



# COUNTY OF BECKER

## *Planning and Zoning*

915 Lake Ave, Detroit Lakes, MN 56501

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

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### BOARD OF ADJUSTMENT

#### NOTICE OF PUBLIC HEARING

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

Thursday, October 12, 2017 @ 7:00 P.M.

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

APPLICANT: Dustin Holte  
321 15th St. SW  
Jamestown, ND 58401

Project Location: 16005 221st St, Audubon

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a dwelling and attached garage, to be located at one hundred thirty-three (133) feet from the ordinary high water mark of the lake, deviating from the required setback of one hundred fifty (150) feet from a natural environment lake.

LEGAL LAND DESCRIPTION: Tax ID number: 070164000 LaBelle

PT GOVT LOT 7: COMM MC #2 TH N 266.81' AL E LN GOVT LOT 7 TO POB; CONT N 220.49', TH W 297.2' TO LABELLE LK, TH SWLY 249' & SELY 294' AL LK TO PNT SW OF POB, TH NE 264' TO POB AKA TRACT C; Section 35, TWP 140, Range 43, Cuba Township.

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

#### **PLANNING AND ZONING DEPARTMENT**

915 Lake Avenue  
Detroit Lakes, MN 56501

**FAX Number 218-846-7266**

**EMAIL: [zoning@co.becker.mn.us](mailto:zoning@co.becker.mn.us)**

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

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

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

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



# 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) Angie + Dustin Last Name Holte  
Mailing Address 321 15th St SW City, State, Zip Jamestown ND 58401  
Phone Number 701-320-8601 Project Address: 16005 22nd St Audubon  
Parcel number(s) of property: 07.0164.00 Sect - Twp - Range: 35-140-43 <sup>MN 52511</sup>  
Township Name: Cuba Legal Description: \_\_\_\_\_

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

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

### Please provide a brief description detailing the above variance request:

We would like to build a home + garage on this property as a permanent residence. There is only one area that will allow this, however, it is 133 ft to the shoreline to the closest corner of house. To the north of the open area is the septic system followed by a hill + pond. To the East in the property line. To the south is water + then to the west is a very wooded area followed by water

### 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) 133 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? 3066  
What is the proposed addition square footage? 5670  
What is the current height of the structure? 11 ft  
What is the proposed height of the structure? 12 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? No  
Will the main structural framework of the structure be altered? No  
What is the current percentage of lot coverage? 2%  
What is the proposed percentage of lot coverage? 4%





**OTHER INFORMATION NEEDED TO COMPLETE THE APPLICATION:**

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

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

- 1) In your opinion, is the Variance in harmony with the purposes and intent of the ordinance?  
Yes (X) No ( ) Why or why not?

We are placing the home in an area that won't affect water, trees etc as the area to be placed is blank

- 2) In your opinion, is the Variance consistent with the Becker County Comprehensive Plan?  
Yes (☒) No ( ) Why or why not?

same as #1

- 3) In your opinion, does the proposal put property to use in a reasonable manner?  
Yes (X) No ( ) Why or why not?

This is the only place on the property to build a home.  
There are no trees or anything else in the way.

- 4) In your opinion, are there circumstances unique to the property?  
Yes (X) No ( ) Why or why not?

given the location of septic system, property lines + water surrounding three sides.

- 5) In your opinion, will the variance maintain the essential character of the locality?  
Yes (X) No ( ) Why or why not?

There are 3 other family homes in our area. We will be adding a permanent resident like the others.


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.

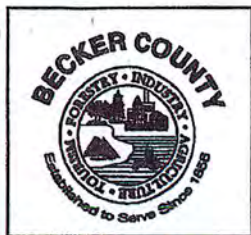
*I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge. Planning and Zoning Staff along with Board of Adjustment Members may visit my property to review submitted plan requests.*

Applicant's Signature: [Signature] Date: 9/24/17

(Office Use)  
Date Received 9-27-17 Accepted ☒ Incomplete Application ☐ Date 9-25-17

  
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](http://www.co.becker.mn.us)

PARCEL	
APP	SITE
YEAR	
SCANNED	
Property will be staked by	
Date:	

Please Print or Type All Information

Parcel Number (s)	Property (E911) Address	**911 Address Needed	Legal Description
07.0164.00	16005 221st St		Audubon

Lake/River Name	Lake/River Class	Township Name	Section	TWP No.	Range
LaBelle	NE	Cuba	35	140	43

Property Owner	Last Name	First Name	Mailing Address	Phone
	Holte	Angie	3215th St SW	701-320-8601
Contractor Name Lic #		Dustin	Jamestown ND 58401	701-269-6093

**Proposed Project (Check those that apply)**

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

\*Existing Dwelling to be removed prior to

RECEIVED  
SEP 25 2011  
ZONING

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

**Onsite Sewage Treatment System**  
Type of System \_\_\_\_\_ Date of Installation 2003 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 129,808 sq ft or 2.98 acres Water Frontage \_\_\_\_\_ ft Bluff ( ) Yes ( ) No

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

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

Impervious Surface	Dimensions	Sq. Footage	Impervious Surface	Dimensions	Sq. Footage
<b>On property</b>			<b>On property</b>		
Ex: Patio	10 x 12	120	Shed		96
DRIVEWAY	12 x 200	2400	Shed		160
New dwelling	30 x 70	2100	Patio Proposed	30 x 4	120
garage-proposed	30 x 50	1500	Patio Proposed	70 x 10	700
Concrete apron-proposed	25 x 50	1250	Park model	41 x 10	410
			<b>Total Impervious Material</b>		

Impervious Lot Coverage  $\frac{8736}{129,808} = .07 \times 100 = 7\%$   
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.



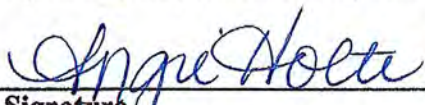
Characteristics of Proposed Dwelling/Dwelling Additions/Attached Garage/Decks		Cost of Project
<input checked="" type="checkbox"/> Dwelling <u>30</u> ft by <u>70</u> ft <input checked="" type="checkbox"/> Attached Garage <u>30</u> ft x <u>50</u> ft <span style="margin-left: 100px;">Concrete apron <u>25</u> x <u>50</u></span>	\$ <u>120,000</u>	
Outside Dimension <input checked="" type="checkbox"/> Deck/Patio <u>30</u> ft x <u>4</u> ft <span style="margin-left: 100px;"><u>70</u> x <u>10</u> ft</span>	<input type="checkbox"/> Addition to existing _____ ft x _____ ft	
Setback to Side Lot Line _____ ft & Rear Lot Line _____ ft	Setback to Road Right of Way <u>500</u> ft	
Setback to Bluff _____	Type of road <u>township</u>	
Setback to Wetland _____	Is wetland protected <input type="checkbox"/> Yes <input type="checkbox"/> No	
Setback to OHW (straight horizontal distance) <u>133</u>	Elevation above OHW (Straight vertical distance) _____	
Setback to septic tank <u>10 ft</u>	Setback to drainfield <u>60</u>	
Total No. Bedrooms <u>5</u>	Maximum height proposed <u>12 ft</u> # of Stories <u>1</u>	
Roof Change <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Basement <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    Walkout Basement <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

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

Characteristics of Proposed Water Oriented Structure*	Cost of Project \$
<input type="checkbox"/> Stairway <input type="checkbox"/> Deck <input type="checkbox"/> Boathouse <input type="checkbox"/> Screen Porch <input type="checkbox"/> Gazebo <input type="checkbox"/> Storage Structure	_____
Outside Dimension _____ ft by _____ ft	Sq ft _____
Setback to Side 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

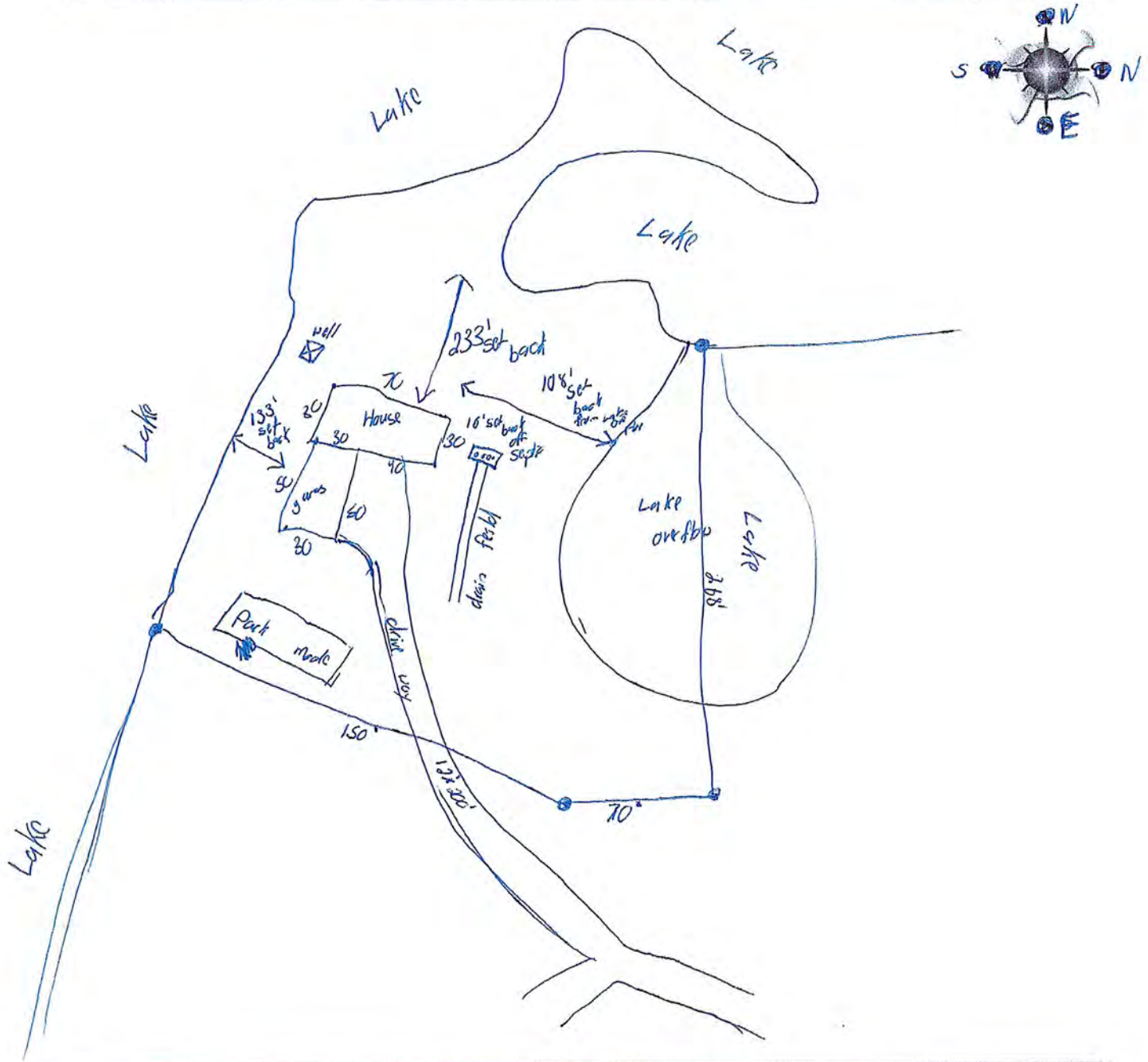
9/24/17  
 \_\_\_\_\_  
 Date



## SKETCH OF PROPERTY

PARCEL	
APP	SITE
YEAR	

1. Please sketch all impervious coverage on your property; include dimensions.
2. Sketch roadways adjacent to property - Include driveway location.
3. 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 application received 4/21/17 Received By Urvan Assigned To: Jett

Pre-inspection required ☒ Yes ☐ No Date pre-inspection completed: \_\_\_\_\_ By: \_\_\_\_\_

Footings Inspection Required: ☒ Yes ☐ No Date footings 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>
<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
				<b>TOTAL SQ FT:</b>	

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

Additional notes: ~~Soil~~ Stipulation ~~Soil~~ Park Model to be  
Removed within 1 year of permit

Application Fee: 531.00 + Cormorant Surcharge \_\_\_\_\_ + Fines \_\_\_\_\_ = Total Fees 531.00

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 \_\_\_\_\_ Date Paid \_\_\_\_\_

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

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

Date owner notified of application outcome: \_\_\_\_\_





Minnesota Pollution  
Control Agency

520 Lafayette Road North  
St. Paul, MN 55155-4194

# Compliance Inspection Form

## Existing Subsurface Sewage Treatment Systems (SSTS)

Doc Type: Compliance and Enforcement

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

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

For local tracking purposes:

### System Status

System status on date (mm/dd/yyyy): 6/2/2017

☒ **Compliant – Certificate of Compliance**

(Valid for 3 years from report date, unless shorter time frame outlined in Local Ordinance.)

☐ **Noncompliant – Notice of Noncompliance**

(See Upgrade Requirements on page 3.)

#### Reason(s) for noncompliance (check all applicable)

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

### Property Information

Parcel ID# or Sec/Twp/Range: 070164000

Property address: 16005 221 St

Reason for inspection: building permit

Property owner: Dustin Holte

Owner's phone: \_\_\_\_\_

or

Owner's representative: \_\_\_\_\_

Representative phone: \_\_\_\_\_

Local regulatory authority: becker co zoning

Regulatory authority phone: 218-846-7314

Brief system description: 1500/2 tank with 150 linial feet of chamber drainfield

Comments or recommendations: \_\_\_\_\_

### Certification

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

Inspector name: RICK RENNER

Certification number: 7202

Business name: RENNER EXC LLC

License number: 2567

Inspector signature: *Rick Renner*

Phone number: 218-439-3514

### Necessary or Locally Required Attachments

☒ Soil boring logs

☒ System/As-built drawing

☐ Forms per local ordinance

☐ Other information (list): \_\_\_\_\_



**1. Impact on Public Health – Compliance component #1 of 5****Compliance criteria:**

System discharges sewage to the ground surface.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
System discharges sewage to drain tile or surface waters.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
System causes sewage backup into dwelling or establishment.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Any “yes” answer above indicates the system is an imminent threat to public health and safety.**

Comments/Explanation:

**Verification method(s):**

- ☒ Searched for surface outlet
- ☒ Searched for seeping in yard/backup in home
- ☐ Excessive ponding in soil system/D-boxes
- ☐ Homeowner testimony (See Comments/Explanation)
- ☐ “Black soil” above soil dispersal system
- ☐ System requires “emergency” pumping
- ☐ Performed dye test
- ☐ Unable to verify (See Comments/Explanation)
- ☐ Other methods not listed (See Comments/Explanation)

**2. Tank Integrity – Compliance component #2 of 5****Compliance criteria:**

System consists of a seepage pit, cesspool, drywell, or leaching pit. <i>Seepage pits meeting 7080.2550 may be compliant if allowed in local ordinance.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Sewage tank(s) leak below their designed operating depth. If yes, which sewage tank(s) leaks:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Any “yes” answer above indicates the system is failing to protect groundwater.**

Comments/Explanation:

**Verification method(s):**

- ☒ Probed tank(s) bottom
- ☐ Examined construction records
- ☐ Examined Tank Integrity Form (Attach)
- ☐ Observed liquid level below operating depth
- ☐ Examined empty (pumped) tanks(s)
- ☐ Probed outside tank(s) for “black soil”
- ☐ Unable to verify (See Comments/Explanation)
- ☐ Other methods not listed (See Comments/Explanation)

**3. Other Compliance Conditions – Compliance component #3 of 5**

- a. Maintenance hole covers are damaged, cracked, unsecured, or appear to be structurally unsound. ☐ Yes\* ☒ No ☐ Unknown
- b. Other issues (electrical hazards, etc.) to immediately and adversely impact public health or safety. ☐ Yes\* ☒ No ☐ Unknown
- \*System is an imminent threat to public health and safety.**

Explain:

- c. System is non-protective of ground water for other conditions as determined by inspector. ☐ Yes\* ☒ No
- \*System is failing to protect groundwater.**

Explain:



**4. Soil Separation – Compliance component #4 of 5**

Date of installation: \_\_\_\_\_

☒ Unknown

(mm/dd/yyyy)

Shoreland/Wellhead protection/Food beverage lodging?

☒ Yes ☐ No**Compliance criteria:**

For systems built prior to April 1, 1996, and not located in Shoreland or Wellhead Protection Area or not serving a food, beverage or lodging establishment:

Drainfield has at least a two-foot vertical separation distance from periodically saturated soil or bedrock.

☐ Yes ☐ No

Non-performance systems built April 1, 1996, or later or for non-performance systems located in Shoreland or Wellhead Protection Areas or serving a food, beverage, or lodging establishment:

Drainfield has a three-foot vertical separation distance from periodically saturated soil or bedrock.\*

☒ Yes ☐ No

"Experimental", "Other", or "Performance" systems built under pre-2008 Rules; Type IV or V systems built under 2008 Rules (7080.2350 or 7080.2400 (Advanced Inspector License required)

Drainfield meets the designed vertical separation distance from periodically saturated soil or bedrock.

☐ Yes ☐ No**Any "no" answer above indicates the system is failing to protect groundwater.****Verification method(s):**

Soil observation does not expire. Previous soil observations by two independent parties are sufficient, unless site conditions have been altered or local requirements differ.

☒ Conducted soil observation(s) (Attach boring logs)☐ Two previous verifications (Attach boring logs)☐ Not applicable (Holding tank(s), no drainfield)☐ Unable to verify (See Comments/Explanation)☐ Other (See Comments/Explanation)**Comments/Explanation:**

0-12" TOP SOIL

12"- 19" CLAY LOAM

19"-65"+ LOAM

**Indicate depths or elevations**

A. Bottom of distribution media	24"
B. Periodically saturated soil/bedrock	65"+
C. System separation	36"+
D. Required compliance separation*	36"

\*May be reduced up to 15 percent if allowed by Local Ordinance.

**5. Operating Permit and Nitrogen BMP\* – Compliance component #5 of 5** ☒ Not applicable

Is the system operated under an Operating Permit?

☐ Yes ☐ No

If "yes", A below is required

Is the system required to employ a Nitrogen BMP?

☐ Yes ☐ No

If "yes", B below is required

BMP = Best Management Practice(s) specified in the system design

**If the answer to both questions is "no", this section does not need to be completed.****Compliance criteria**

a. Operating Permit number: \_\_\_\_\_

Have the Operating Permit requirements been met?

☐ Yes ☐ No

b. Is the required nitrogen BMP in place and properly functioning?

☐ Yes ☐ No**Any "no" answer indicates Noncompliance.**

**Upgrade Requirements** (Minn. Stat. § 115.55) An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance. If the system is failing to protect ground water, the system must be upgraded, replaced, or its use discontinued within the time required by local ordinance. If an existing system is not failing as defined in law, and has at least two feet of design soil separation, then the system need not be upgraded, repaired, replaced, or its use discontinued, notwithstanding any local ordinance that is more strict. This provision does not apply to systems in shoreland areas, Wellhead Protection Areas, or those used in connection with food, beverage, and lodging establishments as defined in law.



# Renner Excavating, LLC

14306 Co Hwy 11  
Audubon, MN 56511  
218-439-3514

August 7, 2017

To Whom It May Concern:

After evaluating the septic system at 16005 221st St Audubon, MN (parcel# 070164000) it is my opinion that it would be very tough to move the existing septic system further to the north.

- 1) It is very difficult to work on a slope as steep as that is. We certainly would not be able to move the septic tank.
- 2) I would be greatly concerned about building a drain field in the low area due to sudden heavy rain falls and the flooding of low lands.

Sincerely,



Rick Renner  
Renner Excavating, LLC  
Lic# L2567

623196

CERTIFICATE OF REAL  
ESTATE VALUE FILED # 011528

No delinquent taxes and transfer entered

this 11<sup>th</sup> day of March, 2015

Mary E. Hendrickson  
Becker County Auditor/Treasurer

By [Signature] Deputy

07-01164-000

BECKER COUNTY RECORDER  
STATE OF MINNESOTA

Document No. 623196

March 16, 2015 at 2:01 PM

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

Patricia Swenson, County Recorder

By JD Deputy

Becker County Recorder

Well Certificate Received 03.16.15

Patricia Swenson  
Deputy [Signature] Becker County Recorder

CONTRACT FOR DEED

13  
Date: March 20, 2015

eCRV # 322192

PID# 07.0164.000

THIS CONTRACT FOR DEED is made on the above date by Allen R. Hooser and Yvonne M. Hooser,  
co-trustees U/D/T dated February 5, 1997 aka Hooser Family Living Trust under agreement dated  
February 5, 1997, Sellers, and Dustin N. Holte and Angie N. Holte, Purchasers, as joint tenants.

Seller and Purchaser agree to the following terms:

1. **PROPERTY DESCRIPTION.** Seller hereby sells, and Purchaser hereby buys, real property in  
Becker County, Minnesota, described as follows:

That part of Government Lot 7 of Section 35, Township 140 North, Range 43 West of the Fifth  
Principal Meridian in Becker County, Minnesota, described as follows:

Commencing at a found iron monument which designates Meander Corner No. 2 located on the  
east line of said Government Lot 7; thence North 02 degrees 15 minutes 46 seconds West 266.81  
feet on an assumed bearing along the east line of said Government Lot 7 to an iron monument,  
said point is the point of beginning; thence continuing North 02 degrees 15 minutes 46 seconds  
West 68.96 feet along the east line of said Government Lot 7 to a point hereinafter referred to as  
Point A; thence continuing North 02 degrees 15 minutes 46 seconds West 151.53 feet along the  
east line of said Government Lot 7 to a found iron monument; thence South 89 degrees 29 minutes  
30 seconds West 268.20 feet to an iron monument; thence continuing South 89 degrees 29  
minutes 30 seconds West 29 feet, more or less, to the water's edge of LaBelle Lake; thence  
southwesterly and southeasterly along the water's edge of said LaBelle Lake to the intersection with  
a line which bears South 38 degrees 53 minutes 52 seconds West from the point of beginning;  
thence North 38 degrees 53 minutes 52 seconds East 18 feet, more or less, to an iron monument;  
thence continuing North 38 degrees 53 minutes 52 seconds East 246.00 feet to the point of  
beginning.

TOGETHER WITH A 24.00 foot wide easement for driveway purposes over, under, and across that  
part of Government Lot 3 of Section 36, Township 140 North, Range 43 West of the Fifth Principal  
Meridian in Becker County, Minnesota. The centerline of said 24.00 foot wide driveway easement is  
described as follows:

Commencing at a found iron monument which designates Meander Corner No. 2 located on the  
east line of Government Lot 7 of Section 35 of said Township 140 North, Range 43 West; thence

chg  
paid  
well



North 02 degrees 15 minutes 46 seconds West 266.81 feet on an assumed bearing along the east line of said Government Lot 7 to a found iron monument; thence continuing North 02 degrees 15 minutes 46 seconds West 26.24 feet along the east line of said Government Lot 7 to the point of beginning of the centerline to be described; thence North 45 degrees 36 minutes 48 seconds East 76.43 feet; thence North 21 degrees 14 minutes 44 seconds East 58.48 feet; thence North 29 degrees 24 minutes 34 seconds East 70.75 feet; thence North 46 degrees 39 minutes 28 seconds East 37.58 feet to the southerly line of an existing public road and said centerline there terminates. The sidelines of said 24.00 foot wide driveway easement shall be prolonged or shortened to terminate on the east line of said Government Lot 7 and on the southerly line of said existing public road.

together with all hereditaments and appurtenances belonging thereto (the Property).

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 has not changed since the last previously filed well disclosure certificate.

2. **TITLE.** Seller warrants that title to the Property is, on the date of this contract, subject only to the following exceptions:
- (a) Covenants, conditions, restrictions, declarations, and easements of record, if any;
  - (b) Reservations of minerals or mineral rights by the state of Minnesota, if any
  - (c) Building, zoning and subdivision laws and regulations;
  - (d) The lien of real estate taxes and installments of special assessments which are payable by Purchaser pursuant to paragraph 6 of this contract; and
  - (e) The following liens or encumbrances: NONE
3. **DELIVERY OF DEED AND EVIDENCE OF TITLE.** Upon Purchaser's prompt and full performance of this contract, Seller shall:
- (a) Execute, acknowledge and deliver to a Purchaser a Warranty Deed, in recordable form conveying marketable title to the Property to Purchaser, subject only to the following exceptions:
    - (i) Those exceptions referred to in paragraph 2(a), (b), (c) and (d) of this contract;
    - (ii) Liens, encumbrances, adverse claims or other matters which Purchaser has created, suffered or permitted to accrue after the date of this contract; and
    - (iii) The following liens or encumbrances: none
  - (b) Deliver to Purchaser the abstract of title to the Property or, if title is registered, the owner's duplicate certificate of title.
4. **PURCHASE PRICE.** Purchaser shall pay to Seller, at a place designated by Seller, the sum of \$66,000.00, and as for the purchase price for the Property, payable as follows:

\$13,000.00 down payment, the receipt of which is hereby acknowledged;

The balance of \$53,000.00 by Minnesota Uniform Contract for Deed Blank, between Seller and Buyer, payable in installments of \$349.78 per month or more at the option of the Buyer, including interest at the rate of 5 per cent per annum computed on unpaid balances. Interest shall begin on March 20, 2015, first payment shall be due and payable on April 15, 2015 and subsequent payments shall be due and payable on 15th day of each succeeding month, payments shall be

credited first to interest and remainder to principal. The entire balance of this contract shall be due and payable in full no later than March 15, 2018. The final payment is a balloon payment.

5. **PREPAYMENT.** Unless otherwise provided in this contract, Purchaser shall have the right to fully or partially prepay this contract at any time without penalty. Any partial prepayment shall be applied first to payment of amounts then due under this contract, including unpaid accrued interest, and the balance shall be applied to the principal to be paid in the inverse order of their maturity. Partial prepayment shall not postpone the due date of the installments to be paid pursuant to this contract or change the amount of such installments.
6. **REAL ESTATE TAXES AND ASSESSMENTS.** Purchaser shall pay, before penalty accrues, all real estate taxes and installments of special assessments assessed against the Property which are due and payable in the year 2016, and in all subsequent years. Real estate taxes and installments, which are due and payable in the year in which this contract is dated, shall be paid as follows:

Prorated to the date hereon

Seller warrants that the real estate taxes and installments of special assessments, which are due and payable in the years preceding the year in which this contract is dated, are paid in full.

