



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, May 11th, 2017

Agenda

I. Roll Call of Members

II. Minutes Approval for Meeting.

Approval of the April 13th meeting minutes

III. New Business

1. **APPLICANT: Darlene & Steven Kruger Trust** 6263 16TH ST S **Project Location:** 33253 N COTTON LAKE RD, ROCHERT MN 56578 **LEGAL LAND DESCRIPTION:** Tax ID number: 160292000 Section 35 Township 140 Range 040 SubdivisionName AUDREY BEACH 140 40 SubdivisionCd 16001 LOT 10 **APPLICATION AND DESCRIPTION OF PROJECT:** Request permission to replace the current structure with a new one and proposing a retaining wall to be located at the current deck location.
2. **Applicant: JAMES LEON SKARPERUD** 1287 161ST AVE BUXTON ND 58218 **Project Location:** 14220 TRADEWINDS RD, AUDUBON, MN 56511 **LEGAL LAND DESCRIPTION:** Tax ID number: 170811000 Section 07 Township 138 Range 042 SubdivisionName JOHNSON BROS EAST SubdivisionCd 17031 LOT 1 & VAC PLAT RD DOC#543086 & QCD #552754 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance to tear down the existing structure and rebuild a structure outside the shore impact zone.
3. **Applicant: DALE M NIELSON & JANELLE M** 432 W RIVER RD, HORACE ND 58047 **Project Location:** 45142 MAPLE SHORES LN, OSAGE MN 56570 **LEGAL LAND DESCRIPTION:** Tax ID number: 280073001 Section 15 Township 140 Range 038 PT LOT 1, BEG 1307.66' N & 501.50 FT SW OF SE SEC COR SW 87 FT NW 302.42 FT TO LK NE AL LK TO PT NW OF BEG & SE 269.44 FT TO BEG **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance to construct a 322 square foot deck plus steps on the north side on the cabin.
4. **Applicant: ROGER D CHRISTIANSON & KIMBERLY G CHRISTIANSON REVOCABLE** 2518 PARKVIEW DR FARGO ND 58103

Project Location: 24393 WOODLAND LN **LEGAL LAND DESCRIPTION:** Tax ID number: 190785001 SubdivisionName AUD PLAT 138 41 SubdivisionCd 19004 PT GOVT LOT 3 (AKA AUD LOTS 8, 9 & 10) BEG AT A PT ON CNTR RD 500' E, 2068.57' SW & 70.12' N OF N QTR COR SEC 8; TH NELY AL CNTR LN 146.34', TH SE 203.79' TO LK, TH SWLY AL LK TO PT SW OF POB, TH NLY 130.40' TO POB **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance for a garage/storage structure to be built in the ROW. Also requesting a Variance for living space also to close to ROW.

5. **Applicant:** FOLTZ ACRES LLC 19097 FRONTAGE RD DETROIT LAKES MN 56501 **Project Location:** 19097 FRONTAGE RD DETROIT LAKES MN 56501 **LEGAL LAND DESCRIPTION:** Tax ID number: 080292002 Section 16 Township 139 Range 041 16-139-41 PT NW1/4 SE1/4; COMM NE COR BUZZ EST, S 242', W 333.62', S 263.1' TO POB; S 507.86', SE AL HWY 21.31', E 499.9', N 752.16', WLY 615.62' TO POB. TRACT B. **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance for 70 percent impervious surface coverage for a truck trailer storage parking lot at a growing commercial trucking operation.
6. **Applicant:** NANCY & JEROME A MATTER JR 29677 BUFFALO RUN ROCHERT, MN 56578 **Project Location:** 29677 BUFFALO RUN ROCHERT, MN 56578 **LEGAL LAND DESCRIPTION:** Tax ID number: 160029001 Section 06 Township 140 Range 040 PT GOVT LOT 6; COMM E QTR COR TH N 402.10', NW 424.19', WLY 457.48', SWLY 1368.30' AL RD, S 66', WLY 160.58' TO POB; TH S TO BUFFALO LK, WLY 59.20', SW 132.27', NW 228.64' TO SE COR LOT 25 KILIANS PLAT, TH NE 383.91' TO BUFFALO RUN RD, SE AL RD 117' TO POB **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance for a fire pit less than 100 feet from the Ordinary High Water Mark of Buffalo Lake
7. **Applicant:** LUKE WEIDEMANN 18865 335TH AVE DETROIT LAKES MN 56501 **Project Location:** 18865 335TH AVE DETROIT LAKES MN 56501 **LEGAL LAND DESCRIPTION:** Tax ID number: 100387001 Section 23 Township 139 Range 040 PT NW1/4 OF NE1/4 W OF RIVER **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance to build a shop 105 feet from the Ottertail River.

IV. Set Tentative Date For Next Informational Meeting

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

V. Other Discussion

VI. Adjournment



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Becker County Board of Adjustments Thursday, May 11th, 2017

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Approval of the April 13th meeting minutes
- III. New Business
- IV. **APPLICANT: Darlene & Steven Kruger Trust 6263 16TH ST S Project Location:**
33253 N COTTON LAKE RD, ROCHERT MN 56578 **LEGAL LAND**
DESCRIPTION: Tax ID number: 160292000 Section 35 Township 140 Range
040 SubdivisionName AUDREY BEACH 140 40 SubdivisionCd 16001 LOT
10 **APPLICATION AND DESCRIPTION OF PROJECT:** Request permission to
replace the current structure with a new one and proposing a retaining wall to be
located at the current deck location.
- V. **Applicant: JAMES LEON SKARPERUD 1287 161ST AVE BUXTON ND**
58218 **Project Location:** 14220 TRADEWINDS RD, AUDUBON, MN 56511
LEGAL LAND DESCRIPTION: Tax ID number: 170811000 Section 07
Township 138 Range 042 SubdivisionName JOHNSON BROS EAST
SubdivisionCd 17031 LOT 1 & VAC PLAT RD DOC#543086 & QCD #552754
APPLICATION AND DESCRIPTION OF PROJECT: Request a Variance to
tear down the existing structure and rebuild a structure outside the shore impact
zone.
- VI. **Applicant: DALE M NIELSON & JANELL M 22nd Avenue S Fargo, ND**
58703 **Project Location:** 432 W RIVER RD HORACE, ND 58047 **LEGAL**
LAND DESCRIPTION: Tax ID number: 280073001 Section 15 Township 140
Range 038 PT LOT 1, BEG 1307.66' N & 501.50 FT SW OF SE SEC COR SW
87 FT NW 302.42 FT TO LK NE AL LK TO PT NW OF BEG & SE 269.44 FT
TO BEG **APPLICATION AND DESCRIPTION OF PROJECT:** Request a
Variance to construct a 322 square foot deck plus steps on the north side on the
cabin.
- VII. **Applicant: ROGER D CHRISTIANSON & KIMBERLY G**
CHRISTIANSON REVOCABLE 2518 PARKVIEW DR FARGO ND 58103



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, May 11th, 2017 @ 7:00 P.M.

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

APPLICANT: Darlene & Steven Kruger Trust 6263 16TH ST S Project Location:
33253 N COTTON LAKE RD, ROCHERT MN 56578 **LEGAL LAND DESCRIPTION:** Tax ID
number: 160292000 Section 35 Township 140 Range 040 Subdivision Name AUDREY BEACH 140 40
Subdivision Cd 16001 LOT 10 **APPLICATION AND DESCRIPTION OF PROJECT:** Request
permission to replace the current structure with a new one and proposing a retaining wall to be located
at the current deck location.

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

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) Darlene Last Name Kruger
Mailing Address 6263 16th St S City, State, Zip Fargo, ND 58104
Phone Number 701-306-5753 Project Address: 33253 N Cotton Lake Rd
Parcel number(s) of property: 160292000 Sect - Twp - Range: 35-140-040
Township Name: Holmesville Legal Description: Audrey Beach
140 40 Lot 10

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:

We request permission to replace the current structure with a new structure and to keep the setback close to the same as it is now. We are proposing a retaining wall to be located to where the current deck is or move back to 5 ft per the Shore Impact Zone requirement if necessary. The new structure would be approx 5 ft back from the retaining wall. We will be locating the ordinary high water mark when ice is off the 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) refer to description above 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 1962 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? 816 sq ft

What is the proposed addition square footage? 1,674 total now = 858 additional

What is the current height of the structure? 11 ft

What is the proposed height of the structure? 19 ft

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? yes - removed

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

What is the current percentage of lot coverage? 19%

What is the proposed percentage of lot coverage? 25%



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?
We are re-building what is already there.
- 2) In your opinion, is the Variance consistent with the Comprehensive Plan?
Yes (X) No () Why or why not?
We are replacing a failing structure and replacing with new; improving the property.
- 3) In your opinion, does the proposal put property to use in a reasonable manner?
Yes (X) No () Why or why not?
There has been a house there since 1962, we are simply replacing the structure.
- 4) In your opinion, are there circumstances unique to the property?
Yes (X) No () Why or why not?
The way the property is shaped and sloped, it would be difficult to move the structure back to the 100ft ordinary high water mark setback.
- 5) In your opinion, will the variance maintain the essential character of the locality?
Yes (X) No () Why or why not?
We are simply replacing the structure.

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: Darlene Kruger Date: 2/29/2017

(Office Use)

Date Received 4/5/17 Accepted [] Incomplete Application [] Date _____

Zoning Administrator

Date application received 4/5/17 Received By: Vivian Assigned To: Dylan

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 calculations:

Impervious Surface On property:	Dimensions	Sq. Footage	Impervious Surface on property:	Dimensions	Sq. Footage
<u>DRIVEWAY</u>	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
			TOTAL SQ FT: _____		

Total Impervious area on site _____ ÷ Total Lot area _____
100 = _____ % of proposed lot coverage = _____ x

Additional notes: _____

Application Fee: 326.00 + Cormorant Surcharge _____ + Fines _____ = Total Fees 326.00

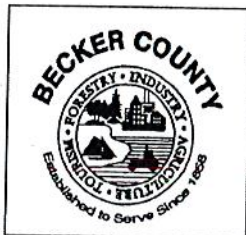
Application is hereby **GRANTED** in accordance with the application and supporting information by order of: _____ as of this date _____
Application is hereby **DENIED** based on the fact that _____
by order of: _____ as of this date _____

Receipt Number 232844-645336 Date Paid 4/6/17

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

RECEIVED

APR 05 2017

PARCEL	
APP	SITE
YEAR	
SCANNED	

Property will be staked by _____
Date: _____

Please Print or Type All Information

Parcel Number (s) 160292000 Property (E911) Address 33253 N Cotton Lake Rd **911 Address Needed _____ Legal Description Audrey Beach 140 40 10x10

Lake/River Name Cotton Lake Lake/River Class RD Township Name Holmesville Section 35 TWP No. 140 Range 040

Property Owner Last Name Kruger First Name Darlene Mailing Address 6263 16th St S Fargo, ND 58104 Phone 701-306-5753
Contractor Name Lic # BC-446032

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 _____
MN Rules Chapter 4725 (MN well code) requires a 3' minimum structure setback to well

new deep well to be drilled

Onsite Sewage Treatment System

Type of System _____ Date of Installation new septic system to be installed 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 12,525 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 On property	Dimensions	Sq. Footage	Impervious Surface On property	Dimensions	Sq. Footage
--------------------------------	------------	-------------	--------------------------------	------------	-------------

Ex: Patio	10 x 12	120			
DRIVEWAY		800			
House		1674			
Garage		576			

patio + entry		540
remaining existing 8x10 shed		
Total Impervious Material		

Impervious Lot Coverage 3,190 ÷ 12,525 = .25 x 100 = 25 %
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 <u>46</u> ft by <u>33</u> ft	() Attached Garage _____ ft x _____ ft	\$ <u>203,000</u>
<i>See attached plans</i>		
Outside Dimension () Deck/Patio <u>31</u> ft x <u>12</u> ft	() 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>60</u> ft	
Setback to Bluff _____	Type of road <u>township gravel</u>	
Setback to Wetland _____	Is wetland protected () Yes (X) No	
Setback to OHW (straight horizontal distance) <u>56</u> x	Elevation above OHW (Straight vertical distance) _____	
Setback to septic tank <u>20 ft</u>	Setback to drainfield <u>none</u>	
Total No. Bedrooms <u>3</u>	Maximum height proposed <u>19 ft</u> # of Stories <u>1</u>	
Roof Change (X) Yes () No	Basement () Yes (X) No Walkout Basement () Yes (X) No	

Characteristics of Proposed Non Dwelling/Non Dwelling Additions/Detached Garages/Storage Sheds		Cost of Project
() 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	
<i>*Garages and storage sheds cannot contain amenities for independent human habitation</i>		

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 _____	
<i>*Sleeping facilities or water supplies are not permitted in these structures</i>	

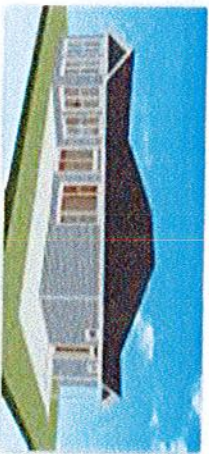
THIS IS A SITE PERMIT ONLY AND DOES NOT CONSTITUTE A BUILDING PERMIT
AS SET FORTH IN MN STATE STATUTES.

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.

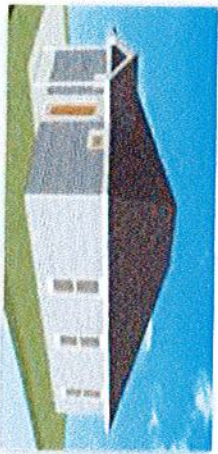
Darlene Krugen
Signature

3/29/2017
Date

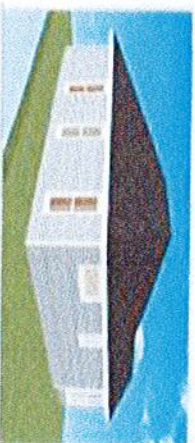




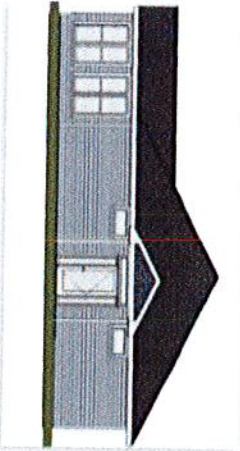
3d1



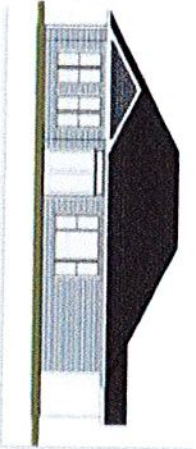
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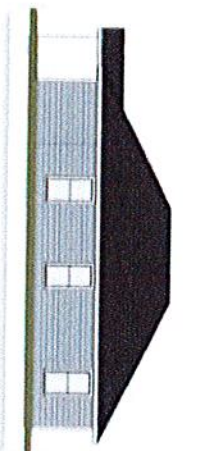
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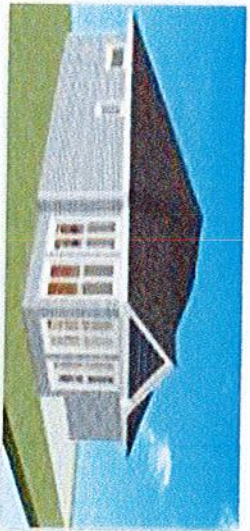
entry



Lake



road

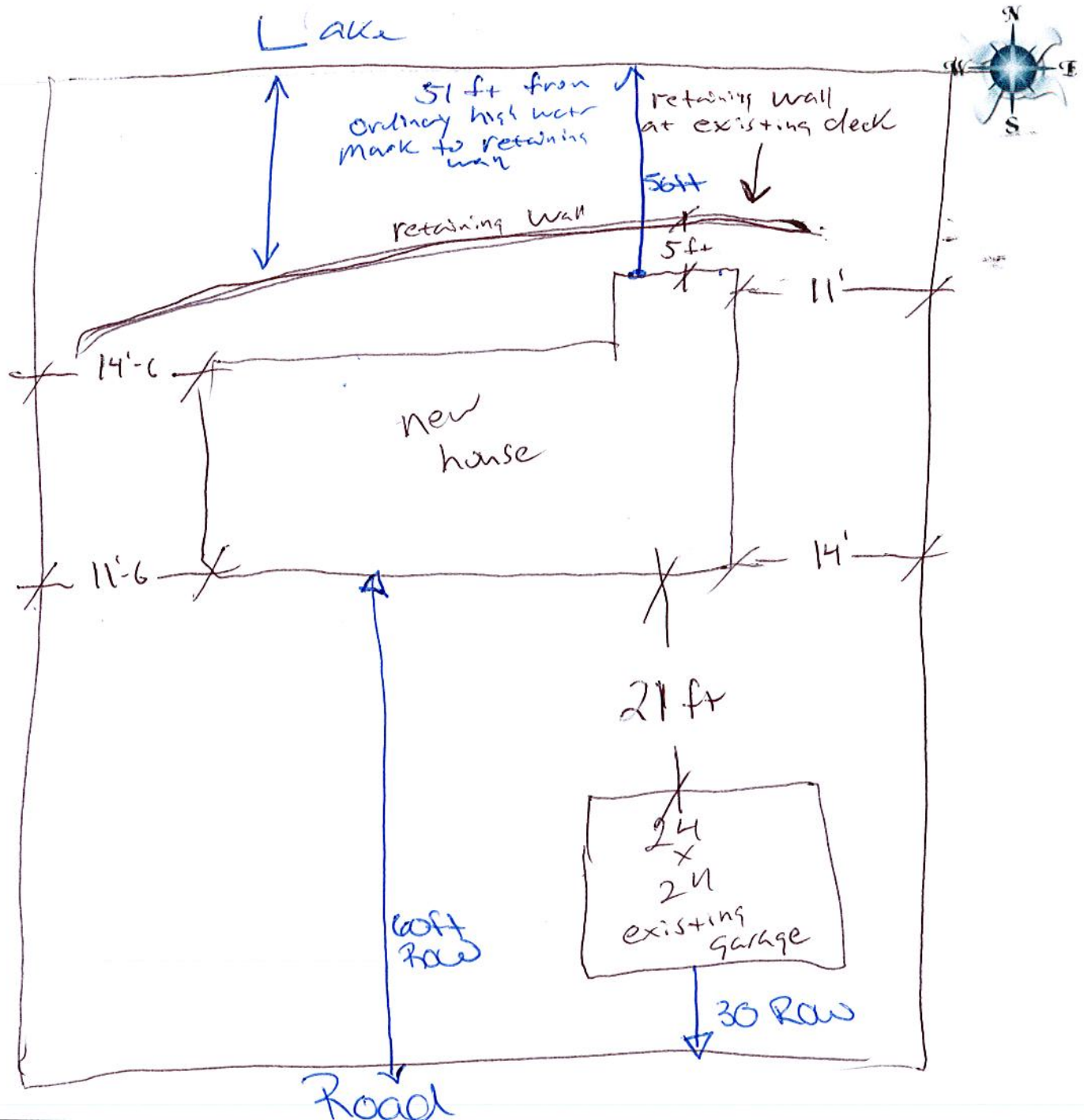


side

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.
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.

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), Darlene Kruger hereby authorize Bryan Schoenberger 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.): replacement dwelling

☐ plat application: _____

☐ conditional use application: _____

☐ variance application: _____

☐ other: _____

on my (our) property located at:

Tax Parcel Number(s): 160292000 Physical Site Address: 33253 N Cotton Lake Rd

Legal Description: Andrey Beach 140 40 Lot 10

Section: 35 Township: 140 Range: 040 Lot: 10 Block: _____ Plat Name: Andrey Beach

Agent Contact Information

Agent address: 16075 Gravelle Lane Detroit Lakes MN 56501

Agent phone #(s): 218-841-2006 City: _____ State: _____ Zip Code: _____

Agent email address: pinecreekbuilders@aol.com

Darlene Kruger
Property Owner(s) Signature(s)

3/30/2017
Date

State of Minnesota
County of Becker

On this 30th day of March 2017 before me personally appeared Darlene Kruger

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

that Darlene Kruger executed the same as her free act and deed.

(Notary Stamp) **JUSTIN BENSON**
Notary Public
State of North Dakota
My Comm. Expires February 17, 2023

[Signature]
Notary Public

Office Use Only:

Date received: _____

Expiration Date: _____

Date owner notified of application outcome: _____



16.0292.000

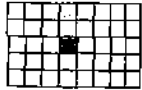
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Date: 4/5/2017	



These data are provided on
in "AS-IS" basis, without
warranty of any type,
expressed or implied, including
but not limited to any warranty
is to their performance,
merchantability, or fitness for
any particular purpose.

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

Until man duplicates a blade of grass, nature can laugh at his so called scientific knowledge - Thomas Edison



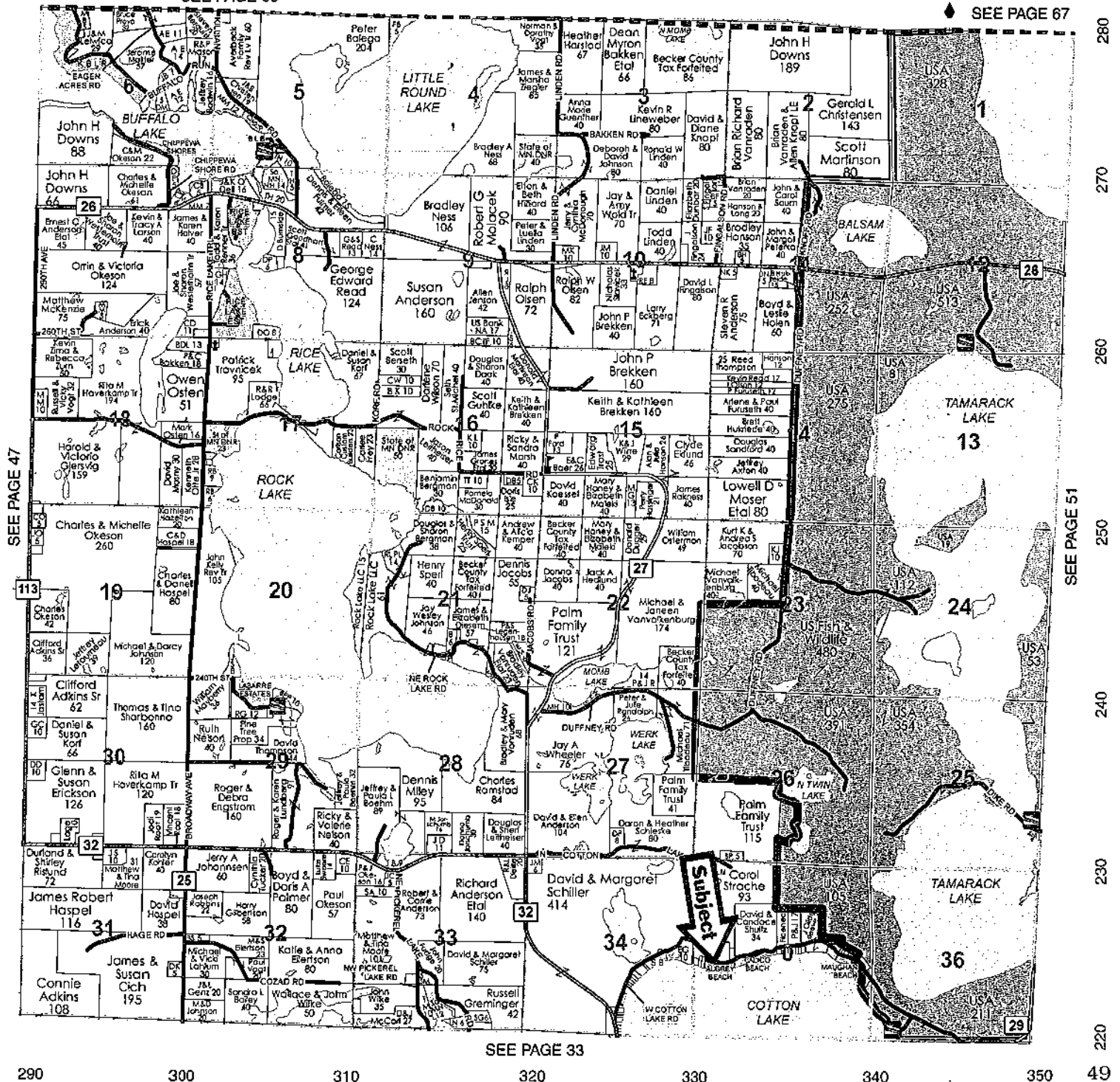
Holmesville

Township 140N - Range 40W

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SEE PAGE 67





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, May 11th, 2017 @ 7:00 P.M.
Commissioner's Room-Becker County Courthouse
Detroit Lakes, MN. 56501

Applicant: JAMES LEON SKARPERUD 1287 161ST AVE BUXTON ND 58218 **Project Location:** 14220 TRADEWINDS RD, AUDUBON, MN 56511 **LEGAL LAND DESCRIPTION:** Tax ID number: 170811000 Section 07 Township 138 Range 042 SubdivisionName JOHNSON BROS EAST SubdivisionCd 17031 LOT 1 & VAC PLAT RD DOC#543086 & QCD #552754 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance to tear down the existing structure and rebuild a structure outside the shore impact zone.

