

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

August 27, 2024 6:00 pm

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. Additions or Deletions to Agenda
4. Public Hearings
 - a. Variance Application V-02-24 to expand a pre-existing dwelling and encroach the ordinance high water (OHW) level setback and drainfield to dwelling setback requirements
Property Address: 16969 North Eagle Lake Rd
Applicants/Property Owners: Michael & Joan Petersen
5. Open Forum
6. Approval of Minutes
 - a. July 23, 2024
7. New Business
 - a. Shoreline Management & Protection, Discussion- See *MPPR Articles Enclosed*
8. Old Business
9. Council Liaison Report: Gary Staples
10. P&Z Administrator's Report
11. 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, August 27, 2024 at 6:00 p.m. at City Hall located at 40447 Town Hall Road, to conduct the following public hearings:

Variance Application V-02-24 to expand a pre-existing dwelling and encroach the ordinance high water (OHW) level setback and drainfield to dwelling setback requirements with a dwelling addition on the property located at 16969 North Eagle Lake Rd. PIN 22130559. The applicants/property owners are Michael & Joan Petersen.

All interested persons are invited to attend these hearings and be heard or send written comments to City Hall at PO Box 125, Fifty Lakes, MN 56448 or via email at pz@fiftylakesmn.com.

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

Justin Burshe, Zoning Administrator
City of Fifty Lakes

CITY OF FIFTY LAKES
BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING
August 27, 2024 @ 6:00 P.M.

TO WHOM IT MAY CONCERN:

The following will be the subject of a public hearing on Tuesday, August 27, 2024 beginning at 6:00 P.M at Fifty Lakes City Hall.

Hearing: Variance Application V-02-24 to expand a pre-existing dwelling and encroach the ordinance high water (OHW) level setback and drainfield to dwelling setback requirements with a dwelling addition.

Property Owners/Applicants: Michael & Joan Petersen

Property Description: The subject property is located at 16969 North Eagle Lake Road. PIN 22130559.

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

Purpose: The applicant is requesting a variance to construct a dwelling addition located on the west side of a pre-existing dwelling. The proposed addition is within the ordinary high water (OHW) level setback and dwelling to drainfield setback requirement.

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 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: 16969 North Eagle Lake Road:



FELDMAN FAMILY CABIN TRUST AGR
9608 RUSSELL AVE S
BLOOMINGTON MN 55431

FORD, MARY H REVOC TRUST AGREEMENT &
2301 GREEN DR
FARIBAULT MN 55021

MEYER, BRIAN & ANGELA
302 RUSTIC HILLS RD
DENVER IA 50622

MILBRATH, MARY D TRUST
PO BOX 234
FIFTY LAKES MN 56448

NEUMAN, TERRY L & SHARON A
1302 PRIOR AVE S
ST PAUL, MN 55116

NEWCOMBE, DANIEL W
17027 EAGLE LAKE RD N
FIFTY LAKES MN 56448

OLSEN, RICHARD H
11286 HACKBERRY LN
DAYTON, MN 55369

PETERSEN, MICHAEL J & JOAN K
3200 HILLDALE AVENUE
ST ANTHONY, MN 55418

PROUTY, MICHAEL W & SALLY A
3314 CHURCHILL ST
SHOREVIEW, MN 55126

SOLBERG, DENNIS REVOCABLE TRUST
18133 74TH PL N
MAPLE GROVE MN 55311-2321

STAFF REPORT

Application:

Variance to Construct Dwelling Addition within the OHW level and Dwelling to SSTS Setback Requirements.

Property Owner/Applicant:

Michael & Joan Petersen

Background Information: The applicants are requesting a variance to construct a 24' x 28' (672 sf) dwelling addition within the OHW level setback and SSTS (drainfield) to dwelling setback on the property located at 16969 North Eagle Lake Road. The subject property is 13,320 sf and is zoned "Shoreland Residential" - Eagle Lake (Recreational Development).

The subject property contains a pre-existing 26' x 26' (676 sf) single family dwelling located 77' from the ordinary high water level of Eagle Lake (100' required). The proposed dwelling addition is located on the west side of the existing dwelling and is 72' from Eagle Lake.

The city granted a variance (V-03-23) to the property owners/applicants in November 2023 to construct a subsurface sewage treatment system within the dwelling to SSTS setback requirement. The SSTS is located north of the dwelling. The proposed addition is located 12' to the septic tank (10' required) and 18' to the drainfield (20' required).



The impervious surface coverage with the proposed improvements is approximately 14%. The approximately 10' x 20' (200 sf) natural surface driveway (50% impervious) is not included on the survey provided.

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

Shoreland Residential District (SR) Lake Classification	Min. Lot Area (ft ²)	Min. Lot Width	Min. Buildable Area (ft ²)**	Max. Impervious Coverage (%)
General Development				
Recreational Development -Riparian	40,000	150	25,000	15

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)

	<u>Setbacks</u>	<u>Sewage Treatment System</u>
<u>Classes of Public Waters</u>		
Lakes		
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)
Subsurface Sewage Treatment System—Drainfield (to road right-of-way)	0
Property Line	10

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

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 24’ x 28’ (672 sf) dwelling addition within the OHW level setback and SSTS (drainfield) to dwelling setback.
3. The subject property contains a limited building envelope. Any expansion to the pre-existing dwelling requires a variance.
4. The existing and proposed impervious surface coverage of the property is 14% (15% allowed.)
5. 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.
6. Will granting the variance put property to use in a reasonable manner not permitted by the zoning ordinance?
 - a. Yes, _____.
 - b. NO, _____.

7. Does the property have unique circumstances that were not created by the landowner?
 - a. Yes, _____.
 - b. No, the landowner did not construct and pre-existing dwelling however the landowner did construct the SSTS after variance approval (V-03-23) from the City.
8. If the variance is granted, will the essential character of the locality remain consistent?
 - a. Yes, constructing the addition will not alter the essential character of the neighborhood. The improvement will be visible from the lake and right-of-way, however the proposed size of the dwelling (and addition) is consistent with other dwellings in the vicinity of the subject property.
 - 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.
9. 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, _____.
10. 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.

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.

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

1. The existing screening/vegetative buffer located between the dwelling and the lake shall remain in place in perpetuity.
2. Gutters/downspouts shall be installed on the west side of the dwelling addition and shall be directed away from the lake to a swale/rain garden.

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. *(RE SENT 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 *JUSTIN VERIFIED HE HAS THIS*
- 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?
Current cabin (2 BR, 1 bathroom) too small to have our family up. Also there is no room to eat together (Dining table). An addition gives us another bedroom, bathroom and dining area. Also looking to winterize cabin to enjoy more year-round.
What are the unique circumstances of the parcel size, shape, topography or other characteristics that make strict interpretation of the Ordinance impractical?
Small lot, building set-backs create small building envelope
3. Describe the character of the locality. How is this proposal consistent with the locality?
Single Family cabins, some are seasonal and many are year-round residents.
4. How is granting this Variance consistent with the intent of the City of Fifty Lakes Land Use Ordinance?
Does NOT affect neighbors sight-lines to lake at all, or others enjoyment of the area. Also allows basement under addition for shelter from storms (and storage)
5. Are economic considerations alone the reason for requesting a variance?
No. more to do with available space which proposal still is under 15% impervious coverage.
6. What other options, either conforming or non-conforming, have been considered and why were those options not chosen?
This is the only space that has the potential to take care of our needs. Adding over garage too hard to do additional bathroom or dry area.
7. Please include any other comments pertinent to this request.
attached as cover sheet

CITY OF FIFTY LAKES PLANNING & ZONING AUTHORIZED AGENT FORM

I hereby authorize James (Jim) Patrick

Agent Contractor (Please Print)

BC758442

Contractor's License Number

218-838-4024

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 August 2025

This Authorized Agent Form is for the following project(s): 23Y32 addition

to cabin at 16969 North Eagle Lake Road Fifty Lakes MN 56448

Real Estate Code _____ Section: _____

16969 N. Eagle Lake Road

Site address Fifty Lakes, MN 56448

open floor

06-03-24 (6-23-24)

Property Owner(s) Signature Michael J Peterson Date 06-03-24

Property Owner's last name (please print) Peterson

Property Owner's Phone Number Mike-cell (612) 790-1397
town-cell (612) 790-1946

City of Fifty Lakes Planning & Zoning
40447 Town Hall Road Box 102
Fifty Lakes, MN 56448
218-763-3113 FAX 218-763-5113
PZ501LAKES@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

- ✓ 1. Legal Description
- ✓ 2. Boundary Monuments shall be visible
- ✓ 3. Location and perimeter dimensions, to the nearest foot, of all structures, including principal buildings, outbuildings, sheds, decks, fences and signs
- ✓ 4. Location of the septic system(s)
- ✓ 5. Location of the well(s)
- ✓ 6. Location of retaining wall(s)
- ✓ 7. Location of visible utilities including poles, pedestals, transformer boxes, etc
- ✓ 8. Location of existing ingress, egress drives and parking areas
- ✓ 9. Location of and dimensions of all existing easements affecting the property
- ✓ 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
- ✓ 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
- ✓ 13. Elevation of top of foundation (top of block)
- ✓ 14. Location of all wetlands on the property; Wetlands shall be delineated by a Certified Wetland Specialist *ACME*
- ✓ 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
- ✓ 16. A Bench Mark shall be established on the Property
- ✓ 17. Location of any visible encroachments from or onto the property
- ✓ 18. Location and width of adjoining public streets or public and private road easements
- ✓ 19. Location of significant vegetation that would be affected by the application
- ✓ 20. The current zoning classification of the Property and adjoining properties – verify zoning classification with City of Fifty Lakes.
- ✓ 21. Building setback lines in accordance with current City Ordinances
- ✓ 22. The E911 address and the Tax Property Identification Number (PID) for the Property shall be shown on the Certificate of Survey *PARCEL ID 221-30589*
- ✓ 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

- 1 1. Location, dimensions, width and purpose of proposed easements that affect or serve the Property.
- 1 2. Location and dimensions of proposed structures, including principal buildings, outbuildings, sheds, decks, fences and signs.
- 1 3. Location of proposed septic system (2 soil borings per proposed lot)
- 4 4. Elevation of top of foundation (top of block) and lowest floor elevation
- 4 5. Location of proposed retaining wall(s)
- 4 6. Location and dimensions for proposed ingress, egress and parking areas
- 4 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
- 1 8. Proposed changes to existing contours.
- 1 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.
- 1 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:

V-62-24

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

218-763-3113

www.fiftylakesmn.com

VARIANCE APPLICATION

RECODE:

INACTIVE:

RECODE2:

LAST NAME:

Petersen

FIRST NAME:

Michael and Joan

ADDRESS:

3200 Hilldale Ave NE

PHONE:

612 790 1397

CITY:

St. Anthony

STATE:

MN ZIP: 55418

ADDRESS 2:

CITY 2:

STATE 2:

ZIP 2:

OWNER:

LOCATION

RECODE/PARCEL NUMBER:

LEGAL DESCRIPTION:

(attached)

TOWNSHIP:

138

RANGE:

27

SEC:

13

QTRSEC:

QTRQTRSEC:

PLAT:

BLOCK:

LOT:

LAKE NAME:

EAGLE

LAKE NUMBER:

18-296

STREAM NAME:

ACREAGE:

0.306

FIRE NUMBER:

16969

ZONING:

DIRECTIONS:

Hwy 1 to 136 North to North Eagle Lake Road

HOUSE NUMBER:

16969

STREET NAME:

North Eagle Lake Road

IS THE PROPOSED VARIANCE IN THE SHORELAND AREA?

Yes

No

SPECIFICALLY STATE THE NATURE OF VARIANCE REQUESTED:

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

28' x 24 addition to our cabin. Variance requested to be 18' in NW corner of addition to septic pressure bed. Variance also as to lake set back (part of addition outside building envelope).
Need additional bathroom, between and family/dining areas.
Also proposal allows us to winterize cabin and have shelter from storms.

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 cabin 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:

6/25/24

Signed

VARIANCE ID:

V-02-24

FEE: 450.00

DATE FEE PAID:

6/25/24

check # 6034

FEE PAID BY:

check # 6034

Cash

DATE APPROVED:

check # 6034

Cash

EXPIRATION DATE:

Signed

Zoning Administrator or authorized agent

Signed

City Clerk or authorized agent

Applicant

[Signature]

June 24th, 2024

Dear Honorable Planning Commission Members and Planning and Zoning Administrator:

Please find enclosed our Variance Application and additional supporting documents for a proposed 28' x 24' addition to our property at 16969 North Eagle Lake Road.

Our request for your approval is in response to several needs we see this addition fulfilling:

- 1). Our family is finding it difficult to have more than one of our children and their spouse to come up at one time. We currently have two small bedrooms and adding a third will help to have more up at the same time. Our recent addition of a new septic system just installed will support this as well.
- 2). THERE IS CURRENTLY NO SHELTER TO GO TO IN A STORM. Adding an addition with an underlying basement will give us a safe place to go in the event of inclement weather.
- 3). A basement will also allow us to winterize the cabin which will allow more year-round use and the ability to be up in the Fifty Lakes and surrounding area more.
- 4). The addition also will allow us to add an additional bathroom which helps when more people are visiting.

Justin Burslie was kind enough to do a visit to our property recently and make a few suggestions from our initial first design. We believe we have followed them and our ask is in the spirit of the Land Use Ordinance in Fifty Lakes. Here is how we have addressed them:

A). The original width we were looking at was 27 feet. This dimension however brought us to within 7 feet at the SE garage corner and under 10 feet in a very small corner on the SW side of proposed addition. Shortening the width of the addition to 24 feet keeps us under the 10 foot distance to any neighboring structure on the property (as required for fire fighting reasons). [PAGE 7].

B). It was suggested that we move the north original proposed addition further south to stay back more from the new septic drain field. The current

proposal is 12 feet from the second 500 gallon (new) tank and the distance to the pressure bed/drain field is at closest (toward the NW corner of proposed addition) 18 feet. The tank distance is now beyond the 10 foot requirement in the Land Use Ordinance and we seek variance for the 18 foot distance. The builder is saying if this cannot be done we may be able to set the basement back 2 more feet there and cantilever the structure above ground in the area to maintain dimensions.

C). The design/sketch on the south side of proposed addition shows that we are asking to stay within the current boundary of our deck, any stairway, etc. The southern side will also in no way impede the view or enjoyment of our adjacent neighbors, (see red line connecting neighbor's cabins on [PAGE 8] the survey copy labeled "Setback". We also enclosed copies of the relevant pages [of the Minnesota Department of Natural Resources "SHORELAND MANAGEMENT MODEL" [PAGES 9, 10 AND 11] which shows that we would be well within their setback guidelines under 6.4 PLACEMENT, HEIGHT AND DESIGN OF STRUCTURES section 6.41 BD "Structure setback averaging". Enclosed with their guideline copy is a diagram (figure 7 top of PAGE 11). The distances shown on our survey is 41 feet for our neighbors on the west, and we measure 100 feet for neighbors on the east. $41 = 100 = 141$. Then $141 \div 2 = 70.5$ feet set back. Our current cabin is 77 feet from OHWL so extending 5 feet from current cabin gives a 72 foot set back, (more that the 70.5). This also would allow the ability to put an entry door into the new addition.

D). There was some discussion with Justin as to square footage and making the project smaller will help here. We looked through the Land Use Ordinance and square footage did not seem to be specifically mentioned; we did see that the important things are that:

- The project stays under 35 feet in height (we will certainly be under 35 feet);
- The impervious area is under 15% (These dimensions are put us UNDER 13.5%):
- Set backs are followed. (This is the reason for the Variance Application).

E). Sketches are provided for floor plans and elevations. If needed more detailed drawings would be done and available if the proposal is approved.

We thank you all for your time and attention to this proposal for our family,



Mike and Joan Petersen
16969 North Eagle Lake Road

Shoreland Management Model Ordinance

This word document should be used with the model ordinance document containing commentary. The commentary document explains many provisions including guidance for ordinance administration and considerations for determining whether certain provisions are needed. The commentary document also includes some optional language reflecting higher standards than those in rule. This optional language is shown as **blue bold additions** or **deletions** in the commentary document and are also included in this document.

1.0 STATUTORY AUTHORIZATION AND POLICY

1.1 **Statutory Authorization.** This shoreland ordinance is adopted pursuant to the authorization and policies contained in Minnesota Statutes, Chapter 103F, Minnesota Rules, Parts 6120.2500 - 6120.3900, and the planning and zoning enabling legislation in Minnesota Statutes, Chapter 394 (for counties) or Chapter 462 (for municipalities).

1.2 **Policy.** The Legislature of Minnesota has delegated responsibility to local governments of the state to regulate the subdivision, use and development of the shorelands of public waters and thus preserve and enhance the quality of surface waters, conserve the economic and natural environmental values of shorelands, and provide for the wise use of waters and related land resources. This responsibility is hereby recognized by (*insert name of Community*).

2.0 GENERAL PROVISIONS AND DEFINITIONS

2.1 **Jurisdiction.** The provisions of this ordinance apply to the shorelands of the public water bodies as classified in Section 4.1 of this ordinance, and to the shorelands of public water bodies greater than 10 acres in unincorporated areas in which the city has, by ordinance, extended the application of its zoning regulations as provided by Minnesota Statute, Chapter 462.357 Subd 1. Pursuant to Minnesota Rules, Parts 6120.2500 - 6120.3900, no lake, pond, or flowage less than 10 acres in size in municipalities or 25 acres in size in unincorporated areas need be regulated in a local government's shoreland regulations. A body of water created by a private user where there was no previous shoreland may, at the

much as practical from view from the public water, assuming summer, leaf-on conditions.

6.34 Access Easements. Easements providing access to boat docking and mooring facilities to non-riparian property owners are prohibited.

6.4 Placement, Height, and Design of Structures.

6.41 OHWL Setback for Structures and Sewage Treatment Systems. When more than one setback applies to a site, structures and facilities must be located to meet all setbacks, and comply with the following OHWL setback provisions. **The structure setback standards for sewerer properties can only be used if publicly owned sewer system service is available.**

Waterbody Classification	Structures with	Structures with	Sewage Treatment Systems
	No Sewer	Sewer	
Natural Environment Lakes	150	150	150
Recreational Development Lakes	100	75	75
General Development Lakes	75	50	50
Remote Rivers	200	200	150
Forested and Transition Rivers	150	150	100
Agriculture, Urban, & Tributary Rivers	100	50	75

BC. *OHWL Setbacks.* Structures, **impermeous surfaces**, and sewage treatment systems must meet setbacks from the Ordinary High Water Level (OHWL), except that one water-oriented accessory structure or facility, designed in accordance with Section 7.3 of this ordinance, may be set back a minimum distance of ten (10) feet from the OHWL:

BD. *Setback averaging.* Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining setbacks from the OHWL, provided the proposed structure is not located in a shore impact zone or in a bluff impact zone (see Figure 7);

Figure. 7 Structure Setback Averaging

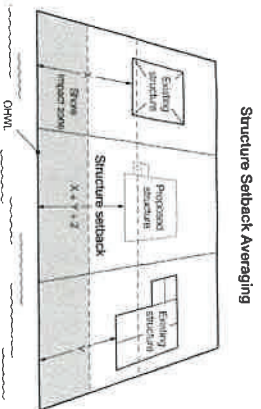


Fig 7

$$X + Y \div 2$$

$$41 + 100 = 141$$

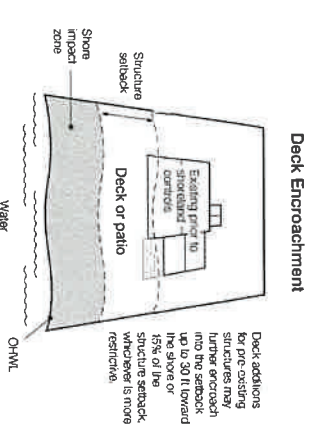
$$141 \div 2 =$$

$$70.5 \text{ feet}$$

BE. *Setbacks of decks.* Deck additions may be allowed without a variance to a structure not meeting the required setback from the ordinary high water level if all of the following criteria are met:

- (9) The structure existed on the date the structure setbacks were established;
- (10) A thorough evaluation of the property and structure reveals no reasonable location for a deck meeting or exceeding the existing ordinary high water level setback of the structure;
- (11) The deck encroachment toward the ordinary high water level does not exceed 15 percent of the existing setback of the structure from the ordinary high water level or is no closer than 30 feet from the OHWL, whichever is more restrictive; and
- (12) The deck is constructed primarily of wood, and is not roofed or screened (see Figure 8).

Figure 8. Deck Encroachment

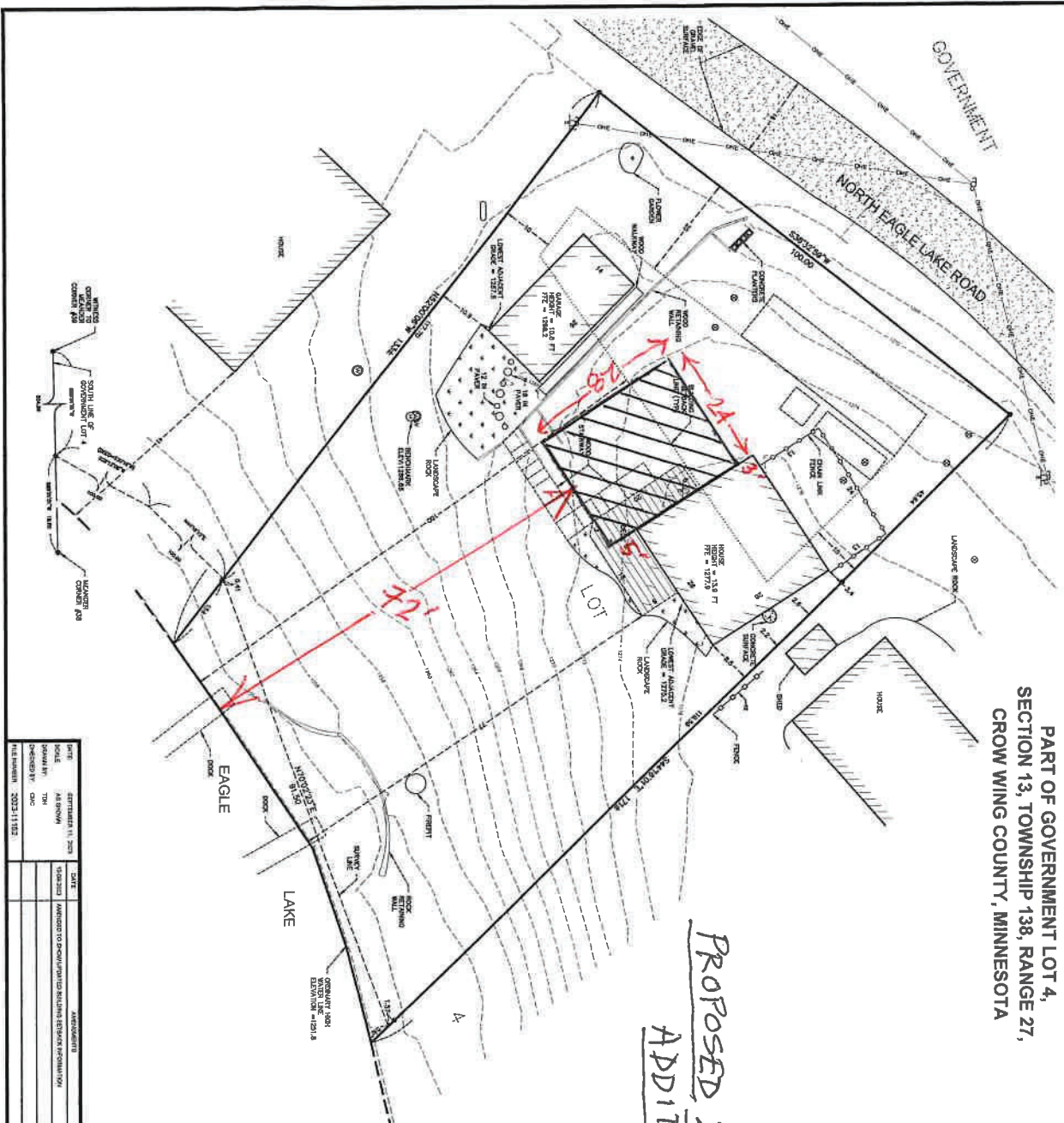


BF. *Additional structure setbacks.* Structures must also meet the following setbacks, regardless of the waterbody classification:

Setback from:	Setback (ft)
Top of bluff	30
Unplatted cemetery	50
Right-of-way line of federal, state, or county highway	50
Right-of-way line of town road, public street, or other roads not classified	20

PAGE III

CERTIFICATE OF SURVEY
 PART OF GOVERNMENT LOT 4,
 SECTION 13, TOWNSHIP 138, RANGE 27,
 CROW WING COUNTY, MINNESOTA



Proposed 24' X 28'
ADDITION
5/8" = 20 Feet
1/8" = 4 Feet

PAGE 12



IMPERVIOUS CALCULATIONS:
 TOTAL LOT AREA = 13,828 SQ. FT.
 IMPERVIOUS COVERAGE = 1,120 SQ. FT.
 BUILDING = 1,091 SQ. FT.
 CONCRETE = 590 FT.
 COVERING W/ ASP. = 619 SQ. FT.
 RETAINING WALL = 120 FT.
 IMPERVIOUS PERCENTAGE = 8.05%
 (1,120 / 13,828 = 0.0805)

EXISTING LEGAL DESCRIPTION (According to Doc. No. 08711105):

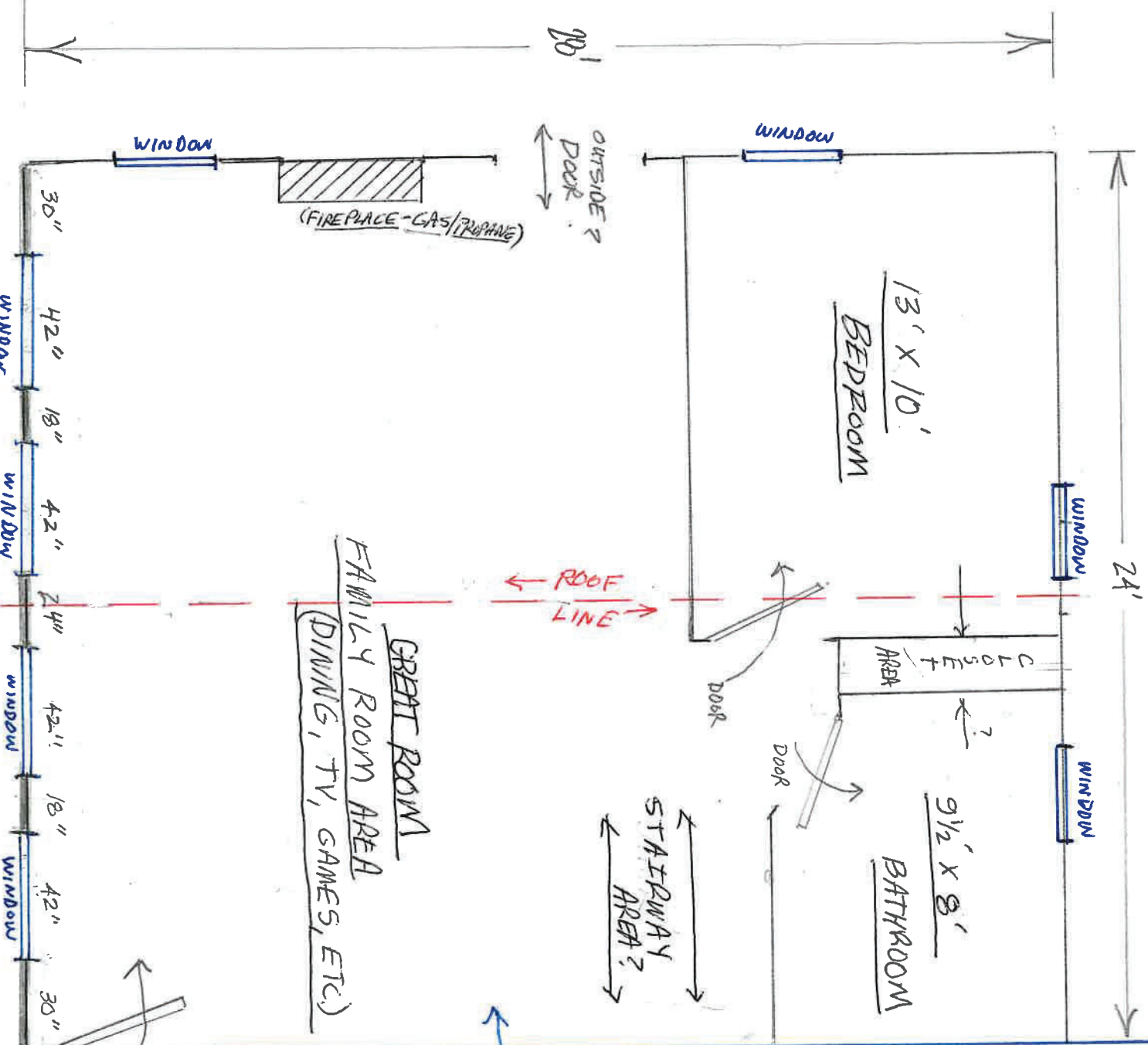
That part of Government Lot 4, Section 13, Township 138, Range 27, described as follows: Commencing at the point on the South line of said Lot 4 which is 810.5 feet west of the corner marker 28; and going easterly on the shore of Eagle Lake, 100 feet to the shore of the bearing thence North 71 degrees 05 minutes East 81.5 feet along said shore; thence 43 degrees 19 minutes West 196.8 feet to the easterly line of the township road through said Lot 4; thence South, 28 degrees 36 minutes West, 100 feet along said road; thence South, 50 degrees 07 minutes East 117.7 feet to the place of beginning.

SURVEYOR'S NOTE:
 THE PARCEL ID IS 21193959.
 THE PHYSICAL ADDRESS IS 19069 N EAGLE LAKE RD, DIFTY LAKE, MN
 THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMENT OR OPINION, THERE MAY BE EASEMENTS OR OTHER LIMITING FACTORS NOT SHOWN ON THIS SURVEY WHICH AFFECT THE SUBJECT PROPERTY.
 EAGLE LAKE IS CLASSIFIED AS A RECREATIONAL DEVELOPMENT LAKE.
 ACCORDING TO THE CITY OF FIFTY LAKE LAND USE MAP, THE SUBJECT PROPERTY IS LOCATED WITHIN THE BORDENLAND RESIDENTIAL ZONING DISTRICT.

THE UTILITIES SHOWN ON THIS SURVEY ARE ACCORDING TO VISIBLE EVIDENCE ONLY. WIDSETH ASSUMES NO RESPONSIBILITY FOR THE CORRECTNESS AND ACCURACY OF THE LOCATIONS, FURTHER LOCATIONS AND VERTICIFICATIONS ARE RECOMMENDED BEFORE ANY CONSTRUCTION OR DEMOLITION.
 AS NOTED, THIS SURVEY IS BASED ON THE CROW WING COUNTY COORDINATE DATUM AND AS, ALTHOUGH THE EXISTING DEED BEARINGS DIFFER FROM THE CROW WING COUNTY BEARING SYSTEM, THE ANGULAR RELATIONSHIP BETWEEN THE BOUNDARY LINES SHOWN CORRESPONDS TO THE DEED LINES ACCORDING TO MATCH BEARING, CERTIFIED WETLAND DELINEATOR NO. 1007, THERE ARE NO WETLANDS ON THE SUBJECT PROPERTY.
 THE BOUNDARIES AS SHOWN ON THIS SURVEY ARE TAKEN FROM THE SURVEY CONDUCTED BY DEAN H. ANDERSON IN MAY OF 1982.

DATE	APPROVED	DATE
11/20/2013	11/20/2013	11/20/2013
BY	BY	BY
AS SURVEYOR	AS CLIENT	AS WITNESS
THOMAS	DAVID	DAVID
BY	BY	BY
CHUCK	CHUCK	CHUCK
DATE	DATE	DATE
11/20/2013	11/20/2013	11/20/2013
BY	BY	BY
AS SURVEYOR	AS CLIENT	AS WITNESS
THOMAS	DAVID	DAVID
BY	BY	BY
CHUCK	CHUCK	CHUCK
DATE	DATE	DATE
11/20/2013	11/20/2013	11/20/2013
BY	BY	BY
AS SURVEYOR	AS CLIENT	AS WITNESS
THOMAS	DAVID	DAVID
BY	BY	BY
CHUCK	CHUCK	CHUCK
DATE	DATE	DATE
11/20/2013	11/20/2013	11/20/2013
BY	BY	BY
AS SURVEYOR	AS CLIENT	AS WITNESS
THOMAS	DAVID	DAVID
BY	BY	BY
CHUCK	CHUCK	CHUCK
DATE	DATE	DATE
11/20/2013	11/20/2013	11/20/2013
BY	BY	BY
AS SURVEYOR	AS CLIENT	AS WITNESS
THOMAS	DAVID	DAVID
BY	BY	BY
CHUCK	CHUCK	CHUCK

MAIN LEVEL FLOOR PLAN



1/4" = 1 FOOT
 1 INCH = 4 FEET

EXISTING
CABIN

(EXISTING
EMPTY
DOOR)

(WINDOW)

(WINDOW)

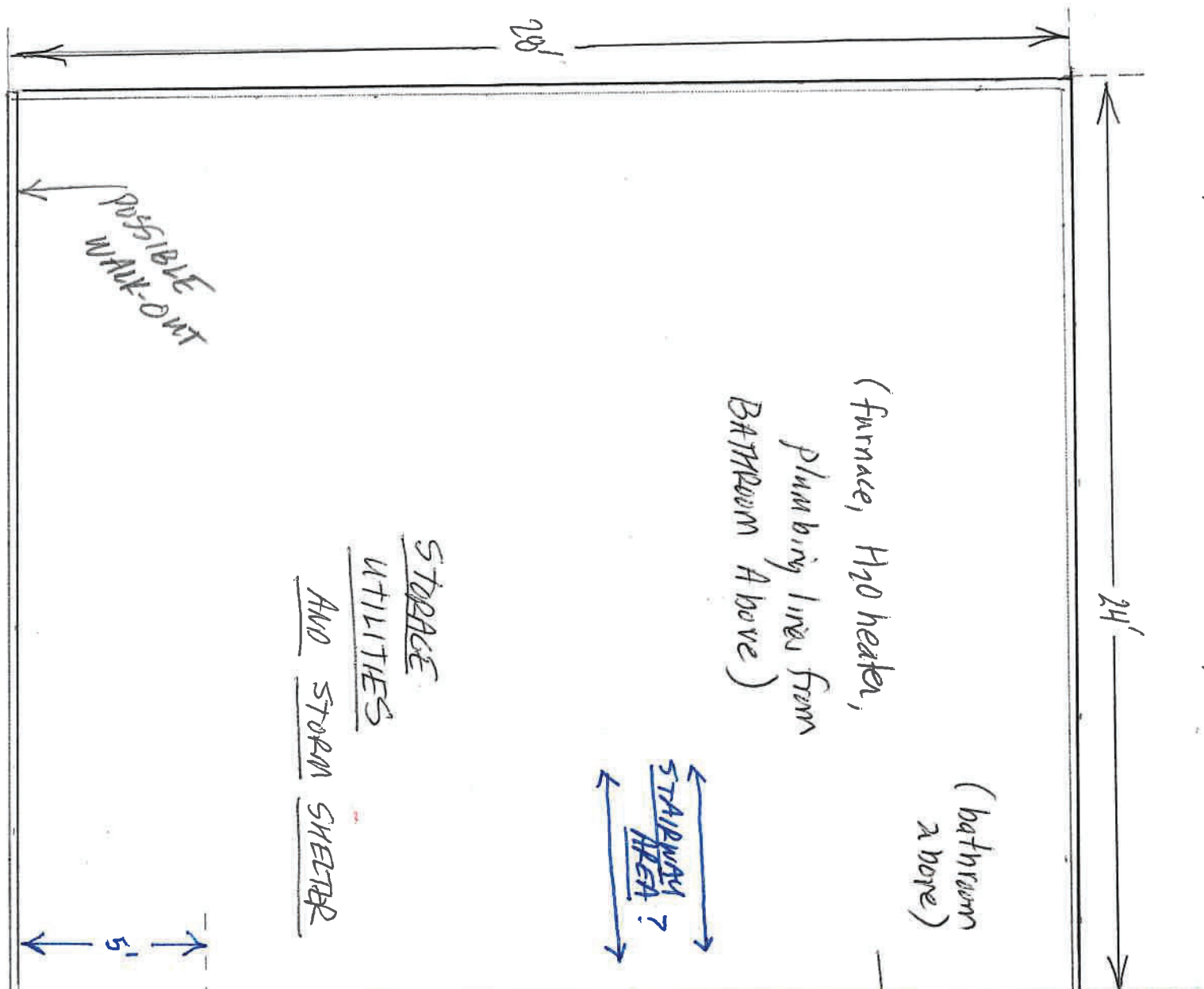
EXISTING

DECK

ENTRY
DOOR

SIDE

BASEMENT FLOOR PLAN



$1/4" = 1 \text{ FOOT}$
 $1 \text{ INCH} = 4 \text{ FEET}$

* INSULATED BOX IN CRAWL SPACE TO EXISTING PLUMBING

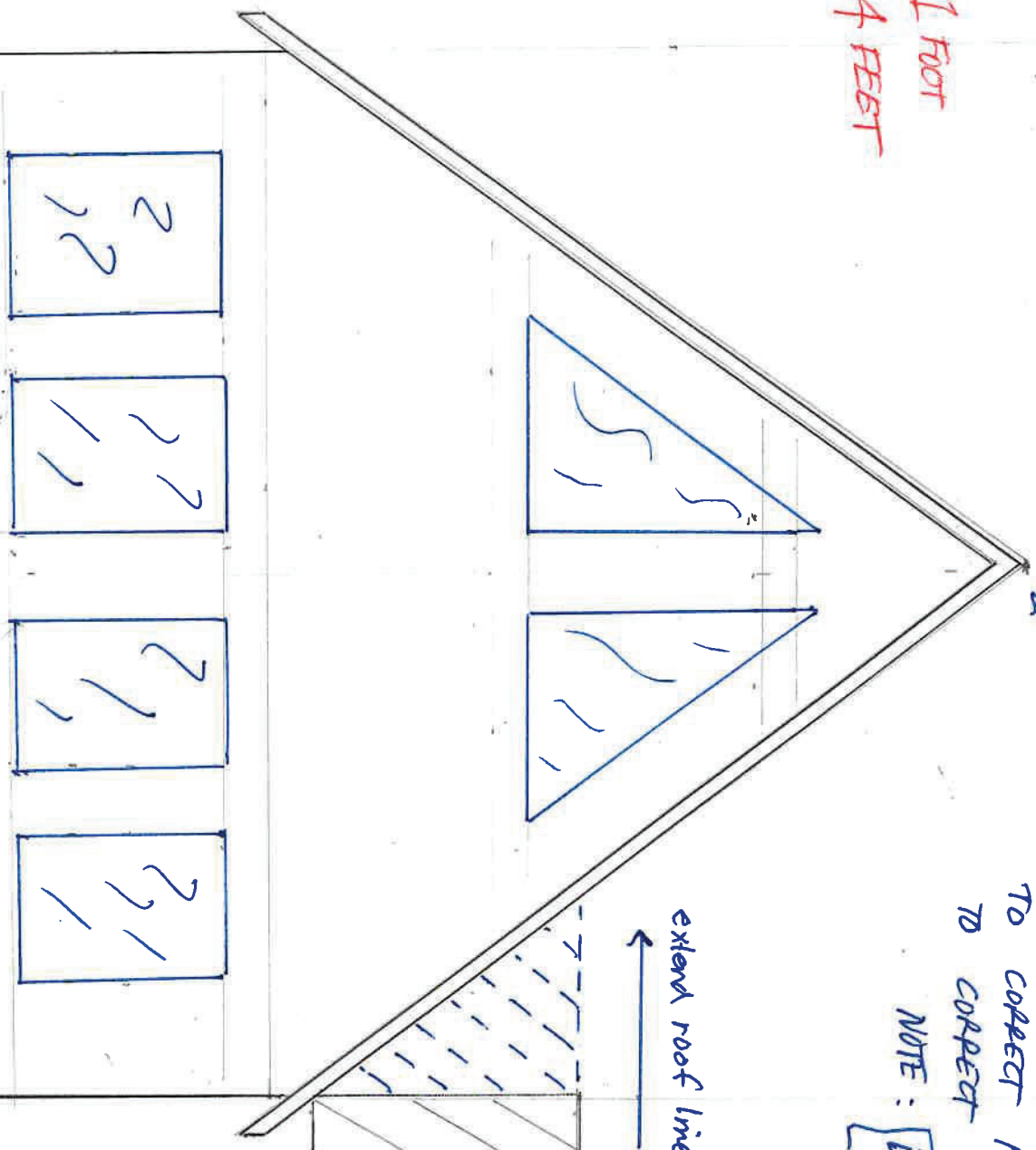
EXISTING
CABIN

EXISTING

DECK

ELEVATION FROM
THE SOUTH

1/4" = 1 FOOT
1" = 4 FEET



* PEAK MAY NOT EXCEED 35'
DRAWN HERE PRELIMINARY SKETCH
FOR VARIANCE APPLICATION. SUBJECT
TO CORRECT HEIGHT BY BUILDER
TO CORRECT PITCH, ETC.
NOTE: [DRAWN HERE AT 28 1/2 FEET]

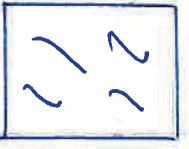
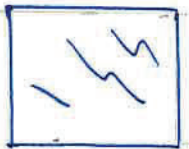
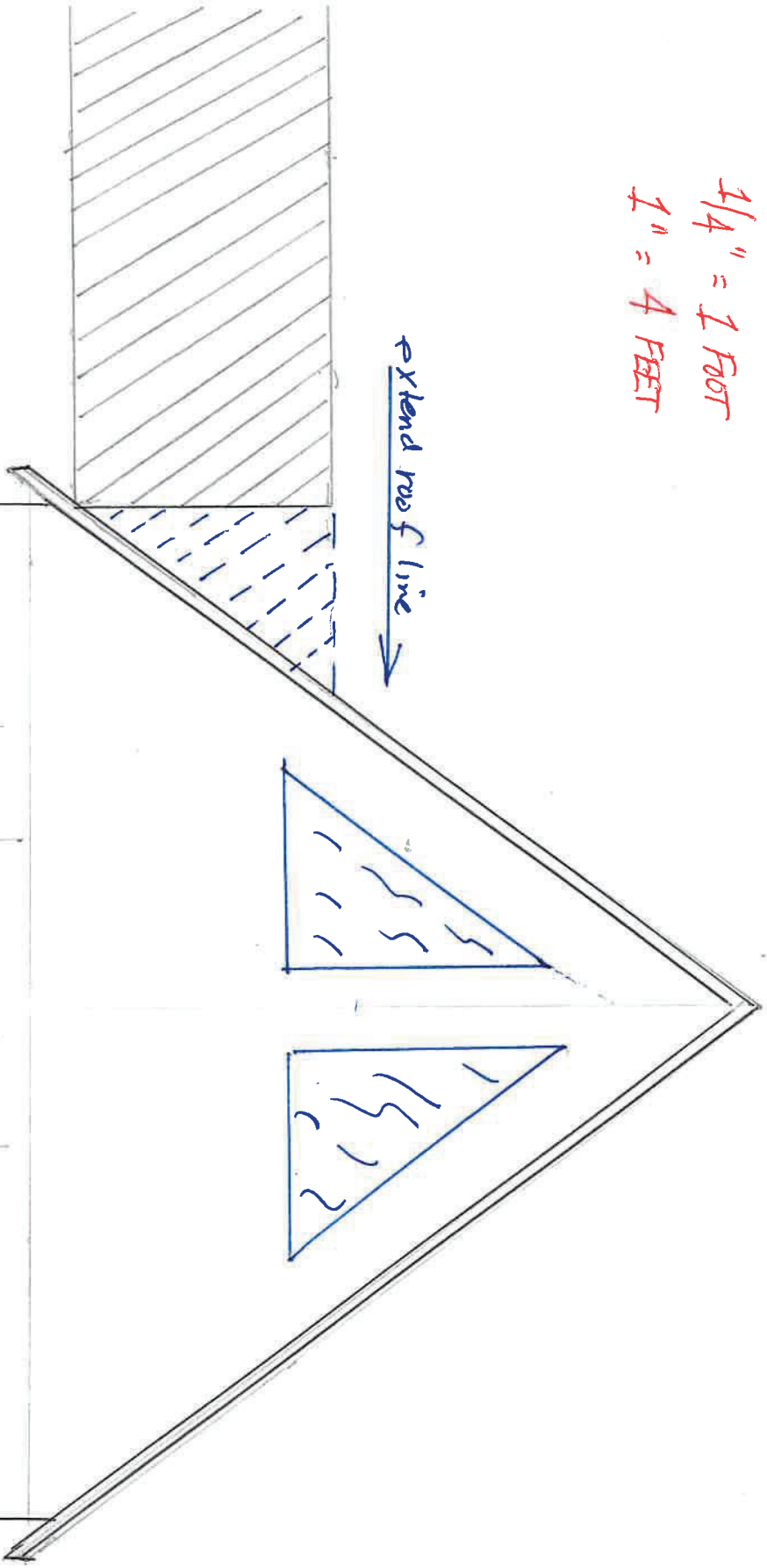
EXISTING
CABIN