7. **PROPERTY INSURANCE.**
  - (a) **INSURED RISKS AND AMOUNT.** Purchaser shall keep all buildings, improvements, and fixtures now or later located on or a part of the Property insured against loss by fire, extended coverage perils, vandalism, malicious mischief and, if applicable, steam boiler explosion for at least the amount of full insured value. If any of the buildings, improvements or fixtures are located in a federally designated flood prone area, and if flood insurance is available for that area, Purchaser shall procure and maintain flood insurance in amounts reasonably satisfactory to Seller.
  - (b) **OTHER TERMS.** The insurance policy shall contain a loss payable clause in favor of Seller which provides that Seller's right to recover under the insurance shall not be impaired by any acts or omissions of Purchaser or Seller, and the Seller shall otherwise be afforded all rights and privileges customarily provided a mortgagee under the so-called standard mortgage clause.
  - (c) **NOTICE OF DAMAGE.** In the event of damage to the Property by fire or other casualty, Purchaser shall promptly give notice of such damage to Seller and the insurance company.
8. **DAMAGE TO THE PROPERTY.**
  - (a) **APPLICATION OF INSURANCE PROCEEDS.** If the Property is damaged by fire or other casualty, the insurance proceeds paid on account of such damage shall be applied to payment of the amounts payable by Purchaser under this contract, even if such amounts are not then due to be paid, unless Purchaser makes a permitted election described in the next paragraph. Such amounts shall be first applied to unpaid accrued interest and next to the installments to be paid as provided in the contract in the inverse order of their maturity. Such payments shall not postpone the due date of the installments to be paid pursuant to this contract or change the amount of such installments. The balance of insurance proceeds, if any, shall be the property of Purchaser.
  - (b) **PURCHASER'S ELECTION TO REBUILD.** If Purchasers are not in default under this contract, or after curing any such default, and if the mortgagees in any prior mortgages and sellers in any prior contracts for deed do not require otherwise, Purchaser may elect to have that portion of such insurance proceeds necessary to repair, replace or restore the damaged



Property (the repair work) deposited in escrow with a bank or title insurance company qualified to do business in the State of Minnesota, or such other party as may be mutually agreeable to Seller and Purchaser. The election may only be made by written notice to Seller within sixty days after the damage occurs. Also, the election will only be permitted if the plans and specifications and contracts for repair work are approved by Seller, which approval Seller shall not reasonably withhold or delay. If such a permitted election is made by Purchaser, Seller and Purchaser shall jointly deposit, when paid, such insurance proceeds into such escrow. If such insurance proceeds are unavailable or are insufficient for the repair work, Purchaser shall, before the commencement of the repair work, deposit into such escrow sufficient additional money to insure full payment for the repair work. Even if the insurance proceeds are unavailable or are insufficient to pay the cost of repair work, Purchaser shall at all times be responsible to pay the full cost of the repair work. All escrow funds shall be disbursed by the escrowee in accordance with generally accepted sound construction disbursement procedures. The costs incurred or to be incurred on account of such escrow shall be deposited by Purchaser into such escrow before the commencement of the repair work. Purchaser shall complete repair work as soon as reasonably possible in a good workman like manner, and in any event the repair work shall be completed by Purchaser with one year after the damage occurs. If, following the completion of and payment for the repair work, there remain any undisbursed escrow funds, such funds shall be applied to payment of the amount payable by Purchaser under this contract in accordance with paragraph 8 (a) above.

9. **INJURY OR DAMAGE OCCURRING ON THE PROPERTY.**

- (a) **LIABILITY.** Seller shall be free from liability and claims for damages by reason of injuries occurring on or after the date of this contract to any person or persons or property while on or about the Property. Purchaser shall defend and indemnify Seller from all liability, loss, costs, and obligations, including reasonable attorney's fees, on account of or arising out of any such injuries. However, Purchaser shall have no liability or obligation to Seller for such injuries which are caused by the negligence or intentional wrongful acts or omissions of Seller.
- (b) **LIABILITY INSURANCE.** Purchaser shall, at Purchaser's own expense, procure and maintain liability insurance against claims for bodily injury, death and property damage occurring on or about the Property in amounts reasonably satisfactory to Seller and naming Seller as an additional insured.

10. **INSURANCE, GENERALLY.** The insurance which Purchaser is required to procure and maintain pursuant to paragraphs 7 and 9 of this contract shall be issued by an insurance company or companies licensed to do business in the State of Minnesota and acceptable to Seller. The insurance shall be maintained by Purchaser at all times while any amount remains unpaid under this contract. The insurance policies shall provide for not less than ten days written notice to Seller before cancellation, non-renewal, termination, or change in coverage, and Purchaser shall deliver to Seller a duplicate original or certificate of such insurance policy or policies.

11. **CONDEMNATION.** If all or any part of the Property is taken in condemnation proceedings instituted under power of eminent domain or is conveyed in lieu thereof under threat of condemnation, the money paid pursuant to such condemnation or conveyance in lieu thereof shall be applied to payment of the amounts payable by Purchaser under this contract, even if such amounts are not due to be paid. Such amounts shall be applied first to unpaid accrued interest and next to the installments to be paid as provided in this contract in the inverse order of their maturity. Such payments shall not postpone the due date of the installments to be paid pursuant to this

contract or change the amount of such installments. The balance, if any, shall be property of Purchaser.

12. **WASTE, REPAIR AND LIENS.** Purchaser shall not remove or demolish any buildings, improvements, or fixtures now or later located on or a part of the Property, nor shall Purchaser commit or allow the waste of the Property. Purchaser shall maintain the Property in good condition and repair. Purchaser shall not create or permit to accrue liens or adverse claims against the Property which constitute a lien or claim against Seller's interest in the Property. Purchaser shall pay to Seller all amounts, costs and expenses, including reasonable attorney's fees, incurred by Seller to remove any such liens or adverse claims.
13. **DEED AND MORTGAGE REGISTRY TAXES.** Seller shall, upon Purchaser's full performance of this contract, pay the deed tax due upon the recording or filing of the deed to be delivered by the Seller to Purchaser. The mortgage registry tax due upon recording or filing of this contract shall be paid by the party who records or files this contract; however, this provision shall not impair the right of Seller to collect from Purchaser the amount of such tax actually paid by Seller as provided in the applicable law governing default and service of notice of termination of this contract.
14. **NOTICE OF ASSIGNMENT.** If either Seller or Purchaser assigns their interest in the Property, a copy of such assignment shall promptly be furnished to the non-assigning party.
15. **PROTECTION OF INTERESTS.** If Purchaser fails to pay any sum of money required under the terms of this contract or fails to perform any of Purchaser's obligations as set forth in this contract, Seller may, at Seller's option, pay the same or cause the same to be performed, or both, and the amounts so paid by Seller and the cost of such performance shall be payable at once, with interest at the rate stated in paragraph 4 of this contract, as an additional amount due Seller under this contract. If there now exists, or if Seller hereafter creates, suffers or permits to accrue, any mortgage, contract for deed, lien or encumbrance against the Property which is not herein expressly assumed by Purchaser, and provided Purchaser is not in default under this contract, Seller shall timely pay all amounts due thereon, and if Seller fails to do so, Purchaser may, at Purchaser's option, pay any such delinquent amounts and deduct the amounts paid from the installment(s) next coming due under this contract.
16. **DEFAULT.** The time of performance by purchaser of the terms of this contract is an essential part of this contract. Should Purchaser fail to timely perform any of the terms of this contract, Seller may, at Seller's option, elect to declare this contract cancelled and terminated by notice to Purchaser in accordance with applicable law. All right, title and interest acquired under this contract by Purchaser shall then cease and terminate, and all improvements made upon the Property and all payments made by Purchaser pursuant to this contract shall belong to Seller as liquidated damages for breach of this contract. Neither the extension of the time for payment of any sum of money to be paid hereunder nor any waiver by Seller of Seller's right to declare this contract forfeited by reason of any breach shall in any manner affect Seller's right to cancel this contract because of defaults subsequently occurring, and no extension of time shall be valid unless agreed to in writing. After service of notice of default and failure to cure such default within the period allowed by law, Purchaser shall, upon demand, surrender possession of the Property to seller, but Purchaser shall be entitled to possession of the property until the expiration of such period.
17. **BINDING EFFECT.** The terms of this contract shall run with the land and bind the parties hereto and their successors in interest.



18. **HEADINGS.** Heading of the paragraphs of this contract are for convenience only and do not define, limit or construe the contents of such paragraphs.
19. **ASSESSMENTS BY OWNER'S ASSOCIATION.** If the Property is subject to a recorded declaration providing for assessments to be levied against the Property by any owners association, which assessments may become a lien against the Property if not paid, then:
- (a) Purchaser shall promptly pay, when due, all assessments imposed by the owners' association or other governing body as required by the provisions of the declaration or other related documents; and
  - (b) So long as the owner's association maintains a master or blanket policy of insurance against fire, extended coverage perils and such other hazards and in such amounts as are required by this contract, then:
    - (i) Purchaser's obligation in this contract to maintain hazard insurance coverage on the Property is satisfied; and
    - (ii) The provisions in paragraph 8 of this contract regarding application of insurance proceeds shall be superseded by the provisions of the declaration or other related documents; and
    - (iii) In the event of a distribution of insurance proceeds payable in lieu of restoration or repair following an insured casualty loss to the Property, any such proceeds payable to Purchaser are hereby assigned and shall be paid to Seller for application to the sum secured by this contract, with the excess, if any, paid to Purchaser.
20. **ADDITIONAL TERMS:**  
Purchaser will provide Seller with receipts showing that the real estate taxes and insurance have been paid on the property each year and a copy of the insurance policy.

The Purchaser agrees not to sell, assign, convey, mortgage or in any way encumber all or any portion of the premises or their interest in this contract without the written permission of the Seller. If the Purchaser sells, assigns, conveys, mortgages or in any way encumbers all or any portion of the premises or their interest in this contract without written permission, then this contract for deed shall be in default, the total balance owing under this contract for deed shall be due and payable and the Seller shall have the right to terminate this contract according to statute. This provision does not apply to leases for less than three years or to transfers on death or divorce.

Purchaser shall not hire or perform any repairs, replacements or modifications having a cost in excess of \$10,000.00, without securing the prior written consent of Seller. If consent is given Purchaser shall deliver to Seller lien waivers signed by any person or firm that contributes to the improvement of the premises by performing labor or furnishing skill or materials. The Purchaser further agrees to post notice in a conspicuous place on the property that the Seller is not responsible for payment to the contractors and that the property and interest of the Seller shall not be subject to mechanic's liens.

Purchaser will not cause or permit any mechanic's liens to attach to the property. If any such liens shall attach, Purchaser shall have ninety (90) days to remove or satisfy said lien. If Purchaser fails to do so, Seller shall have the option of (a) taking such steps or paying such amounts as it deems reasonable to satisfy or discharge said lien, or (b) declaring this contract for deed to be in default, in which event Seller shall have the right to exercise any remedy it may have in the event of any other default hereunder. Purchaser agrees to defend, indemnify and hold Seller harmless from any loss, damage or expense incurred by Seller with respect to any party asserting a mechanic's lien claim, it being understood and agreed that this undertaking shall survive the final payment or a cancellation of this Contract for Deed.

The Purchaser must obtain the proper permits for all improvements made to the property. If such permits are not obtained, this shall be considered a default on this contract for deed.

If the Purchaser defaults on this contract for deed, all improvements made shall remain with the property.

**SELLERS:**

Allen R. Hooser  
Allen R. Hooser, Trustee

Yvonne M. Hooser  
Yvonne M. Hooser, Trustee

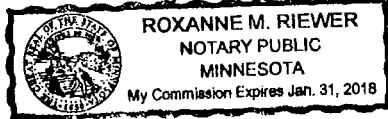
**BUYERS:**

Dustin N. Holte  
Dustin N. Holte

Angie M. Holte  
Angie M. Holte

STATE OF MINNESOTA )  
COUNTY OF Becker )ss

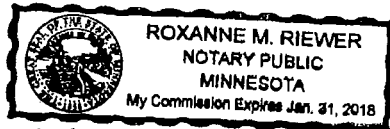
The foregoing instrument was acknowledged before me this 13 day of March, 2015, by Allen R. Hooser and Yvonne M. Hooser, co-trustees U/D/T dated February 5, 1997 aka Hooser Family Living Trust under agreement dated February 5, 1997, Sellers.



Roxanne M. Riewer  
NOTARY PUBLIC  
My Commission Expires: 1-31-18

STATE OF MINNESOTA )  
COUNTY OF Becker )ss

The foregoing instrument was acknowledged before me this 13 day of March, 2015, by Dustin N. Holte and Angie N. Holte, husband and wife, Purchasers.



Roxanne M. Riewer  
NOTARY PUBLIC  
My Commission Expires: 1-31-18  
Tax Statements for the real property described in this instrument should be sent to:

This instrument was drafted by:

Becker County Title Services, Inc.  
PO Box 376  
Detroit Lakes, MN 56502  
BCTS: 29876

Dustin N. Holte  
Angie N. Holte  
3760 86 1/2 Ave SE  
Jamestown, ND 58401

**MINNESOTA LAW REQUIRES THAT THE PURCHASER(S) RECORD THIS CONTRACT FOR DEED WITH THE COUNTY RECORDER OR REGISTRAR OF TITLES WITHIN FOUR (4) MONTHS OF THE DATE OF EXECUTION. FAILURE TO SO RECORD THE CONTRACT FOR DEED WILL SUBJECT THE PURCHASER(S) TO A CIVIL PENALTY EQUAL TO TWO PERCENT (2%) OF THE PRINCIPAL AMOUNT OF THE CONTRACT DEBT.**



000000 10/1/12



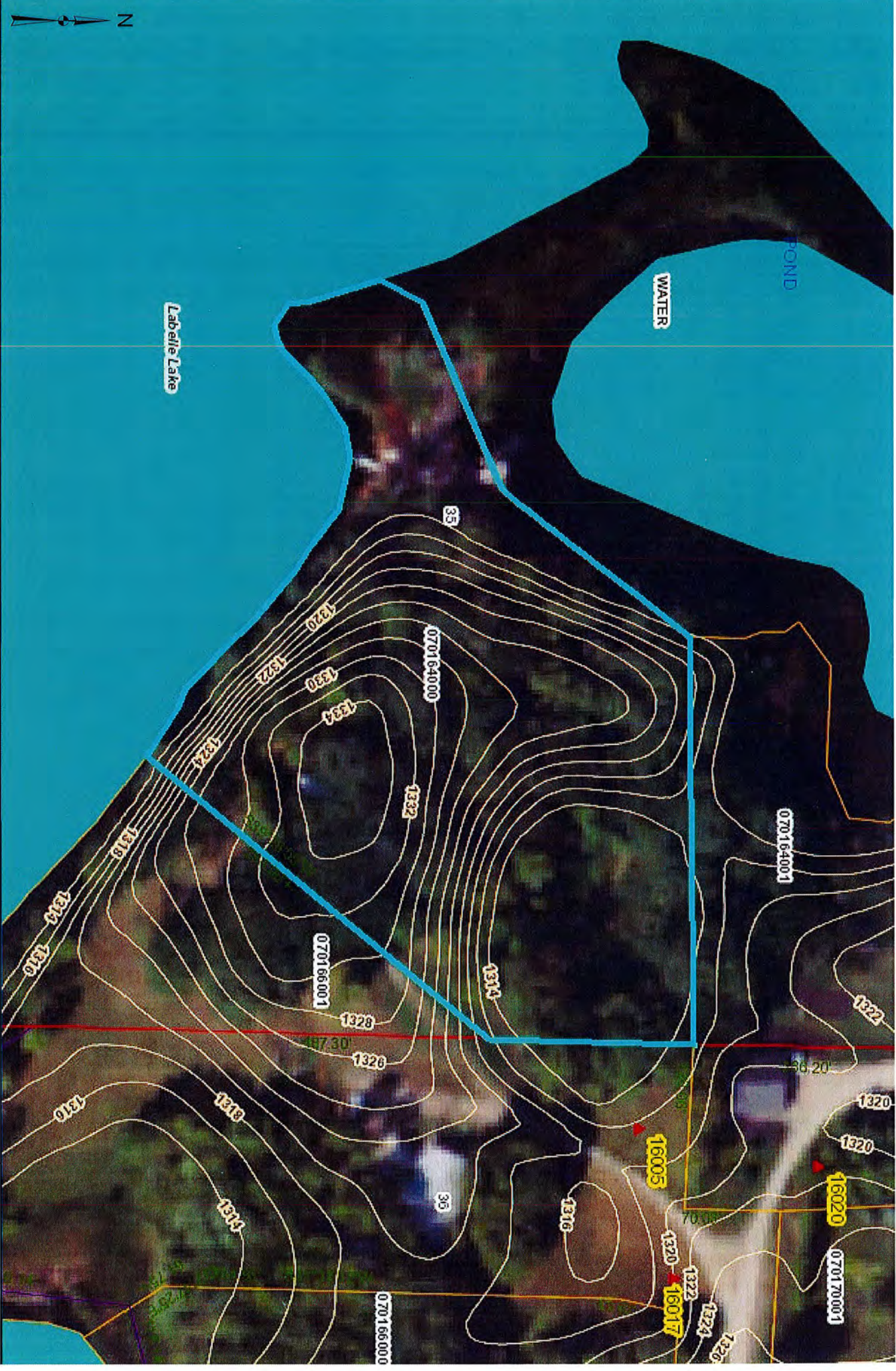


16005 221st St.

220'

220'





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	
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Becker County



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

Date: 8/4/2017





Becker County



07.0164.000

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

1:1,498

Date: 6/13/2017

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









# COUNTY OF BECKER

## *Planning and Zoning*

915 Lake Ave, Detroit Lakes, MN 56501

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

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### BOARD OF ADJUSTMENT NOTICE OF PUBLIC HEARING

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

Thursday, October 12, 2017 @ 7:00 P.M.  
Commissioner's Room-Becker County Courthouse  
Detroit Lakes, MN. 56501

APPLICANT: Jeffrey & Debra Baer  
1610 35th Ave. S.  
Fargo, ND 58104

Project Location: 17178 Co. Hwy. 6, Lake Park

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a dwelling, to be located twenty-two (22) feet from the right of way from a county highway, deviating from the required setback of forty-five (45) feet from the right of way for a county highway.

LEGAL LAND DESCRIPTION: Tax ID number: 171217000 Leaf  
SUMMER ISLAND 138 42 Block 004  
LOT 29; Section 06, TWP 138, Range 42, Lake Eunice Township.

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

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

**FAX Number 218-846-7266**  
**EMAIL: [zoning@co.becker.mn.us](mailto:zoning@co.becker.mn.us)**

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

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

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

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



# 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) Jeffrey & Debra Last Name Baer  
Mailing Address 1610 35<sup>th</sup> Ave S. City, State, Zip Fargo, ND 58104  
Phone Number 701-238-5621-JEFF Project Address: 17178 CO Hwy 6 Lake Park  
Parcel number(s) of property: 17-1217.000 Sect - Twp - Range: 06-138-42  
Township Name: Lake Eunice Legal Description: Summer Island  
Lot 29, BLK 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:

Request a variance to replace an existing old trailer with a new dwelling 22' from road right of way (Pin) instead of the required road setback of 45' on a county road, due to the fact that this is a substandard size Lot.

### 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) 22' 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?

480

What is the proposed addition square footage?

1440

What is the current height of the structure?

12

What is the proposed height of the structure?

24

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 - moving it out.

Will the main structural framework of the structure be altered?

YES " " "

What is the current percentage of lot coverage?

7%

What is the proposed percentage of lot coverage?

16.3%



**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?  
existing structure is approximately 81' from the ordinary high water mark (OHW) and proposed new structure would be 100' from OHW.
- 2) In your opinion, is the Variance consistent with the Becker County Comprehensive Plan?  
Yes (X) No ( ) Why or why not?  
we would just be replacing an old trailer house with a new house + attached garage and moving it to meet the 100' from OHW.
- 3) In your opinion, does the proposal put property to use in a reasonable manner?  
Yes (X) No ( ) Why or why not?  
same use as it has been.
- 4) In your opinion, are there circumstances unique to the property?  
Yes (X) No ( ) Why or why not?  
substandard size lot, not enough depth from lake to road.
- 5) In your opinion, will the variance maintain the essential character of the locality?  
Yes (X) No ( ) Why or why not?  
This is primarily a residential neighborhood and replacing this dwelling with a new one will not alter this use at all.

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: Rich Se

Date: 8/21/17

(Office Use)  
Date Received: 8/23/17

Accepted [X] Incomplete Application [ ]

Date: 8/23/17

[Signature]  
Zoning Administrator



## 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) Jeffrey & Debra Baer hereby authorize Joyce Holm to act  
(landowner-print name) (agent-print name)

as my (our) agent on the following item(s): appropriate box(es)

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

☐ plat application: \_\_\_\_\_

☐ conditional use application: \_\_\_\_\_

☒ variance application: \_\_\_\_\_

☐ other: \_\_\_\_\_

on my (our) property located at:

Tax Parcel Number(s): 17.1217.000 Physical Site Address: 17178 CO Hwy 6 Lake Park  
MN 56554

Legal Description: Summer Island

Section: 6 Township: 138 Range: 42 Lot: 29 Block: 4 Plat Name: Summer Island

### Agent Contact Information

Agent address: 13600 E Pearl Lake Rd Detroit Lakes MN 56501  
Street City State Zip Code

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

Agent email address: joyceholm@hotmail.com

Debra Baer

8/21/17

Property Owner(s) Signature(s)

Date

State of Minnesota  
County of Becker

On this \_\_\_\_\_ day of \_\_\_\_\_ before me personally appeared \_\_\_\_\_

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

that \_\_\_\_\_ executed the same as \_\_\_\_\_ free act and deed.

(Notary Stamp)

Notary Public

Office Use Only:

Date received: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

# Leaf Lake

## proposed Plan

Dwelling 1440 SF  
driveway 252 SF

1,692 SF

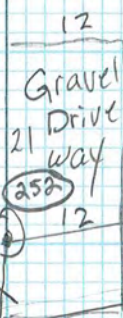
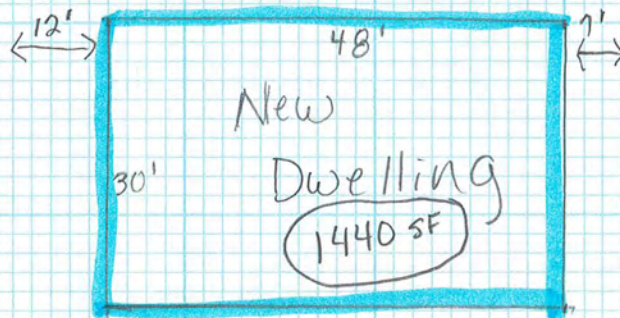
Lot coverage 16.3%

100'  
OHW  
to  
New  
dwelling

50'

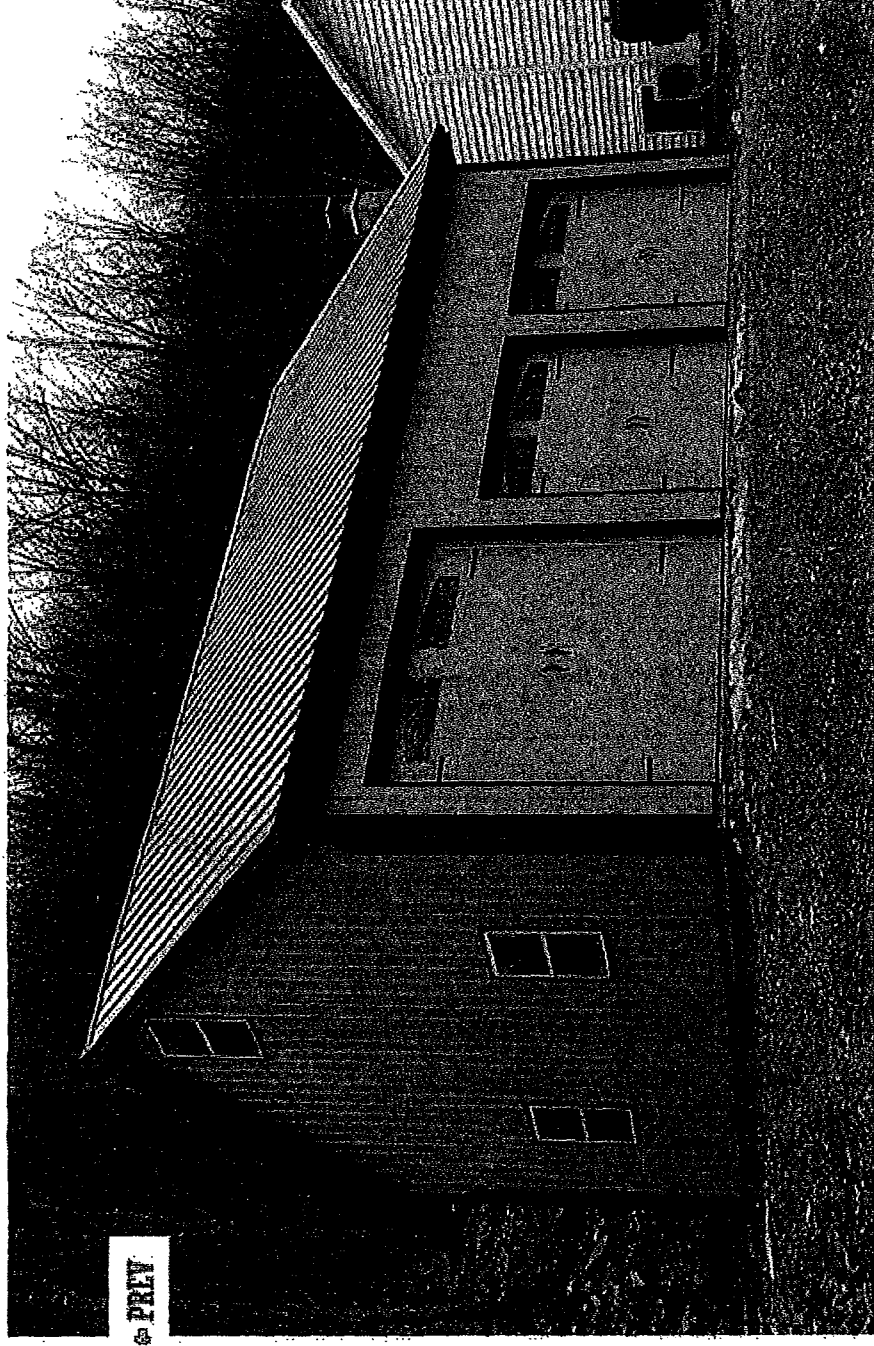
165.9

164'



