



# 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 April 12<sup>th</sup>, 2018 @ 7:00 P.M.

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

APPLICANT: Michael & Stacey Nelson  
6282 Quantico Ln. N.  
Maple Grove, MN 55311

Project Location: 24428 Riverside Road, Detroit Lakes

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct a dwelling, to be located at fifty (50) feet from the ordinary high water mark of the lake, deviating from the required setback of seventy (75) feet from the OHW on a general development lake, due to setback and topographical issues.

LEGAL LAND DESCRIPTION: Tax ID number: 191375104 Lake Melissa

GILBERT BEACH Lot 004 Block 001

32-138-41 LOT 4 BLK 1 GILBERT BCH, PT GOVT LOT 2: COMM SE COR LOT 4 BLK 1 GILBERT BCH, N 157.37' TO POB: N 186.25' TO LK MELISSA, E AL LK TO PT NELY OF POB, SWLY 203.49' TO POB. REF:19.0625.002; Section 32, TWP 138, Range 41, Lake View Township.

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

#### PLANNING AND ZONING DEPARTMENT

915 Lake Avenue  
Detroit Lakes, MN. 56501

FAX Number 218-846-7266

EMAIL: [zoning@co.becker.mn.us](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) Michael G & Stacey L Last Name Nelson  
Mailing Address 6282 Quantico Ln. N City, State, Zip Maple Grove, MN. 55311  
Phone Number 612-810-1869 Project Address: 24428 Riverside Road  
Parcel number(s) of property: 191375104 Sect - Twp - Range: 32 138 041  
Township Name: Lakeview Legal Description: Gilbert Beach Lot 004 Block 001

### 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:

The existing structure on the property is non-conforming to both the shoreline impact zone and the neighboring side yard setbacks. We are proposing to remove the structure and move the setback. But, due to the existing easement and bluff restrictions, we're limited by how far away we can be from the lake. We are requesting a 50' setback which will enable us to position the structure on the property in a manner which will be a fit complementary to the site.

### 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) 50' 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? 1728 SF

What is the proposed addition square footage? Demo existing, New- 3200 SF

What is the current height of the structure? 12'

What is the proposed height of the structure? 30'

Is there a basement to the structure? No

Will the proposed addition have a basement? N/A

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? 14%

What is the proposed percentage of lot coverage? 22%



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

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

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

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

This is in harmony with the neighborhood, the fact that it is a residential property and we are committed to improve the existing situation.

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

This is noted as a residential area.

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

We plan to modify the existing residential use and make it more conforming.

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

Both the easement and bluff, along with the current arrangement of a shared well and septic with two additional structures. The home/ cabin is not in a salvageable state.

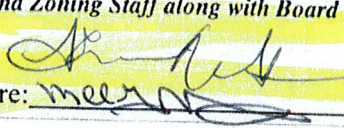
- 5) In your opinion, will the variance maintain the essential character of the locality?  
Yes ☒ No ☐ Why or why not?

Our intention is to build a home that will weave into the landscape of the site in a subtle way, which will compliment both the shoreline and the neighborhood.

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

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

*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: 

Date: 2/23/2018

(Office Use)

Date Received \_\_\_\_\_ Accepted [ ] Incomplete Application [ ] Date \_\_\_\_\_

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

Owners signature.



February 23, 2018

To Whom It May Concern:

I have enclosed the completed Variance Application, along with the requested documents and payment.

We (Dana and Rita Tomlinson), have entered in to a purchase agreement with Michael and Stacey Nelson, with the property closing date on or before 8/31/2018. In addition, due to the nature of our arrangement, I have enclosed the document signed by the Nelsons, authorizing us to act on their behalf.

Please don't hesitate to contact us if you would like us to provide additional information prior to the filing deadline of March 12<sup>th</sup>.  
(Dana Tomlinson, cell: 218-841-2570)

Thank you.

Sincerely,

Dana and Rita Tomlinson



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3. Non-refundable filing fee of \$326.00. **Make check payable to Becker County Zoning.**
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Yes ☒ No ☐ Why or why not?

This is noted as a residential area.

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

We plan to modify the existing residential use and make it more conforming.

- 4) In your opinion, are there circumstances unique to the property?  
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Both the easement and bluff, along with the current arrangement of a shared well and septic with two additional structures. The home/ cabin is not in a salvageable state.

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Our intention is to build a home that will weave into the landscape of the site in a subtle way, which will compliment both the shoreline and the neighborhood.

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*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: 2/23/2010

(Office Use)

Date Received \_\_\_\_\_ Accepted [ ] Incomplete Application [ ] Date \_\_\_\_\_

Zoning Administrator

Authorized Agent

## 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), Michael G. Nelson  
Stacey L. Nelson hereby authorize Dana Tomlinson 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): 19.1375-104 Physical Site Address: 24428 Riverside Road Detroit Lakes  
MN 56501

Legal Description: Gilbert Beach Lot 004 Block 001

Section: 32 Township: 138 Range: 041 Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Plat Name: \_\_\_\_\_

### Agent Contact Information

Agent address: 24498 Riverside Detroit Lakes MN 56501  
Street City State Zip Code

Agent phone #(s): 218 841 2570 Agent fax #: 218 847-5193

Agent email address: DNR@ARVIG.NET

Michael G. Nelson Stacey L. Nelson March 12 2018  
Property Owner(s) Signature(s) Date

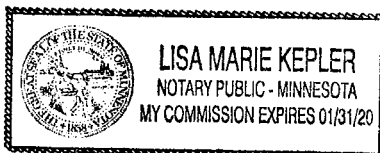
State of Minnesota  
County of Becker

On this 12<sup>th</sup> day of March, 2018 before me personally appeared Michael G. Nelson  
Stacey L. Nelson

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

that they executed the same as their free act and deed.

(Notary Stamp)



Lisa Marie Kepler  
Notary Public

Office Use Only:

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

AGENT AUTHORIZATION FORM

PROPERTY LEGAL DESCRIPTION:

LOT NO. \_\_\_\_\_ PLAN NO. \_\_\_\_\_ PARCEL ID: 19.1375-104

STREET ADDRESS: 24428 RIVERSIDE ROAD  
DETROIT LAKES, MN. 56501

Please print:

Property Owner: MICHAEL NELSON

Property Owner: STACEY NELSON

The undersigned, registered property owners of the above noted property, do hereby authorize

DANA TOMLINSON, of N/A  
(Contractor / Agent) (Name of consulting firm)

to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit or certification and any and all standard and special conditions attached.

Property Owner's Address (if different than property above):

6282 QUANTICO LN. N MAPLE GROVE, MN. 55311

Telephone: 612-810-1869

We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.

[Signature]  
Authorized Signature

Date: 2/20/18

[Signature]  
Authorized Signature

Date: 2/20/18





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

Website: [www.co.becker.mn.us](http://www.co.becker.mn.us) Email: [zoning@co.becker.mn.us](mailto:zoning@co.becker.mn.us)

PARCEL	
APP	SITE
YEAR	
SCANNED	
Property will be staked by Date: <u>April 14, 2018</u>	

Please Print or Type All Information

Parcel Number (s)	Property (E911) Address	**911 Address Needed	Legal Description
1913 75 104	24428 RIVERSIDE ROAD		GILBERT BEACH LOT 004 BLOCK 001

Lake/River Name	Lake/River Class	Township Name	Section	TWP No.	Range
MELISSA	GD	LAKEVIEW	32	138	041

Property Owner	Last Name	First Name	Mailing Address	Phone
	NELSON	Michael + STACEY	6282 QUANTICO LN. N.	612-810-1069
Contractor Name Lic #	MAPLE GROVE, MN 55311			

**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 checked="" type="checkbox"/> Non Conforming Replacement (identify)	<u>REFER TO VARIANCE APPLICATION</u>

\*Existing Dwelling to be removed prior to NOVEMBER 1, 2018

**Onsite Water Supply** ☒ Deep Well ( ) Shallow Well Well Depth \_\_\_\_\_  
MN Rules Chapter 4725 (MN well code) requires a 3' minimum structure setback to well  
**If New/Proposed:** Proposed Septic Contractor: OHM Contractor Phone Number: 218-234-1151  
**Onsite Sewage Treatment System**  
Type of System DRAINFIELD Date of Installation \_\_\_\_\_ Last Date Certified \_\_\_\_\_  
Must have current certificate of compliance on septic system prior to issuance of a permit

**Lot Information** Shoreland(with in 1000ft) ☒ **Riparian**(on water) ( ) Non Riparian Non Shoreland \_\_\_\_\_  
Lot Area 43,996 sq ft or \_\_\_\_\_ acres Water Frontage 158 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		

Example: Patio 10 x 12 120

**DRIVEWAY**

Patio + Driveway = 860 SF

40' x 80' NEW DWELLING = 3200 SF

EXISTING FOLTZ BUILDING = 2160 SF

EXISTING DRIVE = 1300 SF

Total Impervious Material 10,000 SF

Impervious Lot Coverage  $\frac{10,000 \text{ SF}}{43,996} = .2272 \times 100 = 22\%$   
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 require a silt fence or other means of stormwater management.

**RECEIVED**

**MAR 03 2018**

**ZONING**

# \* Removing Current Dwelling + Replacing

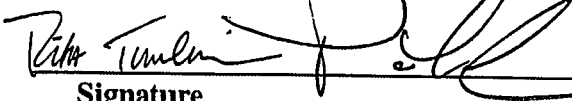
Characteristics of Proposed Dwelling/Dwelling Additions/Attached Garage/Decks		Cost of Project
(X) Dwelling <u>40</u> ft by <u>80</u> ft (X) Attached Garage <u>30</u> ft x <u>30</u> ft		\$ <u>750 12</u>
Outside Dimension (X) Deck/Patio <u>30</u> ft x <u>12</u> ft	( ) Addition to existing _____ ft x _____ ft	
Setback to Side Lot Lines <u>10</u> ft & Rear Lot Line <u>50</u> ft	Setback to Road Right of Way <u>50+</u> ft	(SOUTH MELISSA)
Setback to Bluff <u>N/A</u>	Type of road <u>Twshp/Public</u> / <u>Co Hwy</u> / <u>State Hwy</u> (Circle) ←	
Setback to Wetland <u>N/A</u>	Is wetland protected ( ) Yes (X) No	
Setback to OHW (straight horizontal distance) <u>50'</u>	Elevation above OHW (Straight vertical distance) <u>3'+</u>	
Setback to septic tank <u>20+</u>	Setback to drainfield <u>50+</u>	
Total No. Bedrooms <u>3</u>	Maximum height proposed <u>30'</u> # of Stories <u>2</u>	
Roof Change ( ) Yes ( ) No <u>NEW</u>	Basement ( ) Yes (X) 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 ( ) other _____ ft x _____ ft		
Outside Dimension ( ) Addition to existing structure _____ ft x _____ ft	( ) Fence _____ ft x _____ ft	
Setback to Side Lot Lines _____ ft & Rear Lot Line _____ ft	Setback to Road Right of Way _____ ft	
Setback to Bluff _____	Type of road <u>Twshp/Public</u> / <u>Co Hwy</u> / <u>State Hwy</u> (Circle)	
Setback to Wetland _____	Is wetland protected ( ) Yes ( ) No	
Setback to OHW (straight horizontal distance) _____	Elevation above OHW (Straight vertical distance) _____	
Setback to septic tank _____	Setback to drainfield _____	
Roof Change ( ) Yes ( ) No	Maximum height proposed _____ # of Stories _____	
Bathroom proposed ( ) Yes ( ) No	Sleeping Quarters proposed ( ) Yes ( ) No	
<b>*Garages and storage sheds cannot contain amenities for independent human habitation</b>		

Characteristics of Proposed Water Oriented Structure*	Cost of Project \$
( ) 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.

