



# COUNTY OF BECKER

## *Planning and Zoning*

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

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### PLANNING COMMISSION NOTICE OF PUBLIC HEARING \*\*HEARING DATE AND LOCATION\*\*

May 12th, 2020 @ 7:00 P.M.

**\*\* Virtual Hearing Conducted via Microsoft Teams Meeting\*\***  
Detroit Lakes, MN 56501

APPLICANT: Jane L Eklund TTEE  
PO Box 702  
Hawley, MN 56549

Project Location: 12146 Tanglewood Rd  
Audubon, MN 56511

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Conditional Use Permit to replace a retaining wall.

LEGAL LAND DESCRIPTION: Tax ID number: 17.0684.000

Gilbertson Beach 1<sup>st</sup>, Lot 7; Section 19 Township 138 Range 042; Lake Eunice Township.

#### REFER TO BECKER COUNTY ZONING ORDINANCE

**\*\* In response to the COVID-19 public health emergency declared by Governor Walz, the May Planning Commission Hearing will be conducted via Microsoft Teams Meeting as allowed under Minnesota Statutes, Section 13D.021. To join the Microsoft Teams Meeting by phone please dial +1 763-496-5929 and use conference ID: 333 981 687# or to access the meeting virtually please follow the link provided on the Becker County website under News & Announcements, "Planning Commission Public Hearing Link".**

#### Replies/Comments:

Public testimony regarding this application will only be received by email, in writing, or by participating in the remote public hearing. 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

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

To view all application information on this project please visit:

[http://www.co.becker.mn.us/government/meetings/planning\\_zoning/planning\\_commission/](http://www.co.becker.mn.us/government/meetings/planning_zoning/planning_commission/)

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 Review

Permit # CUP2020-11

### Property and Owner Review

Owner: JANE L EKLUND REVOCABLE LIVING TRUST	Parcel Number(s): 170684000
Mailing Address: JANE L EKLUND REVOCABLE LIVING TRUST PO BOX 702 HAWLEY MN 56549	Site Address: 12146 TANGLEWOOD RD
	Township-S/T/R: LAKE EUNICE-19/138/042
	Shoreland? Yes Name: Little Cormorant (Lake Eunice & Audubon) [RD]
Legal Descr: GILBERTSON BEACH 1ST LOT 7	

### Conditional Use Details Review

Description of Conditional Use Request: **Replacing Timber wall with Belgard Retaining wall block to help with future erosion problems.**

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.

**All work will be done during business hours Monday thru Friday 7am-5:30pm.**

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.

**Replace current landscaping with a more effected erosion control plan and to increase height of size of existing landscaping to prevent views of neighboring lots.**

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

**use of silt fence along the top of Rip Rap and any disturbed soil areas**

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.

**All parking and materials will be staged within the property lines**

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.

**All equipment will follow OSHA and current industry standards and safety program in place.**

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.

**Silt fence will be place along the top Rip Rap and along the property lines for erosion and will be placed until any disturbed soil area have established.**

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

**Not changing what is already existing and keeping the same height and size with different material to help with erosion issues in the future.**

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

**All public and private Utilities will mark before project begins.**

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

**N/A**

### Business Plan Review

Name of Business:

Business Owners:

Business Type: If 'Other', explain:

Type of Merchandise:
Type of Service:
Hours and Days of Operation:
Number of Employees:
Off-Street Parking Plan:
Size of structure to be used for Business: New or Existing:
Signage Plan:
Exterior Lighting Plan:
Known Environmental Hazards:
Additional Business Plan Information:

**Field Review Form****Permit # LALT2020-48****Property and Owner**

Parcel Number: <b>170684000</b>	Site Address: <b>12146 TANGLEWOOD RD</b>
Owner: <b>JANE L EKLUND REVOCABLE LIVING TRUST</b>	Township-S/T/R: <b>LAKE EUNICE-19/138/042</b>

**Project Details**

Project Start & End Date: <b>5/4/2020-5/22/2020</b>	Distance from OHW: <b>40ft</b>
Proj 1 Type: <b>Retaining Wall (Requires an Approved Conditional Use Permit - Must submit CUP application along with land alteration application)</b>	Proj 1 Purpose: <b>Other (Please specify next)</b>
Proj 1 Type Descr: <b>Will be replacing rotting Timber wall with Belgard Retaining wall block, and taking out one existing stair system, and replacing one stair system with Belgard Landscape landing units.</b>	Proj 1 Purpose Descr: <b>Purpose of this replacement is to remove all failing timber wall.</b>

Inspector Notes (Project 1):

Proj 2 Type:	Proj 2 Purpose: <b>Other (Please explain next)</b>
Proj 2 Type Descr: <b>Paver Area on top of Retaining wall (260s.f.)</b>	Proj 2 Purpose Descr: <b>Allow for property owner to have a better view of the lake without blocking the view with trees.100ft x</b>

Inspector Notes (Project 2):

**Additional Details/Erosion Control**

Area to be Cut/Excavated: <b>100ft x 2ft x 4ft</b>	Area to be Filled/Leveled: <b>100ft x 2ft x 4ft</b>
Total Cubic Yards of Earthmoving: <b>29</b>	Fill Type/Material: <b>Black dirt</b>
Project Summary and/or Additional Projects & Information: <b>Replacing failing/rotting timber wall with Belgard Retaining wall block, and Belgard landscape landing units for steps, and adding a 260 sq. ft. paver patio area on top of Retaining wall.</b>	

Erosion Control Method (1): <b>Other (Please specify next)</b>	Erosion Control Method (2):
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Additional Erosion Control Information: **Replacing failing/rotting timber wall with Belgard Retaining wall block, and Belgard landscape landing units for steps, and adding a 260 sq. ft. paver patio area on top of Retaining wall.**

Inspector Notes (Earthmoving and Erosion Control):





**BECKER COUNTY PLANNING & ZONING  
ENVIRONMENTAL REVIEW TECHNICAL PANEL  
(ERTP) APPLICATION FOR RETAINING WALLS**

915 LAKE AVE, DETROIT LAKES, MN 56502-0787  
PHONE (218) 846-7314 - FAX (218) 846-7266

PARCEL	
APP	ERTP
YEAR	

The Planning & Zoning Department and the Environmental Review Panel will hold a pre-application meeting with Applicants regarding conceptual plans submitted for retaining wall requests. The request should include any proposed projects that will be located within the shore impact zone of any Lake, River or Stream. The process is to review the project plans and conduct a site visit prior to submittal of a formal application to the Planning & Zoning Department. If the ERTTP recommends approval to proceed, the Applicant may proceed with the public hearing process.

*Prior to the pre-application meeting, an applicant should provide the following information about the project:*

1. Contact Name and Phone Number: Brian Cooksey 218.850.3874
2. Property Owners Name: Jane Eklund
3. Parcel Number: 170684000
4. Legal Description: Section 19 township 138 Range 042 Gilbertson beach 1st lot 7
5. Section 19 Township 138 Range 042
6. Lake Name: Cormorant lake Lake Classification
7. Length of shoreline in Project: 65ft
8. Is the proposal to replace an existing retaining wall? Yes ☒ No ☐
9. Length and Height of existing retaining wall: 100ft length by 4ft height
10. To construct a new retaining wall or expand an existing? New ☒ Expand ☐
11. Length and Height of new or expansion requested: 100ft length by 4ft height
12. Is there any existing rip rap along the shoreline? Yes ☒ No ☐
13. Distance work will be from the Ordinary High Water Mark 30ft
14. Amount of cubic yards of earth movement requested: 10 cubic yards
15. Are emergent aquatic plants found along shoreline? NO
16. Does the site have any wetlands and/or low areas? Yes ☐ No ☒
17. Are any springs or seeps present? no
18. Does the site contain any steep slopes? no Are there any bluffs present? no
19. Do any parties involved in this application have any ownership interest in, or options on, other properties in the vicinity of the project? NO

**Brief description of request:**

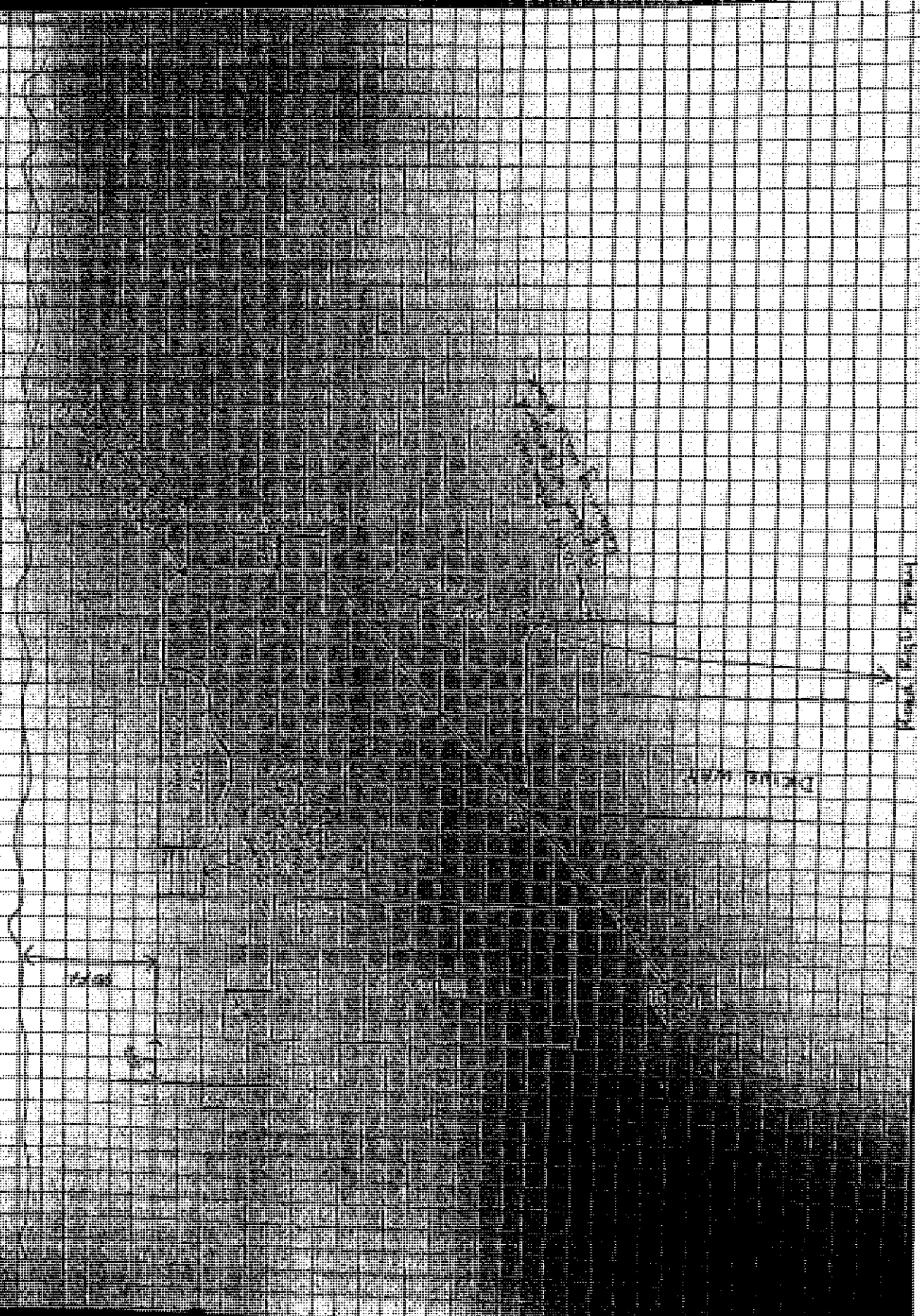
Replace existing Timber wall with Belgard Retaining Wall block to help with future erosion problem that is currently happening with rotting timber wall.