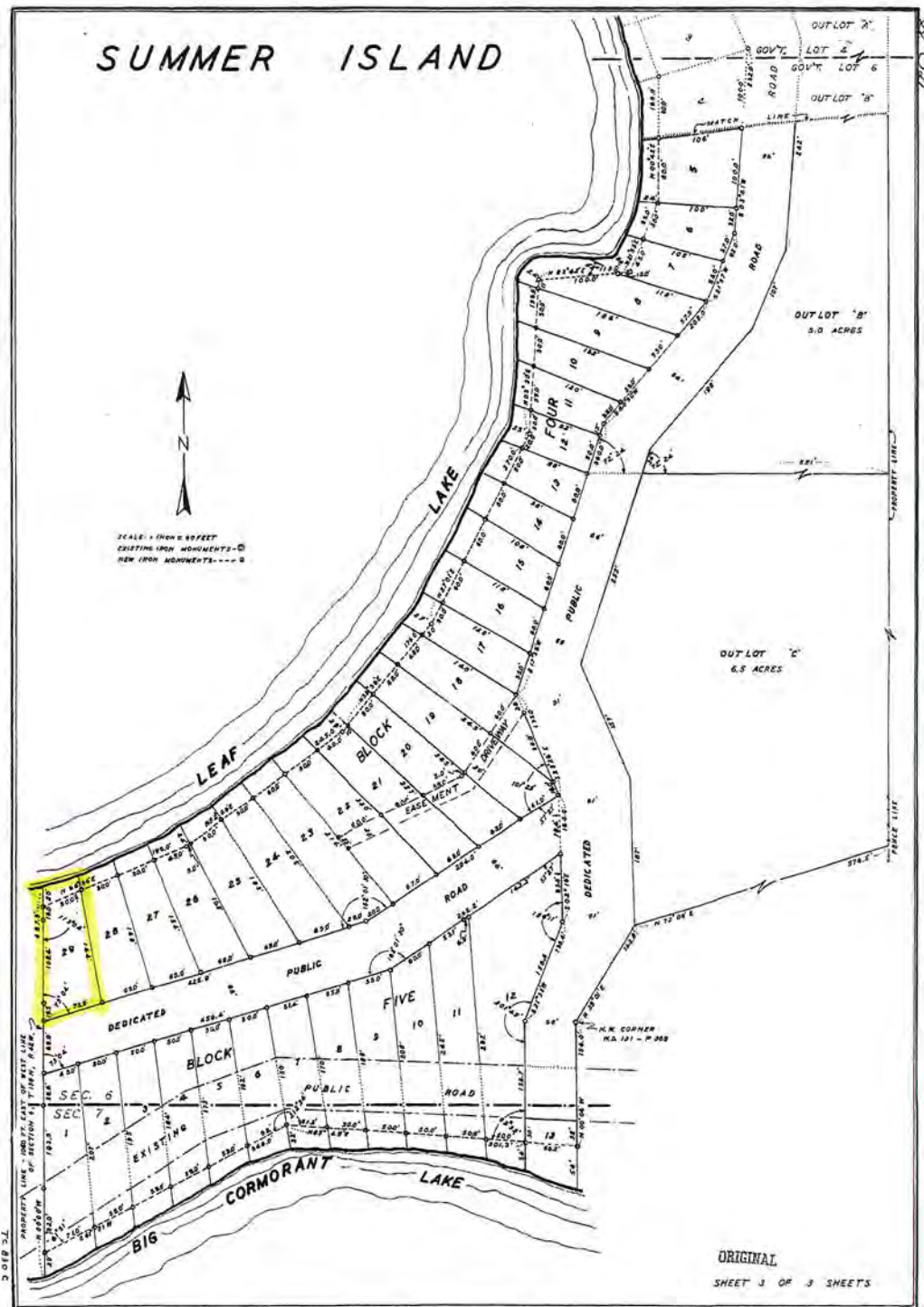


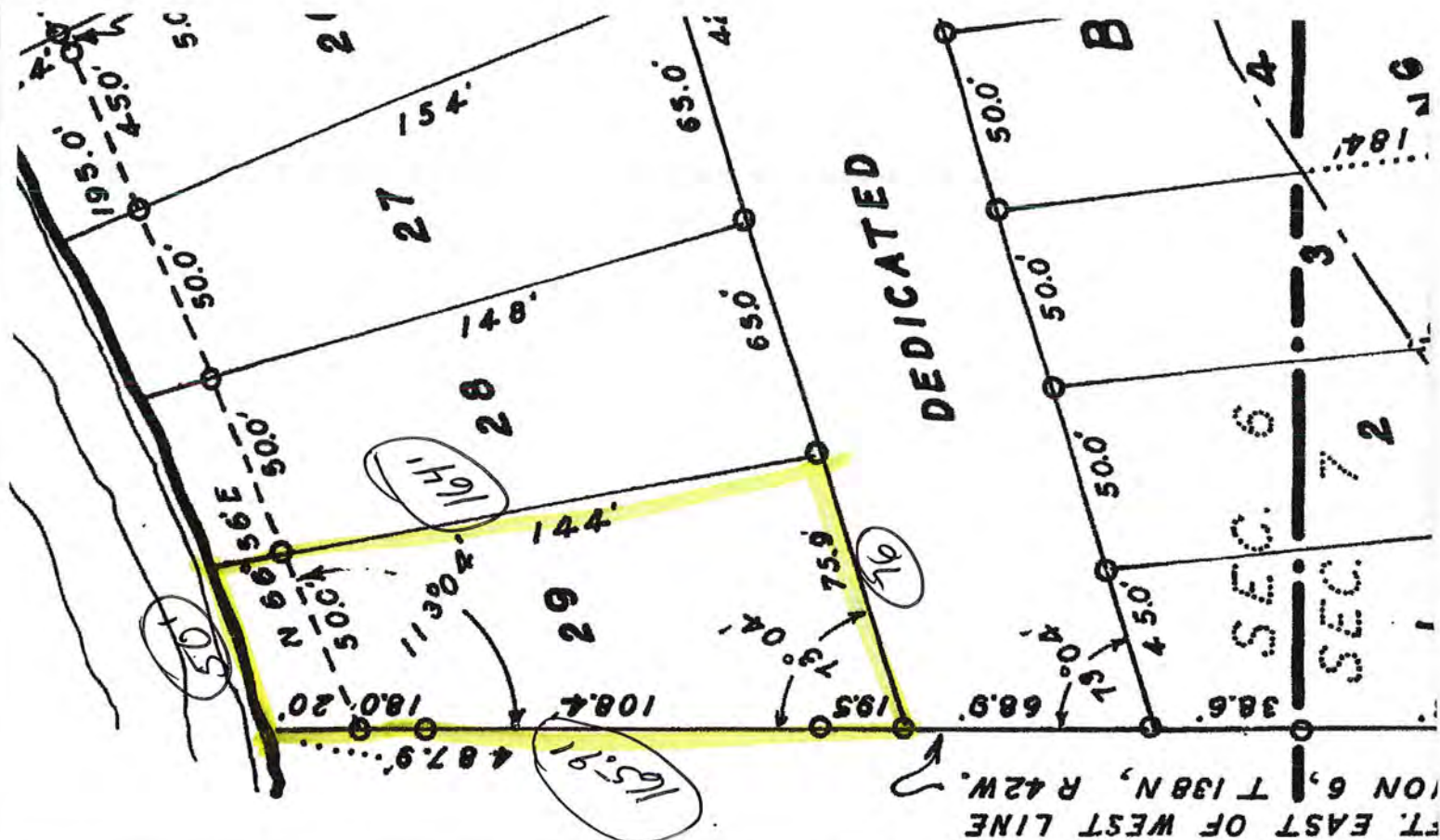
\* Living Quarters above part of it.  
\* will look similar to this.





1961







Individual (s) to Joint Tenants

422261

No delinquent taxes and transfer entered; Certificate  
of Real Estate Value (X) filed ( ) not required  
Certificate of Real Estate Value No. 1987

June 19, 19 96

Keith A. Brekken  
County Auditor  
by [Signature] Deputy

17.1217.000

BECKER COUNTY RECORDER-STATE OF MN

Microfilm No. 422261Date JUN 20 1996 o.p. M.

I hereby certify that the within  
instrument was recorded in the office  
of Becker County Recorder.

M.M. Martinson  
County Recorder On Dpty.

STATE DEED TAX DUE HEREON: \$ 95.70Date: June 6, 19 96

\* (reserved for recording data)

FOR VALUABLE CONSIDERATION, Jennings P. Johnson, a single person  
(marital status), Grantor(s),

hereby convey (s) and warrant (s) to Debra A. Baer and Jeffery A. Baer, husband and wife  
Grantees as joint  
tenants real property in Becker County, Minnesota, described as follows:

Lot Twenty-nine, Block Four, SUMMER ISLAND, according to the certified plat  
thereof on file and of record in the Office of the Register of Deeds in and  
for Becker County, Minnesota.

(if more space is needed, continue on back)

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

\*The seller certifies that the seller does not know of any wells on the described  
real property.

RECEIPT # 086405  
BECKER COUNTY  
Affirmation Stamp Here  
DEED TAX  
AMT. PD. \$ 95.70  
RITA A. THOMPSON, CO. TREAS.

JUN 20 1996

STATE OF MINNESOTA

COUNTY OF Cass

} ss.

Jennings P. Johnson  
Jennings P. Johnson

The foregoing instrument was acknowledged before me this 6th day of June, 19 96,  
by Jennings P. Johnson

, Grantor(s).

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

WENDI LAWSON  
Notary Public, State of North Dakota  
My Commission Expires 5-17-02  
STATE OF NORTH DAKOTA  
NOTARY PUBLIC SEAL

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

Korsmo & Wheeler, P.C.  
17 South 7th Street  
Fargo, ND 58103

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

Wendi Lawson  
Wendi Lawson 5/17/02  
Tax Statements for the real property described in this instrument should  
be sent to (Include name and address of Grantee):

Debra A. Baer  
Jeffery A. Baer  
Summer Island  
Summer Island, Minnesota

AND

State Bank of Lake Park

Charge  
Paid ☒  
Numerical ☒  
Tract ☒  
Grantor  
Grantee  
Compared

The Title Co.



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

PIN: 17.1217.000 AIN:  
BILL NUMBER: 1082695  
LENDER: BECKER COUNTY & AUTOMATIC PAYMENT  
OWNER NAME: BAER JEFFREY A & DEBRA A

**TAXPAYER(S):**

JEFFREY A & DEBRA A BAER  
1610 35TH AVE S  
FARGO ND 58104

**\$\$\$**

**REFUNDS?**  
You may be eligible  
for one or even two  
refunds to reduce  
your property tax.  
Read the back of  
this statement to  
find out how to  
apply.

PROPERTY ADDRESS

**DESCRIPTION**

Section 08 Township 138 Range 042  
SubdivisionName SUMMER ISLAND  
138 42 Block 004 SubdivisionCd

Line 13 Detail  
S-1010/15 SOLID 40.00  
Principal 40.00  
Interest 0.00

**TAX STATEMENT**

**2017**

2016 Values for taxes payable in

		VALUES AND CLASSIFICATION	
		2016	2017
Step 1	<b>Taxes Payable Year:</b>		
	Estimated Market Value:	106,200	104,000
	Homestead Exclusion:	0	0
	Taxable Market Value:	106,200	104,000
	Now Improvements		
	Expired Exclusions:		
	Property Classification:	Seasonal	Seasonal
Sent in March 2016			
Step 2	PROPOSED TAX		840.00
Sent in November 2016			
Step 3	PROPERTY TAX STATEMENT		
First half taxes due 05/15/2017			\$439.00
Second half taxes due 10/15/2017			\$439.00
Total taxes due in 2017			\$878.00

**Tax Detail for Your Property:**

		2016	2017
Tax and Credits	<b>Taxes Payable Year:</b>		
	1. Use this amount on Form M1PR to see if you are eligible for a property tax refund. File by August 15. If this box is checked, you owe delinquent taxes and are not eligible.	<input type="checkbox"/>	\$0.00
	2. Use these amounts on Form M1PR to see if you are eligible for a special refund.	\$0.00	\$0.00
	3. Property taxes before credits	\$846.00	\$838.00
	4. Credits that reduce property taxes		
	A. Agricultural market value credit	\$0.00	\$0.00
	B. Other credits	\$0.00	\$0.00
	<b>5. Property taxes after credits</b>	<b>\$846.00</b>	<b>\$838.00</b>
	6. BECKER COUNTY	\$411.07	\$414.69
	7. LAKE EUNICE	\$110.86	\$124.95
	8. State General Tax	\$128.40	\$121.76
	9. SCHOOL DISTRICT 2889	\$118.21	\$118.45
	10. Special Taxing Districts		
	A. BC EDA	\$1.72	\$2.49
Property Tax by Jurisdiction	B. Others	\$24.29	\$23.13
	C. TIF	\$0.00	\$0.00
	11. Non-school voter approved referenda levies	\$0.00	\$0.00
	12. Total property tax before special assessments	\$846.00	\$838.00
	13. Special assessments	\$40.00	\$40.00
	<b>14. YOUR TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS</b>	<b>\$886.00</b>	<b>\$878.00</b>
	Tax Amount Paid		\$0.00



**2nd Half Payment Stub - Payable 2017**

Detach and return this stub with your 2nd half payment.  
To avoid penalty, pay on or before October 15, 2017.

Total Property Tax for 2017 \$878.00  
**2nd Half Tax Amount \$439.00**  
Penalty, Interest, Fee Amount \$0.00  
Amount Paid \$0.00  
**2nd Half Total Amount Due \$439.00**  
Balance Good Through 10/15/2017  
Seasonal

PIN: 17.1217.000  
AIN:

Paid By \_\_\_\_\_

BILL NUMBER: 1082695

TAXPAYER(S): JEFFREY A & DEBRA A BAER  
1610 35TH AVE S  
FARGO ND 58104

**MAKE CHECKS PAYABLE TO:**

Becker County  
Auditor-Treasurer Office  
915 Lake Avenue  
Detroit Lakes, MN 56501

The tax information shown above has been sent to an escrow agent. Pay from this copy only if an escrow agent is not responsible to pay. Your canceled check is proof of your payment.



**1st Half Payment Stub - Payable 2017**

Detach and return this stub with your 1st half payment.  
To avoid penalty, pay on or before May 15, 2017.

If your tax is \$100.00 or less, pay the entire tax by May 15, 2017.

Total Property Tax for 2017 \$878.00  
**1st Half Tax Amount \$439.00**  
Penalty, Interest, Fee Amount \$0.00  
Amount Paid \$0.00  
**1st Half Total Amount Due \$439.00**  
Balance Good Through 05/15/2017  
Seasonal

PIN: 17.1217.000  
AIN:

Paid By \_\_\_\_\_

BILL NUMBER: 1082695

TAXPAYER(S): JEFFREY A & DEBRA A BAER  
1610 35TH AVE S  
FARGO ND 58104

**MAKE CHECKS PAYABLE TO:**

Becker County  
Auditor-Treasurer Office  
915 Lake Avenue  
Detroit Lakes, MN 56501

The tax information shown above has been sent to an escrow agent. Pay from this copy only if an escrow agent is not responsible to pay. Your canceled check is proof of your payment.

Date owner notified of application outcome: \_\_\_\_\_



RECEIVED

AUG 23 2017

ZONING

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](http://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) 17.1217.000 Property (E911) Address 17178 CO. Hwy 6 Lake Park, mn 56554 Legal Description Summer Island BKK 4 Lot 29

Lake/River Name Leaf Lake/River Class RD Township Name Lake Eunice Section 6 TWP No. -138 Range 42

Property Owner Last Name First Name Mailing Address Phone  
Baer, Jeffrey + Debra 1610 35th Ave. S 701-238-5621  
Contractor Name Lic # F01+2 Builders Fargo, ND 58104 JEFF  
849-4834-Joyce

## 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 construction Fall 2017

Onsite Water Supply ( ) Deep Well ( ) Shallow Well Well Depth None at this time  
MN Rules Chapter 4725 (MN well code) requires a 3' minimum structure setback to well

## Onsite Sewage Treatment System

Type of System Tank+drainfield Date of Installation 1987 Last Date Certified 2015  
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 10,383 sq ft or .24 acres Water Frontage 50 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
--------------------	------------	-------------	--------------------	------------	-------------

Ex: Patio	10 x 12	120			
DRIVEWAY	21 x 12	252			
New dwelling	30 x 48	1440			

\*2 sheds are not on their property

Total Impervious Material 1692

Impervious Lot Coverage  $\frac{1692}{10,383} \times 100 = 16.3\%$   
Total Impervious Lot Area Impervious Coverage Percentage

## Topographical Alteration/Earth moving

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



→ Living Quarters above garage, 50%

Characteristics of Proposed Dwelling/Dwelling Additions/Attached Garage/Decks		Cost of Project
<input checked="" type="checkbox"/> Dwelling <u>30</u> ft by <u>34</u> ft	<input checked="" type="checkbox"/> Attached Garage <u>30</u> ft x <u>48</u> ft	\$ <u>38,000</u>
Outside Dimension ( ) Deck/Patio _____ ft x _____ ft	( ) Addition to existing _____ ft x _____ ft	
Setback to Side Lot Line <u>7'</u> ft & Rear Lot Line _____ ft	Setback to Road Right of Way <u>22'</u> ft → variance	
Setback to Bluff _____	Type of road <u>County</u>	
Setback to Wetland _____	<del>Is wetland protected ( ) Yes ( ) No</del>	
Setback to OHW (straight horizontal distance) <u>100'</u>	Elevation above OHW (Straight vertical distance) _____	
Setback to septic tank <u>10'</u>	Setback to drainfield _____	
Total No. Bedrooms <u>1</u>	Maximum height proposed <u>24</u> # of Stories <u>1 1/2</u>	
<del>Roof Change ( ) Yes ( ) No</del>	Basement ( ) Yes <input checked="" type="checkbox"/> No Walkout Basement ( ) Yes <input checked="" type="checkbox"/> 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 Side Lot Line _____ ft & Rear Lot Line _____ ft	Setback to Road Right of Way _____ ft	
Setback to Bluff _____	Type of road _____	
Setback to Wetland _____	<del>Is wetland protected ( ) Yes ( ) No</del>	
Setback to OHW (straight horizontal distance) _____	<del>Elevation above OHW (Straight vertical distance) _____</del>	
Setback to septic tank _____	<del>Setback to drainfield _____</del>	
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		

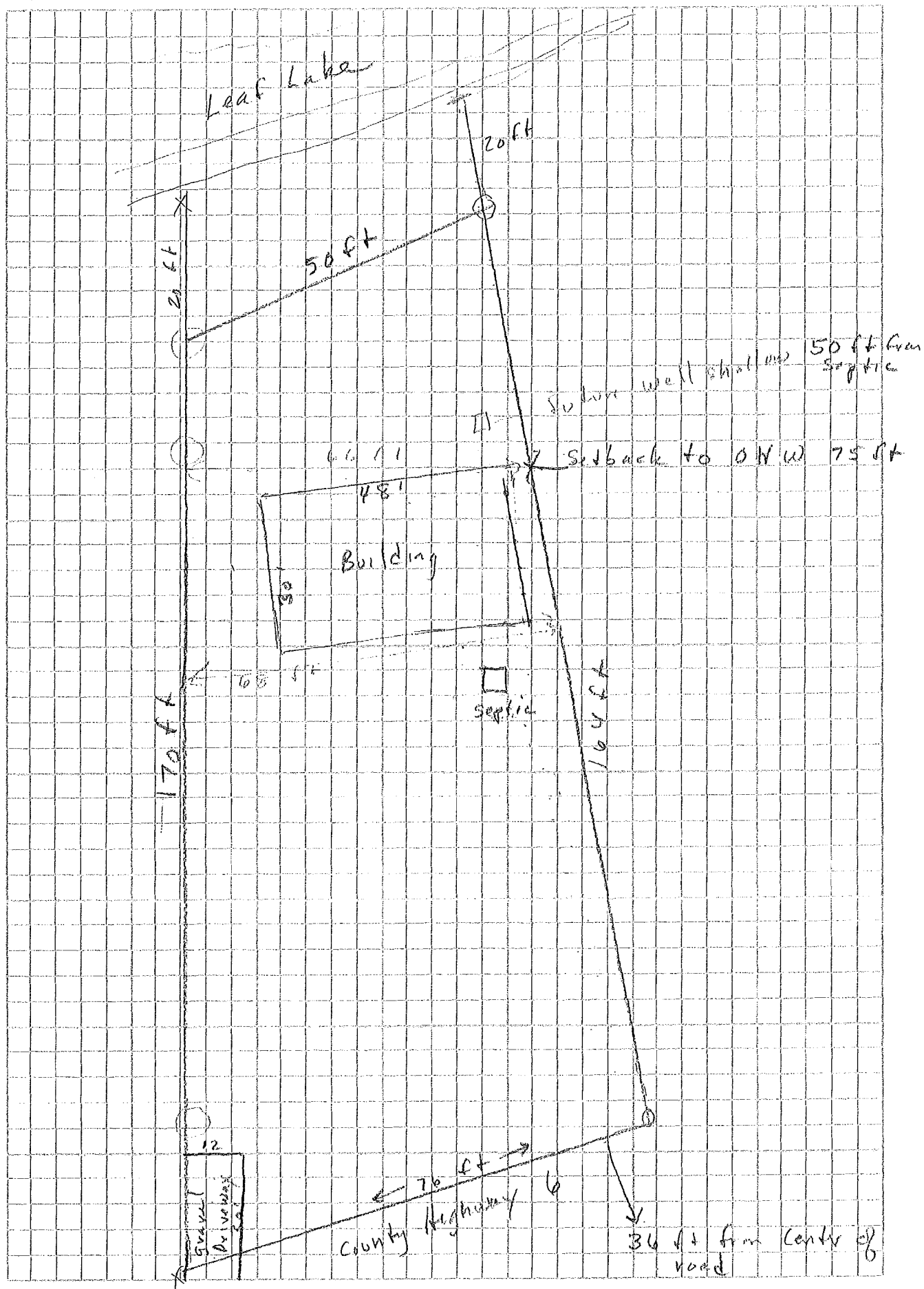
Characteristics of Proposed Water Oriented Structure*		Cost of Project \$
( ) Stairway ( ) Deck ( ) Boathouse ( ) Screen Porch ( ) Gazebo ( ) Storage Structure		
Outside Dimension _____ ft by _____ ft	Sq ft _____	
Setback to Side Lot Line _____ ft & _____ ft	Setback to Bluff _____	
Setback to OHW (straight 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.

Debra B.

8/21/17

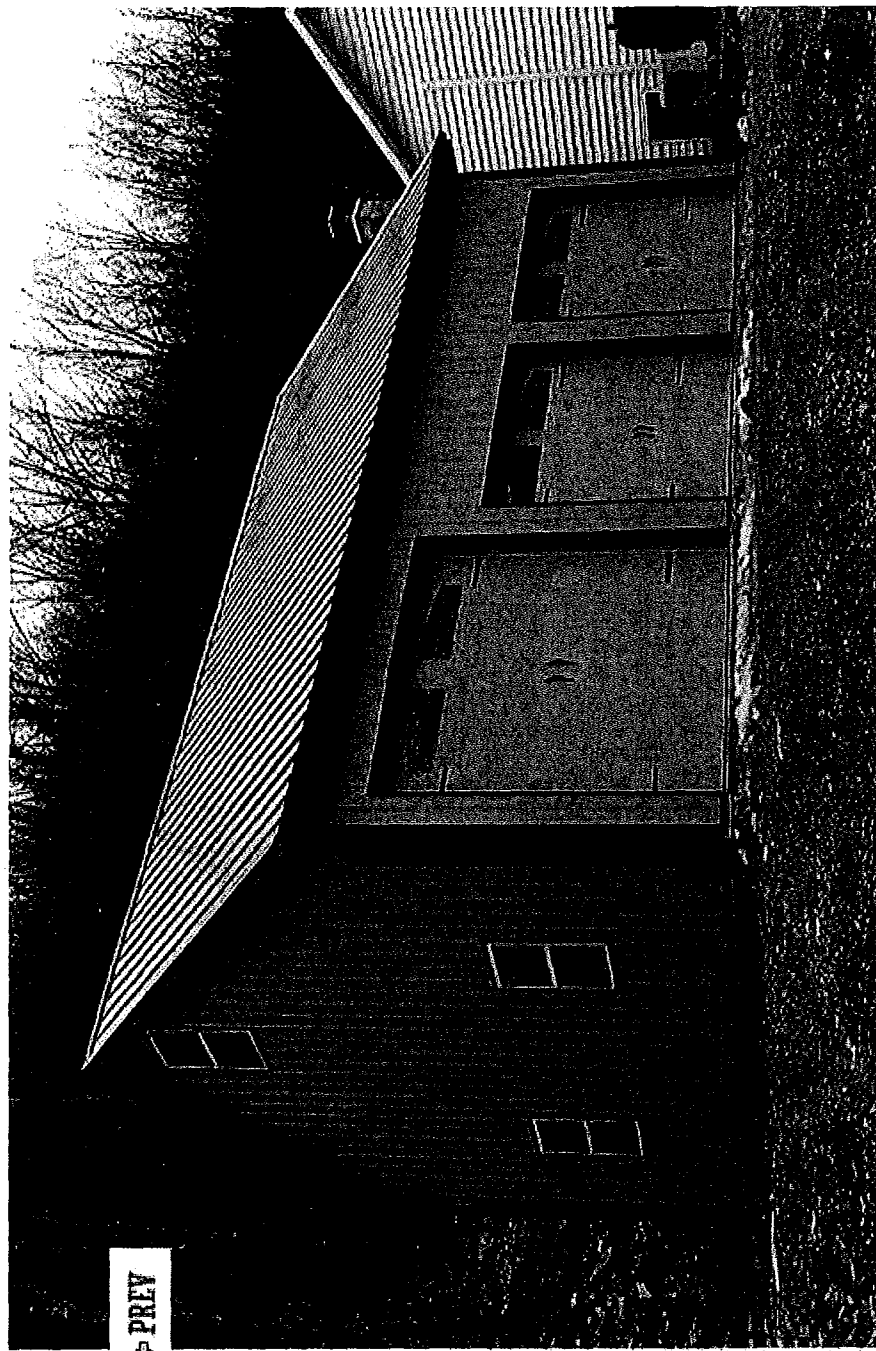




doors -

1 - 10x12

2 - 10x10



SITE PERMIT - FOR OFFICE USE ONLY: PID Number \_\_\_\_\_ YEAR 2017

Date application received 2/23/17 Received By: UN Assigned To: 136 [Signature]

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:

[illegible]

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

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

Application Fee:	Cormorant Surcharge	Fines	Total Fees
276			276

Application is hereby **GRANTED** in accordance with the application and supporting information by order of:

as of this date \_\_\_\_\_

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

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

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

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

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

Date owner notified of application outcome: \_\_\_\_\_





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.

1:749

Date: 8/30/2017

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

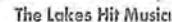
Becker County







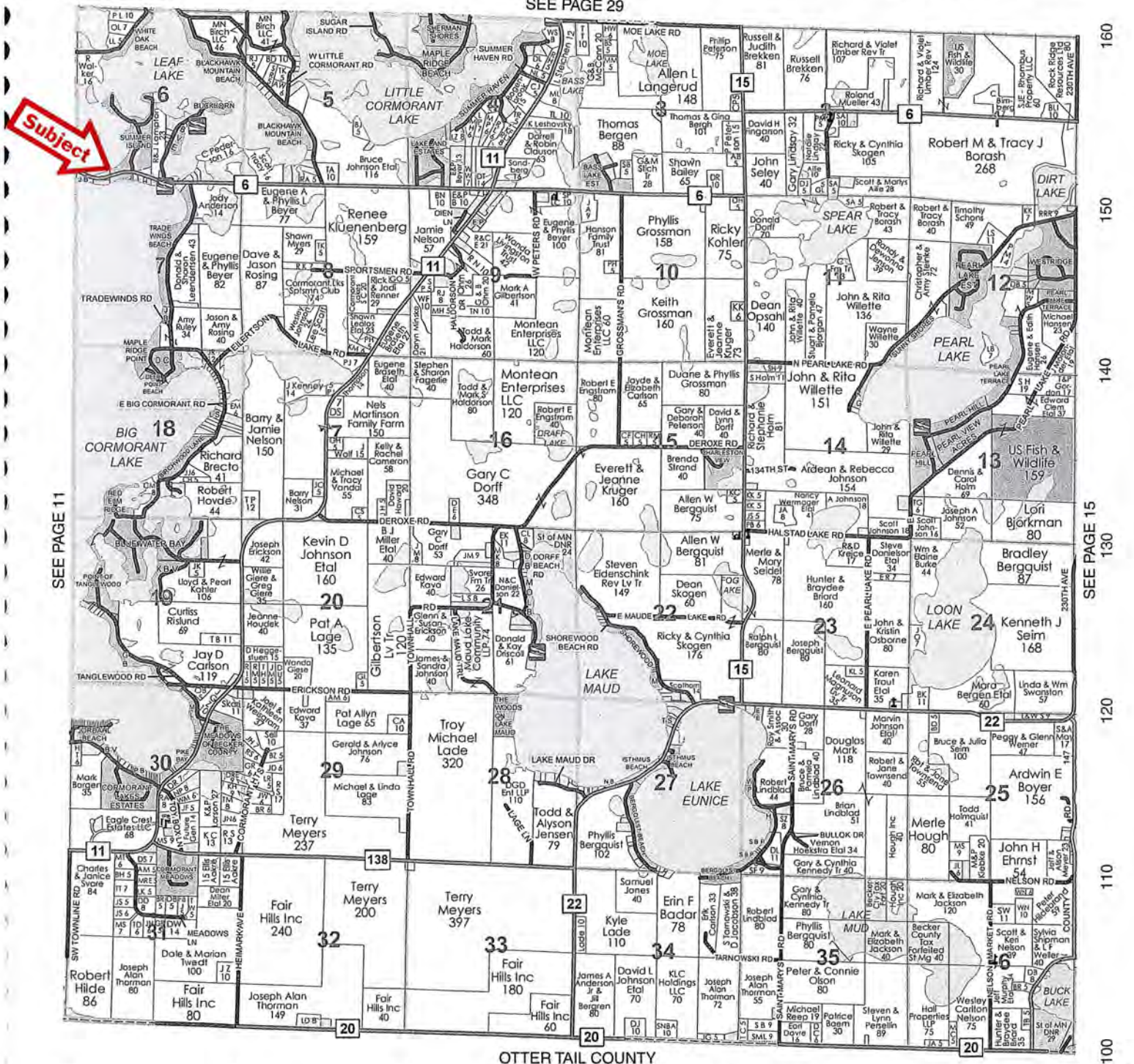
**1340 Richwood Rd.  
Detroit Lakes, MN 56501  
Phone: 218-847-5624**



## Township 138N - Range 42W

Copyright © 2016 Mapping Solutions

SEE PAGE 29



OTTER TAIL COUNTY





# COUNTY OF BECKER

## Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

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

---

### BOARD OF ADJUSTMENT

#### NOTICE OF PUBLIC HEARING

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

Thursday, October 12, 2017 @ 7:00 P.M.

