



# 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, Feb 11<sup>th</sup>, 2020 @ 7:00 P.M.

**3<sup>rd</sup> Floor Jury Assembly Room New Addition-Becker County Courthouse**

Detroit Lakes, MN 56501

APPLICANT: HERMAN HALLIKAINEN  
234 N MANNINEN AVE  
MENAHA MN 56464

PROJECT LOCATION: 175<sup>th</sup> ST  
MENAHA MN 56464

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Conditional Use Permit to erect and operate an asphalt plant onsite (parcel 13.0154.000 & 13.0162.000).

\*Both Parcel 13.0162.000 & 13.0154.000 currently have a conditional use permit for gravel mining, crushing, and washing.

LEGAL LAND DESCRIPTION: Tax ID number: 13.0162.000 & 13.0154.000

SE1/4 OF NW1/4 & NE1/4 OF NW1/4; Section 26, TWP 139, Range 36, Green Valley 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 Review

Permit # CUP2020-7

### Property and Owner Review

Owner: <b>HERMAN HALLIKAINEN</b>	Parcel Number(s): <b>130162000 13.0154.000</b>
Mailing Address: <b>HERMAN HALLIKAINEN 234 N MANNINEN AVE MENAHA MN 56464</b>	Site Address: <b>MENAHA MN 56464</b>
	Township-S/T/R: <b>GREEN VALLEY-26/139/036</b>
	Shoreland? <b>No</b> Name:
Legal Descr: <b>SE1/4 OF NW1/4</b>	

### Conditional Use Details Review

Description of Conditional Use Request: **To erect and operate a asphalt plant onsite parcel 13.0154.000 & 13.0162.000. \*Both Parcel 13.0162.000 & 13.0154.000 curenly have a conditional use permit for gravel mining, crushing, and washing.**

1. Describe how the conditional use permit, if granted, will not harm the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

**the property has been a active gravel pit since the 90's and has had asphalt plants onsite 4 times in the past used for county and state projects and has not had a negative affect on adjoining properties**

2. Describe how establishing the conditional use will not impede the normal, orderly development and improvement of surrounding vacant property for uses predominant in the area.

**the surrounding property is farm/ag and has not been affected by the gravel pit. the asphalt plant will be permitted by MPCA and pass all air requirements**

3. Describe how adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

**this is a existing gravel pit with access roads and drainage already established, the plant will have its own power source**

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

**there will be parking on site off of public roadway**

5. Describe how 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.

**the asphalt plant will have a MPCA permit and will pass air quality testing, the plant will be located 1000 ft off of roadway, access drive will have speed limit of 15mph, Howard's Driveway, Inc is a small business there will not be continuous, constant truck traffic associated with heavy highway contractors, there will not be a lighted sign onsite there will be safety/security lights at the site**

Additional shoreland questions below (if applicable)

6a. Describe how adequate measures have been or will be taken to assure that soil erosion or other possible pollution of public waters will be prevented, both during and after construction.

6b. What measures have been taken to assure that the visibility of structures and other facilities as viewed from public waters will be limited.

6c. What measures have been taken to assure that the site is adequate for water supply and on-site sewage treatment.

6d. Describe how the types, uses and number of watercrafts that the project will generate can be safely accomodated.

### Business Plan Review

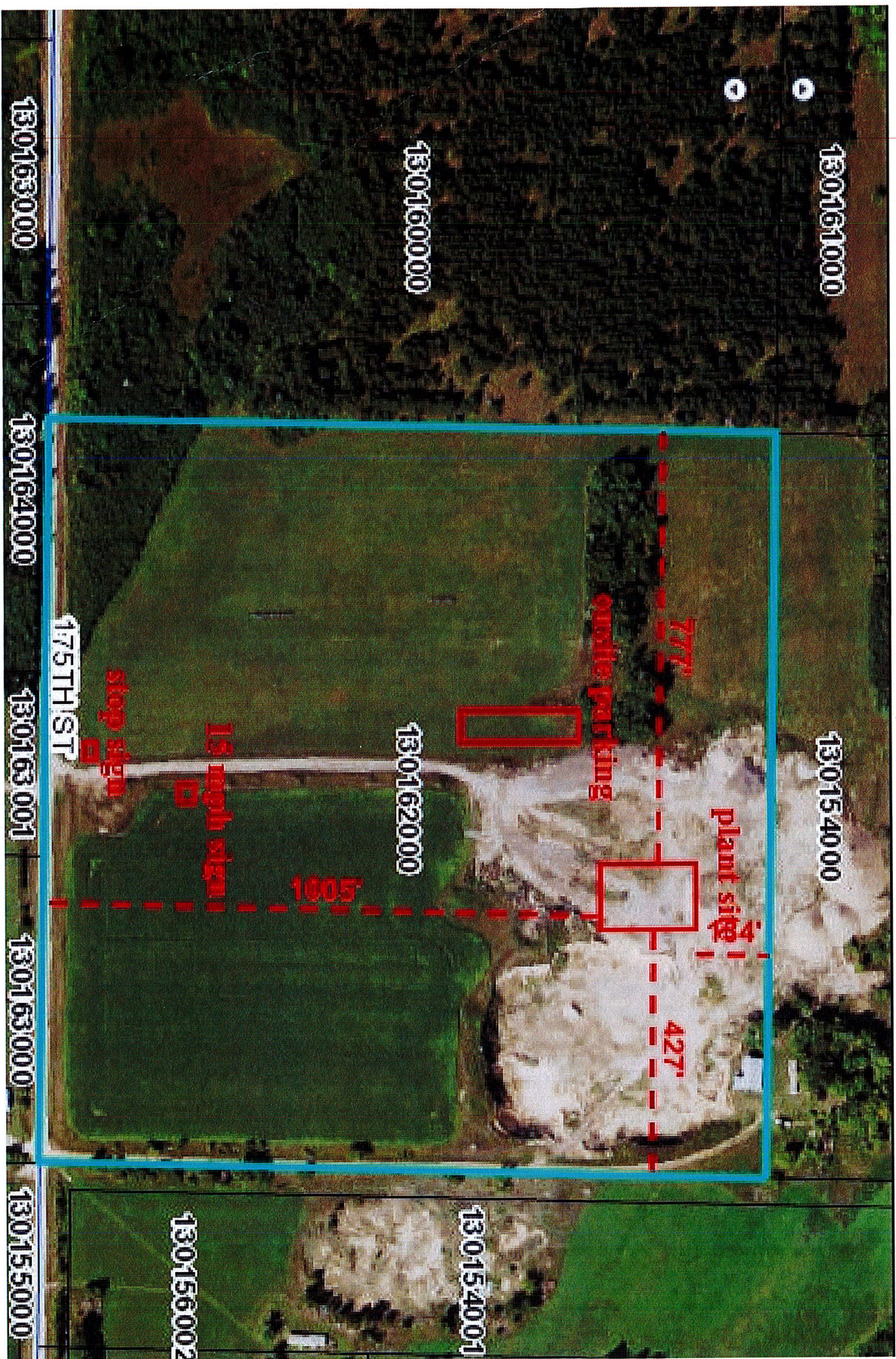
Name of Business: **Howard's Driveway, Inc**

