

# Planning and Zoning

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

### Becker County Planning Commission Meeting Tuesday October 13th, 2015 ~ 7:00 P.M. ~ Tentative Agenda ~

#### I. Roll Call of Members

Minutes Approval for the September 8th, 2015 Meeting.

II. Old Business: None

#### III. New Business

- 1) APPLICANT: David Hiltner PROJECT LOCATION: 15022 W Munson Ln APPLICATION AND DESCRIPTION OF PROJECT: Request a change of zone from Agricultural to Residential for a Preliminary Plat consisting of six tracts. The Preliminary Plat will be reviewed by the Detroit Lakes Planning and Zoning Commission.
- 2) APPLICANT: Keith & Diane Ketcher PROJECT LOCATION: 24162 Co Hwy 48 APPLICATION AND DESCRIPTION OF PROJECT: Request a change of zone from Commercial to Residential to reflect the current use of the property.
- 3) APPLICANT: Jeff & Kathy Perrine PROJECT LOCATION: 21258 W Height of Land Dr APPLICATION AND DESCRIPTION OF PROJECT: Request a Certificate of Survey for two tracts of land with Tract A consisting of 3.28 useable acres and Tract B consisting of 3.12 useable acres on a Recreational Development Lake in an Agricultural Zone.
- 4) APPLICANT: Sylvia Shipman PROJECT LOCATION: 10416 Co Rd 147 APPLICATION AND DESCRIPTION OF PROJECT: Request a Certificate of Survey for two tracts of land (Tract B) consisting of 8.1 acres and the remnant tract (Tract C) consisting of 40.4 acres on a Natural Environmental Lake in an Agricultural Zone.
- 5) APPLICANT: Donald & Pamela Skarie PROJECT LOCATION: 25793
  Co Rd 149 APPLICATION AND DESCRIPTION OF PROJECT:
  Request a Conditional Use Permit to operate rental storage buildings for monthly rental on an Agricultural zoned property in two existing buildings.

- 6) APPLICANT: Minnerath Investments PROJECT LOCATION: 12125 Hillside Rd APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit for installation of a 199' self-support tower to include an equipment shelter, fencing and driveway to a 50x54 space area in an agricultural zone.
- 7) APPLICANT: Osage Sportsman Club, Inc. PROJECT LOCATION: 25108
  Co Hwy 48 APPLICATION AND DESCRIPTION OF PROJECT:
  Request a Conditional Use Permit for expansion of the existing Sportsman
  Club Shooting Range. The request includes harvesting of timber to add three
  additional trap shooting lanes (for four total), rearrangement of the 250 yard
  range, parking area and eventually a new club house and warming house in an
  Agricultural Zone.
- 8) APPLICANT: James Hofman on behalf of the Blueberry Lake Ordinance Request PROJECT LOCATION: Blueberry Lake APPLICATION AND DESCRIPTION OF PROJECT: Request a Surface Water Use Ordinance. The specific request is for a 5 mph speed limit or no wake.

#### V. Other Business

- 1) Tentative Date for Informational Meeting: Wednesday, November 4, 2015; 8:00 am; Zoning Office
- 2) Other Business

#### VI. Adjournment



### Planning and Zoning

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

#### PLANNING COMMISSION NOTICE OF PUBLIC HEARING

\*\*HEARING DATE AND LOCATION\*\*
October 13, 2015 @7:00 PM

3<sup>rd</sup> Floor Jury Assembly Room New Addition-Becker County Courthouse
Detroit Lakes, MN. 56502

APPLICANT: David Hiltner 15022 W Munson Ln Detroit Lakes, MN 56501 Project Location: 15502 W Munson Ln

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a change of zone from Agricultural to Residential for a Preliminary Plat consisting of six tracts. The Preliminary Plat will be reviewed by the Detroit Lakes Planning and Zoning Commission.

LEGAL LAND DESCRIPTION: 190073000 Lake View Township Munson Lake
PT GOVT LOT 8: COMM W QTR COR SEC 5, S 1380.25' TO POB; ELY 276.03', NE 363.42' TO RD,
SL AL RD 161.79', W 6.07', SLY 187.44', SELY 214.64', E 215.04' TO LK, SLY AL LK 200', N 34', W
294.74', NW 406.89', N AL W LN TO POB., Section 05, TWP 138, Range 41

#### REFER TO BECKER COUNTY ZONING ORDINANCE

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

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

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

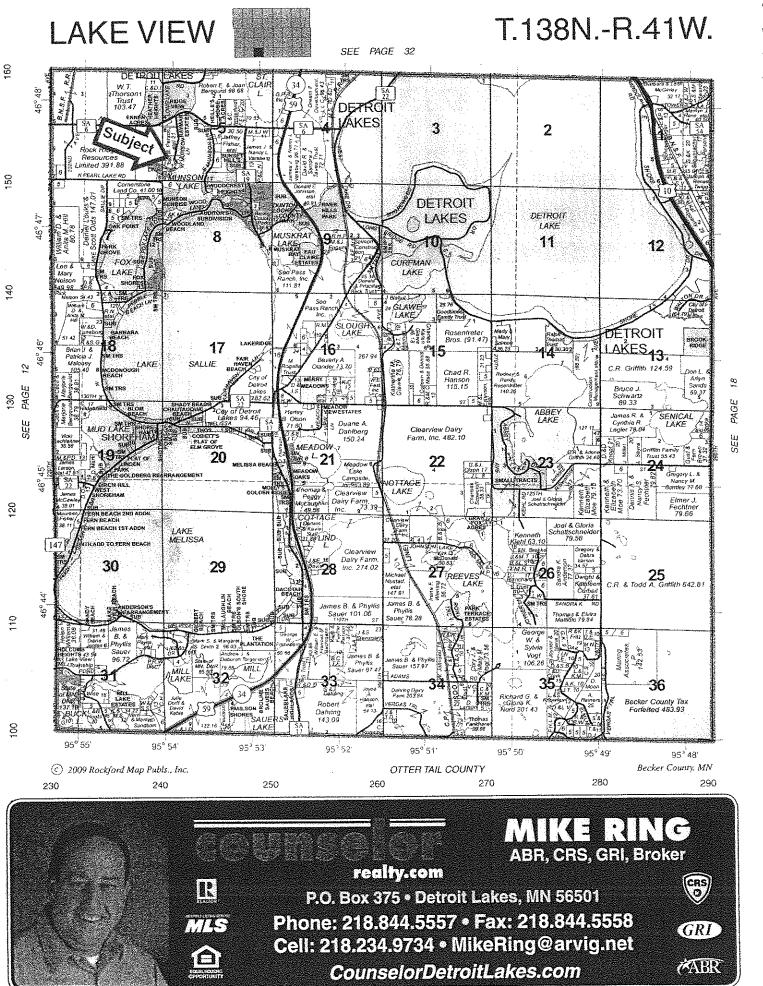
If you have questions about the Project, feel free to call 218-846-7314.

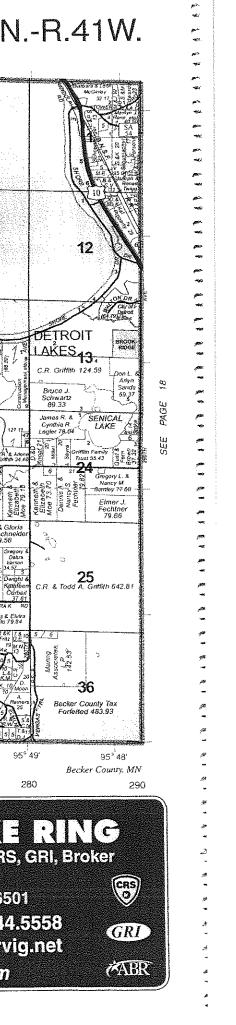
Jurisdiction: This Project comes under the Regulatory Jurisdiction of the Becker County Zoning Laws.

**Regulatory Authority:** This Application will be reviewed according to the provisions of the Becker County Zoning Ordinance.

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

<sup>\*\*</sup> 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, for possible rescheduling of the Hearing.







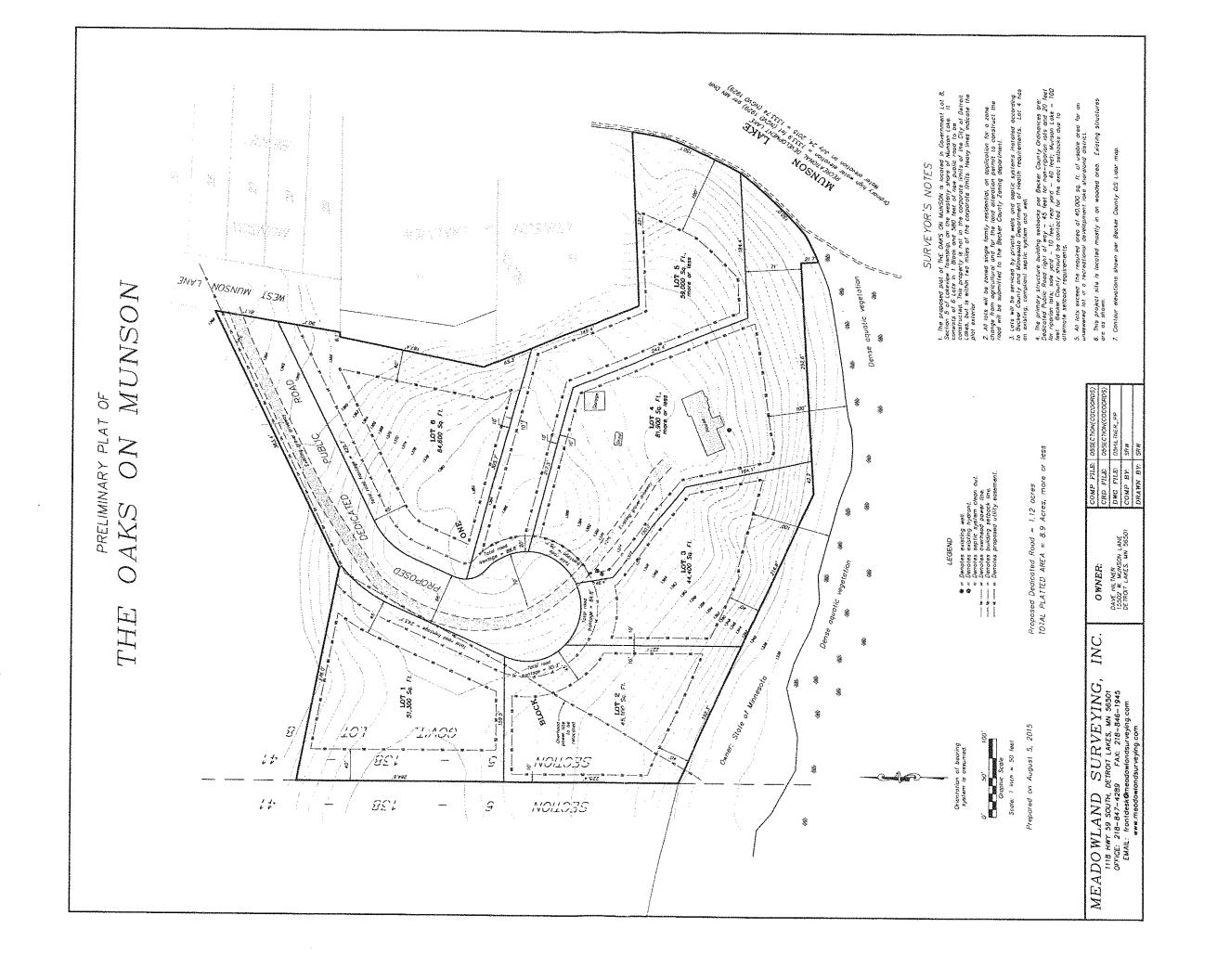
# SUBDIVISION / ZONE CHANGE BECKER COUNTY

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

| PARCEL  |        |
|---------|--------|
| APP     | ZONE/  |
|         | SURVEY |
| YEAR    |        |
| SCANNED |        |

| Application for             | : X Zone Change             | Certificate of Sur             | vey Prelimina           | ry Plat  |
|-----------------------------|-----------------------------|--------------------------------|-------------------------|--|
|                             | (Complete Section 1)        | (Complete Section 2)           | (Complete Section       |  |
|                             | me: DANE HIC                |                                |                         | All of the All of the Control of the |
| Applicant's Ad              | dress: 15502 h              | 1. MUNSON LN                   |                         |  |
|                             | DETRAITE                    | AKES, MN 56                    | 50/                     | WY WARRIES TO THE PROPERTY OF  |
| Telephone(s):_              | 218-234,-55                 | Date of Apr                    | 01.1                    | 2015   |
| Signature of A <sub>l</sub> | oplicant:                   | THEMENS OF                     | WIS SURVER              | (News)   |
| Parcel ID Num               | ber: 19013.0                | Project Address:               | 15502 10                | munson LN  |
| W F W                       | 0.30                        | Doc # 62494                    | _                       | PL   |
| CORD ANGELS AND A           |                             |                                |                         |  |
| SECTION 1                   | hanga Ear Evicting Dancel   | Number 19007708                | 10                      | Alin a a coar  |
| Zone C                      | urrent Zoning A             | Number 19007300<br>Requested 2 | Joning DES              | AUG 10 2015  |
|                             | directive 250mins           | - Requested 2                  | Juning                  | ZONING   |
| SECTION 2                   |                             |                                |                         | L  |
| *Certific                   | ate Of Survey: Number o     | f Lots                         |                         |  |
| S                           | horeland (within 1000 ft c  | of lake)                       | Nonshoreland            | OCCUPATION DESCRIPTION AND ADDRESS OF THE PROPERTY OF THE PROP |
| C                           | urrent Zoning of property   |                                | VIRTUE                  |  |
| Is                          | a change of zone require    | d?yes                          | no                      |  |
| 11                          | yes, change from            | Zone to                        | 2                       | Zone.  |
| Т                           | otal acreage of parcel to b | e subdivided                   |                         |  |
| *                           | *Include a copy of the pur  | chase agreement if applic      | ant is not the owner of | the  |
|                             | roperty.                    |                                |                         |  |
| SECTION 3                   |                             |                                |                         |  |
|                             | liminary Plat:              |                                |                         |  |
|                             | umber of Lots               |                                |                         |  |
| N                           | ame of Subdivision          |                                |                         | . WPPWWG44h.a  |
| 1                           | ame of Proposed Roads _     |                                |                         |  |
| S                           | horeland (within 1000 ft c  | f lake)                        | Non-shoreland           |  |
| C                           | urrent Zoning of property   | 10                             |                         | - Thomas Latina Parket   |
| 15                          | a change of zone require    | d? yes Zone to                 | no                      |  |
| <u>[1</u>                   | yes, change from            | Zone to                        | Zone.                   |  |
| I                           | otal acreage of parcel to b | e subdivided                   |                         | THE TANK TO SERVICE OF THE SERVICE O |
| *                           | *Include a copy of the pur  | chase agreement if applic      | ant is not the property | owner.   |
| Date Received               | Date Accepted               | Authorized Signature           | X les nous-             | 1/1/20le_  |
| Application Fee             | Notice                      | FeeRec                         | cording Fee             | The same of the sa |
| Date Paid                   | 19.77                       | Receipt Number                 | orang roo               |  |
|                             |                             | 4                              |                         |  |







# Planning and Zoning

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

#### PLANNING COMMISSION NOTICE OF PUBLIC HEARING

\*\*HEARING DATE AND LOCATION\*\*
October 13, 2015 @7:00 PM

3<sup>rd</sup> Floor Jury Assembly Room New Addition-Becker County Courthouse
Detroit Lakes, MN. 56501

APPLICANT: Keith & Diane Ketcher 24162 County Hwy 48 Osage, MN 56570 Project Location: 24162 County Hwy 48

FAX Number: 218-846-7266

email: zoning@co.becker.mn.us

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a change of zone from Commercial to Residential to reflect the current use of the property.

LEGAL LAND DESCRIPTION: 210181000 Osage Township Straight Lake PT SE1/4 OF SE1/4: COMM SE COR SEC 20 TH N AL E LN 1066.88' TO POB; TH S AL E LN 250.10', TH W 273.83', TH NW 120.82' TO STRAIGHT LK,NELY AL LK 194.58' TH E 199.57' TO CTR LN CO RD #48 & POB, Section 20, TWP 140, Range 36

#### REFER TO BECKER COUNTY ZONING ORDINANCE

**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:

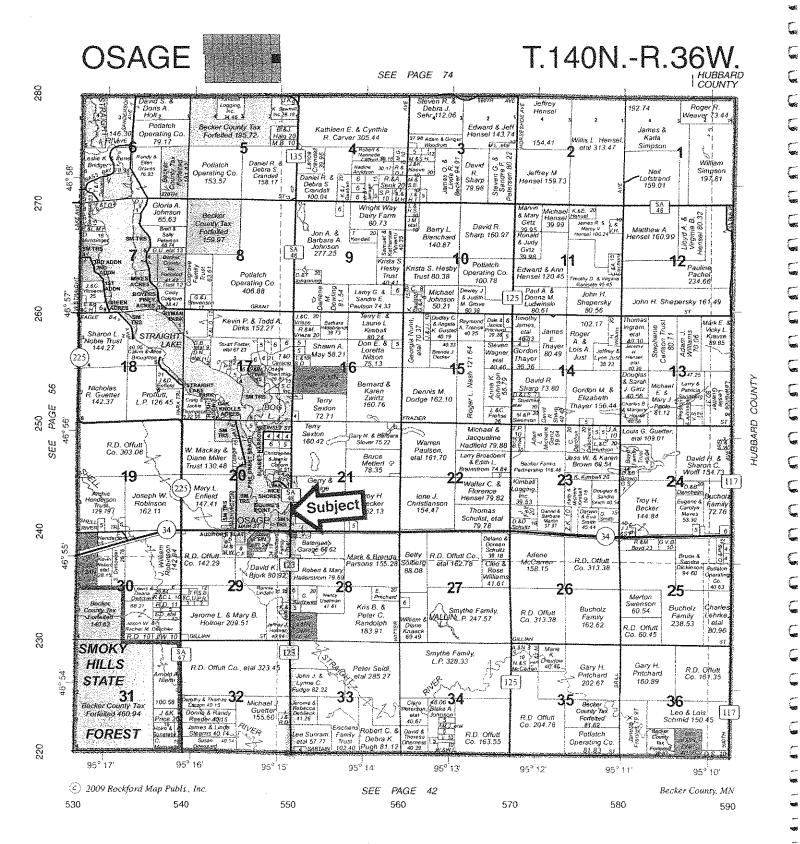
PLANNING AND ZONING DEPARTMENT 915 Lake Avenue Detroit Lakes, MN. 56501

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.





# SUBDIVISION / ZONE CHANGE BECKER COUNTY PLANNING & ZONING

| PARCEL  |        |
|---------|--------|
| APP     | ZONE/  |
|         | SURVEY |
| YEAR    |        |
| SCANNED |        |

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

| Application for: Zone Change Certificate of Survey Preliminary Plat  (Complete Section 1) (Complete Section 2) (Complete Section 3)  |             |
|--|-------------|
| Applicant's Name: Keith and Scare Ketcher  |             |
| Applicant's Address: 24162 Cty Huly 48 OSAGE MN 56570  |             |
| Telephone(s): 612-360.5005 Date of Application: \$ 19 2015   |             |
| Signature of Applicant: (Celle Cette Delle S. H. H. M.   |             |
| Parcel ID Number: R. 21.0181.000 Project Address: Same   |             |
| Legal Description of Project: Stalght Lake Section 20 TWP 140 Range 036  | ··········· |
| See tax Statement  |             |
| *Zone Change For Existing Parcel Number R. 21.0181.000  Current Zoning Commercial Requested Zoning Residential   |             |
| SECTION 2  |             |
| *Certificate Of Survey: Number of Lots   |             |
| Shoreland (within 1000 ft of lake) Nonshoreland Nonshoreland   |             |
| Correct Zaning of manager  |             |
| Current Zoning of property   |             |
| Current Zoning of property yes no  |             |
| Is a change of zone required? yes no If yes, change from Zone to Zone.   |             |
| Is a change of zone required? yes no If yes, change from Zone to Zone.   |             |
| Is a change of zone required? yes no   |             |
| Is a change of zone required? yes no If yes, change from Zone to Zone.  Total acreage of parcel to be subdivided  **Include a copy of the purchase agreement if applicant is not the owner of the property.  |             |
| Is a change of zone required? yes no If yes, change from Zone to Zone.  Total acreage of parcel to be subdivided **Include a copy of the purchase agreement if applicant is not the owner of the property.  SECTION 3  |             |
| Is a change of zone required? yes no If yes, change from Zone to Zone.  Total acreage of parcel to be subdivided **Include a copy of the purchase agreement if applicant is not the owner of the property.  SECTION 3  *For Preliminary Plat:  |             |
| Is a change of zone required? yes no If yes, change from Zone to Zone.  Total acreage of parcel to be subdivided **Include a copy of the purchase agreement if applicant is not the owner of the property.  SECTION 3  *For Preliminary Plat:  · Number of Lots  |             |
| Is a change of zone required? yes no If yes, change from Zone to Zone.  Total acreage of parcel to be subdivided **Include a copy of the purchase agreement if applicant is not the owner of the property.  SECTION 3  *For Preliminary Plat:  Number of Lots Name of Subdivision Yes Name of Subdivision Yes No Yes No Yes No Yes |             |
| Is a change of zone required? yes no If yes, change from Zone to Zone.  Total acreage of parcel to be subdivided **Include a copy of the purchase agreement if applicant is not the owner of the property.  SECTION 3  *For Preliminary Plat:  Number of Lots Name of Subdivision Yes Name of Subdivision Yes No Yes No Yes No Yes |             |
| Is a change of zone required?  |             |
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# Planning and Zoning

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

#### PLANNING COMMISSION NOTICE OF PUBLIC HEARING

\*\*HEARING DATE AND LOCATION\*\*
October 13, 2015 @7:00 PM

3<sup>rd</sup> Floor Jury Assembly Room New Addition-Becker County Courthouse
Detroit Lakes, MN. 56501

APPLICANT: Jeff & Kathy Perrine 21258 W. Height of Land Drive Rochert, MN 56578 Project Location: 21258 W. Height of Land Drive

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Certificate of Survey for two tracts of land with Tract A consisting of 3.28 useable acres and Tract B consisting of 3.12 useable acres on a Recreational Development Lake in an Agricultural Zone.

LEGAL LAND DESCRIPTION: 150037000 Height of Land Township Height of Land Lake GOVT LOT 4 EX NLY 820' TO STATE AKA 8.55 AC & EX 2 AC TO DERSTINE REF: 15.0037.001, Section 05, TWP 139, Range 39

#### REFER TO BECKER COUNTY ZONING ORDINANCE

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

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

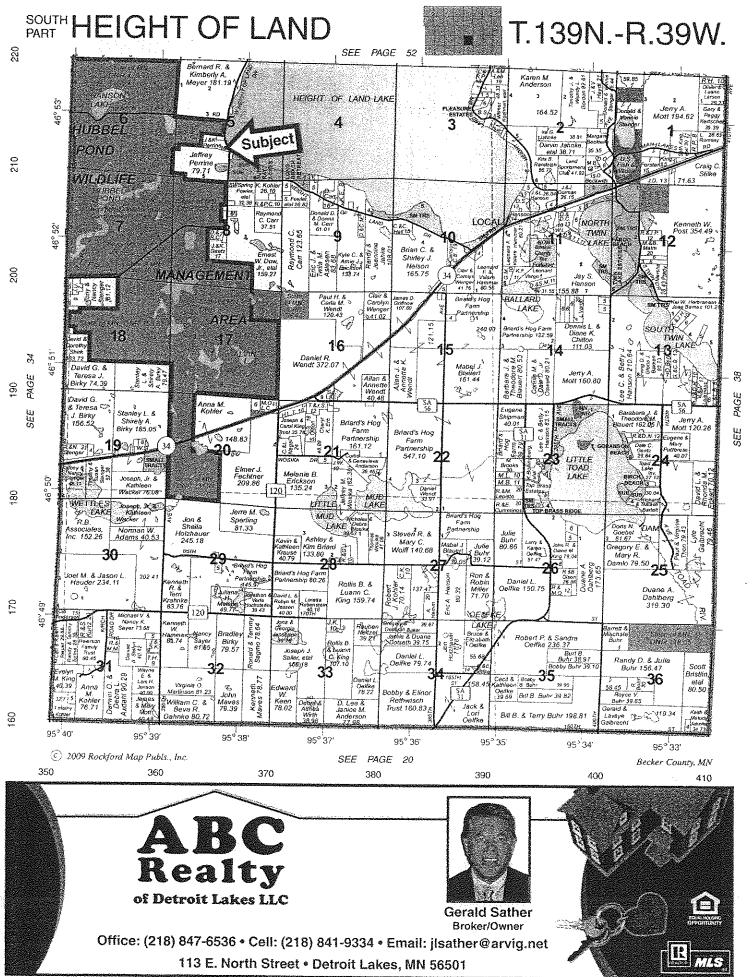
FAX Number: 218-846-7266 email: zoning@co.becker.mn.us

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

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

**Regulatory Authority:** This Application will be reviewed according to the provisions of the Becker County Zoning Ordinance.

