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**CITY OF FIFTY LAKES**  
**PLANNING COMMISSION/BOARD OF ADJUSTMENT**

**AGENDA**

June 27, 2023 6:00 pm

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*The meeting is being recorded and audio will be posted on the city website. Anyone wishing to speak please raise your hand until recognized by the chairperson then state your name and residence.*

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Additions or Deletions to Agenda
5. Public Hearings
  - a. V-01-23 to construct a 20' x 32' (640 sf) dwelling addition partially within the OHW level setback. Property address: 41282 Peninsula Rd. Property owner/applicant: Lary Johnson
6. Open Forum
7. Approval of Minutes
  - a. May 23, 2023
8. New Business
  - a. Verizon Tower Update
9. Old Business
10. Council Liaison Report: Gary Staples
11. P&Z Administrator's Report
12. Adjourn

CITY OF FIFTY LAKES  
NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN: Notice is hereby given the City of Fifty Lakes Planning Commission/Board of Adjustment will convene on Tuesday, June 27, 2023 at 6:00 p.m. at City Hall to conduct the following public hearing:

Variance Application V-01-23 to construct a 20' x 32' (640 sf) dwelling addition partially within the OHW level setback. The subject property is located at 41282 Peninsula Road. PIN 22220605. The property is described as: Lot 8 of 1<sup>st</sup> Addition to Peninsula Park. The applicant/property owner is Lary Johnson.

All interested persons are invited to attend these hearings and be heard or send written comments to City Hall or via email at [pz@fiftylakesmn.com](mailto:pz@fiftylakesmn.com).

A staff report is made available at city hall typically one week before the scheduled meeting.

Justin Burslie, Zoning Administrator  
City of Fifty Lakes

CITY OF FIFTY LAKES  
BOARD OF ADJUSTMENT  
NOTICE OF PUBLIC HEARING  
June 27, 2023 @ 6:00 P.M.

TO WHOM IT MAY CONCERN:

The following will be the subject of a public hearing on Tuesday, June 27, 2023 beginning at 6:00 P.M at Fifty Lakes City Hall.

**Hearing:** Variance Application V-01-23 to construct 20' x 32' (640 sf) dwelling addition partially within OHW level setback.

**Property Owner/Applicant:** Lary Johnson

**Property Description:** The subject property is located at 41282 Peninsula Road. PIN 22220605. The property is described as: Lot 8 of 1<sup>st</sup> Addition to Peninsula Park.

A map identifying the subject property is on the reverse side of this notice.

**Purpose:** The applicant is requesting a variance to construct a 640 sf dwelling addition partially within OHW level setback. The proposed addition is located behind (landward) of a pre-existing dwelling.

**Property Owners Please Note:** Please share this information with your neighbors in the event that any property owner has been overlooked or is not contained in our records.

If you wish to provide written comments, please email to [pz@fiftylakesmn.com](mailto:pz@fiftylakesmn.com) or mail to PO Box 125, Fifty Lakes, MN 56448.

The staff report regarding the request will be available on the city website approximately one week before the meeting.

Justin Burslie (Sourcewell)  
Zoning Administrator  
City of Fifty Lakes

The subject property is located at: 41282 Peninsula Rd



ANDERSON, GERALD L & DARLENE  
41341 PENINSULA RD  
PO BOX 41  
FIFTY LAKES MN 56448

BARTUS, DAVID A  
41334 PENINSULA RD  
FIFTY LAKES, MN 56448

BURKLUND, TROY A REV TRUST(1/2 INT)  
4110 55TH ST NE  
SAUK RAPIDS MN 56379

HILDEBRAND, DAVID K EXEMPTION EQUIV  
83 VELINA DR  
ALBANY NY 12203

HOEHN, GERALD K & NANCY G  
41314 PENINSULA RD  
FIFTY LAKES, MN 56448

HOLLOWAY, RICHARD V  
41347 PENINSULA RD  
FIFTY LAKES MN 56448

JENSEN, RICHARD A & CHRISTINE R  
500 COUNTY RD B W  
ROSEVILLE MN 55113

JOHNSON, LARY  
17867 TOLLVIEW DR  
SOUTH BEND IN 46635

SALO, ROBERT J & LOIS L  
41325 PENINSULA RD  
FIFTY LAKES MN 56448

SCHABERT, RICHARD J  
2356 E SHAWNEE DR  
NORTH ST PAUL MN 55109



## STAFF REPORT

**Application:** Variance to Expand a Pre-existing Structure and Encroach the OHW Level Setback

**Property Owner/Applicant:** Lary Johnson

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**Background Information:** The applicant is requesting a variance to construct (a portion of) a 640 sf dwelling addition within the OHW level setback on the property located at 41282 Peninsula Road. The proposed addition is located on the north side of the pre-existing dwelling approximately 65' from the OHW level (75' required).

The subject property is 15,537 sf and is located in the "Shoreland Residential" land use district-East Fox Lake (General Development). The property is served by a subsurface sewage treatment system (located north of the dwelling) and a well.



The existing single family dwelling is located 36.5' from the OHW level of East Fox Lake (75' required). The dwelling was constructed prior to the establishment of the State Shoreland Rules.

Approximately 900 sf of the dwelling addition is proposed to be constructed within the OHW level setback- 76'+ from the OHW level (100' required).

The impervious surface coverage with the proposed improvements is 20% (25% allowed). The applicant intends to manage stormwater runoff generated by the proposed improvements with swales located north and east of the dwelling.

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**Applicable Regulations:** The following ordinance regulations apply to this request:

3.07 Variances

3.07.06 Variances may be granted upon considering the following:

- a. Will granting the variance put property to use in a reasonable manner not permitted by the zoning ordinance? and
- b. Does the property have unique circumstances that were not created by the landowner? and
- c. Will the variance, if granted, alter the essential character of the locality? and
- d. Will the variance, if granted, be consistent with the comprehensive plan and be in harmony with the purpose and intent of the City of Fifty Lakes ordinances? and
- e. Are economic considerations alone the reason for requesting a variance?