Business Owners: **Jeremy Howard**

Business Type: **Other - Please describe below** If 'Other', explain: **asphalt paving and asphalt/ aggregate sales**

Type of Merchandise: <b>asphalt aggregate products</b>
Type of Service: <b>asphalt paving of driveways, parking lots, roadways and paths</b>
Hours and Days of Operation: <b>6am-8pm with Saturdays as needed</b>
Number of Employees: <b>2 onsite 12- 15 total</b>
Off-Street Parking Plan: <b>parking will be provided on site off of public roadways</b>
Size of structure to be used for Business: <b>will be asphalt plant and associated equipment, 10x30 control shack and 10x40 portable storage</b> New or Existing: <b>New Structure</b>
Signage Plan: <b>will install stop sign at intersection of access drive and public roadway as well as 15mph sign on pit access drive</b>
Exterior Lighting Plan: <b>there will be safety/security lighting onsite</b>
Known Environmental Hazards: <b>the plant will be permitted by MPCA and pass required air quality testing. the site will be operated/maintained in a responsible professional manner</b>
Additional Business Plan Information: <b>Howard's Driveway, Inc is a small business that has been in operation in Becker County since 1996</b>





130161000

130160000

130163000

130164000

130163001

130163000

130155000

130154000

130162000

130154001

130156002

777'

427'

1005'