*(more information on back)*

Large Island Property  
in the neighborhood of  
Bridgman, P.M.

1/2

1/2

































E-51

# GILBERTSON BEACH FIRST ADDITION

BEING THE FIRST ADDITION TO THE BEACH FRONT OF THE BEACHFRONT PLATTED AND KNOWN AS "GILBERTSON BEACH" THOSE BEING SOUTH 20° 15' WEST 167.3 FEET AND ALONG THE SOUTHWEST CORNER OF SAID BEACHFRONT BEING A POINT ON THE ABOVE LINE OF GOVERNMENT LOTS; THOSE BEING ALONG THE ABOVE LINE OF GOVERNMENT LOTS BY THE FOLLOWING: (5) CORNERS, VIZ: NORTH 60° 21' EAST 290.0 FEET SOUTH 70° 47' EAST 60.0 FEET SOUTH 50° 30' EAST 60.0 FEET, SOUTH 30° 29' EAST 300.0 FEET AND SOUTH 50° 21' EAST 250.0 FEET THOSE BEING NORTH 30° 24' EAST 112.4 FEET THOSE BEING NORTH 30° 29' EAST 20.0 FEET TO THE POINT OF BEGINNING AND THOSE BEING TERMINATING

Beginning at a point which bears North 80° 40' East 62.4 feet and North 30° 29' East 300.0 feet from Meander Corner numbered 15 (Corner on South line of Tract 1, S21 25 of said Section 19) thence South 20° 29' West 300.0 feet thence North 30° 24' East 300.0 feet thence North 30° 29' East 112.4 feet to the point of beginning and thence terminating

IN WITNESS WHEREOF, we have caused this plat to be signed this 2nd day of April, A. D. 1956.

*Robert L. Gilbertson*  
Vice President  
*Edward J. Gilbertson*  
President  
*Edward J. Gilbertson*  
Secretary

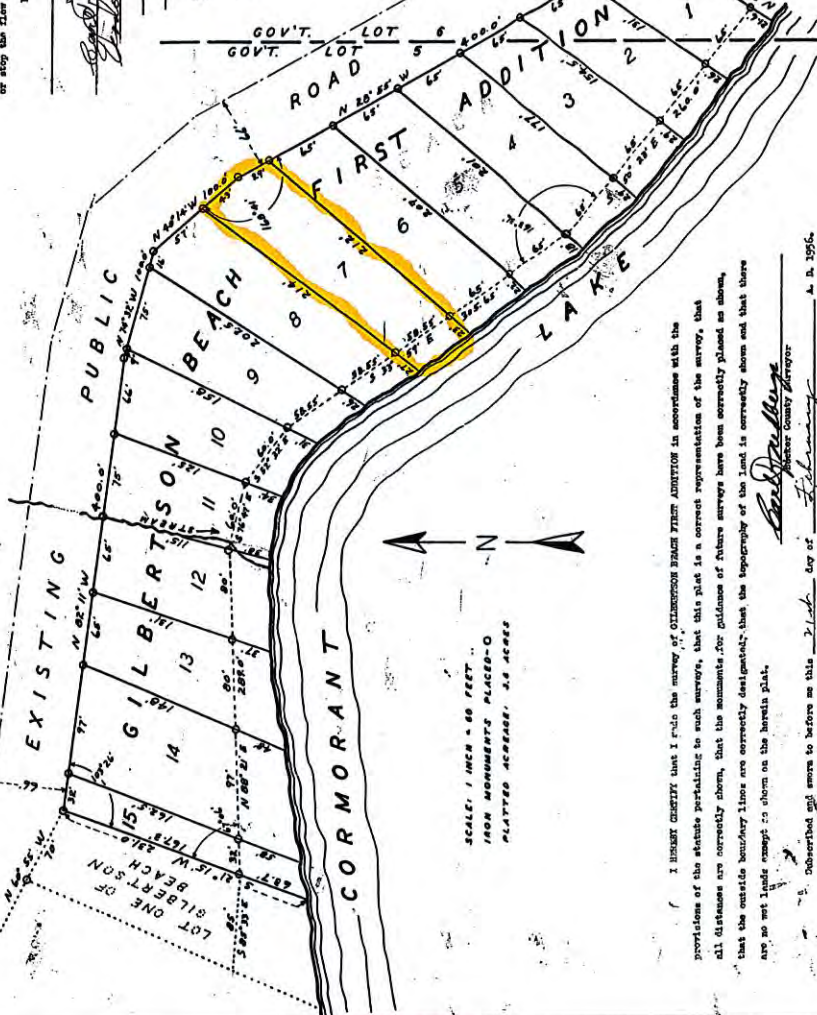
On this 2nd day of April, A. D. 1956, before me, Deputy County Auditor, in and for said County, personally appeared Major Gilbertson, also known as Robert L. Gilbertson, and Florence Gilbertson, husband and wife, and Gilbert Gilbertson, also known as Gilbert L. Gilbertson, and Viola Gilbertson, husband and wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

*Alvin J. Gilbertson*  
DEPUTY COUNTY AUDITOR  
HICKORY COUNTY, MINN.  
The annexed plat is hereby approved by the Board of Commissioners of Hickory County, Minnesota, this 4th day of April, A. D. 1956.

*Arthur J. Gilbertson*  
Chairman of County Board  
COUNTY CLERK  
COUNTY CLERK  
COUNTY CLERK

206109  
COUNTY OF HICKORY, MINN.  
COUNTY CLERK  
COUNTY CLERK  
COUNTY CLERK

SECTION 19 T 138 N R 42 W  
SECTION 30 T 138 N R 42 W  
MEANDER CORNER 15  
MEANDER CORNER 16



I HEREBY CERTIFY that I file the survey of GILBERTSON BEACH FIRST ADDITION in accordance with the provisions of the statute pertaining to such surveys, that this plat is a correct representation of the survey, that all distances are correctly shown, that the monuments for guidance of future surveys have been correctly placed as shown, that the outside boundary lines are correctly designated, that the topography of the land is correctly shown and that there are no mistakes except to show on the heretofore plat.

*Edward J. Gilbertson*  
Major County Auditor  
A. D. 1956  
*Alvin J. Gilbertson*  
Deputy County Auditor  
A. D. 1956

## Authorized Agent Form

(If you are the owner completing & signing the site application no need to complete this 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), Jane Eklund hereby authorize Brian Cooksey to act  
(landowner-print name) (agent-print name)  
as my (our) agent on the following item(s): appropriate box(es)

- ☒ permit application (write in permit "type" - e.g. site, septic, etc.): Land Alteration Permit, Conditional Use Permit  
☐ plat application \_\_\_\_\_  
☐ conditional use application \_\_\_\_\_  
☐ variance application \_\_\_\_\_  
☐ other: \_\_\_\_\_

On my (our) property located at:  
Tax Parcel Number(s): 17068460 Physical Site Address: 12416 Tanglewood Rd, Ardmore, MN 56511  
Legal Description: Section 19 Township 130 Range 042 Gilberton Beach 1st Lot 7  
Section: 19 Township: 130 Range: 042 Lot: 7 Block: \_\_\_\_\_ Plat Name: \_\_\_\_\_

### Agent Contact Information

Agent address: 49026 245th Ave Pelican Rapids MN 56572  
Street City State Zip Code  
Agent phone # (s): 218-863-7125 Agent fax #: cell 218-860-3874  
Agent email address: Brian.Cooksey@kelleyslandscaping.com

Jane Eklund 3/4/2020  
Property Owner(s) Signature(s) Date

Notary Public Seal

Notary Public Seal

Subscribed and sworn to before me personally appeared Jane L. Eklund

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

that s/he/they executed the same as her/his/their act and deed.

Notary Public



Brenda J. Haskins  
Notary Public

Notary Public

Notary Public

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



646741

BECKER COUNTY RECORDER  
STATE OF MINNESOTA  
**Document No. 646741**

November 9, 2017 at 2:07 PM  
I hereby certify that the within  
instrument was recorded in this office.  
Patricia Swenson, County Recorder  
By MN Deputy

No delinquent taxes and transfer entered  
this 9th day of Nov, 2017

Mary Erickson  
Becker County Auditor/Treasurer

By [Signature] Deputy

17.0684.000

**QUIT CLAIM DEED**  
Individual(s) to Individual(s)

Minnesota Uniform Conveyancing Blanks  
Form 10.3.1 (2016)

eCRV number: \_\_\_\_\_

DEED TAX DUE: \$ 1.65

DATE: November 2, 2017  
(month/day/year)

FOR VALUABLE CONSIDERATION, Jane L. Eklund, a single person, whose post office address is 1042 Hartford Street,  
(insert name and marital status of each Grantor)

PO Box 702, Hawley, MN 56549 ("Grantor"),

hereby conveys and quitclaims to Jane L. Eklund Revocable Living Trust, whose post office address is 1042 Hartford Street,  
(insert name of each Grantee)

PO Box 702, Hawley, MN 56549 ("Grantee"), as

(Check only one box.)

- ☐ tenants in common,  
☐ joint tenants,

(if more than one Grantee is named above and either no box is checked or both boxes are checked,  
this conveyance is made to the named Grantees as tenants in common.)

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

LOT NUMBERED SEVEN (7), . . . . . GILBERTSON BEACH FIRST ADDITION, according to the Certified Plat thereof on  
file and of record in the office of the County Recorder in and for Becker County, Minnesota.

