
CITY OF FIFTY LAKES
PLANNING COMMISSION/BOARD OF ADJUSTMENT
AGENDA - AMENDED

February 25, 2025 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.

Planning Commission member Gary Oster will attend remotely from the following address: Paseo Ixtapa s/n-Lote 8, Zona Hotelera, 40884 Ixtapa Zihuatanejo, Guerrero, Mexico.

- 1. Call to Order**
- 2. Roll Call**
- 3. Election of Officers; Elect Chairperson and Vice-chairperson**
- 4. Additions or Deletions to Agenda**
- 5. Public Hearings**
 - a. **Variance Application (VAR-01-25)** to expand a pre-existing dwelling and encroach the ordinance high water (OHW) level setback for a dwelling addition within the Shoreland Residential (SR) zoning district. The subject property is located at 16969 North Eagle Lake Rd. PIN 22130559. The applicants/property owners are Michael & Joan Petersen.
 - b. **Ordinance Amendment 2025-1 (OA-02-25)** for the creation of a Public & Parks (PP) Zoning District within the city of Fifty Lakes. Applicant: The City of Fifty Lakes.
 - c. **Zoning Map Amendment (ZMA-03-25)** to re-zone three city-owned parcels from Commercial (C) zoning district to Public & Parks (PP) zoning district. The subject properties are located at 16785 County Rd 1 (22250517), 40447 Town Hall Rd (22250516), 40366 Co Rd 3 (22250500). Applicant: The City of Fifty Lakes.
- 6. Open Forum**
- 7. Approval of Minutes**
 - a. November 26, 2024
- 8. New Business**
 - a. None
- 9. Old Business**
 - a. None
- 10. Council Liaison Report: Juan Cabrera**
- 11. P&Z Administrator's Report**
- 12. Adjourn**

CITY OF FIFTY LAKES
NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN: Notice is hereby given that the City of Fifty Lakes Planning Commission/Board of Adjustment will convene on Tuesday, February 25, 2025, at 6:00 p.m. at City Hall located at 40447 Town Hall Road, to conduct the following public hearings:

Variance Application 01-25 to expand a pre-existing dwelling and encroach the ordinance high water (OHW) level setback for a dwelling addition within the Shoreland Residential (SR) zoning district. The subject property is located at 16969 North Eagle Lake Rd. PIN 22130559. The applicants/property owners are Michael & Joan Petersen.

Ordinance Amendment 02-25 for the creation of a Public & Parks (PP) Zoning District within the city of Fifty Lakes. Applicant: The City of Fifty Lakes.

Zoning Map Amendment 03-25 to re-zone three city-owned parcels from Commercial (C) zoning district to Public & Parks (PP) zoning district. The subject properties are located at 16785 County Rd 1 (22250517), 40447 Town Hall Rd (22250516), 40366 Co Rd 3 (22250500). Applicant: The City of Fifty Lakes.

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.

Bethany Soderlund, Zoning Administrator
City of Fifty Lakes

STAFF REPORT

Agenda Item: 5a
Application: Variance 01-25
Property Owner/Applicant: Michael & Joan Petersen

PROPERTY INFORMATION:

PID: 22130559
Acres: .46 Acres
Zoning: Shoreland Residential (SR)
Physical Address: 16969 N Eagle Lake Rd
Location: 13/138/27
Septic: Installation - 05/14/2024
Existing/Proposed Impervious: <15%

Aerial:



Contours:



FEMA:



NWI:



Other: N/A

Background Information:

The applicants are requesting a variance to construct a 24' x 31' (744 sf) dwelling addition within the OHW level setback and an 8' x8' deck addition to an existing deck 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 with decks 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. The 8' x 8' deck addition does not place the deck any further toward the OHW.

The city granted a variance (V-04-24) to the property owners/applicants in September 2024 to construct a 24' x 28' (672 sq. ft.) dwelling addition. Their proposed project has changed, thus requiring additional approvals and a new variance.

Permit History:

- 1997: SSTS
 - 1998: Garage
 - 2005: Screen Porch
 - 2023: Variance – SSTS
 - 2024: Shoreland Alteration
 - 2024: Variance - Dwelling
-

Complete Application Received: 1/27/2025
Action Deadline: 3/28/2025
15.99 Waiver: N/A
Wetland Delineation: N/A
Fees Collected: \$450.00
Authorized Agent: N/A
Reviewed by:

- City Engineer: N/A
- City Attorney: N/A

Notifications:

- DNR: Sent 2-10-2025
- MNDOT: N/A
- CWC HWY: N/A
- Other: N/A

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

3.08 Variances

3.08.01 Variance Application

After a pre-application meeting with the Zoning Administrator, an application for a variance shall be filed with the Zoning Administrator and include:

- a) A completed variance application on forms provided by the City, and,
- b) A certificate of survey signed by a registered land surveyor licensed in the State of Minnesota, unless the Zoning Administrator determines otherwise. A negative determination, signed by the Zoning Administrator, shall be made in writing and forwarded to the applicant and the Planning Commission/Board of Adjustment setting forth the facts upon which the determination was

made. Required certificates of survey shall indicate information pertinent to the application which may include the following:

1. Graphic Scale
2. North Point
3. Bearing/Coordinate System
4. Date of Preparation
5. Legal description of subject parcel boundary and resulting parcels
6. Property boundary with sufficient survey and mathematical data to locate and retrace the boundary.
7. Location of right of ways, public roads and easements of record.
8. Structure setbacks including all pertinent dimensions.
9. Area of parcel(s) in square feet and acres.
10. Total Area of riparian parcel and area above ordinary high water elevation level.
11. Buildable area of parcel(s).
12. Building Envelope. City of Fifty Lakes Land Use Ordinance 15
13. Location, square footage and height of all existing and proposed structures/additions.
14. Location of all wells (existing and proposed) and septic systems.
15. Location and size of all existing and proposed driveways, roads and easements.
16. Nonconforming structure setbacks including all pertinent dimensions.
17. Bluff or steep slopes including all pertinent dimensions and setbacks.
18. Shoreline and ordinary high water elevation line, if riparian.
19. Location of delineated Wetlands.
20. Impervious Coverage Calculation

3.08.02 In accordance with Section 3.12, within 15 working days of receiving a variance application, the Zoning Administrator shall review the application to determine if it is complete. The applicant shall be notified of any additional information needed. When the Zoning Administrator determines that application complete, the 60-day review period begins.

3.08.03 The Zoning Administrator shall have the discretion to determine whether an application may be forwarded to the Planning Commission/Board of Adjustment without an accompanying certificate of survey. Such determination shall be made in writing on a form approved by the City Council for this purpose. The form shall specifically set forth the facts upon which the determination was made, and a copy, signed by the Administrator, shall be forwarded to the City Council and to the Planning Commission/Board of Adjustment.

3.08.04 Public Hearing Public hearings shall be conducted according to the provisions of Section 3.03 of this ordinance.

3.08.05 Variance Criteria

- a) Variances shall only be allowed in accordance with Minnesota Statutes, Chapter 462.357 subd. 6.
- b) No variance shall be granted that would allow any use that is prohibited in the land use district in which the subject property is located.
- c) In considering a variance request, the Planning Commission/Board of Adjustment must determine that “practical difficulties” exist according to the following factors:
 - 1. Is the variance request in harmony with the purposes and intent of this ordinance?
 - 2. Is the variance consistent with the Fifty Lakes Comprehensive Plan?
 - 3. Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?
 - 4. Is the need for a variance due to circumstances unique to the property and not created by the property owner?
 - 5. Will the issuance of a variance maintain the essential character of the locality?
 - 6. Does the need for a variance involve more than economic considerations?
- d) Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, Chapter 216C.06, Subd. 14 , when in harmony with the ordinance.
- e) The Planning Commission/Board of Adjustment may permit as a variance the temporary use of a one family dwelling as a two family dwelling.

3.08.06 Conditions May Apply

- a) If the variance criteria in Section 3.08.03 have been met, the Planning Commission/Board of Adjustment, in approving any such application, may require additional mitigating requirements to protect the public health, safety, or the environment, to be imposed as a condition for granting of the variance. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance. Such conditions may include, but are not limited to, the following:
 - 1. Mitigation actions to off-set environmental consequences of variance approval according to Section 8.03.08., c.;
 - 2. Increased setbacks from the ordinary high water level;

3. Limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted according to Section 8.03.08;
 4. Special provisions for the location, design, size and use of allowed structures, sewage treatment systems, and vehicle parking areas;
 5. Performance security as prescribed in Section 3.16 of this ordinance.
 6. Extension of the time frame within which the variance must be substantially completed.
- b) The Zoning Administrator may conduct follow up inspections as necessary to insure that the conditions established by the Planning Commission/Board of Adjustment are met.
 - c) Failure to comply with variance conditions as imposed by the Planning Commission/Board of Adjustment is a violation of this ordinance punishable under Section 2.05.

3.08.07 Variance Decision

After reviewing the application, considering all pertinent facts, and hearing testimony at the public hearing, the Planning Commission/Board of Adjustment may approve, deny, or modify the variance request. The Planning Commission/Board of Adjustment shall prepare written findings of fact to support its decision. A copy of the decision and findings of fact shall be mailed to the applicant by the Zoning Administrator. If the variance is approved, the Administrator shall cause a copy of the variance to be recorded with the land records for the subject property in the Office of the County Recorder. A copy of the final decision granting a variance within a shoreland or floodplain area shall be sent to the Commissioner of the Department of Natural Resources within 10 days of final action.

3.08.08 Approved Variances.

- a) A variance shall run with the land and is transferable with the real estate to subsequent owners.
- b) A permit for construction approved under a variance shall be applied for within six months of the date of variance approval. Construction approved under a variance shall be substantially completed within two years of the date of approval.

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 31’ (744 sf) dwelling addition within the OHW level setback.
3. The variance request includes adding an 8’ x8’ area to the existing deck within the OHW setback. This proposed deck addition does not extend toward the lake any further than the existing deck.
4. The subject property contains a limited building envelope. Any expansion to the pre-existing dwelling requires a variance.
5. The existing and proposed impervious surface coverage of the property is 14.9% (15% allowed.)
6. The DNR has been notified of the request.
7. Will granting the variance put property to use in a reasonable manner not permitted by the zoning ordinance?
 - a. Yes, the applicant is proposing to continue the use of the property as a single family residential dwelling and the property provides limited options for building.
8. Does the property have unique circumstances that were not created by the landowner?
 - a. Yes, the property is a non-conforming legal lot of record, has a small building envelope, and is consistent with neighboring cabin setbacks.
9. 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.
10. Will the variance, if granted, be consistent with the comprehensive plan and be in harmony with the purpose and intent of the City of Fifty Lakes ordinances?
 - a. Yes, the request, with conditions, is consistent with the purpose and intent of the zoning ordinance and the following goal in the comprehensive plan, “To preserve the natural character and environmental quality of the lakeshore and still allow reasonable use for property owners and the public.”.
11. Has the variance request been made based on reasons other than economic considerations alone?
 - a. Yes, the request has been made on factors other than economic considerations.

Board of Adjustment Direction : The Board of Adjustment may 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: Should the planning commission approve the variance request, staff recommends the following conditions of approval:

1. All construction shall be in substantial conformance with the presented plan as shown. Deviations from the presented plan will require modified approval by the Planning Commission.
2. The existing screening/vegetative buffer located between the dwelling and the lake shall remain in place in perpetuity.
3. 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.
- 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 *you have (V-02-24*
- 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.

PROPOSED CONDITIONS AND REQUIREMENTS

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

CITY OF FIFTY LAKES

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
- 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
- 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

CITY OF FIFTY LAKES

Project Completed

ID No: _____

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

218-763-3113

www.fiftylakesmn.com

VARIANCE APPLICATION

RECODE: _____ INACTIVE: RECODE2: _____
 LAST NAME: Petersen FIRST NAME: Michael and Joan
 ADDRESS: 3200 Hilldale Ave NE PHONE: [REDACTED]
 CITY: St Anthony STATE: MN ZIP: 55418
 ADDRESS 2: _____
 CITY 2: _____ STATE 2: _____ ZIP 2: _____
 OWNER: _____

LOCATION _____ RECODE/PARCEL NUMBER: _____
 LEGAL DESCRIPTION: attached w/ survey

TOWNSHIP: 130 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 Rd
 HOUSE NUMBER: 16969 STREET NAME: North Eagle Lake Rd

IS THE PROPOSED VARIANCE IN THE SHORELAND AREA? Yes No

SPECIFICALLY STATE THE NATURE OF VARIANCE REQUESTED: 31' x 24' addition to our cabin. Various amendment to V-02-24 as to Misreading Survey set back (thought 77 feet to existing cabin, actual is 85')

EXPLAIN THE PURPOSE OF YOUR REQUEST AND DESCRIBE THE PRACTICAL DIFFICULTY: No Full Basement proposed now, need to add about 3' main floor for floor plan

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

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

CITY ACTION

APPROVED: _____ DATE: _____

CONDITIONS: _____

RATIONALE: _____

NOTES: _____

APPLICATION DATE: _____ Signed _____
 VARIANCE ID: _____ FEE: _____ Applicant
 DATE FEE PAID: _____ Signed _____
 FEE PAID BY: Check # _____ Cash City Clerk or authorized agent
 DATE APPROVED: _____ Signed _____
 EXPIRATION DATE: _____ Zoning Administrator or authorized agent

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?

Result of misreading survey setback of 77 feet to OHW line, actual is 85 feet. (77 was to existing deck). Additional 3 feet to south requested as we are not doing full basement.

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

small lot, this is an extension of previous variances V-02-24.

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

Single family cabins, some 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?

3' Additional Does Not affect neighbor sight lines to lake in any way or enjoyment of the area.

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

No. Variance is result of misreading survey setback, it appeared 77 feet to existing structure, actual setback is 85 feet (77 was to existing deck).

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

only option in which includes some of building envelope.

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

~ attached as cover sheet ~

CITY OF FIFTY LAKES
PLANNING & ZONING
AUTHORIZED AGENT FORM

N/A

I hereby authorize _____
Agent / Contractor (Please Print)

Contractor's License Number

Contractor's Phone Number

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

This Authorized Agent Form is valid until _____

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

Real Estate Code _____ Section: _____

Site address _____

Property Owner(s) Signature _____ Date _____

Property Owner's last name (please print) _____

Property Owner's Phone Number _____

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

IMPERVIOUS PERCENTAGE

TOTAL LOT 13,320 SQ. FT

EXISTING TOTAL COVERAGE 1,126 SQ. FT

(BUILDINGS = 1051 sq. ft)

(CONCRETE = 5 sq. ft)

(PAVERS = 9 sq. ft)

(RETAINING WALLS = 61 sq. ft)

$$\text{EXISTING} = \frac{1,126}{13,320} = 8.453\%$$

• ADDITION = 24' X 28' = 672 sq. ft.

