoll

Property Owner(s) Signature(s)

12-2-16

Date

State of Minnesota
County of Becker

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

(Notary Stamp)

Notary Public

Office Use Only:

Date received: _____

Expiration Date: _____



Becker County



33.0231.000

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.

1:2,246

Date: 3/24/2017

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

Personalized for your business!

-

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Township 139N - Range 38W

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[illegible]

SEE PAGE 21



COUNTY OF BECKER

Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

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

BOARD OF ADJUSTMENT NOTICE OF PUBLIC HEARING

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

Thursday, April 13, 2017 @ 7:00 P.M.

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

APPLICANT: Carrie Wirth
12615 S. Abbey Lake Lane
Detroit Lakes, MN 56501

Project Location: 12615 S. Abbey Lake Ln.

APPLICATION AND DESCRIPTION OF PROJECT:

Request a Variance from the Ordinary High Water Mark to replace an existing structure with a larger one.

LEGAL LAND DESCRIPTION: Tax ID number: 190715000 Abbey Lake

ABBEY LAKE ESTATES Lot 052 Block 001; Section 23, TWP 138, Range 41, Lake View Township.

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

PLANNING AND ZONING DEPARTMENT

915 Lake Avenue
Detroit Lakes, MN. 56501

FAX Number 218-846-7266

EMAIL: zoning@co.becker.mn.us

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

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

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

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

**Becker County Planning & Zoning
Public Hearing Research**

APPLICANT

Carrie Wirth

PUBLIC HEARING DATE

April 13th, 2017

APPLICATION

Request a Variance from the Ordinary High Water Mark to replace an existing structure with a larger one.

1) BACKGROUND INFORMATION ON PROPERTY

The property is pie shaped with the narrow end towards the lake. It is also fairly shallow.

2) DEVELOPMENT SUMMARY

Standard Size Lot ()	Substandard Size Lot (X)
Site Area _____ Sq. Ft	_____ .66 Acres
Lot width <u>75</u> ft	Lot Depth _____ ft
Building Area _____ Sq. Ft	
Percent Lot Coverage _____%	
Proposed - _____	

3) DISCUSSION/DEVELOPMENT ANALYSIS

Sewer System: No septic system as part of the project and would not be needed.

Zoning Ordinance, Subdivision Ordinance & Sewer Ordinance References:

Chapters 6 of the Becker County Zoning Ordinance.

4) SUMMARY OF CONCERNS

The owner is looking to replace the existing structure with a larger structure.

Is the variance request in harmony with the general purposes and intent of the above citation? (yes) (no)

Explanation: No, the ordinance is attempting to protect the lake by requiring that the owner be further way from the lake.

2. Is the variance consistent with the Becker County Comprehensive Plan? (yes) (no)

Explanation: Yes

- 3. Without a variance, is the owner deprived of reasonable use of the property? (yes) (no)**

Explanation: No the owner could rebuild the existing structure.

- 4. Is the alleged practical difficulty due to circumstances unique to this property? (yes) (no)**

Explanation: Yes, the lot is narrow near the lake and shallow.

- 5. Were the circumstances causing the practical difficulty created by someone or something other than the landowner or previous landowner? (yes) (no)**

Explanation: Yes, the shape of the lot makes building anything on it difficult.

- 6. Will the issuance of the variance maintain the essential character of the locality? (yes) (no)**

Explanation: Yes the area is a residential area and the proposed use is residential.

- 7. Does the alleged practical difficulty involve more than economic considerations? (yes) (no)**

Explanation: Yes

BECKER COUNTY VARIANCE APPLICATION

What Is A Variance? A variance is an exception to the established regulations of the Becker County Zoning Ordinance.

When Is A Variance Necessary? A variance may be necessary when a landowner wishes to build or develop his/her property and the rules of the ordinance prohibit him/her from doing so.

Can Anyone Get A Variance? No. The courts have stated that the applicant has the "heavy burden of proof" to show that there are no other options and that a "practical difficulty" of the property exists.

Guidelines for Granting / Denying a Variance

Please refer to the Chapter 8, Section 11-I of the Becker County Zoning Ordinance for the complete guidelines followed in reviewing a variance application. A summary of the guidelines follows:

- 1) Is the variance in harmony with the general purposes and intent of the official control?
- 2) Without a variance, is the owner deprived of reasonable use of the property?
- 3) Is the alleged practical difficulty due to circumstances unique to this property?
- 4) Were the circumstances causing the practical difficulty created by someone or something other than the landowner or previous landowner?
- 5) Will the issuance of the variance maintain the essential character of the locality?
- 6) Does the alleged practical difficulty involve more than economic considerations?

Who Decides If I Will Get A Variance? The decision as to whether or not a hardship of the property is substantiated is made at a Public Hearing conducted by the Becker County Board of Adjustments. The information provided by the applicant, site visit, report, staff recommendation, and public comment help determine whether or not a practical difficulty has been demonstrated.

When Will My Variance Be Decided? The Board of Adjustments meets once a month to hear applications. Applications must be received by the Zoning Office one month prior to the scheduled hearing date to be processed. The Hearing process must follow State Statutes. A list of Hearing dates and application filing deadlines are enclosed.

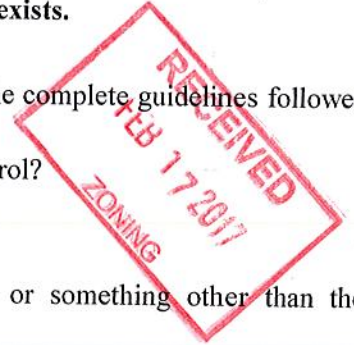
What Information Is Needed For A Variance? A completed variance application consists of the following information:

- ✓ A completed application form with signatures of all owners and a brief description of the project and practical difficulty.
Examples: (1) A one-story house with walk-out basement located 85 feet from the lake; Due to depth of the lot, the 100 ft setback cannot be met; (2) 10 by 24 ft single story addition to an existing house located 5 ft from the side lot line; Due to the hill behind the house the addition can only be placed on one side.
- ✓ A detailed site plan, drawn to scale on grid or graph paper, showing the location of existing structures, proposed project, location of wells and septic systems, with all dimensions and distances shown, and location, dimensions, and distances for any impervious surface (asphalt, concrete, block sidewalks, driveways and patios).
- ✓ Complete legal description of the property with parcel number and 911 address (legal description can be found on the abstract or obtained from the County Records Office; parcel number can be found on the tax statement).
- ✓ Proof of Ownership (tax statement or purchase agreement).
- ✓ A copy of the Certificate of Compliance for the septic system or a site evaluation for the upgrading of the present system or installation of a new system.
- ✓ Minimum application fee of \$326.00 for a Variance in a Residential or Agricultural Zone; \$426.00 for a Variance in a Commercial or Industrial Zone.