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

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) James Last Name SLARPERUP
Mailing Address 1287 161st AVE N.E. City, State, Zip Buxton N.D. 58218
Phone Number 701-430-1540 Project Address: 14220 TRADEWINDS ROAD
Parcel number(s) of property: 12081100 Sect - Twp - Range: 07.138.042
Township Name: Eunice Legal Description: Section 07 Township 138
Range 042 Johnson Bros Fast Lot 1 + VAC PLAT RD Doc # 543086 OGD
#552754

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 Attachment

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) _____ 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? 580

What is the proposed addition square footage? 900

What is the current height of the structure? 14 FT

What is the proposed height of the structure? 20 FT

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? yes

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

What is the current percentage of lot coverage? Cabin 580 shed 63 = 6439 FT

What is the proposed percentage of lot coverage? Cabin 900 shed 100 = 1000 SP FT



690
1090

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?

#1 Un Attachment

- 2) In your opinion, is the Variance consistent with the Becker County Comprehensive Plan?

Yes (X) No () Why or why not?

#2 Un Attachment

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

Yes (X) No () Why or why not?

#3 Un Attachment

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

Yes (X) No () Why or why not?

#4 Un Attachment

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

Yes (X) No () Why or why not?

#5 Un Attachment

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:

James Thompson

Date:

4-4-17

(Office Use)

Date Received _____

Accepted []

Incomplete Application []

Date _____

Zoning Administrator

Please describe a brief description detailing the above variance request:

The current building is located within the Shore Impact Zone area, approximately 34 from the high-water mark. As such, there is a set-back issue from the 50-foot high-water mark. A variance to tear down the existing building structure and to relocate a new structure outside of the Shore Impact Zone Area is requested. The requested placement of the new building structure is between the 50-foot-high watermark and the 100-foot-high watermark.

- 1) Yes - Intent of Ordinance: The intent of the request for a variance is the removal of the current building structure from within the Shore Impact Zone. Further "the relocation of the building structure will not harm the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity." A new building will enhance the property and surroundings as the building will meet the current state of Minnesota Building Codes.

It is important to note that the existing structure is not on a slab but rather is resting on perimeter rocks and blocks. Therefore, during the removal of the existing building, very little soil within the Shore Impact Zone will be effected. Further a goal is to retain as many trees as possible on the property.

- 2) Yes - The notion of refurbishing the existing building structure using the exact blueprint template is counter-productive to the intent and purpose of the Planning Committee. Refurbishing the existing building would keep it within the Shore Impact Zone area. As such, removing the existing structure out of the Impact Shore Zone area meets a purpose of the Planning Committee.
- 3) Yes - A variance on this property, "would be put to a reasonable use if used under the conditions allowed by a variance." Without a variance, reasonable use of this property does not exist as the current building structure is too close to the water front to the extent that there isn't reasonable space for landscaping or a deck both. Further the "flatness" of the lot reinforces the need for a new structure to be moved back should there be an increase in the water level. The current location adversely impacts the recreational use of the lake and a lake home.
- 4) Yes - There are circumstances unique to the property. The adjacent building structure, north of said lot, is located approximately 35 feet from the high-water mark with the front deck at the same. The adjacent building structure, south of said lot, is located approximately 60 feet from the high-water mark. An extended deck from the corner of this building structure is approximately 15 feet from the high-water mark.

Further upon surveying said property in 2015, the property to the south encroaches and in fact extends into said property to the extent that most of a stone fireplace and a part of a deck reside on said property. The significance of noting this encroachment is that this is beyond my control as the landowner.

Likewise, beyond my control as the landowner, the existing properties adjacent to the north and south, reduce the intent of an acceptable site line, creating a "tunnel view" to the lake.

Finally, location of the adjacent building structures, to the north and south, do impact the use and enjoyment of said property for the purposes already permitted which I feel is not the intent of the Planning Committee. As the landowner, I recognize that these properties were built prior to current legislation, but to deny the proposed placement of the new building structure as requested substantially diminishes and impairs said property value.

- 5) Yes - Without reservation, a variance will maintain the essential character of the locality and in fact enhance the locality. A variance "will not materially adversely affect the health or safety of persons residing or working in the area adjacent to the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in the area adjacent to the property of the applicant." The proposed structure adheres to this requirement and in fact eliminates potential health and safety concerns as the existing structure is not habitable.

Adequate utilities to include burying existing overhead electrical wires, retention of the existing access road, enhanced drainage to include gutters, and other necessary amenities will be added. Construction will not impact "adequate or sufficient off-street parking and loading space to serve the proposed use."

WELL

REAR PROPERTY LINE DESIRED MEETS SETBACK

WELL SETBACK EXCEEDS REQUIREMENT
AS SHED WILL BE REMOVED AND
IT IS OVER 50 FEET FROM
DESIRED LOCATION

HOLDING TANK - SEPTIC SETBACK 110
MEETS REGULATION 108

10 FEET MINIMUM

100 FT HIGH WATER → 100

LANDSCAPING

DOOR

28 X 32
HOME

12 X 10
COVERED PORCH

12 X 18
WOOD DECK

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 100

SIDE PROPERTY SETBACK
MEETS REQUIREMENT

50 FOOT
HIGH WATER MARK

SHORE IMPACT ZONE

LAKE
LOT SIZE 50 X 264 = 13,150 SQUARE FEET

Date owner notified of application outcome: _____

587157 587157

BECKER COUNTY RECORDER
STATE OF MINNESOTA
Document No. 587157

March 29, 2011 at 1:00 PM
I hereby certify that the within
instrument was recorded in this office.
Darlene Maneval, County Recorder
By SKS Deputy

CERTIFICATE OF REAL
ESTATE VALUE FILED #7129

No delinquent taxes and transfer entered
this 29th day of March, 2011

Ryan L. Tingen
Becker County Auditor/Treasurer

By SKS Deputy
17-0811-000

WARRANTY DEED

STATE DEED TAX DUE HEREON: \$123.93

Date: March 11, 2011

FOR VALUABLE CONSIDERATION, Claire Louise Skarperud Moen and Richard Moen, wife and husband, and Jean Angela Brown, f/k/a Jean Angela Skarperud Vance, and Rob Brown, wife and husband, and Agnes Molvig Skarperud, a single person, Grantors, hereby convey and warrant to ~~James Leon Skarperud~~ whose post office address is 1287 161st Ave. NE, Buxton, ND 58218, Grantee, real property in Becker County, Minnesota, described as follows:

Lot One (1), of the Johnson Brothers Eastside Subdivision

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: NONE.

We are familiar with the property described in this instrument and certify that the status and number of wells on the described property have not changed since the last previously filed well disclosure certificate.

Claire Louise Skarperud Moen
Claire Louise Skarperud Moen

Richard Moen
Richard Moen

Jean Angela Brown
Jean Angela Brown

Rob Brown
Rob Brown

Agnes Molvig Skarperud
Agnes Molvig Skarperud

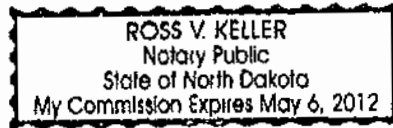
BECKER COUNTY DEED TAX
AMT. PD. \$ 123.93
Receipt # 472453
Becker County Auditor/Treasurer

chg
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extra

STATE OF NORTH DAKOTA)
)ss.
COUNTY OF TRAILL)

The foregoing instrument was acknowledged before me this 17th day of March, 2011,
by Claire Louise Skarperud Moen and Richard Moen, wife and husband.

SEAL

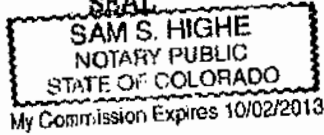


[Signature]
Notary Public

STATE OF COLORADO)
)ss.
COUNTY OF El Paso)

The foregoing instrument was acknowledged before me this 11 day of March, 2011,
by Jean Angela Brown, a/k/a Jean Angela Skarperud Vance, and Rob Brown, wife and husband.

SEAL

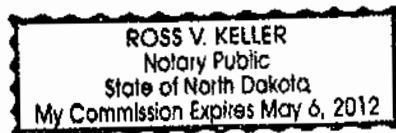


[Signature]
Notary Public

STATE OF NORTH DAKOTA)
)ss.
COUNTY OF TRAILL)

The foregoing instrument was acknowledged before me this 16th day of March, 2011,
by Agnes Molvig Skarperud, a single person.

SEAL



[Signature]
Notary Public

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

(Legal Name of Grantee and residential or business address)
James Leon Skarperud
1287 161st Ave. NE
Buxton, ND 58218-9200

THIS INSTRUMENT WAS DRAFTED BY:

NK
TO: Ross Keller
Ohnstad Twichell Law Office
P.O. Box 220
Hillsboro, ND 58045

552754

BECKER COUNTY RECORDER
STATE OF MINNESOTA
Document No. 552754

October 16, 2007 at 11:20 AM

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

No delinquent taxes and transfer entered
this 15th day of Oct, 2007

Ryan L. Tangen
Becker County Auditor/Treasurer

By 83 Deputy

17-0079-000 Rev ✓

Darlene Maneval, County Recorder

By SKS Deputy

FORM NO. 27-M-QUIT CLAIM DEED
Individual(s) to Individual(s)

STATE DEED TAX DUE HEREON: \$1.65

Dated: February 22, 2007.

FOR VALUABLE CONSIDERATION, Amy J. Ruley, a single person, Grantor, hereby
conveys and quitclaims unto the following Grantees the following property in Becker
County, Minnesota, to-wit:

1. Unto Hjerdis Molvig Watson, an undivided 1/3 interest;
Unto Claire Louise Skarperud Moen, James Leon Skarperud and Jean Angela
Skarperud Vance, as tenants in common, an undivided 1/3 interest;
Unto Ramona Borke Tweten and Shannon Borke Van Horn, as tenants in
common, an undivided 1/3 interest, in the following described property:

All that part Government Lot 7 of Section 7, Township 138 North of Range
42 West lying westerly of the centerline of the public road known as
Tradewinds Road and lying between the extensions of the northerly and
southerly lines of Lot 1 of the plat of the Johnson Brothers East Side
Subdivision as extended easterly to the centerline of said Tradewinds
Road, subject, however, to the existing 33 ft. wide public road easement
for Tradewinds Road lying westerly of the centerline of said road as
previously created by a Public Road Easement.

2. Unto Kathryn J. Larson and Donald O. Larson as joint tenants

All that part Government Lot 7 of Section 7, Township 138 North of Range
42 West lying westerly of the centerline of the public road known as
Tradewinds Road and lying between the extensions of the northerly and
southerly lines of Lot 2 of the plat of the Johnson Brothers East Side

BECKER COUNTY DEED TAX
AMT. PD. \$ 1.65
Receipt # 374028
Becker County Auditor/Treasurer

OCT 15 2007

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Road, subject, however, to the existing 33 ft. wide public road easement for Tradewinds Road lying westerly of the centerline of said road as previously created by a Public Road Easement.

3. Unto Ricky F. Duval and Sandra A. Duval, as joint tenants,

All that part Government Lot 7 of Section 7, Township 138 North of Range 42 West lying westerly of the centerline of the public road known as Tradewinds Road and lying between the extensions of the northerly and southerly lines of Lot 3 of the plat of the Johnson Brothers East Side Subdivision as extended easterly to the centerline of said Tradewinds Road, subject, however, to the existing 33 ft. wide public road easement for Tradewinds Road lying westerly of the centerline of said road as previously created by a Public Road Easement.

4. Unto Grover Enterprises, LP, a limited partnership under the laws of the State of Kansas,

All that part Government Lot 7 of Section 7, Township 138 North of Range 42 West lying westerly of the centerline of the public road known as Tradewinds Road and lying between the extensions of the northerly line of Lot 4 and southerly line of Lot 5 of the plat of the Johnson Brothers East Side Subdivision as extended easterly to the centerline of said Tradewinds Road, subject, however, to the existing 33 ft. wide public road easement for Tradewinds Road lying westerly of the centerline of said road as previously created by a Public Road Easement.

5. Unto Margaret E. S. Willits,

All that part Government Lot 7 of Section 7, Township 138 North of Range 42 West lying westerly of the centerline of the public road known as Tradewinds Road and lying between the extensions of the northerly and southerly lines of Lot 6 of the plat of the Johnson Brothers East Side Subdivision as extended easterly to the centerline of said Tradewinds Road, subject, however, to the existing 33 ft. wide public road easement for Tradewinds Road lying westerly of the centerline of said road as previously created by a Public Road Easement.

6. Unto Richard R. Kalsow, Laura J. Peters and Robert G. Kalsow, as tenants in common, subject to the life estate interest of Edna J. Kalsow,

All that part Government Lot 7 of Section 7, Township 138 North of Range 42 West lying westerly of the centerline of the public road known as Tradewinds Road and lying between the extensions of the northerly and southerly lines of Lot 7 of the plat of the Johnson Brothers East Side

Subdivision as extended easterly to the centerline of said Tradewinds Road, subject, however, to the existing 33 ft. wide public road easement for Tradewinds Road lying westerly of the centerline of said road as previously created by a Public Road Easement.

7. Unto Luke Kalsow and Jill Kalsow, as joint tenants,

All that part Government Lot 7 of Section 7, Township 138 North of Range 42 West lying westerly of the centerline of the public road known as Tradewinds Road and lying between the extensions of the northerly and southerly lines of Lot 8 of the plat of the Johnson Brothers East Side Subdivision as extended easterly to the centerline of said Tradewinds Road, subject, however, to the existing 33 ft. wide public road easement for Tradewinds Road lying westerly of the centerline of said road as previously created by a Public Road Easement.


8. Unto Winfield D. Miller as Trustee or any successor trustee of the Winfield D. Miller Trust under the Declaration of Trust September 2, 1993,

All that part Government Lot 7 of Section 7, Township 138 North of Range 42 West lying westerly of the centerline of the public road known as Tradewinds Road and lying between the extensions of the northerly and southerly lines of Lot 9 of the plat of the Johnson Brothers East Side Subdivision as extended easterly to the centerline of said Tradewinds Road, subject, however, to the existing 33 ft. wide public road easement for Tradewinds Road lying westerly of the centerline of said road as previously created by a Public Road Easement.

together with all hereditaments and appurtenances belonging thereto.

CONSIDERATION FOR THIS TRANSFER IS LESS THAN \$500.

Amy J. Ruley

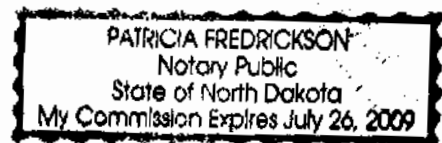


STATE OF NORTH DAKOTA)
COUNTY OF CASS)ss
)

The foregoing instrument was acknowledged before me this 22 day of February, 2007, by Amy J. Ruley, a single person, Grantor.

Patricia Fredrickson
Notary Public

My commission expires: _____



THIS INSTRUMENT DRAFTED BY:

Brant R. Beeson

BEESON LAW OFFICE, P.A.

611 Summit Avenue, P O Box 70

Detroit Lakes, MN 56502

(218) 844-5000

Send Tax Statements to:

N/A

543086

CERTIFIED

STATE OF MINNESOTA

IN DISTRICT COURT

COUNTY OF BECKER

SEVENTH JUDICIAL DISTRICT

Civil

17-0079-000

Court File No. C2-06-1737

In the Matter of the Application of:

Amy J. Ruley, a single person, fee owner, for the vacation of all of that certain public road which is dedicated pursuant to the Plat of Johnson Brothers Eastside Subdivision, according to the certified Plat thereof on file and of record in the office of the County Recorder in and for Becker County, Minnesota.

Transfer Entered
Dec 7th 2006
Ryan L. Tangen
Becker County Auditor
By JB
Deputy

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER FOR JUDGMENT**

The above entitled matter came on for hearing before the Court in the Courtroom in the City of Detroit Lakes, County of Becker, and State of Minnesota, before the Honorable John E. Pearson, on the 4th day of December, 2006 at 10:45a.m.

Brant R. Beeson of Beeson Law Office, PA, Detroit Lakes, Minnesota appeared for and on behalf of the Applicant, Amy J. Ruley; no one appeared in opposition thereto.

The Court being fully advised in the premises and upon all the files and records and proceedings herein, makes the following:

FINDINGS OF FACT

1. Applicant is the record owner of the following described property in Becker County, Minnesota, to-wit:

That part of Government Lot Seven (7) of Section Seven (7), Township One Hundred Thirty-eight (138) North, Range Forty-two (42) West of the Fifth Principal Meridian, lying easterly of the dedicated road within the Plat

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of Johnson Brothers East Side Subdivision, according to the certified Plat thereof on file and of record in the office of the County Recorder of Becker County, Minnesota, and which lies Westerly of the centerline of the existing public road known as Tradewinds Road.

2. That according to the Plat of Johnson Brothers East Side Subdivision recorded November 15, 1921 in Book "C" of Plats on page 67, there was dedicated to the public use the roadway 66 feet in width as designated on the Plat (hereinafter "Dedicated Public Road"), a copy of which is attached hereto and incorporated herein by reference.

3. There currently exists another public road known as Tradewinds Road located easterly of and generally parallel to the Dedicated Public Road pursuant to the Plat of Johnson Brothers East Side Subdivision. A copy of a portion of a Certificate of Survey reflecting the location of Tradewinds Road and the Dedicated Public Road sought to be vacated is attached hereto and incorporated herein by reference. As can be seen on that survey there are structures located within the Dedicated Public Road sought to be vacated.

4. Applicant alleges that none of the owners of the Lots within Johnson Brothers East Side Subdivision use the Dedicated Public Road pursuant to that Plat for the purposes for which it was laid out and in fact access their respective Lots driving across the subject Dedicated Public Road to Tradewinds Road. Accordingly, Applicant seeks to have the entire Dedicated Public Road vacated and once vacated, Applicant will convey all of her interest in said Dedicated Public Road and any land lying between the Dedicated Public Road to be vacated and the centerline of Tradewinds Road to the respective Lot owners within the subject Plat by extending each of the lot lines within the said plat easterly to the centerline of said Tradewinds Road, SUBJECT TO the existing 33 foot wide public road easement for Tradewinds Road lying westerly of the centerline of said road as previously created by public road easement.

5. That although said Dedicated Public Road within the subject Plat has been dedicated for public use, it is useless for the purpose for which it was laid out and is not presently used by the Public.

6. That no member of the public will be damaged by the vacation of said Dedicated Public Road and the Lot owners within the Plat of Johnson Brothers East Side Subdivision will be benefited by said vacation in as much as some of the Lot owners currently have improvements lying within the Dedicated Public Road sought to be vacated.

7. The vacation of the Dedicated Public Road within the Plat of Johnson Brothers East Side Subdivision in no way vacates any portion of the 66' wide public road easement for Tradewinds Road.

8. That all taxes assessed against the Applicant's property as previously described herein have been paid in full.

9. That due and legal notice of the time and place of the hearing on this Application was duly posted and published and served upon the Chairman of the Town Board as required by law and as evidenced by the Affidavit of Publication, Affidavit of Posting, and Affidavit of Service on file herein.

From the foregoing Findings of Fact, the Court hereby makes its:

CONCLUSIONS OF LAW

1. That the portion of the Dedicated Public Road of the Plat of Johnson Brothers Eastside Subdivision, as hereinafter described be, and the same hereby is, vacated as prayed for in the Application, to-wit:

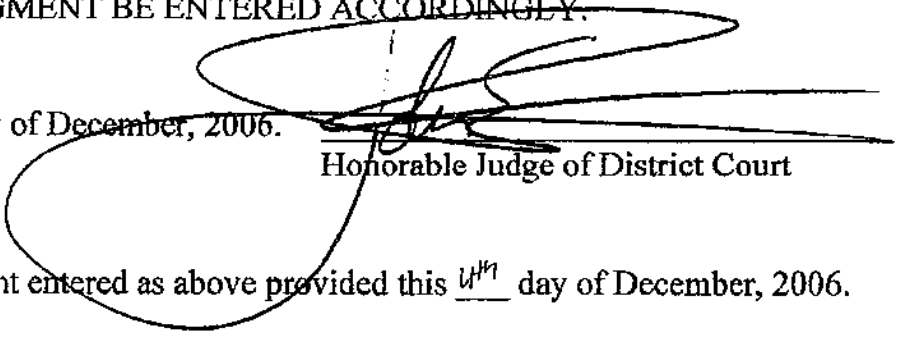
That part of Government Lot Seven (7) of Section Seven (7), Township One Hundred Thirty-eight (138) North, Range Forty-two (42) West of the Fifth Principal Meridian, lying easterly of the dedicated road within the Plat

of Johnson Brothers East Side Subdivision, according to the certified Plat thereof on file and of record in the office of the County Recorder of Becker County, Minnesota, and which lies Westerly of the centerline of the existing public road known as Tradewinds Road, SUBJECT TO an existing 33 foot wide public road easement for Tradewinds Road lying westerly of the centerline of said road herein as previously created by a public road easement.

2. That the title to the Dedicated Public Road, as vacated, is hereby vested in the abutting property owners as provided by law.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated this 4th day of December, 2006.


Honorable Judge of District Court

Filed and Judgment entered as above provided this 4th day of December, 2006.

BECKER COUNTY RECORDER
STATE OF MINNESOTA

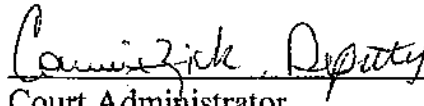
Document No. 543086

December 7, 2006 at 12:04 PM

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

Darlene Maneval, County Recorder

By SKS Deputy


Court Administrator

STATE OF MINN.
COUNTY OF BECKER } ss
CERTIFIED to be a true and correct copy of the
original on file and of record in my office.
Dated: 12-4-06

Janice Gosselle
COURT ADMINISTRATOR
By: Camie Zick

MEADOWLAND SURVEYING INC.

