

PETITION FOR ANNEXING UNINCORPORATED PROPERTY BY CHIEF ADMINISTRATIVE LAW JUDGE'S ORDER

IN THE MATTER OF THE PETITION OF THE CITY OF DETROIT LAKES FOR
ANNEXATION OF UNINCORPORATED ABUTTING PROPERTY TO
THE CITY OF DETROIT LAKES, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.031

TO: Office of Administrative Hearings
Municipal Boundary Adjustment Unit
P. O. Box 64620
St. Paul, MN 55164-0620

Town of Lake View
Dana Fagerlie, Clerk
25218 County Highway 22
Detroit Lakes, MN 56501

Chad A. Wendel
841 9th Street NW
Valley City, ND 58072

The Office of Administrative Hearings is hereby requested to hold a public hearing on the question of annexing certain property to the City of Detroit Lakes, Minnesota pursuant to Minnesota Statutes § 414.031. The petitioner for annexation is:

 X The City of Detroit Lakes; or,

 The Township of ; or,

 20% of the property owners; or property owners, whichever is less, in the area to be annexed. There is one (1) property owner in the area proposed for annexation. The number of owners who have signed this petition is zero (0). (If the land is owned by more than one person, all must sign the petition to represent all owners). The number of petitioners required by Minnesota Statutes § 414.031 to commence a proceeding is 20% of the property owners or 100 property owners, whichever is less, in the area to be annexed; or

 The City of and the Town of for annexation of the entire township to the city.

Notice of Intent to Annex and a copy of this Petition was served on the Clerk of Lake View Township by certified mail on November 19, 2024. A copy of said Notice of Intent to Annex is attached hereto.

Minn. Stat. 414.031 Subd. 1a. Notice of intent to annex. At least 30 days before submitting a petition or resolution to the chief administrative law judge under this section, the petitioning municipality or petitioning property owner or supporting municipality must serve the township clerk of the affected township by certified mail a notice of the petitioning municipality's or the petitioning property owner's intent to annex property within the township. The notice must clearly identify the boundaries of the area proposed to be annexed.

The area proposed for annexation is described as follows:

All of the NW 1/4 SW1/4, Government Lots 6 & 7, and part of Government Lot 5 of Section 14, T138N, R41W, County of Becker, State of Minnesota, more particularly described as follows:

Beginning at the West corner of said Section 14; thence South 00 degrees 52 minutes 45 seconds East on an assumed bearing along the West line of said SW 1/4 of said Section 14 a distance of 1569.79 feet; thence North 89 degrees 32 minutes 35 seconds East a distance of 445.00 feet; thence South 00 degrees 52 minutes 45 seconds East parallel with the West line of said Section 14 a distance of 466.00 feet; thence South 89 degrees 32 minutes 35 seconds West a distance of 445.00 feet to the West line of said Section 14; thence South 00 degrees 52 minutes 45 seconds East along said West line a distance of 605.15 feet to the Southwest corner of said Section 14; thence South 89 degrees 48 minutes 37 seconds East along the South line of Government Lot 5 a distance of 1538 feet more or less to the Shoreline of Abbey Lake; thence Northerly and Easterly along said shoreline to a point where said shoreline intersects with the East line of Government Lot 7; thence North 00 degrees 39 minutes 32 seconds West along said East line of Government Lot 7 a distance of 965 feet more or less to the Northeast corner of Government Lot 7; thence North 89 degrees 52 minutes 39 seconds West along the extended North line of Government Lot 7 a distance of 3953.38 feet to the point of beginning.

1. The petitioner submitted a copy of this Petition to the affected Township of Lake View on November 19, 2024.
2. The area proposed for annexation abuts the city on the city's south boundary, and none of it is presently a part of any incorporated city or in an area designated for orderly annexation.
3. The total acreage of the area proposed for annexation is: 132.45 acres.
4. The petitioner believes that all of this property is or is about to become urban or suburban in character. In support of the petitioner's position and attached hereto is a copy of the application of the landowner Chad Wendel to Becker County Planning and Zoning dated November 4, 2024 requesting a change of Zone from Agricultural to Residential and approval of a Preliminary Residential Plat for the property. At the hearing of this application on November 27, 2024 the applicant tabled the application.
5. The reasons for requesting the annexation is: See the attached Resolution of the City Council of the City of Detroit Lakes dated November 12, 2024.

6. Parties entitled to notice under Minnesota Statutes § 414.09 Subd. 1(c) are:

Town of Lake View
Dana Fagerlie, Clerk
25218 County Highway 22
Detroit Lakes, MN 56501

Town of Lake View
Phil Hansen, Chairperson
24921 North Melissa Drive
Detroit Lakes, MN 56501

Chad A. Wendel
841 9th Street NW
Valley City, ND 58072

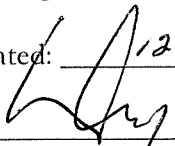
County of Becker
c/o Becker County Auditor-Treasurer
Mary Hendrickson
915 Lake Avenue
Detroit Lakes, MN 56501

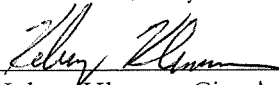
Becker County Planning and Zoning
c/o Kyle Vareberg, Administrator
915 Lake Avenue
Detroit Lakes, MN 56501

City of Detroit Lakes
1025 Roosevelt Ave
Detroit Lakes, MN 56501

7. If this petition is by property owners, a copy of a resolution from the City of Detroit Lakes, the annexing municipality, supporting the annexation is attached hereto.

