

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**

September 14^{th} , 2021 @ 6:00 P.M.

3RD FLOOR JURY ASSEMBLY ROOM – BECKER COUNTY COURTHOUSE

APPLICANT: Jimmy Kaiser 11737 Co Hwy 5 Lake Park, MN 56554 Project Location: TBD Bullert Rd Ogema, MN 56569

APPLICATION AND DESCRIPTION OF PROJECT: Request a Final Plat for Birch Lake Heights and a Change of Zone from Agricultural to Residential.

LEGAL LAND DESCRIPTION: Tax ID number: **32.0077.000** Section 06 Township 141 Range 040; Lots 3 & 4; Sugar Bush Township

Tax ID number: **04.0001.001** Section 01 Township 141 Range 041; 01-141-041 GOVT LOT 2, PT GOVT LOTS 1 & 3, PT SE1/4 NE1/4 & PT NW1/4 SE1/4: COMM S QTR COR SEC 1 TH W 662.19', N 1299.33', E 660.33', N 943.74' TO RD & POB; ELY 667.44', NELY 671.24', NE 1754.10' AL RD, NELY 192.52', NE 481.04' TO E LN SEC 1, N TO BIRCH LK, NWLY, SLY, ELY, NLY TO N SEC LN, W 184.89', TH SLY, SWLY, WLY, NWLY TO W LN GOVT LOT 3, S 644.35' TO NW COR NW1/4 SE1/4, CONT S 366.75' TO POB; Callaway Township

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments:

Public testimony regarding this application will only be received by email, in writing, or in-person at the hearing. Interested parties are invited to submit to the Becker County Department of Planning and Zoning written facts, arguments, or objectives by 12:00 P.M. the 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

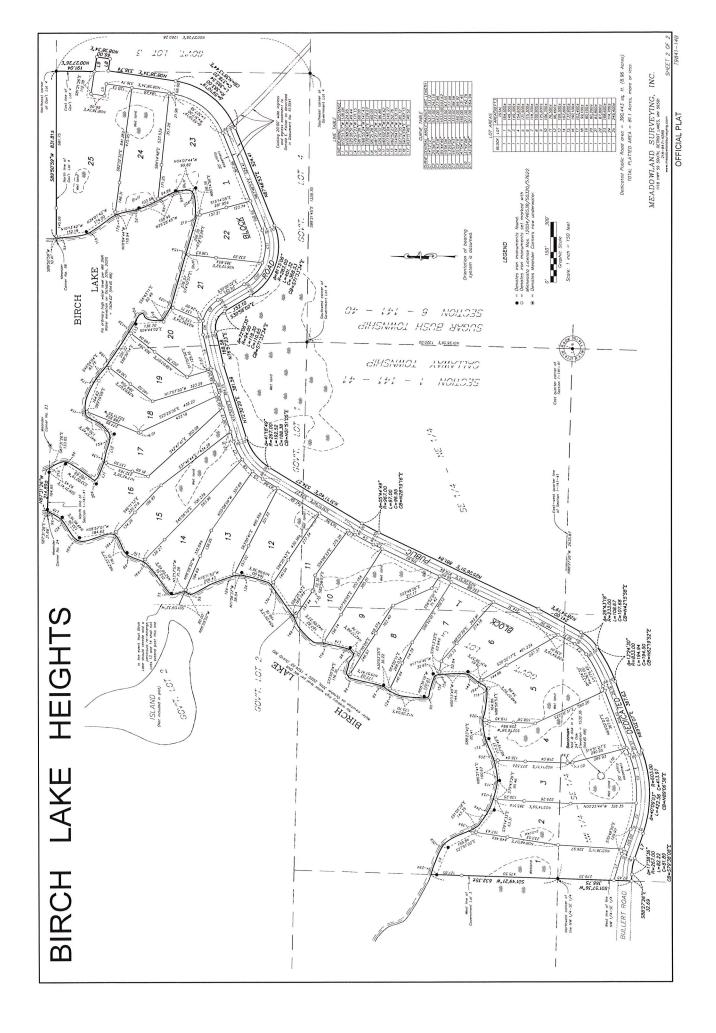
EMAIL: nicole.hultin@co.becker.mn.us

To view all application information on this project please visit: <u>http://www.co.becker.mn.us/government/meetings/planning_zoning/planning_commission/</u>

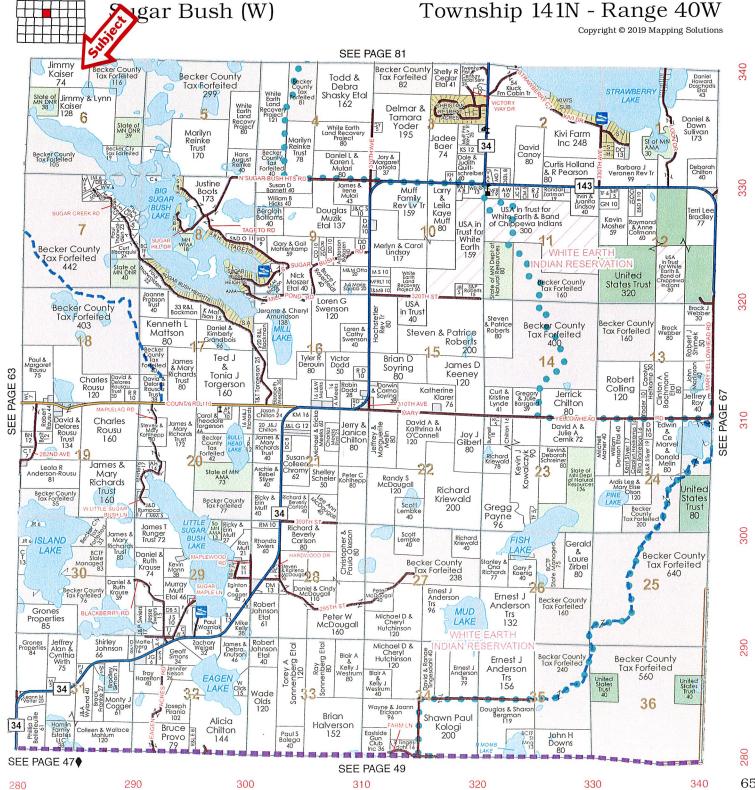
If you have questions about the Project, feel free to call 218-846-7314.

