
CITY OF FIFTY LAKES
PLANNING COMMISSION/BOARD OF ADJUSTMENT
AGENDA

January 23, 2024 6:00 pm
City Hall 40447 Town Hall Road Fifty Lakes, MN 56448
657 W Jefferson Ave Sisters, Oregon 97759

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. Roll Call
3. Elect Chairperson and Vice-chairperson
4. Additions or Deletions to Agenda
5. Public Hearings
 - a. Ordinance Amendment 03-2023 to modify Section 2.06, “Right of Inspection,” Section 4.03, “Land Use Tables,” Section 6.05, “Plat Design Standards,” Section 9.06, “Parking, Storage and Usage of Recreational Vehicles,” and addition of Section 9.20, “Transient Food Unit.” Applicant: City of Fifty Lakes. (Continuation)
 - b. Amendments to City of Fifty Lakes Short-Term Rental Licensing Ordinance (No. 02-2023). The purpose of the public hearing is to consider amendments to the City of Fifty Lakes Short-Term Rental Licensing Ordinance. Applicant: City of Fifty Lakes.
6. Open Forum
7. Approval of Minutes
 - a. November 28, 2023
8. New Business
9. Old Business
10. Council Liaison Report: Gary Staples
11. P&Z Administrator’s Report
12. Adjourn

CITY OF FIFTY LAKES
MINUTES OF THE PLANNING COMMISSION
November 28, 2023
6:00 PM

1
2
3
4
5
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 (Bruce Bissonnette absent)

11 Staff: Justin Burslie, Planning and Zoning Administrator; Jessica Istvanovich, Deputy Clerk

12 City Council: Gary Staples
13

14 **3. Public Hearings:**

- 15 a) Variance Application V-03-23 to construct a pressure bed (subsurface sewage treatment system
16 component) within the dwelling to pressure bed setback requirement. Property Owners/Applicants:
17 Michael and Joan Petersen. Property Location: 16969 North Eagle Lake Road
18
19

20 **MOTION MADE BY MR. STROHMEIER AND SECONDED BY MR. STANCER TO APPROVE V-
21 03-23 WITH THE 13 FINDING OF FACTS:**
22

23 **Staff Findings:**

- 24 1. The Subject property is located at 16969 North Eagle Lake Road and is zoned “Shoreland
25 Residential” (Eagle Lake- Recreational Development).
26 2. The variance request is to construct 10’ X 37.35’ pressure bed located 16.5’ from the dwelling
27 (20’ required) on the subject property.
28 3. The subject property contains a limited building envelope. Any modifications to the SSTS and
29 expansion of structures on the subject property requires a variance.
30 4. The city’s contracted SSTS inspector (Greg Kossan – License #2776) has approved the SSTS
31 design pending variance approval.
32 5. The existing and proposed impervious surface coverage of the property is 8.5% (15% allowed.).
33 6. The DNR has been notified of the request and has not provided comments since the request is not
34 related to deviations to the Shoreland Rules.
35 7. The MPCA has been notified of the request and has not provided written comments.
36 8. The single family dwelling does not contain a basement.
37 9. Will granting the variance put property to use in a reasonable manner not permitted by the zoning
38 ordinance? The Commission answered, “Yes, the subject property contains a limited building
39 envelope so any exterior modifications require a variance. The proposed upgraded SSTS will put
40 the property to reasonable use.”
41 10. Does the property have unique circumstances that were not created by the landowner? The
42 commission answered, “Yes, the subject property contains a limited building envelope which was
43 not created by the landowner. The property does not contain alternative conforming locations for
44 an upgraded SSTS.”
45 11. If the variance is granted, will the essential character of the locality remain consistent? The
46 commission answered, “Yes, the proposed SSTS will not have a negative aesthetic impact on the
47 area.”
48 12. Will the variance, if granted, be consistent with the comprehensive plan and be in harmony with
49 the purpose and intent of the City of Fifty Lakes ordinances? The commission answered, “Yes, the
50 upgraded SSTS is consistent with the comprehensive plan and the intent of the land use ordinance.
51 The upgrade SSTS will protect both groundwater and water quality of Eagle Lake.”
52 13. Has the variance request been made based on reasons other than economic considerations alone?
53 The commission answered “Yes, the request has been made on factors other than economic
54 considerations.”
55

When polled: All members voted aye (Mr. Bissonnette absent). Motion carried.

56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87

b) Ordinance Amendment 03-2023 to modify Section 2.06, “Right of Inspection”, Section 4.03, “Land Use Tables”, Section 6.05, “Plat Design Standards”, Section 9.06, “Parking, Storage and Usage of Recreational Vehicles,” and addition of Section 9.20, “Transient Food Unit.” Applicant: City of Fifty Lakes.

The commission discussed changes suggested by the DNR for the “Parking, Storage and Usage of Recreational Vehicles” ordinance. The commission requested Mr. Burslie to compile a draft with the changes to be reviewed at the January meeting.