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







# SUBDIVISION ZONE CHANGE BECKER COUNTY

# PLANNING & ZONING 915 LAKE AVENUE, DETROIT LAKES, MN 56501

| PARCEL  |        |
|---------|--------|
| APP     | ZONE / |
|         | SURVEY |
| YEAR    |        |
| SCANNED |        |

| PHONE (218) 846-7314 - FAX (218) 846-7266  |  |
|--|--|
| Application for: Zone Change X Certificate of Survey Preliminary   | Plat   |
| (Complete Section 1) (Complete Section 2) (Complete Section 3  | 3)   |
| Applicant's Name: <u>Jeff and Kathy Perrine</u>  | MANAGEMENTAL SECTION AND ASSESSMENT AND ASSESSMENT ASSE |
| Applicant's Address: 21258 W. Height of Land Drive  Richert, MN 50578  |  |
| Telephone(s): 849-2469 Date of Application 8-31-20,  | 15   |
| Signature of Applicant / // John / Le Complete of Applicant / / John / Le Complete of Applicant / / / John / Le Complete of Applicant / / / John / Le Complete of Applicant / / / John / Le Complete of Applicant / / / John / Le Complete of Applicant / / / John / Le Complete of Applicant / / / John / Le Complete of Applicant / / / John / Le Complete of Applicant / / / John / Le Complete of Applicant / / / John / Le Complete of Applicant / / / John / |  |
| Parcel ID Number: 15.0037.000 Project Address: Same as above   |  |
| Legal Description of Project: See attached   |  |
| SECTION 1  |  |
| *Zone Change For Existing Parcel Number  |  |
| Current Zoning Requested Zoning  |  |
| SECTION 2  |  |
| *Certificate Of Survey: Number of Lots   |  |
| The state of the s |  |
|  |  |
| Current Zoning of property Agricultural  Is a change of zone required? yes X no  | <u></u>  |
| If yes, change from Zone to Zone   |  |
| Total acreage of parcel to be subdivided work 26 acres, mae  | ne.  |
| **Include a convert the numbers agreement if and is not the number of the  | or less  |
| **Include a copy of the purchase agreement if applicant is not the owner of the  | e  |
| property. SECTION 3  |  |
| *For Preliminary Plat:   |  |
| Number of Lots   |  |
|  | THE PARTY NAME OF THE PARTY NA |
| Name of Subdivision  |  |
| Name of Proposed Roads Shoreland (within 1000 ft of late)  | ***************************************  |
| Shoreland (within 1000 ft of lake) Non-shoreland   | MAIN WITH STREET OF  |
| Current Zoning of property   | <del></del>  |
| Is a change of zone required? yes no   |  |
| If yes, change from Zone to Zone.  |  |
| Total acreage of parcel to be subdivided   | ·  |
| **Include a copy of the purchase agreement if applicant is not the property ov   | vner.  |
| Date Received Date Accepted Authorized Signature les stepper /   | MALLEN WILLIAM IN THE I  |
| Application Fee Notice Fee Recording Fee   | RECEIVED   |
| Date Paid Receipt Number   | AUG 3 1 2015   |
|  | MUO DI LUID  |
|  | ZONING   |
| •  | ZUNINO   |





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

#### Jeff Perrine—Tract A—3.6 acre northerly tract on Height of Land Lake

Land description:

That part of Government Lot 4 in Section 5, Township 139 North, Range 39 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Commencing at the most westerly corner of Lot 8, Block One of SUN RAY ACRES FIRST ADDITION, said plat is on file and of record in the office of the Recorder in said County, from which the westerly line of said Lot 8 bears North 13 degrees 37 minutes 37 seconds East on an assumed bearing; thence North 20 degrees 29 minutes 07 seconds West 402.70 feet to an iron monument, said point is hereinafter referred to as Point A; thence South 76 degrees 15 minutes 15 seconds East 14.89 feet to a point hereinafter referred to as Point B; thence continuing South 76 degrees 15 minutes 15 seconds East 18.16 feet to an iron monument on the north-south quarter line of said Section 5; thence North 76 degrees 15 minutes 15 seconds West 18.16 feet to the aforementioned Point B; thence continuing North 76 degrees 15 minutes 15 seconds West 14.89 feet to an iron monument at the aforementioned Point A; thence continuing North 76 degrees 15 minutes 15 seconds West 599.70 feet to an iron monument; thence continuing North 76 degrees 15 minutes 15 seconds West 136.69 feet to an iron monument; thence North 08 degrees 11 minutes 04 seconds West 101.39 feet to an iron monument; thence South 89 degrees 09 minutes 57 seconds East 243.12 feet to an iron monument, said point is the point of beginning; thence North 89 degrees 09 minutes 57 seconds West 243.12 feet to an iron monument; thence North 08 degrees 11 minutes 04 seconds West 290.46 feet to an iron monument; thence South 85 degrees 40 minutes 30 seconds East 73.14 feet to an iron monument on the southerly line of Dennis M. and Diana M. Derstine's land as described in Document No. 298892, on file and of record in the office of the Recorder in said County; thence continuing South 85 degrees 40 minutes 30 seconds East 466.33 feet along the southerly line of said Derstine's land to an iron monument; thence continuing South 85 degrees 40 minutes 30 seconds East 35.98 feet along the southerly line of said Derstine's land to a point hereinafter referred to as Point D; thence continuing South 85 degrees 40 minutes 30 seconds East 23.67 feet along the southerly line of said Derstine's land to an iron monument; thence continuing South 85 degrees 40 minutes 30 seconds East 34 feet, more or less, along the southerly line of said Derstine's land to the water's edge of Height of Land Lake; thence southeasterly along the water's edge of said Height of Land Lake to the intersection with a line which bears North 78 degrees 01 minute 11 seconds East from the point of beginning; thence South 78 degrees 01 minute 11 seconds West 41 feet, more or less, to an iron monument; thence continuing South 78 degrees 01 minute 11 seconds West 18.49 feet to a point hereinafter referred to as Point C; thence continuing South 78 degrees 01 minute 11 seconds West 33.72 feet to an iron monument; thence continuing South 78 degrees 01 minute 11 seconds West 337.18 feet to the point of beginning. The above described tract contains 3.6 acres, more or less.

SUBJECT TO a 66.00 foot wide easement for public road purposes for West Height of Land Drive over, under and across part of the above described tract. The centerline of said 66.00 foot wide public road easement is described as follows:

Meadowland Surveying, Inc.

2

Beginning at the aforementioned Point C; thence North 23 degrees 52 minutes 22 seconds West 133.20 feet; thence northwesterly on a curve concave to the northeast, having a central angle of 04 degrees 09 minutes 29 seconds and a radius of 725.00 feet, for a distance of 52.62 feet (chord bearing North 21 degrees 47 minutes 37 seconds West) to the aforementioned Point D and said 66.00 foot wide public road easement centerline there terminates. The sidelines of said 66.00 foot wide public road easement shall be prolonged or shortened to terminate on the northerly and southerly lines of the above tract.

TOGETHER WITH AND SUBJECT TO an easement for driveway purposes over, under and across that part of the above tract and that part of Government Lot 4 described as follows:

Beginning at the aforementioned Point C; thence South 23 degrees 52 minutes 22 seconds East 15.65 feet; thence South 81 degrees 05 minutes 41 seconds West 87.13 feet; thence North 65 degrees 24 minutes 27 seconds West 17.85 feet; thence South 78 degrees 01 minute 11 seconds West 19.50 feet; thence northeasterly on a curve concave to the southeast, having a central angle of 70 degrees 17 minutes 38 seconds and a radius of 36.50 feet, for a distance of 44.78 feet (chord bearing North 45 degrees 56 minutes 52 seconds East); thence North 81 degrees 05 minutes 41 seconds East 78.31 feet; thence South 23 degrees 52 minutes 22 seconds East 18.51 feet to the point of beginning of said driveway easement.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota and that the above legal description was prepared from information on Certificate of Survey T8871-15 dated August 26, 2015 and said legal description is legally sufficient to locate the boundary lines shown on said Certificate of Survey.

Scott R. Walz

Minnesota Licensed Land Surveyor No. 50320



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

#### Jeff Perrine—Tract B—3.7 acre southerly tract on Height of Land Lake

Land description:

That part of Government Lot 4 and that part of Government Lot 5 in Section 5, Township 139 North, Range 39 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Commencing at the most westerly corner of Lot 8, Block One of SUN RAY ACRES FIRST ADDITION, said plat is on file and of record in the office of the Recorder in said County. from which the westerly line of said Lot 8 bears North 13 degrees 37 minutes 37 seconds East on an assumed bearing; thence North 20 degrees 29 minutes 07 seconds West 402.70 feet to an iron monument hereinafter referred to as Point A; thence South 76 degrees 15 minutes 15 seconds East 14.89 feet to a point hereinafter referred to as Point B; thence continuing South 76 degrees 15 minutes 15 seconds East 18.16 feet to an iron monument on the north-south quarter line of said Section 5, said point is the point of beginning; thence North 76 degrees 15 minutes 15 seconds West 18.16 feet to the aforementioned Point B; thence continuing North 76 degrees 15 minutes 15 seconds West 14.89 feet to an iron monument at the aforementioned Point A; thence continuing North 76 degrees 15 minutes 15 seconds West 599.70 feet to an iron monument; thence continuing North 76 degrees 15 minutes 15 seconds West 136.69 feet to an iron monument; thence North 08 degrees 11 minutes 04 seconds West 101.39 feet to an iron monument; thence South 89 degrees 09 minutes 57 seconds East 243.12 feet to an iron monument; thence North 78 degrees 01 minute 11 seconds East 337.18 feet to an iron monument; thence continuing North 78 degrees 01 minute 11 seconds East 33.72 feet to a point hereinafter referred to as Point C; thence continuing North 78 degrees 01 minute 11 seconds East 18.49 feet to an iron monument; thence continuing North 78 degrees 01 minute 11 seconds East 41 feet, more or less, to the water's edge of Height of Land Lake; thence southeasterly along the water's edge of said Height of Land Lake to the north-south quarter line of said Section 5; thence South 02 degrees 30 minutes 38 seconds West 38 feet, more or less, along said north-south quarter line to an iron monument; thence continuing South 02 degrees 30 minutes 38 seconds West 151.61 feet along said north-south quarter line to the point of beginning. The above described tract contains 3.7 acres, more or less.

SUBJECT TO a 66.00 foot wide easement for public road purposes for West Height of Land Drive over, under and across part of the above described tract. The centerline of said 66.00 foot wide public road easement is described as follows:

| oran libraras  |  |  |
|--|--|--|
| Million collections  |  |  |
| Milan Handa kiri   |  |  |
| west renders str   |  |  |
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Meadowland Surveying, Inc.

1

Beginning at the aforementioned Point C; thence South 23 degrees 52 minutes 22 seconds East 233.68 feet; thence southeasterly on a curve concave to the southwest, having a central angle of 12 degrees 44 minutes 32 seconds and a radius of 655.00 feet, for a distance of 145.67 feet (chord bearing South 17 degrees 30 minutes 06 seconds East) to the aforementioned Point B and said 66.00 foot wide public road easement centerline there terminates. The sidelines of said 66.00 foot wide public road easement shall be prolonged or shortened to terminate on the northerly, southerly and easterly lines of the above tract.

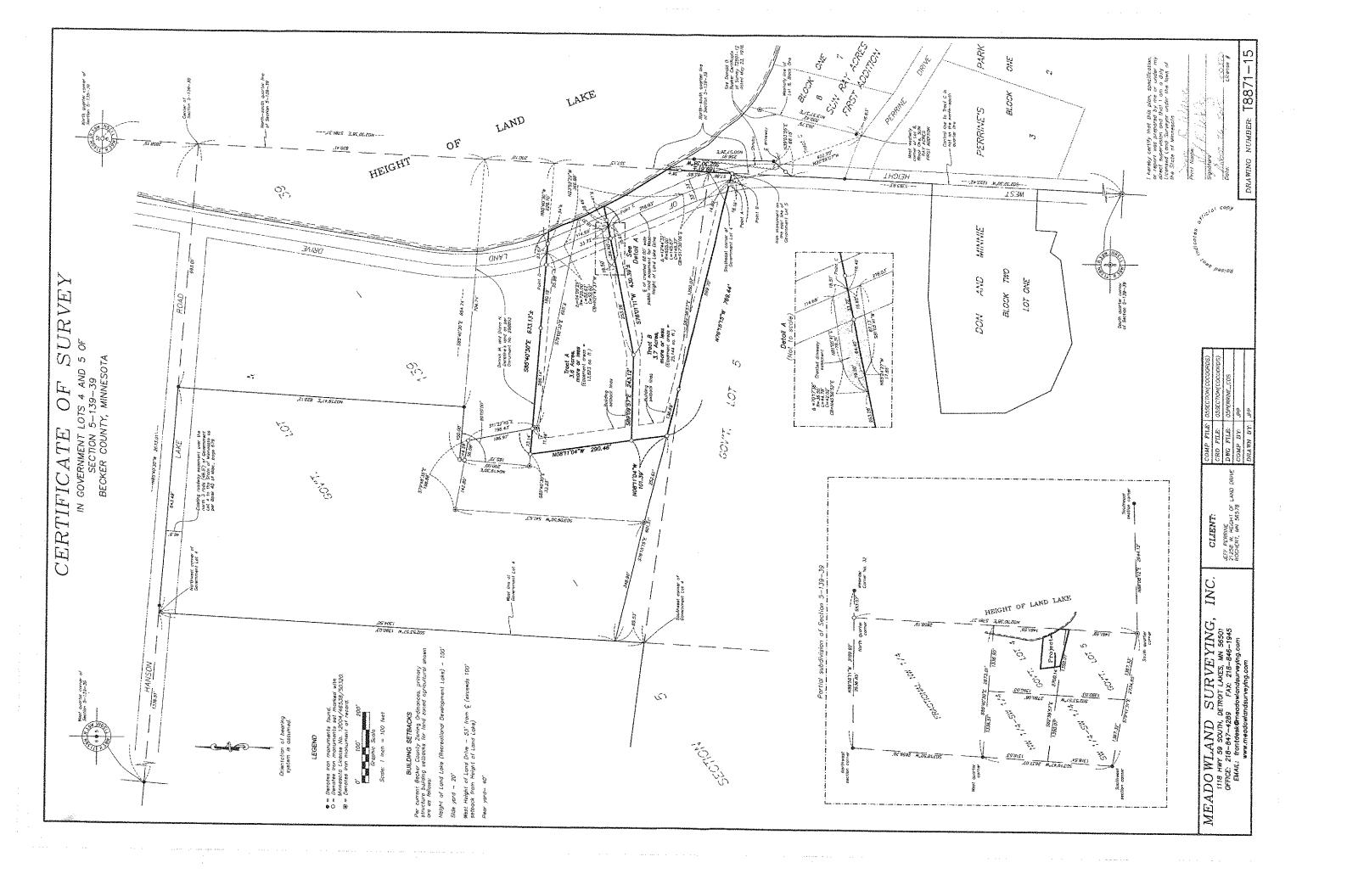
TOGETHER WITH AND SUBJECT TO an easement for driveway purposes over, under and across that part of the above tract and that part of Government Lot 4 described as follows:

Beginning at the aforementioned Point C; thence South 23 degrees 52 minutes 22 seconds East 15.65 feet; thence South 81 degrees 05 minutes 41 seconds West 87.13 feet; thence North 65 degrees 24 minutes 27 seconds West 17.85 feet; thence South 78 degrees 01 minute 11 seconds West 19.50 feet; thence northeasterly on a curve concave to the southeast, having a central angle of 70 degrees 17 minutes 38 seconds and a radius of 36.50 feet, for a distance of 44.78 feet (chord bearing North 45 degrees 56 minutes 52 seconds East); thence North 81 degrees 05 minutes 41 seconds East 78.31 feet; thence South 23 degrees 52 minutes 22 seconds East 18.51 feet to the point of beginning of said driveway easement.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota and that the above legal description was prepared from information on Certificate of Survey T8871-15 dated August 26, 2015, and said legal description is legally sufficient to locate the boundary lines shown on said Certificate of Survey.

Scott R. Walz

Minnesota Licensed Land Surveyor No. 50320





### Planning and Zoning

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

#### PLANNING COMMISSION NOTICE OF PUBLIC HEARING

\*\*HEARING DATE AND LOCATION\*\*
October 13, 2015 @7:00 PM

3<sup>rd</sup> Floor Jury Assembly Room New Addition-Becker County Courthouse Detroit Lakes, MN. 56501

APPLICANT: Sylvia Shipman P O Box 411 Frazee, MN 56544 Project Location: 10416 County Road 147

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Certificate of Survey for two tracts of land (Tract B) consisting of 8.1 acres and the remnant tract (Tract C) consisting of 40.4 acres on a Natural Environmental Lake in an Agricultural Zone.

LEGAL LAND DESCRIPTION: 170416000 Lake Eunice Township Buck Lake GOVT LOT 1, PT GOVT LOT 2 COMM NW COR GOVT LOT 2, E 1061.7' TO POB; E AL N LN GOVT LOT 2 TO BUCK LK, SLK AL LK 1551.52' NWLY 540.25', NLY 502.76' TO POB., Section 36, TWP 138, Range 42

#### REFER TO BECKER COUNTY ZONING ORDINANCE

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

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

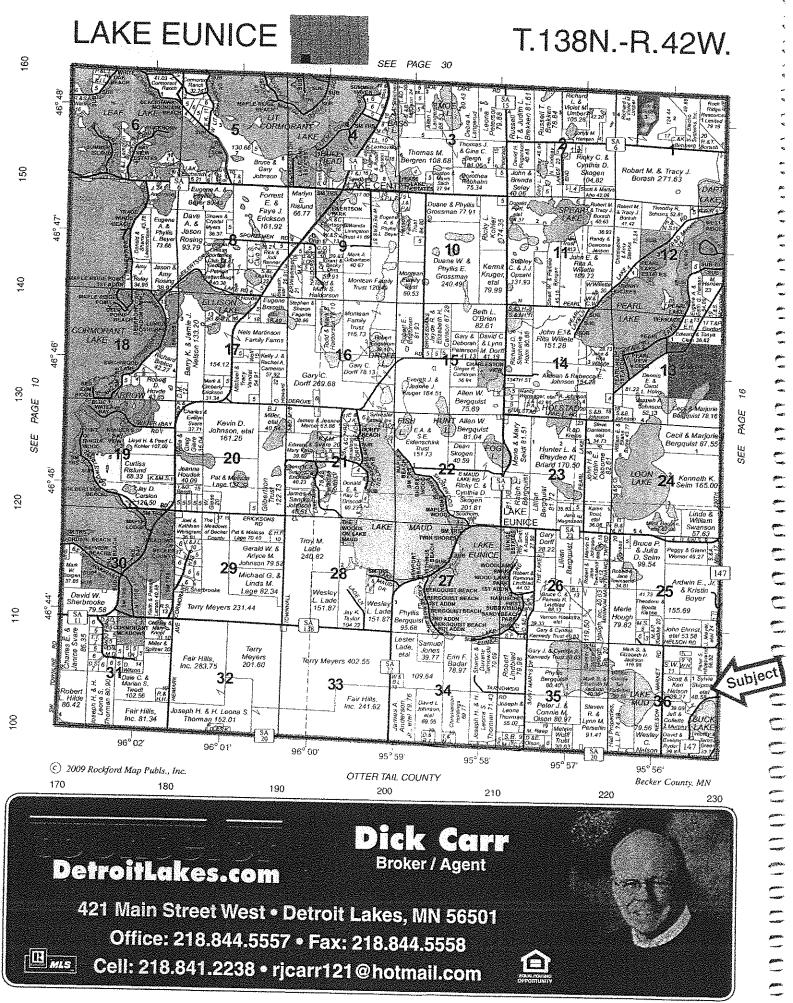
FAX Number: 218-846-7266 email: zoning@co.becker.mn.us

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

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

**Regulatory Authority:** This Application will be reviewed according to the provisions of the Becker County Zoning Ordinance.

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





# SUBDIVISION) ZONE CHANGE BECKER COUNTY

| PARCEL  |        |
|---------|--------|
| APP     | ZONE/  |
|         | SURVEY |
| YEAR    |        |
| SCANNED |        |

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

| Application for: Zone Change X Certificate of Survey Preliminary Plat  |                 |
|--|-----------------|
| (Complete Section 1) (Complete Section 2) (Complete Section 3)   |                 |
| Applicant's Name: <u>Sulvia</u> Shipman  |                 |
|  |                 |
| Applicant's Address: P.O. BOX 411 207 OAK QVE. E.  |                 |
| <u>FRAZSE</u>  |                 |
| Telephone(s): $318-334-3313$ Date of Application: $8-31-15$  |                 |
| Signature of Applicant Dyfusa Chipman  |                 |
| Parcel ID Number: 17.0416.000 Project Address: 10416 CtuRd 147   |                 |
| Parcel ID Number: 17.6416.000 Project Address: 10416 CtyRd 1477  Local Description of Project: Detroit Lakes 70.56 | 55              |
| Legal Description of Project:  36-138-42 GOVILOT 1, PT GOVILOT 2   | الربيكا فحصساته |
| - 130 12 (10) 1, 11 (10) 12. 12.   |                 |
| RECEIVED   |                 |
| SECTION 1  |                 |
| *Zone Change For Existing Parcel Number AUG 3 1 2015   |                 |
| Current Zoning Requested Zoning  |                 |
| (B) (C) ZONING   | ,               |
| SECTION 2  |                 |
| *Certificate Of Survey: Number of Lots / + Rewnand tract   |                 |
| Shoreland (within 1000 ft of lake) X Nonshoreland  |                 |
| Current Zoning of property AQ  |                 |
| Is a change of zone required? yes no   |                 |
| If yes, change from Zone to Zone.  |                 |
| Total acreage of parcel to be subdivided   |                 |
| **Include a copy of the purchase agreement if applicant is not the owner of the                                    |                 |
| property.  |                 |
| SECTION 3  |                 |
| *For Preliminary Plat:   |                 |
| Number of Lots   |                 |
| Name of Subdivision  |                 |
| Name of Proposed Roads Non-shoreland Shoreland (within 1000 ft of lake) Non-shoreland                              |                 |
| Current Zoning of property   |                 |
| Current Zoning of property yes no  |                 |
| If yes, change from Zone to Zone.  |                 |
| Total acreage of parcel to be subdivided   |                 |
| **Include a copy of the purchase agreement if applicant is not the property owner.                                 |                 |
|  |                 |
| Date Received Date Accepted Authorized Signature Recording Fee Notice Fee Recording Fee                            |                 |
| Application Fee Notice Fee Recording Fee   |                 |
| Date Paid Receipt Number   |                 |
|  |                 |

# Heyer Land Surveying and Engineering, LLC

522 Main Street W. Detroit Lakes, MN 56501

Phone: (218) 844-LAND (5263)

Fax: (218) 844-5270

www.heyerIsande.com

#### Eleanor Bosch – Tract B – 8.1 acre, more or less, homestead tract

Land description:

That part of Government Lot 2 in Section 36, Township 138 North, Range 42 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Commencing at a found iron monument which designates the south quarter corner of said Section 36; thence North 00 degrees 05 minutes 39 seconds East on an assumed bearing along the north-south quarter line of said Section 36 for a distance of 1330.53 feet to the southwest corner of said Government Lot 2; thence continuing North 00 degrees 05 minutes 39 seconds East along said north-south quarter line for a distance of 1330.53 feet to the northwest corner of said Government Lot 2; thence South 88 degrees 22 minutes 10 seconds East along the north line of said Government Lot 2 for a distance of 33.01 feet to an iron monument; thence continuing South 88 degrees 22 minutes 10 seconds East along the north line of said Government Lot 2 for a distance of 1061.70 feet to an iron monument; thence continuing South 88 degrees 22 minutes 10 seconds East along the north line of said Government Lot 2 for a distance of 212.25 feet to an iron monument at the southwest corner of Government Lot 1 of said Section 36, said point is the point of beginning; thence North 88 degrees 22 minutes 10 seconds West along the north line of said Government Lot 2 for a distance of 212.25 feet to an iron monument; thence South 04 degrees 38 minutes 31 seconds West for a distance of 502.76 feet to an iron monument; thence South 72 degrees 24 minutes 13 seconds East for a distance of 335.25 feet to an iron monument; thence continuing South 72 degrees 24 minutes 13 seconds East for a distance of 34.68 feet to a point hereinafter referred to as Point A; thence continuing South 72 degrees 24 minutes 13 seconds East for a distance of 170.32 feet, more or less, to the water's edge of Buck Lake; thence in a general northeasterly direction along the water's edge of said Buck Lake to the intersection with a line which bears South 73 degrees 00 minutes 24 seconds East from said point of beginning; thence North 73 degrees 00 minutes 24 seconds West for a distance of 144.85 feet, more or less, to an iron monument; thence continuing North 73 degrees 00 minutes 24 seconds West for a distance of 422.85 feet to the point of beginning. The above described tract contains 8.1 acres, more or less.

SUBJECT TO a 66.00 foot wide easement for County Road No. 147 right of way purposes over, under and across part of the above tract. The centerline of said 66.00 foot wide right of way easement is described as follows:

Beginning at the aforementioned Point A; thence North 35 degrees 31 minutes 41 seconds East for a distance of 559.75 feet; thence northeasterly on a curve concave to the southeast, having a central angle of 01 degree 18 minutes 38 seconds and a radius of 950.00 feet, for a distance of 21.73 feet (chord bearing North 36 degrees 11 minutes 00 seconds East) and said centerline there terminates. At the point of beginning of said 66.00 foot wide right of way easement centerline, the sidelines shall be prolonged or shortened to terminate on a line which bears North 72 degrees 24 minutes 13 seconds West and South 72 degrees 24 minutes 13 seconds East from said point of beginning. At the point of termination of said 66.00 foot wide right of way easement centerline, the sidelines shall be prolonged or shortened to terminate on a line which bears North 73 degrees 00 minutes 24 seconds West and South 73 degrees 00 minutes 24 seconds East from said point of termination.

I hereby certify that I am a Professional Land Surveyor under the laws of the State of Minnesota and that the above legal description was prepared from information on Certificate of Survey No. 149 dated January 11, 2006, and said legal description is legally sufficient to locate the boundary lines shown on said Certificate of Survey.