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

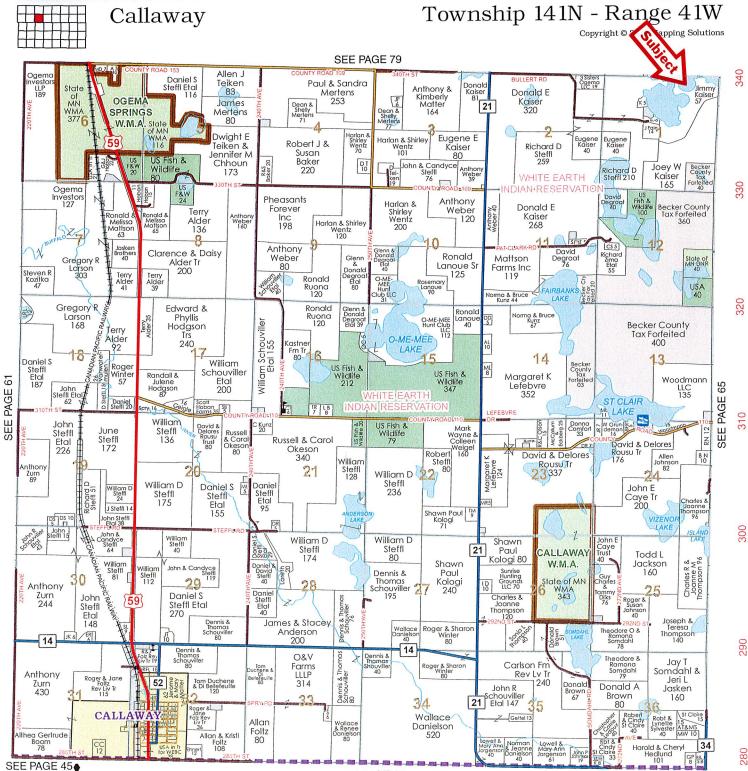
| | | PARCEL | |
|---|--|------------------|--------|
| KER CO | | APP | Plat |
| W SELECTION 1 | FINAL PLAT APPLICATION | YEAR | |
| | FINAL I LAT ATTLICATION | SCANNED | |
| Developer's I | BECKER COUNTY PLANNING & ZONING 915 LAKE AVENUE, DETROIT LAKES, MN 56501 PHONE (218) 846-7314 - FAX (218) 846-7266 | G | |
| Developer's A | Address: 11737 Co Huy S Lake Park, UN SLOSSY | | |
| Telephone(s) | Date of Application: | 8/16/21 | |
| Signature of | | | |
| 8 | mber: 32.0077.00304.0001001 Project Address: TBD BU | |)gemer |
| Proposed Pla | t Nama: | | 9 |
| | Birch Lake Heights | | |
| ••••• | | | |
| To be complet | ed by Office | | |
| Date of prelim | inary approval: | | |
| What was ann | roved & stipulations: | | |
| what was app | | | |
| ······ | | | |
| | 5 · | | |
| Check | ist | | |
| | Final Plat with appropriate landowner, mortgagee, surveyor, no signatures; | tary and townsh | lip |
| | Certification that current year's taxes have been paid; | | |
| | Road Certification from County Highway Engineer on newly co | onstructed roads | 8; |
| Road agreement from Township for newly constructed roads; | | | |
| Title Opinion | | | |
| | Stipulations have been met | | |
| | Final plat fee, check made payable to Becker County Zoning, a | mount | _; |
| | Recording fee, check made payable to Becker County Recorder | r, amount | · |
| | | | |











SEE PAGE 47



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** September 14th, 2021 @ 6:00 P.M. **3RD FLOOR JURY ASSEMBLY ROOM – BECKER COUNTY COURTHOUSE**

APPLICANT: Mark Rasmussen 11659 US Hwy 10 Lake Park, MN 56554 Project Location: TBD County Hwy 11 Audubon, MN 56511

APPLICATION AND DESCRIPTION OF PROJECT: Request a Preliminary Plat for Raz Estates.

LEGAL LAND DESCRIPTION: Tax ID number: **17.0173.000** Section 17 Township 138 Range 042; 17-138-42 PT S1/2 NE1/4: COMM NW COR SW1/4 NE1/4, S 736.65' TO POB; S 560.69', E 2621.64', N 633.88', NW 572.95', W 1496.7', W 340.88', W 611.88' TO POB. TRACT D.; Lake Eunice Township

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments:

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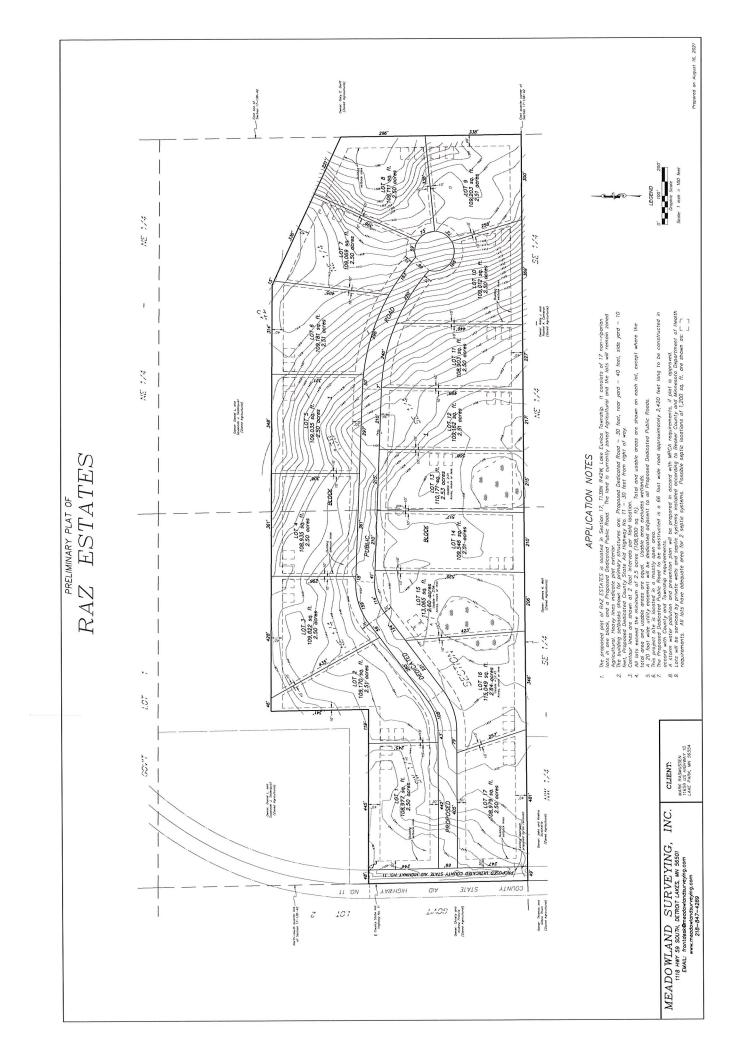
PLANNING AND ZONING DEPARTMENT 915 Lake Avenue Detroit Lakes, MN 56501

EMAIL: nicole.hultin@co.becker.mn.us

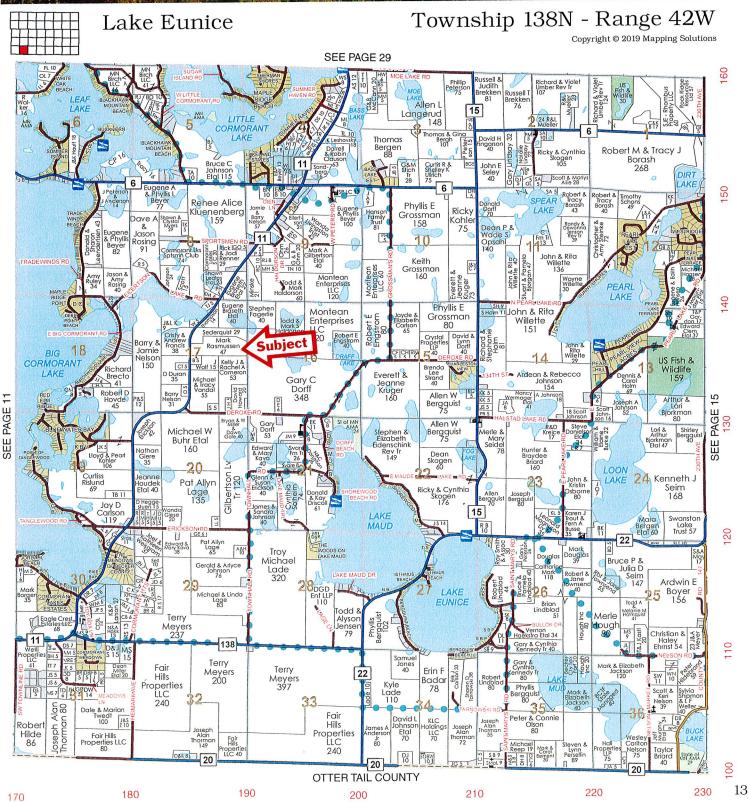
To view all application information on this project please visit: <u>http://www.co.becker.mn.us/government/meetings/planning_zoning/planning_commission/</u>

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.









