



# 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\*\***

Tuesday, January 8, 2019 @ 7:00 P.M.

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

APPLICANT: Lunacamp LLC  
1513 Main St  
Hopkins, MN 55343

Project Location: 130th St  
Detroit Lakes, MN 56501

APPLICATION AND DESCRIPTION OF PROJECT:  
Request a Conditional Use Permit for individual storage units

LEGAL LAND DESCRIPTION: Tax ID number: 190336002  
PT SW1/4 OF SE1/4; BEG 282' E OF S QTR COR, CONT E 649.11', N 394.69', W 675.37' & SE 395.56' TO POB;  
Section 16, TWP 138, Range 41, Lake View Township.

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

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

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

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

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



~ CONDITIONAL USE APPLICATION ~  
BECKER COUNTY PLANNING & ZONING

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

PARCEL	
APP	CUP
YEAR	
SCANNED	

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

First name(s): Lunacamp, LLC Last name: \_\_\_\_\_  
Mailing Address: 1513 Main St City, State, Zip Hopkins, MN 55343  
Phone Number(s): 612-889-8776 Project Address 130th St. Det Lakes MN 56501  
Parcel number(s) of property: 190336002 Sect - Twp - Range: 16 - 138 - 041  
Township Name: Lakeview Legal Description: \_\_\_\_\_

PT SW 1/4 OF SE 1/4, BEG 282' E OF S QTR COR, CONT E 649.11', N 394.69', W 675.37' & SE 395.56' TO POB

REASON FOR CONDITIONAL USE REQUEST: To build storage units

The information provided for this document is truthful and accurate to the best of my knowledge. I understand that this statement is null and void if any of the above information is not supplied or is inaccurate.

[Signature] Dec. 17, 2018  
SIGNATURE OF APPLICANT DATE

OTHER INFORMATION NEEDED TO COMPLETE THE APPLICATION:

1. A copy of the deed from the Recorder's Office;
2. Completed Site Application with sketch showing all setbacks, platted or surveyed dimensions of the lot and all existing and proposed buildings; parking area and all other materials deemed necessary.
3. Non-refundable filing fee of \$326.00 (\$426.00 if Commercial). If in Cormorant Township add \$25.00 surcharge to the filing fee. **Make check payable to Becker County Zoning.**
4. **Is the conditional use permit request after the fact?** [ ] Yes [ ] No  
*If yes, after the fact application fee is an additional \$600.00.*

\*\*\*\*\*  
Office Use Only  
This application is hereby (accepted) or (rejected) as presented.

[Signature]  
SIGNATURE - ZONING ADMINISTRATOR

DATE RECEIVED  
RECEIVED  
DEC 17 2018  
ZONING  
DEC 14 2018  
ZONING



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

1. **Effect on surrounding property.** That the conditional use will not harm the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

no potential known effects

2. **Effect on orderly, consistent development.** That establishing the conditional use will not impede the normal, orderly development and improvement of surrounding vacant property for uses predominant in the area.

local use preliminary agriculture and residential project will not limit development on surrounding property

3. **Adequate facilities.** That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Access will be provided by 130th st  
Any and all storm water will be controlled by  
recommendation from zoning.

4. **Adequate parking.** That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

N/A

5. **Not a nuisance.** That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance, and to control lighted signs and other lights so that no disturbance to neighboring properties will result.

Project will not create odor, fumes, dust, noise and vibrations. Any needed measures will be taken to limit any disturbance by lighting.

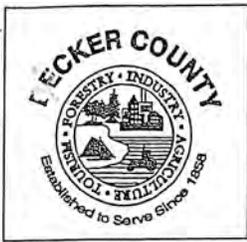
6. **Additional criteria for shoreland areas.** In Shoreland areas, it shall be found that adequate measures have been or will be taken to assure that:

a. **Pollution.** Soil erosion or other possible pollution of public waters will be prevented, both during and after construction;

b. **View from public waters.** That the visibility of structures and other facilities as viewed from public waters will be limited;

c. **Adequate utilities.** That the site is adequate for water supply and on-site sewage treatment; and

d. **Watercraft.** That the types, uses, and number of watercrafts that the project will generate can be safely accommodated.