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

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

Project Location: 21246 Co. Hwy. 29, Rochert

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a detached garage, to be located at eighty (80) feet from the centerline of a county highway, deviating from the required setback of ninety-five (95) feet from the centerline of a county highway, due to setback issues.

LEGAL LAND DESCRIPTION: Tax ID number: 100006001 Cotton

PT GOVT LOT 4: COMM MC #11, E 401.42' TO HWY, N AL HWY 933.56', E 10', N 90.96' TO POB; N 8.99', W 10', N 141.31' W 326.20' TO COTTON LK, S AL LK 157.21', E 326.75' TO POB. TRACT A.; Section 01, TWP 139, Range 40, Erie Township.

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

#### PLANNING AND ZONING DEPARTMENT

915 Lake Avenue  
Detroit Lakes, MN. 56501

FAX Number 218-846-7266

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

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

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

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

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



## 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) Josh + Kayla Swangler Last Name Swangler  
Mailing Address 21246 CR 29 City, State, Zip Rochester MN 56578  
Phone Number 701-219-6202 Project Address: 21246 CR 29 Rochester  
Parcel number(s) of property: 21246/100006001 Sect - Twp - Range: ~~21246~~ Sec 2 / 139 / 640  
Township Name: ELIE Legal Description: PT GOV Lot 4, Comm MC # 11  
E 401.42' to Hwy, N AL Hwy 933.56' E 10', N 90.96', to Pub. N 88.99' W 10' N 141.31' W 326.20'  
Cotton LK

#### 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'd like to build a Detached Garage for 2 vehicles, on~~  
Allow the Garage to be wider to fit two vehicles. Variance Request to  
construct detached garage @ 80 ft from centerline of  
a County Rd

#### 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 To centerline of County Rd 29 Proposed Distance (setback) \_\_\_\_\_ feet  
☒ Road Right of Way (ROW) Proposed Distance (setback) 80' feet to centerline  
Type of Road [ ] Township [X] County [ ] State  
☐ Crest of bluff Proposed Distance (setback) \_\_\_\_\_ feet  
☐ Impervious Surface Coverage Proposed Impervious Lot Coverage \_\_\_\_\_ sq ft  
%

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

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

Was the lot recorded after 1992? ☒ Yes ☐ No

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

What is the current square footage of the structure? New 0 sq ft

What is the proposed addition square footage? + 750 sq ft

What is the current height of the structure? + New

What is the proposed height of the structure? 9 feet

Is there a basement to the structure? NO

Will the proposed addition have a basement? NO

Will the roofline of the existing structure be changed? NO - New

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

What is the current percentage of lot coverage? 14% Existing stng

What is the proposed percentage of lot coverage? 15% - Total with new garage





**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 (X) Why or why not?

There is many Buildings Closer to the Road than 100' set BACK.

- 2) In your opinion, is the Variance consistent with the Becker County Comprehensive Plan?  
Yes (X) No ( ) Why or why not?

Yes its a large Lot with a Reasonable sized Request for Garage to Be Added.

- 3) In your opinion, does the proposal put property to use in a reasonable manner?  
Yes (X) No ( ) Why or why not?

yes for use to Park cars, boats, Lawn mowers etc

- 4) In your opinion, are there circumstances unique to the property?  
Yes ( ) No (X) Why or why not?

Access to Garage will Be on the side, so to move BACK the Garage the Doors will Be Blocked. By existing Home.

- 5) In your opinion, will the variance maintain the essential character of the locality?  
Yes ( ) No (X) Why or why not?

with the Variance for a garage to Be Built will only Require 20 feet. Neighbor Property's Have Garages In same set BACKS Requested

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: [Signature]

Date: 9-1-17

(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](http://www.co.becker.mn.us)

PARCEL	
APP	SITE
YEAR	
SCANNED	

Property will be staked by \_\_\_\_\_  
Date: \_\_\_\_\_

Please Print or Type All Information

Parcel Number (s)	Property (E911) Address	**911 Address Needed	Legal Description
100006001	21246 C.O. Hwy 29		

Lake/River Name	Lake/River Class	Township Name	Section	TWP No.	Range
Cotton Lk	R.D	ERIE	Section 01	139	040

Property Owner	Last Name	First Name	Mailing Address	Phone
Josh + Kayla	Swangler		21246 C.R. Hwy 29 Rochester M.N.	701-219-6202
Contractor Name Lic # _____				

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

\*Existing Dwelling to be removed prior to \_\_\_\_\_

RECEIVED  
SEP 01 2017  
ZONING

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

Onsite Sewage Treatment System  
Type of System \_\_\_\_\_ Date of Installation 5-30-08 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 45,738 sq ft or 1.05 acres Water Frontage 150 ft Bluff ( ) Yes ( ) No

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

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

Impervious Surface	Dimensions	Sq. Footage	Impervious Surface	Dimensions	Sq. Footage
On property			On property		
Ex: Patio	10 x 12	120			
DRIVEWAY		2664	Patio		690
House		1612	Perposed		750
Porch		252			
Porch		240			
gar		864			
			Total Impervious Material		7,079

Impervious Lot Coverage  $\frac{7,079}{45,738} \times 100 = 15\%$   
Total Impervious Lot Area Impervious Coverage Percentage

Topographical Alteration/Earth moving

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



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

Characteristics of Proposed Non Dwelling/Non Dwelling Additions/Detached Garages/Storage Sheds		Cost of Project
( ) Garage <u>30</u> ft by <u>28</u> 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 Side Lot Line <u>100+</u> ft & Rear Lot Line <u>10+</u> ft	Setback to Road Right of Way <u>Center LN 80</u> ft	<u>\$ 25,000.00</u>
Setback to Bluff _____	Type of road <u>County Highway</u>	
Setback to Wetland _____	Is wetland protected ( ) Yes ( ) No	
Setback to OHW (straight horizontal distance) <u>100+</u>	Elevation above OHW (Straight vertical distance) _____	
Setback to septic tank <u>40+</u>	Setback to drainfield <u>40+</u>	
Roof Change ( ) Yes ( ) No	Maximum height proposed <u>14'</u> # of Stories <u>1</u>	
Bathroom proposed ( ) Yes (X) No	Sleeping Quarters proposed ( ) Yes (X) No	
<b>*Garages and storage sheds cannot contain amenities for independent human habitation</b>		

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

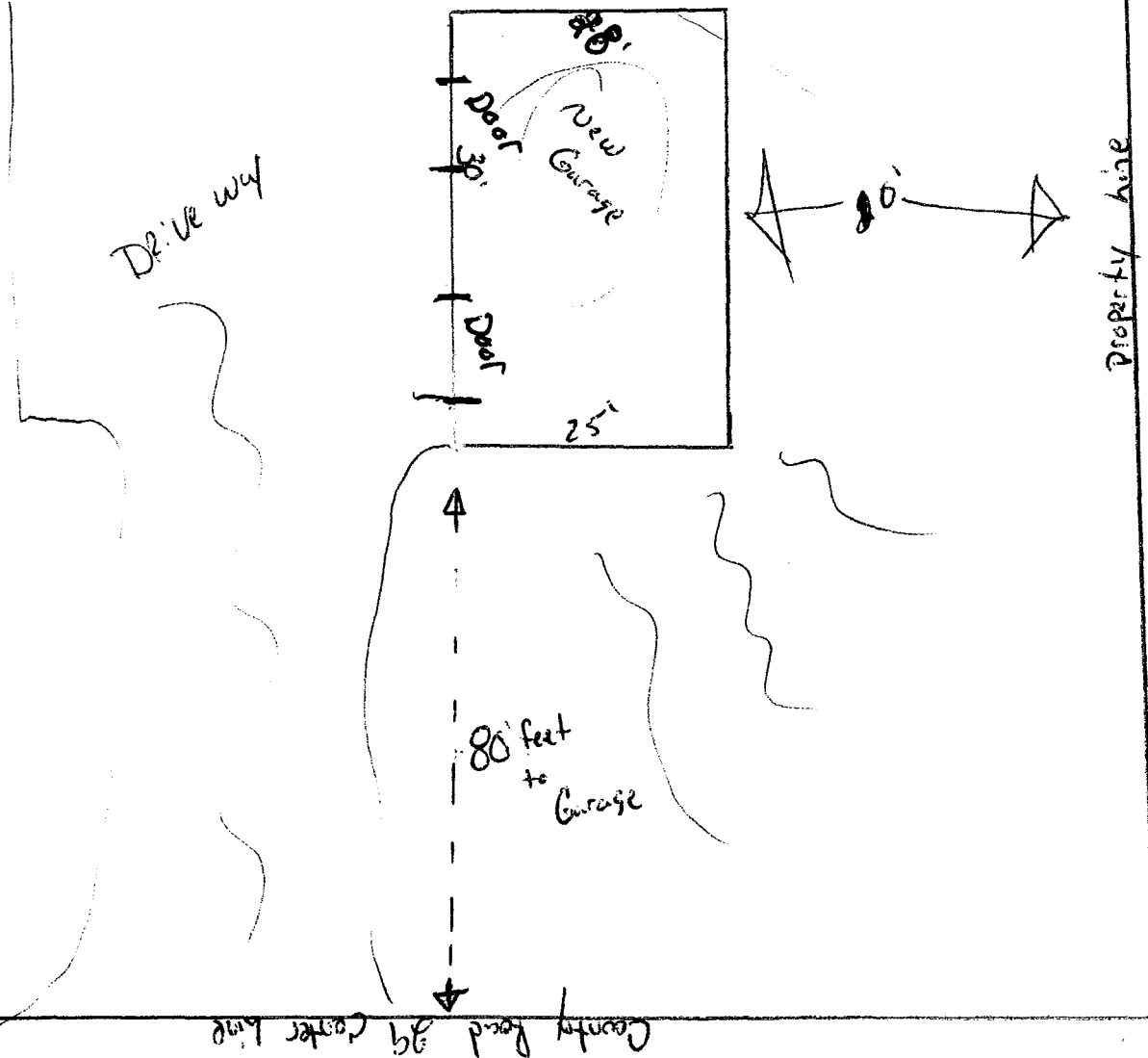
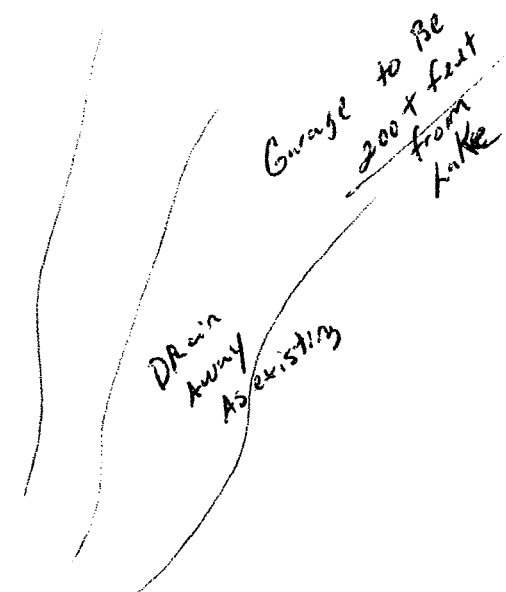
THIS IS A SITE PERMIT ONLY AND DOES NOT CONSTITUTE A BUILDING PERMIT  
AS SET FORTH IN MN STATE STATUTES.

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

9-1-17





Date owner notified of application outcome: \_\_\_\_\_





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: 9/1/2017

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

Becker County







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

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

and whenever it is convenient for you!

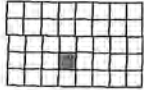


FDIC [www.mahnomenbank.com](http://www.mahnomenbank.com)

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103 North Main Street - Mahanomen MN - 218-935-5251 and 205 Main Avenue West - Twin Valley MN - 218-584-5161

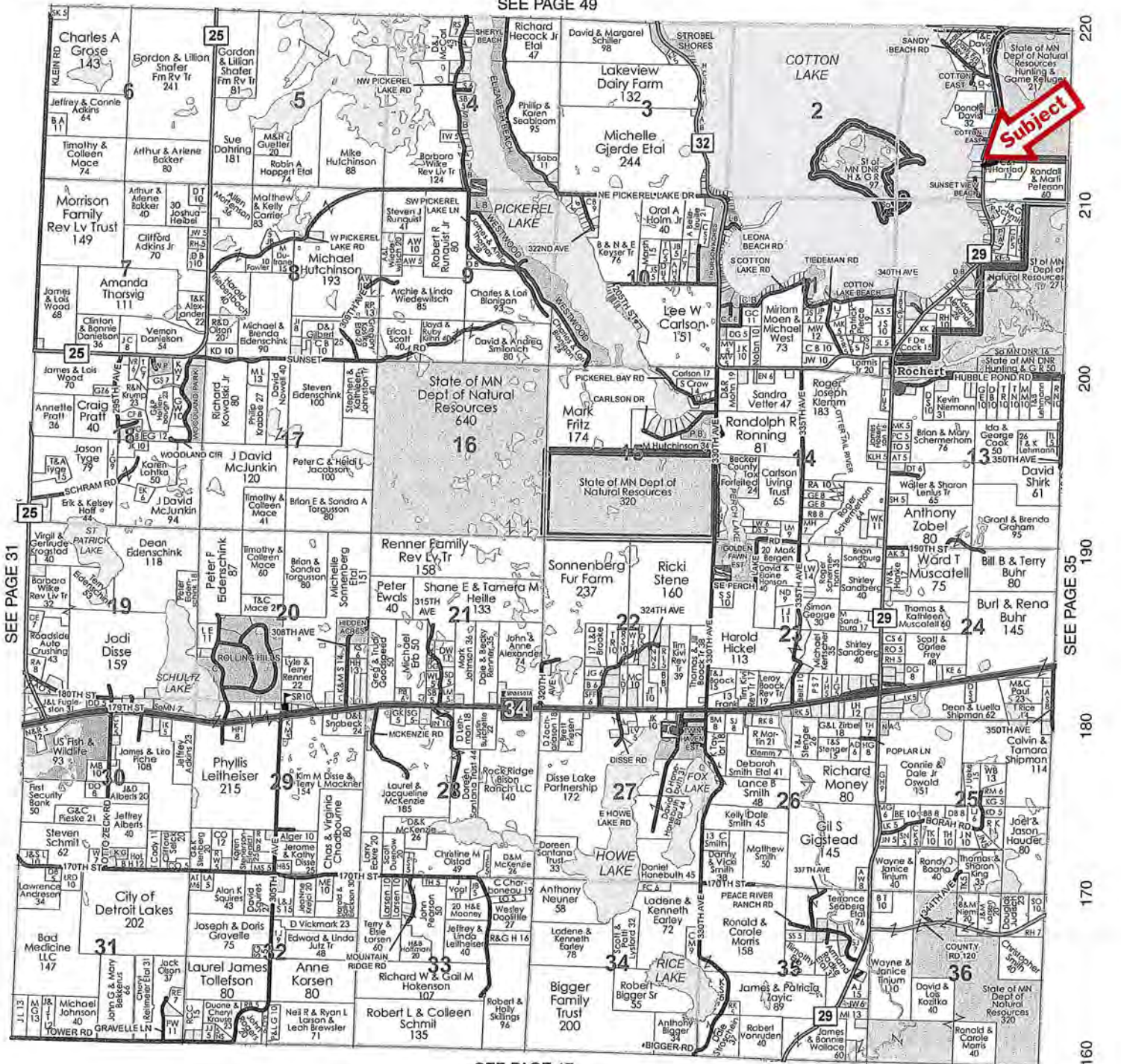


## Erie

## Township 139N - Range 40W

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SEE PAGE 49



SEE PAGE 17





# COUNTY OF BECKER

## *Planning and Zoning*

915 Lake Ave, Detroit Lakes, MN 56501

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

---

### BOARD OF ADJUSTMENT

#### NOTICE OF PUBLIC HEARING

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

Thursday, October 12th, 2017 @ 7:00 P.M.

Commissioner's Room-Becker County Courthouse

Detroit Lakes, MN. 56501

APPLICANT: Charles Frundt  
304 S. Holland St.  
Blue Earth, MN 56013

Project Location: 25267 Park Trail, Osage

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request an after the fact variance to construct a fire ring & patio, to be located at fifty-five (55) feet from the ordinary high water mark of the lake, deviating from the required setback of one hundred (100) feet from the OHW on a recreational development lake, due to setback issues, lot size, & topographical issues.

LEGAL LAND DESCRIPTION: Tax ID number: 210414000 Straight Lake

STRAIGHT LAKE PARK Block 001

LOT 1 & VACATED ROAD; Section 17, TWP 140, Range 36, Osage Township.

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

#### PLANNING AND ZONING DEPARTMENT

915 Lake Avenue

Detroit Lakes, MN. 56501

FAX Number 218-846-7266

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

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

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

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

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





# 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) Charles + Rita Last Name Fruendt  
Mailing Address 304 S. Holland St. City, State, Zip Blue Earth, mn 56013  
Phone Number 507-526-5306 Project Address: 25267 Park Trl  
Parcel number(s) of property: 507-525-0520 chuck 21-0414.000 Sect - Twp - Range: 05age, mn 565-70 17-140-36  
Township Name: 05age Legal Description: Straight Lake Park  
BLK 1, Lot 1 + Vacated Rd.

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

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

### Please provide a brief description detailing the above variance request:

Requesting a variance for a fire ring/patio to be  
55' feet from OHW and 20' from top of bluff, instead  
of the required setback of 100' from the OHW.  
(After the Fact.)

### 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) 55' feet  
☐ Lot Line Proposed Distance (setback) \_\_\_\_\_ feet  
☐ Road Right of Way (ROW) Proposed Distance (setback) \_\_\_\_\_ feet  
Type of Road [ ] Township [ ] County [ ] State  
☒ Crest of bluff Proposed Distance (setback) 20' feet  
☐ Impervious Surface Coverage Proposed Impervious Lot Coverage \_\_\_\_\_ sq ft  
\_\_\_\_\_ %

Was the lot recorded prior to 1971?

☒ Yes

☐ No

Was the lot recorded between 1971 & 1992?

☐ Yes

☒ No

Was the lot recorded after 1992?

☐ Yes

☒ No

Will this be a new lot split?

☐ Yes

☒ No

What is the current square footage of the structure?

864

What is the proposed addition square footage?

400

What is the current height of the structure?

What is the proposed height of the structure?

Is there a basement to the structure?

Will the proposed addition have a basement?

Will the roofline of the existing structure be changed?

Will the main structural framework of the structure be altered?

What is the current percentage of lot coverage?

10.6%

What is the proposed percentage of lot coverage?

10.6%





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? [ X ] Yes [ ] No

If yes, after the fact application, fee is an additional \$600.00. *After the fact Fee is waived per zoning.*

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 ordinance provided that in cases of unusual topography or substantial elevation above lake level, setbacks may be varied to allow a riparian owner reasonable use and enjoyment of his property. The fire pit is regularly used to burn yard debris and provides both recreational and visual enjoyment.
- 2) In your opinion, is the Variance consistent with the Becker County Comprehensive Plan?  
Yes (X) No ( ) Why or why not? The requested variance does not have a negative impact on either water quality or the efforts to conserve fish and wildlife. The fire pit is buffered by natural vegetation to the north (slopeside) and east (lakeside). We have planted multiple trees in and around the fire pit that enhance the buffer between the improved areas of the lot and the lake. These efforts are consistent with the goals of the comprehensive plan.
- 3) In your opinion, does the proposal put property to use in a reasonable manner?  
Yes (X) No ( ) Why or why not? Fire pits and landscaped patios are common place in lake country as people enjoy the outdoors and nature. We located the fire pit in what we determined was the safest location on the lot with the least amount of visual impact to the neighbors or the public. We maintained and tried to enhance with the planting of trees the natural buffer between the fire pit and neighboring properties and the lake.
- 4) In your opinion, are there circumstances unique to the property?  
Yes (X) No ( ) Why or why not? The elevation, slope, and location of the home on the property create a unique set of circumstances which limited the placement of the fire pit and its enhanced landscaping. The placement of the LP tank, septic tank and drainage field, and well limited the available location for the desired improvements without drastic changes to the slope or grade of the lot. By locating the fire pit within the rear yard we were able to limit any major changes to the slope of the yard and limit the visual impact of the improvement to the neighbors or public.
- 5) In your opinion, will the variance maintain the essential character of the locality?  
Yes (X) No ( ) Why or why not? The fire pit has very limited visibility from the lake and neighboring properties. We have also maintained and improved the natural buffer areas to protect water quality.

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 a Board of Adjustment Members may visit my property to review submitted plan requests.*

Applicant's Signature: 7/12/17 Date: (Office Use)

Date Received 7/17/17 Accepted [ ] Incomplete Application [ ] Date \_\_\_\_\_

\_\_\_\_\_  
Zoning Administrator



**Exhibit A – Narrative**

We are requesting a setback variance to approximately 20 feet from the crest of the bluff on the rear property line (lakeside) which is approximately 55 feet from the ordinary high water line measured over the terrain, to accommodate a fire pit that was improved in 2012. The original fire pit was unsafe due to uneven and sloping ground. The improved fire pit was kept in the same location because it was the most appropriate location given the topographical limitations of the lot and the location of the home on the lot. The rear yard provides a location which screens the fire pit from the road and minimizes its visual impact on the neighboring properties. There is a wooded buffer zone between our yard and the neighbors on both sides, as well as an additional wooded buffer between the fire pit and where the bluff drops down to the lake. The fire pit is not visible from the water. Our home and fire pit are substantially elevated off of the ordinary high water mark. We are not sure of the exact elevation off of the water, but there is a bluff down to the water with more than 52 steps in the stairway leading down. The location of the fire pit was also selected due its location near an outside water source. There is a sprinkler system which reaches the fire pit area. The variance to the rear yard setback is necessary so as to have the fire pit a safe distance from the home, which is a log structure. The lot itself presents an unusual topography which created issues when choosing the site of the fire pit. The lot has a substantial drop in elevation from front to rear as well as from the south side to the north side. The front yard (west side) fronts the road and contains the LP tank and well. The north side has significant slope, and where it is flat has the septic tank and drainage field. The south side of the home has only a narrow yard and has a steep slope to a wooded area. Given these limitations, the rear yard was the only location the fire pit could safely be located. The location of the fire pit does not adversely affect the health or safety of persons nor is it detrimental or injurious to public welfare or property or improvements. We have owned the property since January 1997 and have taken great efforts to maintain its up north wooded feel. We have left the wooded buffer between the house and lake and between the neighboring lots. We have planted dozens of trees on the property in the last 20 years and replaced those which have fallen, died, or otherwise needed replacement. We hired a professional landscaper to design and build a safe level area for a burning ring. We believe all of these facts support our request for the variance.

Neighbors on both sides are supportive of the requested variance.

## 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), Charles + Rita Frundt hereby authorize Joyce Holm to act  
(landowner-print name) (agent-print name)  
as my (our) agent on the following item(s): appropriate box(es)

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

☐ plat application: \_\_\_\_\_

☐ conditional use application: \_\_\_\_\_

☒ variance application: \_\_\_\_\_

☐ other: \_\_\_\_\_

on my (our) property located at:

Tax Parcel Number(s): 21.0414.000 Physical Site Address: 25267 Park Trl.

Legal Description: See attached Osage, mn

Section: 17 Township: 140 Range: 36 Lot: 1 Block: 1 Plat Name: Straight Lake Park

### Agent Contact Information

Agent address: 13600 E. Pearl Lake Rd D.L. mn 56501  
Street City State Zip Code

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

Agent email address: joyceholm@hotmail.com

Rita Frundt Charles Frundt Aug 25, 2017  
Property Owner(s) Signature(s) Date

State of Minnesota  
County of Becker

On this \_\_\_\_\_ day of \_\_\_\_\_ before me personally appeared \_\_\_\_\_

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

that \_\_\_\_\_ executed the same as \_\_\_\_\_ free act and deed.

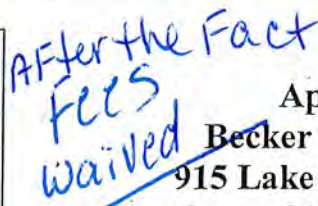
(Notary Stamp)

Notary Public

Office Use Only:

Date received: \_\_\_\_\_ Expiration Date: \_\_\_\_\_





# Becker County Planning and Zoning

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

<b>PARCEL</b>	
<b>APP</b>	<b>SITE</b>
<b>YEAR</b>	
<b>SCANNED</b>	

Property will be staked by

Date:

Parcel Number(s)	Property (E911) Address	**911 Address Needed	Legal Description
21.0414.000	25267 Park TRL Oscage, MN 56570		straight Lake Park BLK 1 Lot 1 & Vacated Rd

Property Owner	Last Name	First Name	Mailing Address	Phone
	Frundt, Charles	Rita	304 S. Holland St.	507-526-5306 Home 507-525-0520 Chuck
Contractor Name Lic #	Blue Earth, MN 56013			

\*Existing Dwelling to be removed prior to with Ratio

Type of System Tank & drainfield Date of Installation 1997 Last Date Certified \_\_\_\_\_  
Must have current certificate of compliance on septic system prior to issuance of a permit

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



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

Characteristics of Proposed Non Dwelling/Non Dwelling Additions/Detached Garages/Storage Sheds		Cost of Project
( ) Garage _____ ft by _____ ft ( ) Storage Shed _____ ft x _____ ft ( ) Fence _____ ft long x _____ high (X) Other <u>Fire ring</u> <u>4005F</u> ft x _____ ft		
Outside Dimension ( ) Addition to existing structure _____ ft x _____ ft ( ) Fence _____ ft x _____ ft		
Setback to Lot Line <u>10(+)</u> ft & Rear Lot Line _____ ft	Setback to Road Right of Way <u>50(+)</u> ft	\$ <u>5380</u>
Setback to Bluff <u>20'</u>	Type of road <u>Township</u>	
Setback to Wetland _____	Is wetland protected ( ) Yes ( ) No	
Setback to OHW (straight horizontal distance) <u>55'</u>	Elevation above OHW (Straight vertical distance) <u>32'</u>	
Setback to septic tank <u>20(+)</u>	Setback to drainfield <u>20(+)</u>	
Roof Change ( ) Yes ( ) No	Maximum height proposed <u>NA</u> # 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.

