



# COUNTY OF BECKER

## Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

Phone: 218-846-7314

### BOARD OF ADJUSTMENT

### NOTICE OF PUBLIC HEARING

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

April 11<sup>th</sup>, 2024 @ 6:00 P.M.

**\*\*Commissioner's Room – Becker County Courthouse\*\***

**APPLICANT:** Hall Family RLT  
37895 SW Height of Land Dr  
Rochert, MN 56578

**Project Location:** 38614 E Juggler Rd  
Waubun, MN 56589

**APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to construct a dwelling with an attached garage, decks, and patios to be located forty (40) feet from the Ordinary High-Water (OHW) mark deviating from the required setback of one hundred (100) feet on a Recreational Development Lake due to setback issues.

**LEGAL LAND DESCRIPTION: Tax ID Number:** 25.0541.000 **Legal Land Descriptions:** Section 11 Township 142 Range 038; JUGGLER BEACH 142 38 Block 001 LOT 17; Round Lake Township

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

### PLANNING AND ZONING DEPARTMENT

915 Lake Avenue  
Detroit Lakes, MN 56501

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

**To view all application information on this project please visit:**

[https://www.co.becker.mn.us/government/meetings/planning\\_zoning/board\\_adjustments/](https://www.co.becker.mn.us/government/meetings/planning_zoning/board_adjustments/)

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, and 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 the day of the hearing for possible rescheduling of the hearing.*

# Variance Application Review

Permit # 349

## Property and Owner Review

Parcel Number(s): **250541000**

Owner: **Hall Family RLT**

Township-S/T/R: **ROUND LAKE-11/142/038**

Mailing Address:  
**37895 SW Height of Land Dr Rochert, MN 56578**

Site Address: **38614 E Juggler Rd Waubun, MN 56589**

Lot Recording Date: **Between 1971 and 1992**

Original Permit Nbr: -

Legal Descr: **Block 001 of JUGGLER BEACH 142 38|LOT 17**

## Variance Details Review

Variance Request Reason(s):

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

If 'Other', description:

Description of Variance Request: **Parcel of land is narrow in shape and does not provide reasonable square footage of buildable area due to lake setback on three sides of the parcel.**

OHW Setback: **40**

Side Lot Line Setback:

Rear Setback (non-lake):

Bluff Setback:

Road Setback:

Road Type:

Existing Imp. Surface Coverage: **0**

Proposed Imp. Surface Coverage: **18%**

Existing Structure Sq Ft: **0**

Proposed Structure Sq Ft: **1st floor - 2258, Garage - 770, Covered Porch - 527, Deck - 435**

Existing Structure Height: **0**

Proposed Structure Height: **max height 30'**

Existing Basement Sq Ft: **0**

Proposed Basement Sq Ft: **2258**

Change to roofline? **N/A**

Change to main structural framework? **N/A**

## Other Questions Review

1. Is the variance in harmony with the purposes and intent of the ordinance? **Yes**

Explain: **The property does not provide for any reasonable buildable area site due to the non-conforming buildable area requirements not being met, lot shape and the parcel being surrounded by water. All other requirements except the lake setback will be met.**

2. Is the Variance consistent with the Becker County Comprehensive Plan? **Yes**

Explain: **Yes, the parcel is located on a recreational development lake and not in special protection zone.**

3. Does the proposal put the property to use in a reasonable manner? **Yes**

Explain: **Yes, the property will be used in a residential matter, similar to those surrounding it.**

4. Are there circumstances unique to the property? **Yes**

Explain: **Yes, the lot is non-conforming and very narrow in width providing a very limited area to build.**

5. Will the variance maintain the essential character of the locality? **Yes**

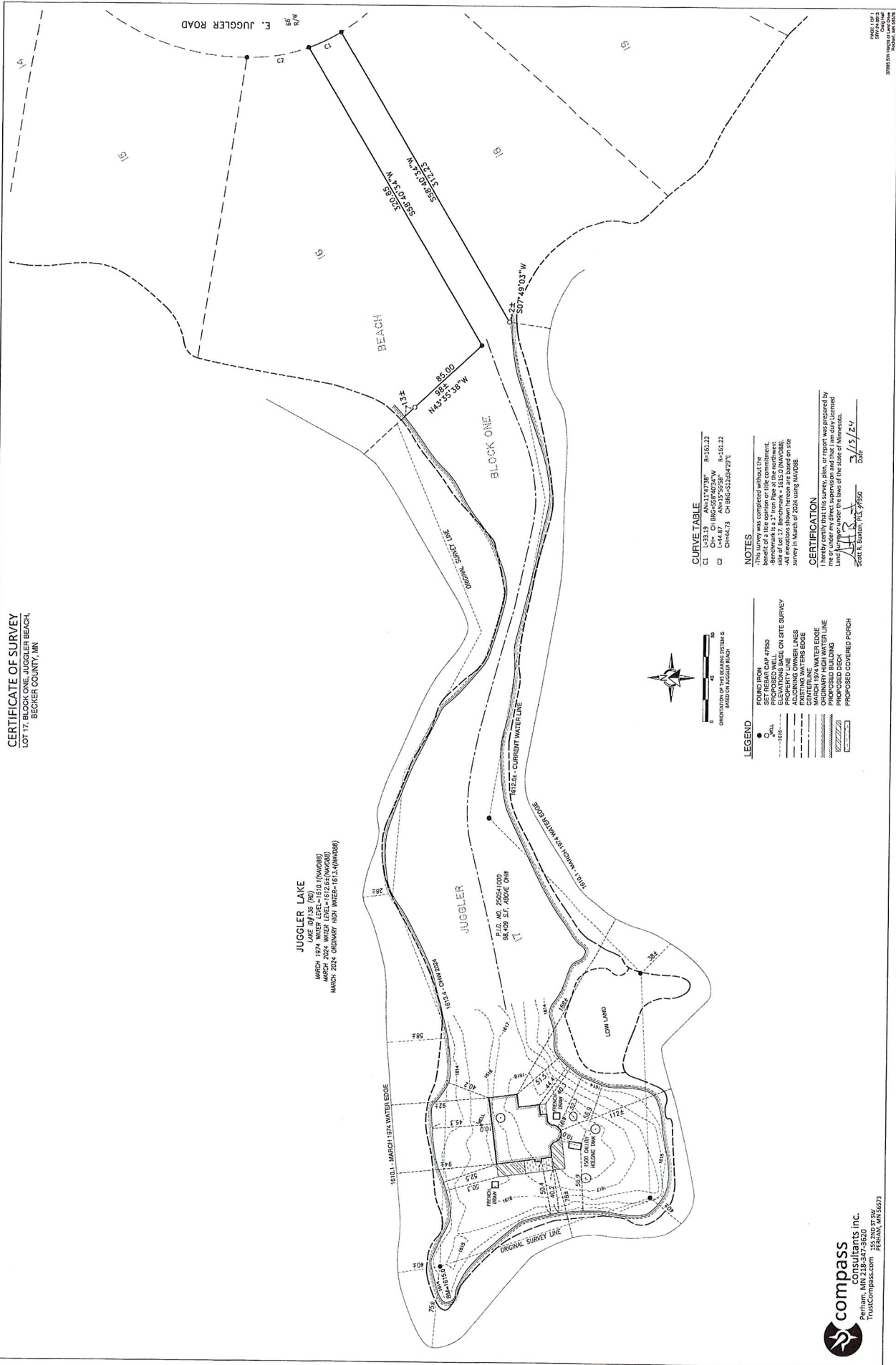
Explain: **Yes there are numerous other residents on the lake with similar setbacks to the lake.**