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

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

PARCEL	
APP	SITE
YEAR	
SCANNED	

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

Please Print or Type All Information

Parcel Number (s)	Property (E911) Address	**911 Address Needed	Legal Description
1903360002	130th St		Detroit Lks MU 56501

Lake/River Name	Lake/River Class	Township Name	Section	TWP No.	Range
West T.W.M	NE	Lakeview	16	138	041

Property Owner	Last Name	First Name	Mailing Address	Phone
Lunacamp, LLC			153 Main St, Hopkins, MN 55343	612-889-8700
Contractor Name Lic #				

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

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

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

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

**Lot Information** Shoreland(with in 1000ft)  ( ) Riparian(on water)  Non Riparian Non Shoreland \_\_\_\_\_

Lot Area \_\_\_\_\_ sq ft or 0.026 acres Water Frontage \_\_\_\_\_ ft Bluff ( ) Yes ( ) No  
 Impervious coverage refers to anything water cannot pass through. Structures, areas covered by a roof, concrete, asphalt, Class 5, sidewalks, patio pavers, etc. should all be included in this calculation. Decks should be included in this calculation if they have plastic underlayment or impervious surface underneath. Anytime you exceed 15% lot coverage a stormwater management plan and/or mitigation is required. **INCLUDE PROPOSED STRUCTURES IN CALCULATION.**

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

Impervious Surface	Dimensions	Sq. Footage	Impervious Surface	Dimensions	Sq. Footage
On property			On property		
Example: Patio	10 x 12	120			
DRIVEWAY	78 x 20	1560			
Proposed parking	48 x 64	3072			
Gravel area		6720			
<b>Total Impervious Material</b>					

Impervious Lot Coverage  $\frac{11352}{261,360} = .04$  x 100 = 4.34 %  
 Total Impervious Lot Area Impervious Coverage Percentage

**Topographical Alteration/Earth moving:**

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

**RECEIVED**  
**DEC 17 2018**  
**ZONING**

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

Characteristics of Proposed Non Dwelling/Non Dwelling Additions/Detached Garages/Storage Sheds		Cost of Project
( ) Garage _____ ft by _____ ft	(X) Storage Shed <u>48</u> ft x <u>64</u> ft	( ) Fence _____ ft long x _____ high ( ) other _____ ft x _____ ft
Outside Dimension ( ) Addition to existing structure _____ ft x _____ ft	( ) Fence _____ ft x _____ ft	
Setback to Side Lot Lines <u>20</u> ft & Rear Lot Line <u>46</u> ft	Setback to Road Right of Way <u>78</u> <sup>CL</sup> ft	\$ <u>30,720</u>
Setback to Bluff <u>N/A</u>	Type of road <u>Twshp/Public</u> / Co Hwy / State Hwy (Circle) <u>Fee cost</u>	
Setback to Wetland <u>N/A</u>	Is wetland protected ( ) Yes (X) No	
Setback to OHW (straight horizontal distance) <u>200+</u>	Elevation above OHW (straight vertical distance) <u>N/A</u>	
Setback to septic tank <u>N/A</u>	Setback to drainfield <u>N/A</u>	
Roof Change ( ) Yes (X) No	Maximum height proposed <u>30</u> # of Stories <u>1</u>	
Bathroom proposed ( ) Yes (X) No	Sleeping Quarters proposed ( ) Yes (X) No	

\*Garages and storage sheds cannot contain amenities for independent human habitation

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

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

*I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge. I also understand that, once issued, a permit is valid for a period of one (1) year from the date of issuance and that Planning and Zoning Staff may visit my property to ensure compliance. If my property is located within the shoreland district, I understand that it is my responsibility to inform the Planning & Zoning Office once the building footings have been constructed. A Site Permit may be revoked at any time upon violation of said Ordinances and approved setbacks. Any changes to this site permit results in nullification of this permit and a new permit will have to be obtained.*