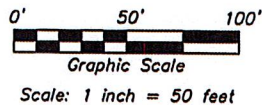
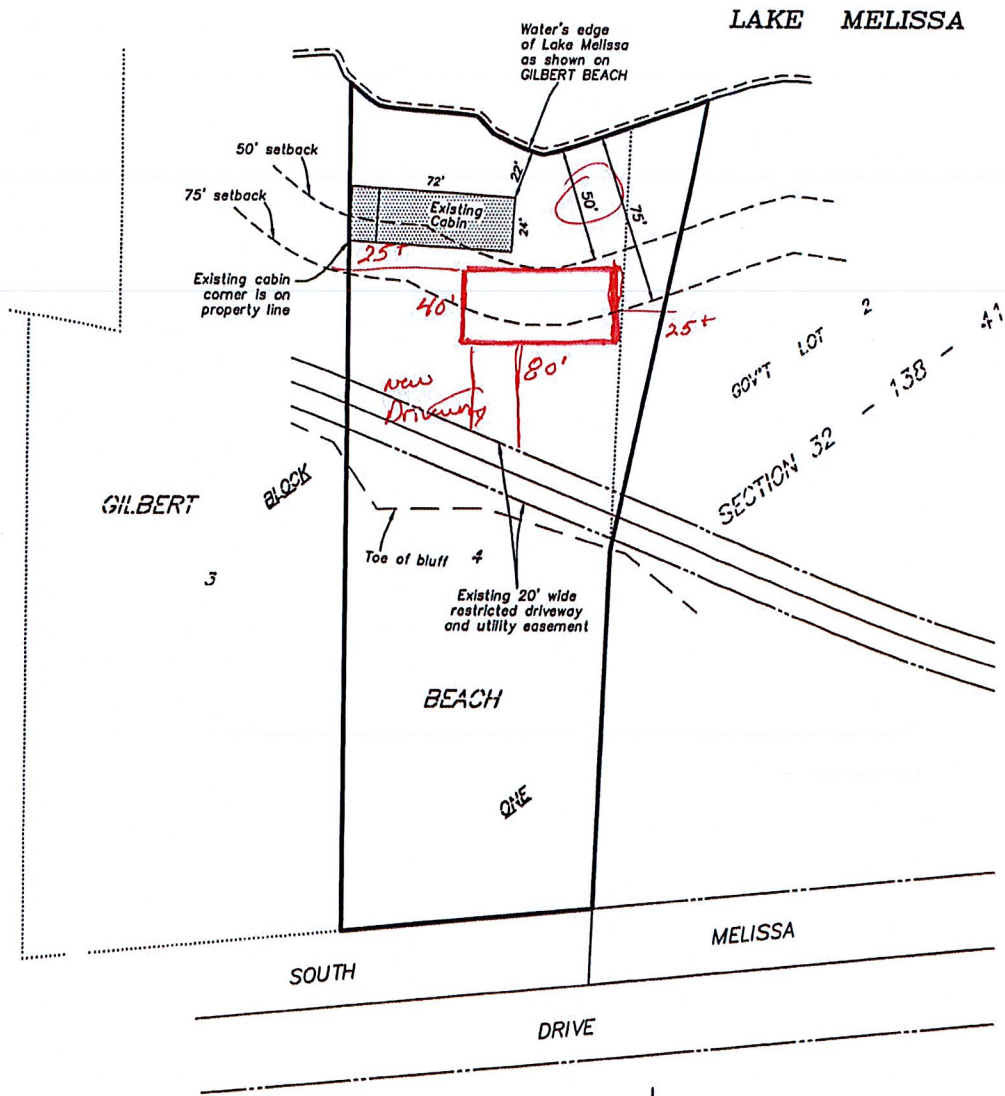
  
Signature

March 1, 2010  
Date



# SURVEYOR'S SKETCH

IN GOVERNMENT LOT 2  
AND IN LOT 4, BLOCK ONE, GILBERT BEACH  
SECTION 32-138-41  
BECKER COUNTY, MINNESOTA



## MEADOWLAND SURVEYING, INC.

1118 HWY 59 SOUTH, DETROIT LAKES, MN 56501  
OFFICE: 218-847-4289 FAX: 218-846-1945  
EMAIL: [frontdesk@meadowlandsurveying.com](mailto:frontdesk@meadowlandsurveying.com)  
[www.meadowlandsurveying.com](http://www.meadowlandsurveying.com)

### CLIENT:

DANA TOMLINSON  
OWNER ADDRESS  
DETROIT LAKES, MN  
56501

COMP FILE:	32ORLOGILBERT
CRD FILE:	32ORLOGILBERT
DWG FILE:	32TOMLINSON_SKETCH
COMP BY:	JJD
DRAWN BY:	JJD

DRAWING NUMBER: T9307-12



SITE PERMIT - FOR OFFICE USE ONLY: PID Number 19137204 YEAR 2018

Date application received 3-1-2018 Received By: Kyle Assigned To: Kyle

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: Standard Lot - Up to 25%

Date mitigation document sent to owner N/A date returned \_\_\_\_\_

Year of septic installation Proposed New Date of last certificate of compliance \_\_\_\_\_

New certificate of compliance required: ☐ Yes ☐ No

Comments from septic contractor: \_\_\_\_\_

**Impervious calculations:**

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

Total Impervious area on site 10,000 ÷ Total Lot area 43,996 = .2272 X  
100 = 22 % of proposed lot coverage

Additional notes: Variance Pending - April 12<sup>th</sup> Hearing Date

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

Application is hereby GRANTED in accordance with the application and supporting information by order of: \_\_\_\_\_ as of this date \_\_\_\_\_

Application is hereby DENIED based on the fact that \_\_\_\_\_ by order of \_\_\_\_\_ as of this date \_\_\_\_\_

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

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

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

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

## Rachel D. Bartee

---

**From:** Mark S A Smith <mark.smith@bijaco.com>  
**Sent:** Wednesday, March 14, 2018 12:55 PM  
**To:** Rachel D. Bartee  
**Cc:** Dana & Rita Tomlinson; John Erickson; Molly Smith  
**Subject:** Tomlinson Variance Request

Hello Rachel,

Molly (Margaret on the land record) and I are neighbors at 24420 Riverside Road, adjacent to the Ericksons and the property that the Tomlinsons wish to build upon,

We support the Tomlinsons variance request for the setback to be 50 feet.

We feel that their development of this property will enhance the neighborhood and the property values and without the variance the value will be compromised.

Thank you for your positive support of this variance.

###

While I check my e-mail work days, please don't use it for urgent messages. Instead, call me.

Mark S A Smith | Cell: +1.719.440.0439 | [BijaCo.com](http://BijaCo.com) | [MarksOnLinkedIn.com](http://MarksOnLinkedIn.com)

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Ellen J. Gilbert, as Trustee of the  
Orlo R. Gilbert Revocable Trust  
dated February 9, 1996

Ellen J. Gilbert, as Trustee of the  
Ellen J. Gilbert Revocable Trust  
dated February 9, 1996

STATE OF MINNESOTA) )ss  
COUNTY OF BECKER )

The foregoing instrument was acknowledged before me 25<sup>th</sup> day of July, 2013, by Ellen J. Gilbert, as Successor Trustee to the Orlo R. Gilbert Revocable Trust dated February 9, 1996; and Ellen J. Gilbert, as Trustee of the Ellen J. Gilbert Revocable Trust dated February 9, 1996, Grantors.

Notary Public  
My commission expires: \_\_\_\_\_

THIS INSTRUMENT DRAFTED BY:  
Brant R. Beeson  
Beeson Law Office, P.A.  
P. O. Box 70  
Detroit Lakes, MN 56502-0070  
(218) 844-5000



Send Tax Statements to:  
Michael G. Nelson  
Stacy L. Nelson  
6282 Quantico Lane North  
Maple Grove, MN 55311

609712

No delinquent taxes and transfer entered  
this 29<sup>th</sup> day of July, 2013

Ryan L. Targen  
Becker County Auditor/Treasurer

By [Signature] Deputy

19.1375.104

BECKER COUNTY RECORDER  
STATE OF MINNESOTA  
**Document No. 609712**

July 30, 2013 at 10:16 AM  
I hereby certify that the within  
instrument was recorded in this office.  
Darlene Maneval, County Recorder  
By SKS Deputy

**CERTIFICATE OF REAL  
ESTATE VALUE FILED** #9595

**TRUSTEES DEED**

STATE DEED TAX DUE HEREON: \$759.00

Dated: July 25, 2013

Becker County Recorder  
Well Certificate Received 7-30-2013  
Darlene Maneval  
Deputy [Signature] Becker County Recorder

FOR VALUABLE CONSIDERATION, Ellen J. Gilbert, as Successor Trustee to the Orlo R. Gilbert Revocable Trust dated February 9, 1996; and Ellen J. Gilbert, as Trustee of the Ellen J. Gilbert Revocable Trust dated February 9, 1996, Grantors, hereby convey and warrant to Michael G. Nelson and Stacey L. Nelson, husband and wife, as joint tenants, Grantees, real property in Becker County, Minnesota, described as follows:

Lot 4, Block 1, Gilbert Beach, 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 certain tract of land described on Exhibit A attached hereto and incorporated herein by reference. Said Exhibit A property shall not be conveyed separately and apart from Lot 4, Block 1, Gilbert Beach, together with all hereditaments and appurtenances belonging thereto, together with all easement rights relating to that certain Deed of Appurtenant Easement recorded July 29, 2008 as Document No. 560869.

This Deed is given and accepted in fulfillment of the terms and conditions of that certain Contract for Deed dated November 1, 2002 and recorded December 19, 2002 as Document No. 489947 in the office of the County Recorder of Becker County, Minnesota.

**A Well Disclosure Certificate accompanies this Deed.**

BECKER COUNTY DEED TAX  
AMT. PD. \$ 759.00  
Receipt # 840239  
Becker County Auditor/Treasurer

ch  
4  
well  
non/old  
entry

That part of Government Lot 2 of Section 32, Township 138 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Commencing at a found iron monument which designates the southeasterly corner of Lot 4, Block One, of GILBERT BEACH, said plat is on file and of record in the office of the Recorder in said County; thence North 02 degrees 34 minutes 34 seconds East 157.37 feet on an assumed bearing along the easterly line of said Lot 4 to an iron monument, said point is the point of beginning; thence continuing North 02 degrees 34 minutes 34 seconds East 16.13 feet along the easterly line of said Lot 4 to a point hereinafter referred to as Point A; thence continuing North 02 degrees 34 minutes 34 seconds East 145.12 feet along the easterly line of said Lot 4 to a found iron monument; thence continuing North 02 degrees 34 minutes 34 seconds East 25 feet, more or less, along the easterly line of said Lot 4 to the water's edge of Lake Melissa; thence easterly along the water's edge of said Lake Melissa to the intersection with a line which bears North 12 degrees 21 minutes 22 seconds East from the point of beginning; thence South 12 degrees 21 minutes 22 seconds West 36.18 feet, more or less, to an iron monument; thence continuing South 12 degrees 21 minutes 22 seconds West 167.31 feet to the point of beginning.

SUBJECT TO a 20.00 foot wide easement for driveway and utility purposes over, under, and across part of the above tract. The centerline of said 20.00 foot wide driveway and utility easement is described as follows:

Beginning at the aforementioned Point A; thence South 67 degrees 46 minutes 01 second East 2.78 feet to the easterly line of the above described tract and said centerline there terminates. The sidelines of said 20.00 foot wide driveway and utility easement shall be prolonged or shortened to terminate on the easterly and westerly boundaries of the above described tract.

EXHIBIT A

2002-736-A





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: 3/12/2018
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	

Becker County





Your Community Full Service Bank



comdevbank.com



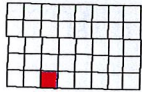
Community  
Development Bank  
FSB

Phone: 218-983-3241 • Fax: 218-983-3243

516 Main Street

Ogema, MN 56569

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

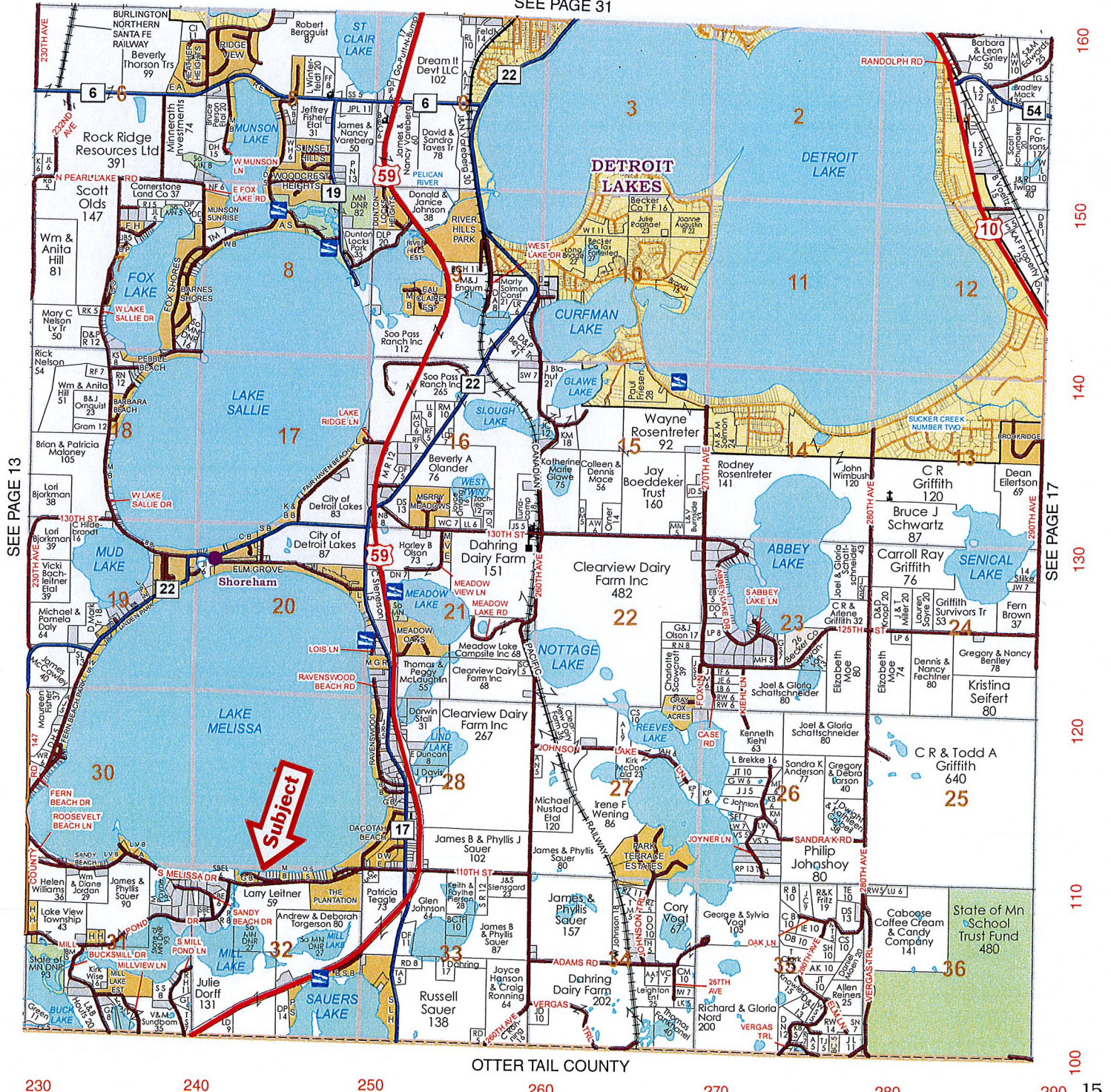


Lake View

Township 138N - Range 41W

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SEE PAGE 31



230

240

250

260

270

280

290

15





# COUNTY OF BECKER

## *Planning and Zoning*

915 Lake Ave, Detroit Lakes, MN 56501

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

---

### BOARD OF ADJUSTMENT NOTICE OF PUBLIC HEARING

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

Thursday, April 12, 2018 @ 7:00 P.M.