What Happens Once The Application Is Submitted? Once the application has been submitted, it will be processed for the Public Hearing. Landowners within 500 feet of the property or a minimum of 10 nearest property owners (which ever number is greater) will be notified along with Governmental Agencies. Members of the Zoning Office and Board of Adjustment will inspect the property. At the regular meeting, the Board will hear testimony and discuss the practical difficulty and the need for a variance. The Board usually makes their final decision at the Public Hearing.

The following on-site preparations must be done once the application has been submitted:

- ✓ The property lines must be identified with obvious markers.
- ✓ The proposed building site must be identified with obvious markers.





BECKER COUNTY PLANNING & ZONING

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

VARIANCE APPLICATION

PARCEL	
APP	Variance
YEAR	
SCANNED	

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

First name(s) Carrie Last Name Wirth
Mailing Address 12615 S. Abbey Lake LN City, State, Zip Detroit Lakes, MN, 55555
Phone Number (701) 793-1553 Project Address: 12615 S. Abbey Lake LN
Parcel number(s) of property: 190715000 Sect - Twp - Range: 23-138-041
Township Name: Lake View Legal Description: Abbey Lakes
Estate S lot 052 Block 001 Subdivision c1900

Why is the variance being requested? (Mark all sections that apply)

- ☒ Setback Issues ☒ Lot size not in compliance with minimum standards
☐ Alteration to non-conforming structure ☐ Topographical Issues (hills, slopes, bluffs, wetlands)
☐ Other

Please provide a brief description detailing the above variance request:

Request to replace dwelling. Current dwelling is
1979 Schultz mobile home. Due to poor condition
of dwelling (unsafe entrance, roof condition, water/moisture damage,
pier foundation with wooden shims), replacing dwelling with
nonconform with current minimum standards and
What are you applying for less than the minimum distance (setback) from? Set backs

Setback must include decks and patios, current and proposed.

- ☒ Ordinary High Water Mark (OHWM) Proposed Distance (setback) 120 feet
☐ Lot Line Proposed Distance (setback) _____ feet
☐ Road Right of Way (ROW) Proposed Distance (setback) _____ feet
Type of Road [] Township [] County [] State
☐ Crest of bluff Proposed Distance (setback) _____ feet
☐ Impervious Surface Coverage Proposed Impervious Lot Coverage _____ sq ft
_____ %

Was the lot recorded prior to 1971?

☒ Yes

☐ No

Was the lot recorded between 1971 & 1992?

☐ Yes

☒ No

Was the lot recorded after 1992?

☐ Yes

☒ No

Will this be a new lot split?

☐ Yes

☒ No

What is the current square footage of the structure?

960

What is the proposed addition square footage?

1029 New

What is the current height of the structure?

16'

What is the proposed height of the structure?

28'

Is there a basement to the structure?

NO

Will the proposed addition have a basement?

YES

Will the roofline of the existing structure be changed?

YES Removed

Will the main structural framework of the structure be altered?

YES Removed

What is the current percentage of lot coverage?

6.90

What is the proposed percentage of lot coverage?

9.290

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;
3. Non-refundable filing fee of \$326.00. **Make check payable to Becker County Zoning.**
4. Is the variance request after the fact? [] Yes ☒ No
If yes, after the fact application fee is an additional \$600.00.

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

- 1) In your opinion, is the Variance in harmony with the purposes and intent of the ordinance?
Yes ☒ No () Why or why not?
New structure will not impede any neighbors view
- 2) In your opinion, is the Variance consistent with the Comprehensive Plan?
Yes ☒ No () Why or why not?
Fits within Area
- 3) In your opinion, does the proposal put property to use in a reasonable manner?
Yes ☒ No () Why or why not?
Liveable home
- 4) In your opinion, are there circumstances unique to the property?
Yes ☒ No () Why or why not?
Platted lot exceeds 100' into alluvial making lot not deep enough to conform to regulations.
- 5) In your opinion, will the variance maintain the essential character of the locality?
Yes ☒ No () Why or why not?
Will make property a area more visually attractive

The Board of Adjustments must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of the County and other applicable ordinances.

Applicant's Signature: Candace Date: 2/16/17

Fee Owner's Signature: _____ Date: _____

(Office Use)

Date Received _____ Accepted [] Incomplete Application [] Date _____

Zoning Administrator _____



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), Carrie Wirth hereby authorize Tyler Drewes 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): 190715000 Physical Site Address: 12615 S. Abbey Lake LN
Legal Description: Abbey Lake Estates Lot 52 Block 001
Section: 23 Township: 138 Range: 041 Lot: 52 Block: 001 Plat Name: Abbey Lake Estates

Agent Contact Information

Agent address: 27160 Little Floyd Lake Rd Detroit Lakes, MN 56501
Street City State Zip Code
Agent phone #(s): 218-234-6799 Agent fax #: _____
Agent email address: tyler.drewes@yahoo.com

Carrie Wirth 2/17/17
Property Owner(s) Signature(s) Date

State of Minnesota
County of Becker

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

(Notary Stamp)

Notary Public

Office Use Only:

Date received: _____ Expiration Date: _____

640006

BECKER COUNTY RECORDER
STATE OF MINNESOTA

Document No. 640006

February 6, 2017 at 11:03 AM

I hereby certify that the within
instrument was recorded in this office.