**5.0 LAND USE PROVISIONS**

**5.01 *Lot Area, Width, Buildable Area and Impervious Surface Standards***

**Table 5.01.01 Shoreland Residential District (SR) Lot Area, Width, Buildable Area, and Impervious Surface Standards**

<b>Shoreland Residential District (SR) Lake Classification</b>	<b>Min. Lot Area (ft<sup>2</sup>)</b>	<b>Min. Lot Width</b>	<b>Min. Buildable Area (ft<sup>2</sup>)**</b>	<b>Max. Impervious Coverage ( %)</b>
<b>General Development</b>				
General Development -Riparian	20,000	100	12,000	25

**8.0 PROVISIONS FOR MANAGEMENT OF SHORELAND AREAS**

**8.02 Placement, Design, and Height of Structures**

8.02.01 Placement of Structures on Lots. Structures and facilities must be located to meet all setbacks. Structures shall be located as follows:

- i. Structure and On-site Sewage System Setbacks (in feet) from Ordinary High Water Level (see required setbacks for Special Protection zone)

Classes of Public Waters	Setbacks	
	Structures	Sewage Treatment System
<b>Lakes</b>		
Recreational Development	100	100

8.02.02 **Additional Structure Setbacks.**

- b) The following additional structure setbacks apply, regardless of the classification of the waterbody:

**Table 8.02.02 Additional Structure Setbacks**

Setback from:	Setback (in feet)
City, County, State, or Federal road right-of-way, or streets not classified	35*
Property Line	10

\*20 feet for all lots created before April 18, 2002

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**Staff Findings:** Staff provides the following findings of fact for consideration:

1. The subject property is located at 41282 Peninsula Road and is zoned “Shoreland Residential” (East Fox Lake- General Development).
2. The variance request is to construct (a portion of) a 640 sf dwelling addition within the OHW level setback on the property located at 41282 Peninsula Road. The proposed addition is located on the north side of the pre-existing dwelling approximately 65’ from the OHW level (75’ required).
3. Approximately 320 sf of the dwelling addition is proposed to be constructed within the OHW level setback area. The remainder of the proposed addition is proposed to be constructed within the building envelope.
4. The existing single family dwelling is located 36.5’ from the OHW level of East Fox Lake.
5. The proposed impervious surface coverage of the property is 20% (25% allowed.)
6. The DNR has been notified of the request and has not provided comments.
7. Will granting the variance put property to use in a reasonable manner not permitted by the zoning ordinance?
  - a. Yes, \_\_\_\_\_.
  - b. No, \_\_\_\_\_.
8. Does the property have unique circumstances that were not created by the landowner?
  - a. Yes, \_\_\_\_\_.
  - b. No, \_\_\_\_\_.



9. If the variance is granted, will the essential character of the locality remain consistent?
  - a. Yes, constructing a dwelling addition will not alter the essential character of the neighborhood. The improvement will not be visible from the right-of-way and not highly visible from adjacent properties or the lake.
  - b. No, the addition will be visible as viewed from the lake and is not consistent with the size of nearby dwellings that are located within the lake setback—the proposed addition will alter the essential character of the neighborhood.
10. Will the variance, if granted, be consistent with the comprehensive plan and be in harmony with the purpose and intent of the City of Fifty Lakes ordinances?
  - a. Yes, the request, with conditions, is consistent with the purpose and intent of the zoning ordinance and the following goal in the comprehensive plan, “To preserve the natural character and environmental quality of the lakeshore and still allow reasonable use for property owners and the public.”
  - b. No, the request is not consistent with the purpose and intent of the zoning ordinance. The required structure setback is 75’. The subject property has adequate area to construct a dwelling the same size as proposed (or larger) meeting all setback requirements.
11. Has the variance request been made based on reasons other than economic considerations alone?
  - a. Yes, the request has been made on factors other than economic considerations.

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**Board of Adjustment Direction:** The Board of Adjustment can approve the request, deny the request or table the request if additional information is needed. If the motion is for approval or denial, findings of fact should be cited.

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**Staff Recommendation:**

If the board of adjustment wishes to approve the variance request staff recommends the following condition of approval:

1. Stormwater runoff generated by the proposed addition shall be directed to the swale areas identified on the survey.

# CITY OF FIFTY LAKES

## PLANNING & ZONING

40447 TOWN HALL ROAD, BOX 125, FIFTY LAKES, MN 56448

Phone: (218) 763-3113 Fax: (218) 763-5113

# VARIANCE APPLICATION REQUIREMENTS AND INFORMATION

**Definition of a Variance** A legally permitted deviation as provided in MNSS 462.357, subd. 6, from the provisions of the Land Use Ordinance as deemed necessary by the Board of Adjustment upon the showing of practical difficulties in complying with the provisions of the Land Use Ordinance, provided the deviation from the Land Use Ordinance with any attached conditions will still be in harmony with the general purposes and intent of the Land Use Ordinance and the variance is consistent with the City's Comprehensive Plan. Refer to Fifty Lakes Ordinance Section 3.07.

A **Certificate of Survey** signed by a licensed land surveyor **MUST** be submitted for all Variance applications, unless waived by the planning and zoning administrator. The survey requirements are attached on a checklist.

### The following information needs to be submitted with the application:

- Certificate of Survey: (2) copies of the original survey (sheet not to exceed 22"x34") and (3) 11"x17" copy and (1) electronic copy.
- Signed application form
- Non-refundable application fee
- Building elevations (each side) sheet not to exceed 11" x 17"
- Building height shall be shown on building elevations as defined in Fifty Lakes Ordinances, sheet not to exceed 11" x 17"
- Floor plans (each level) sheet not to exceed 11" x 17"
- Certificate of Compliance or Septic System Design and Evaluation
- Completed questionnaire

**PLEASE NOTE: Applications WILL NOT be processed unless all required information for a Variance is submitted and fees are paid by the application deadline date. We cannot accept the application if any of the above items has not been met, which will delay your start time for your project. If you have any questions please feel free to ask PRIOR to the application deadline; a question now may save time and money later.**

# **Applicant or his/her agent should provide written responses and be prepared to discuss the following:**

1. How will **reasonable** use of the parcel be deprived if the Variance is not granted?

The property has an existing structure constructed in 1960 predating any shoreland ordinance

The property construction is to the rear of the existing structure and is a reasonable use of the property

This situation creates the practical difficulty not created by the current owner

2. What are the unique circumstances of the parcel size, shape, topography or other characteristics that make strict interpretation of the Ordinance impractical?

The Plat of First Addition to Peninsula Park was recorded in 1959 prior to the State Shoreland Standards established in 1989

The plat was recorded prior to any shoreland Ordinance established by the City of Fifty Lakes and cannot meet the current Ordinance standards.

3. Describe the character of the locality. How is this proposal consistent with the locality?

All existing lots of records within the plat have difficulty meeting current requirements established by the ordinance.

The neighborhood has similar construction of cabins and remodels consistent with this request

4. How is granting this Variance consistent with the intent of the City of Fifty Lakes Land Use Ordinance?

A variance is an allowable request within the City of Fifty Lakes, the ordinance allows for construction of development.

The practical difficulty was not created by the landowner.

5. Are economic considerations alone the reason for requesting a variance?

The request is of reasonable use of the property, and will provide a year-round living environment for the applicant

The request is consistent with the neighboring structures and uses

6. What other options, either conforming or non-conforming, have been considered and why were those options not chosen?

The addition is to be constructed to the rear of the property with 70% of the construction meeting all current setback requirements

30% of the proposed construction would fall within the 75' setback requirement, but will meet the sideline setbacks

7. Please include any other comments pertinent to this request.

The request for this variance is a practical difficulty not created by the landowner, and is a reasonable request of the property, and is consistent with surrounding construction and use.