MOTION MADE BY MR. STROHMEIER AND SECONDED BY MR. MILBRATH TO TABLE ORDINANCE AMENDMENT 03-2023 FOR THE JANUARY PLANNING COMMISSION MEETING. When polled: All members voted aye (Mr. Bissonnette absent). Motion carried.

MOTION MADE BY MR. STANCER AND SECONDED BY MR. MILBRATH TO APPROVE THE OCTOBER 24TH, 2023 MEETING MINUTES AS PRESENTED. When polled: All members voted aye (Mr. Bissonnette absent). Motion carried.

P&Z Administrator’s Report: Mr. Burslie stated that year to date there has been 52 Land Use Permits and 15 SSTS permits issued this year.

4. **MOTION MADE BY MR. MILBRATH AND SECONDED BY MR. STANCER TO ADJOURN.** The meeting adjourned at 6.55pm.

Jessica Istvanovich, Deputy Clerk

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, January 23, 2024 at 6:00 p.m. at City Hall located at 40447 Town Hall Road, to conduct the following public hearing:

Amendments to City of Fifty Lakes Short-Term Rental Licensing Ordinance (No. 02-2023). The purpose of the public hearing is to consider amendments to the City of Fifty Lakes Short-Term Rental Licensing Ordinance. Applicant: City of Fifty Lakes.

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.

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

Justin Burslie, Zoning Administrator
City of Fifty Lakes

ORDINANCE NO. 03-2023
AN AMENDMENT TO THE FIFTY LAKES
LAND USE ORDINANCE
CITY OF FIFTY LAKES
COUNTY OF CROW WING
STATE OF MINNESOTA

The City Council of the City of Fifty Lakes does ordain as follows:

Section 1: Declaration of Purpose: To modify the several sections of the City of Fifty Lakes Land Use Ordinance regarding “Right of Inspection” pertaining to inspection of property by city staff, mayor and city council members and planning commission/board of adjustment members, “Land Use Tables” to include “recreational vehicle” and “transient food unit,” “Plat Design Standards,” requiring and increasing park dedication fees for all new plats, “Parking, Storage and Usage of Recreational Vehicles,” regarding permitting and performance standards for storage, placement and usage of recreational vehicles, and “Mobile Food Unit,” creating permitting requirements and performance standards for mobile food units.

Section 2: Amendment: Section 2.06, “Right of Inspection,” Section 4.03, “Land Use Tables,” Section 6.05, “Plat Design Standards,” Section 9.06, “Parking, Storage and Usage of Recreational Vehicles,” and Section 9.20, “Transient Food Unit,” are hereby amended with the following added language underlined and deleted language struck out:

2.06 Right of Inspection

An applicant for any permit, subdivision and/or variance request under this ordinance gives ~~the City staff, Zoning Administrator, Mayor, City Council members, Planning Commission members, and Board of Adjustment members~~ the right of access to the premises concerned for inspection, and enforcement of this ordinance. Additionally, the Zoning Administrator is authorized to enter upon lands within the incorporated area of the City for the purpose of carrying out the duties and functions imposed under this ordinance, and/or make investigations of any violations of this ordinance and/or cause proceedings to be instituted when warranted.

4.03 Land Use Tables

USE	SR	RR	AG	C	CMU	WC	SP	FM
<u>Mobile Food Unit, Placement of</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Recreational Vehicle, Placement of (not in storage)</u>	<u>P/I</u>	<u>P/I</u>	<u>P/I</u>	<u>N</u>	<u>N</u>	<u>P/I</u>	<u>N</u>	<u>P/I</u>

6.05 Plat Design Standards

6.05.05 **Improvements.** The subdivider shall pay for the cost of all improvements required in the subdivision pursuant to their Developer's Agreement in Section 6.06 of this ordinance including but not limited to:

- a) **Public Dedication.** A reasonable portion of any proposed subdivision may be required as a dedication to the public or reserved for public use as roads, utilities, drainage, ponds, parks, playgrounds, trails, open space, and similar utilities and improvements. The City shall have the option of requiring a cash contribution in lieu of land dedication. Such cash contributions shall be based upon ~~4%~~ 5% of the "fair market land value" of the land within such plat or subdivision as of the date presented to the Council for preliminary approval. "Fair market land value" is defined as the market value of the land for tax purposes. Any money so paid to the City shall be placed in a special fund and used for conservation purposes or for public use as parks, playgrounds, trails, wetlands, or open spaces.

9.06 Parking, Storage and Usage of Recreational Vehicles

~~9.06.01 Recreational vehicles 20 feet or more in length shall be stored inside or be fully screened from adjacent properties and public waters.~~

~~9.06.02 Temporary Placement for Use.~~

- ~~a) Temporary placement for use of recreational vehicles other than in a campground shall be allowed with a land use permit for one (1) calendar year (June through May). The land use permit may be renewed for three (3) consecutive years. Any use of a recreational vehicle greater than three (3) years will require an interim use permit.~~
- ~~b) Any owner or tenant on a lot may use a recreational vehicle for guests for a period of up to twenty one (21) consecutive days without a permit.~~
- ~~e) Temporary recreational vehicle placement for use shall be allowed only on lots having conforming water supply and subsurface sewage treatment systems.~~

9.06.01 General.

- a) For the purposes of this Section, the following definitions shall apply:
 - i. "Temporary Placement" shall mean the placement of a recreational vehicle on a property for up to twenty-one (21) days in any six (6) month period of time.
 - ii. "Long-term Placement" shall mean the placement of a recreational vehicle on a property for more than twenty-one (21) days in any six (6) month period of time.
- b) Recreational vehicles (RV) shall be stored inside or shall be located to reduce visibility (through use of topography and vegetation) as viewed from public water and adjacent property.