Patricia Swenson, County Recorder

By SKS Deputy

No delinquent taxes and transfer entered

this 14th day of Feb, 2017

Mary E. Hendrickson

Becker County Auditor/Treasurer

By SKS Deputy

19-07151000

QUIT CLAIM DEED

Individual(s) to Individual(s)

Minnesota Uniform Conveyancing Blanks
Form 10.3.1 (2013)

eCRV number: _____

DEED TAX DUE: \$ 1.65

DATE: 2-3-2017
(month/day/year)

FOR VALUABLE CONSIDERATION, Barbara Wirth, widow NOT remarried Single
(insert name and marital status of each Grantor)

hereby conveys and quitclaims to Carrie Wirth ("Grantor"),

(insert name of each Grantee)

("Grantee"), real property

in Becker County, Minnesota, legally described as follows:

See exhibit A

consideration less than 500.00

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

together with all hereditaments and appurtenances belonging thereto.

BECKER COUNTY DEED TAX

AMT. PD. \$ 1.65

Receipt # 6413416

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 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

Barbara Wirth
(signature)

(signature)

chg
paid
well

State of Minnesota, County of Le SueurThis instrument was acknowledged before me on 1-5-18, by _____
(month/day/year)Barbara Wirth
(insert name and marital status of each Grantor)

(Stamp)



(signature of notarial officer)

Title and Rate _____

My commission expires: 1-31-18
(month/day/year)THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

TO: Barbara Wirth
12615 S Abbeylake Lane
Detroit Lakes, MN 56501

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

Barbara Wirth
12615 S. AbbeyLake lane
Detroit Lakes, MN 56501

Exhibit A

Minnesota, described as follows:

Lot Numbered Fifty-Two (52), Block One (1), ABBEY LAKE ESTATES, according to the certified Plat thereof on file and of record in the office of the County Recorder in and for Becker County, Minnesota.

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

Covenants, Easements and Restrictions of Record, if any.

Control Agency520 Lafayette Road North
St. Paul, MN 55155-4194**Existing Subsurface Sewage Treatment Systems (SSTS)**

Doc Type: Compliance and Enforcement

Inspection results based on Minnesota Pollution Control Agency (MPCA) requirements and attached forms – additional local requirements may also apply.

Submit completed form to Local Unit of Government (LUG) and system owner within 15 days

For local tracking purposes:

System StatusSystem status on date (mm/dd/yyyy): 2-1-2017

☒ **Compliant – Certificate of Compliance**
valid for 3 years from report date, unless shorter time frame outlined in Local Ordinance.

☐ **Noncompliant – Notice of Noncompliance**
(See Upgrade Requirements on page 3.)

Reason(s) for noncompliance (check all applicable)

- ☐ Impact on Public Health (Compliance Component #1) – Imminent threat to public health and safety
- ☐ Other Compliance Conditions (Compliance Component #3) – Imminent threat to public health and safety
- ☐ Tank Integrity (Compliance Component #2) – Failing to protect groundwater
- ☐ Other Compliance Conditions (Compliance Component #3) – Failing to protect groundwater
- ☐ Soil Separation (Compliance Component #4) – Failing to protect groundwater
- ☐ Operating permit/monitoring plan requirements (Compliance Component #5) – Noncompliant

Property InformationParcel ID# or Sec/Twp/Range: 190715000Property address: 12615 S Abby LnReason for inspection: VoluntaryProperty owner: Burton SmithOwner's phone: 701-429-1091

or

Owner's representative: _____

Representative phone: _____

Local regulatory authority: _____

Regulatory authority phone: _____

Brief system description: 1000 gal tank - chamber drainfield

Comments or recommendations: _____

Certification

I hereby certify that all the necessary information has been gathered to determine the compliance status of this system. No determination of future system performance has been nor can be made due to unknown conditions during system construction, possible abuse of the system, inadequate maintenance, or future water usage.

Inspector name: John J. Goych

Certification number: _____

Business name: _____

License number: 478Inspector signature: John J. Goych

Phone number: _____

Necessary or Locally Required Attachments☐ Soil boring logs☒ System/As-built drawing☐ Forms per local ordinance☐ Other information (list): _____

Date owner notified of application outcome: _____



Application for Site Permit
Becker County Planning and Zoning
915 Lake Ave, Detroit Lakes, MN 56501
Phone: 218-846-7314 Fax: 218-846-7266
www.co.becker.mn.us

PARCEL	
APP	SITE
YEAR	
SCANNED	

Property will be staked by _____

Date: _____

Please Print or Type All Information

Parcel Number (s)	Property (E911) Address	**911 Address Needed	Legal Description
190715000	12615 S Abbey Lake LN		Detroit Lakes Abbey Lake Estates Cots 52 Block 001

Lake/River Name	Lake/River Class	Township Name	Section	TWP No.	Range
Abbey Lake	NE	Lakeview	23	138	041

Property Owner	Last Name	First Name	Mailing Address	Phone
With	Carrie		12615 S. Abbey Lake LN	(701) 793-1553
Contractor Name Lic #	20181857			



Proposed Project (Check those that apply)

<input checked="" type="checkbox"/> New Dwelling	<input type="checkbox"/> Addition to Dwelling	<input type="checkbox"/> Replacement Dwelling*	<input type="checkbox"/> Mobile/Manfac. Home
<input type="checkbox"/> Attached Garage	<input checked="" type="checkbox"/> Detached Garage	<input type="checkbox"/> Storage Structure	<input type="checkbox"/> Addition to Non-dwelling
<input type="checkbox"/> Stairway	<input type="checkbox"/> Deck	<input type="checkbox"/> Recreational Unit	<input type="checkbox"/> Water Oriented Structure
<input type="checkbox"/> Fence	<input type="checkbox"/> Other _____	<input type="checkbox"/> Non Conforming Replacement (identify) _____	

*Existing Dwelling to be removed prior to _____

Onsite Water Supply (☒) Deep Well (☐) Shallow Well Well Depth _____
MN Rules Chapter 4725 (MN well code) requires a 3' minimum structure setback to well

Onsite Sewage Treatment System
Type of System _____ Date of Installation _____ Last Date Certified _____
Must have current certificate of compliance on septic system prior to issuance of a permit

Lot Information Shoreland ☐ () Riparian () Non Riparian Non Shoreland _____

Lot Area 28,749 sq ft or .66 acres Water Frontage 75 ft Bluff (☒) Yes (☐) No

Impervious coverage refers to anything water cannot pass through. Structures, areas covered by a roof, concrete, asphalt, Class 5, sidewalks, patio pavers, etc. should all be included in this calculation. Decks should be included in this calculation if they have plastic underlayment or impervious surface underneath. Anytime you exceed 15% lot coverage a stormwater management plan and/or mitigation is required. **INCLUDE PROPOSED STRUCTURES IN CALCULATION.**

Please Note: Unless otherwise provided, a minimum of a 12 foot wide driveway from the nearest road right of way to the proposed structure must be included in both your plan and impervious surface calculation.