deck

ELEVATION FROM
THE NORTH

1/4" = 1 FOOT
1" = 4 FEET

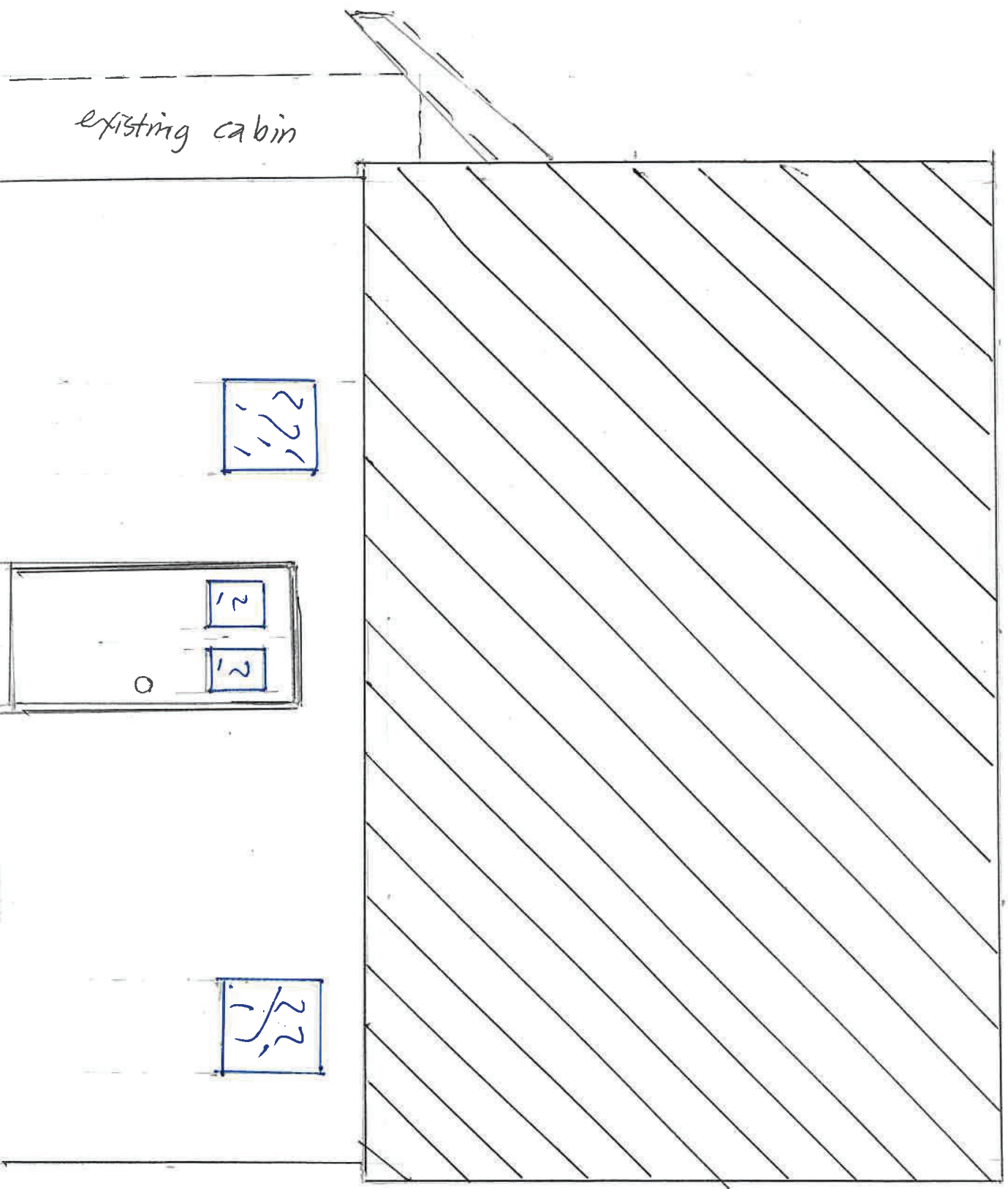
extend roof line →

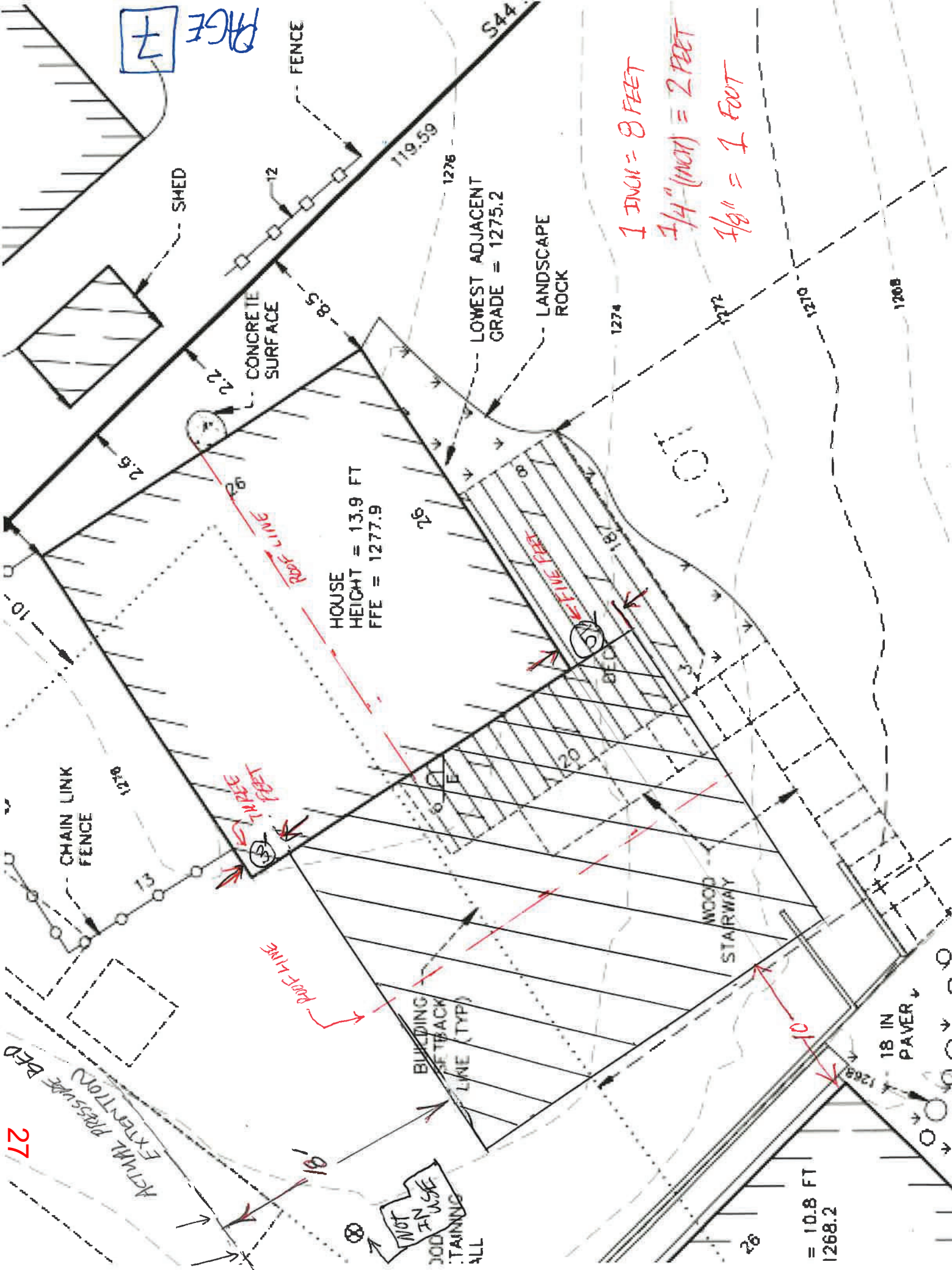


EXISTING
CABIN

1/4" = 1 FOOT
1 INCH = 4 FEET

ELEVATION FROM THE WEST





1 INCH = 8 FEET
 1/4" (INCH) = 2 FEET
 1/8" = 1 FOOT

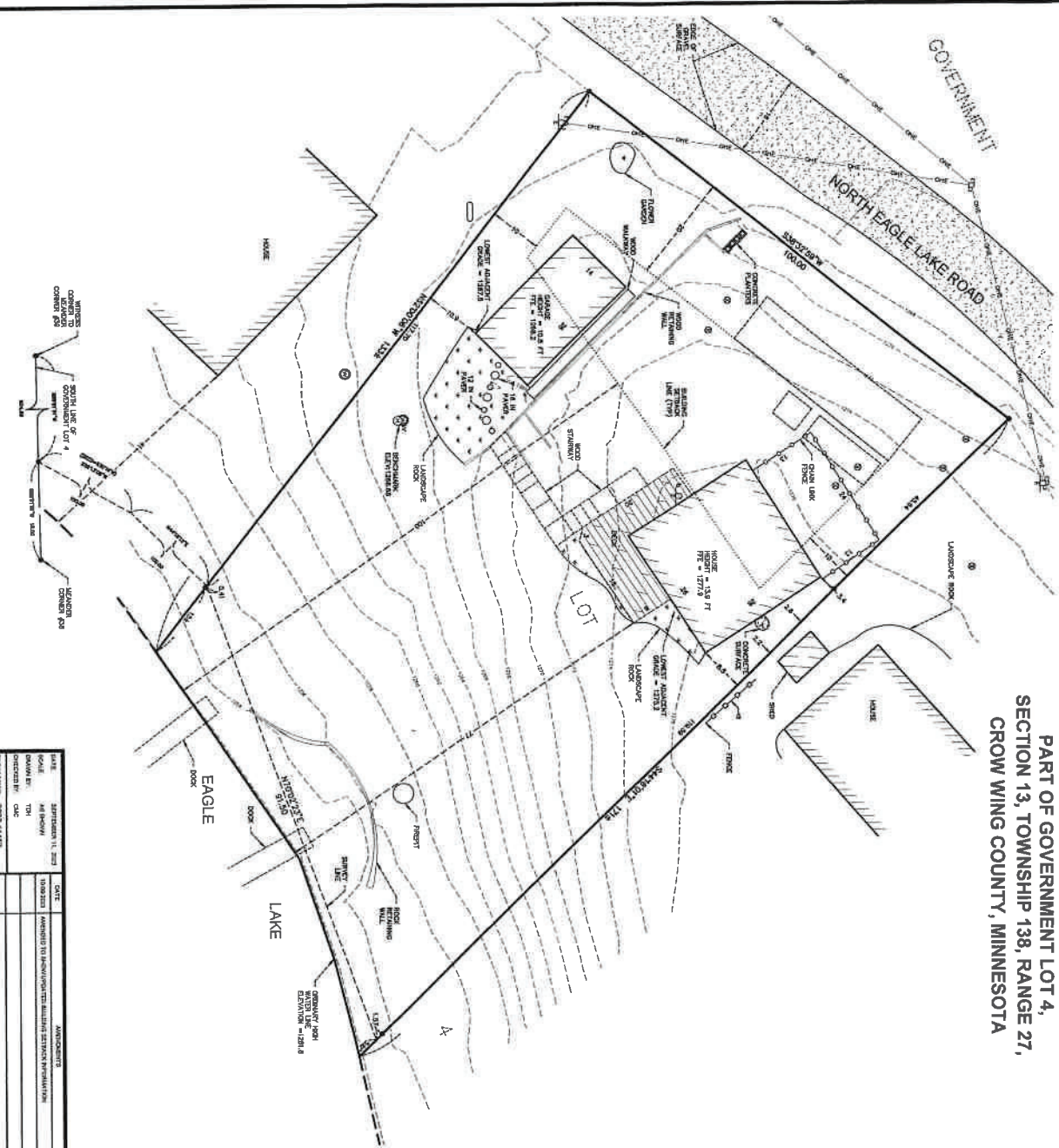
27

NOT IN USE
 JOBSITE
 TRAINING
 ALL

= 10.8 FT
 1268.2

CERTIFICATE OF SURVEY

PART OF GOVERNMENT LOT 4,
SECTION 13, TOWNSHIP 138, RANGE 27,
CROW WING COUNTY, MINNESOTA



0 10 20
SCALE (IN FEET)

CONSTRUCTION OF THE BOUNDARIES AND COORDINATE SYSTEMS ARE TO BE MADE IN ACCORDANCE WITH THE DEED RECORDING ACT AND THE SURVEYING ACT, CHAPTERS 83A AND 83B, MINNESOTA STATUTES.
ELEVATION = 1264.1

- • • BOUNDARY FROM NEIGHBOR
- CONCRETE 4" RIB QUILTERS 3" X 4" X 4" RIB
- ◻ CONCRETE 4" RIB QUILTERS 3" X 4" X 4" RIB
- CONCRETE 6" RIB QUILTERS 3" X 4" X 4" RIB
- ⊙ CONCRETE POWER POLE
- ⊕ CONCRETE ELECTRIC TOWER
- ⊖ CONCRETE WATER WELL
- ⊗ CONCRETE WATER TOWER
- ⊘ CONCRETE WATER TOWER
- ⊙ CONCRETE METAL GAS TANK
- ⊘ CONCRETE METAL GAS TANK
- ⊙ CONCRETE METAL GAS TANK
- ⊘ CONCRETE METAL GAS TANK

○ CONCRETE METAL GAS TANK
○ CONCRETE METAL GAS TANK

IMPERVIOUS CALCULATIONS
TOTAL LOT AREA = 13,204 SQ. FT.
IMPERVIOUS COVERAGE = 1,128 SQ. FT.
BUILDINGS = 1,081 SQ. FT.
CONCRETE = 85 SQ. FT.
PAVERS = 9 SQ. FT. = 91 SQ. FT.
IMPERVIOUS AREA = 1,184 SQ. FT.
IMPERVIOUS AREA = 1,184 SQ. FT.
(1,184 / 14,200 = 8.33%)

EXISTING LEGAL DESCRIPTION (According to Dec. No. 0671119):

The part of Government Lot 4, Section 13, Township 138, Range 27, described as below: Commencing at the point on the South line of said Lot 4 which is 18.5 feet west of monument corner number 28, said point being on the shore of Eagle Lake; thence North 30 degrees 18 minutes East 100 feet along said shore; thence North 57 degrees 42 minutes East 100 feet along said shore to the point of beginning; thence North 77 degrees 07 minutes East 100 feet along said shore to the point of beginning; thence North 57 degrees 42 minutes East 100 feet along said shore to the point of beginning; thence North 30 degrees 18 minutes East 100 feet along said shore to the point of beginning.

SURVEYOR'S NOTE:

THE PARCEL ID IS 21203958.
THE PHYSICAL ADDRESS IS 19898 N EAGLE LAKE RD, FIFTY LAKES, MN
THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMENT OR OPINION, THERE MAY BE EASEMENTS OR OTHER LIMITING FACTORS NOT SHOWN ON THIS SURVEY WHICH AFFECT THE SUBJECT PROPERTY.
EAGLE LAKE IS CLASSIFIED AS A RECREATIONAL DEVELOPMENT LAKE
ACCORDING TO THE CITY OF FIFTY LAKES LAND USE MAP. THE SUBJECT PROPERTY IS LOCATED WITHIN THE SHORELAND RESIDENTIAL ZONING DISTRICT.
THE UTILITIES SHOWN ON THIS SURVEY ARE ACCORDING TO VISUAL EVIDENCE ONLY. WIDSETH ASSUMES NO RESPONSIBILITY FOR THE COMPLETENESS AND ACCURACIES OF THE LOCATIONS, DEPTHS AND DIRECTIONS OF UTILITIES RECORDED BEFORE ANY CONSTRUCTION OR EXCAVATION.

AS NOTED, THIS SURVEY IS BASED ON THE CROW WING COUNTY CORNPOINTE DATUM AND IS AT RIGHT ANGLES TO THE EXISTING DEED BEARINGS DIFFER FROM THE CROW WING COUNTY BEARING SYSTEM, THE ANGULAR RELATIONSHIP BETWEEN THE BOUNDARY LINES SHOWN CORRESPONDS TO THE DEED LINES
ACCORDING TO MITCHELL BRINING, CERTIFIED WETLAND DELINEATOR NO. 1907, THERE ARE NO WETLANDS ON THE SUBJECT PROPERTY.
THE BOUNDARIES AS SHOWN ON THIS SURVEY ARE TAKEN FROM THE SURVEY CONDUCTED BY DEAN W. ANDERSON IN MAY OF 1992.

DATE	DESCRIPTION	DATE	DESCRIPTION
MAY 2001	CONTRACT FOR SURVEYING	NOVEMBER 11, 2002	REVISIONS TO CONTRACT
DECEMBER 11, 2002	CONTRACT FOR SURVEYING		
DECEMBER 11, 2002	CONTRACT FOR SURVEYING		
DECEMBER 11, 2002	CONTRACT FOR SURVEYING		

NO.	DESCRIPTION	DATE	DESCRIPTION
001	CONTRACT FOR SURVEYING	NOVEMBER 11, 2002	REVISIONS TO CONTRACT
002	CONTRACT FOR SURVEYING	NOVEMBER 11, 2002	REVISIONS TO CONTRACT
003	CONTRACT FOR SURVEYING	NOVEMBER 11, 2002	REVISIONS TO CONTRACT
004	CONTRACT FOR SURVEYING	NOVEMBER 11, 2002	REVISIONS TO CONTRACT

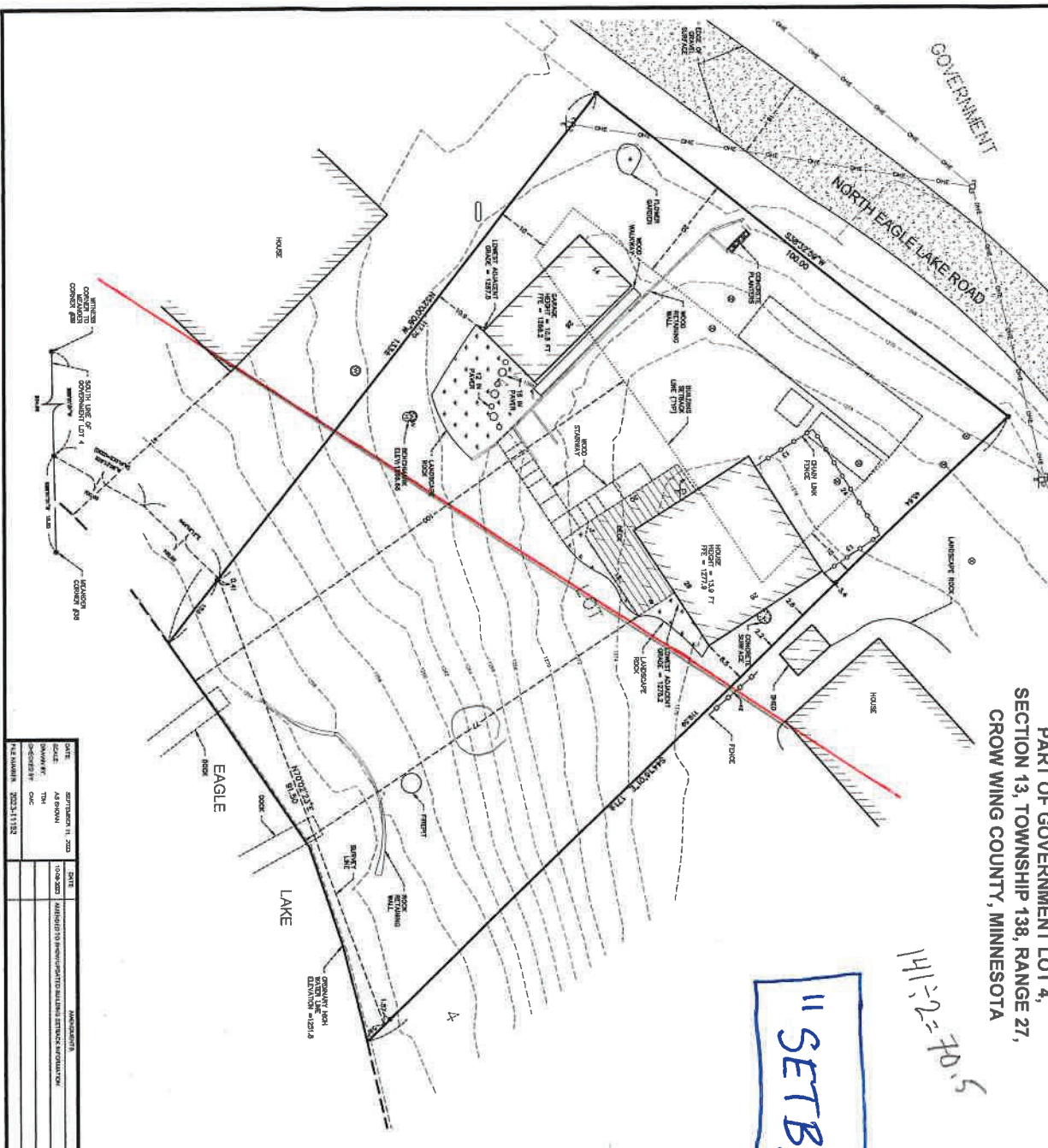
NO.	DESCRIPTION	DATE	DESCRIPTION
001	CONTRACT FOR SURVEYING	NOVEMBER 11, 2002	REVISIONS TO CONTRACT
002	CONTRACT FOR SURVEYING	NOVEMBER 11, 2002	REVISIONS TO CONTRACT
003	CONTRACT FOR SURVEYING	NOVEMBER 11, 2002	REVISIONS TO CONTRACT
004	CONTRACT FOR SURVEYING	NOVEMBER 11, 2002	REVISIONS TO CONTRACT

WIDSETH
ARCHITECTS • ENGINEERS • SURVEYORS

100'
41'
141'

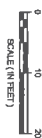
CERTIFICATE OF SURVEY

PART OF GOVERNMENT LOT 4,
SECTION 13, TOWNSHIP 138, RANGE 27,
CROW WING COUNTY, MINNESOTA



"SETBACK"

141' - 2 = 70.5



SCALE (IN FEET)
0 10 20

PAGE **8**

- STREETS (ROAD MARKINGS)
- SPOTTS (250) DETERMINED BY 1:500 LOTS FROM PINS PLACED AT THE CORNERS OF THE LOTS
- ① SPOTTS (250) ELECTRIC CLOSET
- ② SPOTTS (250) POWER POLE
- ③ SPOTTS (250) ELECTRIC METER
- ④ SPOTTS (250) WATER WELL
- ⑤ SPOTTS (250) NATURAL GAS TANK
- ⑥ SPOTTS (250) SEWER TANK
- ⑦ SPOTTS (250) WATER MAIN
- ⑧ SPOTTS (250) WATER MAIN
- ⑨ SPOTTS (250) WATER MAIN
- ⑩ SPOTTS (250) WATER MAIN

EXISTING LEGAL DESCRIPTION (According to Doc. No. 0671119):

The part of Government Lot 4, Section 13, Township 138, Range 27, described as follows: Commencing at the point on the south line of said Lot 4 which is 18.5 feet west of remainder corner number 28, said point being on the shore of Eagle Lake; thence North 30 degrees 18 minutes East 100 feet along said shore thence North 45 degrees 18 minutes East 100 feet along said shore to the place of beginning; thence North 71 degrees 30 minutes East 30 feet to the place of beginning; thence South 50 degrees 30 minutes West 100 feet along said road thence South 50 degrees 07 minutes East 117.7 feet to the place of beginning.

SURVEYOR'S NOTES:

THE PARCEL ID IS 21139596.
THE PHYSICAL ADDRESS IS 18098 N EAGLE LAKE RD, FIFTY LAKES, MN
THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT OR OPINION. THERE MAY BE EASEMENTS OR OTHER LIMITING FACTORS NOT SHOWN ON THIS SURVEY WHICH AFFECT THE SUBJECT PROPERTY.
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ACCORDING TO THE CITY OF FIFTY LAKES LAND USE MAP, THE SUBJECT PROPERTY IS LOCATED WITHIN THE SHORELAND RESIDENTIAL ZONING DISTRICT.
THE UTILITIES SHOWN ON THIS SURVEY ARE ACCORDING TO VISUAL EVIDENCE ONLY. WIDSETH ASSURES NO RESPONSIBILITY FOR THE CORRECTNESS AND ACCURACY OF THE LOCATIONS, FURTHER LOCATIONS AND VERIFICATIONS ARE RECOMMENDED BEFORE ANY CONSTRUCTION OR EXCAVATION.
AS NOTED, THIS SURVEY IS BASED ON THE CROW WING COUNTY CORNER DATA SET AND IS VALID FOR THE RELATIONSHIP BETWEEN THE BOUNDARY LINES SHOWN CORRESPONDS TO THE DEED LINES.
ACCORDING TO ATRICH BRINING, CERTIFIED WETLAND DELINEATOR NO. 1007, THERE ARE NO WETLANDS ON THE SUBJECT PROPERTY.
THE BOUNDARIES AS SHOWN ON THIS SURVEY ARE TAKEN FROM THE SURVEY CONDUCTED BY DEAN M. ANDERSON IN MAY OF 1992.

DATE	DESCRIPTION	BY	REMARKS
SEPTEMBER 11, 2002	AS SHOWN	CHM	PREPARED FOR THE CITY OF FIFTY LAKES, MN AND THE STATE OF MINNESOTA
SEPTEMBER 11, 2002	REVISION	CHM	ADDED TO THE SURVEY THE CITY OF FIFTY LAKES, MN AND THE STATE OF MINNESOTA
SEPTEMBER 11, 2002	REVISION	CHM	ADDED TO THE SURVEY THE CITY OF FIFTY LAKES, MN AND THE STATE OF MINNESOTA

WIDSETH
ARCHITECTS • ENGINEERS • SURVEYORS

pz@fiftylakesmn.com

From: Frie, Jacob (DNR) <Jacob.Frie@state.mn.us>
Sent: Monday, August 12, 2024 1:03 PM
To: pz@fiftylakesmn.com
Cc: bethany.soderlund@sourcewell-mn.gov; jessica@fiftylakesmn.com
Subject: RE: Fifty Lakes: Peterson Variance Request

Good afternoon:

The MN DNR has no comments concerning this application. Thank you.

Jacob Frie

Area Hydrologist | Division of Ecological and Water Resources

Minnesota Department of Natural Resources

1601 Minnesota Drive

Brainerd, MN, 56401

Phone: 218-203-4367

Email: Jacob.frie@state.mn.us
mndnr.gov



From: pz@fiftylakesmn.com <pz@fiftylakesmn.com>
Sent: Friday, August 9, 2024 1:02 PM
To: Frie, Jacob (DNR) <Jacob.Frie@state.mn.us>
Cc: bethany.soderlund@sourcewell-mn.gov; jessica@fiftylakesmn.com
Subject: Fifty Lakes: Peterson Variance Request

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Hi Jake,

Please see attached and let us know if you have any comments/questions.