**CITY OF FIFTY LAKES**  
**PLANNING & ZONING**  
**AUTHORIZED AGENT FORM**

I hereby authorize \_\_\_\_\_  
Agent / Contractor (Please Print)

\_\_\_\_\_  
Contractor's License Number

\_\_\_\_\_  
Contractor's Phone Number

To act as my authorized agent to: \_\_\_\_\_ Purchase zoning / sewer permits  
\_\_\_\_\_ Apply for Variance, CUP, IUP or Subdivision  
\_\_\_\_\_ Represent me at a public hearing  
\_\_\_\_\_ Re-zoning

This Authorized Agent Form is valid until \_\_\_\_\_

This Authorized Agent Form is for the following project(s): \_\_\_\_\_

\_\_\_\_\_  
Real Estate Code \_\_\_\_\_ Section: \_\_\_\_\_

Site address \_\_\_\_\_

\_\_\_\_\_  
Property Owner(s) Signature \_\_\_\_\_ Date

Property Owner's last name (please print) \_\_\_\_\_

Property Owner's Phone Number \_\_\_\_\_

City of Fifty Lakes Planning & Zoning  
40447 Town Hall Road Box 102  
Fifty Lakes, MN 56448  
218-763-3113 FAX 218-763-5113  
PZ50LAKES@EMILY.NET

# CITY OF FIFTY LAKES

## PLANNING AND ZONING COMMISSION

### CERTIFICATE OF SURVEY CHECKLIST FOR A VARIANCE

*This checklist is to be used by the Land Surveyor as guidance when preparing a Certificate of Survey for submittal. The existing conditions information shall be located by field observations during the survey and shown on the Certificate of Survey. This information shall be included for the property surveyed. Proposed conditions must be prepared and drawn on survey by licensed surveyor or civil engineer.*

### EXISTING CONDITIONS AND REQUIREMENTS

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- x 1. Legal Description
- x 2. Boundary Monuments shall be visible
- x 3. Location and perimeter dimensions, to the nearest foot, of all structures, including principal buildings, outbuildings, sheds, decks, fences and signs
- x 4. Location of the septic system(s)
- x 5. Location of the well(s)
- x 6. Location of retaining wall(s)
- x 7. Location of visible utilities including poles, pedestals, transformer boxes, etc
- x 8. Location of existing ingress, egress drives and parking areas
- x 9. Location of and dimensions of all existing easements affecting the property
- x 10. Location and differentiation of all other impervious areas, such as, sidewalks, patios, stairways and lifts
- 11. Impervious surface calculations: The total area, in square feet and as a percentage of the total lot area, shall be shown for both the existing and proposed impervious surfaces on the Property
- x 12. Elevations to depict a 2-foot contour interval with spot elevations to show the lowest floor elevation of all structures and the lowest adjacent grade of all structures to the nearest tenth of a foot
- x 13. Elevation of top of foundation (top of block)
- N/A 14. Location of all wetlands on the property; Wetlands shall be delineated by a Certified Wetland Specialist
- x 15. Location of the Ordinary High Water Level (OHWL) line, if the property adjoins public water. This line shall be located by elevation and tied to the boundary lines of the property
- x 16. A Bench Mark shall be established on the Property
- N/A 17. Location of any visible encroachments from or onto the property
- x 18. Location and width of adjoining public streets or public and private road easements
- N/A 19. Location of significant vegetation that would be affected by the application
- x 20. The current zoning classification of the Property and adjoining properties – verify zoning classification with City of Fifty Lakes.
- x 21. Building setback lines in accordance with current City Ordinances
- x 22. The E911 address and the Tax Property Identification Number (PID) for the Property shall be shown on the Certificate of Survey
- x 23. North Arrow, Basis of Bearings, Vertical Datum, Written Scale and Bar Scale shall be shown; The Scale of the drawing shall be of a size to legibly depict all items required; More than 1 sheet may be used

## PROPOSED CONDITIONS AND REQUIREMENTS

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- X 1. Location, dimensions, width and purpose of proposed easements that affect or serve the Property.
- X 2. Location and dimensions of proposed structures, including principal buildings, outbuildings, sheds, decks, fences and signs.
- X 3. Location of proposed septic system (2 soil borings per proposed lot)
- X 4. Elevation of top of foundation (top of block) and lowest floor elevation
- N/A 5. Location of proposed retaining wall(s)
- N/A 6. Location and dimensions for proposed ingress, egress and parking areas
- X 7. Stormwater management: Flow direction of runoff water and location for storage of runoff water with runoff calculations meeting drainage and stormwater management requirements of the City Ordinance
- N/A 8. Proposed changes to existing contours.
- X 9. Impervious surface calculations: The total area, in square feet and as a percentage of the total lot area, shall be shown for the proposed changes.
- 10. Other items that are deemed significant and that could affect the property or adjoining properties by proposed application as deemed necessary by the Zoning Administrator, Planning and Zoning Commission, and/or City Council.



CITY OF FIFTY LAKES

Project Completed

ID No:

40447 Town Hall Road / Box 125, Fifty Lakes, MN 56448

218-763-3113

www.fiftylakesmn.com

VARIANCE APPLICATION

RECODE: 22220605

INACTIVE:

RECODE2:

LAST NAME: Johnson

FIRST NAME: Lary

ADDRESS: 41282 Pininsula Road

PHONE: 815-739-0855

CITY: Fifty Lakes

STATE: MN

ZIP: 56448

ADDRESS 2:

CITY 2:

STATE 2:

ZIP 2:

OWNER: Lary Jhonson

LOCATION

RECODE/PARCEL NUMBER: 22220605

LEGAL DESCRIPTION:

Lot 8 1st Add to Peninsula Park

TOWNSHIP: 138

RANGE: 27

SEC: 22

QTRSEC:

QTRQTRSEC:

PLAT: FIRST ADDITION TO PENINSULA PARK

BLOCK: N/A LOT: 8

LAKE NAME: EAST FOX

LAKE NUMBER: 18-298

STREAM NAME: N/A

ACREAGE: 0.35

FIRE NUMBER: 22220605 ZONING: Residential Shoreland

DIRECTIONS:

HOUSE NUMBER: 41282

STREET NAME: Peninsula Road

IS THE PROPOSED VARIANCE IN THE SHORELAND AREA?  Yes  No

SPECIFICALLY STATE THE NATURE OF

VARIANCE REQUESTED: 18 x 32 Addition to the existing structure

EXPLAIN THE PURPOSE OF YOUR REQUEST AND DESCRIBE THE PRACTICAL DIFFICULTY:

Existing Lot of Record predating the State Shoreland District and current Ordinance of the City of Fifty Lakes crating the practical difficulty for the proposed addition

All property owners within 350 feet of subject property shall be notified.

A Certificate of Survey ( C of S ) may be required for a variance application. The C of S must show all improvements including placement of sewage treatment system, pertinent distances to all lot lines, ROW's, distances to neighbors' adjoining wells, septic systems and main structures. Include planned improvement(s) and two-foot elevation contours. Further information, including preliminary floor plan with elevations, wetlands, bluffs, etc. may be required. Any additional costs the City incurs for any reason shall be reimbursed by applicant.