Rita Freundt  
Signature

Aug. 25, 2017  
Date



N 62° W 3.75 ch, N 25° W 40.  
 along the shore line of 314  
 caused the same to be so  
 we hereby donate to the Pu  
 rod wide roadway from  
 Section line between Secti  
 In Witness whereof we have this

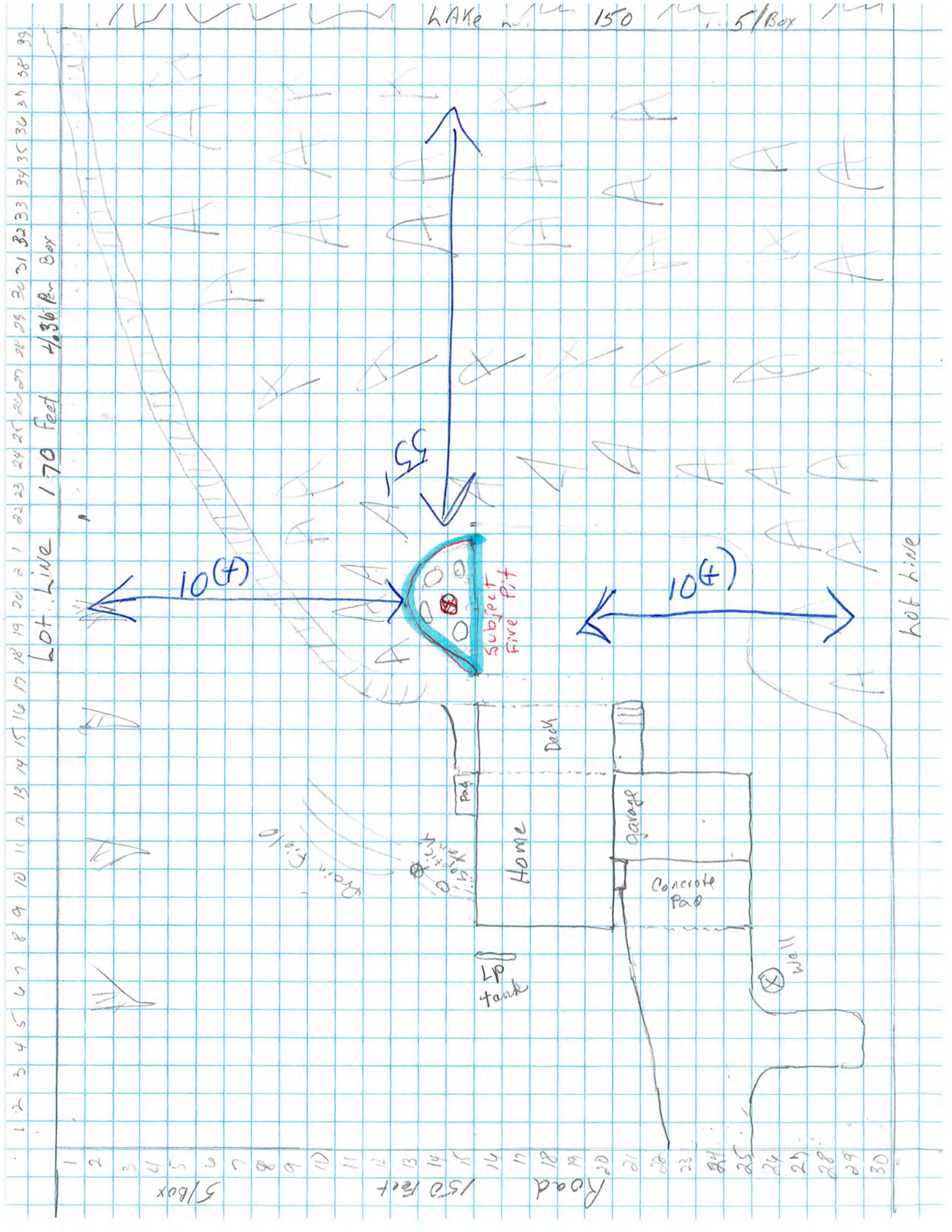


and plotted the land described above  
 and links, and also in feet and that  
 give guidance at all points marked on

E. D. Sylvester Survey

South Sixteenth Line Sec 18



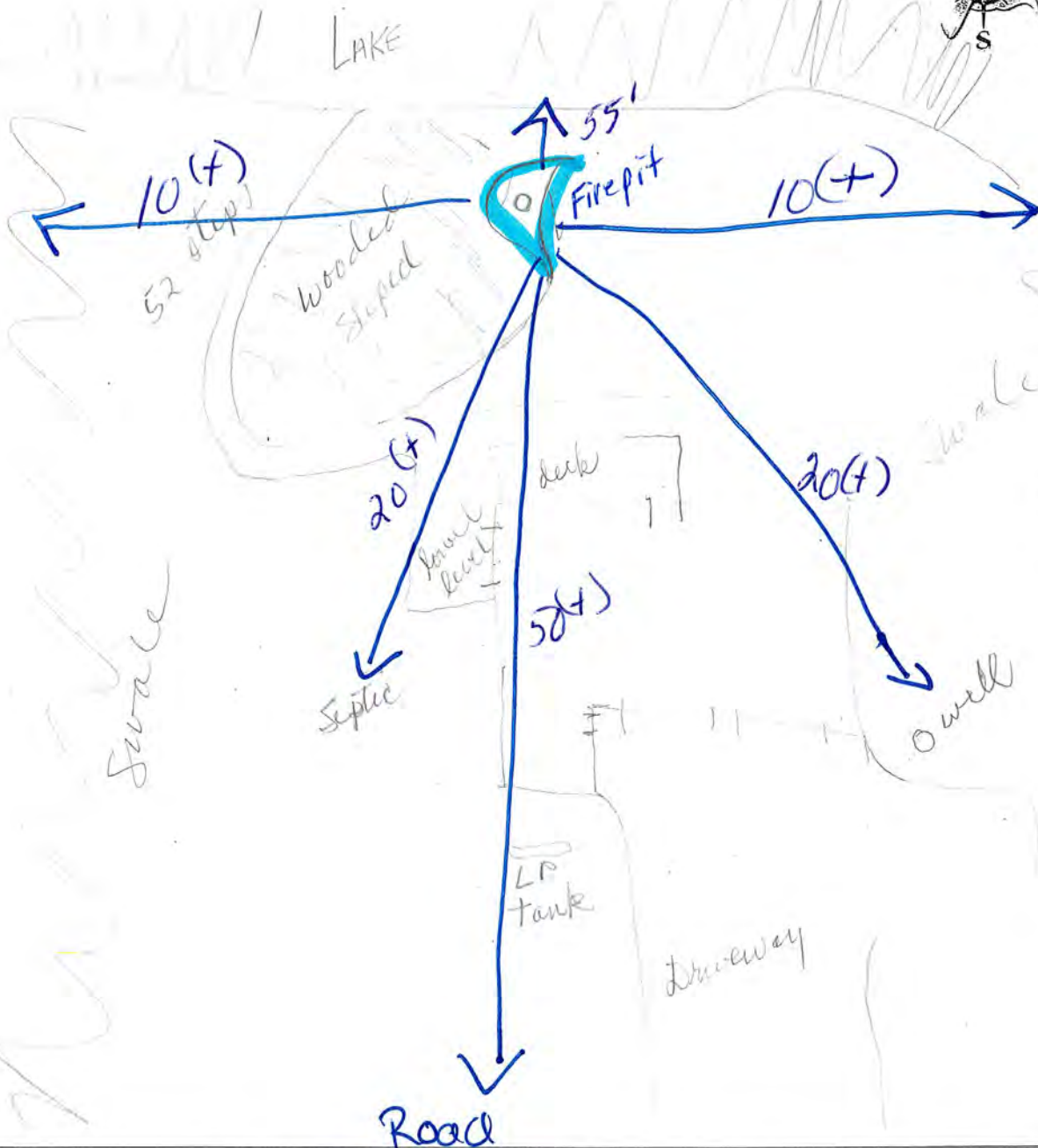




## SKETCH OF PROPERTY

1. Please sketch all impervious coverage on your property; include dimensions.
2. Sketch roadways adjacent to property - Include driveway location.
3. If you will be exceeding 15% impervious surface coverage, include a copy of your stormwater management plan. This applies to ANY lot that exceeds 15% coverage.
4. If proposed project is a detached garage/storage shed that will exceed 1 story, include detailed design.
5. Indicate where erosion control measures will be implemented and indicate storm water drainage pattern and how it will be maintained on the property.

PARCEL	
APP	SITE
YEAR	



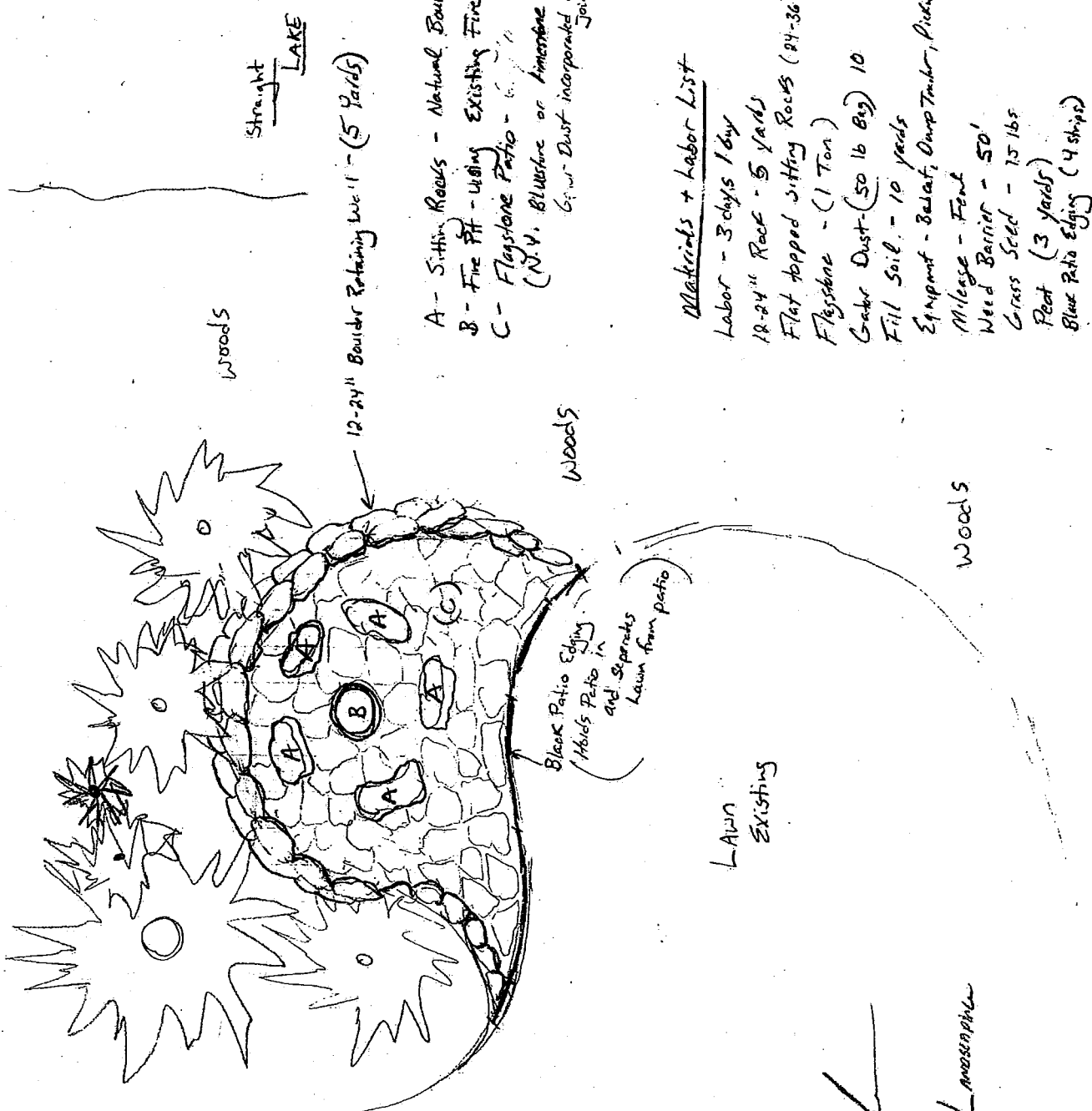
Remember EROSION CONTROL!

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

Chuck and Rita Frundt

SCALE 1"=10'

Frundt@bercomm.net



- A - Sitting Rocks - Natural Bould
- B - Fire Pit - Using Existing Fire
- C - Flagstone Patio - (N.V. Blue/Green or Amethyst)

Materials + Labor List

- Labor - 3 days / day
- 12-24" Rock - 5 yards
- Flat topped sitting Rocks (24-36")
- Flagstone - (1 Ton)
- Gabor Dust - (50 lb Bag) 10
- Fill Soil - 10 yards
- Equipment - Backhoe, Dump Trailer, Pickup
- Mileage - Fuel
- Weed Barrier - 50'
- Grass Seed - 75 lbs
- Pest (3 yards)
- Blue Patio Edging (4 strips)

Designed by: *[Signature]*  
TOM OF EAGLE LANDSCAPING



From: Cathy Dibble cadibbl@co.becker.mn.us  
Subject: Document 427751  
Date: June 12, 2017 at 4:26 PM  
To: frundt@bevcomm.net

- Form No. 27-M Quit Claim Deed

Individual(s) to Individual(s) **427751**

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

Certificate of Real Estate Value No. \_\_\_\_\_

Feb 4, 1997

Keith A. Brekkan  
County Auditor  
ACW R 210414000

By: \_\_\_\_\_

Deputy

BECKER COUNTY RECORDER  
STATE OF MINNESOTA

Microfilm No. **427751**  
Date **FEB 5 1997 1:50 PM**

I hereby certify that the within instrument  
was recorded in the office of Becker  
County Recorder

M. M. Martineau  
Dpty. Co. Recorder

STATE DEED TAX DUE HEREON: \$1.65

Date: January 29, 1997

(reserved for recording data)

FOR VALUABLE CONSIDERATION, Ronald Sander and Glorian Sander, his wife,  
Grantor(s), hereby convey(s) and quitclaim(s) to Charles K. Frundt, Grantee(s), real  
property in Becker County, Minnesota described as follows:

Lot Numbered One (1), Block Numbered One (1), Straight Lake Park according to the  
certified Plat thereof on file and of record in the office of the County Recorder in and  
for Becker County, Minnesota,

and

That part of a vacated portion of Siegford Avenue, Straight Lake Park according to the  
recorded plat thereof on file in the office of the Recorder, Becker County, Minnesota,  
described as follows: Commencing at the northwest corner of Lot 1 S.E., Block 1 of said  
Straight Lake Park, said point being the point of beginning of the parcel of land to be  
described; thence on a record bearing of South 35 degrees 00 minutes 00 seconds East along  
the southwesterly line of Lot 1 S.E. a distance of 131.81 feet to the southwest corner of  
said Lot 1 S.E.; thence south 43 degrees 03 minutes 04 seconds west along the  
southwesterly extension of the southeasterly line of said Lot 1 S.E. a distance of 59.06  
feet to the intersection with the easterly right of way line of an existing Township Road;  
thence North 01 degrees 22 minutes 24 seconds East along said right of way line 33.91  
feet; thence northerly and northwesterly along said right of way line 122.07 feet along a  
tangential curve concave to the southwest, having a radius of 171.40 feet and a central  
angle of 40 degrees 48 minutes 21 seconds to the intersection with the southwesterly  
extension of the northwesterly line of said Lot 1 S.E.; thence North 34 degrees 00 minutes  
00 seconds East, not tangent to said curve and along said southwesterly extension of said  
northwesterly line 5.14 feet to the point of beginning.

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.

Charles K. Frundt  
Charles K. Frundt

Total consideration for the conveyance of this property is \$500.00 or less.

(if more space is needed, continue on back)  
together with all hereditaments and appurtenances belonging thereto.

RECEIPT # 102191  
BECKER COUNTY  
DEED TAX  
AMT. PD. \$ 1.65 Deed Tax Stamp Here  
RITA A. THOMPSON, CO. TREAS.

FEB 05 1997

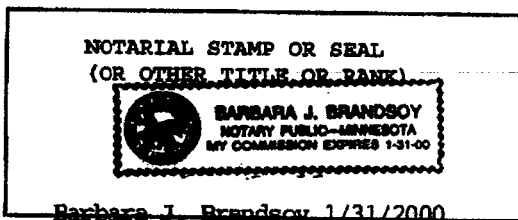
Ronald Sander  
Ronald Sander  
Glorian Sander  
Glorian Sander  
Charge \_\_\_\_\_  
Paid ☒ \_\_\_\_\_  
Numerical \_\_\_\_\_  
Tract ☒ \_\_\_\_\_  
Grantor \_\_\_\_\_  
Grantee \_\_\_\_\_  
Compared \_\_\_\_\_

Frundt Law Office  
Box 95  
Blue Earth, MN 56013

STATE OF MINNESOTA )  
COUNTY OF FARIBAULT ) ss.

The foregoing instrument was acknowledged before me this 29 day of  
January, 1997, by Ronald Sander and Glorian Sander, his wife, Grantor(s).

Barbara J. Brandsoy  
Signature of person taking acknowledgment



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

Charles K. Frundt  
304 S. Holland  
Blue Earth, MN 56013

THIS INSTRUMENT WAS DRAFTED BY  
(NAME AND ADDRESS)

Charles K. Frundt  
FRUNDT, JOHNSON & ROVERUD, LTD.  
117 West 5th St.  
Blue Earth, MN 56013



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

PIN: 21.0414.000 AIN:  
BILL NUMBER: 1086552  
LENDER:  
OWNER NAME: FRUNDT CHARLES K

**TAXPAYER(S):**

CHARLES K FRUNDT  
304 S HOLLAND ST  
BLUE EARTH MN 56013

**\$\$\$**

**REFUNDS?**  
You may be eligible  
for one or even two  
refunds to reduce  
your property tax.  
Read the back of  
this statement to  
find out how to  
apply

**PROPERTY ADDRESS**  
25267 PARK TRL  
OSAGE, MN 56570

**DESCRIPTION**  
Section 17 Township 140 Range 036  
SubdivisionName STRAIGHT LAKE  
PARK Block 001 SubdivisionCd

Line 13 Detail  
S-1010/15 SOLIC 40.00  
Principal 40.00  
Interest 0.00

**TAX STATEMENT**

**2017**

2016 Values for taxes payable in

	VALUES AND CLASSIFICATION	
	2016	2017
<b>Step 1</b>	<b>Taxes Payable Year:</b>	
	Estimated Market Value:	238,700 259,000
	Homestead Exclusion:	0 0
	Taxable Market Value:	238,700 259,000
	New Improvements	
	Expired Exclusions:	400
<b>Step 2</b>	Property Classification:	Seasonal Seasonal
	Sent in March 2016	
<b>Step 3</b>	<b>PROPOSED TAX</b>	
	Sent in November 2016 2,390.00	
<b>Step 3</b>	<b>PROPERTY TAX STATEMENT</b>	
	First half taxes due 05/15/2017	\$1,213.00
	Second half taxes due 10/15/2017	\$1,213.00
	Total taxes due in 2017	\$2,426.00

Tax Detail for Your Property:			
Taxes Payable Year:		2016	2017
Tax and Credits	1. Use this amount on Form M1PR to see if you are eligible for a property tax refund. File by August 15. If this box is checked, you owe delinquent taxes and are not eligible.	<input type="checkbox"/>	\$0.00
	2. Use these amounts on Form M1PR to see if you are eligible for a special refund.	\$0.00	\$0.00
Tax and Credits	3. Property taxes before credits	\$2,226.00	\$2,386.00
	4. Credits that reduce property taxes		
Tax and Credits	A. Agricultural market value credit	\$0.00	\$0.00
	B. Other credits	\$0.00	\$0.00
Tax and Credits	5. Property taxes after credits	\$2,226.00	\$2,386.00
	6. BECKER COUNTY	\$922.85	\$1,032.81
Property Tax by Jurisdiction	7. OSAGE	\$470.62	\$446.38
	8. State General Tax	\$408.65	\$444.99
Property Tax by Jurisdiction	9. SCHOOL DISTRICT 0309	\$248.69	\$268.06
	A. Voter approved levies	\$171.34	\$187.56
Property Tax by Jurisdiction	10. Special Taxing Districts	\$3.85	\$6.20
	A. BC EDA	\$0.00	\$0.00
Property Tax by Jurisdiction	B. Others	\$0.00	\$0.00
	C. TIF	\$0.00	\$0.00
Property Tax by Jurisdiction	11. Non-school voter approved referenda levies	\$0.00	\$0.00
	12. Total property tax before special assessments	\$2,226.00	\$2,386.00
Property Tax by Jurisdiction	13. Special assessments	\$40.00	\$40.00
	14. YOUR TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS	\$2,266.00	\$2,426.00
Tax Amount Paid			\$0.00

**2**

**2nd Half Payment Stub - Payable 2017**

Detach and return this stub with your 2nd half payment.  
To avoid penalty, pay on or before October 15, 2017.

PIN: 21.0414.000  
AIN:  
BILL NUMBER: 1086552  
TAXPAYER(S):

Paid By \_\_\_\_\_

CHARLES K FRUNDT  
304 S HOLLAND ST  
BLUE EARTH MN 56013

**MAKE CHECKS PAYABLE TO:**

Becker County  
Auditor-Treasurer Office  
915 Lake Avenue  
Detroit Lakes, MN 56501

Total Property Tax for 2017 \$2,426.00  
**2nd Half Tax Amount** \$1,213.00  
Penalty, Interest, Fee Amount \$0.00  
Amount Paid \$0.00  
**2nd Half Total Amount Due** \$1,213.00  
Balance Good Through 10/15/2017  
Seasonal

**1**

**1st Half Payment Stub - Payable 2017**

Detach and return this stub with your 1st half payment.  
To avoid penalty, pay on or before May 15, 2017.  
If your tax is \$100.00 or less, pay the entire tax by May 15, 2017.

PIN: 21.0414.000  
AIN:  
BILL NUMBER: 1086552  
TAXPAYER(S):

Paid By \_\_\_\_\_

CHARLES K FRUNDT  
304 S HOLLAND ST  
BLUE EARTH MN 56013

**MAKE CHECKS PAYABLE TO:**

Becker County  
Auditor-Treasurer Office  
915 Lake Avenue  
Detroit Lakes, MN 56501

Total Property Tax for 2017 \$2,426.00  
**1st Half Tax Amount** \$1,213.00  
Penalty, Interest, Fee Amount \$0.00  
Amount Paid \$0.00  
**1st Half Total Amount Due** \$1,213.00  
Balance Good Through 05/15/2017  
Seasonal



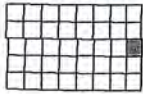


These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

1:1,123	
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	
Date: 8/30/2017	



"Everybody needs beauty as well as bread, places to play in and pray in, where Nature may heal and cheer and give strength to body and soul alike." ~ John Muir

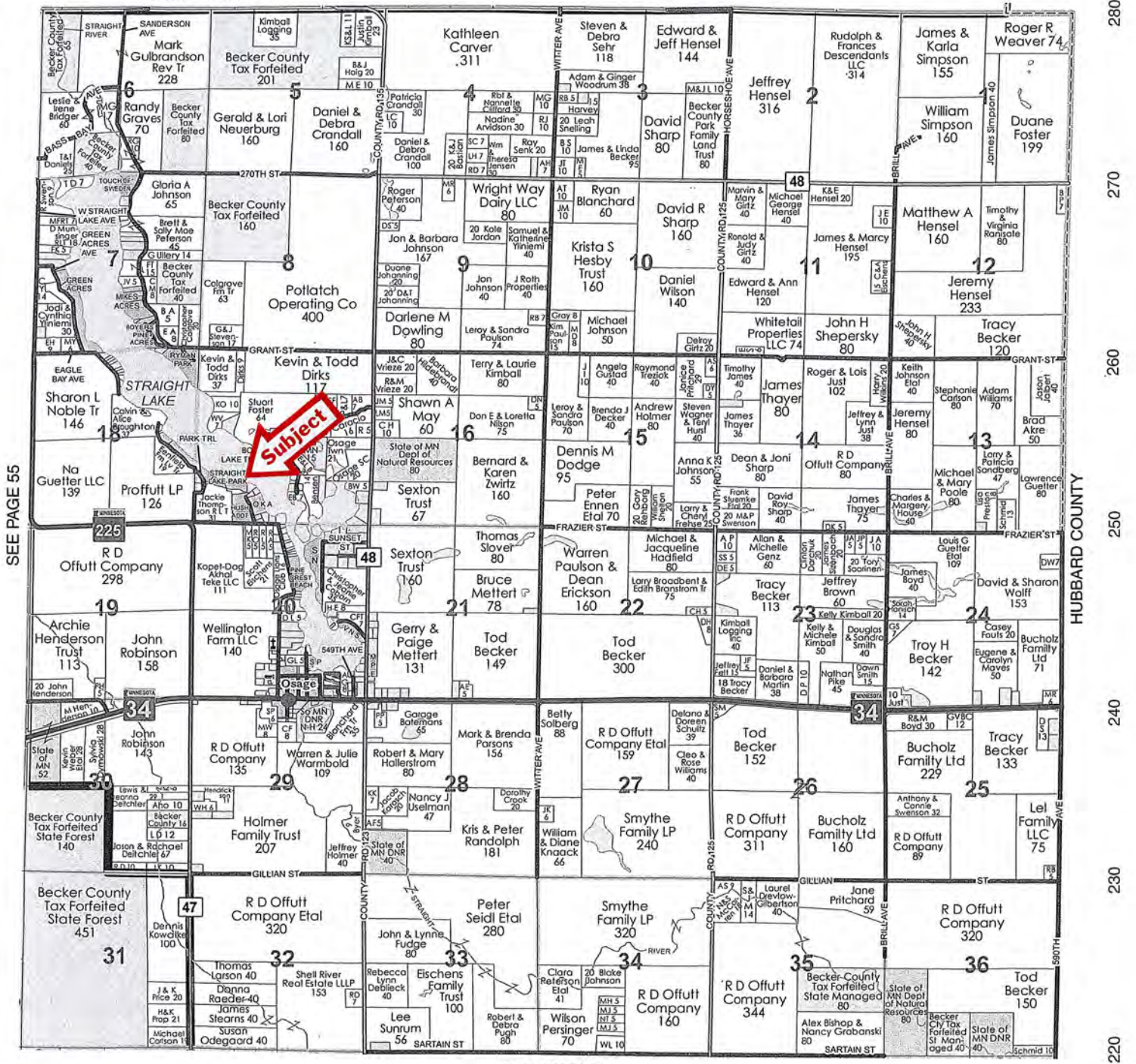


Osage

Township 140N - Range 36W

Copyright © 2016 Mapping Solutions  
HUBBARD COUNTY →

SEE PAGE 73







# COUNTY OF BECKER

## *Planning and Zoning*

915 Lake Ave, Detroit Lakes, MN 56501

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

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### BOARD OF ADJUSTMENT NOTICE OF PUBLIC HEARING

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

Thursday, October 12, 2017 @ 7:00 P.M.

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

APPLICANT: Ryan & Sarah Anderson  
21631 Co. Hwy. 32  
Rochert, MN 56578

Project Location: 21631 Co. Hwy. 32, Rochert

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct dwelling and attached garage, to be located at forty-seven (47) feet from the centerline of a county highway, deviating from the required setback of ninety-five (95) feet from the centerline for a county highway, due to setback and topographical issues.

LEGAL LAND DESCRIPTION: Tax ID number: 100681000 Cotton

SubdivisionName HERMAN'S COTTON LAKE SubdivisionCd 10009

Metes and Bounds: LOTS 8, 9, 10 & 11; Section 03, TWP 139, Range 40, Eagle View Township.