• JUSTIN SUGGESTED ADDING ANOTHER 100' IMPERVIOUS FOR APPR. 10' X 20' DRIVEWAY ARE (AT 50% IMP.) = 100 sq. ft.

$$1,126 + 672 + 100 = 1898 \text{ sq. ft.}$$

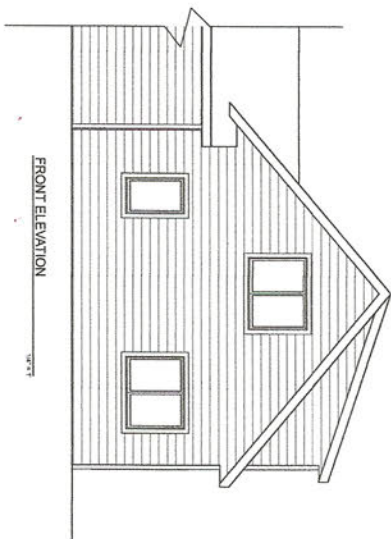
$$\frac{1898}{13,320} = 14.25\%$$

OR
↓ 24' X 31' = 744 sq. ft. (= 672 + 72)

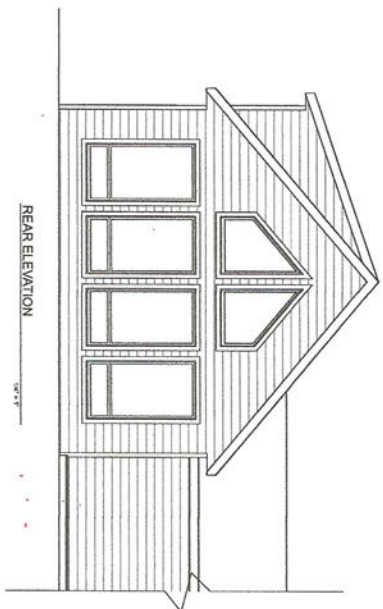
$$\frac{(1898 + 72)}{13,320} = \frac{1970}{13,320} = 14.79\%$$

NEW IMPERVIOUS
CALCULATION
SCAN (D)

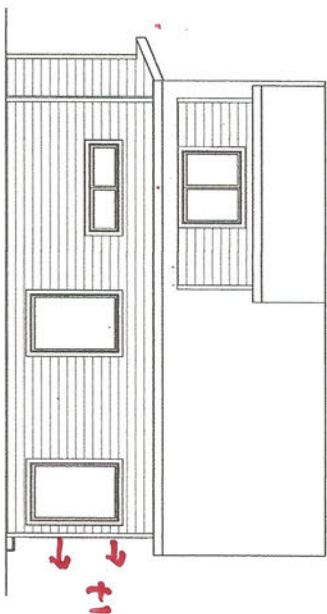
ANY INFORMATION, IDEAS, OR CONCERNS IN THIS PLAN ARE THE PROPERTY OF B-DIRT CONSTRUCTION. THESE PLANS ARE NOT TO BE REPRODUCED IN ANY MANNER WITHOUT WRITTEN PERMISSION FROM B-DIRT CONSTRUCTION.



FRONT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

GENERAL NOTES:

DISCLAIMER OF LIABILITY: THESE PLANS ARE PROVIDED AS A SERVICE TO THE CLIENT. B-DIRT CONSTRUCTION IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THESE PLANS. THE CLIENT AGREES TO HOLD B-DIRT CONSTRUCTION HARMLESS FROM ANY AND ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES, INCLUDING ATTORNEY'S FEES, ARISING FROM OR RESULTING FROM THE USE OF THESE PLANS.

DISCLAIMER OF WARRANTIES: B-DIRT CONSTRUCTION MAKES NO WARRANTY, EXPRESS OR IMPLIED, AS TO THE ACCURACY, COMPLETENESS, OR SUITABILITY OF THESE PLANS FOR ANY PARTICULAR PURPOSE. THE CLIENT AGREES TO HOLD B-DIRT CONSTRUCTION HARMLESS FROM ANY AND ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES, INCLUDING ATTORNEY'S FEES, ARISING FROM OR RESULTING FROM THE USE OF THESE PLANS.

DRAWING SCALE: UNLESS OTHERWISE NOTED, ALL DIMENSIONS ON THESE PLANS SHALL BE IN FEET AND INCHES. DIMENSIONS SHALL BE TAKEN TO THE FACE UNLESS OTHERWISE NOTED. DIMENSIONS SHALL BE TAKEN TO THE FACE UNLESS OTHERWISE NOTED.

INTELLECTUAL PROPERTY: THESE PLANS ARE THE PROPERTY OF B-DIRT CONSTRUCTION. THESE PLANS ARE NOT TO BE REPRODUCED IN ANY MANNER WITHOUT WRITTEN PERMISSION FROM B-DIRT CONSTRUCTION.



A-1

SHEET:	
PLAN DATE:	11-19-2024
	1-15-2025

DRAWINGS PROVIDED BY:
 B-Dirt Construction LLC
 Andrew Ranweiler
 218-820-5736
 andrew@b-dirt.com

PROJECT DESCRIPTION:
 PETERSEN,
 MIKE AND JOAN
 16969 North Eagle Lake Rd.
 Fifty Lakes, MN

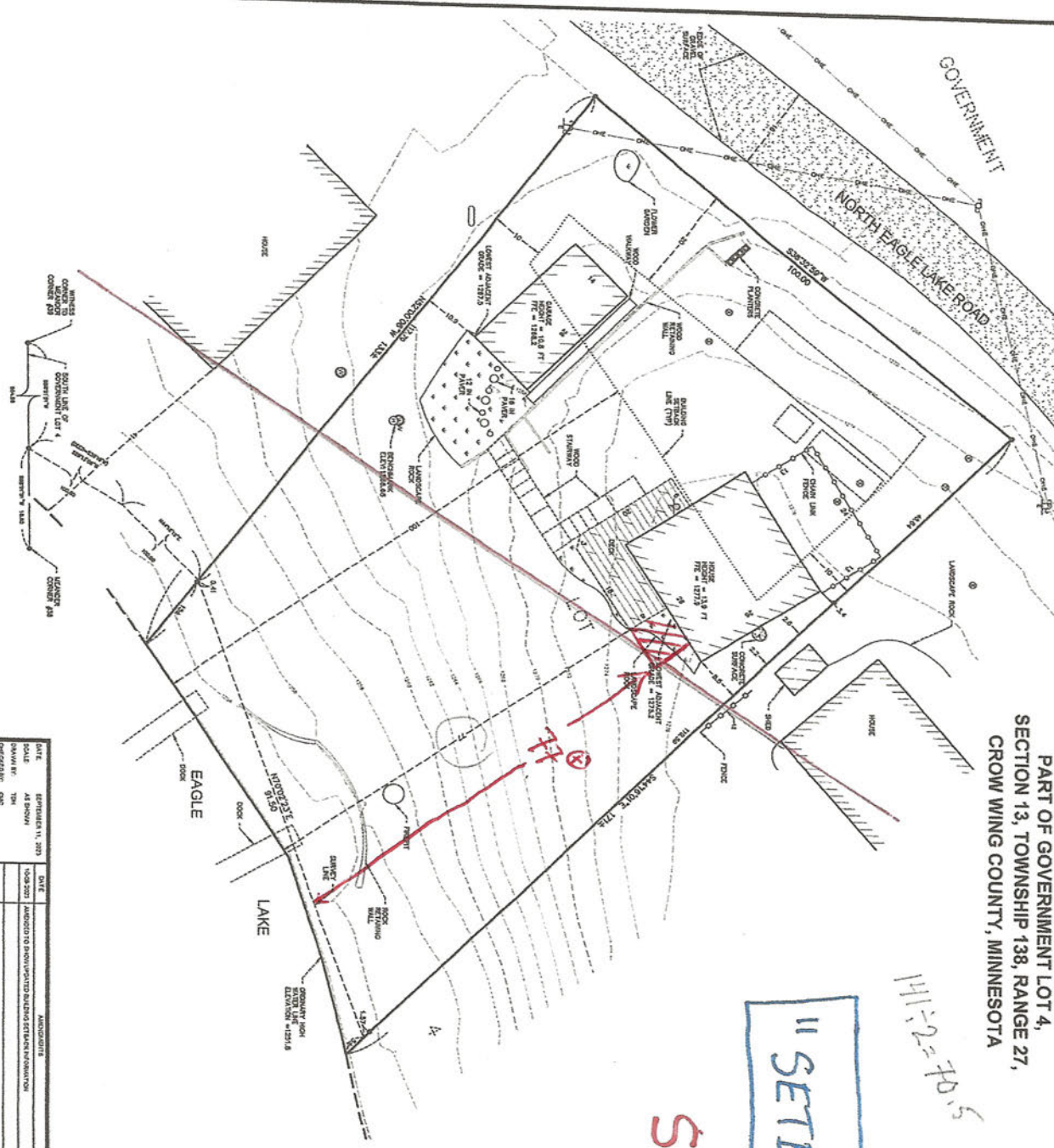
B-DIRT	DATE
CLIENT	DATE
CLIENT	DATE



CERTIFICATE OF SURVEY

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

100'
41'
141'



"SETBACK"

SCAN

141'-2" = 141'-5"

DATE	DESCRIPTION	BY
APRIL 11, 2023	PREPARED FOR: WISDETH	ARCHITECTS - ENGINEERS - SCIENTISTS - SURVEYORS
AT REQUEST	FOR: [Redacted]	
DATE	DESCRIPTION	BY
NOV 2023	ADDITION TO SHOW PRIVATE BUILDINGS FOR VARIATION	CS
	UPON REVIEW OF DEED SURVEY AND PARTIAL ADJUSTMENT	
	PERFORMED BY: CS	
THE NUMBER: 2023-1192		

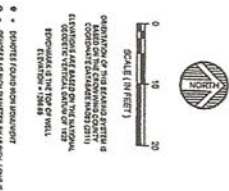
EXISTING LEGAL DESCRIPTION (According to Doc. No. 0871151):

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 18.5 feet west of corner corner 20, 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 point of beginning; thence North 71 degrees 05 minutes East 91.5 feet along said shore; thence 42 degrees 13 minutes West 100 feet to the station of the township road shown on said lot; thence South 28 degrees 30 minutes West 100 feet along said road; thence South 50 degrees 18 minutes East 177 feet to the point of beginning.

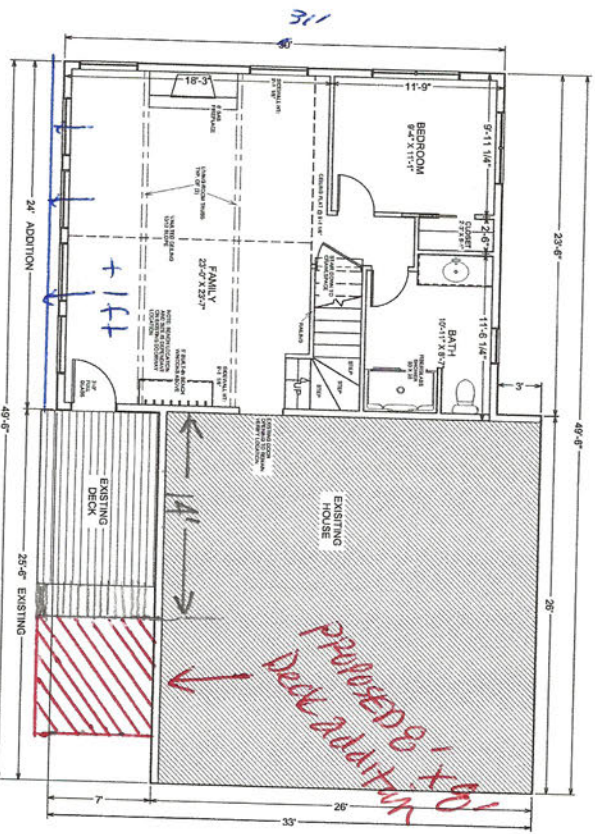
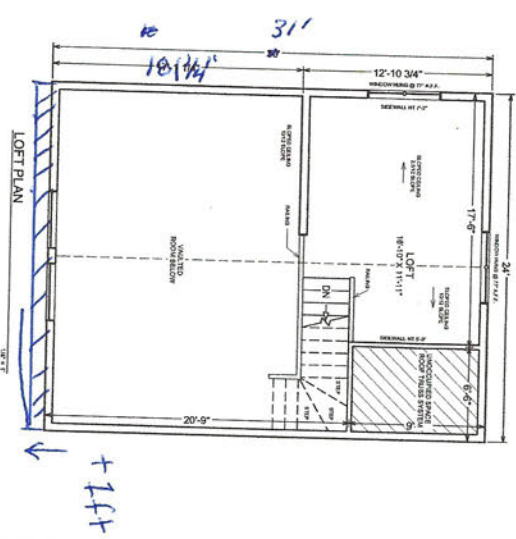
SURVEYOR'S NOTES:

THE PARCEL ID IS 22130029.
THE PHYSICAL ADDRESS IS 19689 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.
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 VISIBLE EVIDENCE ONLY. WIDSETH ASSUMES NO RESPONSIBILITY FOR THE COMPLETENESS 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 BASE MAP 83. ALTHOUGH THE EXISTING DEED BEARINGS DIFFER FROM THE CROW WING COUNTY BEARING SYSTEM, THE AMBIGUOUS RELATIONSHIP BETWEEN THE BOUNDARY LINES SHOWN CORRESPONDS TO THE DEED LINES.
ACCORDING TO MITCH BRINK, CERTIFIED WETLAND DELINEATOR NO. 807, 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.

- IMPERVIOUS CALCULATIONS:**
- TOTAL LOT AREA = 10,320 SQ. FT.
 - IMPERVIOUS COVERAGE = 1,128 SQ. FT.
 - BUILDINGS = 1,091 SQ. FT.
 - CONCRETE = 6 SQ. FT.
 - PAVING = 0 SQ. FT.
 - ASPHALT DRIVE = 81 SQ. FT.
 - IMPERVIOUS PERCENTAGE = 8.5% (1,128 / 13,230 = 0.849)

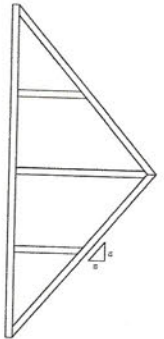


ANY INFORMATION, IDEAS, OR CONCEPTS IN THIS PLAN ARE THE PROPERTY OF B-DIRT CONSTRUCTION. THESE DRAWINGS ARE NOT TO BE REPRODUCED IN ANY WAY, WITHOUT WRITTEN PERMISSION FROM B-DIRT CONSTRUCTION.

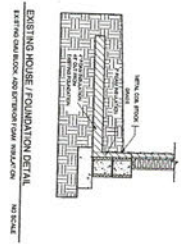


MAIN FLOOR PLAN

RAW SPACE	680 SQ. FT.
FLOOR	120 SQ. FT.
CEILING	180 SQ. FT.
TOTAL	1,980 SQ. FT.



Total (14' x 8') + (8' x 8') = 176 SQ. FT.



GENERAL NOTES:

1. THE EXISTING DRAWINGS ARE FOR VISUAL PURPOSES ONLY. INDICATIONS IN RED ARE MADE TO THE DRAWINGS WHEN FINAL ENGINEERING IS COMPLETED. THE CLIENT IS RESPONSIBLE FOR CHANGES WITHOUT NOTICE FOR A CHANGE ORDER.