AND

A PERPETUAL AND PERMANENT EASEMENT for roadway purposes over and across the following described tract:  
A 20.00 foot wide easement for ingress and egress purposes over, under and across part of Government Lot 5 of Section 19,  
Township 138 North, Range 42 West of the 5th P.M. in Becker County, Minnesota, and over, under and across part of a  
Dedicated Public Road as dedicated in the plat of GILBERTSON BEACH, said plat is on file and of record in the office of the  
Recorder of said County. The Northwestern line of said 20.00 foot wide ingress and egress easement is described as follows:  
Beginning at an iron monument which designates the most northerly corner of Lot 7 of GILBERTSON BEACH FIRST ADDITION,  
said plat is on file and of record in the office of the Recorder of said County; thence northeasterly on an extension of the lot line  
common of Lots 7 and 8 of said GILBERTSON BEACH FIRST ADDITION to the centerline of an existing public road known as  
Tanglewood Road and said line there terminates. The southeasterly line of said 20.00 foot wide ingress and egress easement  
shall be prolonged or shortened to terminate on the northeasterly line of said Lot 7 and on the centerline of said Tanglewood  
Road.

**BECKER COUNTY DEED TAX**

AMT. PD. \$ 1.65  
Receipt # 667573  
Becker County Auditor/Treasurer

Check here if all or part of the described real property is Registered (Torrens) ☐

together with all hereditaments and appurtenances belonging thereto.

Total consideration for this transfer is \$500.00 or less.

chg  
paid  
well

## Check applicable box:

- ☐ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: \_\_\_\_\_.)
- ☒ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

North Dakota  
State of Minnesota, County of Cass

Grantor

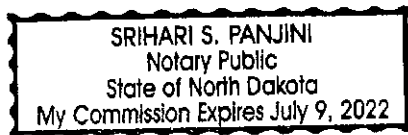
Jane L. Eklund  
(signature) Jane L. Eklund

(signature)

This instrument was acknowledged before me on November 2, 2017, by Jane L. Eklund, a single person  
(month/day/year)

(insert name and marital status of each Grantor)

(Stamp)



(signature of notarial officer)

Title (and Rank): \_\_\_\_\_

My commission expires: \_\_\_\_\_  
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:  
(insert name and address)

To: Panjini Law Offices, PLLC  
300 Main Avenue  
Suite 100  
Fargo, ND 58103

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

(insert legal name and residential or business address of Grantee)

Jane L. Eklund Revocable Living Trust  
PO Box 702  
Hawley MN 56549





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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

1:1,128	Date: 4/15/2020
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Becker County



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



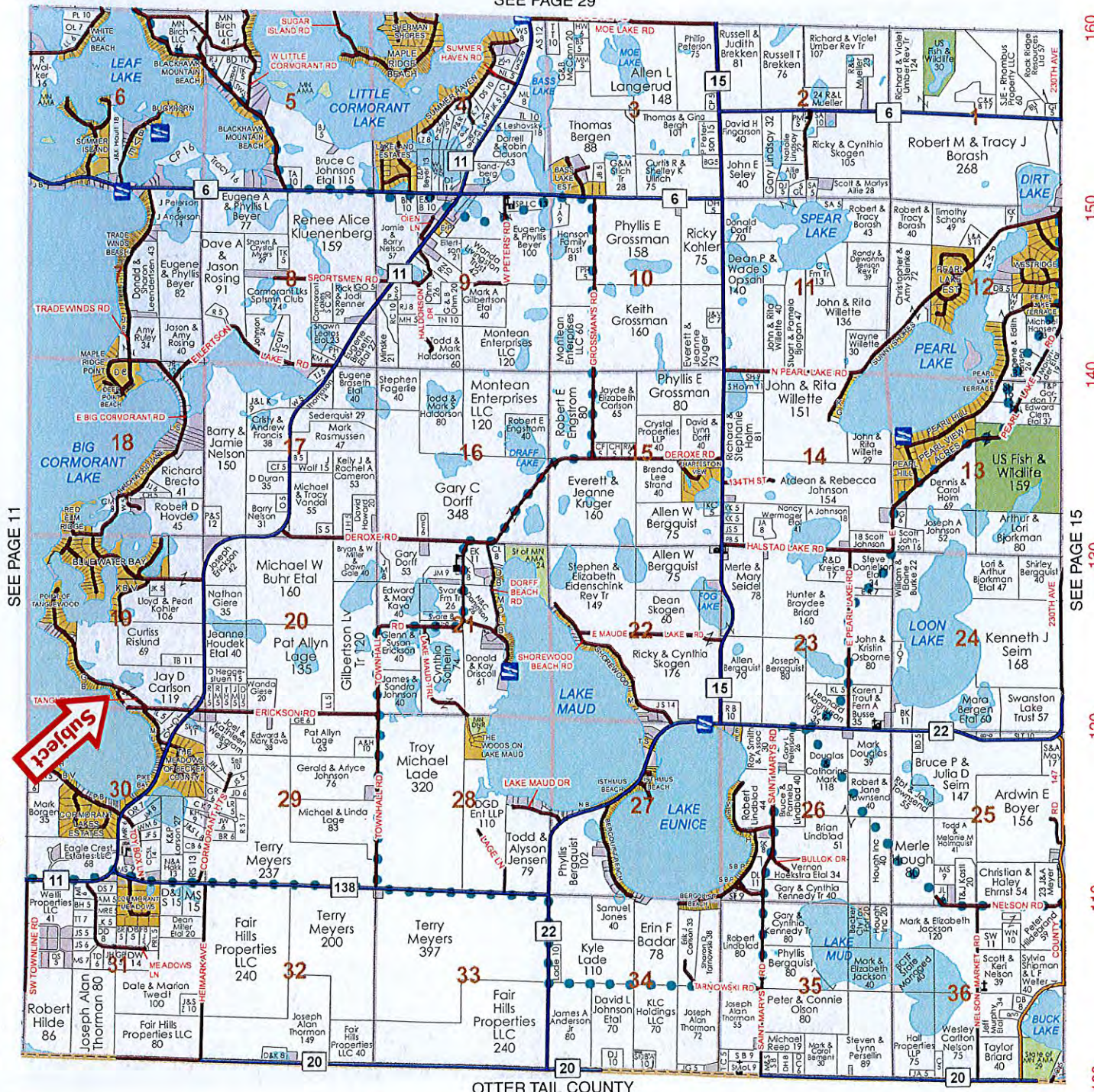


Lake Eunice

Township 138N - Range 42W

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SEE PAGE 29







# COUNTY OF BECKER

## *Planning and Zoning*

915 Lake Ave, Detroit Lakes, MN 56501

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

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### PLANNING COMMISSION NOTICE OF PUBLIC HEARING

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

May 12th, 2020 @ 7:00 P.M.

**\*\* VIRTUAL HEARING CONDUCTED VIA MICROSOFT TEAMS MEETING \*\***

APPLICANT: Richard Blauert ET AL,  
Steven & Shellene J Blauert  
18820 Blauert Rd  
Frazee, MN 56544

Project Location: 18757 Blauert Rd  
Frazee, MN 56544

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Conditional Use Permit for an apple orchard; selling apples and a variety of items related to the orchard.

LEGAL LAND DESCRIPTION: Tax ID number: **33.0171.000** Section 19 Township 139 Range 038; E1/2 SE1/4 NE1/4. Tax ID number: **33.0171.002** Section 19 Township 139 Range 038; SW1/4 SE1/4 NE1/4. Tax ID number: **33.0168.000** Section 19 Township 139 Range 038; N1/2 of SE1/4.

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Replies may be addressed to:

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

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

To view all application information on this project please visit:

[http://www.co.becker.mn.us/government/meetings/planning\\_zoning/planning\\_commission/](http://www.co.becker.mn.us/government/meetings/planning_zoning/planning_commission/)

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 Review

Permit # CUP2020-10

### Property and Owner Review

Owner: RICHARD BLAUERT	Parcel Number(s): 330171000 33.0168.000 & 33.0171.002
Mailing Address: RICHARD BLAUERT 18820 BLAUERT RD FRAZEE MN 56544	Site Address: 18757 BLAUERT RD
	Township-S/T/R: TOAD LAKE-19/139/038
	Shoreland? Yes Name: Mud (Toad Lake) [NE Tier 2] Toad River
Legal Descr: E1/2 SE1/4 NE1/4	

### Conditional Use Details Review

Description of Conditional Use Request: **For the purpose of opening a pick your own apple orchard. We will be selling apples and a variety of items related to the orchard**

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 apple orchard will have no effect on other properties or businesses in the area. The orchard will be a small, seasonal business. It will only open to the public in the fall for a short time period. This business will not have any negative impact on the property values in the area.**

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.

**There are no vacant properties in the area. The orchard is located in rural Toad Lake Township.**

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

**The orchard is located on Blauert Road which is a township road. It is maintained by Toad Lake Township. No new roads or development will be required.**

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.

**All parking will be on the property. We have designated parking areas at the orchard for customer vehicles.**

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 orchard will not produce an offensive odors, fumes, noise, or vibration. The orchard will only be open during daylight hours. There will be no lighted signs or additional lights added to the property. We are researching the Becker County Highway Department Dust Control Program in the event dust becomes an issue. We do not expect dust to be a problem, but we intend to be prepared if it does.**

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.

**We don't expect to experience any soil erosion or pollution of public waters. We will not be doing any type of field work(plowing, tilling, etc.) at the orchard. We are not doing any 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.

**There will be a very limited view of the buildings from the public water. There is very limited access to the public waters. The property is covered with trees that also limit the view from the water.**

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

**Since this is a seasonal business we will be providing portable restroom facilities and handwashing stations for customers. We have been in contact with the Department of Agriculture to help facilitate these needs.**

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

**NO Watercraft.**

### **Business Plan Review**

Name of Business: **Toad Lake Apple Orchard**

Business Owners: **Richard L. Blauert, Tina Blauert, Steve Blauert, Shelly Blauert**

Business Type: **Retail Sales** If 'Other', explain:

Type of Merchandise: **Produce, Baked Goods, Apparel, Concessions**

Type of Service:

Hours and Days of Operation: **Friday-Sunday 8:00 AM -5:00 PM or by appointment during the season. The orchard is a seasonal business. We will only be open to the public from August-October.**

Number of Employees: **4 - Family Members**

Off-Street Parking Plan: **We will have designated parking areas for customers at the orchard.**

Size of structure to be used for Business: **Barn - 30' x 60' Retail store - 12' x 16'**

New or Existing: **Existing Structure**

Signage Plan: **Signage will be placed where permissible. 35 square foot sign will be placed with permission at the end of the township road on neighboring property for visibility. This was discussed with Kyle in the zoning office.**

Exterior Lighting Plan: **The orchard will only be open for business during daylight hours. No exterior lighting is needed except the existing yard light.**

Known Environmental Hazards: **No**

Additional Business Plan Information: **See attached.**

#### Overview:

We are a family owned, pick your own/retail apple orchard.

#### Mission:

Provide fresh, healthy produce to our customers in a safe family friendly environment.