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

APPLICANT: Dennis & Debra Nerud  
917 2nd Ave Nw  
Byron, MN 55920

Project Location: 43561 218th St

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct an addition, to an existing non-conforming structure, to be located at fifty-seven (57) 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.

LEGAL LAND DESCRIPTION: Tax ID number: 330335000 Toad Lake

4-139-38 PT LOT 6-7: COMM NW COR LOT 11, ELY AL RD 217.05' TO POB; E 58.19', S 192.90' TO TOAD LK, WLY AL LK 53.11' N 189.01' TO POB. TRACT C.; Section 04, TWP 139, Range 38, Toad Lake Township.

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

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

**FAX Number 218-846-7266**  
**EMAIL: [zoning@co.becker.mn.us](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) Dennis + Debra Last Name Nerud  
Mailing Address 917 2nd Ave NW City, State, Zip Byron mn 55920  
Phone Number 507-254-0238 Project Address: 43561 218th St. Osage mn 560570  
Parcel number(s) of property: 33.0335.000 Sect - Twp - Range: 04-139-038

Township Name: Toad Lake Legal Description: Sect. 04 Township 139 Range 038  
Subdivision name: 2nd Add to the Pines Subdivision Cd 330094-139-38 PT LOT 6-7 Comm NW COR  
Lot 11, Ely ALRD 217.05' to POB E58.19' S 192.90' to Toad LK, WLY ALK 53.11' N 189.01' to  
POB Tract C. Acres = 0.24

### 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:

Construct a 10'x26' addition to the existing Cabin structure on the east  
side of the cabin. This would allow us to install a furnace/AC unit, extend  
our living room + have an office storage room. Currently our living room ceiling  
slopes down to 6'. Dennis (homeowner) is 6'1" so with this addition  
it would raise the roof on that side so it wouldn't slope to only 6'.

### 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) 57 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 2377 sq ft  
22 %

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?

624

What is the proposed addition square footage?

260

What is the current height of the structure?

11.5

What is the proposed height of the structure?

max to 15'

Is there a basement to the structure?

There is a crawl space under + back part a 4' frost wall underneath

Will the proposed addition have a basement?

no, will be built on cement slab

Will the roofline of the existing structure be changed?

yes, only on the side of addition

Will the main structural framework of the structure be altered?

only on the east side where new addition

What is the current percentage of lot coverage?

20%

What is the proposed percentage of lot coverage?

22%

RECEIVED

MAR 07 2018

ZONING

No set back Aug + 20 because / No 1 time addition  
(Had an addition 2013) had prev. Addition  
Approved w/ a prev. variance 2012

**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?  
This addition would still maintain the front string line  
ruling & would be in compliance with the  
property lines.
- 2) In your opinion, is the Variance consistent with the Becker County Comprehensive Plan?  
Yes (X) No ( ) Why or why not?  
\_\_\_\_\_  
\_\_\_\_\_
- 3) In your opinion, does the proposal put property to use in a reasonable manner?  
Yes (X) No ( ) Why or why not?  
The addition would allow room for furnace/AC unit instead of  
the current baseboard expensive heat. Allows for higher than 6' sloping  
ceiling in livingroom allows for a small closet which there are no closets in the  
existing cabin.
- 4) In your opinion, are there circumstances unique to the property?  
Yes (X) No ( ) Why or why not?  
The small lot restricts what we can do. The holding tank  
is in back of cabin between cabin & garage so can't expand  
to the back, so only option is to go to the east
- 5) In your opinion, will the variance maintain the essential character of the locality?  
Yes (X) No ( ) Why or why not?  
See attached picture. It will all be the same  
siding & look as the current cabin.

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: Debra Nerud Date: 3/6/2018

(Office Use)

Date Received 3/7/18 Accepted [ ] Incomplete Application [ ] Date \_\_\_\_\_

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



35°42'11"E

199.25'

North

Total Sq. Ft. of Tract C 19,600 Sq. Ft.

S81°11'10"E  
26.36'

7.61'  
26.02'  
22.53'  
192.01'±

50.00'

58.19'

23.64'

NORTH PINE S

TRACT C

NORTHEASTERLY CORNER OF LOT 6

TRACT B

SHED

189.01'±

16'7"

GARAGE  
24'3"

SHED  
10'5" x 2'3"

TRACT D

SHED

192.90'±

SEPTIC HOLDING TANK

SEWER RISER

HOUSE  
90.44'

HOUSE  
24'4"

10'0" x 26'0" PROPOSED ADDITION  
15'4" x 10'0" x 26'0"

HOUSE

BITUMINOUS DRIVEWAY

>15.88'

218<sup>th</sup> St. Tar road

S85°42'11"E

50.00'

199.25'

53.11'

13.19'

S84°31'56"E 75.38'

50.00'

Grass

13.39'

26.78'

15'±

104.82'±

C7°10'E 77M

Toad LAKE

Lake  
↓ South





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

Website: [www.co.becker.mn.us](http://www.co.becker.mn.us) Email: [zoning@co.becker.mn.us](mailto:zoning@co.becker.mn.us)

PARCEL	
APP	SITE
YEAR	
SCANNED	

Property will be staked by  
Date: 4/11/18

Please Print or Type All Information

Parcel Number (s)	Property (E911) Address	**911 Address Needed	Legal Description
33.0335.000	43561 218 <sup>th</sup> St. Osage mn 56570		Subdivision C 33009 4-139-38 PT Lot 6-7 Comm NW Cor Lot 11, City ALRD 217.05 to POB E 58.17, S. 192.90 to Toad LK 53.11' N 189.01' to POB Tract C Acres = 0.24

Lake/River Name	Lake/River Class	Township Name	Section	TWP No.	Range
Toad Lake	Lake	Toad Lake	04	139	038

Property Owner	Last Name	First Name	Mailing Address	Phone
	Nerud	Dennis	917 2nd Ave NW Debra Byron mn 55920	(507) 254-0238 (507) 775-2094
Contractor Name Lic #	D+S Lakes Area Construction Lic# BC635000			

Proposed Project (Check those that apply)

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

\*Existing Dwelling to be removed prior to

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

If New/Proposed: Proposed Septic Contractor: \_\_\_\_\_ Contractor Phone Number: \_\_\_\_\_

Onsite Sewage Treatment System

Type of System Septic holding tank Date of Installation 1987 Last Date Certified 2/25/18  
Must have current certificate of compliance on septic system prior to issuance of a permit

Lot Information Shoreland (with in 1000ft) ☐ ( ) Riparian (on water) ( ) Non Riparian Non Shoreland ☐

Lot Area 10,600 sq ft or \_\_\_\_\_ acres Water Frontage 53' ft Bluff ( ) Yes (X) No  
Impervious coverage refers to anything water cannot pass through. Structures, areas covered by a roof, concrete, asphalt, Class 5, sidewalks, patio pavers, etc. should all be included in this calculation. Decks should be included in this calculation if they have plastic underlayment or impervious surface underneath. Anytime you exceed 15% lot coverage a stormwater management plan and/or mitigation is required. **INCLUDE PROPOSED STRUCTURES IN CALCULATION.**

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

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

Example: <del>Path</del>	<del>10'x12'</del>	<del>120</del>			
DRIVEWAY	57'x10'6"	604	Septic holding tank	10'4"x6'	62
Garage	24'3"x28'4"	691	Existing Cabin	24'4"x26'	634
Storage Shed	10'2"x12'3"	126	Proposed addition	10'x26'	260
			Total Impervious Material		2377

Impervious Lot Coverage  $\frac{2377}{10,600} = .22$  x 100 = 22 %  
Total Impervious Lot Area Impervious Coverage Percentage

Topographical Alteration/Earth moving:

(X) None ( ) 10 cubic yards or less ( ) 11- 50 cubic yards ( ) over 50 cubic yards  
Project over 50 cubic yards require a silt fence or other means of stormwater management.

Characteristics of Proposed Dwelling/Dwelling Additions/Attached Garage/Decks		Cost of Project
Proposed <u>Addition to Cabin</u> ( ) Dwelling <u>10</u> ft by <u>26</u> ft ( ) Attached Garage _____ ft x _____ ft		\$ <u>25,000</u>
Outside Dimension ( ) Deck/Patio _____ ft x _____ ft ( ) Addition to existing _____ ft x _____ ft		
Setback to Side Lot Lines <u>SE corner 6' 6" NE 5' 4"</u> ft & Rear Lot Line <u>90</u> ft	Setback to Road Right of Way _____ ft <u>No road</u>	
Setback to Bluff <u>N/A</u>	Type of road <u>vacated township</u> <u>Twp</u> /Public / Co Hwy / State Hwy (Circle)	
Setback to Wetland <u>91</u>	Is wetland protected (X) Yes ( ) No	
Setback to OHW (straight horizontal distance) <u>57'</u>	Elevation above OHW (Straight vertical distance) _____	
Setback to septic tank <u>10'</u>	Setback to drainfield <u>N/A</u>	
Total No. Bedrooms <u>no bedrooms added</u>	Maximum height proposed <u>15'</u> # of Stories <u>1</u>	
Roof Change (X) Yes ( ) No <u>slight increase for sloping</u>	Basement ( ) Yes (X) No Walkout Basement ( ) Yes (X) No	

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

Characteristics of Proposed Water Oriented Structure*		Cost of Project \$
( ) 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>	

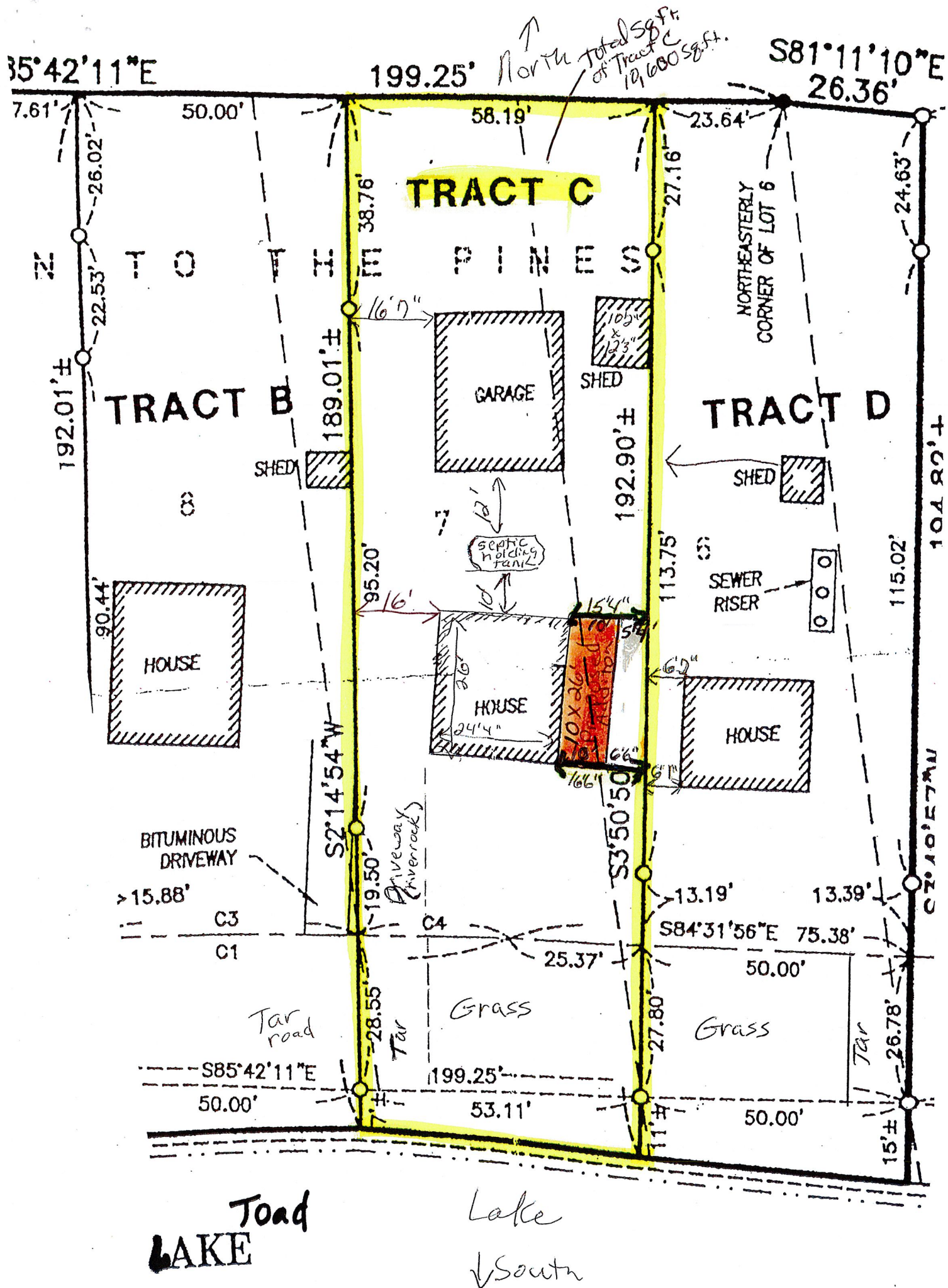
THIS IS A SITE PERMIT ONLY AND DOES NOT CONSTITUTE A BUILDING PERMIT  
AS SET FORTH IN MN STATE STATUTES.