Commented [FL1]: Language added

- c) RV's must meet dwelling setback requirements for the zone they are located in.
- d) There shall be a maximum of four units allowed on a property at any one time.
- e) No recreational vehicle placement, either temporary or permanent, shall result in a use that is kept, used, maintained, or advertised as, or held out to the public to be a place where sleeping accommodations are furnished to the public without an approved conditional use permit, short-term rental license, and/or commercial designation.

Commented [FL2]: Added per DNR direction

9.06.02 Temporary Placement for Use.

- a) Any owner or tenant on a lot may use a recreational vehicle for guests for a period of up to twenty-one (21) days in any six month period without a permit.

9.06.03 Long-term Placement for Use

- a) Long-term placement of a recreational vehicles requires a permit.
- b) An annual one-time permit for long-term placement for use of recreational vehicles other than in a campground shall be allowed with a land use permit for up to three (3) years.
- c) Long-term Placement of a recreational vehicle on a property for more than three (3) years shall require an interim use permit and installation of a conforming water supply and subsurface sewage treatment system, as defined by this ordinance.
- d) One RV may be considered a "guest cottage" on a lot meeting the minimum requirements for "Single Family Residential" lots in Section 5.01, if no other guest quarters or guest cottages are located on the property.

Commented [FL3]: Language added

Commented [FL4]: Added lot reference per DNR direction

Commented [FL5]: Moved from 9.06.01(d) per DNR direction

9.20 Mobile Food Unit

9.20.01 Established Boundaries. "Mobile Food Units," as defined by Minnesota Department of Health, are permitted to operate in the Commercial and Commercial Mixed Use Zones.

9.20.02 Permitted Uses. Mobile food units including trucks, trailers, wagons, carts, etc. are allowed to operate with a permit on public and private property subject to the following:

- a. Mobile food unit hours of operation shall be limited to 7:00 am to 11:00 pm.
- b. Only food and non-alcoholic beverages can be sold.
- c. At least one (1) trash receptacle with a tight-fitting lid shall be provided.
- d. Mobile food unit operators must clean around their unit at the end of each day.

- e. Mobile food unit operators cannot call attention to themselves by crying out, blowing a horn, ringing a bell, and playing music or other noise discernable beyond the unit.
- f. Mobile food units must be kept in good repair and order and have a neat appearance.
- g. Electrical cords and hookups to public utilities are not permitted.
- h. Liquids from a food unit cannot be drained onto public property.
- i. Generators must be self-contained and fully screened from view and not exceed 70 dbs.
- j. Exterior lighting that will call attention to the setup is not permitted.
- k. Follow applicable Minnesota Department of Health regulations.
- l. Copies of all required State licenses are provided to the City.
- m. One "A" frame sign not exceeding 12 square feet per side is permitted during operation.
- n. Property owner written approval is required.
- o. Mobile food units cannot be left unattended nor remain at an authorized operating location outside allowed hours of operation.
- p. Proof of liability insurance is provided in accordance with City of Fifty Lakes requirements.
- q. Mobile food units are allowed to operate during festivals and community events provided it is approved by City of Fifty Lakes as part of a festival and community events permit.
- r. Sales are permitted in a City park when approved by City of Fifty Lakes.

Section 3: EFFECTIVE DATE: This ordinance shall be in full force and effect from and after its passage and publication, as required by law.

Adopted by the City Council of City of Fifty Lakes

This _____ of _____, _____
(Day) (Month) (Year)

Attest: _____, Mayor

Toni Buchite

Attest: _____, City Clerk

Ann Raph

City of Fifty Lakes Short-Term Rental Licensing Ordinance

Approved 2/14/2023

Amended x/x/2024

PURPOSE, SCOPE, & OBJECTIVES

1.1 Purpose.

It is the purpose and intent of this Ordinance to regulate short-term rentals within Fifty Lakes. To continue the allowed use of short term rental units, but also mitigate possible adverse impacts to the health, safety, welfare, and quality of life of surrounding properties, as well as water and environmental quality, through the establishment of a licensing program for the review and approval of short term rental unit operations.

1.2 Scope

Pursuant to Minnesota Statutes Chapter 412.191, subd 4, Minnesota Rules Chapters 7080 -7083 in their entirety except as referenced under Section 9.17.14 of the Fifty Lakes Land Use Ordinance and as otherwise expressly modified by the Land Use Ordinance, are hereby adopted by the City of Fifty Lakes by reference.

1.3 Objectives.

- To provide and enforce standards for the maintenance of short-term rentals.
- To provide local governance to promote health, safety, and wellness to Fifty Lakes citizens and patrons of short-term rentals.