Christopher D. Heyer

Minnesota Professional Land Surveyor No. 43807

# N N

# Heyer Land Surveying and Engineering, LLC

522 Main Street W. Detroit Lakes, MN 56501

Phone: (218) 844-LAND (5263)

Fax: (218) 844-5270

www.heyerlsande.com

Eleanor Bosch - Tract C - Northerly 40.4 acre, more or less, tract

Land description:

All of Government Lot 1 and that part of Government Lot 2 in Section 36, Township 138 North, Range 42 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Commencing at a found iron monument which designates the south quarter corner of said Section 36; thence North 00 degrees 05 minutes 39 seconds East on an assumed bearing along the north-south quarter line of said Section 36 for a distance of 1330.53 feet to the southwest corner of said Government Lot 2; thence continuing North 00 degrees 05 minutes 39 seconds East along said north-south quarter line for a distance of 1330.53 feet to the northwest corner of said Government Lot 2; thence South 88 degrees 22 minutes 10 seconds East along the north line of said Government Lot 2 for a distance of 33.01 feet to an iron monument; thence continuing South 88 degrees 22 minutes 10 seconds East along the north line of said Government Lot 2 for a distance of 1061.70 feet to an iron monument; thence continuing South 88 degrees 22 minutes 10 seconds East along the north line of said Government Lot 2 for a distance of 212.25 feet to an iron monument at the southwest corner of said Government Lot 1, said point is the point of beginning; thence North 00 degrees 22 minutes 36 seconds East along the west line of said Government Lot 1 for a distance of 1326.87 feet to an iron monument a the northwest corner of said Government Lot 1; thence South 88 degrees 34 minutes 29 seconds East along the north line of said Government Lot 1 for a distance of 1274.35 feet to an iron monument; thence continuing South 88 degrees 34 minutes 29 seconds East along the north line of said Government Lot 1 for a distance of 39.04 feet to the northeast corner of said Government Lot 1; thence South 00 degrees 39 minutes 26 seconds West along the east line of said Government Lot 1 for a distance of 1037.51 feet to a point hereinafter referred to as Point B; thence continuing South 00 degrees 39 minutes 26 seconds West along the east line of said Government Lot 1 for a distance of 33.11 feet to an iron monument; thence continuing South 00 degrees 39 minutes 26 seconds West along the east line of said Government Lot 1 for a distance of 260.83 feet to a found cast iron monument at the east quarter corner of said Section 36; thence South 00 degrees 20 minutes 55 seconds West continuing along the east line of said Government Lot 1 for a distance of 121 feet, more or less, to the water's edge of Buck Lake; thence northwesterly, westerly, and southwesterly along the water's edge of said Buck Lake to the intersection with a line which bears South 73 degrees 00 minutes 24 seconds East from said point of beginning; thence North 73 degrees 00 minutes 24 seconds West for a distance of 144.85 feet, more or less, to an iron monument; thence continuing North 73 degrees 00 minutes 24 seconds West for a distance of 422.85 feet to the point of beginning. The above described tract contains 40.4 acres, more or less.

SUBJECT TO an easement for County Road No. 147 right of way purposes over, under and across that part of the above tract described as follows:

Commencing at the aforementioned Point B; thence North 00 degrees 39 minutes 26 seconds East along the east line of said Government Lot 1 for a distance of 33.11 feet to the point of beginning of the right of way easement to be described; thence South 85 degrees 59 minutes 42 seconds West for a distance of 34.68 feet; thence North 00 degrees 24 minutes 10 seconds East for a distance of 1007.76 feet to an iron monument on the north line of said Government Lot 1; thence South 88 degrees 34 minutes 29 seconds East along the north line of said Government Lot 1 for a distance of 39.04 feet to the northeast corner of said Government Lot 1; thence

Page 1 of 2

South 00 degrees 39 minutes 26 seconds West along the east line of said Government Lot 1 for a distance of 1004.40 feet to the point of beginning of said County Road No. 147 right of way easement.

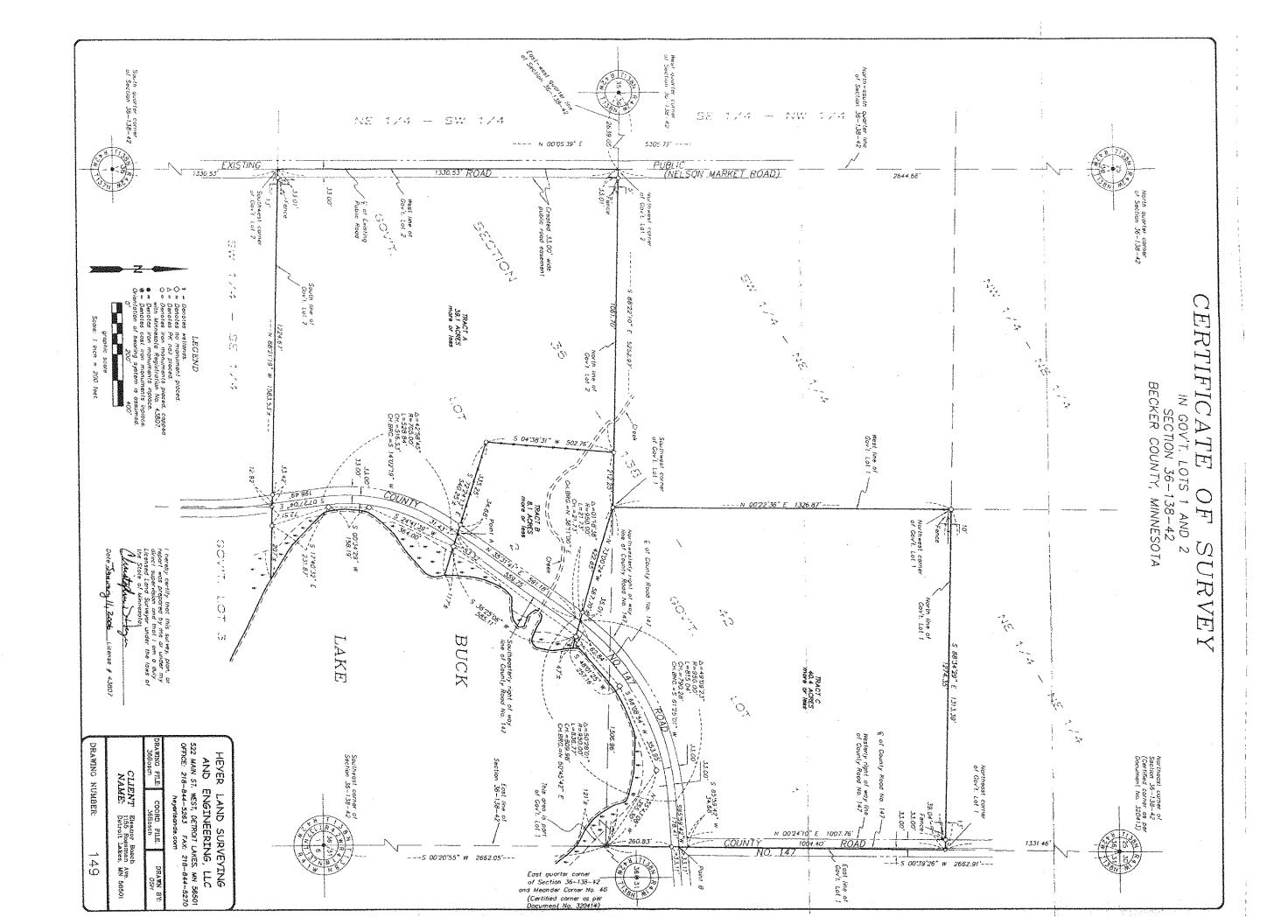
AND FURTHER SUBJECT TO a 66.00 foot wide easement for County Road No. 147 right of way purposes over, under and across part of the above tract. The centerline of said 66.00 foot wide right of way easement is described as follows:

Beginning at the aforementioned Point B; thence South 85 degrees 59 minutes 42 seconds West for a distance of 178.41 feet; thence southwesterly on a curve concave to the southeast, having a central angle of 49 degrees 09 minutes 23 seconds and a radius of 950.00 feet, for a distance of 815.04 feet (chord bearing South 61 degrees 25 minutes 01 second West) and said centerline there terminates. At the point of beginning of said 66.00 foot wide right of way easement centerline, the sidelines shall be prolonged or shortened to terminate on the east line of said Government Lot 1. At the point of termination of said 66.00 foot wide right of way easement centerline, the sidelines shall be prolonged or shortened to terminate on a line which bears North 73 degrees 00 minutes 24 seconds West and South 73 degrees 00 minutes 24 seconds East from said point of termination.

I hereby certify that I am a Professional Land Surveyor under the laws of the State of Minnesota and that the above legal description was prepared from information on Certificate of Survey No. 149 dated January 11, 2006, and said legal description is legally sufficient to locate the boundary lines shown on said Certificate of Survey.

Christopher D. Heyer Minnesota Professional Land Surveyor No. 43807







# Planning and Zoning

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

#### PLANNING COMMISSION NOTICE OF PUBLIC HEARING

\*\*HEARING DATE AND LOCATION\*\*
October 13, 2015 @7:00 PM

3<sup>rd</sup> Floor Jury Assembly Room New Addition-Becker County Courthouse
Detroit Lakes, MN. 56501

APPLICANT:

Donald & Pamela Skarie 25793 County Road 149 Detroit Lakes, MN 56501 Project Location: 25793 County Road 149

FAX Number: 218-846-7266

email: zoning@co.becker.mn.us

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Conditional Use Permit to operate rental storage buildings for monthly rental on an Agricultural zoned property in two existing buildings.

LEGAL LAND DESCRIPTION: 080055001 Detroit Township Non-shoreland GOVT LOT 2 LESS W 75' OF N 1000'; LESS .18AC (8-55-10); LESS PT NW COR (2.92AC): COMM NE COR SEC 4, W 928.75' TO POB; S 343.56', W 152.32', N 67,62', W 172.68', N 276', E 325' TO POB., Section 04, TWP 139, Range 41

#### REFER TO BECKER COUNTY ZONING ORDINANCE

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:

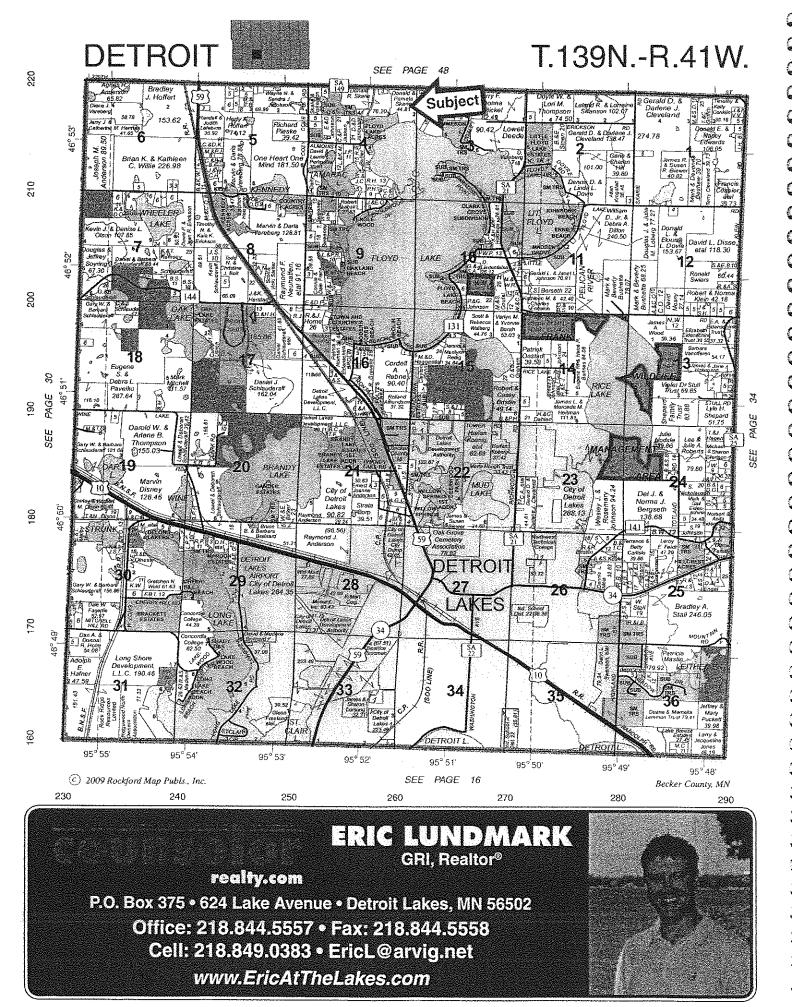
PLANNING AND ZONING DEPARTMENT 915 Lake Avenue Detroit Lakes, MN. 56501

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.





# ~ CONDITIONAL USE APPLICATION ~

| PARCEL  | 1   |
|---------|-----|
| APP     | CUP |
| YEAR    |     |
| SCANNED |     |

**BECKER COUNTY PLANNING & ZONING** 915 LAKE AVENUE, DETROIT LAKES, MN 56501 PHONE (218) 846-7314 - FAX (218) 846-7266

| PROPERTY OWNER INFORMATION (as it appear   | rs on tax statement, purchase agreement or deed)  |
|--|---|
| First name(s): Donald R. + Pamela H  |   |
| Mailing Address: 25793 Cty Rd 149  | City, State, Zip <u>DetroitLa Kes, Mn.</u> 5650   |
| Phone Number(s): 218-847-8163  | Project Address: Same   |
| Parcel number(s) of property: 08.0055.00   | Sect - Twp - Range: 04 - 139 - 09   |
| Township Name: <u>Detroit</u> Legal Des  | scription: attached RECEIVED  |
| _  | SEP 03 2015   |
|  | 30, 0,0 2010  |
|  | ZONING  |
| REASON FOR CONDITIONAL USE REQUES  | ST: Storage rental  |
| for vehicals Boats   | lampers, machinery, e.  |
| in 2 existings Buildi  | ngs.  |
| J  |   |
| Daralel Mceric Roman SIGNATURE OF APPLICANT  OTHER INFORMATION NEEDED TO CO                  | Skarie 9-3-2015<br>DATE   |
| 1. A copy of the deed from the Recorder's Offi   |   |
|  | wing all setbacks, platted or surveyed dimensions of the parking area and all other materials deemed necessary. |
| 3. Non-refundable filing fee of \$326.00.) If in 6 fee (\$351.00). Make check payable to Bed | Cormorant Township add \$25.00 surcharge to the filing eker County Zoning.                                      |
| 4. Is the conditional use permit request after   | r the fact? [   Yes [X] No  |
| If yes, after the fact application fee is an   | additional \$600.00.  |
| ***************  | **************  |
| Office Use Only  |   |
| This application is hereby (accepted) or (rejecte  | a) as presented.  |
| A her sun-11/delen   | 9-15-5015   |
| SIGNATURE - ZONING ADMINISTRATOR   | DATE  |

| PARCEL |     |
|--------|-----|
| APP    | CUP |
| YEAR   |     |

# BUSINESS PLAN

| Name of Business:   |
|---|
| Owners of Business:   |
| Type of Business: Retail Sales Service Other                              |
| Type of Merchandise:  |
| Type of Service: Storage  |
| Hours of Operation: /imited   |
| Number of Employees   |
| Off-street Parking Plan: None Vequived                                    |
| Size of Structure to be used for Business: Pole Buildings 336 464 128 464 |
| New Structure: Existing Structure: Yes                                    |
| Signage Plan: Small sign by road  |
| Exterior Lighting Plan: hone needed                                       |
| Environmental Hazards: 4020   |
| Other Comments: Items will be stored for the                              |
| winter. No access planned for Winter                                      |
| months,   |
| may still sell buildings most lillely                                     |
| Sor storage   |
|   |
| Baildings located on north east corner                                    |
| of property. Has separate road access.                                    |
| There is no septic system for buildings                                   |
| as there is no vest soon facilities in Duildin                            |
|   |





# Planning and Zoning

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

#### PLANNING COMMISSION NOTICE OF PUBLIC HEARING

\*\*HEARING DATE AND LOCATION\*\*
October 13, 2015 @7:00 PM

3<sup>rd</sup> Floor Jury Assembly Room New Addition-Becker County Courthouse
Detroit Lakes, MN. 56501

APPLICANT: Minnerath Investments 6325 Co Road 87 SW Alexandria, MN 56308

Project Location: 12125 Hillside Rd

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Conditional Use Permit for installation of a 199' self-support tower to include an equipment shelter, fencing and driveway to a 50x54 space area in an agricultural zone.

LEGAL LAND DESCRIPTION: 060243001 Cormorant Township Little Cormorant N1/2 OF NW1/4 LESS N 480' N & S BY 1361.25' E & W AKA 15 AC & LESS 2 ACRE FOR ROAD, Section 17, TWP 138, Range 43

#### REFER TO BECKER COUNTY ZONING ORDINANCE

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

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

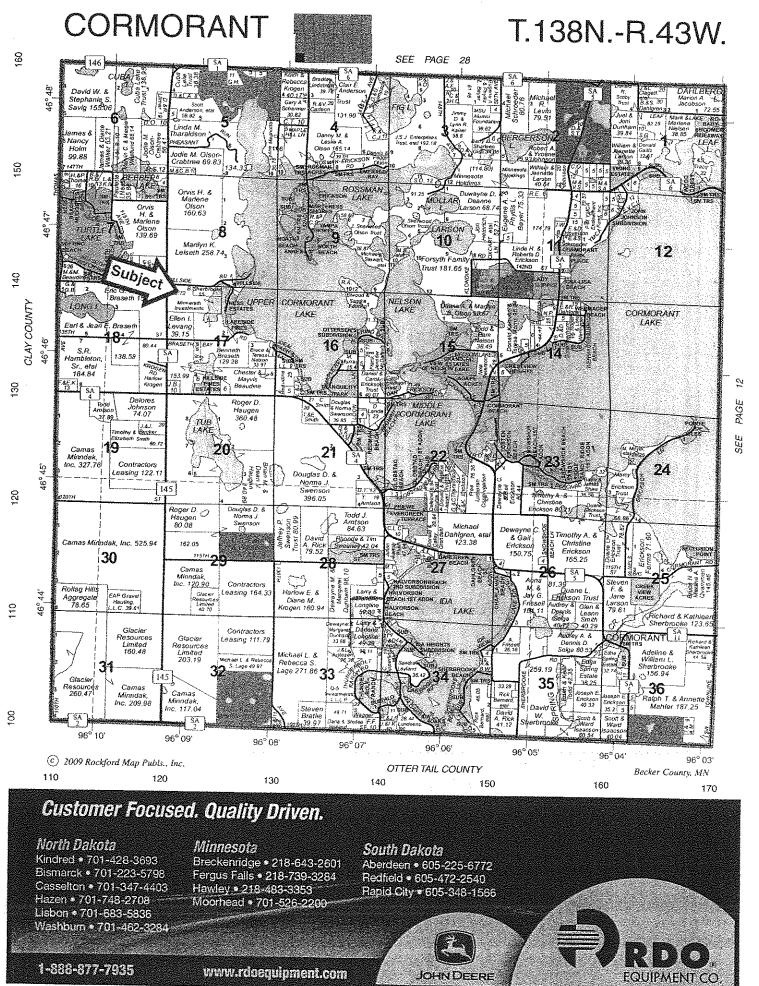
FAX Number: 218-846-7266 email: zoning@co.becker.mn.us

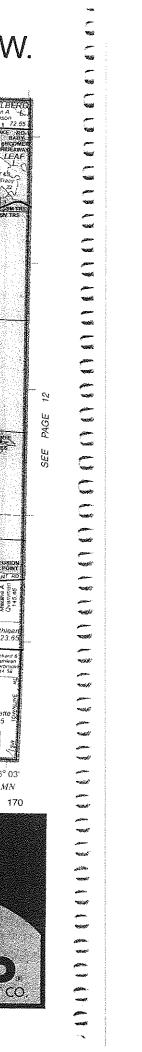
If you have questions about the Project, feel free to call 218-846-7314.

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

**Regulatory Authority:** This Application will be reviewed according to the provisions of the Becker County Zoning Ordinance.

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







# ~ CONDITIONAL USE APPLICATION ~

### PARCEL APP CUP YEAR SCANNED

ZONING

# BECKER COUNTY PLANNING & ZONING 915 LAKE AVENUE, DETROIT LAKES, MN 56591 PEONE (218) 846-7314 - FAX (218) 846-7266

| First name(s): Minnerath Investments   | Last name:   |
|--|--|
| Mailing Address: 6325 Co Rd 87 SW  | City, State, ZipAlexandria, MN 56308   |
| Phone Number(s):   | Project Address: 12/25 Hill Side Rd Lake   |
| Parcel number(s) of property: 060243001  | Sect - Twp - Range: Sec 17, T138, R 43   |
|  | Description: N 1/2 of NW 1/4, less 480° N & S by   |
| 1361.25' E & W aka 15 acres & less 2 acre for road   |  |
|  |  |
| REASON FOR CONDITIONAL USE REQUI   | EST:   |
| Installation of a 199' tall self-support tower, equipmen   | nt shelter, appropriate fencing and diveway  |
|  |  |
| and the second of the second o |  |
| The information provided for this document is truthful that this statement is null and void if any of the above  | l and accurate to the best of my knowledge. I understand   |
|  |  |
| SIGNATURE OF APPLICANT   | 1 V2W 9/4/15<br>DATE   |
|  |  |
| OTHER INFORMATION NEEDED TO CO   | OMPLETE THE APPLICATION:   |
| 1. A copy of the deed from the Recorder's Of   |  |
|  | owing all setbacks, platted or surveyed dimensions of the parking area and all other materials deemed necessary.   |
| <del>-</del>   | Cormorant Township add \$25.00 surcharge to the filing   |
| 4. Is the conditional use permit request after   | ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~   |
| If yes, after the fact application fee is a  |  |
|  | · 起答你实在来水都的准定的海水水水水水水水水水水水水水水水水水水水水水水水水水水水水水水水水水水水   |
| Office Use Only This application is hereby (accepted) or (reject   | tad) as presented  |
| >  |  |
| SIGNATURE ZONING ADMINISTRATOR   | 9-15-2015<br>R DATE  |
| TO A MAN CAPACITY THE LANGE OF  | RECEIVED   |
| •  | SEP 0 8 2015   |
|  | ALT A COLO TO SERVICE STATE OF THE SERVICE STATE STATE OF THE SERVICE ST |



# COUNTY OF BECKER

# Planning and Zoning

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

# **Authorized Agent Form**

1. Form must be legible and completed in ink.

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

| I (we),                                 | hereby a  | Cı<br>authorize  | urt Walter   |  |                                       |
|---|---|--|--|--|---------------------------------------|
| (landowne<br>as my (our) agent on       | r-print name)<br>the following item(s): appropriate           | e box(es)  | (agent-print na                                    | me)                                    | _ to act                              |
| X permit application (                  | write in permit "type" – e.g. site,                           | septic, etc.): _   | Building permits                                   | }                                      |                                       |
| ☐ plat application:                     |   |  |  |  |                                       |
|   | lication: Installation of 199' tower                          |  |  | ************************************** |                                       |
| ∪ variance application                  | 2   |  |  |  |                                       |
| other:                                  |   |  |  |  |                                       |
| OR MY COURT BROADERS                    | cated at: 060243001   |  |  |  |                                       |
| Legal Description:                      | 1 1/2 of NW 1/4, less 480' N & S by                           | 1361.25' E & W   | aka 15 acres & les                                 | s 2 acre for road                      |                                       |
| Section: 17 Town                        | ship: T 138 Range: R43 Lot                                    | :Block:  | Plat Name  | · · · · · · · · · · · · · · · · · · ·  |                                       |
| Agent Contact Inform                    | 22031   | Ochastar MAN SE  | 004  |  |                                       |
| Agent address:                          | <del></del>   |  |  |  |                                       |
| Agent phone #(s):                       | 307-957-7151  | City<br>_Agent fax #: <sub>.</sub>   | 952-314-4957                                       | State                                  | Zip Code                              |
| Agent email address:                    | curtwalter10@gmail.com  |  |  |  |                                       |
| Q_,                                     | Property Owner(s) Signature(s)                                |  |  | 9/2/                                   | (man                                  |
| State of Minnesota<br>County of Becker  | roperty Owner(s) Signature(s)                                 | APPARAMENT OF THE PARAMETER OF THE PARAM |  |  | te                                    |
| On this 5 day of known to be the persor | before r (s) described in and who execut executed the same as | ne personally and the foregoing the free   | appeared we appeared instrument; and act and deed. | Minnero<br>d acknowledged              | that to me                            |
| (Notary Stamp)                          |   | 1/10   | mey Cu   | ialut                                  |                                       |
| <i>2(f*)</i>                            | NANCY J. KNIGHT<br>NOTARY PUBLIC MINNESOTA                    | Notary Public  |  |  | · · · · · · · · · · · · · · · · · · · |





# Application for Site Permit Becker County Planning and Zoning 915 Lake Ave, Detroit Lakes, MN 56501 Phone: 218-846-7366

| PARCEL  |      |
|---------|------|
| APP     | SITE |
| YEAR    |      |
| SCANNED | -    |
|         |      |

| To Serve Sit  | Fnone: 218-  | 846-7314  | Fax: 218-8   | 46-7266   | Property will be staked by   |
|---|--|---|--|---|--|
| Please Print or Type  |  | www.co-beck   | OF MO HE   |   | ·  |
| Parcel Number (s)   | Property (FOLL) A.J.   | <del>\</del>  |  |   | Date:  |
| 0602430   | o (  | <b>→</b> **911 A  | ddress Needed  | Legal Descrip   | Date:  Date:  Diagnostic Sec. 17, T 138, R48  [css 1361.25' E + W] |
|   |  |   |  | 10/2 No 19  | 1053 1361.25 E+W   |
| Lake/River Name   |  | Township Name   |  |   |  |
|   | Last Name First Name Maili   | ing Address   |  | DI .  |  |
| Minnerath<br>Contractor Name Lie  | Investments 632  | 5 Co. R18   |  | Phone<br>507- <sup>6</sup> 5  | 1-7151 - Curt<br>Walter  |
| Contractor Name Dic   | # //10   | ixandria, m   | n 56308  |   |  |
| Proposed Project (C New Dwelling Attached Garage Stairway Fence *Existing Dwelling to b | Detached Garage Deck   | Replacement E<br>Storage Structi<br>Recreational U<br>Non Conform | Dwelling* Mol<br>are Add<br>init War<br>uing Replacement (         | bile/Manfac. Home<br>lition to Non-dwellin<br>er Orionted Structur<br>identify) | 18   |
| Onsite Water Supply<br>MN Rules Chapter 4725  | y ( ) Deep Well ( ) Shall<br>(MN well code) requires a 3' minim  | ow Well   | Well Depth   |   |  |
| Onsite Sewage Treat<br>Type of System<br>Must have current certifi                      | ment System None Date cate of compliance on septic system p  | of Installation _<br>prior to issuance o                          | of a permit  | Last Date Certifi   | ed   |
| Lot Information   | Shoreland ( ) Ripar  | ian ( ) Non I   | Riparian   | Non Shoreland   | ıX   |
| underlayment or impo  | sq ft or 43 refers to anything water cannot p s, etc. should all be included in the ervious surface underneath. Any INCLUDE PROPOSED STRUC | s calculation. I  | iter Frontage<br>tructures, areas c<br>Decks should be in          | ft Bluff<br>overed by a roof,   | ( ) Yes (X ) No concrete, asphalt, Class 5                         |
| Please Note: Unle   | ss otherwise provided a min  |   | <b>5</b>   |   |  |
| w <i>ay to the propose</i><br>Impervious Surface<br>On property                         | ss otherwise provided, a mir<br>d structure must be included<br>Dimensions Sq. Footag  | e j   | 2 foot wide dr.<br>plan and impe<br>Impervious Surf<br>On property | ervious surface   | calculation.   |
| Ex: Patio<br>DRIVEWAY<br>Composed   | 12×222 2664<br>60×65 3900  | ·<br>   |  | *****   |  |
|   |  |   | Total Im   | pervious Materia  |  |
| mpervious Lot Covera  | ge <u>USG4</u> ÷ 2744<br>Total Impervious Lot Are  | ·   |  | 100 = 0.239<br>Impervious Covers  | % ge Percentage  |
| Topographical Alter   | ation/Earth moving   |   |  |   | 4.   |
|   | *  |   |  |   |  |
| ) None ( ) 10 et<br>Project over 50   | thic yards or less (X)11-50 cu<br>cubic yards a storm water manag  | ibic yards (<br>ement plan mus                                    | ) over 50 cubic s  | vards   | Terroria   |
|   |  | 1   | morracu,   |   |  |

| Characteristics of Proposed Dwelling/Dwelling Ad  ( )Dwellingft byft ( ) An   | Iditions/Attached Garage/Decks   | Cost of Project  |
|---|--|--|
| Outside Dimension ( )Deck/Patioft xft ( )A  |  | \$   |
| Setback to Side Lot Lineft & Rear Lot Lineft  | Setback to Road Right of Way   | Ŷ  |
| 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 dist  | ance)  |
| Setback to septic tank  | Setback to drainfield  |  |
| Total No. Bedrooms  | Maximum height proposed  | # of Stories   |
| Roof Change ( ) Yes ( ) No  | Basement ( ) Yes ( ) No Walkout Bas  |  |
| Characteristics of Proposed Non Dwelling/Non Dw  () Garage 17 It by 78 ft () Storage Shed ft x  Outside Dimension () Addition to existing structure ft x  199   | ft () Fence ft x ft  Setback to Road Right of Way 200 ft  Type of road frace  Is wetland protected ( ) Yes ( ) No  Elevation above OHW (Straight vertical dista  Setback to drainfield 1900  Maximum height proposed 12  Sleeping Quarters proposed ( ) Yes ( X ) No  mendent human habitation | Cost of Project    Sold   Cost of Project   Cost of Project  |
| Characteristics of Proposed Water Oriented Structi  ( ) Stairway ( ) Deck ( ) Boathouse ( ) Screen Por  | ure* Cost of Project ( ) Gazebo ( ) Storage Structure  | ct S   |
| Outside Dimension ft by ft  | Sq ft  |  |
| Setback to Lot Line ft & ft   | Setback to Bluff   | and the state of t |
| Setback to OHW (straight horizontal distance)   | Elevation above OHW (Straight vertical distant   | ice)   |
| Setback to septic tank  | Setback to drainfield  |  |
|   | es or water supplies are not permitted in these  |  |
| THIS IS A SITE PERMIT ONLY AND AS SET FORTH I hereby certify with my signature that all data contained he knowledge. I also understand that, once issued, a permit is v is located within the shoreland district, I understand that i building footings have been constructed. A Site Permit may setbacks. Any changes to this site permit results in nullificati | it is my responsibility to inform the Planni   | and correct to the best of my<br>te of issuance. If my property<br>ng & Zoning Office once the   |
| Signature for Version L   | Vinders 9/4/15   |  |
| Signature   | Date   |  |



Buell Consulting, Inc. 2897 Lake Vista Drive NW Rochester, MN 55901 (507) 951-7151

Curtwalter10@gmail.com

Site Acquisition Permitting Established 1991

September 4, 2015

Becker County Planning & Zoning Attn: Julene Hodgson 915 Lake Ave Detroit Lakes, MN 56501

Re: Verizon Wireless CUP for communications facility at N  $\frac{1}{2}$  NW  $\frac{1}{4}$ , Sec 17, T138, R43, Cormorant Township.

