
CITY OF FIFTY LAKES
PLANNING COMMISSION/BOARD OF ADJUSTMENT
AGENDA - AMENDED
March 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. **Additions or Deletions to Agenda**
4. **Public Hearings**
 - a. **Variance Application 04-25** to replace and slightly expand an existing non-conforming dwelling in the same footprint not meeting OHW setbacks, ROW setbacks, and impervious thresholds within the Shoreland Residential (SR) zoning district. The subject property is located at 16857 North Eagle Lake Rd. PIN 22240504. The applicant is Erickson Home Designs. The property owners are Gregory & Kellene Schmidt.
5. **Open Forum**
6. **Approval of Minutes**
 - a. February 25, 2025
7. **New Business**
 - a. Request to reduce after-the-fact fee for a Land Use Permit; Samantha Barber, 22360502; 39823 Buchite Ln.
8. **Old Business**
 - a. None
9. **Council Liaison Report: Juan Cabrera**
10. **P&Z Administrator's Report**
11. **Adjourn**

CITY OF FIFTY LAKES
NOTICE OF PUBLIC HEARING

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

Variance Application 04-25 to replace and slightly expand an existing non-conforming dwelling in the same footprint not meeting OHW setbacks, ROW setbacks, and impervious thresholds within the Shoreland Residential (SR) zoning district. The subject property is located at 16857 North Eagle Lake Rd. PIN 22240504 & 22240597. The applicant is Erickson Home Designs. The property owners are Gregory & Kellene Schmidt.

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: 4a
Application: Variance 04-25
Property Owner: Gregory & Kellene Schmidt
Applicant: Erickson Home Designs

PROPERTY INFORMATION:

PID: 22240504 & 22240597
Acres: .598 Acres
Zoning: Shoreland Residential (SR)
Physical Address: 16857 N Eagle Lake Rd
Location: 24/138/27
Septic: CI - 06/02/2022
Existing Impervious: 15.8
Proposed Impervious: 16.4

Aerial:



Contours:



FEMA:



NWI:



Other: N/A

Background Information:

The applicants are requesting a variance to construct a new dwelling within the OHW level setback and ROW setback with a 0.6% increase to the current impervious percentage of 15.8% located at 16857 N Eagle Lake Road. The subject properties are 26,081 sq. ft. and are zoned "Shoreland Residential" - Eagle Lake (Recreational Development).

The subject property contains a pre-existing single family dwelling (1982 sq. ft.) with porch/deck located 64.1' from the ordinary high water level of Eagle Lake (100' required). The proposed dwelling (2165 sq. ft.) will include an expansion of the existing 10 x 10 entry into an 18 x 18 entry requiring a 16' setback from the ROW setback where 20' is required. The proposed project also requires a variance to expand on the original structure by adding a lofted space and turning the area that is currently a three-season porch into year-round living space. No additional bedrooms are being proposed. The proposed project does not place the new structure any further toward the OHW than the original structure (house & porch/deck). The existing impervious on the two parcels is 15.8%. The proposed project will increase the impervious to 16.4%.

Permit History:

- 1993: Addition
 - 2016: Shoreland Alteration; Stairs & Walkway
 - 2022: Retaining Wall Replacement
-

Complete Application Received: 2/24/2025
 Action Deadline: 4/25/2025
 15.99 Waiver: N/A
 Wetland Delineation: N/A
 Fees Collected: \$450.00
 Authorized Agent: Erickson Home Builders
 Reviewed by:

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

Notifications:

- DNR: Sent 3-10-2025
- 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 16857 North Eagle Lake Road and is zoned "Shoreland Residential" (Eagle Lake - Recreational Development).

2. The subject property contains a legal existing non-conforming two-story dwelling located 64.1' from the OHW where 100' is required.
3. The request is to construct a 2165 sq. ft. dwelling 64.1' from OWH where 100' is required which requires a variance for the expansion of the dwelling to include a lofted area and the conversion of a screened-in porch into livable dwelling space.
4. The variance request includes a 16' ROW setback where 20' is required for the construction of the new dwelling.
5. The variance request includes an increase in impervious surface coverage from 15.8% to 16.4% where 15% is required.
6. The proposed project does not include an increase in bedrooms.
7. The subject property contains a limited building envelope. Any expansion to the pre-existing dwelling requires a variance.
8. The DNR has been notified of the request and has no comment.
9. 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.
 - b. No, _____.
10. 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 the proposed dwelling does not expand any further lakeward than the existing dwelling.
 - b. No, _____.
11. 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 is consistent with other dwellings in the vicinity of the subject property.
 - b. No, _____.
12. Will the variance, if granted, be consistent with the comprehensive plan and be in harmony with the purpose and intent of the City of Fifty Lakes ordinances?
 - a. Yes, the request, with conditions, is consistent with the purpose and intent of the zoning ordinance and the following goal in the comprehensive plan, "To preserve the natural character and environmental quality of the lakeshore and still allow reasonable use for property owners and the public."
 - b. No, _____.
13. Has the variance request been made based on reasons other than economic considerations alone?
 - a. Yes, the request has been made on factors other than economic considerations.
 - b. No, _____.

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. A stormwater management plan shall be submitted for approval by staff and the approved plan shall be implemented no later than the expiration of the permit or completion of the project, whichever is sooner.
3. Property owner to consolidate parcels 22240504 & 22240597 in keeping with MN § Sec. 462.357 Subd. 1e. (g).

CITY OF FIFTY LAKES

PLANNING & ZONING

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

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

VARIANCE APPLICATION REQUIREMENTS AND INFORMATION

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

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

The following information needs to be submitted with the application:

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

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

SEE ATTACHED

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?

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

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

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

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

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

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

VARIANCE APPLICATION

RECODE:

INACTIVE:

RECODE2:

LAST NAME: Schmidt

FIRST NAME: Greg + Kellene

ADDRESS: 16857 North Eagle Lake Rd.

PHONE: [REDACTED]

CITY: Fifty Lakes

STATE: MN

ZIP: 56448

ADDRESS 2:

CITY 2:

STATE 2:

ZIP 2:

OWNER:

LOCATION

RECODE/PARCEL NUMBER:

LEGAL DESCRIPTION:

PART OF GOVT LOT 1 SECTION 24 TOWNSHIP 138 NORTH RANGE 27 WEST CROW WING COUNTY

TOWNSHIP: 138 North

RANGE: 27 West

SEC: 24

QTRSEC:

QTRQTRSEC:

PLAT:

BLOCK:

LOT: 1

LAKE NAME: Eagle

LAKE NUMBER:

STREAM NAME:

ACREAGE:

FIRE NUMBER:

ZONING:

DIRECTIONS:

HOUSE NUMBER:

STREET NAME:

IS THE PROPOSED VARIANCE IN THE SHORELAND AREA?

Yes No

SPECIFICALLY STATE

THE NATURE OF

VARIANCE REQUESTED:

See attached sheet with 3 detailed variance's

EXPLAIN THE PURPOSE OF YOUR

REQUEST AND DESCRIBE THE

PRACTICAL DIFFICULTY:

Need more storage area when aging parents move into our home. As they will be moving in after construction is completed with all there belongings.

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: 2-24-25

Signed

FEE PAID BY: Check # 3159 Cash

[Signature]
City Clerk or authorized agent

DATE APPROVED:

Signed

EXPIRATION DATE:

Zoning Administrator or authorized agent

2025 Schmidt variance justification:

We are requesting multiple variances to our new re-build of our home on 16857 North Eagle Lake Road, Fifty Lakes Minnesota 56448.

These variances are required due to a legal non-conforming dwelling not meeting OHW setbacks and road right of way (ROW) setbacks. We are requesting a 16' setback to ROW where a 20' is required for the expansion of the dwelling. We are also requesting a lofted space and the conversion of a screened-in area (under the deck) to a 4 season room and a 8 x 16.7 area from a porch to dwelling space. Our proposed plan does not place any of the dwelling/porch/deck areas closer to the OHW than the existing structures sit currently.

The detailed variances are below;

1. Foundation excavation

We are asking for is to add excavation of an additional 16' x 7.8' room which resides under our current foyer for additional storage and provide proper foundation for our foyer. This will provide us with the proper ventilation and proper heating and cooling for this portion of our home. This additional storage will also provide much needed storage which is lacking in this home. We are providing a place of residence for our aging parents and all their belongings after our home is built.

2. Loft over kitchen

The second variance is requesting to add a loft above our kitchen which otherwise would be open space to allow appreciation of the beautiful views of our lake and to provide a tranquil space to reflect on the day.