1.4 Enforcement

- Any violations of this ordinance may result in enforcement as noted under Section 6.

DEFINITIONS AND GENERAL PROVISIONS

2.1 **Definitions.** Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted to give them the same meaning they have in common usage and to give this Ordinance its most reasonable application.

- “(Owner)” means the property owner of record of the real estate located in Crow Wing County.
- “(Owners Authorized Agent)” means a person who has written designation to act on behalf of the owner.
- “(Parcel)” means a unit of real property that has been given a parcel identification number maintained by the County.
- “(Short Term Rental Unit)” means any home, cabin, condominium or similar building that is advertised as, or held out to be, a place where sleeping quarters are furnished to the public on a nightly, weekly, or for less than a 30-day time period and is not a bed and breakfast, resort, hotel or motel.
- “(SSTS)” means “Subsurface sewage treatment system” is either an individual subsurface sewage treatment system as defined in subpart 41 of rule 7080.1100 or a mid-sized subsurface sewage treatment as defined in subpart 4 of rule 7081.0020, and Section 9.17 of the Fifty Lakes Land Use Ordinance, as applicable.
- “(Bedroom)” means, an area that is (A)-a room designed or used for sleeping; or (B)-a room or area of a dwelling that has a minimum floor area of 70 square feet with access gained from the living area or living area hallway. Architectural features that affect the use as a bedroom under this item may be considered in making the bedroom determination.
- “(Trailer, Travel)” means a recreational vehicle built on a single chassis with a rigid

walled shelter, mounted on wheel and have a gross trailer area not exceeding 400 square feet. For the purposes of this ordinance, the term travel trailer is synonymous with the term "recreational vehicle."

- 2.2 **Severability.** If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

ANNUAL LICENSE REQUIRED

- 3.1 No Short-Term Rental may be operated without a valid Short-Term Rental license issued pursuant to this Ordinance.
- 3.2 All new Short-Term Rental operations as of the enactment date of this Ordinance shall obtain a license from the County prior to commencing operations.
- ~~3.3 A separate Short-Term Rental license is required for each unit on a parcel that has Short-Term Rental operations conducted in it.~~
- 3.3 All Short-Term Rental licenses are an annual license and must be renewed each year. License renewal applications for rental operations in the following year must be submitted prior to any rental activity. Licenses are valid from January 1 – December 31 each year.
- 3.4 The Owner or Owners Authorized Agent shall permit access to the property and all permitted units at any reasonable time for the purpose of inspection upon request of Crow Wing County.

LICENSE APPLICATION REQUIREMENTS

- 4.1 **Application Requirements.** The following information shall be provided to the County on the Short-Term Rental license application:
- (a) The full name (First, Middle, Last), Date of Birth, mailing address, email address and telephone number of the owner of the Short-Term Rental home for which the license is to be issued. If the property is owned by a business or corporation, the CEO or Designee is responsible for obtaining the license in their name.
 - (b) Physical address and parcel identification number.
 - (c) The name, address, telephone number and email address of the Owner's Authorized agent for the Short-Term Rental who is available 24 hours a day.
 - (d) All other information that is requested on the Short-Term Rental License Application.
 - (e) No application for initial or renewal license will be accepted if there are past due property taxes on the property described in the license application.
 - (f) No license will be issued if there are pending permits and/or open enforcements related to the property.
 - (g) No license will be issued if the property has three substantiated violations within the prior calendar year prior to application for a license.

4.2 **Application Process.** Applications for Short-Term rental operation licenses may be filled out online at www.crowwing.us.

- (a) Once the a complete application is received along with the supplemental information and payment of fee, Crow Wing County will issue or deny the license in accordance with the timelines established under Minnesota Statute 15.99, (60 days) during which time the County may contact the Owner or Owner's Authorized Agent for additional information. If the permit license is denied, a letter will accompany the denial explaining the reasons for the denial, and the Owner or Owner's Authorized Agent may reapply once the conditions surrounding the application denial are corrected.

GENERAL REQUIREMENTS

5.1 Septic/Solid Waste

- (a) The short-term rental must be connected to an approved SSTS or served by central sanitary sewer system.
- (b) A valid Certificate of Compliance, which is a certificate that was issued on a new septic system installed within the past 5 years OR a copy of a compliance inspection form which was performed within the past 3 years. Holding tanks are not allowed for rental units.
- (c) Holding tanks may be allowed for rental units provided that the following requirements are met:
- A state licensed SSTS designer has determined that there is no suitable location on the parcel for a drainfield.
 - The holding tanks are sized for the number of bedrooms according to County Land Use Ordinance Article 37 and Minnesota Rules 7080.
 - An electronic alarm with light and buzzer shall be installed notifying occupants that the holding tanks are at capacity. Alarm shall have the capacity to send a text message to the owner/owner's authorized agent when an alarm is triggered. Information shall be posted in the rental unit with whom to contact should the alarm be triggered.
 - Existing manual bobber alarms must also remain as a redundant alarm.
 - A water meter must be installed prior to a license being issued. Water meter readings shall be recorded monthly and from the previous year may be required to be submitted as part of the application for license renewal. Water meter readings shall not be required for the initial license application.
 - A contract with a state licensed septic maintainer to pump out the holding tanks must be submitted each year for a license renewal including pumping records from the previous year. Pumping records shall not be required for the initial license application.
- (d) At least once every three (3) years thereafter the Owner or Owner's Authorized Agent shall provide an updated certificate of septic testing showing that the system is compliant for the number of bedrooms indicated in the application.
- (e) Disposal of solid waste must comply with Crow Wing County Solid Waste Ordinance, or its successor or replacement.