**CERTIFICATE OF SURVEY**  
LOT 17, BLOCK ONE, JUGGLER BEACH,  
BECKER COUNTY, MN

**JUGGLER LAKE**

DATE 8/13/24 (18)  
MARCH 1974 WATER ELEV.=1612.64(MN088)  
MARCH 2024 WATER ELEV.=1612.64(MN088)  
MARCH 2024 ORDINARY HIGH WATER=1613.4(MN088)



**CURVE TABLE**

CL	1-33.15	ARC=11°17'38"	R=353.22
CH	CH=866-552-402.34"W		R=353.22
C2	CH=44.73	CH=866-512-694.79"E	

**NOTES**

This survey was completed without the presence of any other surveyors. The survey was conducted on the date of the survey. The survey was conducted under the laws of the state of Minnesota.

**CERTIFICATION**

I, the undersigned, being a duly licensed and sworn surveyor under the laws of the state of Minnesota, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in my records.

Scott H. Boush, PLS, #9956  
Date 8/13/24

**LEGEND**

- FOUND IRON
- PROPOSED WELL
- ELEVATION BASE ON SITE SURVEY
- ADJOINING OWNER'S LINES
- ADJOINING WATER'S EDGE
- ADJOINING LOT
- MARCH 1974 WATER ELEV.
- MARCH 2024 WATER ELEV.
- PROPOSED DECK
- PROPOSED COVERED PORCH