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

#### PLANNING AND ZONING DEPARTMENT

915 Lake Avenue  
Detroit Lakes, MN 56501

FAX Number 218-846-7266

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

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

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

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

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





# 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) Ryan & Sarah Last Name Anderson  
Mailing Address 21631 Co. Hwy 32 City, State, Zip Rochert, MN 56578  
Phone Number (320) 305-1384 Project Address: 21631 Co. Hwy 32  
Parcel number(s) of property: 100681000 Sect - Twp - Range: D3-139-040  
Township Name: Erie Legal Description: Herman's Cotton Lake Lots 8, 9, 10, & 11

### 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 have a house, 4 cabins, and an old fish cleaning house on the property. We are requesting to remove them all but Cabin 4. This will be used as a storage shed. We are proposing to construct a new home ft from the centerline of the County road instead of the required setback of 95'.

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

### 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) C.L. Proposed Distance (setback) 47 feet  
Type of Road [ ] Township [X] County [ ] State  
☐ Crest of bluff Proposed Distance (setback) \_\_\_\_\_ feet  
☐ Impervious Surface Coverage Proposed Impervious Lot Coverage \_\_\_\_\_ sq ft  
%

Was the lot recorded prior to 1971?

☒ Yes ☐ No

Was the lot recorded between 1971 & 1992?

☐ Yes ☒ No

Was the lot recorded after 1992?

☐ Yes ☒ No

Will this be a new lot split?

☐ Yes ☒ No

What is the current square footage of the structure? 728 SF

What is the proposed addition square footage? 21656

What is the current height of the structure? 22 ft

What is the proposed height of the structure? 29 ft

Is there a basement to the structure? Yes - walkout

Will the proposed addition have a basement? Yes - walkout

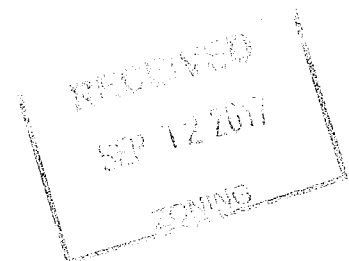
Will the roofline of the existing structure be changed? N/A

Will the main structural framework of the structure be altered? N/A

What is the current percentage of lot coverage? 10.24%

What is the proposed percentage of lot coverage? 10.87%

RA



**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?  
Cannot meet road setbacks
- 2) In your opinion, is the Variance consistent with the Becker County Comprehensive Plan?  
Yes (X) No ( ) Why or why not?  
New home is meeting all other setbacks, except the road setback.
- 3) In your opinion, does the proposal put property to use in a reasonable manner?  
Yes (X) No ( ) Why or why not?  
New home will be meeting lake setback requirements and lot coverage is staying below 15%. Also, removing 3 cabins close to the lake.
- 4) In your opinion, are there circumstances unique to the property?  
Yes (X) No ( ) Why or why not?  
Asking for placement of new home due to well location, septic location, & topography of hill for the walkout basement.
- 5) In your opinion, will the variance maintain the essential character of the locality?  
Yes (X) No ( ) Why or why not?  
This is mostly a residential neighborhood and this new home will not change that.

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 L. Anderson Date: 8/12/17

(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](http://www.co.becker.mn.us)

PARCEL	
APP	SITE
YEAR	
SCANNED	

Property will be staked by \_\_\_\_\_  
Date: \_\_\_\_\_

Please Print or Type All Information

Parcel Number (s)	Property (E911) Address	**911 Address Needed	Legal Description
100681000	21631 Co. Hwy 32	56578	Herman's Cotton Lake Lots 8, 9, 10, 11

Lake/River Name	Lake/River Class	Township Name	Section	TWP No.	Range
Cotton Lake	RD	Erie	03	139	040

Property Owner	Last Name	First Name	Mailing Address	Phone
Anderson Ryan	Anderson	Ryan	21631 Co. Hwy 32	(320) 325-1384
Contractor Name Lic #	Keith Zitzow		Rockert, MN 56578	Lic # 0003476

**Proposed Project (Check those that apply)**

<input checked="" type="checkbox"/> New Dwelling	<input type="checkbox"/> Addition to Dwelling	<input type="checkbox"/> Replacement Dwelling*	<input type="checkbox"/> Mobile/Manfac. Home
<input checked="" type="checkbox"/> Attached Garage	<input type="checkbox"/> Detached Garage	<input type="checkbox"/> Storage Structure	<input type="checkbox"/> Addition to Non-dwelling
<input type="checkbox"/> Stairway	<input 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 3 Cabins to be removed by Sept 2018 / 1 Cabin turned into Main house to be lived in until construction finished Storage shed

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

**Onsite Sewage Treatment System**  
Type of System Tank, Drinfeld, & lift station Date of Installation Anderson on-site Last Date Certified 1994  
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 37,756 sq ft or .9 acres Water Frontage 200 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 On property	Dimensions	Sq. Footage	Impervious Surface On property	Dimensions	Sq. Footage
Ex: Patio	10 x 12	120	Cabin 4		
DRIVEWAY	17 x 24	408	Storage shed	12 x 18	216
Patio	8 x 20	160	garage	12 x 22	264
House	20 x 40	800	driveway	18 x 20	360
Attached Garage/house	54 x 24	1,296	<b>Total Impervious Material</b>		<b>4,044</b>

Impervious Lot Coverage  $\frac{4,044 \text{ ft}^2}{37,756} = .107 \times 100 = 10.7\%$   
Total Impervious Lot Area Impervious Coverage Percentage

**Topographical Alteration/Earth moving**

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

<b>Characteristics of Proposed Dwelling/Dwelling Additions/Attached Garage/Decks</b> (X) Dwelling <u>54</u> ft by <u>40</u> ft    (X) Attached Garage <u>24</u> ft x <u>32</u> ft		<b>Cost of Project</b> \$ <u>200,000</u>
Outside Dimension (X) Deck/Patio <u>8</u> ft x <u>20</u> ft	( ) Addition to existing _____ ft x _____ ft <u>N/A</u>	
Setback to Side Lot Line <u>57</u> ft & <sup>side</sup> Rear Lot Line <u>74</u> ft	Setback to <del>Road</del> <sup>centerline</sup> Right of Way <u>47</u> ft	
Setback to Bluff <u>N/A</u>	Type of road <u>County Highway</u>	
Setback to Wetland <u>N/A</u> <u>115' to Lake</u>	Is wetland protected ( ) Yes (X) No	
Setback to OHW (straight horizontal distance) <u>115'</u>	Elevation above OHW (Straight vertical distance) <u>8'</u>	
Setback to septic tank <u>10'</u>	Setback to drainfield <u>20'</u>	
Total No. Bedrooms <u>4</u>	Maximum height proposed <u>29'</u> # of Stories <u>1 3/4</u>	
Roof Change ( ) Yes ( ) No <u>N/A</u>	Basement ( ) Yes (X) No    Walkout Basement (X) Yes ( ) No	

<b>Characteristics of Proposed Non Dwelling/Non Dwelling Additions/Detached Garages/Storage Sheds</b> ( ) Garage _____ ft by _____ ft    ( ) Storage Shed _____ ft x _____ ft    ( ) Fence _____ ft long x _____ high    ( ) other _____ ft x _____ ft		<b>Cost of Project</b> \$ _____
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 <u>House</u>	
Setback to Wetland _____	Is wetland <u>None</u>	
Setback to OHW (straight horizontal distance) _____	Elevation <u>54 x 40 = 2160 @ 50 = 108,000</u>	
Setback to septic tank _____	Setback <u>Basement - walkout</u>	
Roof Change ( ) Yes ( ) No	Maximum <u>54 x 40 = 2160 @ 30 = 64,800</u>	
Bathroom proposed ( ) Yes ( ) No	Sleeping <u>Garage</u>	
*Garages and storage sheds cannot contain amenities for independent human habitation		
	Deck <u>24 x 32 = 768 @ 20 = 15,360</u>	
	<u>8 x 20 = 160 @ 10 = 1,600</u>	
	<u>189,760</u>	
	<u>use COP</u>	

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

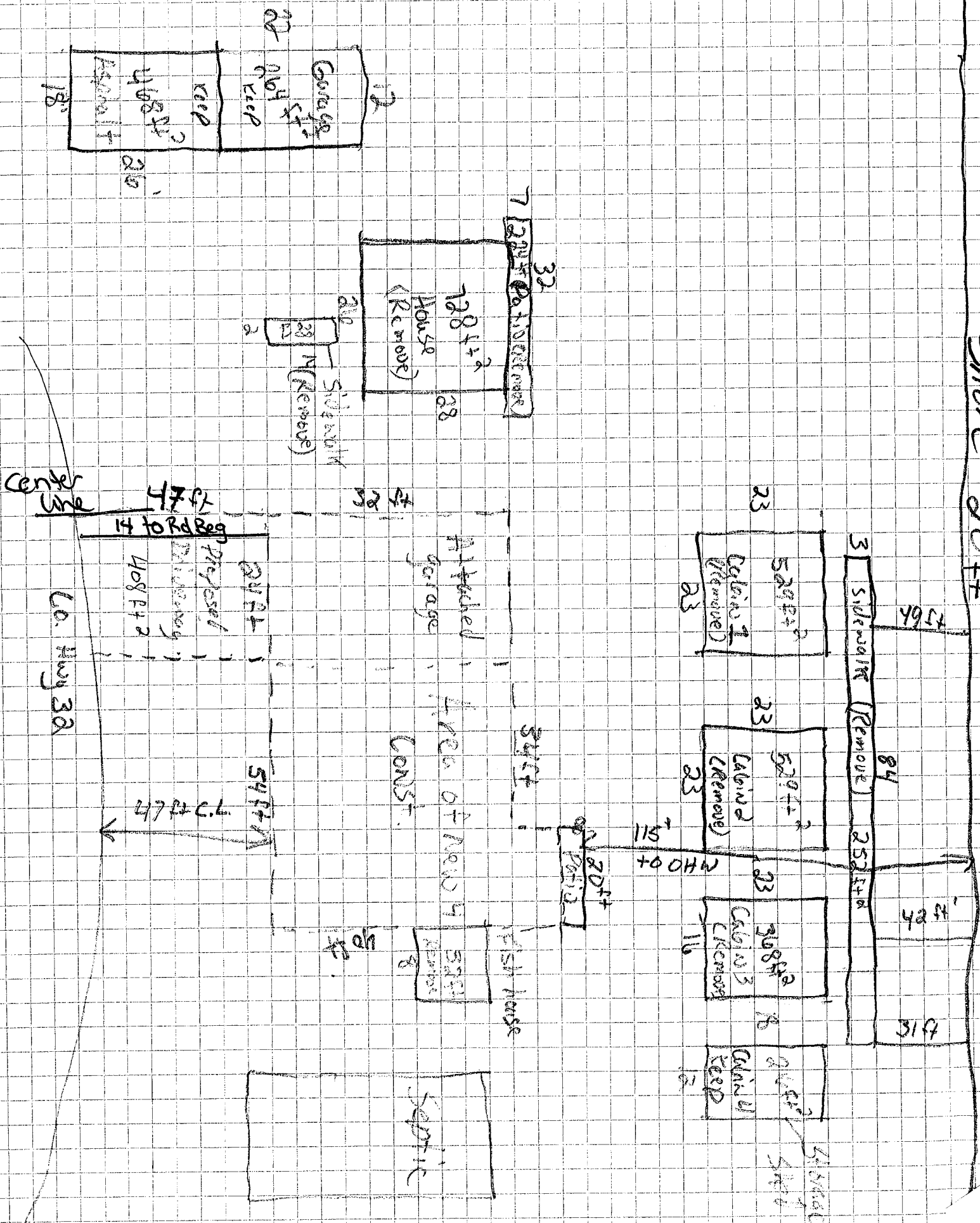
THIS IS A SITE PERMIT ONLY AND DOES NOT CONSTITUTE A BUILDING PERMIT  
AS SET FORTH IN MN STATE STATUTES.

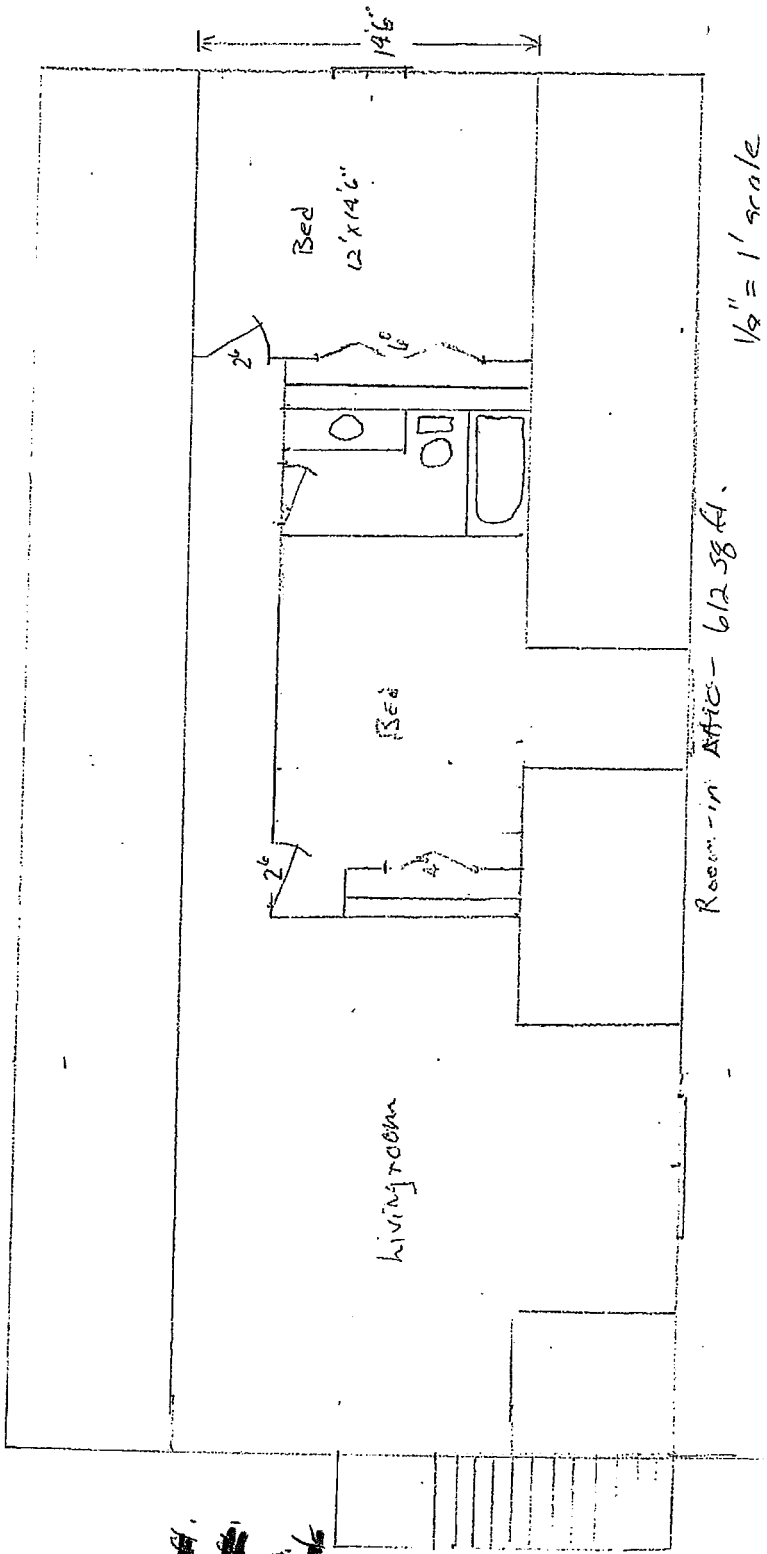
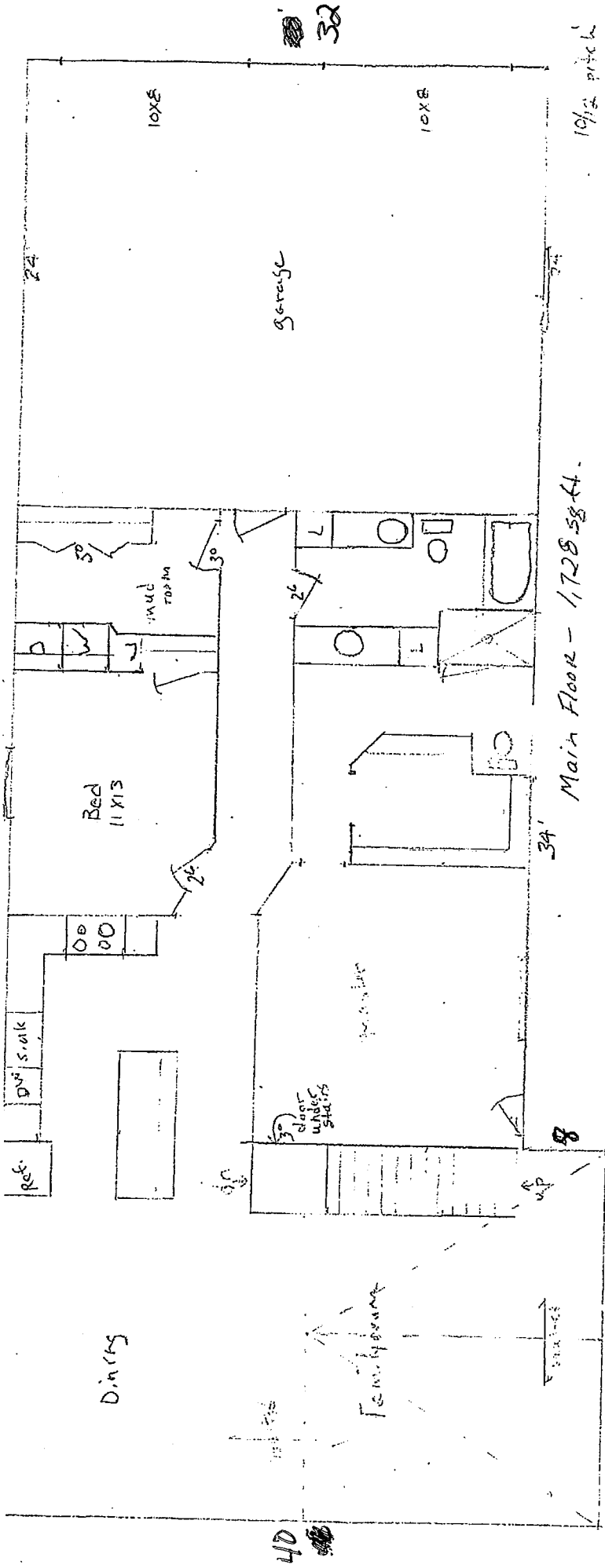
I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge. I also understand that, once issued, a permit is valid for a period of one (1) year from the date of issuance and that Planning and Zoning Staff may visit 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.

<u>Ryan P. Anderson</u> <b>Signature</b>	<u>8/12/17</u> <b>Date</b>
---	-------------------------------



Shore 20 ft



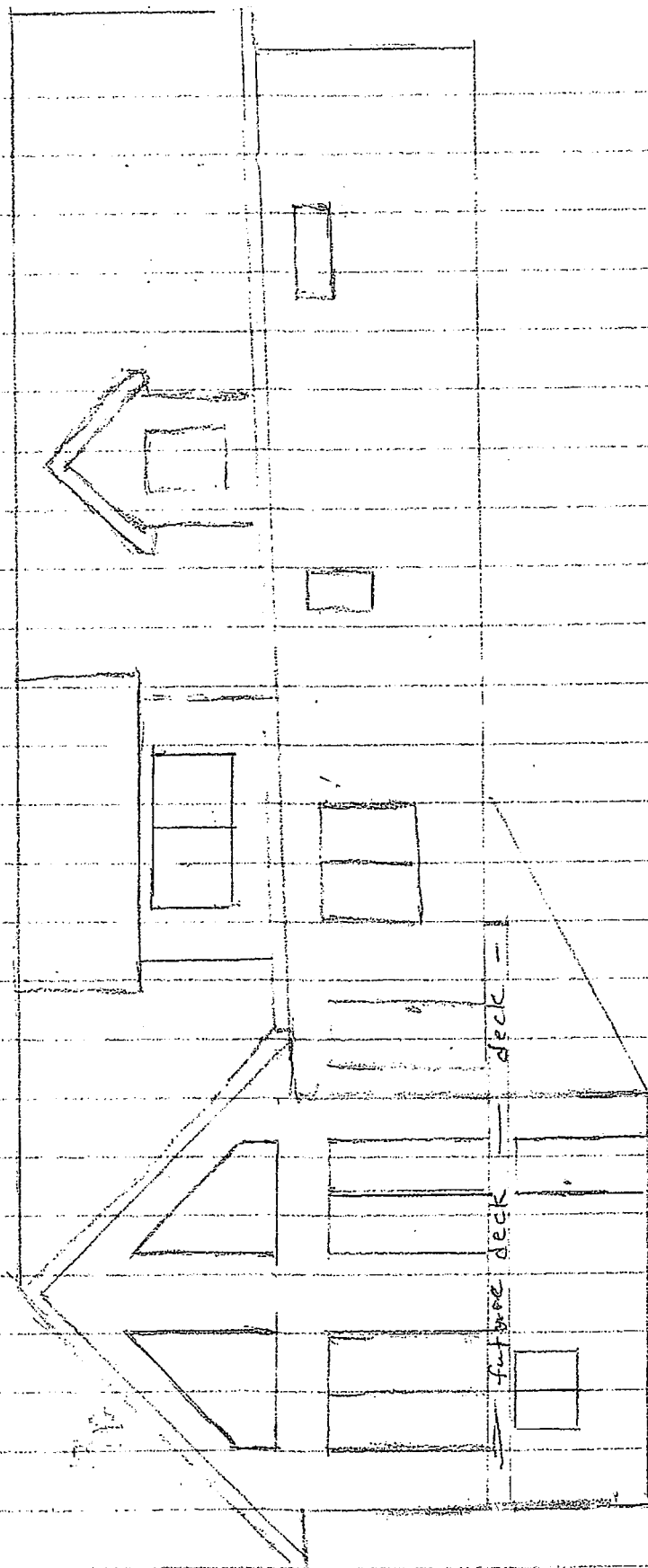


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Ryan & Sarah Henderson

Codyden LK



Picture - Not to scale

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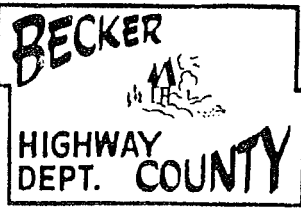
Receipt -

out

number -

01110





# Becker County Highway Department

200 E. State St.  
DETROIT LAKES, MINNESOTA 56501-3128  
Office 218-847-4463 Shop 218-847-7516  
FAX 218-847-4465

DAVID S. HEYER, P.E.  
County Engineer

CURTISS WELDON, Ass't. Engr.  
JOHN OKESON, Maint. Supv.

May 10, 1994

Ronald Anderson  
Rural Route  
Detroit Lakes, MN 56501

RE: Proposed Structure off CSAH #32

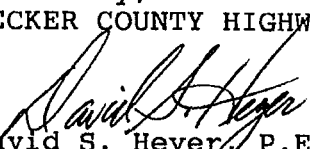
Dear Ron:

Recently you stopped by my office and together we went over your plans to build a garage on your property off CSAH #32 to determine if the garage would encroach on our right of way.

The right of way on CSAH #32 is 33' from centerline - the proposed structure will be built 35' from centerline. Therefore, if this structure is built as planned, it will not encroach on the County right of way.

If the proximity of the proposed garage is similar to other buildings on adjacent lots, then your plans meet our approval also.

Sincerely,  
BECKER COUNTY HIGHWAY DEPARTMENT

  
David S. Heyer, P.E.  
Becker County Engineer

DSH:ph

cc: Floyd Svenby ✓

AN EQUAL OPPORTUNITY EMPLOYER

10.0682.000  
neighbor to Ryan  
Anderson  
ryan-anderson  
CPR@.ca

603387

No delinquent taxes and transfer entered  
this 5th day of Dec, 2012

Ryan J. Tanager  
Becker County Auditor/Treasurer

By [Signature] Deputy

10.0681.000

BECKER COUNTY RECORDER  
STATE OF MINNESOTA

Document No. 603387

December 6, 2012 at 10:47 AM

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

Darlene Maneval, County Recorder

By SKS Deputy

WARRANTY DEED

CERTIFICATE OF REAL  
ESTATE VALUE FILED #8943

STATE DEED TAX DUE HEREON: \$470.91

Date: November 27th, 2012

FOR VALUABLE CONSIDERATION, the Grantor, **Evelyn V. Anderson**, a single person,  
hereby conveys and warrants to the Grantees, **Gary E. Anderson and Nita Anderson**, as joint  
tenants, real property in **Becker County**, Minnesota, described as follows:

Lots Eight (8), Nine (9), Ten (10) and Eleven (11) of Herman's Cotton Lake Addition, according to the  
certified Plat thereof on file and of record in the office of the County Recorder in and for Becker County,  
Minnesota.

PN: 10.0681.000

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

\_\_\_\_ The Grantor(s) certify that the Grantor(s) does/do not know of any wells located on the described real  
estate.

\_\_\_\_ A Well Disclosure Certificate accompanies this document.

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

BECKER COUNTY DEED TAX

AMT. PD. \$ 470.91

Receipt # 521943  
Becker County Auditor/Treasurer

Evelyn V. Anderson  
Evelyn V. Anderson

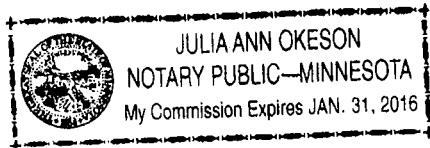
chg  
paid  
well  
non/std  
extra



STATE OF MINNESOTA )  
 ) SS.  
COUNTY OF BECKER )

The undersigned Notary Public does hereby certify that **Evelyn V. Anderson, a single person**, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered said instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 27<sup>th</sup> day of November, 2012.



Julia Ann Okeson  
Notary Public  
My commission expires: Jan. 31, 2016

Mail tax statements to:  
Gary E. Anderson and Nita Anderson  
No Change

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

644459

BECKER COUNTY RECORDER  
STATE OF MINNESOTA  
**Document No. 644459**

August 14, 2017 at 11:23 AM  
I hereby certify that the within  
instrument was recorded in this office.  
Patricia Swenson, County Recorder  
By SKS Deputy

No delinquent taxes and transfer entered  
this 14<sup>th</sup> day of Aug, 2017

Mary E Hendrickson  
Becker County Auditor/Treasurer

By [Signature] Deputy

10.0081.000

QUIT CLAIM DEED  
Individual(s) to Individual(s)

Minnesota Uniform Conveyancing Blanks  
Form 10.3.1 (2016)

eCRV number: \_\_\_\_\_

DEED TAX DUE: \$ 1.65

DATE: 08-10-2017

(month/day/year)

FOR VALUABLE CONSIDERATION, Gary E. Anderson and Nita A. Anderson, husband + wife  
(insert name and marital status of each Grantor)

("Grantor"),

hereby conveys and quitclaims to Ryan P. Anderson and Sarah E. Anderson

(insert name of each Grantee)

("Grantee"), as

(Check only one box.)

☐ tenants in common,  
☒ joint tenants,

(If more than one Grantee is named above and either no box is checked or both boxes are checked,  
this conveyance is made to the named Grantees as tenants in common.)

real property in Becker \_\_\_\_\_ County, Minnesota, legally described as follows:

Section 03 Township 139 Range 040 Herman's Cotton Lake Lots 8, 9, 10 & 11 (Parcel #100681000)

NA  
GEA  
Lots Eight(8), Nine(9), Ten(10) and Eleven(11) of Herman's Cotton  
Lake Addition, according to the certified Plat thereof  
on file and of record in the office of the County  
Recorder in and for Becker County, Minnesota

Consideration of transfer is \$500 or less NA  
GEA

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

together with all hereditaments and appurtenances belonging thereto.