- (f) Garbage, refuse, or recycling shall be stored completely enclosed within designated refuse containers. The owner or operator of the rental unit shall provide sufficient trash storage containers and service to accommodate the demand of the occupants.

5.2 Occupancy

- (a) The overnight occupancy of a short-term rental shall be limited to no more than three (3) people per bedroom plus one (1) additional persons per unit.
- (b) Use of recreational vehicles, travel trailers, tents, yurts, RV's, accessory structures or fish houses or other temporary structures to obtain additional occupancy is prohibited to be used as shore term rentals.
- (c) Licensee shall not advertise the property as containing any more than the number of bedrooms identified on the license.
- (d) Licensee shall not advertise the property as available to more guests than the occupancy limit identified on the license.
- (e) No more than two Vacation Short Term Rental licenses will be issued per parcel units will be allowed per parcel.

5.3 Noise

- (a) Quiet hours are between the hours of 10 pm to 7 am, Sunday through Thursday; and 12 am to 7 am, Friday and Saturday. The owner of the short-term rental is expected to enforce this rule. Failure to do so may result in enforcement action as provided in section 6.

5.4 Parking

- (a) Parking cannot restrict access by emergency vehicles or the traveling public and shall not impede any ingress or egress of property owner. In addition, parking cannot encroach neighboring properties.

5.5 Property Contact Information.

- (a) The Owner or the Owner's Authorized Agent shall keep on file, with the county, and shall notify each renter, in writing, of the contact information for the Owner or Owner's Authorized Agent who shall be available 24 hours a day, seven (7) days a week, whenever the property is being rented for short-term rental purposes. The Owner or the Owner's Authorized Agent shall respond to any issue or complaint raised within one (1) hour of any such point of contact being notified of the issue or complaint. Property contact information shall be accessible to the public 24/7 on the Crow Wing County Website.

5.6 License Fees.

- (a) License fees will be established by the Crow Wing County Board of Commissioners and published in the County Fee Schedule.

5.7 License Transfer.

- (a) The short-term rental license shall not be transferrable upon any change in ownership of the licensed property, or otherwise.

ENFORCEMENT

- 6.1 **Enforcement.** Crow Wing County will investigate all complaints and alleged violations of this Ordinance. Crow Wing County will follow up with all Owners or Owner's Authorized Agents and Complainants within a reasonable period of time. The Owner or Owner's Authorized Agent shall address any substantiated complaints/violations as directed by Crow Wing County. All substantiated complaints/violations not resolved as directed will result in enforcement action as provided in 6.4.
- 6.2 If three (3) substantiated complaints/violations have occurred at a Short-Term Rental Unit within one year, then the license may be subject to revocation as determined by Crow Wing County.
- 6.3 The intentional false reporting of a violation of this ordinance shall be considered a violation of this ordinance. The penalty for intentional false reporting of a violation will be \$100.00 for a first offense, \$150.00 for a second offense, and \$1,000.00 for a third or subsequent offense.
- 6.4 Any Owner or Owner's Authorized Agent who fails to comply with a directive of Crow Wing County as provided in section 6.1: or who violate, disobey, omit, neglect, refuse to comply with, or who resist enforcement of any of the provisions of this Ordinance may be subject to Misdemeanor prosecution, forfeiture of their license, or both.
- 6.5 Any license revoked under this section will not be reissued for a period of 1 year from the date of revocation.

APPEALS

- 7.1 **Administrative Appeal.** Appeals from any order, requirement, decision or determination made by Crow Wing County shall be first made to the County Administrator.
- 7.2 Appeals of the decision of the County Administrator shall be brought in the District Court of Crow Wing County.

County/City Cooperative Agreement

- 8.1 Crow Wing County may provide administration of a Short-Term Rental ordinance for a city provided the following conditions are met:
- A city must initially notify the Land Services Department by December 31 in writing of the city's desire for the County to administer a Short-Term Rental Ordinance on behalf of the city for the following year. No notification is required for subsequent years.
 - The city must adopt the County Short Term Rental Ordinance verbatim.
 - The city must enter into an agreement with the County where the city agrees to be the responsible party for enforcement of the Short-Term Rental Ordinance.