D.B.A. Roy A. Smith and Associates
Office of the County Surveyor for Becker County
1118 Hwy 59 South, Detroit Lakes, Minnesota 56501
(office) 218-847-4289 (fax) 218-846-1945
www.meadowlandsurveying.com

Jim Skarperud
1287 161st Avenue NE
Buxton, ND 58218

April 1, 2014

Dear Jim,

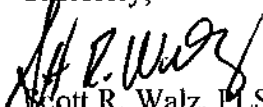
Pursuant to your request, we have completed the monumentation of your property on the east side of Big Cormorant Lake in Becker County, Minnesota. This property is Lot 1 of the plat of JOHNSON BROTHERS EAST SIDE SUBDIVISION (per Document No. 587157) and the land lying between the easterly extensions of Lot 1's sidelines and the centerline of Tradewinds Road (per Document No. 552754) subject to a public road easement within 33 feet of the Tradewinds Road centerline. Enclosed for your reference are a partial copy of the plat and copies of the two deed documents mentioned. We performed our field work on January 31 of this year. At that time, we found an iron monument on your north line at the Tradewinds Road right of way and we set iron monuments at the following locations:



- at the northeast corner of Lot 1
- on your north line approximately 25 feet from the lake
- on your south line approximately 33 feet from the lake
- at the southeast corner of Lot 1
- on your south line at the Tradewinds Road right of way
- at an angle point on the Tradewinds Road right of way 7 feet south of your north line

Beside each monument, we placed a wood lath with orange flagging. We placed one additional lath on your north line and two additional laths on your south line. You were concerned about encroachments along your south line, and we did find some. The northwesterly corner of your neighbor's cabin is 5 inches onto your property, and almost the entirety of their stone grill (roughly 4 feet of its 5 foot width) is on your property.

Also enclosed is a copy of the work authorization and a statement for professional services. If you have any questions regarding this work, please feel free to contact our office. Thank you for the opportunity to provide our services.

Sincerely,


Scott R. Walz, PLS
SRW/ja
Enclosures


10769


SURVEYING INC.

D.B.A. Roy A. Smith and Associates
Office of the County Surveyor for Becker County
1118 Hwy 59 South, Detroit Lakes, Minnesota 56501
(office) 218-847-4289 (fax) 218-846-1945
www.meadowlandsurveying.com

April 11, 2014

To: Jim Skarperud
1287 161st Ave NE
Buxton, ND 58218

For professional services:

Office research, field survey, computations and monumentation of Lot 1, Johnson
Brothers Eastside Subdivision located on Big Cormorant Lake in Section 7-138-42, Becker
County, Minnesota.....\$1,000.00
Deposit Made.....(~~\$500.00~~)
Balance Due.....\$500.00

Estimate: \$1,000
Invoice # 1113-11

**ANY PERSON OR COMPANY SUPPLYING LABOR OR MATERIALS FOR THE IMPROVEMENT TO
YOUR PROPERTY MAY FILE A MECHANICS LIEN AGAINST YOUR PROPERTY IF THAT PERSON
OR COMPANY IS NOT PAID FOR THE CONTRIBUTIONS.**

INVOICE DUE UPON RECEIPT

(Finance charge is computed by a "Periodic Rate" of 1 1/2 percent per month, which is an annual rate of 18
percent applied to the previous balance without deducting current payments appearing on this statement.)

Thank You!

MEADOW

INC.

Office of the County Surveyor for Becker County
1118 Hwy 59 South, Detroit Lakes, Minnesota 56501
(office) 218-847-4289 (fax) 218-846-1945
www.meadowlandsurveying.com

WORK ORDER REQUEST AND AUTHORIZATION

CUSTOMER NAME: Jim Skarperud, Owner	PHONE #/EMAIL/DATE: 701-430-1540
MAILING ADDRESS: 1287 161 st Ave NE	CITY/STATE/ZIP: Buxton, ND 58218
LEGAL DESCRIPTION: Lot 1, Johnson Bros. E Side Subdiv. & vacat road	SECTION/TOWNSHIP/RANGE/COUNTY: 7-138-42 Becker 07Skarperud
PROPERTY FIRE #: 14220 Tradewind Road	PARCEL ID/DEED/ABSTRACT INFO: 17.0811.000 Judg#543086, WD#587157 & 557754
SUMMARY OF WORK: This estimate is to mark the property corners. Check for encroachments. (Spray paint PK nail if you set one in the neighbors driveway) Set additional lath on line on side lines. "It is the client's responsibility to provide/assure we have the correct legal description(s) for the property. Please inform us ASAP if there are other documents related to this property survey."	
ESTIMATE AMOUNT/DEPOSIT DUE: \$1,000.00/\$500.00	ANTICIPATED COMPLETION: 5-7 weeks from authorization, (as winter weather permits)

Deposit Received 11.12.13 Amount \$500.00 Check# 10581 TW

This estimate is determined on information provided and known at the time of estimation. Any work resulting from information unknown at the time of estimation will be billed as additional services. Such work may include boundary line conflicts, discrepancies, encroachments and/or disputes.

Please understand that due to circumstances beyond our control, the anticipated completion date is not a guaranteed completion date.

Work Authorization

To ensure payment, we can only accept work authorization from the property owner. If the property is being sold, the owner can make whatever necessary payment arrangements with the buyer. However, the property owner is ultimately responsible for work-related expenses.

Payment Terms: I agree to pay in full the invoice amount upon completion of the survey work. No paperwork will be released until payment is received, unless other payment terms have been agreed to by Meadowland Surveying, Inc. Late payments are subject to a 1.5% per month interest charge. Payment of our services is due upon completion and not contingent on any resulting legal/tide work that may need to be completed.

Cancellation Terms: I agree to reimburse Meadowland Surveying, Inc. within 30 days from notice of cancellation of the survey request, for any actual expenses incurred in connection with the processing of our survey request.

Pre-Lien Notice: Any person or company supplying labor or material for this improvement to your property may file a lien against your property if that person or company is not paid for the contributions. Under Minnesota law, you have the right to pay persons who supplied labor or materials for this improvement directly and deduct this amount from our contract price, or withhold the amounts due them from us until 120 days after completion of the improvement unless we give you a lien waiver signed by persons who supplied any labor or material for the improvement and who gave you timely notice.

I, hereby, agree to the above terms and conditions and hereby authorize and direct Meadowland Surveying, Inc. to proceed with the survey pursuant to the above work order request.

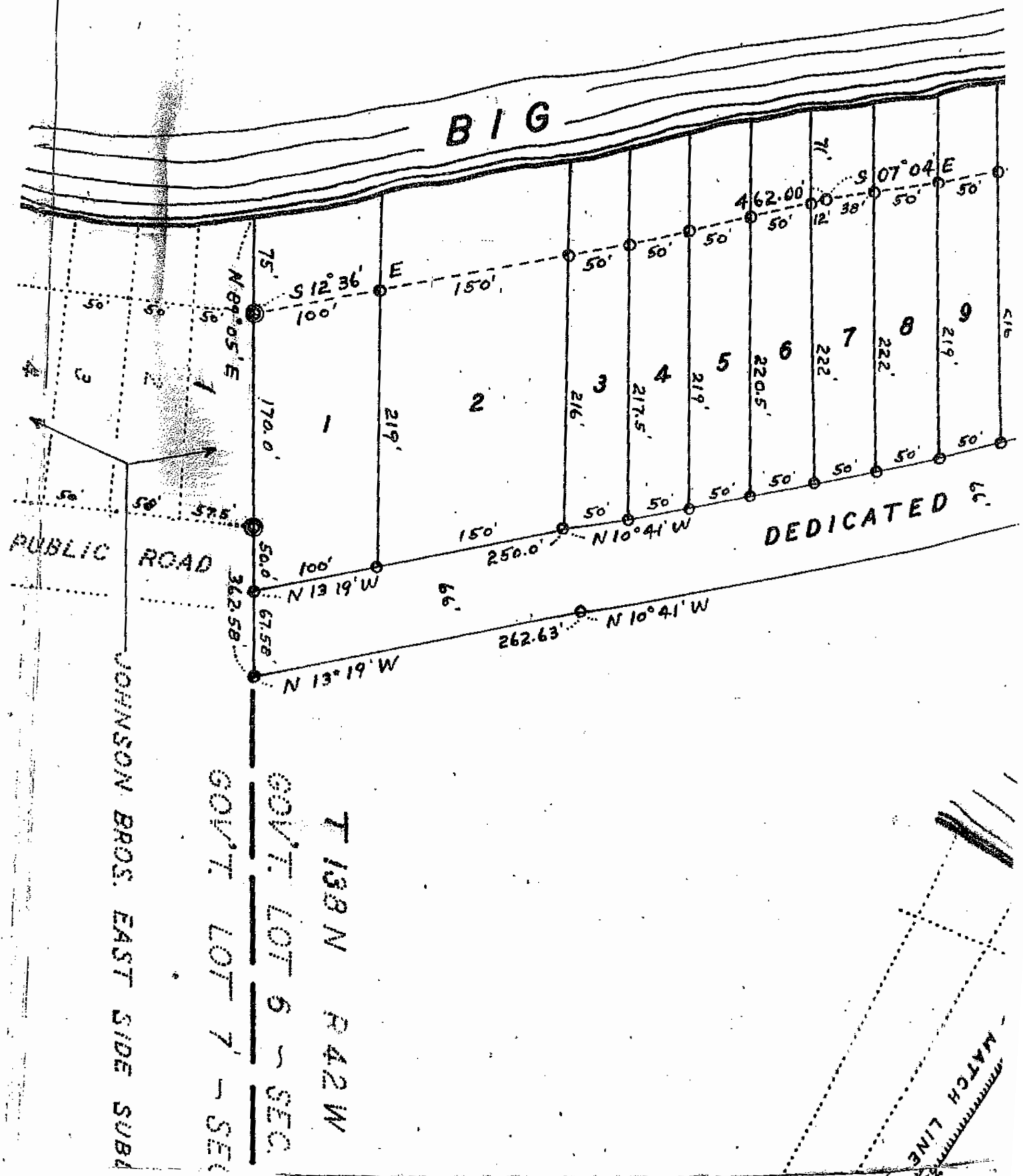
Signature of property owner: James L. Skarperud Print name: JAMES L. SKARPERUD

Bill to address: 1287 161st AVE NE Buxton N.D. 58218
Street Address City State Zip Date received in office:

MAILED
JUN 11 1929

Land owned by
DeJores Leasure Inc.
included in the survey

CWA = 9214
field = 2320





These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

1:1,123

Date: 4/7/2017

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

Becker County





Leighton

broadcasting



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

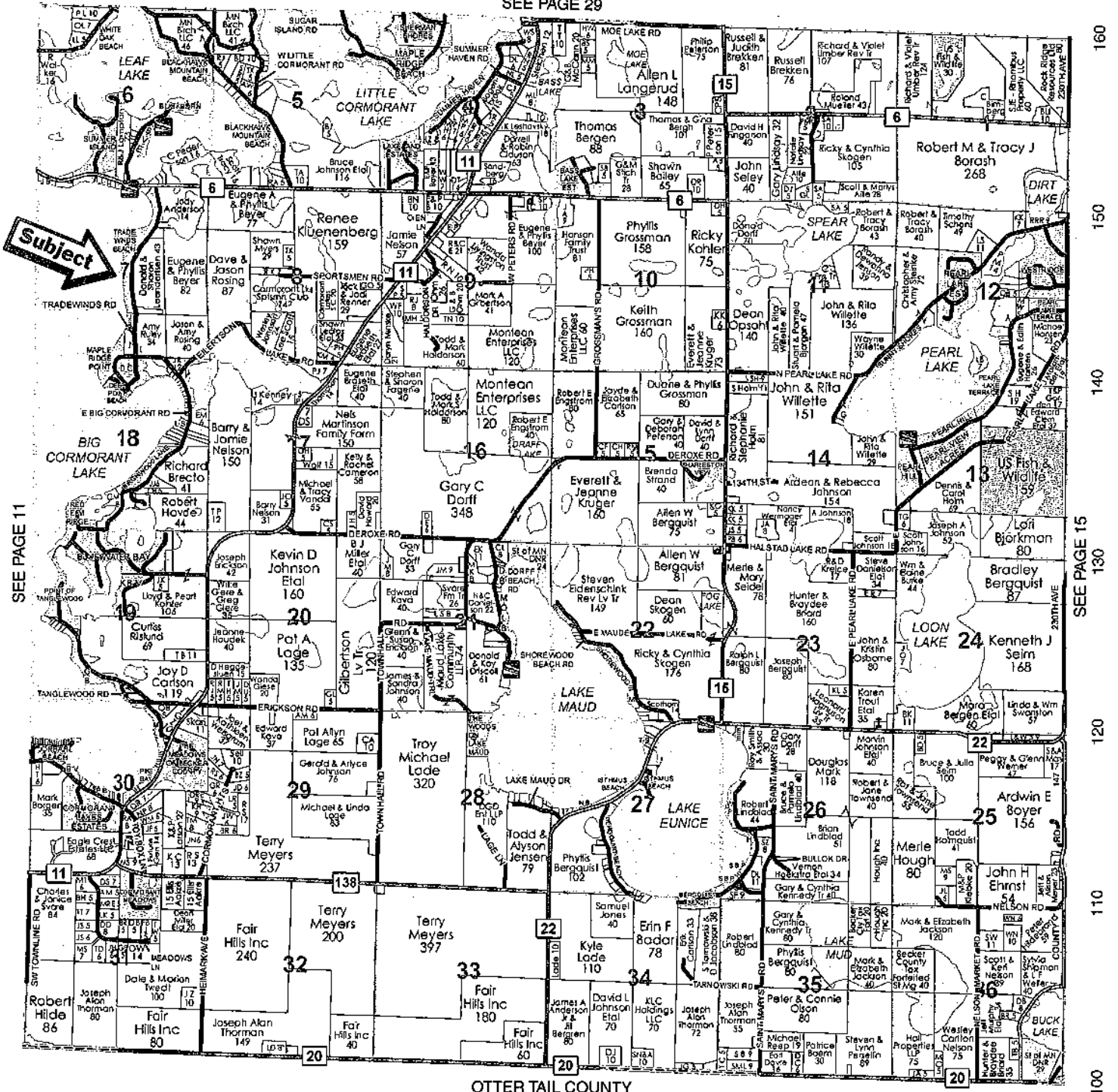


Lake Eunice

Township 138N - Range 42W

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SEE PAGE 29



SEE PAGE 11

160
150
140
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100

OTTER TAIL COUNTY

170 180 190 200 210 220 230 13



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, May 11th, 2017 @ 7:00 P.M.
Commissioner's Room-Becker County Courthouse
Detroit Lakes, MN. 56501

Applicant: **DALE M NIELSON & JANELL M** 432 W RIVER RD HORACE ND 58047 Project Location: 45142 MAPLE SHORES LN, OSAGE, MN 56570 **LEGAL LAND DESCRIPTION:** Tax ID number: 280073001 Section 15 Township 140 Range 038 PT LOT 1, BEG 1307.66' N & 501.50 FT SW OF SE SEC COR SW 87 FT NW 302.42 FT TO LK NE AL LK TO PT NW OF BEG & SE 269.44 FT TO BEG **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance to construct a 322 square foot deck plus steps on the north side on the cabin.

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

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) Dale M & Janell M Last Name Nielson
Mailing Address 432 W. River Rd City, State, Zip Horace, ND 58047-4402
Phone Number 701-282-2311 - Home
701-261-8333 - Cell Project Address: 45142 Maple Shores Lane, Osage,
Parcel number(s) of property: 28.0073.001 & 28.0080.001 Sect - Twp - Range: 15-140N-38 ^{MN 56570}

Township Name: Shell Lake Legal Description: PT Lot 1, BEG 1307, 46'N &
501.50 FT SW of SE SEC COR SW 87 FT NW 302.42 FT TO LK NE AL LK TO PT NW of BEG &

Why is the variance being requested? (Mark all sections that apply) SE 249.44 FT to BEG

- ☒ 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: We are requesting to build a 23 ft x 14 ft (322 sq ft), plus steps, maintenance free deck on the North Side of our cabin. The ordinance of 240 sq ft will not allow enough room with our patio table, 6 chairs, grill, and storage bench to reasonably move around, without being cramped. It may be difficult, at times, to open the door to the cabin, when people are sitting on the deck. In addition, shortening the deck space to 240 sq ft will look odd and less attractive, as running it the full width of the cabin. For the money, we would be putting into this deck, we would really like to fully enjoy it, the outdoors, and our view of the 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) 71 feet
☒ Lot Line Proposed Distance (setback) 58 feet
☒ Road Right of Way (ROW) Proposed Distance (setback) 195 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? Cabin 24 x 55 (1320 sq ft)

What is the proposed addition square footage? Deck 322 sq ft, plus steps

What is the current height of the structure? No current deck

What is the proposed height of the structure? Varies from 10 inches to 33 inches

Is there a basement to the structure? No Basement - Cellar 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? 2949 sq ft - 11.99%

What is the proposed percentage of lot coverage? 3291 sq ft - 13.39%



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?
Everything we would like to do meets the ordinance, apart from the size of the deck (240 sq ft versus 322 sq ft). We would like it to be just large enough and in proportion to the cabin to accommodate our table, 4 chairs, grill, storage bench, and our family, so we can easily move around
- 2) In your opinion, is the Variance consistent with the Becker County Comprehensive Plan? Without obstruction
Yes (✓) No () Why or why not?
our proposed deck will be very nice in quality and appearance, and will make a pleasing addition to our cabin, property, and our neighbors property, as well. We are up hill from the lake and therefore this will not interfere or negatively impact the lake itself, along with any future development and improvement of the
- 3) In your opinion, does the proposal put property to use in a reasonable manner? Surrounding area. Will not harm the use and enjoyment of others nor diminish or impair property values in the area.
Yes (✓) No () Why or why not? In addition to what has already been stated, this proposed deck will not hinder the opening/closing the door to the cabin while people are sitting on the deck. It will be in proportion to the cabin, which will be more appealing and pleasing to the eye. our ground and landscape is very unlevel, making it difficult to safely sit outside, enjoy the outdoors and our view of the lake with family and friends.
- 4) In your opinion, are there circumstances unique to the property?
Yes (✓) No () Why or why not?
The ground is unlevel and we're not able to safely place the table and chairs on the ground, where we would have a nice view of the lake and entertain with family and friends. The proposed deck would allow furniture (and people) to sit level. In addition, we are far enough back from the lake that
- 5) In your opinion, will the variance maintain the essential character of the locality? there wouldn't be any problems related to the lake itself.
Yes (✓) No () Why or why not?
This proposed deck will look very nice and will be in proportion to the cabin, property, our neighbors, surrounding areas, and the lake itself.

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: Janell M. Nielson Date: 3/31/17 3/31/17

(Office Use)

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

Zoning Administrator

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) *28.0073.001 28.0080.001	Property (E911) Address 45142 Maple Shores Lane, Osage, MN 56570	**911 Address Needed	Legal Description PT L0+1, BEG 1307, 46' N & 501.50 FT SW of SE SEC COR SW 87 FT NW 302.42 FT TO LK NE AT LK TO PT NW of BEG & SE 269.44 FT to BEG
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Lake/River Name Shell Lake	Lake/River Class RD	Township Name Shell Lake	Section 15	TWP No. 140N	Range 38
-------------------------------	------------------------	-----------------------------	---------------	-----------------	-------------

Property Owner Nielson	Last Name Dale M & Janell M	First Name	Mailing Address 432 W. River Rd, Horace ND 58047	Phone 701-282-2311 HM 701-261-8333 Cell
Contractor Name Lic # Self				

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 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 _____
MN Rules Chapter 4725 (MN well code) requires a 3' minimum structure setback to well

Onsite Sewage Treatment System Tank Mound 6/1/14 8/1/15
Type of System Holding Tank & Mound 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 ☒ (X) Riparian () Non Riparian Non Shoreland _____

Lot Area 24,584 sq ft or .59 acres Water Frontage 100 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 On property	Dimensions	Sq. Footage	Impervious Surface On property	Dimensions	Sq. Footage
Ex: Patio	10 x 12	120			
DRIVEWAY	7 x 12	84	Cabin	24 x 55	1320
Apron	15 x 30	450	Step	5 x 8	40
Garage	26 x 30	780	Cellar door	4 x 8.5	34
Shed	8 x 12	96	Total Impervious Material		
Well House	5 x 5	25			
Deck w/ steps (612 x 412)	23 x 14	342			
Impervious Lot Coverage	3291	÷ 24,584	= .134	x 100 =	13.39 %
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

\$ 3,000.00Outside Dimension (x) Deck/Patio 23 ft x 14 ft () Addition to existing ____ ft x ____ ftSetback to Side Lot Line 58 ft & Rear Lot Line 181 ftSetback to Road Right of Way 195 ft

Setback to Bluff _____

Type of road Township

Setback to Wetland _____

Is wetland protected (☒) Yes () NoSetback to OHW (straight horizontal distance) 71 ftElevation above OHW (Straight vertical distance) 21 ftSetback to septic tank 45 ftSetback to drainfield 100 ft

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

() 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 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

3/31/17 3/31/17

SKETCH OF PROPERTY

PARCEL	
APP	SITE
YEAR	

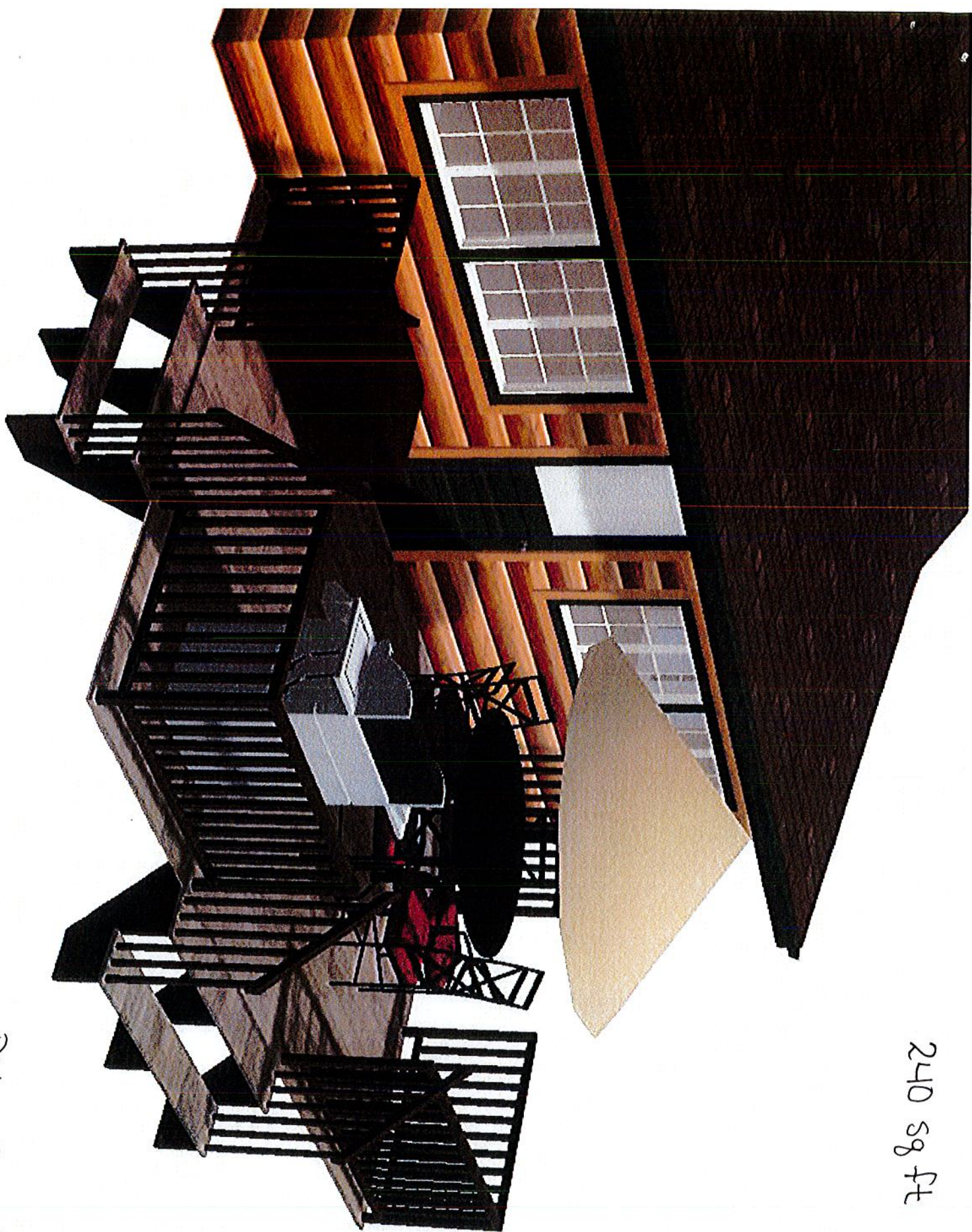
1. Please sketch all impervious coverage on your property; include dimensions.
 2. Sketch roadways adjacent to property - Include driveway location.
 3. Indicate setback distances, including distance to: Side Lot Line, Rear Lot Line, ROW/Centerline, Septic Tank and Drainfield.
 4. If you will be exceeding 15% impervious surface coverage, include a copy of your stormwater management plan. This applies to ANY lot that exceeds 15% coverage.
 5. If proposed project is a detached garage/storage shed that *will exceed 1 story*, include detailed design.
 6. 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!