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** September 14th, 2021 @ 6:00 P.M. **3RD FLOOR JURY ASSEMBLY ROOM – BECKER COUNTY COURTHOUSE**

APPLICANT: Lakeside Estates LLC 415 38th St SW Suite E Fargo, ND 58103 Project Location: TBD Grandview Ln Lake Park, MN 56554

APPLICATION AND DESCRIPTION OF PROJECT: Request a revision to Grandview Estates of Nelson Lake Common Interest Community Number 42.

LEGAL LAND DESCRIPTION: Tax ID number: **06.0757.501** Section 15 Township 138 Range 043; GRAND VIEW ESTS OF NELSON LAKE Block 001 LOT 1 LESS CIC NO 42 & FIRST SUPPLEMENT AKA 14.66 ACRES & LESS SECOND SUPPLEMENT AKA 13.53 AC ; Cormorant Township

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments:

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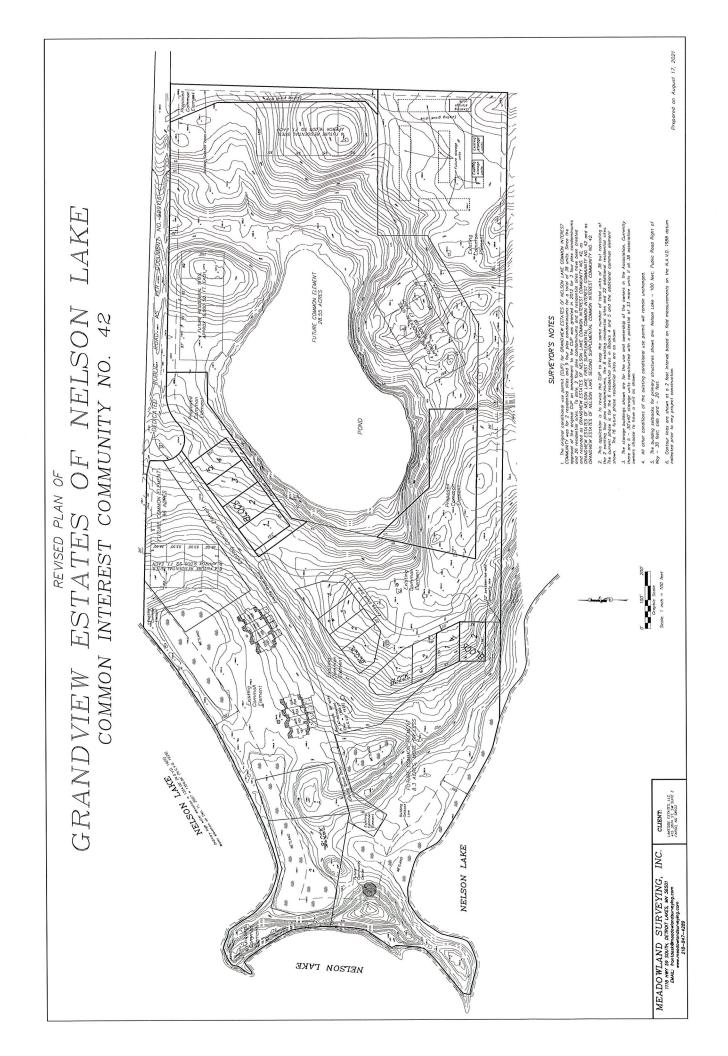
PLANNING AND ZONING DEPARTMENT 915 Lake Avenue Detroit Lakes, MN 56501

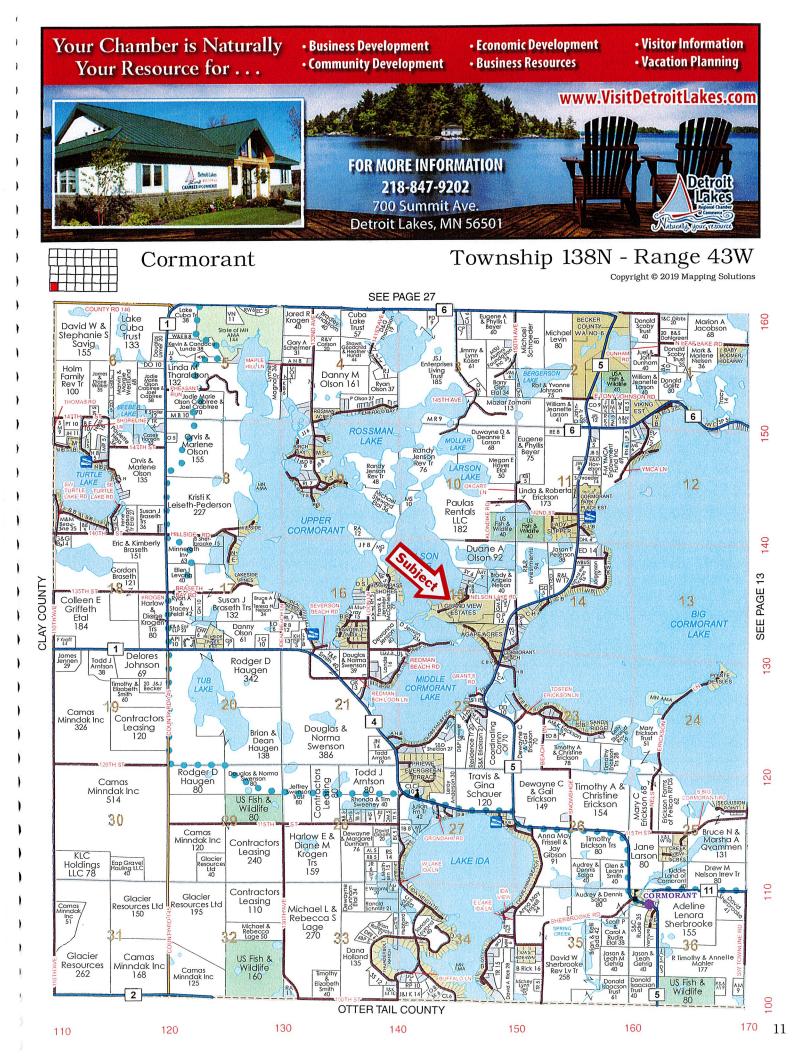
EMAIL: nicole.hultin@co.becker.mn.us

To view all application information on this project please visit: <u>http://www.co.becker.mn.us/government/meetings/planning_zoning/planning_commission/</u>

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.







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PLANNING COMMISSION NOTICE OF PUBLIC HEARING **HEARING DATE AND LOCATION** September 14th, 2021 @ 6:00 P.M. **3RD FLOOR JURY ASSEMBLY ROOM – BECKER COUNTY COURTHOUSE**

APPLICANT: Leigh Stennes 55566 Hwy 34 Osage, MN 56570 Project Location: 55566 Hwy 34 Osage, MN 56570

APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit to operate a retail shop.