15' high sign

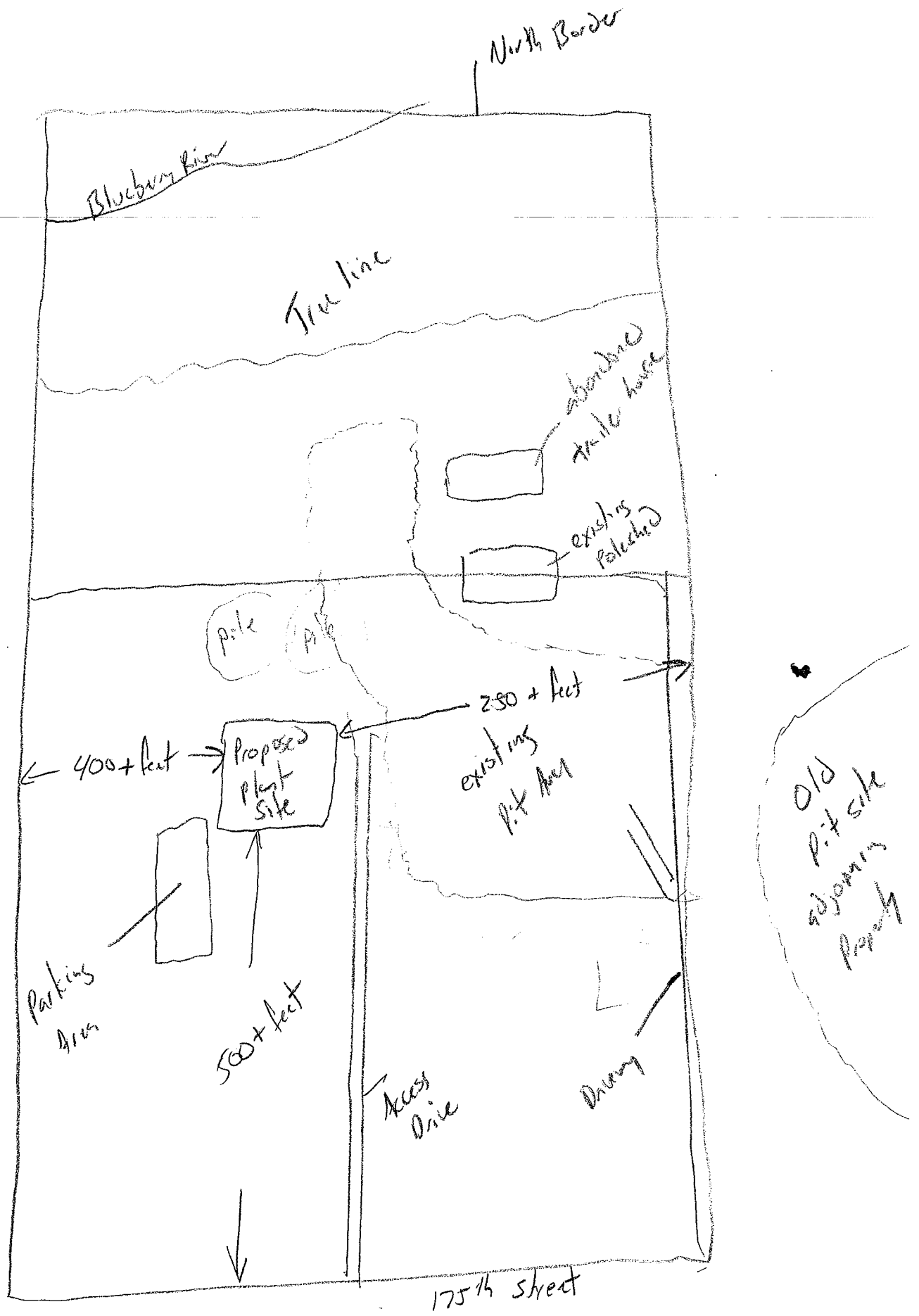
stop sign

175TH ST

plant site

on-site parking





acres of land with his home and garage on it. He has sufficient amount of parking space available for the number of customers he would generate. Mr. Thompson was present and felt the proposal was evident and had no further comments. Tom Oakes made a Motion to approve the Conditional Use Permit to establish a scuba/diving business with retail sales on the above described property as it was compatible with the area. Herschel Koenig second the Motion. Motion carried.

**SEVENTH ORDER OF BUSINESS: VERNON HANSON.** An application for a Conditional Use Permit to construct a garage sixteen (16) feet nine (9) inches high has been filed by Vernon Hanson, owner of the property described as: Lot 54, Floyd Lake Beach, Section 15, TWP 139, Range 41, Detroit Township. Zoning Administrator Svenby presented Mr. Hansons proposal. He stated the garage is already up and the roof line matches the roof line of the existing home at sixteen (16) feet nine (9) inches. The contractor constructed the garage to match the home roof line unaware of the fourteen (14) foot high restriction. The inside of the garage has a loft area as an attic space for storage area. The loft area is about seven (7) feet to the ceiling which is not adequate ceiling height for use as a guest room. Audrey Knopf, adjoining neighbor, spoke in favor of the proposal. Charles Rew made a Motion to approve the Conditional Use Permit to construct a garage sixteen (16) feet nine (9) inches high with a loft area, on the above described property, with the stipulation that the loft will be used for storage only. Tom Oakes second the Motion. Motion carried.

**EIGHTH ORDER OF BUSINESS: H. HALLIKAINEN.** An application for a Change of Zone to Industrial and a Conditional Use Permit to extract gravel and include rock crushing and washing has been filed by Herman Hallikainen owner of the property described as: SE1/4 NW1/4 and NE1/4NW1/4, Section 26, TWP 139, Range 36, Green Valley Township. Zoning Administrator Svenby presented the excavation site plan which represented an eighty (80) acre site adjoining an existing gravel pit located directly to the East. The existing pit to the East of the described property has been run out with exception to some "fill". The building site on the described property is abandoned. The nearest home is across the road from the site and the next closest neighbor is one quarter (1/4) mile. Ken Becker of the Green Valley Township Board stated the township is in favor of the pit and have a road agreement with Mr. Hallikainen. The agreement is that " Mr. Hallikainen will share the cost of repair to road #9 West one-half (1/2) mile. The road to the East is unsuitable to heavy traffic." There was a Petition of opposition presented with twelve (12) signatures on it. They objected to the pit because of noise, dust, traffic, and road



250

maintenance that would be necessary if the pit was approved. Ronald Torma spoke in opposition on behalf of the above individuals. Mr. Hallikainen stated the pit materials will be for sales to the townships and adjoining Hubbard and Wadena Counties. The rock crusher would probably work 2-3 weeks in a season to get enough gravel for the seasons demand. Herschel Koenig made a Motion to approve the Change of Zone to Industrial and a Conditional Use Permit to extract gravel and include rock crushing and washing on the above described property. Tom Oakes second the Motion. Motion carried.

**NINTH ORDER OF BUSINESS: CHARLES JENSEN CERTIFICATE OF SURVEYS IN SECTIONS 13 AND 24, SAVANNAH TOWNSHIP.** An application for Change of Zone from Agricultural to Residential and Certificate of Surveys has been filed by Charles Jensen for the following described properties:

1) Pt of Gov Lot Five (5) less Plat and 34.50 acres, Section thirteen (13), TWP 142, Range 36, Savannah Township;

2) Pt of Gov Lot Three (3) ex 5.45 acres in NE1/4SE1/4, Section twenty-four (24), TWP 142, Range 36, Savannah Township.