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

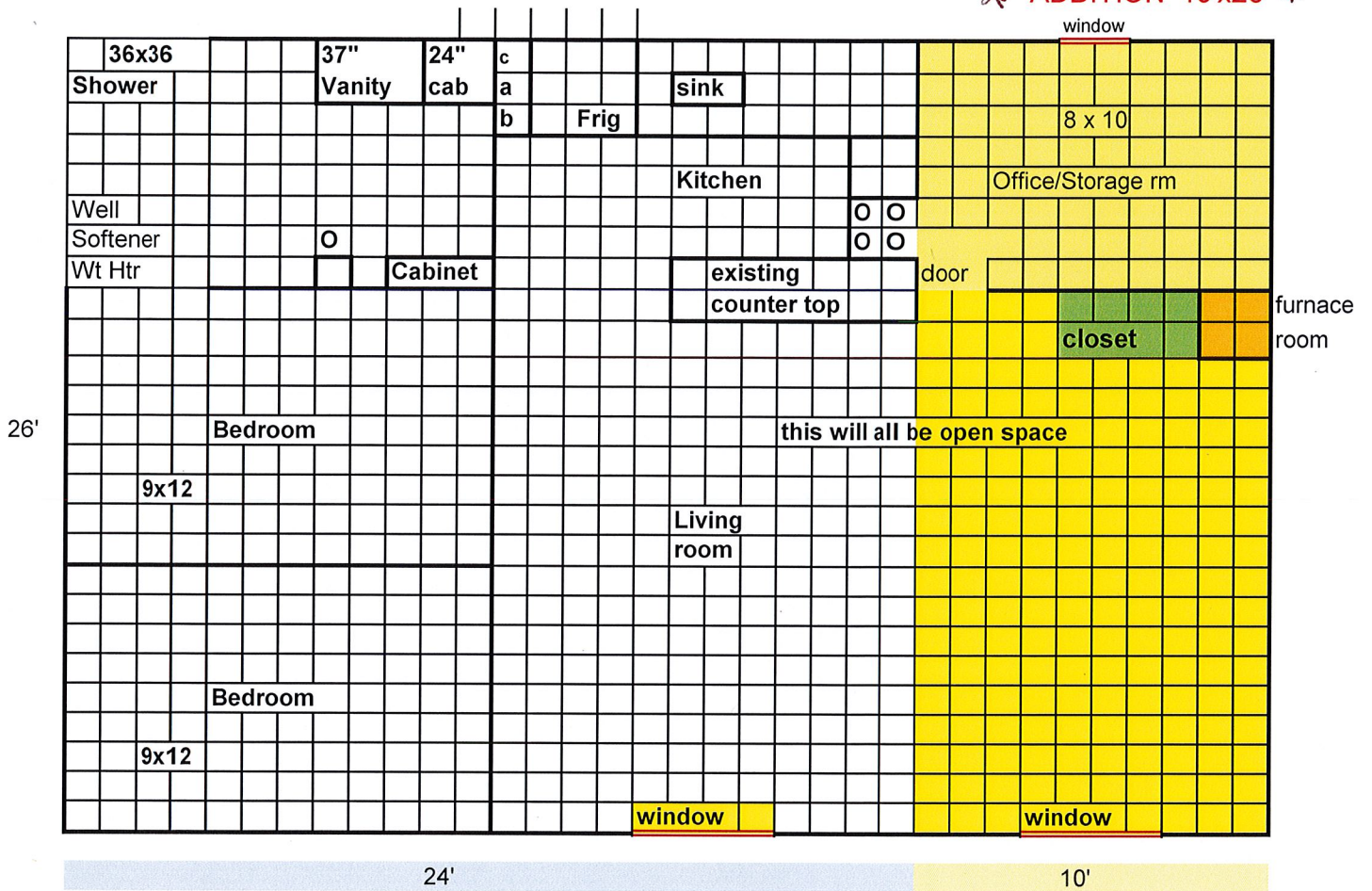
Date





□ = 1'x1'

✂ ADDITION 10'x26' ✂





Current



Proposed with building  
the addition to  
the east.



D-22

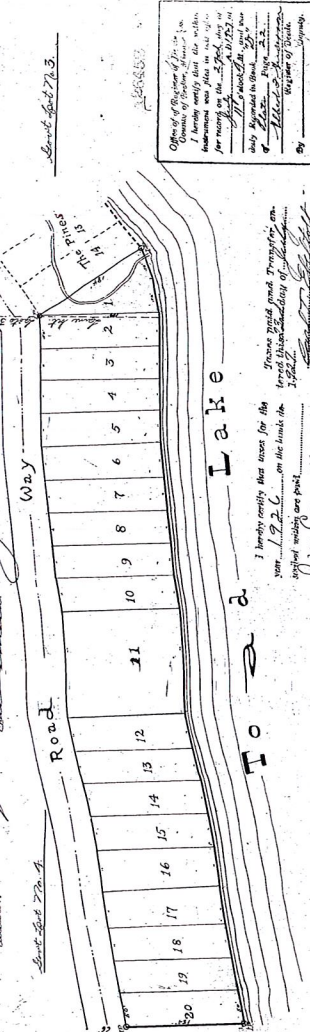
Description:

I hereby certify that this land is or is not included as "2nd Add to the Reserve" as a covered survey and plat shown.

Dated this 26th day of May A.D. 1927

J. B. [Signature]  
S. L. [Signature]

Remedy of P. Bader } <sup>32</sup> He is the secretary of Boozy - AD 1927 personally appeared before me,  
Fred of Boozy known to be the person who made the arranged flat and acknowledged this same to have been made  
from actual survey. Carl T. Beller

[illegible]

**Original**

County Auditor, Butler Co.

By \_\_\_\_\_ Deputy

J. B. [Signature] Treas.

[Signature] Deputy

10

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



PARCEL	
APP	Mitigation
YEAR	
SCANNED	

# Mitigation Worksheet

Applicant: Dennis & Debra Nerud Parcel #: 33.0335.000

**Legal Description:**

2nd Add to The Pines Subdivision C4 33009 4-139 38 PT Lot 6-1  
Comm NW 1/4 Lot 11, E1/4 A1 Rd 217.05 + POB E 58.19, S 192.90 to  
road 1/4 53.11 N 189.01 to POB Tract C Acres = 0.24

Lake Name: Big Toad Lake Lake Classification: \_\_\_\_\_

**Property Dimensions:**

Roadside Width: See attached Depth Side 1: \_\_\_\_\_  
 Lakeside Width: Survey Depth Side 2: \_\_\_\_\_

Total Lot Area: 10,600 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 lake structure that is closest to you on your neighbor's property to the right and the lake 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: \_\_\_\_\_

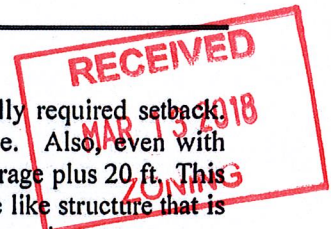
**Structure Setback:** One credit unit may be gained for each foot closer the structure is moved toward the standard required setback and away from the shoreline.

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: 22 %

Threshold Coverage: - 15 %

Difference: = ( 7 ) x (5) = 35 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. *French drain system 26x34' Cabin 884*

**Example** 350 Sq Ft of Surface Area Diverted = 10 Credit Units Gained *24'x28' Garage 672*

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

Credit Units Gained ~~40~~ 42 1556

**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:** ~~40~~ 42

### 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**

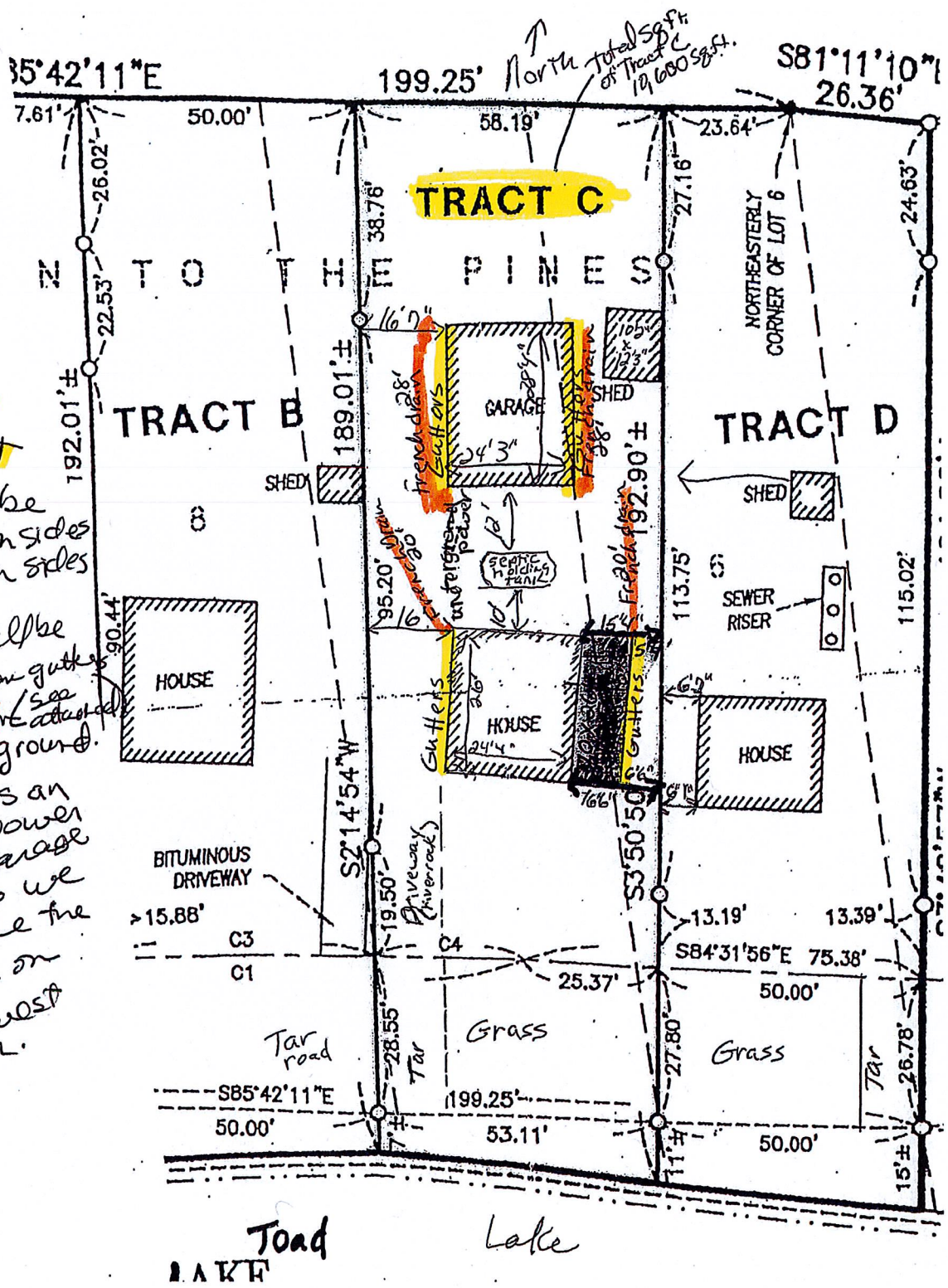
The mitigation options selected above are documented by an approved site and / or stormwater management plan filed with this agreement. The mitigations will be installed and maintained as a condition of occupancy and the property is subject to inspection as necessary by the governing authority of Becker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

*Denise Nerve* Owner(s) 3/12/18 Date  
*Debra Nerve*

1556  
- 700  
856  
- 350  
506  
- 350  
156  
4x5 =  
2  
20  
10  
10  
2  
42 credit



**Storm water management**  
**Gutters** will be installed on both sides of Cabin + both sides of the garage.  
 Drain pipe will be connected from gutters to **French drain** (see piping underground).  
 Note! There is an underground power line from garage to cabin so we have to angle the french drain on the Northwest corner.