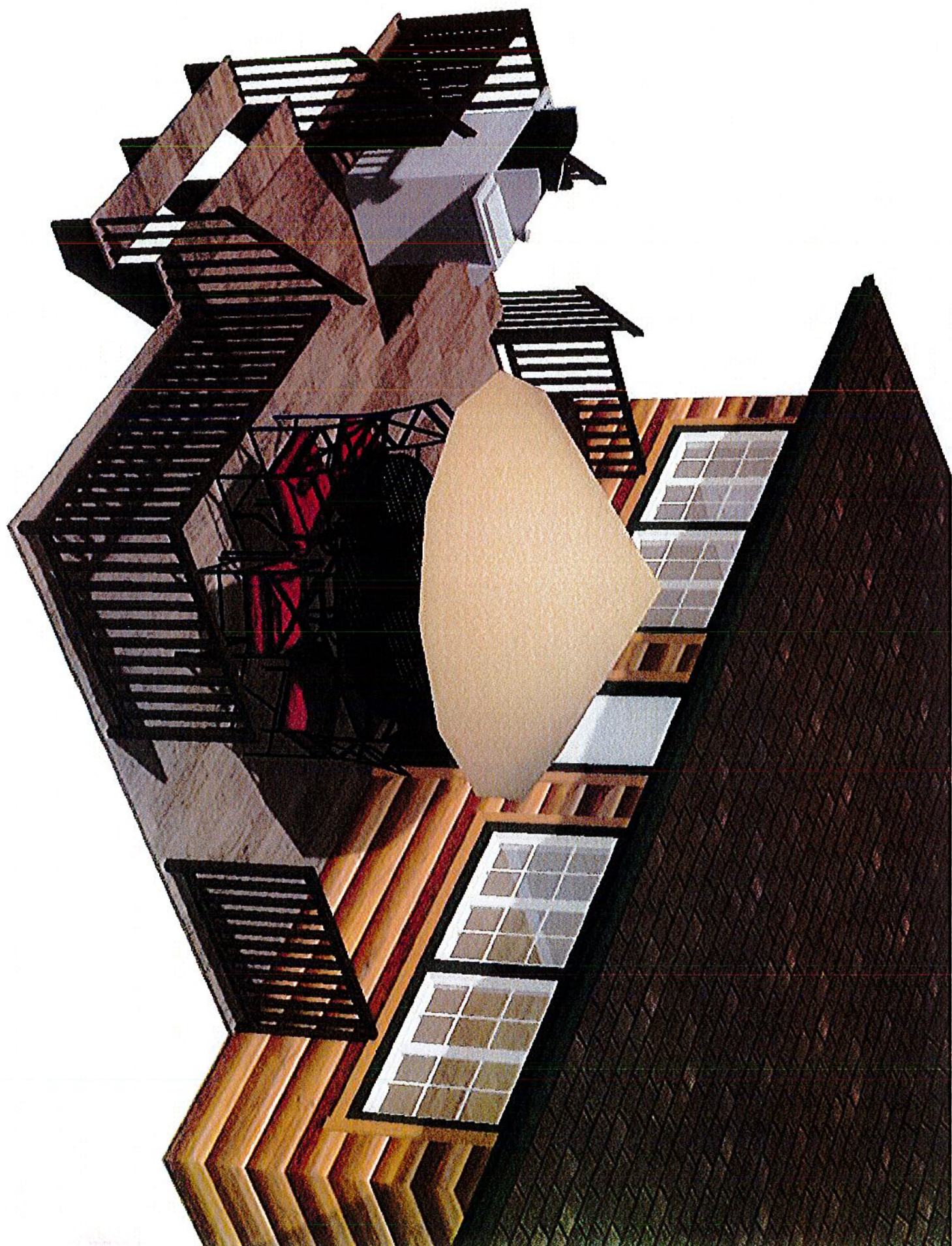
Please use best management practices and/or silt fence to control erosion on all projects.

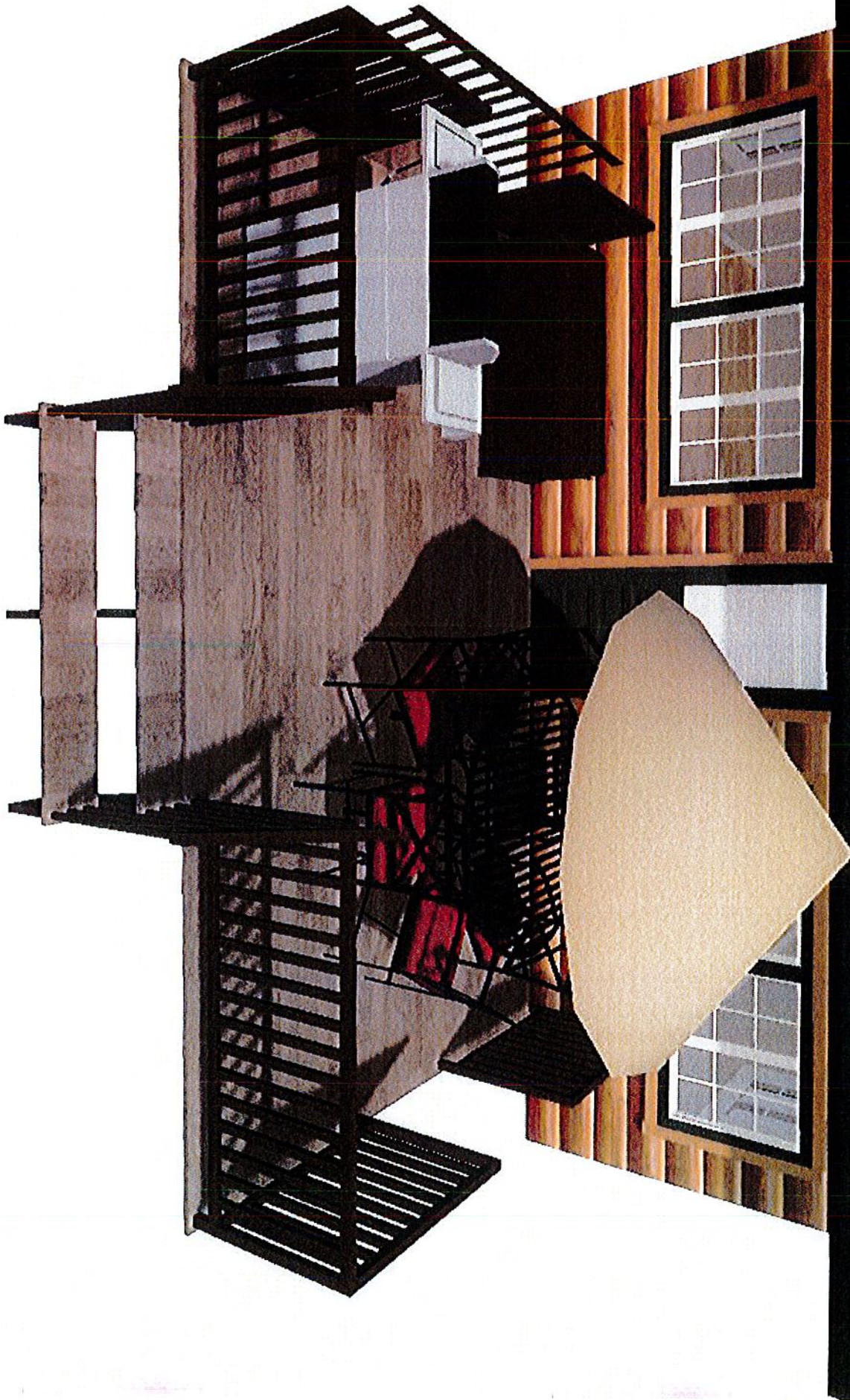
Date owner notified of application outcome: _____



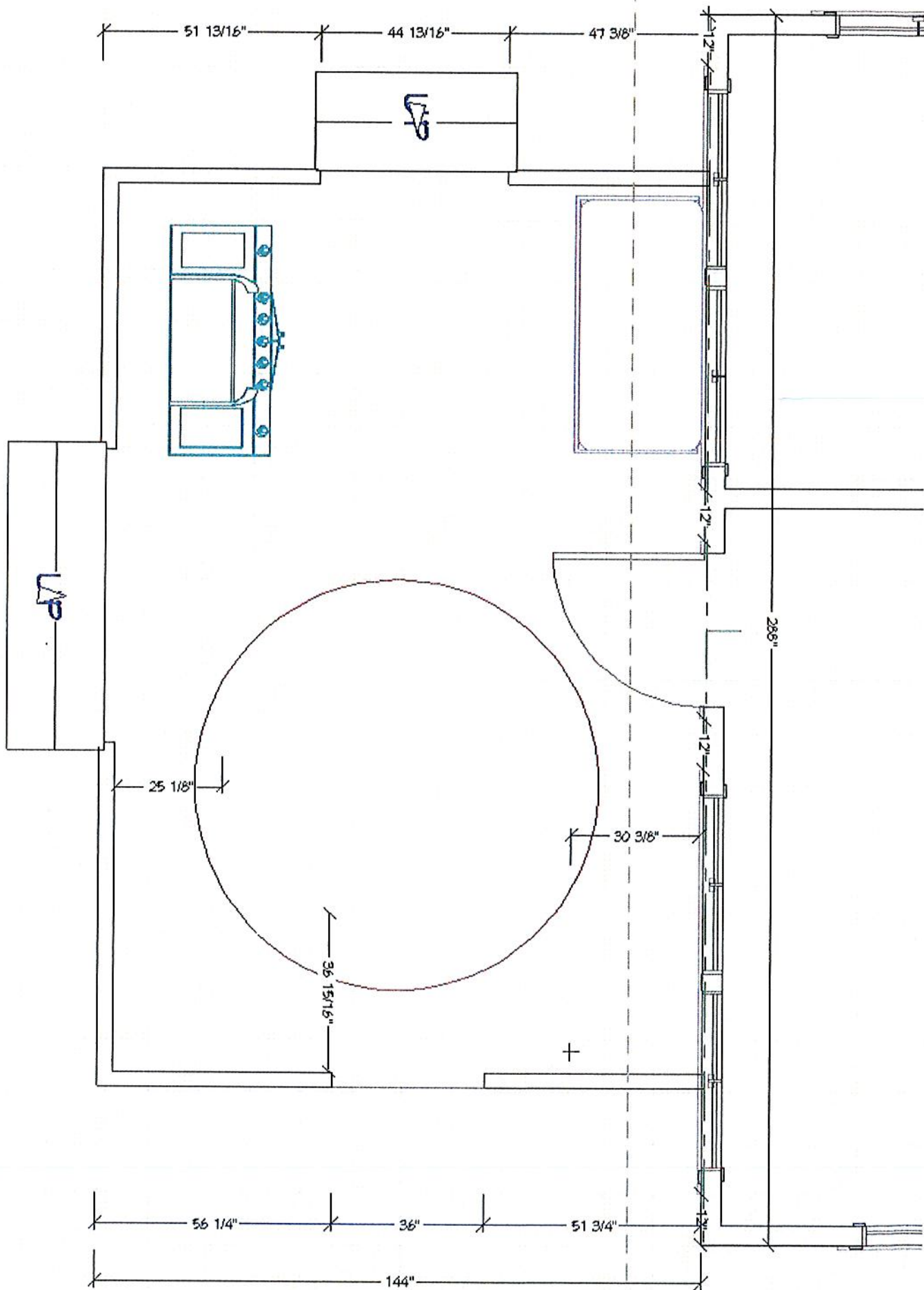
2410 sq ft

Pictures To Scale





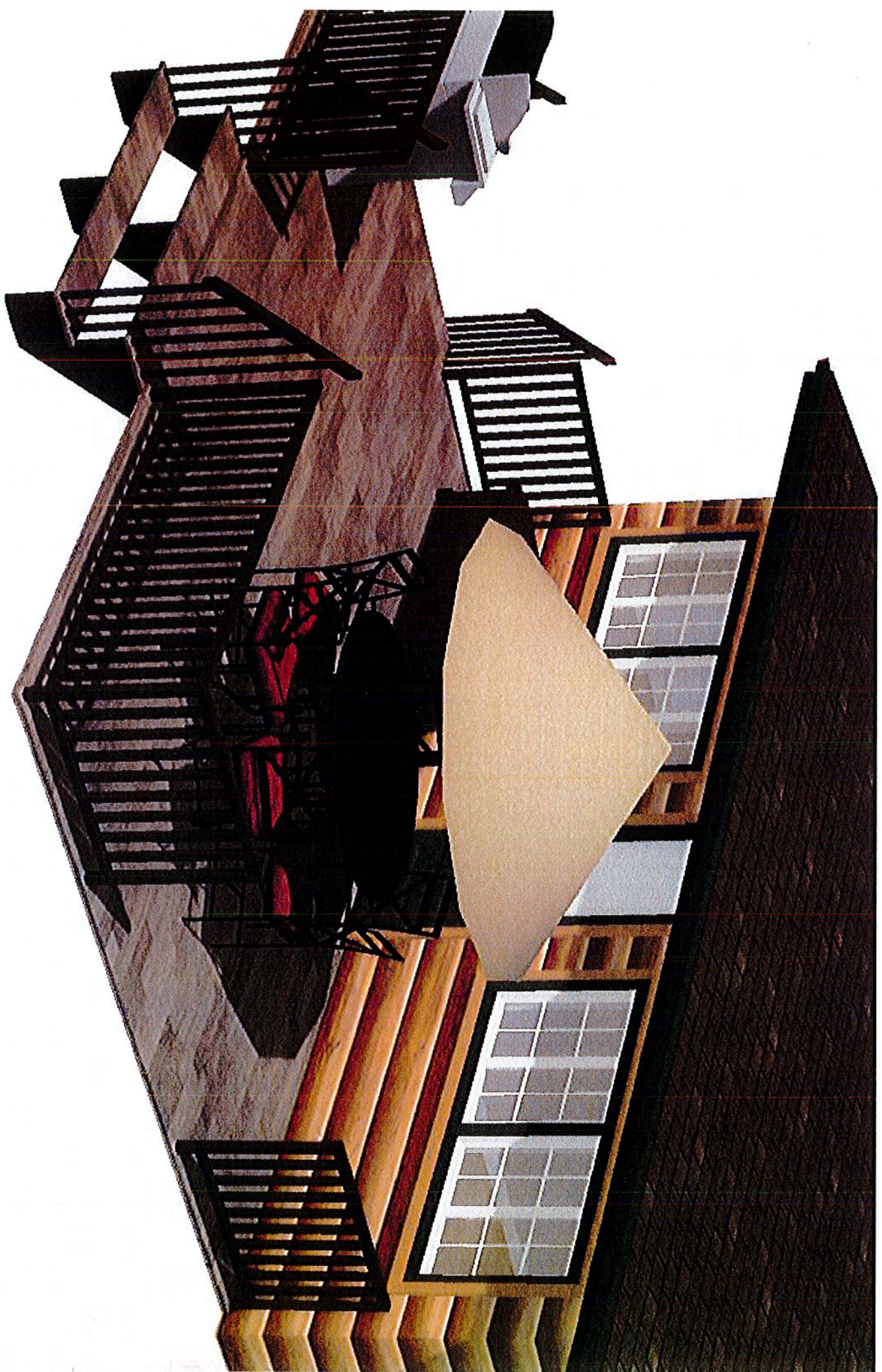
66 1/4"
56 13/16"
216"