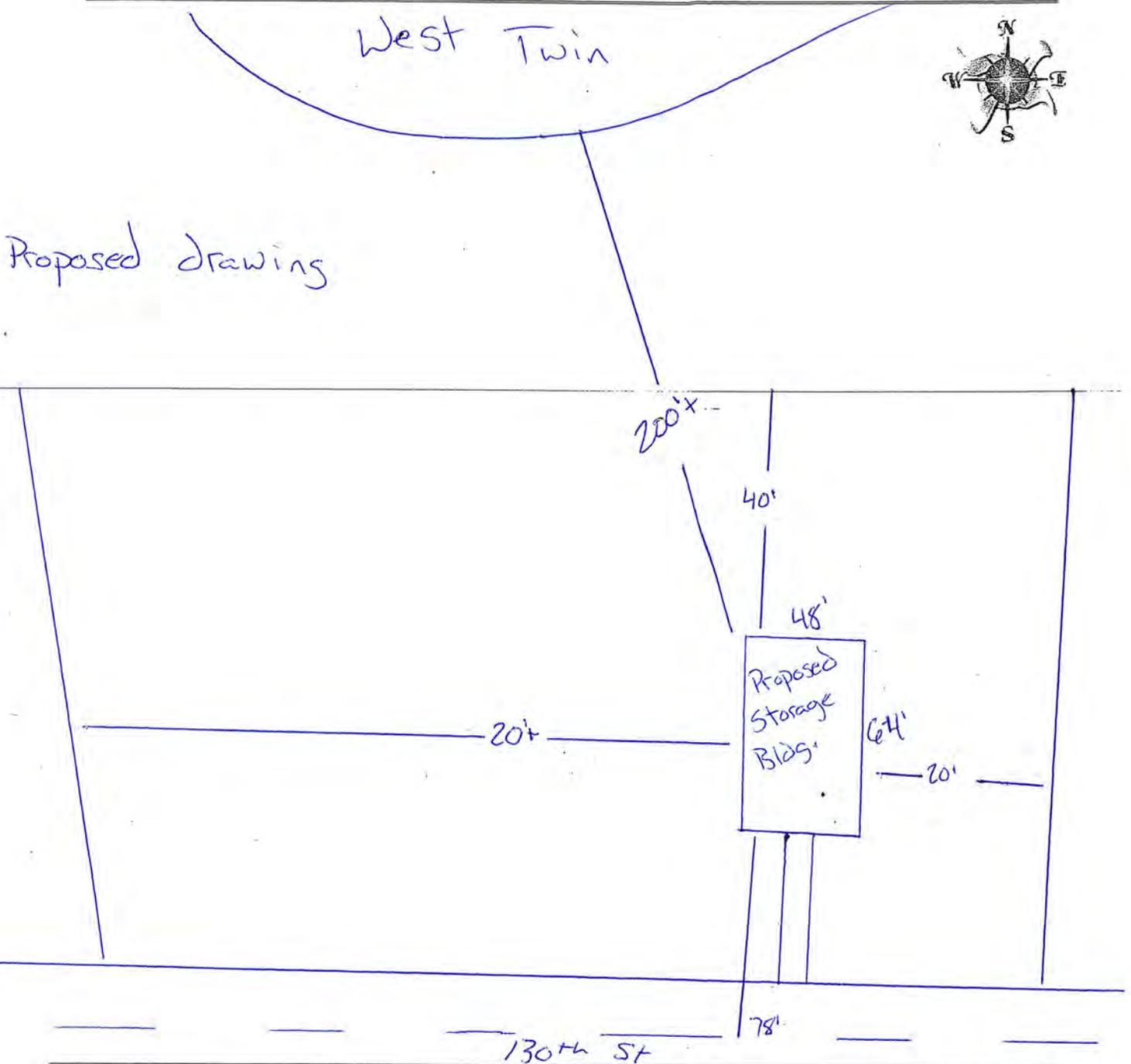
Signature

Date

**SKETCH OF PROPERTY**

PARCEL	
APP	SITE
YEAR	

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



Remember EROSION CONTROL!

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



586770

No delinquent taxes and transfer entered  
this 10<sup>th</sup> day of March, 2011

Ryan L. Tangen  
Becker County Auditor/Treasurer

By dm Deputy

19.0321.002  
19.0321.003  
19.0318.000  
19.0336.002

BECKER COUNTY RECORDER  
STATE OF MINNESOTA

Document No. 586770

March 10, 2011 at 11:07 AM

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

Darlene Maneval, County Recorder

By SKS Deputy

### WARRANTY DEED

Corporation to Limited Liability Company

STATE DEED TAX  
DUE HEREON: \$1.65

BECKER COUNTY DEED TAX

AMT. PD. \$ 1.65

Receipt # 471534

Becker County Auditor/Treasurer

Dated: March 7, 2011

*sk*

FOR VALUABLE CONSIDERATION, FACE, INC., AKA FACE, FESTIVALS AND  
CONCERT EVENTS, INC., FKA WE FEST, INC., FKA WE FEST, INCORPORATED, a  
corporation organized under the laws of the State of Minnesota, Grantor, hereby conveys and  
warrants to LUNACAMP, LLC, Grantee, a limited liability company, organized under the laws  
of the State of Minnesota, real property in Becker County, Minnesota, described as follows:

#### PARCEL 1

That part of the SE¼ NW¼ in Section 16, Township 138 North, Range 41 West  
of the 5th P.M. in Becker County, Minnesota, described as follows: Commencing  
at the SW corner of said SE¼ NW¼; thence N. 00 degrees 39 minutes 22 seconds  
East 999.96 feet along the west line of said SE¼ NW¼ to a point hereinafter  
referred to as Point A; thence continuing N. 00 degrees 39 minutes 22 seconds  
East 320 feet, more or less, along the west line of said SE¼ NW¼, to the NW  
corner of said SE¼ NW¼; thence easterly 730 feet, more or less, along the north  
line of said SE¼ NW¼ to a point which is 600.00 feet westerly of the NE corner  
of said SE¼ NW¼, said point is the point of beginning; thence westerly 730 feet,  
more or less, along the north line of said SE¼ NW¼ to the NW corner of said  
SE¼ NW¼; thence South 00 degrees 39 minutes 22 seconds West 320 feet, more  
or less, along the west line of said SE¼ NW¼ to the aforementioned Point A;  
thence South 89 degrees 48 minutes 32 seconds East 309.26 feet; thence South 01  
degrees 08 minutes 31 seconds West 163.00 feet; thence South 51 degrees 04  
minutes 04 seconds East 204.86 feet; thence South 87 degrees 33 minutes 44  
seconds East 260 feet, more or less, to the intersection with Line A (said Line A is

chg  
paid  
well  
non/stc

located as being a straight line from the aforementioned point of beginning to a point on the northwesterly right of way line of County State Aid Highway No. 22, formerly Trunk Highway No. 59, at Engineer's Highway Station 602 + 45.32); thence northerly 620 feet, more or less, along said Line A to the point of beginning; EXCEPTING THEREFROM THE FOLLOWING-DESCRIBED TRACT, TO-WIT:

That part of the SE¼ NW¼ in Section 16, Township 138 North, Range 41 West of the 5th P.M. in Becker County, Minnesota, described as follows: Commencing at the SW corner of said SE¼ NW¼; thence North 00 degrees 39 minutes 22 seconds East 999.96 feet on an assumed bearing along the west line of said SE¼ NW¼ to a found iron monument, said point is the point of beginning; thence continuing North 00 degrees 39 minutes 22 seconds East 337.26 feet along the west line of said SE¼ NW¼ to the NW corner of said SE¼ NW¼; thence South 89 degrees 04 minutes 12 seconds East 130.00 feet along the north line of said SE¼ NW¼; thence South 00 degrees 39 minutes 22 seconds West 335.58 feet; thence North 89 degrees 48 minutes 32 seconds West 130.00 feet to the point of beginning. The above described tract contains 1.00 acre.

*[Becker County Tax Parcel No. 19.0321.002]*

AND

PARCEL 2

That part of the Southeast Quarter of the Northwest Quarter in Section 16, Township 138 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows: Commencing at an iron monument which designates the southwest corner of said Southeast Quarter of the Northwest Quarter; thence North 00 degrees 39 minutes 22 seconds East 999.96 feet on an assumed bearing along the west line of said Southeast Quarter of the Northwest Quarter to an iron monument; thence South 89 degrees 48 minutes 32 seconds East 309.26 feet to an iron monument; thence South 01 degree 08 minutes 31 seconds West 163.00 feet to an iron monument; thence South 51 degrees 04 minutes 04 seconds East 204.86 feet to an iron monument, said point is the point of beginning; thence South 02 degrees 26 minutes 16 seconds West 170.00 feet to an iron monument; thence South 87 degrees 33 minutes 44 seconds East 253.00 feet to an iron monument; thence continuing South 87 degrees 33 minutes 44 seconds East 10.47 feet; thence North 00 degrees 51 minutes 55 seconds East 170.06 feet; thence North 87 degrees 33 minutes 44 seconds 258.80 feet to the point of beginning. The above described tract contains 1.02 acres.

*[Becker County Tax Parcel No. 19.0321.003]*

PARCEL 3

Government Lot Four (4) and the East Half of the Southeast Quarter ( $E\frac{1}{2} SE\frac{1}{4}$ ) of Section Sixteen (16), Township One Hundred Thirty-eight (138) North of Range Forty-one (41) West of the Fifth Principal Meridian EXCEPTING THEREFROM THE FOLLOWING-DESCRIBED TRACTS, TO-WIT:

1. The right of way of the Minneapolis, St. Paul and Sault Ste. Marie Railway Company.
2. That part of the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ) of Section Sixteen (16), Township One Hundred Thirty-eight (138) North, Range Forty-one (41) West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows: Beginning at a found iron monument which designates the Southeast corner of said Section Sixteen (16); thence South 88 degrees 56 minutes 59 seconds West 271.45 feet on an assumed bearing along the South line of said Section Sixteen (16); thence North 02 degrees 04 minutes 59 seconds West 22.85 feet to an iron monument; thence continuing North 02 degrees 04 minutes 59 seconds West 245.26 feet to an iron monument; thence North 89 degrees 09 minutes 03 seconds East 271.47 feet to an iron monument on the East line of said Section Sixteen (16); thence South 02 degrees 04 minutes 59 seconds East 267.16 feet along the East line of said Section Sixteen (16) to the point of beginning.
3. That portion of Lot Four (4) lying East of the Minneapolis, St. Paul and Sault Ste. Marie Railway right of way.
4. That part of Government Lot Four (4), that part of the Northeast Quarter of the Southeast Quarter ( $NE\frac{1}{4} SE\frac{1}{4}$ ), and that part of the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ), all in Section Sixteen (16), Township One Hundred Thirty-eight (138) North, Range Forty-one (41) West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows: Commencing at an iron monument which designates the Southeast corner of said Section Sixteen (16); thence South 88 degrees 56 minutes 59 seconds West 1335.93 feet on an assumed bearing along the South line of said Section Sixteen (16) to the Southwest corner of said Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4} SE\frac{1}{4}$ ), said point is the point of beginning; thence North 88 degrees 56 minutes 59 seconds East 495.00 feet along the South line of said Section Sixteen; thence North 01 degree 03 minutes 01 second West 25.43 feet to an iron monument hereinafter referred to as Point B; thence continuing North 01 degree 03 minutes 01 second West 359.47 feet to an iron monument thence North 88 degrees 56 minutes 59 seconds East 196.46 feet to an iron monument; thence North 01 degree 03 minutes 01 second West 1439.37 feet to an iron monument; thence South 89 degrees 52 minutes 31 seconds East 541.17 feet to an iron monument on the westerly line of the Soo Line Railroad Company's Railroad; thence North 05 degrees 54 minutes 48 seconds West 950.00 feet along the westerly line of said Soo Line Railroad Company's Railroad to an iron monument;

thence continuing northerly along the westerly line of said Soo Line Railroad Company's Railroad to the water's edge of Slough Lake; thence in a westerly direction along the water's edge of said Slough Lake to the West line of said Government Lot Four (4); thence South 01 degree 59 minutes 23 seconds East 25.00 feet, more or less, along the West line of said Government Lot Four (4) to an iron monument; thence continuing South 01 degree 59 minutes 23 seconds East 3076.90 feet along the West line of said Government Lot Four (4) along the West line of said Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) and along the West line of said Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) to an iron monument hereinafter referred to as Point A; thence continuing South 01 degree 59 minutes 23 seconds East 27.68 feet along the West line of said Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) to the point of beginning.

5. That part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section Sixteen (16), Township One Hundred Thirty-eight (138) North, Range Forty-one (41) West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows: Commencing at an iron monument which designates the Southeast corner of said Section Sixteen (16); thence South 88 degrees 56 minutes 59 seconds West 271.45 feet on an assumed bearing along the South line of said Section Sixteen to the point of beginning; thence continuing South 88 degrees 56 minutes 59 seconds West 569.48 feet along the South line of said Section Sixteen (16); thence North 01 degree 03 minutes 01 second West 25.43 feet to an iron monument, said point hereinafter referred to as Point B; thence continuing North 01 degree 03 minutes 01 second West 359.47 feet to an iron monument; thence North 88 degrees 56 minutes 59 seconds East 196.46 feet to an iron monument; thence continuing North 88 degrees 56 minutes 59 seconds East 366.09 feet; thence South 02 degrees 04 minutes 59 seconds East 56.60 feet to an iron monument; thence continuing South 02 degrees 04 minutes 59 seconds East 305.51 feet to an iron monument hereinafter referred to as Point C; thence continuing South 02 degrees 04 minutes 59 seconds East 22.85 feet to the point of beginning. SUBJECT to an easement for public road purposes over, under and across that part of the above tract which lies southerly of a straight line connecting said Point B with said Point C.

6. That part of the East Half of the Southeast Quarter (E $\frac{1}{2}$  SE $\frac{1}{4}$ ) of Section Sixteen (16) Township One Hundred Thirty-eight (138) North of Range Forty-one (41); West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows: Commencing at a found iron monument which designates the Southeast corner of said Section Sixteen (16); thence South 88 degrees 56 minutes 59 seconds West 840.93 feet on an assumed bearing along the South line of said Section 16; thence North 01 degree 03 minutes 01 second West 25.43 feet to an iron monument; thence continuing North 01 degree 03 minutes 01 second West 359.47 feet to an iron monument; thence North 88 degrees 56 minutes 59 seconds East 196.46 feet to an iron monument; thence North 01 degree 03 minutes 01 second West 1439.37 feet to an iron monument; thence South 89 degrees 52

minutes 31 seconds East 541.17 feet to an iron monument on the westerly line of the Soo Line Railroad Company's Railroad; thence South 05 degrees 54 minutes 48 seconds East 220.00 feet along the westerly line of said Soo Line Railroad Company's Railroad to an iron monument, said point is the point of beginning thence South 83 degrees 50 minutes 05 seconds West 403.50 feet to an iron monument; thence South 05 degrees 54 minutes 48 seconds East 270.00 feet to an iron monument; thence North 83 degrees 50 minutes 05 seconds East 403.50 feet to an iron monument on the westerly line of said Soo Line Railroad Company's Railroad; thence North 05 degrees 54 minutes 48 seconds West 270.00 feet along the westerly line of said Soo Line Railroad Company's Railroad to the point of beginning.