2. **DISCLAIMER OF WARRANTIES:** THE ARCHITECT ASSURES THAT THE DRAWINGS AND SPECIFICATIONS ARE PREPARED BY HIMSELF OR UNDER HIS CLOSE PERSONAL SUPERVISION AND TO THE BEST OF HIS KNOWLEDGE AND BELIEF THEY COMPLY WITH ALL CITY, STATE AND FEDERAL REQUIREMENTS. THE ARCHITECT DOES NOT WARRANT THAT THESE PLANS ARE COMPLETE OR ACCURATE FOR ALL PURPOSES. THE ARCHITECT ASSUMES NO LIABILITY FOR CONSTRUCTION DEFECTS WITH THE EXCEPTOR'S OBLIGATION TO OBTAIN PERMITS AND INSURE THE PROJECT.

3. **DRAWING SCALE:** UNLESS OTHERWISE NOTED, ALL DIMENSIONS ON PLANS TAKE PRECEDENCE OVER GRAPHIC HATCH SCALE. THIS SCALE APPLIES TO ALL DIMENSIONS UNLESS OTHERWISE NOTED.

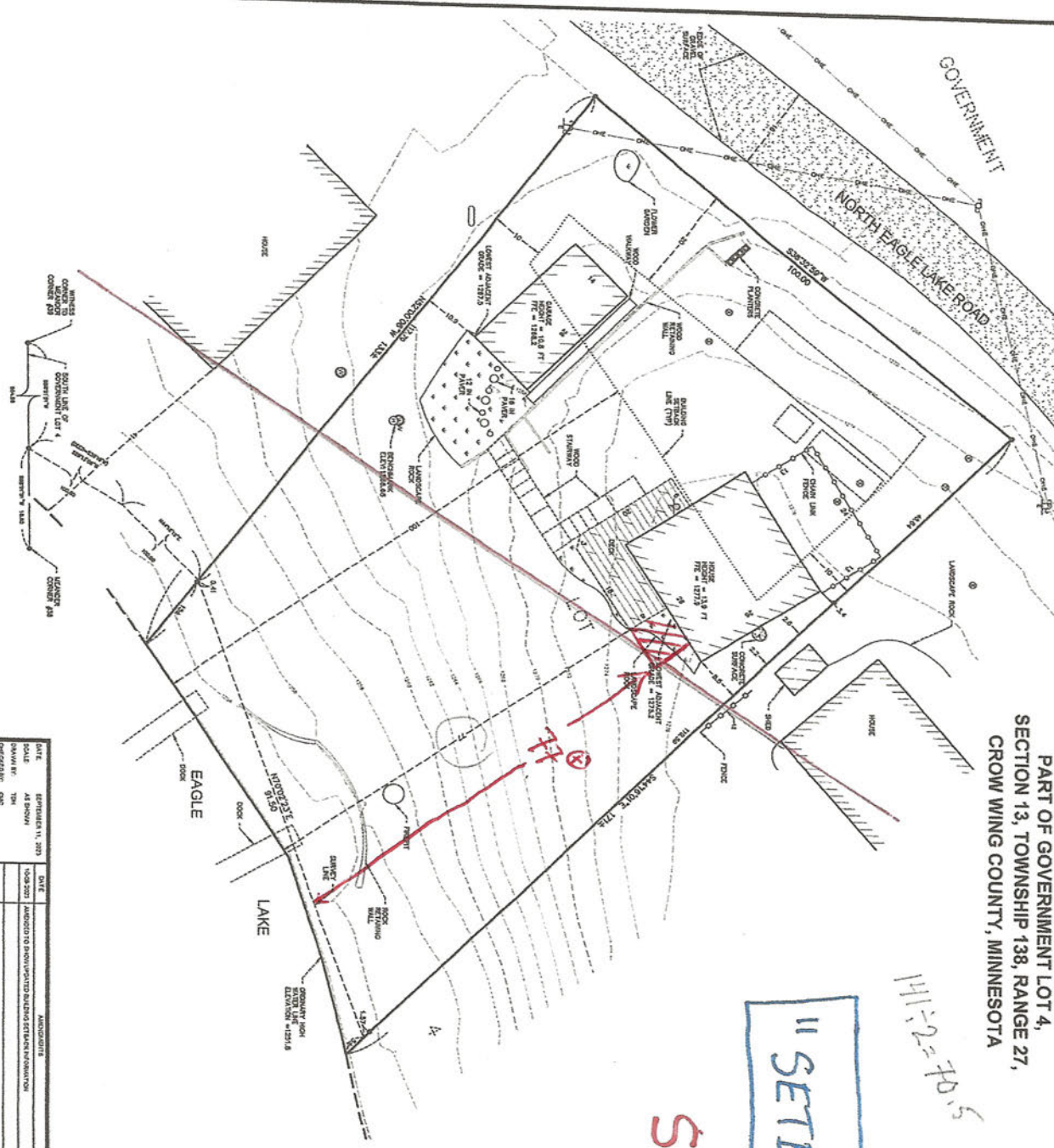
4. **INTELLECTUAL PROPERTY:** ANY INFORMATION, IDEAS, OR CONCEPTS IN THIS PLAN ARE THE PROPERTY OF B-DIRT CONSTRUCTION. THESE DRAWINGS ARE NOT TO BE REPRODUCED IN ANY WAY, WITHOUT WRITTEN PERMISSION FROM B-DIRT CONSTRUCTION.

	DATE	
	CLIENT	
PROJECT DESCRIPTION: PETERSEN, MIKE AND JOAN 16969 North Eagle Lake Rd. Fifty Lakes, MN	DATE	
	CLIENT	
DRAWINGS PROVIDED BY: B-Dirt Construction LLC Andrew Ranweiler 218-820-5736 andrew@b-dirt.com	DATE	
PLAN DATE: 1-18-2024 1-18-2025 1-31-2025	DATE	
SHEET: A-2	DATE	

CERTIFICATE OF SURVEY

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

100'
41'
141'



"SETBACK"

SCAN

141'-2" = 141.5'

DATE	DESCRIPTION	BY
APRIL 11, 2023	PREPARED FOR: WISDETH	ARCHITECTS - ENGINEERS - SCIENTISTS - SURVEYORS
APRIL 11, 2023	DATE OF SURVEY	
APRIL 11, 2023	DATE OF RECORDING	
APRIL 11, 2023	DATE OF PLOTTING	
APRIL 11, 2023	DATE OF CHECKING	
APRIL 11, 2023	DATE OF APPROVAL	

EXISTING LEGAL DESCRIPTION (According to Doc. No. 0871151):

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 18.5 feet west of corner corner 20, 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 point of beginning; thence North 71 degrees 05 minutes East 91.5 feet along said shore; thence 42 degrees 13 minutes West 100 feet to the station of the township road shown on said lot; thence South 28 degrees 30 minutes West 100 feet along said road; thence South 50 degrees 18 minutes East 177 feet to the point of beginning.

SURVEYOR'S NOTES:

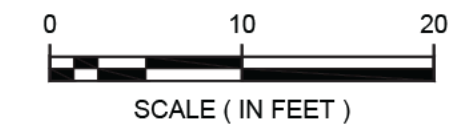
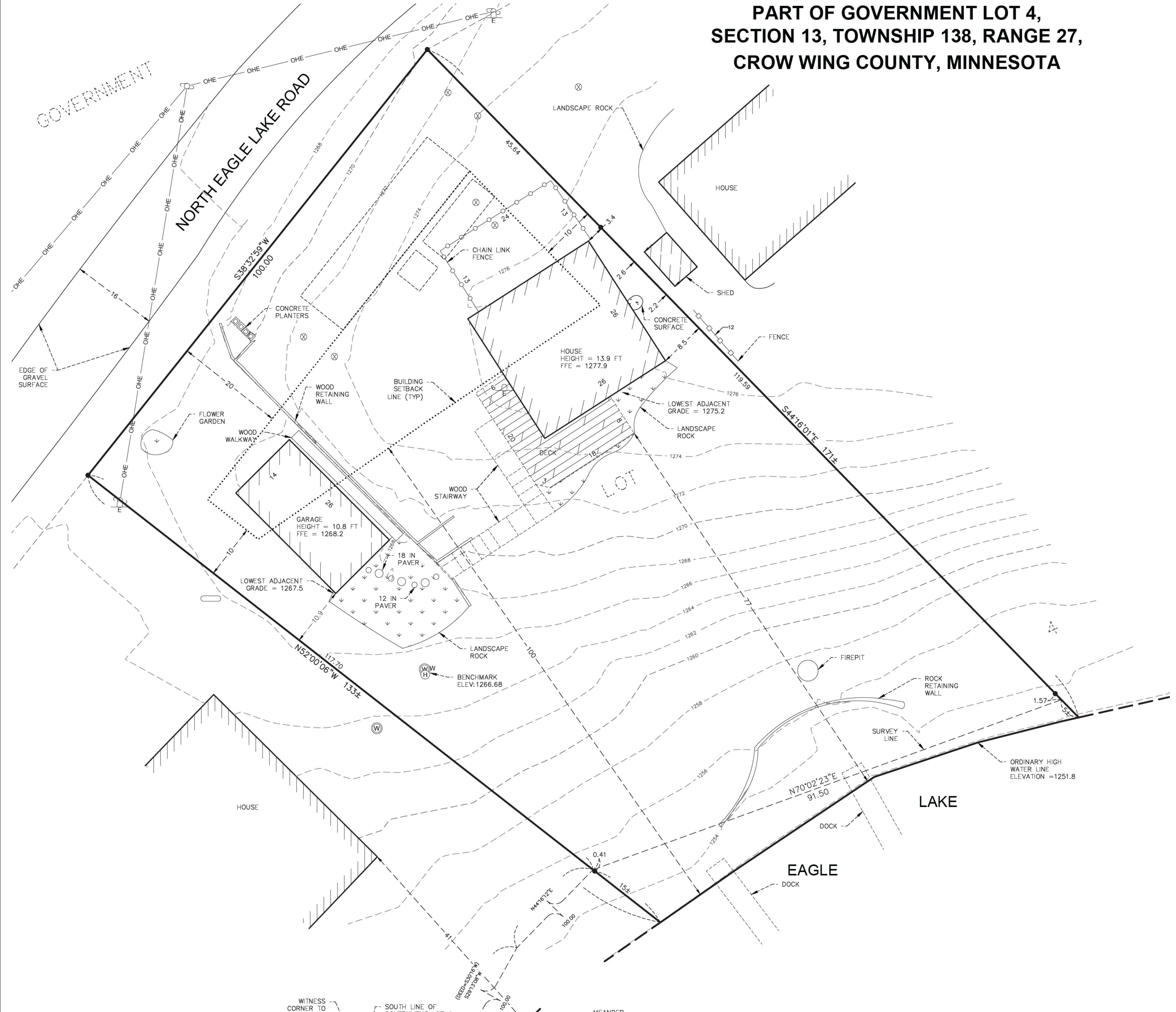
THE PARCEL ID IS 22130029.
THE PHYSICAL ADDRESS IS 19689 N EAGLE LAKE RD, FIFTY LAKES, MN
THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT OR OPINION, THERE MAY BE EASEMENTS OR OTHER LIMITING FACTORS NOT SHOWN ON THIS SURVEY WHICH AFFECT THE SUBJECT PROPERTY.
EAGLE LAKE IS CLASSIFIED 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 VISIBLE EVIDENCE ONLY. WIDSETH ASSUMES NO RESPONSIBILITY FOR THE COMPLETENESS 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 BASE MAP 83. ALTHOUGH THE EXISTING DEED BEARINGS DIFFER FROM THE CROW WING COUNTY BEARING SYSTEM, THE AMBIGUOUS RELATIONSHIP BETWEEN THE BOUNDARY LINES SHOWN CORRESPONDS TO THE DEED LINES.
ACCORDING TO MITCH BRINKS, CERTIFIED WETLAND DELINEATOR NO. 807, 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.

IMPERVIOUS CALCULATIONS:
TOTAL LOT AREA = 10,320 SQ. FT.
IMPERVIOUS COVERAGE = 1,128 SQ. FT.
BUILDINGS = 1,091 SQ. FT.
CONCRETE = 6 SQ. FT.
PAVING = 9 SQ. FT.
TOTAL IMPERVIOUS SURFACE = 1,134 SQ. FT.
IMPERVIOUS PERCENTAGE = 8.5%
(1,134 / 10,320 = 0.844)

- SHORTER POWER POLE
- SHORTER POWER POLE WITH 11.500' LONG 9" PVC EQUIPMENT SET AND SUPPORTS PER 418.0
- SHORTER LIGHT FIXTURE COLUMB
- SHORTER POWER POLE
- SHORTER EXISTING WATER
- SHORTER WATER WELL
- SHORTER NATURAL GAS LINE
- SHORTER CABLE SERVICE
- SHORTER WATER MAIN
- SHORTER OVERHUNG ELECTING LINE

CERTIFICATE OF SURVEY

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



ORIENTATION OF THIS BEARING SYSTEM IS
BASED ON THE CROW WING COUNTY
COORDINATE DATABASE NAD83 (2011)
ELEVATIONS ARE BASED ON THE NATIONAL
GEODETIC VERTICAL DATUM OF 1929
BENCHMARK IS THE TOP OF WELL
ELEVATION = 1266.68

- = DENOTES FOUND IRON MONUMENT
- = DENOTES 1/2 INCH DIAMETER BY 18 INCH LONG IRON
PIPE MONUMENT SET AND MARKED RLS # 41643
- ⊗ = DENOTES SEPTIC SYSTEM CLEANOUT
- ⊕ = DENOTES POWER POLE
- ⊖ = DENOTES ELECTRIC METER
- ⊙ = DENOTES WATER WELL
- ⊚ = DENOTES NATURAL GAS TANK
- = DENOTES GRAVEL SURFACE
- ⊙^W = DENOTES WATER HANDHOLE
- OHE — = DENOTES OVERHEAD ELECTRIC LINE

IMPERVIOUS CALCULATIONS:

TOTAL LOT AREA = 13,320± SQ. FT.

IMPERVIOUS COVERAGE = 1,126 SQ. FT.
BUILDINGS = 1,051 SQ. FT.
CONCRETE = 5 SQ. FT.
PAVERS = 9 SQ. FT.
RETAINING WALLS = 61 SQ. FT.
IMPERVIOUS PERCENTAGE = 8.5%
(1,126 / 13,320 = .0845)

EXISTING LEGAL DESCRIPTION (According to Doc. No. 0671115):

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 18.5 feet west of meander corner number 38, said point being on the shore of Eagle Lake; thence North 30 degrees 16 minutes East 100 feet along said shore; thence North 45 degrees 19 minutes East 100 feet along said shore to the place of beginning; thence North 71 degrees 05 minutes East 91.5 feet along said shore; thence 43 degrees 13 minutes West 166.8 feet to the easterly line of the township road through said Lot 4; thence South 39 degrees 36 minutes West 100 feet along said road; thence South 50 degrees 57 minutes East 117.7 feet to the place of beginning.

SURVEYOR'S NOTES:

THE PARCEL ID IS 22130559.

THE PHYSICAL ADDRESS IS 16969 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.