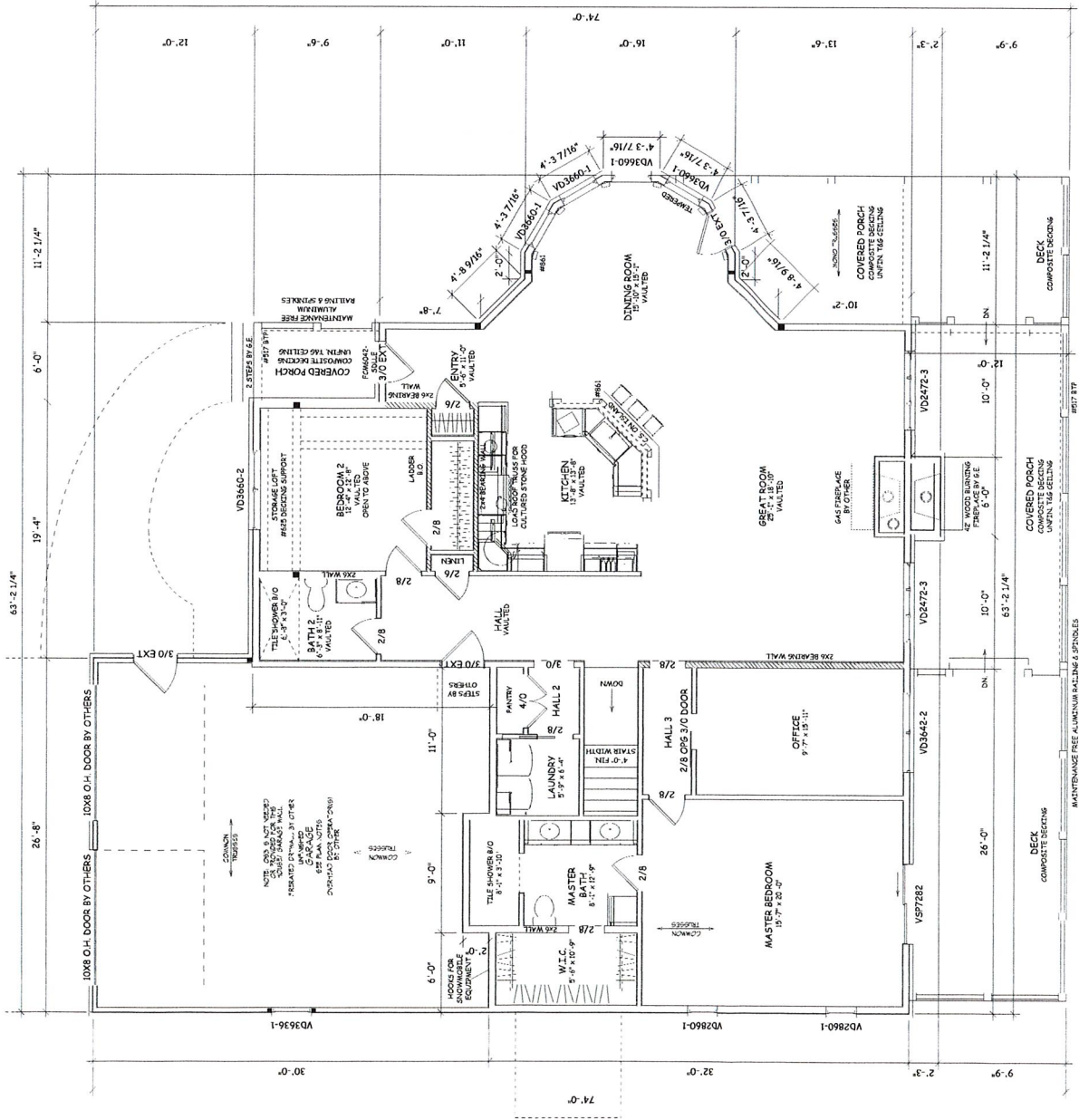
**PLAN NOTES:**  
 1. SEE EXISTING 1/2" SCALE PLAN FOR EXISTING WALLS AND DOORS.  
 2. ALL EXISTING WALLS ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 3. ALL EXISTING DOORS ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 4. ALL EXISTING WINDOWS ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 5. ALL EXISTING FLOORS ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 6. ALL EXISTING CEILING ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 7. ALL EXISTING ROOF ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 8. ALL EXISTING STAIRS ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 9. ALL EXISTING BALUSTRADES ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 10. ALL EXISTING RAILINGS ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 11. ALL EXISTING HANDRAILS ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 12. ALL EXISTING LIGHT FIXTURES ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 13. ALL EXISTING ELECTRICAL PANELS ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 14. ALL EXISTING PLUMBING ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 15. ALL EXISTING MECHANICAL ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 16. ALL EXISTING PAINT ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 17. ALL EXISTING CARPET ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 18. ALL EXISTING TILE ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 19. ALL EXISTING STONE ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 20. ALL EXISTING WOOD ARE 1/2" THICK UNLESS OTHERWISE NOTED.

10'-1 1/8" WALL HEIGHTS UNO.  
 REFER TO EAVE LAYOUTS

HOME SQUARE FOOTAGE  
 1ST FLOOR - 2,258 SQ. FT.  
 BASEMENT - 2,258 SQ. FT.  
 TOTAL FINISHED - 4,516 SQ. FT.  
 GARAGE - 770 SQ. FT.  
 COVERED PORCH - 527 SQ. FT.  
 DECK - 435 SQ. FT.  
 \* TOTAL - 6,248 SQ. FT.