Dated: 12-23-24


Matt Brenk, Mayor


Kelcey Klemm, City Administrator

(Signatures of: City Mayor and/or Clerk; or Town Board
Chair and/or Clerk; or property owners)

CITY OF DETROIT LAKES
RESOLUTION NUMBER 2024-1112F

RESOLUTION FOR ANNEXATION BY ORDER PURSUANT TO MINN. STAT. §414.031

RECITALS

WHEREAS, the City of Detroit Lakes Minnesota (hereinafter the "City") is a Home Rule Charter City and municipal corporation in Becker County, Minnesota which abuts upon the Town of Lake View, (hereinafter the "Town") also located in Becker County, Minnesota; and

WHEREAS, the City wishes to promote orderly growth and development of areas adjoining the City that are or about to become urban or suburban in character; and

WHEREAS, abutting the City on its southerly boundary is an unincorporated area approximately 132.45 acres in size located in the Town of Lake View that is not part of any incorporated city or designated for orderly annexation. The subject area is legally described as follows:

All of the NW 1/4 SW1/4, Government Lots 6 & 7, and part of Government Lot 5 of Section 14, T138N, R41W, County of Becker, State of Minnesota, more particularly described as follows:

Beginning at the West corner of said Section 14; thence South 00 degrees 52 minutes 45 seconds East on an assumed bearing along the West line of said SW 1/4 of said Section 14 a distance of 1569.79 feet; thence North 89 degrees 32 minutes 35 seconds East a distance of 445.00 feet; thence South 00 degrees 52 minutes 45 seconds East parallel with the West line of said Section 14 a distance of 466.00 feet; thence South 89 degrees 32 minutes 35 seconds West a distance of 445.00 feet to the West line of said Section 14; thence South 00 degrees 52 minutes 45 seconds East along said West line a distance of 605.15 feet to the Southwest corner of said Section 14; thence South 89 degrees 48 minutes 37 seconds East along the South line of Government Lot 5 a distance of 1538 feet more or less to the Shoreline of Abbey Lake; thence Northerly and Easterly along said shoreline to a point where said shoreline intersects with the East line of Government Lot 7; thence North 00 degrees 39 minutes 32 seconds West along said East line of Government Lot 7 a distance of 965 feet more or less to the Northeast corner of Government Lot 7; thence North 89 degrees 52 minutes 39 seconds West along the extended North line of Government Lot 7 a distance of 3953.38 feet to the point of beginning.

Identified as Becker County Tax Parcel No. 19.0287.001 and depicted on the map attached hereto and incorporated herein (hereinafter the "Property"); and

WHEREAS, the Property is currently undeveloped with no population, but lies adjacent to a residential area of the City that is developed as residential subdivision abutting the north boundary of the Property for 3,953.38 feet, contiguous with the current southerly boundary of the City; and

WHEREAS, the Property is generally flat with its easterly boundary the lake shore of Abbey Lake and its westerly boundary 270th Avenue. Soil conditions are conducive to residential and commercial development; and

WHEREAS, the property is currently owned by Chad A. Wendel (hereinafter "Wendel"); and

WHEREAS, the Property is critical to accommodate the growth and development of the City. Annexation is consistent with the City's comprehensive plan; the Property is within the plan's long term

annexation area. Annexation would be beneficial to the City and would promote quality growth, increase the tax base and would provide much needed housing opportunities; and

WHEREAS, since the 2020 revision of the City's comprehensive plan, the City residential neighborhood immediately to the north of the Property has experienced accelerated growth, with all of the remaining land subdivided and many of the last round of residential lots either occupied by dwellings or under construction, leaving few additional vacant lots available for development; and

WHEREAS, since the 2020 revision of the City's comprehensive plan the short term annexation area westerly of 270th Avenue has been annexed to the City and plans have been submitted to the City for subdivision of that land into residential development; and

WHEREAS, the un-annexed land immediately west of 270th Avenue and the Property and south of the recent annexed land is experiencing accelerated development, with a recent plat and the construction of a storage building development inconsistent with City subdivision and residential zoning regulations; and

WHEREAS, the City's 2018 housing study and recent 2024 update of that study support the need in the City for additional low density and high density residential development; and

WHEREAS, the following facts support annexation of the Property to the City:

1. The Property is within the City's long term annexation area.
2. The Property is contiguous to existing City residential development to the north. Utilities have been installed on the north side of the Property by the City that are designed to handle capacity from the Property and can easily be extended into the Property.
3. Adequate storm water drainage is provided adjacent to the Property.
4. Adequate municipal water supply is adjacent to the Property.
5. Adequate municipal sewage collection is adjacent to the Property.
6. The Property is already within the service territory of and served by Detroit Lakes Public Electric Utilities.
6. 270th Avenue is adjacent to the Property along its westerly boundary, provides adequate access to the Property to the north through the City, and to the south through Lake View Township.
7. A large public City park is located northerly of the Property on 270th Avenue, within a quarter mile from the Property, affording access to recreational activities.
8. The Property is easily served by City police and City fire protection, as these services are already being provided in this area; and

WHEREAS, the Property receives no governmental services from the Town, other than through a fire protection contract with the City and snow plowing of 270th Avenue. Law enforcement is provided by the County and the City. Annexation is necessary to provide for proper reimbursement of the costs for these services; and