601966

**COPY**

BECKER COUNTY RECORDER  
STATE OF MINNESOTA

**Document No. 601966**

October 18, 2012 at 12:16 PM

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

Darlene Maneval, County Recorder

By SKS Deputy

33-0835-000

STATE OF MINNESOTA

BECKER COUNTY BOARD OF ADJUSTMENT

COUNTY OF BECKER

VARIANCE PROCEEDINGS

IN THE MATTER OF: Dennis C Nerud and Debra A Nerud

ORDER OF VARIANCE

REQUEST: Request a variance to construct an addition

OR

Onto nonconforming structure

DENIAL OF VARIANCE

The above entitled matter came on to be heard before the Board of Adjustment on the 11th day of October, 20 12, on a Petition for a Variance pursuant to the Becker County Zoning Ordinance, for the following described property:

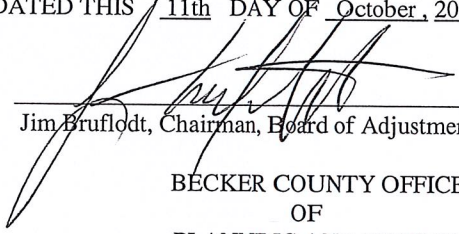
**Tax ID number:** 33.0335.000. Complete Legal Description on Attachment A.

**VARIANCE REQUESTED:** Request a Variance to construct an addition onto a nonconforming structure that is fifty-seven (57) feet from the ordinary high water mark of the lake.

It is ordered that a **Variance BE GRANTED (~~NOT BE GRANTED~~)** upon the following conditions or reasons:

A Variance has been approved on the above described to construct an addition onto a nonconforming structure, as presented and which is 57 feet from the ordinary high water mark of the lake, based on the fact that it is a modest addition the would allow the plumbing and well serving the cabin to be out of the elements of nature with the stipulation that the asphalt and concrete patio be removed and restored back to grass.

DATED THIS 11th DAY OF October, 2012

  
Jim Bruflodt, Chairman, Board of Adjustment

STATE OF MINNESOTA)

) SS

COUNTY OF BECKER )

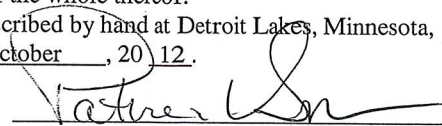
BECKER COUNTY OFFICE

OF

PLANNING AND ZONING

I, Patricia L. Swenson, Zoning Administrator for the County of Becker, with and in for said County, do hereby certify that I have compared the foregoing Copy and Order **GRANTING** (~~DENYING~~) a Variance with the Original Record. Thereof preserved in my Office, and have found the same to be a correct and true transcript of the whole thereof.

In Testimony whereof, I have hereunto subscribed by hand at Detroit Lakes, Minnesota, in the County of Becker on the 11th DAY OF October, 20 12.



Patricia L. Swenson  
Zoning Administrator

To: DRAFTED BY THE BECKER  
COUNTY ZONING OFFICE

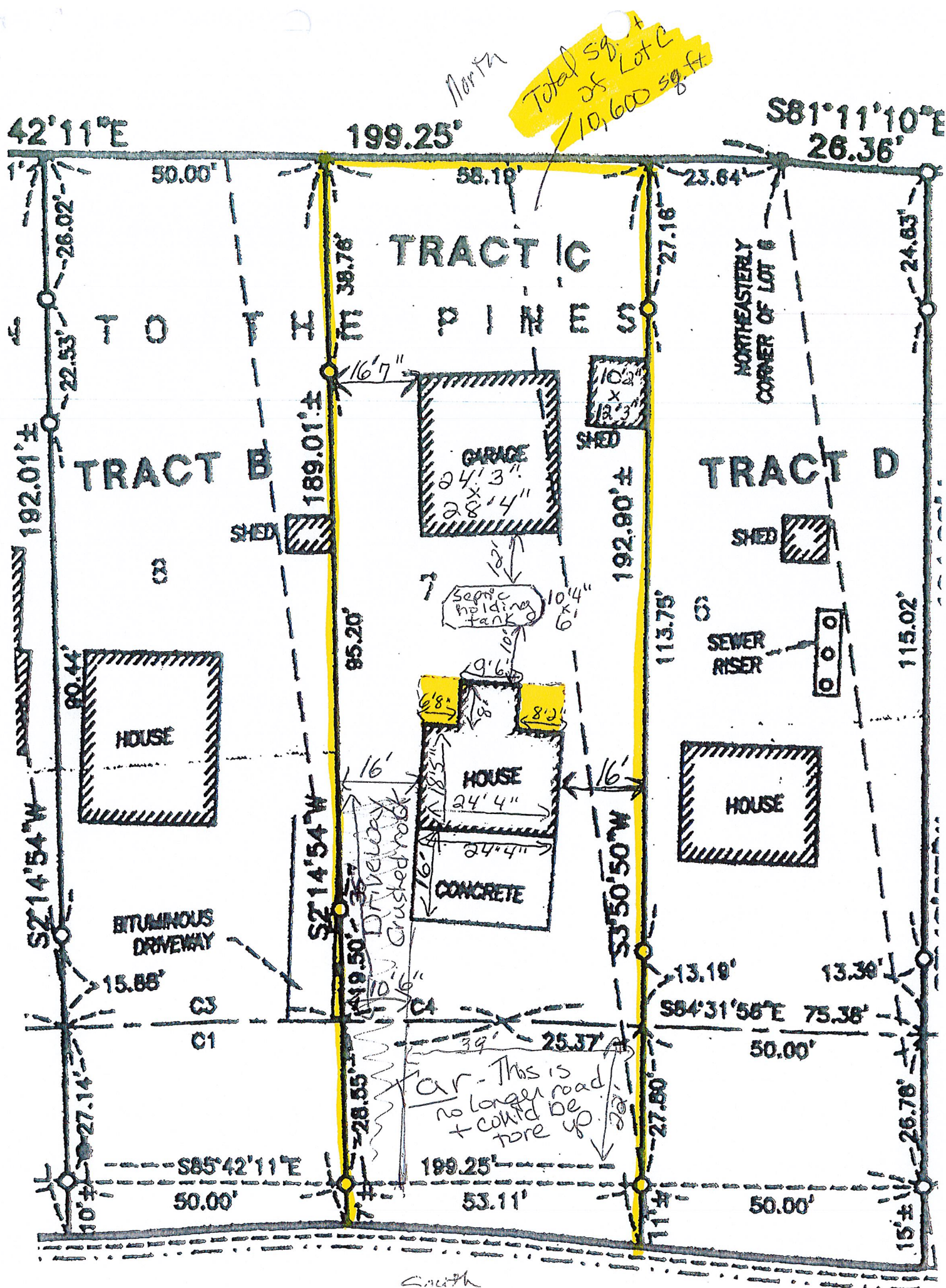
chg  
paid  
well  
non/std  
extra

ATTACHMENT A Complete Legal Description for PID Number 33.0335.000

That part of Lot 6, that part of Lot 7 and that part of Lot 8 all in SECOND ADDITION TO THE PINES, said plat is on file and of record in the Office of the Recorder in Becker County Minnesota, described as follows:

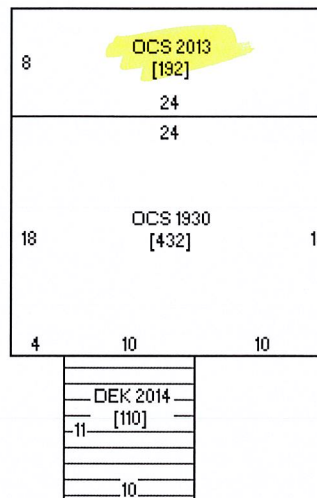
Commencing at a found iron monument which designates the northwesterly corner of Lot 11 of said SECOND ADDITION TO THE PINES, from which the westerly line of said Lot 11 bears South 04 degrees 23 minutes 16 seconds East on an assumed bearing; thence North 89 degrees 16 minutes 43 seconds East along the northerly line of Lot 10 and Lot 11 of said SECOND ADDITION TO THE PINES, for a distance of 99.63 feet to a found iron monument at the northeasterly corner of said Lot 10; thence South 85 degrees 42 minutes 11 seconds East along the northerly line of Lot 7, Lot 8 and Lot 9 of said SECOND ADDITION TO THE PINES for a distance of 117.42 feet to the point of beginning; thence continuing South 85 degrees 42 minutes 11 seconds East along the northerly line of said Lot 6 and Lot 7 for a distance of 58.19 feet; thence South 03 degrees 50 minutes West for a distance of 113.75 feet to an iron monument; thence continuing South 03 degrees 50 minutes 50 seconds West for a distance of 40.99 feet to an iron monument; thence continuing South 03 degrees 50 minutes 50 seconds West for a distance of 11 feet, more or less, to the water's edge of Toad Lake; thence westerly along the water's edge of Toad Lake to the intersection with a line which bears South 02 degrees 14 minutes 54 seconds West from the point of beginning; thence North 02 degrees 14 minutes 54 seconds East for a distance of 7 feet, more or less, to an iron monument; thence continuing North 092 degrees 14 minutes 54 seconds East for a distance of 48.05 feet to an iron monument; thence continuing North 02 degrees 14 minutes 54 seconds East for a distance of 95.20 feet to an iron monument; thence continuing North 02 degrees 14 minutes 54 seconds East for a distance of 38.76 feet to the point of beginning.







Building sketch:



2013  
Addition/Variance  
So can not qualify  
for another  
Per ordinance

Addition # 1	
Year Built	2013
Style	1 Story Frame
Area SF	192
Condition	Normal
Bsmnt SF	0
Heat	Yes
AC	No
Attic SF	0
Plumbing	
Style	Count
Full Bath	1
Decks & Patios	
Style	Area SF
Wood Deck-Low	110
Concrete Patio-Low	48

**Section 7****Additions/expansions of a principal structure on a nonconforming lot.**

for a conforming lot either } or;

Additions/expansions of a principal structure on a nonconforming lot may be allowed one time without a variance provided all of the following criteria will be met. However, the Zoning administrator may refer to the Board of Adjustment for variance consideration any application presenting extraordinary circumstances.

1. The property does not have a previously approved variance and there have been **no prior additions to the existing structure.**
2. The addition/expansion will not decrease the setback of the existing structure from the ordinary high water level,
3. The addition/expansion will not exceed fifty (50) percent of the total living area of the existing structure and the completed structure cannot be larger than 1500 square feet in lot area coverage.
4. The existing structure may be expanded vertically, but limited to twenty-four (24) feet total structure height and limited to 1500 square feet in total structure living space and no increase in the lot area coverage.
5. The existing structure must be located outside the shore impact zone,
6. The completed project is subject to the protection zone criteria specified in Chapter 6, Section 10, Paragraph E,
7. Impervious surface coverage of the parcel or lot shall not exceed 25 percent.
8. The existing structure and proposed addition/expansion must meet all other setback distance requirements of this Ordinance.





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

**Instructions:** 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): 2/25/2018

☒ **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: 33.0335.000

Property address: 43561 218<sup>th</sup> St Osage MN 56570

Reason for inspection: Permit

Property owner: Dennis & Debra Nerud

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

or

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

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

Local regulatory authority: Becker County ESO

Regulatory authority phone: 218-846-7314

Brief system description: 1500 gal. precast holding tank

Comments or recommendations:

According to LUG records, this system was installed in 1987. See additional notes on pages 2&3.

### 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: Al Winterberger

Certification number: 3433

Business name: Winterberger Inspections

License number: 1565

Inspector signature: [Signature]

Phone number: 218-573-2275

### 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 discharge sewage to the ground surface.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
System discharge sewage to drain tile or surface waters.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
System cause 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:

This system was not in use at time of inspection.

**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:

According to LUG as-built records, a 1500 gal. precast tank was installed. The tank was pumped prior to this inspection (see attached tank integrity form), and video camera inspection did not reveal any evidence of cracks.

**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 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: 1987

☐ UnknownShoreland/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:☐ Yes ☐ NoDrainfield has at least a two-foot vertical  
separation distance from periodically  
saturated soil or bedrock.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:☐ Yes ☐ NoDrainfield has a three-foot vertical  
separation distance from periodically  
saturated soil or bedrock.\*"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)☐ Yes ☐ NoDrainfield meets the designed vertical  
separation distance from periodically  
saturated soil or bedrock.**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:

**Indicate depths of elevations**

A. Bottom of distribution media

B. Periodically saturated soil/bedrock

C. System separation

D. Required compliance separation\*

\*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.



**Minnesota Pollution  
Control Agency**

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

# Septic Tank Maintenance Reporting Form

## **Subsurface Sewage Treatment Systems (SSTS) Program**

*Doc Type: Agency Generated*

**Purpose:** This form is offered to meet the reporting requirements of Minn. R. 7080.2450, subp. 2 and Minn. R. 7083.0770, subp. 2. The use of this form is not mandatory; however, the information on this form must be submitted to the homeowner within 30 days after the maintenance work is performed, and to the local government unit as required.

A copy of this information must be maintained by the Subsurface Septic Tank System (SSTS) business for a period of five (5) years from the maintenance date.

### **General Information**

---

**For systems installed under ordinances developed before February 4, 2008 (old Minn. R. 7080.0130), the maintenance hole covers:**

1. Must be covered by a minimum of 12 inches of soil or be adequately secured.
2. Are not required to be brought up to ground surface. Covers can remain deep once the septic tank has been pumped.
3. Are recommended, but not required, to be brought slightly above the ground surface.  
If brought up to ground surface, the cover must be secured in accordance with the new rule (See Part B).
4. Currently at ground surface are recommended, but not required, to be secured in accordance with the new rule (Part B), or at a minimum, secured to the satisfaction of the SSTS licensee and local government unit *if local regulations exist*.

