

Detroit Lakes Planning Commission
Agenda
October 28, 2021
5:30pm
Council Chambers

I. Call to Order

II. Minutes

- A. Approval of the [minutes](#) of the regular meeting held on September 23, 2021

III. Public Hearings

- A. Public hearing to give consideration to a [variance](#) to allow construction of a 31 foot high accessory building instead of the required 26 foot high accessory building at 903 8th Street SE (Lakeshirts)

IV. Business

- A. Consideration to final [plat](#) approval of Shorewood Oaks at 735 Shorewood Drive (David Pratt)
- B. Consideration to final [plat](#) approval Common Interest Community Interest Number 94 Lakes Toy Storage at Little Detroit First Supplemental Common Interest Community Plat
- C. Variance/Conditional Use Status [Report](#)

V. Adjournment

Minutes
Detroit Lakes Planning Commission
City Council Chambers
City Administration Building
Thursday, September 23, 2021

Members Present: Dan Wenner, Shaun Carlson, Nancy Haggart, Liz Foster-Anderson, Marcus Lacher, Chris Nord,

Members Absent: Kyle Fode, Eric Lundmark, Don Maristuen

Others Present: Larry Remmen, Community Development Director; Jennifer Beck, Community Development Secretary; see attached paper

CALL TO ORDER

Chairman Dan Wenner called the Planning Commission to order at 5:30pm on Thursday, September 23, 2021, in the Council Chambers of the City Administration Building. All members of the Planning Commission having been duly notified of the meeting and business to be transacted.

Note: Chairman Dan Wenner informed the Commission and those in attendance that items considered at today's meeting would also be addressed at the Monday, October 11, 2021, Community Development meeting, followed by the City Council meeting on Tuesday, October 12, 2021.

MINUTES

A motion was made by Commissioner Liz Foster-Anderson, seconded by Commissioner Shaun Carlson, and carried to approve the minutes for Thursday, August 26, 2021.

PUBLIC HEARINGS

Public hearing to give consideration to a request for expansion of a nonconforming use in order to construct a 1,516 square foot addition to a 1,400 square foot storage building at 874 Shorewood Drive (BaseLine Development)

Chairman Dan Wenner opened the public hearing.

Larry Remmen reported in the matter of consideration to the request for expansion of a nonconforming use in order to construct a 1,516 square foot addition to a 1,400 square foot storage building at 874 Shorewood Drive (Baseline Development). Larry Remmen stated BaseLine Development (Scott Majkrzak) has requested the expansion of a nonconforming use at 874 Shorewood Drive to enlarge a 1,400 square foot accessory structure to 2,916 square feet.

Larry Remmen stated State Law allows the owner to repair, maintain, or even rebuild this structure. However, any change to its size would require approval of a nonconforming use expansion permit. Expansion of a nonconforming large storage building in a residential zoned area is not compatible with the surrounding use or the intent of the zoning ordinance. Currently accessory buildings on a vacant lot can be allowed by conditional use but they require a large lot, large setbacks, and are limited to 2,000 square feet and 14 feet in height. The current request is for a 2,916 square foot building which more than doubles the size of the existing structure. The owner does have a reasonable use of the property as he has a 1,400 square foot building on the lot. Based on the information in this report, I recommend denial of the requested nonconforming use expansion permit.

Calvin Price, 874 Shorewood Drive, requested an increase to the size of the building due to the structure being small and falling apart. Calvin Price stated that a boat will not fit inside of the current structure. Calvin Price stated the structure will be located on the back of the lot by the wooded area so it will not be visible in any direction.

Sherryl Leum, 880 White Clover Beach Road, stated the map and site plan do not match. Sherryl Leum questioned the setback to the property line. Larry Remmen stated the setback is approximately 30 feet. Sherryl Leum questioned if the building would have a new slab since the current slab doesn't match what is on the aerial photo. Larry Remmen stated the building would be expanded out.

Calvin Price stated the building would be turned so it would be parallel to the lot lines. Sherryl Leum questioned if the building would actually be added to or if there would be a new structure. Commissioner Dan Wenner questioned if the current structure would be demolished. Calvin Price stated the building would be removed. Commissioner Dan Wenner stated the building would be removed and rebuilt which would be considered a reconstruction of a larger structure. Commissioner Dan Wenner stated the building would be moved to be parallel with the lot line.

Larry Remmen stated State Law allows for the rebuilding a nonconforming use structure to be rebuilt in the exact same location. Larry Remmen stated the project would include the demolition of the structure, rebuilding of the structure, and an addition.

Tom Larson, 840 White Clover Beach Road, stated Scott Majkrzak has kept the property neat and clean. Tom Larson stated the previous owners had not kept the lot neat and over the time the structure has deteriorated. Tom Larson stated Scott Majkrzak has maintained the property and supports the project.

There being no further public comments, the public hearing was closed.

Commissioner Nancy Haggart questioned the structure size that is allowed for a nonconforming use permit expansion. Larry Remmen stated the structure can be up to 2,000 square feet. Commissioner Nancy Haggart questioned the total square feet for the expansion request. Larry Remmen stated the structure would be 2,916 square feet. Commissioner Nancy Haggart questioned if there was a size restructure on shouses. Larry Remmen stated the shouse is a different. Larry Remmen stated a house with an attached garage is limited to 35% of the size.

Commissioner Nancy Haggart questioned if the structure would have any living quarters or plumbing. Calvin Price stated there wouldn't be any living quarters or plumbing.

Commissioner Dan Wenner questioned if there was any residence on the property. Larry Remmen stated there isn't any residence on the property. Larry Remmen stated the structure has been on the property for a long time.

Commissioner Shaun Carlson stated the property is approximately 2.2 acres in size and questioned the usable space for a residential structure in the future. Larry Remmen stated there would be plenty of room for a residential structure after the construction of the expansion of the nonconforming building.

Commissioner Dan Wenner stated the City has an ordinance against stand alone accessory structures and storage buildings on a parcel. Larry Remmen stated a Conditional Use Permit is required and the property owner must live within 200 feet of the property and must meet the setback requirements. Larry Remmen stated the project is limited to 2,000 square feet. Commissioner Dan Wenner questioned if the property owner lived within the 200 feet. Larry Remmen stated he didn't know if they lived within the 200 feet.

Commissioner Dan Wenner questioned how the nonconforming use permit could be granted. Larry Remmen stated the request is for more than a little size variation and is way over the 2,000 square feet that would be allowed with a Conditional Use Permit. Commissioner Dan Wenner stated there are a lot of issues with the request such as not within the 200 square feet of residence, size is larger than allowed, and it is doubling the size instead of the 2,000 square feet which is allowed. Commissioner Dan Wenner stated it is against the zoning ordinance of stand alone storage buildings.

Sherryl Leum questioned what is an ag building. Larry Remmen stated it is a storage shed or a cold storage garage.

Commissioner Nancy Haggart questioned if they could apply for a Conditional Use Permit and keep the size at 2,000 square feet. Larry Remmen stated they have to live within the 200 feet of the property.

Commissioner Chris Nord questioned if they could rebuild in the same location. Larry Remmen stated they can building in the same location with the same height as the current structure.

Commissioner Dan Wenner stated he is opposed to stand alone buildings

A motion was made by Commissioner Nancy Haggart, seconded by Commissioner Marcus Lacher, and carried unanimously to deny the request for expansion of a nonconforming use in order to construct a 1,516 square foot addition to a 1,400 square foot storage building at 874 Shorewood Drive (BaseLine Development).

Public hearing to give consideration to rezoning property at 600 Homestead Street from “R-1” Single Family to “R-2” One and Two Family District (David Nohner)

Chairman Dan Wenner opened the public hearing.

Larry Remmen reported in the matter of consideration to rezoning property at 600 Homestead Street from “R-1” Single Family to “R-2” One and Two Family District (David Nohner). Larry Remmen stated David Nohner has requested the rezoning of 600 Homestead Street from “R-1” Single Family Residential District to “R-2” One and Two Family Residential District. The purpose of the “R-1” District is to provide for low density single family development. The district contemplates large lots as it requires a 50 foot rear yard setback. The purpose of the “R-2” district is to provide medium density development and contemplates smaller lots as the district requires a 30 foot rear yard setback. The lot at 600 Homestead Street is only 104 to 106 feet deep and a 50 foot rear yard setback does not leave much room for building. Based on the lot size and the setback requirements, I recommend approval of the request to rezone 600 Homestead Street to “R-2” One and Two Family Residential as it is a more appropriate zone for this size of lot. Larry Remmen reported there is an “R-2” District across the street.

Commissioner Dan Wenner questioned if Lot 11 is zoned “R-1”. Larry Remmen stated Lot 11 is zoned “R-1”. Larry Remmen stated Lot 11 is already built on so the zoning isn’t an issue for the lot. Larry Remmen stated the lots were probably zoned as “R-2” at one time and rezoned to “R-1”.

David Nohner, 21412 Green Acres, representing his Dad and is looking to sell the property. David Nohner stated the lot is 105 feet deep with an 80 foot setback, 30 in front and 50 in the rear. David Nohner stated due to the setbacks there isn’t much that can be constructed on the lot. David Nohner stated a home could only be 25 feet deep. David Nohner stated that the zoning change would make the lot more saleable. David Nohner stated the lot was sold but due to setback issues the sale fell through.

Commissioner Chris Nord questioned what the neighboring properties setbacks are from the road. Larry Remmen stated he wasn’t certain the setbacks but one lot next door was zoned “R-1” and the other is zoned “R-2”. Larry Remmen stated it didn’t appear to meet the 50 foot setback but was probably constructed before the 50 foot setback requirement.

Commissioner Chris Nord questioned if the setbacks could be split between neighbors. Larry Remmen stated the setback requirements must be met for each property.

David Nohner stated the property to the north has been grandfathered in. David Nohner stated the rear property setback is around 45 feet to the house. David Nohner stated if the deck is included in the setback requirements the setback is more like 38 feet.

Commissioner Dan Wenner stated the zoning was due to the residents on Broadway requested “R-1” and this property was included in the rezoning.

There being no further public comments, the public hearing was closed.

A motion was made by Commissioner Liz Foster-Anderson, seconded by Commissioner Marcus Lacher, and carried unanimously to approve the rezoning at 600 Homestead Street from “R-1” Single Family to “R-2” One and Two Family District (David Nohner).

Public hearing to give consideration to the preliminary plat approval and the rezoning from “R-A” Agriculture Residential to “R-2” One and Two Family Residential of Shorewood Oaks at 735 Shorewood Drive (David Pratt)

Chairman Dan Wenner opened the public hearing.