WHEREAS, the City, by this Resolution, finds that the Property is about to become urban or suburban in character. The residential development in the City northerly of the Property, and other recent residential and storage building construction on unplatted tracts lying westerly of the Property along 270th Avenue is evidence of such development. Southerly of the Property is a platted residential subdivision known Abbey Lake Estates. The Property is surrounded by development on its northerly and southerly sides, and partially on its westerly boundary west of 270th Avenue; and

WHEREAS, the City, by this Resolution, finds that municipal government of the Property is required to protect the public health, safety and welfare and to prevent disorganized growth and development; and

WHEREAS, the Property to be annexed will enable the City to efficiently plan for and deliver municipal services; and

WHEREAS, the City, by this Resolution, finds that annexation would be in the best interest of the subject Property and that the increase in revenues to the City will be reasonably related to, consistent with the monetary value of benefits conferred upon the annexed Property, both those benefits currently provided by the City and those benefits when the Property is fully developed.

Pursuant to motion duly made and seconded, NOW THEREFORE, IT IS RESOLVED THAT the City Council of the City of Detroit Lakes, Minnesota hereby finds and determines as follows:

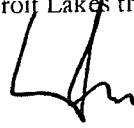
FINDINGS OF FACT

1. The recitals listed above are hereby adopted as findings of fact.


DECISION

1. City staff and the City Attorney are directed to seek annexation of the Property into the City of Detroit Lakes by Order pursuant to Minn. Stat. 414.031.
2. Upon adoption of this Resolution, City staff and the City Attorney shall serve a Notice of Intent to Annex the Property, along with this Resolution upon the Clerk of the Town of Lake View and the owner of the Property by certified mail, return receipt requested, clearly identifying the boundaries of the area proposed to be annexed.
3. At least 30 days after service of the Notice of Intent and this Resolution upon the Clerk of Lake View Township and the Property owner, the City Attorney and City staff are authorized and directed to file this Resolution, a Petition for Annexation by Order and the Notice of Intent to Annex, along with appropriate supporting documents with the chief administrative law judge of the Office of Administrative Hearings, Municipal Boundary Adjustment Unit and to request a public hearing upon the Petition pursuant to Minn. Stat. 414.031 and Minn. Stat. 414.09.
4. City staff and the City Attorney are authorized and directed to do all things necessary to accomplish annexation of the Property to the City of Detroit Lakes.

Passed and adopted by the City Council of the City of Detroit Lakes this 12th day of November, 2024.




Matt Brenk
Mayor



Attest: Kelcey Klemm
City Administrator

Hereby certified as a true and correct copy of the Resolution of the City of Detroit Lakes dated November 12, 2024.

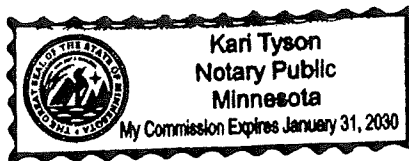
Dated:

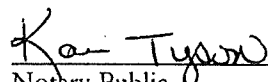

Kelcey Klemm
City Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF BECKER)

The foregoing instrument was certified as a true and correct copy of the Resolution of the City of Detroit Lakes dated November 12, 2024 before me this 12 day of November, 2024, by Klemm, City Administrator of the City of Detroit Lakes, Minnesota.

NOTARIAL STAMP OR SEAL




Notary Public
My commission expires: January 31, 2030

THIS INSTRUMENT WAS DRAFTED BY:
RAMSTAD, SKOYLES, WINTERS & BAKKEN, P.A.
Charles J. Ramstad
City Attorney
114 Holmes Street West
Detroit Lakes, MN 56501
(218) 847-5653

NOTICE OF INTENT TO ANNEX UNINCORPORATED ABUTTING PROPERTY
TO THE CITY OF DETROIT LAKES, MINNESOTA
BY CHIEF ADMINISTRATIVE LAW JUDGE'S ORDER
PURSUANT TO MINNESOTA STATUTES § 414.031

TO:

BY CERTIFIED MAIL
Return receipt requested

Town of Lake View
Dana Fagerlie, Clerk
25218 County Highway 22
Detroit Lakes, MN 56501

Town of Lake View
Phil Hansen, Chairperson
24921 North Melissa Drive
Detroit Lakes, MN 56501

Chad A. Wendel, Owner
841 9th Street NW
Valley City, ND 58072

1. By Resolution of the City Council of the City of Detroit Lakes, Minnesota dated November 12, 2024, a copy of which is attached, the City intends to annex certain territory within the Town of Lake View, described as follows:

All of the NW 1/4 SW1/4, Government Lots 6 & 7, and part of Government Lot 5 of Section 14, T138N, R41W, County of Becker, State of Minnesota, more particularly described as follows:

Beginning at the West corner of said Section 14; thence South 00 degrees 52 minutes 45 seconds East on an assumed bearing along the West line of said SW 1/4 of said Section 14 a distance of 1569.79 feet; thence North 89 degrees 32 minutes 35 seconds East a distance of 445.00 feet; thence South 00 degrees 52 minutes 45 seconds East parallel with the West line of said Section 14 a distance of 466.00 feet; thence South 89 degrees 32 minutes 35 seconds West a distance of 445.00 feet to the West line of said Section 14; thence South 00 degrees 52 minutes 45 seconds East along said West line a distance of 605.15 feet to the Southwest corner of said Section 14; thence South 89 degrees 48 minutes 37 seconds East along the South line of Government Lot 5 a distance of 1538 feet more or less to the Shoreline of Abbey Lake; thence Northerly and Easterly along said shoreline to a point where said shoreline intersects with the East line of Government Lot 7; thence North 00 degrees 39 minutes 32 seconds West along said East line of Government Lot 7 a distance of 965 feet more or less to the Northeast corner of Government Lot 7; thence North 89 degrees 52 minutes 39 seconds West along the extended North line of Government Lot 7 a distance of 3953.38 feet to the point of beginning.