#### Goals:

- 1) Grow a variety of apples that will appeal to a wide range of customers to provide consistent sales.
- 2) Provide a space that will give families a place to have of outdoor fun and togetherness.
- 3) Accomplish the above goals while making enough of a profit to be able to sustain and grow the orchard for years to come.

#### Background:

We started visiting established orchards throughout the state of MN to determine what would work in our area and for us. We researched the varieties of the apple trees and their root stocks along with the zones and their maturity schedules through the UofM Extension Office, MAGA, and other growers. Through this process, we decided the orchard would be a great fit for our area, land, and future life plans. After the initial visits, we deepened our research into the details.

#### Things observed-

##### Large orchards-

Large quantities, varieties of apples, grapes, plums, raspberries, pumpkins, corn maze, hayrides, kiddie rides, food stands, large retail stands, photo opportunities, animal petting stands, play gyms, 3 station apple blaster.

##### Small orchards-

Smaller quantities, varieties of apples, pumpkins, corn maze, hayride, straw bales, small retail, photo opportunities, play area, apple blaster, chickens, \*weekend festivity- Food vendor, petting area, etc.

#### TOAD LAKE APPLE ORCHARD-The Vision

Our original plan was semi-dwarf trees. We decided to go with high density to be able to provide more trees for the orchard and leave more open space for wildlife. The orchard will have hayrides, a corn maze, children's game and play areas, apple blaster (fun for all ages!), and photo opportunities. We will also have a special weekend festival one time a season when we will have food vendors, a petting zoo area, and other special fall activities planned.

Our plantings were broken down into 5 phases over 8 years, with an anticipated soft opening the fall of 2020. The orchard season will run from August through October, Friday-Sunday 9-5 or by appointment. We will be offering fresh and frozen bakery items (Cottage License) for sale along with our apples. Pumpkins and gourds will also be available.

Apple Varieties/Season (Early – Aug/Sept, Mid – Sept, Late – Sept/Oct)

Zestar – Early

Sweet Tango – Early

First Kiss – Early

Wolf River – Early/Mid

Chestnut Crab – Mid

Sweet Sixteen – Mid

Honey Crisp – Mid

Haralson – Late

Plums

Pears

Organizational Matters:

Business Structure- Corporation

Management Team:

President – Richard Blauert

Vice President – Steven Blauert

Secretary – Shelly Blauert

Treasurer – Tina Blauert

Marketing Plan:

Website

Social Media –

Facebook

Instagram

Twitter

Flyers/Personal Contacts – Schools, Churches, Daycares, Sr. Centers, Organizations,  
Photographers

Word of Mouth



- Toad Lake Apple Orchard
- 1-North Orchard
  - 2-South Orchard
  - 3-Parking
  - 4-Handicap Parking overflow Parki
  - 5-storage
  - 6-Retail Sales





566251

BECKER COUNTY RECORDER  
STATE OF MINNESOTA  
**Document No. 566251**

February 20, 2009 at 10:21 AM  
I hereby certify that the within  
instrument was recorded in this office.  
Darlene Maneval, County Recorder  
By SKS Deputy

No delinquent taxes and transfer entered  
this 20th day of Feb, 2009

Rynn L. Tangen  
Becker County Auditor/Treasurer  
By JB Deputy

33-0171-000 } Revision  
33-0171-002 }

### CORRECTIVE WARRANTY DEED

Individual to Joint Tenants

STATE DEED TAX  
DUE HEREON: \$1.65

Dated: February 3, 2009

★

FOR VALUABLE CONSIDERATION, ARNOLD R. BLAUERT and MILDRED E. BLAUERT, husband and wife, Grantors, hereby convey and warrant to STEVEN BLAUERT and SHELENE JOHNSON BLAUERT, as joint tenants, Grantees, real property in Becker County, Minnesota, described as follows:

The Southwest Quarter of the Southeast Quarter of the Northeast Quarter (SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of NE $\frac{1}{4}$ ) located in Section Nineteen (19), Township One Hundred Thirty-nine (139) North of Range Thirty-eight (38) West of the Fifth Principal Meridian.

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: Easements, restrictions, reservations and covenants of record.

BECKER COUNTY DEED TAX  
AMT. PD. \$ 1.65  
Receipt # 412299  
Becker County Auditor/Treasurer

Arnold R. Blauert SR.  
Arnold R. Blauert

Mildred E. Blauert  
Mildred E. Blauert

chg  
paid  
well  
non/std  
extra

STATE OF MINNESOTA                    )  
  ) ss.  
COUNTY OF BECKER                    )

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of February, 2009,  
by ARNOLD R. BLAUERT and MILDRED E. BLAUERT, husband and wife, Grantors.



Tarin Ladwig  
Notary Public

1-31-2010

THE SELLER CERTIFIES THAT SELLER DOES NOT KNOW  
OF ANY WELLS ON THE ABOVE-DESCRIBED REAL PROPERTY.

The purpose of this deed is to correct the legal description on the warranty deed recorded  
on June 24 2008, as Document No. 559851.

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

Steven & Shellene Blauert  
18820 Blauert Road  
Frazee, MN 56544

To: This instrument was drafted by:  
**PEMBERTON, SORLIE, RUFER & KERSHNER, P.L.L.P.**  
903 Washington Avenue, P.O. Box 1409  
Detroit Lakes, Minnesota 56502  
Telephone: 218-847-4858

LAP:tlj  
2008-7110.666

606569

**CERTIFICATE OF REAL ESTATE VALUE FILED #9211**

No delinquent taxes and transfer entered this 9th day of April, 2013

Ryan L. Tangen  
Becker County Auditor/Treasurer

By [Signature] Deputy

33-0171-000

BECKER COUNTY RECORDER  
STATE OF MINNESOTA  
**Document No. 606569**

April 9, 2013 at 11:16 AM

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

Darlene Maneval, County Recorder

By SKS Deputy

**WARRANTY DEED**

STATE DEED TAX DUE HEREON: \$118.80

Date: April 5, 2013

FOR VALUABLE CONSIDERATION, the Grantors, **Arnold R. Blauert and Mildred E. Blauert, husband and wife**, hereby convey and warrant to the Grantees, **Richard Blauert, Tina R. Blauert, and Tyler Blauert, as joint tenants**, real property in **Becker County, Minnesota**, described as follows:

**The East Half of the Southeast Quarter of the Northeast Quarter (E ½ SE ¼ NE ¼) of Section Nineteen (19), Township One Hundred thirty-nine (139), Range thirty-eight (38), Becker County, Minnesota.**

**TOGETHER WITH an easement for roadway purposes on, over and across the presently existing driveway crossing the SE 1/4 of NE 1/4.**

**PN: 33.0171.000**

Grantors herein reserve a Life Estate in and to said real estate.

Together with all hereditaments and appurtenances belonging thereto; subject to the following exceptions: Easements, restrictions, and reservations of record, if any.

\_\_\_\_ The Grantor(s) certify that the Grantor(s) does/do not know of any wells located on the described real estate.

\_\_\_\_ A Well Disclosure Certificate accompanies this document.

☒ The Grantor(s) certify that the status and number of well(s) on the described real estate has not changed since the last previously filed Well Disclosure Certificate.

Arnold R. Blauert Sr.  
Arnold R. Blauert

Mildred E. Blauert  
Mildred E. Blauert

BECKER COUNTY DEED TAX  
AMT. PD. \$ 118.80  
Receipt # 529819  
Becker County Auditor/Treasurer

chg  
paid  
well  
non/std  
extra

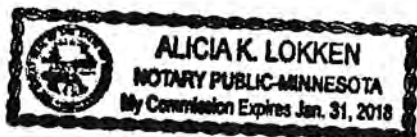
MTCA



STATE OF MINNESOTA )  
 ) SS.  
COUNTY OF BECKER )

The undersigned Notary Public does hereby certify that **Arnold R. Blauert and Mildred E. Blauert, husband and wife**, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 5<sup>th</sup> day of April, 2013.



Alicia K. Lokken  
Notary Public  
My commission expires: 1.31.18

Mail tax statements to: C/O Steve Blauert  
Richard Blauert, Tina R. Blauert, and Tyler Blauert  
18820 Blauert Rd  
Frazee MN 56544

This document prepared by:  
Minnesota Title & Closing Company  
819 Washington Avenue  
Detroit Lakes, MN 56501  
Telephone: (218) 847-1297

## QUIT CLAIM DEED

387758

Form No. 29-M

Individual(s) to Joint Tenants

No delinquent taxes and transfer entered;  
 Certificate of Real Estate Value ( ) filed;  
 (✓) not required  
 Certificate of Real Estate Value No. \_\_\_\_\_

BECKER COUNTY RECORDER  
STATE OF MINNESOTA

Microfilm No. 387758

Date MAY 11 1992 4:00 P.M.

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

County Recorder

Dpty. M. M. Martinson Co. Recorder

Surveyors Sketch (✓) not required  
 ( ) Used Survey Book \_\_\_\_\_ Page \_\_\_\_\_

(reserved for recording data)

May 11 1992  
 Keith B. Brekken  
 County Auditor

By M. M. Martinson Deputy  
 Parcel # 33-0168-000 split

STATE DEED TAX PERSON: \$ 1.85

Date: April 14 1992

FOR VALUABLE CONSIDERATION, Anna S. Blauert, aka Anna Seraphine Blauert,  
 a widow and not remarried

(marital status)

hereby conveys and quitclaims to Arnold R. Blauert and Mildred E. Blauert,

Grantees as

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

The Northeast Quarter of the Southeast Quarter (NE1/4 of SE1/4) and  
 the Southeast Quarter of the Northeast Quarter (SE1/4 of NE1/4) and  
 the Northwest Quarter of the Southeast Quarter (NW1/4 of SE1/4) of  
 Section Nineteen (19), Township One Hundred thirty-nine (139),  
 Range thirty-eight (38).

Less the following described tract:

That portion of the Southeast Quarter of the Northeast Quarter  
 (SE1/4 NE1/4) of Section Nineteen (19), Township One hundred  
 thirty-nine (139) North of Range Thirty-eight (38) West of the 5th  
 P.M., described as follows:

Beginning at the Northeast corner of said SE1/4 of NE1/4; thence  
 Westerly on and along the Northerly boundary line of the said SE1/4  
 NE1/4 a distance of 475 feet to a point; thence Southerly and  
 parallel to the Easterly line of the said SE1/4 of NE1/4 to the  
 Southerly boundary line of the said SE1/4 of NE1/4; thence Easterly  
 on and along the said Southerly boundary line a distance of 475  
 feet, more or less, to the Southeasterly corner of the said SE1/4  
 of NE1/4; thence Northerly on and along the Easterly boundary of  
 the said SE1/4 of NE1/4 to the point of beginning and there  
 terminating. ALSO an easement for roadway purposes on, over and  
 across the presently existing driveway crossing the SE1/4 of NE1/4.