Dear Julene,

As we have discussed earlier, Verizon Wireless would like to install a new telecommunications facility on the property owned by Minnerath Investments, LLC located in the N ½ of the NW ¼, Sec 17, T138, R43, Cormorant Township, Becker County.

We would like to install a 190' tall (199' with lightning rod) self-support tower. A 12' x 30' VZW equipment shelter would be placed at the base of the tower. Enclosed are the following items for the application:

- A check for \$351 Conditional Use Permit fee;
- 2 sets of proposed site plan;
- 2 surveys showing ½ mile setback from all lakes;
- 2 complete surveys showing property lines and our site within;
- Vicinity map showing residences and businesses within ½ mile;
- Information package detailing site;
- Completed application signed by me;
- Authorized Agent form signed by Joe Minnerath, Minnreath Investments, LLC.

There are no other structures within two miles of our proposed location. There are no dwellings on this property. The nearest house is 1500 feet to the east. The tower is over 200' from the nearest road right of way. The proposed tower is able to accommodate 4 additional carriers equipment.

This specific property has existing natural screening that includes many trees and brush. We will be using this existing screening.

Please accept this application and place us on the next available agenda. Feel free to contact me for any additional information required.

Cordially,

Curt Walter
Curt Walter

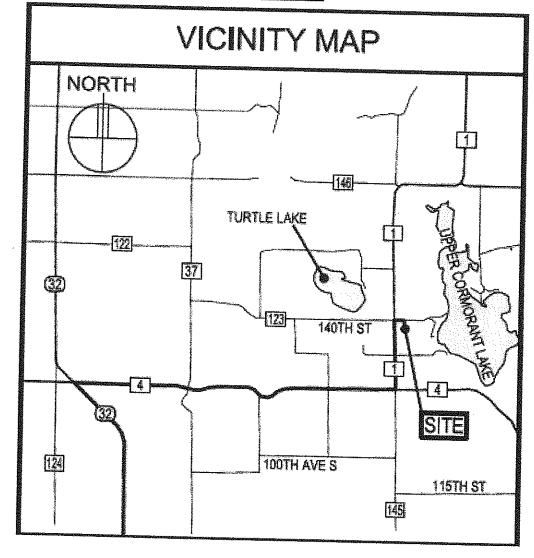
# Verizon Wireless

# SITE PLAN

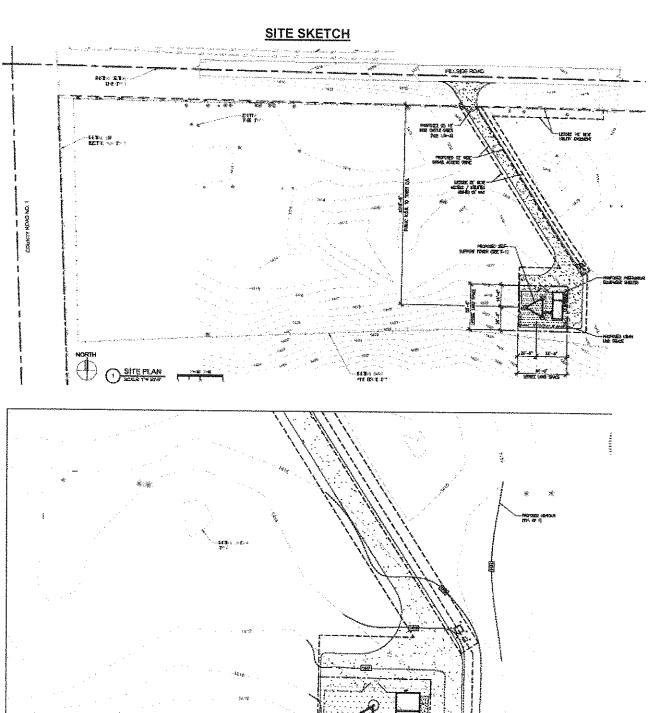
# - TABLE OF CONTENTS -

- 1. OBJECTIVES AND BENEFITS
- 2. SITE MAP
- 3. SITE SKETCH
- 4. PHOTO SIMULATION PICTURES
- 5. ABOUT VERIZON WIRELESS

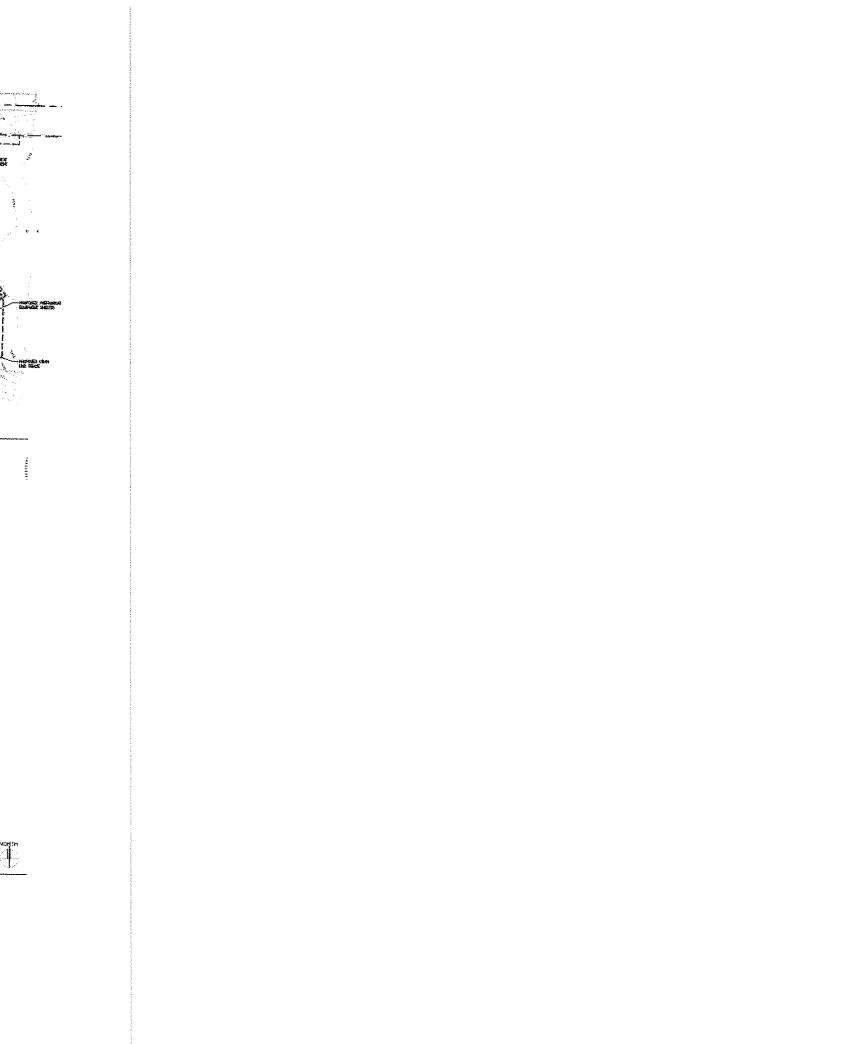
# VICINITY MAP



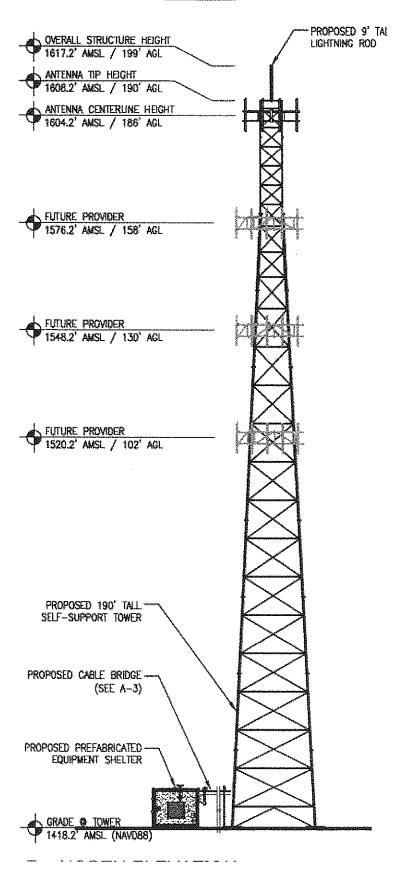




O SITE ORADING PLAN



# Site Photos



# About Verizon Wireless

Verizon Wireless is an innovative wireless communications company that connects people and businesses with the most advanced wireless technology and service available.

Our company launched the nation's first 3G wireless broadband network. We were also the first tierone wireless provider in the nation to build and operate a 4G LTE network. With 4G LTE, our customers can access the Internet and stream media faster than ever—and experience their mobile world in real-time.

As the nation's largest wireless company, we serve 109 million retail connections and operate more than 1,700 retail locations in the United States. Globally, we offer voice and data services in more than 200 destinations.

Verizon Wireless is wholly owned by Verizon Communications Inc. and is headquartered in Basking Ridge, N.J.

## **About Verizon Communications**

Verizon Communications Inc. (NYSE, NASDAQ:VZ) is a global leader in delivering broadband and other wireless and wireline communications services to consumer, business, government and wholesale customers.

# Fast Facts

# 109 million

retail connections

1,700+

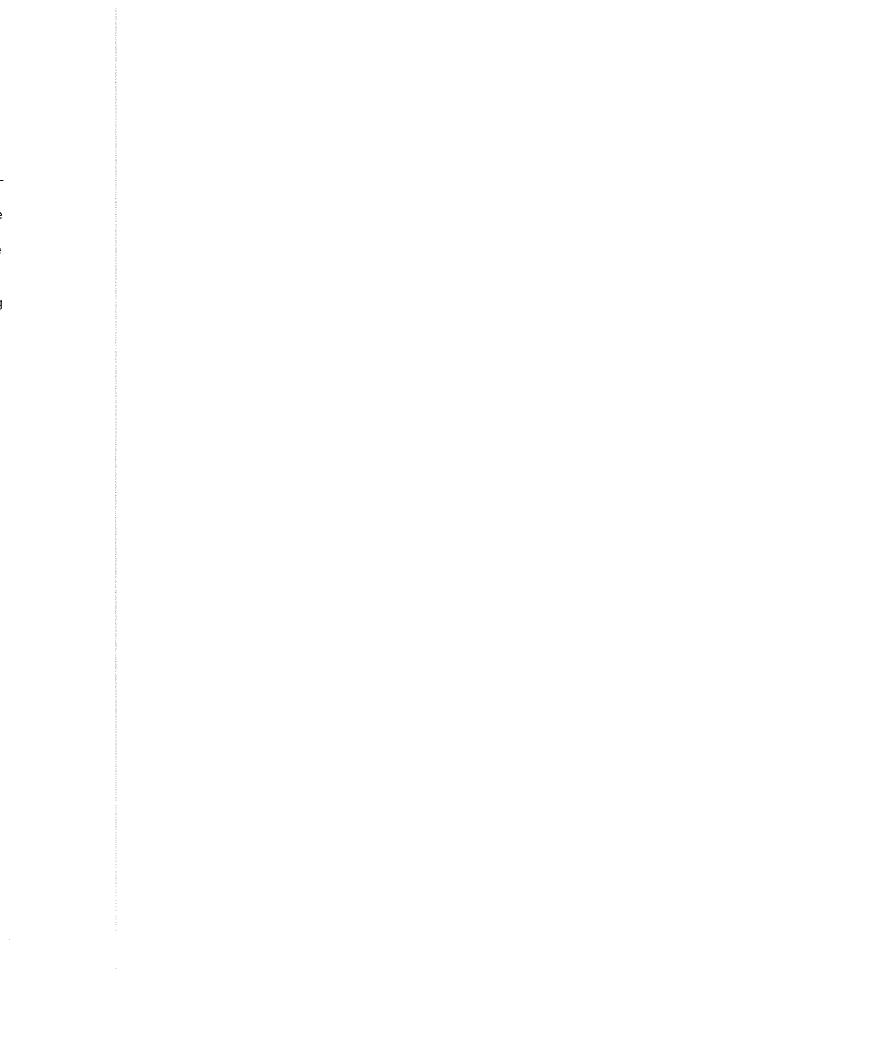
company-operated retail locations in the U.S.

# \$100+billion

annual revenue in 2014

# 4G LTE

Largest 4G LTE network in the U.S.



# WERREON MN05 END OF ROAD RESORT NEW

| PROJEC                                    | PROJECT INFORMATION                 |
|---|-------------------------------------|
| SITE NAME                                 | MINGS END OF ROAD REBORT            |
| SITE ADDRESS                              | HILSIDE ROAD<br>LAKE PARK, MN 88684 |
| COUNTY:                                   | BECKER                              |
| LATTRUDE                                  | N46" 46' 30,98" (NAD83)             |
| LONGITUDE:                                | WB6" 09" 11.63" (NAD83)             |
| DRAWING BASED ON<br>SITE DATA FORM DATED: | 01-27-15                            |
| DOCUPANCY:                                | 2.5                                 |
| BUILDING TYPE:                            | ¥-8                                 |
| SITE AREA:                                | 60' X 54' = 2,700' 8,F.             |
| ROOF LOAD:                                | LIVELDAD = 106 PSF                  |

|     |     | ISSUE SUMMARY                      |      |
|-----|-----|------------------------------------|------|
|     | REV | DESCRIPTION                        | 316  |
|     | 47  | ISSUED FOR REVIEW 04-08-16         | ×    |
|     | m   | ISBUED FOR OWNER APPROVAL 04-21-15 | ¥.   |
|     | ၁   | ISSUED FOR PERMITTING 05-08-15     | A: E |
|     | a   | ISSUED FOR PEPUMITING 08-17-15     | ¥    |
| 283 | ici | BSUED FOR PERMITTING 06-18-15      | A    |
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| +  | $\top$ | $\top$ | -  |                          | OUTLINE SPECIFICATIONS  | ትላ  |            |
| 11   |        |        | ++   | OTES                     | ANTENNA AND COAX KEY, CABLE BRUDGE PLAN, N  | £   |            |
|  |        |        |  |                          | ENLARGED SITE PLAN  | 3   |            |
|  |        |        |  |                          | SITE GRADING PLAN   | ¥.1.4   |            |
| <del>-                                    </del>   |        |        | <del> - - - - </del>   |                          | SITE PLAN, STANDARD DETAIL CHECKLIST  | ž   |            |
| <del>-   -   -   -   -   -   -   -   -   -  </del> |        |        |  | DSPEET                   | PROJECT INFORMATION, TOWER ELEYATION, AN  | <del>-</del>                                    |            |
|  |        |        |  |                          | SHEET DESCRIPTION   | SHEET   | <b>300</b> |
|  |        |        |  |                          | SHEET INDEX   |   |            |
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|  |        |        |  | ALL                      | ISSUED FOR PERMITTING 06-18-16  | at i  | \$30       |
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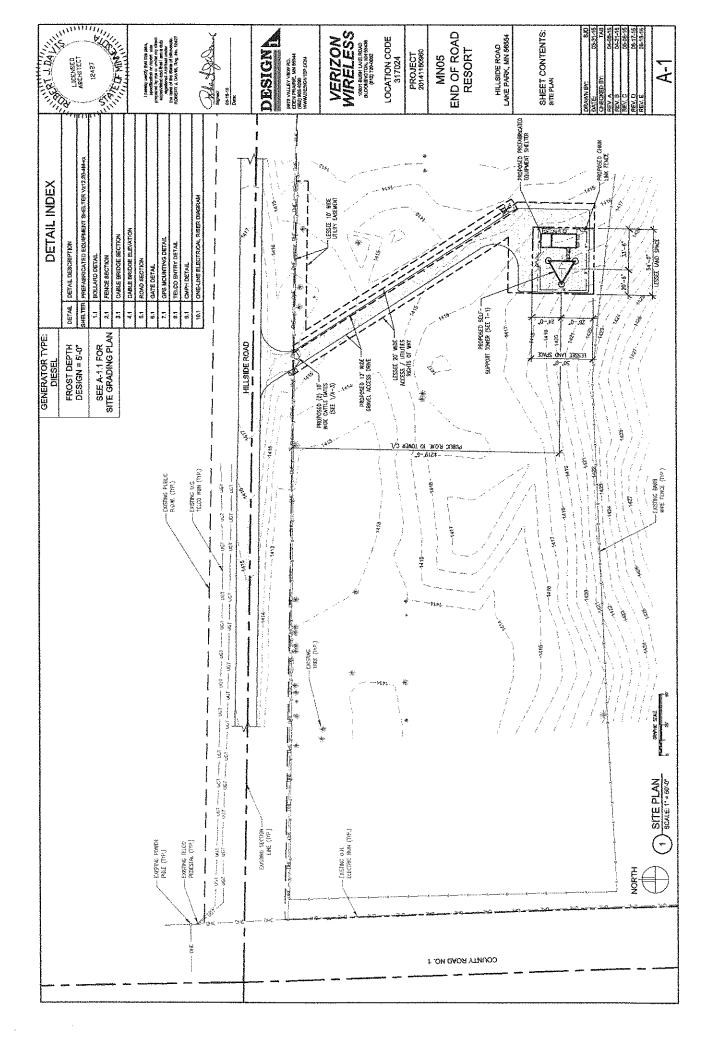
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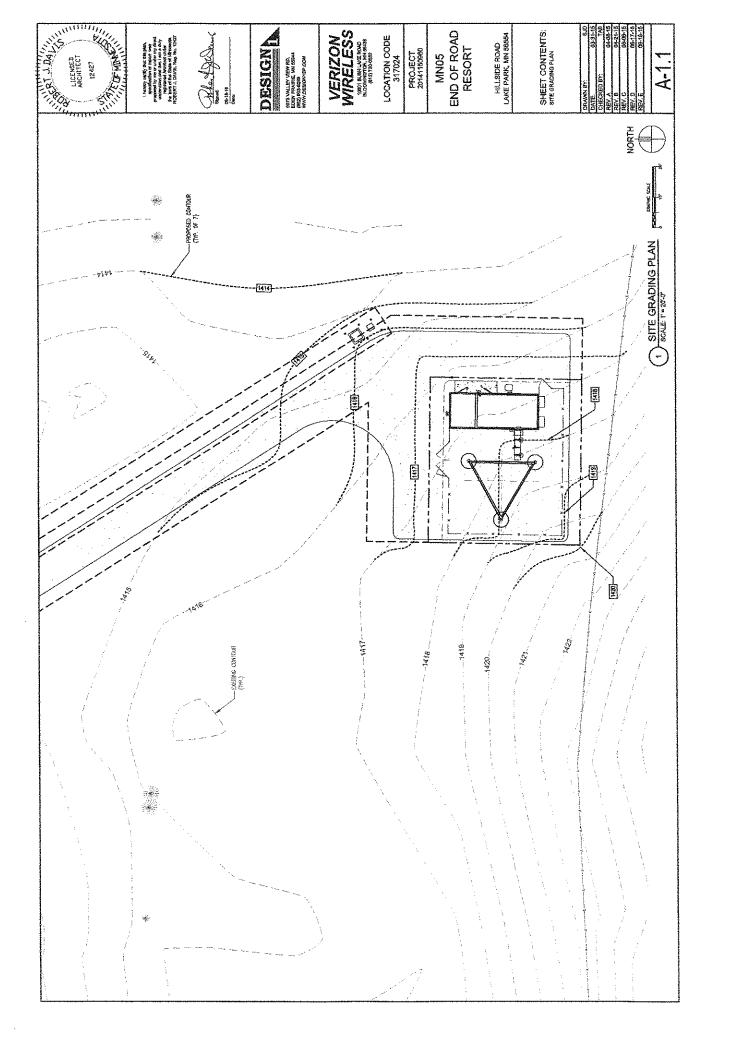
| VICINITY MAP | NORTH |  | TURTISLIAM |  | Tomest Table |       |   | 1007H AVE 8 | <u></u> |  |
|--------------|-------|--|------------|--|--------------|-------|---|-------------|---------|--|
|              |       |  | W/A        |  |              |       |   |             |         |  |
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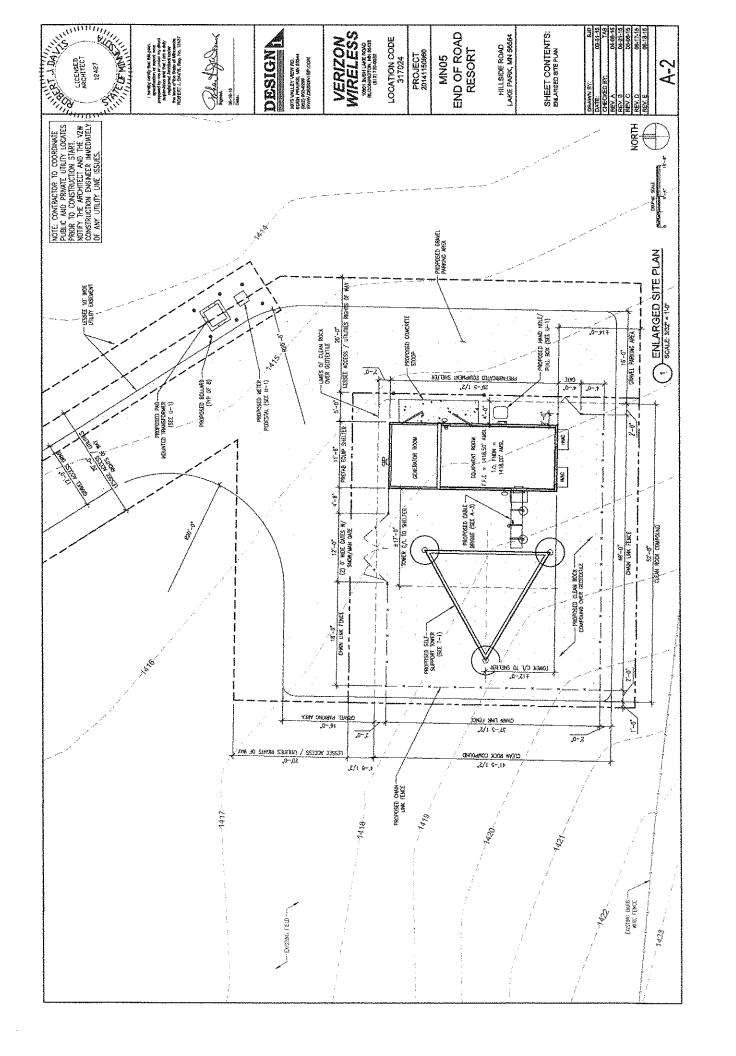
|                |   | June Construction | SITE        |
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| ^              | МОКТН                                   |                   |             |