Identified as Becker County Tax Parcel No. 19.0287.001 and depicted on the map attached hereto and incorporated herein.

2. The above-described land is approximately 132.45 acres in area.

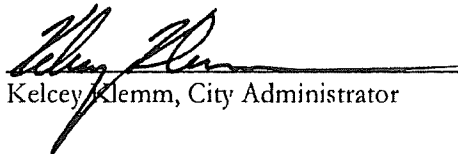
NOW, THEREFORE, notice is hereby given by certified mail pursuant to Minn. Stat. 414.031 Subd. 1a. to the Town Board of Lake View and all landowners within to the area to be annexed that the City of Detroit Lakes intends to annex the above described land by Chief Administrative Judge's Order pursuant to M.S. 414.031

Dated:

11-15-24



Matt Brenk, Mayor



Kelcey Klemm, City Administrator

AFFIDAVIT OF MAILING
BY CERTIFIED MAIL

STATE OF MINNESOTA)
): ss.
COUNTY OF BECKER)

Joyce Holm, of the City of Detroit Lakes, County of Becker, State of Minnesota, says that on November 19, 2024 she mailed the annexed:

NOTICE OF INTENT TO ANNEX UNINCORPORATED ABUTTING PROPERTY
TO THE CITY OF DETROIT LAKES, MINNESOTA
BY CHIEF ADMINISTRATIVE LAW JUDGE'S ORDER
PURSUANT TO MINNESOTA STATUTES § 414.031

and

CITY OF DETROIT LAKES
RESOLUTION NUMBER 2024-1112F
RESOLUTION FOR ANNEXATION BY ORDER PURSUANT TO MINN. STAT. §414.031

to the following named recipients, enclosed in an envelope, postage prepaid, by Certified Mail, return receipt requested, and by depositing same in the post office at Detroit Lakes, Minnesota 56501, directed to said persons at their last known address.

Town of Lake View
Dana Fagerlie, Clerk
25218 County Highway 22
Detroit Lakes, MN 56501

Town of Lake View
Phil Hansen, Chairperson
24921 North Melissa Drive
Detroit Lakes, MN 56501

Chad A. Wendel, Owner
841 9th Street NW
Valley City, ND 58072


Joyce Holm

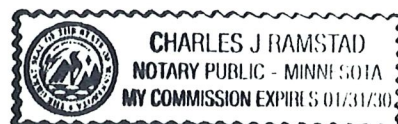
Subscribed and sworn to before me
this 19th day of November, 2024.

Notary Public

My commission expires:

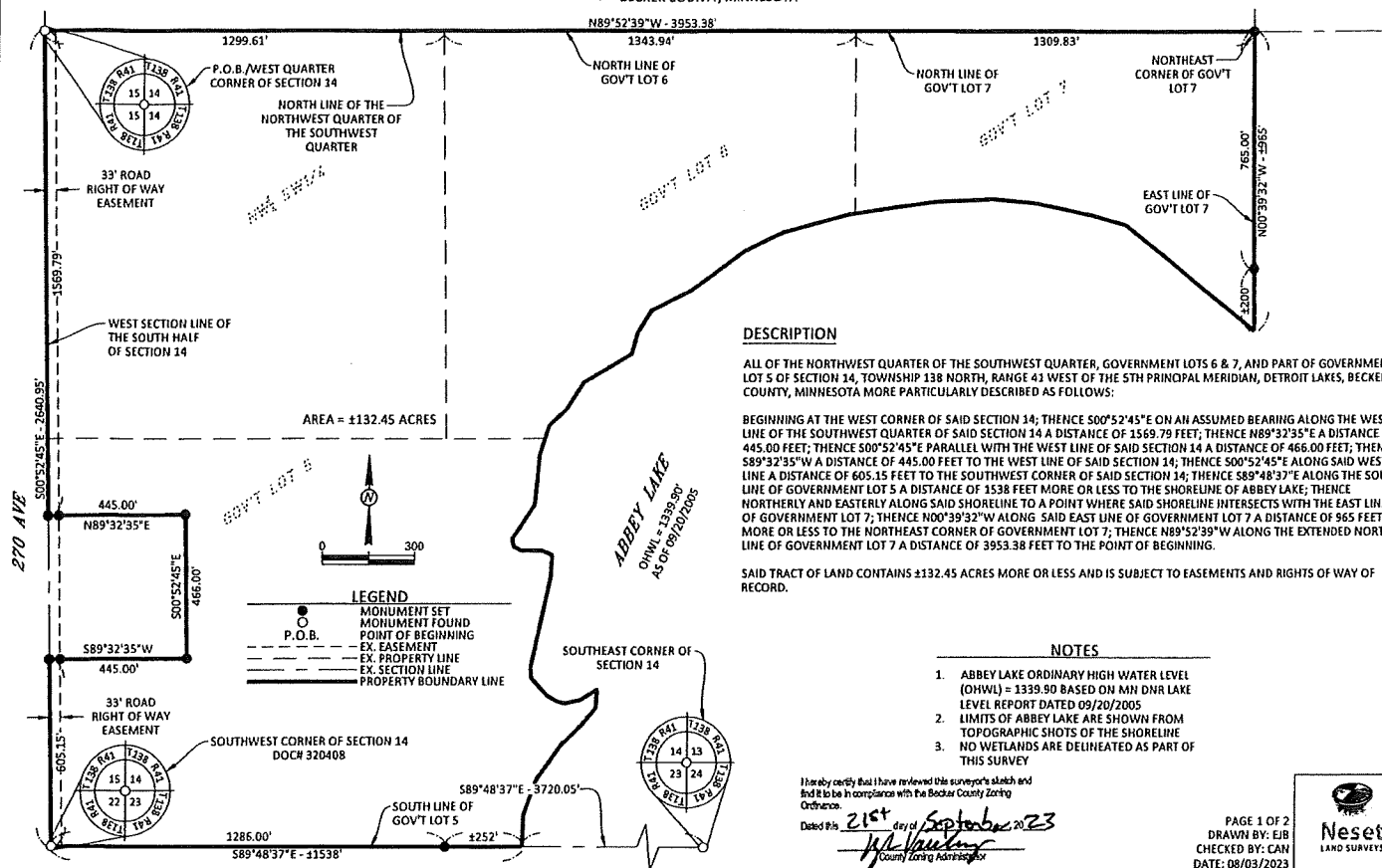
1/31/2030

NOTARY STAMP



CERTIFICATE OF SURVEY

ALL OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, GOVERNMENT LOTS 6 & 7, AND PART OF GOVERNMENT LOT 5 OF SECTION 14, T138N, R41W
BECKER COUNTY, MINNESOTA



DESCRIPTION

ALL OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, GOVERNMENT LOTS 6 & 7, AND PART OF GOVERNMENT LOT 5 OF SECTION 14, TOWNSHIP 138 NORTH, RANGE 41 WEST OF THE 5TH PRINCIPAL MERIDIAN, DETROIT LAKES, BECKER COUNTY, MINNESOTA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST CORNER OF SAID SECTION 14; THENCE 500°52'45\"E ON AN ASSUMED BEARING ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14 A DISTANCE OF 1569.79 FEET; THENCE N89°32'35\"E A DISTANCE OF 445.00 FEET; THENCE 500°52'45\"E PARALLEL WITH THE WEST LINE OF SAID SECTION 14 A DISTANCE OF 466.00 FEET; THENCE S89°32'35\"W A DISTANCE OF 445.00 FEET TO THE WEST LINE OF SAID SECTION 14; THENCE 500°52'45\"E ALONG SAID WEST LINE A DISTANCE OF 605.15 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE S89°48'37\"E ALONG THE SOUTH LINE OF GOVERNMENT LOT 5 A DISTANCE OF 1538 FEET MORE OR LESS TO THE SHORELINE OF ABBEY LAKE; THENCE NORTHERLY AND EASTERLY ALONG SAID SHORELINE TO A POINT WHERE SAID SHORELINE INTERSECTS WITH THE EAST LINE OF GOVERNMENT LOT 7; THENCE N00°39'32\"W ALONG SAID EAST LINE OF GOVERNMENT LOT 7 A DISTANCE OF 965 FEET MORE OR LESS TO THE NORTHEAST CORNER OF GOVERNMENT LOT 7; THENCE N89°52'39\"W ALONG THE EXTENDED NORTH LINE OF GOVERNMENT LOT 7 A DISTANCE OF 3953.38 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS ±132.45 ACRES MORE OR LESS AND IS SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

NOTES

1. ABBEY LAKE ORDINARY HIGH WATER LEVEL (OHWL) = 1339.90 BASED ON MN DNR LAKE LEVEL REPORT DATED 09/20/2005
2. LIMITS OF ABBEY LAKE ARE SHOWN FROM TOPOGRAPHIC SHOTS OF THE SHORELINE
3. NO WETLANDS ARE DELINEATED AS PART OF THIS SURVEY

I hereby certify that I have reviewed this surveyor's sketch and find it to be in compliance with the Becker County Zoning Ordinance.

Dated this 21st day of September 2023
M. Vauling
County Zoning Administrator

PAGE 1 OF 2
DRAWN BY: EJB
CHECKED BY: CAN
DATE: 08/03/2023



CERTIFICATE OF SURVEY

ALL OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, GOVERNMENT LOTS 6 & 7, AND PART OF GOVERNMENT LOT 5 OF SECTION 14, T138N, R41W
BECKER COUNTY, MINNESOTA

SURVEYORS CERTIFICATE

I, COLE A. NESSET HEREBY CERTIFY THAT THIS SURVEY, PLAN, AND/OR REPORT WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

COLE A. NESSET
PROFESSIONAL LAND SURVEYOR
MINNESOTA LICENSE NO. 49984

DATE: 8-3-23



STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS 3 DAY OF August, 2023, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED COLE A. NESSET, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED SAME AS THEIR FREE ACT AND DEED.