CITY ACTION

APPROVED: DATE:

CONDITIONS:

RATIONALE:

NOTES:

APPLICATION DATE:

VARIANCE ID: FEE:

DATE FEE PAID:

FEE PAID BY:  Check #:  Cash

DATE APPROVED:

EXPIRATION DATE:

Signed

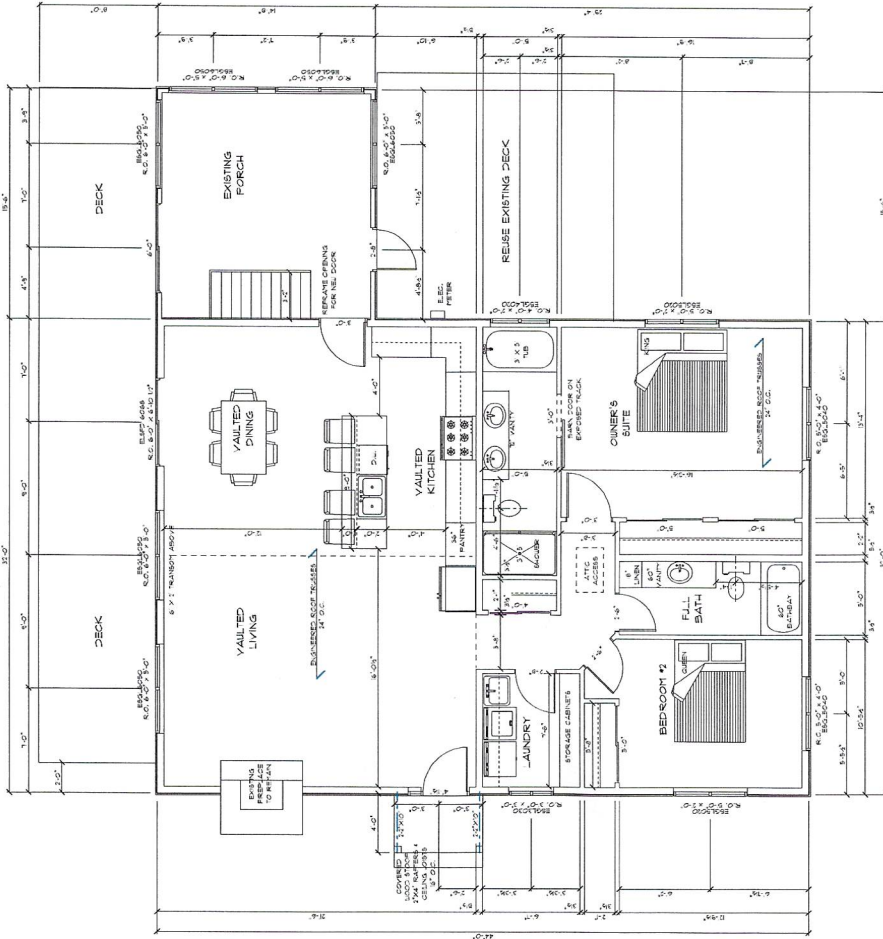
Signed

Signed

Applicant

City Clerk or authorized agent

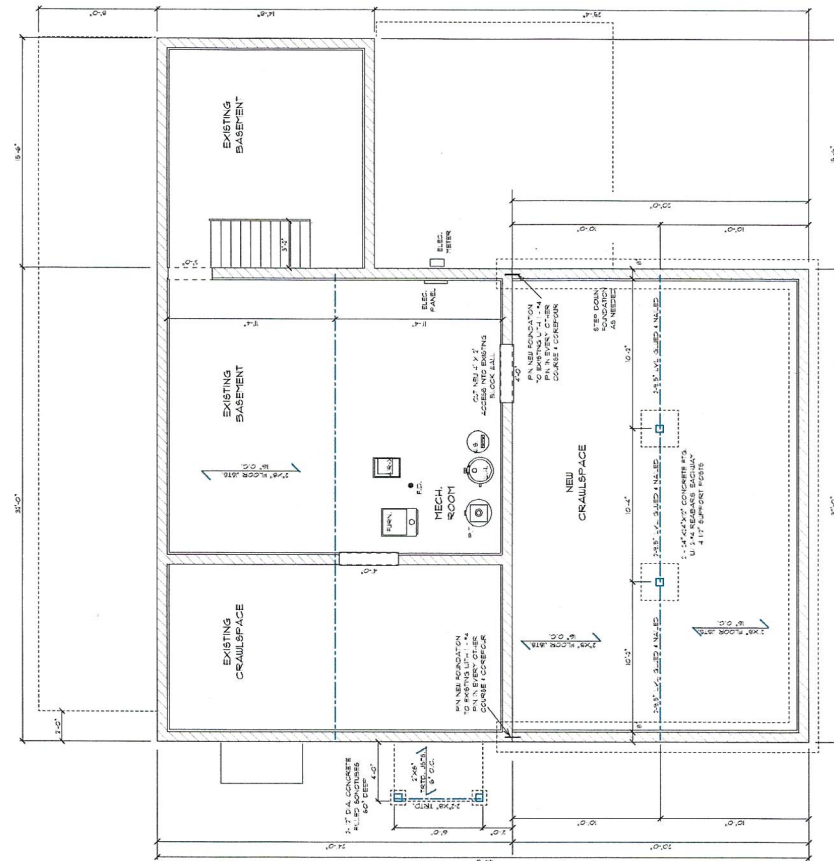
Zoning Administrator or authorized agent



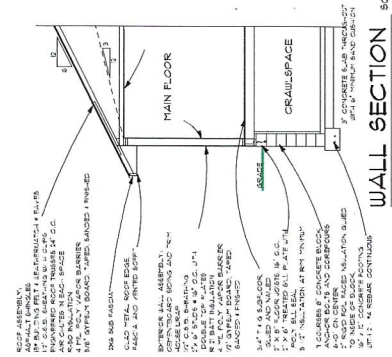
NEW MAIN LEVEL FLOOR PLAN  
SCALE: 1/4"=1'-0"

NOTE:  
ALL DIMENSIONS ARE TO FACE OF STUD UNLESS OTHERWISE NOTED.  
VERIFY ALL TRUSSES, BEAMS AND MICROSLATS WITH TRUSS MANUFACTURER. INSULATE AROUND ALL BATHROOMS AND BEDROOMS.  
CHECKING OF ENERGY CODE REQUIREMENTS FOR THIS PLAN WAS DESIGNED TO COMPLY WITH 2020 NH STATE BUILDING CODE AT THE TIME OF DESIGN. THE CLIENT IS TO BE RESPONSIBLE FOR VERIFYING LOCAL CODES THAT MAY VARY FROM THE NH STATE BUILDING CODE. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE TO PROPERTY OR PERSONS ARISING FROM THE USE OF THIS PLAN.