LEGAL LAND DESCRIPTION: Tax ID number: **21.0223.000** Section 21 Township 140 Range 036; PT W1/2 OF SE1/4: COMM CTR LN ST HWY #34 TH NLY 575', TH ELY 225' TO POB; CONT ELY 280', SLY 110', ELY 125', TH SLY 465' TO CTR LN ST HWY #34, TH WLY TO A POINT 225' ELY OF INTERSEC HWY #34 & W LN W1/2 OF SE1/4, TH NLY 575' TO POB; Osage Township

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments:

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Replies may be addressed to:

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EMAIL: nicole.hultin@co.becker.mn.us

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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.

Conditional Use Application Review

Property and Owner Review

| Owner: LEIGH STENNES | Parcel Number(s): 210223000 |
|--------------------------------|--|
| Mailing Address: | Site Address: 55566 ST HWY 34 |
| LEIGH STENNES | Township-S/T/R: OSAGE-21/140/036 |
| 55566 HWY 34 OSAGE MN 56570 | Shoreland? No Name: My lake is not listed below no |

Legal Descr: PT W1/2 OF SE1/4: COMM CTR LN ST HWY #34 TH NLY 575', TH ELY 225' TO POB;CONT ELY 280', SLY 110', ELY 125', TH SLY 465' TO CTR LN ST HWY #34, TH WLY TO A POINT 225' ELY OF INTERSEC HWY #34 & W LN W1/2 OF SE1/4, TH NLY 575' TO POB

Conditional Use Details Review

Description of Conditional Use Request: We wish to covert the garage into "Osage Farmstead Fabric's.

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. This shop will be open seasonally and will be an asset to the Osage community at large. On one side of us is a potato company and on the other side of us is a rental property. Nothing across the street. There

are businesses on Highway 34 presently in Osage.

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.

As stated above, we believe this will be a shop for the people in the Osage area. Do not foresee any problems.

3. Describe how adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. Presently there is electricity already provided. Window air conditioner will be used. Internet already exists in the home so there should not be a problem with the POS system for payment. Windows are fine, recently replaced and wallboard and shop design to be completed.

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.

We have enough room for parking for customers which is off the road parking.

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.

Only open seasonally, no order fumes etc. Will need to have a sign indicating business name and placed as required which we will need to know from you folks. Shop will be open by appointment or certain days of the week.

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: Osage Boutique - will become Osage Farmstead Fabric's

Business Owners: Osage Boutique

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

Type of Merchandise: Fabric, notions, beads, homemade products.

Type of Service: Retail

Hours and Days of Operation: Hours by appointment and certain days of the week. Schedule not fully developed as yet.

Number of Employees: Owner/Operators of Osage Farmstead Fabric's.

Off-Street Parking Plan: You will be able to drive to the house and turn left, parking already available.

Size of structure to be used for Business: 1 1/2 car garage. 24 by 30.

New or Existing: Existing Structure

Signage Plan: Will do as required per zoning order. Name of Business.

Exterior Lighting Plan: Outside lighting is available and additional lighting can be completed if needed.

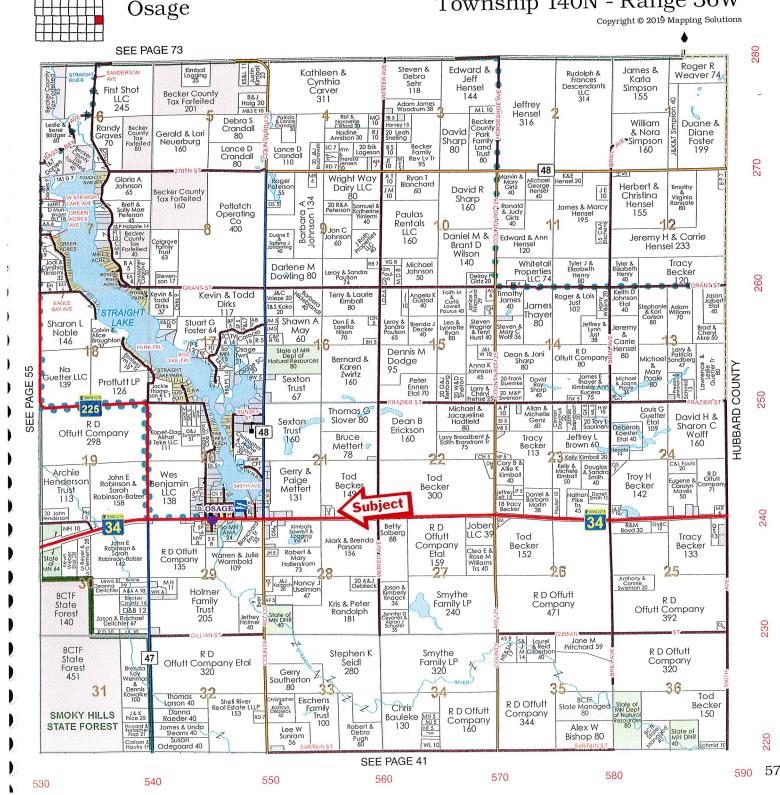
Known Environmental Hazards: None

Additional Business Plan Information: Business plan is to make money, put 25% of sales back into the business. Owners/operators will volunteer their time. Already have over \$25,000. inventory paid for, racks are purchased, POS is paid for etc,





Township 140N - Range 36W





Planning and Zoning

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APPLICANT: William C Lymburner & Loriann M Lymburner 53641 Grant St Osage, MN 56570 Project Location: 53641 Grant St Osage, MN 56570

APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit for retaining walls.

LEGAL LAND DESCRIPTION: Tax ID number: **21.0393.000** Section 07 Township 140 Range 036; MIKE'S ACRES 140 36 Block 001 LOT 3; Osage Township

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments:

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Replies may be addressed to:

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EMAIL: nicole.hultin@co.becker.mn.us

To view all application information on this project please visit: <u>http://www.co.becker.mn.us/government/meetings/planning_zoning/planning_commission/</u>

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.

Conditional Use Application Review

Permit # CUP2021-44

| Owner: WILLIAM LYMBURNER | Parcel Number(s): 210393000 |
|--|--|
| Mailing Address: | Site Address: 53641 GRANT ST |
| WILLIAM LYMBURNER 53641 GRANT ST OSAGE MN 56570 | Township-S/T/R: OSAGE-07/140/036 |
| | Shoreland? Yes Name: Straight (Osage) [RD] |
| Legal Descr: Block 001 of MIKE'S ACRES 140 3 | 36 LOT 3 |
| Conditional Use Details Review | |
| | taining walls: One 25' x 18" to prevent erosion. Second 45' x safer. |
| | will not harm the use and enjoyment of other properties in the immediate ntially diminish or impair property values within the immediate vicinity. and will not affect neighboring properties. |
| 2. Describe how establishing the conditional use will no surrounding vacant property for uses predominant in the N/A | ot impede the normal, orderly development and improvement of the area. |
| 3. Describe how adequate utilities, access roads, drain N/A | nage and other necessary facilities have been or are being provided. |
| 4. Describe how adequate measures have been or wil serve the proposed use. N/A | I be taken to provide sufficient off-street parking and loading space to |
| | l be taken to prevent or control offensive odor, fumes, dust, noise and and to control lighted signs and other lights so that no disturbance to |
| Additional shoreland questions below (if application a | able) |
| 6a. Describe how adequate measures have been or w public waters will be prevented, both during and after Will be using a silt fence and erosion control f | |
| | e visibility of structures and other facilities as viewed from public |
| 6c. What measures have been taken to assure that th N/A | e site is adequate for water supply and on-site sewage treatment. |
| 6d. Describe how the types, uses and number of wate N/A | ercrafts that the project will generate can be safely accomodated. |
| 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 # LALT2021-151