Larry Remmen reported relative to consideration to the preliminary plat of Shorewood Oaks (David Pratt). Larry Remmen stated a request has been made by David Pratt for preliminary plat approval and rezoning of Shorewood Oaks at 735 Shorewood Drive. The property at 735 Shorewood Drive is currently zoned “R-A” Residential Agriculture. The applicant is requesting “R-2” One and Two Family Residential District for the portion of the lot that will be platted. The proposed plat of Shorewood Oaks is a four (4) lot residential subdivision. The total platted area is 3.74 acres. Larry Remmen stated he recommends preliminary plat approval subject to the following conditions: 1) That the owner sign an Assessment Agreement and Development Agreement prior to final plat approval; 2) That the owner provide any utility easements required by the City; 3) That the owner dedicate land for stormwater treatment as designated by the City Engineer; 4) That the owner dedicate any road right of way required by the City; and 5) That the owner pay the required park dedication fee of \$1,234 prior to final plat approval. Larry Remmen stated he recommends approval of rezoning the platted are to “R-2” One and Two Family Residential District.

Larry Remmen stated Michael Campion, PE, Ulteig Engineer, conducted an independent review of Shorewood Oaks and the following is their findings: Ulteig Engineering, Inc (Ulteig) has completed a review of the proposed plat for the Shorewood Oaks residential subdivision located in Detroit Lakes, Minnesota (City). Based on review of the plat and applicable city records, Ulteig can provide the following summary of findings of this plat as it pertains to connection to City sewer and water service, as well as its adherence to City stormwater regulations. City Sewer and Water Service: Existing City sewer and water main is present along the eastern boulevard of Shorewood Drive. Theses existing mains should provide adequate service for sewer and water connection to the proposed Lots 1-4 of the Shorewood Oaks subdivision. As-built records from this area do not indicate the presence of any existing sewer or water services provided running westerly across Shorewood Drive. As a result, any future connection for the proposed lots would require the facilitation of this connection beneath or across Shorewood Drive. City Stormwater Requirements: Based on review of current City zoning ordinances, it is Ulteig’s opinion that he Shorewood Oaks subdivision meets local requirement for stormwater discharge as the plat does not create any new roadway or storm sewer collection systems and therefore would not require dedicated stormwater sedimentation basins be constructed. All stormwater runoff from the proposed Lots 1-4 shall be collected in existing stormwater facilities already in place along Shorewood Drive prior to discharging into local drainage systems.

Larry Remmen received a letter from Mike and Christine Moher, 655 Shorewood Drive, which stated: Rezoning: 735 Shorewood Drive Proposed Development. We have seen many different versions of this proposal for development. We are concerned with impact on all green space, woodlands, marshland, neighboring properties. Woodlands are an advantage to everyone. Water levels in wetland/marshland. The downhill neighboring properties concerning water table..run-off to adjacent properties. We live at 655 Shorewood Drive; first property on north end of proposed development. Any road going back to the west, located off of Shorewood Drive poses a huge safety concern. A blind approach/hill also a blind corner. Speeds are in excess anyway adding to greater safety concern for all including walkers, runners, bicyclist. We feel strongly opposed to any change in zoning of 735 Shorewood Drive development. We feel we have definitely not received enough proper information in regards to the complete overall project. Most of all the big picture.

Larry Remmen stated there has only been two versions of this plat. Larry Remmen stated there was a five lot and then the current version as a four lot plat. Larry Remmen stated since there isn't a road the road comments are not relevant to the plat approval.

Larry Remmen stated the applicant has submitted a rough sketch of future development which would include a future road. Larry Remmen stated the future plat could possibly have 15 lots at 1.5 acres per home. Larry Remmen stated the four lot plat is the only plat being addressed tonight.

Larry Remmen received a letter from Wade and Cathie Lehmkuhl, 581 Shorewood Drive, which stated: We received a second letter from your office yesterday with changes to the previous week's letter regarding the Pratt property on Shorewood Drive. Our property at 581 Shorewood Drive abuts that property on its south side so we are very concerned about the outcome of the scheduled hearing. This vicinity is a natural area similar to the Sucker Creek Preserve enjoyed by many. Disappearance of open area like this reduces the quality of life for the people in our community. We have questions about the Wetlands and DNR response to the request to rezone this area. The agricultural/forested/wetlands nature of this neighborhood was part of the incentive for purchasing our property in December 2006. Adding another housing development will add to the traffic affecting homeowners as well as the many pedestrians and bikers who frequent this neighborhood. The process of the development of the referenced property is moving at a rather rapid pace and with limited shared information. We are opposed to the zone change. We intend to attend the scheduled meeting and will voice our additional questions and concerns at that time.

Larry Remmen stated he is recommending preliminary plat approval with the five conditions and the rezoning. Larry Remmen stated the zoning request is consistent with the Comprehensive Plan.

Commissioner Marcus Lacher questioned the driveway that covers two lots. Larry Remmen stated the plat is showing what currently exists and the driveway will be moved to Lot 3 and Lot 2 will have to construct a new driveway.

Adam Geiger, Meadowland Surveying, stated he is representing David Pratt in the four lot subdivision. Adam Geiger stated the concept sketch for the 15 lots was to show what the possible future plat will look like but there is no plans for the future plat at this time. Adam Geiger stated there is an easement on Lot 2 but the future buyer will have to deal with the easement in the future.

Julie Raphael, 579 Shorewood Drive, currently owns 22 acres that adjoins the Pratt plat with a 66 foot easement on the southern border. Julie Raphael expressed concern about the development and the easement. Julie Raphael questioned how lots can be for sale with the plat just going through preliminary plat approval. Julie Raphael questioned what is a temporary cul-de-sac. Julie Raphael questioned the length of time for the temporary cul-de-sac and the impact it will have on the trees. Larry Remmen stated the platting will not affect the easement as it has been recorded with Becker County and will not change. Larry Remmen stated the real estate agent has placed the signs but can not close on any of the lots until the plat has been finalized and recorded with Becker County. Larry Remmen stated the cul-de-sac was going to be put in with the road but this plat is only four lots and doesn't include the temporary cul-de-sac. Julie Raphael questioned the length of time for a temporary cul-de-sac. Larry Remmen stated there isn't a definite timeframe for a temporary cul-de-sac. Commissioner Dan Wenner stated a temporary cul-de-sac would be used by the City for snow removal. Julie Raphael requested an environmental study to show the impact of the subdivision on the 22 acres. Larry Remmen stated there is no requirement for an environmental impact study for a tract of this size.

Nancy Haggart, 633 and 605 Shorewood Drive, read her letter dated September 23, 2021: This letter is concerning: **The consideration to preliminary plat approval and the rezoning from "R-A" to "R-2" of CAM CC Heights (Shorewood Oaks) at 735 Shorewood Drive.** I am a landowner, with my primary residence at 633 Shorewood Drive and a second undeveloped lot at 605 Shorewood Drive. I am also a part owner of the Shorewood Drive Recreation Club, which has a tennis court across the street from my primary residence. My back lot line is approximately 170 feet from the lot line of 735 Shorewood Drive and therefore my property will have an impact from any development on that parcel of land. I have concerns and questions about the following aspects of this proposed rezoning and platting. 1. **Water management and drainage.** 735 Shorewood is in the Shore Impact Zone and there is a defined wetland area between the proposed development and my lot. My property is at a significantly lower elevation and barely above the water table. My home was built on a cement slab because it is too low to have a basement or crawlspace. I have had moisture seepage through the porous concrete foundation that caused warping of my wood floor. This summer I replaced the entire flooring surface on my first floor with special measures instigated to prevent moisture damage in the future. I have still needed to run a dehumidifier that I empty daily. I feel that 735 Shorewood Drive needs to have a thorough environmental assessment and input from the watershed district before any development is advisable because of the steep slope to my property and the wetland. I have reviewed the City of Detroit Lakes goals and policies that states, any development should not destroy environmental features and needs to ensure protection of wetlands. 2. **Safety and density.** Shorewood Drive is fully developed with homes along the lakeside. The non-lakeside is mostly natural habitat or very low density housing with the exception of a trailer court near the intersection of Long Bridge Road which has it's own "frontage" road, and the "Long Bridge Heights MMCDC development which has two access streets. Shorewood Drive is very busy

with pedestrian walking and biking traffic. There are no wide shoulders, sidewalks or designated walk or bike paths and the road is curving and hilly in many places. The location of the proposed rezoning is on a hill that has a completely blind approach when coming from the north. The traffic is already going too fast, and adding the proposed driveways is way too dense and very unsafe. I feel that there needs to be a traffic and safety assessment before any rezoning or development can be considered. 3. **Communication and transparency.** I have received two letters about this hearing for consideration of rezoning. The first, (dated September 7th, but I received it on September 9th) was a proposal for 5 lots and a dedicated public road that appeared to be access to the remaining 17 acres, which the proposal says will remain the R-A zoning. I can only assume, that the owner has plans for future development. The second letter (dated September 14th, but I received on September 17th) reduced the proposal to 4 lots and the proposed road was removed. About September 12th or 13th, there were “FOR SALE” signs posted on the land. The online realtor listing indicates one lot with the existing home and the three other undeveloped lots with the apparent lot lines that were presented in my second letter. The Realtor is advertising these lots as being in Detroit Lakes newest “Shorewood Oaks Addition”. This land is not platted and it seems very inappropriate to advertise it in this way. I question the timing of the communication to neighboring landowners. My understanding is that rezoning requests require a 10-day notification to residents within 700 feet of the proposed changes. I received the second letter less than a week before this hearing. It also appears that the plans for this property are changing. I think the neighbors and the city of Detroit Lakes need to be informed about the complete plan before any zoning changes can be considered. I request that the owner/developer of 735 Shorewood Drive respond to all of these questions with complete transparency and clarity before there can be any consideration of rezoning. The City of Detroit Lakes is known for preserving it’s natural terrain including the City Park, the mile long city beach and Sucker Creek Preserve. These all add to the recreational and economic value that the citizens and visitors admire. The City’s Mission Statement is committed to preserving and protecting these resources. All growth and development needs to be accomplished in an orderly, organized and coordinated fashion. It is my opinion that the proposed development and rezoning needs further investigation to meet these guidelines.

Adam Geiger stated the size of the current proposed plat doesn’t require a stormwater management plan. Adam Geiger stated if the rest of the property were to be platted in the future it would be required to have a stormwater management plan. Adam Geiger stated the traffic engineer report would have been addressed by the Engineer. Adam Geiger stated he doesn’t have a response for the real estate signs.

Ken Brill, 488 Shorewood Drive, expressed concerns with the wetlands and traffic. Ken Brill stated traffic is going faster than the posted speed limit. Ken Brill expressed concern with the impact of the wetlands and future deterioration to the wetlands caused by the proposed development. Ken Brill recommended slowing down the approval of the plat to review the wetland impact and address the traffic issues.

Ed Welke, 820 Shorewood Drive, questioned if he purchased the house in the plat, how would it affect the project. Adam Grieger stated the purchase could not be completed until the plat is completed if the plat is approved. David Pratt stated there would be a purchase agreement and the sale of the property wouldn’t be complete until the final plat is completed.