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 VISIBLE EVIDENCE ONLY. WIDSETH ASSUMES NO RESPONSIBILITY FOR THE COMPLETENESS AND ACCURACIES 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 COORDINATE DATABASE NAD 83. 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 MITCH BRINKS, 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 1962.

© 2023 WIDSETH SMITH NOLTING & ASSOCIATES, INC.

DATE:	SEPTEMBER 11, 2023	DATE:		AMENDMENTS:		BY:		PREPARED FOR:	MICHAEL PETERSEN
SCALE:	AS SHOWN		10-09-2023	AMENDED TO SHOW UPDATED BUILDING SETBACK INFORMATION			CPS	I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.	
DRAWN BY:	TDH								
CHECKED BY:	CMC								
FILE NUMBER:	2023-11152								
							CHAD M. CONNER	DATE:	10-09-2023 LIC. NO. 41643



ANY INFORMATION, IDEAS, OR CONCEPTS IN THIS PLAN ARE THE PROPERTY OF B-DIRT CONSTRUCTION. THESE PLANS ARE NOT TO BE REPRODUCED IN ANY WAY, WITHOUT WRITTEN PERMISSION FROM B-DIRT CONSTRUCTION.



FRONT ELEVATION
1/4" = 1'



RIGHT ELEVATION
1/4" = 1'



REAR ELEVATION
1/4" = 1'

DATE	DATE	DATE
B-DIRT	CLIENT	CLIENT

PROJECT DESCRIPTION:
PETERSEN, MIKE AND JOAN
 16969 North Eagle Lake Rd.
 Fifty Lakes, MN

DRAWINGS PROVIDED BY:
 B-Dirt Construction LLC
 Andrew Ranweiler
 218-820-5736
 andrew@b-dirt.com

PLAN DATE:

11-19-2024
1-15-2025

SHEET:
A-1



GENERAL NOTES:

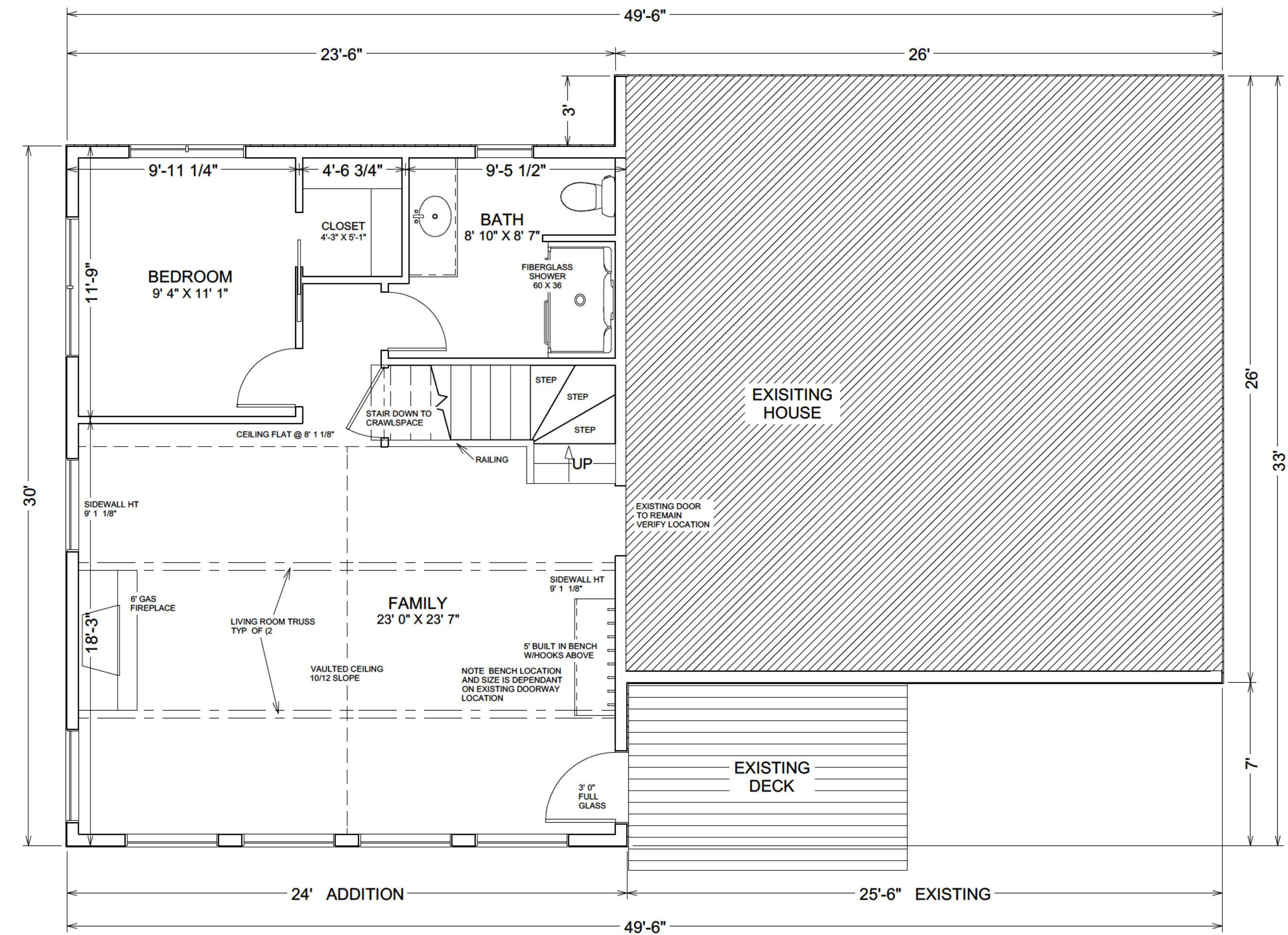
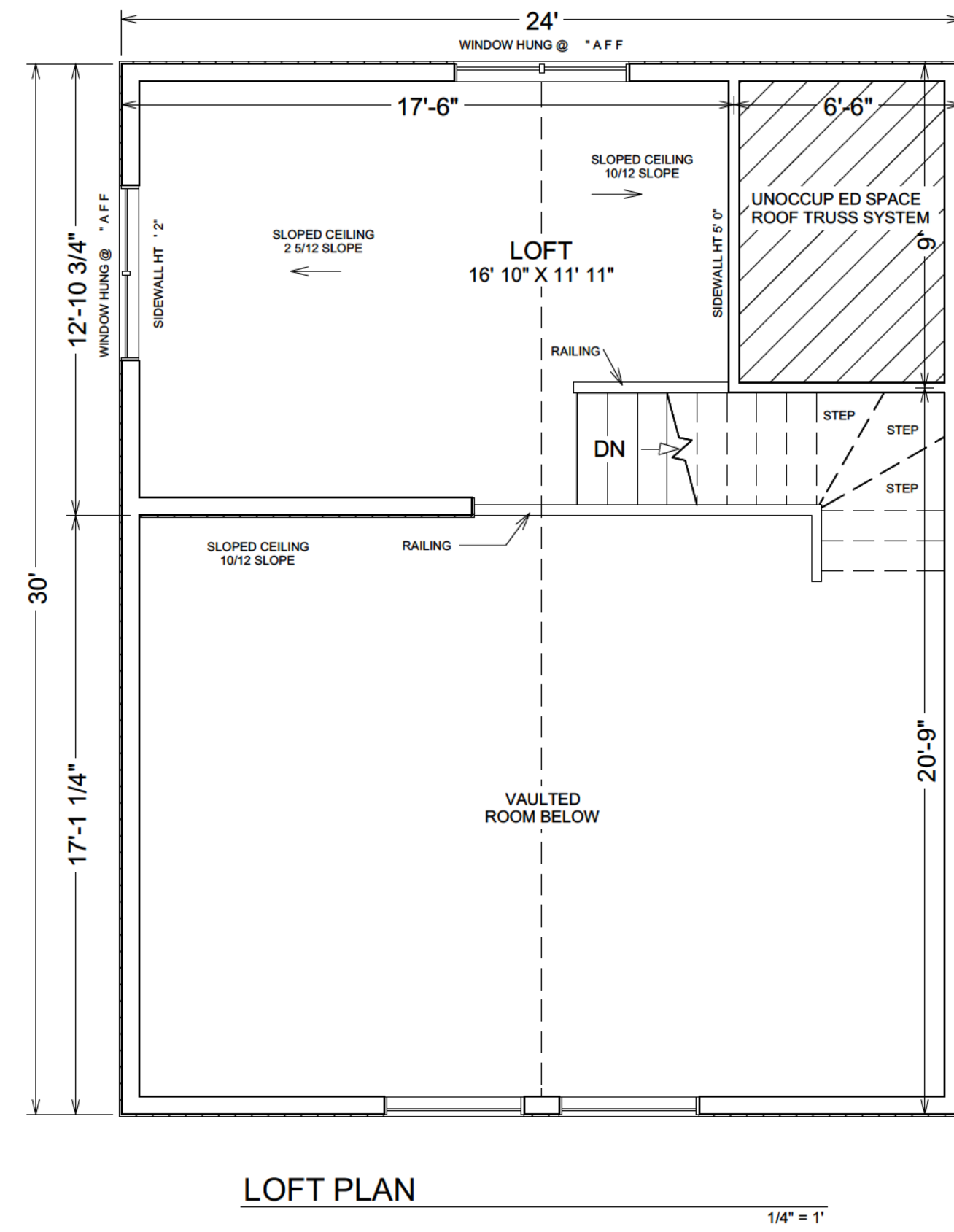
DISCLAIMER OF EXTERIOR ELEVATIONS
 THE EXTERIOR ELEVATIONS ARE FOR VISUAL PURPOSES ONLY. MODIFICATIONS IN REGARDS TO HEEL HEIGHT, TALL WALLS, BEARING AND/OR FLOOR JOIST DEPTH MAY NEED TO BE MADE TO THE DRAWINGS WHEN FINAL ENGINEERING IS COMPLETE. THE CLIENT AGREES TO THESE CHANGES WITHOUT NEED FOR A CHANGE ORDER.

DISCLAIMER OF WARRANTIES
 THESE PLANS ARE FOR GENERAL INFORMATION OR GUIDANCE ONLY. B-DIRT DOES NOT WARRANT THAT PLANS ARE COMPLETE OR ACCURATE FOR ANY PARTICULAR PURPOSE. RELIANCE ON THESE PLANS IS AT THE SOLE RISK OF THE USER. RESULTS OBTAINED FROM USE OF THESE PLANS FROM B-DIRT ARE WITHOUT WARRANTY OF ANY KIND WHETHER IMPLIED OR EXPRESSED. RESPONSIBILITY FOR CONSTRUCTION RESTS WITH THE BUILDER, OWNER OR USER OF THESE PLANS.

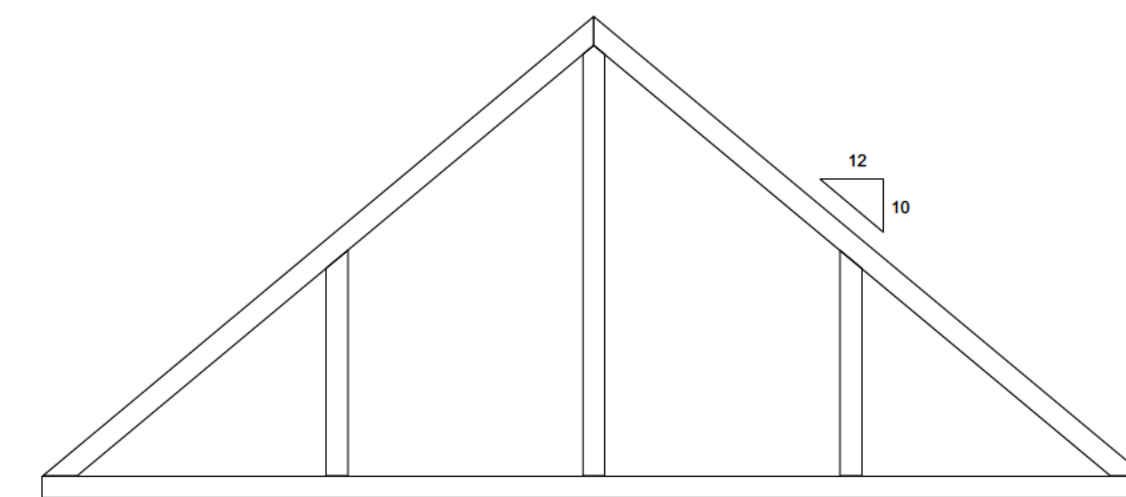
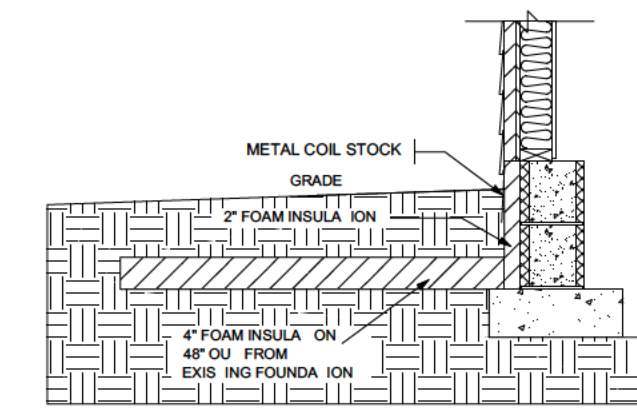
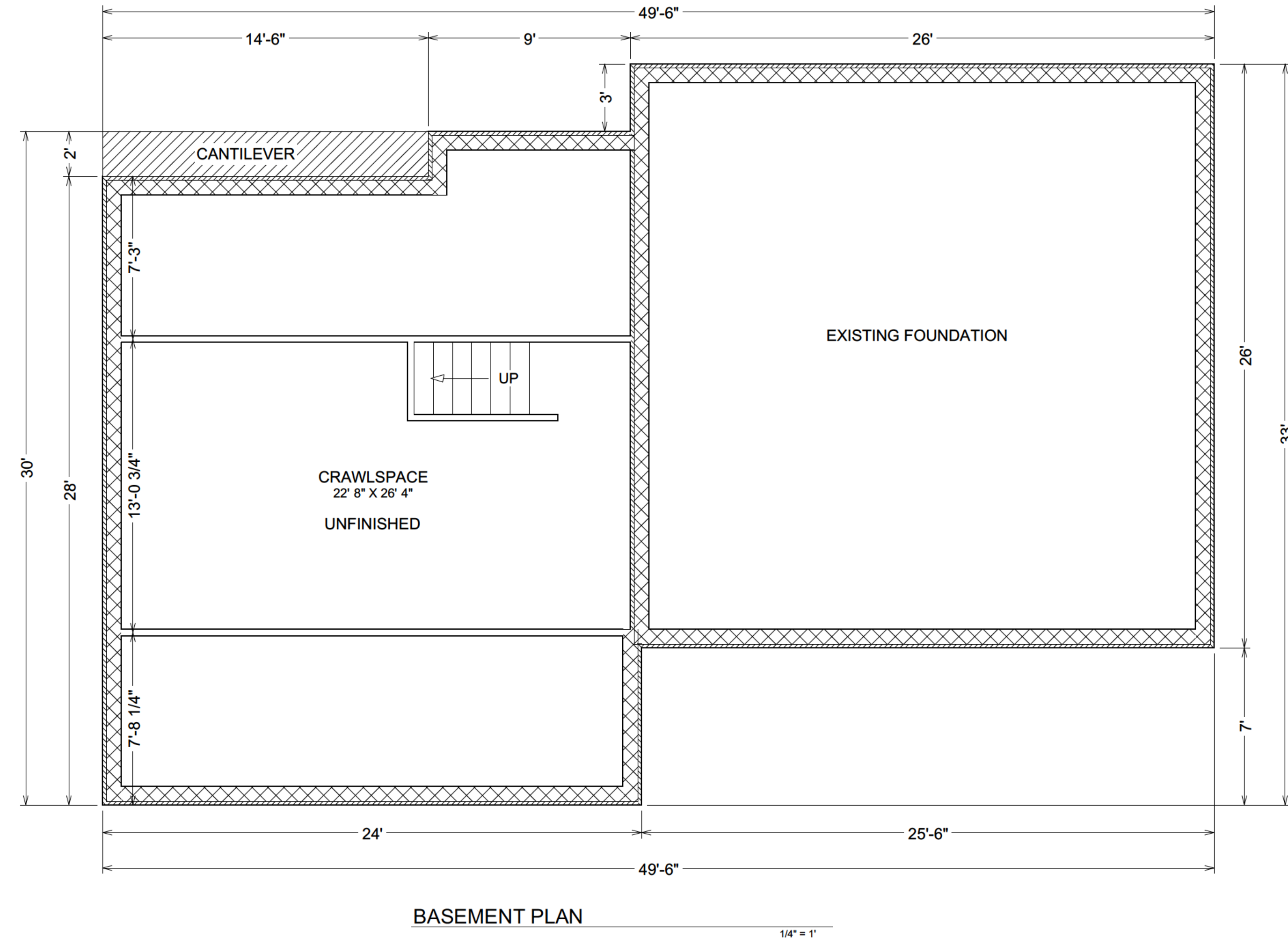
DRAWING SCALE
 WRITTEN DIMENSIONS ON PLANS TAKE PRECEDENCE OVER GRAPHIC PRINTED SCALE. PLANS ARE DRAWN TO SCALE ON 24" X 36" PAPER. INDIVIDUAL PRINTERS MAY DISTORT THIS SCALE.