| Parcel Number: 210393000 | Site Address: 53641 GRANT ST |
|--|---|
| Owner: WILLIAM LYMBURNER | Township-S/T/R: OSAGE-07/140/036 |
| | |
| Project Details | |
| Project Start & End Date: 9/22/2021-10/15/2021 | Distance from OHW: 25' and 30' |
| Proj 1 Type: Retaining Wall (Requires an Approved Conditional Use Permit - Must submit CUP application along with land alteration application) | Proj 1 Purpose: Other (Please specify next) |
| Proj 1 Type Descr: | Proj 1 Purpose Descr: Prevent Erosion |
| 25' Long, 18" high Rock Retaining Wall Inspector Notes (Project 1): | |
| Proj 2 Type: Retaining Wall (Requires an approved | Proj 2 Purpose: Other (Please explain next) |
| Conditional Use Permit - Must submit CUP application along with land alteration application) | |
| | |
| Proj 2 Type Descr: 45' Long and 18" High | Proj 2 Purpose Descr: Prevent Erosion and make |
| | Proj 2 Purpose Descr: Prevent Erosion and make access to the lake safer. |
| Proj 2 Type Descr: 45' Long and 18" High | |
| Proj 2 Type Descr: 45' Long and 18" High Inspector Notes (Project 2): | |
| Proj 2 Type Descr: 45' Long and 18" High Inspector Notes (Project 2): Additional Details/Erosion Control | access to the lake safer. |
| Proj 2 Type Descr: 45' Long and 18" High Inspector Notes (Project 2): Additional Details/Erosion Control Area to be Cut/Excavated: NA | access to the lake safer. Area to be Filled/Leveled: NA Fill Type/Material: NA |
| Proj 2 Type Descr: 45' Long and 18" High Inspector Notes (Project 2): Additional Details/Erosion Control Area to be Cut/Excavated: NA Total Cubic Yards of Earthmoving: NA | access to the lake safer. Area to be Filled/Leveled: NA Fill Type/Material: NA |
| Proj 2 Type Descr: 45' Long and 18" High Inspector Notes (Project 2): Additional Details/Erosion Control Area to be Cut/Excavated: NA Total Cubic Yards of Earthmoving: NA Project Summary and/or Additional Projects & Informa Erosion Control Method (1): Other (Please specify | Area to be Filled/Leveled: NA Fill Type/Material: NA |



BECKER COUNTY PLANNING & ZONING APPLICATION FOR RETAINING WALLS 915 LAKE AVE, DETROIT LAKES, MN 56502-0787 PHONE (218) 846-7314 - FAX (218) 846-7266

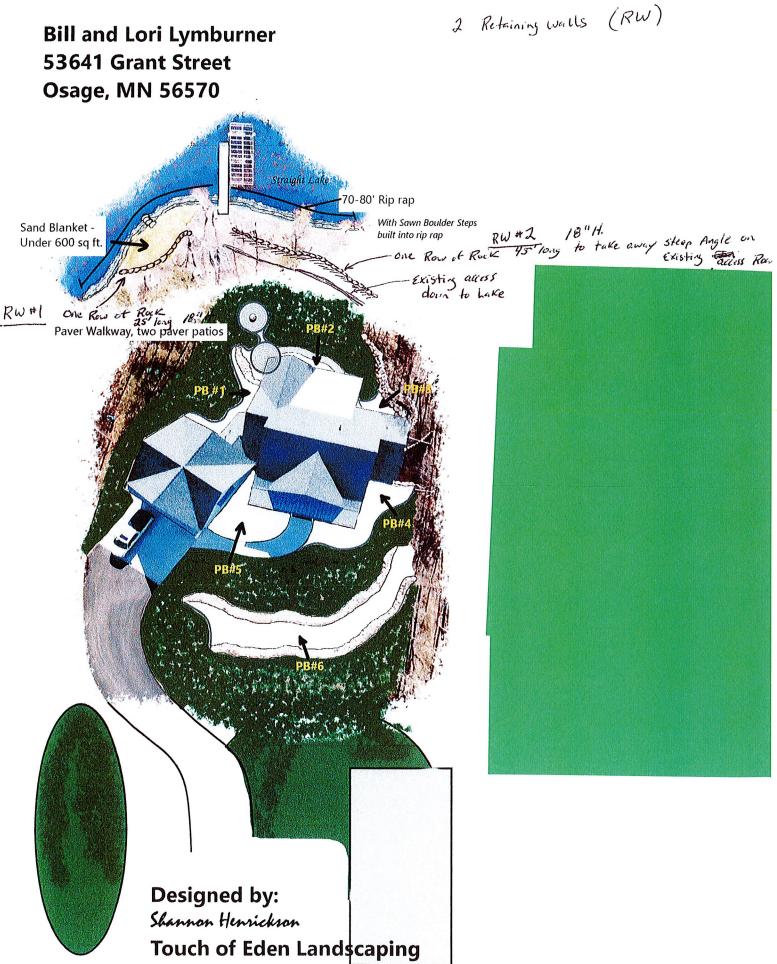
| PARCEL | |
|--------|-----------|
| APP | Retaining |
| | Wall |
| YEAR | |

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 the Planning Commission Hearing.

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

| 1. Contact Name and Phone Number: Shannon Henrickson 218-255-065" |
|---|
| 2. Property Owners Name: Bill and Lori Lymburner |
| 3. Parcel Number: 21. 0393.000 |
| 4. Legal Description: Mike's Acres 140 36 Block 001 Lot 3 |
| 5. Section 07 Township 140 Range 036 |
| 6. Lake Name: Straight Lake Lake Classification Recreational |
| 7. Length of shoreline in Project: 190 fect |
| 8. Is the proposal to replace an existing retaining wall? Yes No \swarrow |
| 9. Length and Height of existing retaining wall: (NA) |
| 10. To construct a new retaining wall or expand an existing? New X Expand |
| 11. Length and Height of new or expansion requested: $\frac{RW \# 1}{RW \# 2} \frac{25'}{45} \frac{Long}{45} \frac{by}{18''} \frac{18''}{18''} \frac{High}{High}$ |
| 12. Is there any existing rip rap along the shoreline? Yes $_$ No $_$ |
| 13. Distance work will be from the Ordinary High Water Mark 20 - 40 r |
| 14. Amount of cubic yards of earth movement requested: 5 |
| 15. Are emergent aquatic plants found along shoreline? $y \in S$ |
| 16. Does the site have any wetlands and/or low areas? Yes No_ X |
| 17. Are any springs or seeps present? $N \circ$ |
| 18. Does the site contain any steep slopes? N_O Are there any bluffs present? N_O |
| 19. Do any parties involved in this application have any ownership interest in, or options on, other properties in the vicinity of the project? |
| Brief description of request: |
| Fristall two Retaining walls constructed from a Single Row of Rock to prevent erosion Next to sand blanket |
| and have make access down to lake less angled steep. |

(more information on back)