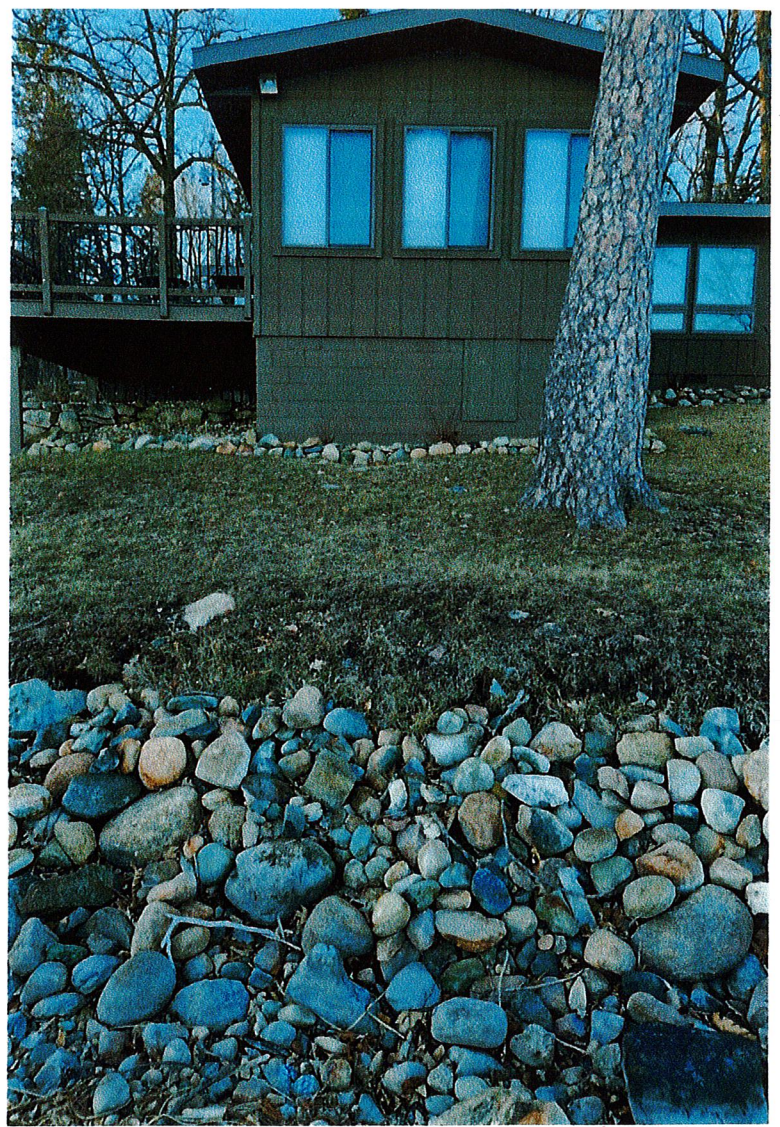
NOTES	CEILING FINISH	FLOOR FINISH	FLOOR COVER NOS.	CEILING NOS.	INT. WALLS	EXT. WALLS
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KITCHEN						
DINING ROOM						
GREAT ROOM						
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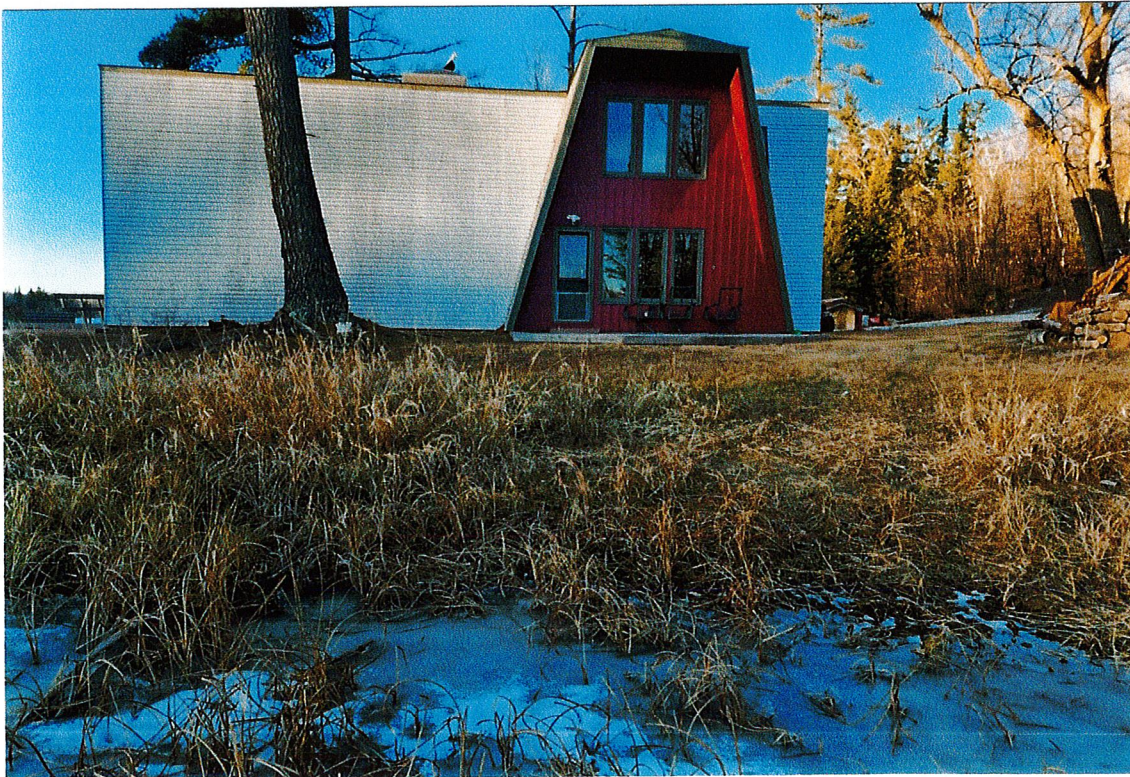




Parcel # 250529000 44' from lake



Parcel # 250138000 29' from lake



Parcel # 250238000 26' from lake - this house is on an island  
3 sides of this house are like this





Parcel # 250141001 31' from lake



Parcel # 250231000 6' from lake





Parcel # 250242001 32' from lake



Parcel # 250222006 23' from lake





Parcel # 250139000  
45' from lake

Parcel # 250236000  
30' from lake

Parcel # 250528000 19' from house  
14' from deck  
to the lake



Parcel # 250141001 43' from lake





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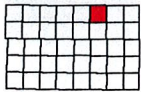
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Becker County