*[Becker County Tax Parcel No. 19.0318.000]*

AND

PARCEL 4

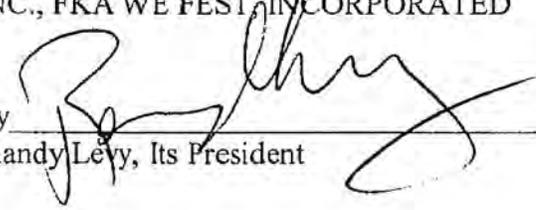
That part of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 16, Township 138 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows: Commencing at the southwest corner of the Southeast Quarter of said Section 16; thence South 88 degrees 36 minutes 28 seconds East, assumed bearing along the south line of said Section 16, a distance of 282.00 feet, to the point of beginning; thence North 02 degrees 24 minutes 52 seconds West, along the east line of a certain tract recorded as Document No. 377527, at the office of the Becker County Recorder, a distance of 395.56 feet; thence South 88 degrees 36 minutes 28 seconds East, parallel with the south line of said Section 16, a distance of 675.37 feet; thence South 01 degrees 23 minutes 32 seconds West, a distance of 394.69 feet, to the south line of said Section 16; thence North 88 degrees 36 minutes 28 seconds West, along said south line, a distance of 649.11 feet to the point of beginning. Containing 6.00 acres.

*[Becker County Tax Parcel No. 19.0336.002]*

Together with all hereditaments and appurtenances belonging thereto.

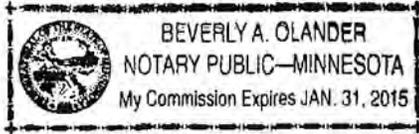
FACE, INC., AKA FACE, FESTIVALS AND  
CONCERT EVENTS, INC., FKA WE FEST,  
INC., FKA WE FEST, INCORPORATED

By

  
Randy Levy, Its President

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF Becker )

The foregoing instrument was acknowledged before me this    day of February, 2011, by RANDY LEVY, the President of FACE, INC., AKA FACE, FESTIVALS AND CONCERT EVENTS, INC., FKA WE FEST, INC., FKA WE FEST, INCORPORATED, a corporation organized under the laws of the State of Minnesota, on behalf of the corporation.



*Beverly A. Olander*  
Notary Public

THE TOTAL CONSIDERATION FOR THIS TRANSFER  
IS \$500.00 OR LESS.

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

Lunacamp, LLC  
18 North 4th Street, #704  
Minneapolis, MN 55401

This Instrument Was Drafted By:  
PEMBERTON, SORLIE, RUFER & KERSHNER, P.L.L.P.  
10: 903 Washington Avenue, P.O. Box 1409  
Detroit Lakes, Minnesota 56502  
Telephone: 218-847-4858

PSR&K Substitute Form 1099-S Not Needed

CAS:tlil:smb  
2010-1984.666

191465503

MERRY MEADOWS  
191465502

190336003

190336004

15

190336000

190318001

190336001

190336002

130TH ST



190414000

21

191463601

MEADOW VIEW ESTATES

191463602



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

1:2,817

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

Date: 12/18/2018

Becker County





# Recommended Amendments to the Becker County Zoning Ordinance

Proposed language is indicated by underline. Language to be removed has been "strike-through".

## Proposal # 1.)

The intent of the proposed language is to allow storage structures on vacant lots without an existing principal use. As our ordinance reads today a storage structure may only be built on a property if it is accessory to a current principal use.