BECKER COUNTY DEED TAX

AMT. PD. \$ 1.65

Receipt # 657791

Becker County Auditor/Treasurer

chg  
paid  
well



603387

No delinquent taxes and transfer entered  
this 5th day of Dec, 2012

Ryan J. Stangen  
Becker County Auditor/Treasurer

By [Signature] Deputy

10.0681.000

BECKER COUNTY RECORDER  
STATE OF MINNESOTA

Document No. 603387

December 6, 2012 at 10:47 AM

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

Darlene Maneval, County Recorder

By SKS Deputy

WARRANTY DEED

CERTIFICATE OF REAL  
ESTATE VALUE FILED. #8943

STATE DEED TAX DUE HEREON: \$470.91

Date: November 27th, 2012

FOR VALUABLE CONSIDERATION, the Grantor, **Evelyn V. Anderson**, a single person,  
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Lots Eight (8), Nine (9), Ten (10) and Eleven (11) of Herman's Cotton Lake Addition, according to the  
certified Plat thereof on file and of record in the office of the County Recorder in and for Becker County,  
Minnesota.

PN: 10.0681.000

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

\_\_\_\_ The Grantor(s) certify that the Grantor(s) does/do not know of any wells located on the described real  
estate.

\_\_\_\_ A Well Disclosure Certificate accompanies this document.

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

Evelyn V. Anderson  
Evelyn V. Anderson

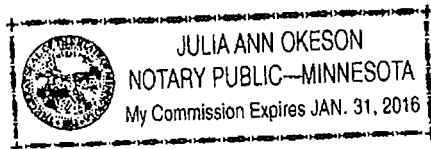
BECKER COUNTY DEED TAX  
AMT. PD. \$ 470.91  
Receipt # 521943  
Becker County Auditor/Treasurer

chg  
paid  
well  
non/std  
extra

STATE OF MINNESOTA )  
 ) SS.  
COUNTY OF BECKER )

The undersigned Notary Public does hereby certify that **Evelyn V. Anderson, a single person**, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered said instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 27<sup>th</sup> day of November, 2012.



Julia Ann Okeson  
Notary Public  
My commission expires: Jan. 31, 2016

Mail tax statements to:  
Gary E. Anderson and Nita Anderson  
NO Change

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



**APPLICATION  
FOR SEWAGE SYSTEM  
CERTIFICATE OF COMPLIANCE**  
With The Becker County Zoning Ordinance

Application Number <u>8347</u>
Tax Parcel Number <u>10,000,000</u>
Fire Number of Project Location

**A. GENERAL INFORMATION**

1. Applicant's Name (Last, First, M.I.) <u>Anderson, Evelyn</u>		2. Authorized Agent (If applicable)	
3. Mailing Address (Street, RFD, Box Number, City, State, Zip Code) <u>HC 10 Box 242 Rochert MN 56578</u>			
4. Day Phone	5. Evening Phone	6. Section <u>3</u>	7. Township <u>Eric</u>

**B. PROPERTY DESCRIPTION**

1. Lot(s), Block, Subdivision Name <u>Hermans Cotton Lake Beach Lots 8, 9, 10 + 11</u>
---

7. Note: If the property is a metes and bounds description, check here ☐ and attach a copy of the exact legal description.

**SEWAGE SYSTEM DATA**

**Anticipated Use**

- a. ☐ Single Family  
b. ☒ Multiple Family  
c. ☐ Commercial  
d. ☐ Agricultural  
e. ☐ Other (specify)

**Type of System**

- a. ☒ Septic Tank Only  
b. ☐ Drainfield Only  
c. ☐ Septic Tank & Drainfield  
d. ☐ Holding Tank  
e. ☐ Alternative System (specify)

**Type of Drainfield**

- a. ☐ Standard System  
b. ☐ Mound (pressure distribution)  
c. ☐ Mound (gravity distribution)

**Well Data**

- a. Depth: +50'  
b. Diameter: 4"

**Type of Well**

- a. ☒ Drilled  
b. ☐ Sand Point

1 inch Equals  
DESIGN

Show Distance Between Sewage System And Buildings,  
Property Lines, Lake, Roads And All Wells Within 125 Feet.

Distances to Well:

Distance to Building:

Distance to Property Line:

Distance to Suction Line:

Tank  
EXISTING  
Drainfield  
150'  
+10'  
50'  
N/A

Distance to Pressure Line:

Tank Capacity (gal.) & Area of Drainfield (ft. 2): 1500

Distance to Ordinary High Water Level:

Drainfield Separation from Highest Known  
Ground Water Level, Impervious Lens or  
Soil Mottling:

Tank  
40  
Drainfield  
+75'

I hereby certify with my signature that all data on my application forms,  
plans and specifications are true and correct:

Signature of Applicant

Date

**TO BE COMPLETED BY ZONING OFFICE**

☐ CERTIFICATE IS HEREBY DENIED: (See Back For Reasons)

☒ CERTIFICATE IS HEREBY GRANTED; Based upon the application, addendum form,  
plans, specifications and all other supporting data. With proper maintenance this system can be  
expected to function satisfactorily, however this is not a guarantee.

**BECKER COUNTY ZONING OFFICE**

Jalissa Owens  
Signature  
Zoning Technician 11-21-94  
Title Date

# BECKER COUNTY

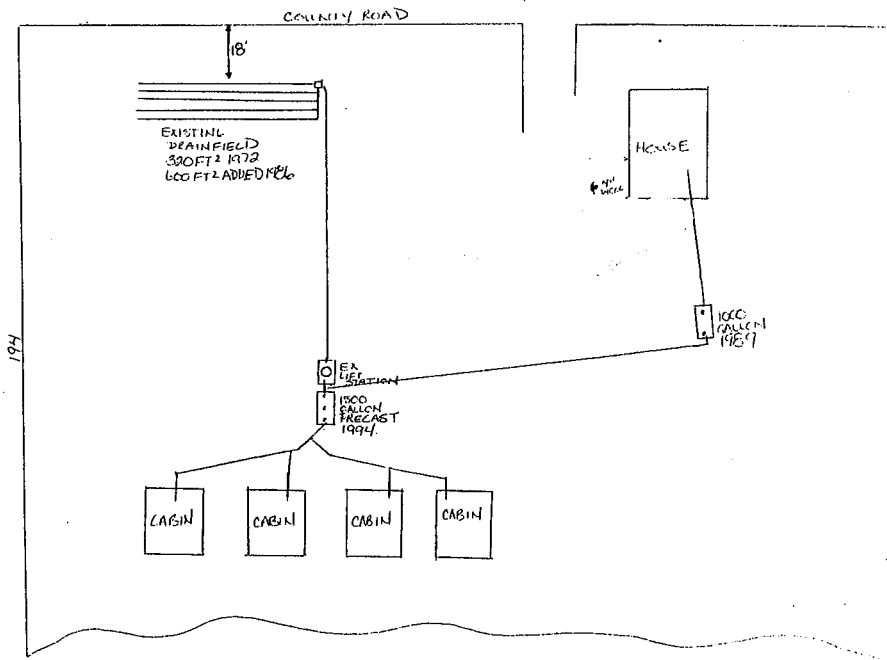
SEWER PERMIT NUMBER 8341

ISSUED TO: Evelyn Anderson DATE: November 21, 1994

WORK AUTHORIZED in acceptance with application on file in the Becker County Zoning Office, site plan and following data:

WORK CATAGORY	SYSTEM	DESIGN	DATA
<input type="checkbox"/> NEW SYSTEM		TANK	DRAINFIELD
<input checked="" type="checkbox"/> REPAIR	DISTANCE TO WELL	50 ft +	
	DISTANCE TO BUILDING	10 ft +	
ANTICIPATED USE	DISTANCE TO PROPERTY LINE	50 ft +	
<input checked="" type="checkbox"/> SINGLE FAMILY	DISTANCE TO SUCTION LINE	n/a	
<input type="checkbox"/> MULTIPLE FAMILY	DISTANCE TO PRESSURE LINE	10 ft +	
<input type="checkbox"/> COMMERCIAL	DISTANCE TO LAKE/STREAM	75 ft +	
<input type="checkbox"/> OTHER	TANK CAPACITY (GALLONS)	1500 gal	
	AREA OF DRAINFIELD (SQ FT)		existing
	DEPTH TO WATER TABLE		

☒ STANDARD SYSTEM ☐ MOUND SYSTEM



Hoyd Svenby  
Signature of Authorized Agent

Zoning Administrator  
Title

November 21, 1994  
Date

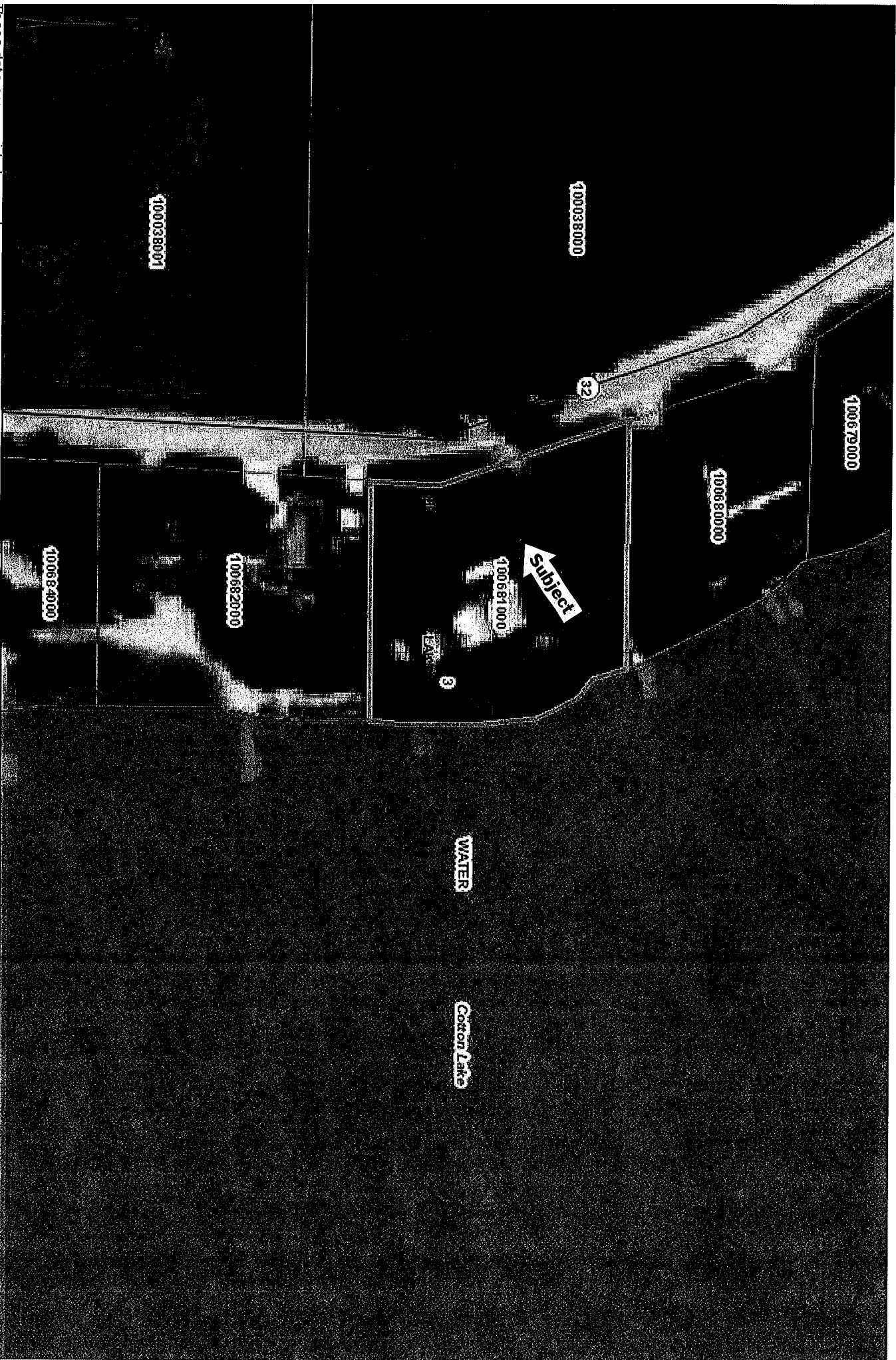
Permit Expires May 21, 1995

**PERMIT MUST BE DISPLAYED AT JOB SITE**

NO CHANGES may be made to this permit without written approval from the Becker County Zoning Office. No system shall be covered without inspection. Please notify Becker County Zoning Office one (1) working day prior to time inspection is needed.



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

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

Date: 9/13/2017

Becker County





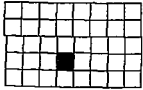
*Mobile, on-line, paperless or in person!*

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

and whenever it is convenient for you!



FDIC [www.mahnomenbank.com](http://www.mahnomenbank.com) Toll Free: 877-935-5251 24-Hour TeleBanc: 1-800-933-5814  
103 North Main Street - Mahanomen MN - 218-935-5251 and 205 Main Avenue West - Twin Valley MN - 218-584-5161

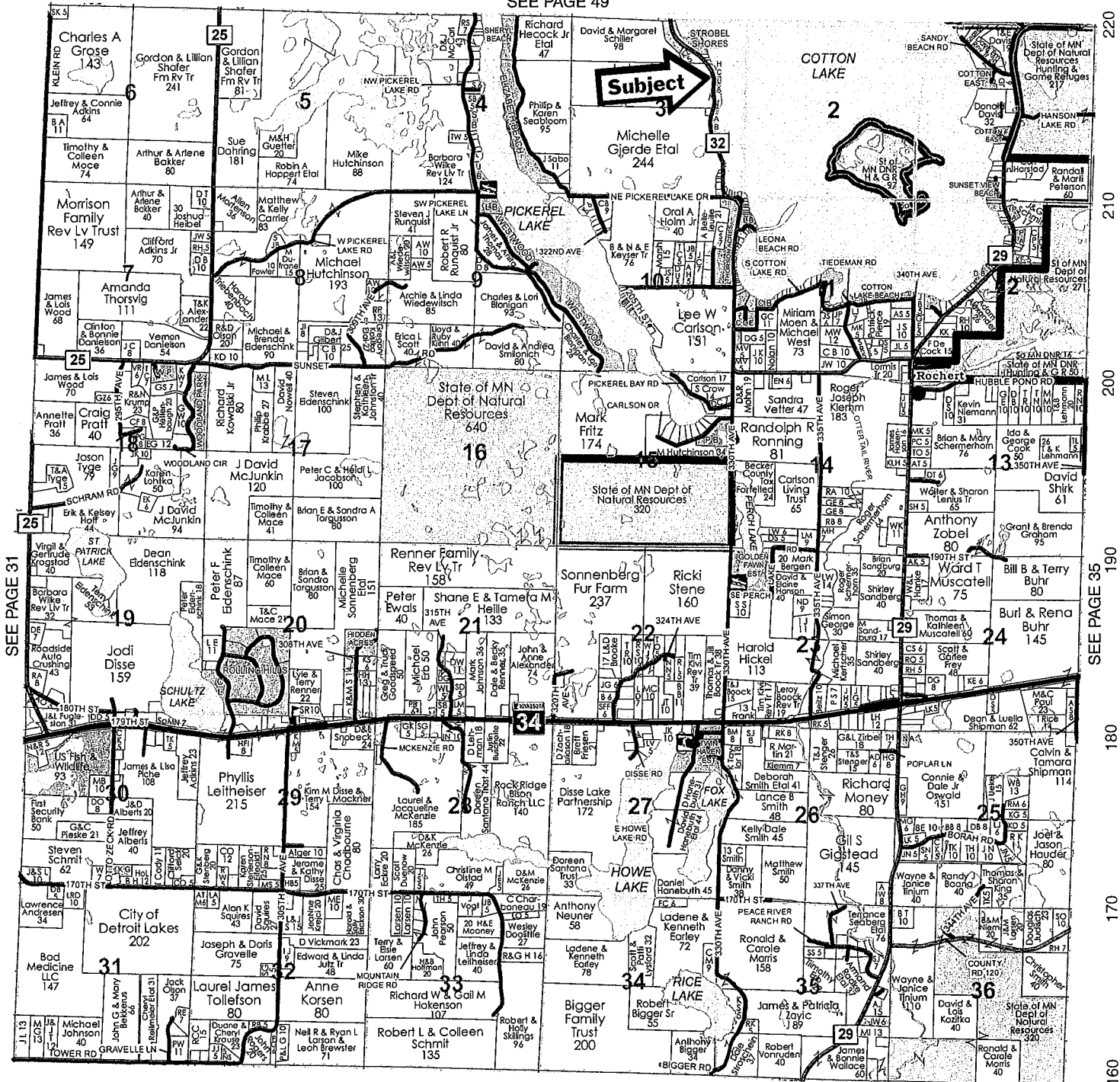


Erie

Township 139N - Range 40W

Copyright © 2016 Mapping Solutions

SEE PAGE 49



SEE PAGE 17





# COUNTY OF BECKER

## *Planning and Zoning*

915 Lake Ave, Detroit Lakes, MN 56501

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

---

### BOARD OF ADJUSTMENT

#### NOTICE OF PUBLIC HEARING

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

Thursday, October 12, 2017 @ 7:00 P.M.

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

APPLICANT: Robert & Tracy Wheeler  
622 42nd Ave. S.  
Moorhead, MN 56560

Project Location: 26485 Paradise Point Rd., Detroit Lakes

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a detached garage sixty (60) feet from the ordinary high water mark of the lake, deviating from the required setback of seventy-five (75) feet from the OHW on a general development lake, due to setback issues.

LEGAL LAND DESCRIPTION: Tax ID number: 081192000 Floyd Lake

SubdivisionName PARADISE POINT SubdivisionCd 08047

Metes and Bounds: LOT 11; Section 03, TWP 139, Range 41, Detroit Township.

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

#### PLANNING AND ZONING DEPARTMENT

915 Lake Avenue  
Detroit Lakes, MN. 56501

FAX Number 218-846-7266

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

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

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

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

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



# BECKER COUNTY PLANNING & ZONING

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

## VARIANCE APPLICATION

PARCEL	
APP	Variance
YEAR	
SCANNED	

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

First name(s) ROBERT + TRACY Last Name WHEELER  
Mailing Address 622 42ND AVE. S. City, State, Zip MOOREHEAD, MN 56560  
Phone Number 701-388-3153 Project Address: 26485 PARADISE POINT ROAD  
DETROIT LAKES, MN 56501  
Parcel number(s) of property: 081192000 Sect - Twp - Range: 03 - 139 - 041  
Township Name: DETROIT Legal Description: PARADISE POINT, LOT 11

### 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 ATTACHED PROJECT DESCRIPTION

### 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) 60 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? N/A

What is the proposed addition square footage? NEW DETACHED GARAGE - 816 SF

What is the current height of the structure? N/A

What is the proposed height of the structure? NEW DETACHED GARAGE - 22 FEET

Is there a basement to the structure? NO

Will the proposed addition have a basement? NO

Will the roofline of the existing structure be changed? NO

Will the main structural framework of the structure be altered? N/A

What is the current percentage of lot coverage? 34.7%

What is the proposed percentage of lot coverage? 24.7%





**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?  
WITH THIS PROJECT WE ARE ACTUALLY BRINGING THE SUBJECT PROPERTY MORE IN LINE WITH ORDINANCES FOR IMPERVIOUS COVERAGE, SEPTIC SYSTEM COMPLIANCE AND WELL SETBACK. THIS SETBACK VARIANCE REQUEST ALLOWS US TO ACCOMPLISH THIS IN AN
- 2) In your opinion, is the Variance consistent with the Becker County Comprehensive Plan?  
Yes (X) No ( ) Why or why not?  
ORGANIZED, AESTHETICALLY PLEASING MANNER. IN THIS PROJECT, WE ARE ACTUALLY REDUCING THE IMPERVIOUS SURFACE COVERAGE FROM 35% TO 25%, UPGRADING WELLS FROM A SAND POINT SHALLOW WELL TO A DEEP WELL, AND UPGRADING OUR SEPTIC SYSTEM TO CURRENT STANDARDS.
- 3) In your opinion, does the proposal put property to use in a reasonable manner?  
Yes (X) No ( ) Why or why not?  
HAVING A GARAGE IS NOT UNREASONABLE USE OF PROPERTY. WITH THE EXPANSION OF GREEN SPACE, THE REMOVAL OF AN OLD SHED AND UPGRADING SEPTIC SYSTEM AND WELL, THIS PROJECT IS UPGRADING THE SUBJECT PROPERTY IN A VERY REASONABLE MANNER.
- 4) In your opinion, are there circumstances unique to the property?  
Yes (X) No ( ) Why or why not?  
WE ARE ON A PENINSULA WITH A TOWNSHIP ROAD RUNNING THROUGH OUR LOT. GIVEN THE 20 FOOT SETBACK REQUIRED FROM THE ROAD, IT MAKES IT VERY COMPLICATED TO MAKE IMPROVEMENTS AND STAY WITHIN ALL OF THE REQUIRED SETBACKS.
- 5) In your opinion, will the variance maintain the essential character of the locality?  
Yes (X) No ( ) Why or why not?  
IT WILL MAINTAIN, AND ENHANCE THE CHARACTER OF THE LOCALITY. WE ARE ELIMINATING AN OLD SHED AND EXPANDING THE AMOUNT OF GREEN SPACE ON THE PROPERTY WITH THIS PROJECT.

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: \_\_\_\_\_

(Office Use)

Date Received \_\_\_\_\_ Accepted [ ] Incomplete Application [ ] Date 9/11/17

\_\_\_\_\_  
Zoning Administrator

## Wheeler Project Description

26485 Paradise Point Road

Reason for variance request – we are proposing to build a new garage on the subject property to allow for covered parking of vehicles and expanded space for indoor storage. Due to the 20 foot setback requirements from the dedicated township road running through the property, and the setback requirements for a proposed upgraded septic system and new deep well, the variance being requested is to reduce the required setback for a new garage structure from the lake to 60 feet, instead of the required 75 feet.

Currently, the subject property consists of a cabin, a shed and a large amount of additional impervious surfaces, including a large asphalt semi-circle driveway and various concrete and paver block sidewalks. The current impervious lot coverage is shown on the enclosed sketch entitled “Existing Lot Coverage”, along with a detail of the existing impervious surfaces.

The subject property currently has a sand point shallow well, and a septic system that was certified in 1986.

Our overall goal is to improve the property and bring it more in compliance with the current zoning regulations.

We have four primary parts of our overall planned project –

- 1) Build a new garage on the property. Our preliminary design is a two story with sleeping space and a bathroom in the second story of the garage.
- 2) Upgrade the septic system to comply with current standards and setback rules related to all wells on the subject property and adjacent properties. (See attached septic system design and application)
- 3) Upgrade the shallow, sand point well with a new deep well, placing it in a location on the subject property that is in compliance with the current setback rules from the proposed new septic system and the lake.
- 4) Reduce the impervious surface coverage on the subject property to 25% or less. The current impervious surface coverage is approximately 35%. A detail of the proposed impervious surface coverage is enclosed, comparing it to the existing impervious coverage.





**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](http://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) 081192000 Property (E911) Address 26485 PARADISE POINT RD \*\*911 Address Needed \_\_\_\_\_ Legal Description PARADISE POINT, LOT 11

Lake/River Name BIG FLOYD LAKE Lake/River Class GD Township Name DETROIT Section 03 TWP No. 139 Range 041

Property Owner Last Name First Name Mailing Address Phone  
WHEELER ROBERT 622 42ND AVE S. 701-388-3153  
 Contractor Name Lic # J TRACY MOORHEAD, MN 56560

**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

Proposed Scotts Septic - New

**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 ☒ (X) Riparian ( ) Non Riparian Non Shoreland \_\_\_\_\_

Lot Area 9860 sq ft or \_\_\_\_\_ acres Water Frontage 85 ft Bluff ( ) Yes ( ) No  
 Impervious coverage refers to anything water cannot pass through. Structures, areas covered by a roof, concrete, asphalt, Class 5, sidewalks, patio pavers, etc. should all be included in this calculation. Decks should be included in this calculation if they have plastic underlayment or impervious surface underneath. Anytime you exceed 15% lot coverage a stormwater management plan and/or mitigation is required. **INCLUDE PROPOSED STRUCTURES IN CALCULATION.**

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

Impervious Surface	Dimensions	Sq. Footage	Impervious Surface	Dimensions	Sq. Footage
On property			On property		
Ex: Patio	10 x 12	120	BACK PORCH	5 x 12	60
DRIVEWAY	18 x 20	360	NEW GARAGE STOOP	4 x 4	16
PATIO		302	NEW GARAGE	34 x 24	816
CABIN	44 x 20	880			
			<b>Total Impervious Material</b>		<b>2434</b>

Impervious Lot Coverage 2434 ÷ 9860 = .2469 x 100 = 24.69 %  
 Total Impervious Lot Area 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** \$ 60,000

(X) Garage 34 ft by 24 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 9 ft & Rear Lot Line \_\_\_\_\_ ft Setback to Road Right of Way 20 ft

Setback to Bluff \_\_\_\_\_ Type of road TOWNSHIP

Setback to Wetland \_\_\_\_\_ Is wetland protected ( ) Yes ( ) No

Setback to OHW (straight horizontal distance) 60 Elevation above OHW (Straight vertical distance) \_\_\_\_\_

Setback to septic tank 16 PROPOSED; NEW SEPTIC Setback to drainfield NO DRAINFIELD; HOLDING TANK

Roof Change ( ) Yes ( ) No Maximum height proposed 22' # of Stories 2

Bathroom proposed (X) Yes ( ) No Sleeping Quarters proposed (X) 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.