Thanks,

Justin

CITY OF FIFTY LAKES
MINUTES OF THE PLANNING COMMISSION
July 23, 2024 6:00 PM

1. **Call to order:** 6:00 pm

2. **Roll Call:**

Planning Commission: Bob Stancer, Don Reiersen, Fred Strohmeier and Gary Oster (Mike Milbrath: Absent)
Staff: Justin Burslie, Zoning Specialist; Jessica Isvanovich, Deputy Clerk.
City Council: Gary Staples

3. **Public Hearings:**

- a. Interim Use Permit Application IU-01-24 to operate a temporary/portable asphalt plant for four weeks from mid-September to mid-October in an existing pit. Property Location: South of County Road 1 & east of County Road 66 (no physical address). PIN 22290510.
Property Owner: Brian and Colleen Dohie. Applicant: Anderson Brothers Construction

The planning commission opened the meeting to public comment. Jay Green, 1327 Meyer Lake Rd, stated concerns of noise and air quality from the asphalt plant. Brad Busbey from Anderson Brothers Construction stated that the noise would be very minimal and air quality was highly regulated and compliant with the state's guidelines. The planning commission discussed operation days and hours.

MOTION MADE BY MR. REIERSON AND SECONDED BY MR. STROHMEIER TO APPROVE IU-01-24 WITH THE 15 FINDINGS OF FACT AND 10 CONDITIONS AS DISCUSSED:

Findings of Fact:

1. The subject property is described as: S 1/2 OF NW 1/4 OF SW 1/4 SEC 29 TWP 138 RGE 27. PIN 220293100C00009.
2. The subject property is 20 acres and is located in the "Forest Management" land use district.
3. The interim use permit request is to operate an asphalt hot mix facility for a four week period of time.
4. The proposed use is allowed with an interim use permit. Section 5.10.05 "Standards" of Section 5.10 "Extractive Use Standards" of the Fifty Lakes Land Use Ordinance states, "An extractive use shall be used only for those operations directly related to the extractive use. Any other use shall require an Interim Use Permit."
5. The proposed temporary structures meet all setback requirements of the "Forest Management" land use district.
6. The existing and proposed impervious surface coverage of the subject property is less than 5%.
7. The proposed use, with conditions, will not have an impact on the health, safety and general welfare of the occupants in the surrounding neighborhood. The subject property is adjacent to property used for residential purposes (south/southeast) and vacant land (west, north and east).
8. The proposed use, with conditions, will meet all standards of the ordinance.
9. The comprehensive plan does not specifically reference "hot mix facilities." The plan states, "Truck and seasonal residential traffic on City and County Roads is increasing. This increase in usage places higher demands on the transportation system and may be the cause for increasing maintenance costs of these roads (pg. 25)" and "Require stricter site development and restoration plans and periodic inspections for extractive uses (pg. 31)."
10. The proposed use, with conditions, will not impact the value properties in the neighborhood nor will it impact future development of properties in the surrounding area.
11. The proposed use will not generate an increased demand for additional public utilities, public utilities or schools. The proposed use will generate additional truck traffic on County Road 1 and County Road 136.
 - a. The Crow Wing County Highway Department did not provide comments regarding the interim use permit request.
 - b. The proposed use will not generate additional traffic on local streets.
12. The proposed use, with conditions, will not adversely impact groundwater, surface water and air quality.
13. The proposed use conforms with the City's land use regulations.

- 57 14. Permitting the use will not impose additional costs on the public if it is necessary for the public to take the
- 58 property in the future. The applicant has posted a \$15,000 bond with the city for reclamation of the property
- 59 for the existing extractive use operation.
- 60 15. The applicant agrees to all conditions that the planning commission deems appropriate for permission of the
- 61 use.
- 62

63 **Conditions of Approval:**

- 64 1. The asphalt hot mix facility may operate during the months of September and November.
- 65 2. The asphalt hot mix facility may operate from 7 AM to 7 PM, Monday through Saturday. The facility may
- 66 not operate on federal holidays. Equipment maintenance may take place during those hours when the hot mix
- 67 facility is not allowed to operate.
- 68 3. The applicant shall notify the city of the start date of operation of the hot mix facility at least one week prior
- 69 to commencement of the operation.
- 70 4. All apparatus associated with the hot mix asphalt facility shall be removed from the property within two
- 71 weeks after the conclusion of asphalt production.
- 72 5. All truck traffic associated with the hot mix facility shall enter and exit the property using the haul road in the
- 73 northeast corner of the property (adjacent to County Road 1).
- 74 6. Anderson Brothers shall designate primary and alternate contacts who will be available for citizens to contact
- 75 with any questions and/or concerns when the temporary hot mix asphalt facility is in use.
- 76 7. A bond of \$35,000 shall be established to cover reclamation costs associated with the hot mix facility.
- 77 (*Anderson Brothers has a current \$15,000 bond for overall site reclamation of the subject property*).
- 78 8. All legal fees and other costs associated with the hot mix facility incurred by the city of Fifty Lakes shall be
- 79 reimbursed by the applicant.
- 80 9. A copy of the Storm Water Pollution Prevention Plan (SWPPP) shall be provided to the city before the hot
- 81 mix facility may operate.
- 82 10. Loaders, bulldozers and other machinery and equipment on the subject property must utilize Mine Safety and
- 83 Health Administration (MSHA) approved reverse-activated strobe lights in lieu of audible reverse alarms.
- 84

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

- 86
- 87 b. After-the-Fact Conditional Use Permit CU-01-24 for a multi-tiered retaining wall in the shore impact
- 88 zone.
- 89 Property Location: 14496 Grouse Ln.
- 90 Applicants/Property Owners: Thomas & Pamela Stovern
- 91

92 **MOTION MADE BY MR. STROHMEIER AND SECONDED BY MR. OSTER TO APPROVE CU-01-**

93 **24 WITH THE 14 FINDINGS OF FACT AND THE ADDITION OF 2 CONDITIONS AS DISCUSSED:**

94 **Findings of Fact:**

- 95 1. The subject property is located at 14496 Grouse LN, PIN 22280649.
- 96
- 97 2. The property owners were granted a permit in April 2024 to construct a 2,400 sf single family welling,
- 98 1,280 sf accessory structure, 4' wide walkway in the shore impact zone and establishment of a 50' wide
- 99 "view corridor" in the shore impact zone.
- 100 3. The city confirmed an unpermitted multi-tiered retaining wall was constructed on the property and issued a
- 101 cease and desist order regarding construction of the retaining wall via email and US Mail on June 17,
- 102 2024.
- 103 a. The property owner contacted the city on June 17, 2024 and immediately took steps to stabilize the site in
- 104 accordance with the cease and desist order.
- 105 4. The land use ordinance allows retaining walls in shore impact zones 1 and 2 (SIZ-1 and SIZ-2) "in
- 106 situations where bio-engineering practices (vegetation) are not feasible." The ordinance allows more than
- 107 one (1) tier or combination of tiers of retaining wall exceeding four feet in height with a conditional use
- 108 permit.
- 109 5. The after-the fact conditional use permit request is to construct a multi-tiered retaining wall and various
- 110 boulder outcroppings in the shore impact zone (within OHW level setback).
- 111 6. There were five tiers of retaining walls/outcroppings constructed varying in length between 5' and 15'. All
- 112 of the tiers are 3.5' and less in height.
- 113 7. The DNR has been notified of the request and has not provided comments.
- 114 8. The commission agrees that there is no potential impact of the proposed use on health, safety ~~and~~ general
- 115 welfare of the occupants in the surrounding neighborhood.

- 116 9. The commission agrees that the ability of the proposed use to meet the standards of this ordinance
117 according to Section 8.03.03 “retaining walls,” the proposed use is allowed with a conditional use permit
118 “in situations where bio-engineering practices (vegetation) are not feasible.”
119 10. The ability of the proposed use to meeting goals and policies adopted with in the Fifty Lakes
120 Comprehensive Plan; The commission agrees the request, with conditions, is consistent with the purpose
121 and intent of the Zoning ordinance and the following goal in the comprehensive plan, “To preserve the
122 natural character and environmental quality of the lake shore and still allow reasonable use for property
123 owner and the public.”
124 11. The commission agrees the use will not have an impact on property values and future development of land
125 in the surrounding neighborhood.
126 12. The commission agrees the proposed use will not have an impact on public utilities, public services, roads
127 and schools.
128 13. The proposed use, with conditions of additional vegetation will not impact ground water, surface water
129 and air quality.
130 14. The adequacy of water supply, subsurface sewage treatment system facilities, erosion control and storm
131 water management are provided pursuant to applicable standards:
132 a) Th proposed use will not have an impact on water supply and subsurface sewage treatment systems.
133 b) The proposed use, with conditions, will limit erosion on the steep slope and properly manage storm
134 water in accordance with the land use ordinance.
135

136 **Conditions of Approval:**

- 137 1. A revegetation plan meeting the requirements of Section 8.04 and 8.05 including shrubs and trees shall be
138 submitted to the city for review and after approval shall be implemented by October 31, 2024.
139 2. The planning commission shall review next July 2025 to determine if the additional vegetation planted meets
140 the requirements of the zoning ordinance.
141

142 When polled: All members vote aye (Mr. Milbrath absent). Motion carried.

143 **5. Approval of Minutes:**

- 144 a. June 4, 2024 Special Meeting

145 **MOTION MADE BY MR. STANCER AND SECONDED BY MR. STROHMEIER TO APPROVE**
146 **MINUTES FROM JUNE 4, 2024 SPECIAL MEETING AS PRESENTED.** When polled: All members
147 vote aye (Mr. Milbrath absent). Motion carried.

148 **6. New Business:** Planning Commission Chair, Bob Stancer, updated the commission on the addition of two
149 (2) American Signal Weather Sirens on Kego Lake Road and County Road 136. The sirens are powered off
150 solar power. The sirens sound reaches most of the community.
151

152 **P&Z Administrator’s Report:** Mr. Burslie reported 39 land use and 7 SSTS permits as of the July meeting.
153

154 **MOTION BY MR. STROHMEIER AND SECONDED BY MR. OSTER TO ADJOURN.** Meeting
155 adjourned at 7:42 PM.
156
157
158
159
160
161
162
163
164
165
166
167
168
169

Jessica Istrvanovich, Deputy Clerk

▾ Trouble by the water: Minnesota's vanishing natural lakeshores

Kirsti Marohn · Brainerd, Minn. · August 14, 2024 4:00 AM · **UPDATED:** AUGUST 15, 2024 12:26 PM

Unchecked development, lax regulation push Minnesota lakeshores to the edge



Docks and large houses line a developed section of lakeshore on Gull Lake in the town of East Gull Lake, Minn., pictured on Monday, June 3, 2024. Ben Hoviland | MPR News

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READ The damage can be repaired, but is the will there to do it?

Minnesotans are loving their lakes to death.

A statewide culture that long embraced rustic cabins by rugged lakeshores now values large homes with manicured lawns, patios, rock riprap and trees cleared to provide a better view of the water.

That generational change is easy to spot these days standing on the shoreline of popular destinations such as Gull Lake near Brainerd. Once-lush and woody shorelines have disappeared over decades. Lake cabins have been torn down and replaced with expansive homes. It's a similar view across much of Minnesota.

It's a slow-motion environmental crisis.

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Nearly half the state's natural shorelines are gone, according to the Minnesota Department of Natural Resources. They continue to vanish by 1 to 2 percent per decade. It's a loss rate the DNR along with local governments and nonprofits called "alarming" last year in a report that concluded "[many of Minnesota's lakes are in trouble.](#)"

Water running off mowed lawns and hard surfaces contributes to pollution in lakes. One-quarter of the state's lakes have high levels of phosphorus, which feeds algae growth that turns the water a green and slimy mess. A single pound of phosphorus in a lake can produce 500 pounds of algae.

enforcement by local boards and state authorities that allowed a suburban-style vision of lake life to take root, and it's damaging lakes.

Rocky Point on Gull Lake

Aerial footage shows how development changed the shoreline along a popular point on Gull Lake in Cass County.



“The challenge is real,” said Randall Doneen, a water resources section manager with the Minnesota Department of Natural Resources.

“People have a certain aesthetic preference. And what we’re seeing, really, is that it is common for people to want more of a suburban landscaping,” Doneen said. “It’s no longer just the cabin up at the lake, with your path down to your dock.”

Getting there statewide, though, means shifting the culture and convincing people their vision of beauty is killing the thing they love.

There's a lot at stake beyond the health of the lakes. Pollution affects anyone who owns or visits a lake home or cabin, spends time fishing, swimming or boating, enjoys seeing loons and other wildlife, or dreams of spending their retirement years on a lake.

"We are a land of 10,000 lakes," said Paul Radomski, a longtime lake ecologist with the DNR. "We don't want to be a land of 10,000 impaired lakes."

'People wanting to build bigger'

Minnesota's treasured lakes have been drawing visitors and residents since the 1800s. A 1926 travel brochure advertised the state as "the nation's summer playground," according to the Minnesota Historical Society.

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In recent decades, though, the nature of lake living changed. As demand for waterfront property surged and real estate prices soared, many resorts were subdivided into lots and sold. People bought modest cabins, demolished them and built showcase homes.

Tony and Bonnie Coffey bought their first lake cabin in Crow Wing County in

1001 and later settled on the Whitefish Chain of Lakes where Tony's

“It makes it very livable, all the things we have in terms of doctors and retail and restaurants,” said Tony Coffey, who serves as president of the Whitefish Area Property Owners Association. “But what that’s done is it’s created an influx of people.”

The COVID-19 pandemic accelerated that growth. With more people able to work remotely, many lake property owners decided to turn seasonal cabins into year-round homes.

Building permits spiked during pandemic

The COVID-19 pandemic prompted a decade-high increase in county-issued building permits along Minnesota’s lakeshores.



Source: Minnesota Department of Natural Resources • Graph: APM Research Lab
County-issued permits do not include permits issued by Minnesota cities and some townships, which are not reported to the state. Therefore permits for all of Hennepin and Ramsey counties, as well as much of the rest of the seven-county metro (i.e. Anoka, Dakota, Carver, Scott and Washington counties), are not represented in this data. Together those counties contain 5% of Minnesota lakes' shoreline when considering lakes of 10 or more acres. Any permits issued on reservations are also not included in this data.



“What we’re seeing is people who might have thought that to maybe build

now, I don't have to be down in Minneapolis to work all the time. I can work from my cabin."

Many improved their lake property to make it less like a seasonal cabin and more like their year-round home by adding an extra bedroom, a patio or a bigger garage.

"We're seeing people wanting to build bigger," said Nick Neuman, senior environmental specialist for Stearns County, which has nearly 300 lakes. That could mean expanding a cabin, he said, "or it might just be wanting to build a larger home on lots that maybe aren't designed for it."

Those larger homes often have more roofs, driveways, patios and other hard surfaces that increase polluted runoff into the lake. Neuman said the increase of impervious surfaces is "probably the biggest issue" facing Minnesota's lake country.

"That really stems from just more development, larger structures and more intensive use of the properties that already exist," he said.



A tale of two lake properties

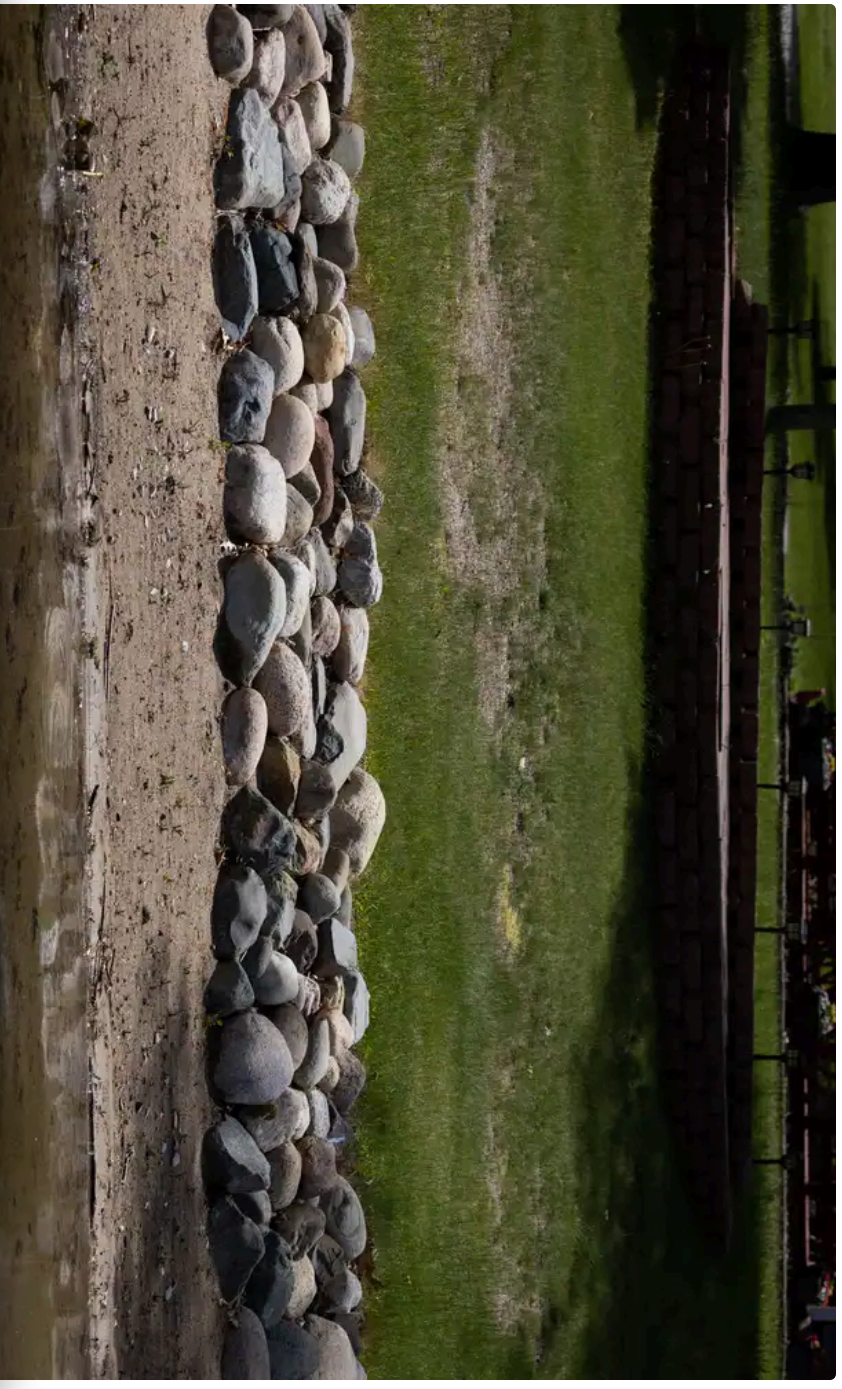
The whir of the outboard motor barely drowned out the sound of traffic on Highway 371 during a recent summer day in Baxter as DNR ecologists Paul Radomski and Josh Knopik stood in an aluminum boat, scanning the shoreline of Perch Lake.

Knopik paused the boat in front of a modest home. Once likely a seasonal cabin, it's now a full-time residence.

The sandy shoreline stretches unbroken the length of a basketball court and is lined with large stones. No shrubs or native plants are in sight, just neatly mowed, bright green grass.

"There are two tall trees," Knopik said. "Otherwise, it's like a suburban house, just plopped next to a lake."

Water runs off the house's roof and driveway and across the lawn without trees or plants to slow and absorb it, Radomski said. It carries soil, organic matter and nutrients like phosphorus straight into the lake.



After a heavy rain, seven to nine times more phosphorus will run off this mowed lawn into the lake than off undeveloped lakeshore, he said.

“That has consequences on water quality,” Radomski said.

The DNR began measuring the condition of the state’s shorelines with a scientific survey in 2015. So far, it’s completed 900 surveys on more than 836 lakes across Minnesota.

A pristine lakeshore with no development would score a 100. The lowest-scoring lake so far is heavily developed Forest Lake in the northeast Twin Cities metro, which earned a 37.

The survey data has allowed the DNR to accurately assess what’s happening with Minnesota lakes and calculate the loss of natural shorelines, Radomski said.

“Quantifying it opens eyes,” he said. “People say, ‘Oh, what are we doing? What are we doing about that?’”

Mapping the data shows regional differences. Lakes in central Minnesota tend to be more populated and developed. In contrast, many northern lakes still have wooded, natural shorelines that help protect water quality and provide wildlife habitat.

Look up data by lake or county

Columns are sortable in ascending and descending order.

Lake	County	Year scored	Shore quality rating	Shore quality numeric rating (out of 100)
Aitkin	Aitkin	2016	High quality habitat	88.6
Ball Bluff	Aitkin	2016	Moderate quality habitat	82.7
Big Pine	Aitkin	2013	Low quality habitat	60.4
Big Sandy	Aitkin	2016	Moderate quality habitat	70.2
Blind	Aitkin	2015	Moderate quality habitat	79.6

1 / 168

Source: [MN DNR: Score the Shore data](#), [MN DNR: Hydrography data set](#) • This data set contains 836 Minnesota lakes that have been scored by the Score the Shore program. Those lakes are located across 59 of the state's 87 counties. Some lakes have been scored more than once. Only the latest score is included in this lookup table. Ratings are based on the amount of natural habitat vs. development in three lakeshore zones: shoreline, shoreline and aquatic. More details about methodology for this rating can be found at the [Score the Shore data source](#) linked above.



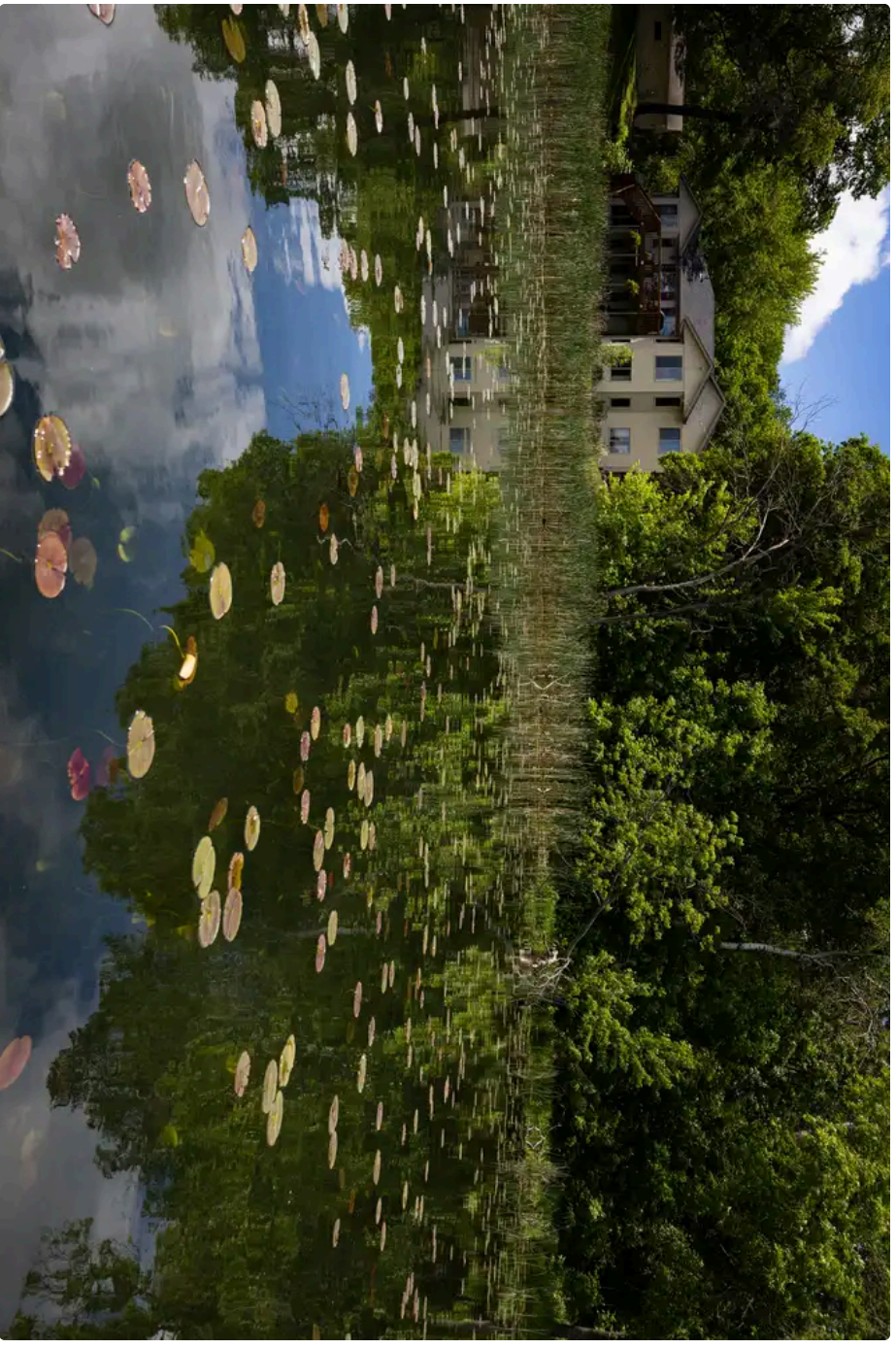
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Farther down the shore of Perch Lake, Knopik paused the boat in front of a much different property. The house is almost hidden, set back about 100 feet from shore. The owners have kept most of the trees and a thick buffer of cattails along the shore.