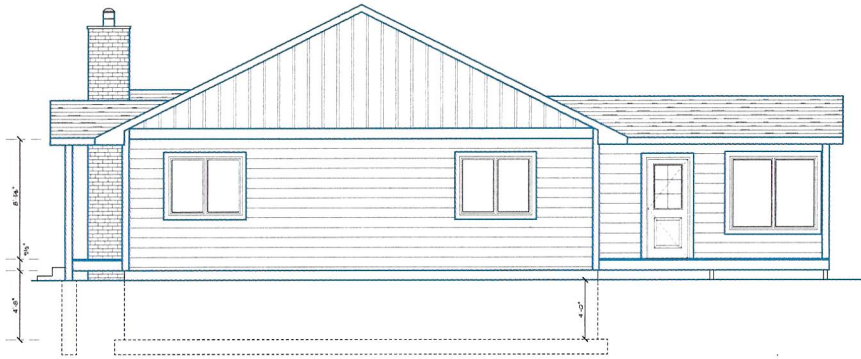
**P.F.S. DESIGN LLC**  
218-821-0630  
PROJECT FOR: LARRY & BEKI JOHNSON  
DATE: MAY 9, 2022  
PAGE NO. 2 of 2  
REVISED MAY 18, 2022



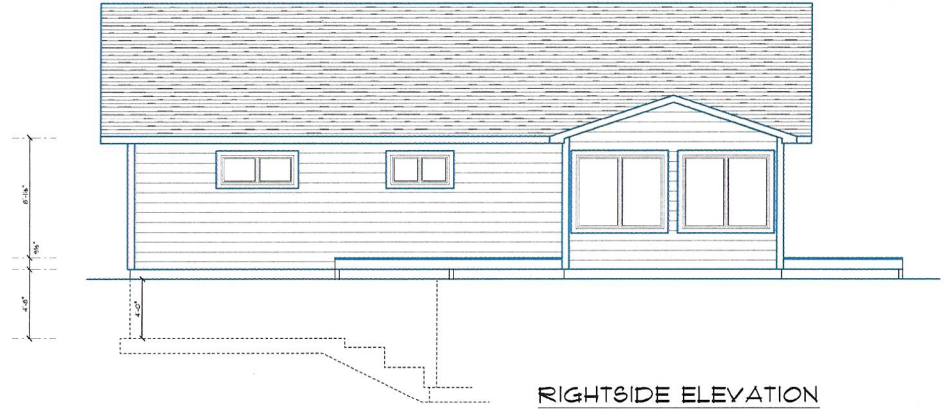
NEW FOUNDATION PLAN  
SCALE: 1/4"=1'-0"



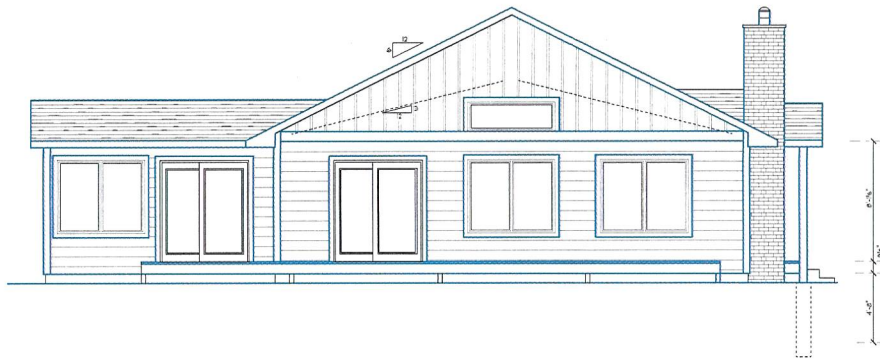
WALL SECTION  
SCALE: 1/4"=1'-0"



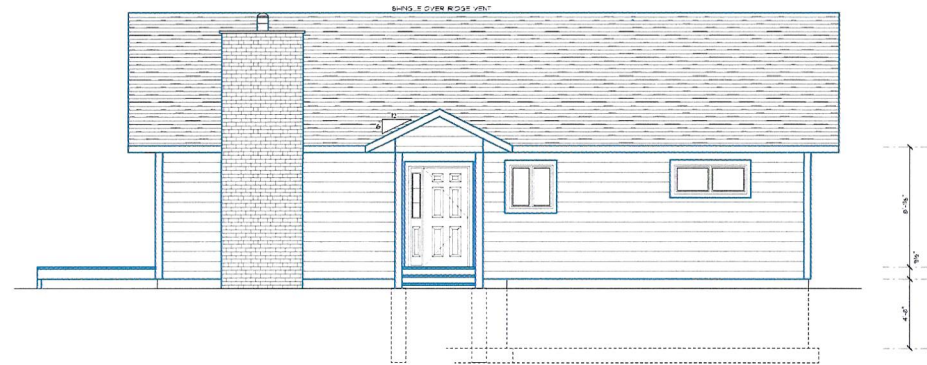
**ROADSIDE ELEVATION**  
SCALE: 1/4"=1'-0"



**RIGHTSIDE ELEVATION**  
SCALE: 1/4"=1'-0"



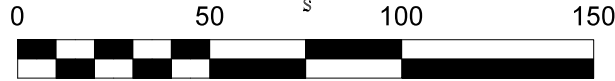
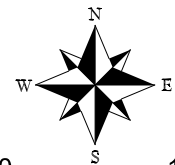
**LAKESIDE ELEVATION**  
SCALE: 1/4"=1'-0"