Zoning Administrator Svenby stated the Surveys are located on Little Mantrap Lake. He stated that Mr. Jensen will have to meet the road requirements for proper access to those lots located in section 24. There is an easement road off of "Terry Lane" (twp road) which leads to proposed Lot One (1). The proposed tract number one (1) in Section 24 will need road access for ingress and egress by using the present 16.5 foot wide easement road which crosses proposed Lots 2 and 3. The easement road access is necessary due to the wetlands located to the Westerly end of Lot 1 making road accessibility at that location very unlikely. After a discussion of both Certificate of Surveys, Herschel Koenig made a Motion to approve the Change of Zone from Agricultural to Residential and the following Certificate of Survey found in section 13 and the Certificate of Survey found in section 24, Savannah Township. Lot One (1) of the Certificate of Survey found in Section 24 shall have access by the present 16.5 foot wide easement road. Charles Glennen second the Motion. Motion carried.

**TENTH ORDER OF BUSINESS: FINAL PLAT OF TURTLE LAKE HEIGHTS/ORVIS OLSON PROPERTY/CORMORANT TOWNSHIP.** There was discussion on the road designated in the Plat. There is a restrictive easement road presently in place on the Westerly side of the proposed lots. The plat designates that there is a strip along the Easterly boundary of the proposed lots which will be used for future road if ever more land adjoining the Easterly boundary is available for purchase. Marj Johnson made the Motion to approve the



RESOLUTION NO. EA 93 05 13  
Recycling Reports

WHEREAS, the Becker County Board of Commissioners have initiated and supported county-wide recycling programs; and,

WHEREAS, the Board needs data on tonnage of recyclables collected in the county in order to evaluate recycling programs; and,

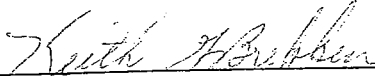
WHEREAS, the Minnesota Office of Waste Management requires Becker County to submit annual reporting forms that include data on recyclables collected county-wide;

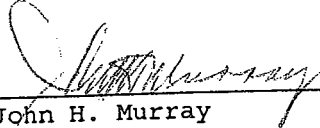
NOW, THEREFORE, BE IT RESOLVED by the Becker County Board of Commissioners to require all those that collect material for recycling (excluding single households and those delivering to a licensed commercial recycler in Becker County) to submit annual reports stating the tonnage collected of each material during a specified time period.

Dated at Detroit Lakes, Minnesota, this 25th day of May, 1993.

ATTEST:

BY THE COUNTY BOARD

  
Keith G. Brekken  
County Auditor

  
John H. Murray  
Chairman

Motion by Johnson, seconded by Mohs to raise the transfer station change fund to \$250.00. Carried.

A discussion was held on the potential purchase of a household hazardous waste collection trailer.

Motion by Johnson, seconded by Seal to table Resolution No. EA 93 04 14 until the figures are ready. Carried.

Recess called at 10:25 o'clock a.m. Meeting reconvened at 10:30 o'clock a.m.

Fred Kraft represented the Planning Commission.

FIRST ORDER OF BUSINESS of Planning Commission Minutes: Gordon Stangl/Basswood Lake. Application to establish a resort on Big Basswood Lake.

Pete Cannon spoke on behalf of the Chippewa Band against the Zoning Change. Mr. Swan spoke asking not to rezone. Steven Holt, architect for Mr. Stangl spoke and informed the Board that this was to be a naturalist type of resort. He spoke in favor of the rezoning. Motion by Johnson, seconded by Seal to table Item 1 until statements are received from tribal government and township officials. This will be tabled until June 22, 1993, meeting. Carried.

SECOND ORDER OF BUSINESS: Robert Roel/Guest House. Plan for guest house presented.

Motion by Mohs, seconded by Engebretson to table Item 2 until June 22, 1993. Carried.

THIRD ORDER OF BUSINESS: Randy Green. An application for a Conditional Use Permit to relocate approximately one hundred (100) yards of "fill" to a new area.

Motion by Johnson, seconded by Seal to approve the third order of business.  
ried.

FOURTH ORDER OF BUSINESS: Ron Conrad. An application for a Change of Zone from Agricultural to Residential and a Preliminary Plat has been filed.

FIFTH ORDER OF BUSINESS: Jeff Hagen. An application for a Conditional Use Permit for a garage 18 feet high.

SIXTH ORDER OF BUSINESS: Gary Thompson Diving Business. An application for a Conditional Use Permit to establish a scuba diving shop/business with retail sales as a home occupation.

SEVENTH ORDER OF BUSINESS: Vernon Hanson. An application for a Conditional Use Permit to construct a garage 16 feet 9 inches high.

NINTH ORDER OF BUSINESS: Charles Jensen Certificate of Surveys in Sections 13 and 24, Savannah Township. An application for Change of Zone from Agricultural to Residential and Certificate of Surveys has been filed.

TENTH ORDER OF BUSINESS: Final Plat of Turtle Lake Heights/Orvis Olson Property/ Cormorant Township. There was discussion on the road designated in the Plat. Final Plat as presented approved.

Motion by Engebretson, seconded by Seal to approve Items 4, 5, 6, 7, 9, and 10.  
ried.

EIGHTH ORDER OF BUSINESS: H. Hallikainen. An application for a Change of Zone to Industrial and a Conditional Use Permit to extract gravel and include rock crushing and washing.