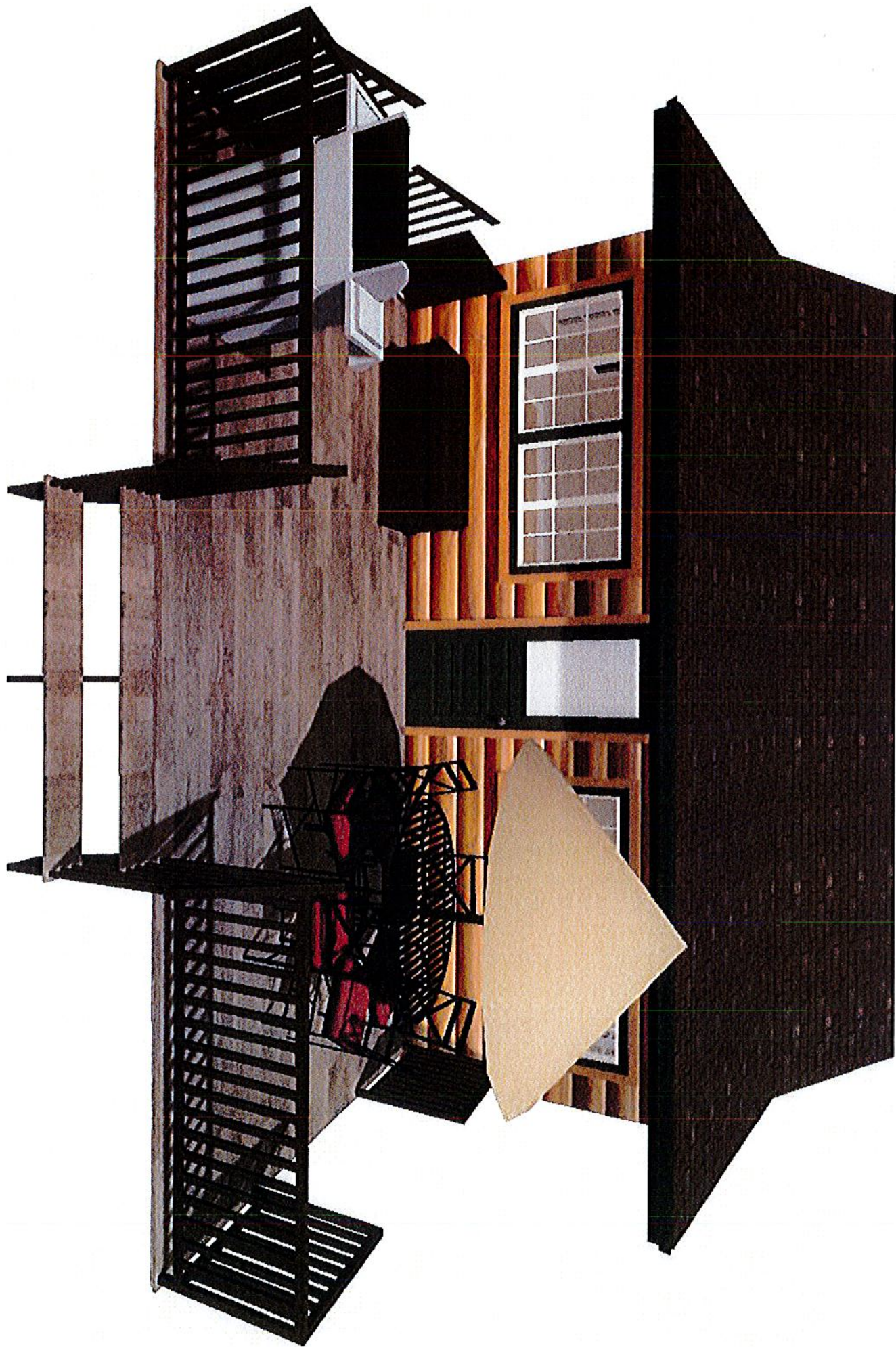


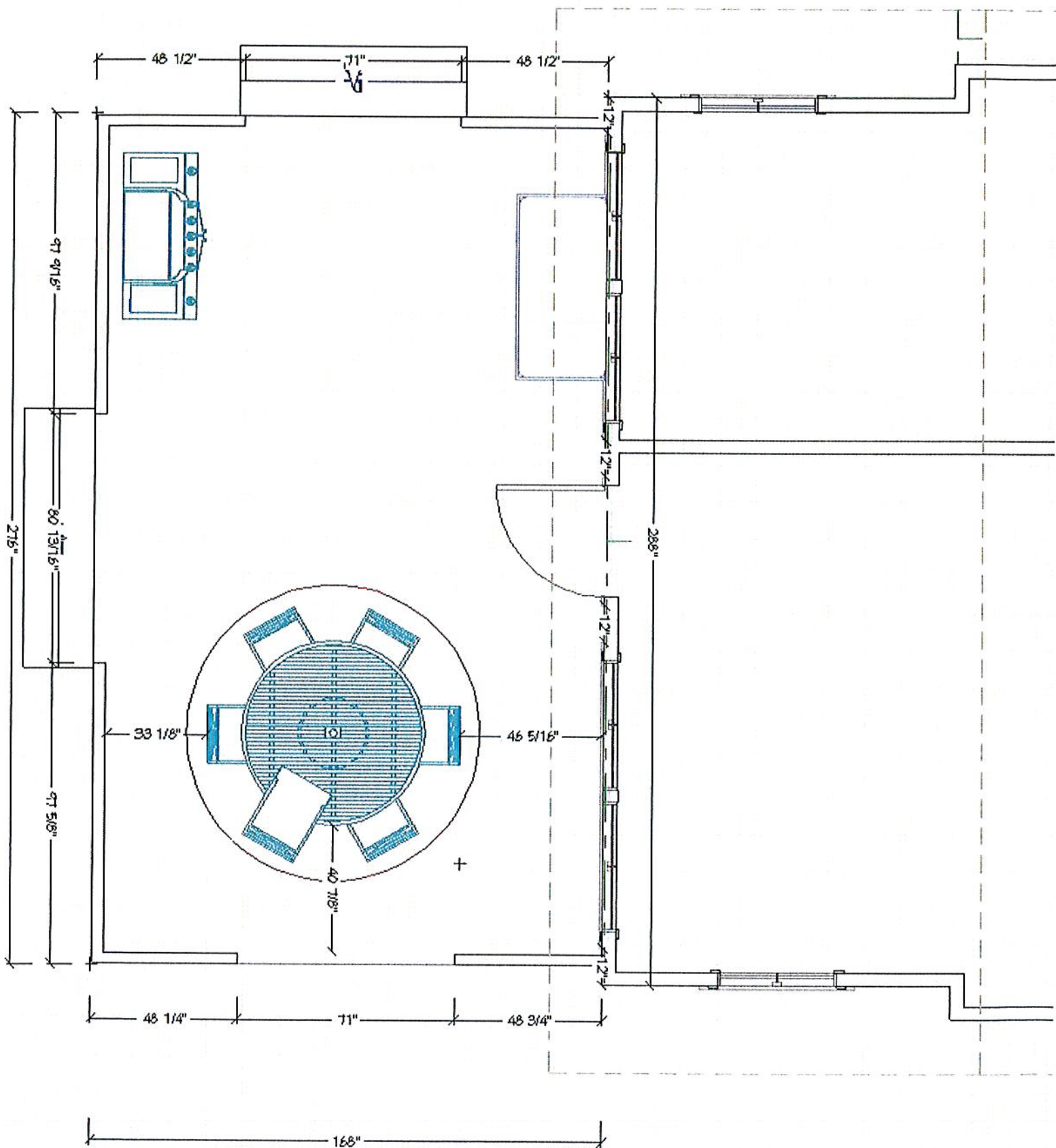
Proposed Plan
322 Sq Ft

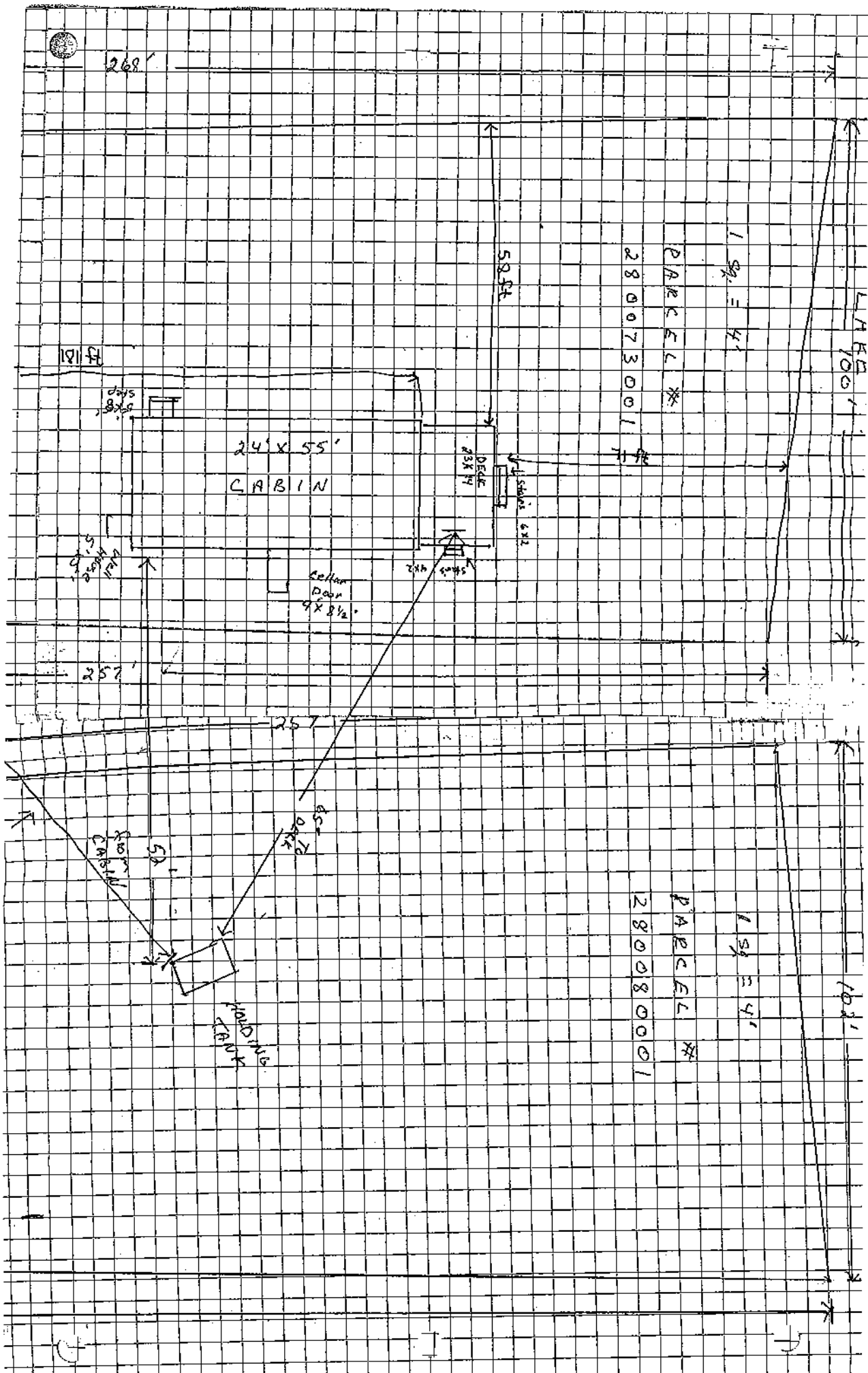


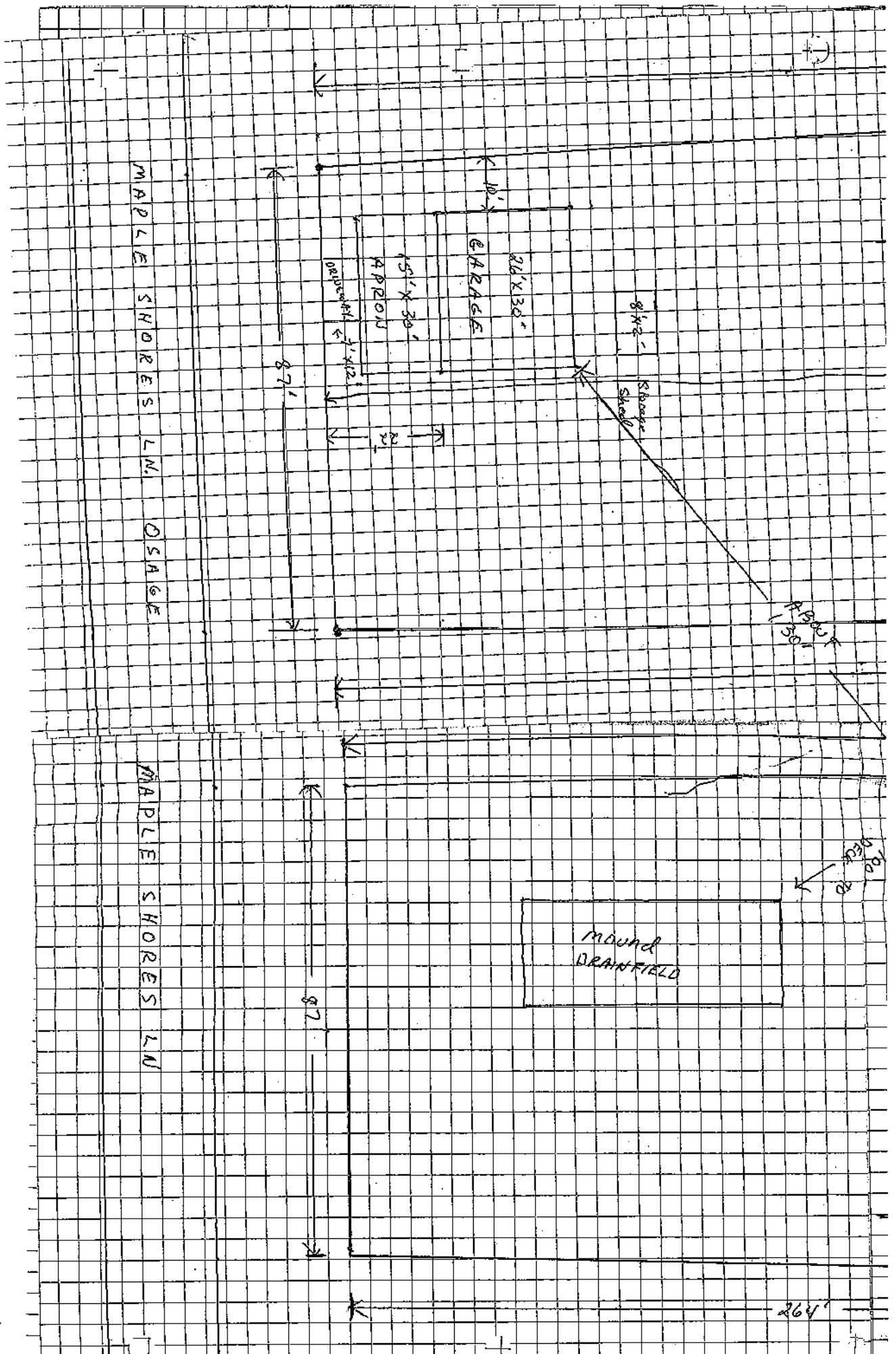
Pictures To Scale













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.

28.0073.001

Becker County



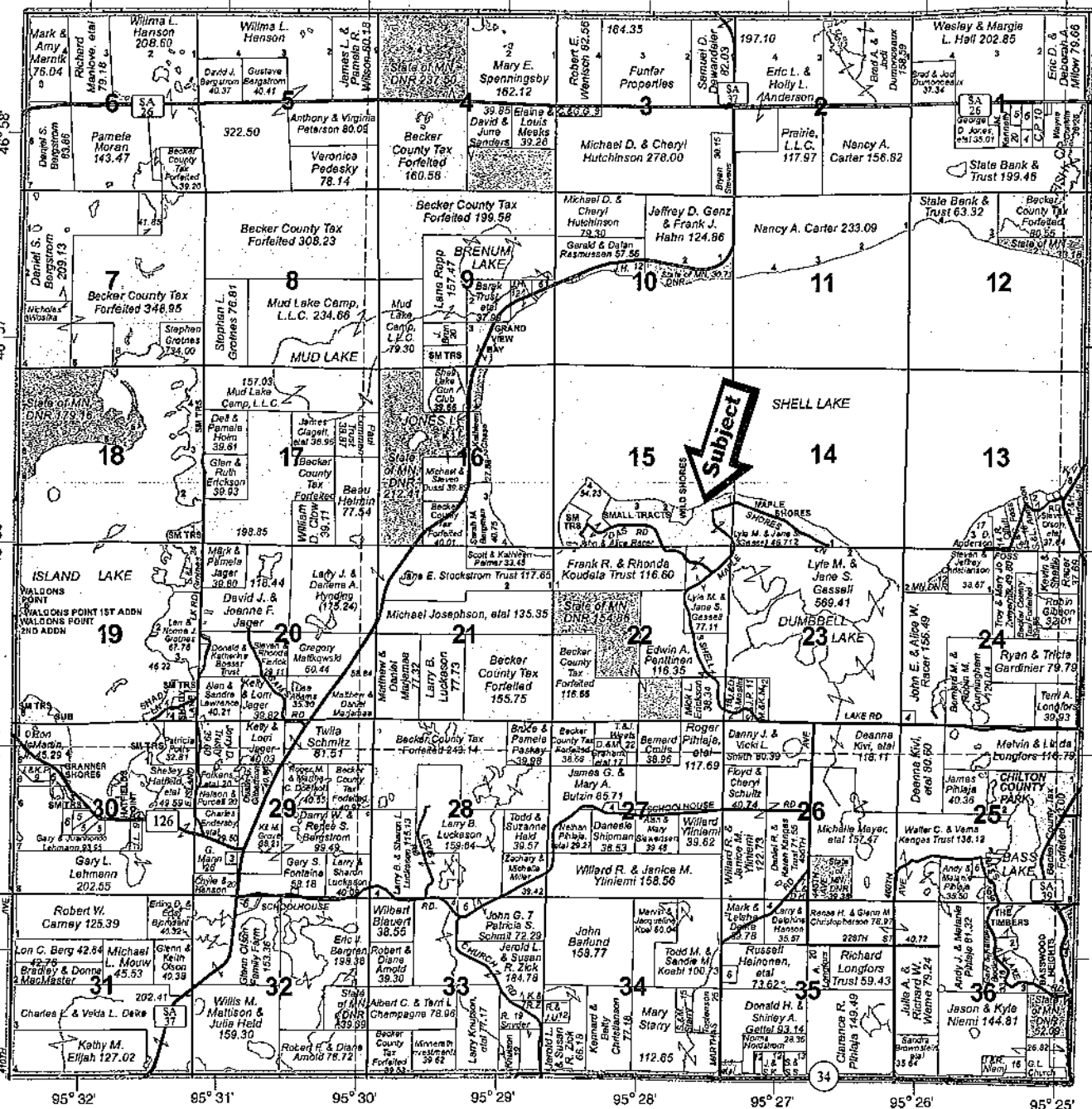
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Date: 3/31/2017

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

T.140N.-R.38W.

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Becker County, MN

470



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, May 11th, 2017 @ 7:00 P.M.
Commissioner's Room-Becker County Courthouse
Detroit Lakes, MN. 56501

Applicant: ROGER D CHRISTIANSON & KIMBERLY G CHRISTIANSON REVOCABLE 2518 PARKVIEW DR FARGO ND 58103 **Project Location:** 24393 WOODLAND LN **LEGAL LAND DESCRIPTION:** Tax ID number: 190785001 SubdivisionName AUD PLAT 138 41 SubdivisionCd 19004 PT GOVT LOT 3 (AKA AUD LOTS 8, 9 & 10) BEG AT A PT ON CNTR RD 500' E, 2068.57' SW & 70.12' N OF N QTR COR SEC 8; TH NELY AL CNTR LN 146.34', TH SE 203.79' TO LK, TH SWLY AL LK TO PT SW OF POB, TH NLY 130.40' TO POB **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance for a garage/storage structure to be built in the ROW. Also requesting a Variance for living space also to close to ROW.

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.

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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

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) Roger, Kimberly Last Name Christianson
Mailing Address 2518 Parkview Drive City, State, Zip Fargo ND 58103
Phone Number 701-371-2233 Project Address: 24393 Woodland Lane
Parcel number(s) of property: 19.0785.001 Sect - Twp - Range: 08-138-041
Township Name: Lake View Legal Description: Auditors Lots 89 and 110
of Subdivision of Govt Lots No 3-4

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:

We are requesting this variance for our garage/storage structure that is not within the right of way due to the hillside of our neighboring property. We are also requesting this variance for the living space we would like to add that is also too close to the right of way. This is due to road adjacent to our property diagonally and our cabin sits square to the lot lines

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) 13' & 17' 9" 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? 816

What is the proposed addition square footage? 1238

What is the current height of the structure? 22'

What is the proposed height of the structure? 22'

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? Yes (addition only)

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

What is the current percentage of lot coverage? 8.7%

What is the proposed percentage of lot coverage? 11.9%



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?
The location as it pertains to the right of way, sits 4' above the road due to the cut out of the hillside and the road running diagonal through our property.
- 2) In your opinion, is the Variance consistent with the Becker County Comprehensive Plan?
Yes (X) No () Why or why not?
The intent is for us to do as minimal disruption to the landscape by building on top of the impervious areas & a minimal addition to our living space and avoid an overbuilt lot
- 3) In your opinion, does the proposal put property to use in a reasonable manner?
Yes (X) No () Why or why not?
The garage is going on the current class X parking area, and the minor addition still is much lower than the maximum impervious coverage due to our large lot
- 4) In your opinion, are there circumstances unique to the property?
Yes (X) No () Why or why not?
The road borders the lot diagonally and half the property adjacent to the road is a sharp drop off to the edge of the road.
- 5) In your opinion, will the variance maintain the essential character of the locality?
Yes (X) No () Why or why not?
The physical structure and design will remain consistent with our current structure.

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: Ryan Christensen / Kimberly Nighman Date: 4-4-17

(Office Use)

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

Zoning Administrator

623567

CERTIFICATE OF REAL

ESTATE VALUE FILED #011573

No delinquent taxes and transfer entered
this 1st day of April, 20 15Mary Hendrickson
Becker County Auditor/TreasurerBy [Signature] Deputy

19.0785-001

BECKER COUNTY RECORDER
STATE OF MINNESOTA

Document No. 623567

April 1, 2015 at 12:51 PM
I hereby certify that the within
instrument was recorded in this office.
Patricia Swenson, County Recorder
By SKS Deputy

BECKER COUNTY DEED TAX

AMT. PD. \$ 906.18Receipt # 554814
Becker County Auditor/Treasurer

5-M WARRANTY DEED

Individual(s) to Joint Tenants

Becker County Recorder

Well Certificate Received April 1, 2015Patricia Swenson
Deputy klw Becker County RecorderSTATE DEED TAX DUE HEREON: \$906.18Date: 3-26-15

Parcel # 19.0785.001

eCRV # 328830

chg
paid
well

FOR VALUABLE CONSIDERATION, Truman J. W. Kingsley and Becky R. Kingsley, husband and wife Grantor(s), hereby convey(s) and warrant(s) to Roger D. Christianson and Kimberly G. Christianson, Grantees, as joint tenants, real property in Becker County, Minnesota, described as follows:

That part of Gov't Lot 3 of Sec. 8, Twp. 138 N, Rge. 41 W of the 5th P.M., in Becker Co., MN, (also being known for taxation purposes as a part of Auditor's Lots 8, 9, and 10 of Subdivision of Gov't Lots No. 3-4, Sec. 8, Twp. 138, Rge. 41 Becker Co., MN, said plat is on file and of record in the office of the Recorder in said County) described as follows:

Commencing at a found iron monument which designates the N $\frac{1}{4}$ corner of said Sec. 8; thence N 89°46'15" E 500.00 feet on a assumed bearing along the N line of said Sec. 8; thence S 10°25'12" W 1173.36 feet; thence S 71°58'00" W 895.21 ft. to a found iron monument; thence N 77°13'03" E 312.27 feet to a found iron monument located on a boundary line described in Book 125 of Misc., Page 113 in the office of the Recorder in said County; thence N 09°34'52" W 396.57 feet to an iron monument on the centerline of an existing public road; thence S 13°06'38" W 67.54 feet along the centerline of an existing public road; thence S 18°10'06" W 141.05 feet continuing along the centerline of said existing public road; thence SW'ly continuing along the centerline of said existing public road on a curve concave to the NW, having a central angle of 23°40'11" and a radius of 280.00 feet, for a distance of 115.68 feet (chord bearing S 30°00'11" W) to an iron monument, said point is the point of beginning; thence SW'ly continuing along the centerline of said existing public road on a curve concave to the NW, having a central angle of 02°45'33" and a radius of 280.00 feet for a distance of 13.48 feet (chord bearing S 43°13'03" W); thence SW'ly continuing along the centerline of said existing public road on a curve concave to the NW, having a central angle of 03°55'46" and a radius of 280.00 feet, for a distance of 19.20 feet (chord bearing S 46°33'43" W); thence S 48°31'36" W 22.31 feet continuing along the centerline of said existing public road; thence SW'ly continuing along the centerline of said existing public road on a curve concave to the NW, having a central angle of 11°15'22" and a radius of 465.00 feet, for a distance of 91.35 feet (chord bearing S 54°09'17" W) to an iron monument; thence S 06°29'36" W 19.55 feet to a found iron monument; thence continuing S 06°29'36" W 50.57 feet to a found iron monument; thence continuing S 06°29'36" W 35.28 feet to a found iron monument; thence continuing S 06°29'36" W 25 feet, more or less, to the water's edge of Lake Sallie; thence E'ly along the water's edge of said Lake Sallie to the intersection with a line which bears S 07°47'11" E from the point of beginning; thence N 07°47'11" W 26 feet, more or less, to an iron monument; thence continuing N

5-M WARRANTY DEED

Individual(s) to Joint Tenants

07°47'11" W 68.45 feet to an iron monument; thence continuing N 07°47'11" W 90.00 feet to an iron monument; thence continuing N 07°47'11" W 19.34 feet to the point of beginning.

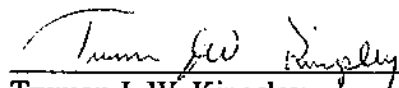
SUBJECT TO an easement for public road purposes over, under and across that part of the above tract which lies within 15.00 ft. of the centerline of said existing public road.

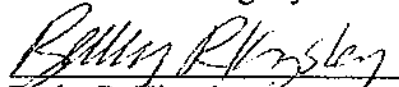
together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Covenants, Easements and Restrictions of Record, if any.

Check Box if Applicable:

- ☐ The Seller certifies that the seller does not know of any wells on the described real property.
- ☒ A well disclosure certificate accompanies this document.
- ☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.


Truman J. W. Kingsley

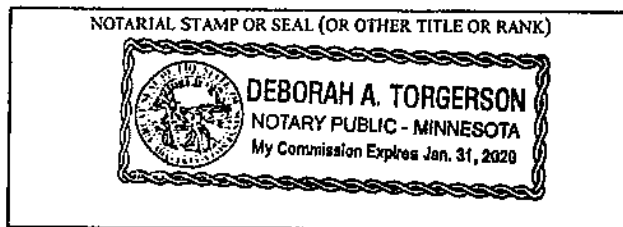

Becky R. Kingsley

5-M WARRANTY DEED

Individual(s) to Joint Tenants

STATE OF MINNESOTA)
)ss.
COUNTY OF BECKER)

The foregoing instrument was acknowledged before me on this 26th day of March, 2015, by Truman J. W. Kingsley and Becky R. Kingsley, husband and wife, Grantor(s).



Deborah A. Torgerson
SIGNATURE OF PERSON TAKING ACKNOWLEDGEMENT

Check here if part or all of the land is Registered (Torrens) ☐

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

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS)

To. Becker County Title Services, Inc.
828 Minnesota Avenue
Detroit Lakes, MN 56501
Order No.: 29863 dat/ see

Roger D. Christianson
Kimberly G. Christianson
2518 Parkview Drive
Fargo, ND 58103



MINNESOTA DEPARTMENT OF HEALTH
WELL DISCLOSURE CERTIFICATE
PLEASE TYPE OR PRINT ALL INFORMATION

Indicate Total Number of
Wells on Property _____

Fill out a separate well information page if more than two wells are located on the property.