**LEFTSIDE ELEVATION**  
SCALE: 1/4"=1'-0"

<b>P.F.S.</b> DESIGN LLC	
218-821-0630	
PROJECT FOR: LARRY & BEKKI JOHNSON	PAGE NO. 1 OF 2
DATE: MAY 18, 2022	



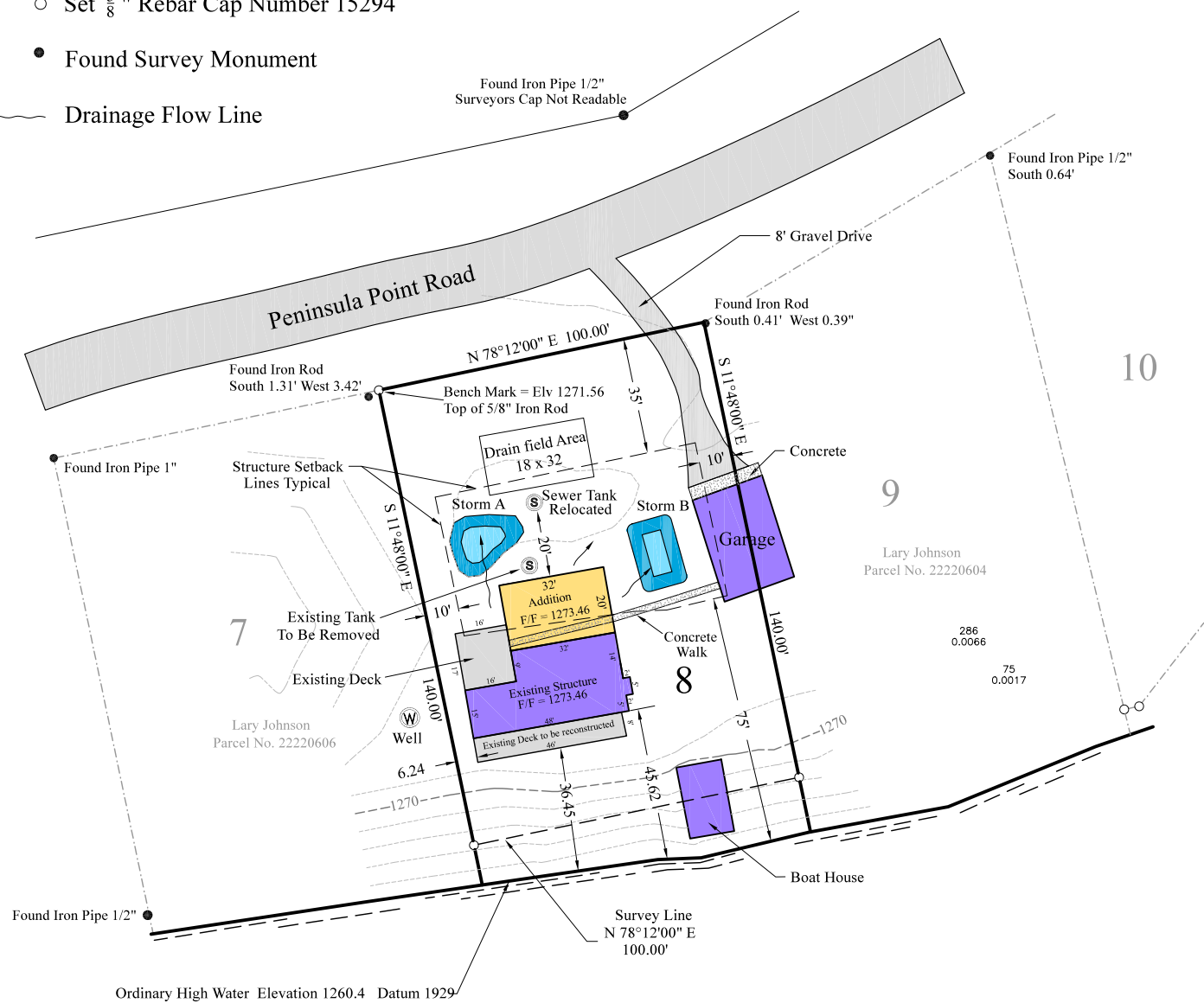


# Certificate of Survey

Lot 8 - 1st Addition to Peninsula Park  
Part of Section 22 Township 138 Range 27  
Crow Wing County, Minnesota

## Legend

- Set  $\frac{5}{8}$ " Rebar Cap Number 15294
- Found Survey Monument
- Drainage Flow Line



Parcel ID No. 22220605

### Surveyors Notes:

- No bluffs conditions were found on the property
- No underground utilities were provided for purposes of this survey
- No Wetlands are contained on the property
- 2' Topographic contour intervals 1929 Datum

### Zoning

Zoning Shoreland Residential

Sideline structure setback 10'  
Structure Setback from Roadway 35'  
Sideline structure setback 10'

### Existing Impervious Surface Calculations

Total Boundary Area 15,537 sq. ft. +/- ( 0.35 Acres +/- )

House	1,005 sq. ft. +/-
Boat House	298 sq. ft. +/-
Garage	412 sq. ft. +/-
Concrete	220 sq. ft. +/-
Gravel Surface Drive	463 sq. ft. +/-
<b>Total Impervious Surface</b>	<b>2,398 sq. ft. +/-</b>

Total Impervious Surface  $\frac{2,398}{15,537} = 0.15 \times 100 = 15\%$   
Total Boundary Area 15,537 sq. ft. +/-

### Proposed Impervious Surface Calculations

Total Boundary Area 15,537 sq. ft. +/- ( 0.35 Acres +/- )

House	1,005 sq. ft. +/-
Boat House	298 sq. ft. +/-
Proposed Addition	638 sq. ft. +/-
Garage	412 sq. ft. +/-
Concrete	220 sq. ft. +/-
Gravel Surface Drive	463 sq. ft. +/-
<b>Total Impervious Surface</b>	<b>3,036 sq. ft. +/-</b>

Total Impervious Surface  $\frac{3,036}{15,537} = 0.20 \times 100 = 20\%$   
Total Boundary Area 15,537 sq. ft. +/-

Existing Natural Drainage flows away from lake as indicated  
Total existing and proposed construction falls below the maximum percentage of 25%

### Storm Water Calculations

Total Estimated Impervious surface area  $\frac{3,036 \text{ Sq. Ft. +/-}}{15,537 \text{ Sq. Ft. +/-}} = 20\%$

(Surface Area)  $3,036 \times 0.80 \text{ coefficient} \times 0.523 \text{ (6.28" 24 hr 100 yr event)} = 1,270.26 \text{ Cubic Ft. Storage Required}$

#### Storm "A"

Storm Area Top Elevation 1272.5 - Surface Area 365 Sq. Ft. / Bottom Elevation 1271 Surface area 135 Sq. Ft.  
100 yr. Storm Treatment provided 375 cu. ft.

#### Storm "B"

Storm Area Top Elevation 1271.5 - Surface Area 775 Sq. Ft. / Bottom Elevation 1270.5 Surface area 465 Sq. Ft.  
100 yr. Storm Treatment provided 930 cu. ft.

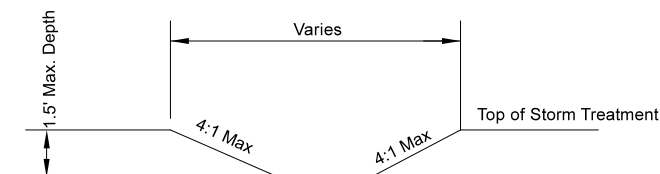
### Legal Description of Record

Document A -907556 Quit Claim Deed 2018

Lot Seven (7), Eight (8) and Nine (9), First Addition to Peninsula Park

Parcel Identification Numbers: 22220604, 22220605, 22220606

### Typical Storm Treatment Construction Detail Typical



Construction of retention area is to be completed with minimal disturbance. Completed construction shall be covered with sod, or seed until turf establishment has been obtained. A maximum slope of 4:1 with a maximum depth of 1.5' in the center of the retention area.

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE NORTH LINE OF LOT 8 TO HAVE AN ASSUMED BEARING OF N 78° 12' 00" E

**Land Design Solutions**  
Complete Land & Consulting Services  
11821 Lake Trail Crosslake Minnesota 56442  
218.820.0854  
landdesignsolutions.co

Signature: *John J. Hillmann Jr.*  
John J. Hillmann Jr., Registration No. 18584  
I hereby certify that this survey was completed by me, or under my direct supervision and that I am a duly licensed Land Surveyor of the State of Minnesota.