Impervious Surface	Dimensions	Sq. Footage	Impervious Surface	Dimensions	Sq. Footage
On property			On property		
Ex: Patio	10 x 12	120			
DRIVEWAY	16 x 20	320	Proposed House	26 x 42	1092
Sidewalk	3 x 60	180	Proposed Garage	26 x 40	1040
Deck	10 x 26	260			
			Total Impervious Material		<u>2652</u>

Impervious Lot Coverage $\frac{2652}{28749} \div \frac{28749}{.66} = .092 \times 100 = 9.2\%$

Topographical Alteration/Earth moving

(☐) None (☐) 10 cubic yards or less (☐) 11- 50 cubic yards (☒) over 50 cubic yards

Characteristics of Proposed Dwelling/Dwelling Additions/Attached Garage/Decks**Cost of Project**☒ Dwelling 26 ft by 42 ft () Attached Garage _____ ft x _____ ft\$ 320,000

Outside Dimension () Deck/Patio _____ ft x _____ ft () Addition to existing _____ ft x _____ ft

Setback to Side Lot Line 30' ft & Rear Lot Line 50 ftSetback to Road Right of Way 50 ftSetback to Bluff NAType of road TownshipSetback to Wetland NA

Is wetland protected () Yes () No

Setback to OHW (straight horizontal distance) 120'Elevation above OHW (Straight vertical distance) 12'Setback to septic tank 30'Setback to drainfield 40'Total No. Bedrooms 3Maximum height proposed 28' # of Stories 2

Roof Change () Yes () No

Basement (☒) Yes () No Walkout Basement (☒) Yes () No**Characteristics of Proposed Non Dwelling/Non Dwelling Additions/Detached Garages/Storage Sheds**(☒) Garage 20 ft by 40 ft () Storage Shed _____ ft x _____ ft () Fence _____ ft long x _____ high () other _____ ft x _____ ft

Outside Dimension () Addition to existing structure _____ ft x _____ ft () Fence _____ ft x _____ ft

Setback to Lot Line 10' ft & Rear Lot Line 75' ftSetback to Road Right of Way 20 ft**Cost of Project**
\$ 25,000Setback to Bluff NAType of road TownshipSetback to Wetland NA

Is wetland protected () Yes () No

Setback to OHW (straight horizontal distance) 160'Elevation above OHW (Straight vertical distance) 20'Setback to septic tank 20'Setback to drainfield 30'Roof Change () Yes (☒) NoMaximum height proposed 17' # of Stories 1Bathroom proposed () Yes (☒) NoSleeping Quarters proposed () Yes (☒) No***Garages and storage sheds cannot contain amenities for independent human habitation****Characteristics of Proposed Water Oriented Structure*****Cost of Project \$** _____