Motion by Seal, seconded by Johnson to approve Item 8. Carried.

Motion by Engebretson, seconded by Mohs to remove the Mass Gathering Permit for Fest from the table. Carried.

Motion by Engebretson, seconded by Mohs to approve the Mass Gathering Permit for Fest. Carried.

Motion by Engebretson, seconded by Johnson to grant 100 percent homestead credit Parcel 49.1457.000 due to an error in the Treasurer's and Recorder's Offices.  
ried.

Motion by Engebretson, seconded by Johnson to approve the homestead abatements for Shannon L. and Mary C. Lewis; Myrtle Freed; Terry and Becky Niemi; Terry L. Maier; and Darwin E. and Arlen J. Huwe. Carried.

Motion by Engebretson, seconded by Johnson to approve the following abatements:

PARCEL	ORIGINAL	AMOUNT OF REDUCTION/ ADDITION	NEW TAX	REASON
James & Patricia Netland	\$114.00	\$76.00	\$38.00	Classification Error
Betty S. McDougall	416.00	68.00	348.00	Missed Split
Daniel C. & Cindy M. McDougall	0.00	+68.00	68.00	Missed Split

STATE OF MINNESOTA

397682

130154000  
BECKER COUNTY ZONING *cup 93*  
*Results*

COUNTY OF BECKER

PERMIT FOR USE

THIS IS TO CERTIFY THAT UNDER THE ZONING ORDINANCE OF BECKER  
COUNTY, PROPERTY DESCRIBED AS FOLLOWS MAY BE USED AS INDICATED:

ADDRESS OF PROPERTY: R.R. 2 MENAHGA, MN. GREEN VALLEY TOWNSHIP

ZONE: INDUSTRY

LEGAL DESCRIPTION:

EAST ONE-HALF (E $\frac{1}{2}$ ) OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$ ), SECTION TWENTY-  
SIX (26), TOWNSHIP 139, RANGE 36, GREEN VALLEY TOWNSHIP.

OWNER: HERMAN HALLIKAINEN

OWNERS ADDRESS: R.R. 2 BOX 205  
MENAHGA, MN. 56464

EXACT DESCRIPTION OF USE PERMITTED AND CONDITIONS:

THE REQUEST FOR A CONDITIONAL USE PERMIT TO EXTRACT GRAVEL AND  
TO INCLUDE ROCK CRUSHING AND WASHING ON THE PROPERTY DESCRIBED  
ABOVE HAS BEEN GRANTED SUBJECT TO THE FOLLOWING STIPULATION:  
ALL COUNTY AND STATE REGULATIONS WILL BE FOLLOWED REGARDING GRAVEL  
PITS AND EXCAVATION.

NOTICE: THIS USE MUST NOT BE CHANGED TO ANY OTHER USE WITHOUT A NEW PERMIT  
FROM THE ZONING ADMINISTRATOR.

APPROVED BY THE BECKER COUNTY PLANNING COMMISSION, DATE MAY 18, 19 93

APPROVED BY THE BECKER COUNTY BOARD OF COMMISSIONERS DATE MAY 25, 19 93

STATE OF MINNESOTA)

BECKER COUNTY ZONING OFFICE

COUNTY OF BECKER)

I, FLOYD SVENBY, ZONING ADMINISTRATOR FOR THE COUNTY OF BECKER, WITH  
AND IN FOR SAID COUNTY, DO HEREBY CERTIFY THAT I HAVE COMPARED THE FOREGOING  
COPY OF PERMIT FOR USE WITH THE ORIGINAL RECORD THEREOF PRESERVED IN MY OFFICE,  
AND HAVE FOUND THE SAME TO BE A CORRECT AND TRUE TRANSCRIPT OF THE WHOLE THEREOF.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY HAND AT DETROIT

LAKE, MINNESOTA, IN THE COUNTY OF BECKER ON THE 25 DAY OF MAY,  
19 93.  
BECKER COUNTY RECORDER  
STATE OF MINNESOTA

Charge \_\_\_\_\_  
Paid ☒ \_\_\_\_\_  
Numerical + \_\_\_\_\_  
Tract x \_\_\_\_\_  
Grantor \_\_\_\_\_  
Grantee mm mptinson  
Compared o \_\_\_\_\_  
Microfilm No. 397682  
Date JUN 28 1993 4:00 p.m.  
I hereby certify that the within instrument was recorded in the office of Becker  
County Recorder  
Dpty \_\_\_\_\_ Co. Recorder

FLOYD SVENBY  
BECKER COUNTY ZONING ADMINISTRATOR

DRAFTED BY THE BECKER COUNTY ZONING OFFICE



# Lease Agreement:

Nov. 26, 2019

Agreement between Howard's Driveway, Inc and Herman Hallikainen (land owner).

Howard's Driveway, Inc. agrees to pay \$1,000.00 per month lease on pit starting Dec.15, 2019. Herman agrees to allow lessee to put up asphalt plant onsite and store equipment, aggregate, recycled asphalt and any other materials needed. Howard's Driveway, Inc. agrees to pay royalty fee of \$ 1.25 per yard of material when it leaves the site. These payments will begin each year starting June 30 and continue monthly thru Nov 30 when final payment for the year will be made. Howard's Driveway, Inc. agrees Herman can crush/screen/sell material as he wants at any time. Herman agrees to keep the pit exclusive to Howard's Driveway, Inc. and will not allow another contractor into the pit as long as this agreement is in place. Herman will insure the property, Howard's Driveway, Inc. will insure everything we bring into the pit.