2023 Land Use Permits

NUMBER	DATE RECD	DATE APPRVD	PROPERTY ADDRESS	LAST	FIRST	ZONE	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. Amended 9/11/23 to include 16' diameter fire/patio in SIZ II	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	Lodging LLC		SR	27320535	15' (length along shoreline) x 10' wide sand area	100
18-23	6/12/23	6/16/23	17709 Emerald Dr.	Lang	Dale	SR	22240552	Construct two retaining walls and general site grading in SIZ 2 and RLZ to mitigate erosion. Construct 4' wide stairway and 120 sf accessory structure	200
19-23	6/14/23	6/16/23	14082 West Fox Ln	Hupperts	Greg	SR	22280606	Convert existing patio into 4' wide walkway and construct a walkway and fire pit/patio in SIZ 2	100

NUMBER	DATE RECD	DATE APPRVD	PROPERTY ADDRESS	LAST	FIRST	ZONE	PIN	DESCRIPTION	FEE
20-23	6/16/23	9/26/23	40946 Peninsula Rd	Kirchoff	John	SR	22220571	Construct 4' wide walkway in SIZ 1	100
21-23	6/30/23	6/30/23	43292 Buck Trl	Hilton	Gerald & Amy	SR	22130571	Seasonal placement of recreational vehicle	50
22-23	6/21/23	6/30/23	43314 Buck Trl	Kremer	Greg	SR	22130580	Construct a 2,490 sf single family dwelling.	450
23-23	6/14/23	6/30/23	17374 Pitch Pine Ln	Maloney	Richard	SR	22130512	Construct 2,280 sf single family dwelling with attached deck	450
24-23	6/30/23	6/30/23	41282 Peninsula Rd	Johnson	Lary	SR	22220605	Construct 640 sf dwelling addition partially within OHW level setback in accordance with Variance V-01-23 and reconstruct 8' x 46' (368 sf) pre-existing deck.	200
25-23	6/30/23	7/3/23	41170 W Fox Lake Rd	Nibbe	James	SR	22210504	Place 7' x 7' (49 sf) accessory structure on property	75
26-23	7/6/23	7/10/23	tbd W Eagle Lake Rd	McGuire	John	SR	22140514	Construct 10' wide driveay	50
27-23	7/14/23	7/14/23	15634 Co Rd 1, Unit #15	Jorgensen	Alan	WOC	22270512	Construct 9' x 10' (90 sf) deck	75
28-23	7/14/23	7/14/23	TBD County Rd 3	Anderson	Jerry	Ag	22350540	Construct 10' x 20' accessory building	100

NUMBER	DATE RECD	DATE APPRVD	PROPERTY ADDRESS	LAST	FIRST	ZONE	PIN	DESCRIPTION	FEE
29-23	7/3/23	7/14/23	43835 Kego Lk Rd	Cronister	Jason	SR	22150510	Construct 10' x 12' (120 sf) water oriented accessory structure	100
30-23	7/21/23	8/28/23	39796 Majestic Rd	Kent	Travis	SR	22320528	Construct 4,054 sf single family dwelling	650
31-23	7/31/23	8/4/23	TBD	Potz	David	RR	TBD (new parcel)	Construct a 30' x 40' (1,200 sf) single family dwelling	350
32-23	8/4/23	8/7/23	39855 Majestic Road	Berger	Vanessa	SR	22320510	Construct a 20' x 32' (640 sf) dwelling addition (4 season porch/awning). Amended 9/22/23 to include 16'x24' accessory structure.	200
33-23	8/4/23	8/11/23	17175 N Mitchell Lake Rd	Widman	Craig	SR	22120533	Repair existing retaining wall, and add appr 8 cu yd sand to existing sand area.	100
34-23	8/4/23	8/11/23	17175 N Mitchell Lake Rd	Widman	Craig	SR	22120532	Construct 4' wide walkway, repair existing retaining wall, and add appr 10 cu yd sand to existing sand area.	100
35-23	8/7/23	8/11/23	17011 Buchite Rd	Ness	Randy	RR	22360516	Construct 10' x 20' (200 sf) accessory structure addition, 9' x 20' (180 sf) accessory structure addition, new 12' x 20' (240 sf) accessory structure and 12' x 12' (144 sf) lean-to addition.	150
36-23	8/7/23	8/15/23	13755 County Road 1	Morton	Jeanne	SR	22320534	Construct 30' x 32' (960 sf) single family dwelling	250
37-23	8/21/23	8/21/23	16851 N Eagle Lake Rd	Laloo	Neal	SR	22240598	16.5' x 12' patio and 8.5' x 12' deck	100
38-23	8/15/23	8/25/23	16240 Eagles Turn	Kourajian	Paul & Jane	SR	22230520	Construct 3,664 sf single family dwelling and 26' x 38' (988 sf) accessory structure.	650
39-23	8/25/23	8/28/23	13257 Meyer Lake Rd	Green	Jay	SR	22320529	Construct 12' x 16' (192 sf) accessory structure	100
40-23	8/31/23	9/1/23	Dr	Witt	Mike	SR	22230531	Construct a 4' wide stairway	100
41-23	8/29/23	9/1/23	tbd	Atwater	Troy	FM	22220627	Construct 46' x 80' (3,680) non-commercial storage building as principal use on 30 ac parcel	550