() Stairway () Deck () Boathouse () Screen Porch () Gazebo () Storage Structure

Outside Dimension _____ ft by _____ ft

Sq ft _____

Setback to Lot Line _____ ft & _____ ft

Setback to Bluff _____

Setback to OHW (straight horizontal distance) _____

Elevation above OHW (Straight vertical distance) _____

Setback to septic tank _____

Setback to drainfield _____

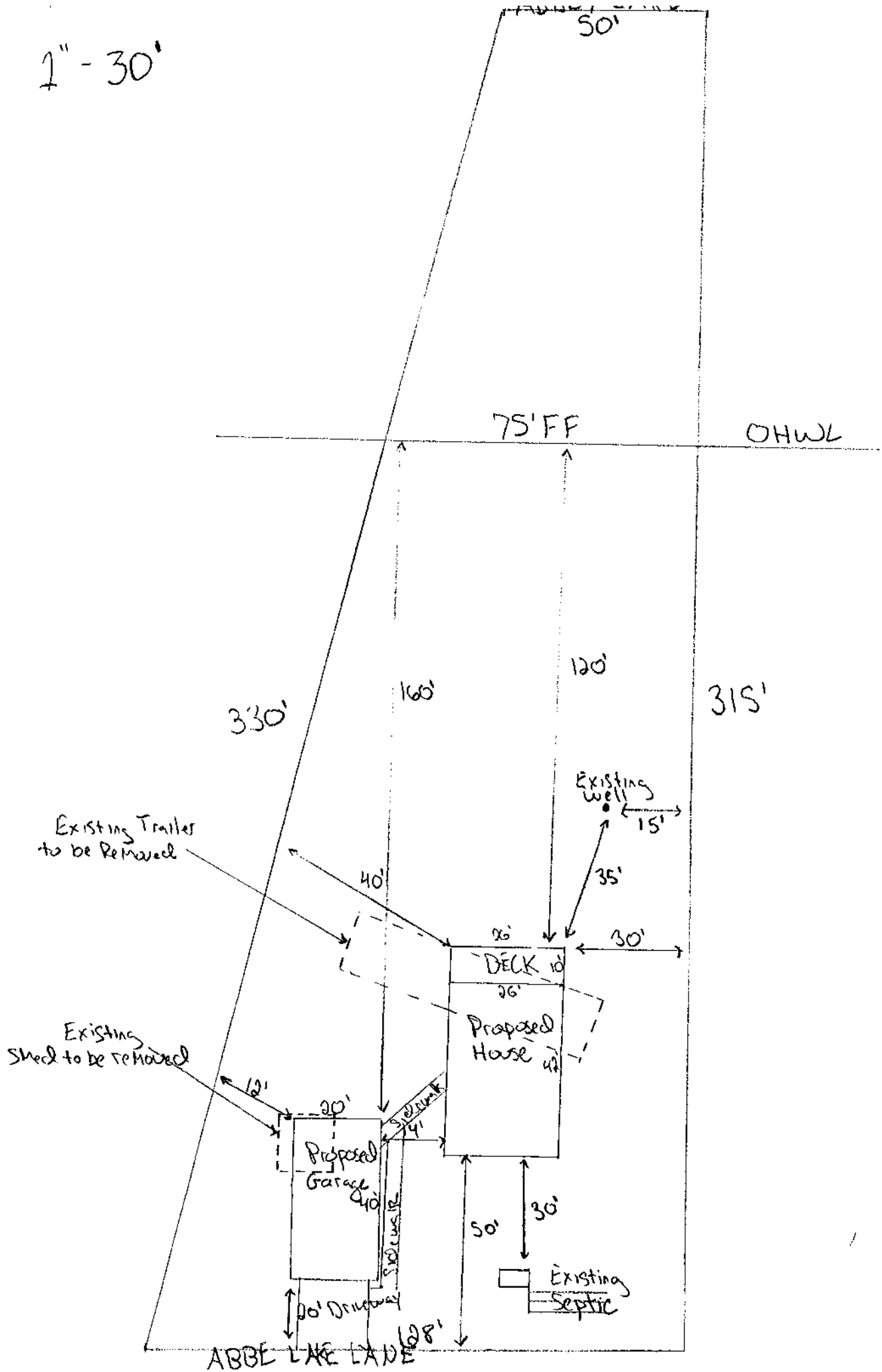
Maximum height proposed _____

Sleeping facilities or water supplies are not permitted in these structures*THIS IS A SITE PERMIT ONLY AND DOES NOT CONSTITUTE A BUILDING PERMIT
AS SET FORTH IN MN STATE STATUTES.**

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, a permit is valid for a period of one (1) year from the date of issuance and that Planning and Zoning Staff may visit my property to ensure compliance. If my property is located within the shoreland district, I understand that it is my responsibility to inform the Planning & Zoning Office once the building footings have been constructed. A Site Permit may be revoked at any time upon violation of said Ordinances and approved setbacks. Any changes to this site permit results in nullification of this permit and a new permit will have to be obtained.


Signature2/16/17
Date

1" = 30'



Date owner notified of application outcome: _____



COUNTY OF BECKER

Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

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

**BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING
HEARING DATE AND LOCATION
Thursday, April 13, 2017 @ 7:00 P.M.
Commissioner's Room-Becker County Courthouse
Detroit Lakes, MN. 56501**

APPLICANT: Robert Schmidt
5427 E river Rd
Kindred ND, 8051

Project Location: 16157 Saign LN

APPLICATION AND DESCRIPTION OF PROJECT:

Request a Variance from the Ordinary High Water Mark to replace an existing structure with a larger one.

LEGAL LAND DESCRIPTION: Tax ID number: 02.0285.000

Section 32 Township 139 Range 042 BLACKHAWK MNT BCH 1ST Block 002 LOTS 4 & 5

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

PLANNING AND ZONING DEPARTMENT

915 Lake Avenue
Detroit Lakes, MN. 56501

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

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

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

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

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

**Becker County Planning & Zoning
Public Hearing Research**

APPLICANT

Robert Schmidt

PUBLIC HEARING DATE

April 13th, 2017

APPLICATION

Request a Variance from the Ordinary High Water Mark to replace an existing structure with a larger one.

1) BACKGROUND INFORMATION ON PROPERTY

The property is on a narrow peninsula basically surrounded by the lake.

2) DEVELOPMENT SUMMARY

Standard Size Lot () Substandard Size Lot (X)
Site Area _____ Sq. Ft _____ Acres
Lot width 150 ft Lot Depth _____ ft
Building Area _____ Sq. Ft
Percent Lot Coverage _____ %
Proposed - _____

3) DISCUSSION/DEVELOPMENT ANALYSIS

Sewer System: septic compliant as of 2016.

Zoning Ordinance, Subdivision Ordinance & Sewer Ordinance References:

Chapters 6 of the Becker County Zoning Ordinance.

4) SUMMARY OF CONCERNS

The owner is looking to replace the existing structure with a slightly larger structure that fits with the existing structure and a previous variance.

Is the variance request in harmony with the general purposes and intent of the above citation? (yes) (no)

Explanation: Yes, the proposed project would be in the same footprint as the existing structure. There is a previous setback variance that allows for an addition and this request meets that.

- 2. Is the variance consistent with the Becker County Comprehensive Plan? (yes) (no)**

Explanation: Yes

- 3. Without a variance, is the owner deprived of reasonable use of the property? (yes) (no)**

Explanation: No, the owner could rebuild the existing structure. Which would be slightly smaller than requested.

- 4. Is the alleged practical difficulty due to circumstances unique to this property? (yes) (no)**

Explanation: Yes, the lot is located on a peninsula and is relatively narrow.

- 5. Were the circumstances causing the practical difficulty created by someone or something other than the landowner or previous landowner? (yes) (no)**

Explanation: Yes, the shape of the lot makes building anything on it difficult.

- 6. Will the issuance of the variance maintain the essential character of the locality? (yes) (no)**

Explanation: Yes the area is a residential area and the proposed use is residential.

- 7. Does the alleged practical difficulty involve more than economic considerations? (yes) (no)**

Explanation: Yes

BECKER COUNTY VARIANCE APPLICATION

What Is A Variance? A variance is an exception to the established regulations of the Becker County Zoning Ordinance.

When Is A Variance Necessary? A variance may be necessary when a landowner wishes to build or develop his/her property and the rules of the ordinance prohibit him/her from doing so.

Can Anyone Get A Variance? No. The courts have stated that the applicant has the "heavy burden of proof" to show that there are no other options and that a "practical difficulty" of the property exists.