The residents still have a mowed lawn, but the vegetation along the water's edge should absorb any runoff, Knopik said. It's "a compromise of sorts," he said.

Finding a way to both enjoy the lake and preserve it is the message the DNR is advocating to lake property owners. Radomski said

a great experience on the water?" he said.



Yellow and white water lilies and other shoreline vegetation line the edge of Perch Lake in Baxter on June 3. Ben Howland | MPR News

'A problem that didn't have to exist'

The disappearance of natural shorelines has other profound effects.

A sandy beach or rock riprap supplies little food or shelter for wildlife. But vegetation along the shoreline is critical for nesting loons. Aquatic plants provide cover for fish, and fallen trees offer a resting spot for turtles and frogs.

Natural shorelines also help prevent erosion, a common problem on many Minnesota lakes — especially as climate change causes heavier rainfalls and more frequent flooding.

Native plants' roots can grow as long as 15 feet, much longer than the Kentucky bluegrass found in most Minnesota lawns. Those deeper roots help

Ironically, changes residents make to “improve” their lake property often cause more problems.

Riprap is often a solution property owners and landscape contractors use to fix erosion problems along lakeshore. But the rocks actually can increase the speed and temperature of water running into the lake, and provide no habitat for pollinators or other wildlife.

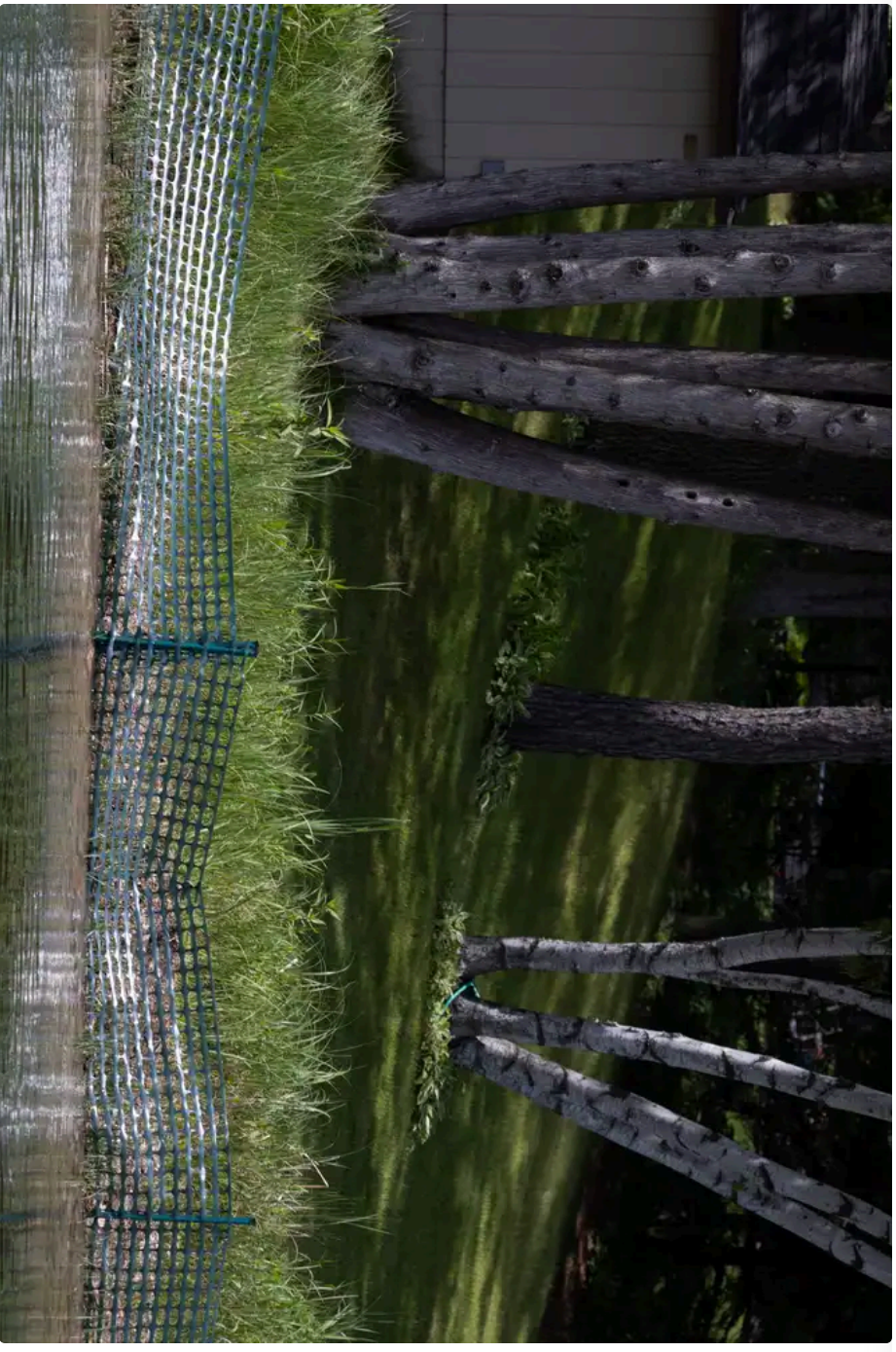
A mowed lawn edged with rock might look tidy, but it can attract unwelcome guests. Knopik points to a Perch Lake shoreline strung with an unsightly plastic fence.

“They’ve probably struggled with geese going on their lawn and defecating and eating and doing what they do,” he said. “That’s annoying.”

In contrast, deep-rooted native plants and trees help stabilize the shoreline, prevent erosion and discourage geese, Knopik said.

“The riprap is like a Band-Aid or a solution to a problem that didn’t have to exist,” he said.

There’s an economic impact, too. Studies have linked lakes with good water quality to higher property values.



A plastic fence is erected to prevent geese from entering a property on the edge of Perch Lake. Ben Howland | MPR News

Regulation 'not working'

Minnesota has regulated development around lakes for more than 50 years, but the current shoreline rules were last updated in 1989 and many scientists consider them outdated and inadequate.

“Clearly, they're not working,” Radomski said. “We're still losing habitat.”

The Legislature directed the DNR to update the state's shoreland rules in 2007, and Minnesota regulators spent years devising more protective standards. But then-Gov. Tim Pawlenty rejected them, saying they undermined local control and property rights.

This year, state lawmakers reaffirmed that the DNR still has the authority to update the shoreland rules. But it's unclear whether there's political will for tighter statewide regulations.

“Regulations have not stopped shoreline alterations, lot by lot, year by year, and lake by lake,” stated a report released last year by the Minnesota Natural Shoreline Partnership, a coalition that includes conservation professionals from the DNR, local government agencies and nonprofits.

The report says a “reasonable goal” would be a natural, unmowed buffer of trees and vegetation that stretches for 75 percent of the shoreline and is at least 25 feet deep, far from the norm on many Minnesota lakes.

While state rules prohibit “intensive” clearing of vegetation near the shore, they’re open to interpretation and sometimes difficult to enforce.

“People want to be able to enjoy seeing the lake, and they see the trees and the shrubs as an impediment to their view,” Doneen said. “That’s a real challenge, because you want people to be able to enjoy the lake without degrading it so much.”

The DNR occasionally intervenes and challenges a county’s decision to issue a shoreland variance if it violates state or local rules, but those cases are not the norm.

The agency prefers to provide education for local government officials and, if needed, share its concerns about a development proposal, Doneen said.

“If it comes down to it and it’s egregious, and we think that the resources being sacrificed are significant and that there really has been a legal error, we’ll step in if we have to,” he said. “But it is the absolute last thing that we would want to do.”



Bullrushes grow near the shore of Perch Lake in Baxter. Ben Howland | MPR News

'People like to push the envelope'

While there's been little political will to tighten the state's shoreland rules, some counties have adopted their own regulations that go beyond the state's minimum requirements.

Crow Wing County, with close to 500 lakes, allows up to 25 percent of a lake property to be covered with hard surfaces such as roofs, driveways and patios. But anything over 15 percent requires a plan to use rain gardens or other techniques to manage stormwater.

That's the threshold studies have shown could start to affect water quality, Pence said.

About three years ago, Stearns County began requiring property owners to have a minimum amount of natural shoreline before they can get a permit to make any changes near the lake. It's had a significant impact, Neuman said.

▶ **Survey:** [Are you a lake steward?](#)

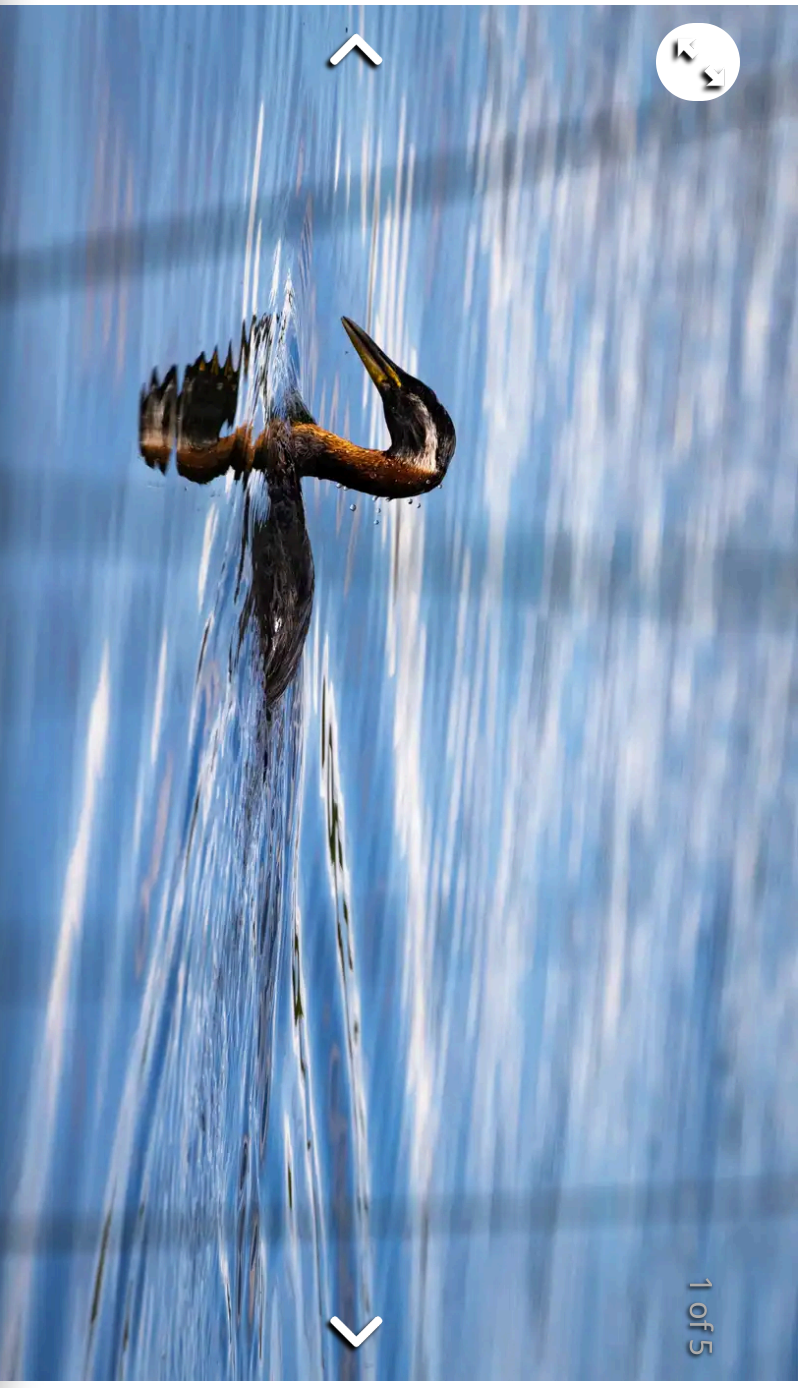
State and local governments, watershed districts, nonprofits and lake associations have worked to educate property owners about the importance of keeping shoreline natural. Results are mixed.

Most people make decisions about their lake property based on economics and what others around them are doing, Neuman said.

“We can promote and we can suggest and we can recommend,” he said. “But the vast majority of people — and therefore contractors, because they are trying to meet the wants of their clients — are going to be interested in making it look the way they want it to look.”

Some lake advocates are thinking beyond regulations about how to change societal norms beyond perfectly manicured lawns and boat lifts and docks that resemble a marina, said Joe Schneider, president of the Minnesota Coalition of Lake Associations.

“It doesn’t help our water quality,” Schneider said. “And at the end of the day, it’s really all about protecting the quality of the water.”



A red-necked grebe prepares to dive on Perch Lake in Baxter on June 3. **Ben Howland | MPR News**

Funding for this series is provided in part by the Four Cedars Environmental Fund of the Duluth Superior Area Community Foundation.

Correction (Aug. 15, 2025): An earlier version of this story misidentified aerial images of a popular Gull Lake point in a neighboring county, rather than Cass County. The article has been updated.

- ▶ [On Cross Lake, loons make the case for protecting wild shores](#)
- ▶ [10 key data points and graphs about loss of shoreline on Minnesota's lakes](#)
- ▶ [In NW Wisconsin, a county finds paying homeowners to keep shorelines natural pays off](#)

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Trouble by the water: Minnesota's vanishing natural lakeshores

Elisabeth Gawthrop and Alyson Clary · August 16, 2024 4:00 AM

10 key data points and graphs about loss of shoreline on Minnesota's lakes



Plants grow on the Gull Lake shoreline on Dorothy Whitmer's property in East Gull Lake on June 3. Ben Hovland | MPR News

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including some county- and even lake-level data about Minnesota's most beloved resource: our beautiful lakes.

1) Shoreland building permits went down in recession, but have increased again in recent years

Permits are generally required in Minnesota for building any structure on a lot, or for adding on to an existing structure. In areas close to lakes, rivers and streams, known as shoreland, there are additional guidelines that must be followed.

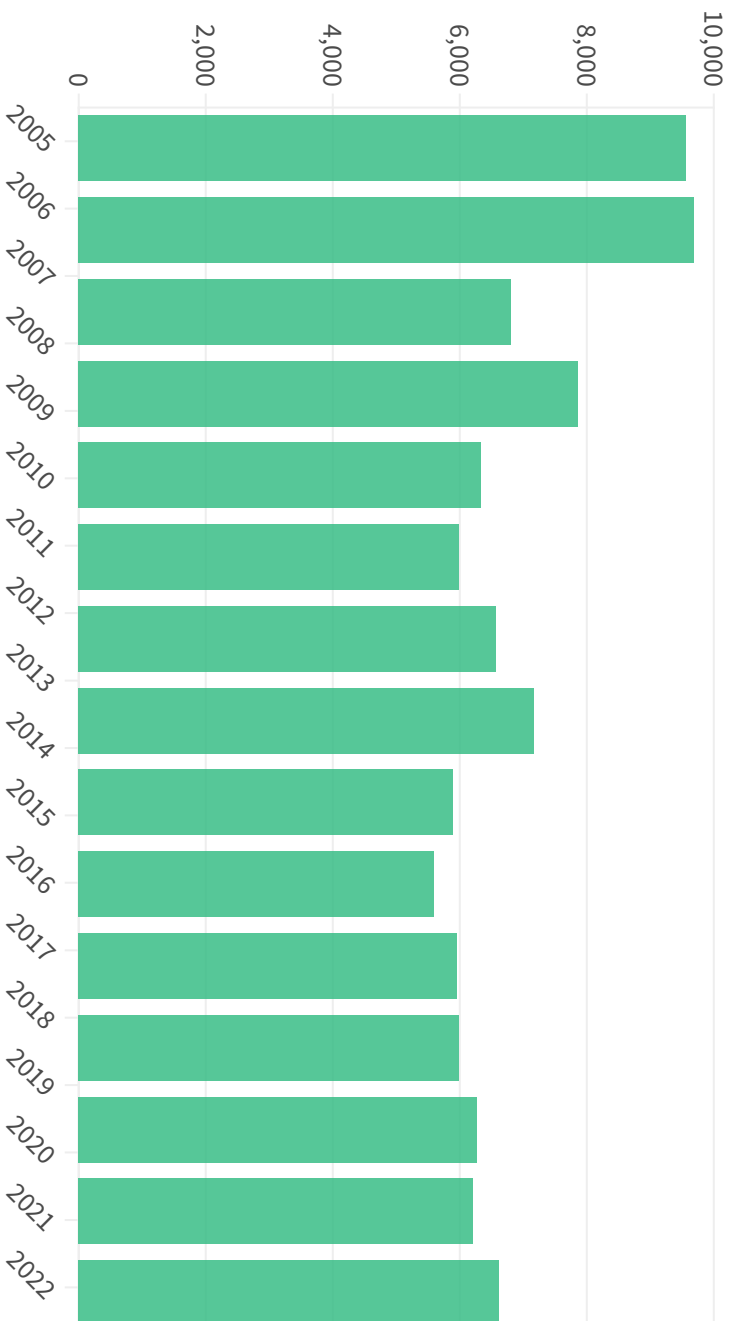
While the state has minimum requirements that vary by water body, local zoning offices at the county or city level often have additional rules and specifications, and they can even have a broader definition of shoreland than the state minimums, requiring the stricter rules to be followed in more places.



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Shoreland building permits rose during pandemic

Minnesota's shorelands have faced continued steady development over the past two decades with at least 6,000 permits issued by counties in every year except 2014.



Source: MN Department of Natural Resources • Graph: APM Research Lab
County-issued permits do not include permits issued by Minnesota cities and some townships, which are not reported to the state. Therefore permits for all of Hennepin and Ramsey counties, as well as much of the rest of the seven-county metro (i.e. Anoka, Dakota, Carver, Scott and Washington counties), are not represented in this data. Together those counties contain 5% of Minnesota lakes' shoreline when considering lakes of 10 or more acres. Any permits issued on reservations are also not included in this data.



Permits granted per year were at their highest in the mid-2000s and then dropped sharply. The assumption has been that this was due to the recession, said Dan Petrik, the lake and river shoreland program manager at the Minnesota Department of Natural Resources.

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Even in slower years Minnesota's shorelands have seen fairly steady development, with at least 6,000 permits issued throughout the state (not including Hennepin and Ramsey counties) every year between 2006 and 2022, except 2014.

Permits have been slowly going up since 2014, with a recent uptick in the first couple of years of the pandemic. In addition to factors such as increased telework, some lake-dense parts of the state have seen population increases. Crow Wing County, for example, added around 6,400 people between 2012 and 2022, which equates to an increase of around 10 percent.

A special note about the state's permit and variance data: Minnesota DNR gathers data from county zoning authorities, but not from the zoning authorities of reservations or cities. Thus, this data covers only unincorporated areas of counties.

In addition, some townships in unincorporated areas are excluded since some have their own zoning authorities. So, while the graphics and tools we present give a sense of patterns and trends in shoreland permitting, if you are interested in a particular area, you will need to check with your local zoning authority for details.

This is especially true for the Twin Cities and surrounding areas, where a higher percentage of land in those counties is in incorporated areas. [This page provides information about zoning offices and contact information by county.](#)

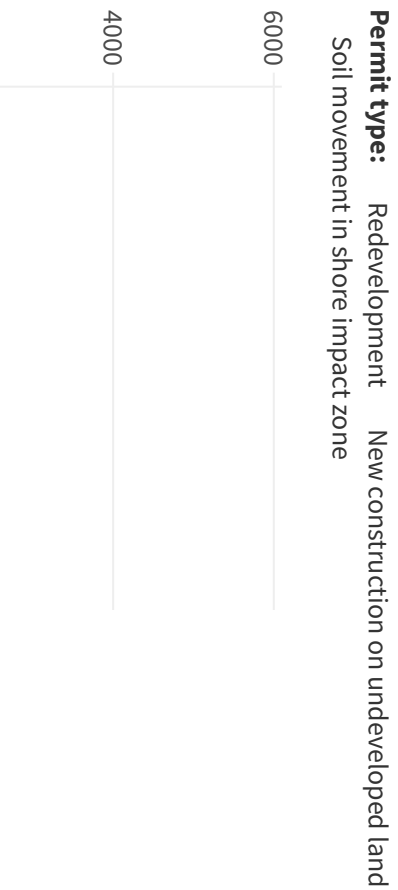
2) Most shoreland permits are for redevelopment, not for building on undeveloped lots

According to [a Minnesota DNR report](#), "most of the suitable shoreland lots in the state have already been developed." But even if a lot is technically "developed," people who want to replace their small cabin with something larger must apply for a building permit. Those kinds of redevelopment

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Redevelopment of lots accounts for nearly two-thirds of land-use permits that counties recently issued in Minnesota shoreland

Building plans for a lot may require both a building permit and a permit for soil movement.



Source: MN Department of Natural Resources • Graph: APM Research Lab • Soil movement permits include those issued for grading, excavation, filling or soil disturbance within the shore impact zone.

County-issued permits do not include permits issued by Minnesota cities and some townships, which are not reported to the state. Therefore permits for all of Hennepin and Ramsey counties, as well as much of the rest of the seven-county metro (i.e. Anoka, Dakota, Carver, Scott and Washington counties), are not represented in this data. Together those counties contain 5% of Minnesota lakes' shoreline when considering lakes of 10 or more acres. Any permits issued on reservations are also not included in this data.



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Regardless of whether the permit is for redevelopment or for development on new lots, if it is in a shoreland area, the building plan will need to meet certain additional standards. One of the main requirements is that structures must be built at a certain distance away from the shoreline.

The state minimums for this setback requirement vary from 50 feet to 200 feet. The exact distance depends on the type of water body, the level of existing development, whether the lot will be connected to the sewer system, and any local ordinances.

Another shoreland requirement is that a maximum of 25 percent of the lot



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This is to encourage water to enter the ground, where it can be naturally filtered, instead of running directly into the lake, taking with it the chemicals and fertilizers that are typical on a developed lot.

In addition to building permits that are primarily focused on structures being added to the lot, there are also requirements for land-use permits for any activity that involves moving a certain amount of soil, such as grading, filling or excavating land.

Even if no building is occurring, these processes of moving soil can also affect erosion, runoff and other dynamics that impact lake quality. In some cases, a construction plan may require a building permit and an additional permit for moving soil.

While these permit numbers indicate a general sense of how much development activity is happening on Minnesota's lakes, the data doesn't tell the whole story. Just because a building is going up or soil is being moved around, it doesn't necessarily mean it's detrimental to the lake or shoreline. In fact, sometimes a permit might be required to conduct restoration efforts.