RESERVING A LIFE ESTATE TO THE GRANTOR HEREIN IN THE SOUTHEAST  
QUARTER OF THE NORTHEAST QUARTER EXCEPT THAT PORTION EXCEPTED  
ABOVE.

together with all hereditaments and appurtenances belonging thereto.

MAY 11 1992  
RITA A. THOMPSON, CO TREAS

RECEIPT # 5120

BECKER COUNTY

AFFIX DEED TAX STAMP HERE

AMT. PD. \$ 1.65

MAY 11 1992

Anna S. Blauert  
Anna S. Blauert, aka Anna  
Seraphine Blauert

STATE OF MINNESOTA )  
COUNTY OF BECKER ) ss.

APR 19 1992 The foregoing instrument was acknowledged before me this 14 day of  
April, 19 92, by Anna S. Blauert, aka Anna Seraphine Blauert,  
a widow and not remarried, Grantor.

Notarial Stamp or Seal  
(or other title or rank)



LINDA C. HUNT  
NOTARY PUBLIC - MINNESOTA  
BECKER COUNTY  
My Commission Expires Aug. 17, 1995

Linda C. Hunt August 17, 1995

Linda C. Hunt  
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):

THIS INSTRUMENT WAS DRAFTED BY:  
(Name and Address)  
HUMMEL LAW FIRM  
910 Lincoln Avenue  
P.O. Box 743  
Detroit Lakes, MN 56501  
LCH/tll

40 Arnold R. and Mildred E. Blauert  
RR 1 Box 171  
Frazee, MN 56544

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

I hereby certify that taxes for the  
year 1992 on the lands described  
within are paid in full  
Rita A. Thompson Co. Treas.  
MH Deputy

Charge  
Paid ☒  
Numerical ☒  
Tract ☒  
Grantor ☒  
Grantee ☒  
Compared ☒





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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.		Becker County	
		Date: 4/15/2020	
		1:9,028	
		This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	







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.

1:36,112	
Date: 4/15/2020	



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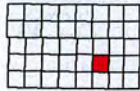
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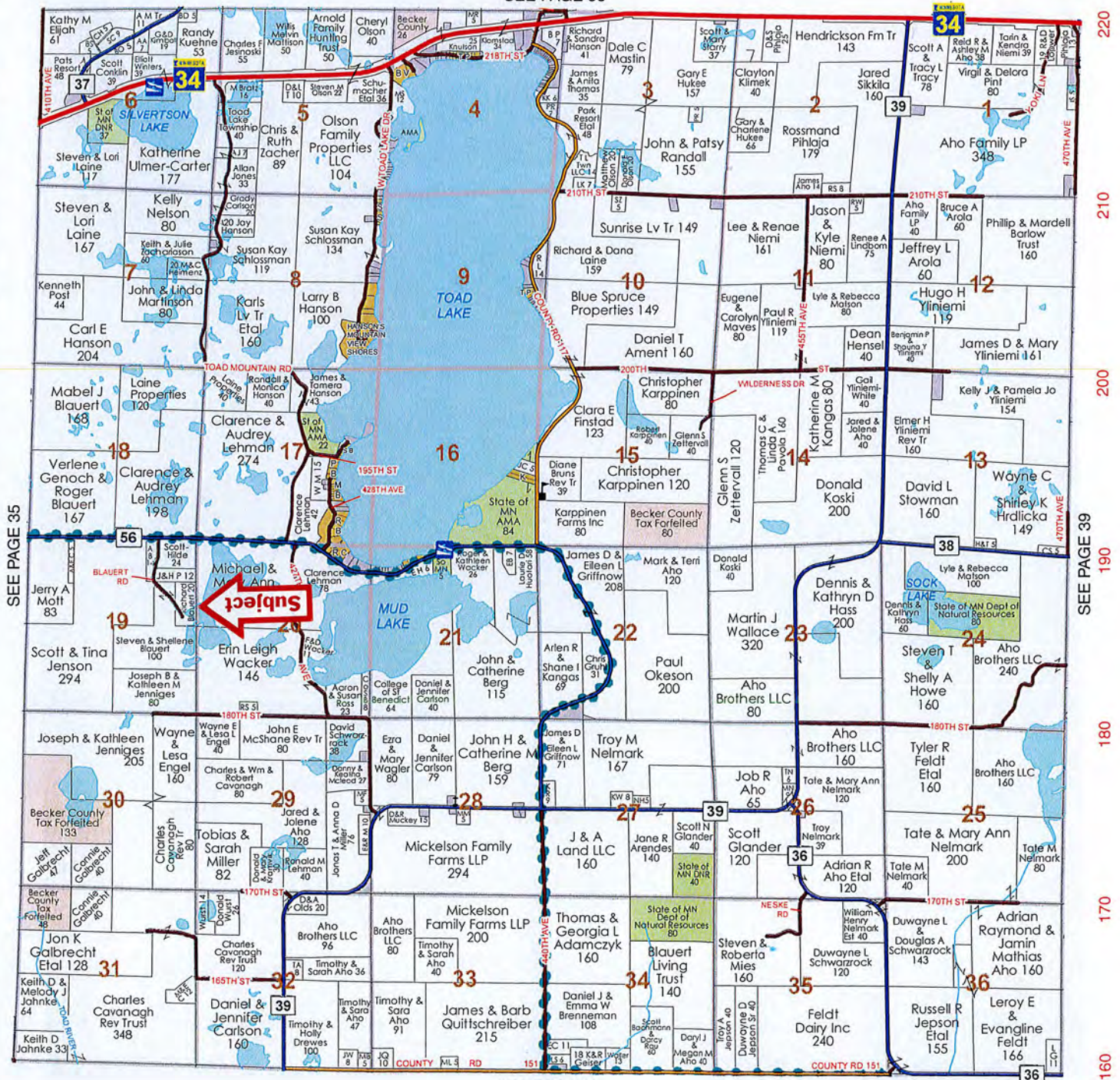


Toad Lake

Township 139N - Range 38W

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SEE PAGE 53







# 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\*\***

May 12th, 2020 @ 7:00 P.M.

**\*\* VIRTUAL HEARING CONDUCTED VIA MICROSOFT TEAMS MEETING\*\***

APPLICANT: Schlauderaff Family Revocable  
Living Trust  
229 Oak St  
Detroit Lakes, MN 56501

Project Location: 24014 Wine Lake Rd  
Detroit Lakes, MN 56501

#### APPLICATION AND DESCRIPTION OF PROJECT:

Request a Conditional Use Permit to strip topsoil and extract subsoil.

LEGAL LAND DESCRIPTION: Tax ID number: **08.0319.000** Section 20 Township 139 Range 041; 20-139-41 Govt Lot 5. PT govt Lot 6 Less 10.5AC. PT W1/2 NW1/4 N & W of LN: Comm W Qtr Cor Sec, E 1325.64', N 1455.07' to POB; W 19.85', S 1134.03', W 1289.7' to W LN Sec and Term. Tax ID Number: **08.0512.000** Section 29 Township 139 Range 041; N1/2 of NW1/4 N of RWY Less PT Govt Lot 1 & PT NE1/4 NW1/4 W of New Wine Lk Rd.

#### REFER TO BECKER COUNTY ZONING ORDINANCE

**\*\* In response to the COVID-19 public health emergency declared by Governor Walz, the May Planning Commission Hearing will be conducted via Microsoft Teams Meeting as allowed under Minnesota Statutes, Section 13D.021. To join the Microsoft Teams Meeting by phone please dial +1 763-496-5929 and use conference ID: 333 981 687# or to access the meeting virtually please follow the link provided on the Becker County website under News & Announcements, "Planning Commission Public Hearing Link".**

#### Replies/Comments:

Public testimony regarding this application will only be received by email, in writing, or by participating in the remote public hearing. 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

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

To view all application information on this project please visit:

[http://www.co.becker.mn.us/government/meetings/planning\\_zoning/planning\\_commission/](http://www.co.becker.mn.us/government/meetings/planning_zoning/planning_commission/)

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 Review

Permit # CUP2020-12

### Property and Owner Review

Owner: SCHLAUDERAFF FAMILY REVOCABLE LIVING TRUST	Parcel Number(s): 080319000 080512000
Mailing Address: SCHLAUDERAFF FAMILY REVOCABLE LIVING TRUST 229 OAK ST DETROIT LAKES MN 56501	Site Address: 24014 WINE LAKE RD Township-S/T/R: DETROIT-20/139/041 Shoreland? Yes Name: Brandy (Detroit) [NE Tier 2] NA
Legal Descr: 20-139-41 GOVT LOT 5. PT GOVT LOT 6 LESS 10.5AC. PT W1/2 NW1/4 N & W OF LN: COMM W QTR COR SEC, E 1325.64', N 1455.07' TO POB; W 19.85', S 1134.03', W 1289.7' TO W LN SEC AND TERM.	

### Conditional Use Details Review

Description of Conditional Use Request: **Remove sand type subsoil for construction of Detroit Lakes - Becker County Airport.**

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.

**Currently, proposed extraction area is a hill in cultivated field. We proposed to remove hill, and restore removal area to agrarian state after removal. Property will not be diminish value, because grades will be less, making area less erosive and prone to topsoil loss.**

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.

**Area is currently used for crop farming. There is possibility that land could be used as residential in the future. This work will not affect that future use.**

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

**Access road will be US Hwy 10 to Wine Lake Road. Wine Lake Road will be utilized for .65 miles. Detroit Township has been contacted and have no contest with export activity on their road. However, they will require repair for damage done due to such activity. No other facilities will be required for proposed use.**

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.

**No parking will be required. Equipment will remain in extraction area throughout. All export trucks will be parked at Hough, Inc. shop in non-extraction times.**

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.

**No nuisances are anticipated. Dust control will be maintained throughout with water and/or water+dust control solution. Tracking on Wine Lake Road, if any, will be removed ASAP.**

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.