Larry Remmen stated the City of Detroit Lakes owns a considerable amount of wetlands in the area and currently is in the process of purchasing the wetlands to the north and west of the property. Larry Remmen stated the City is looking at purchase a 15 acre property that has been tax forfeited.

Justin Hegg, 597 Shorewood Drive, stated there is a large hill directly behind his property which causes water issues. Justin Hegg stated during wet years he has water issues in his basement. Justin Hegg expressed concern with the property being developed during a dry year. Justin Hegg stated he is concern about adding more traffic in the area with the already busy streets. Justin Hegg questioned how the shed in the back of the property will be accessed. Adam Geiger stated there would have to be an approach added north of Lot 1. Adam Geiger stated the approach will require an Engineer to design with a culvert and water retention.

Tom Larson, 840 White Clover Beach Road, agrees with the comments from Nancy Haggart. Tom Larson expressed concern with the narrow road and the traffic safety. Tom Larson stated the traffic is too fast and expressed concern for pedestrians, runners, and increased traffic volume from a development.

Wade Lehmkuhl, 581 Shorewood Drive, expressed concern with the traffic safety and the blind curve. Wade Lehmkuhl stated the pedestrian traffic issues come from the blind curve and the pedestrians walking in the middle of the road.

Chad Guttormson, 742 Shorewood Drive, expressed concern about the blind spot going up the hill. Chad Guttormson expressed concern about increasing traffic from the development with the blind spot. Chad Guttormson expressed concern about the construction of the development with the road issues. Chad Guttormson expressed concern with the water issues and having the hill flattened and the water running down the hill.

Commissioner Shaun Carlson questioned if the plat was located in the wetland area. Larry Remmen stated the plat is outside of the wetland area. Commissioner Shaun Carlson questioned if the plat was higher in elevation than the wetlands and the low areas. Larry Remmen stated the plat is higher in elevation than the wetlands and low areas. Commissioner Shaun Carlson questioned if there would be any impacts to the wetlands. Larry Remmen stated the plat will have to follow all of the stormwater regulations and therefore should not impact the wetland areas. Commissioner Shaun Carlson questioned if the rezoning would only affect the plat. Larry Remmen stated the rezoning is only for the plat. Commissioner Shaun Carlson questioned if there was anything in the plat that didn't meet the City zoning ordinances, regulations, Comprehensive Plan, and notification guidelines. Larry Remmen stated the plat has meet all of the City requirements and notification guidelines even with the amendment of the notification. Larry Remmen noted the change to the plat could have occurred at the Planning Commission meeting and still met the requirements. Commissioner Shaun Carlson questioned if the traffic issues that are being expressed are outside of the plat request. Larry Remmen noted the traffic issues are the same for anytime there is a new home around the lake. Commissioner Shaun Carlson noted the traffic issues will still occur even if the development is not approved. Larry Remmen noted the road has the capacity to add the additional homes from the development.

Commissioner Liz Foster-Anderson questioned where the access to the shed would be located and expressed concern about the access being close to the wetlands. Adam Geiger stated the access would be close to Lot 1. Commissioner Liz Foster-Anderson expressed concern about pollutants, from a road access to the shed, with the wetland areas and the City's regulations for stormwater management. David Pratt stated if there were to be further platting in the future there would be a road that would go next to Lot 1. David Pratt stated the road would be built according to the City regulations and a communication vault would have to be moved. David Pratt stated a lot was removed from the plat in order to address issues of stormwater management and road placement.

Commissioner Nancy Haggart questioned how the remnant tract of land would be accessed. David Pratt stated there is an existing approach on the lot that he owns with a trail that goes to the shed that is on Lot 2.

Commissioner Liz Foster-Anderson questioned if the temporary cul-de-sac could be turned into a future road that has been presented in the future concept plan. Larry Remmen stated the cul-de-sac will be more than likely a permanent cul-de-sac.

Commissioner Dan Wenner expressed concern about the water run-off onto the neighboring properties and would like to add a condition related to following all City stormwater regulations. Larry Remmen stated he would propose the condition that the owner abide by all the City's stormwater regulations.

Commissioner Liz Foster-Anderson questioned whether the stormwater management plan is required for the plat. Larry Remmen stated the plat must follow the City's stormwater regulations, but it doesn't require a Land Disturbance Permit. Commissioner Nancy Haggart questioned if a condition could be added to require stormwater treatment. Commissioner Shaun Carlson stated conditions three states "That the owner dedicate land for stormwater treatment as designated by the City Engineer." Larry Remmen noted the City Engineer has been changed to City. Larry Remmen noted the development can't increase the volume or the speed of the run-off. Larry Remmen stated the City tries to preserve existing drainage not force water to change direction.

Commissioner Marcus Lacher stated condition five requires a Land Disturbance Permit. Larry Remmen stated the conditions were changed and condition five was removed. Larry Remmen stated since the road would not be constructed a Land Disturbance Permit would not be required.

Commissioner Liz Foster-Anderson questioned whether the City could recommend to Public Works some signage for the road. Larry Remmen stated he would contact Public Works.

Commissioner Nancy Haggart expressed the need for more affordable housing within the City of Detroit Lakes. Commissioner Nancy Haggart stated that just because there is land doesn't mean it has to be developed.

Commissioner Dan Wenner stated a landowner should be able to develop land if they choose to, unless someone else wishes to purchase the land and leave it empty.

Commissioner Shaun Carlson stated the plat meets the Comprehensive Plan and has no violations. Commissioner Shaun Carlson stated there are no issues that prevent the plat from being developed.

There being no further public comments, the public hearing was closed.

A motion was made by Commissioner Shaun Carlson, seconded by Commissioner Chris Nord, and carried to approve the preliminary plat of Shorewood Oaks at 735 Shorewood Drive (David Pratt) subject to the following conditions: 1) That the owner sign an Assessment Agreement and Development Agreement prior to final plat approval; 2) That the owner provide any utility easements required by the City; 3) That the owner dedicate land for stormwater treatment as designated by the City; 4) That the owner dedicate any road right of way required by the City; and 5) That the owner pay the required park dedication fee of \$1,234 prior to final plat approval; and 6) That the owner abide by all the City's stormwater regulations. Commissioner Nancy Haggart – opposed

A motion was made by Commissioner Liz Foster-Anderson, seconded by Commissioner Shaun Carlson, and carried to approve the rezoning of 735 Shorewood Drive from “R-A” Agriculture Residential to “R-2” One and Two Family Residential for the Shorewood Oaks plat at 735 Shorewood Drive (David Pratt). Commissioner Nancy Haggart - opposed

BUSINESS

Variance/Conditional Use Status Report

Variance and Conditional Use Status Report was for information only.

Larry Remmen reported Mike Melhus has removed the shed and will be reapplying for a smaller shed.

A motion was made by Commissioner Liz Foster-Anderson, seconded by Commissioner Shaun Carlson, and carried unanimously to adjourn the meeting.

ADJOURNMENT

Respectfully submitted,
Jennifer Beck
Community Development Secretary



City of Detroit Lakes

1025 Roosevelt Ave., P.O. Box 647 Detroit Lakes, MN 56502

Date & Time Submitted

APPLICATION FOR REZONING, CONDITIONAL USE PERMIT, OR VARIANCE

Name of Applicant:	Lakeshirts	Contact Number:	218-849-0978
Mailing Address:	PO box 52	Email Address:	dan@lakeshirts.com
City, State, Zip:	Detroit Lakes MN 56501	Project Address:	903 8th street
Parcel Number:	491478001	City, State, Zip:	Detroit Lakes MN 56501

ACTION REQUESTED

<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Rezoning
<input checked="" type="checkbox"/> Variance (page 2 Required)	<input type="checkbox"/> Non-conforming Use Expansion Permit
<input type="checkbox"/> Subdivision	

Size of Property (Dimensions)	165'x320'
Current Zoning of Property	
Zoning District Requested	
Current Use of Property	
Number of Lots for Subdivision	

Description of Project: Building warehouse

Explain how you wish to vary from the provision of the Ordinance: need 24' inside for pallet racing so outside peak is 38'

Submit following items with application

1. Copy of Legal Description of Property – Abstract or Deed
2. Submit applicable maps or drawing
3. \$330.00 Application Fee (Does not apply to Subdivisions)
4. Subdivision Application Fee: \$75.00 per Lot, \$500 Minimum

The undersigned certifies that they are familiar with the application fees and other associated costs, and also with the procedural requirements of the City Code and other applicable ordinances.

Print Name:	Dan Hagen		
Signature:		Date:	8-17-21

VARIANCE

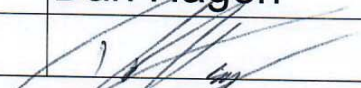
Complete page only if requesting a variance.

EXPLANATION FOR EACH QUESTION REQUIRED

In your opinion, is the variance in harmony with the purpose and intent of the ordinance? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
In your opinion, is the variance consistent with the Comprehensive Plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
In your opinion, does the proposal put property to use in a reasonable manner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
In your opinion, are there circumstances unique to the property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
In your opinion, will the variance maintain the essential character of the locality? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Planning Commission must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of the City Code and other applicable ordinances.

Print Name:	Dan Hagen		
Signature:		Date:	8-17-21

VARIANCE

Complete page only if requesting a variance.

EXPLANATION FOR EACH QUESTION REQUIRED

In your opinion, is the variance in harmony with the purpose and intent of the ordinance? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The request is only for an additional 5+ feet of building height which will not impact the aesthetics of the area.
In your opinion, is the variance consistent with the Comprehensive Plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	This will allow an industrial use in an industrially zoned area.
In your opinion, does the proposal put property to use in a reasonable manner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The use is reasonable as it is a warehouse that would be allowed to be 31 feet high instead of 26 feet high.
In your opinion, are there circumstances unique to the property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The additional height is needed to provide the 24 foot high sidewalls need for pallet racking.
In your opinion, will the variance maintain the essential character of the locality? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The variance will maintain the essential character of the neighborhood as the building will match the other types of use in the neighborhood.

The Planning Commission must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of the City Code and other applicable ordinances.

Print Name:			
Signature:		Date:	



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.