Guidelines for Granting / Denying a Variance

Please refer to the Chapter 8, Section 11-I of the Becker County Zoning Ordinance for the complete guidelines followed in reviewing a variance application. A summary of the guidelines follows:

- 1) Is the variance in harmony with the general purposes and intent of the official control?
- 2) Without a variance, is the owner deprived of reasonable use of the property?
- 3) Is the alleged practical difficulty due to circumstances unique to this property?
- 4) Were the circumstances causing the practical difficulty created by someone or something other than the landowner or previous landowner?
- 5) Will the issuance of the variance maintain the essential character of the locality?
- 6) Does the alleged practical difficulty involve more than economic considerations?

Who Decides If I Will Get A Variance? The decision as to whether or not a hardship of the property is substantiated is made at a Public Hearing conducted by the Becker County Board of Adjustments. The information provided by the applicant, site visit, report, staff recommendation, and public comment help determine whether or not a practical difficulty has been demonstrated.

When Will My Variance Be Decided? The Board of Adjustments meets once a month to hear applications. Applications must be received by the Zoning Office one month prior to the scheduled hearing date to be processed. The Hearing process must follow State Statutes. A list of Hearing dates and application filing deadlines are enclosed.

What Information Is Needed For A Variance? A completed variance application consists of the following information:

- ✓ A completed application form with signatures of all owners and a brief description of the project and practical difficulty.
Examples: (1) A one-story house with walk-out basement located 85 feet from the lake; Due to depth of the lot, the 100 ft setback cannot be met; (2) 10 by 24 ft single story addition to an existing house located 5 ft from the side lot line; Due to the hill behind the house the addition can only be placed on one side.
- ✓ A detailed site plan, drawn to scale on grid or graph paper, showing the location of existing structures, proposed project, location of wells and septic systems, with all dimensions and distances shown, and location, dimensions, and distances for any impervious surface (asphalt, concrete, block sidewalks, driveways and patios).
- ✓ Complete legal description of the property with parcel number and 911 address (legal description can be found on the abstract or obtained from the County Records Office; parcel number can be found on the tax statement).
- ✓ Proof of Ownership (tax statement or purchase agreement).
- ✓ A copy of the Certificate of Compliance for the septic system or a site evaluation for the upgrading of the present system or installation of a new system.
- ✓ Minimum application fee of \$326.00 for a Variance in a Residential or Agricultural Zone; \$426.00 for a Variance in a Commercial or Industrial Zone.

What Happens Once The Application Is Submitted? Once the application has been submitted, it will be processed for the Public Hearing. Landowners within 500 feet of the property or a minimum of 10 nearest property owners (which ever number is greater) will be notified along with Governmental Agencies. Members of the Zoning Office and Board of Adjustment will inspect the property. At the regular meeting, the Board will hear testimony and discuss the practical difficulty and the need for a variance. The Board usually makes their final decision at the Public Hearing.

The following on-site preparations must be done once the application has been submitted:

- ✓ The property lines must be identified with obvious markers.
- ✓ The proposed building site must be identified with obvious markers.



BECKER COUNTY PLANNING & ZONING

915 LAKE AVENUE, DETROIT LAKES, MN 56501

PHONE (218) 846-7314 - FAX (218) 846-7266

VARIANCE APPLICATION

PARCEL	
APP	Variance
YEAR	
SCANNED	

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

First name(s) Robert & Tammy Last Name Schmidt
Mailing Address 5427 East Riverb. Pkwy City, State, Zip Grand M.D 58051
Phone Number 701-428-3088 Project Address: _____
Parcel number(s) of property: 388-2045 cell 02-0285-000 Sect - Twp - Range: _____
Township Name: _____ Legal Description: _____

Why is the variance being requested? (Mark all sections that apply)

- ☒ Setback Issues ☐ Lot size not in compliance with minimum standards
☒ Alteration to non-conforming structure ☐ Topographical Issues (hills, slopes, bluffs, wetlands)
☒ Other

Please provide a brief description detailing the above variance request:

old property located on lot, called in to zoning they ok to
take down and replace with existing footprint But part of
structure was not permitted by prop owner. narrow peninsula

What are you applying for less than the minimum distance (setback) from?

Setback must include decks and patios, current and proposed.

- ☒ Ordinary High Water Mark (OHWM) Proposed Distance (setback) 56' feet
☐ Lot Line Proposed Distance (setback) _____ feet
☐ Road Right of Way (ROW) Proposed Distance (setback) _____ feet
Type of Road [] Township [] County [] State
☐ Crest of bluff Proposed Distance (setback) _____ feet
☐ Impervious Surface Coverage Proposed Impervious Lot Coverage 10 %

Was the lot recorded prior to 1971? ☒ Yes ☐ No

Was the lot recorded between 1971 & 1992? ☐ Yes ☐ No

Was the lot recorded after 1992? ☐ Yes ☐ No

Will this be a new lot split? ☐ Yes ☒ No

What is the current square footage of the structure? 28 X 66 996

What is the proposed addition square footage? 1904

What is the current height of the structure? 77'

What is the proposed height of the structure? 29'

Is there a basement to the structure? NO

Will the proposed addition have a basement? NO

Will the roofline of the existing structure be changed? NO

Will the main structural framework of the structure be altered? NO

What is the current percentage of lot coverage? 8%

What is the proposed percentage of lot coverage? 10%



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;
3. Non-refundable filing fee of \$326.00. **Make check payable to Becker County Zoning.**
4. Is the variance request after the fact? [] Yes [] No
If yes, after the fact application fee is an additional \$600.00.

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

- 1) In your opinion, is the Variance in harmony with the purposes and intent of the ordinance?
Yes (✓) No () Why or why not?
Conforms to existing structure if covered deck would have been permitted
- 2) In your opinion, is the Variance consistent with the Comprehensive Plan?
Yes (✓) No () Why or why not?
Residential, BSC, in residential setting
- 3) In your opinion, does the proposal put property to use in a reasonable manner?
Yes (✓) No () Why or why not?
lot was in total disarray, structure was in terrible condition, other building looked in water removed will not be rebuilding to preserve lake with
- 4) In your opinion, are there circumstances unique to the property?
Yes (✓) No () Why or why not?
Narrow peninsula with existing structure that was in disrepair
- 5) In your opinion, will the variance maintain the essential character of the locality?
Yes (✓) No () Why or why not?
Fits in or match surrounding property with close neighbors are in favor of because lot has been successfully cleaned up

The Board of Adjustments must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of the County and other applicable ordinances.