3. Expansion of bedrooms into Porch

The third variance is to expand into our existing 3 season porch and make that part of the finished house in both the master bedroom and downstairs bedroom. This allow for us to provide adequate space for both bedrooms.

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

1. How will reasonable use the parcel be deprived if the Variance is not granted? **Not granting this Variance would not allow us to store personal belongings.**

2. What are the unique circumstances of the parcel size, shape, topography or other characteristics that make the strict interpretation of the Ordinance impractical? **We are updating our 1939/1985 home on the same foundation foot print. We are re-using all foundation walls that exist with the exception of enlarging our current entryway which is located on the side of the private cart path of our property. This should not impact anyone else as it is a private cart path and not serviced by the city.**

3. Describe the character of the locality. How is the proposal consistent with the locality? **We are an existing home which is being completely remodeled. Our other neighbors on our road are in the process of enlarging their homes and we are requesting to do the same.**
4. How is granting this Variance consistent with the intent of the City of Fifty Lakes Use Ordinance? **We planning on bringing our property up to current and energy efficient standards.**

5. Are economic considerations alone the reason for requesting a variance? **No, we are just requesting to update our 1939/1985 home, with all their crooked floors, bad design, no storage, sketchy electrical system and make it energy efficient and up to date. This would provide a safer residence for me and my family.**

6. What other options, either conforming or non-conforming, have been considered and why were those options not chosen? **None.**

7. Please include any other comments pertinent to this request. **None.**

CITY OF FIFTY LAKES PLANNING & ZONING
AUTHORIZED AGENT FORM

I hereby authorize Ryan Erickson, Erickson Home Designs
Agent / Contractor (please Print)

BC807874
Contractor's License Number

612-875-4663
Contractor's Phone Number

To act as my authorized agent to purchase zoning / sewer permits or other purposes as specified on my property located at:

Real Estate Code Lot 1, Eagle Lake, Township 138 North, Range 27 West Section: 24

Site address 16857 N. Eagle Lake Rd, Fifty Lakes

[Signature] 03/08/2025
Property Owner(s) Signature Date

Property Owner's last name (please print) Schmidt

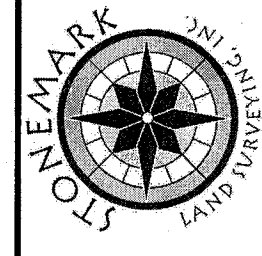
Property Owner's Phone Number [Redacted]

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

CERTIFICATE OF SURVEY

PART OF GOVERNMENT LOT 1,
SECTION 24, TOWNSHIP 138 NORTH, RANGE 27 WEST,
CROW WING COUNTY, MINNESOTA

30206 Ramussen Road
Suite 1
P.O. Box 874
Pequot Lakes, MN 56472
218-568-4940
www.stonemarksurvey.com



I HEREBY CERTIFY THAT THIS SURVEY, PLAN, SPECIFICATION, OR REPORT WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
Cynthia M. Hilde
CYNTHIA M. HILDE, PLS#4881
DATE: 1/16/2025 LIC. NO. 44881

LEGEND

- DENOTES EXISTING SIGN(S)
 - DENOTES EXISTING FENCE LINE
 - DENOTES EXISTING RETAINING WALL
 - DENOTES EDGE OF EXISTING GRAVEL
 - DENOTES EDGE OF EXISTING CONCRETE
 - DENOTES EDGE OF EXISTING FLAGSTONE
 - DENOTES EDGE OF EXISTING RIP-RAP
 - DENOTES EDGE OF EXISTING WOODEN DECKING
 - DENOTES EXISTING INTERMEDIATE CONTOURS
 - DENOTES EXISTING INDEX CONTOURS
 - DENOTES SPOT ELEVATION (EXISTING GRADE)
 - DENOTES EXISTING UTILITY POLE W/ GUY WIRE
 - DENOTES EXISTING ELECTRIC METER
 - DENOTES EXISTING LP TANK
 - DENOTES EXISTING WELL
 - DENOTES EXISTING HOSE BIB
 - DENOTES EXISTING SEPTIC VENT, SEPTIC CLEANOUT, & SEPTIC TANK LID
 - BENCHMARK:** HIGH POINT OF WELL
ELEV. = 1273.89
BASED ON NGVD 29 DATUM
 - (TBR) DENOTES "TO BE REMOVED"
 - BFE DENOTES BASE FLOOD ELEVATION
 - DENOTES MONUMENT FOUND
 - DENOTES IRON MONUMENT SET MARKED BY LICENSE No. 44881
- ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE NORTH LINE OF GOVERNMENT LOT 1 TO HAVE AN ASSUMED BEARING OF N 90°00'00" W.

IMPERVIOUS CALCULATIONS

EXISTING WEST TRACT	IMPERVIOUS AREA (sq.ft.)	Net Area (sq.ft.)	Percent Impervious (sq.ft.)
Garage	980	10,264	9.5%
Concrete	550	10,264	5.4%
Total	1,530	10,264	14.9%

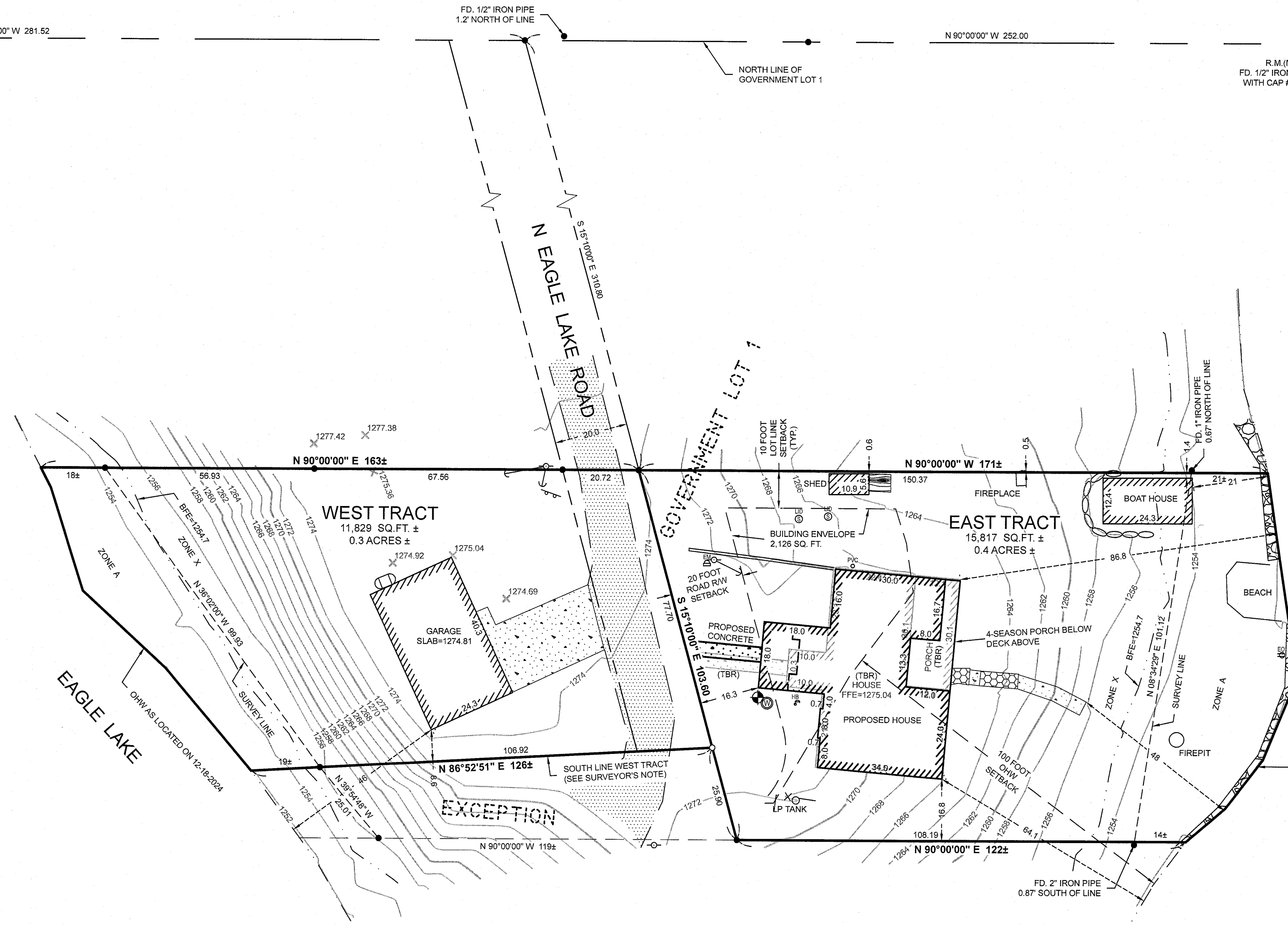
NET AREA = TOTAL AREA LESS ROAD R/W

IMPERVIOUS CALCULATIONS

EXISTING EAST TRACT	IMPERVIOUS AREA (sq.ft.)	Net Area (sq.ft.)	Percent Impervious (sq.ft.)
House & Porch	1,982	15,817	12.5%
Boat House	300	15,817	1.9%
Shed	61	15,817	0.4%
Concrete & Flagstone	252	15,817	1.6%
Total	2,595	15,817	16.4%