Chapter 5 Table 5-1

Use Type	Table 5-1 Land Use Districts													Commercial			Industry	
	General Agriculture		Special Protection		Residential			High Density Residential		Water Oriented Commercial			Commercial			Industry		
	All Lakes Rivers	Non Shore land	All Lakes Rivers	Non Shore land	GD & RD Lakes	NE Lakes & Rivers	Non Shore land	All Lakes Rivers	Non Shore land	GD & RD Lakes Rivers	NE Lakes	Non Shore land	GD & RD Lakes Rivers	NE Lakes	Non Shore land	M	Ad m. & W h s g	
<b>G. Other Uses</b>																		
<u>Storage Structure</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

## Chapter 8, Section 15.

### Multi-Unit Storage Structure Developments

- A. **Purpose and applicability:** The purpose of this section is to establish the procedure and criteria to evaluate multi-unit storage structure developments for private ownership. It is intended to provide a means to create a development for privately owned storage structures.
- B. **Where allowed:** Multi-unit storage structure developments are allowed for new projects on undeveloped land, redevelopment of previously developed land, or conversion of existing buildings in land use districts where storage structures are allowed.
- C. **Definition:** Multi-unit storage structure developments consisting of sites or units that are sold for the purpose of private storage, work space or any other non-residential and non-commercial use associated with storage structures.
- D. **Review process:** Multi-unit storage structure developments shall be considered a plat and processed as subdivisions of land into units, lots or parcels as outlined in Chapter 8, Section 5 of this ordinance.

- E. **Application for a Multi-unit storage structure development** The applicant for a multi-unit storage structure development shall submit the following documents prior to final action being taken on the application requests:
- a. **Preliminary site plan:** A site plan for the project showing locations of property boundaries, surface water features, proposed units or lots, common elements and structures, land alterations, topographic contours at ten foot intervals or less and sewage treatment and water supply systems (if any are being proposed).
  - b. **Property owners association:** A property owner's association agreement with mandatory membership with the following features:
    - i. Membership shall be mandatory for each unit or site purchaser and any successive purchasers;
    - ii. Each member shall pay a pro rata share of the association expenses and unpaid assessments can become liens on units or sites;
    - iii. Assessments shall be adjustable to accommodate changing conditions; and
    - iv. The association shall be responsible for insurance, taxes and maintenance of all commonly owned property and facilities.
    - v. Any changes to the association agreement related to the layout, impervious surface, surface water flow or other uses/features that were included in the approved site plan shall be submitted to the County for Planning Commission and County Board approval.
- F. **Design requirements:**
- a. **Density:** The density of multi-unit storage structure developments shall be determined by the allowable impervious surface coverage for the land use district.
  - b. **Water and Septic:** If water is being supplied to the units, it is recommended that a common well be utilized, if possible. If septic is being supplied to a unit, all systems must be designed and installed in accordance with Minnesota Rules Chapters 7080 through 7083 and Chapter 10, Section 4 of this ordinance.
  - c. **Erosion control and stormwater management:** Erosion control and stormwater management shall be developed in accord with any Minnesota Pollution Control Agency requirements or Watershed District in which the multi-unit storage structure development is situated. If the multi-unit storage structure development is not located with and Watershed District or if the governing Watershed District nor MPCA does not have or require erosion control and stormwater management standards the multi-unit storage structure development shall:
    - i. **Erosion control design standard:** Erosion control systems shall be designed, and the construction managed, to reduce the likelihood of serious erosion occurring either during or after construction.
    - ii. **Method of control:** Erosion control shall be accomplished by limiting the amount of and the length of time of bare ground exposure. Temporary ground covers, sediment entrapment facilities, vegetated buffer strips, or other appropriate techniques shall be used to reduce erosion impacts on surface water features. Erosion control plans approved by a Soil and Water Conservation District may be required if project size and site physical characteristics warrant; and

- iii. **Stormwater management design standard:** Stormwater management systems shall be designed and constructed to effectively manage reasonable expected quantities and qualities of stormwater runoff.

## Chapter 7, Section 3.

### Section 3 Storage Structures

- A. **Storage Structure.** The following storage structures, in addition to those specified elsewhere in this Ordinance, shall be permitted in any residential, general agriculture, water oriented commercial, commercial, or industry district ~~if the use does not alter the character of the premises in respect to their use for the purposes permitted in the district.~~
  1. The operation of storage facilities and equipment in connection with schools, colleges, universities, hospitals and other institutions permitted in the district.
  2. Recreation, refreshment and service buildings in public parks and playgrounds.
- B. **Storage structures.** The following requirements shall apply to storage structures in all land use districts.
  1. **Attached.** A storage structure attached to the main building is part of the main building and shall comply in all respects with the requirements for the main building.
  2. **Not in side yard.** A storage structure other than a fence shall not be located in any required front or side yard in a residential subdivision.
    - a. **Storage structure use limited.** A storage structure, such as a garage, shall not be used as a guest cabin capable of providing independent human habitation.
  3. **Storage structure height limit.** The height of a storage structure shall be limited to twenty-two feet (22') at the peak when located within four hundred feet (400') of a lake or within three hundred feet (300') of a river or stream. The height of a storage structure located over four hundred feet (400') from a lake or over three hundred feet (300') from a river or stream shall be limited to the height allowed by the zoning district in which it is located.
  4. **Storage structure area and size limits.**
    - a. Storage structures located within two hundred feet (200') of a lake or river/stream cannot exceed one thousand two hundred (1200) square feet in size. The storage structure must be located within the setback lines and the total impervious surface area cannot exceed twenty-five (25) percent of the lot area.
    - b. Storage structures located over two hundred feet (200') from a lake and less than four hundred feet (400') from a lake or over two hundred feet (200') from a river/stream and less than three hundred feet (300') from a river/stream cannot exceed two thousand four hundred (2400) square feet in size. The storage structure must be located within the setback lines and the total impervious surface area cannot exceed twenty-five (25) percent of the lot area.
    - c. Storage structures located over four hundred feet (400') from a lake or three hundred feet (300') from a river/stream must be located within the setback lines and the total impervious surface area cannot exceed twenty-five percent (25%) of the lot area.
  5. **Storage structure setback.** ~~Storage structures located within the shoreland district~~ may be permitted twenty feet (20') from the right-of-way of a platted or dedicated township road or fifty-three