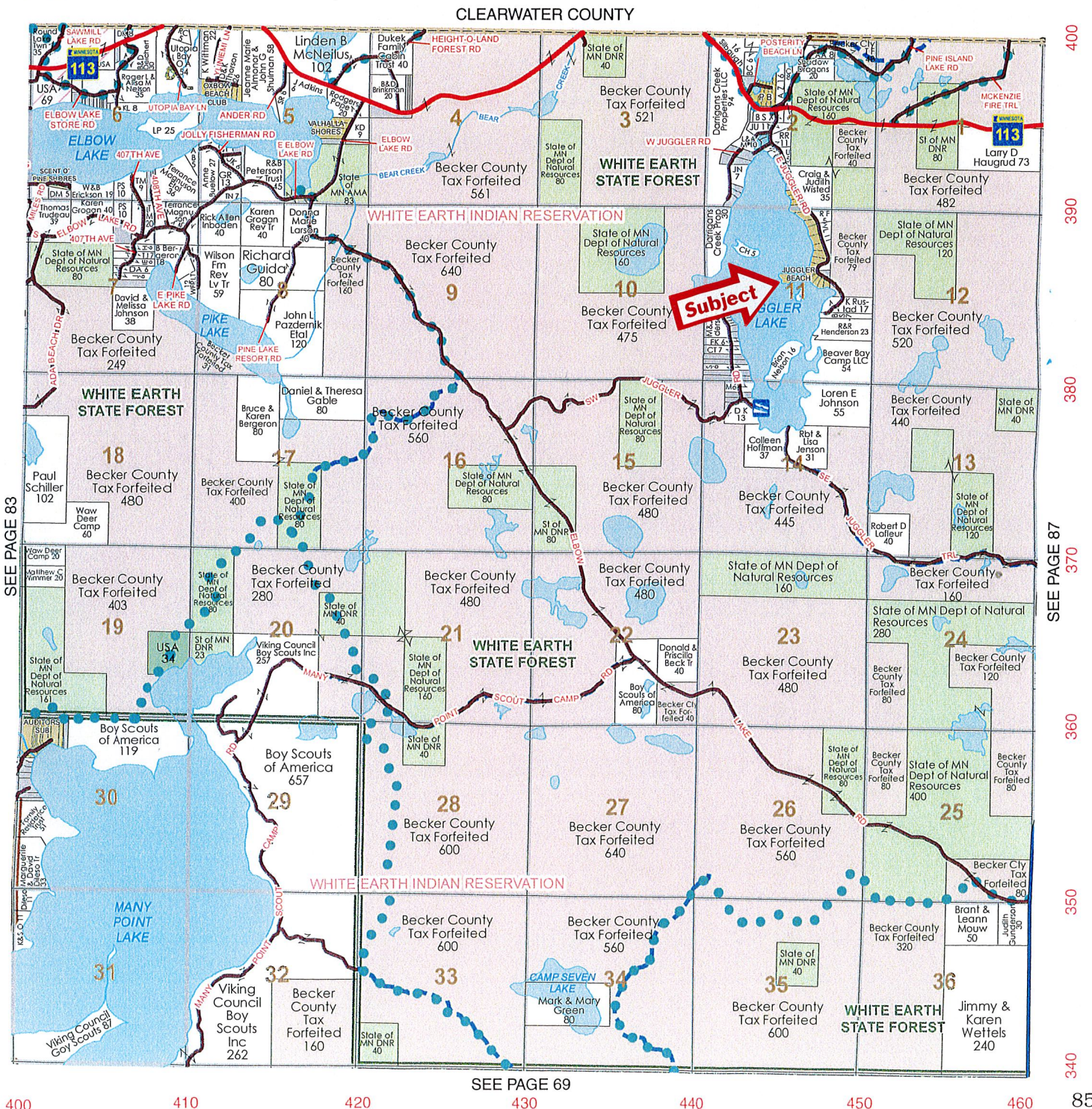




Round Lake (N)

Township 142N - Range 38W

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# COUNTY OF BECKER

## Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

Phone: 218-846-7314

### BOARD OF ADJUSTMENT NOTICE OF PUBLIC HEARING \*\*HEARING DATE AND LOCATION\*\*

April 11<sup>th</sup>, 2024 @ 6:00 P.M.

**\*\*Commissioner's Room – Becker County Courthouse\*\***

**APPLICANT:** Lila B Charon Rev Trust  
1410 12<sup>th</sup> Ave S  
Fargo, ND 58103

**Project Location:** 15282 Summer Island Rd  
Lake Park, MN 56554

**APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to 1) Replace an existing detached structure with a gazebo to be located three (3) feet from the OHW. 2) Construct a gazebo to be located twenty-two (22) feet from the OHW. 3) Replace an existing dwelling with a dwelling and attached garage to be located nineteen (19) feet from the OHW; all deviating from the required setback of one hundred (100) feet on a Recreational Development Lake due to lot size and setback issues.

**LEGAL LAND DESCRIPTION: Tax ID Numbers:** 17.1195.000, 17.1196.000, 17.1197.000, & 17.1198.000  
**Legal Land Descriptions:** Section 06 Township 138 Range 042; SUMMER ISLAND 138 42 Block 003 LOT 6 & RESTRICTED DRIVE, LOT 7 & RESTRICTED DRIVE, LOT 8 & RESTRICTED DRIVE, & LOT 9 & RESTRICTED DRIVE; Lake Eunice Township

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

#### PLANNING AND ZONING DEPARTMENT

915 Lake Avenue  
Detroit Lakes, MN 56501

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

**To view all application information on this project please visit:**

[https://www.co.becker.mn.us/government/meetings/planning\\_zoning/board\\_adjustments/](https://www.co.becker.mn.us/government/meetings/planning_zoning/board_adjustments/)

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, and in general, the needs and welfare of the people.

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## Variance Application Review

Permit # 350

### Property and Owner Review

Parcel Number(s): **171196000 171195000, 171197000, & 171198000**

Owner: **Lila B Charon Rev Trust**

Township-S/T/R: **LAKE EUNICE-06/138/042**

Mailing Address:  
**1410 12th Ave S Fargo, ND 58103**

Site Address: **15282 Summer Island Rd Lake Park, MN 56501**

Lot Recording Date: **Prior to 1971**

Original Permit Nbr: **SITE2024-2941**

Legal Descr: **Block 003 of SUMMER ISLAND 138 42|LOT 7 & RESTRICTED DRIVE**

### Variance Details Review

Variance Request Reason(s):

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

If 'Other', description:

Description of Variance Request: **Request a variance to 1) Replace an existing detached structure with a gazebo to be located three (3) feet from the OHW. 2) Construct a gazebo to be located twenty-two (22) feet from the OHW. 3) Replace an existing dwelling with a dwelling and attached garage to be located nineteen (19) feet from the OHW; all deviating from the required setback of one hundred (100) feet on a Recreational Development Lake due to lot size and setback issues.**

OHW Setback: **3', 22', & 19'**

Side Lot Line Setback:

Rear Setback (non-lake):

Bluff Setback:

Road Setback:

Road Type:

Existing Imp. Surface Coverage: **Less than 15%**

Proposed Imp. Surface Coverage: **Less than 15%**

Existing Structure Sq Ft:

Proposed Structure Sq Ft: **Gazebo 280, Gazebo Round, Dwelling and Garage 880**

Existing Structure Height:

Proposed Structure Height: **Dwelling/Garage 26', Gazebos 14'**

Existing Basement Sq Ft:

Proposed Basement Sq Ft:

Change to roofline?

Change to main structural framework?