IMPERVIOUS CALCULATIONS

PROPOSED EAST TRACT	IMPERVIOUS AREA (sq.ft.)	Net Area (sq.ft.)	Percent Impervious (sq.ft.)
Boat House	300	15,817	1.9%
Shed	61	15,817	0.4%
Concrete & Flagstone	149	15,817	0.9%
Proposed House	2,165	15,817	13.7%
Proposed Concrete	78	15,817	0.5%
Total	2,763	15,817	17.4%



LEGAL DESCRIPTION PER DOCUMENT NUMBER A-847721

Tract One: That part of Lot 1, Section Twenty-four (24), Township One Hundred Thirty-eight (138) North, Range Twenty-seven (27) West of the Fifth Principal Meridian, Crow Wing County, Minnesota, described as follows, to-wit: Commencing at a point on the North line of said Lot One (1), 252 feet West of the point where said North line intersects Eagle Lake on the East; thence South 15 degrees 10 minutes East a distance of 310.8 feet to a point which is the place of beginning; thence South 15 degrees 10 minutes East 103.6 feet; thence Easterly on a line parallel with the North line of said Lot to the shore of Eagle Lake; thence in a generally Northerly direction along the shore of Eagle Lake to a point directly East of the point of beginning; thence West on a line parallel with the North line of said Lot to the point of beginning.

Tract Two: That part of Government Lot One (1), Section Twenty-four (24), Township One Hundred Thirty-eight (138) North, Range Twenty-seven (27) West of the Fifth Principal Meridian, Crow Wing County, Minnesota, described as follows, to-wit: Beginning at the Northeast corner of said Lot One (1); thence Westerly along the North line thereof 252 feet; thence South 15 degrees, 10 minutes East a distance of 310.6 feet to a point which is the point of beginning; thence continuing on the last mentioned course a distance of 103.6 feet; thence Westerly parallel to the North line of said Lot to the shore of Eagle Lake; thence Northerly along said shore to a point which is West of the point of beginning on a course parallel to the North line of said Lot; thence Easterly to the point of beginning. EXCEPT that part thereof described as follows: Commencing at the northeast corner of said Government Lot 1; thence westerly along the north line thereof 252 feet; thence South 15 degrees 10 minutes East a distance of 310.8 feet to a point marked by an iron monument; thence continuing on the last mentioned course a distance of 103.6 feet to an iron monument, which iron monument marks the point of beginning; thence westerly parallel with the north line of said Government Lot 1 to the shore of Eagle Lake; thence northwesterly along said shore a distance of 23.3 feet to an iron monument; thence easterly a distance of 96.7 feet, more or less to an iron monument which is located 25.9 feet North 15 degrees 10 minutes West from the point of beginning. thence South 15 degrees 10 minutes East a distance of 25.9 feet to the point of beginning. A.P.N. 220242201F00009

together with all hereditaments and appurtenances belonging thereto.

SURVEYOR'S NOTE:

The exception to the West Tract is described ambiguously due by calls to and along lakeshore. Called-for distance of 25.9 feet on exception east line was held to determine southeast corner of West Tract and the south line of West Tract determined to run westerly from said point through found iron pipe as shown to lakeshore.

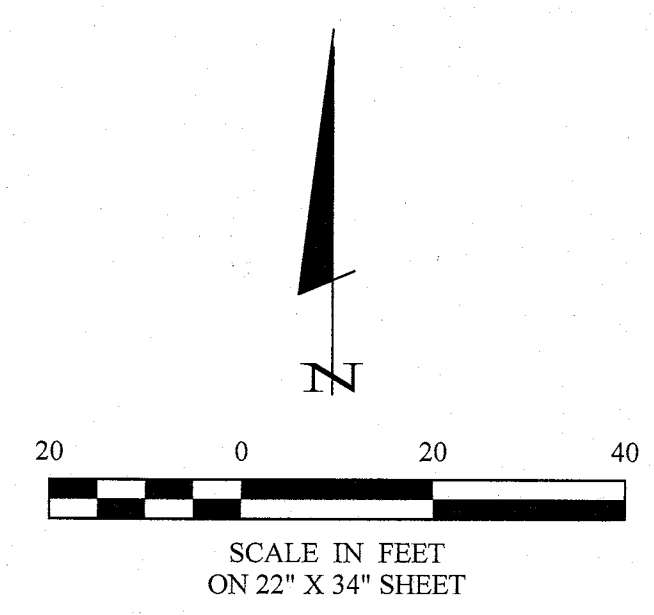
NOTES:

- Contour interval as shown = 2 foot. Based on NGVD 29 datum. Contours shown have been obtained using standard survey topographic methodologies. Field located on 12-18-2024.
- Zoning for subject tract = "Shoreland Residential".
- Parcel IDs of subject parcel: 22240504 & 22240597.
- The E911 address of subject parcel: 16857 N. Eagle Lake Road.
- Setbacks as shown can be subject to interpretation. Verification of setbacks by the governing body is advised prior to building.
- Property is in "Zone X" and "Zone A" as per the FIRM, Flood Insurance Rate Map. "Zone A" definition: Areas of 100-year flood base elevations and flood hazard factors not determined. "Zone X" definition: Areas of minimal flooding.
- Stonemark Land Surveying, Inc. has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
- National Wetland Inventory Report shows no wetlands within subject property.
- After applying the City setbacks per ordinance, there is no building envelope on the West Tract.

EAGLE LAKE RECREATIONAL DEVELOPMENT CLASSIFICATION

LAKE ELEVATION = 1251.39 ON 12-18-2024
ORDINARY HIGH WATER ELEVATION = 1251.8
BENCHMARK: At PA on S side of NE arm of lake, horizontal 1x8" apk 0.4' above ground in SW root of a 1.4' ash, 7' from WE on top of low bank, 45' E of conc. boat ramp and 25' N of N edge gravel entrance road, Elevation = 1253.77

BASED ON NGVD 29 DATUM
INFORMATION OBTAINED FROM MNDNR



KELLY & GREG SCHMIDT'S NEW HOME

16857 NORTH EAGLE LAKE RD FIFTY LAKES, MN



049

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
ELEVATIONS

PROJECT DESCRIPTION:
**Kelly & Greg Schmidt
NEW HOME**

DRAWINGS PROVIDED BY:
Erickson Home Designs

DATE:
1-15-2025

SCALE:

SHEET:
A-0



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
ELEVATIONS

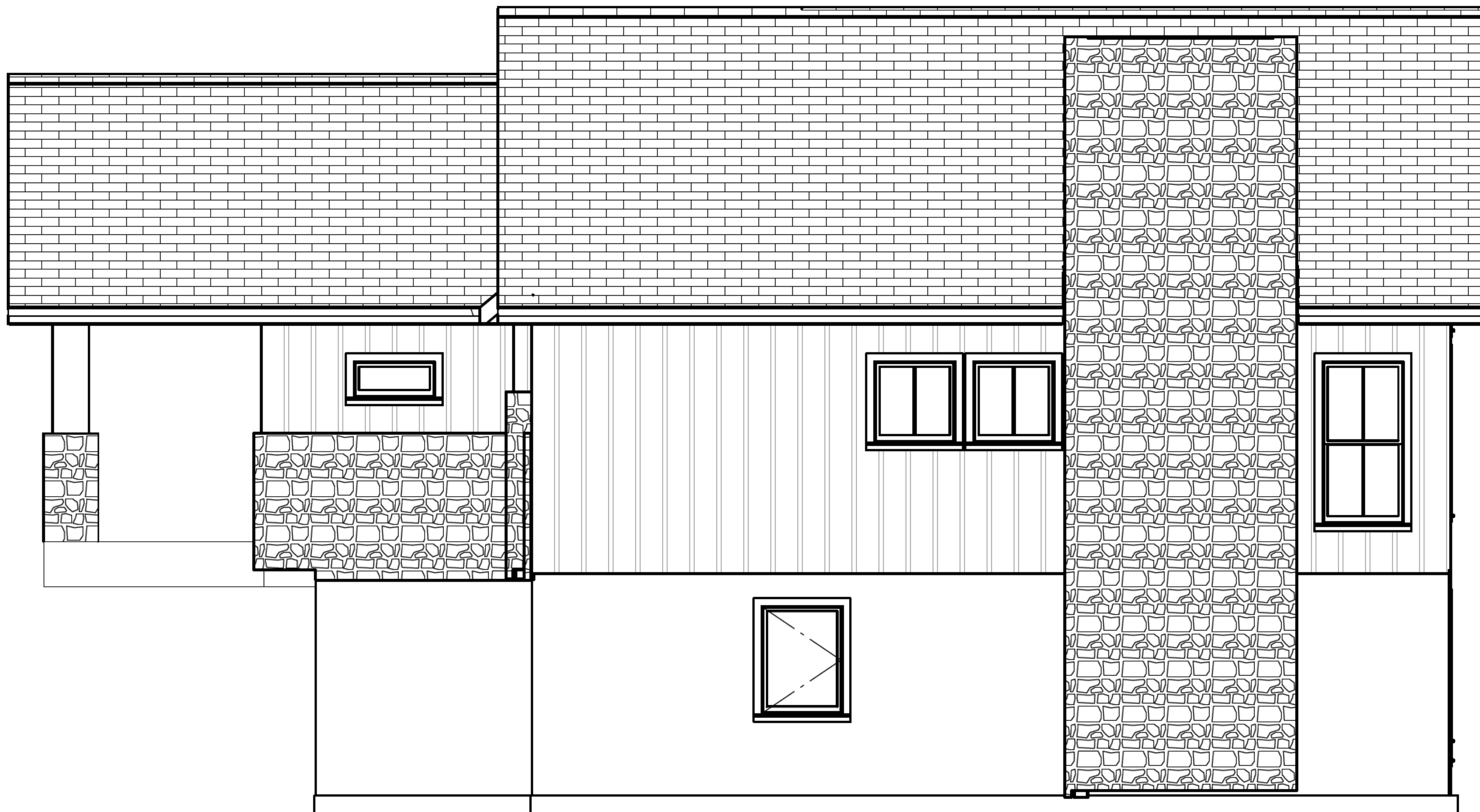
PROJECT DESCRIPTION:
**Kelly & Greg Schmidt
NEW HOME**

DRAWINGS PROVIDED BY:
Erickson Home Designs

DATE:
11-27-2024

SCALE:

SHEET:
A-0



NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
ELEVATIONS

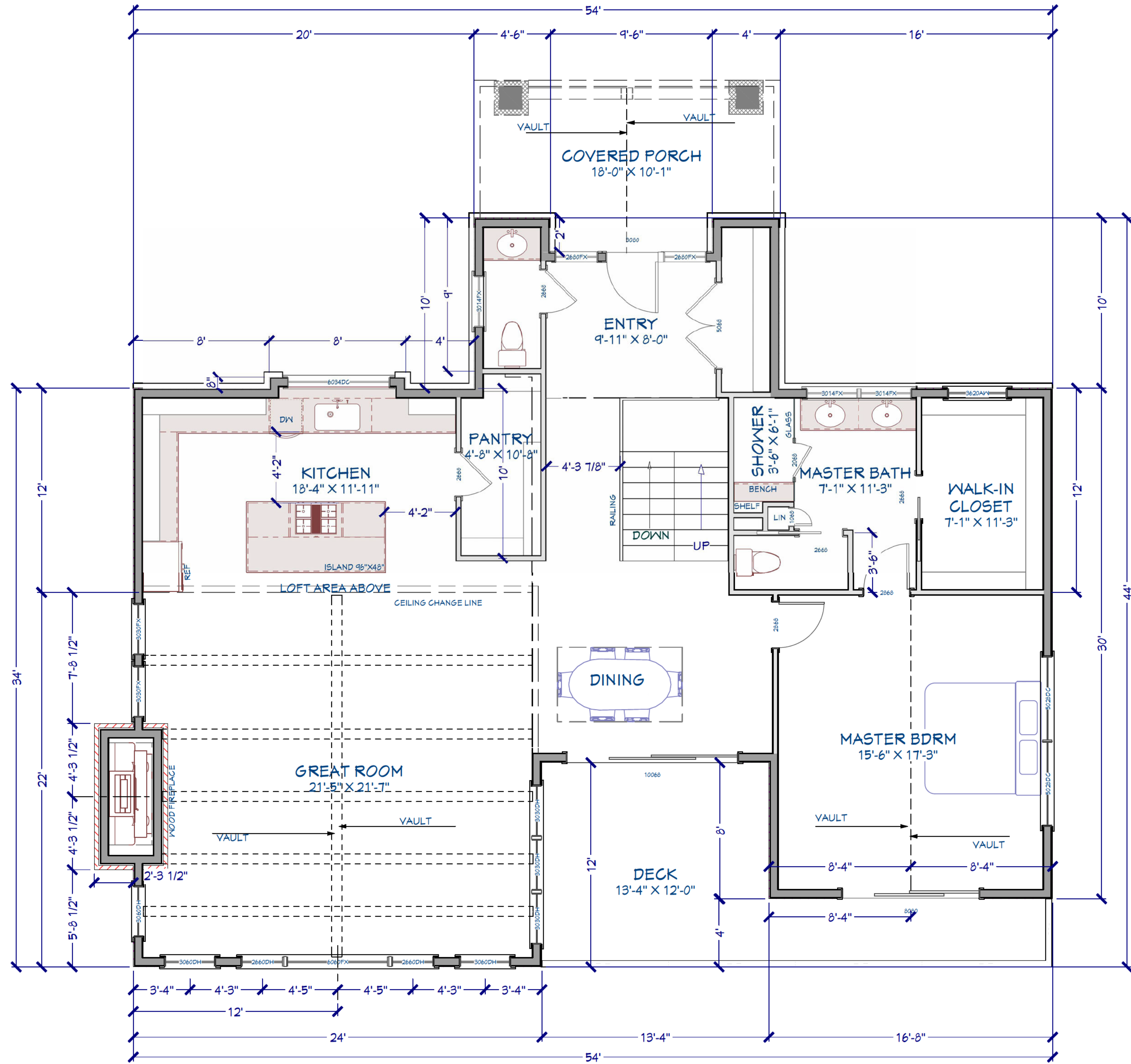
PROJECT DESCRIPTION:
**Kelly & Greg Schmidt
NEW HOME**

DRAWINGS PROVIDED BY:
Erickson Home Designs

DATE:
1-15-25

SCALE:

SHEET:
A-0



FLOOR PLAN

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
Kelly & Greg Schmidt

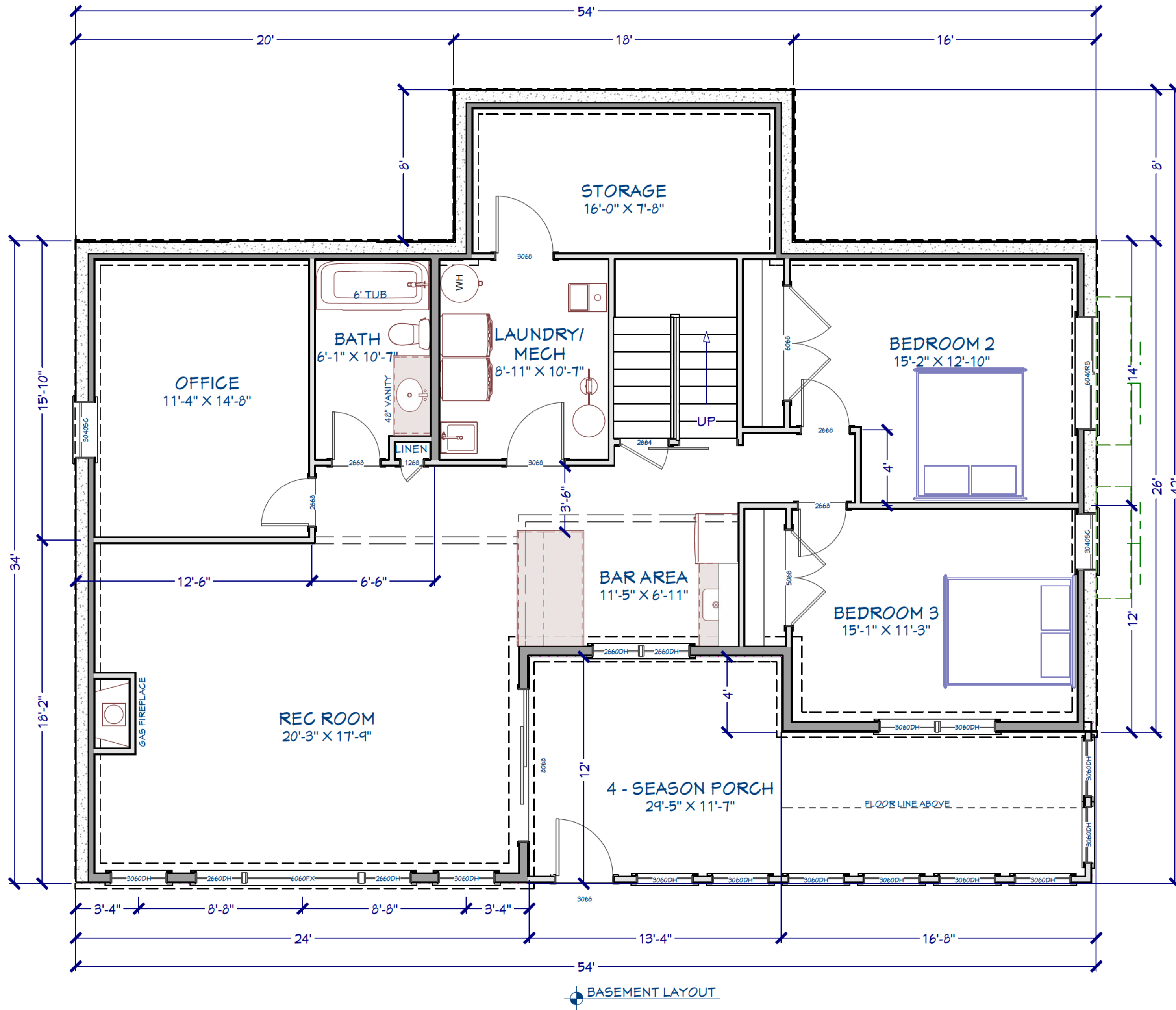
PROJECT DESCRIPTION:
NEW HOME

DRAWINGS PROVIDED BY:
Erickson Home Designs

DATE:
 1-15-2025

SCALE:

SHEET:
A-1



BASEMENT LAYOUT

023

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
FOUNDATION PLAN

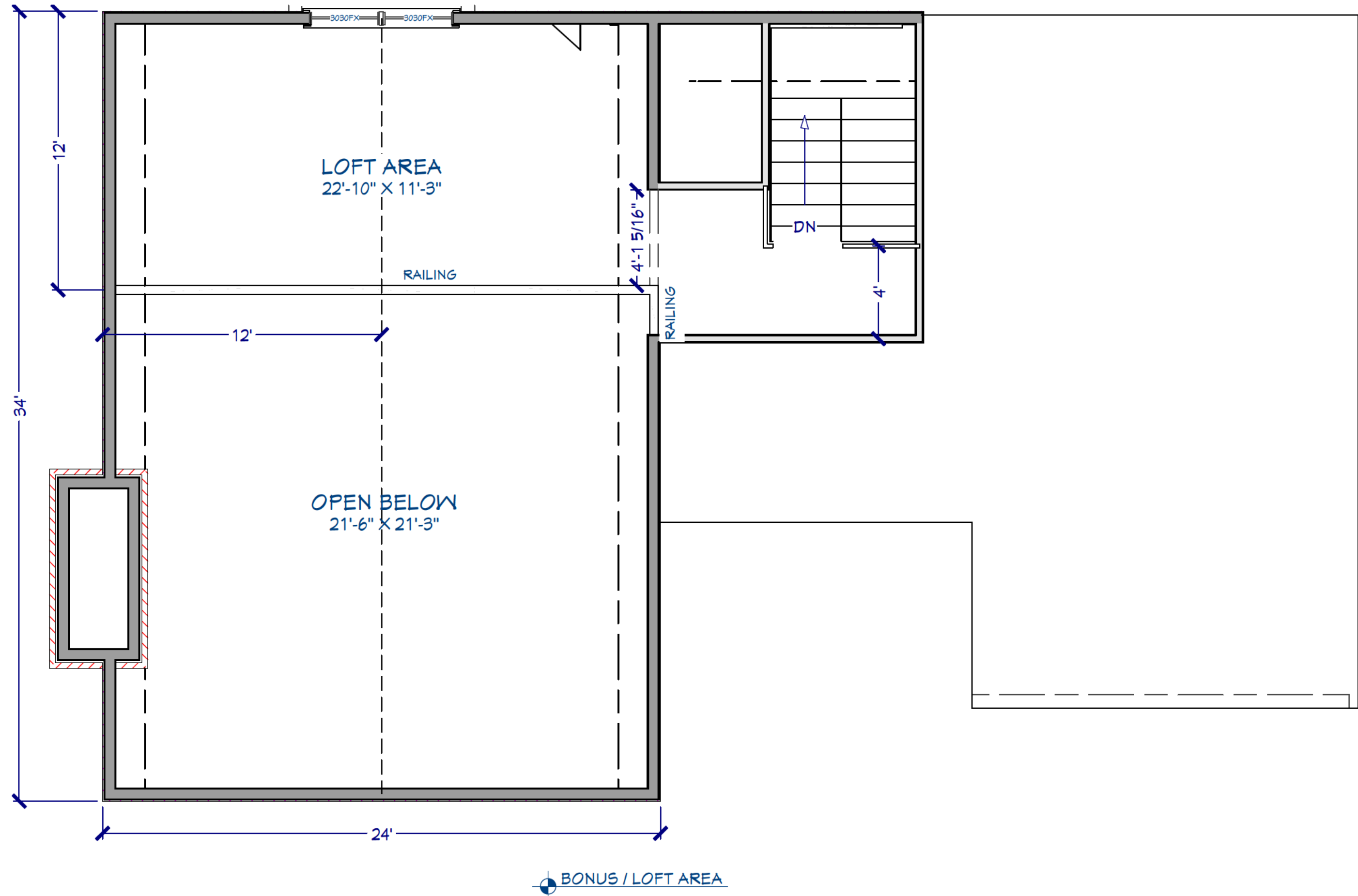
PROJECT DESCRIPTION:
**Kelly & Greg Schmidt
NEW HOME**

DRAWINGS PROVIDED BY:
Erickson Home Designs

DATE:
11-20-2024

SCALE:

SHEET:
A-2



BONUS / LOFT AREA

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
BONUS/LOFT PLAN

PROJECT DESCRIPTION:
**Kelly & Greg Schmidt
 NEW HOME**

DRAWINGS PROVIDED BY:
Erickson Home Designs

DATE:
 11-1-2024

SCALE:

SHEET:
A-3



RE: Fifty Lakes - March PCBOA

From Frie, Jacob (DNR) <Jacob.Frie@state.mn.us>
Date Mon 3/10/2025 1:28 PM
To pz@fiftylakesmn.com <pz@fiftylakesmn.com>

The MN DNR has reviewed the applicant and has no comments. 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, March 10, 2025 12:50 PM
To: Frie, Jacob (DNR) <Jacob.Frie@state.mn.us>
Subject: Fifty Lakes - March 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 afternoon Jake,

The City of Fifty Lakes has received a variance request that has been placed on the March 25th agenda. Please see attached notice and provide comment no later than 3-17-25 for your comments to be included in the packet.

Thank you,

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

TO WHOM IT MAY CONCERN:

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

Hearing: Variance Application 04-25 to replace and slightly expand an existing non-conforming dwelling in the same footprint not meeting OHW setbacks, ROW setbacks, and impervious thresholds within the Shoreland Residential (SR) zoning district. The subject property is located at 16857 North Eagle Lake Rd. PIN 22240504 & 22240597.

Property Owners: Gregory & Kellene Schmidt

Applicant: Erickson Home Designs

Property Description: The subject property is located at 16857 North Eagle Lake Rd. PIN 22240504.

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

Purpose: The applicant is requesting a variance to replace and expand an existing non-conforming dwelling within the same footprint (64.1' from the OHW) of the existing structure and slightly enlarging the entryway requiring a 16' setback where 20' is required. The proposed house would not encroach any further on the OHW than the current existing non-conforming dwelling. The current impervious is 16.4% where 15% is required. The applicant is seeking a variance for 17.4% where 15% is required.

