
CITY OF FIFTY LAKES
PLANNING COMMISSION/BOARD OF ADJUSTMENT
AGENDA

July 22, 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.

1. Call to Order

2. Roll Call

3. Additions or Deletions to Agenda

4. Public Hearings

- a. **Variance Application 13-25** For the replacement and expansion of a dwelling not meeting OHW or Bluff setbacks within the Shoreland Residential (SR) land use district. The subject property is located at 17601 Gilman Rd; PIN 22120542 & 22120509. Applicant: Miller Construction. Owner: Perry & Lisa Fails.

5. Open Forum

6. Approval of Minutes

- a. June 24, 2025

7. New Business

- a. None

8. Old Business

- a. None

9. Council Liaison Report: Mayor Gary Staples

10. P&Z Administrator's Report

11. Adjourn

CITY OF FIFTY LAKES
NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN: Notice is hereby given that the City of Fifty Lakes Planning Commission/Board of Adjustment will convene on Tuesday, July 22, 2025, at 6:00 p.m. at City Hall located at 40447 Town Hall Road, to conduct the following public hearing:

Variance Application 13-25 For the replacement and expansion of a dwelling not meeting OHW or Bluff setbacks within the Shoreland Residential (SR) land use district. The subject property is located at 17601 Gilman Rd; PIN 22120542 & 22120509. Applicant: Miller Construction. Owner: Perry & Lisa Fails.

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 13-25

Applicant: Miller Construction

Property Owner: Perry & Lisa Fails

PROPERTY INFORMATION:

PID: 22120509 & 22120542

Acres: 2.55 Acres

Zoning: Shoreland Residential (SR)