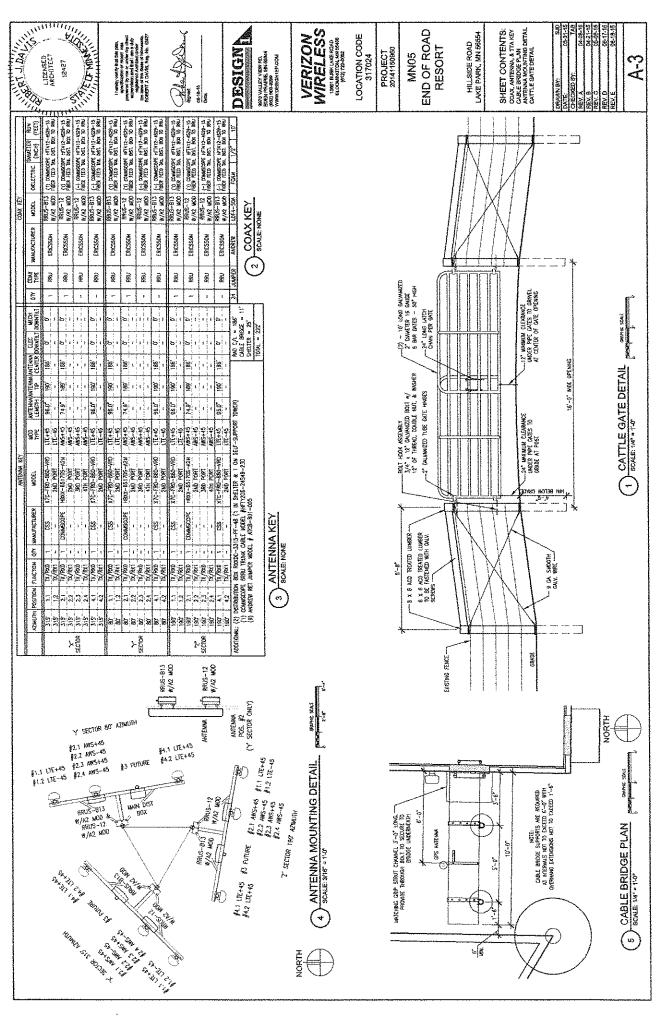
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|-----------------|--|---|--|--|--|--------------------------|--------|-----------|------------------------|-----------------------|--|-------------------|-------------------------|----------------------|--|-------------------------|------------------------|------|-------------|--------|------------|--------------------------------------|-----------------|--|
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| S               |  | DATE  | 04-09-15   | 04-16-15   | 06-17-16   |                          | PROVAL | DATE      |                        | E BOX BELOW COMMENTS. |  | a, u.c            |                         |                      | , A                                    |                         |                        |      | E, 14.0.    |        | D BCX 1028 |                                      |                 |  |

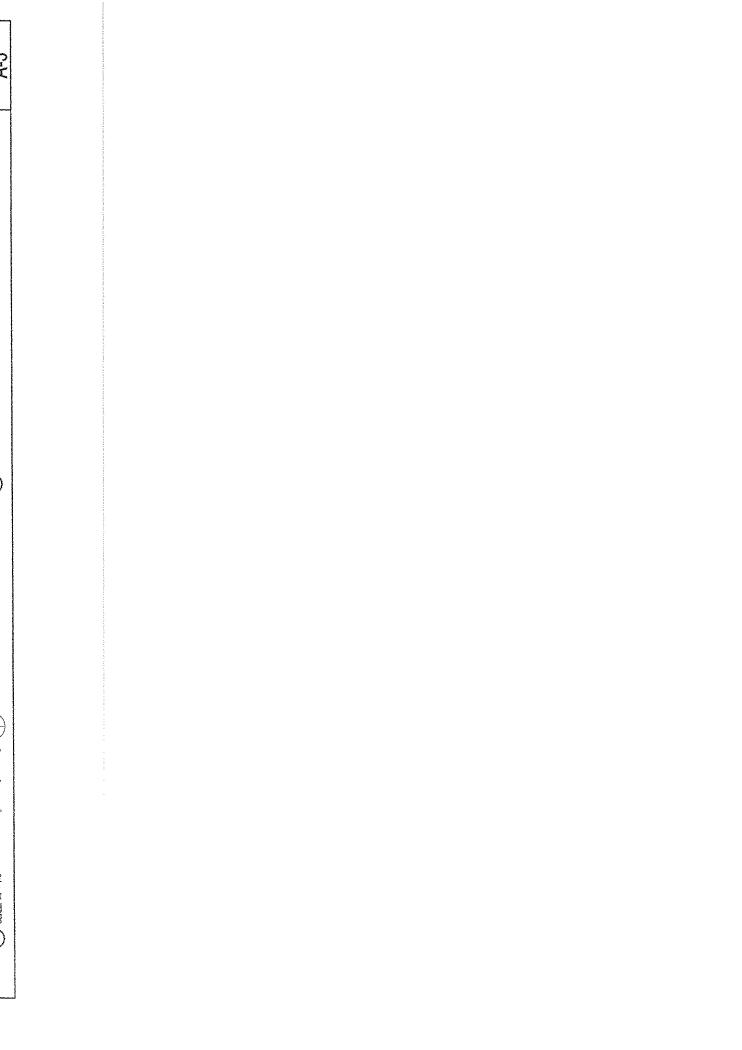
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|--|------------------|--|--|--|---|---|--------------------------|--------------------|--------------------------------|--|---|---|--|--|--|---|--|--|------|---|---------------------------------|---|------------------------------|----------------------------------|--|---|-----------|-----------------------|----------------------------|
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| Adversalere de l'entre conservent d'en dérient cres des referent de sens montre tot entre de l'entre de l'entr | VERIZON WIRELESS | DEPARTMENTAL<br>APPROVALS  | NAME CATE  | RF ENGINEER MIKE KOCH 04-09-15   | CPETATIONS DAVID LORE MANAGEN 04-16-15  | CONSTRUCTION MIKE THEL 06-17-16<br>ENGINEER   |                          | LICENSOR APPR      | SHAVALURE CANTALLY TANDE UNITE | R: P.E                                   | NO CHANGES. CHANGES NEEDED. SEE COMMENTS.      NEEDED. SEE COMMENT | CONTACTS  | LESSON / LICENSON: MINNERATH INVESTMENTS, LLC  | ACENARION I ROOM OF ANY SESSION OF A | LESSEE VERUZON WIRELESS 10801 BUSH LAVE ROAD BLOOMNETEN, NA 86588 RYN REITER (81.5) 720.003. | POWER UTILITY WILD RICE ELECTRIC CO-OP COMPANY CONTACT: 602 N. MANN ST. |  | TELCO UTLITY T.B.D. COMPANY CONTROTS   |      | ANCHITECT: DESIGNA 1 OF GENER PANAILE, LLC. 8973 VALLEY VIEW ROAD. EDEN PRAIRIE, MN 66944 | SURVEYOR: VNDSETH BAITH NOLTHAG | 640 FILMORE STREFT - PO BOX 1029<br>A.E.YANIDIA, MN 6898-1028<br>(320) 762-6140 | ETRUCTURAL, N/A<br>ENGINEER, |                                  | ENGWEER: 1.50.0  |   |           |                       |                            |
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MN05 END OF ROAD RESORT 100CATION CODE 317024 PROJECT 20141150880

SHEET CONTENTS: OUTLINE SPECIFICATIONS HILLSIDE ROAD LAKE PARK, MN 565



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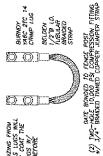
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MN05 END OF ROAD RESORT

LOCATION CODE 317024 PROJECT 20141150960



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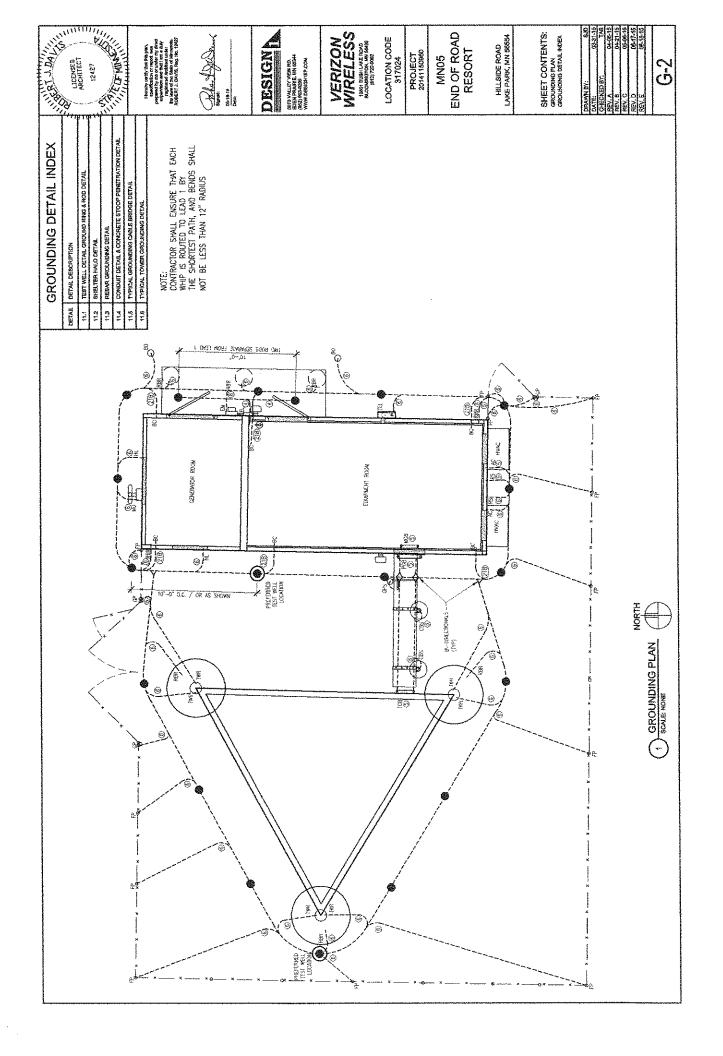


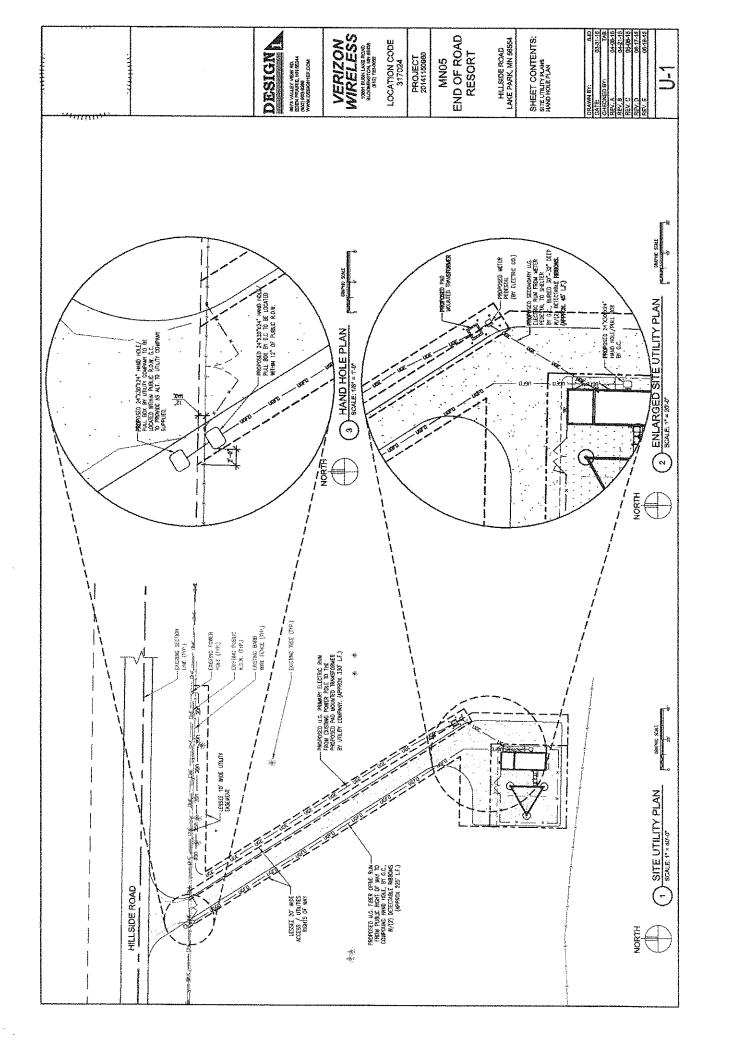


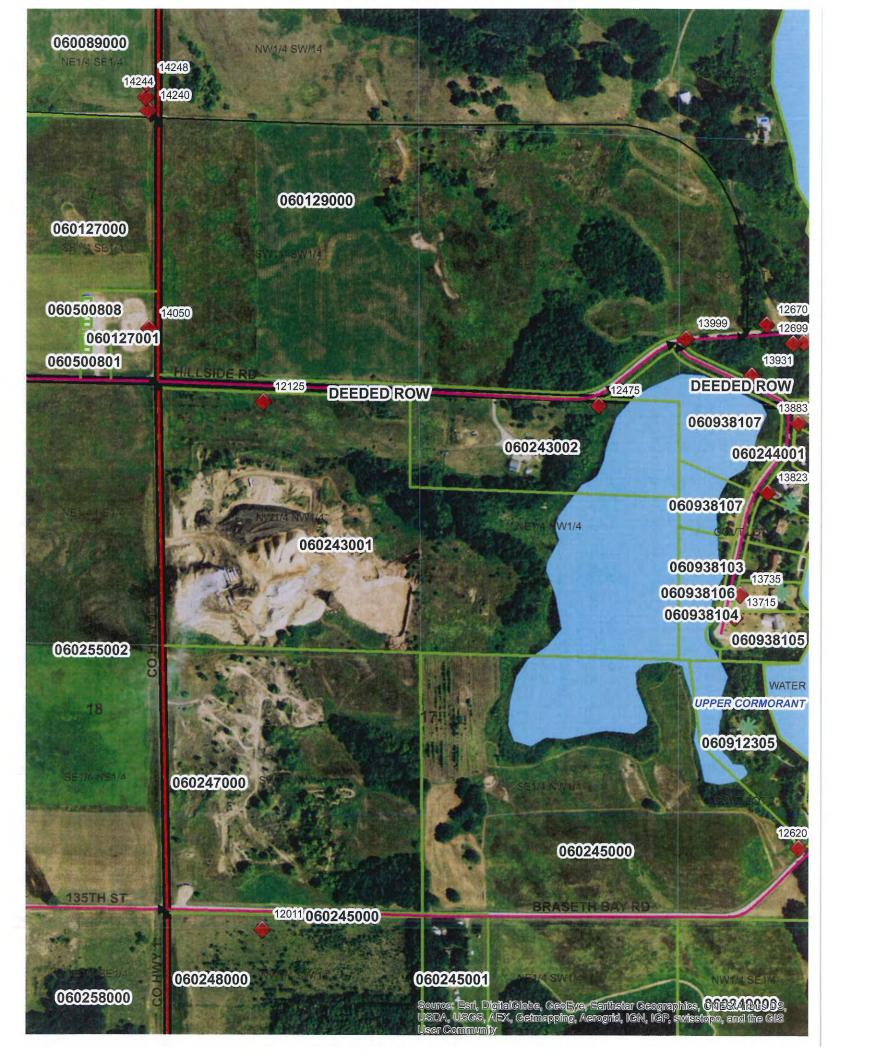




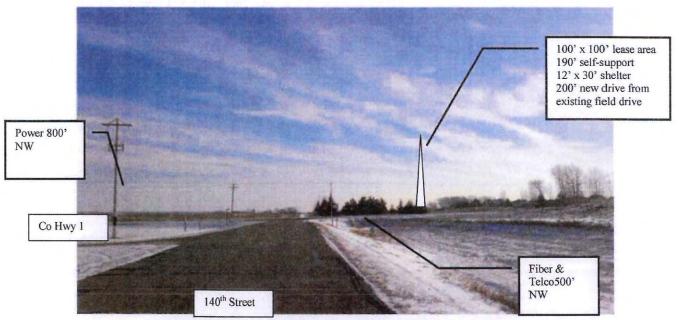








# PHOTOS OF SITE

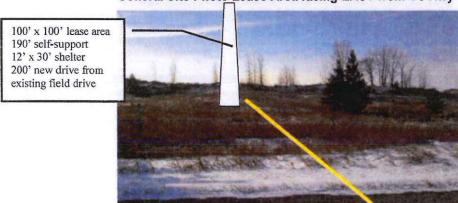


General Site Photo facing EAST

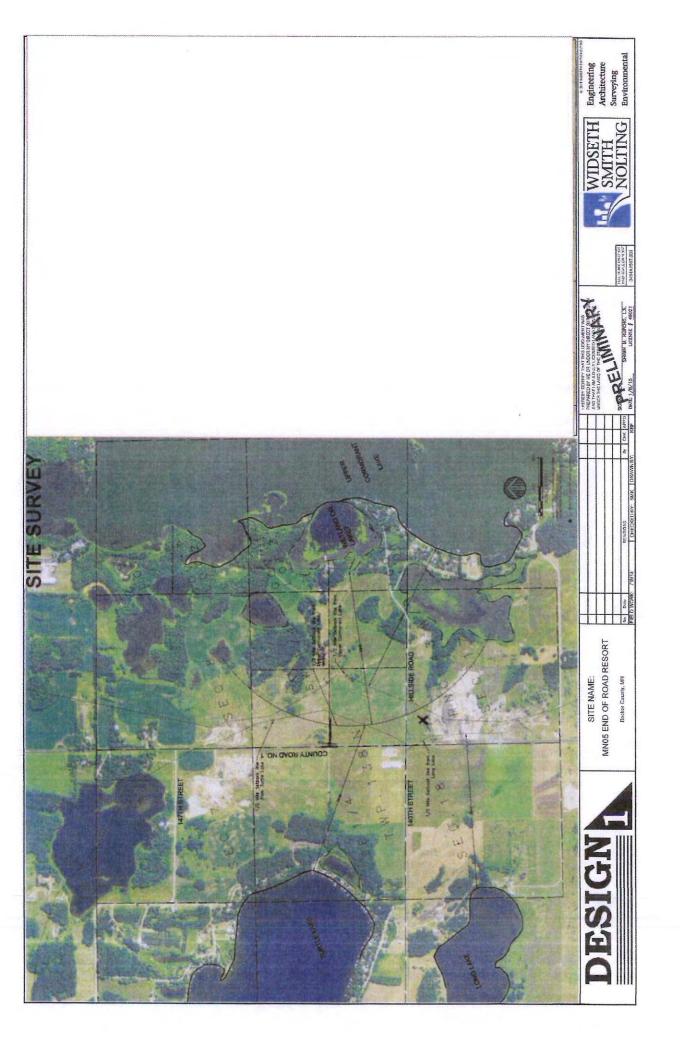


100' x 100' lease area 190' self-support 12' x 30' shelter 200' new drive from existing field drive

General Site Photo Lease Area facing EAST from Co Hwy 1

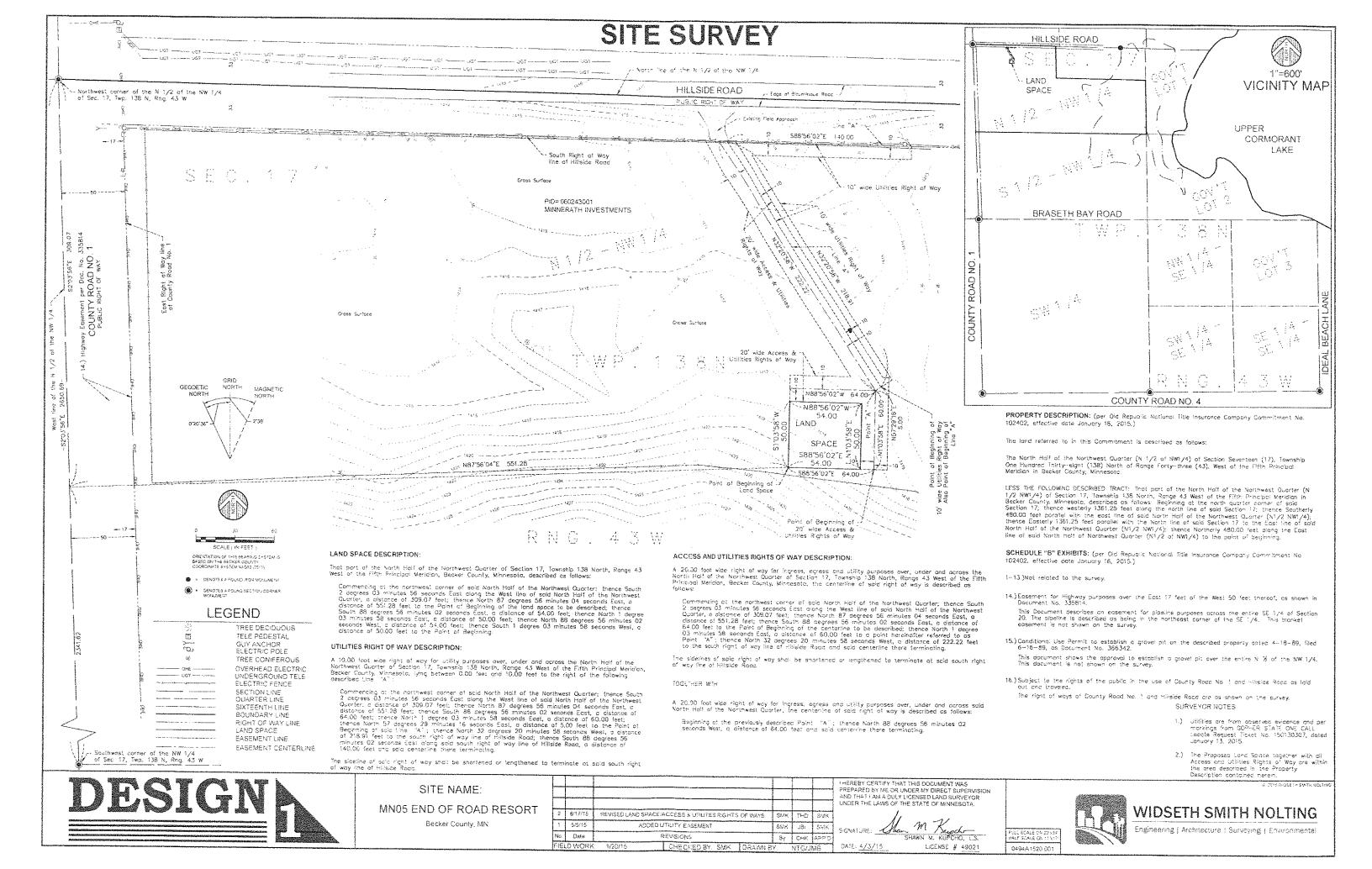


View of Access Point from Hillside Road



House House House House WATER 060127000 Storage business 060255002

Vicinity map  $\ensuremath{\ensuremath{\upens$ 





# **COUNTY OF BECKER**

# Planning and Zoning

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

# PLANNING COMMISSION NOTICE OF PUBLIC HEARING

\*\*HEARING DATE AND LOCATION\*\*
October 13, 2015 @7:00 PM

3<sup>rd</sup> Floor Jury Assembly Room New Addition-Becker County Courthouse
Detroit Lakes, MN. 56501

APPLICANT:

Osage Sportsman Club, Inc. 12102 Fishermans Drive Park Rapids, MN 56470 Project Location: 25108 County Hwy 48

### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Conditional Use Permit for expansion of the existing Sportsman Club Shooting Range. The request includes harvesting of timber to add three additional trap shooting lanes (for four total), rearrangement of the 250 yard range, parking area and eventually a new club house and warming house in an Agricultural Zone.

LEGAL LAND DESCRIPTION: 210104101 Osage Township Bog Lake
PT NE1/4 OF SE1/4 LYING S OF FOLL LINE:BEG 365' S OF NE COR TH SWLY 1674.69' TO SW
COR OF NE1/4 OF SE1/4, Section 17, TWP 140, Range 36

### REFER TO BECKER COUNTY ZONING ORDINANCE

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

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

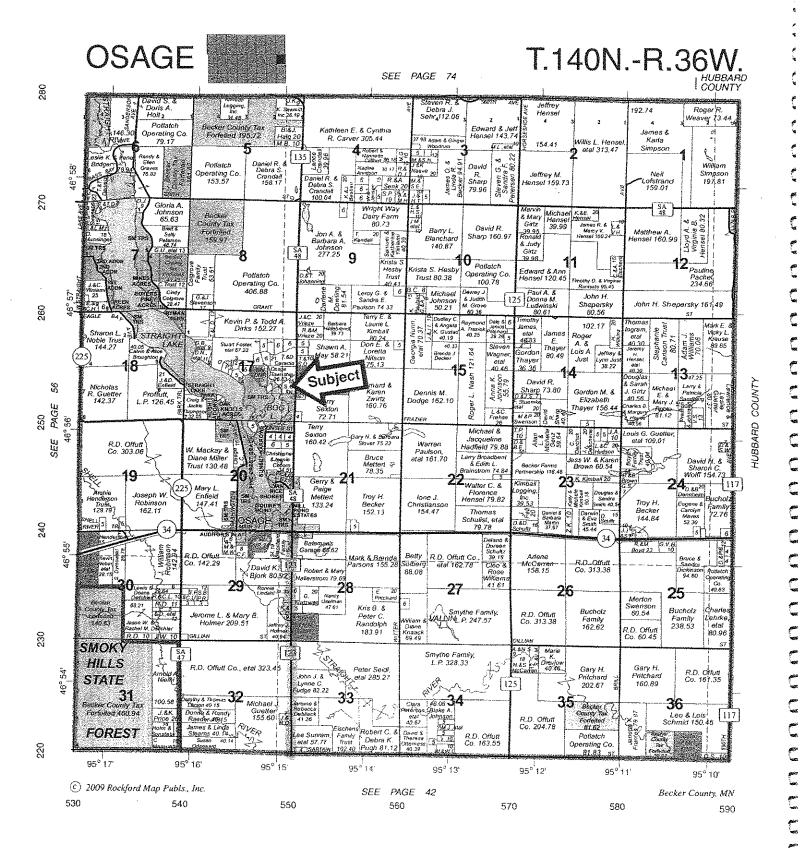
FAX Number: 218-846-7266 email: zoning@co.becker.mn.us

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

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

**Regulatory Authority:** This Application will be reviewed according to the provisions of the Becker County Zoning Ordinance.