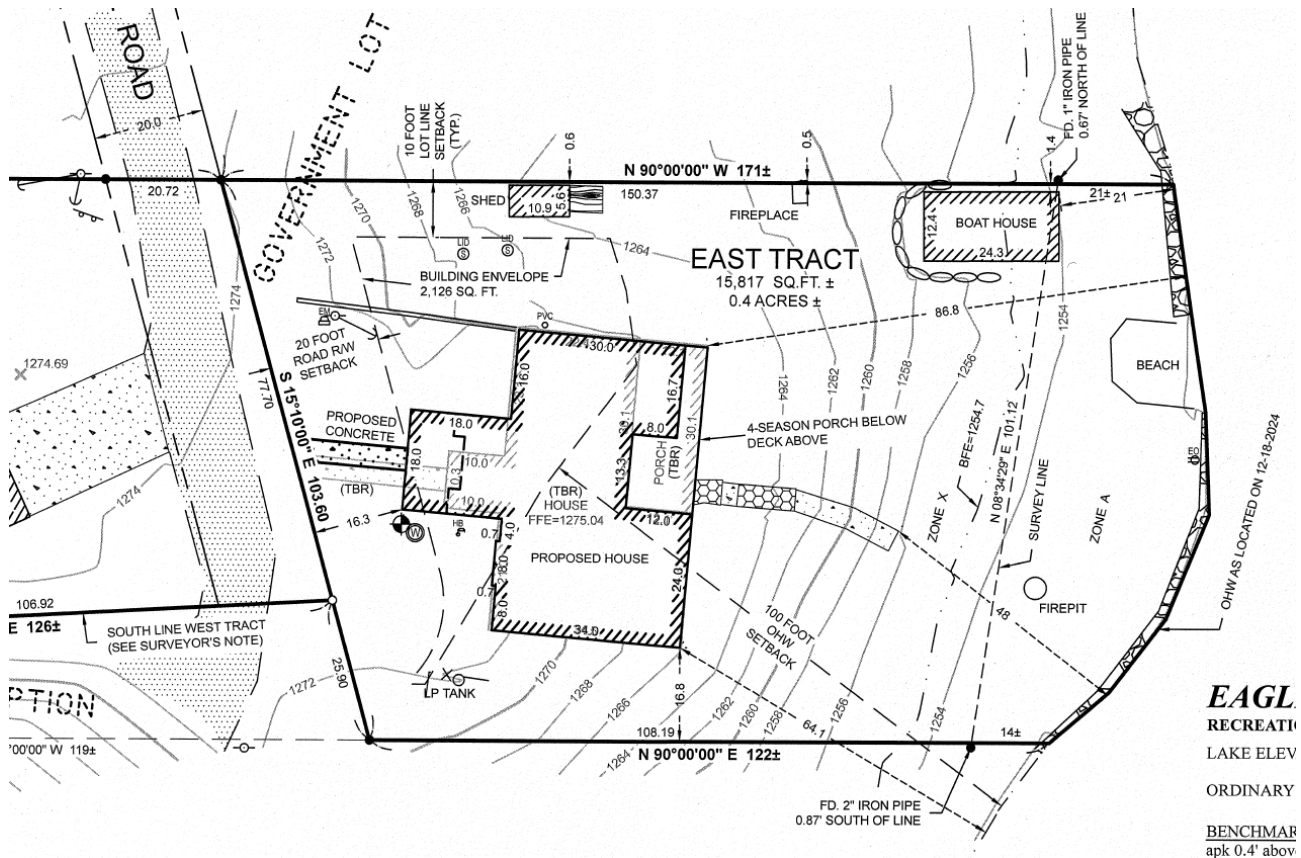
Property Owners Please Note: Please share this information with your neighbors in the event that any property owner has been overlooked or is not contained in our records.

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: 16857 North Eagle Lake Road:



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

HEIMER, JARED & SUSAN
1405 9TH AVE NW
AUSTIN MN 55912

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

OLSEN, RICHARD H
11286 HACKBERRY LN
DAYTON, MN 55369

SANDALL, PETER S & LAURA A HIGDON
419 SE 2ND ST # 1914
FORT LAUDERDALE FL 33301

SCHMIDT, GREGORY & KELLENE
PO BOX 241
FIFTY LAKES MN 56448

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

ST JOHNS ABBEY
PO BOX 2400
2900 ABBEY PLAZA
COLLEGEVILLE, MN 56321

CITY OF FIFTY LAKES
MINUTES OF THE PLANNING COMMISSION
FEBRUARY 25, 2025 6:00 PM

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

7
8 2. **Roll Call:**

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

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

12 City Council: Gary Staples, Mayor; Juan Cabrera, Council Liaison

13
14 3. **Election of Officers:** Mr. Reiersen nominated Bob Stancer for Chairperson and Gary Oster as Vice-
15 Chairperson.

16 **MOTION MADE BY MR. REIERSON AND SECONDED BY MR. STANCER TO ELECT BOB**
17 **STANCER AS CHAIRPERSON AND GARY OSTER AS VICE-CHAIRPERSON.** When polled: Mr.
18 Stancer, aye; Mr. Reiersen, aye; Mr. Oster, aye. Motion carried. (Mr. Strohmeier, absent; Mr. Milbrath,
19 absent)

20
21 4. **Public Hearings:**

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

26 **MOTION MADE BY MR. REIERSON AND SECONDED BY MR. STANCER TO APPROVE**
27 **VARIANCE APPLICATION VAR-01-25 WITH 11 (ELEVEN) FINDINGS OF FACTS AND 3**
28 **(THREE) CONDITON AS DISCUSSED:**

29
30 **Findings of Fact:**

- 31
32 1. The subject property is located at 16969 North Eagle Lake Road and is zoned "Shoreland Residential" (Eagle
33 Lake- Recreational Development).
34 2. The variance request is to construct a 24' x 31' (744 sf) dwelling addition within the OHW level setback.
35 3. The variance request includes adding an 8' x 8' area to the existing deck within the OHW setback. The
36 proposed deck addition does not extend towards the lake any further than the existing deck.
37 4. The subject property contains a limited building envelope. Any expansion to the pre-existing dwelling requires
38 a variance.
39 5. The existing and proposed impervious surface coverage of the property is 14.9% (15% allowed).
40 6. The DNR has been notified of the request.
41 7. Will granting the variance put property to use in a reasonable manner not permitted by the zoning ordinance?
42 a. Yes, the applicant is proposing to continue the use of the property as a single family residential
43 dwelling and the property provides limited option for building.
44 8. Does the property have unique circumstances that were not created by the landowner?
45 a. Yes, the property is a non-conforming legal lot of record, has a small building envelop, and is
46 consistent with neighboring cabin setbacks.
47 9. If the variance is granted, will the essential character of the locality remain consistent?
48 a. Yes, constructing the addition will not alter the essential character of the neighborhood. The
49 improvement will be visible from the lake and right-of-way; however the proposed size of the
50 dwelling (and addition) is consistent with other dwellings in the vicinity of he subject property.
51 10. 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 11. 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 2. The existing screening / vegetative buffer located between the dwelling and the lake shall remain in place in
 63 perpetuity.
 64 3. Gutters/downspouts shall be installed on the west side of the dwelling addition and shall be directed away
 65 from the lake to a swale/rain garden.
 66

67 When polled: Mr. Stancer, aye; Mr. Reierson, aye; Mr. Oster, aye. Motion carried. Motion carried.
 68 (Mr. Strohmeier, absent; Mr. Milbrath, absent)
 69

- 70 b. **Ordinance Amendment 2025-1 (OA-02-25)** for the creation of a Public & Parks (PP) Zoning
 71 District within the city of Fifty Lakes. Applicant: The City of Fifty Lakes
 72

73 Ms. Soderlund presented the purpose and intent of this Ordinance is to amend the City Land Use Ordinance,
 74 Chapter 4 – Section 4.02.09 Public & Parks District, Chapter 4 – 4.03 Land Use Table, and Chapter 5 - Section
 75 5.14 Public & Parks (PP).
 76

77 **MOTION MADE BY MR. REIERSON AND SECONDED BY MR. STANCER TO RECOMMEND TO**
 78 **COUNCIL TO APPROVE ORDINANCE AMENDMENT 2025-1 (OA-02-25) AMENDING THE**
 79 **FIFTY LAKES LAND USE ORDINANCE REGARDING CHAPTER 4: LAND USE DISTRICTS AND**
 80 **PROVISIONS AND CHAPTER 5: LAND USE PROVISIONS AS PRESENTED.** When polled: Mr.
 81 Stancer, aye; Mr. Reierson, aye; Mr. Oster, aye. Motion carried. Motion carried.
 82 (Mr. Strohmeier, absent; Mr. Milbrath, absent)
 83

- 84 c. **Zoning Map Amendment (ZMA-03-25)** to re-zone three city-owned parcels from Commercial ©
 85 zoning district to Public & Parks (PP) zoning district. The subject properties are located at 16785
 86 County Road 1 (22250517), 40447 Town Hall Road (22250516), 40366 County Road 3
 87 (22250500). Applicant: The City of Fifty Lakes.
 88