### Other Questions Review

1. Is the variance in harmony with the purposes and intent of the ordinance? **Yes**

Explain: **The width of the property with water on both sides makes it impossible to obtain a 100' setback anywhere on the property.**

2. Is the Variance consistent with the Becker County Comprehensive Plan? **Yes**

Explain: **Other structures in the area do not meet the required setbacks, as well as are located within the shore impact zone.**

3. Does the proposal put the property to use in a reasonable manner? **Yes**

Explain: **This proposal will allow us to use and enjoy the property. We are not asking for anything in excess.**



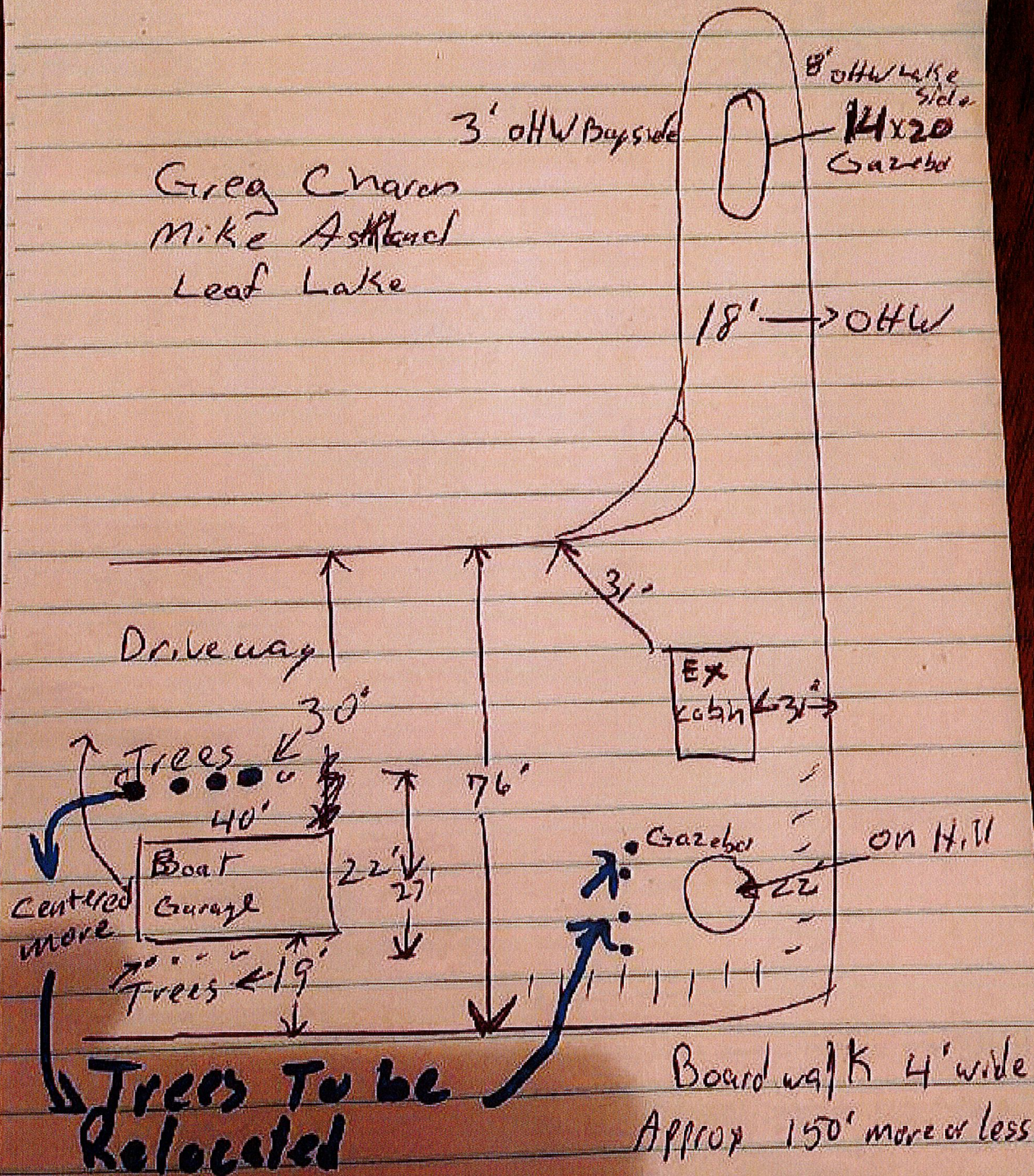
4. Are there circumstances unique to the property? **Yes**

Explain: **The peninsula creates a practical difficulty with water on both sides and a narrow width.**

5. Will the variance maintain the essential character of the locality? **Yes**

Explain: **By removing the old structures and replacing them with new ones we feel it will make the property more aesthetically pleasing.**