feet (53') from the centerline of a non-platted or non-dedicated township road. This setback does not apply to a County or State Highway. Storage structures may be permitted twenty (20) feet from the rear lot line.

## **Chapter 10, Definitions.**

**Storage Structure:** Any building or structure used for non-residential or non-commercial use.

### **Remove the definition of accessory building**

**Section 2** Definitions For the purpose of this Ordinance, certain words and terms are hereby defined as follows; ~~Accessory building or structure. Any building or structure that is incidental to the principal use of the property.~~

Chapter 5 language to be changed from the word accessory to storage:

Detached storage structures are not a guest cabin. A detached storage building or structure, such as a garage, shall not be used as a guest cabin capable of providing independent human habitation.

9 Setback for primary structure is 78 feet and setback for a detached storage structure is 53 feet.

10 Setback for primary structure is 45 feet and setback for a detached storage structure is 20 feet.

11 Setback for primary structure is 40 feet and setback for a detached storage structure is 20 feet

12 Maximum height for a storage structure is 22 feet within 400 feet of the OHW of a lake or 300 feet of a river/stream.

## **Proposal # 2.)**

Our current ordinance states the County as well as an Incorporated City which has adopted subdivision authority by resolution within two miles of city limits are both required to approve subdivisions. The proposed amendment would give subdivision approval to said Incorporated City for plats that meet the requirements of the Becker County Zoning Ordinance. See Minnesota State Statute 462.358, Subd. 1A.

## **Chapter 8, Section 5, B., 1., b.**

**Cities.** Where any municipality has adopted extra-territorial subdivision platting regulations as provided by State law, any proposed plat lying within two (2) miles of said municipality shall ~~also~~ be submitted to and approved by said municipality. Upon approval from said municipality the final plat shall be submitted to Becker County Planning and Zoning for review to ensure the plat is consistent with requirements of the Becker County Zoning Ordinance. The plat shall be exempt from the Becker County Planning Commission.

### **Proposal # 3.)**

Chapter 5 of our ordinance contains a table for our reference when determining land use and permitting requirement in the county. “P” represents a permitted use and can be approved by our office. “C” represents conditional and may be approved by the Planning Commission. “N” designates the use is not permitted or conditional in any land district. The proposed amendment to “Use Interpretation” would allow the Planning Commission to interpret whether or not a use is fitting and compatible to a district instead of the Board of Adjustments.

#### **Chapter 5, Section 1, D.**

**Use interpretation.** If a use is not listed or does not have a designated type of use, the use may be allowed if it is of the same general character as those listed as Permitted (P), or Conditional (C) uses in the use table, provided the use is deemed fitting and compatible to the district by the ~~Becker County Board of Adjustment~~ Becker County Planning Commission, and is not listed as a Not Permitted (N) Use.

### **Proposal #4.)**

To change the requirement of Chapter 8, Section 5, Letter G. The Ordinance currently requires two copies of a final plat prepared for recording purposes. The Becker County Recorder has indicated only one copy is necessary.

~~“Two (2) copies of a final plat prepared for recording purposes.”~~

One (1) copy of a final plat prepared for recording purposes.

### **Proposal #5.)**

To eliminate the dock length limit in Chapter 5, Section 2, Letter I.

Docks and piers. Docks and piers shall be exempt from the setbacks for shoreland areas except that any projection into the water shall maintain a minimum side yard setback equal to that required in the applicable zoning district and shall be parallel with an extension into the water of the side yard lot line. ~~Projections into water shall not exceed a distance of one third (1/3) the lakeshore frontage and shall never extend one hundred (100) feet beyond the ordinary high water level.~~