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



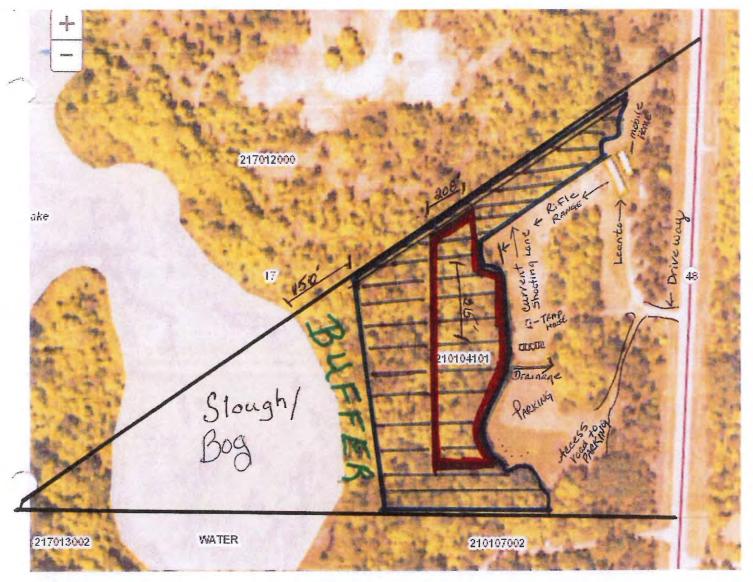


# ~ CONDITIONAL USE APPLICATION ~ BECKER COUNTY PLANNING & ZONING

| PARCEL  |     |
|---------|-----|
| APP     | CUP |
| YEAR    |     |
| SCANNED |     |

915 LAKE AVENUE, DETROIT LAKES, MN 56561 PHONE (218) 846-7314 - FAX (218) 846-7266

|  | Last name:  |
|--|---|
| Mailing Address: 27803 County Road 135,  |   |
| Phone Number(s): (W)218.732.1431 (H)573.2312   | Project Address: 25315 Cty Hwy 48, Osage, MN. 5657  |
| Parcel number(s) of property: 210104101  | Sect - Twp - Range: 17-140-36   |
|  | Description: PT NE 1/4 of SE 1/4 Lying S of Followin  |
|  | .69 TO SW COR of NE 1/4 of SE 1/4 REF:E21.0012.0  |
| REASON FOR CONDITIONAL USE REQUI   | EST: Addition of three trap houses and the  |
|  | ized for the Park Rapids High School Trap League  |
| decompanying solicoting lanes, to be dell  | 1200 101 the lark kapids high behoof grap heague  |
|  |   |
| that this statement is null and void if any of the above   | and accurate to the best of my knowledge. I understand information is not supplied or is inaccurate.  |
| Soli Walsh.  | 9-2-15  |
| SIGNATURE OF APPLICANT   | 9-2-15<br>DATE  |
| OTHER INFORMATION NEEDED TO CO   | OMPLETE THE APPLICATION:  |
| OTHER INFORMATION NEEDED TO CO  1. A copy of the deed from the Recorder's Off  2. Completed Site Application with sketch sho   | OMPLETE THE APPLICATION:  |
| OTHER INFORMATION NEEDED TO CO  1. A copy of the deed from the Recorder's Off  2. Completed Site Application with sketch she lot and all existing and proposed buildings;  | OMPLETE THE APPLICATION: fice; owing all setbacks, platted or surveyed dimensions of the parking area and all other materials deemed necessary. Cormorant Township add \$25.00 surcharge to the filing  |
| OTHER INFORMATION NEEDED TO CO  1. A copy of the deed from the Recorder's Off  2. Completed Site Application with sketch she lot and all existing and proposed buildings;  3. Non-refundable filing fee of \$326.00. If in   | OMPLETE THE APPLICATION: fice; owing all setbacks, platted or <u>surveyed</u> dimensions of the parking area and all other materials deemed necessary. Cormorant Township add \$25.00 surcharge to the filing ocker County Zoning.  |
| OTHER INFORMATION NEEDED TO CO  1. A copy of the deed from the Recorder's Off  2. Completed Site Application with sketch she lot and all existing and proposed buildings;  3. Non-refundable filing fee of \$326.00. If in fee (\$351.00). Make check payable to Be  | OMPLETE THE APPLICATION: fice; owing all setbacks, platted or <u>surveyed</u> dimensions of the parking area and all other materials deemed necessary. Cormorant Township add \$25.00 surcharge to the filing ocker County Zoning. er the fact? [ ] Yes [ ] No                  |
| OTHER INFORMATION NEEDED TO CO  1. A copy of the deed from the Recorder's Off  2. Completed Site Application with sketch she lot and all existing and proposed buildings;  3. Non-refundable filing fee of \$326.00. If in fee (\$351.00). Make check payable to Be  4. Is the conditional use permit request after  | OMPLETE THE APPLICATION: fice; owing all setbacks, platted or <u>surveyed</u> dimensions of the parking area and all other materials deemed necessary. Cormorant Township add \$25.00 surcharge to the filing ocker County Zoning. er the fact? [ ] Yes [ ] No                  |
| OTHER INFORMATION NEEDED TO CO  1. A copy of the deed from the Recorder's Off  2. Completed Site Application with sketch she lot and all existing and proposed buildings;  3. Non-refundable filing fee of \$326.00. If in fee (\$351.00). Make check payable to Be  4. Is the conditional use permit request after a second of the se | OMPLETE THE APPLICATION: fice; owing all setbacks, platted or surveyed dimensions of the parking area and all other materials deemed necessary. Cormorant Township add \$25.00 surcharge to the filing ocker County Zoning. er the fact? [ ] Yes [ ] No in additional \$600.00. |
| OTHER INFORMATION NEEDED TO CO  1. A copy of the deed from the Recorder's Off  2. Completed Site Application with sketch she lot and all existing and proposed buildings;  3. Non-refundable filing fee of \$326.00. If in fee (\$351.00). Make check payable to Be  4. Is the conditional use permit request after the fact application fee is an   | OMPLETE THE APPLICATION: fice; owing all setbacks, platted or surveyed dimensions of the parking area and all other materials deemed necessary. Cormorant Township add \$25.00 surcharge to the filing ocker County Zoning. er the fact? [ ] Yes [ ] No in additional \$600.00. |



AREA ENCOMPASSED BY RED is Cleared area for 3 additional Shooting lanes.

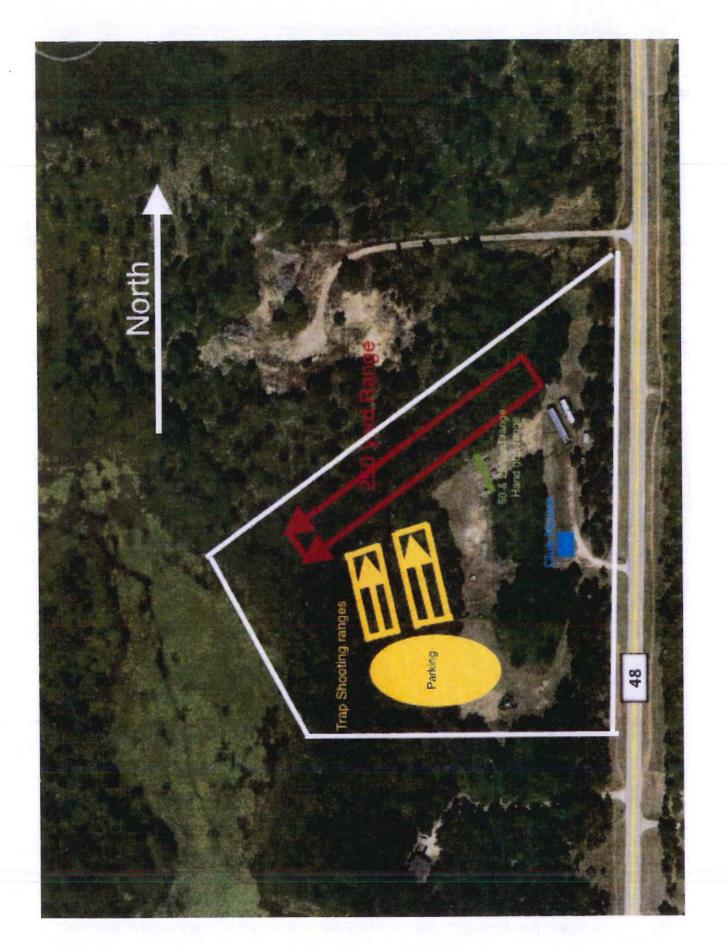
Cleared area is 150+ feet from Shore.

Harvested area is 75 feet from Shore. Approximately a dozen trees were harvested between the 50' to 75' MARKER due to trees were dead or diseased. Harvested trees in this area were carried not dragged to 150 foot marker. Soil was not disturbed and ground cover was left intact to grow.

Scale 1: 2400

X: 2375251.2696

Y: 1036808.9469







# ~ LAND ALTERATION PERMIT ~ BECKER COUNTY PLANNING & ZONING

| PARCEL |          |
|--------|----------|
| APP    | Land Alt |
| YEAR   |          |
| SCANNE |          |
| D      |          |

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

| PARCEL NUMBER 21.0  | 104.101  | _ PROJECT ADDRES                           | S. 25318 Ct                                     | y Hwy 48,0sag   | ge,MN.   |
|---|--|--|---|---|--|
| DIRECTIONS TO PROPER  | TY: Head East through  | n Osage on highway                         | 34. Head  | North on cty  | hwy 48.  |
| Go North on cty hwy   | 48 for 1.5 miles. I  | Entrance on the We                         | st side of                                      | hwy. Gate is  | s locked.  |
|   | 4  |  |   |   | en de  |
| LEGAL DESCRIPTION P<br>1674.69'TO SW COR of   | T NE 1/4 of SE 1/4 I<br>NE 1/4 of SE 1/4 I   | ying S of FOLL LI<br>REF: 21.0012.000      | NE:BEG 365                                      | S of NE CO  | R TH SWLY  |
| LAKE/WETLAND/RIVER  | NAME LK/WETL/RIV CL  | ASS SECTION TWI                            | P RANGE   | TOWNSHIP N  | AME  |
| Bog Lake  | NE<br>Bog/Slough   | 17 140                                     | 36  | 0sage   |  |
| PROPERTY OWNER  | ADI  | RESS                                       |   | PHC   | NE NO  |
| Osage Sportsman Club  | ,25315 Cty Hwy 48, (   | )sage, MN. 56570                           |   |   |  |
| CONTRACTOR  | LICEN  | SE NO                                      |   | РНО   | NE NO  |
| Dick Walsh Forest P   | roducts, s MMI   | LC06-105                                   |   | 218-732-4154  | 4  |
| Type of Project   | Project Purpose  | Project Scope                              |   |   | 1  |
| ( ) Vegetation Removal ( ) Fill Only (x) Grading Only ( ) Grading & Filling (x) Other (specify) Tree harvest and remove stumps on 1.5 | ( ) Clear Land ( ) Road or Driveway ( ) Elevate Buil ( ) Improve Lawn ( X) Other (specify) prepare field | lding Site Project is adjace Name of water | tion Date Aug<br>ent to (XX) Lake<br>body Sloug | ust 31,52016  ( )Stream ( ) not have connected to dinary High Water to field. | Bog Lake   |
| Type of Erosion Control   |  | Alterations:                               |   |   |  |
| ( ) sod ( ) stake-soc   | <b>⋠</b>   | Area to be cut/excavated                   | 450 fi  | 350 ft 2<br>Width Dep   | 2ft  |
| (XX) seed only (_) seed & n   | nulch  | Area to be filled/leveled                  |   | t 208 ft 3  |  |
| () mulch only (XX) other <u>Na</u><br>area s  | tural regenourrounding field.  | Type of Soils and/or fill                  | Length<br>material <sup>உ</sup> Non             |   | epth   |
|   |  | Total Cubic Yards of Ea                    | rthmoving Requ                                  | uested <u>1.5 acre</u>  | es   |
| 70 * 6 %  |  |  | *   |   |  |
| Brief description of the v  | vork to be done:   |  |   |   | and the second s |
| Harvest trees on fol  | lowing property line   | es keeping a 50' b                         | ouffer zone                                     | along shore   | line   |
| with trees between p  | roperty lines harves   | sted to create a f                         | ield of 1.                                      | 5 Acres. Remo   | ove stumps   |
| level 1.5 acres.No t  |  |  |   |   | I .  |
|   | ntly there is more s   |  |   |   |  |

| To complete this application, a detailed site plan must be attached.   | PARCE  |                   |
|--|--|-------------------|
| The site plan must include the following information:  | L<br>APP   | Land Alt          |
| 1. Size of the property, showing the location of the lot lines: $Survey$   | YEAR   | Lanu An           |
| <ol> <li>Size of the property, showing the location of the lot lines; Survey</li> <li>Area that the work is to be done (width and length of project); Survey and</li> </ol>                  | map  |                   |
| J. I mai stopes of project, NY   | -  | . (               |
| <ul><li>4. Drainage plan showing direction of drainage and how the drainage will be cor</li><li>5. Distance the project will be from lake; river; stream; property lines; wetlands</li></ul> | and structu  | res. 150 feet     |
| I hereby certify with my signature that all data contained herein as well as all su correct to the best of my knowledge. I also understand that, once issued, the permit v                   | vill be valid  | d for a period of |
| six (6) months. I also understand that bare ground shall be covered temporarily  | y with mu  | lches or similar  |
| materials and permanent vegetation cover shall be established as soon as excava  | tion is cor  | npleted. I also   |
| understand that I am responsible for securing any other local, state, or federal per<br>including but not limited to watershed districts, MN Department of Natural R                         | mits that n  | soil and Water    |
| Conservation, MN Pollution Control Agency or US Army Corps of Engineers.   | csources, i  | Soft and water    |
|  |  |                   |
| Joli Walsh. Signature  | 4-2  | - /5              |
| Signature  | Date   | •                 |
| Additional notes: We have received approval from the MPCA on the Storm   | Water Pe   | rmit.             |
| We have seeded the field. Becker County Soil and Water directed  | us to se   | ed again in       |
| November and again in May. Ed Clem from Becker County Soil and V<br>Stormwater Pollution Prevention Plan. We will have a certificate<br>Confirmation Number from MPCA is MNPPCA000023052.    |  |                   |
| Application Fee: Cormorant Surcharge Fines   |  | Total             |
| Fees   |  |                   |
| \$100.00 + NA +  |  | _ \$100.00        |
|  |  |                   |
| Application is hereby <b>GRANTED</b> in accordance with the application and supporting information by  | y order of:  |                   |
| as of this date  |  |                   |
| Application is hereby <u>DENIED</u> based on the fact that   |  |                   |
|  |  |                   |
| by order of:as of this date  |  |                   |
|  |  |                   |
| Receipt Number   | 5  |                   |
| Additional Receipt Number Date of Additional Receipt   | where the state of |                   |
| Date of Final Inspection:  |  |                   |

# SKETCH OF PROPERTY - ON Following Page 1. Please list all impervious coverage on your property and include

dimensions.

| PARCE |          |
|-------|----------|
| L     |          |
| APP   | Land Alt |
| YEAR  |          |

- 2. Show roadways adjacent to property Include driveway location.
- 3. If you have a STANDARD size lot and will be exceeding 15% impervious coverage, include a copy of your stormwater management plan.
- 4. <u>LAKESHORE PROPERTY OWNERS</u>: Property lines/road right of ways and proposed land alteration area must be well marked/staked or application will be **DENIED**. Date project will be marked/staked: October 1, 2015





# COUNTY OF BECKER

# Planning and Zoning

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

# **Authorized Agent Form**

1. Form must be legible and completed in ink.

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

| I (we), Osage Sportsman Club hereby authorize Jodi I   |  |               |
|--|--|---------------|
| (landowner-print name) as my (our) agent on the following item(s): appropriate box(es)   | (agent-print name)   |               |
| Expermit application (write in permit "type" – e.g. site, septic, etc.): CUP,  | , Land Alteration, MPCA SWP                                  |               |
| ☐ plat application:  |  | at-Marada att |
| XXconditional use application: Addition of three trap houses to be utilized by the Park Rapids High School variance application:                                   | s and accompaning shooting lanes,<br>1 trap Shooting League. | ************  |
| ** A certified Master Logger harvested the tree trap houses and shooting lanes. A on my (our) property located at:   | es to make room for the additional                           |               |
| Tax Parcel Number(s): 21.0104.101 Physical Site Ac   | ddress: 25315 County Hwy 48, Osage, N                        | MN.           |
| Legal Description PT NE 1/4 of SE 1/4 Lying S of Foll Lin TO SW COR of NE 1/4 of SE 1/4 REF: E21.0   | ne:BEG 365'S of NE COR TH SWLY 1674                          | 4.69          |
| Section: 17 Township: 140 Range: 36 Lot: 36 Block: —   |  |               |
| Agent Contact Information  |  |               |
| Agent address: 20388 US 71, Park Rapids, MN. 56470 Street City   | State Zip Code   |               |
| Street City Agent phone #(s): Ce11: 218.255.2695 Agent fax #: 21   | 18-732-4154 Zip Gode   |               |
| Agent email address_jlwalsh50@gmail.com  |  |               |
| Matt Leek; Representing the Osage Sportsman Club Property Owner(s) Signature(s)  | 9-2 -2015<br>Date  |               |
| State of Minnesota<br>County of Becker   |  |               |
| On this 2/ day of Syfem Gev. 7015 before me personally apply known to be the person(s) described in and who executed the foregoing executed the same as 115 free a | g instrument; and acknowledged that                          | ;             |
| (Notary Stamp)  JULIE L. GROSSMAN  NOTARY PUBLIC  MINNESOTA  My Comm. Exp. Jan. 31, 2017  Notary Public  | Grossman   |               |
| OCC XI O I   |  |               |
| Office Use Only:   | Patro  |               |



# COUNTY OF BECKER

# Planning and Zoning

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

# **Authorized Agent Form**

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

| organization means and property of more for the property of a management   |
|--|
| I (we), Osage Sportsman Club, INC hereby authorize Alan Kriz to act (landowner-print name) to act  |
| 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:  |
| X conditional use application: Addition of 2 trap shooting stations for High School League sportsman Club, INC.                            |
| A variance application: located at Asage Sportsman Club, INC.  |
| O other:   |
| on my (our) property located at:   |
| Tax Parcel Number(s): 21.0104.101  |
|  |
| Legal Description: PTNEY4 of SEY4 LYING S of Fail Line: BEG 365'S of NE CORTH SWLY 1674.65' TO SW COR OF NEY4 OF SEY4 REF: E 21.0012.00    |
| Section: 17 Township: 140 Range: 36 Lot: — Block: — Plat Name: Osage   |
| Physical Site Address: 25108 County Hwy 48 Osage, MN.:   |
| Agent Contact Information  |
| Agent address: 12102 Fishermans Drive Park Rapids MN. 56470 Street State Zip Code Agent phone #(s): 218-732-4915 Agent fax #: 218 732 4915 |
| Agent phone #(s): 218-732-4915   |
| Agent email address: <u>alanj Krize mac.com</u>  |
| Osage Sportsman Club, elvi. Alan Kriz 9-8-15 Property Owner(s) Signature(s)  Date  |
| Office Use Only:   |
| Date received: Expiration Date:  |

# Minnesota Department of Natural Resources



607 First St. W Park Rapids, MN 56740 September 23, 2015

Becker County Planning and Zoning 915 Lake Ave. Detroit Lakes, MN 56501

To whom it may concern:

This letter is submitted as requested by the Becker County Planning and Zoning Department. Dick Walsh Forest Products harvested a timber sale for the Osage Sporting Club in 17-140-36 this spring. We visited the site on September 23, 2015. The timber sale followed the filter strip management guidelines set by Minnesota Forest Resources Council. The slope to the water's edge was 8%. The guidelines require a filter strip of 50 feet with a slope less than 10%. The equipment did not enter the filter strip. This prevented soil disturbance and compaction, while maintaining the current understory vegetation in the filter strip. Following the harvest, the filter strip remains intact and will serve to trap sediment before reaching the surface water.

Sincerely,

Mike Lichter

Asst. Forest Supervisor Park Rapids DNR Forestry



## Coverage Card

## National Pollutant Discharge Elimination System/State Disposal System General Permit MNR100001 Construction Stormwater

The Construction site identified below is covered under the National Pollutant Discharge Elimination System/State Disposal System General Permit MNR100001 and is authorized by the Minnesota Pollution Control Agency (MPCA) to discharge stormwater associated with construction activities.

Permit D Number: C00041595

Owner: Osage Sportsman Club

Osage Sportsman Club General Confractor:

Osage Sportsman Club CSW  Permit Coverage Date: 9/29/2015

http://www.pca.state.mn.us/stormwater, or call the Construction Stormwater Program at 651-757-2119 or toll free at 800-657-3804. If you have questions regarding the stormwater program for construction activity, please access the MPCA Stormwater website at

# Minnesota Certified Master Logger

### Tex Series that

# Dick Walsh Forest Products, LLP

Winnesota Waster Logger Certification program standard. has been found to be in conformance to the



Certificate Number: NMLC06-105 Certificate Issue Date: 6/30/2011

Expiration Date: 6/30/2016\*

Program Administrator

\*Company is subject to random selection for recertification annually. To verify certification, please call (218)722-5442 or visit www.mlep.org/mmlc.htm



\*SWPPP=Stormwater Pollution Prevention Plan.
on file-will provide copy if requested.
Julene M Hodgson

From:

Ed J. Clem

Sent:

Monday, September 21, 2015 1:50 PM

To: Cc: jlwalsh50@gmail.com

Subject:

Julene M Hodgson

Attachments:

Osage Sportsman's Club SWPPP 1821\_001.pdf; 20150918\_160018.jpg

### Jodi,

I'm sending a PDF of the Stormwater Pollution Prevention Plan for the Sportsman's Club. It's 40 some pages long, but that's what is required apparently. The last page is the map of the site. I'll be sending a paper copy in the mail also. The plan calls for the straw bale checks that you placed on the SW corner perimeter. That's the only area that has potential to deliver sediment offsite. The only part of the plan that is not already completed is the dormant seeding that you will be completing in November. As we discussed, the seeding that was done recently is ok for temporary cover, but the seeding date was out of the recommended seeding dates for fall seeding. To make sure that grass is established, I'm recommending another seeding so that it can germinate in the spring. You will have to keep an eye on it next May and June, and add more seed if needed. You should get a hardy mix of grass (perennial ryegrass, Kentucky blue, fine fescue) and seed at a rate of about 15-20 pounds per acre.

I'm also sending this to Julene at Zoning, so you can check with her to see if you have everything you need.

Ed Clem, District Technician

Becker SWCD

From: <a href="mailto:scanner-noreply@one-mail.fsc.usda.gov">scanner-noreply@one-mail.fsc.usda.gov</a>]

Sent: Monday, September 21, 2015 12:20 PM

To: Ed J. Clem

Subject: SCANNED IMAGE FROM NRCS - DETROIT LAKES

### Julene M Hodgson

From: Ed J. Clem

Sent: Tuesday, September 22, 2015 2:25 PM

To: Julene M Hodgson

Subject: Osage Sportsman's Club SWPPP

### Hi Julene,

I trust that you got the SWPPP for the Osage Sportsman's Club from me yesterday. The template that Jeremy from MPCA sent me was over 40 pages of questions, way more stuff than you were probably expecting. Apparently that's what's required for the MPCA permit. Let me know if that works for the Planning Commission meeting, or if you would like something more brief. The gist of my plan calls for bale checks in the SW corner of the cleared area, which have already been installed. They should also add more grass seed in November to make sure that the seeding survives, since the seeding they did was so late and it's been so dry that it could winter kill. The November seeding would be considered a dormant seeding that would germinate next spring.

The cleared area has a lot of woody debris in it and sandy soil. That, along with the gentle slopes directing most of the runoff to the center leads me to believe that there is not much potential for sediment to leave the site. Plus, there's about 150 feet of vegetated buffer between the edge of the cleared area and the lake. So, once the grass establishes, the site should be stabilized. Talk to you later.

Ed Clem

**Becker SWCD** 

### Osage Sportsmans Club

Meeting called to order 7:02pm

July 2, 2015

Meeting held at the Osage Sportsmans Club Gun Range.

15 members were present.

June minutes read by Alan | Kriz

Treasurer report by Matt Leek

Checking

\$3500.00

**Building Fund** 

\$4300.00

Investment Fund

\$4100.00

### **Old Business:**

### 1) Scholarships:

Tristan Hendrickson submitted and application for a scholarship.

Motion to accept and award Tristan Hendrickson a \$500.00 scholarship.

Motion carried.

### 2) Gun Show:

Phil found a building in Nevis, Firefly. Phil will get more info.

Alan J Kriz will contact Craig having a Gun show.

### 3) Grant money:

Tom and Mike from the State of Minnesota were present and following up on our progress regarding our grant we received.

Mike had information and pictures from Bristol Ranges, prefab trap houses. \$2100.00 per unit.

Motion to buy 2 units.

Motion carried. (Delivery date September 2015.)

### 4) Range Committee:

Range Committee gave their recommendation and proposal on Range layout.

- A) 250 yard range
- B) 50, 25 yard and Hand gun range
- C) Club House
- D) Trap shooting ranges, (2 new trap ranges)
- E) Parking area
- F) Warming house near trap range.

### 5) State Trap Shoot:

Phil gave a report on the State Trap shoot. 5620 kids shot trap.

2 of our male shooters took home 2 Trophies.

1 female shooter was in 3<sup>rd</sup> place but lost out in a shoot out.

Jared told us possibility of 40 shooters next year from Park Rapids.

### 6) Trap Shooting Tuesdays and Thursdays at our Range.

Dan gave a report and turned in \$252.00 from trap shooters.

### **New Business:**

### 1) Trap Shooting Thursday July 9, 2015

Allen Belt will be manning the Trap Shooting Thursday evening.

### Osage Sportsmans Club

### 2) Trap Shooting Sundays

Jared reported on the possibility of Trap Shooting with the kids on Sundays and having a Fall Team. (Clay Dusters)

### 3) Smith & Wesson Event

Jared from Smoky Hills asked for permission to hold an Event at the Osage Sportsmans Club Range, Smith & Wesson Shoot, September or October 2015.

Motion to Adjourn, 7:47pm.

### Minnesota's Shooting Range Protection Act

### FAQ Sheet, House Research Bill Summary, and 2005 Chapter 105

(Revised 09-21-2005)

In May 2005, Minnesota Governor Tim Pawlenty signed into law the Shooting Range Protection Act. It became effective on May 28, 2005, becoming Minnesota Statutes, Chapter 87A.

Since the law's passage, a number of questions regarding what the law does and does not address or impact have been asked. This page is intended to help answer and clarify those questions.

### What is the intent of Chapter 87A?

To provide shooting ranges with the ability to maintain their operating capacity, if local opposition to an existing shooting range facility arises.

What types of facilities are intended to be covered or protected in Chapter 87A?