**Certificate of Survey**  
Survey Prepared for: Lary Johnson  
41282 Peninsula Road  
Fifty Lakes, MN 56448

DATE 05/25/2023 SCALE 1" = 40' PROJECT NO. 23-021

# Meister Environmental, LLC

MN Certified Wetland Delineator #1031



218.851.5005  
benmeister45@gmail.com

May 22, 2023

Chris Pence  
Environmental Services Manager  
Crow Wing County Land Services Department  
322 Laurel Street, Suite 15  
Brainerd, MN 56401

**RE: Parcel ID# 22220605, Section 22, Township 138 North, Range 27 West, Crow Wing County, MN.**

Dear Mr. Pence:

I visited the above referenced site on May 19, 2023 and verified that there are no wetlands present on the site. This letter is being submitted electronically with hard copies available upon request.

Sincerely,

Ben Meister  
MN Certified Wetland Delineator #1031

CITY OF FIFTY LAKES  
MINUTES OF THE PLANNING COMMISSION  
May 23, 2023  
6:00 PM

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6 1. Call to order: 6:00 pm

7  
8 2. **Roll Call:**

9 Planning Commission: Bob Stancer, Don Reiersen, Fred Strohmeier, Mike Milbrath  
10 Staff: Justin Burslie; Zoning Specialist, Jessica Istvanovich; Deputy Clerk  
11 City Council Liaison: Toni Buchite

12  
13 MOTION MADE BY MR. STROHMEIER SECONDED BY MR. STANCER TO APPROVE THE APRIL  
14 25<sup>TH</sup>, 2023 MINUTES.

15 When polled: Mr. Stancer, aye. Mr. Strohmeier, aye. Mr. Reiersen, aye. (Mr. Milbrath arrived at 6:09pm.)  
16 Motion carried.

17  
18 3. **New Business:** Metes and Bounds Application MB-01-23.

19 The applicant is requesting to subdivide two parcels located at 16951 County Road 1 into three tracts. The  
20 subject property is zoned "Rural Residential." The proposed 2.7 acre parcel does not contain any structures  
21 and is adjacent to County Road 1. The proposed parcel does not contain any wetlands and has adequate area to  
22 construct a subsurface sewage treatment system and a well. The proposed 2.3 acre parcel contains a single  
23 family dwelling and is served by a subsurface sewage treatment system and well. The property is accessed via  
24 County Road 1. The 25.3 Acre tract contains a single family dwelling and two accessory structures. The  
25 property is served by a subsurface sewage treatment system and a well. The proposed tract will be accessed via  
26 a 33' easement and existing driveway through the proposed 2.7 acre tract.

27  
28 MOTION MADE BY MR. STROHMEIER AND SECONDED BY MR. MILBRATH TO APROVE MB-01-  
29 23 WITH THE 6 STAFF FINDINGS AND 1 CONDITION:

30  
31 **Staff Findings:** Staff provides the following findings of fact for consideration:

32 1. The request is to subdivide the property located at 16951 County Road 1 (PIN 22250518)  
33 into three tracts.

34 2. The subject property is zoned "Rural Residential."

35 3. The proposed tracts meet the minimum lot size and dimensional requirements of the  
36 "Rural Residential" Zone.

37 4. The proposed 2.7 acre parcel does not contain any structures and is adjacent to County  
38 Road 1.

39 a. The proposed parcel does not contain any wetlands per letter from Mitch Brinks  
40 (MN Certified Delineator #1007) dated April 20, 2023.

41 b. The proposed parcel has adequate area to construct a subsurface sewage  
42 treatment system and a well. An SSTS design for the parcel has been prepared by  
43 Raymond Schrupp (L747.)

44 5. The proposed 2.3 acre parcel contains a single family dwelling and is served by a  
45 subsurface sewage treatment system and well. The property is accessed via County Road

46 6. The remaining 27.3 acre tract contains a single family dwelling and two accessory  
47 structures. The property is served by a subsurface sewage treatment system and a well. The proposed tract will  
48 be accessed via a 33' easement and existing driveway through the proposed 2.7 acre tract.

49  
50 **Conditions:**

51 1. The south end of the existing driveway on the 2.7 acre parcel shall be relocated so that it is entirely located  
52 in the proposed 33' wide easement area.

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54 When polled: Mr. Stancer, aye; Mr. Strohmeier, aye; Mr. Reiersen, aye; Mr. Milbrath, aye. Motion ~~carried~~  
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Mr. Burslie informed the members of the planning commission of the current park dedication ordinance and requested to review it for possible amendments. Discussion followed and members agreed to the review. Mr. Burslie requested additional consideration on shoreland alterations and would like to bring in a consultant to offer education and options for the City of Fifty Lakes. Discussion followed and members agreed to invite a consultant.

**P&Z Administrator’s Report:** Mr. Burslie met with a Horvath consultant along with Mr. Stancer. Horvath is scheduled to begin construction in July for the cell tower. No permit has been issued.

MOTION BY MR. MILBRATH AND SECONDED BY MR. STROHMEIER TO ADJOURN. Meeting adjourned at 6:40 PM.

\_\_\_\_\_  
Jessica Istvanovich, Deputy Clerk

DRAFT

**2023 Land Use Permits**

NUMBE R	DATE RECD	DATE APPRVD	PROPERTY ADDRESS	LAST	FIRST	ZON E	PIN	DESCRIPTION	FEE
01-23	2/3	4/28	40324 W Fox Lake Road	Drill	David & Erica	SR	22280577	Construct 2,156 sf dwelling addition	300
02-23	3/3	3/10	41441 East Eagle Lake Ln	Moldenhau	Donald	SR	22240575	Construct 1,120 sf dwelling addition in accordance with Variance V-05-22	200
03-23	3/10	4/17	12730 Manhattan Point Blvd	Steinbauer	Nathan & Joanna	SR	22310509	Construct 2' wide paverwalkway in SIZ 1 & 2	100
04-23	4/5	4/14	43953 KEGO LAKE RD	Bailey	Jackie	SR	22150514	Shoreline alteration: sand blanket, walkway and rip rap	100
05-23	4/19	4/28/23	39098 Ox Lake Cir	Gibbs	Ben	SR	22320517	Apprx 8 cu yd grading in SIZ I.	100
06-23	4/21	5/8/23	16246 Eagles Turn	Wright	Thomas	SR	22230522	Construct 28' x 42' (1,176 sf) accessory structure	200
07-23	5/5/23	5/8/23	41325 Peninsula Rd	Salo	Robert & Lois	SR	22220599	Construct wood boardwalk/entry ramp	150
08-23	5/5/23	5/8/23	tbd E Fox Heights Rd	Faber	Mike	SR	22220590	Construct 10' x 12' water oriented accessory structure and install 15' (l) x 10' (w) sand area	300