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Becker County

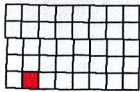


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Date: 3/4/2024

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



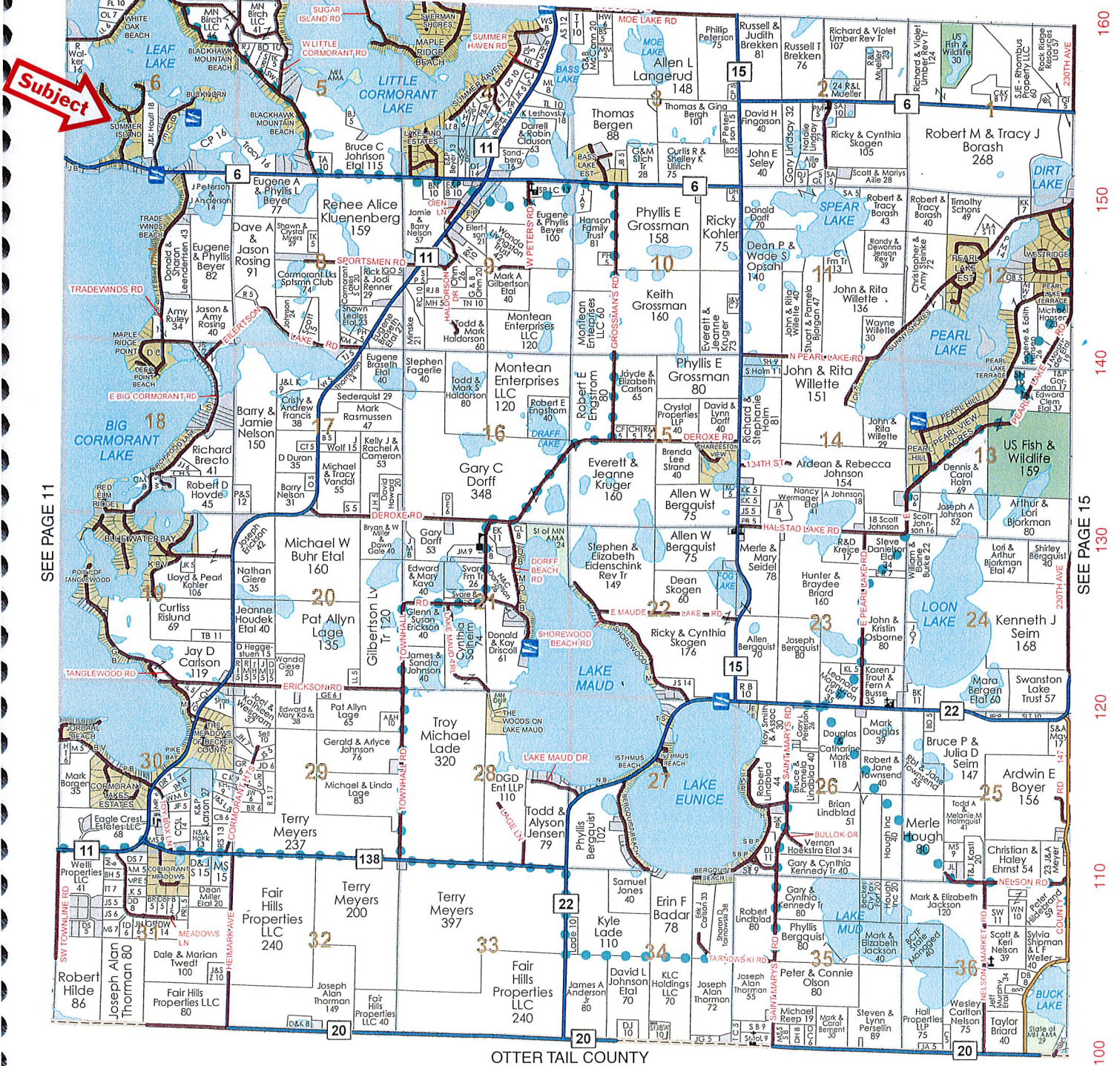


## Lake Eunice

## Township 138N - Range 42W

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SEE PAGE 29



OTTER TAIL COUNTY





# COUNTY OF BECKER

## Planning and Zoning

915 Lake Ave, Detroit Lakes, MN 56501

Phone: 218-846-7314

### BOARD OF ADJUSTMENT NOTICE OF PUBLIC HEARING

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

April 11<sup>th</sup>, 2024 @ 6:00 P.M.

**\*\*Commissioner's Room – Becker County Courthouse\*\***

**APPLICANT:** Dana E & Rita K Tomlinson  
PO Box 1763  
Detroit Lakes, MN 56502

**Project Location:** 24420 Riverside Rd  
Detroit Lakes, MN 56501

**APPLICATION AND DESCRIPTION OF PROJECT:** Request a variance to replace an existing home with a dwelling and attached garage to be located thirty-five (35) feet from the Ordinary High-Water (OHW) mark deviating from the required setback of seventy-five (75) feet on a General Development Lake due to setback issues.

**LEGAL LAND DESCRIPTION: Tax ID Number:** 19.1375.103 **Legal Land Descriptions:** Section 32 Township 138 Range 041; GILBERT BEACH Lot 003 Block 001; Lake View Township

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

#### PLANNING AND ZONING DEPARTMENT

915 Lake Avenue  
Detroit Lakes, MN 56501

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

**To view all application information on this project please visit:**

[https://www.co.becker.mn.us/government/meetings/planning\\_zoning/board\\_adjustments/](https://www.co.becker.mn.us/government/meetings/planning_zoning/board_adjustments/)

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, and in general, the needs and welfare of the people.

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## Variance Application Review

Permit # 348

### Property and Owner Review

Parcel Number(s): **191375103**

Owner: **Dana E & Rita K Tomlinson**

Township-S/T/R: **LAKE VIEW-32/138/041**

Mailing Address:  
**PO Box 1763 Detroit Lakes, MN 56502**

Site Address: **24420 Riverside Rd Detroit Lakes, MN 56501**

Lot Recording Date: **After 1992**

Original Permit Nbr: **2939**

Legal Descr: **Lot 003 Block 001 of GILBERT BEACH**

### Variance Details Review

Variance Request Reason(s):

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

If 'Other', description:

Description of Variance Request: **Replace existing non-conforming structure**

OHW Setback: **35**

Side Lot Line Setback:

Rear Setback (non-lake):

Bluff Setback:

Road Setback:

Road Type:

Existing Imp. Surface Coverage: **4.85**

Proposed Imp. Surface Coverage: **17.17**

Existing Structure Sq Ft: **805**

Proposed Structure Sq Ft: **6601**

Existing Structure Height: **14**

Proposed Structure Height: **30**

Existing Basement Sq Ft: **no**

Proposed Basement Sq Ft: **no**

Change to roofline? **Yes**

Change to main structural framework? **Yes**

### Other Questions Review

1. Is the variance in harmony with the purposes and intent of the ordinance? **Yes**

Explain: **The project buildable area is limited by a private easement and bluff area. The new structure will not be placed any closer to the lake than the existing structure.**