NUMBER	DATE RECD	DATE APPRVD	PROPERTY ADDRESS	LAST	FIRST	ZONE	PIN	DESCRIPTION	FEE
42-23	8/25/23	9/1/23	14096 W Fox Lake Ln	Lenz	Paul & Lana	SR	22280608	Construct three dwelling additions totaling 1,014 sf	200
43-23	9/1/23	9/8/23	15634 County Rd 1 Unit #19	Lombardi	Mark	SC	22270528	Replace existing 7' x 7' (49 sf) deck and construct 4' wide stairway	75
44-23	9/11/23	9/22/23	17385 N. Mitchell Lake Road	Ireland	Paul	SR	22120518	Replace existing 4' wide walkway, 3 cu yd grading in SIZ 1, construct 200 sf fire pit/patio and 20' long retaining wall in SIZ 2	150
45-23	9/8/23	9/22/23	15634 County Rd 1, Unit #23	Halek	Jim	WOC	22270524	Construct 12' x 24' (288 sf) accessory structure.	100
46-23	9/18/23	9/25/23	43953 Kego Lake Rd	Bailey	Jackie	SR	22150514	Construct 9' x 13' (117 sf) water-oriented accessory structure	100
47-23	9/18/23	9/25/23	43322 Buck Trl	Hiler	Dylan	SR	22130579	Construct 24' x 24' (576 sf) accessory structure	150
48-23	9/18/23	9/25/23	17354 Buchite Rd	Walsten	Trevor & Bev	SR	22360505	Construct 180 sf deck addition	100
49-23	9/15/23	9/25/23	12357 Northgate Ln	Haughey	Jacqueline Haughey	SR	22310515	Replace existing 251 sf patio, retaining walls < 4' high, and steps	100
50-23	10/20/23	10/23/23	15634 County Road 1, Cabin #1	Klietz	Kathleen & Brian	WOC	22270546	Construct 15' x 20' (300 sf) accessory structure	100
51-23	11/3/23	11/6/23	40674 Peninsula Rd	Larsen	Robb	SR	22270618	Construct 28' x 40' (1,120 sf) dwelling addition (attached garage) and 182 sf dwelling addition (mud room)	200
52-23	11/3/23	11/27/23	4964 Peninsula Rd	Musolf	Lon	SR	22220572	Construct 4' wide walkway to lake and restore existing beach area with deep rooted grasses	100

2023 SSTS Permits

Permit #	Date Rec.	Date Apprvd.	New or Rep.	PIN	Location	Last Name	First Name	Type
SSTS01-23	5/1/23	5/8/23	New	22270568	40293 Fox Glen Rd	Siemers	Scott & Nicole	1- rock trenches, 300 gpd, 1 tank
SSTS02-23	5/19/23	5/19/23	New/upgrade	22310549	12248 Northgate Ln	Frederiksen	Scott & Heidi	1- Add 1500 gal tank to existing system
SSTS03-23	5/19/23	5/19/23	New	22130582	tbd N Eagle Lake Rd	Gleason	John	3?- Privy
SSTS04-23	5/30/23	5/30/23	New	22320534	tbd County Rd 1	Morton	Jeanne	1- rock trenches, 300 gpd, 1 tank
SSTS05-23	05/23/23	6/8/23	Rep	14050626	12864 Manhattan Point Blvd	Trout Lodging LLC		1- pressure bed, 750 gpd, 2 tanks
SSTS06-23	6/23/23	6/26/23	New	22270549	tbd Old Co Rd 1	Adas	Pat	1- rock trenches, 450 gpd, 1 tank
SSTS07-23	6/14/23	6/30/23	Rep	22130512	17374 Pitch Pine Ln	Maloney	Richard	1- rock trenches, 450 gpd, 1 tank
SSTS08-23	7/21/23	8/28/23	New	22320528	39796 MAJESTIC RD	Kent	Travis	1- rock trenches, 600 gpd, 1 tank
SSTS09-23	7/31/23	8/4/23	New	TBD (new)	TBD	Potz	David	1- rock trenches, 300 gpd, 1 tank
SSTS10-23	8/18	8/21	Rep	22220585	41379 Old Kego Lake R	Johnson	Mary	1- pressure bed, 450 gpd, 2 tanks
SSTS11-23	8/15/23	8/25	New	22230520	16240 Eagles Turn	Kourajian	Paul & Jane	1- mound, 450 gpd, 1 tank
SSTS12-23	8/25/23	8/28/23	Rep (NC system)	22130546	17139 N EAGLE LAKE R	Spevacek	Jeffrey	1- mound, 750 gpd, 2 tanks
SSTS13-23	10/18/23	10/20/23	Rep	22240600	16887 N Eagle Lake Rd	Millbrath	Mike & Mary	3- (fill soils, soil correction , time dose, undersized rock bed), 750 gpd, 2 tanks
SSTS14-23	10/20/23	10/23/23	Rep	22270546	15634 County Road 1, Cabin #1	Klietz	Kathy & Brian	1- rock trenches, 360 gpd, 1 tank
SSTS15-23	10/23/23	10/23/23	New	22280648	40134 RED FOX LN	Olson	Greg	1- pressure bed, 300 gpd, 1 tank