**For systems designed under ordinances adopted after February 4, 2008, the maintenance hole covers:**

1. Must be brought to ground surface or slightly above.
2. Must be re-secured in accordance with the new requirements.
  - a) Cover must be locked, bolted or screwed or must be 95 pounds in weight.
  - b) Cover cannot be susceptible to being slid or flipped.
  - c) Cover must have a warning label.



## Reporting Information

Date of maintenance: 01/19/2018

Reason for maintenance: Holding Tank Maintenance

Property address: 43561 218<sup>th</sup> St

City: Osage

State: MN

Zip: 56570

Property owner's name: Dennis & Deb Nerud

Property-owner's address if different: 917 2<sup>nd</sup> Ave NW

City: Byron

State: MN

Zip: 55920

Phone: 507-250-6097

Fax: \_\_\_\_\_

1. Access used to remove septage: ☐ Maintenance hole ☒ Other (Go to #3 below)

2. If maintenance hole was used, were all covers securely replaced? ☐ Yes ☐ No please explain

Explanation: \_\_\_\_\_

3. If owner refuses to allow a Subsurface Sewage Treatment System (SSTS) to be pumped through the maintenance hole, have them complete and sign the following statement.

I, N/A

(Owner's name)

, refuse to allow the removal of the solids and liquids through the maintenance hole. I understand that removal of solids and liquids through other access points is not considered maintenance.

Owner's signature: Holding Tank

Date: \_\_\_\_\_

4. Is the tank designed as a leaky tank? (Example: seepage pit, cesspool, drywell, leaching pit)

Tank #1: ☐ Yes ☒ No

Verification method used? Sight

Tank #2: ☐ Yes ☐ No

Verification method used? \_\_\_\_\_

5. Is there evidence of tank leakage from a septic, holding, pretreatment or pump tank below the operating depth or evidence of damaged, cracked or structurally unsound maintenance hole covers?

Tank	Leaking out	Leaking in	Cover damage
Septic/holding Tank #1	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Septic/holding Tank #2	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Pretreatment Tank	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Pump Tank	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

6. How many gallons of septage were removed?

Tank #1: 1000

Tank #2: \_\_\_\_\_

Pretreatment Tank: \_\_\_\_\_

Pump Tank: \_\_\_\_\_

7. Is there any sensory (smell and/or sight) evidence of non-domestic wastes?

☐ Yes ☒ No

Please explain: \_\_\_\_\_

Disposal site:

☐ Wastewater treatment plant

☒ Land application

☐ Other (please explain below)

Explanation: \_\_\_\_\_

List any troubleshooting, minor repairs conducted, tank safety\* concerns or other concerns:

None

8. **Certification:** I hereby certify as a State of Minnesota-certified SSTS Maintainer that I personally conducted the work and made the observations, or directly supervised others in the performance of this job.

Maintainer's name and address: Tyler Stenger - 21164 400<sup>th</sup> Ave, Detroit Lakes, MN 56501

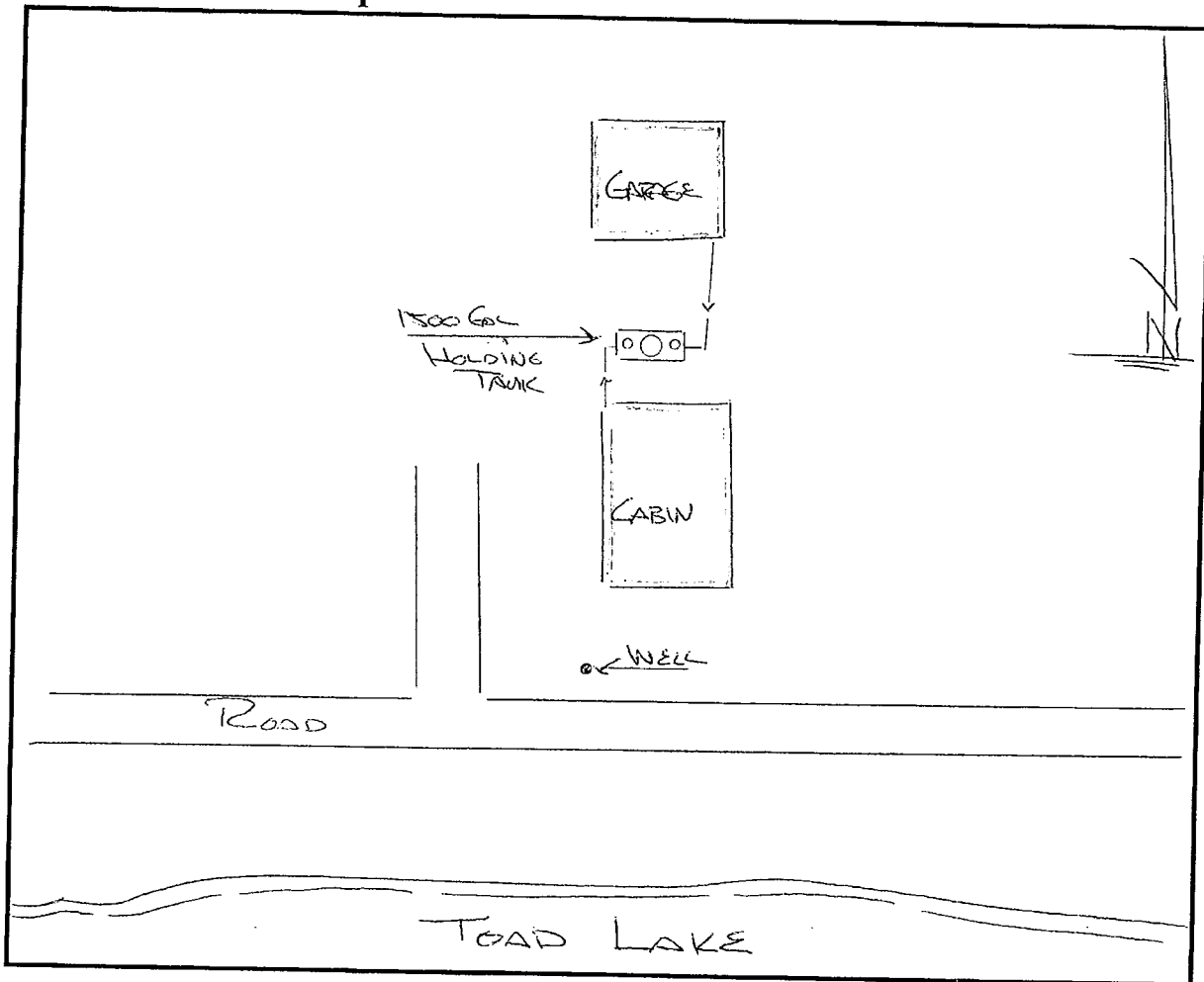
Maintainer's license #: L2911

Maintainer's phone: 218-847-3469

Maintainer's signature: Tyler Stenger

Date: 01/19/2018

# Site Evaluation Map



List any compliance issues: 33.0335.000 No issues

## Mapping Checklist

Map scale: N/A ☒ indicate north ☐ show slope ☐ % direction ☐

### Locate

- ☐ lot dimensions/property lines
- ☒ dwellings and other improvements
- ☒ existing and/or proposed system(s)
- ☐ replacement area
- ☐ unsuitable area(s)
- ☐ public water supply wells
- ☐ pumping access
- ☐ inner wellhead zone

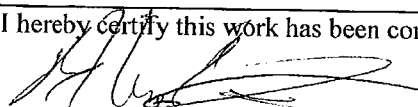
### Easements

- ☐ phone
- ☐ electric
- ☐ gas
- ☐ borings
- ☐ benchmark
- ☐ perc tests
- ☐ horiz&vert reference pts

### Setbacks

- ☐ building
- ☐ all water wells within 100ft
- ☐ pressure pipe
- ☐ water suction pipe
- ☐ streams, lakes, rivers
- ☐ floodway and fringe

I hereby certify this work has been completed in accordance with all applicable ordinances, rules and laws.



(signature)

2/25/2018 (date)

1565 (license #)

218-573-2275

(phone number)





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

**Taxpayer:**

15079 1 AB 0.400

C 25  
S 15079

DENNIS C NERUD & DEBRA A NERUD  
917 2ND AVE NW  
BYRON MN 55920-1398



**Property Information**

**Property ID:**

13.0335.000

**Property Address:**

43561 218TH ST  
OSAGE, MN 56570

**Legal Description:**

Acres: 0.2, Section 04 Township 139 Range 038 SubdivisionName 2ND ADD TO THE PINES  
SubdivisionCd 33009 4-139-38 PT LOT 6-7: COMM NW COR LOT 11, ELY AL RD 217.05' TO  
POB; E 58.19', S 192.90' TO TOAD LK, WLY AL LK 53.11' N 189.01' TO POB. TRACT C.

# PROPOSED TAXES 2018

**THIS IS NOT A BILL. DO NOT PAY.**

Step	VALUES AND CLASSIFICATION		
	Taxes Payable Year	2017	2018
1	Estimated Market Value	\$ 188,900	\$ 170,100
	Homestead Exclusion	N/A	N/A
	Other Exclusions/Deferrals	N/A	N/A
	Taxable Market Value	\$ 188,900	\$ 170,100
	Property Classification	Seasonal	Seasonal
Step 2	PROPOSED TAX		
	Property Taxes before credits		\$ 1,458.00
	School building bond credit		\$ 0.00
	Agricultural market value credit		\$ 0.00
	Other credits		\$ 0.00
	Property Taxes after credits		\$ 1,458.00
Step 3	PROPERTY TAX STATEMENT		
	Coming in 2018		TBD
<p>The time to provide feedback on <b>PROPOSED LEVIES IS NOW</b> It is too late to appeal your value without going to Tax Court</p>			

## Proposed Property Taxes and Meetings by Jurisdiction for Your Property

Contact Information	Actual 2017	Proposed 2018	Meeting Information
<b>BECKER COUNTY</b> 915 LAKE AVE DETROIT LAKES MN 56501	\$ 752.97	\$ 653.76	BOARD ROOM COURTHOUSE 915 LAKE AVENUE DETROIT LAKES, MN 56501 218-846-7311 DECEMBER 14, 2017 6:01 PM
<b>TOAD LAKE</b> 43379 218TH ST OSAGE MN 56570	\$ 290.43	\$ 222.03	BUDGET SET AT ANNUAL MEETING MARCH 2017
<b>State General Tax</b>	\$ 298.69	\$ 261.51	NO MEETING REQUIRED
<b>SCHOOL DISTRICT 0023</b> IND SCHOOL DIST 23 305 NORTH LAKE ST FRAZEE MN 56544	Voter Approved Levy School \$ 13.39 \$ 342.00	\$ 316.91	HIGH SCHOOL MEDIA CENTER 305 N LAKE STREET FRAZEE MN 56544 218-334-3181 DECEMBER 11, 2017 6:30 PM
<b>Special Taxing Districts</b>	\$ 4.52	\$ 3.79	NO MEETING REQUIRED
<b>Total excluding any special assessments</b>	\$ 1,702.00	\$ 1,458.00	-14.30 %

**IMPORTANT INFORMATION IS PRINTED ON THE BACK OF THIS FORM.**

580395

No delinquent taxes and transfer entered  
this 19th day of July, 2010By Ryan L. Tanger  
Becker County Auditor/Treasurer  
By SKS Deputy

33-0335-000 (rev) ✓

CERTIFICATE OF REAL  
ESTATE VALUE FILED #6547BECKER COUNTY RECORDER  
STATE OF MINNESOTA  
Document No. 580395July 13, 2010 at 11:07 AM  
I hereby certify that the within  
instrument was recorded in this office.  
Darlene Maneval, County Recorder  
By SKS Deputy5-M WARRANTY DEED  
Individual(s) to Joint Tenants

STATE DEED TAX DUE HEREON: \$ 405.90

Date: July 9, 2010

Parcel # 33.0335.000

FOR VALUABLE CONSIDERATION, CHARLES R. HANISCH AND REBECCA K. HANISCH, husband and wife,  
Grantors, hereby convey and warrant to DENNIS C. NERUD AND DEBRA A. NERUD, Grantees, as joint tenants, real  
property in Becker County, Minnesota, described as follows:

That part of Lot 6, that part of Lot 7 and that part of Lot 8 all in SECOND ADDITION TO THE PINES, said plat is on file and of record in the Office of the Recorder in Becker County, Minnesota, described as follows:  
Commencing at a found iron monument which designates the northwesterly corner of Lot 11 of said SECOND ADDITION TO THE PINES, from which the westerly line of said Lot 11 bears South 04 degrees 23 minutes 16 seconds East on an assumed bearing; thence North 89 degrees 16 minutes 43 seconds East along the northerly line of Lot 10 and Lot 11 of said SECOND ADDITION TO THE PINES for a distance of 99.63 feet to a found iron monument at the northeasterly corner of said Lot 10; thence South 85 degrees 42 minutes 11 seconds East along the northerly line of Lot 7, Lot 8 and Lot 9 of said SECOND ADDITION TO THE PINES for a distance of 117.42 feet to the point of beginning; thence continuing South 85 degrees 42 minutes 11 seconds East along the northerly line of said Lot 6 and Lot 7 for a distance of 58.19 feet; thence South 03 degrees 50 minutes 50 seconds West for a distance of 27.16 feet to an iron monument; thence continuing South 03 degrees 50 minutes 50 seconds West for a distance of 113.75 feet to an iron monument; thence continuing South 03 degrees 50 minutes 50 seconds West for a distance of 40.99 feet to an iron monument; thence continuing South 03 degrees 50 minutes 50 seconds West for a distance of 11 feet, more or less, to the water's edge of Toad Lake; thence westerly along the water's edge of said Toad Lake to the intersection with a line which bears South 02 degrees 14 minutes 54 seconds West from the point of beginning; thence North 02 degrees 14 minutes 54 seconds East for a distance of 7 feet, more or less, to an iron monument; thence continuing North 02 degrees 14 minutes 54 seconds East for a distance of 48.05 feet to an iron monument; thence continuing North 02 degrees 14 minutes 54 seconds East for a distance of 95.20 feet to an iron monument; thence continuing North 02 degrees 14 minutes 54 seconds East for a distance of 38.76 feet to the point of beginning.