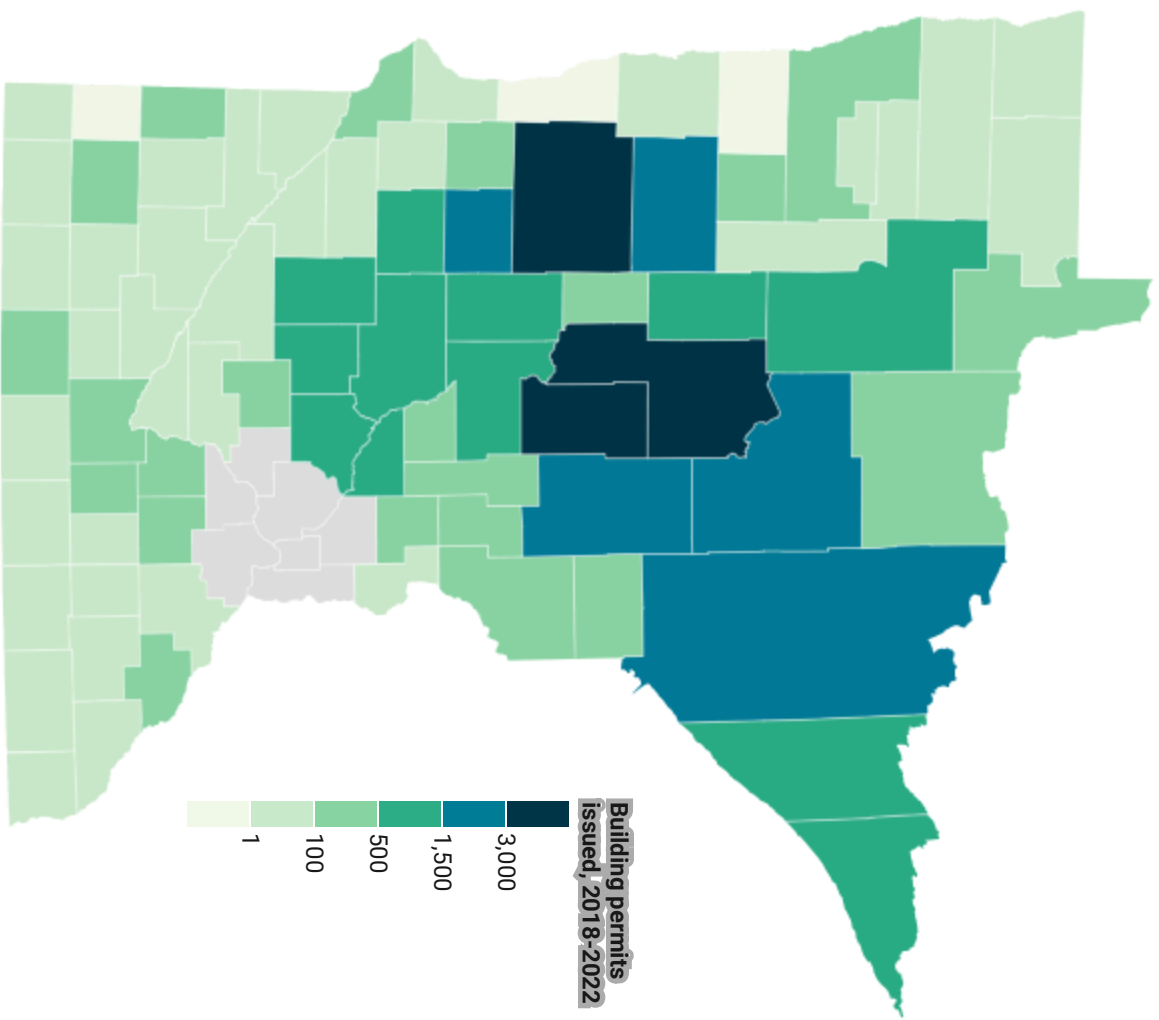
3) Minnesota's lake country has issued the most shoreland building permits in recent years

About a two-to-three-hour drive north of the Twin Cities lies a swath of the state with a particularly dense collection of lakes, referred to by some as "lake country." We found that the counties in this area, recently, have issued the most shoreland building permits in Minnesota.



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Most shoreland building permits recently issued in Minnesota were in the northern half of the state



Countries for which significant shoreland development occurs in cities should be interpreted with caution, as city-issued variances are not reflected here. Hennepin, Ramsey, Washington, Anoka, Scott, Carver and Dakota counties are not available in this map for this reason. Together those counties contain 5% of Minnesota lakes' shoreline when considering lakes of 10 or more acres. Any permits issued on reservations are also not included in this data.

This isn't a surprising result, given that this is where there are more lakes. But it does point to which county offices have the highest volume of permit applications to review and grant. Cass County is the busiest, averaging more

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may not realize they need a permit for grading and filling (i.e. moving earth around), and Petrik noted that this type of permit may be particularly hard to enforce especially in counties with less staff and fewer programs dedicated to shoreland management.

"I think a lot of that kind of work happens without a permit in those counties," he said. "Unless somebody complains, you're not necessarily going to know it's happening."

4) Even when considering the amount of shoreline by county, permitting in lake country stands out

To account for how much shoreland each county has available for building and development, APM Research Lab calculated an estimate of river and lake shoreline by county. It's not a perfect analysis, as it doesn't account for how far inland from the shoreline permits are required.

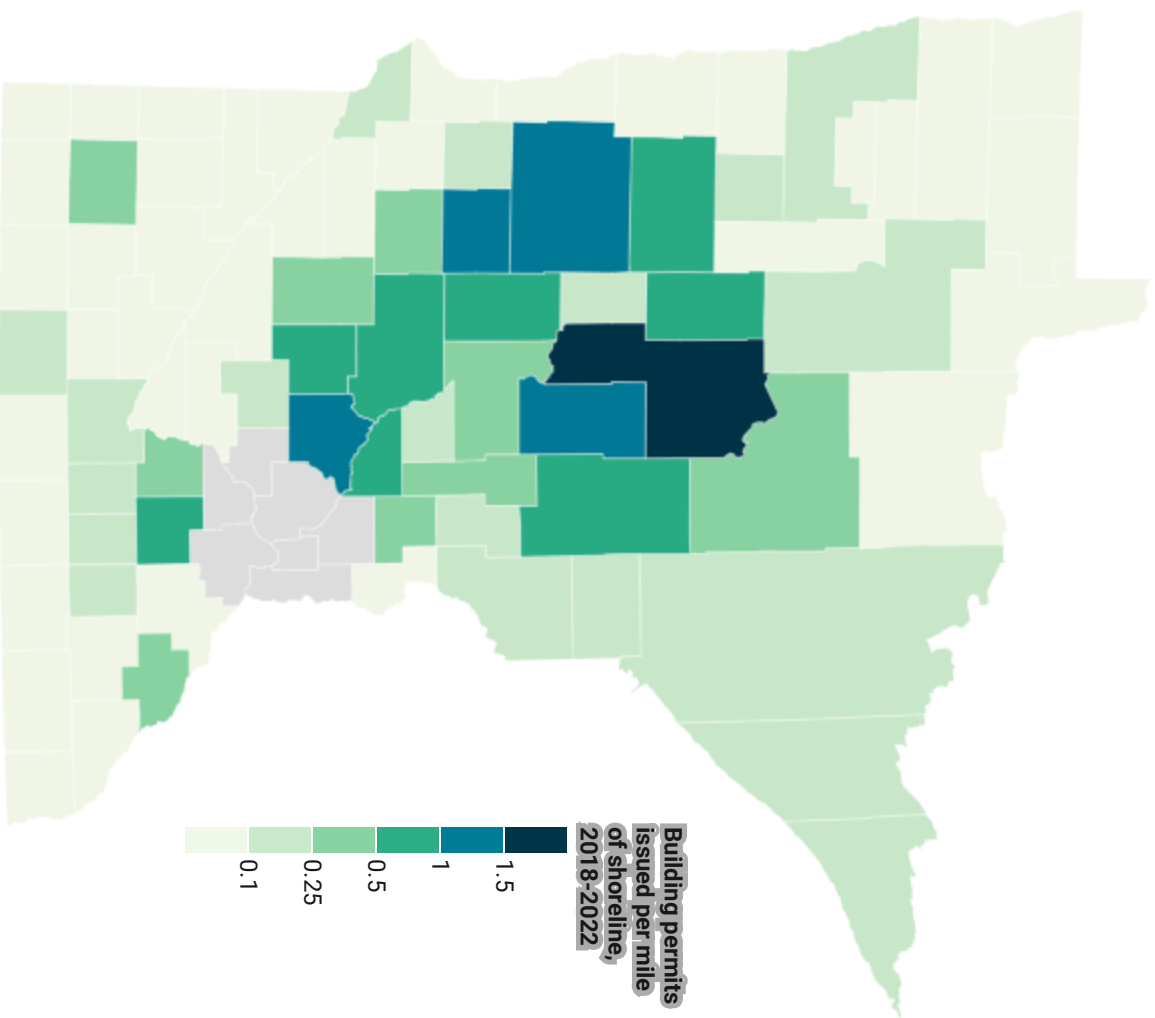
That distance varies by locality, water body type and other factors. But this analysis still gives some idea of how much development is happening given the relative amount of shoreland available.



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Accounting for miles of shoreline, Minnesota's lake country has highest rates of granting permits in shoreland

Both river and lake shorelines were estimated by county for this analysis. River shorelands are also subject to special building permits, and those permits are reported in combination with lake shoreland permits.



Counties for which significant shoreland development occurs in cities should be interpreted with caution, as city-issued variances are not reflected here. Hennepin, Ramsey, Washington, Anoka, Scott, Carver and Dakota counties are not available in this map for this reason. Together those counties contain 5% of Minnesota lakes' shoreline when considering lakes of 10 or more acres. Any permits issued on reservations are also not included in this data. • Lake shore and river and stream length were calculated using the Minnesota DNR's buffer protection map data. River lengths were multiplied by two as they have two sides on which development can occur, except for those that border other states or Canada. The shore length calculations should be considered estimates.

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Some counties in northern Minnesota have thousands of miles of lake shoreline, but they have also granted thousands of permits.

5) Government sanctioned exceptions to zoning ordinances — called variances — issued on the state's shorelands remain common even after the development boom in the mid-2000's

What if it's challenging to meet the shoreland rules in your building plan?

Exceptions can sometimes be granted through a variance. There is an extra application process for variances, and there's no guarantee of getting one. As with permits, these are applied for and granted by the local zoning authority.

Roughly 600 to 900 legally-sanctioned exemptions to shoreland development standards have been granted every year for last decade

After the slowdown in shoreland building activity starting in 2007, the number of these exceptions, called variances, has only slightly declined over time.



Source: MN Department of Natural Resources • Graph: APM Research Lab

**County-issued variances do not include variances issued by Minnesota cities and some townships, which are not reported to the state. Therefore variances for all of Hennepin and Ramsey counties, as well as much of the rest of the seven-county metro (i.e. Anoka, Dakota, Carver, Scott and Washington counties), are not represented in this data. Together those counties contain 5% of Minnesota lakes' shoreline when considering lakes of 10 or more acres. Any variances issued on reservations are also not included in this data.*

enforcement of permit and variances rules are lax, it's more likely that shorelines will become overdeveloped and have lower quality natural habitat.

The state's data suggests that a shoreland variance is issued for about one in every 10 shoreland building permits.

6) Look up how many variances and permits have been issued in your county

We compiled how many variances and permits have been issued in Minnesota's shoreland for most of the counties in the state. (See our note above about the lack of data in some counties.) The number and trend over time for permits and variances granted differs significantly from county to county.

Look-up tool: County-issued shoreland building permits

Select county: Aitkin ▼



Source: Minnesota Department of Natural Resources • Analysis and graph: APM Research Lab • Analysis and graph: APM Research Lab • *Counties for which significant shoreland development occurs in cities should be interpreted with caution, as city-issued permits are not reflected here. This is the case in particular for Scott and Carver

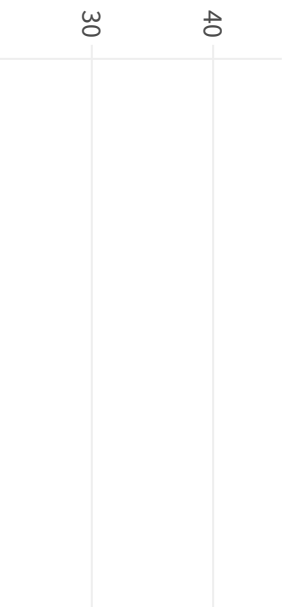
Counties: Hancock, Ramsey, Washburn, Anoka and Dakota are not available in this tool for this reason. Any

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While it may be useful to get a sense of how many permits or variances your county has granted in recent years, we suggest caution in directly comparing counties to each other. For example, counties have wide-ranging amounts of shoreline. And some counties have stricter guidelines than others, so the same building plan might be approved without a variance in one county but require a variance in another county. Petrik said that the lake-rich area of north-central Minnesota, for instance, tends to have stricter guidelines than counties in some other areas of the state.

Look-up tool: County-issued shoreland variances

Select county: **Aitkin** ▼



Source: Minnesota Department of Natural Resources • Analysis and graph: APM Research Lab • Counties for which significant shoreland development occurs in cities should be interpreted with caution, as city-issued variances are not reflected here. This is the case in particular for Scott and Carver counties. Hennepin, Ramsey, Washington, Anoka and Dakota are not available in this tool for this reason. Any variances issued on reservations are also not included in this data.

Note: Counties have different practices for approving changes to land near a shoreline. Some work with landowners to align with zoning rules, so a so-called variance isn't needed. County officials can also require extra steps to reduce a project's environmental impacts, such as managing stormwater or keeping a vegetative buffer.



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The variance and permit numbers also do not offer insight on enforcement of rules. Petrik said, "some counties are better equipped and have more robust

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So, a county could grant more variances than another county because it's more lax in granting exceptions, but it could also be because it's better at making residents follow the rules.

Petrik also noted that “many counties work specifically to prevent variance applications, working with potential applicants to modify project design in such a way that a variance isn't needed, or the amount of deviation is minimized.”

7) Explore habitat quality in Minnesota's lake country

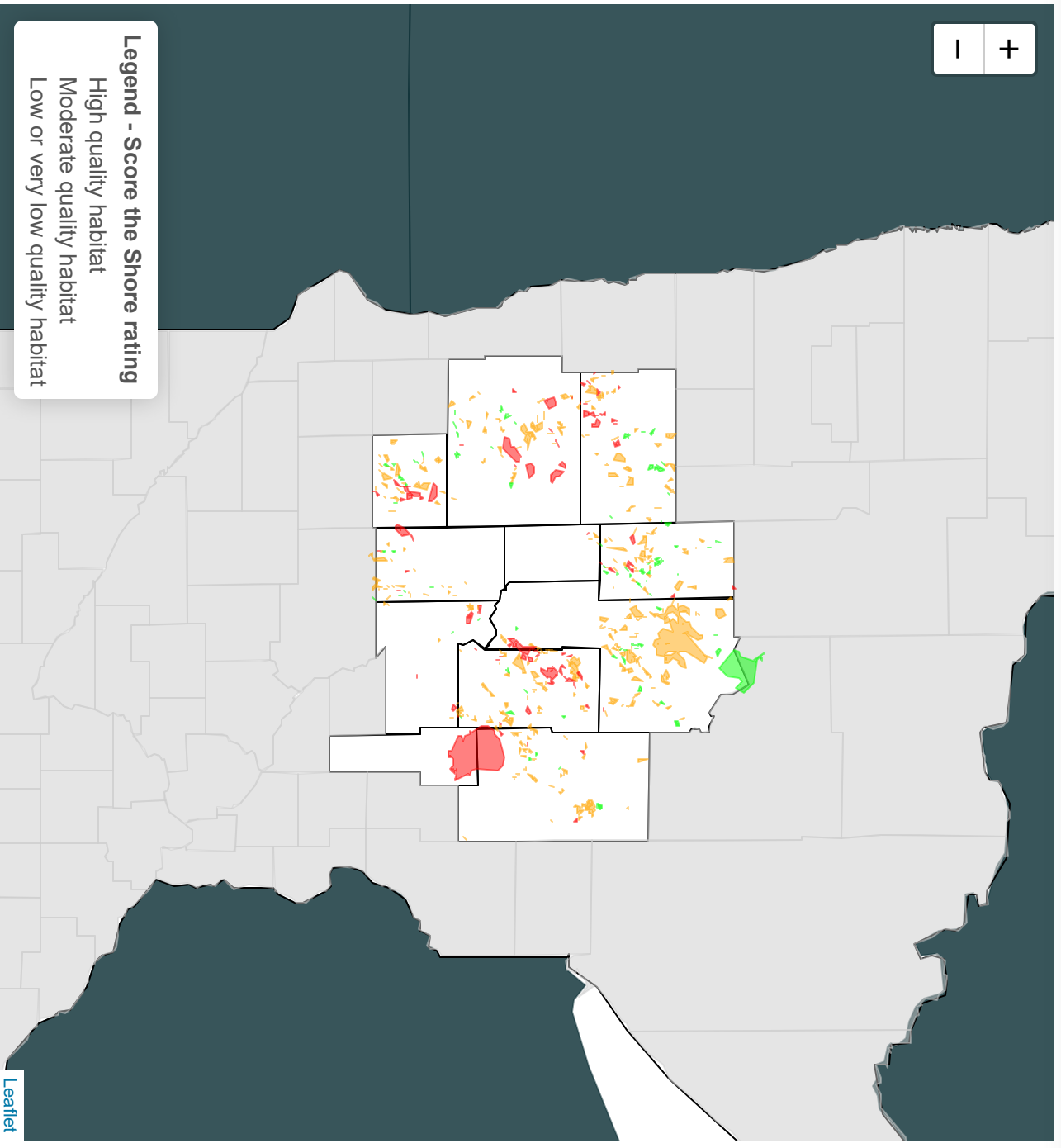
Within Minnesota's lake country — Aitkin, Becker, Cass, Crow Wing, Douglas, Hubbard, Mille Lacs, Morrison, Otter Tail, Todd and Wadena counties — nearly one in five lakes scored by the Minnesota DNR are rated a low-quality habitat.

Roughly the same proportion are rated a high-quality habitat. The majority are rated as moderate-quality habitat — meaning two of the three lakeshore zones (shoreland, shoreline and aquatic) have high proportions of natural habitat, while the other zone is more developed.

The lakes in this map account for 429 of more than 4,000 lakes of 10 acres or more in the 11 counties listed above. This number of scored lakes is slightly more than half the total number of unique lakes scored statewide thus far by the Minnesota DNR.

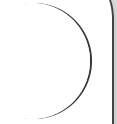


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8) Look up the shoreline habitat quality of the lakes you care about

If you don't see your lake in the lookup table, consider performing your own lakeshore assessment with the [Score Your Shore](#) resources for citizen action.



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Look up data by lake or county

Columns are sortable in ascending and descending order.

Lake	County	Year scored	Shore quality rating	Shore quality numeric rating (out of 100)
Aitkin	Aitkin	2016	High quality habitat	88.6
Ball Bluff	Aitkin	2016	Moderate quality habitat	82.7
Big Pine	Aitkin	2013	Low quality habitat	60.4
Big Sandy	Aitkin	2016	Moderate quality habitat	70.2
Blind	Aitkin	2015	Moderate quality habitat	79.6

1 / 168

Source: [MN DNR: Score the Shore data](#), [MN DNR: Hydrography data set](#) • This data set contains 836 Minnesota lakes that have been scored by the Score the Shore program. Those lakes are located across 59 of the state's 87 counties. Some lakes have been scored more than once. Only the latest score is included in this lookup table. Ratings are based on the amount of natural habitat vs. development in three lakeshore zones: shoreland, shoreline and aquatic. More details about methodology for this rating can be found at the [Score the Shore data source](#) linked above.



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9) Recent data indicates some lakes are improving

Shoreland rules are in place, in part, to ensure that Minnesota's lakes are healthy enough for humans to recreate in, use as drinking water sources and use for fishing. Residential and commercial development near lakes is more likely to lead to excessive amounts of nutrients, such as phosphorus and nitrogen, entering lakes.

Sources of these nutrients include residential yard maintenance, agriculture fields and discharges of treated wastewater. Erosion also leads to higher levels of phosphorus. The more vegetation and natural buffers that are kept or

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If lakes have nutrient levels that are too high, excessive amounts of algae and aquatic plants can grow, which can impede swimming and boating on the lake. As these organisms take over, they deplete the amount of oxygen available to other life in the lake.

The Minnesota Pollution Control Agency assesses the water quality of lakes based on what that lake should be able to use for — for example, drinking water, aquatic recreation and fish consumption.

Every two years, MPCA updates the list of lakes that are considered “impaired” — meaning that some sort of pollutant or stressor is considered too high given how the lake is supposed to be used.

Lakes with a designated use of aquatic recreation cover around 2.2 million acres in Minnesota — a good portion of the lakes in the state. About 28 percent (622,000 acres) of those waters are considered impaired due to high levels of nutrients. For another 15 percent of those waters, there is insufficient information to determine the nutrient levels.

When the state’s analysis shows that a lake is impaired, it is added to a list called the impaired waters list. This list gives the state a starting point, so that they can then prioritize restoration efforts. If upon later analysis the lake is shown to have improved enough, it is removed from the list.



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Impaired waters list: A starting point for identifying and restoring Minnesota's lakes

Lakes can be added to the impaired waters list if nutrient levels are too high. Monitoring efforts increased starting in the late 2000s, so many lakes were added to the list in the 2010s. The Minnesota Pollution Control Agency now assesses most lakes in the state for nutrient impairment every ten years. In recent years, MPCA has started to assess more lakes for a second time. Some have improved enough to no longer be impaired by nutrients, and they are removed from the list.

Lakes added to nutrient-impaired list (cumulative) Lakes removed from nutrient-impaired list (cumulative)



Source: Minnesota Pollution Control Agency • Analysis and graph: APM Research Lab



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In the [most recent report](#), more lakes were removed from the list of nutrient-impaired waters than were added, a first since at least 2002, when the data on currently impaired waters begins. But, the state doesn't evaluate every lake every year. In fact, most lakes are analyzed for nutrients once every 10 years. And the state only recently finished its first 10-year cycle, so most lakes were recently added to the impaired list and have not yet been formally assessed more than once.

So, while recent reports suggest a promising trend, it's also possible that the recently assessed watersheds have improved, while other watersheds are not seeing the same trend.

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assessment and impaired waters list coordinator for the agency.

10) Look up if the lakes you care about have too many nutrients

This lookup tool focuses on which lakes have too many nutrients — the stressor most closely linked to the development discussed in [this lakeshore series](#). You can find more information about the quality of Minnesota water bodies in [this tool provided by the U.S. EPA](#).

If you don't see the lake you are searching for on this list, it doesn't necessarily mean it is free of pollutants. There are several possibilities for why a lake might not appear on the list: It could have been assessed and found not to be impaired, it could have an impairment other than nutrients or it could not have been assessed.

Look up tool: Minnesota lakes impaired by too many nutrients

Lakes appearing on the 2024 list of impaired waters in Minnesota for having nutrient levels that are too high.

Lake	County	Year added to List
Lundsten South	Carver	2024
Shakopee	Chippewa	2024
Rebecca	Dakota	2024
Lower Elk	Grant	2024
Lost	Hennepin	2024
Thies	Hennepin	2024
Charlotte	Stevens	2024

One lake you won't find in the table? Kohlman Lake, in Ramsey County, was removed from the nutrient-impaired waters list this year, following a near-30-year effort to improve its water quality.

The pollution control agency highlighted it in a [news release](#), and the story of its cleanup demonstrates how restoring shoreland is not the only method for decreasing the amount of nutrients entering Minnesota's water bodies.

Reducing nutrient output at its source is another possible strategy — for example, in some areas reducing the amount of fertilizer used in agriculture might be key.

And in more developed areas like Ramsey County, improving stormwater management practices in the broader area of the watershed, not just right near the shoreline, can also make a big difference. For Kohlman Lake, this meant installing rain gardens in parking lots at Maplewood Mall and several churches, as well as adjusting street sweeping techniques.

Funding for this series is provided in part by the Four Cedars Environmental Fund of the Duluth Superior Area Community Foundation.

- ▶ [On Cross Lake, loons make the case for protecting wild shores](#)
- ▶ [In NW Wisconsin, a county finds paying homeowners to keep shorelines natural pays off](#)
- ▶ [‘Quit mowing’: Turning Minnesota lake homeowners into shoreline stewards, one lawn at a time](#)

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ON AIR
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▸ Trouble by the water: Minnesota's vanishing natural lakeshores

Kirsti Marohn · Brainerd, Minn. · August 15, 2024 4:00 AM

'Quit mowing': Turning Minnesota lake homeowners into shoreline stewards, one lawn at a time



A sign for the Lake Steward program is posted on Dorothy Whitmer's dock in East Gull Lake, Minn., on June 3. Ben Hovland | MPR News

'Quit mowing': Turning Minnesota lake homeowners into shoreline stewards, one lawn at

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Save



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Are Minnesotans willing to rethink their vision of beauty to save wild shorelines? On Gull Lake the answer is yes. Getting there, though, means convincing property owners their "neat and tidy" view of the lake is killing it.

When a quiz popped up in Dorothy Whitmer's email inbox in 2016 asking her to score the quality of her lakeshore property, she jumped at the chance.

"I was so excited, because I said, 'Oh, I have this great property, and it's going to get a high rating,'" said Whitmer, 71, a retired physician who's owned a scenic spot on Gull Lake in the Brainerd Lakes region for 34 years.

She answered a series of questions: How much of her property is covered with native vegetation, and how much is mowed lawn? How much is covered by hard surfaces, like buildings, patios and driveways? Does she use fertilizer or pesticides?