INTELLECTUAL PROPERTY
 ANY INFORMATION, IDEAS, OR CONCEPTS IN THIS PLAN ARE THE PROPERTY OF B-DIRT CONSTRUCTION. THESE PLANS ARE NOT TO BE REPRODUCED IN ANY WAY, WITHOUT WRITTEN PERMISSION FROM B-DIRT CONSTRUCTION.

ANY INFORMATION, IDEAS, OR CONCEPTS IN THIS PLAN ARE THE PROPERTY OF B-DIRT CONSTRUCTION. THESE PLANS ARE NOT TO BE REPRODUCED IN ANY WAY, WITHOUT WRITTEN PERMISSION FROM B-DIRT CONSTRUCTION.



CRAWLSPACE	680 SQ. FT.
MAIN FLOOR	720 SQ. FT.
LOFT	197 SQ. FT.
TOTAL	1,597 SQ. FT.



GENERAL NOTES:

DISCLAIMER OF EXTERIOR ELEVATIONS
THE EXTERIOR ELEVATIONS ARE FOR VISUAL PURPOSES ONLY. MODIFICATIONS IN REGARDS TO HEEL HEIGHT, TALL WALLS, BEARING AND/OR FLOOR JOIST DEPTH MAY NEED TO BE MADE TO THE DRAWINGS WHEN FINAL ENGINEERING IS COMPLETE. THE CLIENT AGREES TO THESE CHANGES WITHOUT NEED FOR A CHANGE ORDER.

DISCLAIMER OF WARRANTIES
THESE PLANS ARE FOR GENERAL INFORMATION OR GUIDANCE ONLY. B-DIRT DOES NOT WARRANT THAT PLANS ARE COMPLETE OR ACCURATE FOR ANY PARTICULAR PURPOSE. RELIANCE ON THESE PLANS IS AT THE SOLE RISK OF THE USER. RESULTS OBTAINED FROM USE OF THESE PLANS FROM B-DIRT ARE WITHOUT WARRANTY OF ANY KIND WHETHER IMPLIED OR EXPRESSED. RESPONSIBILITY FOR CONSTRUCTION RESTS WITH THE BUILDER, OWNER OR USER OF THESE PLANS.

DRAWING SCALE
WRITTEN DIMENSIONS ON PLANS TAKE PRECEDENCE OVER GRAPHIC PRINTED SCALE. PLANS ARE DRAWN TO SCALE ON 24" X 36" PAPER. INDIVIDUAL PRINTERS MAY DISTORT THIS SCALE.

INTELLECTUAL PROPERTY
ANY INFORMATION, IDEAS, OR CONCEPTS IN THIS PLAN ARE THE PROPERTY OF B-DIRT CONSTRUCTION. THESE PLANS ARE NOT TO BE REPRODUCED IN ANY WAY, WITHOUT WRITTEN PERMISSION FROM B-DIRT CONSTRUCTION.



DATE	DATE	DATE
B-DIRT	CLIENT	CLIENT

PROJECT DESCRIPTION:
PETERSEN,
MIKE AND JOAN
16969 North Eagle Lake Rd.
Fifty Lakes, MN

DRAWINGS PROVIDED BY:
B-Dirt Construction LLC
Andrew Ranweiler
218-820-5736
andrew@b-dirt.com

PLAN DATE:

11-19-2024
1-15-2025

SHEET:

A-2



January 24th, 2025

Dear Honorable Planning Commission Members and Planning and Zoning Administrator:

Thank you for allowing us to apply for a new variance to amend our previously approved variance for our proposed addition at 16969 North Eagle Lake Road (Original Variance request V-02-24).

The reason for this request is a result of us discovering in the process for doing a building permit we determined that the survey completed by Widseth showed that we are currently further setback from the OHW line than we thought. The drawings show an arrow of 77 feet as setback which looked as if it were to the existing cabin. On the enclosed enlargement one can see that this figure is the distance to the current deck; giving us a distance of 85 feet to the existing cabin.

This was indeed our mistake and have also recently found that it will be difficult to do a full basement as originally requested. We are asking for a three foot additional distance lakeside which would therefore be an actual GREATER setback than originally approved (24' x 31' gives an actual 77 foot setback instead of the 72' previously approved).

The additional 3 feet adds 72 sq. ft. We were at 14.25% and would then be at 14.79%. This is still less than the 15% in the Fifty Lakes Land Use Ordinance. (See SCAN D “New Impervious Calculation”).

This would greatly help our floor plan and give us room as we are losing a lot by not having a full basement.

The other parameters of the north and west sides of the proposed addition have been previously corrected as to no longer require a variance and will remain the same.

Thank you for your time and attention to this proposal for our family,

Mike and Joan Petersen

16969 North Eagle Lake Road

RE: Fifty Lakes Variance - FEB PCBOA

From Frie, Jacob (DNR) <Jacob.Frie@state.mn.us>
Date Tue 2/11/2025 9:04 AM
To pz@fiftylakesmn.com <pz@fiftylakesmn.com>
Cc Bethany Soderlund <bethany.soderlund@sourcewell-mn.gov>

Good morning Bethany:

The MN DNR has no comments on the variance application as revised/submitted.

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: Monday, February 10, 2025 11:07 AM
To: Frie, Jacob (DNR) <Jacob.Frie@state.mn.us>
Cc: Bethany Soderlund <bethany.soderlund@sourcewell-mn.gov>
Subject: Fifty Lakes Variance - FEB PCBOA

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.

Good morning Jake,

Please see attached variance application information for a variance request that is on the agenda for the February 25, 2025 PCBOA meeting. The applicant was granted a variance in September of 2024 for a 672 sq. ft. addition approx. 77' from OHW where 100" is required (DNR did not provide comment). Their project scope has changed, and they are seeking a new variance for a 744 sq. ft. dwelling addition and 8x8 deck addition approx. 77' from OHW where 100" is required.

Please let me know if you need additional information.

Have a great day!



Bethany Soderlund

Planning & Zoning Administrator

City of Fifty Lakes

Phone: 218.763.3113 **Email: pz@fiftylakesmn.com**

Address: 40447 Town Hall Rd **Web: www.fiftylakesmn.com**

PO Box 125 Fifty Lakes, MN 56448

**CITY OF FIFTY LAKES
BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING
February 25, 2025 @ 6:00 P.M.**

TO WHOM IT MAY CONCERN:

The following will be the subject of a public hearing on Tuesday, February 25, 2025, beginning at 6:00 P.M at Fifty Lakes City Hall.

Hearing: Variance Application V-01-25 to expand a pre-existing dwelling and encroach the ordinance high water (OHW) level setback for a dwelling addition within the Shoreland Residential (SR) zoning district.

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 31' x 24' dwelling addition and an 8' x 8' deck addition located on a pre-existing dwelling approximately 77' where 100' is required. The proposed addition is within the ordinary high water (OHW) level setback.

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.

Bethany Soderlund (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 AVE NE
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



City of Fifty Lakes

MEMO – Agenda Item 5b: Ordinance Amendment 2025-1: OA-02-25

In December, the City approached the Planning and Zoning Department with a proposed storage container to be located on city owned land (Fire Hall/Maintenance) to accommodate the storage of the Fire Fighter’s Relief Association gambling supplies. The proposed structure, placed on Commercially zoned property would require both a variance (20’ structure to structure setback) and conditional use permit. Many cities, in order to better facilitate city projects on city land and not spend taxpayer money on undue processes, have created Public zoning districts to outline performance standards and uses appropriate for their city needs.

Based on the proposed storage container and the future needs and projected growth of the city, staff asked City Council to pass a motion initiating the zoning ordinance amendment process to create a Public zoning district. At the regular City Council meeting, Council directed staff to create a Public land use district.

The following documents are a draft of the proposed ordinance changes. Staff recommends the Planning Commission revise as needed and recommend approval to the City Council.

Bethany Soderlund
P&Z Administrator

**ORDINANCE 2025-1
 AN ORDINANCE AMENDING THE FIFTY LAKES
 LAND USE ORDINANCE REGARDING CHAPTER 4: LAND USE DISTRICTS AND
 PROVISIONS AND CHAPTER 5: LAND USE PROVISIONS
 CITY OF FIFTY LAKES
 CROW WING COUNTY
 STATE OF MINNESOTA**

The City of Fifty Lakes Ordains:

Section 1. **Purpose and Intent.** The purpose and intent of this Ordinance is to amend the City Land Use Ordinance, Chapter 4 – Section 4.02.09 Public & Parks District, Chapter 4 – 4.03 Land Use Table, and Chapter 5 – Section 5.14 Public & Parks (PP).

Section 2. **Amendments.** Note: proposed additions are noted in red underline and proposed deletions are indicated using ~~strikethroughs~~.

4.02.09 Public & Parks District PP
A land use district for existing use of public land or for land properly suited for public facilities, parks and open spaces, and other locations for public or semi-public use. Such uses shall include, but not be limited to parks, nature areas, city buildings and facilities for public recreation.

4.03 Land Use Tables

The following table establishes the permitted, conditional, interim, and allowed uses within the land use districts of the City. Any uses not listed or not closely associated with a listed use are prohibited.

For the purposes of this table:

“P” a use requiring a permit	“SR” a shoreland residential district
“CU” a use requiring a conditional use permit	“RR” means a rural residential district
“I” an interim use	“AG” means agricultural district
“A” a use is allowed without a permit but may require performance standards	“C” means a commercial district
“N” not allowed--a prohibited use	“WC” means a water-oriented commercial district
	“SP” means a special protection district
	“FM” means a forest management district
	<u>“PP” means a public and parks district</u>

USE	SR	RR	AG	C ¹	CMU ₂	WC	SP	FM	PP
Accessory Structures	P	P	P	CU	CU	P	P	P	<u>P</u>
Adult Use	N	N	N	CU	N	N	N	N	<u>N</u>
Agricultural Use-- Farm buildings (barns, silo, hay shed, etc.)	N	P	P	N	N	N	N	N	<u>N</u>
Agricultural Use-- Crop growing and harvesting	N	A	A	N	N	N	N	N	<u>N</u>
Agricultural Use-- Livestock, poultry use, including related buildings	N	A	A	N	N	N	N	N	<u>N</u>
Animal breeding and boarding facility	N	N	P	N	N	N	N	N	<u>N</u>
Animal Feedlot	N	N	CU	N	N	N	N	N	<u>N</u>
Auto body shop	N	N	N	CU	N	N	N	N	<u>N</u>
Auto Service Shop (with major repairs)	N	N	N	CU	N	N	N	N	<u>N</u>
Auto Sales	N	N	N	CU	N	N	N	N	<u>N</u>
Auto Salvage Yard	N	N	N	N	N	N	N	N	<u>N</u>
Bank/financial institution	N	N	N	CU	CU	N	N	N	<u>N</u>
Beauty/barber shop	N	N	N	CU	CU	N	N	N	<u>N</u>
Bed and Breakfast/Boarding House	I	I	I	N	N	N	N	N	<u>N</u>
Bowling Lanes	N	N	N	CU	N	N	N	N	<u>N</u>
Business or professional offices	N	N	N	CU	CU	N	N	N	<u>N</u>
Camps, Transient or Church	I	I	I	N	N	I	N	N	<u>N</u>
Campground	N	CU	CU	N	N	CU	N	N	<u>N</u>
Car Wash, Commercial	N	N	N	CU	N	N	N	N	<u>N</u>
Cement/asphalt/redi-mix sales	N	N	N	N	N	N	N	N	<u>N</u>
Cemetery	N	CU	CU	N	N	N	N	N	<u>CU</u>
Church	N	CU	CU	N	N	N	N	N	<u>N</u>
Community Recreation Center	N	CU	CU	CU	CU	CU	N	N	<u>CU</u>
Contractor Shop (ie. Plumber/Electrician - without retail sales)	N	CU	CU	CU	N	N	N	N	<u>N</u>
Convenience store—with or without fuel sales	N	N	N	CU	CU	CU	N	N	<u>N</u>
Day Care Centers	N	N	N	CU	CU	N	N	N	<u>N</u>
Day Care Home	I	I	I	N	N	N	N	N	<u>N</u>
Deck or Patio	P	P	P	CU	CU	P	P	P	<u>P</u>
Demolition Landfill	N	N	N	N	N	N	N	N	<u>N</u>
Dirt Moving-less than 10 cu.yds. (Shore Impact Zones 1 & 2)	P	P	P	N	N	P	P	P	<u>P</u>
Dirt Moving > 10 cu. yds.(Shore Impact Zones 1 & 2)	CU	CU	CU	N	N	CU	CU	CU	<u>CU</u>