Permit Activity 2000 to 2023

Year	Permits	CUP	Var	Subd	Rezone	IUP	Total
2000	66	6	10	4	1	0	87
2001	87	2	4	5	1	0	99
2002	86	2	7	3	2	0	100
2003	83	1	12	6	5	0	107
2004	85	6	5	3	2	0	101
2005	102	1	3	4	1	0	111
2006	70	6	6	6	2	0	90
2007	96	4	13	2	1	0	116
2008	64	2	3	2	5	0	76
2009	61	1	6	1	2	0	71
2010	43	0	3	4	5	4	59
2011	39	1	5	5	0	1	51
2012	66	0	7	2	1	0	76
2013	44	1	6	1	1	4	57
2014	45	0	7	1	0	3	56
2015	44	1	1	3	2	1	52
2016	58	0	2	1	0	0	61
2017	42	2	4	2	0	3	53
2018	52	1	5	4	0	1	63
2019	50	3	1	4	1	0	59
2020	67	1	6	5	1	0	80
2021	78	0	3	6	1	0	88
2022	51	1	6	6	1	1	66
2023	67	0	3	5	1	0	76



CITY OF FIFTY LAKES

December 4, 2023

Michael & Joan Petersen
3200 Hilldale Ave. NE
St. Anthony, MN 55418

**Re: Variance V-03-23 Approved
City of Fifty Lakes**

Mr. & Mrs. Petersen,

The City of Fifty Lakes approved your variance request to construct a drainfield within the drainfield to dwelling setback requirement on your property located at 16969 North Eagle Lake Road.

The approval was made by the Board of Adjustment following a public hearing at their meeting on November 28, 2023, based on the following findings of fact and with no conditions of approval.

Findings of Fact:

1. The subject property is located at 16969 North Eagle Lake Road and is zoned "Shoreland Residential" (Eagle Lake- Recreational Development).
2. The variance request is to construct a 10' x 37.35' pressure bed located 16.5' from the dwelling (20' required) on the subject property.
3. The subject property contains a limited building envelope. Any modifications to the SSTS and expansion of structures on the subject property requires a variance.
4. The city's contracted SSTS inspector (Greg Kossan- License #2776) has approved the SSTS design pending variance approval.
5. The existing and proposed impervious surface coverage of the property is 8.5% (15% allowed.)
6. The DNR has been notified of the request and has not provided comments since the request is not related to deviations to the Shoreland Rules.
7. The MPCA has been notified of the request and has not provided written comments.
8. The single family dwelling does not contain a basement.
9. Will granting the variance put property to use in a reasonable manner not permitted by the zoning ordinance?
 - a. Yes, the subject property contains a limited building envelope so any exterior modifications require a variance. The proposed upgraded SSTS will put the property to reasonable use.
10. Does the property have unique circumstances that were not created by the landowner?
 - a. Yes, the subject property contains a limited building envelope which was not created by the landowner. The property does not contain alternative conforming locations for an upgraded SSTS.
11. If the variance is granted, will the essential character of the locality remain consistent?
 - a. Yes, the proposed SSTS will not have a negative aesthetic impact on the area.

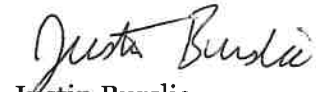
12. Will the variance, if granted, be consistent with the comprehensive plan and be in harmony with the purpose and intent of the City of Fifty Lakes ordinances?
 - a. Yes, the upgraded SSTS is consistent with the comprehensive plan and the intent of the land use ordinance. The upgraded SSTS will protect both groundwater and water quality of Eagle Lake.
13. 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.

A subsurface sewage treatment system (SSTS) permit is required for your project. A permit application form is enclosed. Per city ordinance, a permit must be applied for within six months of the date of variance approval for your project.

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

Sincerely,

CITY OF FIFTY LAKES



Justin Burslie
Planning and Zoning Administrator

Enclosure

Cc: City Council
Planning Commission



CITY OF FIFTY LAKES

December 11, 2023

Trail Properties Inc
9303 Father Foley Dr.
Pine River, MN 56474

**Re: Metes and Bounds Application MB-05-23
City of Fifty Lakes**

To Whom it May Concern,

The City of Fifty Lakes approved your lot line adjustment request to split 5.2 acres from PIN 22180507 ("Tract A" on "Boundary Line Adjustment" drawing dated December 5, 2023) and combine it with PIN 22180504 ("Tract B" on "Boundary Line Adjustment" drawing dated December 5, 2023.)

The approval is made with one condition of approval:

- 1) The 5.2 acres split from "Tract A" shall be consolidated with "Tract B" at the time of recording.

Please deliver the deed for the property transfer to city hall for the city clerk to sign prior to recording at Crow Wing County.

If you have questions or concerns, please feel free to contact me at (218) 763-3113 or pz@fiftylakesmn.com.

Sincerely,

CITY OF FIFTY LAKES


Justin Burslie

Planning and Zoning Administrator