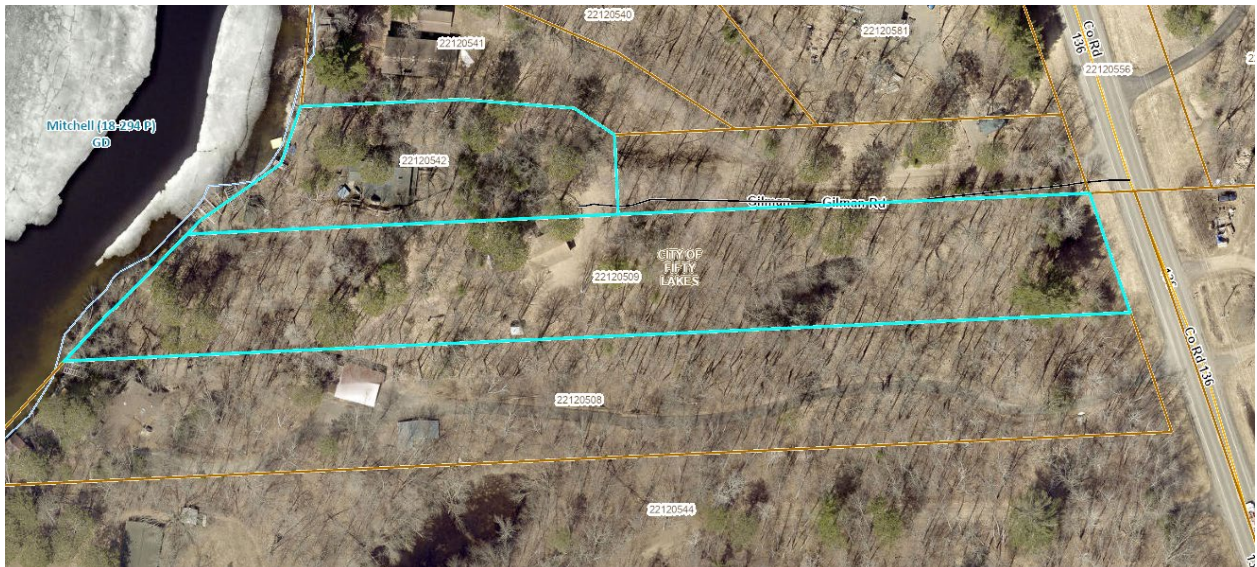
Physical Address: 17601 Gilman Rd

Location: 12/138/27

Septic: CI and SSTS Design Pending

Proposed Impervious: 6.2

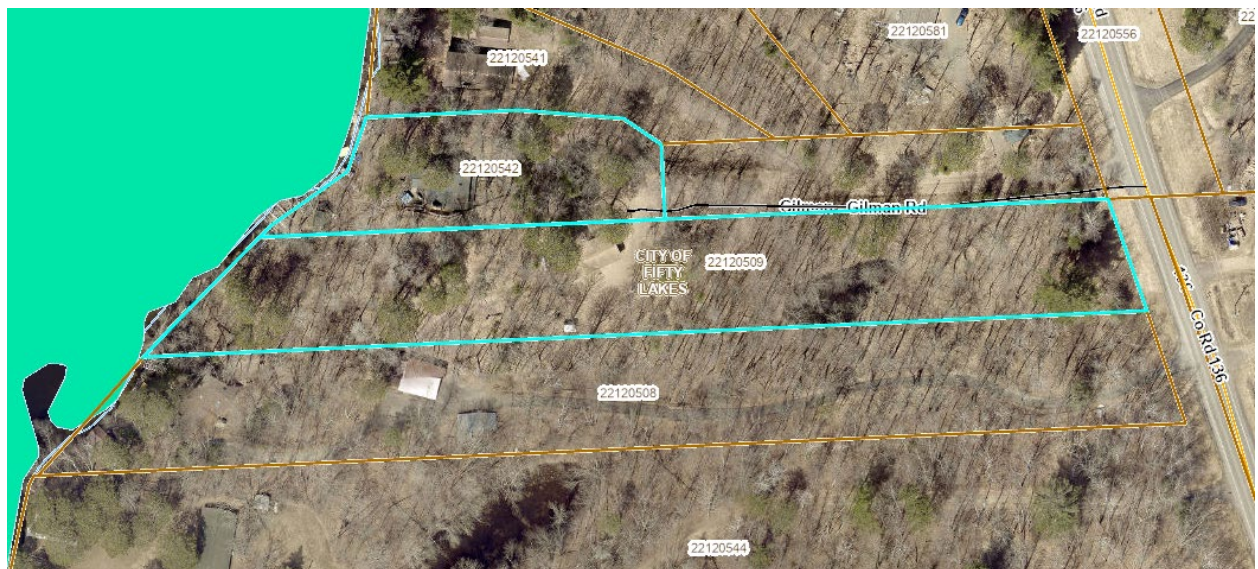
Aerial:



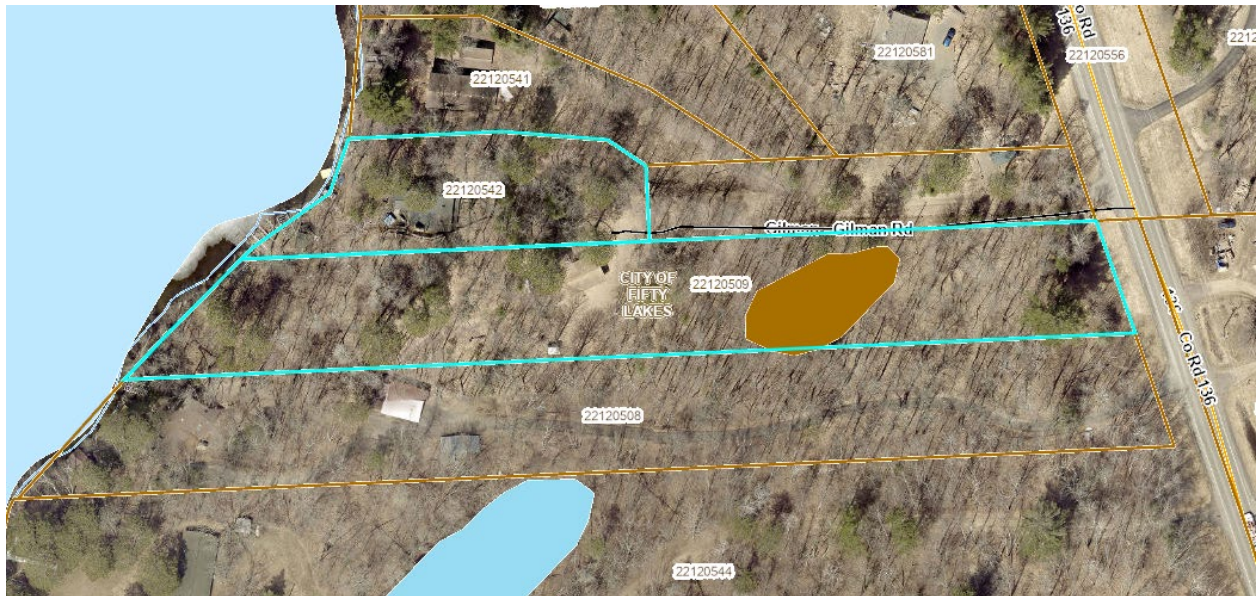
Contours:



FEMA:



NWI:



Other: N/A

Background Information:

The applicant is requesting a variance to replace and expand an existing legal non-conforming dwelling located within a bluff not meeting OHW setbacks.

The existing dwelling is approximately 1036 sq ft with no attached garage and approximately 675 sq ft of decks and screen-in porch located approximately 55' from the OHW (approx. 1711 sq ft of ground cover).

The proposed dwelling is 1825 sq ft with a 909 sq ft attached garage, and 492 sq ft in decks and screened-in porch located approximately 60' from the OHW (approx. 3,226 sq ft of ground cover).

The subject property is 2.55 acres, zoned Shoreland Residential (Mitchell Lake - General Development), and located at 17601 Gilman Road.