¹ Amended 11/9/21

² Amended 6/8/21& 11/9/21

Dirt Moving <50 cu.yds. (Shoreland District--Rear Lot Zone & Non-Shoreland Districts)	P	P	A	CU	CU	P	CU	CU	<u>CU</u>
Dirt Moving >50 cu. Yds. (Shoreland District--Rear Lot Zone & Non-Shoreland Districts)	CU	CU	CU	CU	CU	CU	CU	CU	<u>CU</u>
Drive In Restaurant	N	N	N	CU	CU	CU	N	N	<u>N</u>
USE	SR	RR	AG	C	CMU	WC	SP	FM	<u>PP</u>
Driveway ³	P	P	P	P	P	P	P	P	<u>P</u>
Dwelling, Duplex	CU	CU	CU	N	CU	N	N	N	<u>N</u>
Dwelling, Multiple Family	N	CU	N	N	CU	N	N	N	<u>N</u>
Dwelling, Single Family	P	P	P	N	CU	N	P	P	<u>N</u>
Dwelling, Single-Family Associated with Commercial Use	N	CU	CU	CU	CU	CU	N	N	<u>N</u>
Energy system,renewable (i.e. solar collectors and wind generators under 50KW)*	CU	CU	CU	CU	CU	CU	CU	CU	<u>CU</u>
Extractive Use	N	N	I	N	N	N	N	N	<u>N</u>
Forest Land Conversion	N	CU	CU	N	N	N	N	CU	<u>N</u>
Forest Management (with BMP) ⁴	P	P	P	CU	CU	P	P	P	<u>P</u>
Gas Station (with or without minor repairs)	N	N	N	CU	CU	CU	N	N	<u>N</u>
Golf Course	N	CU	N	CU	N	N	N	N	<u>N</u>
Golf—Miniature	N	N	N	CU	CU	CU	N	N	<u>N</u>
Government Buildings	N	N	N	CU	CU	N	N	N	<u>CU</u>
Greenhouse/Nursery—Commercial	N	N	CU	CU	CU	N	N	N	<u>N</u>
Group Care Facility	N	CU	CU	N	N	N	N	N	<u>N</u>
Guest Cottage/Guest Quarters	P	P	P	N	N	N	N	N	<u>N</u>
Home business	I	I	I	N	I	N	I	I	<u>N</u>
Home occupation	A	A	A	N	CU	N	A	A	<u>N</u>
Hotel/Motel	N	N	N	CU	CU	CU	N	N	<u>N</u>
Liquor Sales, On-Sale	N	N	N	CU	CU	CU	N	N	<u>CU</u>
Laundromat	N	N	N	CU	CU	N	N	N	<u>N</u>
Long-Term Care Facility	N	CU	CU	N	CU	N	N	N	<u>N</u>
Lumber Yard Warehouse/Sales	N	N	N	CU	N	N	N	N	<u>N</u>
Manufactured Home Park (PUD)	CU	CU	CU	N	CU	N	N	N	<u>N</u>
Manufacturing/Assembly, Limited	N	N	N	CU	N	N	N	N	<u>N</u>
Medical Clinic	N	N	N	CU	CU	N	N	N	<u>N</u>
Mining of Metallic Minerals and Peat	N	N	I	N	N	N	N	I	<u>N</u>
Mobile Food Unit, Placement of ⁵	N	N	N	P	P	N	N	N	<u>P</u>

³ Amended 2/14/23

⁴ Amended 9/10/19

⁵ Amended 2/13/24

Outdoor seasonal sales	N	I	I	I	I	I	N	N	<u>I</u>
Packaging/Warehouse	N	N	N	CU	N	N	N	N	<u>N</u>
Parks and Historic Sites	P	P	P	CU	CU	P	P	P	<u>CU</u>
Private clubs and lodges	N	N	N	CU	CU	CU	N	N	<u>N</u>
Public Beach	N	N	N	N	N	P	N	N	<u>CU</u>
Public Parking	N	N	N	CU	CU	CU	N	N	<u>P</u>
USE	SR	RR	AG	C	CMU	WC	SP	FM	<u>PP</u>
Planned Unit Development (PUD), Commercial	N	N	N	CU	CU	N	N	N	<u>N</u>
Planned Unit Development (PUID), Mixed Use	N	N	N	N	CU	N	N	N	<u>N</u>
Planned Unit Development (PUD), Residential	CU	CU	CU	N	CU	N	N	N	<u>N</u>
Recreational Vehicle, Placement of (not in storage) ⁶	P/I	P/I	P/I	N	N	P/I	N	P/I	<u>N</u>
Recycling Center/Collection Site	N	N	CU	CU	CU	N	N	N	<u>CU</u>
Rental equipment sales and service	N	N	N	CU	CU	N	N	N	<u>N</u>
Repair shop—equipment	N	N	N	CU	CU	N	N	N	<u>N</u>
Resort/recreation facility	N	N	N	CU	CU	CU	N	N	<u>N</u>
Restaurants	N	N	N	CU	CU	CU	N	N	<u>CU</u>
Retail Business	N	N	N	CU	CU	CU	N	N	<u>N</u>
Sawmill	N	N	N	N	N	N	N	N	<u>N</u>
Schools/Educational Buildings	N	CU	CU	CU	CU	N	N	N	<u>CU</u>
Sign, Off-Site	N	N	N	N	N	N	N	N	<u>N</u>
Sign, On-Site	P	P	P	CU	CU	P	CU	CU	<u>P</u>
Sign, Public Information	I	I	I	I	I	I	I	I	<u>P</u>
Storage buildings, Commercial ⁷	N	N	N	CU	N	N	N	N	<u>N</u>
Telecommunication tower	N	CU	CU	N	N	N	CU	CU	<u>CU</u>
Theaters—Indoor/Outdoor	N	N	N	CU	CU	CU	N	N	<u>N</u>
Truck and freight terminal	N	N	N	N	N	N	N	N	<u>N</u>
Vehicle, boat, recreational equipment sales	N	N	N	CU	CU	CU	N	N	<u>N</u>
Veterinary clinic	N	N	N	CU	CU	N	N	N	<u>N</u>
Water-oriented accessory structures	P	N	N	N	N	P	N	N	<u>P</u>
Water Oriented Commercial Business	N	N	N	CU	N	CU	N	N	<u>N</u>
Welding/Machine Shop	N	N	CU	CU	N	N	N	N	<u>N</u>

⁶ Amended 2/13/24

⁷ Amended 9/10/19

Wholesale/Warehouse Facility	N	N	N	CU	N	N	N	N	<u>N</u>
------------------------------	---	---	---	----	---	---	---	---	----------

5.03 Public & Parks (PP)

5.03.01 Intent and Purpose: To establish and maintain a land use district for publicly owned property and land uses, such as city owned facilities and buildings, parks, and recreation areas. Public & Parks zoned properties are compatible with and can be established adjacent to every other zoning district, and any property that meets the purpose and intent of this zoning classification may be zoned public.

5.03.02 Lot and Use Requirements (PP):

<u>Setback, right of way</u>	<u>35</u>
<u>Setback, side yard – feet, minimum</u>	<u>10</u>
<u>Setback, rear – feet, minimum</u>	<u>10</u>
<u>Setback, sign – feet, minimum</u>	<u>1</u>
<u>Setback, parking from building or lot line – feet, minimum</u>	<u>0</u>
<u>Setback, wetland – feet, minimum</u>	<u>20</u>
<u>Impervious Coverage</u>	<u>60%</u>
<u>Building height – feet, maximum</u>	<u>35</u>
<u>Building above highest groundwater level – feet, minimum</u>	<u>3</u>

5.03.03 Performance Standards (PP):

- A. Pedestrian Amenities. Where applicable, proposed development shall provide for safe and comfortable sidewalks, paths, and resting areas for pedestrians. Sidewalks and paths shall connect the development to adjacent land uses and provide connections through the development to the public street right-of-way.
- B. Lighting. All building entrances, pathways and other pedestrian areas shall be lit to two-foot candles with pedestrian-scale lighting including wall mounted, sidewalk lamps, bollards, or landscape up-lighting.
- C. Business uses on public property shall be subject to the performance standards listed in 5.04 Commercial Use Standards. Residences shall not be allowed.

- D. Any portion of public land located within shoreland is subject to Chapter 8 - Shoreland Management Standards of this Land Use Ordinance.
- E. Impervious Coverage. The impervious coverage may be increased to 75% through a land use permit if the following is provided:
 - a. A stormwater management plan that retains the 25-year, 24-hour rain event is provided on-site. Upon approval, the plan must be fully implemented and maintained.
 - b. Direct runoff to adjacent properties, including publicly owned lands, in a 25-year, 24-hour rain event is eliminated through the use of swales, berms, ditches, grading or other necessary and permitted means.
 - c. Failing to maintain the stormwater management system will be considered a violation of the Land Use Ordinance.

Section 3. **Repeal.** This ordinance shall supersede and repeal all ordinances or policies inconsistent herewith.

Section 4. **Effective Date.** This ordinance shall become effective upon its passage and publication as provided by law.

Passed by the City of Fifty Lakes this 11th day of March, 2025 by a ___/___ vote.

Gary Staples, Mayor

Attest: _____
Ann Raph, City Clerk

ORDINANCE 2025-1
AN ORDINANCE AMENDING THE FIFTY LAKES
LAND USE ORDINANCE REGARDING CHAPTER 4: LAND USE DISTRICTS AND
PROVISIONS AND CHAPTER 5: LAND USE PROVISIONS
CITY OF FIFTY LAKES
CROW WING COUNTY
STATE OF MINNESOTA

The City of Fifty Lakes Ordains:

Section 1. **Purpose and Intent.** The purpose and intent of this Ordinance is to amend the City Land Use Ordinance, Chapter 4 – Section 4.02.09 Public & Parks District, Chapter 4 – 4.03 Land Use Table, and Chapter 5 – Section 5.14 Public & Parks (PP).

Section 2. **Amendments.** Note: all ordinance language below supersedes the current Ordinance and upon publication will replace the current language in its entirety.

4.02.09 Public & Parks District PP
A land use district for existing use of public land or for land properly suited for public facilities, parks and open spaces, and other locations for public or semi-public use. Such uses shall include, but not be limited to parks, nature areas, city buildings and facilities for public recreation.

4.03 Land Use Tables
The following table establishes the permitted, conditional, interim, and allowed uses within the land use districts of the City. Any uses not listed or not closely associated with a listed use are prohibited.
For the purposes of this table:

“P” a use requiring a permit	“SR” a shoreland residential district
“CU” a use requiring a conditional use permit	“RR” means a rural residential district
“I” an interim use	“AG” means agricultural district
“A” a use is allowed without a permit but may require performance standards	“C” means a commercial district
“N” not allowed--a prohibited use	“WC” means a water-oriented commercial district
	“SP” means a special protection district
	“FM” means a forest management district
	“PP” means a public and parks district

USE	SR	RR	AG	C ¹	CMU ₂	WC	SP	FM	PP
Accessory Structures	P	P	P	CU	CU	P	P	P	P
Adult Use	N	N	N	CU	N	N	N	N	N
Agricultural Use-- Farm buildings (barns, silo, hay shed, etc.)	N	P	P	N	N	N	N	N	N
Agricultural Use-- Crop growing and harvesting	N	A	A	N	N	N	N	N	N
Agricultural Use-- Livestock, poultry use, including related buildings	N	A	A	N	N	N	N	N	N
Animal breeding and boarding facility	N	N	P	N	N	N	N	N	N
Animal Feedlot	N	N	CU	N	N	N	N	N	N
Auto body shop	N	N	N	CU	N	N	N	N	N
Auto Service Shop (with major repairs)	N	N	N	CU	N	N	N	N	N
Auto Sales	N	N	N	CU	N	N	N	N	N
Auto Salvage Yard	N	N	N	N	N	N	N	N	N
Bank/financial institution	N	N	N	CU	CU	N	N	N	N
Beauty/barber shop	N	N	N	CU	CU	N	N	N	N
Bed and Breakfast/Boarding House	I	I	I	N	N	N	N	N	N
Bowling Lanes	N	N	N	CU	N	N	N	N	N
Business or professional offices	N	N	N	CU	CU	N	N	N	N
Camps, Transient or Church	I	I	I	N	N	I	N	N	N
Campground	N	CU	CU	N	N	CU	N	N	N
Car Wash, Commercial	N	N	N	CU	N	N	N	N	N
Cement/asphalt/redi-mix sales	N	N	N	N	N	N	N	N	N
Cemetery	N	CU	CU	N	N	N	N	N	CU
Church	N	CU	CU	N	N	N	N	N	N
Community Recreation Center	N	CU	CU	CU	CU	CU	N	N	CU
Contractor Shop (ie. Plumber/Electrician - without retail sales)	N	CU	CU	CU	N	N	N	N	N
Convenience store—with or without fuel sales	N	N	N	CU	CU	CU	N	N	N
Day Care Centers	N	N	N	CU	CU	N	N	N	N
Day Care Home	I	I	I	N	N	N	N	N	N
Deck or Patio	P	P	P	CU	CU	P	P	P	P
Demolition Landfill	N	N	N	N	N	N	N	N	N
Dirt Moving-less than 10 cu.yds. (Shore Impact Zones 1 & 2)	P	P	P	N	N	P	P	P	P
Dirt Moving > 10 cu. yds.(Shore Impact Zones 1 & 2)	CU	CU	CU	N	N	CU	CU	CU	CU

¹ Amended 11/9/21

² Amended 6/8/21& 11/9/21

Dirt Moving <50 cu.yds. (Shoreland District--Rear Lot Zone & Non-Shoreland Districts)	P	P	A	CU	CU	P	CU	CU	CU
Dirt Moving >50 cu. Yds. (Shoreland District--Rear Lot Zone & Non-Shoreland Districts)	CU	CU	CU	CU	CU	CU	CU	CU	CU
Drive In Restaurant	N	N	N	CU	CU	CU	N	N	N
USE	SR	RR	AG	C	CMU	WC	SP	FM	PP
Driveway ³	P	P	P	P	P	P	P	P	P
Dwelling, Duplex	CU	CU	CU	N	CU	N	N	N	N
Dwelling, Multiple Family	N	CU	N	N	CU	N	N	N	N
Dwelling, Single Family	P	P	P	N	CU	N	P	P	N
Dwelling, Single-Family Associated with Commercial Use	N	CU	CU	CU	CU	CU	N	N	N
Energy system,renewable (i.e. solar collectors and wind generators under 50KW)*	CU	CU	CU	CU	CU	CU	CU	CU	CU
Extractive Use	N	N	I	N	N	N	N	N	N
Forest Land Conversion	N	CU	CU	N	N	N	N	CU	N
Forest Management (with BMP) ⁴	P	P	P	CU	CU	P	P	P	P
Gas Station (with or without minor repairs)	N	N	N	CU	CU	CU	N	N	N
Golf Course	N	CU	N	CU	N	N	N	N	N
Golf—Miniature	N	N	N	CU	CU	CU	N	N	N
Government Buildings	N	N	N	CU	CU	N	N	N	CU
Greenhouse/Nursery—Commercial	N	N	CU	CU	CU	N	N	N	N
Group Care Facility	N	CU	CU	N	N	N	N	N	N
Guest Cottage/Guest Quarters	P	P	P	N	N	N	N	N	N
Home business	I	I	I	N	I	N	I	I	N
Home occupation	A	A	A	N	CU	N	A	A	N
Hotel/Motel	N	N	N	CU	CU	CU	N	N	N
Liquor Sales, On-Sale	N	N	N	CU	CU	CU	N	N	CU
Laundromat	N	N	N	CU	CU	N	N	N	N
Long-Term Care Facility	N	CU	CU	N	CU	N	N	N	N
Lumber Yard Warehouse/Sales	N	N	N	CU	N	N	N	N	N
Manufactured Home Park (PUD)	CU	CU	CU	N	CU	N	N	N	N
Manufacturing/Assembly, Limited	N	N	N	CU	N	N	N	N	N
Medical Clinic	N	N	N	CU	CU	N	N	N	N
Mining of Metallic Minerals and Peat	N	N	I	N	N	N	N	I	N
Mobile Food Unit, Placement of ⁵	N	N	N	P	P	N	N	N	P