LAKESHIRTS

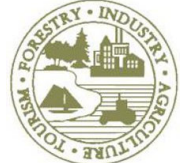
903 8TH STREET SE

1:2,113

16 of 34

Date: 9/17/2021

Becker County



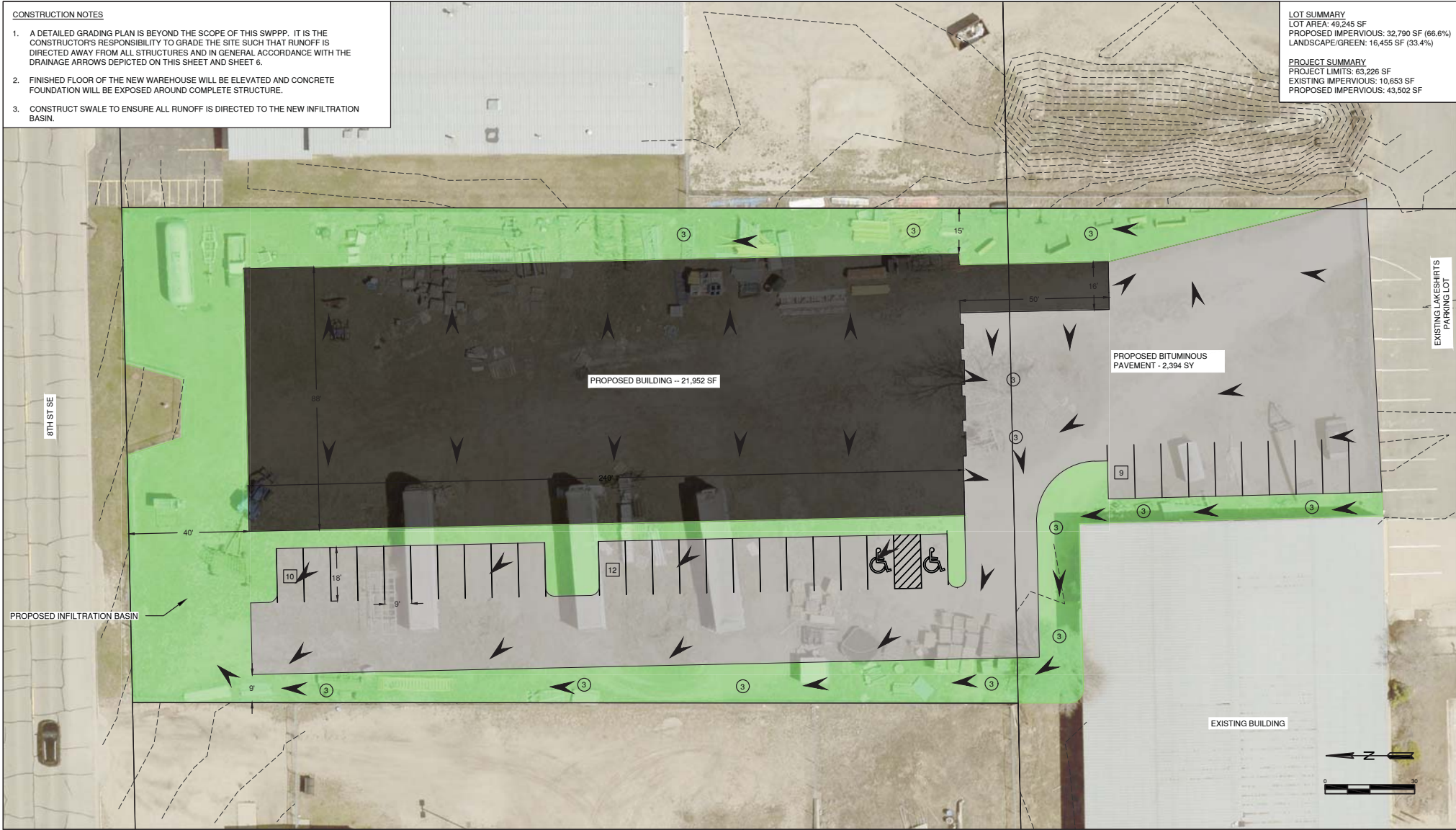
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

CONSTRUCTION NOTES

1. A DETAILED GRADING PLAN IS BEYOND THE SCOPE OF THIS SWPPP. IT IS THE CONSTRUCTOR'S RESPONSIBILITY TO GRADE THE SITE SUCH THAT RUNOFF IS DIRECTED AWAY FROM ALL STRUCTURES AND IN GENERAL ACCORDANCE WITH THE DRAINAGE ARROWS DEPICTED ON THIS SHEET AND SHEET 6.
2. FINISHED FLOOR OF THE NEW WAREHOUSE WILL BE ELEVATED AND CONCRETE FOUNDATION WILL BE EXPOSED AROUND COMPLETE STRUCTURE.
3. CONSTRUCT SWALE TO ENSURE ALL RUNOFF IS DIRECTED TO THE NEW INFILTRATION BASIN.

LOT SUMMARY
 LOT AREA: 49,245 SF
 PROPOSED IMPERVIOUS: 32,790 SF (66.6%)
 LANDSCAPE/GREEN: 16,455 SF (33.4%)

PROJECT SUMMARY
 PROJECT LIMITS: 63,226 SF
 EXISTING IMPERVIOUS: 10,653 SF
 PROPOSED IMPERVIOUS: 43,502 SF



REVISIONS

Issue #	Description	Date
1	Reissued Plan Set	9/24/21



Bismarck - Detroit Lakes
 Dickinson - Fargo
 920 McKinley Ave
 Detroit Lakes, Minnesota 56501
 Office: 218-844-2580
 www.apexenggroup.com

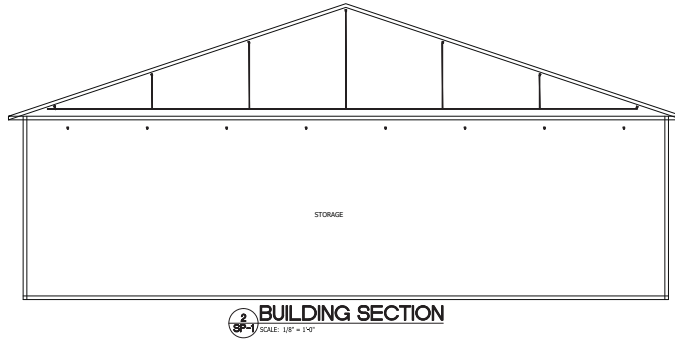


Apex Project #: 21.497.0159
 Date: SEP 14, 2021
 Drawn By: SJR
 Checked By: JSO
 Approved By: JSO

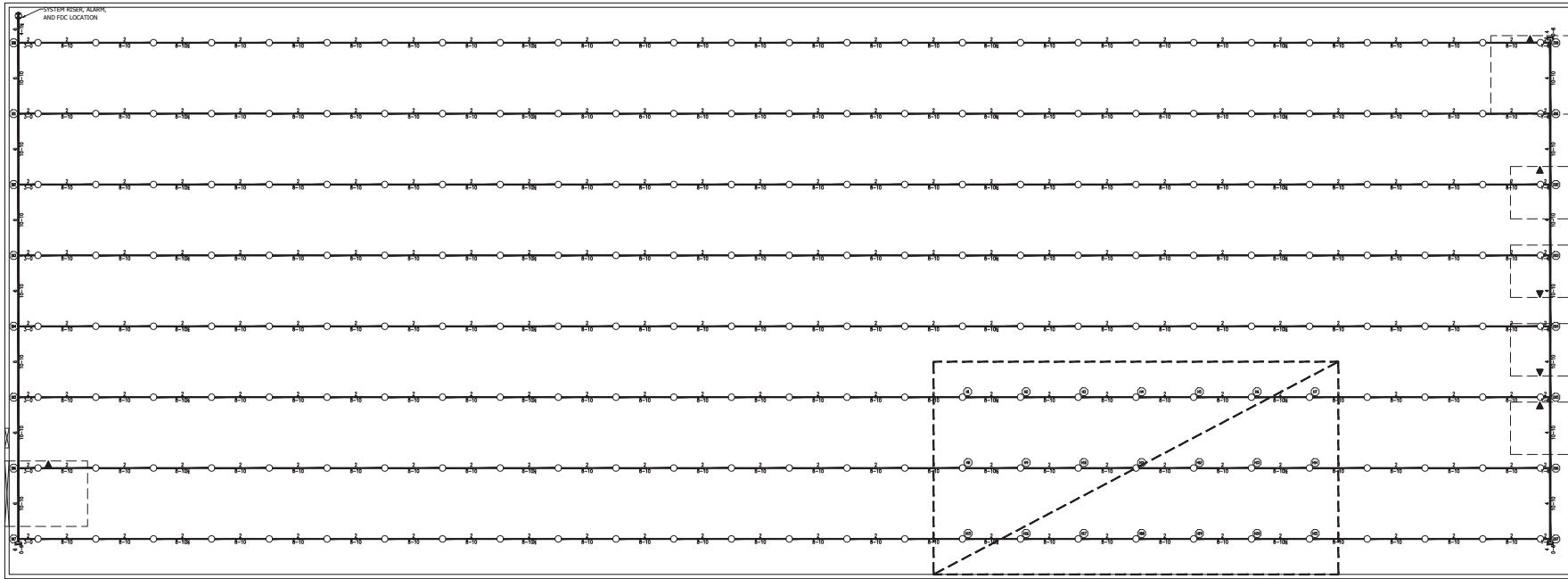
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
 Print Name: Jonathan Johnson
 Signed: _____
 Date: 9/24/21 License Number: 47561

LAKESHIRTS WAREHOUSE
 CONCEPTUAL GRADING PLAN

Sheet:
 7
 OF 8



BUILDING SECTION
SCALE: 1/8" = 1'-0"



WET PIPE SPRINKLER PLAN
SCALE: 1/8" = 1'-0"

DESIGN AREA: #STORAGE
 # OF HEADS IN REMOTE: 21
 DENSITY: 29 / 2,012 SQ. FT.
 SYSTEM FLOW: 631.86 GPM
 SYSTEM PRESSURE: 33.832 PSI
 SAFETY MARGIN: +5.777 PSI
 FILE NAME: STORAGE.WXF
 OUTSIDE HOSE: 500 GPM

STORAGE NOTES:
 SYSTEM IS DESIGNED FOR THE STORAGE OF NONENCAPSULATED CLASS III
 COMMODITIES WITH A MAXIMUM STORAGE HIGH OF 20'-0" ABOVE FINISHED FLOOR.

SPRINKLER HEAD SCHEDULE - PROJECT TOTALS									
SYMBOL	COUNT	THREAD	K-FACTOR	TEMP	MAKE	DESCRIPTION	SPACING	NOTES	
○	216	3/4"	11.2	286°	VIKING	BRASS UPRIGHT	100 SQ.FT.	..	
⊗	259	1/2"	5.6	200°	VIKING	BRASS UPRIGHT	130 SQ.FT.	..	
◄	6	1/2"	5.6	286°	VIKING	BRASS ET. SIDEWALL	16 X 16	UNDER GARAGE DOOR	

481 = TOTAL NUMBER OF HEADS



NOVA FIRE PROTECTION INC
 WWW.NOVAFIRE.COM
 WWW.NOVAFIRE.COM
 Phone: (313) 282-2446
 Fax: (313) 282-2446
 600 Industrial Ave. • Royal Oak, Michigan 48067
 10000 Grand Ave. #200 • Detroit, Michigan 48209

REVIEWED BY:
BNL
 DATE: 9-24-2021
 DRAWN BY:
CAJ
 SCALE:
1/8" = 1'-0"

LAKESHIRTS STORAGE BUILDING
 8TH STREET SE
 DETROIT LAKES, MN 56501

SP
 1 & 2
 JOB NO:

STAFF REPORT

**IN THE MATTER OF CONSIDERATION TO A VARIANCE TO ALLOW CONSTRUCTION
OF A 31 FOOT HIGH ACCESSORY BUILDING INSTEAD OF THE REQUIRED 26 FOOT
HIGH ACCESSORY BUILDING
AT 903 8TH STREET SE
(LAKESHIRTS)**

Lakeshirts has requested a variance to allow an accessory structure to exceed the 26 foot height limit in order to construct an accessory structure with a height of 31 feet. The variance is needed because the pallet racking proposed requires a 24 foot sidewall. This along with a 14 foot roof system brings the building height from the ground to the midpoint of the roof.