**Machine silt fence will be installed prior to any activity. Once silt fence is installed, in-place topsoil will be stripped toward silt fence and placed in a berm configuration parallel to silt fence. Once in place, berm will be seeded with quick germinating annual grain. A sediment tracking pad will be placed at entrance to site.**

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

**This project does not include installation of any permanent structures.**

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

**No water supply or sewage treatment will be required for work under this request.**



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

**No watercraft will be involved through this project.**

### **Business Plan Review**

Name of Business:

Business Owners:

Business Type: If 'Other', explain:

Type of Merchandise:

Type of Service:

Hours and Days of Operation:

Number of Employees:

Off-Street Parking Plan:

Size of structure to be used for Business:

New or Existing:

Signage Plan:

Exterior Lighting Plan:

Known Environmental Hazards:

Additional Business Plan Information:

**Field Review Form****Permit # LALT2020-58****Property and Owner**Parcel Number: **080512000**

Site Address:

Owner: **SCHLAUDERAFF FAMILY REVOCABLE  
LIVING TRUST**Township-S/T/R: **DETROIT-29/139/041****Project Details**Project Start & End Date: **5/25/2020-12/31/2020**Distance from OHW: **150**Proj 1 Type: **Other (Please explain next)**Proj 1 Purpose: **Other (Please specify next)**Proj 1 Type Descr:  
**Land Alteration / Gravel Extraction**Proj 1 Purpose Descr: **Re-Construction of Detroit  
Lakes - Becker County Airport**

Inspector Notes (Project 1):

Proj 2 Type:

Proj 2 Purpose:

Proj 2 Type Descr:

Proj 2 Purpose Descr:

Inspector Notes (Project 2):

**Additional Details/Erosion Control**Area to be Cut/Excavated: **748,153 SF (Total Cut/Fill  
Area)**Area to be Filled/Leveled: **748,153 SF (Total Cut/Fill  
Area)**Total Cubic Yards of Earthmoving: **100,000.00**Fill Type/Material: **NA**

Project Summary and/or Additional Projects &amp; Information:

Erosion Control Method (1): **Other (Please specify  
next)**Erosion Control Method (2): **Other (Please specify  
next)**

Additional Erosion Control Information:

Inspector Notes (Earthmoving and Erosion Control):

## MINING PLAN

### a. Vicinity Map

- 1 *Property boundaries:*  
**Boundaries are illustrated on exhibit.**
- 2 *Location and names of all streams and roads on or within three hundred feet (300') of the project site:* Wine Lake Rd.  
**Brandy Lake is located +/- 150' North of Extraction Limit**
- 3 *Location of structures on or adjacent to the site, identifying the purpose of each:*  
**There are no structures adjacent to proposed mining area.**
- 4 *Boundaries of previous excavations on property.*  
**Not aware of any other excavation operations.**
- 5 *Location and description of proposed mining site boundary stakes with the permanent reference point described.*  
**North side is bounded by Brandy Lake, East side is property line, South side is limited by Wine Lake Road ROW and West side is marked with wood stakes.**

### b. Operations Plan

- 1 *Land use:*  
**Current land use is crop production agriculture.**
- 2 *Material:*  
**Approximately 100,000 CY sand and gravel subsoil is planned to be mined.**
- 3 *Groundwater:*  
**Groundwater is located over 5' below bottom of planned excavation.**
- 4 *Method of extraction:*  
**Open type mining is planned. Topsoil and immediate subsoils will be stripped to top of sand and gravel deposit. Sand and gravel will be excavated with combination of crawler excavator type backhoe and crawler dozer.**
- 5 *Timetable:*  
**Mining operations would commence immediately and continue to December 2020. Hours of operation would typically be from dawn to dark.**
- 6 *Topsoil management:*  
**All existing topsoil would be pushed to North, West and East outer**

perimeter of planned mining area. Furthermore, all "B" horizon loam soils would also be salvaged prior to mining. Upon completion of mining, mining area would be graded to drain, followed by installation of salvaged loam and topsoil.

7 *Erosion control plan:*

Silt fence will be installed around down gradient perimeter. Furthermore, topsoil berm (discussed in item no.6) will be seeded with annual grain for added stabilization.

8 *Screening plan:*

Given planned extraction duration, screening should not be necessary.

9 *Noise control:*

No additional noise is anticipated.

10 *Dust control:*

No dust should affect neighboring properties. However, dust control; by means of surface watering, etc. will be used during mined material export.

11 *Pollution control:*

Pollution risk shouldn't be any greater than agricultural, since equipment utilized is similar in nature. However, petroleum booms, etc. are kept onsite for rapid fluid uptake if discharge occurs. No tanks, chemical sheds, etc. will be stored onsite.

12 *Haul routes:*

Ingress and egress from site will typically be US Hwy.10 to Wine Lake Road. Detroit Township has been consulted. They are agreeable as long as any damage, due to export operations, is repaired at no cost to Township.

c. *Site and Staging Plan*

- 1 *Site plan drawing and description of the sequention stages of the mining activity. The drawing shall show the location of the planned staged boundary locations and extent of the mining site.*

Volume Report is provided Site and Staging Plan. Mining will progress from West (low end) to East (high end) in one stage/phase.

- 2 *The plan is to include, but not be limited to, mining refuse dumps, sediment and/or wash ponds and sediment basins.*

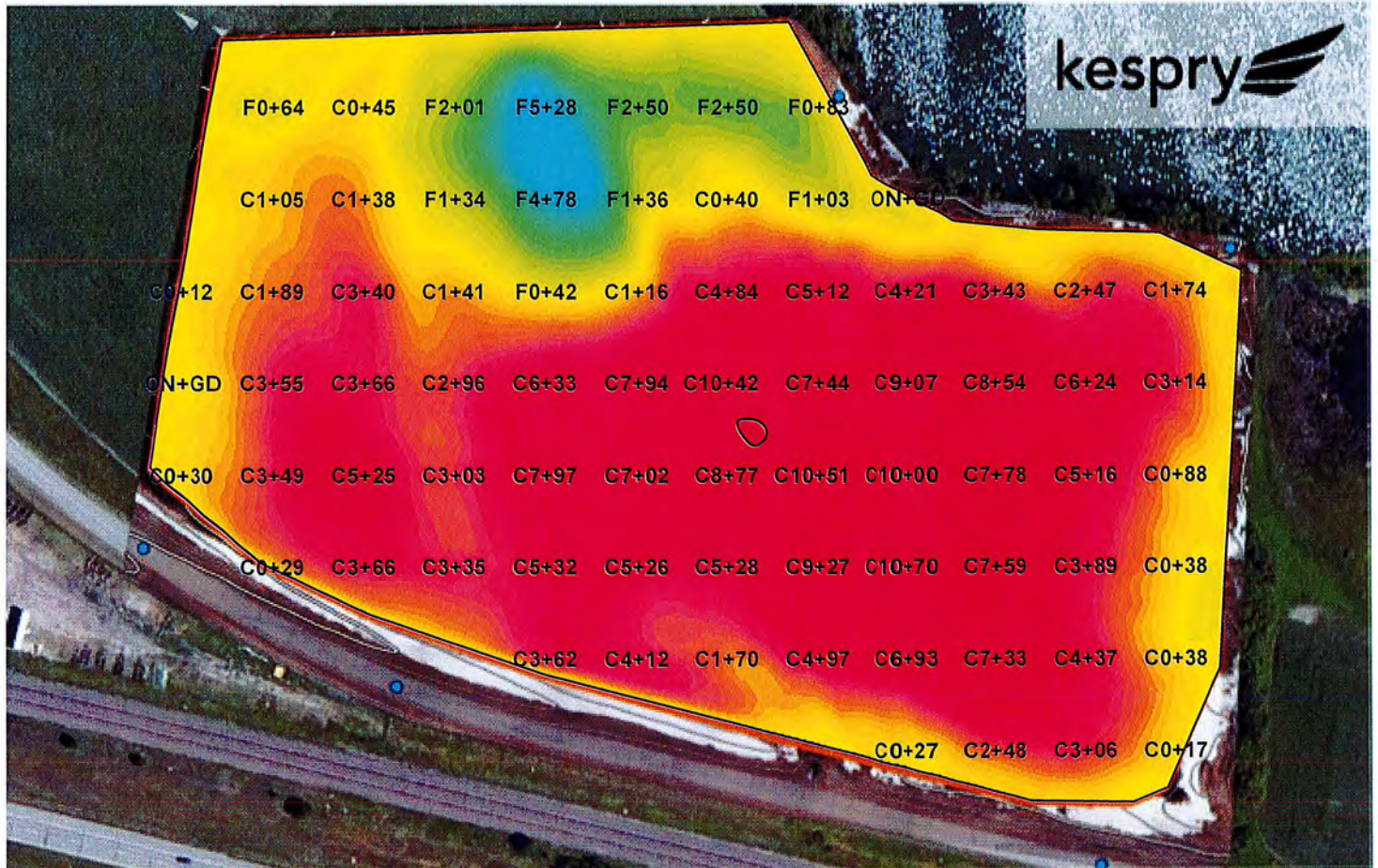
No refuse dumping will take place on site. Furthermore, no wash ponds or sediment basins will be necessary for planned operations.

- 3 *Estimated total volume of materials to be extracted by phase.*



Volume Report  
 Design vs. Existing

			Area		Volume		Comp/Ratio		Compact		Export	Change
	Total	Cut	Fill	OnGrade	Cut	Fill	Cut	Fill	Cut	Fill	-Import	Per .1 Ft
Lowel Schlauderaff Site	748,153	590,800	129,554	27,799	97,852	8,714	1.00	1.00	97,852	8,714	89,138	2,771