³ Amended 2/14/23

⁴ Amended 9/10/19

⁵ Amended 2/13/24

Outdoor seasonal sales	N	I	I	I	I	I	N	N	I
Packaging/Warehouse	N	N	N	CU	N	N	N	N	N
Parks and Historic Sites	P	P	P	CU	CU	P	P	P	CU
Private clubs and lodges	N	N	N	CU	CU	CU	N	N	N
Public Beach	N	N	N	N	N	P	N	N	CU
Public Parking	N	N	N	CU	CU	CU	N	N	P
USE	SR	RR	AG	C	CMU	WC	SP	FM	PP
Planned Unit Development (PUD), Commercial	N	N	N	CU	CU	N	N	N	N
Planned Unit Development (PUID), Mixed Use	N	N	N	N	CU	N	N	N	N
Planned Unit Development (PUD), Residential	CU	CU	CU	N	CU	N	N	N	N
Recreational Vehicle, Placement of (not in storage) ⁶	P/I	P/I	P/I	N	N	P/I	N	P/I	N
Recycling Center/Collection Site	N	N	CU	CU	CU	N	N	N	CU
Rental equipment sales and service	N	N	N	CU	CU	N	N	N	N
Repair shop—equipment	N	N	N	CU	CU	N	N	N	N
Resort/recreation facility	N	N	N	CU	CU	CU	N	N	N
Restaurants	N	N	N	CU	CU	CU	N	N	CU
Retail Business	N	N	N	CU	CU	CU	N	N	N
Sawmill	N	N	N	N	N	N	N	N	N
Schools/Educational Buildings	N	CU	CU	CU	CU	N	N	N	CU
Sign, Off-Site	N	N	N	N	N	N	N	N	N
Sign, On-Site	P	P	P	CU	CU	P	CU	CU	P
Sign, Public Information	I	I	I	I	I	I	I	I	P
Storage buildings, Commercial ⁷	N	N	N	CU	N	N	N	N	N
Telecommunication tower	N	CU	CU	N	N	N	CU	CU	CU
Theaters—Indoor/Outdoor	N	N	N	CU	CU	CU	N	N	N
Truck and freight terminal	N	N	N	N	N	N	N	N	N
Vehicle, boat, recreational equipment sales	N	N	N	CU	CU	CU	N	N	N
Veterinary clinic	N	N	N	CU	CU	N	N	N	N
Water-oriented accessory structures	P	N	N	N	N	P	N	N	P
Water Oriented Commercial Business	N	N	N	CU	N	CU	N	N	N
Welding/Machine Shop	N	N	CU	CU	N	N	N	N	N

⁶ Amended 2/13/24

⁷ Amended 9/10/19

Wholesale/Warehouse Facility	N	N	N	CU	N	N	N	N	N
------------------------------	---	---	---	----	---	---	---	---	---

5.03 Public & Parks (PP)

5.03.01 Intent and Purpose: To establish and maintain a land use district for publicly owned property and land uses, such as city owned facilities and buildings, parks, and recreation areas. Public & Parks zoned properties are compatible with and can be established adjacent to every other zoning district, and any property that meets the purpose and intent of this zoning classification may be zoned public.

5.03.02 Lot and Use Requirements (PP):

Setback, right of way	35
Setback, side yard – feet, minimum	10
Setback, rear – feet, minimum	10
Setback, sign – feet, minimum	1
Setback, parking from building or lot line – feet, minimum	0
Setback, wetland – feet, minimum	20
Impervious Coverage	60%
Building height – feet, maximum	35
Building above highest groundwater level – feet, minimum	3

5.03.03 Performance Standards (PP):

- A. Pedestrian Amenities. Where applicable, proposed development shall provide for safe and comfortable sidewalks, paths, and resting areas for pedestrians. Sidewalks and paths shall connect the development to adjacent land uses and provide connections through the development to the public street right-of-way.
- B. Lighting. All building entrances, pathways and other pedestrian areas shall be lit to two-foot candles with pedestrian-scale lighting including wall mounted, sidewalk lamps, bollards, or landscape up-lighting.
- C. Business uses on public property shall be subject to the performance standards listed in 5.04 Commercial Use Standards. Residences shall not be allowed.

- D. Any portion of public land located within shoreland is subject to Chapter 8 - Shoreland Management Standards of this Land Use Ordinance.
- E. Impervious Coverage. The impervious coverage may be increased to 75% through a land use permit if the following is provided:
 - a. A stormwater management plan that retains the 25-year, 24-hour rain event is provided on-site. Upon approval, the plan must be fully implemented and maintained.
 - b. Direct runoff to adjacent properties, including publicly owned lands, in a 25-year, 24-hour rain event is eliminated through the use of swales, berms, ditches, grading or other necessary and permitted means.
 - c. Failing to maintain the stormwater management system will be considered a violation of the Land Use Ordinance.

Section 3. **Repeal.** This ordinance shall supersede and repeal all ordinances or policies inconsistent herewith.

Section 4. **Effective Date.** This ordinance shall become effective upon its passage and publication as provided by law.

Passed by the City of Fifty Lakes Council this 11th day of March 2025 by a ___/___ vote.

Gary Staples, Mayor

Attest:

Ann Raph, City Clerk

ORDINANCE 2025-1
AN ORDINANCE AMENDING THE FIFTY LAKES
LAND USE ORDINANCE REGARDING CHAPTER 4: LAND USE DISTRICTS AND
PROVISIONS AND CHAPTER 5: LAND USE PROVISIONS
CITY OF FIFTY LAKES
CROW WING COUNTY
STATE OF MINNESOTA

The following is the official summary of Ordinance Amendment 2025-1 approved by the City Council of the City of Fifty Lakes, on the 11th day of March, 2025.

The purpose and intent of this Ordinance is to amend the City Land Use Ordinance, Chapter 4 – Section 4.02.09 Public & Parks District, Chapter 4 – 4.03 Land Use Table, and Chapter 5 – Section 5.14 Public & Parks (PP).

The City Council determines that publication of the title and a summary of this ordinance will clearly inform the public of the intent and effect of the ordinance and the Council has approved the text of this summary and has directed that the title and a summary be published pursuant to Minnesota Statute § 412.191, Subd. 4. A printed copy of the Ordinance is available for inspection by any person during regular office hours at the office of the City Clerk.

Passed by the Council this 11th day of March, 2025, by a ___/___ vote of the Council.

By: _____
Gary Staples, Mayor
City of Fifty Lakes

By: _____
Ann Raph, City Clerk
City of Fifty Lakes

STAFF REPORT

Agenda Item: 5c
Application: Zoning Map Amendment 03-25
Property Owner: City of Fifty Lakes
Applicant: City of Fifty Lakes

PROPERTY INFORMATION:

PID: 22250517
Acres: 1.5 Acres
Zoning: Commercial (C)
Physical Address: 16785 County Rd 1
Location: 21/138/25
Septic: N/A

PID: 22250516
Acres: 3.49 Acres
Zoning: Commercial (C)
Physical Address: 40447 Town Hall Rd
Location: 21/138/25
Septic: Winter Window

PID: 22250500
Acres: 1.74 Acres
Zoning: Commercial (C)
Physical Address: 40366 County Rd 3
Location: 21/138/25
Septic: Winter Window

Aerial:



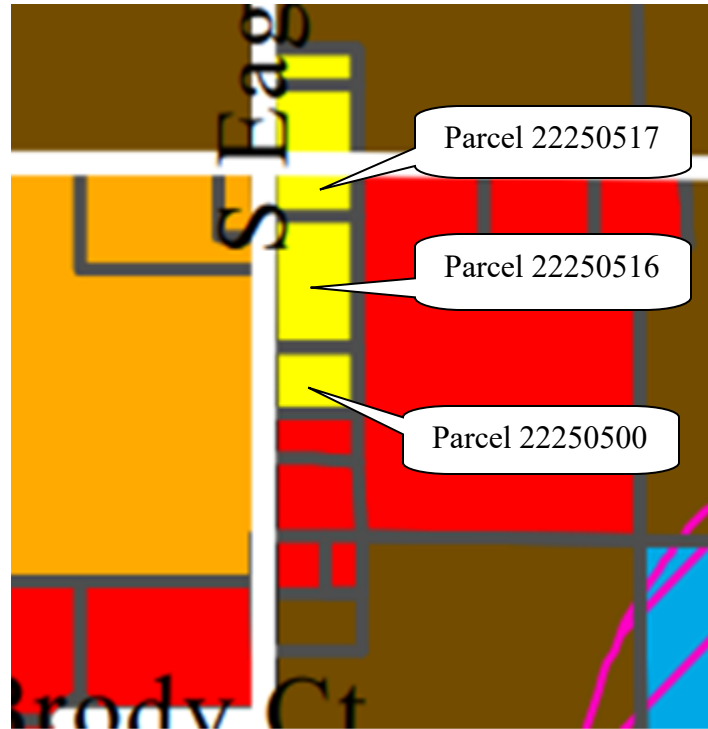
Contours:



FEMA: N/A

NWI: N/A

Current Land Use Map:



- | | |
|-----------------------|---------------------------|
| Rural Residential | Forest Management |
| Shoreland Residential | Commercial |
| Special Protection | Water Oriented Commercial |
| Agricultural | Right of Way |

Background Information:

The City of Fifty Lakes is seeking to rezone Commercial (C) zoned parcels 22250517, 22250516, and 22250500 to Public & Parks (PP) zoning district.

The purpose and intent of the Public & Parks land use district is to establish and maintain a land use district for publicly owned property and land uses, such as city owned facilities and buildings, parks, and recreation areas. Public & Parks zoned properties are compatible with and can be established adjacent to every other zoning district, and any property that meets the purpose and intent of this zoning classification may be zoned public.

Complete Application Received:	1/27/25
Action Deadline:	3/28/25
15.99 Waiver:	N/A
Wetland Delineation:	N/A
Fees Collected:	N/A
Authorized Agent:	N/A
Reviewed by:	
• City Engineer:	N/A
• City Attorney:	N/A
Notifications:	
• DNR:	Sent 2/7/2025
• MNDOT:	N/A
• CWC HWY:	N/A
• Other:	N/A

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

12.0 AMENDMENTS TO ORDINANCE TEXT, LAND USE DISTRICT BOUNDARIES, AND DESIGNATION OF SPECIAL PROTECTION DISTRICTS; REPEAL; EFFECTIVE DATE

12.01 Amendments

This ordinance or the official map may be amended to reflect changes in the goals or conditions of the City or whenever the public health, safety and general welfare require it.

- 12.01.01 Initiation of amendments. An amendment to this ordinance or to the official land use district map may be initiated by the City Council, the Planning Commission/Board of Adjustment, the Zoning Administrator, or any landowner within the City.
- 12.01.02 Fee waived. Action to amend this ordinance or the official land use district map, when initiated by the City Council, the Planning Commission/Board of Adjustment, or the Administrator, shall not require the payment of any fee otherwise required under this ordinance.

12.02 Application and Hearing

- 12.02.01 Application. Applications for ordinance text map amendments or land use district reclassification shall be made to the Zoning Administrator.

- 12.02.02 Hearing. The Planning Commission/Board of Adjustment shall hold at least one public hearing on the proposed ordinance text amendment or land use City of Fifty Lakes Land Use Ordinance 144 district reclassification conducted pursuant to Minnesota Statutes, 462.357 and the adopted Planning Commission/Board of Adjustment rules of business.
- 12.02.03 Consideration of ordinance text amendments.
- a) Amendments may be offered when the ordinance is under consideration. If amendments are made, the sections of the ordinance amended shall be read as amended before the question of its passage is taken.
 - b) After review and taking public comment, the Planning Commission/ Board of Adjustment shall vote to approve, deny, or amend the ordinance or ordinance section amendment(s) and forward their recommendations to the City Council.
 - c) Approval of the ordinance shall constitute the singular recommendation of the Planning Commission/Board of Adjustment to the City Council on the ordinance.
- 12.02.04 Criteria for consideration of land use district reclassification. In reviewing a land use district reclassification application, the Planning Commission/ Board of Adjustment shall find that:
- a) The reclassification is in accord with the City comprehensive plan;
 - b) The reclassification is warranted due to changed land use circumstances or a need for additional property in the proposed land use district;
 - c) The subject property is suitable for development in general conformance with land use standards under the proposed land use district classification;
 - d) The reclassification will not be detrimental to uses or property in the immediate vicinity of the subject property, and;
 - e) The reclassification promotes the health, safety, and general welfare of the public

Public & Parks Land Use District:

4.02.09 Public & Parks District PP
 A land use district for existing use of public land or for land properly suited for public facilities, parks and open spaces, and other locations for public or semi-public use. Such uses shall include, but not be limited to parks, nature areas, city buildings and facilities for public recreation.

5.03 Public & Parks (PP)

5.03.01 Intent and Purpose: To establish and maintain a land use district for publicly owned property and land uses, such as city owned facilities and buildings, parks, and recreation areas. Public & Parks zoned properties are compatible with and can be established adjacent to every other zoning district, and any property that meets the purpose and intent of this zoning classification may be zoned public.

5.03.02 Lot and Use Requirements (PP):

Setback, right of way	35
Setback, side yard – feet, minimum	10
Setback, rear – feet, minimum	10
Setback, sign – feet, minimum	1
Setback, parking from building or lot line – feet, minimum	0
Setback, wetland – feet, minimum	20
Impervious Coverage	60%
Building height – feet, maximum	35
Building above highest groundwater level – feet, minimum	3

5.03.03 Performance Standards (PP):

- A. Pedestrian Amenities. Where applicable, proposed development shall provide for safe and comfortable sidewalks, paths, and resting areas for pedestrians. Sidewalks and paths shall connect the development to adjacent land uses and provide connections through the development to the public street right-of-way.
- B. Lighting. All building entrances, pathways and other pedestrian areas shall be lit to two-foot candles with pedestrian-scale lighting including wall mounted, sidewalk lamps, bollards, or landscape up-lighting.
- C. Business uses on public property shall be subject to the performance standards listed in 5.04 Commercial Use Standards. Residences shall not be allowed.
- D. Any public land located within shoreland is subject to Chapter 8 - Shoreland Management Standards of this Land Use Ordinance.

- E. Impervious Coverage. The impervious coverage may be increased to 75% through a land use permit if the following is provided:
- a. A stormwater management plan that retains the 25-year, 24-hour rain event is provided on-site. Upon approval, the plan must be fully implemented and maintained.
 - b. Direct runoff to adjacent properties, including publicly owned lands, in a 25-year, 24-hour rain event is eliminated through the use of swales, berms, ditches, grading or other necessary and permitted means.
 - c. Failing to maintain the stormwater management system will be considered a violation of the Land Use Ordinance.