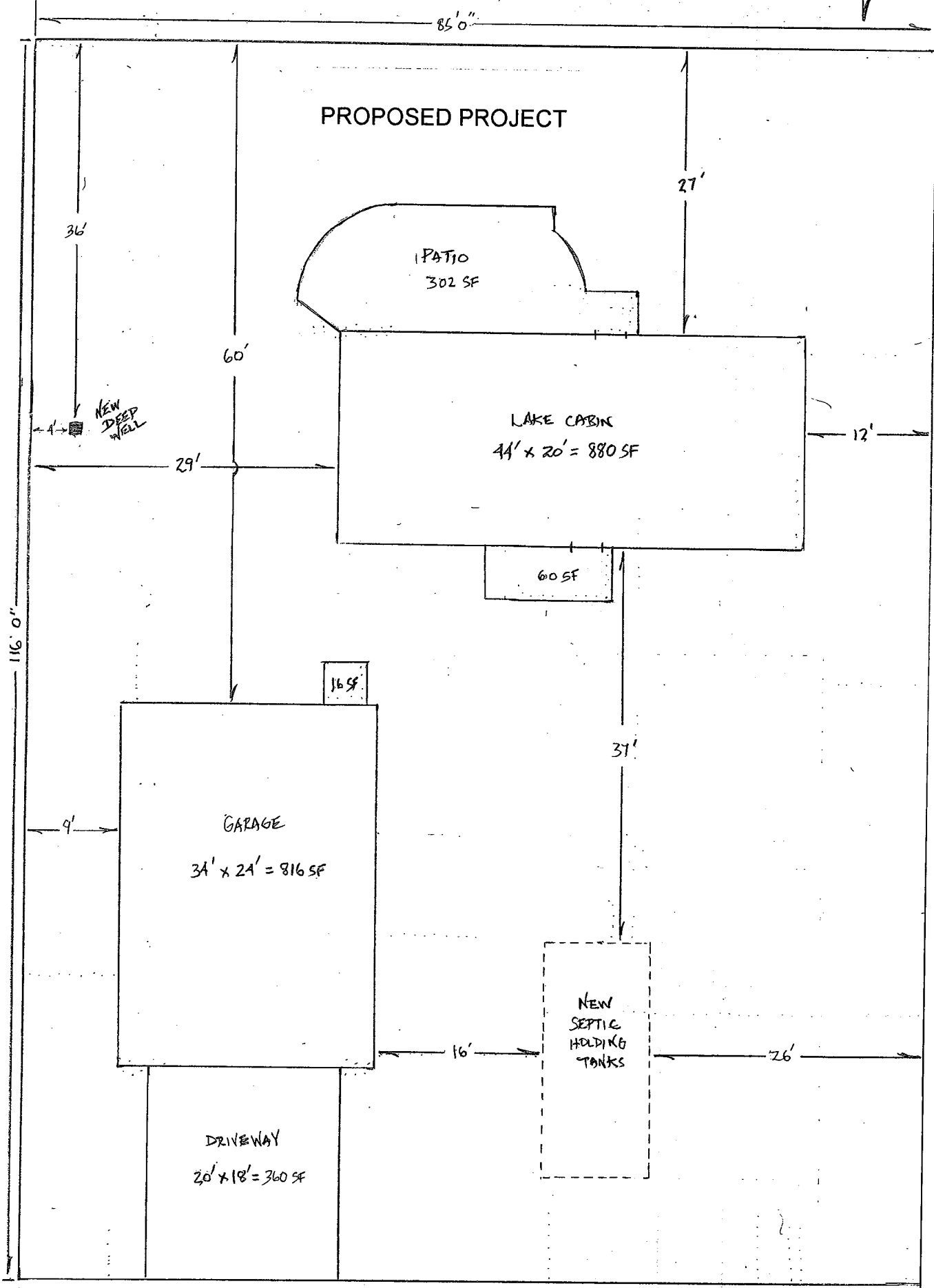
Signature \_\_\_\_\_

9/11/17  
Date



Wheeler  
26485 Paradise Point Road

BIG FLOYD LAKE



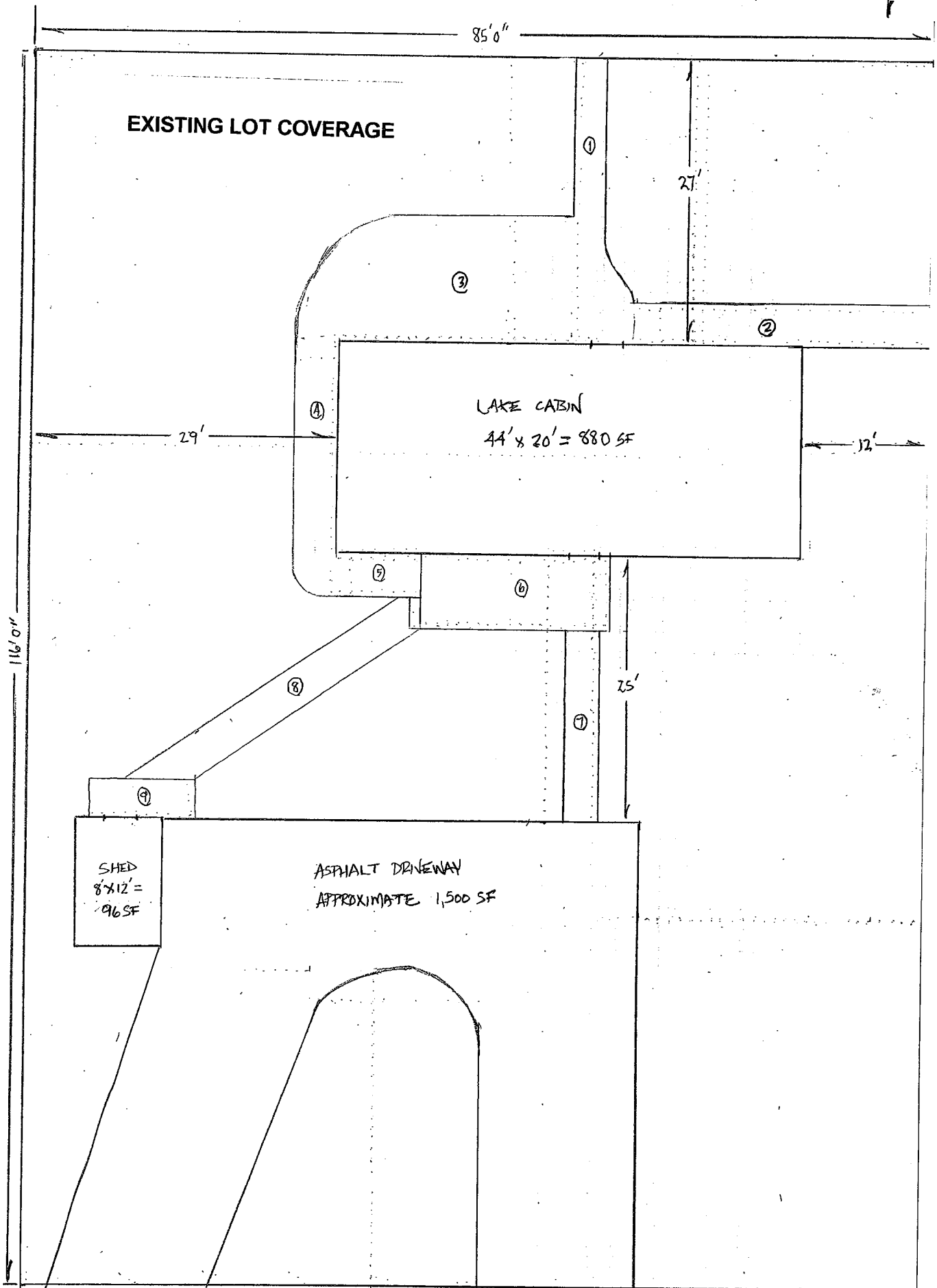
PARADISE POINT ROAD

SCALE - 1/8" = 1'

Wheeler  
26485 Paradise Point Road

BIG FLOYD LAKE

N



PARADISE POINT ROAD

SCALE - 1/8" = 1 FT



# Impervious Surface Coverage Reduction in Wheeler Proposed Project 26485 Paradise Point Road

(See Existing Lot Coverage Sketch)

Existing Approximate Impervious Coverage		
Legend	Surface Description	Approx. SF
1	Lake Walkway	45
2	Lake Sidewalk	112
3	Lake Patio	348
4	East Cabin Walkway	94
5	North Cabin Walkway	32
6	North Porch Slab	126
7	North Walkway	54
8	Shed Walkway	95
9	Shed Stoop	35
	Lake Cabin	880
	Asphalt Driveway	1500
	Shed	96
Approximate Impervious Coverage - SF		3417
Total Approximate Lot Size - SF		9860
Approximate Impervious Coverage - %		34.66%

(See Proposed Lot Coverage Sketch)

Proposed Approximate Impervious Coverage		
	Surface Description	Approx. SF
	Lake Walkway - <del>removed</del>	
	Lake Sidewalk - <del>removed</del>	
	Lake Patio	302
	East Cabin Walkway - <del>removed</del>	
	North Cabin Walkway - <del>removed</del>	
	North Porch Slab	60
	North Walkway - <del>removed</del>	
	Shed Walkway - <del>removed</del>	
	Shed Stoop - <del>removed</del>	
	Lake Cabin	880
	Asphalt Driveway - <del>removed</del>	
	Shed - <del>removed</del>	
	New Garage	816
	New Garage Service Door Pad	16
	New Driveway	360
Approximate Impervious Coverage - SF		2434
Total Approximate Lot Size - SF		9860
Approximate Impervious Coverage - %		24.69%

# Mitigation Worksheet

PARCEL	
APP	Mitigation
YEAR	
SCANNED	

Applicant: ROBERT & JACI WHEEVER Parcel #: 08.8119.000

Legal Description:

PARADISE POINT, LOT 11

Lake Name: Big Floyd Lake Classification: G1D

Property Dimensions:

Roadside Width: 85'

Depth Side 1: 116'

Lakeside Width: 85'

Depth Side 2: 116'

Total Lot Area: 9860 Sq Feet

## DETERMINING THE LAKE SETBACK

Mitigation may allow for you to build closer to the lake than the normally required setback. Mitigation will not allow anything to be built in the Shore Impact Zone. Also, even with mitigation, the landowner will be required to remain behind the setback average plus 20 ft. This is an imaginary line determined by averaging the distance that runs from the like structure that is closest to you on your neighbor's property to the right and the like structure closest to you on your neighbor's property to the left plus 20 ft.

Standard Required Setback: \_\_\_\_\_

Proposed Setback: -- \_\_\_\_\_

Difference: = \_\_\_\_\_ Credit Units Required for Mitigation

## MITIGATING THE DIFFERENCE OF THE LAKE SETBACK

**Vegetative Buffer:** Establishing a vegetative buffer adjacent to the Ordinary High Water level and parallel to the shoreline that is at least 20 linear feet by 15 feet deep is worth 10 credit units.

- An additional 10 credit units may be gained for each shoreline increment that is 10 feet linear by 15 feet deep (Ex: 30x15 = 20 Credit Units).
- An additional 10 credit units may also be gained for each 10 foot linear segment of the buffer that is expanded to 25 feet deep (Ex: 20x25 = 30 Credit Units).

Size of Buffer: \_\_\_\_\_

Credit Units gained from buffer: \_\_\_\_\_

**Structure Setback:** One credit unit may be gained for each foot closer the structure is moved toward the standard required setback and away from the shoreline.

Ft / Credit Units gained: \_\_\_\_\_

**Shore Impact Zone Removal:** See description on next page.

Credit Units gained: \_\_\_\_\_

Total Mitigation Credits Gained: \_\_\_\_\_



PARCEL	
APP	Mitigation
YEAR	

### DETERMINING THE IMPERVIOUS SURFACE

On substandard size lots, surface coverage over 15% must be offset with mitigation. Impervious surface is not allowed to exceed 25% of any lot. Impervious surface includes structures or anything that reduces or prevents the infiltration of water, such as: driveways (asphalt / class 5); parking areas; concrete; impervious pavers; walks; decks; patios; houses; garages, etc.

Proposed Coverage: 24.7 %

Threshold Coverage: - 15 %

Difference: = (9.7) x (5) = 48.5 Credit Units Required for Mitigation

### MITIGATING THE DIFFERENCE IN IMPERVIOUS SURFACE COVERAGE

**Reduce Impervious Surface Coverage:** 5 credit units is allowed for each percentage point reduction in coverage between 15 and 25 percent.

(           % coverage reduced) x (5) = Credit Units Gained           

**Stormwater Management:** If water runoff is diverted into an approved onsite stormwater management system, 10 credit units may be gained for each 350 sq ft of surface area from which the runoff is contained on the property.

**Example** 350 Sq Ft of Surface Area Diverted = 10 Credit Units Gained

700 Sq Ft of Surface Area Diverted = 20 Credit Units Gained

**Example** Diverting w/ gutters into french drain Credit Units Gained           

**Berm:** If a berm is established that is not less than 12 inches above grade and parallel to the shoreline to contain / control stormwater runoff, 10 Credit Units is allowed for every 25 feet of protected shoreline. This option is only available to properties of less than 8% grade to the lake.

**Example** 25 Feet of protected Shoreline = 10 Credit Units Gained

50 Feet of protected Shoreline = 20 Credit Units Gained

Credit Units Gained           

**Shore Impact Zone Removal (see below):**

Credit Units Gained           

**Total Mitigation Credit Units Gained:** 48.40

### SHORE IMPACT ZONE OPTION

Structures and other impervious surfaces are not allowed in the Shore Impact Zone, with the exception of landings, stairs and miscellaneous structures that are limited to a total of 32 square ft. Existing structures and impervious surfaces must be removed as a precondition to obtaining a site permit.

Mitigation credit is allowed for Shore Impact Zone removals. 5 Credit Units will be allotted for each 50 square feet of removal. *These Credit Units may be used in mitigating either the structure setback or the impervious surface coverage, but may only be used once.*

Credit Units Gained through Shore Impact Zone Removal =           

**Please  
Sign**

The mitigation options selected above are documented by an approved site and / or stormwater management plan filed with this agreement. The mitigations will be installed and maintained as a condition of occupancy and the property is subject to inspection as necessary by the governing authority of Becker County. These mitigations will be deed recorded to remain with the property through subsequent ownerships.

Owner(s)            Date 9/11/17

*[Handwritten signature]*

House 880  
gar 816  
1696  
÷ 350  
4.84  
x 10  
48.40 credits

# Onsite Septic System Application

Becker County Planning & Zoning  
915 Lake Ave, Detroit Lakes, MN 56501  
Phone (218)-846-7314; Fax (218)-846-7266

PARCEL	081192000
APP	SEPTIC
YEAR	2017
SCANNED	
LAKE	Big Floyd

## 1. PROPERTY DATA (as it appears on the tax statement, purchase agreement or deed)

Parcel Number(s) of property where the system will be installed: 081192000

Is this a split of an existing property? Yes No

(If yes and a parcel number has not yet been assigned, indicate the main parcel number from which the new parcel was split.)

Section 3 Township 139 Range 41 Township Name Detroit

Lake Name Big Floyd Lake Classification GD

Legal Description: Paradise Point Lot 11

Project Address: 26485 Paradise Point Rd

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

Owner's First Name Tracy & Robert Owner's Last Name Wheeler

Mailing Address 622 42<sup>nd</sup> Ave S City, State, Zip Moorhead, MN 56560

Phone Number 701-388-3153

## 3. DESIGNER/INSTALLER INFORMATION

Designer Name Scott Ellingson Company Name Scott's Septic Services, LLC License # 3947

Address 201 Meadow Cir. Ashby MN 56209 Phone Number 218-205-1067

Installer Name \_\_\_\_\_ Company Name \_\_\_\_\_ License # \_\_\_\_\_

Address \_\_\_\_\_ Phone Number \_\_\_\_\_

## 4. SYSTEM DESIGN INFORMATION

System Status

What will new system serve? Check one

☐ Vacant Lot-No existing system-new structure

☐ Replacement - structure removed and being rebuilt

☒ Failing - Replacement- cesspool/seepage pit or other

☐ Enlargement of system-Undersized

☐ Repairs Needed to existing

☐ Additional system on property

☒ Dwelling

☐ Resort/Commercial

☐ Commercial (Non-resort)

☐ Other - explain below \_\_\_\_\_

9-7-17 Date of site  
evaluation

Design Flow 600 Gallons Per Day

Number of Bedrooms 4

Garbage Disposal Yes ☒ No

Dishwasher Yes ☒ No

Lift station in House Yes ☒ No

Grinder pump in House Yes ☒ No

Well Depth Deep

Depth of other wells within

100 ft of system Deep/Shallow

Original Soil \_\_\_\_\_ Compacted Soil \_\_\_\_\_

Type of Soil Observation

Pit Probe Boring

Depth to Restricting Layer \_\_\_\_\_

Maximum Depth of System \_\_\_\_\_

Size of All Tanks to be installed

gal Single Compartment Septic Tank

gal Compartmented Tank

Pit Privy

gal Separate Lift Station

2125 gal Holding Tank 1500-2/625

Existing Tank to be used

Existing tank w/new Additional Tank

Existing tank w/new Lift Station

Holding Tank with Privy

Total Number of tanks to be installed in this system 2 (This # will be reported to MPCA at end of year.)



PARCEL	081192000
APP	SEPTIC
YEAR	2017

Type of Drainfield \_\_\_\_\_ Full Size of Drainfield \_\_\_\_\_ Reduced/Warrantied size \_\_\_\_\_

\_\_\_\_\_ Chamber Trench \_\_\_\_\_ sq ft \_\_\_\_\_ sq ft

\_\_\_\_\_ Rock Trench \_\_\_\_\_ sq ft \_\_\_\_\_ sq ft

\_\_\_\_\_ Gravelless \_\_\_\_\_ sq ft \_\_\_\_\_ sq ft

\_\_\_\_\_ Mound \_\_\_\_\_ sq ft \*\*\*

\_\_\_\_\_ Pressure Bed \_\_\_\_\_ sq ft \*\*\*

\_\_\_\_\_ Seepage Bed \_\_\_\_\_ sq ft \*\*\*

\_\_\_\_\_ At-grade \_\_\_\_\_ sq ft \*\*\*

\_\_\_\_\_ Alternative / \_\_\_\_\_ sq ft \*\*\* \*\*\*Attach Worksheets

Performance

Type of chamber \_\_\_\_\_

Depth of Rock \_\_\_\_\_

Alarm? Yes ☒ No ☐

Type of Alarm manual float

Size of Lift Pump \_\_\_\_\_

Size of Lift Line \_\_\_\_\_

☒ holding tank

Distance to Well \_\_\_\_\_

Distance to Building \_\_\_\_\_

Distance to Property Line \_\_\_\_\_

Distance to OHW of Lake \_\_\_\_\_

Distance to Pressure Line \_\_\_\_\_

Distance to Wetland/Protected Water \_\_\_\_\_

PROPOSED SETBACKS

TANK	DRAINFIELD
65' / 67' / 93' (3W)	NA
37'	
20'	
92'	
10'	
NA	

Perc Rate \_\_\_\_\_ Soil Sizing Factor \_\_\_\_\_ \*If SSF other than .83, attach Perc Test Data

Soil Borings (three are required)

Depth	Texture	Color	Structure		Depth	Texture	Color	Structure

Depth	Texture	Color	Structure		Depth	Texture	Color	Structure

## 5. REQUIRED DOCUMENTS

U of MN worksheets are required for mounds, pressure beds, seepage beds, at-grades or Type IV or Type V systems. Are the required worksheets attached? ☐ Yes ☒ No

## 6. DESIGNER'S CERTIFIED STATEMENT

I, Scott Ellingson certify that I have completed the preceding design work in accordance with all (Print Name of Designer)

applicable requirements (including, but not limited to Minnesota Chapter 7080 and the Becker County Individual Sewage Treatment System Ordinance).

Scott Ellingson  
Signature of Designer

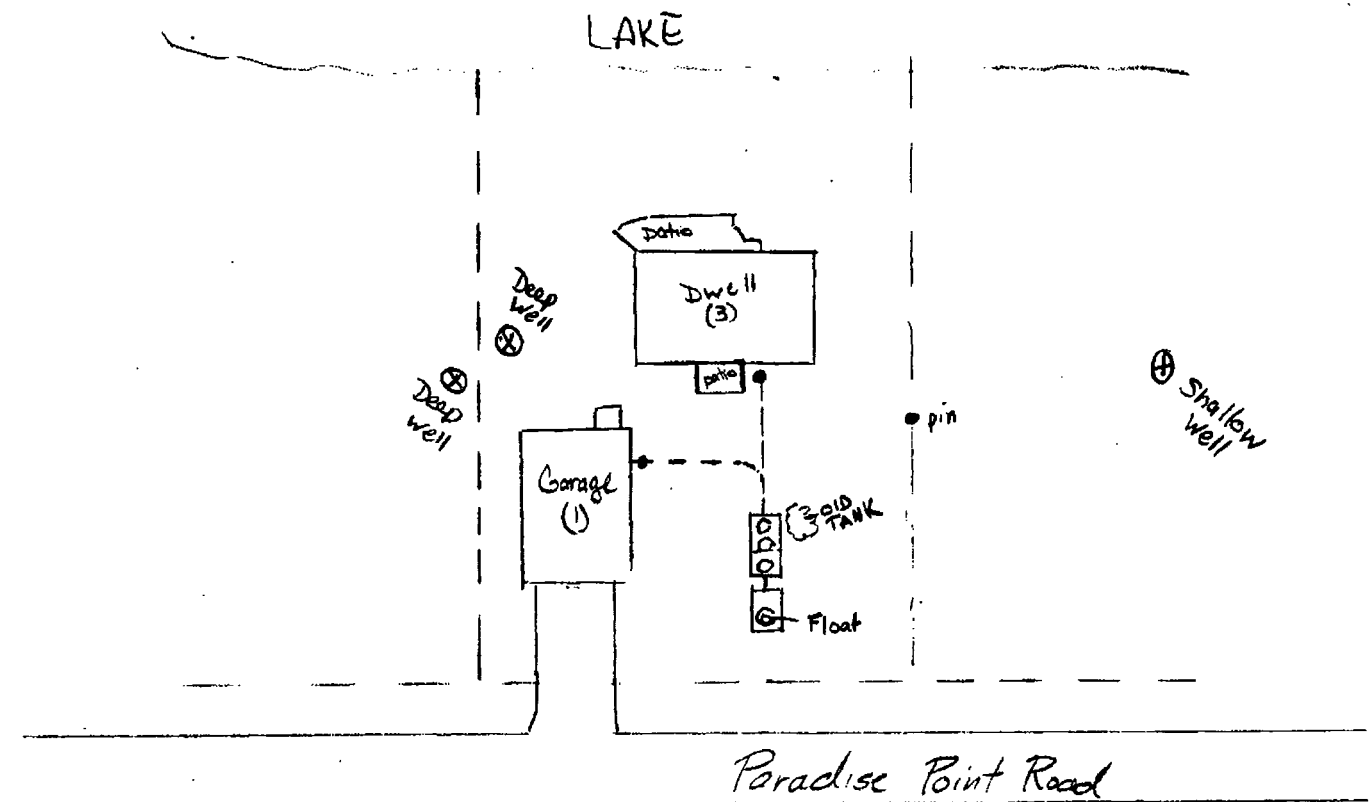
9-7-17  
Date

# SKETCH OF PROPERTY

Please sketch all structures and septic systems on the property;  
Include setbacks and wells within 100 feet of the property.

PARCEL	081192000
APP	SEPTIC INSPECTION
YEAR	2017

Scale 1" = 40'



4 beds  
Install 1500-2 ± 625  
for holding tanks w/ manual Float  
\* No drain field allowed  
because Shallow well  
is within 100'



463944

No delinquent taxes and transfer entered  
this 13 day of Oct, 2000  
Keith A. Brekken  
County Auditor, Becker Co  
By: [Signature] Deputy  
08.1192.000

BECKER COUNTY RECORDER-STATE OF MN  
Document No. 463944  
Date OCT 17 2000 2:00 P.M.  
I hereby certify that the within instrument  
was recorded in the office of Becker  
County Recorder.  
[Signature]  
County Recorder dn Dpty.

Single Individual to Multiple Individuals

Minnesota

**QUIT CLAIM DEED**

This Indenture effective the 10th day of October, 2000, from Grantor to  
Grantee:

1. **Definitions.** For the purpose of this Indenture:
  - a. "Grantor" shall mean M. Irene Drussell, a/k/a Irene Drussell, a single individual, whose mailing address is 2913 5th Street South, #104, Moorhead, Minnesota 56560.
  - b. "Grantee" shall collectively mean Tracy M. Wheeler and Robert J. Wheeler, wife and husband, whose mailing address is 2619 North River Drive, Moorhead, Minnesota 56560, and whose receipt of the Property shall be as joint tenants with the right of survivorship and not as tenants in common.
  - c. "Indenture" shall mean this quit claim deed between Grantor and Grantee.
  - d. "Property" shall mean the remainder interest in the following described real estate, together with all improvements, hereditaments and appurtenances, in the County of Becker, in the State of Minnesota:

Lot Eleven (11) of Paradise Point.

2. **Consideration and Conveyance.** For a valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby conveys and quit claims the Property to Grantee, subject to a life estate reserved by Grantor.

chg  
✓ paid  
well  
non / std  
extra



Becker County



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

1:1,123

Date: 9/11/2017

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



# MEADOWLAND SURVEYING INC.

Surveying the Lakes Area Since 1946

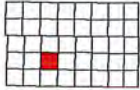
For all your land survey needs, contact our friendly staff at:  
1118 Highway 59 South • Detroit Lakes, Minnesota 56501  
frontdesk@meadowlandsurveying.com

218-847-4289

www.meadowlandsurveying.com

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!

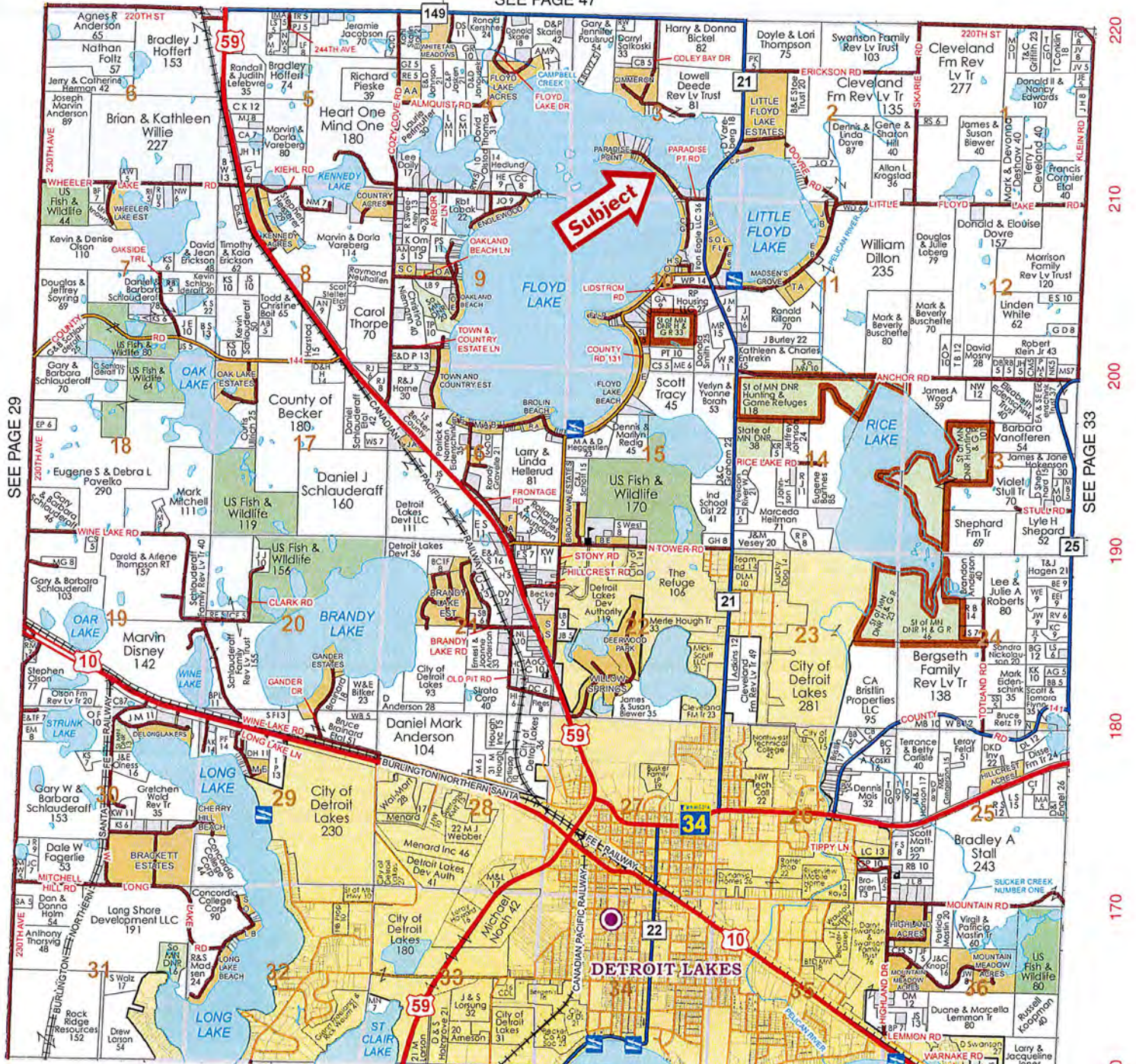


Detroit

Township 139N - Range 41W

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SEE PAGE 47



SEE PAGE 15