Applicant's Signature: [Signature] Date: March 2

Fee Owner's Signature: _____ Date: _____

(Office Use)

Date Received _____ Accepted [] Incomplete Application [] Date _____

Zoning Administrator _____



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), _____ hereby authorize _____ 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): _____ Physical Site Address: _____

Legal Description: _____

Section: _____ Township: _____ Range: _____ Lot: _____ Block: _____ Plat Name: _____

Agent Contact Information

Agent address: _____
Street City State Zip Code
Agent phone #(s): _____ Agent fax #: _____
Agent email address: _____

Property Owner(s) Signature(s) _____ Date _____
State of Minnesota
County of Becker

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

(Notary Stamp)

Notary Public

Office Use Only:

Date received: _____ Expiration Date: _____

PARCEL	
APP	SITE
YEAR	
SCANNED	

Property will be staked by _____

Date: _____

Characteristics of Proposed Dwelling/Dwelling Additions/Attached Garage/Decks**Cost of Project**☒ Dwelling 32 ft by 68 ft () Attached Garage _____ ft x _____ ft None\$ 50,000

Outside Dimension () Deck/Patio _____ ft x _____ ft () Addition to existing _____ ft x _____ ft

Setback to Side Lot Line _____ ft & Rear Lot Line _____ ft

Setback to Road Right of Way 2004Setback to Bluff No BluffType of road Grass - Drive waySetback to Wetland No wetland

Is wetland protected () Yes () No

Setback to OHW (straight horizontal distance) 50'Elevation above OHW (Straight vertical distance) 4'Setback to septic tank 25' Holding tankSetback to drainfield No Drain field Holding tank 20 feet southTotal No. Bedrooms 2Maximum height proposed 23' # of Stories 1

Roof Change () Yes (X) No

Basement () Yes (X) No Walkout Basement () Yes (X) No

Characteristics of Proposed Non Dwelling/Non Dwelling Additions/Detached Garages/Storage Sheds

() Garage _____ ft by _____ ft () Storage Shed _____ ft x _____ ft () Fence _____ ft long x _____ high () other _____ ft x _____ ft

Outside Dimension () Addition to existing structure _____ ft x _____ ft () Fence _____ ft x _____ ft

Setback to Lot Line _____ ft & Rear Lot Line _____ ft

Setback to Road Right of Way _____ ft

Setback to Bluff _____

Type of road _____

Setback to Wetland _____

Is wetland protected () Yes () No

Setback to OHW (straight horizontal distance) _____

Elevation above OHW (Straight vertical distance) _____

Setback to septic tank _____

Setback to drainfield _____

Roof Change () Yes () No

Maximum height proposed _____ # of Stories _____

Bathroom proposed () Yes () No

Sleeping Quarters proposed () Yes () No

Garages and storage sheds cannot contain amenities for independent human habitation*Characteristics of Proposed Water Oriented Structure*****Cost of Project \$** _____