This agreement will continue for a period of ten years starting on Dec. 15 th 2019 and go thru Dec. 15<sup>th</sup> 2029.

If the aggregate reserves run out the lease will be terminated.

If the lease is not renewed by either party Howard's Driveway, Inc will have a period of 36 months to remove stockpiles

Acceptance of this agreement:

Herman Hallikainen:

Signature: Herman J. Hallikainen

Date: 12-6-19

Howard's Driveway, Inc.

Jeremy Howard, President

Signature: [Signature]

Date: 12-20-19

382489

No delinquent taxes and transfer entered; Certificate of Real Estate Value (✓) filed ( ) not required Certificate of Real Estate Value No. 985  
September 25, 1991

County Auditor

by

Deputy

STATE DEED TAX DUE HEREON: \$ 59.40

Date May 22, 1991

BECKER COUNTY RECORDER  
STATE OF MINNESOTA

Microfilm No. 382489

Date SEP. 26 1991 8:30 AM

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

M. M. Martinson  
Dpty Co. Recorder

BECKER COUNTY RECORDER

SEP. 26 1991

M. M. Martinson  
Dpty Co. Recorder

(reserved for recording data)

FOR VALUABLE CONSIDERATION, Ronald M. Torma and Mary Ann Torma,  
husband and wife (marital status), Grantor(s),

hereby convey (s) and warrant (s) to Herman Hallikainen, Grantee (s),

real property in Becker County, Minnesota, described as follows:

East Half of Northwest Quarter (E1/2 NW1/4), Section  
Twenty-six (26), Township One Hundred Thirty-nine (139),  
Range Thirty-six (36)

(if more space is needed, continue on back)

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

Mineral reservations and easements of record, if any.

SEP 25 1991  
BECKER COUNTY  
AFFIX DEED TAX STAMP HERE  
RITA A. TORMA

3976  
59.40

Ronald M. Torma  
Mary Ann Torma

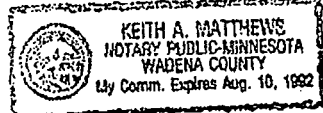
STATE OF MINNESOTA

COUNTY OF WADENA

ss.

The foregoing instrument was acknowledged before me this 20th day of September, 1991,  
by Ronald M. Torma and Mary Ann Torma, husband and wife, Grantor(s).

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)



Keith A. Matthews 8/10/92

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

THIS INSTRUMENT DRAFTED BY  
LUTHER P. NERVIG  
603 JEFFERSON STREET S.  
P.O. BOX 647  
WADENA, MINNESOTA 56482

Keith Matthews

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

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

Mr. Herman Hallikainen  
Route 2  
Menahga, MN 56464

Charge

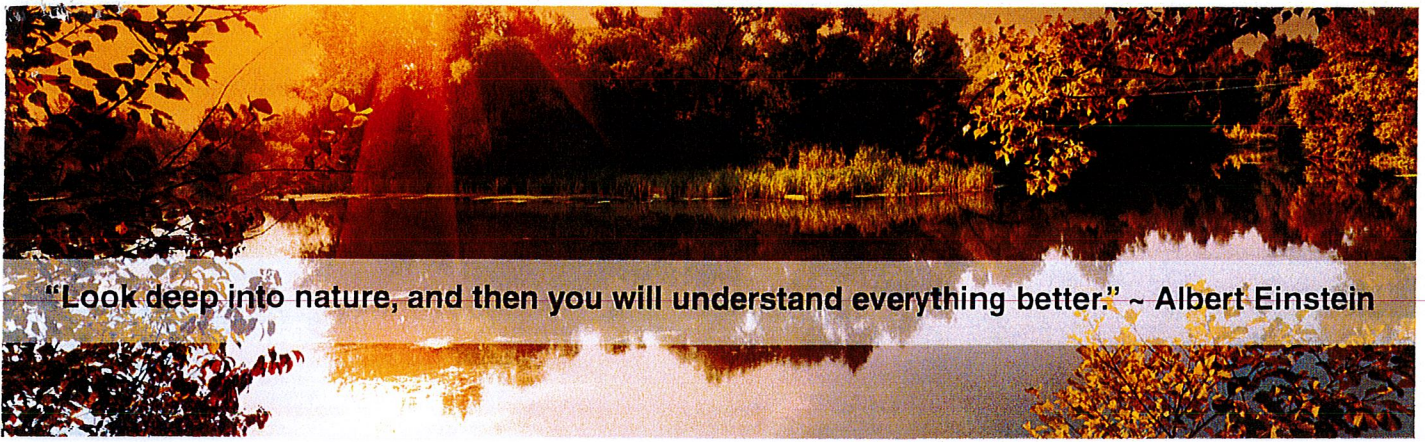
✓ Paid ✓  
Numerical ✓  
Tract ✓  
Grantor ✓  
Grantee ✓  
Compared ✓

1st Nat'l - Menahga

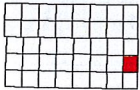








"Look deep into nature, and then you will understand everything better." ~ Albert Einstein