2. Is the Variance consistent with the Becker County Comprehensive Plan? **Yes**

Explain: **Yes, the project is located on a general development lake.**

3. Does the proposal put the property to use in a reasonable manner? **Yes**

Explain: **Yes it currently being used in a residential manner and will continue to be used as is.**

4. Are there circumstances unique to the property? **Yes**

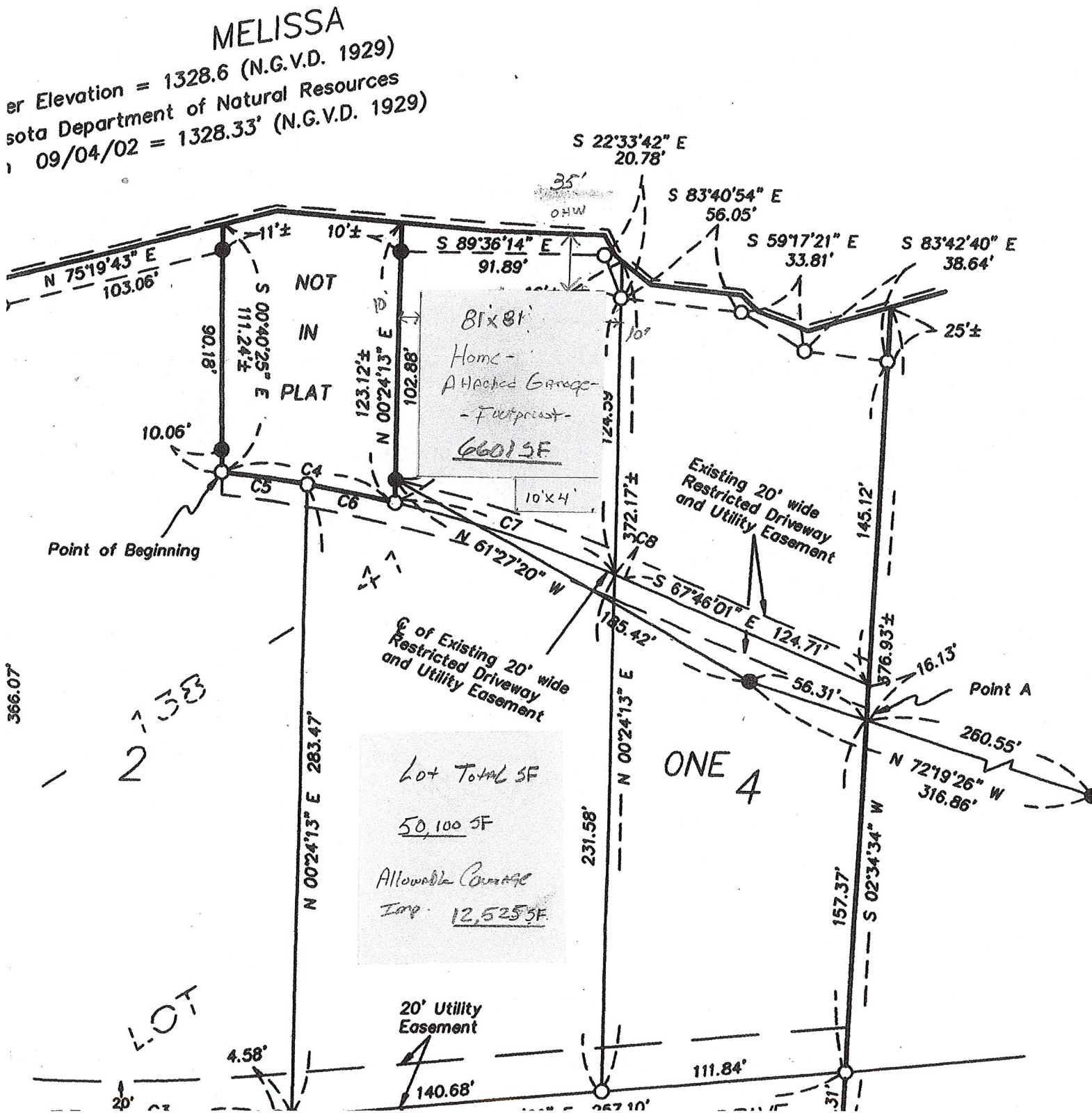
Explain: **Yes, the bluff and private road limit the area to be used on the property.**

5. Will the variance maintain the essential character of the locality? **Yes**

Explain: **Yes, lake melissa has numerous non-conforming structures along its shores.**



used the said land to be surveyed and platted as GILBERT BEACH and they do hereby donate and dedicate to the public for road and utility purposes the said 20 foot wide Restricted Driveway and Utility Easement to be known as SSA DRIVE as shown on the herein plat and they do hereby donate and dedicate to the public for utility purposes the UTILITY EASEMENT of the above plat shown as existing 20 foot wide Restricted Driveway and Utility Easement is an easement over, under, and across the said land and is not intended to be a public driveway and is only for access to and service an existing unplatted area bounded by said Lots 2 and 3 and is not intended to be a public driveway and is only for access to and extend to the water's edge of said Lake Melissa. SUBJECT TO easements, restrictions and reservations of record, if any.







29

Lake Melissa

WATER

191741100

190637000

191375101

191375102

Gilbert Beach

191375103

32

191375104

190625002

190625003

190625006

N197047015

Mill Lake

190625000

S MELISSA DR

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Becker County



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Date: 3/27/2024

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## Lake View

## Township 138N - Range 41W

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