E. WELL LOCATION LEGAL DESCRIPTION					
WELL #1 – If the property legal description has more than one section, township, or range number; or quarter (or government lot); or lot or block number; provide specific legal description information regarding the physical location of this well.					
County Becker		Section No.	Township No.	Range No.	Quarter (or Government Lot)
Lot No.	Block No.	Addition Name	Outlot	Tract	MN Unique Well No. or Sealing Record No.
WELL STATUS (Check only one box) WELL IS: <input checked="" type="checkbox"/> In Use (1) <input type="checkbox"/> Not in use (2) <input type="checkbox"/> Sealed by Licensed Well Contractor (3) * *Call MDH to verify sealing record is on file					Date of Well Construction or Sealing
If the well has been sealed by someone other than a licensed well contractor or a licensed well sealing contractor, check well status as not in use. Also see "IMPORTANT NOTE" on page 1.					Name of Licensed Well Contractor
If well is not in use, is there an MDH variance for this well? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the variance tracking number (TN)			If the well is not in use, is there an MDH maintenance permit for this well? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the permit number _____		

WELL #2 – If the property legal description has more than one section, township, or range number; or quarter (or government lot); or lot or block number; provide specific legal description information regarding the physical location of this well.					
County		Section No.	Township No.	Range No.	Quarter (or Government Lot)
Lot No.	Block No.	Addition Name	Outlot	Tract	MN Unique Well No. or Sealing Record No.
WELL STATUS (Check only one box) WELL IS: <input type="checkbox"/> In Use (1) <input type="checkbox"/> Not in Use (2) <input type="checkbox"/> Sealed by Licensed Well Contractor (3) * *Call MDH to verify sealing record is on file					Date of Well Construction or Sealing
If the well has been sealed by someone other than a licensed well contractor or a licensed well sealing contractor, check the well status as not in use. Also see "IMPORTANT NOTE" on page 1.					Name of Licensed Well Contractor
If well is not in use, is there an MDH variance for this well? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the variance tracking number (TN)			If the well is not in use, is there an MDH maintenance permit for this well? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the permit number _____		

SKETCH MAP – Sketch the location of the well(s) and include estimated distances from roads, streets, and buildings. If more than one well on the property, use the well location number above to identify each well. The location of the well(s) must be provided. If the location of the well is not known, have the well located by a person qualified to locate wells, such as a licensed well contractor.

Sketch map details: A horizontal line at the bottom is labeled 'Road'. A curved line at the top is labeled 'Lake'. A square in the center is labeled 'house'. An 'X' is marked to the left of the house, with a line pointing to it from the text 'about 20' se house'. A north arrow is drawn in the upper right corner, pointing towards the top right.

COUNTY USE ONLY	MINNESOTA DEPARTMENT OF HEALTH Well Management Section, P.O. Box 64975, St. Paul, Minnesota 55164-0975 651/201-4587 or 800/383-9808 WELL DISCLOSURE CERTIFICATE PLEASE TYPE OR PRINT ALL INFORMATION Person filing deed must include a \$50 fee payable to the county recorder.	MDH USE ONLY

A. PROPERTY LOCATION LEGAL DESCRIPTION

Attach a legal description of the property.

County Becker	Section No.	Township No.	Range No.	Quarter (or Government Lot)
Lot No(s).	Block No.	Addition Name		Outlot
Property Street Address 24393 Woodland Lane				
City/Township Detroit Lakes		Zip Code 56501	Property ID No./Parcel No. (optional) 19.0785.001	

B. PROPERTY BUYER MAILING ADDRESS AFTER CLOSING

First Name Roger	Middle Initial D.	Last Name Christianson
Company Name (if applicable)		
Mailing Address 24393 Woodland Lane		
Mailing Address		
City Detroit Lakes	State/Province Minnesota	ZIP Code 56501
Telephone No. (including area code)		

Provide Name of Seller (please print) _____

C. CERTIFICATION BY SELLER

I certify that the information provided on this certificate is accurate and complete to the best of my knowledge.

	3-26-15
Signature of Seller or Designated Representative of Seller	Date

D. CERTIFICATION BY BUYER

 For fulfillment of a contract for deed, the buyer or person authorized to act on behalf of the buyer, must sign a Well Disclosure Certificate if there is a well on the property.

In the absence of a seller's signature, the buyer, or person authorized to act on behalf of the buyer may sign this Well Disclosure Certificate. No signature is required by the buyer if the seller has signed above.

Based on disclosure information provided to me by the seller or other available information, I certify that the information on this certificate is accurate and complete to the best of my knowledge.

Signature of Buyer or Designated Representative of Buyer	Date
--	------

IMPORTANT NOTE: The Minnesota Department of Health (MDH) will follow-up with the property buyer regarding any wells disclosed as not in use. If a well is not in use, the property owner must either return the well to use, have the well sealed by a licensed well contractor, or obtain an annual maintenance permit from the MDH for \$175. A copy of this well disclosure certificate should be provided to the property buyer.

Becker County

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

TAXPAYER(S):

CHRISTIANSON ROGER D

ROGER D CHRISTIANSON & KIMBERLY G
 CHRIST
 2518 PARKVIEW DR
 FARGO ND 58103

Property Information

PIN: 19.0785.001

Property address:

24393 WOODLAND LN

Property description:

Acres: 0.51 Section 08 Township 138 Range 041
 SubdivisionName AUD PLAT 138 41 SubdivisionCd 19004
 PT GOVT LOT 3 (AKA AUD LOTS 8, 9 & 10) BEG AT A PT
 ON CNTR RD 500' E, 2068.57' SW & 70.12' N OF N QTR

PROPOSED TAXES 2016**THIS IS NOT A BILL. DO NOT PAY.**

VALUES AND CLASSIFICATION			
Step	Taxes Payable Year	2015	2016
1	Estimated Market Value:	\$233,500	\$241,700
	Homestead Exclusion:	\$0	\$0
	Other exclusions/deferrals:	\$0	\$0
	Taxable Market Value:	\$233,500	\$241,700
	Class:	Seasonal	Seasonal
Step	PROPOSED TAX		
2	\$1,862.00		
Step	PROPERTY TAX STATEMENT		
3	Coming in March 2016		
The time to provide feedback on PROPOSED LEVIES is NOW It is too late to appeal your value without going to Tax Court.			

Proposed Property Taxes and Meetings by Jurisdiction for Your Property

Contact Information	Meeting Information	Actual 2015	Proposed 2016	Percent Change
State General Tax	No public meeting	\$407.57	\$431.29	
BECKER COUNTY 915 LAKE AVE DETROIT LAKES MN 56501	BOARD ROOM COURTHOUSE 915 LAKE AVENUE DETROIT LAKES, MN 56501 218-846-7311 DECEMBER 1, 2015 6:01 PM	\$940.73	\$943.74	
LAKE VIEW TOWNSHIP 10550 US HWY 59 S DETROIT LAKES MN 56501	BUDGET SET AT ANNUAL MEETING MARCH 2015	\$202.43	\$215.99	
IND SCHOOL DIST 22 702 LAKE AVE DETROIT LAKES MN 56501	LINCOLN EDUCATION CTR #108 204 WILLOW STREET EAST DETROIT LAKES MN 56501 218-847-9271 DECEMBER 14, 2015 6:30 PM			
	Voter Approved Levy	\$81.67	\$0.00	
	School	\$115.78	\$208.23	
Special Taxing Districts		\$46.49	\$62.75	
Tax Increment Tax	No public meeting	\$0.00	\$0.00	
TOTAL excluding any special assessments		\$1,794.67	\$1,862.00	3.8%

What Else Should You Know?

Your local units of government have proposed the amount of property taxes that they will need for 2016.

The following circumstances could change these amounts:

- Upcoming referendums;
- Legal judgments;
- Natural disasters;
- Voter-approved levy limit increases; or
- Special assessments

Your county commissioners, school board, city council (if your property is located in a city over 500 population), and metropolitan special taxing district will soon be holding meetings to discuss the 2016 budgets and proposed 2016 property taxes. (The school board will discuss the 2015

Supplemental Agricultural Homestead Credit

Supplemental Agricultural Homestead Credit

Agricultural homesteads may have received a supplemental agricultural homestead credit in October 2015. This credit was a reduction in property taxes payable in 2015.

Minnesota Laws 2014, Chapter 308, Article 1, Section 14

To be removed



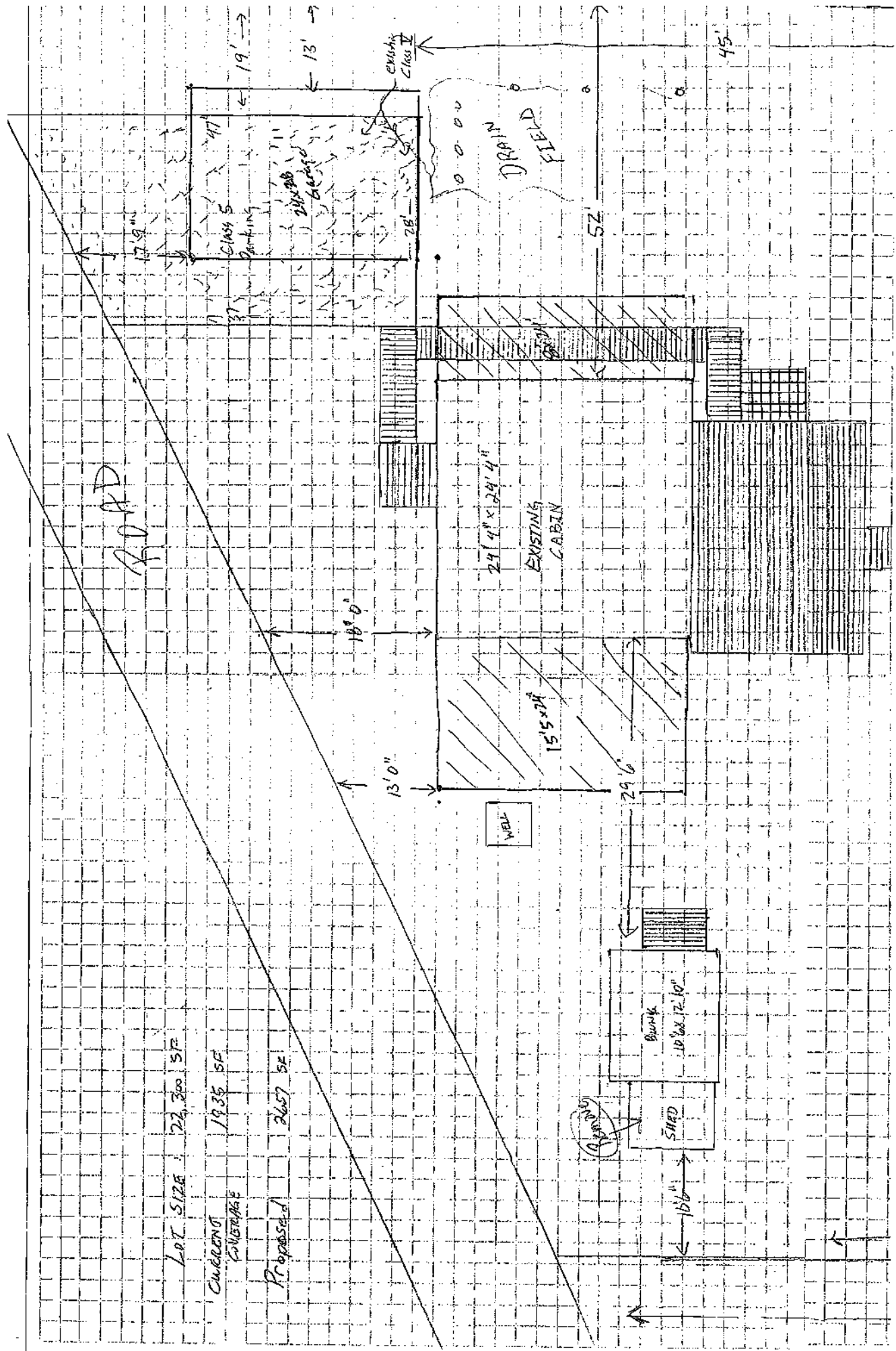
Photo to show lot
drop off to road
right of way

ROAD

LOT SIZE 22,300 SF

CURRENT COVERAGE 1935 SF

Proposed 2657 SF



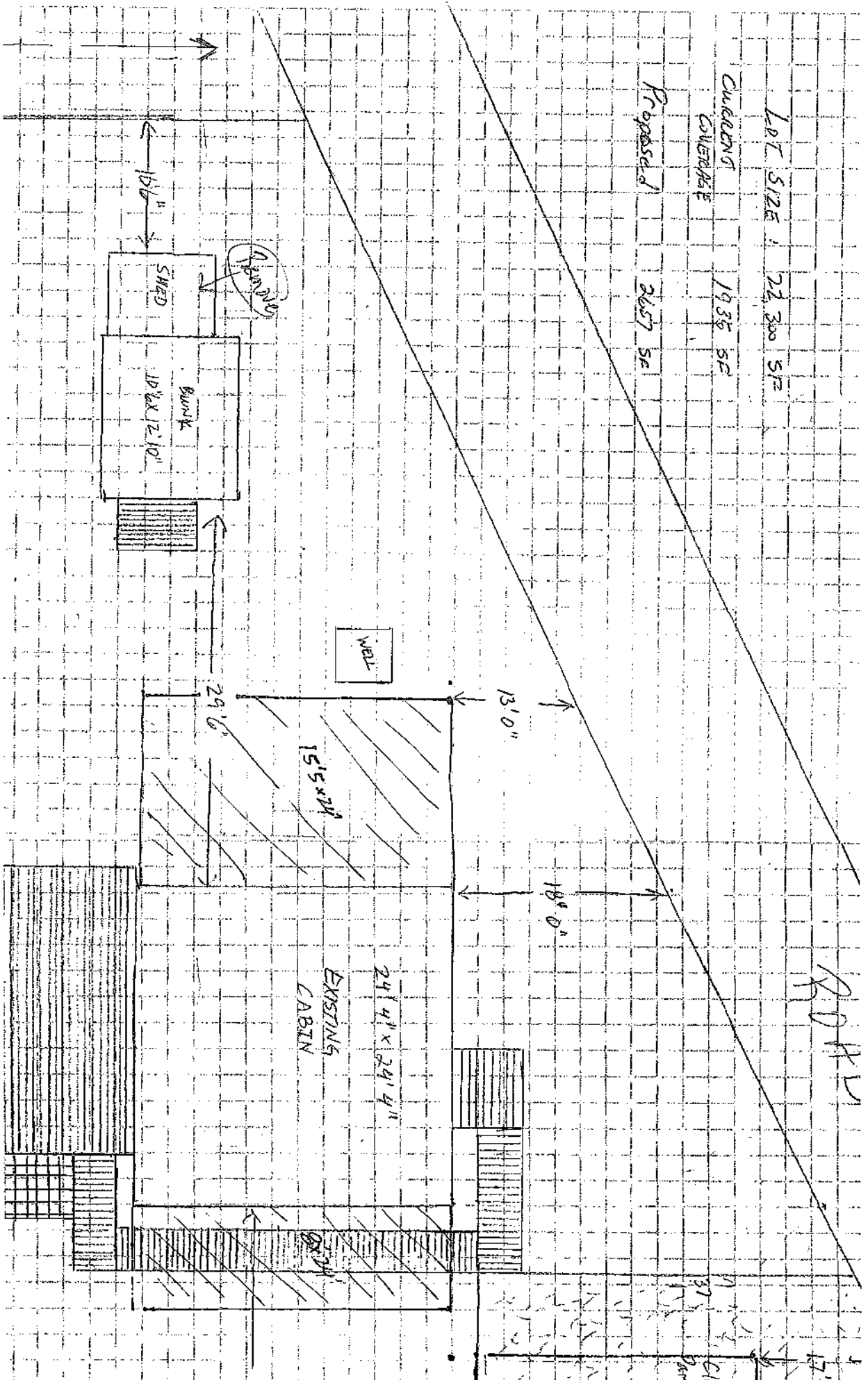
Date owner notified of application outcome: _____

LOT 5125 : 22,300 SF

CINCINNATI	1935	SE
COLLEGE		

Proposed 2657 SE

2017





These data are provided on
in "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.

19.0785.001

1:1,123

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

Date: 4/7/2017

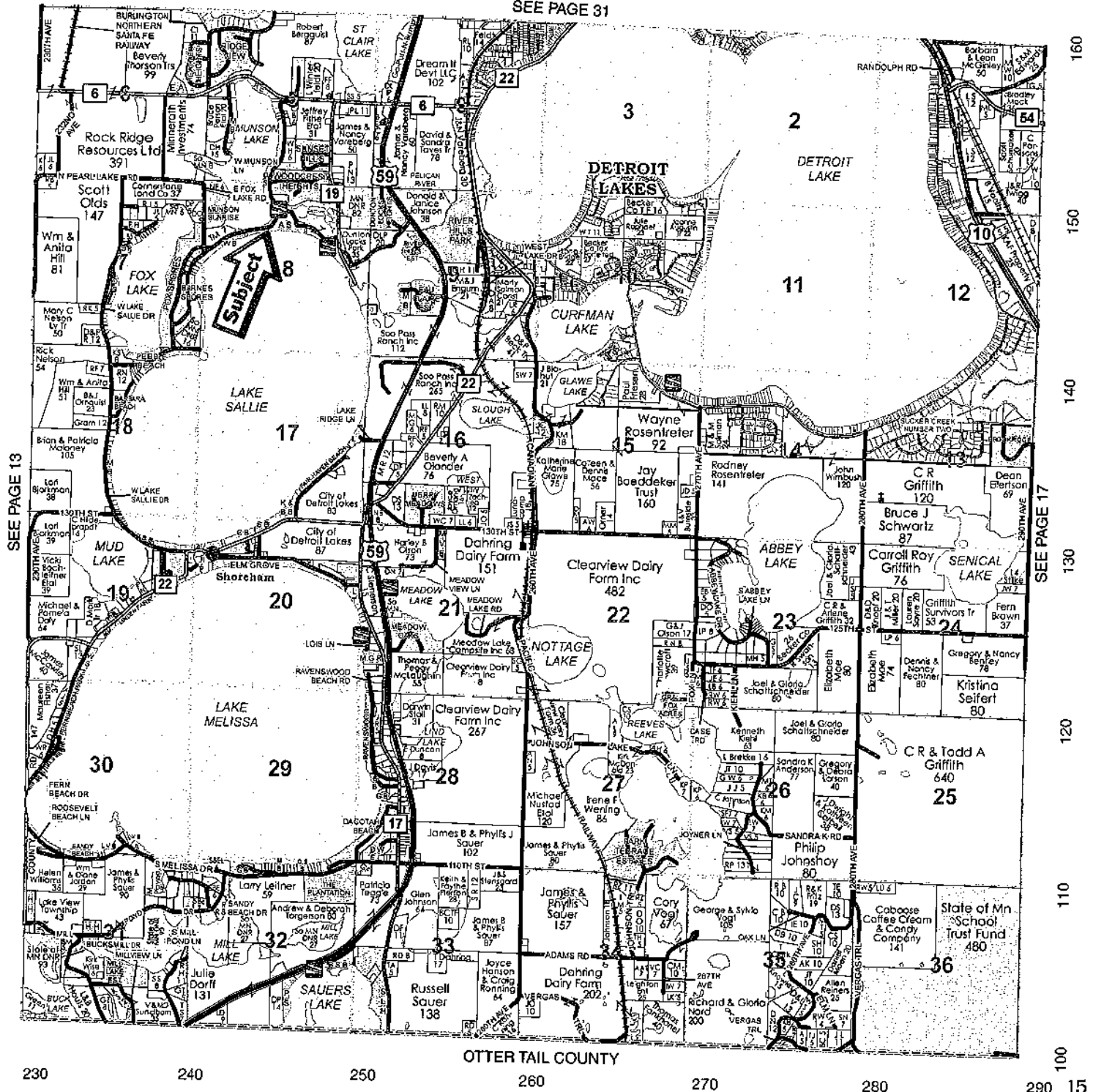
Becker County



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



Township 138N - Range 41W





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, May 11th, 2017 @ 7:00 P.M.

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

Applicant: FOLTZ ACRES LLC 19097 FRONTAGE RD DETROIT LAKES MN 56501 **Project Location:** 19097 FRONTAGE RD DETROIT LAKES MN 56501 **LEGAL LAND DESCRIPTION:** Tax ID number: 080292002 Section 16 Township 139 Range 041 16-139-41 PT NW1/4 SE1/4: COMM NE COR BUZZ EST, S 242', W 333.62', S 263.1' TO POB; S 507.86', SE AL HWY 21.31', E 499.9', N 752.16', WLY 615.62' TO POB. **TRACT B. APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance for 70 percent impervious surface coverage for a truck trailer storage parking lot at a growing commercial trucking operation.

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.**



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?
Watershed Management is a key intent of the ordinance. Through MPCA and Pelican River Watershed permitting, an extensive Stormwater Management plan will be implemented.
- 2) In your opinion, is the Variance consistent with the Becker County Comprehensive Plan?
Yes (X) No () Why or why not?
A focus of the comprehensive plan was economic growth, with one particular goal of supporting business efforts to expand; as well as job creation.
- 3) In your opinion, does the proposal put property to use in a reasonable manner?
Yes (X) No () Why or why not?
The property is near many commercial businesses in the immediate area, including 59er Truck Stop and Detroit Power Sports.
- 4) In your opinion, are there circumstances unique to the property?
Yes (X) No () Why or why not?
Lot is adjacent to Foltz Trucking, which makes it an ideal location to expand the business operations.
- 5) In your opinion, will the variance maintain the essential character of the locality?
Yes (X) No () Why or why not?
Currently, there are similar use parking areas directly north and south of this lot. Also, lot is adjacent to Trunk Highway 59.

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.

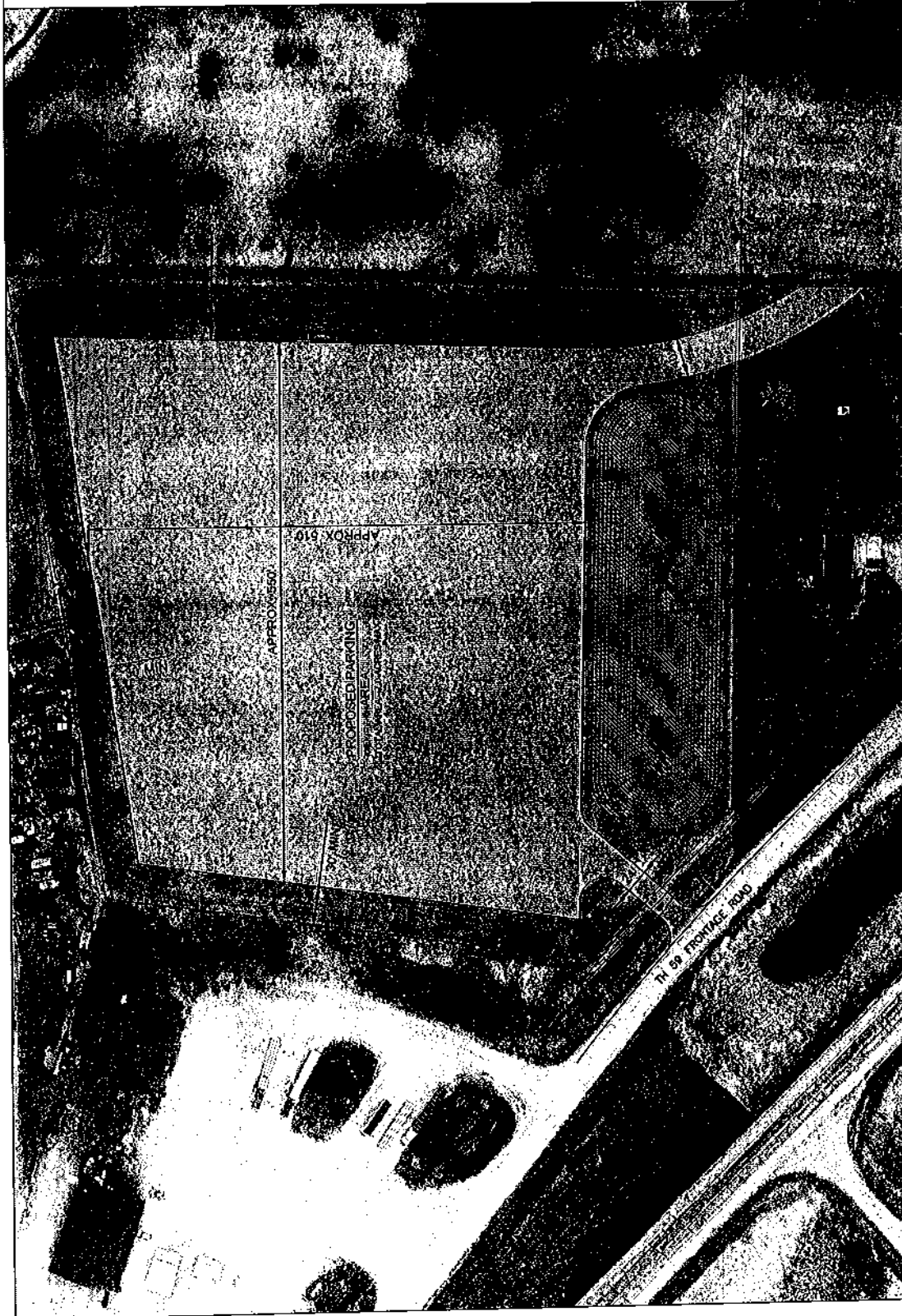
I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge. Planning and Zoning Staff along with Board of Adjustment Members may visit my property to review submitted plan requests.