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

1. The subject properties are located at 16785 County Rd 1 (22250517), 40447 Town Hall Rd (22250516), 40366 Co Rd 3 (22250500). The City of Fifty Lakes is requesting to rezone the approximately 6.7 acre area from “Commercial” to “Public & Parks.”
2. The area proposed to be rezoned contains city owned government buildings and facilities, a park, a Post Office, and The Fifty Lakes Bar & Bottle Shop.
3. The future land use map contained in the comprehensive plan identifies the subject property as Commercial. However, the comprehensive plan lists the definition of Commercial as, “A designation for property that is best suited for commercial development.” This definition is focused on commercial development and not the needs and necessary provisions that city owned facilities, parks, or enterprise funds require.
4. The reclassification is warranted due to the establishment of a Public & Parks (PP) land use district specifically created for city owned land.
5. The Public & Parks land use district is for the existing use of public land or for land properly suited for public facilities, parks and open spaces, and other locations for public or semi-public use. Such uses shall include, but not be limited to parks, nature areas, city buildings and facilities for public recreation.
6. The land use ordinance states that, “Public & Parks zoned properties are compatible with and can be established adjacent to every other zoning district, and any property that meets the purpose and intent of this zoning classification may be zoned public.”
7. The subject property is suitable for development in general conformance with the land use standards of the Public & Parks land use district.
8. The property located north is zoned Commercial, the property located west is zoned Commercial Mixed Use and the property located to the south and east is zoned Commercial.

9. Rezoning the property will not be detrimental to uses or property in the immediate vicinity of the subject property. The properties adjacent to the subject property are primarily utilized as commercial uses.
10. The rezoning of the property promotes the health, safety, and general welfare of the public.

Board of Adjustment Direction : The Planning Commission can recommend approval of the request, denial of the request, or table the request if additional information is needed. If the motion is to recommend approval or denial, findings of fact should be cited.

Staff Recommendation: The proposed area to be rezoned meets the minimum requirements and contains uses consistent with the Public & Parks (PP) zoning district.

Staff recommends the rezoning request be approved CONTINGENT upon the adoption of the proposed Public & Parks zoning district.

CITY OF FIFTY LAKES

ID No: _____

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

218-763-3113

www.fiftylakesmn.com

REZONING APPLICATION

RECODE: _____ INACTIVE: RECODE2: _____
 LAST NAME: Ann Raph FIRST NAME: City of Fifty Lakes
 ADDRESS: 40447 Town Hall Rd. PHONE: _____
 CITY: Fifty Lakes STATE: MN ZIP: 56448
 ADDRESS 2: _____
 CITY 2: _____ STATE 2: _____ ZIP 2: _____
 OWNER: _____
 NAME OF INITIATOR: City of Fifty Lakes

LOCATION RECODE/PARCEL NUMBER: 22250517
 LEGAL DESCRIPTION: 22250516
22250500

TOWNSHIP: 138 RANGE: 27 SEC: 25 QTRSEC: _____ QTRQTRSEC: _____
 PLAT: _____

BLOCK: - LOT: -
 LAKE NAME: _____ LAKE NUMBER: _____ STREAM NAME: _____

ACREAGE: _____ FIRE NUMBER: _____ ZONING: C

DIRECTIONS: 16785 Co Rd 1; 40447 Town Hall Rd; 40366 Co Rd 3

HOUSE NUMBER: _____ STREET NAME: _____

IS THE PROPOSED REZONING IN THE SHORELAND AREA? Yes No

PRESENT ZONING: Commercial

PROPOSED ZONING: Public; Parks

PURPOSE: _____

Criteria for rezoning include (among other things) the explanation in Section 4.0, "Zoning Districts and Provisions," of the Zoning Ordinance and the Comprehensive Plan goals and policies. Any additional costs the City incurs for this rezoning application shall be reimbursed by applicant.

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

CITY ACTION

APPROVED: _____ DATE: _____

RATIONALE: _____

NOTES: _____

APPLICATION DATE: 1-27-25

Signed 
Applicant

REZONING ID: _____ FEE: -

Signed _____
City Clerk or authorized agent

DATE FEE PAID: _____

FEE PAID BY: Check #: _____ Cash

Signed _____
Zoning Administrator or authorized agent

DATE APPROVED: _____

EXPIRATION DATE: _____

CITY OF FIFTY LAKES
MINUTES OF THE PLANNING COMMISSION
November 26, 2024 6:00 PM

1
2
3
4
5
6 1. **Call to order:** 6:00 pm

7
8 2. **Roll Call:**

9 Planning Commission: Bob Stancer, Mike Milbrath, Don Reiersen, Fred Strohmeier, and Gary Oster (via
10 Interactive Technology: Out of Town).

11 Staff: Bethany Soderlund, Zoning Specialist; Jessica Istvanovich, Deputy Clerk.

12 City Council: Gary Staples

13
14 3. **Additions or Deletions to Agenda:** Mr. Stancer informed the board that planning commission member Gary
15 Oster is attending remotely. Mr. Strohmeier requested to add a discussion on protocol for commission
16 members_under New Business.

17
18 **MOTION MADE BY MR. MILBRATH AND SECONDED BY MR. STROHMEIER TO APPROVE**
19 **AMDENDED AGENDA.** When polled: All members voted aye. Motion carried.

20
21 4. **Public Hearings:**

- 22 a. Variance Application V-04-24 to expand a pre-existing dwelling within a bluff impact zone (BIZ) with
23 the construction of a non-lakeside 12' x 12' screen porch within the Shoreline Residential (SR) land use
24 district. The subject property is located at 41615 E Eagle Lake Rd; PIN 22240589. Applicant/property
25 owner: Philip Wanty.

26
27 **MOTION MADE BY MR. STROHMEIER AND SECONDED BY MR. MILBRATH TO APPROVE**
28 **VARIANCE APPLICATION V-04-24 WITH 10 (TEN) FINDINGS OF FACTS AND 1 (ONE)**
29 **CONDITION AS DISCUSSED:**

30
31 **Findings of Fact:**

- 32
33 1. The subject property is located at 41615 E Eagle Lake Rd. and is zoned "Shoreland Residential" (Eagle Lake -
34 Recreational Development).
- 35 2. The variance request is an after-the-fact request to construct a 12x12 screen porch/covered entry addition
36 within the bluff impact zone.
- 37 3. The existing single family dwelling is located approximately 75'+ from the OHW level of E Eagle Lake where
38 100' is required.
- 39 4. The proposed impervious surface coverage of the property is 13.8% (25% allowed.)
- 40 5. The DNR has been notified of the request and has no comment.
- 41 6. Will granting the variance put property to use in a reasonable manner not permitted by the zoning ordinance?
42 a. Yes, the porch is built on the landside, non-lakeside portion of the dwelling and is not impacting the
43 bluff or topography.
- 44 7. Does the property have unique circumstances that were not created by the landowner?
45 a. Yes, topography and the legal non-conforming dwelling was constructed prior to the adoption of bluff
46 standards.
- 47 8. If the variance is granted, will the essential character of the locality remain consistent?
48 a. Yes, the construction of the screen porch addition has not altered the essential character of the
49 neighborhood. The improvement is not highly visible from the right-of-way, adjacent properties, or
50 the lake.
- 51 9. Will the variance, if granted, be consistent with the comprehensive plan and be in harmony with the purpose
52 and intent of the City of Fifty Lakes ordinances?

- 53 a. Yes, the request, with conditions, is consistent with the purpose and intent of the zoning ordinance and
54 the following goal in the comprehensive plan, “To preserve the natural character and environmental
55 quality of the lakeshore and still allow reasonable use for property owners and the public.”
56 10. Has the variance request been made based on reasons other than economic considerations alone?
57 a. Yes, the request has been made on factors other than economic considerations.
58

59 **Conditions of Approval:**

- 60 1. All construction shall be in substantial conformance with the presented plan as shown. Deviations from the
61 presented plan will require modified approval by the Planning Commission.
62
63

64 When polled: All members voted aye. Motion carried.
65

- 66 b. Conditional Use Application CU-02-24 for the installation of a residential renewable energy
67 system within the Shoreland Residential (SR) land use district. The subject property is located at
68 16246 Eagles Turn; PIN 22230522. Applicant: John Hageman. Property owner: Thomas & Diana
69 Wright.
70

71 **MOTION MADE BY MR. REIERSON AND SECONDED BY MR. STANCER TO APPROVE**
72 **CONDITIONAL USE APPLICATION CU-02-24 WITH 14 (FOURTEEN) AND 1 (ONE)**
73 **CONDITIONS AS DISCUSSED:**
74
75

76 **Findings of Fact:**
77

- 78 1. The subject property is described as: Lot 5 Block 2 Golden Eagle; 22230522; located at 16246 Eagles
79 Turn.
80 2. The subject property is 1.54 acres and is located in the Shoreland Residential (SR) land use district.
81 3. The conditional use permit request is to install a roof-top renewable energy system (solar panels) on an
82 existing structure.
83 4. The panels will be flush mounted on the south side of the garage and will not substantially impact the height of
84 the conforming structure.
85 5. The proposed use is allowed with a conditional use permit.
86 6. The proposed renewable energy system meets all setback and height requirements of the shoreland Residential
87 land use district.
88 7. The existing and proposed impervious surface coverage of the subject property is approximately 14.8%.
89 8. The proposed use, with conditions, will not have an impact on the health, safety and general welfare of the
90 occupants in the surrounding neighborhood. The subject property is adjacent to property used for residential
91 purposes.
92 9. The proposed use, with conditions, will meet all standards of the ordinance.
93 10. The proposed use is compatible with the comprehensive plan.
94 11. The proposed use, with conditions, will not impact the value properties in the neighborhood nor will it impact
95 future development of properties in the surrounding area.
96 12. The proposed use will not generate an increased demand for additional public utilities, public utilities or
97 schools.
98 13. The proposed use, with conditions, will not adversely impact groundwater, surface water and air quality.
99 14. The proposed use conforms with the City’s land use regulations.
100
101

102 **Conditions of Approval:**

- 103 1. All use shall be in substantial conformance with the presented plan as shown. Deviations from the presented
104 plan will require modified approval by the Planning Commission.
105 c. Variance Application V-05-24 for the construction of a dwelling, deck, and screen porch within a
106 bluff impact zone (BIZ) in the Shoreland residential (SR) land use district. The subject property is

located at TBD W Fox Lake Rd; PIN 22210506. Applicant: Northland Construction. Property Owner: Chad and Rachel Maschke.

MOTION MADE BY MR. STROHMEIER AND SECONDED BY MR. MILBRATH TO APPROVE THE MODIFIED VARIANCE REQUEST V-05-24, TO CONSTRUCT A DECK WITHIN THE BLUFF IMPACT ZONE WITH 11 (ELEVEN) FINDINGS OF FACT AND 3 (THREE) CONDITIONS AS DISCUSSED:

Findings of Fact:

1. The subject property is located on W. Fox Lake Rd.; 22210506 and is zoned “Shoreland Residential” (West Fox Lake – General Development).
2. The variance (modified) request is for the construction of a deck within the bluff impact zone.
3. The proposed dwelling is 1,213 square feet ground cover, with an attached 24’ x 28’ garage, a 14’ x 14’ screen porch, and a 14’ x 34’ deck.
4. No dirt moving or construction is proposed within the bluff.
5. The proposed imperious surface coverage of the property is 8.5% (25% allowed.)
6. The DNR has been notified of the request and has no comment.
7. Will granting the variance put property to use in a reasonable manner not permitted by the zoning ordinance? Yes, the request is for a moderate sized single family home.
8. Does the property have unique circumstances that were not created by the landowner? Yes, the topography of the legal lot of record creates building challenges.
9. If the variance is granted, will the essential character of the locality remain consistent? Yes, the construction of a single family residential dwelling would not alter the essential character of the neighborhood. The proposed dwelling is in line with neighboring structures and is modest in size.
10. Will the variance, if granted, be consistent with the comprehensive plan and be in harmony with the purpose and intent of the City of Fifty Lakes ordinances? 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.”
11. Has the variance request been made based on reasons other than economic considerations alone? Yes, the request has been made on factors other than economic considerations.

Conditions of Approval:

1. All construction shall be in substantial conformance with the presented plan as shown with modifications. Deviations from the presented plan with modifications will require modified approval by the Planning Commission and agreed to by the authorized agent of the applicant. Variance request is for the construction of a 14’ x 34’ deck within the bluff impact zone.
2. Stormwater management plan and grading plans to be submitted to the city and approved by city staff prior to the issuance of any land use permits.
3. Project not to exceed 20 cubic yards of fill (for stormwater purposes) in the bluff impact zone.

5. Approval of Minutes:

- a. October 22, 2024 Planning Commission Meeting

MOTION MADE BY MR. MILBRATH AND SECONDED BY MR. STANCER TO APPROVE MINUTES FROM OCTOBER 22, 2024 MEETING AS PRESENTED. When polled: All members voted aye. Motion carried.

6. **New Business:** Mr. Portz & Mr. Preiner (via interactive technology) requested feedback from the planning commission on amending the ordinance to allow accessory structures without a primary dwelling on parcels of 5 acres or more. The commission discussed the uniqueness of the property and options for the property owner. Ms. Soderlund will work with property owners to search for a solution. The council discussed posting political comments via social media.

7. **P & Z Administrator’s Report:** Ms. Soderlund reported 46 land use permits and 11 SSTS permits as of the

162
163
164
165
166
167
168
169
170
171
172
173

November meeting.

MOTION BY MR. STROHMEIER AND SECONDED BY MR. STANCER TO ADJOURN. Meeting adjourned at 7:20 PM.

Jessica Istvanovich, Deputy Clerk

DRAFT

2025 Land Use Permits

NUMBER	DATE RECD	DATE APPRVD	PROPERTY ADDRESS	LAST	FIRST	ZONE	PIN	DESCRIPTION	FEE	Check #	Condition(s)
01-25	Complete App: 1-10-2025	1-13-25	41968 Kego Lake Rd	Heidenreich /Roher Horvath Com		AG	22150519	Construction of Cell Tower per CUP granted 1-24-23.	475.00	CC	5 conditions per CUP granted by Planning Commission on January 24, 2023.
02-25	1-24-2025	1/27/2025	TBD Old Grade	Theisen	Gregory	SR	22190510	Construction of a 40 x 80 accessory structure	300.00	8589	
03-25	1-09-2025 Incomplete			Barber	Samantha	SR	22360502	Construction of a 40 x 80 accessory structure and ATF permit for WOAS			Site visit confirmed unpermitted WOAS. Will be applying for SAP along with the LUP later this spring.
04-25	1-28-2025	2-3-2025	15634 Co Rd 1	Settambrino	Tony	WOC	22270510	Replacement of 10x12 shed and 14x14 patio	100.00	CC	
05-25	2-14/2025		43292 Buck Trl.	Hilton	Jerry	SR	22130571	24x28 accessory structure	200.00	CC	