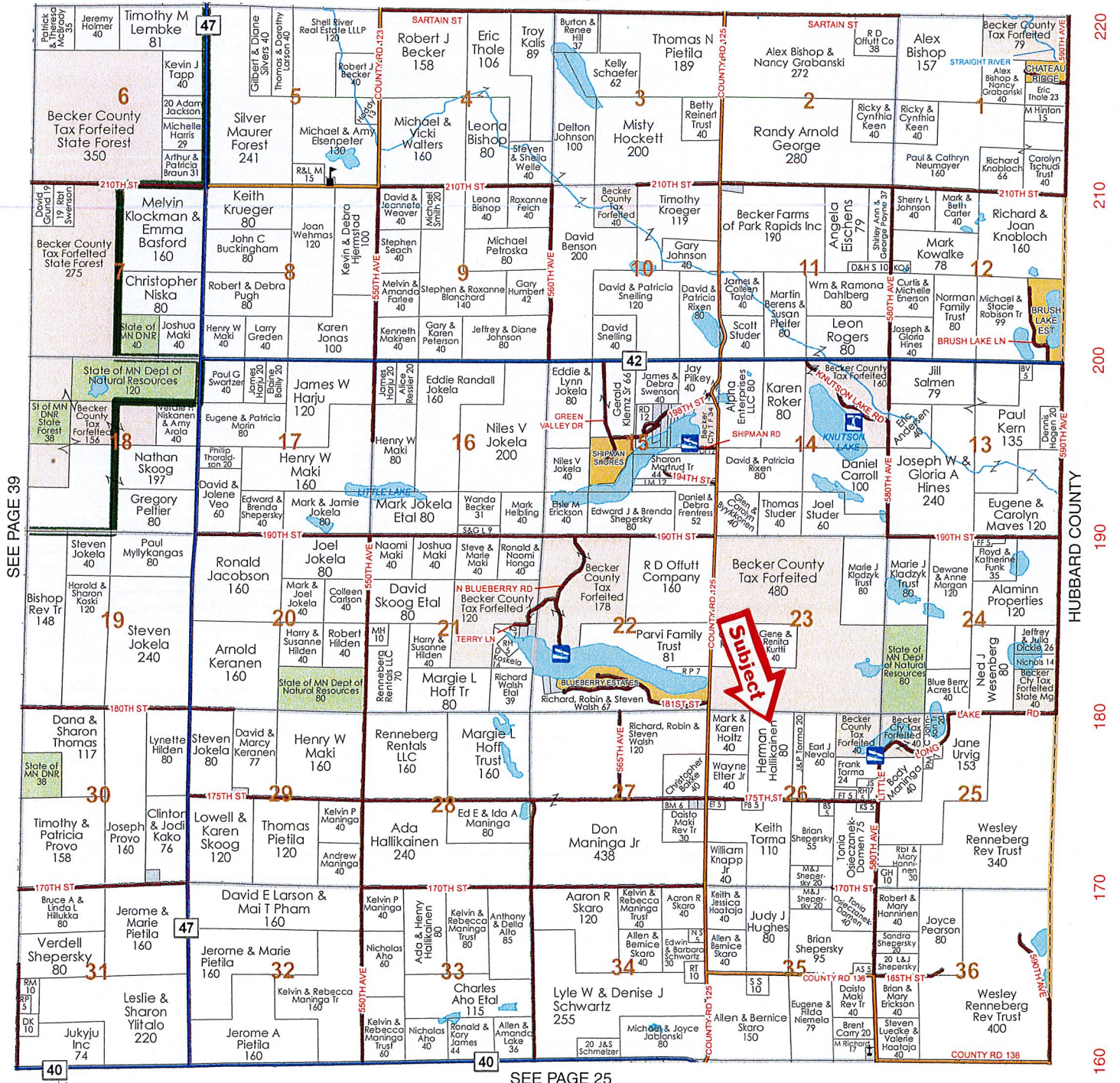


Green Valley

Township 139N - Range 36W

Copyright © 2016 Mapping Solutions

SEE PAGE 57







# 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, Feb 11<sup>th</sup>, 2020 @ 7:00 P.M.

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

APPLICANT: Justin Elliott  
Po Box 126  
Aubrey, TX 76227

PROJECT LOCATION: 24033 Co Hwy 13  
Audubon, MN 56511

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Conditional Use Permit for an animal cremation business.

#### LEGAL LAND DESCRIPTION: Tax ID number: 14.0108.001

Section 22 Township 140 Range 042; PT SW1/4 OF SW1/4 BEG AT SW COR TH N 454.40' E 584.64' S TO S LN & W TO BEG, Hamden 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 Review

Permit # CUP2020-8

### Property and Owner Review

Owner: <b>JUSTIN ELLIOTT</b>	Parcel Number(s): <b>140108001 N/a</b>
Mailing Address: <b>JUSTIN ELLIOTT</b> <b>PO BOX 126</b> <b>AUBREY TX 76227</b>	Site Address: <b>24033 CO HWY 13</b>
	Township-S/T/R: <b>HAMDEN-22/140/042</b>
	Shoreland? <b>No</b> Name:
Legal Descr: <b>PT SW1/4 OF SW1/4 BEG AT SW COR TH N 454.40' E 584.64' S TO S LN &amp; W TO BEG</b>	

### Conditional Use Details Review

Description of Conditional Use Request: **Animal cremation business**

1. Describe how the conditional use permit, if granted, will not harm the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

**There is no noise to it, also no visibility from road.**

2. Describe how establishing the conditional use will not impede the normal, orderly development and improvement of surrounding vacant property for uses predominant in the area.