Consideration to the following findings of fact should be given to this request:

1. The variance is in harmony with the purpose and intent of the zoning ordinance as the requested variance will only add 5 feet of building height which will not impact the aesthetics of the area and is much lower than the 4 stories that are allowed for principal structures in the "I-1" District. This is also an industrial use in an industrially zoned district.
2. The variance is consistent with the Comprehensive Plan as it will allow an industrial use in an industrial district.
3. The proposal puts the property to use in a reasonable manner as it is a warehouse that will be allowed to be 31 feet high instead of 26 feet high.
4. There are circumstances unique to the property as a 24 foot sidewall is needed for pallet racking.
5. The variance will maintain the essential character of the neighborhood as the structure will match other building size in the area.

Approval is recommended for a variance to allow construction of an accessory structure with a height of 31 feet.

October 1, 2021

STAFF REPORT

**RELATIVE TO CONSIDERATION OF THE FINAL PLAT OF SHOREWOOD OAKS
AT 735 SHOREWOOD DRIVE
(DAVID PRATT)**

A request has been made by David and Deborah Pratt for final plat approval of Shorewood Oaks at 735 Shorewood Oaks.

This is a four (4) lot residential plat that will be zoned “R-2” One and Two Family Residential. The 3.75 acre plat has been reviewed by staff and meets the platting requirements of the City of Detroit Lakes.

Plat approval is recommended subject to the following conditions:

1. That the owners sign a Development Agreement prior to the City signing the final plat.
2. That the owner pay \$1,234 for park dedication prior to the City signing the final plat.
3. That the owner abide by all of the City’s stormwater regulations.

SHOREWOOD OAKS

KNOW ALL MEN BY THESE PRESENTS: That David A. Pratt and Deborah R. Pratt, husband and wife, are the owners and proprietors of that part of the Northeast Quarter of the Northeast Quarter in Section 10, Township 138 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Beginning at a found iron monument which designates the northeasterly corner of Lot 1, Block One in WHITE CLOVER BEACH THIRD ADDITION, said plot is on file and of record in the office of the Recorder in said County, said point also being on the south line of the Northeast Quarter of the Northeast Quarter of said Section 10; thence South 89 degrees 20 minutes 49 seconds West 204.00 feet on an assumed bearing along the northerly line of said WHITE CLOVER BEACH THIRD ADDITION and along the south line of said Northeast Quarter of the Northeast Quarter to a found iron monument at the northeasterly corner of Lot 1, Block One in LYNNVIEW ESTATES, said plot is on file and of record in the office of the Recorder in said County; thence continuing South 89 degrees 20 minutes 49 seconds West 122.87 feet along the northerly line of said LYNNVIEW ESTATES and along the south line of said Northeast Quarter of the Northeast Quarter; thence North 02 degrees 45 minutes 49 seconds West 166.09 feet; thence North 10 degrees 09 minutes 58 seconds West 154.29 feet; thence North 89 degrees 00 minutes 37 seconds East 117.35 feet; thence North 00 degrees 51 minutes 35 seconds West 203.07 feet; thence North 89 degrees 04 minutes 55 seconds East 252.44 feet to the westerly right of way line of Shorewood Drive (Formerly County Road No. 114); thence South 00 degrees 52 minutes 46 seconds East 341.87 feet along the westerly right of way line of said Shorewood Drive; thence southerly continuing along the westerly right of way line of said Shorewood Drive on a curve concave to the west, having a central angle of 07 degrees 43 minutes 29 seconds and a radius of 1392.39 feet, for a distance of 187.72 feet (chord bearing South 02 degrees 58 minutes 59 seconds West) to the point of beginning.

SUBJECT TO a 66.00 foot wide ingress and egress easement as described in Document No. 506368, on file and of record in the office of the Recorder in said County.

And they have caused the said land to be surveyed and platted as SHOREWOOD OAKS and they do hereby donate and dedicate to the public for utility purposes the UTILITY EASEMENTS as shown on the herein plat. SUBJECT TO easements, restrictions and reservations of record, if any.

IN WITNESS WHEREOF said David A. Pratt and Deborah R. Pratt, husband and wife, have hereunto set their hands this _____ day of _____, 20____.

This plat is hereby approved by a Licensed Engineer on behalf of the City of Detroit Lakes, Minnesota, this _____ day of _____, 20____.

OWNERS:

Minnesota Licensed Engineer No. _____

David A. Pratt
Deborah R. Pratt
State of Minnesota
County of Becker

This plat is hereby approved by the City Planning Commission of the City of Detroit Lakes, Minnesota, this _____ day of _____, 20____.

The foregoing instrument was acknowledged before me, a Notary Public, this _____ day of _____, 20____, by David A. Pratt and Deborah R. Pratt, husband and wife.

Secretary _____ Chairman _____

Minnesota Notary Public
My Commission Expires _____

This plat is hereby approved by the Council of the City of Detroit Lakes, Minnesota, this _____ day of _____, 20____.

City Administrator _____ Mayor _____

I, Joshua P. Pfeiffer, do hereby certify that this plat of SHOREWOOD OAKS was prepared by me or under my direct supervision; that I am a duly licensed surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been set; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subdivision 3, as of the date of this certificate are shown and labeled on this plat, and all public ways are shown and labeled on this plat.

I hereby certify that proper evidence of title has been presented to and examined by me this _____ day of _____, 20____, and I do hereby approve this plat as to form and execution.

Attorney _____

Joshua P. Pfeiffer, Registered Land Surveyor
Minnesota Registration Number 57622

I hereby certify that the taxes for the year _____ for the lands described within are paid and no delinquent taxes and transfer entered this _____ day of _____, 20____.

County Auditor/Treasurer _____ Deputy _____

State of Minnesota
County of Becker

The foregoing surveyor's certificate was acknowledged before me, a Notary Public, this _____ day of _____, 20____, by Joshua P. Pfeiffer, Minnesota Registered Surveyor No. 57622.

I hereby certify that the within instrument was filed in this office for record on this day of _____, 20____, at _____ o'clock _____ M. and was duly recorded in Book _____ of _____, page _____, slide _____.

County Recorder _____

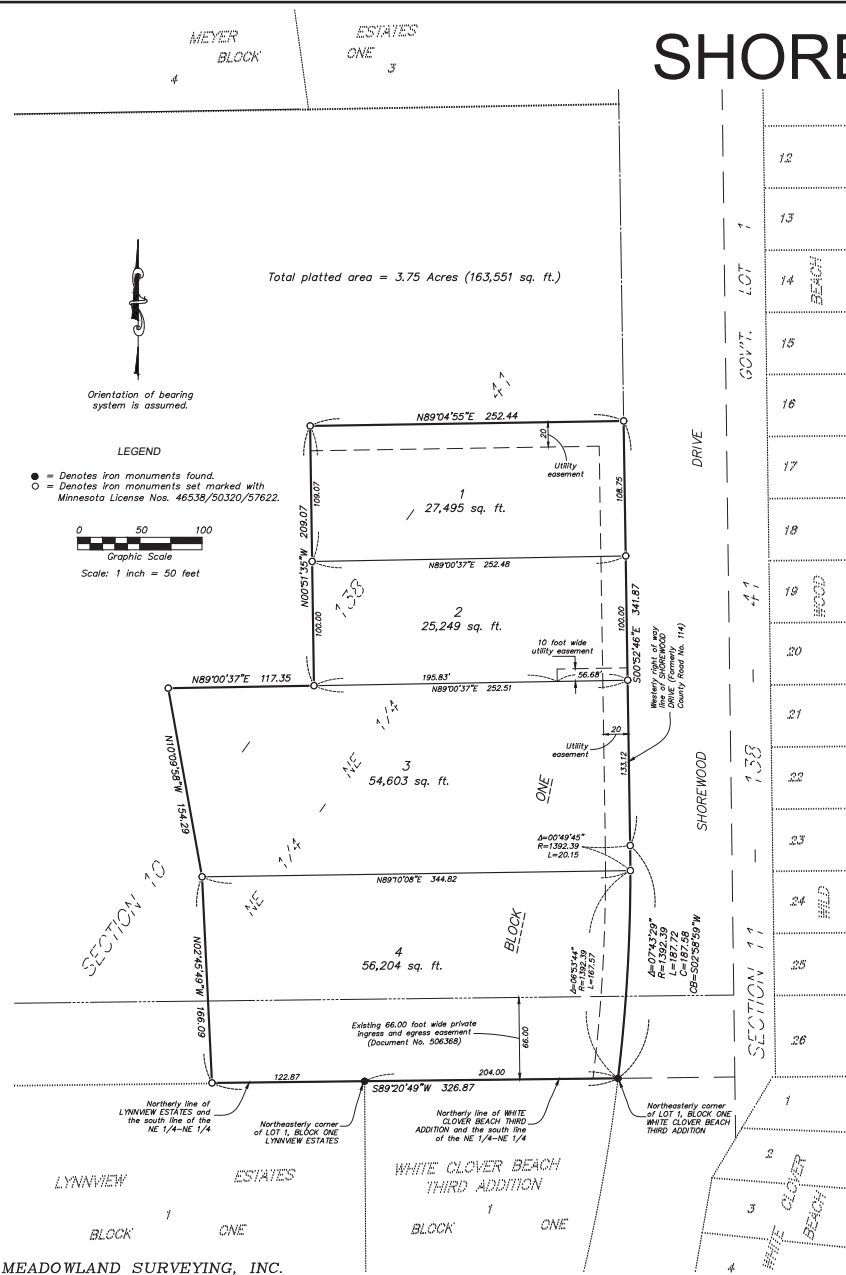
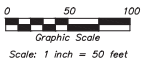
Minnesota Notary Public
My Commission Expires _____

Total platted area = 3.75 Acres (163,551 sq. ft.)

Orientation of bearing system is assumed.

LEGEND

- = Denotes iron monuments found.
- = Denotes iron monuments set marked with Minnesota License Nos. 46538/50320/57622.