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), <u>William + Loriann Lymburner</u> hereby authorize <u>Shannon Henrickson</u> to act (landowner-print name) (agent-print name) as my (our) agent on the following item(s): appropriate box(es) | | |
|--|--|--|
| | | |
| Supermit application (write in permit "type" - e.g. site, septic, etc.):land alteration | | |
| | | |
| Conditional use application: <u>retaining wall</u> | | |
| variance application: | | |
| □ other: | | |
| on my (our) property located at: Tax Parcel Number(s): <u>21.0393.000</u> Physical Site Address: <u>53641 Grant St. Osage, MN</u> 54570 | | |
| Legal Description: Mike's Acres 140 36 | | |
| Section: <u>07</u> Township: <u>140</u> Range: <u>036</u> Lot: <u>3</u> Block: <u>001</u> Plat Name: <u>Subdivision Cd</u> 21008 | | |
| Agent Contact Information Touch of Eden Landscaping Agent address: 13455 Street City Street City Agent phone #(s): 218-255-0657 | | |
| Agentemail address: <u>touch of edences arvig, net</u> | | |
| Mm Gymbrung Fai Lymburu 6/15/2021 Property Owner(s) Signature(s) Date Date | | |
| On this day of before me personally appeared | | |
| to me known to be the person(s) described in and who executed the foregoing instrument; and acknowledged | | |
| that <u>He/She</u> executed the same as <u>her/his</u> free act and deed. | | |
| (Notary Stamp) Notary Public | | |

Office Use Only: Date received: _____

Expiration Date: _____

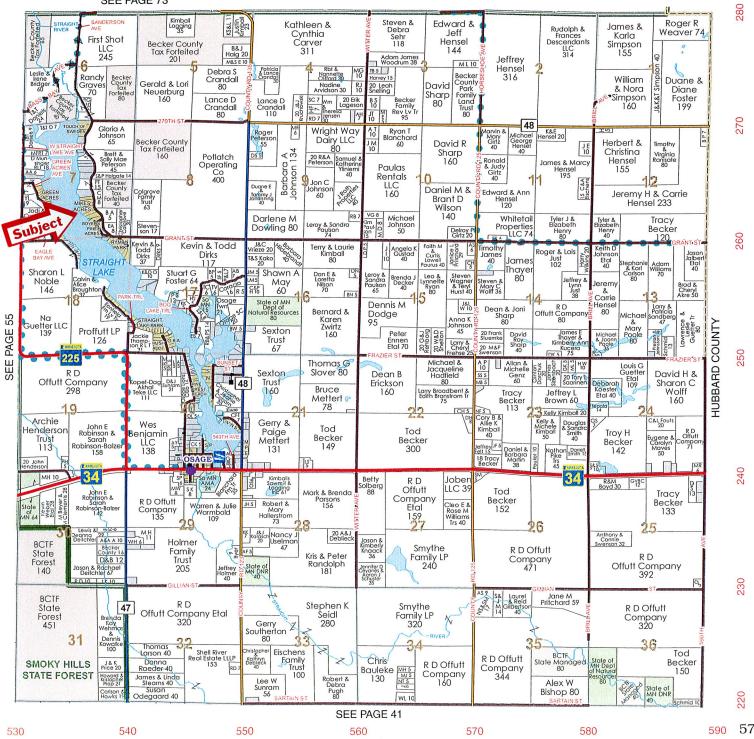


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SEE PAGE 73

Osage





Planning and Zoning

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PLANNING COMMISSION NOTICE OF PUBLIC HEARING **HEARING DATE AND LOCATION** September 14th, 2021 @ 6:00 P.M. **3RD FLOOR JURY ASSEMBLY ROOM – BECKER COUNTY COURTHOUSE**

APPLICANT: Daniel Mark Anderson 19725 Audubon Lake Rd Audubon, MN 56511 Project Location: 25538 Anderson Rd Detroit Lakes, MN 56501

APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit for mining operations.

LEGAL LAND DESCRIPTION: Tax ID number: Tax ID number: **08.0377.000** Section 21 Township 139 Range 041; BEG AT S1/4 COR SEC 21 TH W 1877.4' TH N 298' TH E 1877.4' S TO BEG & W 15 AC OF LOT 5; Tax ID number: **08.0488.000** Section 28 Township 139 Range 041; NW1/4 N OF RWY.; Detroit Township

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments:

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

EMAIL: nicole.hultin@co.becker.mn.us

To view all application information on this project please visit: <u>http://www.co.becker.mn.us/government/meetings/planning_zoning/planning_commission/</u>

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.

Conditional Use Application Review

Permit # CUP2021-45

Property and Owner Review

| Owner: DANIEL ANDERSON | Parcel Number(s): 080377000 080488000 |
|--|---------------------------------------|
| 5 | Site Address: TBD |
| DANIEL ANDERSON 19725 AUDUBON LAKE RD | Township-S/T/R: DETROIT-21/139/041 |
| | Shoreland? Ves Name: Brandy Lake |

Legal Descr: BEG AT S1/4 COR SEC 21 TH W 1877.4' TH N 298' TH E 1877.4' S TO BEG & W 15 AC OF LOT 5

Conditional Use Details Review

Description of Conditional Use Request: Extract sand and gravel from land currently being used as crop land.

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 will be no adverse effects on surrounding property. Proper perimeter erosion control devices will be utilized.

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.

Under this request all land surrounding area affected by extraction will remain in crop production use. After extraction is completed under this request, affected land will be returned to crop production.

3. Describe how adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. No utilities will be required, drainage will remain unchanged and access will be to Hough owned land East of land considered with this request.

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.

It will be in a field and significant parking will not be required.

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 should be created by this request. Water will be applied to access road surface during export activities.

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:

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 # LALT2021-155

| Parcel Number: 080377000 | Site Address: |
|---|--|
| Owner: DANIEL ANDERSON | Township-S/T/R: DETROIT-21/139/041 |
| Project Details | |
| Project Start & End Date: 9/20/2021-12/01/2024 | Distance from OHW: 1000+ |
| Proj 1 Type: Other (Please explain next) | Proj 1 Purpose: Other (Please specify next) |
| Proj 1 Type Descr: Remove approximately 75,000 CY sub-soil (sand + gravel) from proposed extraction area. | Proj 1 Purpose Descr: Satisfy needs for local land improvement projects. |
| | |
| | |
| Proj 2 Type: | Proj 2 Purpose: |
| Proj 2 Type: Proj 2 Type Descr: Inspector Notes (Project 2): | Proj 2 Purpose: Proj 2 Purpose Descr: |
| Proj 2 Type Descr: Inspector Notes (Project 2): | |
| Proj 2 Type Descr: Inspector Notes (Project 2): Additional Details/Erosion Control Area to be Cut/Excavated: 8 Acre area 6' Deep = | |
| Proj 2 Type Descr: Inspector Notes (Project 2): Additional Details/Erosion Control Area to be Cut/Excavated: 8 Acre area 6' Deep = 348,480 SF x 6' Deep | Proj 2 Purpose Descr: |
| Proj 2 Type Descr: Inspector Notes (Project 2): Additional Details/Erosion Control | Proj 2 Purpose Descr: Area to be Filled/Leveled: NA Fill Type/Material: NA |
| Proj 2 Type Descr: Inspector Notes (Project 2): Additional Details/Erosion Control Area to be Cut/Excavated: 8 Acre area 6' Deep = 348,480 SF x 6' Deep Total Cubic Yards of Earthmoving: 77,440 CY | Proj 2 Purpose Descr: Area to be Filled/Leveled: NA Fill Type/Material: NA |
| Proj 2 Type Descr: Inspector Notes (Project 2): Additional Details/Erosion Control Area to be Cut/Excavated: 8 Acre area 6' Deep = 348,480 SF x 6' Deep Total Cubic Yards of Earthmoving: 77,440 CY Project Summary and/or Additional Projects & Informa Erosion Control Method (1): Other (Please specify | Proj 2 Purpose Descr: Area to be Filled/Leveled: NA Fill Type/Material: NA tion: Erosion Control Method (2): Other (Please specify |



MINING PLAN Dan Anderson - Parcel No.'s: 080377000 & 080488000

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:

There are no streams, lakes or roads within 300' of proposed extraction area.