To her surprise, Whitmer failed the test.

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"It was a disaster," she recalled. "So over the next three years, I kind of fell back on that ancient wisdom: When all else fails, read the directions."

Whitmer's awakening spurred her into action, the kind advocates say is crucial to saving Minnesota's lakes. Nearly half the state's natural shorelines have been lost to suburban-style development, according to a report last year that

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More from 'Trouble by the Water' special series

- ▶ [Unchecked development, lax regulation push Minnesota lakeshores to the edge](#)



Dorothy Whitmer looks out over Gull Lake from the shore on her property in East Gull Lake, Minn., on Monday, June 3. Ben Howland | MPR News

Whitmer helped launch a program on the Gull Chain of Lakes that encourages and rewards property owners who preserve or restore their natural shorelines to help keep lake pollution in check.

More broadly, it's an effort to change Minnesotans' attitudes toward lakeshores by engaging and educating the property owners who helped create the problem. Supporters say many homeowners simply aren't aware of the devastating effects a heavily altered shoreline can have on the lake's health and water quality.

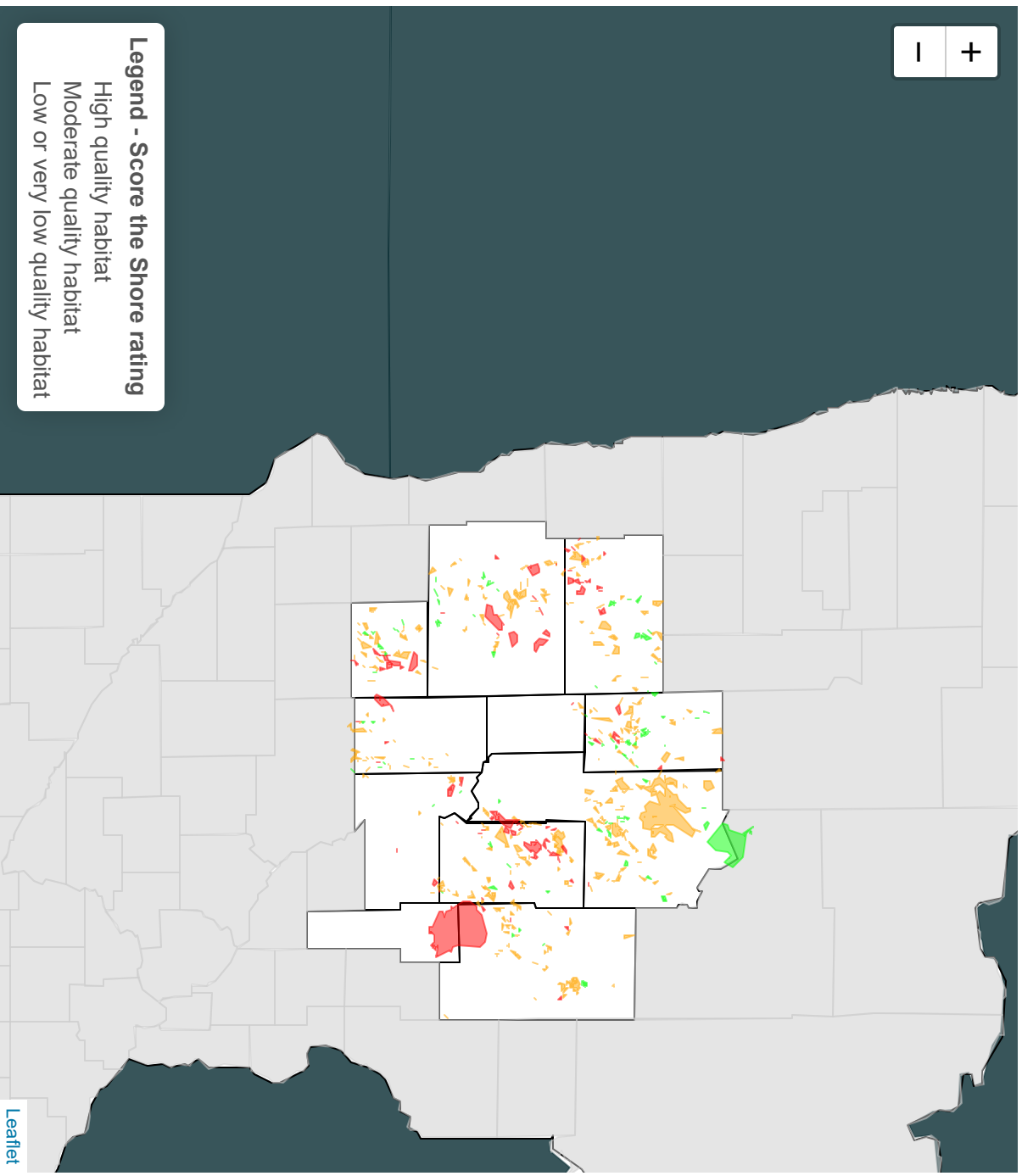
"What is good for the lakes actually saves money and effort, and it's highly rewarding," Whitmer said. "It could be summarized in two words: Quit mowing."



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In Minnesota's lake country, nearly 1 in 5 lakes rated as having low quality habitat

This map shows habitat quality of lakes in Aitkin, Cass, Morrison, Crow Wing, Mille Lacs, Douglas, Otter Tail, Becker, Hubbard, Wadena, and Todd counties, according to a review by the Minnesota Department of Natural Resources. Lakes not color coded have yet to be scored by the DNR.



SOURCE: [MN DNR: Score the Shore data](#), [MN DNR: Hydrography data set](#)

MAP: Alyson Clary | APM Research Lab

Pushing back on a 'neat and tidy' culture

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natural to keep the lake healthy, and that perfectly manicured and fertilized lawns contribute to phosphorus pollution, which spurs algae growth.

Whitmer pitched an idea to the Gull Chain of Lakes Association to send a short [survey](#) to its members, then have volunteers visit their properties. If they pass — or after the owners restore the shoreline to a natural state — they receive a sign to post on the end of their dock indicating they're a lake steward.

"When they get the lake steward award, they know they're doing the right thing, and they're incredibly proud and grateful," Whitmer said. "Then their sign goes up, and they influence others, especially in their neighborhood."

Now in its sixth year, the Minnesota Lake Steward Program has 102 members on the Gull chain, and recently reached a milestone: 15 percent of the 650 property owners they contacted via email have joined.

"We thought that 15 percent is a number where, if you just get to that level, it'll jump off and kind of go viral," Whitmer said. "And you'll get many more lake stewards after that."

The program has spread to dozens more lakes across Minnesota. Supporters view it as part of a strategy to help change societal norms and expectations around lakeshore development, and help slow the loss of natural shoreline that protects lakes from pollution.



Plants grow on the Gull Lake shoreline on Dorothy Whitmer’s property in East Gull Lake, Minn., on June 3. Ben Hovland | MPR News

“What that does is it signals to other people that there’s a thought behind the way the property is being managed on the lake, that there’s consideration being taken for the water quality,” said Jeff Forester, executive director of Minnesota Lakes and Rivers Advocates, a nonprofit that represents lake associations and property owners. It’s helped expand the program to 39 lake associations across the state.

After one sign goes up on a lake, it’s often followed by more as other residents take notice, Forester said. “Then there’ll be a cluster of five or six or seven, as one neighbor starts asking, ‘What’s that?’”

The signs also are a way to indicate that the property owner isn’t just being lazy and avoiding mowing — that there’s a purpose for leaving the shoreline natural.

Native plants have much deeper roots than most typical lawn grass, so they help stabilize the lakeshore and prevent erosion. After a rainfall, they also

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While many lake residents believe their property should look “neat and tidy,” giving up the stress of having to meticulously mow and maintain perfect lawns lets people enjoy their property even more, Whitmer said.

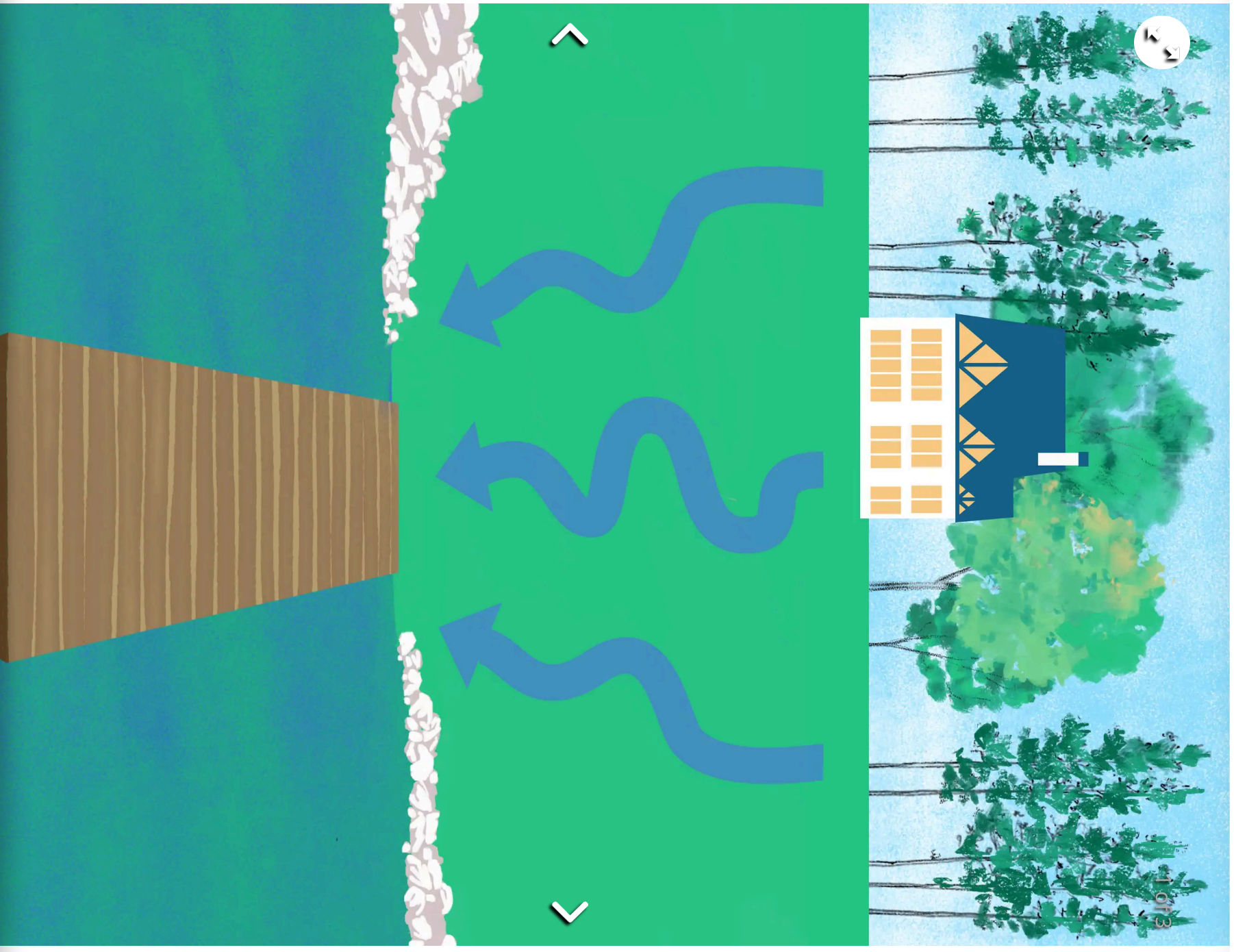
“When you let things grow, you don't really miss it anymore,” she added. “That neat and tidy — that was just a lot of work. When you're neat and tidy, any little elevation of the grass, you want to run out and fix it. So this relieves you of all that worry, and you can just enjoy what you have.”

How restoring natural shorelines improves lake health

Keeping or replacing native vegetation slows runoff, filters nutrients and benefits wildlife.



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BAD: This lakeshore property has no trees or native vegetation to absorb runoff from the house and lawn. Rain water runs directly into the lake, carrying sediment and nutrients like phosphorus. The mowed lawn and rocks provide no wildlife habitat.

Illustration by Jennifer Lu | APM Reports

Going 'wild and free' to curb pollution

Across Minnesota, the trend of lakeshore development in the past few decades has been larger homes with more driveways, patios and manicured lawns. More hard surfaces and the loss of natural shoreline contribute to erosion and nutrient pollution in lakes.

Gull Lake still has relatively good water quality. The Minnesota Department of Natural Resources grades it a B for lake health. But the phosphorus level is higher than it was pre-development, Whitmer said.

"So we're moving in the wrong direction," she said. "That's why I think if we could get people to plant and become lake stewards, we can make the water quality sustainable."

Lake Steward program co-chair and naturalist Kris Driessen, 69, has been a Gull Lake resident since the 1960s, when small cabins and pine trees ringed the lake.



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Docks line a developed section of Gull Lake in the town of East Gull Lake on June

3. Ben Howland | MPR News

More recently, many homeowners have installed rock boulders along the shore, which look neat but don't filter nutrients and actually can make things worse, she said.

"It acts like a bulldozer with ice heaves," Driessen said. "It pushes it up further, and there's more runoff."

Riprap also tends to be more expensive to install than natural vegetation and still requires maintenance, according to the DNR.

Driessen helps educate people about using deep-rooted native plants to help hold the soil in place, slow runoff and keep phosphorus and other nutrients from polluting the lake.

She speculates that new residents might not know about natural alternatives to riprap, which is often promoted by landscape contractors.

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Lake Steward program co-founder Kris Driessen stands in a section of natural shoreline in East Gull Lake. Ben Howland | MPR News

Landscape contractors who specialize in restoring natural lakeshores sometimes need to overcome clients' skepticism or fears about losing their lake access or view.

"Sometimes it's all about education, letting them know that there are other options, other tools in the toolbox" besides riprap, the solution that often comes to mind, said Brad Vierkant, director of ecological projects for Sauk Rapids-based Natural Resource Services.

While in some cases rocks might be the best method to repair an eroding shore, Vierkant prefers more natural solutions, such as using logs made of coconut fiber or other biodegradable material and planting native plants to hold the soil in place.

With Driessen's guidance, Whitmer has transformed her Gull Lake property. Mowed lawn has been replaced by thick native plants and colorful wildflowers that attract bees and butterflies

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in the morning. It was just unbelievable. It's brought me so much happiness."

And she's shifted her thinking about what a lake property should look like. Neat and tidy is OK — inside the house, Whitmer said. "Then, when you go outside, be wild and free."

Funding for this series is provided in part by the Four Cedars Environmental Fund of the Duluth Superior Area Community Foundation.

- ▶ [On Cross Lake, loons make the case for protecting wild shores](#)
- ▶ [10 key data points and graphs about loss of shoreline on Minnesota's lakes](#)
- ▶ [In NW Wisconsin, a county finds paying homeowners to keep shorelines natural pays off](#)

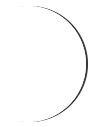
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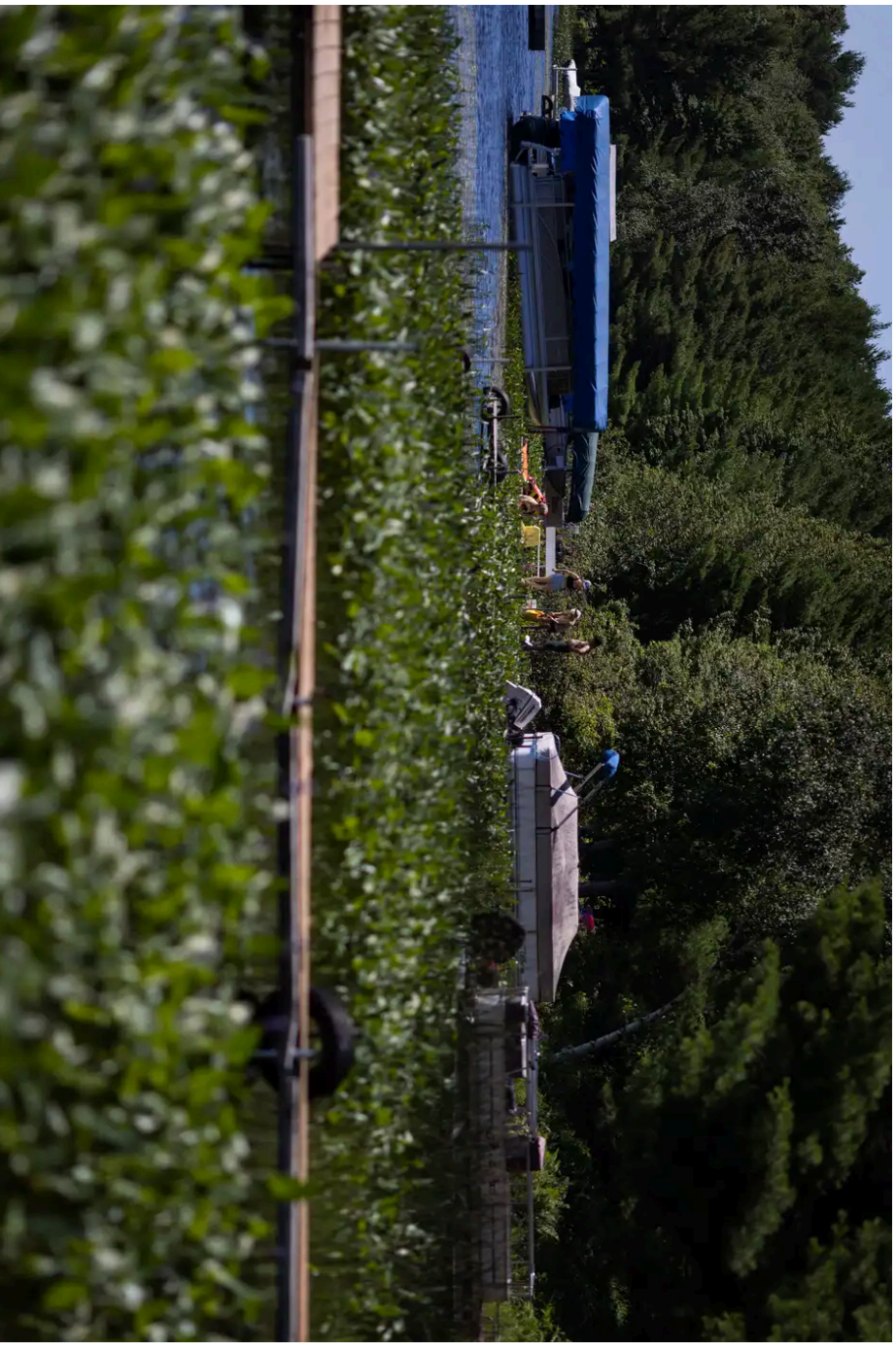


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▾ Trouble by the water: Minnesota's vanishing natural lakeshores

Kirsti Marohn · Webster, Wis. · August 16, 2024 4:00 AM

In NW Wisconsin, a county finds paying homeowners to keep shorelines natural pays off



Purple pickerel rush lines the shoreline along Warmer Lake in Burnett County, Wis., on July 3. Ben Hovland | MPR News

Listen In NW Wisconsin, a county finds paying homeowners to keep shorelines natural pays off



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**QUICK
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Losing natural shorelines to development is a major environmental problem. In Burnett County, Wis., officials found success paying cash to property owners to keep shorelines pristine. One Twin Cities watershed has taken notice.

Mike and Sally Kindell bought a home six years ago on Warner Lake in Burnett County, lured largely by the lake's clean, clear water.

It doesn't suffer the late-summer algae blooms that turn the water green and slimy on lakes across Wisconsin and Minnesota. One big reason why: It still boasts plenty of undeveloped, wooded lakeshore that helps filter runoff and nutrient pollution.

"The lake is really what was appealing to us," Sally Kindell said. "We certainly did research the quality of the water, and that was really important to us."

While protecting the lake aligns with their values, the Kindells have another reason for keeping their property deliberately natural. They're part of a program in Burnett County that pays homeowners to protect their lakeshore, the only one of its kind in Wisconsin.

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Landowners who enroll in the shoreline incentive program agree to follow the county's lakeshore zoning rules. If their property doesn't meet the rules, they're required to restore it.

In exchange for enrolling, landowners get an initial payment of \$250, plus a \$50 check every year. The county also will pay up to 70 percent of the cost of



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Sally and Mike Kindell are enrolled in Burnett County's Shoreline Incentive Program, pictured on their Warner Lake property in Burnett County, Wis., on July 3. Ben Howland | MPR News

While the payments are relatively modest — Burnett County puts the total annual cost at \$35,000 to \$40,000 a year — officials say the incentive has preserved more than 50 miles of shoreline and helped cultivate a culture of stewardship, by engaging property owners to care about their lakes' health.

"I would just say it's just as much an educational tool as it is a reward tool," said Burnett County conservationist Dave Ferris, who helped create the program in 2000. "Luckily, the county board has been very supportive of that. It helps a lot, and solves a lot of problems down the road."

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© OpenStreetMap contributors

Created with [Datawrapper](#)

Lake advocates cite the 24-year-old Burnett County program as a model that could be replicated in Minnesota, where nearly half of the state's natural shorelines have been lost to suburban-style development. Over the past few decades, property owners have cleared trees, built larger homes and converted natural shorelines to manicured lawns or rock riprap.

Burnett County's success has caught the attention of some in the Twin Cities region. The Comfort Lake-Forest Lake Watershed District northeast of St. Paul launched a pilot program last year that pays property owners up to \$300 a year to keep their lakeshore natural.

"Basically, it's our effort to incentivize good property management that's beneficial for the watershed, while also rewarding those who are already doing that work for us," said Aidan Read, land management specialist with the watershed district.

The program is now in its first full year. Lake associations have been helping spread the word and there's been a lot of interest, Read said. "We've been very, very busy this year, which has been great."

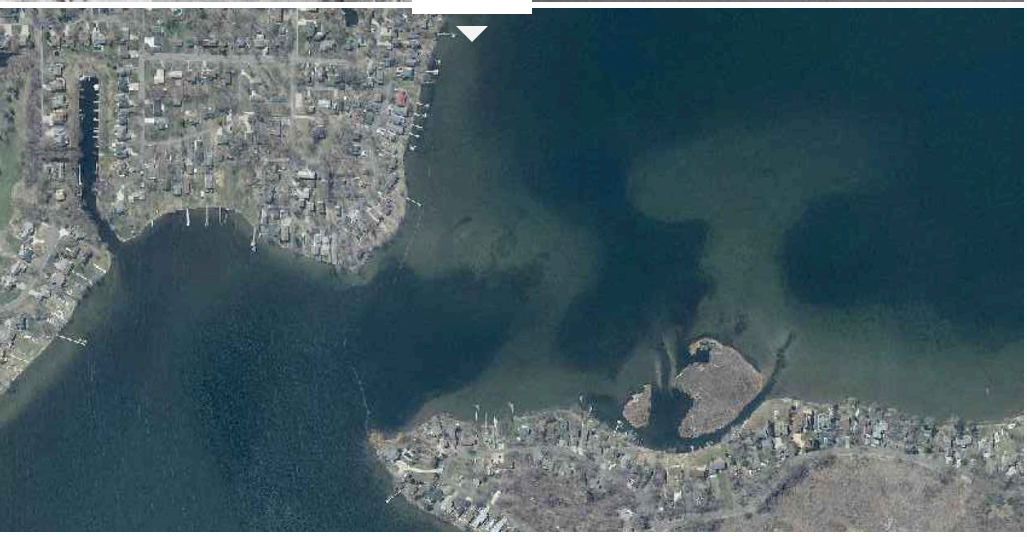
Changes on Forest Lake

Aerial imagery shows how development on Forest Lake in Washington County has changed



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1945



‘Reward people for doing the right thing’

Burnett County doesn’t have any large cities, and much of its land is still forested. But development is increasing, and it’s putting pressure on the lakes.

Its location about a two-hour drive from the Twin Cities makes it popular for seasonal residents. Its population jumps from about 15,000 in the winter to 75,000 in the summer, said Emily Moore, county water resources specialist. Along with climate change, it’s affecting lake health, she said.

“We do have some lakes in the county, even with good water clarity, that we are seeing algae blooms just because of the environment — how it’s changing, the water is warming up,” Moore said. “Constant pressure of people

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About 800 of Burnett County's lake properties — roughly 10 percent — are enrolled in the shoreline incentive program. County officials say it's helped educate homeowners and provided another motivation to restore their lakeshore to a more natural condition that protects the lake.