MEADOWLAND SURVEYING, INC.
1118 HWY 39 SOUTH, DETROIT LAKES, MN 56501
218-947-1628
www.meadowlandsurveying.com

October 4, 2021

STAFF REPORT

**RELATIVE TO THE FINAL PLAT APPROVAL OF
COMMON INTEREST COMMUNITY #94 – LAKES TOY STORAGE AT LITTLE DETROIT
FIRST SUPPLEMENTAL COMMON INTEREST COMMUNITY PLAT**

Lakes Toy Storage at Little Detroit is a 9 storage unit Planned Unit Development at 1848 to 1852 Nodaway Drive.

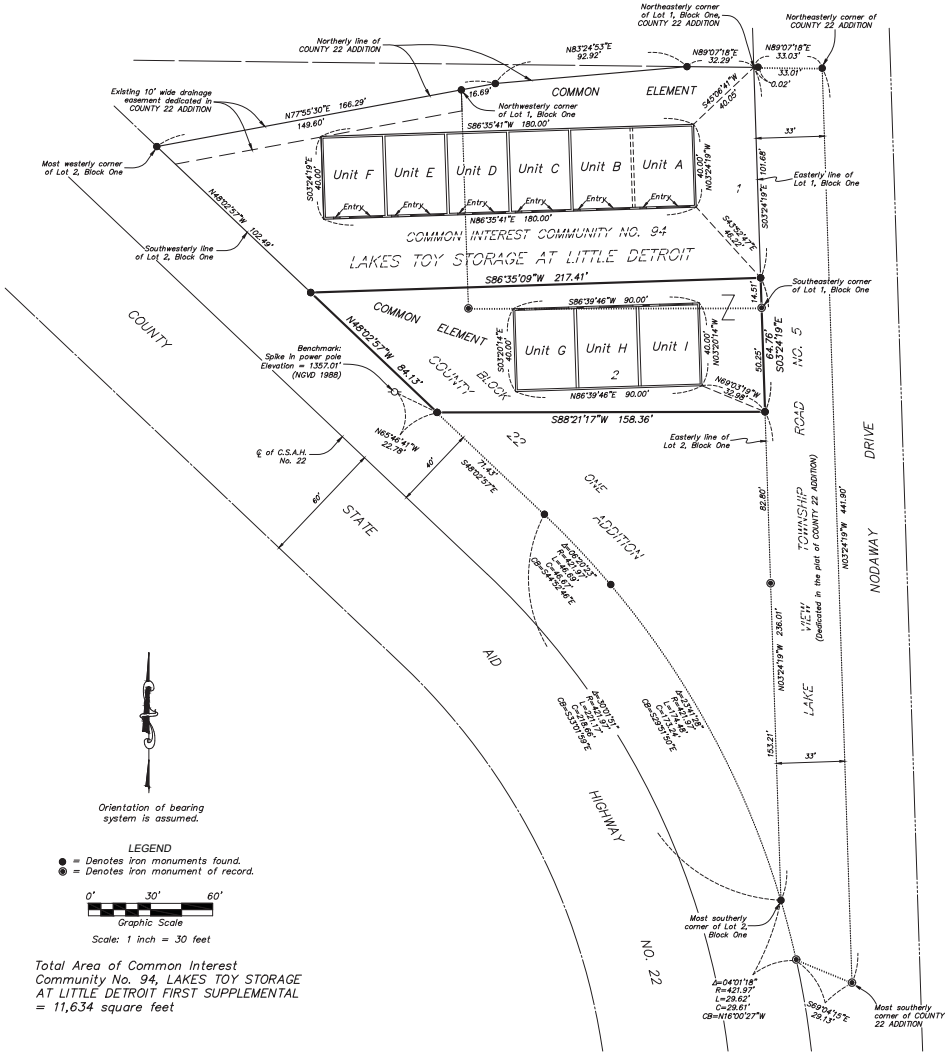
The attached subdivision drawing shows the three (3) additional storage units G, H, and I in the Common Interest Community - #94 Lakes Toy Storage at Little Detroit.

Staff recommends approval of the subdivision as it meets the City's subdivision requirements subject to the condition that the owner complete their landscape plan which includes nine 6 foot tall evergreens between the building and County Highway 22 prior to the City signing the final plat.

COMMON INTEREST COMMUNITY NUMBER 94

LAKES TOY STORAGE AT LITTLE DETROIT

FIRST SUPPLEMENTAL COMMON INTEREST COMMUNITY PLAT



SITE PLAN - EXHIBIT A

I, Scott R. Walz, do hereby certify that the work was undertaken by, or reviewed and approved by, me for this common interest community plat of COMMON INTEREST COMMUNITY NUMBER 94 LAKES TOY STORAGE AT LITTLE DETROIT being duly located upon that part of Lot 1 and that part of Lot 2, Block One of COUNTY 22 ADDITION, said plat is on file and of record in the office of the Recorder in Becker County, Minnesota, described as follows:

Commencing at the northeasterly corner of said Lot 1; thence South 03 degrees 24 minutes 19 seconds East 101.68 feet on an assumed bearing along the easterly line of said Lot 1 to the point of beginning of the additional real estate to be described; thence continuing South 03 degrees 24 minutes 19 seconds East 14.51 feet along the easterly line of said Lot 1 to the southeasterly corner of said Lot 1; thence continuing South 03 degrees 24 minutes 19 seconds East 50.25 feet along the easterly line of said Lot 2; thence South 88 degrees 21 minutes 17 seconds West 158.36 feet to the southwesterly line of said Lot 2; thence North 48 degrees 02 minutes 57 seconds West 84.13 feet along the southwesterly line of said Lot 2; thence North 86 degrees 35 minutes 09 seconds East 217.41 feet to the point of beginning of said additional real estate.

SUBJECT TO the existing 10.00 foot wide drainage easement as dedicated in said COUNTY 22 ADDITION. FURTHER SUBJECT TO other easements, restrictions and reservations of record, if any.

Said common interest community plat fully and accurately depicts all information required by Minnesota Statutes, Section 515B.2-1101(c).
 Dated this _____ day of _____, 20____.

Scott R. Walz, Licensed Land Surveyor
 Minnesota License No. 503320

State of Minnesota)
 County of Becker)

The foregoing surveyor's certificate was acknowledged before me, a Notary Public, this _____ day of _____, 20____, by Scott R. Walz, Minnesota Licensed Land Surveyor No. 503320.

Notary Public of Minnesota
 My Commission Expires _____

I, _____, pursuant to Minnesota Statutes, Section 515B.2-101(c), do hereby certify that the structural components of the structures containing the units and the mechanical systems serving more than one unit are substantially completed.

Dated this _____ day of _____, 20____.

Licensed Professional Engineer
 Minnesota License No. _____

State of Minnesota)
 County of _____)

The foregoing instrument was acknowledged before me, a Notary Public, this _____ day of _____, 20____, by _____, a Licensed Professional Engineer.

Notary Public of Minnesota
 My Commission Expires _____

This common interest community plat of COMMON INTEREST COMMUNITY NUMBER 94 LAKES TOY STORAGE AT LITTLE DETROIT is hereby approved by the Planning Commission of the City of Detroit Lakes, Minnesota, this _____ day of _____, 20____.

Secretary _____ Chairman _____

This common interest community plat of COMMON INTEREST COMMUNITY NUMBER 94 LAKES TOY STORAGE AT LITTLE DETROIT is hereby approved by the Council of the City of Detroit Lakes, Minnesota, this _____ day of _____, 20____.

City Administrator _____ Mayor _____

This plat is hereby approved by the City Engineer of the City of Detroit Lakes, Minnesota, this _____ day of _____, 20____.

City Engineer _____

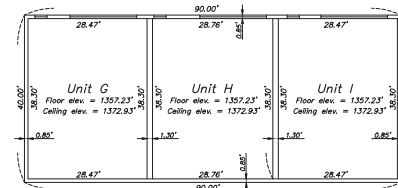
Pursuant to Minnesota Statutes, Section 515B.1-116(e) and Section 272.12, taxes payable in the year _____ on real estate heretofore described have been paid and there are no delinquent taxes and transfer entered this _____ day of _____, 20____.

County Auditor/Treasurer _____ Deputy _____

I hereby certify that the within instrument was filed in this office for record on this _____ day of _____, 20____, at _____ o'clock _____ M. and was duly recorded in Book _____ of _____, page _____, slide _____.

County Recorder _____

EXHIBIT C



CONDOMINIUM FLOOR PLANS - EXHIBIT B

MEADOWLAND SURVEYING, INC.
 1118 HWY 59 SOUTH, DETROIT LAKES, MN 56501
 218-267-1628
 www.meadowlandsurveying.com

**VARIANCE/CONDITIONAL USE PERMIT
LAND DISTURBANCE PERMIT
STORMWATER MITIGATION PERMIT
STATUS REPORT
OCTOBER 12, 2021**

• **B & W Properties of DL, LLC – 1048 West Lake Drive 6-13-17**

Request: Conditional Use Permit to allow a planned unit development with six single family homes at 1048 West Lake Drive

Status: Conditional Use Permit granted with the following conditions:

1. That the project not exceed 6 single family homes;
2. That the property be platted to show the proposed lot layout and provide for dedication of utility easements and the West Lake Drive road right of way;
3. That the owner pay for a preliminary engineering report for water sewer and petition the City of installation of this infrastructure;
4. That the Developer apply for a Land Disturbance Permit from the City and sign a Stormwater Facilities Maintenance Agreement prior to issuance of a building permit;
5. That the Developer obtain any permits required from the Pelican River Watershed District or the Minnesota Pollution Control Agency;
6. That the owner provide a development schedule for the project;
7. That the property owner association documents or deed restrictions provide that 50% of the land area be preserved as open space and 20% of the land area be preserved as useable open space;
8. That 2 parking spaces be provided per unit and ½ space per unit be provided for guest parking;
9. That a Property Owner’s Association documents requiring mandatory membership be approved by the City prior to issuance of a building permit;
10. That all buildings be setback at least 25 feet from the private drive;
11. That the distance between buildings be a minimum of 10 feet;
12. That one centrally located dock with 6 slips be allowed;
13. That the drives shall be approved by the City Engineer and the Fire Chief prior to issuance of a building permit;
14. That the impervious surface coverage not exceed 25%

• **Boys and Girls Club of Detroit Lakes: 150 Richwood Road 12-12-17**

Request: Request for a variance to build a 40 foot high building and a parking variance to allow 53 parking spaces to meet the parking requirement

Status: The City Council hereby approves the requested variance, subject to the following conditions:

1. That the facility be constructed as shown on the approved site plan;
2. That the building be setback 30 feet from all lot lines;
3. That a landscape buffer at least 6 feet high be provided between the North and East lot lines and the building;
4. That the developer obtain a Land Disturbance Permit from the City prior issuance of a building permit.