Aminda Dammann
NOTARY PUBLIC, COUNTY: CASS STATE: NORTH DAKOTA

I hereby certify that I have reviewed this surveyor's sketch and find it to be in compliance with the Becker County Zoning Ordinance.

Dated this 21st day of September 2023
M. Vauling
County Zoning Administrator

PAGE 2 OF 2
DRAWN BY: EJB
CHECKED BY: CAN
DATE: 08/03/2023

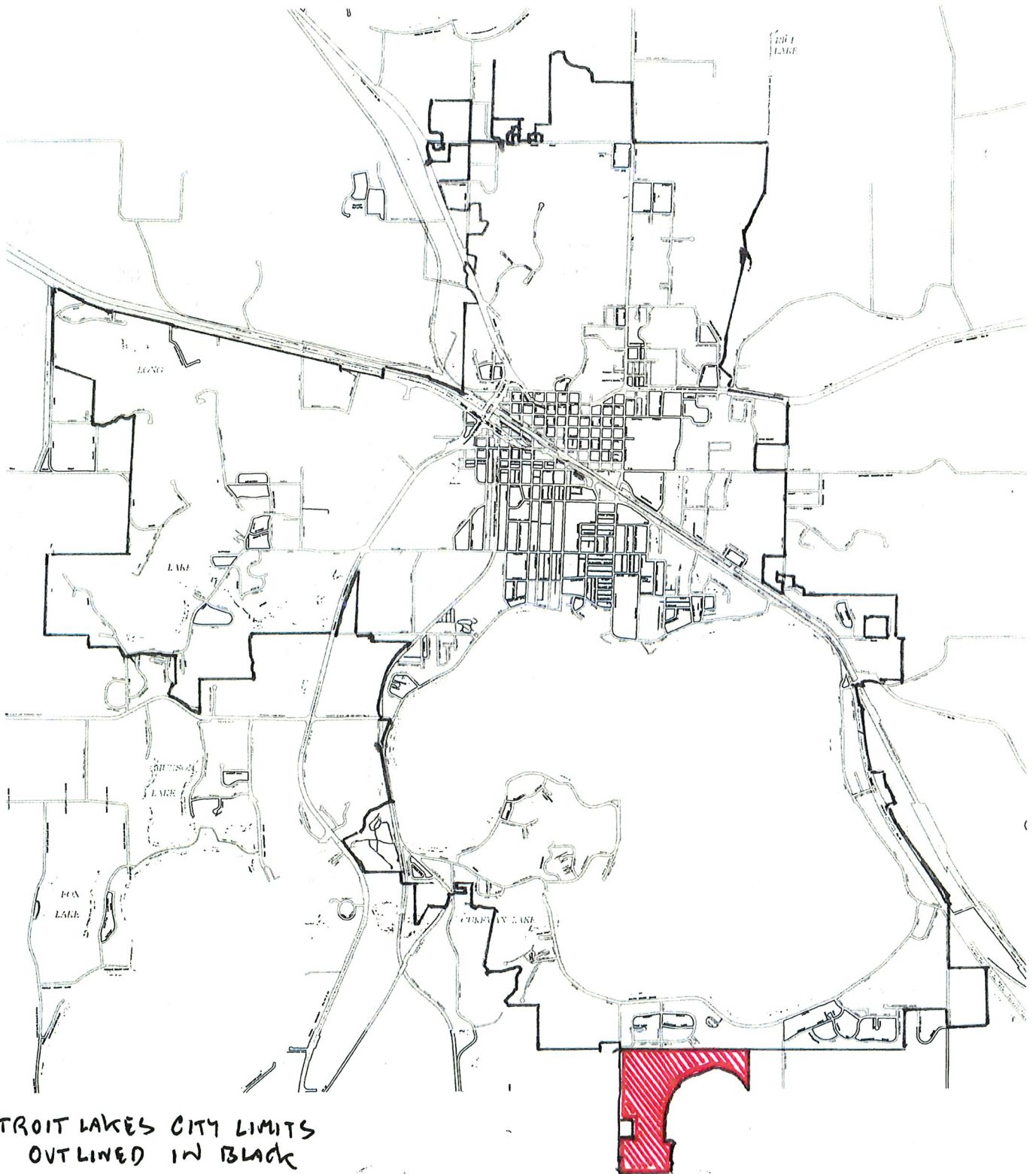




These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

<p>Wendel- Lake View Annexation Area 14-138-41</p>	
<p>1:26,901</p>	<p>Date: 12/20/2024</p>
<p>This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.</p>	

Becker County



DETROIT LAKES CITY LIMITS
OUTLINED IN BLACK

WENDEL ANNEXATION AREA
HIGHLIGHTED IN RED



SUBDIVISION / ZONE CHANGE
BECKER COUNTY
PLANNING & ZONING

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

PARCEL	
APP	ZONE / SURVEY
YEAR	
SCANNED	

Application for: ☒ Zone Change _____ Certificate of Survey ☒ Preliminary Plat
(Complete Section 1) (Complete Section 2) (Complete Section 3)

Applicant's Name: Chad Wendel

Applicant's Address: 815 9th St SW, Valley City, ND 58072

Telephone(s): 701-490-1251

Date of Application: 11-4-24

Signature of Applicant: _____

Parcel ID Number: 190287001

Project Address: Adjacent to 13129 270th Ave

Legal Description of Project:

Part of Survey Sec 14-138-41, Beg. at NW COR, S 1115.60', E 258.08', N 117.59', W 306.29' to
POB; AND COMMENCING at NW COR, S 1181.61' to POB; S 388.18', E 239.00', N 385.76', W 239.03' to
POB; AND COMMENCING at NW COR, S 2035.79' to POB, S 605.15', E 718.90', N 330', W 284.94', N 279.07', W 445'.
SECTION 1

*Zone Change For Existing Parcel Number 190287001

Current Zoning Ag

Requested Zoning Residential

Is the change within 2 miles of any city limits? Yes

SECTION 2

*Certificate Of Survey: Number of Lots _____

Shoreland (within 1000 ft of lake) _____

Nonshoreland _____

Current Zoning of property _____

Is a change of zone required? _____ yes _____ no

If yes, change from _____ Zone to _____ Zone.