- 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.

Two previous extractions projects took place. See (Extraction Plan).

5 Location and description of proposed mining site boundary stakes with the permanent reference point described.

b. Operations Plan

1 Land use:

Current land use is crop production agriculture.

2 Material:

Approximately 75,000 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 crawer excavator type backhoe and crawler dozer.

5 Timetable:

Mining operations would commence immediately and continue to Fall 2024. Hours of operation would 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:

Seeded, earth berm will be installed around down gradient perimeter.

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 be East to Hough owned land.

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.

Extraction area is approximately 8 Acres in size with an average cut of 5.5' - 6.0' deep.

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.

As indicated in b.2 above, approximately 75,000 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 95) 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.

Farming activity is planned to resume Spring 2025.

Authorized Agent Form

(If you are the owner completing & signing the site application no need to complete this form)

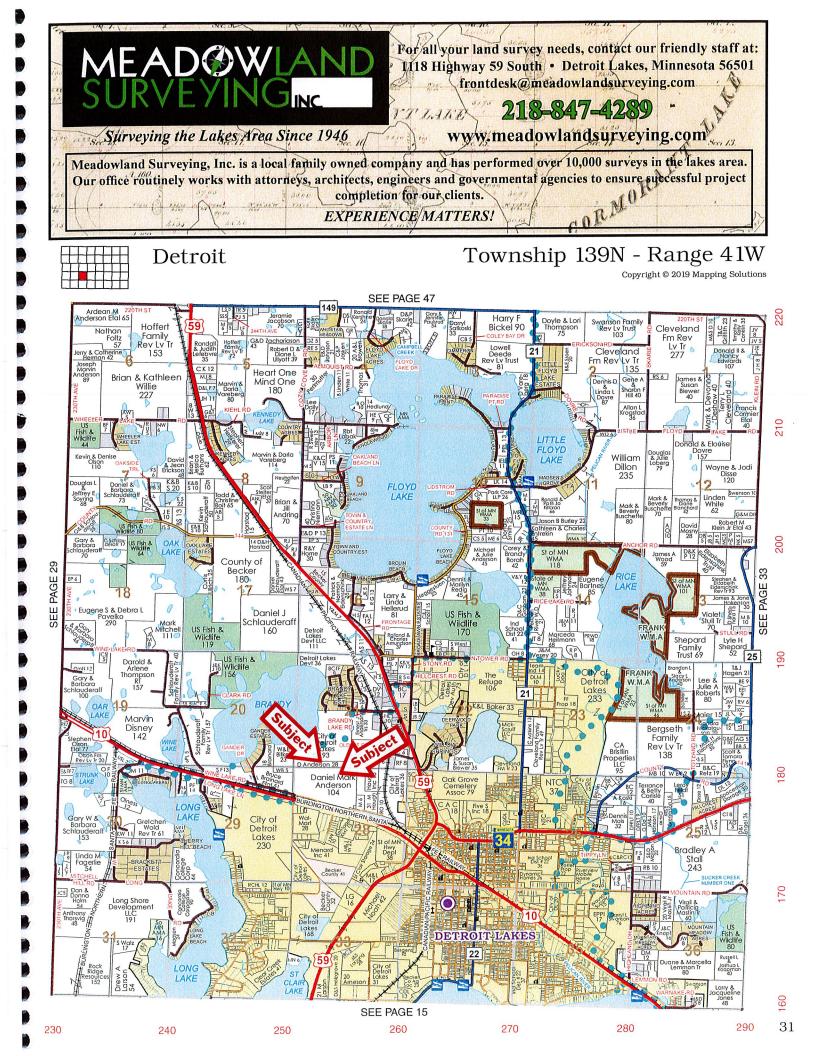
1. Form must be legible and completed in ink.

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.

| D . PAREPORT |
|---|
| I (we), <u>DANIEL M. ANDERGIN</u> hereby authorize <u>MICHAEL</u> <u>Havey</u> to act (landowner-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.): |
| plat application: |
| Toonditional use application: GRAVEL EXTRACTION |
| variance application: |
| u other: |
| on my (our) property located at: 080377000 Tax Parcel Number(s): <u>F080488000</u> Physical Site Address: <u>25538</u> ANDERGON RD. |
| Legal Description: |
| Section: <u>21</u> Township: <u>139</u> Range: <u>041</u> Lot: <u>Block:</u> Plat Name: <u>139</u> 041 |
| Agent Contact Information |
| Agent address: PO Box 2 VETROIT LAKES MAN 56502-0002 |
| Agent address: D Box 2 VETKOT Lakes MN 56902-0002 Agent phone #(s): 218847 7391 City State Zip Code |
| Agent email address: <u>M. haugh Chaughinc. Com</u> |
| Comarca 16 AUG DODI |
| Property Owner(s) Signature(s) Date |
| State of Minnesota County of Becker |
| On this <u>Ile</u> day of <u>August</u> before me personally appeared <u>Daniel Anderson</u> |
| to me known to be the person(s) described in and who executed the foregoing instrument; and acknowledged |
| that <u>He/She</u> executed the same as <u>her/his</u> free act and deed. |
| |
| (Notary Public |
| Office Use Only: |

Date received:

Expiration Date:





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** September 14th, 2021 @ 6:00 P.M. **3RD FLOOR JURY ASSEMBLY ROOM – BECKER COUNTY COURTHOUSE**

APPLICANT: Renae L Miller & Kenneth D Miller Jr 23865 250th St Detroit Lakes, MN 56501 Project Location: 23865 250th St Detroit Lakes, MN 56501

APPLICATION AND DESCRIPTION OF PROJECT: Request a Conditional Use Permit to operate a private medical clinic.

LEGAL LAND DESCRIPTION: Tax ID number: **24.0144.001** Section 19 Township 140 Range 041; 19-140-41 PT NE1/4: COMM NW COR NE1/4, E 242.06' TO POB; E 1745.82', SW 520.02, S 691.12', W 67', SW 435.41', W 443.25', SLY 872', WLY 660.34', N 739.72', W 403.43', N 1843.82' TO POB LESS 11.97 AC (24-144-10).; Richwood Township

REFER TO BECKER COUNTY ZONING ORDINANCE

Replies/Comments:

Public testimony regarding this application will only be received by email, in writing, or in-person at the hearing. Interested parties are invited to submit to the Becker County Department of Planning and Zoning written facts, arguments, or objectives by 12:00 P.M. the 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: nicole.hultin@co.becker.mn.us

To view all application information on this project please visit: <u>http://www.co.becker.mn.us/government/meetings/planning_zoning/planning_commission/</u>

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.

Conditional Use Application Review

Permit # CUP2021-46

Property and Owner Review

| Owner: RENAE MILLER | Parcel Number(s): 240144001 |
|--------------------------------|-------------------------------------|
| Mailing Address: | Site Address: 23865 250TH ST |
| RENAE MILLER 23865 250TH ST | Township-S/T/R: RICHWOOD-19/140/041 |
| | Shoreland? No Name: |

Legal Descr: 19-140-41 PT NE1/4: COMM NW COR NE1/4, E 242.06' TO POB; E 1745.82', SW 520.02, S 691.12', W 67', SW 435.41', W 443.25', SLY 872', WLY 660.34', N 739.72', W 403.43', N 1843.82' TO POB LESS 11.97 AC (24-144-10)

Conditional Use Details Review

Description of Conditional Use Request: I am planning to open a private medical clinic in the office space on my property.