- **Tomlinson Schultz Partners, LLC: 839 South Shore Drive 1-9-18**

Request: Request for a Conditional Use Permit to allow a Planned Unit Development of 15 Twin Homes (30 Units Total)

Status: The City Council hereby approved the requested Conditional Use Permit, subject to the following conditions:

1. That the project not exceed 15 Twin Homes or 30 units total;
2. That the property be platted to show the proposed lot layout and provide for dedication of utility easements;
3. That the Developer apply for a Land Disturbance Permit from the City and sign a Stormwater Facilities Maintenance Agreement prior to issuance of a building permit;
4. That the Developer obtain any permits required from the Pelican River Watershed District or the Minnesota Pollution Control Agency;
5. That the owner provide a development schedule for the project;
6. That the property owner association documents or deed restrictions provide that 50% of the land area preserved as open space of 20% of the land area be preserved as useable open space as required by the Shoreland Ordinance;
7. That 2 parking spaces be provided per unit and ½ space per unit be provided for guest parking;
8. That a Property Owner’s Association documents requiring mandatory membership be approved by the City prior to issuance of a building permit;
9. That all buildings be setback at least 25 feet from the private drive;
10. That the private drive be not less than a 22 foot wide paved surface and off-street parking is constructed as shown on the site plan;
11. That the project be constructed generally as shown on the approved site plan except as noted in condition #14;
12. That connection to City sewer and water is required;
13. That the impervious surface coverage in the Shoreland District not exceed 25%;
14. All units must not exceed a height of 25 feet;
15. No other accessory structures shall be added to the property that are in addition to the approved site plan.

- **Spitfire Bar and Grill: 1100 North Shore Drive 7-10-18**

Request: Request for a variance to allow an existing covered patio to be moved 18 feet to the east, the addition of a 1720 square foot patio, 70.5 percent impervious surface coverage, and to allow 111 parking spaces

Status: The City Council hereby approved the requested variance, subject to the following conditions:

1. That the building not be enlarged;
2. That the project be constructed as shown on the approved site plan;
3. That the owner obtain a Pelican River Watershed District Permit prior to issuance of a building permit;
4. That the impervious surface coverage not exceed 70.5%;
5. That the patio area not exceed 1720 square feet;
6. That the owner provide 111 parking spaces;
7. That the owners provide the City with a road and utility easement of approximately 1700 square feet as defined by the City Engineer;

8. That the owner install and maintain a 6 foot high vegetative screening between the parking lot and North Shore Drive;
9. That the owners install and maintain 5% of the interior of the parking lot in landscaping.

- **Broadway Welding: 1090 Legion Road 05-14-2019 Extended 1 Year 05-14-2022**

Request: Request for a non-conforming use permit to allow construction of a 35,000 square foot addition to an existing industrial building with a 17 foot side yard setback

Status: The City Council hereby approved the requested non-conforming use permit, subject to the condition:

1. Constructed as shown on the approved site plan.

- **Broadway Welding: 1090 Legion Road 05-14-2019 Extended 1 Year 05-14-2022**

Request: Request for a variance from the Airport Zoning requirement to allow an 110,500 square foot building on a 5.56 acre lot in land use safety zone B of the Airport

Status: The City Council hereby approved the requested variance, subject to the following conditions:

1. That the project be constructed as shown on the approved site plan.
2. That at least 15% of the lot be landscaped.
3. That the number of employees on the largest shift not exceed 83 people.
4. That the owner obtain a Land Disturbance Permit from the City of Detroit Lakes prior to issuance of a building permit.
5. That the owner obtain a Pelican River Watershed District permit prior to issuance of a building permit.
6. That the owner obtain an NPDES permit from the Minnesota Pollution Control Agency prior to issuance of a building permit.
7. That the owner provide the City with a survey of the property prior to issuance of a building permit.
8. That the owner provide the City with any road right of way easements deemed necessary by the City.

- **Broadway Welding: 1090 Legion Road 05-14-2019 Extended 1 Year 05-14-2022**

Request: Request for a variance to allow paving of 71 parking spaces for a 110,500 square foot manufacturing facility

Status: The City Council hereby approved the requested variance, subject to the following conditions:

1. That the project be constructed as shown on the approved site plan.
2. That at least 15% of the lot be landscaped.
3. That the number of employees on the largest shift not exceed 83 people.
4. That the owner obtain a Land Disturbance Permit from the City of Detroit Lakes prior to issuance of a building permit.
5. That the owner obtain a Pelican River Watershed District permit prior to issuance of a building permit.
6. That the owner obtain an NPDES permit from the Minnesota Pollution Control Agency prior to issuance of a building permit.

1. Additional occupancy by use of recreational vehicles, tents, or other structures is not permitted.
2. That the owners provide the road right of way easement for West Lake Drive as required by the City.
3. That the property be limited to two docks.

- **Robert Spilman: 1502 Randolph Road 10-08-2019**

Request: Request an amended conditional use permit to allow a 29 unit Planned Unit Development in the Shoreland District

Status: The City Council hereby approved the requested amended conditional use permit, subject to the following conditions:

1. That development in the Shoreland District be limited to 29 units, 39 feet high and 28% impervious surface coverage with approval of a mitigation permit;
2. That the property be platted to show the proposed lots and provide for dedication of the new road alignment and utility easements;
3. That a portion of Lemmon Road be vacated;
4. That the owner pay for a preliminary engineering report for water sewer and streets and petition the City of the installation of this infrastructure.
5. That the new road be constructed prior to issuance of a building permit or vacation of the old road right of way.
6. That the Developer obtain a Land Disturbance Permit and a mitigation permit from the City prior to issuance of a building permit;
7. That the Developer obtain any permits required from the Pelican River Watershed District.
8. That the project be constructed as shown on the approved site plan.
9. That the property owners association documents or deed restrictions provide that 50% of the land area preserved as open space and 20% of the land area be preserved as useable open space.
10. That 2 parking spaces be provided per unit and ½ space per unit be provided for guest parking.
11. That a property owner's association documents requiring mandatory membership be approved by the City prior to issuance of a building permit;
12. That connection to City sewer and water is required.

- **Jay Schurman: 1106 – 1110 West Lake Drive & 1390 County Road 6 03-10-2020**

Request: Request for a conditional use permit to allow the conversion of residential properties to a 10 unit Planned Unit Development in the Shoreland District

Status: The City Council hereby approved the requested conditional use permit, subject to the following conditions:

1. That development in the Shoreland District be limited to 10 units and 30% impervious surface coverage;
2. That the owner provide any utility easements required by the City;
3. That the Developer obtain a Land Disturbance Permit and a mitigation permit from the City prior to issuance of a building permit;

4. That the Developer obtain any permits required from the Pelican River Watershed District;
5. That the project be constructed as shown on the approved site plan with an exception that for utility installation some garage locations may change;
6. That the property owner association documents or deed restrictions provide that 50% of the land area preserved as open space and 20% of the land area be preserved as usable open space;
7. That 2 parking spaces be provided per unit and ½ space per unit be provided for guest parking;
8. That the drive be at least 22 feet wide and parking be allowed on one side only and one side be signed no parking;
9. That property owners association documents requiring mandatory membership be approved by the City prior to issuance of a building permit;
10. That the project is allowed 10 boat slips on Detroit Lake;
11. That no parking of vehicles is allowed on the property on the lake side of West Lake Drive.

- **Long Pine Estates: 915 – 1035 Village Lane 05-12-2020**

Request: Request for a conditional use permit to allow a 22 twin home Planned Unit Development

Status: The City Council approved the conditional use permit, subject to the following conditions:

1. That development in the Shoreland District be limited to 22 units and 50% impervious surface coverage;
2. That the owner provide any utility easements required by the City;
3. That the Developer obtain a Land Disturbance Permit and a mitigation permit from the City prior to issuance of a building permit;
4. That the Developer obtain any permits required from the Pelican River Watershed District;
5. That the project be constructed as shown on the approved site plan;
6. That the property owner association documents or deed restrictions provide that 50% of the land area preserved as open space and 20% of the land area be preserved as usable open space;
7. That 2 parking spaces be provided per unit and ½ space per unit be provided for guest parking;
8. That the drive be at least 24 feet wide and units be setback at least 25 feet from the drives;
9. That a property owners association documents requiring mandatory membership be approved by the City prior to issuance of a building permit.

- **George and Constance Otto: 2214 Wilderness Trail 06-09-2020**

Request: Request for a variance to allow construction of a storage shed in the front yard with a 5 foot side yard setback and a setback of 132 feet from the Ordinary Highwater mark

Status: The City Council approved the variance, subject to the following conditions:

1. The shed not exceed 12 feet by 20 feet.
2. The property not exceed 25% impervious surface coverage.
3. The shed be setback 5 feet from the side lot line and 132 feet from the ordinary Highwater level.

- **Strive Properties, LLC: 1854 Nodaway Drive 06-09-2020**

Request: Request for a conditional use permit to allow a 9 unit storage unit condominium in a “B-3” Auto-Oriented Business District

Status: The City Council approved the conditional use permit, subject to the following:

1. That the owner obtain plat approval for a Common Interest Community;
2. That the property be properly divided from the existing Strive Chiropractic site prior to issuance of a building permit;
3. That Strive Chiropractic obtain a Stormwater Mitigation Permit prior to issuance of a building permit for construction of any storage buildings;
4. That the owner obtain a stormwater mitigation permit prior to issuance of a building permit for this project;
5. That the building not exceed 25 feet in height;
6. That the project be constructed as shown on the approved site plan and that the drive areas be paved;
7. That the owner obtain a Pelican River Watershed District Permit prior to issuance of a building permit.

- **James & Paula Schulz: 1235 Shorewood Drive 08-10-2020 Extended 1 Year 08-10-2022**

Request: Request for a variance to allow a 10-foot easterly rear yard setback instead of a 30-foot rear yard setback to expand an existing garage approximately 13 ½ feet southerly and adding an approximately 17-foot-wide garage stall on the easterly side of existing garage

Status: The City Council approved the variance, subject to the following conditions:

1. That the project be constructed as shown on the approved site plan;
2. That the property not exceed the 25% impervious surface coverage.

- **Kevin Cochran: 415 North Shore Drive 08-10-2020**

Request: Request for a nonconforming use permit to increase the height of a garage with a 2-foot 5-inch setback by an additional 2 feet in a residential district at 415 North Shore Drive

Status: The City Council approved the nonconforming use permit

- **Wayne Archer: 101 Washington Avenue 11-10-2020**

Request: Request for a variance to allow a 14 foot front yard setback and a 12 foot side yard setback for construction of a house and garage

Status: The City Council approved the variance, subject to the following conditions:

1. That the project be constructed generally as shown on the approved site plan.

• **Boys and Girls Club Thrift Store: 1305 Highway 10 West 11-10-2020**

Request: Request for a variance to allow 343 parking spaces instead of the required 408 parking spaces and a waiver of the payment in lieu of spaces to allow a future lot division

Status: The City Council approved the variance, subject to the following conditions:

1. The lots be split as shown on the approved site plan;
2. That the owners provide a perpetual cross access easement between the Boys and Girls Club site and the 1.51 acre retail site and that this easement be recorded at the same time as the lot division takes place.
3. That the 51 additional parking spaces as shown on the site plan be constructed by November 10, 2021.