Firearms and archery shooting facilities, to include licensed shooting preserves.

### Related to those types of facilities, what are the key elements that this law addresses?

That shooting ranges are safely operating, meaning they keep all projectiles (i.e., bullets, pellets and arrows) within their facility boundaries, they keep sound levels generated on the range to an acceptable level, and they operate within a reasonable set of hours. If these are precepts are violated, the range has the opportunity to correct their problems within an acceptable time frame.

Does Chapter 87A take precedence over existing local ordinances, rules, regulations, or operating restrictions for shooting ranges or preserves?

No. Any pre-existing conditional use permit, special use permit, operating hours restrictions, covenants or other performance related requirements set in existence by local units of government with legal jurisdiction over a shooting range are to be maintained. In the meantime, if no pre-existing operating hours are in place for a range, they are now, based on the State's Sound Rule (Minnesota Rules, Chapter 7030).

### Chapter 87A references "Performance Standards". What are these?

Primarily, the Performance Standards refer to considerations that need to be taken to ensure the safe operation of a shooting range. The National Rifle Association (NRA) has produced a set of guidelines or recommendations for constructing and operating various shooting ranges. These are contained in the

1999 edition of <u>The Range Source Book: A Guide to Planning and Construction</u>. The NRA uses this document as a reference and teaching tool when they conduct their Range Development and Operations classes throughout the United States. Chapter 87A establishes that, until the DNR adopts permanent performance standards through formal rulemaking processes, this document will be an interim set of standards for safe range operations. This source book is available online from the NRA headquarters at <a href="https://www.nrahq.org/shootingrange/sourcebook.asp">www.nrahq.org/shootingrange/sourcebook.asp</a>.

### When will final Performance Standards be established by the DNR?

DNR has been given the responsibility to formally adopt Shooting Range Performance Standards, using the expedited rulemaking process, as defined in State statute.

These Rules will take into account the interim performance standards, and any additional information that is relevant Chapter 87A.

### Will all shooting ranges need to be built to the same level or degree?

No. The performance standards are recommendations, and are site specific. In urban or suburban settings, more people can be affected by an operating shooting range. In these settings, where projectile containment is absolutely necessary, all safeguards necessary must be taken to ensure that all bullets shot on the range stay on the range property. This concept should be also used as the basis for any range that is built, but the number of required safeguards installed will likely be fewer in a more rural setting. Sound containment must also be installed that will make sure the range in compliance with Chapter 87A. These will also vary, based on the level of local population density.



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The Game and Fish Laws of Minnesota restrict the discharge of a firearm to 500 or more feet away from a residence while hunting, unless permission is granted to be closer. Does this standard apply under Chapter 87A?



No. Shooting ranges and preserves are allowed to have bows and firearms discharged within their boundaries, provided that all projectiles remain on the shooting range. The difference here is that the Game and Fish laws refer only to hunting situations on private lands.

### Chapter 87A references a range operation becoming a nonconforming use. What does this mean?

Local zoning definitions governing land uses are subject to change, due to land use changes such as residential development. If local zoning changes take place that make a shooting range a nonconforming use where it had previously been allowed to operate, the range operator has the ability to improve the safety and sound conditions of the range, in order to maintain and continue the operation of the range.

### Should shooting range operators be concerned that a law pertaining to shooting ranges is now in effect?

No, not at all. Shooting range operators in Minnesota are allowed to maintain the operation of their facilities, provided they are operated safely, conform to sound level standards, and maintain reasonable operating hours. Most shooting ranges are set in relatively rural and undeveloped land areas. Nothing in Chapter 87A will negatively affect these ranges. Instead, when other development occurs on adjacent land, the range will be given the opportunity to continue operating, and not be subject to closure due to that change.

If neighbors do live near a shooting range, there is now a defined process in place that will allow the range operators to determine if a problem does exist, and allow them to take steps to address those concerns. What Chapter 87A does is help the shooting range operation be a "good neighbor", taking into consideration the safety, sound, and operating hours in effect on a given shooting range.

### What does the "mitigation area" in Section 87A.04 intended to address?

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Sound or noise generated by a shooting range, and its impact on neighboring land use. By their very nature of use, shooting ranges generate sound. If a range has development (usually pertaining to one or more residence) within 750 feet of its perimeter, that was planned, approved and/or built before October 1, 2005, it is the range operator's responsibility to take steps to ensure that the sound levels reaching neighboring land be within the sound standard limits defined in Chapter 87A. After October 1, 2005, any new development within 750 feet of a shooting range's perimeter will be responsible to pre-plan and install its own sound mitigating devices to keep a range compliant with the sound standards.

In the event that the sound coming off a shooting range is bothersome to a neighboring residence, ideally the range operators and neighbor would be willing to work together, both before and after October 1, 2005, to minimize the sound levels arriving at the neighboring property. This can be achieved through a variety of means, including installing one or more sound berms, walls to deflect sound, one or more firing line enclosures, shooting tubes, and vegetative barriers that can further absorb and/or deflect sound.

### What is a brief explanation of the Noise Standard referenced in Chapter 87A?

The noise level referenced in the shooting range law refers to measuring the sound level over an hour's time at a neighboring property that is receiving the sound generated at a range, to determine a "steady state" level of sound, which is referred to as the Leq(h). This steady state cannot exceed 63 decibels (dBA), and will include the sound generated by the range, along with all other sounds generated and recorded at that [sound] receiving location. Collectively, this will include gunshots, and all other ambient noise. Specific sound measurement methodology, including procedure, equipment, etc., is defined in Minnesota Rules, Section 7300.0060.

### What is an obvious activity that can be defined as a "clear and present danger" at a shooting range?

As stated before, one of the main objectives of the Shooting Range Protection Act is to make sure all projectiles shot at a range stay on the property of the range. Any arrows, pellets, or bullets that leave a range's property could cause harm or injury to others not on the shooting range. This would at least constitute a trespass, and should not, under any circumstances, knowingly be allowed to take place. Whether or not a correctable danger exists could be an issue to be decided in a court of law.

### If one portion of a shooting range is deemed to be a safety hazard, does an entire shooting range have to close?

Not unless a court finds that an entire range would pose a safety hazard, and can't be remedially improved or repaired.

### House Research Bill Summary

Analyst: John Helland, 651-296-5039

2013

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This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd/hrd.htm.

### Section 1 1 Defines. Defines terms for the bill. 2 2 Performance standards. Requires the Commissioner of Natural Resources to adopt shooting range performance standards, under expedited rulemaking, for the safe use and operation of range preserves. Allows interim shooting range performance standards of the National Rifle Association to be used until the DNR adopts permanent ones. 3 3 Compliant ranges. Allows a shooting range in compliance with the shooting range performance standards to maintain certain normal procedures, including daily firearm discharges between the hours of 7:00 a.m. and 10:00 p.m. Permits a shooting range that becomes a nonconforming use to continue shooting activities within their boundaries as long as conducted with noise and shooting range performance standards. Mitigation areas. Disallows any development or structure approved after October 1, 2005 within 750 feet of the exterior property line of a shooting range if the development would cause the range to fall out of state standards compliance. Allows a development after the above date if the person requesting approval provides necessary mitigation to permit the shooting range to remain in compliance with state standards. 5 Noise standards. Requires certain noise standards for the operation of a shooting range. 5 6 6 Nuisance actions. Removes any nuisance action for an operator of a shooting range in compliance with noise and performance standards, except for personal physical injury or property damage. 7 7 Range closure. Provides that a shooting range operation in compliance with this act and state standards may not be permanently closed unless a range activity is a clear and immediate safety hazard. Provides a rebuttable presumption in any action that the range or activity is not a safety hazard, and allows proven mitigation for the range to correct a safety hazard. Subds. 2-3. Allows a preliminary injunction by a court involving a presumed safety hazard, but a permanent injunction is allowed only against a specific activity or person unless the court finds the entire shooting range poses a safety hazard.

Effective date. Makes the bill effective the day following final enactment.

Applicable law. Allows federal law enforcement for shooting ranges, and state and local laws when consistent with this act. Limits the permanent closure of ranges similar to section

### Minnesota Session Laws - 2005

**NOTE:** This document DOES NOT represent a copy of the official publication of 2005 Session Laws. The final 2005 Session Laws will be available on the Revisor of Statutes website in early October 2005.

### CHAPTER 105-S.F.No. 1908

An act relating to natural resources; establishing the Shooting Range Protection Act; requiring expedited rulemaking; proposing coding for new law as Minnesota Statutes, chapter 87A.

### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

### Section 1. [87A.01] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 87A.01 to 87A.08.

- Subd. 2. [PERSON.] "Person" means an individual, association, proprietorship, partnership, corporation, club, political subdivision, or other legal entity.
- Subd. 3. [SHOOTING RANGE OR RANGE.] "Shooting range" or "range" means an area or facility designated or operated primarily for the use of firearms, as defined in section 97A.015, subdivision 19, or archery, and includes shooting preserves as described in section 97A.115 or any other Minnesota law.
- Subd. 4. [SHOOTING RANGE PERFORMANCE STANDARDS.] "Shooting range performance standards" means those rules adopted by the commissioner of natural resources under section 87A.02 for the safe operation of shooting ranges.
- Subd. 5. [LOCAL UNIT OF GOVERNMENT.] "Local unit of government" means a home rule charter or statutory city, county, town, or other political subdivision.

### Sec. 2. [87A.02] [SHOOTING RANGE PERFORMANCE STANDARDS.] Subdivision 1. [ADOPTION OF STANDARDS; REVIEW.]

(a) The commissioner of natural resources must develop and adopt shooting range performance standards, according to the expedited rulemaking process under section 14.389. The shooting range performance standards must provide for compliance with applicable noise standards under section 87A.05 and for the safe use of shooting ranges within their boundaries, including the containment of projectiles.

(b) The shooting range performance standards must provide for the operation of shooting preserves within the boundaries of the preserve, including an exemption from any discharge distance imitations generally applicable to hunting on other land, when the shooting preserve is in

before the effective date of the performance standards adopted under this section or prior to the development of any structure that would cause the preserve to be out of compliance with the discharge distance.

compliance with all other applicable laws and is in operation on or

shooting range in compliance with this chapter to become out of compliance.

(b) A change in use, new development, or construction of a structure subject to this section may be approved if the person seeking the approval or, at the discretion of the governing body, the approving authority agrees to provide any mitigation required to keep the range in compliance with this chapter. The person requesting an approval subject to this section is responsible for providing documentation if no mitigation is required under this section. Failure to provide the documentation or any mitigation required under this section exempts the range from being found out of compliance with the shooting range performance and noise standards of this chapter with regard to the property responsible for the mitigation if the failure to provide the documentation or required mitigation is the sole basis for the range being out of compliance with the shooting range performance standards. Any action brought by the owner of the property against the range is subject to section 87A.06. With the permission of the range operator, any mitigation required under this section may be provided on the range property.

### Sec. 5. [87A.05] [NOISE STANDARDS.]

Allowable noise levels for the operation of a shooting range are the levels determined by replacing the steady state noise L10 and L50 state standards for each period of time within each noise area's classification with a single Leq(h) standard for impulsive noise that is two dBA lower than that of the L10 level for steady state noise. The noise level shall be measured outside of the range property at the location of the receiver's activity according to Minnesota Rules, parts 7030.0010 to 7030.0080, as in effect on the effective date of this act. For purposes of this section, "Leq(h)" means the energy level that is equivalent to a steady state level that contains the same amount of sound energy as the time varying sound level for a 60-minute time period.

### Sec. 6. [87A.06] [NUISANCE ACTIONS; COMPLIANCE WITH SHOOTING RANGE PERFORMANCE STANDARDS.]

A person who owns, operates, or uses a shooting range in this state that is in compliance with shooting range performance standards is not subject to any nuisance action for damages or equitable relief based on noise or other matters regulated by the shooting range performance standards. This section does not prohibit other actions.

### Sec. 7. [87A.07] [CLOSURE OF SHOOTING RANGES.]

Subdivision 1. [CLOSURE.] Except as otherwise provided in sections 87A.01 to 87A.08, a shooting range that is in compliance with shooting range performance standards and the requirements of sections 87A.01 to 87A.08 shall not be forced to permanently close or permanently cease any activity related to the primary use of the shooting range unless the range or activity is found to be a clear and immediate safety hazard by a court of competent jurisdiction. In any action brought to compel the permanent closure of any range in compliance with shooting range performance standards and this chapter, or to permanently cease any activity related to the primary use of the shooting range, there is a rebuttable presumption that the range or activity is not a clear and immediate safety hazard. If the shooting range provides evidence that the cause of a proven safety hazard can be mitigated so as to eliminate

the safety hazard, the court shall not order the permanent closure of the range, or permanent ceasing of the activity found to be a clear and immediate safety hazard, unless the range operator fails to implement the necessary mitigation to remove the safety hazard by the date that is determined reasonable by the court. Subd. 2. [PRELIMINARY INJUNCTIONS.] Nothing in this section prohibits a court from granting a preliminary injunction against any activity determined to be a probable clear and immediate safety hazard, or against any individual determined to be the probable cause of an alleged clear and immediate safety hazard, pending the final determination of the existence of the safety hazard. Subd. 3. [PERMANENT INJUNCTIONS.] A court may grant a permanent injunction only against a particular activity or person instead of permanently closing the range unless the court finds that the remaining operations also pose a safety hazard under this section.

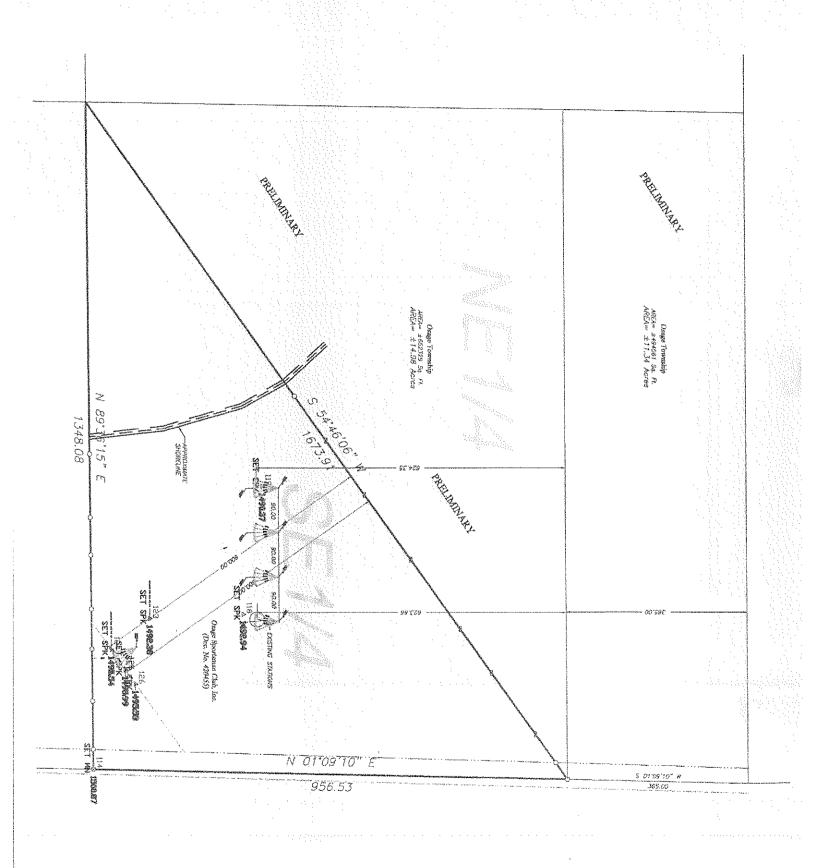
### Sec. 8. [87A.08] [APPLICABILITY OF OTHER LAWS.]

Subdivision 1. [PUBLIC SAFETY LAWS; ZONING.]

- (a) Nothing in this chapter prohibits enforcement of any federal law. To the extent consistent with this chapter, other state laws regarding the health, safety, and welfare of the public may be enforced. To the extent consistent with this chapter, a local unit of government with zoning authority jurisdiction over a shooting range may enforce its applicable ordinances and permits. Nothing in this chapter shall supersede more restrictive regulation of days and hours of operation imposed by the terms and conditions of ordinances and permits that are in effect on the effective date of this section.
- (b) If the operator of the shooting range shows evidence that the range can be brought into compliance with the applicable state law, local ordinance, or permit, the range may not be permanently closed unless the range operator fails to bring the range into compliance with the applicable law, ordinance, or permit under this section by the date that the court determines reasonable. Nothing in this section prohibits a court from granting a preliminary injunction against any activity determined to be a violation of a law, ordinance, or permit under this section or against any individual determined to be causing an alleged violation, pending the final determination of the existence of the violation.
- Subd. 2. [PERMANENT INJUNCTIONS.] A court may grant a permanent injunction only against a particular activity or person instead of permanently closing the range unless the court finds that the remaining operations also create a violation under this section.

### Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 8 are effective the day following final enactment. Presented to the governor May 24, 2005
Signed by the governor May 27, 2005, 4:50 p.m.





### COUNTY OF BECKER

### Planning and Zoning

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

### PLANNING COMMISSION NOTICE OF PUBLIC HEARING

\*\*HEARING DATE AND LOCATION\*\*
October 13, 2015 @7:00 PM

3<sup>rd</sup> Floor Jury Assembly Room New Addition-Becker County Courthouse
Detroit Lakes, MN. 5650

APPLICANT:

James Hofman on behalf of the Blueberry Lake Ordinance Request 2606 W. 93rd Street Bloomington, MN 55431

Project Location: Blueberry Lake

APPLICATION AND DESCRIPTION OF PROJECT:

Request a Surface Water Use Ordinance. The specific request is for a 5 mph speed limit or no wake.

LEGAL LAND DESCRIPTION: Green Valley Township

Blueberry Lake

Section 22, TWP 139, Range 36

REFER TO BECKER COUNTY ZONING ORDINANCE

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

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

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

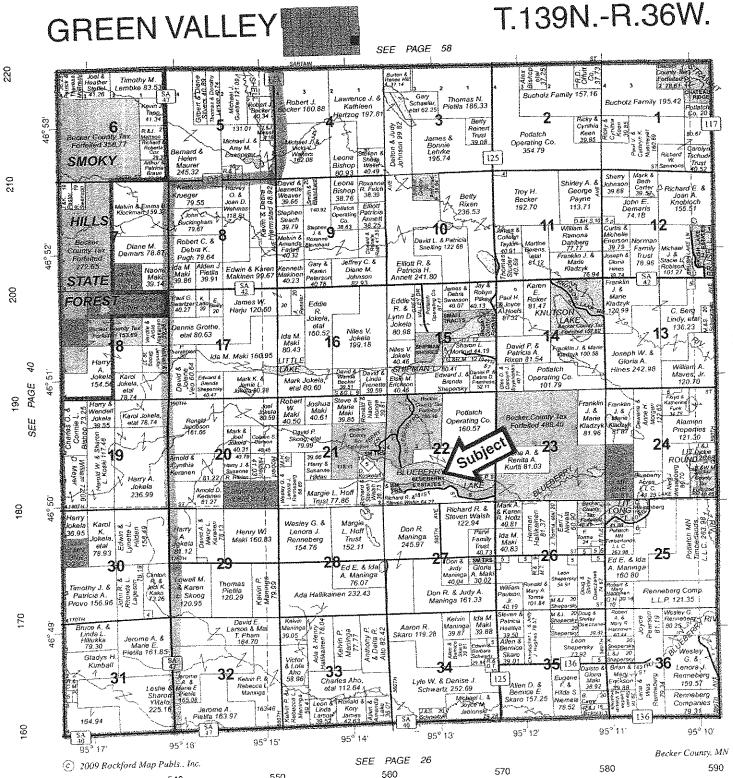
If you have questions about the Project, feel free to call 218-846-7314.

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

**Regulatory Authority:** This Application will be reviewed according to the provisions of the Becker County Zoning Ordinance.

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

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



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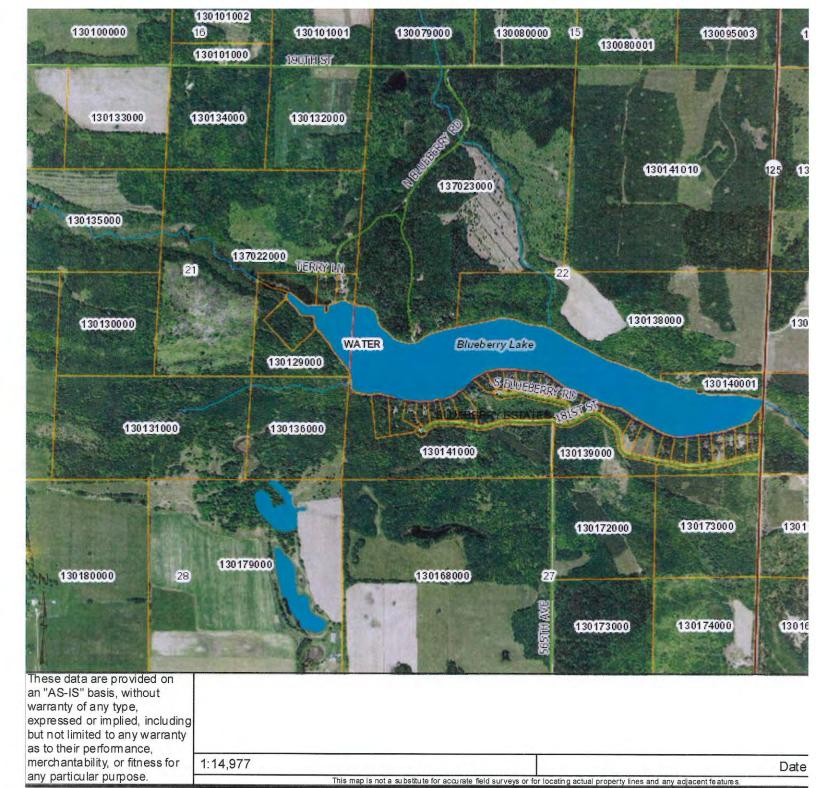
### COUNTY OF BECKER

### Planning and Zoning

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

### **Surface Water Use Ordinance Request**

Form must be legible and completed in ink or typed. Applicant Name(s): \_\_James\_Hofman\_\_\_\_Phone: 763-360-6532\_\_\_ Street Address: 2606 W. 93<sup>rd</sup> St. \_\_City: Bloomington\_ State: Mn\_\_Zip Code:55431\_\_\_ E-mail address\_\_jbannhofman@gmail.com Lake Name and DNR lake ID number:0300700\_\_\_\_\_ Township Name: Green Valley Type of surface water use ordinance preferred: a. Time zoning (may be used in conjunction with other zoning methods). \_\_\_\_\_ days of the week or times requested. b. \_\_\_\_ Directions of travel, specify or show on an attached map. c. \_\_\_\_ Motor size or type restrictions. specify restrictions requested (e.g. no motor, electric, 10 hp, 25 hp, etc.) d. 5mph Speed limit or No Wake Is the ordinance request for the entire lake? (Yes) (No). If no, attach a map of the lake that clearly shows the area(s) of the lake where the ordinance applies. Describe why a surface water use ordinance is requested (attach additional sheets if needed): Ordinance is requested for the entire lake Attached Petition details why surface water use ordnance is being requested The Department of Natural Resources Surface Use Worksheet must be attached. Signature of Applicant Date Office Use Only: Date received: 9-3-2015 Rec'd by: Chicken Receipt #: Date heard by Planning Commission: Planning Commission Recommendation:



## Potition to bear of the county

# Ordinate Review Connittee

# (Little Blackery Lake water surface restrictions)

Petition summary and background

Little Blueberry lake is a small 70 acre lake (located in Becker County, Lake Number: 03000700) that is very narrow and about 1 mile long. The majority of the lake is less than 400 ft. wide.

A majority of the property owners on Little Blueberry lake are concerned with the increasing amount of recreational power boating, water skiing and jet skiing on the lake.

Due to the narrowness and small size of the lake any larger recreational power boating/water skiing is very disruptive to both property and the other people using the lake.

It at times becomes unsafe for paddle boarders, kayakers or even smaller fishing boats to be on the lake while the larger power boats are using it as the large wave action is difficult to avoid (as well as the close proximity to the speed boat in general). When the power boaters/water skiers get on the lake many of the other property owners with smaller boats, kayaks and paddieboards simply have to get off the lake. The wave action is also putting undo stress on floating docks, docked boats and most likely on nesting loons. In addition, we feel that the increase of heavy power boating on this small of a lake will actually decrease property value or at the very lease decrease the chances of selling a property.

provide for a quieter and more relaxing lake experience. We believe the majority of people looking to purchase or build on The majority of the property owners on Little Blueberry lake pick this smaller lake because we believed its size would a lake of this size would likely have this same view and would not find the power boating un-appealing.

| Action petitioned for | We, the undersigned, are concerned property owners of Little Blueberry lake who urge the County ordinance review committee to act now by considering some type of surface water restrictions on Little Blueberry lake to reduce larger power boating. We understand that there are multiple options with regards to zoning including; |
|-----------------------|---|
|                       | <ul> <li>Motor size restriction</li> <li>speed restriction</li> <li>time of day restriction</li> <li>etc</li> </ul>   |
|                       | We also understand that there is a multi-step review process which will allow all of the property owners, either in person or in writing to be heard regarding their thoughts regarding surface use restrictions.   |

| Printed Name  | Signature     | Address   | Comment   | Date      |       |
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### SURFACE USE ORDINANCE

### STATE OF MINNESOTA COUNTY OF BECKER

| ORDINANCE NO  |
|---|
| AN ORDINANCE REGULATING THE SURFACE USE OF BLUEBERRY LAKE (ID 03000700)   |
| Be it ordained and enacted by the Becker County Board of Commissioners, State of Minnesota, that these amendments following, by this act, hereby replace and nullify those like numbered clauses now existing and a part of Becker County Ordinance No, or are newly enacted sections which, upon their enactment, become a part of Becker Ordinance No   |
| Section 1: PURPOSE, INTENT AND APPLICATION: As authorized by Minnesota Statutes 86B.201, 86B.205, and 459.20, AND Minnesota Rules 6110.3000 - 6110.3800 as now in effect and as hereafter amended, this Ordinance is enacted for the purpose and with the intent to control and regulate the use of the waters of Blueberry Lake in Becker County, Minnesota, said bodies of water being located entirely within the boundaries of Becker County, to promote its fullest use and enjoyment by the public in |
| general and the citizens of Becker County in particular, to insure safety for persons and property in connection with the use of said waters; to harmonize and integrate the varying uses of said waters; and to promote the general health, safety and welfare of the citizens of Becker County, Minnesota.  |
| Section 2: DEFINITIONS: Terms used in this ordinance related to boating are defined in M.S. §  86B.005.   |
| Section 3: SPEED RESTRICTIONS. No watercraft shall be operated in excess of five (5) miles per hour.  |
| Section 4: ENFORCEMENT; The Primary responsibility for enforcement of this ordinance shall rest with Becker County Sheriff's Office. This, however, shall not preclude enforcement by other licensed peace officers.  |
| Section 5: EXEMPTIONS: All authorized Resource Management, Emergency and Enforcement Personnel, while acting in the performance of their assigned duties are exempt from the foregoing restrictions.  |
| Section 6: NOTIFICATION: It shall be the responsibility of the Becker County to provide for adequate notification of the public, which shall include placement of a sign at each public watercraft access outlining essential elements of the ordinance, as well as the placement of necessary buoys and signs.   |
| Section 7: PENALTIES: Any person who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor.  |
| Section 8: EFFECTIVE DATE: This Ordinance shall be in effect from and after the date of its passage and publication.  |
|   |

Passed by the Becker County on this \_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_.