() Stairway () Deck () Boathouse () Screen Porch () Gazebo () Storage Structure

Outside Dimension _____ ft by _____ ft

Sq ft _____

Setback to Lot Line _____ ft & _____ ft

Setback to Bluff _____

Setback to OHW (straight horizontal distance) _____

Elevation above OHW (Straight vertical distance) _____

Setback to septic tank _____

Setback to drainfield _____

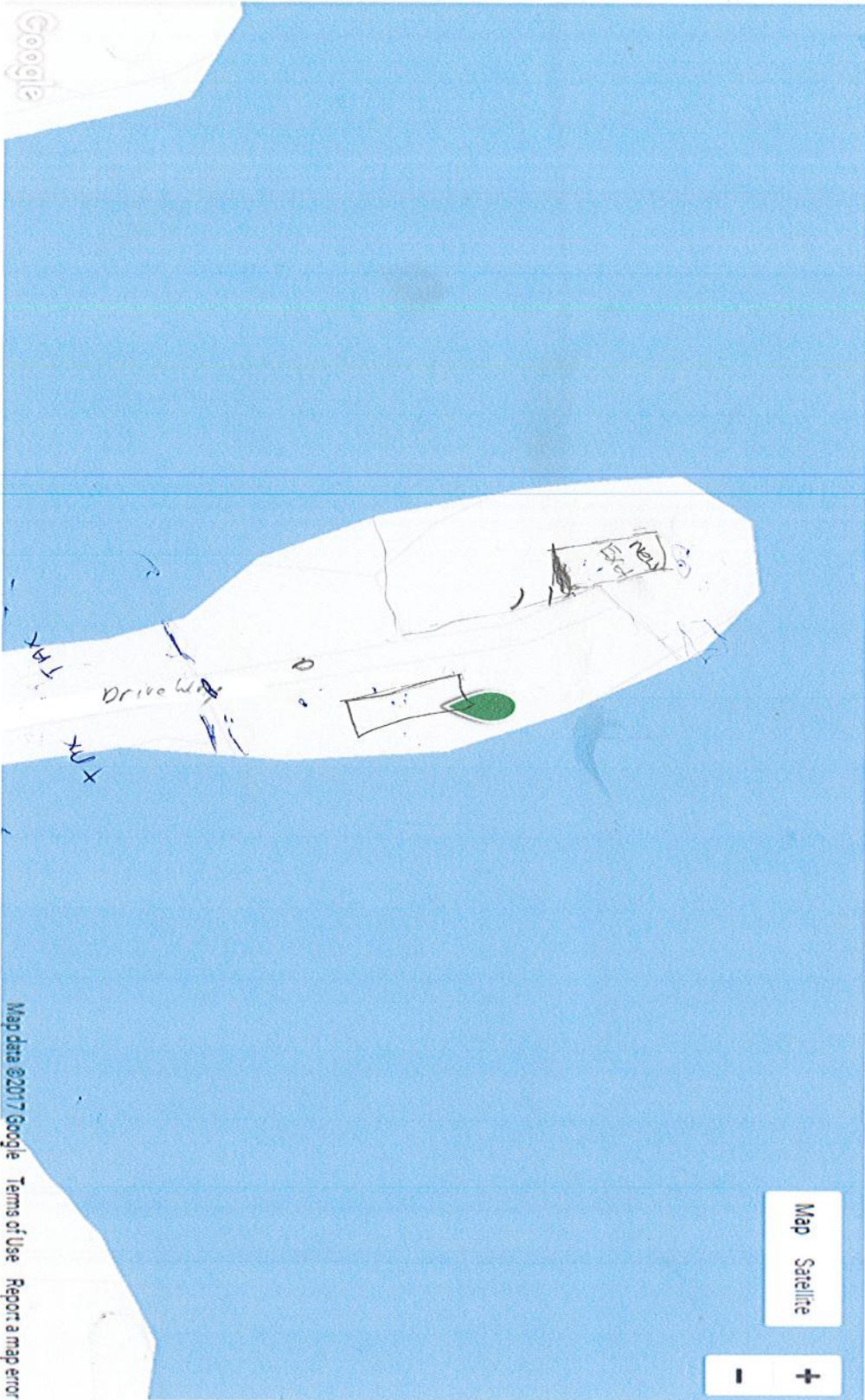
Maximum height proposed _____

Sleeping facilities or water supplies are not permitted in these structures*THIS IS A SITE PERMIT ONLY AND DOES NOT CONSTITUTE A BUILDING PERMIT
AS SET FORTH IN MN STATE STATUTES.**

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, a permit is valid for a period of one (1) year from the date of issuance and that Planning and Zoning Staff may visit my property to ensure compliance. If my property is located within the shoreland district, I understand that it is my responsibility to inform the Planning & Zoning Office once the building footings have been constructed. A Site Permit may be revoked at any time upon violation of said Ordinances and approved setbacks. Any changes to this site permit results in nullification of this permit and a new permit will have to be obtained.

Signature**Date**Feb 1 2017

One
Addition
exp to 1500



Map data ©2017 Google Terms of Use Report a map error

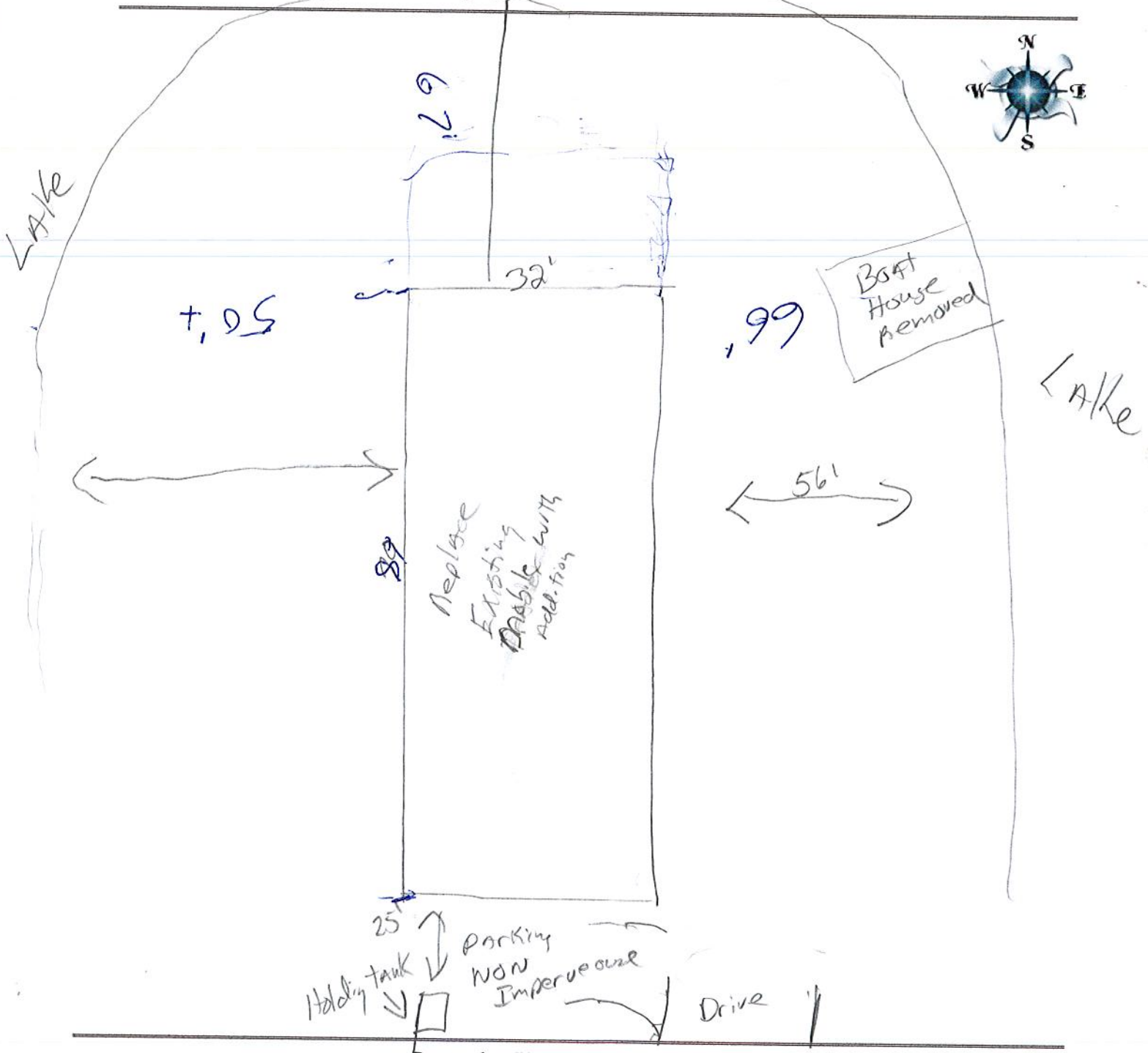
CHT

SKETCH OF PROPERTY

Lake

PARCEL	
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.
5. Indicate where erosion control measures will be implemented and indicate storm water drainage pattern and how it will be maintained on the property.



Remember EROSION CONTROL!

Please use best management practices and/or silt fence to control erosion on all projects.