Applicant's Signature: Ken Foltz Date: 4-10-17

(Office Use)

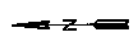
Date Received 4/10/17 Accepted [] Incomplete Application [] Date _____

Zoning Administrator



PROPOSED PARKING

TH 59 FRONTAGE ROAD



REVISIONS		
Issue #	Description	Date

Bismarck - Detroit Lakes - Fargo
920 McKinley Ave
Detroit Lakes, Minnesota 56501
Office: 218-844-2380
Fax: 701-373-7981
www.apexengr.com



I hereby certify that this plan, specification or request was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of _____.

Print Name: _____
 Signature: _____
 Title: _____ License Number: _____

Apex Project #: 17-323,0034
 Date: XXXXXX, 2017
 Drawn By: XXX
 Checked By: JSC
 Approved By: JSD

FOLTZ TRUCKING, INC.	PROPOSED IMPROVEMENTS
----------------------	-----------------------

Sheet:
XX OF 10

Date application received 4/10/17 Received By: Diana Assigned To: Dylan

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

Footings 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 calculations:

Impervious Surface On property:	Dimensions	Sq. Footage	Impervious Surface on property:	Dimensions	Sq. Footage
<u>DRIVEWAY</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
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				TOTAL SQ FT:	<u> </u>

Total Impervious area on site _____ ÷ Total Lot area _____ = _____ x
100 = _____ % of proposed lot coverage

Additional notes: _____

Application Fee: 326.00 + Cormorant Surcharge _____ + Fines _____ = Total Fees 326.00

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 233443-645935 Date Paid 4/13/17

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: _____

635466

BECKER COUNTY RECORDER
STATE OF MINNESOTA
Document No. 635466

August 12, 2016 at 10:00 AM
I hereby certify that the within
instrument was recorded in this office.
Patricia Swenson, County Recorder
By SKS Deputy

CERTIFICATE OF REAL
ESTATE VALUE FILED # 013391

No delinquent taxes and transfer entered
this 12th day of Aug., 2016

Mary E. Hendrickson
Becker County Auditor/Treasurer

By [Signature] Deputy

08.0292.000 split

WARRANTY DEED

STATE DEED TAX DUE HEREON: \$247.50

eCRV No. 546008

SURVEYORS SKETCH ☒ NOT REQUIRED
() FILED SURVEY BOOK PAGE

Dated: August 11, 2016

FOR VALUABLE CONSIDERATION, Randy L. Gravelle, a single person, Grantor,
hereby conveys and warrants to Foltz Acres, LLC, a Minnesota Limited Liability
Company, Grantee, real property in Becker County, Minnesota, described as follows:

See EXHIBIT A attached hereto and incorporated herein by reference, together
with all hereditaments and appurtenances belonging thereto, and subject to all
easements, restrictions, and reservations of record, if any.

Grantor certifies that there are no wells upon the subject property.

BECKER COUNTY DEED TAX
AMT. PD. \$ 247.50
Receipt # 1026783
Becker County Auditor/Treasurer

Randy L. Gravelle
Randy L. Gravelle

I certify the taxes due in the current
tax year for the whole parcel are paid.

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

chg
paid
well

STATE OF MINNESOTA)

)ss

COUNTY OF BECKER)

The foregoing instrument was acknowledged before me on this 11th day of August, 2016, by Randy L. Gravelle, a single person, Grantor.




Notary Public

My commission expires: _____

THIS INSTRUMENT DRAFTED BY:

Brant R. Beeson

Beeson Law Office, P.A.

P. O. Box 70

Detroit Lakes, MN 56502-0070

(218) 844-5000

Send Tax Statements to:

Foltz Acres, LLC

19097 Frontage Road

Detroit Lakes, MN 56501

BRB.mb.2016-5326

EXHIBIT A
2016-5326

Randy Gravelle - Tract B - 9.92 acres

Land description:

That part of the Northwest Quarter of the Southeast Quarter in Section 16, Township 139 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Commencing at a found iron monument which designates the northeasterly corner of BUZZ ESTATES, said plat is on file and of record in the office of the Recorder in said County; thence South 02 degrees 58 minutes 14 seconds West 242.00 feet on an assumed bearing along the easterly line of said BUZZ ESTATES to a found iron monument at the southeasterly corner of said BUZZ ESTATES; thence North 86 degrees 11 minutes 14 seconds West 333.62 feet along the southerly line of said BUZZ ESTATES to a found iron monument at the southwesterly corner of said BUZZ ESTATES and on the easterly line of a Dedicated Public Roadway as dedicated in MODERN ACRES BEACH, said plat is on file and of record in the office of the Recorder in said County; thence South 09 degrees 14 minutes 42 seconds West 263.10 feet along the easterly line of said Dedicated Public Roadway to a found iron monument on the southerly line of Randy L. Gravelle's land as described in Document No. 450179, on file and of record in the office of the Recorder in said County; thence South 73 degrees 35 minutes 16 seconds East 428.85 feet along the southerly line of said Gravelle's land to a found iron monument, said point is the point of beginning; thence South 09 degrees 05 minutes 44 seconds West 507.86 feet continuing along the southerly line of said Gravelle's land to the northeasterly right of way line of Trunk Highway No. 59 as per the Minnesota Department of Transportation Right of Way Plat No. 03-2; thence southeasterly along the northeasterly right of way line of said Trunk Highway No. 59 on a curve concave to the southwest, having a central angle of 04 degrees 07 minutes 12 seconds and a radius of 2924.79 feet, for a distance of 210.31 feet (chord bearing South 46 degrees 11 minutes 53 seconds East) to an iron monument on the south line of said Northwest Quarter of the Southeast Quarter; thence South 87 degrees 38 minutes 15 seconds East 499.90 feet along the south line of said Northwest Quarter of the Southeast Quarter to an iron monument on the easterly line of said Gravelle's land; thence North 02 degrees 58 minutes 14 seconds East 752.16 feet along the easterly line of said Gravelle's land to an iron monument; thence South 82 degrees 12 minutes 05 seconds West 615.62 feet to the point of beginning. The above described tract contains 9.92 acres.

LOT DIVISION REQUEST

Name Randy bravelle Date 7-29-16

Address 25575 Brooklyn Bch Rd. DL, MN 56501

Address Of Property To Be Split Same - address

Petitioner's Signature Randy Bravelle

Parcel Number 08.0292.000

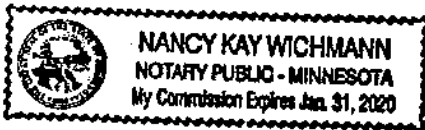
Existing Description Of Property To Be Divided (Use reverse or attach sheets if needed)

What will happen to the remaining property:

Attach a certificate of survey of proposed lot division showing existing and proposed parcels.

APPROVED LOT DIVISION

Date August 5, 2016



Community Development Director
Or Zoning Administrator
Or City Clerk

Signature Nancy Wichmann
Date 8-5-16

Nancy Wichmann
Notary Signature 01.31.2020
Commission expiration date _____

MEADOWLAND SURVEYING INC.

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

Randy Gravelle – Tract B - 9.92 acres, to be conveyed to Foltz Trucking

Land description:

That part of the Northwest Quarter of the Southeast Quarter in Section 16, Township 139 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Commencing at a found iron monument which designates the northeasterly corner of BUZZ ESTATES, said plat is on file and of record in the office of the Recorder in said County; thence South 02 degrees 58 minutes 14 seconds West 242.00 feet on an assumed bearing along the easterly line of said BUZZ ESTATES to a found iron monument at the southeasterly corner of said BUZZ ESTATES; thence North 86 degrees 11 minutes 14 seconds West 333.62 feet along the southerly line of said BUZZ ESTATES to a found iron monument at the southwesterly corner of said BUZZ ESTATES and on the easterly line of a Dedicated Public Roadway as dedicated in MODERN ACRES BEACH, said plat is on file and of record in the office of the Recorder in said County; thence South 09 degrees 14 minutes 42 seconds West 263.10 feet along the easterly line of said Dedicated Public Roadway to a found iron monument on the southerly line of Randy L. Gravelle's land as described in Document No. 450179, on file and of record in the office of the Recorder in said County; thence South 73 degrees 35 minutes 16 seconds East 428.85 feet along the southerly line of said Gravelle's land to a found iron monument, said point is the point of beginning; thence South 09 degrees 05 minutes 44 seconds West 507.86 feet continuing along the southerly line of said Gravelle's land to the northeasterly right of way line of Trunk Highway No. 59 as per the Minnesota Department of Transportation Right of Way Plat No. 03-2; thence southeasterly along the northeasterly right of way line of said Trunk Highway No. 59 on a curve concave to the southwest, having a central angle of 04 degrees 07 minutes 12 seconds and a radius of 2924.79 feet, for a distance of 210.31 feet (chord bearing South 46 degrees 11 minutes 53 seconds East) to an iron monument on the south line of said Northwest Quarter of the Southeast Quarter; thence South 87 degrees 38 minutes 15 seconds East 499.90 feet along the south line of said Northwest Quarter of the Southeast Quarter to an iron monument on the easterly line of said Gravelle's land; thence North 02 degrees 58 minutes 14 seconds East 752.16 feet along the easterly line of said Gravelle's land to an iron monument; thence South 82 degrees 12 minutes 05 seconds West 615.62 feet to the point of beginning. The above described tract contains 9.92 acres.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota and that the above legal description was prepared from information on Certificate of Survey T8967-15 dated July 13, 2016, and said legal description is legally sufficient to locate the boundary lines shown on said Certificate of Survey.


Scott R. Walz

Minnesota Licensed Land Surveyor No. 50320

MEADOWLAND SURVEYING INC.

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

Randy Gravelle – Tract A - 10.58 acre house tract

Land description:

That part of the Northeast Quarter of the Southwest Quarter and that part of the Northwest Quarter of the Southeast Quarter in Section 16, Township 139 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

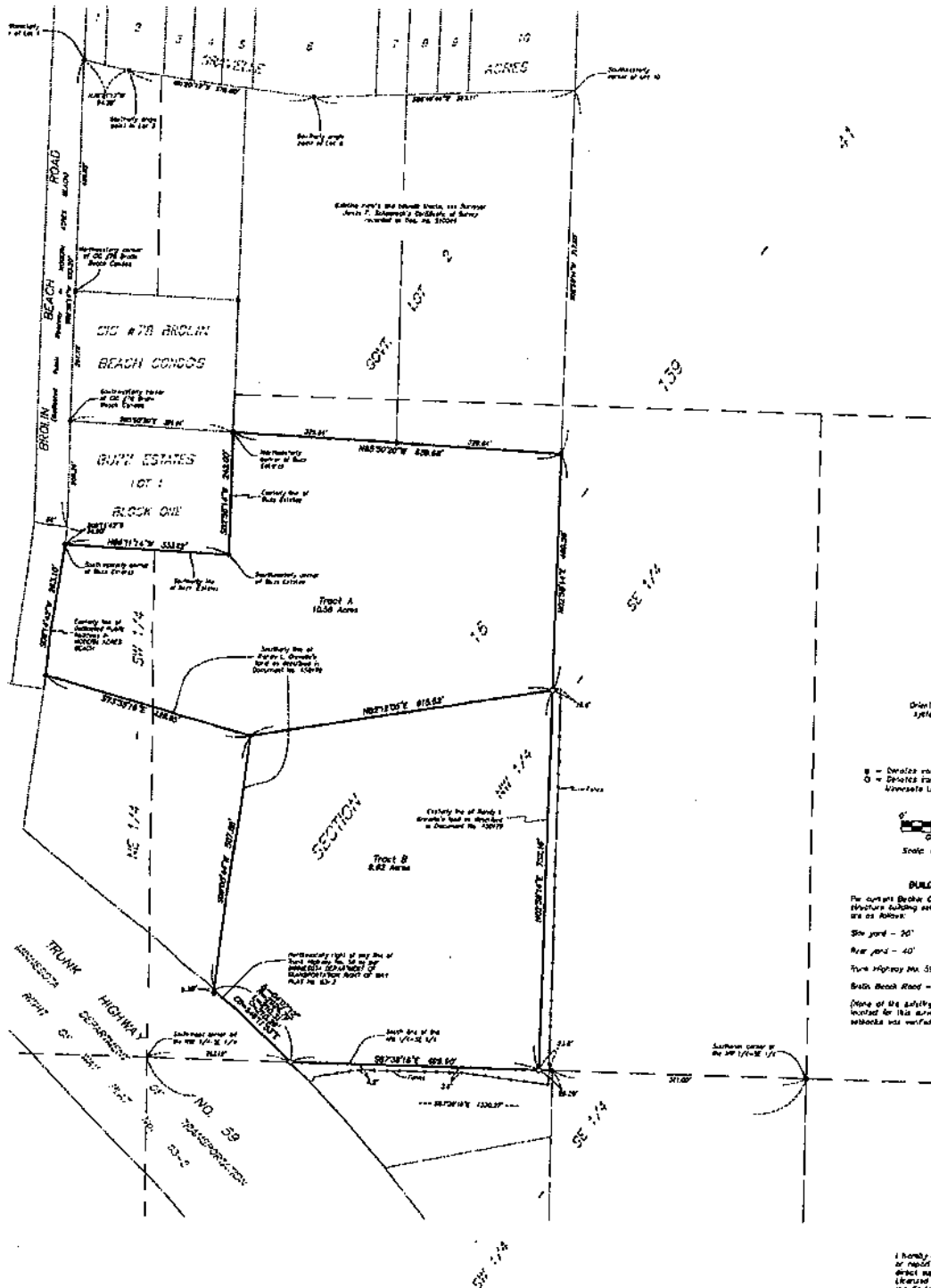
Beginning at a found iron monument which designates the northeasterly corner of BUZZ ESTATES, said plat is on file and of record in the office of the Recorder in said County; thence South 02 degrees 58 minutes 14 seconds West 242.00 feet on an assumed bearing along the easterly line of said BUZZ ESTATES to a found iron monument at the southeasterly corner of said BUZZ ESTATES; thence North 86 degrees 11 minutes 14 seconds West 333.62 feet along the southerly line of said BUZZ ESTATES to a found iron monument at the southwesterly corner of said BUZZ ESTATES and on the easterly line of a Dedicated Public Roadway as dedicated in MODERN ACRES BEACH, said plat is on file and of record in the office of the Recorder in said County; thence South 09 degrees 14 minutes 42 seconds West 263.10 feet along the easterly line of said Dedicated Public Roadway to a found iron monument on the southerly line of Randy L. Gravelle's land as described in Document No. 450179, on file and of record in the office of the Recorder in said County; thence South 73 degrees 35 minutes 16 seconds East 428.85 feet along the southerly line of said Gravelle's land to a found iron monument; thence North 82 degrees 12 minutes 05 seconds East 615.62 feet to an iron monument on the easterly line of said Gravelle's land; thence North 02 degrees 58 minutes 14 seconds East 469.58 feet along the easterly line of said Gravelle's land to a found iron monument; thence North 85 degrees 50 minutes 20 seconds West 659.68 feet to the point of beginning. The above described tract contains 10.58 acres.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota and that the above legal description was prepared from information on Certificate of Survey T8967-15 dated July 13, 2016, and said legal description is legally sufficient to locate the boundary lines shown on said Certificate of Survey.


Scott R. Walz

Minnesota Licensed Land Surveyor No. 50320

CERTIFICATE OF SURVEY
 IN THE NE 1/4-SW 1/4, AND IN THE NW 1/4-SE 1/4
 SECTION 16-139-41
 BECKER COUNTY, MINNESOTA



Orientation of bearing system is assumed.

LEGEND

B = Details not monuments found.
 O = Details not monuments found marked with Minnesota License No. 17004/18333/20120.

Scale: 1 inch = 100 feet

BUILDING SETBACKS

The current Becker County zoning ordinance, primary structure building setbacks for light commercial use are as follows:

Side yard - 20'
 Rear yard - 40'
 Two Highway 59 - 65' from right of way
 Beach Beach Road - 45' from right of way

(None of the building structures on the property were located for this survey, but reference to the building setbacks was verified for the proposed split.)

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.

Scott R. Wille
 Land Surveyor
 License No. 18333

MEADOWLAND SURVEYING, INC.
 1118 HWY 59 SOUTH, DETROIT LAKES, MN 56201
 OFFICE: 218-847-4280 FAX: 218-848-1943
 EMAIL: frank@meadowlandsurveying.com
www.meadowlandsurveying.com

CLIENT:	COMP FILE
Reedy, George	18600000000000000000
12345 North Beach Road	CRD FILE
Detrol Lakes, MN 56201	18600000000000000000
	DVD FILE
	18600000000000000000
	COMP BY:
	JP
	DRAWN BY:
	JS

DRAWING NUMBER: T8967-15

Date owner notified of application outcome: _____

Becker County



MEADOWLAND SURVEYING INC.

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

218-847-4289

www.meadowlandsurveying.com

Surveying the Lakes Area Since 1946

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

EXPERIENCE MATTERS!

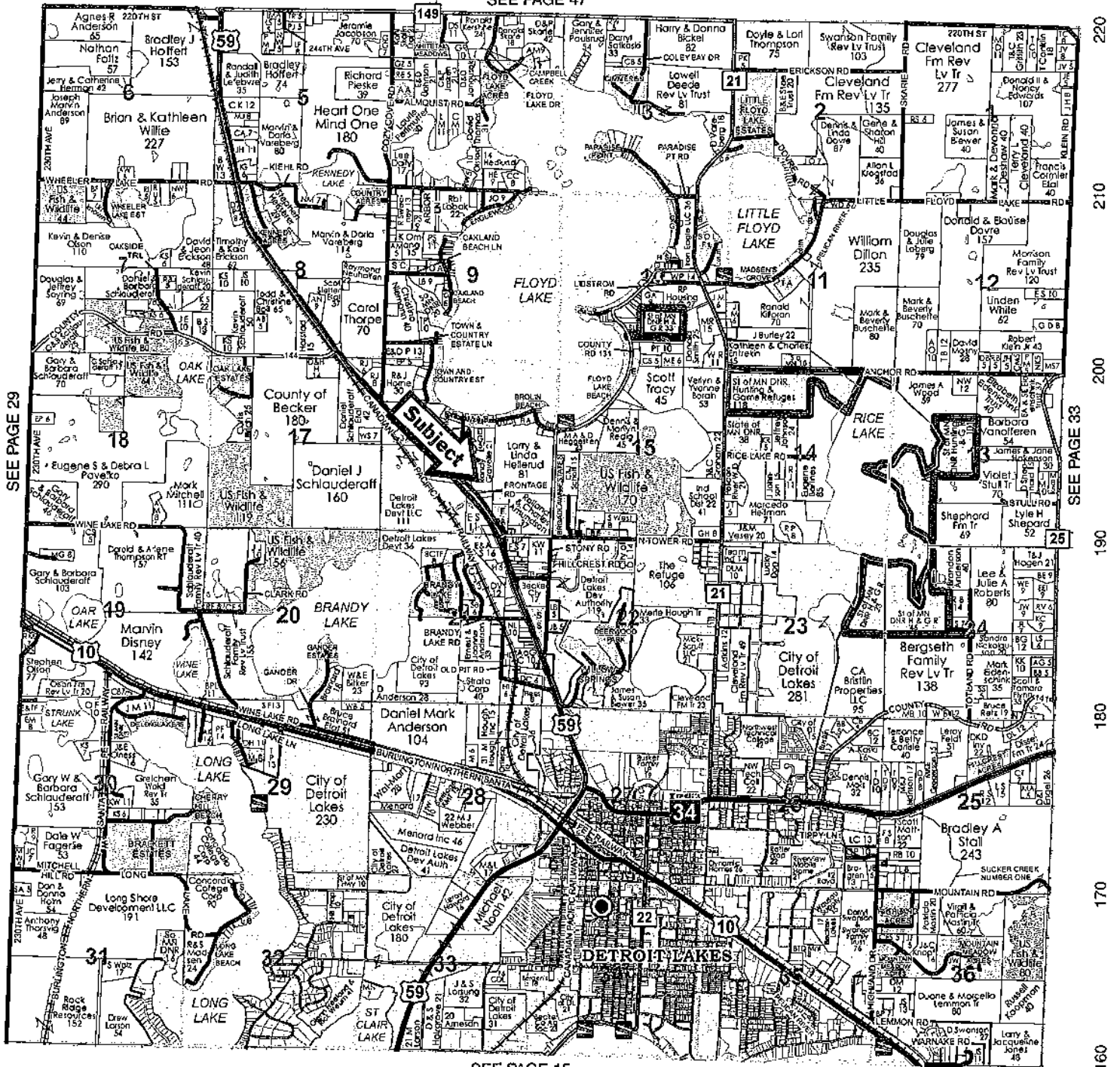


Detroit

Township 139N - Range 41W

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SEE PAGE 47



SEE PAGE 15



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, May 11th, 2017 @ 7:00 P.M.
Commissioner's Room-Becker County Courthouse
Detroit Lakes, MN. 56501

Applicant: NANCY & JEROME A MATTER JR 29677 BUFFALO RUN DETROIT LAKES MN 56501
Project Location: 29677 BUFFALO RUN ROCHERT, MN 56578 **LEGAL LAND DESCRIPTION:** Tax ID number: 160029001 Section 06 Township 140 Range 040 PT GOVT LOT 6: COMM E QTR COR TH N 402.10', NW 424.19', WLY 457.48', SWLY 1368.30' AL RD, S 66', WLY 160.58' TO POB; TH S TO BUFFALO LK, WLY 59.20', SW 132.27', NW 228.64' TO SE COR LOT 25 KILIANS PLAT, TH NE 383.91' TO BUFFALO RUN RD, SE AL RD 117' TO POB **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance for a fire pit less than 100 feet from the Ordinary High Water Mark of Buffalo Lake

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

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 Last Name Matter

Mailing Address 29677 Buffalo Run City, State, Zip Rochert MN 56578

Phone Number 218 849 2678 Project Address: 29677 Buffalo Run Rochert

Parcel number(s) of property: 160029001 Sect - Twp - Range: 06-140-040^{MN}

Township Name: Holmesville Legal Description: PT GOVT Lot 6: Comm EOT

Cor TH N 402.10', NW 424.19', WLY 457.48', SWLY 1368.30' ALRD, S 66' WLY 160.58' TO POB, TH S TO Buffalo

Why is the variance being requested? (Mark all sections that apply) Cor WLY 59.20', SW 132.07', NW 222.64'
TO SE Cor Lot 25 Kilians Plat, TH NE

- ☒ Setback Issues ☐ Lot size not in compliance with minimum standards 383.9
☐ Alteration to non-conforming structure ☐ Topographical Issues (hills, slopes, bluffs, wetlands)
☐ Other

Please provide a brief description detailing the above variance request: TO Buffalo Run RD, SEALRD
Fire pit added to the lakeside of house 117' TO POB

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) 71 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? 402

What is the proposed addition square footage? 402

What is the current height of the structure? 3'

What is the proposed height of the structure? 3'

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? None

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

What is the current percentage of lot coverage? 9042 / 112,234 = 8.17

What is the proposed percentage of lot coverage? 853 / 112,234 = 0.76

$$9042 + 402 = 9444$$



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?
The house was built in 1977 and the fire pit is as close to the house as we felt possible with the situation of our lot. Our contractor was also not aware of a need for a permit.
- 2) In your opinion, is the Variance consistent with the Becker County Comprehensive Plan?
Yes (☒) No () Why or why not?
We used patio blocks so as not to create any water issues. We are on ~~porcelain~~ very sandy soil.
- 3) In your opinion, does the proposal put property to use in a reasonable manner?
Yes (☒) No () Why or why not?
Because of the setback of our house it enables us to now see the sunset. It doesn't affect our neighbors vision of the lake. We did not disturb any trees with this project. We placed it off the
- 4) In your opinion, are there circumstances unique to the property? steps to our deck.
Yes (☒) No () Why or why not?
We are on a point which creates an unusual situation. We also stayed behind a fountain which was put in by the previous owner.
- 5) In your opinion, will the variance maintain the essential character of the locality?
Yes (☒) No () Why or why not?
It blends in well with the landscape and compliments our home nicely. It's a beautiful addition to our home.