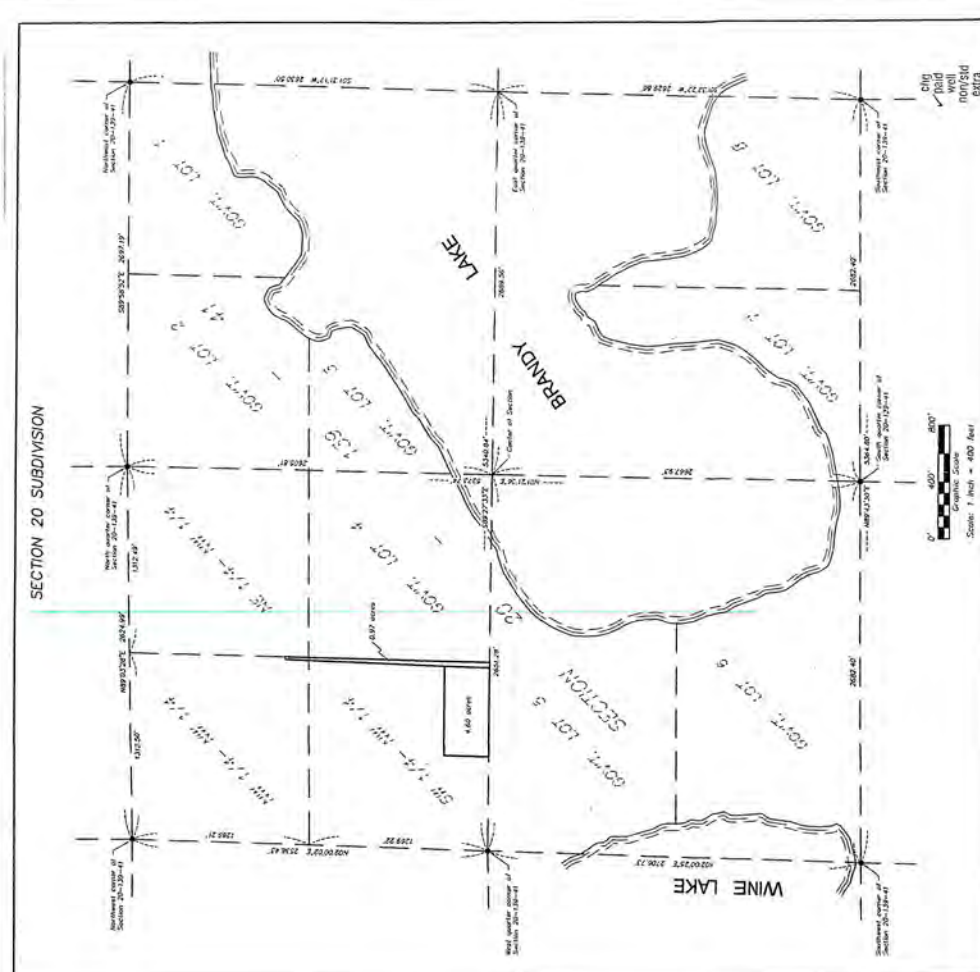
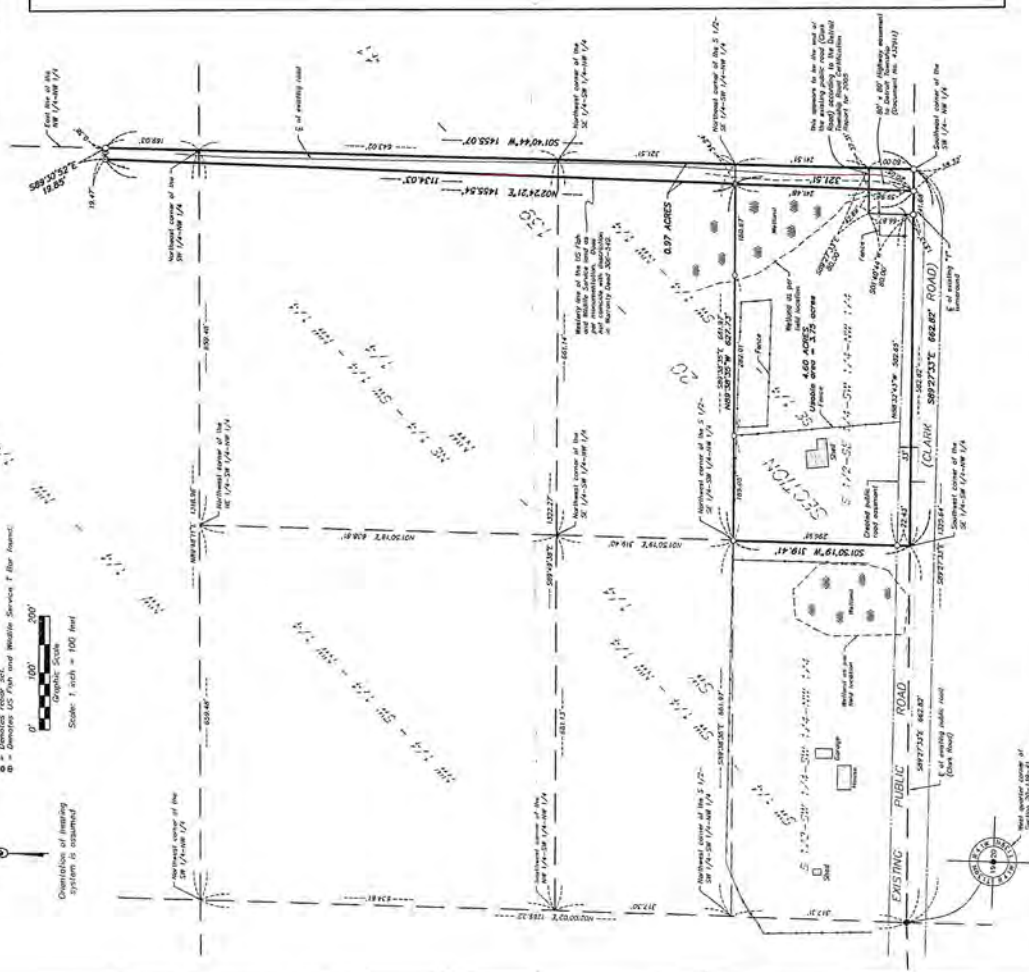


# CERTIFICATE OF SURVEY IN THE WEST HALF - NORTHWEST QUARTER SECTION 20-139-41 BECKER COUNTY, MINNESOTA

Survey No. 541349  
Document No. 541349  
Surveyed by: MEADOWLAND SURVEYING, INC.  
Date: 11 May 09  
Becker County, Minnesota  
Surveyed for: [Redacted]

541349

**LEGEND**  
 - Dashed line shows monumented boundary  
 - O = Minnesota License No. 12004/12300  
 - S = Surveyor's Seal  
 - S = Surveyor's Seal  
 - S = Surveyor's Seal  
 Scale: 1 inch = 100 feet  
 Orientation of survey  
 (North arrow pointing up)



I hereby certify that this survey, map, or plat was made by me or under my direct supervision and that I am a duly licensed Surveyor in the State of Minnesota.  
 Date: 11 May 09  
 Surveyor: [Signature]  
 License No. 12004/12300

DRAWING NUMBER T7296-15

<b>OWNER NAME:</b> State of Minnesota Detroit Lakes, MN 56501 EMAIL: MCDONALD@MINNESOTA.GOV	<b>COMP. FILE:</b> 30-000000
	<b>GRID FILE:</b> 30-000000
	<b>DWG. FILE:</b> 205000000.dwg
<b>DRAWN BY:</b> PAB	

© MEADOWLAND SURVEYING, INC.  
 1115 HWY 59 SOUTH, DETROIT LAKES, MN 56501  
 OFFICE: 218-842-1289 FAX: 218-846-1945  
 EMAIL: MCDONALD@MINNESOTA.GOV

## Authorized Agent Form

(If you are the owner completing & signing the site application no need to complete this 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), SCHLAUDERPAFF REVOCABLE LIVING TRUST  
LOWELL SCHLAUDERPAFF hereby authorize MICHAEL HUGH to act  
(landowner-print name) (agent-print name)  
as my (our) agent on the following item(s): appropriate box(es)

☒ permit application (write in permit "type" - e.g. site, septic, etc.): LAND ALTERATION / GRAVEL EXTRACTION

☐ plat application: \_\_\_\_\_

☐ conditional use application: \_\_\_\_\_

☐ variance application: \_\_\_\_\_

☐ other: \_\_\_\_\_

on my (our) property located at:

Tax Parcel Number(s): 0805 (2000/080319000) Physical Site Address: 24200 WINE LAKE RD. - DET LKS

Legal Description: 1/2 OF NW 1/4 N. OF POW. LESS PT. GANT LOT 1 1/2 PT. NE 1/4 NW 1/4 OF WINE LK RD.

Section 29 Township: 139 Range: 41 Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Plat Name: \_\_\_\_\_

### Agent Contact Information

Agent address: PO BOX 2 DETROIT LAKES MN 56502-0002

Agent phone #(s): 218 847 7391 Agent fax #: 218 847 2380

Agent email address: M.hugh@houghinc.com

Lowell Schlauderaff 4-27-2020  
Property Owner(s) Signature(s) Date

State of Minnesota  
County of Becker

On this 27 day of APRIL 2020 before me personally appeared LOWELL SCHLAUDERPAFF

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

that He/She executed the same as her/his free act and deed.



Melanie Joy West  
Notary Public

Office Use Only:

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



632370

BECKER COUNTY RECORDER  
STATE OF MINNESOTA  
**Document No. 632370**

April 13, 2016 at 1:08 PM  
I hereby certify that the within  
instrument was recorded in this office.  
Patricia Swenson, County Recorder  
By MN Deputy

No delinquent taxes and transfer entered  
this 13th day of April, 2016

Mary E Hendrickson  
Becker County Auditor/Treasurer  
By KLW Deputy

**WARRANTY DEED**  
Individual to Trustee

STATE DEED TAX  
DUE HEREON: \$1.65

Dated: June 10, 2015

\*

FOR VALUABLE CONSIDERATION, LOWELL A. SCHLAUDERAFF and DEBORAH M. SCHLAUDERAFF, husband and wife, Grantors, hereby convey and warrant to LOWELL A. SCHLAUDERAFF and DEBORAH M. SCHLAUDERAFF, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE SCHLAUDERAFF FAMILY REVOCABLE LIVING TRUST DATED THE 10TH DAY OF JUNE, 2015, AND ANY AMENDMENTS THERETO, Grantee, real property in Becker County, Minnesota, described as follows:

See Exhibit A.

Together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: easements, restrictions, reservations and covenants of record.

BECKER COUNTY DEED TAX  
AMT. PD. \$ 1.65  
Receipt # 1015942  
Becker County Auditor/Treasurer

chg  
paid  
well

Lowell A. Schlauderaff  
Lowell A. Schlauderaff

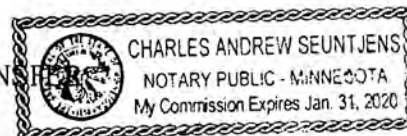
Deborah M. Schlauderaff  
Deborah M. Schlauderaff

STATE OF MINNESOTA     )  
  ) ss.  
COUNTY OF BECKER     )

The foregoing instrument was acknowledged before me this 10th day of June, 2015, by LOWELL A. SCHLAUDERAFF and DEBORAH M. SCHLAUDERAFF, husband and wife, Grantors.

[Signature]  
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:

LOWELL A. SCHLAUDERAFF and DEBORAH M. SCHLAUDERAFF, TTEE  
229 Oak St., Detroit Lakes, MN 56501

PSR&K Substitute Form 1099-S Not Needed

*r/r* This instrument was drafted by: Charles A. Seuntjens  
**PEMBERTON LAW**  
PEMBERTON, SORLIE, RUFER & KERSHNER, P.L.L.P.  
903 Washington Avenue – Detroit Lakes, MN 56501  
Telephone: 218-847-4858 – [www.pemlaw.com](http://www.pemlaw.com)

CAS:dlk|2014-2891.600



Exhibit A  
Becker County, MN

49.1421.000

Lot Two (2), Block Eight (8), HOLMES FOURTH ADDITION TO THE CITY OF  
DETROIT LAKES, MINNESOTA;

AND

08.0310.000 + 08.0321.000

The East Half of the East Half of the Northeast Quarter (E 1/2 of E 1/2 of NE 1/4) less a strip of land One (1) rod wide, commencing at the Southeast corner of the Northeast Quarter (NE 1/4) and running West 40 rods, of Section 19 AND The West Half of the Northwest Quarter (W 1/2 of NW 1/4), Section 20, ALL IN Township 139 North of Range 41 West of the Fifth Principal Meridian, in Becker County, Minnesota

LESS THE FOLLOWING THREE TRACTS:

- 1) The S 1/2 of the SW 1/4 of the SW 1/4 of the NW 1/4 Sec. 20-139-41.
- 2) The N. 790.00 feet of the NE 1/4 NE 1/4 as determined by a line parallel with the E. line of the NE 1/4 NE 1/4 lying E'ly of the centerline of the graded Township road and its N'ly extension; and in Sec. 20, the N. 790.00 ft. of the W. 200.00 ft of the NW 1/4 NW 1/4 as determined by lines parallel with the N. and W. lines of said NW 1/4 NW 1/4, together with that part of the W 1/2 NW 1/4 lying E'ly of the following described line: Beginning at the SE corner of said W 1/2 NW 1/4; thence along the S. line of said W 1/2 NW 1/4 S. 89°32'58" W. 37.80 ft.; thence N. 2°31'30" E., 1435.47 ft.; thence N. 89°15'40" E. 14.50 ft. to the point on the E. line of said W 1/2 NW 1/4 and there terminating.
- 3) The S 1/2 SE 1/4 SW 1/4 NW 1/4 in Section 20, Township 139 North, Range 41 West of the Fifth P.M.