• **Glenn Disse: 1844 Nodaway Drive 06-08-2021**

Request: Request for a conditional use permit to allow expansion of a self storage facility in a “B-3” Auto Oriented Business District

Status: The City Council approved the conditional use permit, subject to the following conditions:

1. That the owner obtain a Stormwater Mitigation Permit prior to issuance of a building permit for construction of any buildings.
2. That the building not exceed 25 feet in height.
3. That the project be constructed as shown on the approved site plan and that any new drive areas be paved.
4. That the owner obtain a Pelican River Watershed District Permit prior to issuance of a building permit.
5. That the owner provide and maintain screening at least six (6) feet high along County Road 22 and also plant and maintain at least three (3) evergreen trees along the north end of the new building as approved by City staff.

• **Gerianne Williams: 1503 East Shore Drive 06-08-2021**

Request: Request for a conditional use permit to allow a short term rental of a three bedroom home

Status: The City Council approved the conditional use permit, subject to the following conditions:

1. The building be of residential design.
2. The owner of the establishment obtain all required state and local licenses.
3. The owner comply with all requirements of the City Code 612, Rental Unit Registration. Also all short term rentals must pass their rental inspection prior to rentals taking place.
4. The owners pay the required lodging tax and any other required sales tax. The owner/operator must provide the City with their state and local sales tax numbers.
5. No cooking facilities be permitted in any guest bedroom.

6. At least two off street parking spaces be provided plus one space for each bedroom for a total of 5 parking spaces. The parking area shall be screened from adjacent residential property as provided in Section 3 of the zoning ordinance.
7. Signage is limited to one sign single or double faced that is non-illuminated and does not exceed four (4) square feet per sign face. The content of such sign is limited to the name and address of the facility.
8. A maximum of two (2) guest are allowed per bedroom. A maximum of six (6) guests are allowed per short term rental of this three (3) bedroom home.
9. The operator shall provide evidence of rental liability insurance.
10. The owner/operator shall maintain a log of all short term rental activity and provide it to the City upon request.
11. The owner/operator shall notify guests of all short term rental rules and regulations and provide contact information for the property manager, and emergency services.
12. The owner/operator shall maintain a safe environment by complying with building and life safety codes, prohibiting rental of accessory structures, providing smoke detectors, CO detectors, and fire extinguishers and posting the location of fire exits and escape routes.
13. Additional occupancy by use of recreational vehicles, tents, or other structures is not permitted.

- **Leighton Broadcasting: 804 Randolph Road 06-08-2021**

Request: Request for a variance to allow from the tower setback requirements to construct a 100 foot tower in the side yard

Status: The City Council approved the variance.

- **MOKE Properties: 1415 US Highway 10 West 07-13-2021**

Request: Request for a conditional use permit to allow a car wash in a “B-3” District

Status: The City Council approved the conditional use permit, subject to the following conditions:

1. The architectural appearance and functional plan of the building and site shall not be dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot.
2. Magazining or stacking space is constructed to accommodate that number of vehicles which can be washed during a maximum 30 minute period and shall be subject to the approval of the City Engineer.
3. At the boundaries of a residential district, a strip of not less than five (5) feet shall be landscaped and screened in compliance with Section 3, Subd. 2G, of this ordinance.
4. Each light standard island and all islands in the parking lot landscaped or covered.
5. Parking or car magazine storage space shall be screened from view of abutting residential districts in compliance with Section 3, Subd. 2G, of this ordinance.
6. The entire area other than occupied by the building or plantings shall be surfaced with material which will control dust and drainage which is subject to the approval of the City Engineer.
7. The entire area shall have a drainage system which is subject to the approval of the City Engineer.

8. All lighting shall be hooded and so directed that the light source is not visible from the public right-of-way or from an abutting residence and shall be in compliance with Section 3, Subd. 2H, of this ordinance.
9. Vehicular access points shall be limited, shall create a minimum conflict with through traffic movement and shall be subject to the approval of the City Engineer.
10. All signing and informational or visual communication devices shall be in compliance with the sign ordinance.
11. Provisions are made to control and reduce noise.
12. That the project satisfactorily meets the following provisions.
 - A. Relationship to municipal comprehensive plan.
 - B. The geographical area involved.
 - C. The character of the surrounding area.
 - D. The demonstrated need for such use.
13. That the project be constructed as shown on the approved site plan.
14. That the owner obtain a Pelican River Watershed District Permit if required prior to issuance of a building permit.
15. That the owner obtain a Land Disturbance Permit if required prior to issuance of a building permit for construction of a car wash.

- **Mike Whitmore: 1239 Long Beach Drive 09-14-2021**

Request: Request for a non-conforming use to allow a 10 x 12 addition to a deck with a 37 foot setback from the Ordinary High Water Mark

Status: The City Council approved the non-conforming use permit

- **Business Builders, Inc/Mike Larson: 926 West Lake Drive 09-14-2021**

Request: Request for a conditional use permit to allow a short term rental of a two (2) bedroom home

Status: The City Council approved the conditional use permit, subject to the following conditions:

1. The building be of residential design.
2. The owner of the establishment obtain all required state and local licenses.
3. The owner comply with all requirements of the City Code 612, Rental Unit Registration. Also all short term rentals must pass their rental inspection prior to rentals taking place.
4. The owners pay the required lodging tax and any other required sales tax. The owner/operator must provide the City with their state and local sales tax numbers.
5. No cooking facilities be permitted in any guest bedroom.
6. At least two off street parking spaces be provided plus one space for each bedroom for a total of 4 parking spaces. The parking area shall be screened from adjacent residential property as provided in Section 3 of the zoning ordinance.
7. Signage is limited to one sign single or double faced that is non-illuminated and does not exceed four (4) square feet per sign face. The content of such sign is limited to the name and address of the facility.
8. A maximum of two (2) guest are allowed per bedroom. A maximum of four (4) guests are allowed per short term rental of this two (2) bedroom home.
9. The operator shall provide evidence of rental liability insurance.

10. The owner/operator shall maintain a log of all short term rental activity and provide it to the City upon request.
11. The owner/operator shall notify guests of all short term rental rules and regulations and provide contact information for the property manager, and emergency services.
12. The owner/operator shall maintain a safe environment by complying with building and life safety codes, prohibiting rental of accessory structures, providing smoke detectors, CO detectors, and fire extinguishers and posting the location of fire exits and escape routes.
13. Additional occupancy by use of recreational vehicles, tents, or other structures is not permitted.

- **Richard & Patricia VanSteenwyk: 200 and 210 North Street East 09-14-2021**
Request: Request for a variance to allow two (2) tracts of land less than 7,500 square feet in an “R-2” District
Status: The City Council approved the variance.
- **Boys and Girls Club Thrift Store: 1305 Highway 10 West 09-14-2021**
Request: Request for an amended variance to allow 343 parking spaces instead of the required 408 spaces, a 0 foot setback for parking spaces, and a waiver of the payment in lieu of spaces to allow a future lot division
Status: The City Council approved the amended variance, subject to the following conditions:
 1. That condition # 3 from the original variance be eliminated.
 2. That the property be split as shown on the approved site plan.
 3. That an additional 34 parking spaces be provided at the time when American National constructs its addition or on or before September 14, 2026, whichever comes first.
 4. That the green space be enlarged to include the area where the mature evergreens are located and the trees not be removed unless they become diseased or damaged.

LAND DISTURBANCE PERMITS

- **Land Disturbance Permit** 2016-01 Antler Ridge: County Highway 22 Solmon Tract
- **Land Disturbance Permit** 2017-05 Airport: Airport Rd
- **Land Disturbance Permit** 2017-08 B&W Properties of DL, LLC: 1048 West Lake Drive
- **Land Disturbance Permit** 2018-01 839 South Shore
- **Land Disturbance Permit** 2018-03 Long Pine Estates First Addition
- **Land Disturbance Permit** 2018-06 Lake Forest 7th Addition
- **Land Disturbance Permit** 2018-07 Highland Estates
- **Land Disturbance Permit** 2020-01 Detroit Lakes High School: 1301 Roosevelt Ave
- **Land Disturbance Permit** 2020-02 EVCO Petroleum: 1321 11th Street SE
- **Land Disturbance Permit** 2020-03 Lakes Area Property Group, LLC (Strive Properties): 1852 and 1854 Nodaway Drive
- **Land Disturbance Permit** 2020-04 Long Pine Estates Phase II: 1798 Brainerd Blvd
- **Land Disturbance Permit** 2020-05 Lakeview on Detroit Development: 1106 West Lake Drive
- **Land Disturbance Permit** 2020-06 Friesen’s Inc: 1389 Cormorant Avenue

- **Land Disturbance Permit** 2020-07 ALDIs, Inc: 1305 US Highway 10 West
- **Land Disturbance Permit** 2021-01 Joseph Crary: 2696 Long Lake Road
- **Land Disturbance Permit** 2021-02 Lake Forest 8th Addition: SE of South Shore Drive & 270th Avenue
- **Land Disturbance Permit** 2021-03 HRA of Detroit Lakes: 1111 Washington Avenue
- **Land Disturbance Permit** 2021-04 R & G Subaru: 1140 Highway 59 South
- **Land Disturbance Permit** 2021-05 Mary Ann Apartments LLP: 1473 Legion Lake Road
- **Land Disturbance Permit** 2021-06 Wold RV Sales: 2221 Highway 10 West
- **Land Disturbance Permit** 2021-07 The Storage Place: 1200 8th Street SE
- **Land Disturbance Permit** 2021-08 Lakeshirts Warehouse: 903 8th Street South East
- **Land Disturbance Permit** 2021-09 Becker County Public Works Facility: 1771 North Tower Road
- **Land Disturbance Permit** 2021-10 John Bergquist: 2448 Long Lake Road

STORMWATER MITIGATION PERMIT

- M2019-03 DeWayne and Mona Streyle: 904 South Shore Drive
- M2019-04 Tyler Brandt: 940 South Shore Drive
- M2019-07 Bradley Richards: 1085 Villa Lane
- M2020-01 Kevin and Joy Reski: 1558 East Shore Drive
- M2020-02 Timothy and Lori Sayler: 812 South Shore Drive
- M2020-03 Lakes Area Properties, LLC (Strive Properties, LLC): 1852 and 1854 Nodaway Dr.
- M2020-04 Lakeview on Detroit (Jay Schurman): 1106 West Lake Drive
- M2020-05 Chad Weatherman: 911 North Shore Drive
- M2020-06 Duane and Susan Gunderson: 663 Lake Forest Circle
- M2020-07 Dennis Smith: 1346 East Shore Drive
- M2021-01 Mark and Cindy Fritz: 1492 East Shore Drive
- M2021-02 Glenn Disse: 1844 Nodaway Drive
- M2021-04 Nathan & Gretchen Hunter: 624 Shorewood Drive
- M2021-05 Steven & Rebecca Kraljic: 1298 South Shore Drive