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: Joy Matter Date: 4/10/17
(Office Use)

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

Zoning Administrator

Date owner notified of application outcome: _____

6.26/10 May 11

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:

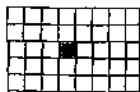
- ✓ A completed application form with signatures of all owners and a brief description of the project and practical difficulty.
Examples: (1) A one-story house with walk-out basement located 85 feet from the lake; Due to depth of the lot, the 100 ft setback cannot be met; (2) 10 by 24 ft single story 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.

Until man duplicates a blade of grass, nature can laugh at his so called scientific knowledge. - Thomas Edison



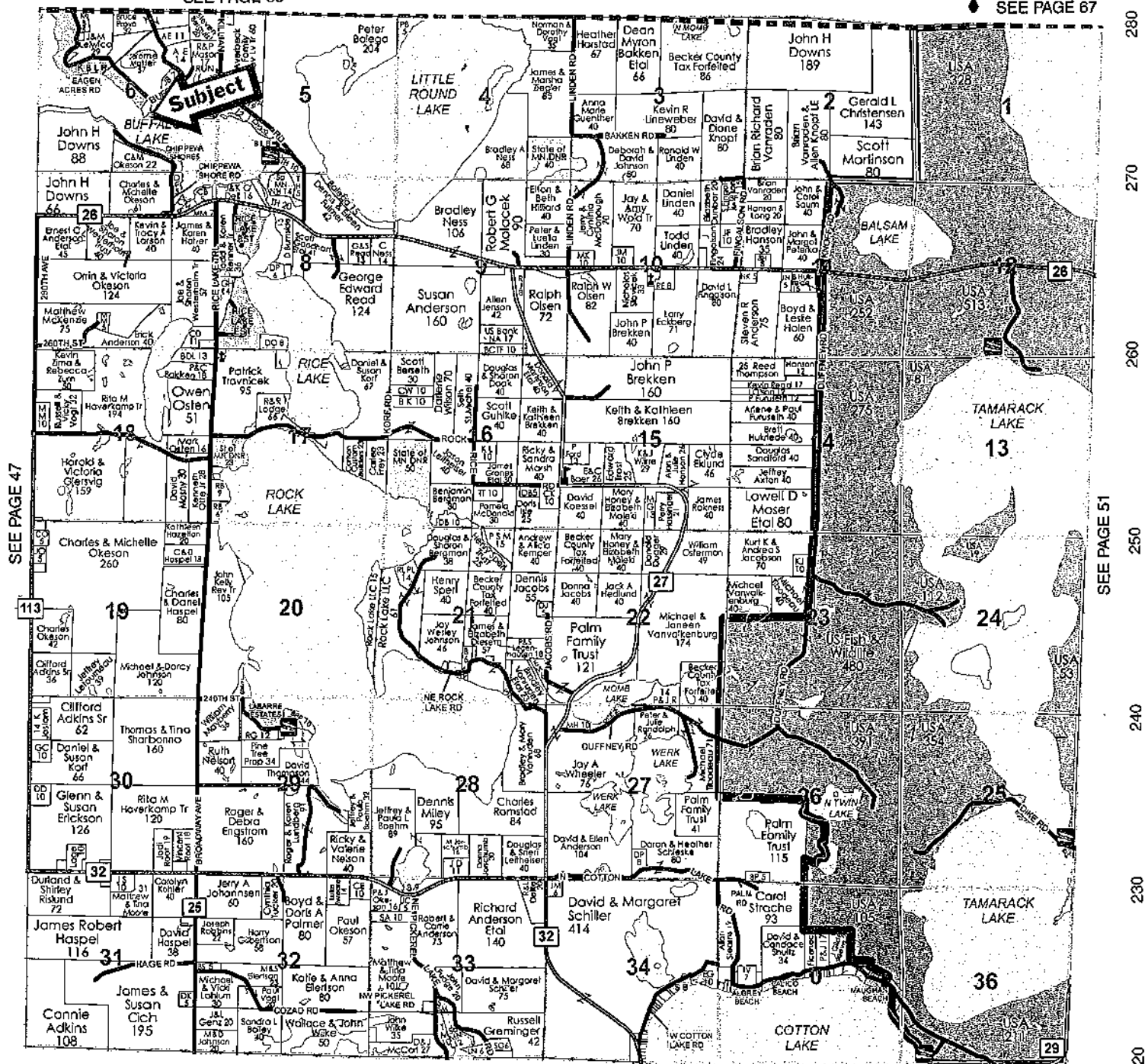
Holmesville

Township 140N - Range 40W

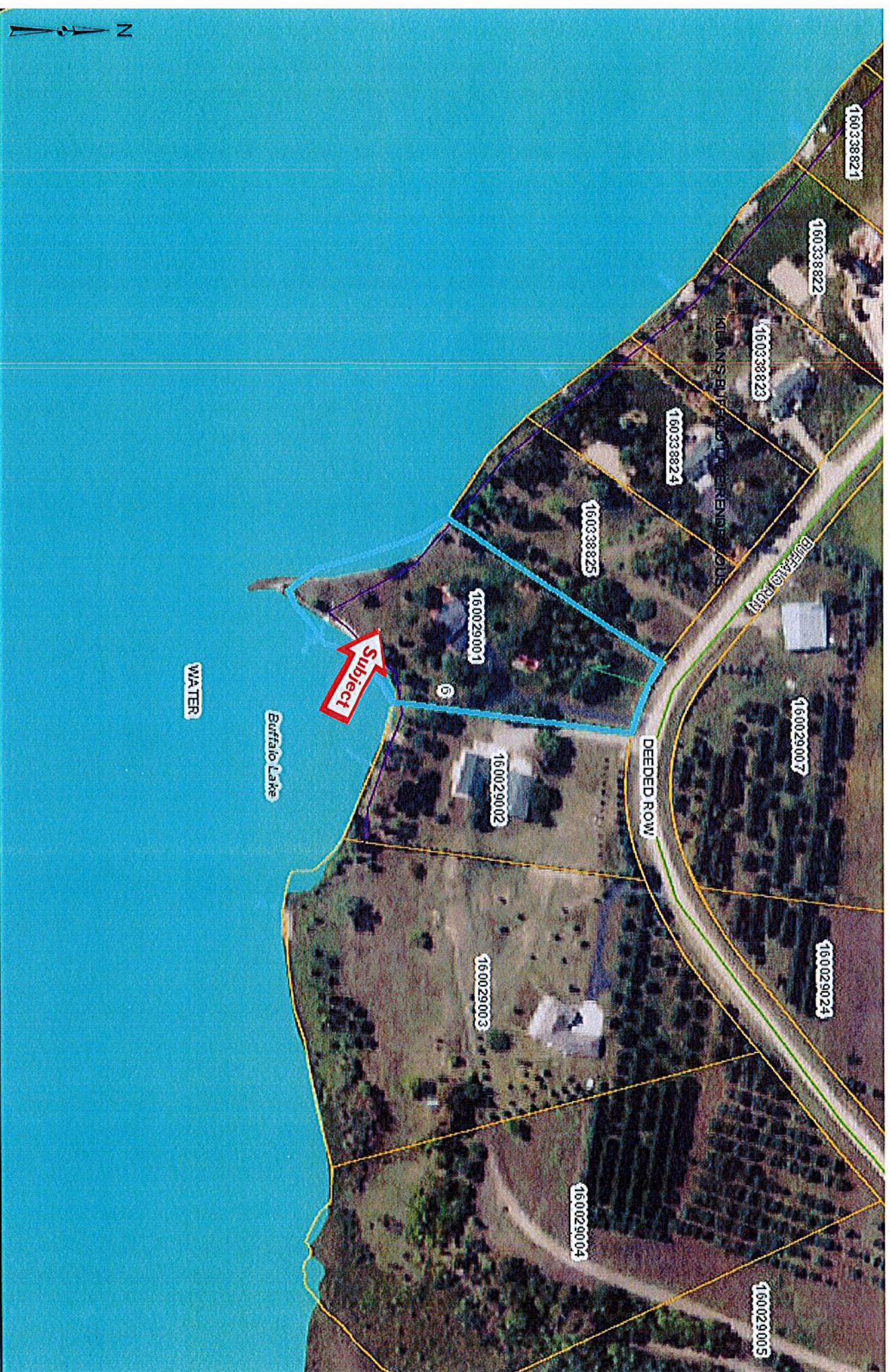
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SEE PAGE 33



16.0029.001

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	
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, May 11th, 2017 @ 7:00 P.M.

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

Applicant: LUKE WEIDEMANN 18865 335TH AVE DETROIT LAKES MN 56501 **Project Location:** 18865 335TH AVE DETROIT LAKES MN 56501 **LEGAL LAND DESCRIPTION:** Tax ID number: 100387001 Section 23 Township 139 Range 040 PT NW1/4 OF NE1/4 W OF RIVER **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Variance to build a shop 105 feet from the Ottertail River.

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

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) Luke Last Name Weidemann
Mailing Address 18865 335th Ave City, State, Zip Detroit Lakes, MN 56501
Phone Number (218) 234-8239 Project Address: 18865 335th Ave Detroit Lakes
Parcel number(s) of property: 10.0387.001 Sect - Twp - Range: 23 - 139 - 40
Township Name: Erie Legal Description: NW 1/4 of NE 1/4 of
Section 23 Township 139 Range 40

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:

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) 105 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? 2504 Existing Buildings

What is the proposed addition square footage? 5000 New Building

What is the current height of the structure? 25 Feet House

What is the proposed height of the structure? 36 Feet New Building

Is there a basement to the structure? yes House

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? .41%

What is the proposed percentage of lot coverage? 1.23%

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?
To prevent minimal removal of ridge line, doesn't disturb drain field or septic, also prevents visual of building from roadway
- 2) In your opinion, is the Variance consistent with the Comprehensive Plan?
Yes (X) No () Why or why not?
the least amount of soil removal will be accomplished with the building in proposed location
- 3) In your opinion, does the proposal put property to use in a reasonable manner?
Yes (X) No () Why or why not?
because of septic tank location and layout of land, which prevents minimal removal of dirt and keeps building from view from roadway
- 4) In your opinion, are there circumstances unique to the property?
Yes (X) No () Why or why not?
because of land structure.
- 5) In your opinion, will the variance maintain the essential character of the locality?
Yes (X) No () Why or why not?
plans and layout of diagrams and blueprints allows use of existing driveway

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: 3/24/17

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	

Property will be staked by _____
Date: _____

Please Print or Type All Information

Parcel Number (s) 10.0387.001 Property (E911) Address 18865**911 Address Needed _____ Legal Description 23-139-40 NW 4 NE 4
18865 335th ave

Lake/River Name Ottertail River Lake/River Class _____ Township Name ERIC Section 23 TWP No. 139 Range North of Range
Burlington 40 West of the 51st pm

Property Owner Last Name First Name Mailing Address Phone 218-234-8234
Weidemann Luke 18865 335th Ave
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 _____
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 _____ sq ft or 13.9 acres Water Frontage _____ 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 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

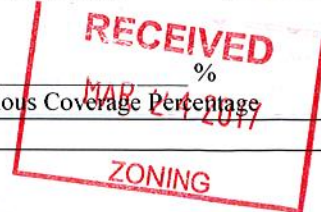
<u>DRIVEWAY</u>					

Total Impervious Material _____

Impervious Lot Coverage $\frac{\text{Total Impervious}}{\text{Lot Area}} \times 100 =$ _____ %
Impervious Coverage Percentage

Topographical Alteration/Earth moving

() None () 10 cubic yards or less () 11-50 cubic yards (X) 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
<input checked="" type="checkbox"/> Garage <u>50</u> ft by <u>100</u> ft () Storage Shed ____ ft x ____ ft () Fence ____ ft long x ____ high () Other ____ ft x ____ ft		
Outside Dimension () Addition to existing structure <u>40</u> ft x <u>30</u> ft () Fence ____ ft x ____ ft <u>24</u> <u>24</u>		
Setback to Lot Line <u>100</u> ft & Rear Lot Line <u>100</u> ft	Setback to Road Right of Way <u>100</u> ft	<u>\$ 282,000.00</u>
Setback to Bluff <u>10</u> ft	Type of road <u>township</u>	
Setback to Wetland <u>125</u>	Is wetland protected () Yes (X) No	
Setback to OHW (straight horizontal distance) _____	Elevation above OHW (Straight vertical distance) _____	
Setback to septic tank <u>11</u> ft	Setback to drainfield <u>30</u> ft	
Roof Change () Yes (X) No	Maximum height proposed <u>37</u> ft # of Stories <u>2</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 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

DESIGN PAD

BECKER COUNTY

Department _____

Becker County Courthouse

Detroit Lakes, MN 56501

Subject

DON'S DESIGNS -

Name

DON BAUER

Address

STAR RT 13x220

Town

DETROIT LAKES

State

MN

Zip

56501

Date

4/30/82

Location or Legal Description

23 - 139 - 40 - 48.75 N 20 Rd of

SW 1/4 of NE 1/4 EX N 155' W 7 Rines + E S

165' + NW 1/4 of NE 1/4

Remarks:

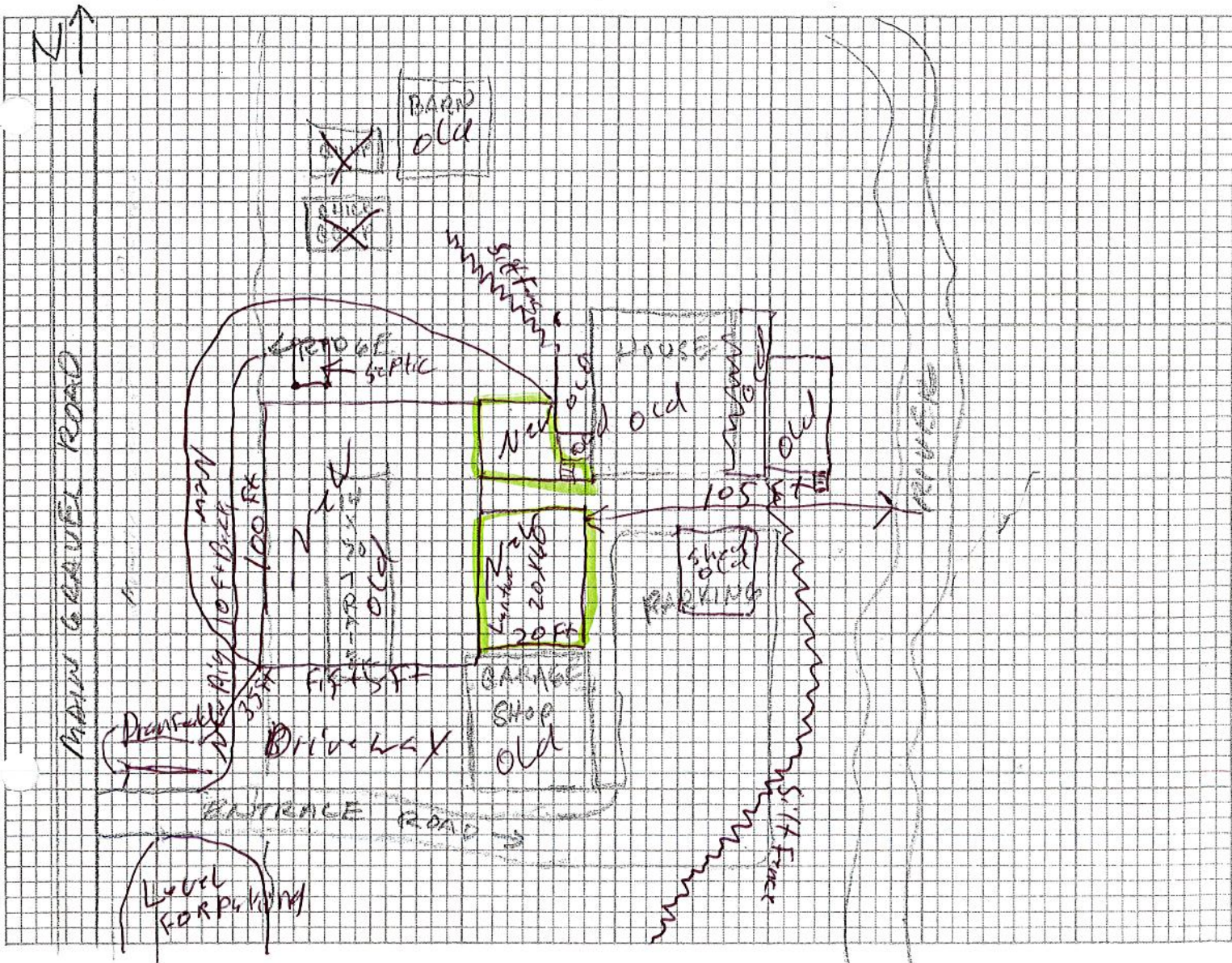
(from property tax statement)

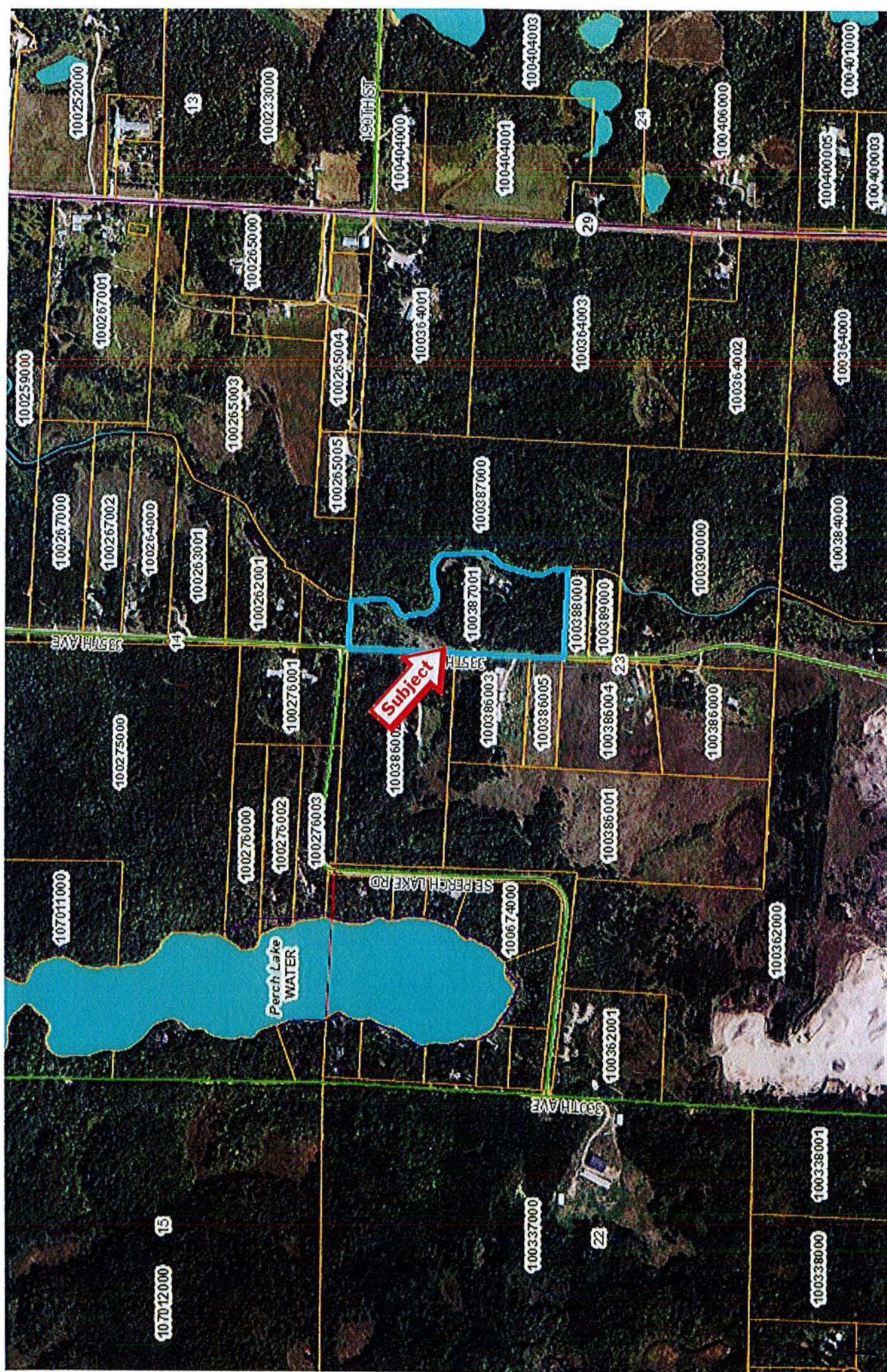
SHOP will be LOCATED in GARAGE.

NO BUILDINGS CAN BE SEEN FROM THE ROAD OR BY ANY NEIGHBORS. DO NOT EXPECT MUCH TRAFFIC AS GENERALLY BIDS ARE GIVEN AT PURCHASER'S LOCATION AFTER TELEPHONE REQUEST. FINISHED PRODUCTS WOULD BE DELIVERED BY ME.

Signature

Don Bauer





Becker County



10.0387.001

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.

1:9,360

Date: 3/30/2017



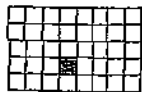
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Erie

Township 139N - Range 40W

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