Lots 5 and 6 of Section 20, except a parcel in Lot 6 described as: Commencing at a point 3 chains and 45 links west from quarter post on north line of Sec. 29 (south line of Sec. 20); thence north to the lake in Sec. 20; thence southeasterly along shore of lake to quarter line; thence south on quarter line to quarter post on north line of Sec. 29 (south line of Sec. 20); thence west to the place of beginning;

ALSO That part of the North Half of the Northwest Quarter (N  $\frac{1}{2}$  NW  $\frac{1}{4}$ ) of Section 29, described as follows: Commencing at a point 3 chains and 45 links west of quarter post on north line of Sec. 29; thence south 9 chains to a point that is 100 feet at right angles from center line of Railroad track; thence in a northwesterly direction along railroad reserve to a point where north line of Sec. 29 intersects railroad reserve; thence east to the point of beginning, ALL IN TOWNSHIP 139 NORTH OF RANGE 41 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN BECKER COUNTY, MINNESOTA.

EXCEPT:

A tract of land in Government Lot 6 of Section 20 and in Government Lot 1 Section 29, in Township 139 North, Range 41 West of the 5th P.M. in Becker County, Minnesota described as follows, to-wit: Beginning at a point (iron) on the shoreline of Wine Lake, which point bears North 74 degrees 52 minutes East 334.6 feet from the Southwest corner of said Section 20; thence running North 02 degrees 11 minutes East 514.5 feet along the shoreline of Wine Lake to an iron stake; thence running North 83 degrees 23 minutes East 245.0 feet to an iron stake on the Southwesterly line of the Public Road; thence running on the Southwesterly line of the Public Road by these two courses, viz: South 18 degrees 43 minutes E. 362.0 feet to an iron stake and South 16 degrees 53 minutes East 442.7 feet to an iron stake on the Northeasterly line of the Northern Pacific Right of way line; thence running Northwesterly on and along the said right of way line to intersect the North line of the aforementioned Section 29; thence running East on and along the North line of said Section 29 to a point thereon which is 200.0 feet from the centerline of the West bound track of the Northern Pacific Railway when measured at right angles from the said centerline; thence running North 76 degrees 31 minutes West on a line parallel with and 200.0 feet distant from the centerline of the said West bound track of the Northern Pacific Railway to the point of beginning and there terminating; ALSO hereby conveyed are Riparian rights for the herein described tract at its shoreline on Wine Lake.

AND EXCEPT:

That part of Government Lot 6 of Section 20 and that part of Government Lot 1 of Section 29, all in Township 139 North, Range 41 West of the 5th P.M. in Becker Co., Minn., described as follows: Commencing at the southwest corner of said Section 20; thence North 87 degrees 26 minutes 18 seconds East 755.86 feet on an assumed bearing along the south line of said Section 20; thence North 19 degrees 12 minutes 27 seconds West 252.96 feet to a found iron monument; thence North 21 degrees 02 minutes 27 seconds West 362.00 feet to a found iron monument, said point is the point of beginning; thence South 21 degrees 02 minutes 27 seconds East 362.00 feet to a found iron monument; thence South 19 degrees

12 minutes 27 seconds East 442.53 feet to the northeasterly line of the Burlington Northern Railroad Company's railroad; thence South 78 degrees 51 minutes 20 seconds East 38.20 feet along the northeasterly line of said Burlington Northern Railroad Company's railroad to the centerline of an existing public road; thence North 15 degrees 58 minutes 42 seconds West 1493.80 feet along the centerline of said existing public road; thence South 79 degrees 00 minutes 40 seconds West 25.48 feet to an iron monument; thence continuing South 79 degrees 00 minutes 40 seconds West 127.12 feet to an iron monument; thence continuing South 79 degrees 00 minutes 40 seconds West 30 feet, more or less, to the water's edge of Wine Lake; thence southerly along the water's edge of said Wine Lake to the intersection with a line which bears South 81 degrees 03 minutes 33 seconds West from the point of beginning; thence North 81 degrees 03 minutes 33 seconds East 2 feet, more or less, to a found iron monument; thence continuing North 81 degrees 03 minutes 33 seconds East 245.00 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 within 33.00 feet of the centerline of said existing public road.



As indicated in b.2 above, approximately 100,000 CY will be extracted in a single phase.

d. Reclamation plan

*A post mining management plan shall be included with the application. A progressive or staged phasing of reclamation plan is preferred. The intent is designed to minimize environmental problems, safety issues, erosion and ground water contamination. If the site is five (5) acres or less and is to be worked for one (one) year or less, the site is to be reclaimed within twelve (12) months of the stoppage of operations.*

**Reclamation will include grading mined area to drain, followed by reinstallation of salvaged loam subsoil and topsoil. Seeded salvaged topsoil berm is an integral part of temporary erosion control. Therefore, it will need to remain in place until all mining activity and subsequent final grading has been completed.**

**Upon completion of mining and reinstallation of salvaged soil horizons, silt fence will be removed. Farming activity is planned to resume in Spring 2021.**



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.

1:18,056

Date: 4/23/2020

Becker County



Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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



# MEADOWLAND SURVEYING INC

For all your land survey needs, contact our friendly staff at:  
1118 Highway 59 South • Detroit Lakes, Minnesota 56501  
frontdesk@meadowlandsurveying.com

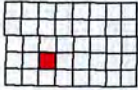
**218-847-4289**

*Surveying the Lakes Area Since 1946*

[www.meadowlandsurveying.com](http://www.meadowlandsurveying.com)

Meadowland Surveying, Inc. is a local family owned company and has performed over 10,000 surveys in the lakes area. Our office routinely works with attorneys, architects, engineers and governmental agencies to ensure successful project completion for our clients.

**EXPERIENCE MATTERS!**

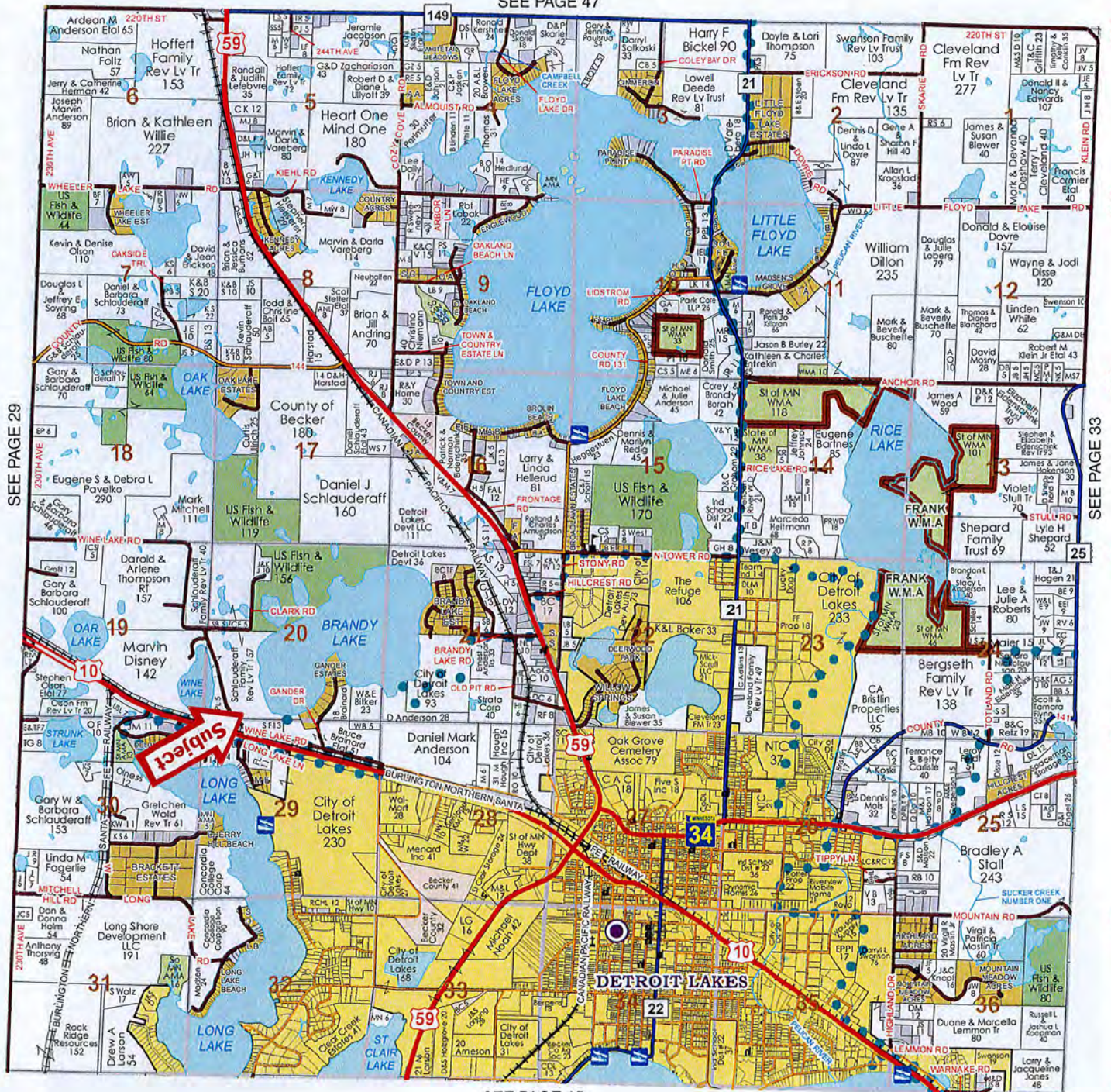


Detroit

Township 139N - Range 41W

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