### WATER SURFACE USE WORKSHEET

APPLICANTS FOR WATER SURFACE USE ORDINANCES ARE REQUIRED BY MINN. RULE 6110.3600 TO SUPPLY THE FOLLOWING INFORMATION REGARDING THE WATER BODY TO BE REGULATED. YOU MAY USE THIS FORM OR SEPARATE SHEETS TO PROVIDE THE NECESSARY INFORMATION. (PLEASE NOTE ANY INFORMATION THAT IS NOT RELEVANT.)

| rs Bulletin No. 25 "An Inventory                                     | of Minnesota Lakes."  |
|--|---|
| (or) basin average   |   |
| essed as a ratio of water surface a                                  | area to length of shoreline.  |
| s: <u>2.58</u> miles of sho  | reline  |
| ater depth (deepest & average) (a                                    | nvailable from DNR regional or  |
| liments (available from DNR reg<br>· <i>Rare</i><br>us - <i>Rare</i> | gional or area fisheries  |
|  |   |
| vailable from DNR regional or a                                      | rea fisheries headquarters).  |
| Broad leaved Cattail – Rare<br>Swamp Horsetail – Rare                | Hardstem Bulrush - Rare<br>Spikerush - Rare   |
| Little Yellow Waterlily - Come                                       | ทอท   |
|  |   |
| Muskgrass – Common   | Filamentous Algae - Rare  |
| Northern Milfoil — Rare<br>Water Celery — Rare                       | Clasping-leaf Pondweed - Rare<br>Canada Waterweed - Rare  |
| nd locations of strong currents, in                                  | ilets, and large water level  |
| locity and water level fluctuation                                   | ns.   |
|  |   |
| n marsh<br>ueberry Lake (80-0034)                                    |   |
|  | essed as a ratio of water surface as:  2.58 miles of show atter depth (deepest & average) (as).  Iliments (available from DNR regional or a wailable from DNR regional or a Broad leaved Cattail – Rare Swamp Horsetail – Rare  Little Yellow Waterlily - Common Muskgrass – Common Northern Milfoil – Rare Water Celery – Rare |

g. Natural and artificial obstructions or hazards to navigation, including but not limited to points, bars, rocks, stumps, weed beds, docks, piers, dams, diving platforms, and buoys.

h. Regional relationship – the locations and the level of recreational use of other water bodies in the area.

Shipman Lake (03-0005), Little Long Lake (03-0009) and Knutson Lake (03-0004) are located in the same Township. All have public access sites, but Knutson Lake is carry-in access. All are small bodies of water and receive low use.

- 2. Existing development.
  - a. Private to include number, location, and occupancy characteristics of permanent homes, seasonal homes, apartments, planned unit developments, resorts, marinas, campgrounds, and other residential, commercial, and industrial uses.
  - 22 homes or cabins observed during 2003 Fisheries survey
  - b. Public to include type, location, size, facilities, and parking capacity of parks, beaches, and watercraft launching facilities.

Gravel, County owned public water access located on the North side of the lake

- 3. Ownership of shoreland to include the location and managing governmental unit of shoreline in federal, state, county, or city ownership as well as private semi-public or corporate lands.

  About 1,600 feet on the Northwest side of the lake, including the public access is Becker County Tax Forfeit Land
- 4. Public regulations and management to include federal, state or local regulations and management plans and activities having direct effects on watercraft use of surface waters. Becker County Zoning Ordinance specifies the minimum lake frontage and size of a lot is 150' and 40,000 sq. ft. respectively. Approximate ly, 7500 feet of lakeshore is under private ownership and may be developed (40-50 additional lake lots).
- History of accidents which have occurred on the surface waters (available from sheriff's office).
   None reported.
- 6. Watercraft use to include information obtained in the morning, afternoon and evening on at least one weekday and one weekend day, concerning the number of types of watercraft in each of the following categories:
  - a. Kept or used by riparians.
     Week day = 3 pontoon boats, 2 fishing boats, 1 wake boat and 1 kayaks
     Weekend day = 4 pontoon boats, 1-2 wake boats, 3 fishing boats, 2 kayaks, 2 paddle boards
  - b. Rented by or gaining access through resorts or marinas. n/a
  - c. Using each public watercraft launching facility.

Approximately 250-300 launches annually.

- d. In use on the waterbody.
  - Types of boats and number of each on the lake at a given time. e.g. kayakers & canoers, wake boats, pontoons, bass boats, etc. .
  - 1-2 wake boats
  - 1-2 kayaks
  - 2-3 pontoon boats
  - 1-2 paddle boards
  - 3-4 fishing boats
- 7. Conflict perception and control preferences to include opinions, gained by surveys or through public meetings or hearings of riparians, transients, local residents, and the public at large.

Conflict perception:

Larger speed/wake/ski boats on such a small lake are limiting the use of smaller craft (fishing boats, kayaks, paddle boards, etc. due to wake and safety issues. Also wake damage to docked boats and swimming rafts. Majority of the property owners have signed a petition to try and get water zoning restrictions in place.

Control preference:

10MPH Speed restriction or No Wake restriction

### IN ADDITION TO THE ABOVE, APPLICANTS ARE ALSO REQUIRED TO PROVIDE:

- 1. The information requested in Minn. Rule <u>6110.3600</u>, portrayed on a map to the extent reasonable.
- 2. A statement evaluating whether the information reveals significant conflicts and explaining why the particular controls proposed were selected.
- 3. The proposed ordinance.
- 4. A description of public hearings held concerning the proposed controls, including an account of the statement of each person testifying.

NAME (TYPE OR PRINT)
SIGNATURE

TITLE OF PERSON COMPLETING FORM

PHONE / E-MAIL

PROPERTY OWNES

0-6532 JBANNHOFMANESMAILLOM

Monday, August 03, 2015

To the Becker County Board,



The property owners on Little Blueberry Lake are writing this letter to the county board in hopes that we can discuss our concerns (at the next County Board meeting on August 18<sup>th</sup>) regarding excessive and unlawful boating practices on Little Blueberry Lake.

Little Blueberry lake is a small 80 acre lake (located in Becker County, Lake Number: 03000700) that is very narrow and about 1 mile long. Due to the heavy weed line the majority of the lake's open water is less than 400 ft. wide.

A majority of the property owners on Little Blueberry Lake are concerned with the increasing amount of recreational power boating, water skiing and jet skiing on the lake.

Due to the narrowness and small size of the lake any larger recreational power boating/water skiing becomes very disruptive to both property, wild life and the other people using the lake.

It at times becomes unsafe for paddle boarders, kayakers or even smaller fishing boats to be on the lake while the larger power boats are using it as the large wave action is difficult to avoid (as well as the close proximity to the speed boat in general).

When the power boaters/water skiers get on the lake many of the other property owners with smaller boats, kayaks and paddleboards simply have to get off the lake. The wave action is also putting undo stress on floating docks, docked boats and most likely on nesting water fowl.

Per the Minnesota state law, water craft must follow the following guide lines:

Must travel at slow-no wake speed (5 mph or less) within 150 feet of: shore (except when a PWC is launching or landing a water skier by the most direct route to open water), docks, swimmers, swimming rafts, any moored or anchored watercraft or non-motorized watercraft.

It's against the law:

To operate a watercraft so its wash or wake endangers, harasses, or interferes with any person or property.

Given the width of most of the lake (400ft) and assuming that there are other fishing boats, kayaks, swimming rafts, paddle boards, etc. on the lake at any given time it is not possible for a power boat pulling a water skier to stay 150 ft. away from any of these things. Turning the boat on this narrow of a lake would require getting as close as 50ft or less from the shore line. Slalom water skier with a 150 ft. rope will easily put the water skier within less than 150 ft. of any of these things even if the boat went directly down the middle of the lake.

In addition, we feel that the increase of heavy power boating on this small of a lake will actually decrease property value or at the very lease decrease the chances of selling a property.

The majority of the property owners on Little Blueberry Lake chose this smaller lake because we believed its size would provide for a quieter and more relaxing lake experience. We believe the majority of people looking to purchase or build on a lake of this size would likely have this same view and would not find the power boating appealing.

We are requesting the County Board consider a speed restriction on the lake. A group of property owners have secured signatures from over 60% of the property owners who are in favor of a speed restriction on the lake. The petition and list of signatures will be provided during the board meeting on the  $18^{\rm th}$ .

Respectfully,

James Hofman

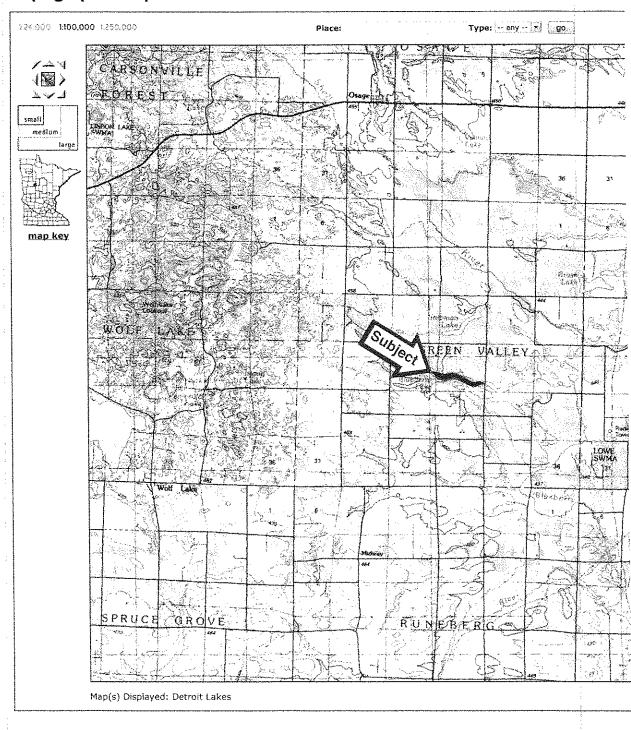
CC: Eric Everson-Marden

CC: Jack Ingstad

Recreation | Destinations | Nature | Education / safety | Licenses / permits / regs.

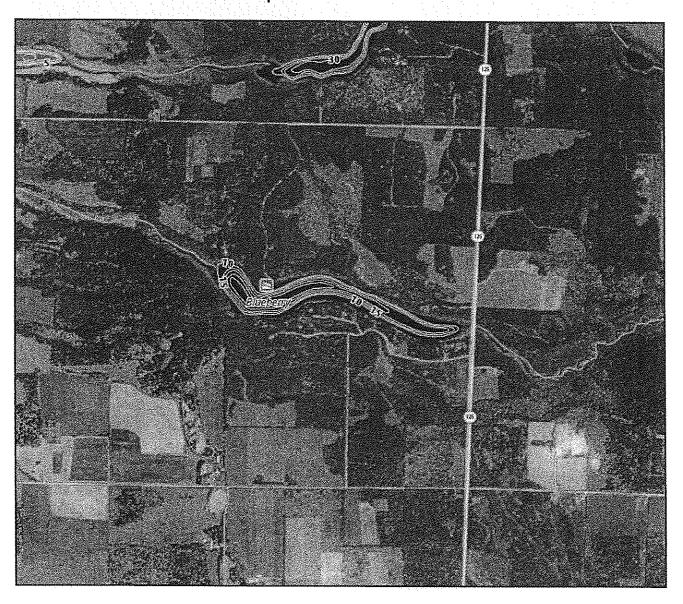
Home > Maps >

### **Topographic Maps**

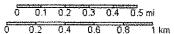


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### **Minnesota DNR - Recreation Compass**



- Lake/River National Forest
- National Wildlife Refuge
- Scientific & Natural Area
- ✓ State Water Trail
- State Forest
- State Park
- State Trail
- Water Access
- Wildlife Management Area



Map Parameters (UTM Zone 15, NAD83) minx: 328752.892578 maxx: 333098.107422 miny: 5187566.089231 maxy: 5191331.168582



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### Name: Blueberry (Little Blueberry)

Nearest Town: Osage Primary County: Becker

Survey Date: 06/07/2010 Inventory Number: 03000700

1480 1 ULD

### **Public Access Information**

| Ownership | Type   | Description         |  |
|-----------|--------|---------------------|--|
| County    | Gravel | North side of lake. |  |

### Lake Characteristics

Lake Area (acres): 82.92 <u>Littoral Area</u> (acres): 34 Maximum Depth (ft): 47 <u>Water Clarity</u> (ft): 12 <u>Dominant Bottom Substrate</u>: N/A <u>Abundance of Aquatic Plants</u>: N/A

Maximum Depth of Plant Growth (ft): N/A

### Fish Sampled for the 2010 Survey Year

| Species              | Gear Used | Number ( | of fish per net | Average Fish | Normal Range |  |
|----------------------|-----------|----------|-----------------|--------------|--------------|--|
|                      | Gear Used | Caught   | Normal Range    | Weight (lbs) | (lbs)        |  |
| Black Bullhead       | Trap net  | 0.11     | 0.3 - 2.8       | 0.27         | 0.2 - 0.7    |  |
| <u>Black Crappie</u> | Trap net  | 0.89     | 0.5 - 3.3       | 0.30         | 0.3 - 0.5    |  |
| <u>Bluegill</u>      | Trap net  | 26.78    | 5.7 - 40.5      | 0.15         | 0.1 - 0.2    |  |
| Bowfin (dogfish)     | Trap net  | 0.44     | 0.4 - 1.3       | 4.72         | 3.0 - 4.5    |  |
| Brown Bullhead       | Trap net  | 0.22     | 0.5 - 2.2       | 0.95         | 0.5 - 1.0    |  |
| Largemouth Bass      | Trap net  | 0.33     | 0.3 - 1.6       | 1.47         | 0.2 - 0.9    |  |
| <u>Northern Pike</u> | Trap net  | 0.11     | N/A             | 1.52         | N/A          |  |
|                      | Gill net  | 1.50     | 2.8 - 8.7       | 1.66         | 1.5 - 2.9    |  |
| Pumpkinseed          | Trap net  | 2.56     | 1.3 - 6.3       | 0.12         | 0.1 - 0.2    |  |
| Yellow Bullhead      | Trap net  | 0.78     | 1.0 - 8.4       | 0.36         | 0.5 - 0.7    |  |
| Yellow Perch         | Trap net  | 0.89     | 0.5 - 3.8       | 0.22         | 0.1 - 0.2    |  |
|                      | Gill net  | 11.50    | 1.5 - 23.0      | 0.15         | 0.1 - 0.2    |  |

Normal Ranges represent typical catches for lakes with similar physical and chemical characteristics.

### Length of Selected Species (Trapnet, Gillnet) Sampled for the 2010 Survey Year

| Species        |     | Number of fish caught in each category (inches) |      |       |       |       |       |     |       |  |  |
|----------------|-----|---|------|-------|-------|-------|-------|-----|-------|--|--|
| Species        | 0-5 | 6-8   | 9-11 | 12-14 | 15-19 | 20-24 | 25-29 | 30+ | Total |  |  |
| black bullhead | 0   | 1   | 0    | 0     | 0     | 0     | 0     | 0   | 1     |  |  |
| black crappie  | 0   | 8   | 0    | 0     | 0     | 0     | 0     | 0   | 8     |  |  |
|                |     |   |      |       |       |       |       |     |       |  |  |

| bluegill         | 151 | 84 | 0 | 0 | 0 | 0 | 0 | 0 | 241 |
|------------------|-----|----|---|---|---|---|---|---|-----|
| bowfin (dogfish) | 0   | 0  | 0 | 0 | 0 | 2 | 2 | 0 | 4   |
| brown bullhead   | 0   | 0  | 2 | 0 | 0 | 0 | 0 | 0 | 2   |
| largemouth bass  | 1   | 0  | 0 | 1 | 1 | 0 | 0 | 0 | 3   |
| northern pike    | 0   | 0  | 0 | 0 | 3 | 1 | 0 | 0 | 4   |
| pumpkinseed      | 20  | 3  | 0 | 0 | 0 | 0 | 0 | 0 | 23  |
| yellow bullhead  | 0   | 4  | 3 | 0 | 0 | 0 | 0 | 0 | 7   |
| yellow perch     | 13  | 15 | 3 | 0 | 0 | 0 | 0 | 0 | 31  |

### Fish Consumption Guidelines

No fish consumption guidelines are available for this lake. For more information, see the "Fish Consumption Advice" pages at the Minnesota Department of Health.

### Status of the Fishery (as of 06/07/2010)

Little Blueberry is located in eastern Becker County, seven miles southeast of Osage. Little Blueberry has a surface area of 69 acres and a maximum depth of 47 feet. There is a county access with an earthen ramp on the north shore of the lake. Little Blueberry provides fishing opportunities for northern pike, panfish, and largemouth bass. Due to its small size, Little Blueberry is very susceptible to over-harvest. Anglers must practice selective harvest if they want to maintain or improve the fishery in Little Blueberry.

The Minnesota Department of Natural Resources (DNR) has classified Minnesota's lakes into 43 different types based on physical, chemical, and other characteristics. Little Blueberry is in lake class 28. Other area lakes in this same classification include: Big Bass, Dinner, Emma, Gilmore, Indian, Nagel, Newman, Thomas, and Williams.

Northern pike abundance (1.5 pike/gillnet) was down from past surveys and below the range "typical" for this lake class. Past surveys have shown the northern pike population to be dominated by small, "hammer handle" pike, with an occasional large fish. Little Blueberry has good panfish populations, composed of black crappie, bluegill, and pumpkinseed. Anglers will find bluegill and pumpkinseed in the 6-8 inch size range. Black crappie abundance (0.8 black crappie/trapnet) was down from past surveys. Largemouth bass are present and were sampled in moderate numbers with standard survey gear. Largemouth bass up to 18.0 inches were sampled. Yellow perch were sampled in moderate numbers with fish measured up to 11.1 inches. Walleye were not sampled in 2010, but have been sampled in past surveys in very low numbers. Other species sampled included moderate numbers of bowfin (dogfish), and low numbers of black, brown, and yellow bullhead.

For more information on this lake, contact:

Lake maps can be obtained from:

Area Fisheries Supervisor 301 S Grove Ave Park Rapids, MN 56470

Minnesota Bookstore 660 Olive Street St. Paul, MN 55155

### Minnesota Biological Survey List of Plant Species Observed at Blueberry Lake



Lake Number: 03000700 Survey Date: 8/24/2005

County: Becker T: 139N R: 36W Sec: 22

Major/Minor Watersheds: Crow Wing River/Blueberry River

Located 30 miles east of the town of Detroit Lakes.

Area surveyed: north shore of the lake.

### Submersed Plants (Plants with most leaves growing beneath the water surface)

Ceratophyllum demersum Heteranthera dubia Myriophyllum sibiricum Najas flexilis Potamogeton richardsonii Potamogeton zosteriformis Stuckenia filiformis Stuckenia pectinata Coontail
Water Stargrass, Mud Plantain
Northern Watermilfoil
Bushy Pondweed, Common Naiad
Claspingleaf Pondweed
Flatstem Pondweed
Blunt-tipped Sago Pondweed
Common Sago Pondweed

Minnesota Department of Natural Resources

### Blueberry Lake continued...

Utricularia vulgaris

Greater bladderwort

### Free-floating Plants (Plants that float freely on the water surface)

Lemna trisulca

Ivy-leaved duckweed

### Floating-leaf Plants (Plants with leaves that float on the water surface)

Nuphar variegata

Yellow Water Lily

### Emergent Plants (Plants with leaves extending above the water surface)

Phragmites australis Sagittaria rigida

Typha sp. Zizania palustris Common reed grass, Cane Stiff Wapato, Sessile-fruited

Cat-Tail Wild rice

### Shoreline Plants (Plants associated with the wetland habitat)

Eleocharis sp.

Impatiens capensis Persicaria lapathifolia Phalaris arundinacea

Rumex sp.

Spike-Rush

Jewelweed, Spotted touch-me-not

Nodding smartweed Reed canary grass

Dock; Sorrel

### 86B.205 WATER SURFACE USE ORDINANCE.

Subdivision 1. Assistance. The commissioner shall develop and publish guidelines to assist counties adopting water surface use ordinances for waters within their jurisdiction.

- Subd. 2. Surface use ordinances. (a) A county board may, by ordinance, regulate the surface use of bodies of water located entirely or partially within the county and not located entirely within the boundary of a single city or lake conservation district established by law.
- (b) If a body of water is located within more than one county, a surface use ordinance is not effective until adopted by the county boards of all the counties where the body of water lies under section 471.59 or placed into effect by order of the commissioner under subdivision 9.
- (c) With the authorization of an affected city or lake conservation district, a county board may assume and exercise the powers in subdivisions 2 to 5 with respect to bodies of water lying entirely within that city or lake conservation district. The regulation by the county of the surface use of a portion of a body of water located within the boundary of a city must be consistent with any city regulation existing on May 25, 1973, of the surface use of that portion of the body of water. After January 1, 1975, the ordinance must be consistent with the provisions of this chapter and rules of the commissioner under this chapter.
- Subd. 3. Prior ordinances invalid without approval. A surface use zoning ordinance adopted under subdivisions 2 to 5 by a local governmental unit after May 25, 1973, is invalid unless it is approved by the commissioner.
- Subd. 4. Approval of ordinances. A proposed surface use zoning ordinance must be submitted to the commissioner for review and approval before adoption. The commissioner must approve or disapprove the proposed ordinance within 120 days after receiving it. If the commissioner disapproves the proposed ordinance, the commissioner must return it to the local governmental unit with a written statement of the reasons for disapproval.

Subd. 5. County regulatory authority. A county board may:

- (1) regulate and police public beaches, public docks, and other public facilities for access to a body of water, except:
- (i) regulations are subject to subdivision 6;
- (ii) a county board may not regulate state accesses; and
- (iii) a municipality may by ordinance preempt the county from exercising power under this subdivision within its jurisdiction;
- (2) regulate the construction, configuration, size, location, and maintenance of commercial marinas and their related facilities including parking areas and sanitary facilities in a manner consistent with other state law and the rules of the commissioner of natural resources, the Pollution Control Agency, and the commissioner of health, and with the applicable municipal building codes and zoning ordinances where the marinas are located;
- (3) regulate the construction, installation, and maintenance of permanent and temporary docks and moorings in a manner consistent with state and federal law, permits required under chapter 103G, and sections 86B.111 and 86B.115;
- (4) except as provided in subdivision 6, regulate the type and size of watercraft allowed to use the body of water and set access fees;
- (5) subject to subdivision 6, limit the types and horsepower of motors used on the body
- (6) limit the use of the body of water at various times and the use of various parts of the body of water;
- (7) regulate the speed of watercraft on the body of water and the conduct of other activities on the body of water to secure the safety of the public and the most general public use; and (8) contract with other law enforcement agencies to police the body of water and its shore.
- Subd. 6. Public access restrictions. The county board must allow the same types and sizes of watercraft and horsepower of motors to access and enter the lake or water body as are generally allowed to be operated on the lake or water body. Special use exceptions that are not dependent on lakeshore or property ownership may be granted by permit.
- Subd. 7. County acquisition of public access. A county board may acquire by purchase, gift, or devise land for public access to a lake or stream and may improve the land as a park or playground if the land is less than ten acres and is contiguous to the meander line of a navigable lake or stream wholly or partly within the county and not entirely within the corporate limits of a city.
- Subd. 8. Advisory assistance. The county board may invite any municipal council or town board or the soil and water conservation district board of supervisors or watershed district board of managers to designate a representative to advise and consult with the county board on water use regulation and improvement.
- Subd. 9. Watercraft use rules for local waters. (a) On request of a county, city, or town, the commissioner may, after determining it to be in the public interest, establish rules relating to the

use of watercraft on waters of this state that border upon or are within, in whole or in part, the territorial boundaries of the governmental unit.

- (b) The rules shall be established in the manner provided by sections 14.02 to 14.62, but may not be submitted to the attorney general nor filed with the secretary of state until first approved by resolutions of the county boards of a majority of the counties affected by the proposed rules. (c) The rules may restrict:
- (1) the type and size of watercraft and size of motor that may use the waters affected by the rule;
- (2) the areas of water that may be used by watercraft;
- (3) the speed of watercraft;
- (4) the times permitted for use of watercraft; or
- (5) the minimum distance between watercraft.
- (d) When establishing rules, the commissioner shall consider the physical characteristics of the waters affected, their historical uses, shoreland uses and classification, and other features unique to the waters affected by the rules.
- (e) The commissioner shall inform the users of the waters of the rules affecting them at least two weeks before the effective date of the rules by distributing copies of the rules and by posting of the public accesses of the waters. The failure of the commissioner to comply with this paragraph does not affect the validity of the rules or a conviction for violation of the rules.
- (f) The cost of publishing rules and of marking and posting waters under this subdivision shall be paid by the counties affected by the rules, as apportioned by the commissioner.
- (g) Regulations or ordinances relating to the use of waters of this state enacted by a local governmental unit before January 1, 1972, shall continue in effect until repealed by the local governmental unit or superseded by a rule of the commissioner adopted under this subdivision. History: 1990 c 391 art 9 s 10

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### **Water Surface Use Ordinance Checklist**

| Required Documents                                   | Check if complete |
|--|-------------------|
|  |                   |
| Letter of Intent                                     |                   |
| Proposed Ordinance                                   |                   |
| Worksheet  |                   |
| Мар  |                   |
| Public Notice  |                   |
| Public Feedback                                      |                   |
| Joint Agreement (if applicable)                      |                   |
| Signed Ordinance (when approval process is complete) |                   |
|  |                   |