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.

I do not foresee any disruption in the current traffic flow or increase in traffic numbers. We live less than a quarter mile off Highway 59 and are the first place off the highway. No one else on the road should be affected.

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 mostly farm land and WRP. There is no other developmental projects in the immediate area.

3. Describe how adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. The access road is a township road and is well maintained. There are no major obstacles for traffic or movement of vehicles. Our residential area has been used previously as a business. The utilities are completely adequate for the small business that is planned.

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 driveway and parking space is large enough for tractors and semi tractors to comfortably maneuver. There is no other immediate traffic in the space where the clinic/office is located.

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.

I do not foresee any change in the current level of dust, noise or lighting. The clinic will only be open during day hours.

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: Country Care Clinic

Business Owners: Renae Miller

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

Type of Merchandise: No merchandise only clinic medical services.

Type of Service: Private medical clinic. No invasive medical procedures or byproducts/waste.

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

Number of Employees: one

Off-Street Parking Plan: Our driveway will accommodate many cars/trucks. I am only anticipating 1-2 vehicles at any given time.

Size of structure to be used for Business: **Previous owner of the residence had an office in the middle of 2** large shops. This space will be furnished as needed for medical exams. There is a front entry space, bathroom and a large room that is separated by sliding doors.

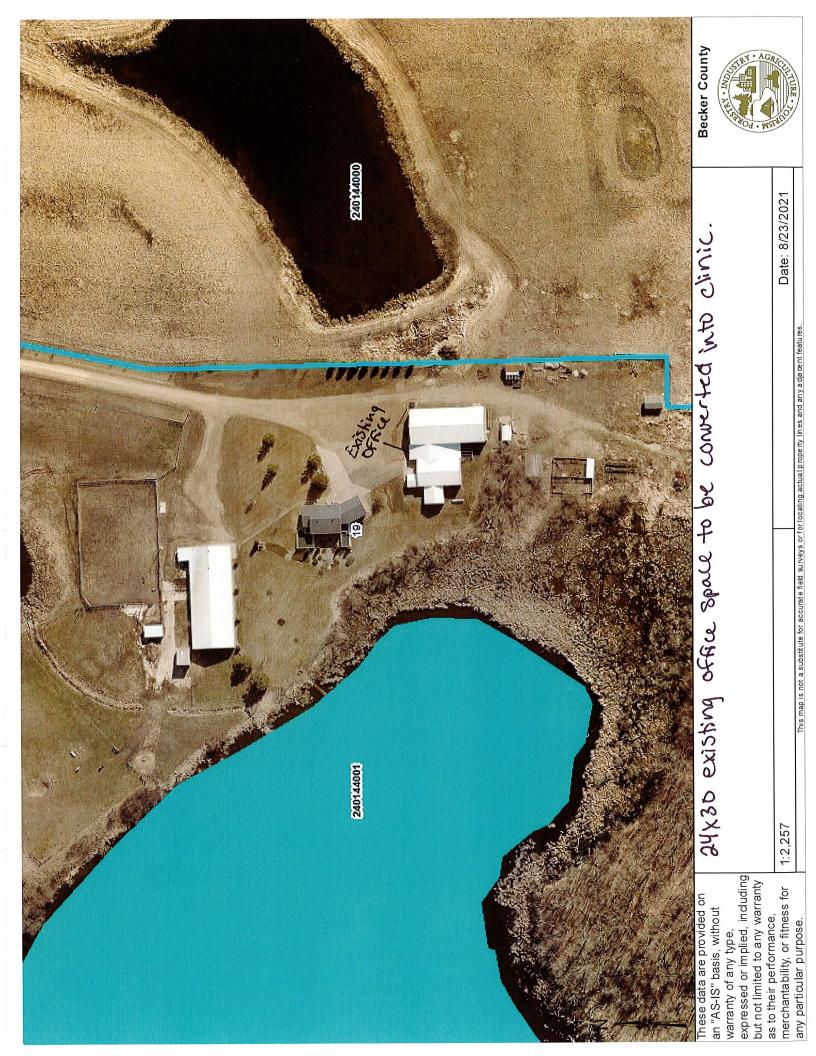
New or Existing: Existing Structure

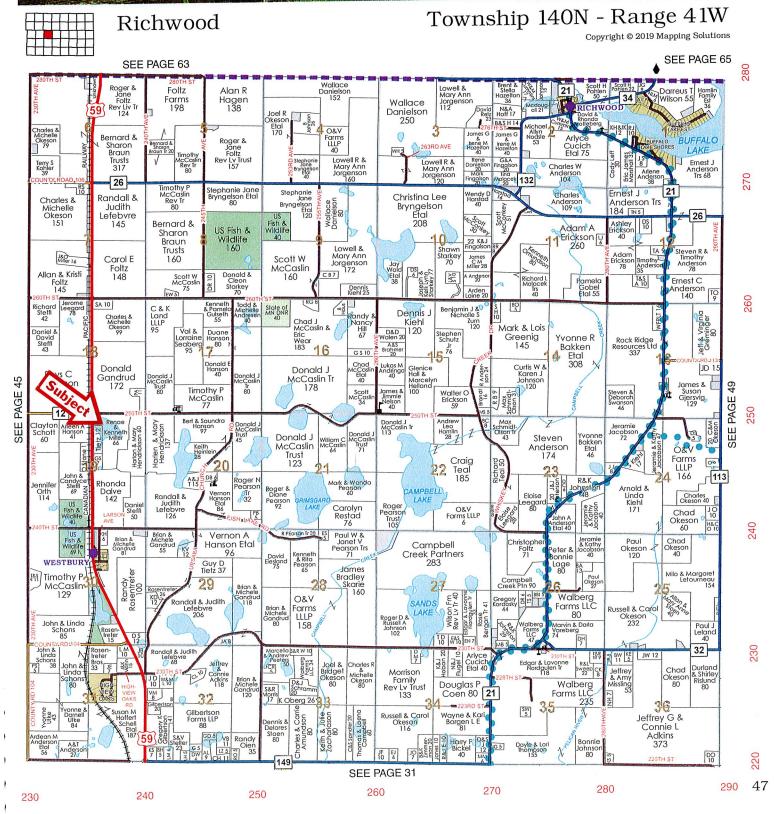
Signage Plan: I am planning on a sign at the end of the driveway and at the corner of highway 59 and 250th st. Our land goes up into that corner and will be a perfect place for a sign to indicate the location of the clinic.

Exterior Lighting Plan: There is an existing yard light on the electric pole that comes on and off as the daylight changes. There is a entry light at the door. There is no other need for out door lighting.

Known Environmental Hazards: None that I am aware of.

Additional Business Plan Information: None that I am aware of.





Recommended Amendments to the Becker County Zoning Ordinance

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

Proposal # 1.) Chapter 8, Section 5, Letter B. Sub 1. B.

b. Cities. Where any municipality has adopted extra-territorial subdivision platting regulations as provided by State law <u>and the Townships in the extra territorial area have not thereafter</u> <u>enacted subdivision regulations</u>, any proposed plat lying within two (2) miles of said municipality shall be submitted to and approved by said municipality. Upon approval of the preliminary and final plat from said municipality both the preliminary and final plat shall be submitted to Becker County Planning and Zoning for review to ensure the plat is consistent with requirements of the Becker County Zoning Ordinance. The plat shall be exempt from the Becker County Planning.