NUMBER	DATE RECD	DATE APPRVD	PROPERTY ADDRESS	LAST	FIRST	ZONE	PIN	DESCRIPTION	FEE
09-23	5/1/23	5/8/23	40293 Fox Glen Rd	Siemers	Scott & Nicole	RR	22270568	Construct 60' x 60' (3,600 sf) single family dwelling	550
10-23	5/8/23	5/12/23	16594 Fawn Cir	Bengtson	Tim	SR	22110502	Construct 32' x 48' (1,536 sf) accessory structure	200
11-23	5/12/23	5/12/23	40366 Co Rd 3	City of Fifty Lakes		C	22250500	Construct 60' x 60' (3,600 sf) pickle ball courts	n/a
12-23	5/15/23	5/19/23	12248 Northgate Ln	Frederiksen	Scott & Heidi	SR	22310549	Construct 1,216 sf accessory structure and garden fence	200
ATF13-23	5/22/23	5/22/23	15122 CO RD 1	Thalacker	Craig & Linda	SR	22270579	AFTER-THE-FACT Shoreline grading permit. 4' wide stairs. Remove boulder wall in SIZ 1, restore grade and vegetate.	1100
14-23	5/19/23	5/22/23	15156 Edgewild Ln	Grudem	Jerome	SR	22220622	Construct 3' x 90'+ wooden stairway	100
15-23	5/19/23	5/22/23	43252 County Road 136	Gilman	Gary	SR	22120548	Replace existing accessory structure with 36' x 40' (1,440 sf) accessory structure	200
16-23	5/26/23	6/8/23	17594 Emerald Ln	Baskfield	John	SR	22240543	patio and 3' wide stairway/walkway	100
17-23	5/23/23	6/8/23	12864 Manhattan Point Blvd	Trout Lodging LLC		SR	27320535	15' (length along shoreline) x 10' wide sand area	100

## 2023 SSTS Permits

Permit #	Date Rec.	Date Apprvd.	New or Rep.	Location	Last Name	First Name	Type	Installer/License #
SSTS01-23	5/1/23	5/8/23	New	40293 Fox Glen Rd	Siemers	Scott & Ni	1- rock trenches, 300 gpd, 1 tank	Schrupp 747
SSTS02-23	5/19/23	5/19/23	New/upgr	12248 Northgate Ln	Frederiksen	Scott & He	1- Add 1500 gal tank to existing system	Northfork 2921
SSTS03-23	5/19/23	5/19/23	New	tbd N Eagle Lake Rd	Gleason	John	3?- Privy	self
SSTS04-23	5/30/23	5/30/23	New	tbd County Rd 1	Morton	Jeanne	1- rock trenches, 300 gpd, 1 tank	Wannebo
SSTS05-23	05/23/23	6/8/23	Rep	12864 Manhattan Poir	Schrupp Excavating		1- pressure bed, 750 gpd, 2 tanks	Schrupp 747



## CITY OF FIFTY LAKES

June 16, 2023

Kevin & Debra Fuechtmann  
6911 Glenview Ln  
Lino Lakes, MN 55014

**Re: Exterior Lighting  
City of Fifty Lakes**

Mr. & Mrs. Fuechtmann,

We are contacting you regarding an exterior lighting concern on your property located 17259 N Eagle Lake Rd.

The city has received a report of exterior lighting (string, solar and yard light) on your property shining directly out onto and across Eagle Lake. Per Section 9.09 "Exterior Lighting" of Fifty Lakes Land Use Ordinance, exterior lighting shall be directed downward and shielded so that illumination does not extend past property lines.

Reconfiguring the lighting so that it is turned on when motion is detected and/or simply shielding/redirecting the light will likely resolve the matter.

Please contact me upon receipt of this letter at (218) 895-4151 or [pz@fiftylakesmn.com](mailto:pz@fiftylakesmn.com) to discuss the matter. We look forward to working with you to get this situation resolved.

Sincerely,

CITY OF FIFTY LAKES

Justin Burslie  
Planning and Zoning Administrator



## CITY OF FIFTY LAKES

May 22, 2023

Michelle Fussy  
16263 County Road 1  
Fifty Lakes, MN 56448

**Re: Rezone Application RZ-01-23 Approved  
City of Fifty Lakes**

Ms. Fussy,

The City of Fifty Lakes approved your request to rezone an approximately 2.7 acre tract located at 16263 County Road 1 from “Water-Oriented Commercial” to “Shoreland Residential.”

The approval was made by the City Council at their meeting on May 9, 2023 based on the following findings of fact and with one condition of approval.

**Findings of Fact:**

1. The applicant is requesting to rezone to rezone an approximately 2.7 acre area of a 17.5 acre tract located at 16263 County Road 1 from “Water Oriented Commercial” to “Shoreland Residential.”
2. The area proposed to be rezoned contains a single family dwelling and an accessory structure (garage). It is adjacent to an accessed by County Road 1. The subject property is served by a subsurface sewage treatment system and well. It has approximately 350’ of frontage on Daggett Brook. The applicant intends to split the area to be rezoned from the subject property.
3. There remainder of the subject property consists of a 17.5 acre tract (north parcel) and 20.8 tract (south parcel) and is proposed to remain zoned “Water Oriented Commercial.” The “remainder area” contains a campground consisting of several individual campsites and accessory structures. The campground is served by SSTS and private well(s).
4. The future land use map contained in the comprehensive plan identifies the subject property as “Commercial” however the comprehensive plan states, “The City of Fifty Lakes should support the development of residential developments that preserve the rural character of the community.” The subject property is 2.7 acres and preserves the “rural character” of the city. The request is consistent with the comprehensive plan.
5. The reclassification is warranted due to changed land use circumstances. The applicant intends to split the area to be rezoned from the subject property. The area proposed to be rezoned contains a single family dwelling which is not an allowed primary use in the Water Oriented Commercial Zone.



6. The subject property is suitable for development in general conformance with the land use standards of the "Shoreland Residential" Zone.
7. The property located north is zoned "Shoreland Residential," the property located west is zoned "Rural Residential" and "Water Oriented Commercial" and the property located south and east is zoned "Water Oriented Commercial."
8. Rezoning of the property will not be detrimental to uses or property in the immediate vicinity of the subject property. The properties adjacent to the subject property are primarily utilized as single family residential uses, vacant/wooded and commercial uses.
9. The rezoning of the property promotes the health, safety, and general welfare of the public. Uses that are allowed in the "Shoreland Residential" Zone will not be/are not detrimental to the health, safety and welfare of the public.

Condition of Approval:

1. The red and white recreational vehicle located near County Road 1 utilized for advertising shall be removed from the subject property. The proposed lot line shall be adjusted so that the green recreational vehicle utilized for advertising is located on the commercial parcel.

*The rezone approval was made contingent on approval of metes and bounds subdivision for creation of the 2.7 acre tract. If the subject property is not split from the subject property within two years the rezone shall be nullified.*

If you have any questions or concerns please contact me at (218) 895-4151 or [pz@fiftylakesmn.com](mailto:pz@fiftylakesmn.com).

Sincerely,

CITY OF FIFTY LAKES



Justin Burslie

Planning and Zoning Administrator

Cc: Jake Frie, DNR Area Hydrologist, via email only  
City Council  
Planning Commission