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:  
Covenants, Easements and Restrictions of Record, if any.

## Check Box if Applicable:

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

## BECKER COUNTY DEED TAX

AMT. PD. \$ 405.90Receipt # 454088  
Becker County Auditor/TreasurerCharles R. Hanisch  
Charles R. HanischRebecca K. Hanisch  
Rebecca K. Hanischchg  
paid  
well  
non/std  
extra

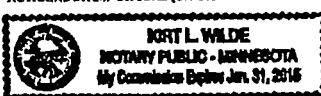
STATE OF MINNESOTA )

)ss.

COUNTY OF BECKER )

The foregoing instrument was acknowledged before me on this 9<sup>th</sup> day of July, 2010, by Charles R. Hanisch and Rebecca K. Hanisch, husband and wife, Grantors.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)



SIGNATURE OF PERSON TAKING ACKNOWLEDGEMENT

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

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

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS)  
Becker County Title Services, Inc.  
828 Minnesota Avenue  
Detroit Lakes, MN 56501  
Order No.: 24509

Dennis C. Nerud  
Debra A. Nerud  
43561 248th Street 917 2<sup>nd</sup> Ave. NW  
Orange, MN 56170 Byron, MN 55920



VACATING OF TOWN ROAD recorded as MICROFILM No. 404981 on April 19, 1994 at 2:30 P.M. in the office of the County Recorder in and for Becker County, Minnesota.

State of Minnesota )  
County of Becker )  
Town of Toad Lake )  
Recites:

The Petition for the vacating of the town road hereinafter referred to and described came on to be heard by the undersigned Town board on March 2, 1994 at 9:00 P.M. at the Town Hall in said town; and said Board, having examined said road, heard all parties interested, and considered the same, finds as follows:

1st: That said petition was filed with the Town Clerk on February 8, 1994, presented to this board on February 8, 1994, at which time this board made its order fixing a time and place when and where it would meet to act on said petition and directing the service of said order and the posting of notice thereof, to which order reference is hereby made as a part hereof:

2nd: That it has been made to appear to the satisfaction of this board by affidavits and otherwise that said order was personally served on each occupant of land over which said road vacating at least ten days before the meeting for hearing said petition and that ten days' posted notice thereof has been given, to which affidavits and proofs references is hereby made as a part hereof:

3rd: That said petition was signed by not less than eight voters of said town who owns real estate, or occupy real estate under the homestead or pre-emption laws or under contract with the state, within three miles of the proposed vacating of the road therein described and is in all things regular and according to law:

4th: That the vacating of said road is in the interests of the public welfare in said town and is expedient and necessary; that no survey of said road is necessary; and that accordingly said petition was granted: and none was appointed to make such survey all of which was indorsed on said petition and is hereby referred to as a part hereof:

5th: That the following named occupants and owners of the following described lands have released in writing all claims for damages on account of the vacating of said road, to-wit:

NAMES OF OWNERS: Terry and Lynn Strand, DESCRIPTION OF LAND: unregistered Twn Rd 4, Gov't Lot 4, Sec 4-139-38, Lot 7, 2nd Addt to the Pines ✓

6th: That the following named owners and occupants of the following described lands have by agreements in writing with this Board fixed their damages on account of the vacating of said road as follows, to-wit:

NAMES OF OWNERS: Terry and Lynn Strand, DESCRIPTION OF LAND: unregistered Twn Rd 4, Gov't Lot 4, Sec 4-139-38, Lot 7, 2nd Addt to the Pines, DAMAGES: -0- ✓

7th: That this board did then assess the damages of each known and unknown claimant who has not released his claim and with whom it was unable to agree as to such damages, and in so doing did determine the gross amount of damages to each, determine the money value of benefits to such which the vacating of said road will confer, deduct such benefits from such damages, and award the difference as not damages; and that the names of such owners and occupants of land, the descriptions of said land, and the gross damages, benefits, and not damages are as follows, to-wit:

NAMES OF OWNERS: Terry and Lynn Strand, DESCRIPTION OF LAND: unregistered Twn Rd 4, Gov't Lot 4, Sec 4-139-38, Lot 7, 2nd Addt to the Pines, GROSS DAMAGES: -0-, BENEFITS: -0-, NET DAMAGES: -0-

IT IS THEREFORE ORDERED, That said road be, and hereby is, vacated as a public highway four rods wide, the center line thereof to run as follows: Beginning at unregistered Twn Rd 4 in Gov't Lot 4, Sec 4-139-38, Lot 7, 2nd Addt to the Pines, Big Toad Lake, Toad Lake Twnsp; thence running along the route following, to-wit: westerly direction from the east boundary 50' (fifty feet) and terminating at the easterly boundary of Lot 8, 2nd Addt to the Pines, Big Toad Lake, Toad Lake Twnsp, Sec 4-139-38, Gov't Lot 4, and that the foregoing releases of claims for damages, agreements as to damages, and assessments of damages, benefits, and net damages, be, and hereby are, in all things established and confirmed.

Dated March 2, 1994

(Signed) Christine Pueringer, David Zick, Mary J. Gauthier  
Town Board of the Town of Toad Lake, Becker County, Minnesota.

- Gulene.

Lynn E. Strand and Terry L. Strand  
husband and wife,

-to-

John Esser and June Esser, as joint  
tenants

WARRANTY DEED

Microfilm no. 408645

Dated September 15, 1994


Filed September 21, 1994, 12:30 p.m.

\$et al

Conveys: Lot No. 7, 2nd Addn. to the Pines, 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 portion of vacated Town Road 4, in Gov't Lot 4, Sec. 4, Twp 139, Rge. 38, Becker County, Minnesota, as described in the Order vacating of Town Road, dated March 2, 1994, and recorded as Microfilm No. 404981, on April 19, 1994, at 2:30 p.m., in the office of the County recorder in and for Becker County, Minnesota.





<p>These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.</p>	<p>33.0335.000</p> <p>Dennis &amp; Debra Nerud</p>	<p>Becker County</p> <p></p>
<p>1:1,123</p>	<p>Date: 3/9/2018</p>	

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



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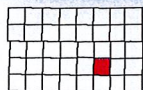
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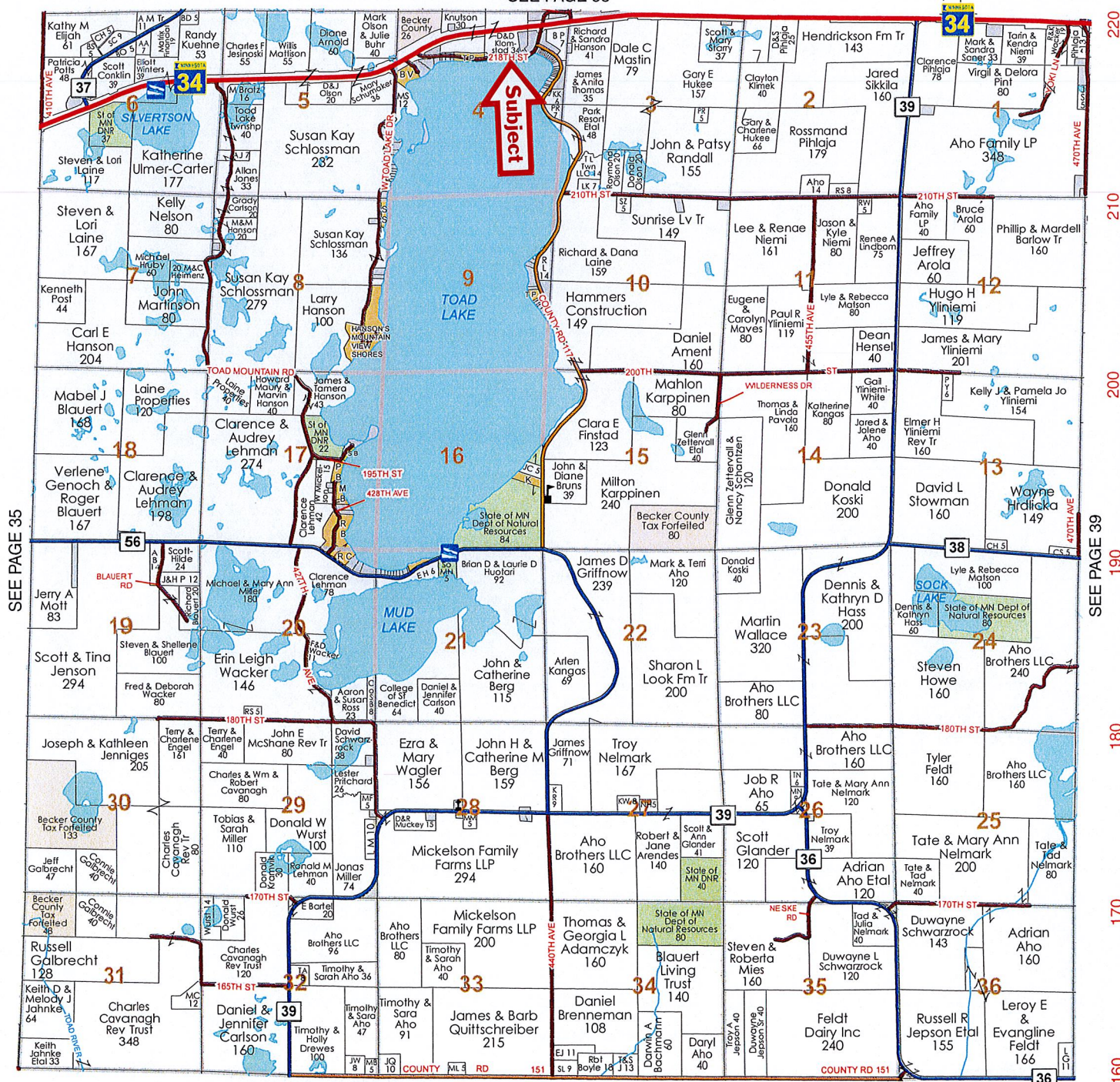


Toad Lake

Township 139N - Range 38W

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SEE PAGE 53



SEE PAGE 21





# COUNTY OF BECKER

## *Planning and Zoning*

915 Lake Ave, Detroit Lakes, MN 56501

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

---

### BOARD OF ADJUSTMENT

### NOTICE OF PUBLIC HEARING

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

Thursday, April 12, 2018 @ 7:00 P.M.

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

APPLICANT: John Gergen  
13529 W. Sola Drive  
Sun City West, AZ 85375

Project Location: 24308 Co. Hwy. 22, Detroit Lakes

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a variance to construct an addition to a non-conforming structure, to be located at eight (8) feet from the side property line, deviating from the required setback of ten (10) feet from the side property yard line for a lot greater than one hundred (100) feet, due to setback issues.

LEGAL LAND DESCRIPTION: Tax ID number: 190925000 Sallie

SubdivisionName CHAUTAUQUA BEACH SubdivisionCd 19021

Metes and Bounds: LOTS 13 & 14; Section 20, TWP 138, Range 41, Lake View Township.

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

#### PLANNING AND ZONING DEPARTMENT

915 Lake Avenue

Detroit Lakes, MN. 56501

FAX Number 218-846-7266

EMAIL: [zoning@co.becker.mn.us](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) John Last Name Gergen  
Mailing Address 13529 W. Sola Dr. City, State, Zip Sun City West, AZ 85375  
Phone Number 602 478 6428 Project Address: 24308 Cnty Hwy 22  
Parcel number(s) of property: 19.095.000 Sect - Twp - Range: 20 T-138-N R-41-W  
Township Name: LAKEVIEW Legal Description: Lot 13 & 14 Chautauqua Beach

### 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:

Existing Dwelling + proposed addition are 8 ft from side lot  
deviating from 10ft side property setback

### 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) 8 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? 1408 ~~1408~~ s.f.

What is the proposed addition square footage? 224 s.f.