Total acreage of parcel to be subdivided _____

Is the change within 2 miles of any city limits? _____

**Include a copy of the purchase agreement if applicant is not the owner of the

SECTION 3 property.

*For Preliminary Plat:

Number of Lots 11

Name of Subdivision The Resort at Abbey Lake

Name of Proposed Roads _____

Shoreland (within 1000 ft of lake) Abbey Non-shoreland _____

Current Zoning of property Ag

Is a change of zone required? ☒ yes _____ no

If yes, change from Ag Zone to Residential Zone.

Total acreage of parcel to be subdivided 18.03

Is the change within 2 miles of any city limits? yes

**Include a copy of the purchase agreement if applicant is not the property owner.

Date Received 11/4 Date Accepted _____ Authorized Signature _____

Application Fee _____ Notice Fee/Recording Fee _____ Date Paid _____

Receipt Number _____



COUNTY OF BECKER

Planning and Zoning

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

PLANNING COMMISSION NOTICE OF PUBLIC HEARING

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

November 27th, 2024 @ 6:00 P.M.

****3RD FLOOR JURY ASSEMBLY ROOM – BECKER COUNTY COURTHOUSE****

APPLICANT: Chad Wendel
841 9th St NW
Valley City, ND 58072

Project Location: TBD 270th Ave
Detroit Lakes, MN 56501

APPLICATION AND DESCRIPTION OF PROJECT:

Request a Change of Zone from Agricultural to Residential and Preliminary Plat for eleven (11) lots to be called THE RESORT AT ABBEY LAKE.

LEGAL LAND DESCRIPTION: Tax ID Number: **19.0287.001** Section 14 Township 138 Range 041; 14-138-41 NW1/4 SW1/4, GOVT LOT 6, 7, PT GOVT LOT 5: BEG W COR SEC 14, S 1569.79', E 445', S 466', W 445', S 605.15', E 1538' TO ABBEY LK, NLY & ELY AL LK TO E LN GOVT LOT 7, N 965', W 3953.38' TO POB.; Lake View 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.bradbury@co.becker.mn.us

To view all application information on this project please visit:

http://www.co.becker.mn.us/government/meetings/planning_zoning/planning_commission/

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

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

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

**PRELIMINARY PLAT OF
THE RESORT AT ABBEY LAKE**

PART OF GOVT LOT 5 AND PART OF
THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 ALL IN
SECTION 14, TOWNSHIP 138 NORTH, RANGE 41 WEST
BECKER COUNTY, MINNESOTA

Abbey Lake
Forest
Section 2
Section 3
Section 4
Section 5
Section 6
Section 7
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Section 100

[illegible]

This part of road Southwest Quarter described as follows:
Commencing at the northeast corner of said Southwest Quarter, thence South 80 degrees 45 minutes 31 seconds East along the northeast corner of said Southwest Quarter a distance of 1,181.51 feet to the point of beginning, thence continuing South 00 degrees 45 minutes 31 seconds East along the west line of said Southwest Quarter a distance of 360.19 feet; thence North 88 degrees 36 minutes 29 seconds East a distance of 238.00 feet, thence North 00 degrees 45 minutes 31 seconds East a distance of 238.00 feet, thence North 85 degrees 45 minutes 31 seconds west a distance of 228.00 feet to the point of beginning.

thence continuing South 00 degrees 45 minutes 45 seconds East along the west line of said "Allentown Quarter" a distance of 679.15 feet to the southwest corner of said Southwest Quarter, thence South 89 degrees 43 minutes 17 seconds East along the south line of said Southwest Quarter a distance of 748.90 feet; thence South 00 degrees 16 minutes 43 seconds East a distance of 1,010.07 feet; thence North 89 degrees 43 minutes 17 seconds East a distance of 748.94 feet; thence South 00 degrees 16 minutes 43 seconds East a distance of 1,739.87 feet; thence North 89 degrees 43 minutes 17 seconds West an oblique distance of 445.00 feet to the point of beginning.

My proposed firm is 18-19 single family residential lots with access to 2700th Avenue and Abner Lee Drive. They have excellent water and sewerage systems. The property is zoned R-100 and is in the Metropolitan Sewerage District's sewerage collection area. The property is in the Metropolitan Department of Health's residential area.

None of the property lies within a 100 year flood plain.

Stormwater treatment will be on an individual basis or in a centralized treatment area within the lot boundaries.

Centuries are shown at 3" intervals and are in MWD. We assume the industry is currently a crisp and clear with upward growth, trend, and outlook.

There are no existing structures on the subject property.

No use of toxic or volatile organic waste substances.

No road construction will be necessary for this proposed use.