Burnett County Water Resources specialist Emily Moore is in charge of site visit inspections for Burnett County's Shoreline Incentive Program. Ben Howland | MPR News

“Over the years, people have picked away at the shoreline, and it gets less and less natural,” Ferris said. “Pretty soon, it's nothing but green grass right down to the water, without anything stopping runoff.”

Burnett County started the voluntary program in 2000 when it was revising its mandatory lakeshore zoning rules, which had been confusing and difficult to enforce, Ferris said.

In their place, the county adopted a clear directive that lake property owners should keep a buffer of natural vegetation at least 35 feet deep along the water, he said.

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When a homeowner enrolls in the program, a covenant is placed on the property that remains permanent, even if it's sold. The county does spot checks on about 10 percent of the properties every year to make sure they're still complying.

"Then we'll send a letter just letting them know, 'Hey, your shoreline looks good,'" Moore said. "Or, 'Hey, you need to work on this area.'"

Real estate agents don't always disclose the restrictions when they sell a home, so sometimes new buyers aren't aware of them, she said.

Rather than using heavy-handed enforcement, the program also gives the county staff a chance to build a positive relationship with the homeowner and offer advice on improving their property. Moore has given the Kindells ideas of what native plants to plant, and will help them design a rain garden they want to install.

Enrollment in the shoreline incentive program boomed when it first started. It's slowed, but keeps adding new members, Moore said.

"We hope to continue building it, just because we know how much pressure our shoreline properties are getting right now with people migrating away from the cities up to a North Woods feel here," she said.

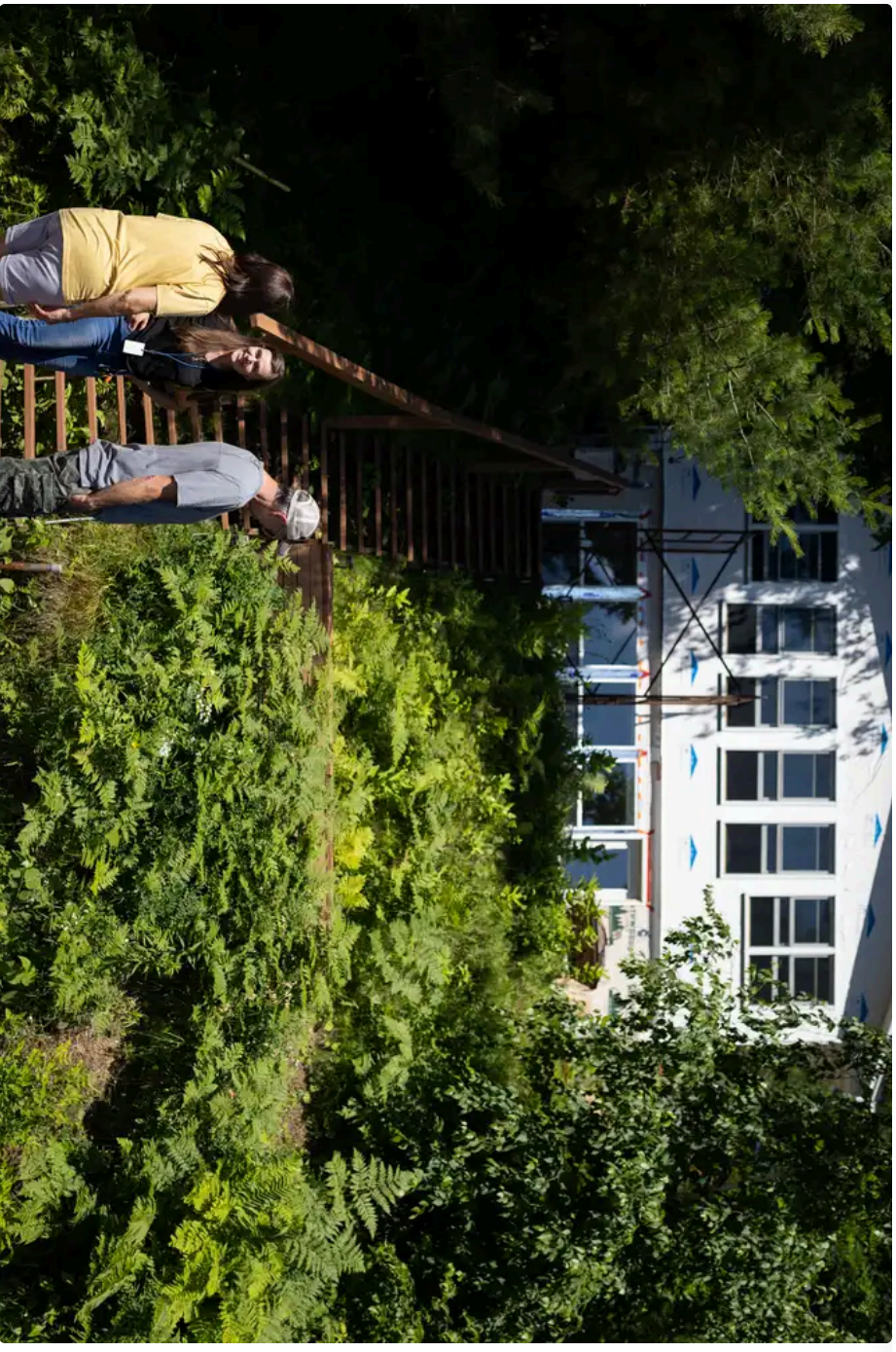
Of the county's 500-plus lakes, 350 have at least one property in the program. Once a few homeowners join, others on the lake tend to follow, Moore said.

"It seems like neighbors talk to neighbors," she said. "We are seeing a lot of properties being clustered on a lake, which has been really cool to see."

By the same token, if people see their neighbor clear-cutting their shoreline, they assume they can do it too, Moore said.



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Burnett County Water Resources specialist Emily Moore (center) chats with lakeshore property owners Mike and Sally Kindell at their home on Warner Lake in Wisconsin on July 3. Ben Howland | MPR News

'Not just your shoreline'

Many property owners today understand the pressures of development and the impacts on water quality but there's always at least one person who doesn't want a "weedy" natural shoreline and would rather have a manicured lawn, Moore said.

She pitches homeowners on the importance of not only keeping a buffer along the shore but also about letting vegetation grow in the lake itself.

Property owners are allowed to clear a 30-foot-wide path to navigate a boat, but lily pads, pickerel, watershed and other aquatic plants are good at buffering waves from boats that can damage the sandy shore, she added.

"So it's not just your shoreline," Moore said. "It's what's in the lake, too."

The previous owners had already enrolled in the program when the Kindells

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“We thought that was a really good idea, so we just kind of stayed with it,” Mike Kindell said.

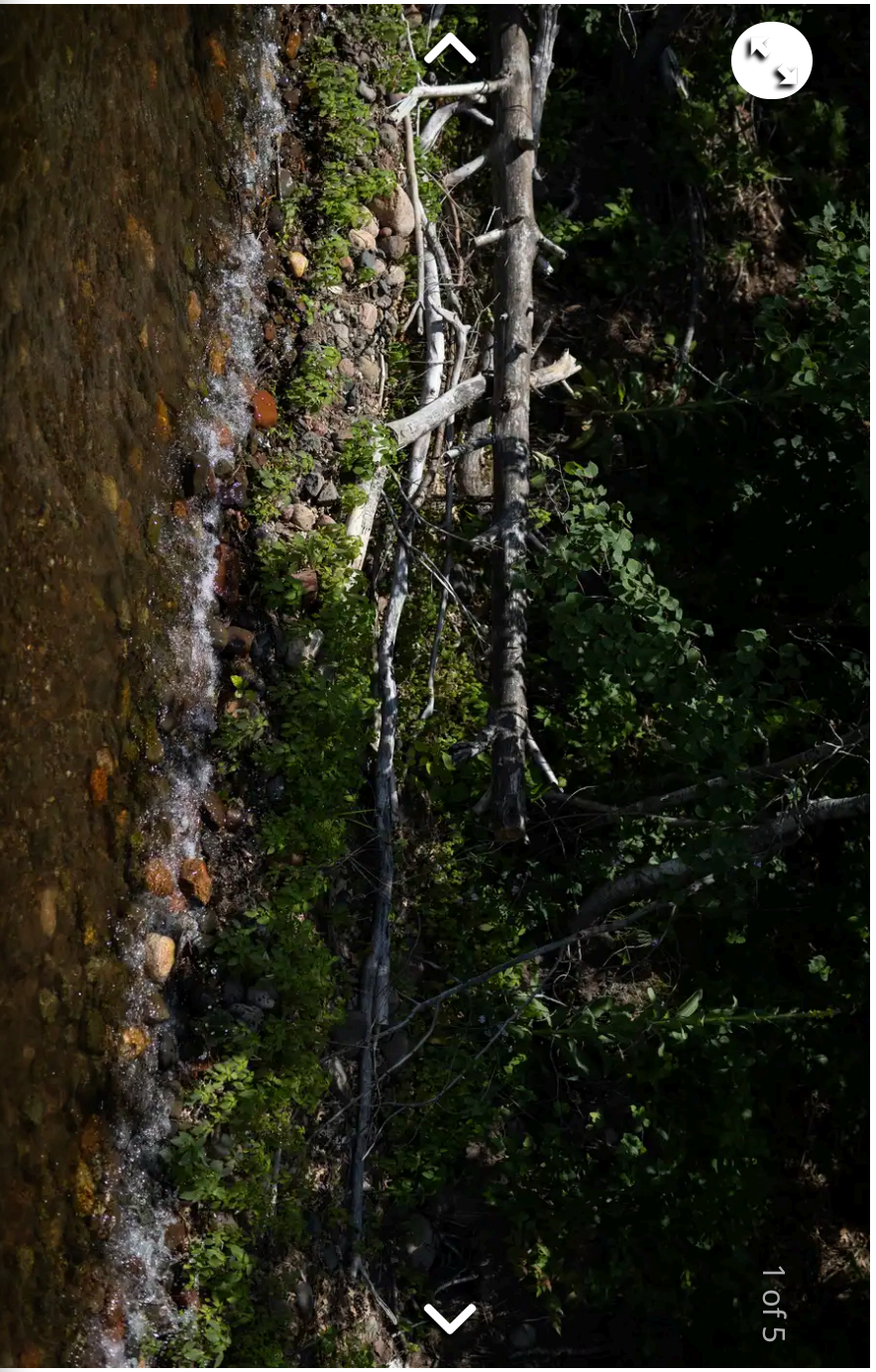
The couple has used the payments to buy more native plants and seeds, including milkweed, bee balm and black-eyed Susans that attract pollinators and birds.

Unlike conventional grass lawns, the native plants have deep roots that absorb runoff and keep nutrients from flowing into the lake.

The Kindells plan to keep adding to their native plantings. They say the money is a nice bonus, but they would still keep their shoreline natural even without the payments.

“I think regardless,” Sally Kindell added, “we would be doing it, because it’s important to us.”

Funding for this series is provided in part by the Four Cedars Environmental Fund of the Duluth Superior Area Community Foundation.



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2024 Land Use Permits									
NUMBER	DATE RECD	DATE APPRVD	PROPERTY ADDRESS	LAST	FIRST	ZONE	PIN	DESCRIPTION	FEE
01-24	1/10/24	1/12/24	17472 NEAGLE LAKE RD	Gleason	John	SR	22130537	13' x 22' (286 sf) accessory structure (carport)	100
02-24	2/2/24	2/5/24	39855 Majestic Rd	Berger	Vanessa & Joe	SR	22320510	30' x 40' (1,200 sf) addition to accessory structure	200
03-24	2/12/24	2/16/24	40134 Red Fox Ln	Olson	Gregory & Shari	RR	22280648	Construct 2,816 sf single family dwelling	450
04-24	2/17/24	3/4/24	15634 County Road 1, Lot 40	Olds	Randy	WOC	22270507	Replace existing dwelling with 26.8' x 54' (1,447 sf) manufactured dwelling	350
05-24	3/4/24	3/4/24	16146 W Eagle Lake Rd	Hatcher	Brady	SR	22140507	Construct retaining wall < 4' height and parking areas consisting of class 2 granite and install 1.5" river all immediate vicinity of clubhouse	50
06-24	3/1/24	3/8/24	41170 West Fox Lake Rd	Nibbe	James & Denise	SR	22210504	Construct 434 sf dwelling addition and 116 sf deck/stairway addition	150
07-24	3/11/24	3/11/24	13893 County Road 1	Lano	Roger & Jennifer	FM	22330511	Construct 40' x 80' (3,200 sf) accessory structure	300

NUMBER	DATE RECD	DATE APPRVD	PROPERTY ADDRESS	LAST	FIRST	ZONE	PIN	DESCRIPTION	FEE
08-24	3/25/24	4/1/24	14496 Grouse Ln	Stovern	Pam	SR	22280649	Construct 2,900 sf single family dwelling, 32' x 40' (1,280 sf) accessory structure, establish view corridor and construct 4' wide walkway in SIZ	650
09-24	4/5/24	4/26/24	40764 W Fox Lake Rd	Grosser	Stever	SR	22280551	Construct replacement 2,862 sf single family dwelling	550
10-24	4/12/24	4/26/24	tbd	Kuckhahn	Tom	FM	22330508	Construct 24' x 24' (576 sf) storage building	150
11-24	4/24/24	4/29/24	39437 East River Rd	Novak	Sleve	SR	22350509	Replace existing stairway with 2'-4" wide stairway	50
12-24	5/3/24	5/10/24	16625 Deer Ln	Cagle	Gregg & Kim	SR	22110505	Construct 24' x 36' (864 sf) accessory structure	200
13-24	5/13/24	5/20/24	42533 Keego Lake Rd	Mudek	Dan	SR	22150504	14 cu yd of grading outside-CHW level setback	50
14-24	5/23/24	5/24/24	17407 N. Mitchell Lake Rd	Michel	Rick & Heather	SR	22120571	4.5 cu yd grading in SIZ 1	100
15-24	5/17/24	6/3/24	42003 County Rd 136	Cielinski	Nick	SR	22130530	2,400 sf dwelling addition	300

NUMBER	DATE RECD	DATE APPRVD	PROPERTY ADDRESS	LAST	FIRST	ZONE	PIN	DESCRIPTION	FEE
16-24	6/3/24	6/7/24	41379 Old Kego Lake Rd	Johnson	Mary Joe & Vanessa	SR	22220585	Construct 365 sf replacement deck	100
17-24	6/3/24	6/7/24	39855 Majestic Rd	Berger		SR	22320510	Construct 26' x 30' (780 sf) accessory structure	200
18-24	6/10/24	6/14/24	40824 Peninsula Rd	Kovacevick	Michelle	SR	22220566	Construct 13' x 36' (468 sf) lean-to addition on existing accessory structure.	150
19-24	6/3/24	6/14/24	16634 Brody Ct	Crawford	Diane	RR	22260504	Construct a 3,012 sf single family dwelling	550
20-24	6/4/24	6/17/24	40519 Peninsula Rd	Taatjes	Ben	SR	22270621	Construct 36' x 54' (1,944 sf) accessory structure	200
21-24	6/17/24	7/8/24	40532 W Fox Lake Rd	Lehman	Chris and Sarah	SR	22280540	Construct 2,882 sf single family dwelling with attached deck, 32' x 32' (1,024 sf) accessory structure and 8' x 12' (96 sf) accessory structure	650
22-24	6/3/24	6/24/24	16969 North Eagle Lake Rd	Petersen	Michael & Joan	SR	22130559	Relocate existing retaining wall and install 15' wide sand area	100
23-24	6/3/24	7/12/24	16243 Eagles Turn	Jacobs	Jon	SR	22230526	Construct 30' x 50' (1,500 sf) accessory structure	350
24-24	6/18	6/24/24	17113 Northland Dr.	Strain	Steve	SR	22120539	15' wide sand area not to exceed 10 cu yd	100
25-24	6/24/24	7/8/24	41915 Shamrock Ln	Preiner	Ken	SR	22240528	Construct 400 sf addition to existing deck and 6' wide roof overhangs on existing dwelling.	100

NUMBER	DATE RECD	DATE APPRVD	PROPERTY ADDRESS	LAST	FIRST	ZONE	PIN	DESCRIPTION	FEE
26-24	7/8/24	7/8/24	16914 North Eagle Lake Rd	Solberg	Dennis	SR	22240594	Replace retaining wall with several boulders in an 8'-10' wide sloped area.	50
27-24	6/24/24	6/24/24	40447 Town Hall Road	City of Fifty Lakes		C	22250516	Construct a 12' x 20' (240 sf) pergola on existing patio area.	n/a
28-24	7/1/24	7/12/24	tbd	Hemagin	Andrew	SR	22120505	Construct a 2,160 sf single family dwelling	450
29-24	7/12/24	7/12/24	40705 Sunset View Lan	Lawrence	Justin	SR	22270606	Construct 12" high retaining wall and various site grading to control runoff/mitigate erosion	100
30-24	7/16/24	7/19/24	17672 Buchite Rd	Stone	John	SR	22360530	driveaway. Restore existing driveway located on subject property.	50
31-24	7/16/24	7/22/24	40918 Peninsula Rd	Elvebak	Mitch & Melonie	SR	22220568	Construct a 16' x 22' (352 sf) accessory structure	100
32-24	7/26/24	7/26/24	41615 Eagle Lake Rd	Wanty	Phillip	SR	22240589	Construct 12' x 12' (144) screened/attached dwelling addition (gazebo)	100
33-24	7/19/24	7/26/24	15634 County Road 1, Lot 9	Precht	Paul	WOC	22270538	Replacement 7' x 8' (56 sf) accessory structure	75
34-24	7/26/24	7/29/24	15122 County Road 1	Fink	David	SR	22270579	Construct a 30' x 40' (1,200 sf) accessory structure	200
35-24	7/29/24	8/5/24	16240 Eagles Turn	Kourajlian	Paul	SR	22230520	Construct 4' wide steps, and walking path within 15' wide clearcut area. Construct retaining wall (<4') in RLZ to control runoff.	100
36-24	7/31/24	8/9/24	41142 Peninsula Rd	Harris	Thomas	SR	22220613	Construct a 24' x 26' (624 sf) accessory structure	200
37-24	8/8/24	8/9/24	13817 County Road 36	Haughey	Matt & Jacqueline	SR	22310515	Construct a 36' x 60' (2,160 sf) accessory structure	300

2024 SSTS Permits

Permit #	Date Rec.	Date Apprvd.	New or Rep.	PN	Location	Last Name	First Name	Type	Installer/License #
SSTS01-24	3/4/24	3/8/24	Rep	22130559	16969 N. Eagle Lake Rd	Petersen	Michael & Ioan	3- 10' x 37.35 pressure bed, 2 tanks	Schrupp L747
SSTS02-24	3/8/24	3/11/24	Rep	22140507	16146 W Eagle Lake Rd	Eagle Golf Club		3- Replacement 1,500 gal septic tank	Wannebo 925
SSTS03-24	3/25/24	4/1/24	New	22280649	14996 Grouse Ln	Stovern	Thomas & Pamela	1- rock trenches, 2250 gal tank, 600 gpd	Schrupp L747
SSTS04-24	5/17/24	6/3/24	Rep	22130530	42003 County Rd 136	Cielinski	Nick	1- rock trenches, new tanks	Bradley L3995
SSTS05-24	6/17/24	7/8/24	New	22280540	40532 W Fox Lake Rd	Lehman	Chris & Sarah	1- pressure bed, 750 gpd, 2 tanks	
SSTS06-24	6/25/24	7/1/24	Rep	22250518	16951 County Rd 1	Potz	David	1- Rock trenches, new 1500 gal tank, 600 gpd	Schrupp L747
SSTS07-24	7/1/24	7/12/24	New	22120505	Rbd N Mitchell Lake Rd	Hennagin	Andrew	tanks	Picks Septic W4277



CITY OF FIFTY LAKES

July 29, 2024

Attn: Brad Busby
Anderson Brothers Const.
11325 Hwy 210 E
Brainerd, MN 56401

**Re: Interim Use Permit IU-01-24 Approved
City of Fifty Lakes**

Mr. Busby,

The City of Fifty Lakes approved your interim use permit request to operate a temporary/portable asphalt plant in an existing pit on the property located south of County Road 1 and east of County Road 66 (no physical address- parcel number 22290510).

The approval was made by the Planning Commission at their meeting on July 23, 2024 based on the following findings of fact and with the following conditions of approval.

Findings of Fact:

1. The subject property is described as: S 1/2 OF NW 1/4 OF SW 1/4 SEC 29 TWP 138 RGE 27. PIN 220293100C00009.
2. The subject property is 20 acres and is located in the "Forest Management" land use district.
3. The interim use permit request is to operate an asphalt hot mix facility for a four week period of time.
4. The proposed use is allowed with an interim use permit. Section 5.10.05 "Standards" of Section 5.10 "Extractive Use Standards" of the Fifty Lakes Land Use Ordinance states, "An extractive use shall be used only for those operations directly related to the extractive use. Any other use shall require an Interim Use Permit."
5. The proposed temporary structures meet all setback requirements of the "Forest Management" land use district.
6. The existing and proposed impervious surface coverage of the subject property is less than 5%.
7. The proposed use, with conditions, will not have an impact on the health, safety and general welfare of the occupants in the surrounding neighborhood. The subject property is adjacent to property used for residential purposes (south/southeast) and vacant land (west, north and east).
8. The proposed use, with conditions, will meet all standards of the ordinance.
9. The comprehensive plan does not specifically reference "hot mix facilities." The plan states, "Truck and seasonal residential traffic on City and County Roads is increasing.

CITY HALL: 218.763.3113 • FAX: 218.763.5113

E-MAIL: 50Lakes@emily.net • WEB: FiftyLakesMN.com

40447 TOWN HALL RD • PO BOX 125 • FIFTY LAKES, MN 56448

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- This increase in usage places higher demands on the transportation system and may be the cause for increasing maintenance costs of these roads (pg. 25)” and “Require stricter site development and restoration plans and periodic inspections for extractive uses (pg. 31).”
10. The proposed use, with conditions, will not impact the value properties in the neighborhood nor will it impact future development of properties in the surrounding area.
 11. The proposed use will not generate an increased demand for additional public utilities, public utilities or schools. The proposed use will generate additional truck traffic on County Road 1 and County Road 136.
 - a. The Crow Wing County Highway Department did not provide comments regarding the interim use permit request.
 - b. The proposed use will not generate additional traffic on local streets.
 12. The proposed use, with conditions, will not adversely impact groundwater, surface water and air quality.
 13. The proposed use conforms with the City’s land use regulations.
 14. Permitting of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future. The applicant has posted a \$15,000 bond with the city for reclamation of the property for the existing extractive use operation.
 15. The applicant agrees to all conditions that the planning commission deems appropriate for permission of the use.

Conditions of Approval:

1. The asphalt hot mix facility may operate during the months of September and November.
2. The asphalt hot mix facility may operate from 7 AM to 7 PM, Monday through Saturday. The facility may not operate on federal holidays. Equipment maintenance may take place during those hours when the hot mix facility is not allowed to operate.
3. The applicant shall notify the city of the start date of operation of the hot mix facility at least one week prior to commencement of the operation.
4. All apparatus associated with the hot mix asphalt facility shall be removed from the property within two weeks after the conclusion of asphalt production.
5. All truck traffic associated with the hot mix facility shall enter and exit the property using the haul road in the northeast corner of the property (adjacent to County Road 1).
6. Anderson Brothers shall designate primary and alternate contacts who will be available for citizens to contact with any questions and/or concerns when the temporary hot mix asphalt facility is in use.
7. A bond of \$35,000 shall be established to cover reclamation costs associated with the hot mix facility. (*Anderson Brothers has a current \$15,000 bond for overall site reclamation of the subject property*).
8. All legal fees and other costs associated with the hot mix facility incurred by the city of Fifty Lakes shall be reimbursed by the applicant.
9. A copy of the Storm Water Pollution Prevention Plan (SWPPP) shall be provided to the city before the hot mix facility may operate.
10. Loaders, bulldozers and other machinery and equipment on the subject property must utilize Mine Safety and Health Administration (MSHA) approved reverse-activated strobe lights in lieu of audible reverse alarms.

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

Sincerely,

CITY OF FIFTY LAKES



Justin Burslie

Planning and Zoning Administrator

Cc: City Council

Planning Commission

Brian & Colleen Dobie- property owners