89 **MOTION MADE BY MR. REIERSON AND SECONDED BY MR. STANCER TO RECOMMEND TO**
 90 **COUNCIL TO APPROVE ZONING MAP AMENDMENT (ZMA-03-25) WITH 10 (TEN) FINDING OF**
 91 **FACTS AS DISCUSSED:**
 92

93 **Findings of Fact:**

- 94
 95 1. The subject properties are located at 16785 County Road 1 (22250517), 40447 Town Hall Road (22250516),
 96 40366 County Road 3 (22250500). The City of Fifty Lakes is requesting to rezone the approximately 6.7 acre
 97 area from “Commercial” to “Public & Parks”.
 98 2. The area proposed to be rezoned contains city owned government buildings and facilities, a park, a Post
 99 Office, and The Fifty Lakes Bar & Bottle Shop.
 100 3. The future land use map contained in the comprehensive plan identifies the subject property as Commercial.
 101 However, the comprehensive plan lists the definition of Commercial as, “A designation for property that is
 102 best suited for commercial development.” This definition is focused on commercial development and not the
 103 needs and necessary provisions that city owned facilities, parks, or enterprise funds require.
 104 4. The reclassification is warranted due to the establishment of a Public & Parks (PP) land use district
 105 specifically created for city owned land.

- 106 5. The Public & Parks land use district is for the existing use of public land or for land properly suited for public
 107 facilities, parks and open spaces, and other locations for public or semi-public use. Such uses shall include,
 108 but not be limited to parks, nature areas, city buildings and facilities for public recreation.
 109 6. The land use ordinance states that, "Public & Parks zoned properties are compatible with and can be
 110 established adjacent to every other zoning district, and any property that meets the purpose and intent of this
 111 zoning classification may be zoned public."
 112 7. The subject property is suitable for development in general conformance with the land use standards of the
 113 Public & Parks land use district.
 114 8. The property located north is zoned Commercial, the property located west is zoned Commercial Mixed Use
 115 and the property located to the south and east is zoned Commercial.
 116 9. Rezoning the property will not be detrimental to uses or property in the immediate vicinity of the subject
 117 property. The properties adjacent to the subject property are primarily utilized as commercial uses.
 118 10. The rezoning of the property promotes the health, safety, and general welfare of the public.
 119

120 When polled: Mr. Stancer, aye; Mr. Reierson, aye; Mr. Oster, aye. Motion carried. Motion carried.
 121 (Mr. Strohmeier, absent; Mr. Milbrath, absent)
 122
 123

124 **5. Approval of Minutes:**

- 125 a. November 26, 2024 Planning Commission Meeting
 126

127 **MOTION MADE BY MR. REIERSON AND SECONDED BY MR. STANCER TO APPROVE**
 128 **MINUTES FROM NOVEMBER 26, 2024 MEETING AS PRESENTED.** When polled: Mr. Stancer, aye;
 129 Mr. Reierson, aye; Mr. Oster, aye. Motion carried. Motion carried.
 130 (Mr. Strohmeier, absent; Mr. Milbrath, absent)
 131

132 **6. New Business: None.**

- 133
 134 **7. P & Z Administrator's Report:** Ms. Soderlund reported 3 approved land use permits and 2 pending as of the
 135 February meeting.
 136

137 **MOTION BY MR. STANCER AND SECONDED BY MR. OSTER TO ADJOURN.** Meeting adjourned
 138 at 6:40 PM.
 139
 140
 141
 142
 143
 144
 145
 146

Jessica Istvanovich, Deputy Clerk



City of Fifty Lakes

MEMO: S. Barber; 39823 Buchite Rd. 22360502 - Request to Waive After-the-Fact Fee

On January 9th the city of Fifty Lakes received an application from Smantha Barber for an accessory structure located at 39823 Buchite Rd. During the permit application review, a non-permitted structure within the OHW setback was identified. Assessor photos showed a water oriented accessory structure located close to the lake and its presence on the property was confirmed during the site visit. City records do not show that a permit was obtained for the structure. Crow Wing County GIS aerial imagery confirms that the structure was placed on the property sometime between 2019 and 2022.

Samantha Barber purchased the property on August 4th, 2024, unaware that the property contained an illegal structure.

Water-oriented accessory structures are allowed but must be placed at least 20' from the OHW, 10' from the side lot line, be no more than 120 sq. ft., and a land use permit is required.

Samantha Barber submitted an application for a water oriented accessory structure and is acting in good faith to bring the property into compliance. She is asking the Planning Commission to recommend to the City Council that they waive the after-the-fact fee of \$1,000.00 (three times the permit cost or \$1000; whichever is greater).

Bethany Soderlund
P&Z Administrator



FW: 39823 Buchite Lane - Land Use Permit Application_Tiki Bar

From Bethany Soderlund <Bethany.Soderlund@sourcewell-mn.gov>

Date Mon 3/17/2025 9:51 AM

To pz@fiftylakesmn.com <pz@fiftylakesmn.com>

From: [REDACTED]

Sent: Monday, March 10, 2025 3:03 PM

To: Bethany Soderlund <Bethany.Soderlund@sourcewell-mn.gov>

Subject: FW: 39823 Buchite Lane - Land Use Permit Application_Tiki Bar

EXTERNAL

Hi Bethany,

I'm re-sending the email as I realized I forgot an important NOT in my previous email. Thank you!

Samantha Barber | Vice President



**NATIONAL
WINDOW
associates**

National Window Associates

11253 91st Avenue North

Maple Grove, MN 55369

[REDACTED]
Web: nationalwindowassoc.com

From: [REDACTED]

Sent: Monday, March 10, 2025 2:13 PM

To: 'Bethany Soderlund' <bethany.soderlund@sourcewell-mn.gov>

Cc: 'pz@fiftylakesmn.com' <pz@fiftylakesmn.com>

Subject: 39823 Buchite Lane - Land Use Permit Application_Tiki Bar

Hi Bethany,

I'm reaching with regards to the Land Use Permit late fee you've discussed with me regarding the non-permitted Tiki Bar on our property. Since being made aware it was never permitted, we've also established that it's non-compliant in its current state. This is a hard "pill to swallow" since this was one of our favorite features of the property. Based on the photo you provided, it seems the non-complaint Tiki Bar was built in 2020 which means it was two owners ago, as the person we bought from only owned the property for 2 years. We have no re-course with the owner we bought from. The purchases agreement we signed includes a statement about them not making any changes to the property that would have required a permit which is accurate since they did *not* make any changes to the property while they owned it.

We understand the need to make it compliant and will do so but I do think it's unfair to be issued the late fee. There will be an unexpected cost for the land use permit and costs associated with making it compliant. We would be grateful if we could put the \$1000 late fee towards the cost of the improvements to make the structure compliant. We appreciate you taking this unforeseen situation into consideration and hope you're willing to help ease some of the costs.

Thank you.



**NATIONAL
WINDOW**
associates

National Window Associates
11253 91st Avenue North
Maple Grove, MN 55369

Web: nationalwindowassoc.com

CITY OF FIFTY LAKES

PLANNING & ZONING

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

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

LAND USE AND SSTS PERMIT CHECKLIST REQUIREMENTS AND INFORMATION

Only checked items are required for your project.

1. **SITE PLAN** – (All Construction) Showing all property lines, with the project set on site with accurate measurements from the project to the property lines. All existing and proposed structures must be located and dimensions indicated. A certified survey drawing may be required at the zoning administrator's discretion.
2. **PLAN DRAWINGS** – (All construction) A complete set of plans to include the following:
 - Floor plans (each level)
 - Elevation drawing (each side) that indicate height of the building according to height definition established by ordinance.
3. **SSTS DESIGN** – (New homes and additions) – A complete Subsurface Sewage Treatment System Site Evaluation and Design must be submitted by State Licensed Designer and / or Inspector. For bedroom additions, the applicant must verify that the existing system is designed for the water use as proposed.
4. **SSTS INSPECTION**– A current compliance inspection report must be submitted to the city when applying for a land use permit. SSTS compliance inspection reports less than three years old and installation reports less than five years old are considered current.
5. **DRIVEWAY LOCATION** – (New Construction) A request for E-911 address assignment along with a site must be submitted with proposed driveway location and setbacks from property lines. This will assist in the creation of an address for you as well as determine if you need a culvert. If driveway exits to a County highway, a driveway permit must be obtained from County before any permit is issued by City of Fifty Lakes.
6. **HEIGHT ABOVE OHWL** – Fifty Lakes ordinance (8.02.02, a, 1) requires all structures, at their lowest floor level, to be at least be three (3) feet above OHWL or the highest known water level.
7. **WETLAND IDENTIFICATION** – All onsite wetlands, as identified by the National Wetland Inventory (NWI) must be located on the site plan.
8. **LAND ALTERATIONS** – Any proposed grading and vegetation within and outside of the construction zone (20 feet from the building footprint) shall be indicated on the site plan.
9. **BLUFF DETERMINATION** – The applicant is responsible for determining if there is a bluff on their property according to the bluff definition established by the ordinance and meeting all required setbacks from the bluff. Surveyor's determination may be required.
10. **STAKING OF PROPOSED IMPROVEMENTS** – The applicant will be responsible for locating and marking all lot lines and the staking of proposed improvements before application is made to the Planning and Zoning office. Planning and Zoning staff will verify all setbacks prior to the issuance of any land use permit.