**It's a fully contained furnace it has no effect to surround areas.**

3. Describe how adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

**Property is already up to par no changes necessary.**

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

**The building sits off the road far enough with plenty of space for vehicles and trucks to park and move around.**

5. Describe how 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.

**The stack of the furnace will be over the peak of the building away from any trees. The unit is fully contained it makes no noise or odors.**

Additional shoreland questions below (if applicable)

6a. Describe how adequate measures have been or will be taken to assure that soil erosion or other possible pollution of public waters will be prevented, both during and after construction.

6b. What measures have been taken to assure that the visibility of structures and other facilities as viewed from public waters will be limited.

6c. What measures have been taken to assure that the site is adequate for water supply and on-site sewage treatment.

6d. Describe how the types, uses and number of watercrafts that the project will generate can be safely accommodated.

### Business Plan Review

Name of Business: **Forever In Our Hearts**

Business Owners: **Stevie Jo Elliot**

Business Type: **Service** If 'Other', explain:

Type of Merchandise:

Type of Service: **Animal cremation**

Hours and Days of Operation: **Monday- Friday 8am-5pm**

Number of Employees: **1**

Off-Street Parking Plan: **Available parking in front of building**



Size of structure to be used for Business: **Located in a 40'x60' barn, 34'x15' is remodeled into an appropriate business structure.**

New or Existing: **Existing Structure**

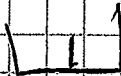
Signage Plan: **Have a 5'x6' sign located on the side of driveway pointed at the road.**

Exterior Lighting Plan: **Yard light and building frontage light**

Known Environmental Hazards: **None**

Additional Business Plan Information: **Building an office in side the barn to run the business out of.**

N



Quarantine

Barn  
40x60

Business

Arena  
60x80

Jail  
House

S

Wood  
Burial

Septic  
Tank

Septic  
Tank

House

Garage

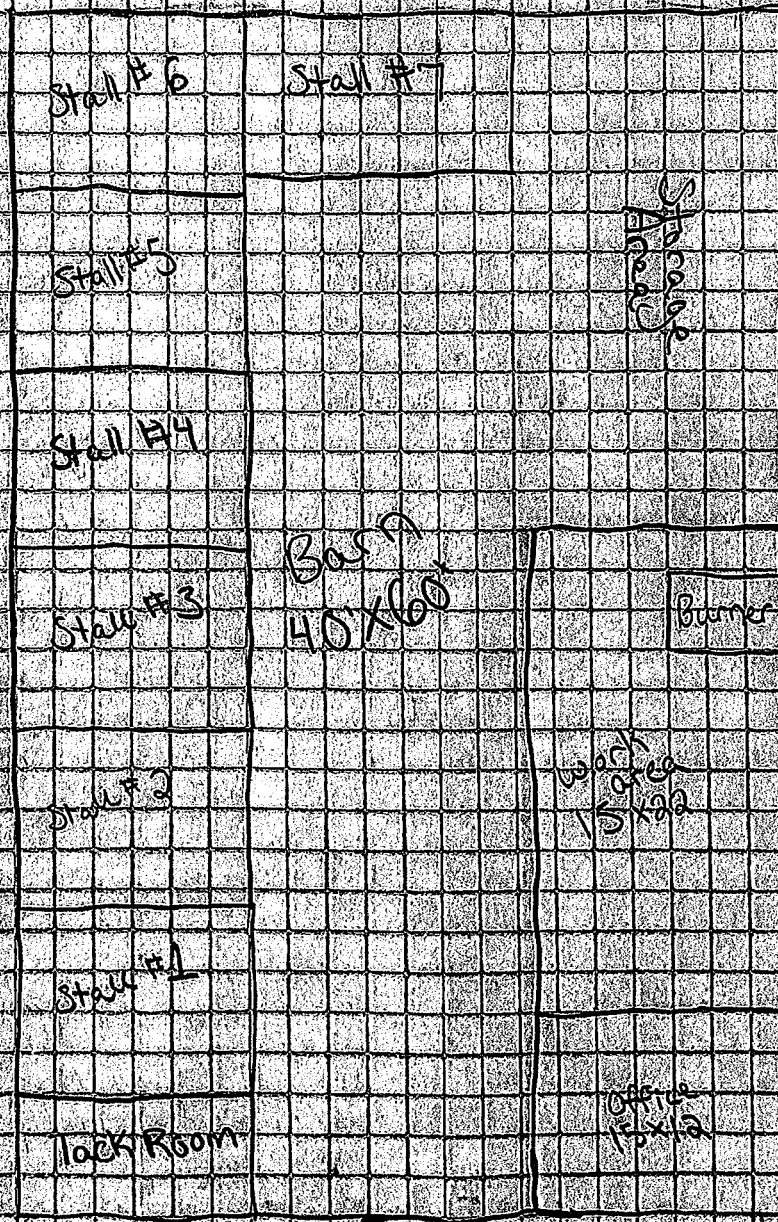
Box

W

Co Hwy 13

N

W



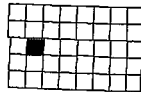
28' x 40' x 22'  
Parking Area





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.

1:4,514	Date: 1/22/2020
---------	-----------------



Hamden

Township 140N - Range 42W

Copyright © 2016 Mapping Solutions

SEE PAGE 61

SEE PAGE 63