What is the current height of the structure? 12 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? yes

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

What is the current percentage of lot coverage? 19.8

What is the proposed percentage of lot coverage? 20.9

RECEIVED

MAR 07 2018

ZONING



**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?

*Proposed addition should not affect use & enjoyment of surrounding properties*

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

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

*Master bedroom expansion*

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

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

*Back of garage on adjoining lot is on lot line*

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: \_\_\_\_\_

Date: 3-7-18

(Office Use)

Date Received 3/7/18

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
19.0925.000	24308 Only Hwy 22		Lot 13 & 14 Chautauqua Beach

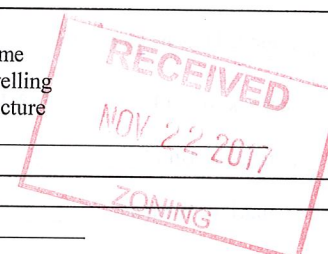
Lake/River Name	Lake/River Class	Township Name	Section	TWP No.	Range
Sallie	Rec.	Lakeview	20	T-138-N	R-41-W

Property Owner	Last Name	First Name	Mailing Address	Phone
Gergen	John		13529 W Soda Dr.	602-478-6428
Contractor Name Lic #	Hersh Construction MN # BC633966			Steve 849 3872

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

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

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



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

**Onsite Sewage Treatment System**  
Type of System mound Date of Installation \_\_\_\_\_ Last Date Certified Aug 13 2008  
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 20500 sq ft or \_\_\_\_\_ acres Water Frontage 100 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			
DRIVEWAY	<del>30x</del>	1950	House	<del>40x60</del>	1408
garage	24x24	576	Proposed addition	14x16	224
shed	8x16	128			
Total Impervious Material					4286

Impervious Lot Coverage  $\frac{4286}{20500} = 20.9\%$   
Total Impervious Lot Area Impervious Coverage Percentage

No Mitigation Required as lot is 100 wide & 20,000 sq ft on lake salme

**Topographical Alteration/Earth moving**

( ) 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.




<b>Characteristics of Proposed Dwelling/Dwelling Additions/Attached Garage/Decks</b>		<b>Cost of Project</b>
( ) Dwelling <u>110</u> ft by <u>110</u> ft ( ) Attached Garage _____ ft x _____ ft		\$ <u>50,000.00</u>
Outside Dimension ( ) Deck/Patio _____ ft x _____ ft	(X) Addition to existing <u>14</u> ft x <u>16</u> ft	
Setback to Side Lot Line <u>8</u> ft & Rear Lot Line _____ ft	Setback to Road Right of Way <u>98</u> ft	
Setback to Bluff _____	Type of road <u>County</u>	
Setback to Wetland _____	Is wetland protected ( ) Yes ( ) No	
Setback to OHW (straight horizontal distance) <u>82'</u>	Elevation above OHW (Straight vertical distance) <u>3'</u>	
Setback to septic tank <u>65'</u>	Setback to drainfield <u>60'</u>	
Total No. Bedrooms <u>2 - None being added</u>	Maximum height proposed <u>12'</u>	# of Stories <u>1</u>
Roof Change (X) Yes ( ) No	Basement ( ) Yes (X) No Walkout Basement ( ) Yes (X) No	

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

<b>Characteristics of Proposed Water Oriented Structure*</b>	<b>Cost of Project \$</b> _____
( ) 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 _____	<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.*

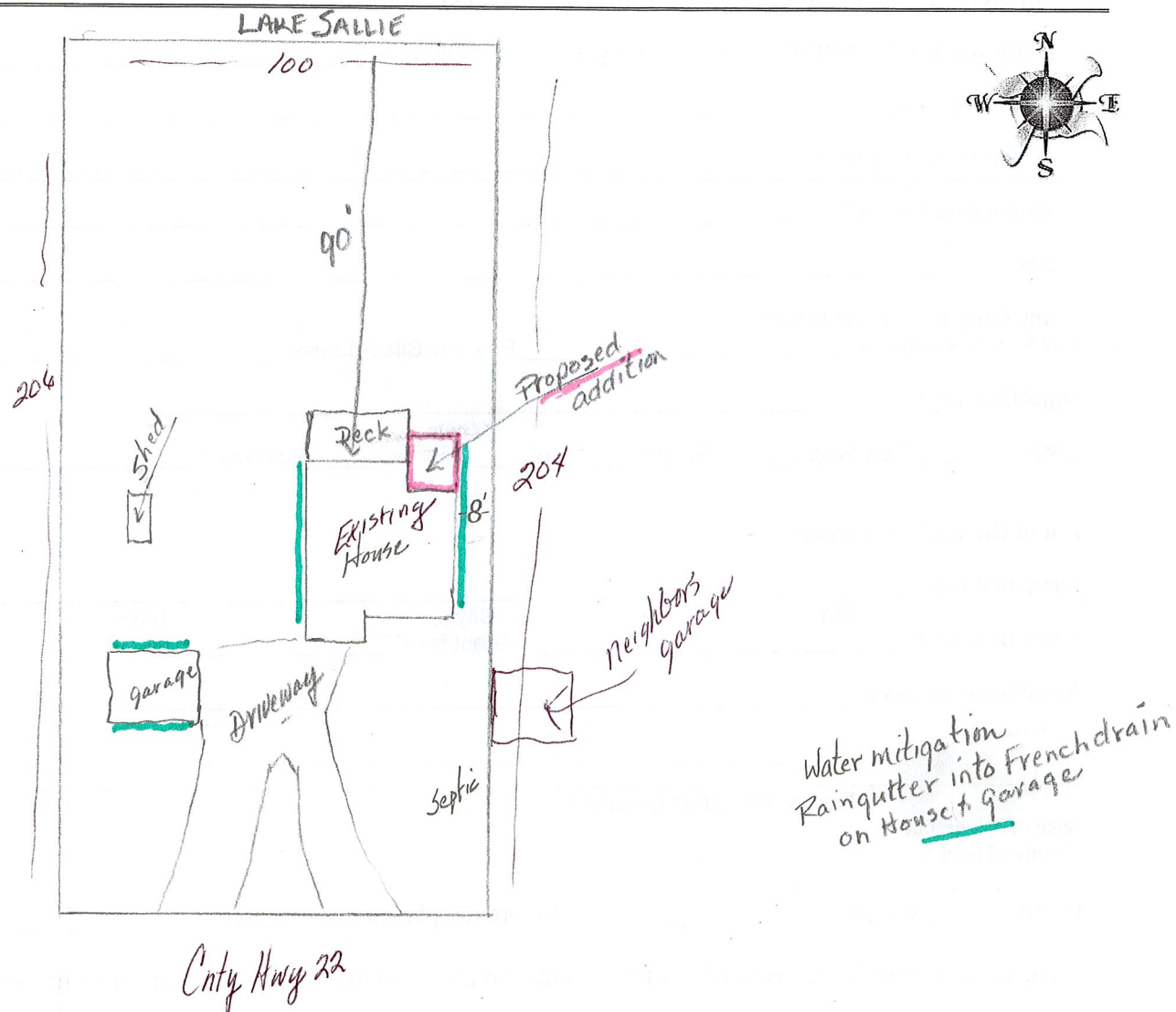
  
Signature

3-7-18  
Date

## SKETCH OF PROPERTY

1. Please sketch all impervious coverage on your property; include dimensions.
2. Sketch roadways adjacent to property - Include driveway location.
3. 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.

PARCEL	
APP	SITE
YEAR	



Remember EROSION CONTROL!

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



## Authorized Agent Form

1. Form must be legible and completed in ink.

2. Check appropriate box(es). Write any specific restrictions on the checked item in the space provided (e.g. "garage site permit" or "valid only on permit applications submitted between 06/01/20XX and 08/01/20XX"). If you want your agent to represent you on a conditional use or variance application and also be authorized to obtain the related permit(s), be sure to check and complete the "permit application" item as well. If an item's box is checked and the accompanying space is left blank, the authorization granted on that item is valid for a period of one year from the date of signature on this form until Becker County Planning and Zoning receives signed, written notification from the property owner(s) stating otherwise or the property's ownership changes.

I (we), John M. GERGEN hereby authorize Steve Hershberger 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): 19.0925000 Physical Site Address: 24308 Corty Hwy 22

Legal Description: Lot 13 & 14 Chautauqua Beach

Section: 20 Township: T-13N Range: R-4E-W Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Plat Name: \_\_\_\_\_

### Agent Contact Information

Agent address: 258063 Whiskey Creek Dr MN 56501  
Street City State Zip Code  
Agent phone #(s): 218 8478345 Agent fax #: \_\_\_\_\_

Agent email address: \_\_\_\_\_

John M. Gerger 3/13/18  
Property Owner(s) Signature(s) Date

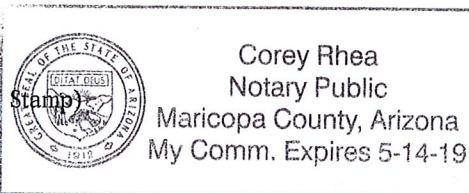
State of ~~Minnesota~~ Arizona  
County of ~~Becker~~ Maricopa

On this 13 day of March 2018 before me personally appeared John Gerger

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

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

(Notary Stamp)



[Signature]  
Notary Public

Office Use Only:

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

Expiration Date: 5.14.19

2017

Date application received 11/22/17 Received By: Vio Assigned To: Jeff

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

Footing Inspection Required: ☒ Yes ☐ No Date footing inspection completed: \_\_\_\_\_ By: \_\_\_\_\_

Mitigation Required: ☐ Yes ☒ No Worksheet completed by: Stender/Lot Size

Date mitigation document sent to owner \_\_\_\_\_ date returned \_\_\_\_\_

Year of septic installation \_\_\_\_\_ Date of last certificate of compliance \_\_\_\_\_

New certificate of compliance required: ☐ Yes ☐ No

Comments from septic contractor: \_\_\_\_\_

Impervious calculations:

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

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

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

Application Fee: 210 + Cormorant Surcharge \_\_\_\_\_ + Fines \_\_\_\_\_ = Total Fees 210

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 \_\_\_\_\_

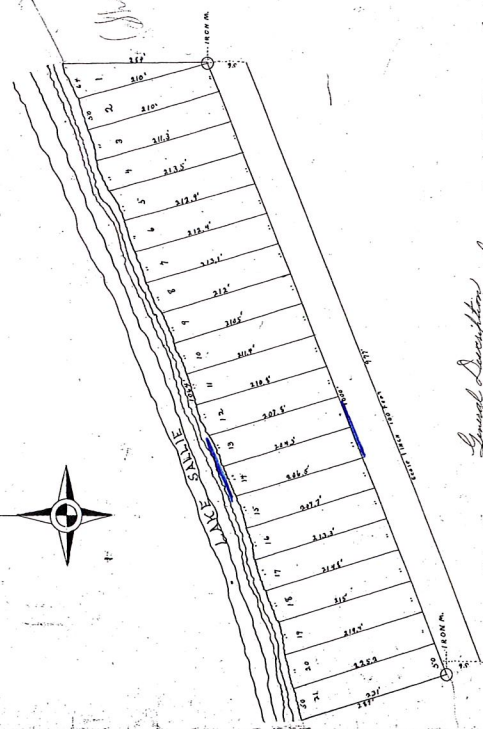
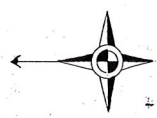
Additional Receipt Number \_\_\_\_\_ Date of Additional Receipt \_\_\_\_\_

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

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



# Plat of Chautauqua Beach



Chautauqua Beach is situated in the town of Chautauqua, in the County of Chautauqua, State of North Dakota. The beach is bounded on the north by the town of Chautauqua, on the south by the town of Chautauqua, on the east by the town of Chautauqua, and on the west by the town of Chautauqua. The beach is divided into lots, numbered 1 through 100, and is situated in the town of Chautauqua, in the County of Chautauqua, State of North Dakota.

The lots are situated in the town of Chautauqua, in the County of Chautauqua, State of North Dakota. The lots are numbered 1 through 100, and are situated in the town of Chautauqua, in the County of Chautauqua, State of North Dakota.

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Copy made of Records and Abstracts  
Placed upon John H. Hart and James B. Hart, owners of  
the city, that they are the proprietors of Chautauqua Beach  
situated in the town of Chautauqua, in the County of Chautauqua, State of North Dakota. The beach is divided into lots, numbered 1 through 100, and is situated in the town of Chautauqua, in the County of Chautauqua, State of North Dakota.

In witness whereof  
John H. Hart  
James B. Hart  
Proprietors

John H. Hart  
James B. Hart  
Proprietors

John H. Hart  
James B. Hart  
Proprietors

John H. Hart  
James B. Hart  
Proprietors

37946  
Signatures of James B. Hart  
John H. Hart  
James B. Hart  
Proprietors



Original





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.

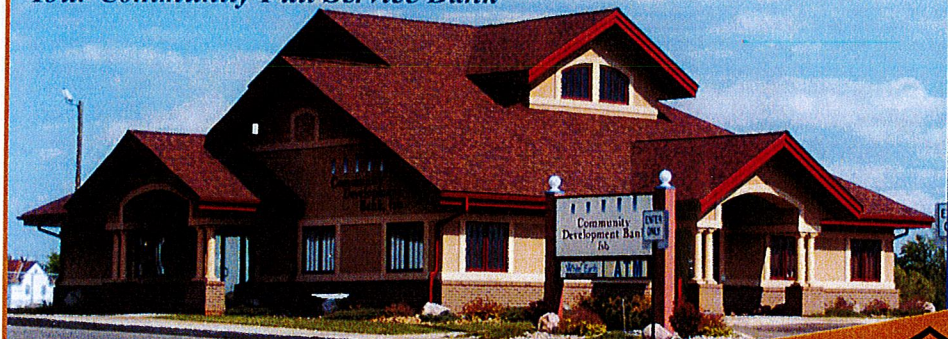
1:1,123		Date: 3/16/2018	
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.			

Becker County





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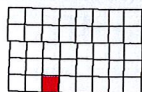


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Lake View

Township 138N - Range 41W

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