SOILS

7530 ALLUVIAL LOAM, 12 TO 20 PERCENT SLOPES
1311H MINERAL-AUSTRALES COMPLEX, 1 TO 9 PERCENT SLOPES
132R RUSHLAKE AND HANGARSD SOILS, LAKE BEACHES
131U DRYLAND LOAM

DEVELOPER	PARCEL ID NUMBER
CHAD WENDEL	19 0287.001
241 9TH ST	PROPERTY ADDRESS
VALLEY CITY, ND 58075	NEAR 13TH 7/8TH AVE
	CLINTON LAKE, WI
SURVEYOR	
BARBARA PATTERSON	

I hereby certify that this survey, specification, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota

Robert Spitz

Robert Spitz, Minnesota License No. 34129

Date signed: October 25, 2018

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Scale in Feet

LEOPOLD

USING ON HOLDINGS (N7) WITH
FROM MOVEMENT 1ST AND
INVESTMENT 1ST AND

POSSIBLE SCOTIC LOCATIONS (1,200 SQ FT)

-- DENOTES 2' CONTIGUOUS WITH
ELEVATION OF 1,300' (WATER DRAIN)
BASED ON LIDAR INFORMATION

GENERAL DRAINAGE DIRECTION

Legal Description - Wendel-Lake View Annexation Area:

All of the NW 1/4 SW1/4, Government Lots 6 & 7, and part of Government Lot 5 of Section 14, T138N, R41W, County of Becker, State of Minnesota, more particularly described as follows:

Beginning at the West corner of said Section 14; thence South 00 degrees 52 minutes 45 seconds East on an assumed bearing along the West line of said SW 1/4 of said Section 14 a distance of 1569.79 feet; thence North 89 degrees 32 minutes 35 seconds East a distance of 445.00 feet; thence South 00 degrees 52 minutes 45 seconds East parallel with the West line of said Section 14 a distance of 466.00 feet; thence South 89 degrees 32 minutes 35 seconds West a distance of 445.00 feet to the West line of said Section 14; thence South 00 degrees 52 minutes 45 seconds East along said West line a distance of 605.15 feet to the Southwest corner of said Section 14; thence South 89 degrees 48 minutes 37 seconds East along the South line of Government Lot 5 a distance of 1538 feet more or less to the Shoreline of Abbey Lake; thence Northerly and Easterly along said shoreline to a point where said shoreline intersects with the East line of Government Lot 7; thence North 00 degrees 39 minutes 32 seconds West along said East line of Government Lot 7 a distance of 965 feet more or less to the Northeast corner of Government Lot 7; thence North 89 degrees 52 minutes 39 seconds West along the extended North line of Government Lot 7 a distance of 3953.38 feet to the point of beginning.

AFFIDAVIT OF MAILING

STATE OF MINNESOTA)
): ss.
COUNTY OF BECKER)

Joyce Holm, of the City of Detroit Lakes, County of Becker, State of Minnesota, says that on December 23, 2024 she mailed the annexed:

December 23, 2024 filing letter to State of Minnesota Office of Administrative Hearings and the Town of Lake View

Petition for Annexing Unincorporated Property by Order dated December 23, 2024.

Resolution 2024-1112F of the City of Detroit Lakes for Annexation by Order dated November 12, 2024.

Notice of Intent to Annex by Order dated November 15, 2024

Affidavit of Mailing by Certified Mail of Notice of Intent to Annex upon the landowner Chad Wendel and Town of Lake View dated November 19, 2024

Supporting documentation:

GIS Aerial Map highlighting annexation area and showing the Tax Parcel ID #19.0287.001 and current City limits.

Certificate of Survey for the annexation area only with legal description.

Map of current corporate limits of entire City of Detroit Lakes, with petitioned boundary adjustment area highlighted.

Landowner's application to County of Becker and Town of Lake View for change of zone to residential and approval of a preliminary residential plat dated November 4, 2024, along with proposed preliminary plat and Notice of Public Hearing.

Separate legal description of annexation area.

Affidavit of Mailing of these filing documents dated December 23, 2024

to the following named recipients, by U.S. Mail, enclosed in an envelope, postage prepaid, by depositing same in the post office at Detroit Lakes, Minnesota 56501, directed to said persons at their last known address.

Town of Lake View
Dana Fagerlie, Clerk
25218 County Highway 22
Detroit Lakes, MN 56501

Town of Lake View
Phil Hansen, Chairperson
24921 North Melissa Drive
Detroit Lakes, MN 56501

Chad A. Wendel
841 9th Street NW
Valley City, ND 58072

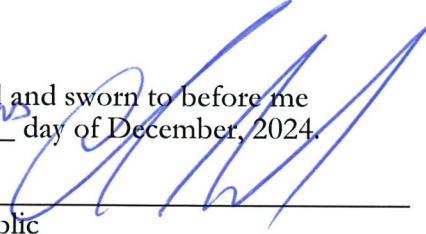
County of Becker
c/o Becker County Auditor-Treasurer
Mary Hendrickson
915 Lake Avenue
Detroit Lakes, MN 56501

Becker County Planning and Zoning
c/o Kyle Vareberg, Administrator
915 Lake Avenue
Detroit Lakes, MN 56501



Joyce Holm

Subscribed and sworn to before me
this 23rd day of December, 2024.



Notary Public
My commission expires:

NOTARY STAMP