If the above items have not been met, the permitting process will not be able to be completed; this will delay your start time for the project. If you have any questions please feel free to ask; a question now may save time and money later.

NOTICE: The City of Fifty Lakes does not enforce the Minnesota State Building Code, however all State Licensed Contractors and property owners are responsible for complying with the State Building Code. For your protection, it is recommended that all property owners have new construction inspected and approved by a State Licensed Building Official.

It is unlawful for an unlicensed building contractor, remodeler or roofer to enter in to a contract with a property owner (MNSS 326B.801 – 362B.885).

I have read and fully understand the above information. The information provided in this application is true and correct.	
<u>Samantha Barber</u>	<u>3/10/2024</u>
Applicant Signature	Date

APP # _____	Date _____
Fee _____	Check # _____
Rec'd City/Deputy Clerk: _____	
(for office use only)	

**CITY OF FIFTY LAKES
LAND USE PERMIT APPLICATION**

Name of Applicant Samantha Barber Phone [REDACTED]

Mailing Address 18080 Monroe Cir NW Email [REDACTED]

City, State, Zip Elk River, MN 55330

Address of Property Involved with this Request: 39823 Buchite Ln - Fifty Lakes, MN 56448

Parcel ID Number 22360502 Section Number _____

Zoning District _____

Applicant is:

- Legal Owner
- Contract Buyer
- Option Holder
- Agent
- Other _____

Title Holder of Property:

Samantha Barber & Scott Maus
 (Name)
18080 Monroe Cir NW
 (Address)
Elk River, MN 55330
 (City, State, Zip)
[REDACTED]
 (Phone Number)

Signature of Owner, authorizing application (required): Samantha Barber
 (By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): _____
 (By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

State nature of request in detail: (What are you proposing for the property?)

Modification of an existing Tiki Bar to be compliant with Fifty Lakes rules.

Tiki Bar is 11'-0" x 10'-0" but sits on a deck that is 13'-3" x 12'-4". We will remove the bar from the deck, then place the bar 20'-0" from the shoreline and 10' from the property line. This work will take place in May 2025 as that is when our contractor feels confident he can access the area with equipment.

Approved by the Zoning Administrator: _____ Date: _____

CHECKLIST

- _____ Completed application
- _____ Fee
- _____ Sewer Compliance Inspection Report
- _____ All current City charges paid
- _____ Site plan with the following information, as a minimum (unless waived by P&Z Administrator):
 - _____ Size of parcel, drawn to scale
 - _____ Location on the parcel of all existing structures (including SSTS) and their square footage
 - _____ Location on the parcel of all proposed structures and their square footage
 - _____ Existing and proposed driveway, access roads, parking, sidewalks and other impervious coverage

CONTACT INFORMATION

City of Fifty Lakes:

P.O. Box 125
Fifty Lakes, MN 56448

Phone: (218) 763-3113

Fax: (218)-763-5113

Email: clerk@fiftylakesmn.com

Planning and Zoning
Administrator:

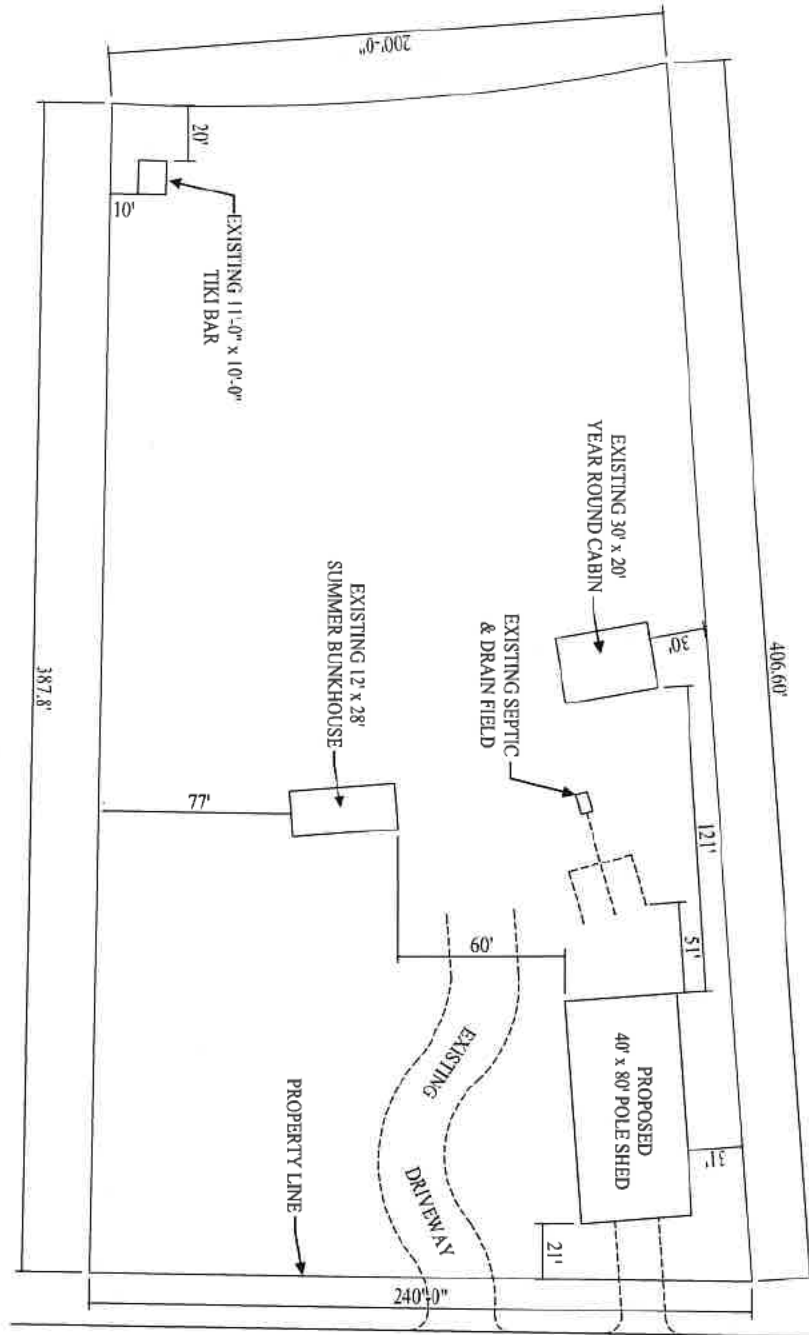
Bethany Soderlund
Sourcewell

Phone: (218) 855-9605

Email: bethany.soderlund@sourcewell-mn.gov

pz@fiftylakesmn.com

SAND LAKE



BUCHITE LANE



Revisions	Date

Sheet
1 of 1

SITE PLAN
 39823 BUCHITE LANE
 FIFTY LAKES, MN 56448

2025 Land Use Permits

NUMBER	DATE RECD	DATE APPRVD	PROPERTY ADDRESS	LAST	FIRST	ZONE	PIN	DESCRIPTION	FEE	Check #	040 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 3-10-25		39823 Buchite Rd	Barber	Samantha	SR	22360502	Construction of a 40 x 80 accessory structure and ATF permit for WOAS	300.00		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	3-14-2025	43292 Buck Trl.	Hilton	Jerry	SR	22130571	24x28 accessory structure	200.00	CC	Applicant revised the project to meet wetland setbacks.
06-25	3-10-2025		39823 Buchite Rd	Barber	Samantha	SR	22360502	Water Oriented Accessory Structure	1,100.00		ATF
07-25	3-14-2025	3-14-2025	40366 Co Rd 3	City of Fifty Lakes		PP	22250500 22250516	Accessory Structure	N/A	N/A	
08-25	3-14-25		40705 Sunset View Ln	Justin	Lawrence	SR	22270606	15x26 Addition to Accessory Structure	100.00	1612	