Permit History:

- 1977: Dwelling & SSTS
- 1991: Garage

- 1993: Deck
- 2001: Porch Addition
- 2006: Cup for Water Oriented Accessory Structure
- 2006: Water Oriented Accessory Structure
- 2007: Sand Blanket & Retaining Wall

Application Received:	6/20/2025
Action Deadline:	8/19/2025
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 7-14-25
• 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.

Table 8.02.02 Additional Structure Setbacks

Setback from:	Setback (in feet)
Bluff (top, bottom, or sides)	30
Significant Cultural or Historic Site	50
Unplatted Cemetery	50
City, County, State, or Federal road right-of-way, or streets not classified	35*
Property Line	10
Publicly-owned Recreational Trail (not easements)	10
Subsurface Sewage Treatment System--Septic Tank (to dwelling unit)	10
Subsurface Sewage Treatment System--Drainfield (to dwelling unit)	20
Subsurface Sewage Treatment System--Drainfield (to road right of way) ²²	0

*20 feet for all lots created before April 18, 200223 b) Bluff Impact Zones. Structures and accessory facilities, except stairways and landings, must not be placed within bluff impact zones. c) Uses Without Water-oriented Needs. Uses without water-oriented needs must be located on lots or parcels without public waters frontage.

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

1. The subject property is located at 17601 Gilman Rd and is zoned "Shoreland Residential" (Mitchell Lake - General Development).
2. The subject property contains a legal existing non-conforming multi-story dwelling within a bluff located approximately 55' from the OHW where 75' is required.
3. The request is to construct a 1825 sq ft multi-level dwelling with a 909 sq ft attached garage, and 492 sq ft in decks and screened-in porch within a bluff approximately 60' from the OHW where 75' is required.
4. The subject property contains a building envelope as shown on certificate of survey dated 6/19/2025.
5. The proposed structure placement is in keeping with other dwellings in the area.
6. The proposed impervious is 6.2%
7. The proposed project does include an increase in bedrooms (3 existing; 4 proposed with two bonus rooms).
8. The DNR has been notified of the request.
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 proposed dwelling is in keeping with the placement of neighboring dwellings.
 - b. No, the parcel contains an adequate building envelope meeting all setbacks.
10. Does the property have unique circumstances that were not created by the landowner?
 - a. Yes, the property was legally developed in 1977.
 - b. No, _____.
11. If the variance is granted, will the essential character of the locality remain consistent?
 - a. Yes, constructing the new dwelling will not alter the essential character of the neighborhood. The improvement will be visible from the lake, however the proposed placement of the dwelling would increase the setback distance from the OHW.
 - 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, the request is not consistent with the purpose and intent of the zoning ordinance. The required structure setback is 75' and structures are not to be placed within the bluff or bluff impact zone.
- 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 Adjustments 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 Board of Adjustments 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. Erosion best management practices shall be used during and after construction until soils stabilize. Revegetation to be implemented using native species with a plan approved by the Crow Wing Soil & Water Conservation District (CWC SWCD).
4. SSTS design to be submitted that meets the required sizing for the proposed dwelling. This design will need to be submitted prior to issuing any land use permits.

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: _____

FIRST NAME: _____

Miller Construction

ADDRESS: P.O. Box 1080

PHONE: 507-218-820-4830

CITY: Crosslake

STATE: MN

ZIP: 56442

ADDRESS 2: _____

CITY 2: _____

STATE 2: _____

ZIP 2: _____

OWNER: Perry Falls

LOCATION

RECODE/PARCEL NUMBER: _____

LEGAL DESCRIPTION:

Gilman's Lots - Lot 1 Block 1
 TOWNSHIP: 138 RANGE: 27 SEC: 12 QTRSEC: _____ QTRQTRSEC: _____
 PLAT: 22107 Gilman's Lots
 BLOCK: 1 LOT: 1

LAKE NAME: Mitchell

LAKE NUMBER: 10029403 STREAM NAME: _____

ACREAGE: .65

FIRE NUMBER: _____

ZONING: Lakeshore

DIRECTIONS: 17601 Gilman Rd Fifty Lakes, MN 56443

HOUSE NUMBER: 17601

STREET NAME: Gilman

IS THE PROPOSED VARIANCE IN THE SHORELAND AREA?

☒ Yes☐ No

SPECIFICALLY STATE

THE NATURE OF

VARIANCE REQUESTED:

Demo of Existing Home? Construction of New Home in Same Location.

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

Construction of New Home in existing home location built on Bluff.

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

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

CITY ACTION

APPROVED: _____

DATE: _____

CONDITIONS: _____

RATIONALE: _____

NOTES: _____

APPLICATION DATE: _____

VARIANCE ID: _____

FEE: _____

DATE FEE PAID: _____

FEE PAID BY: ☐ Check #:☐ Cash

DATE APPROVED: _____

EXPIRATION DATE: _____

Signed



Applicant

Signed

City Clerk or authorized agent

Signed

Zoning Administrator or authorized agent

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: Fails FIRST NAME: Perry
ADDRESS: 881 Arnicia Dr PHONE: [REDACTED]
CITY: Waketown STATE: MN ZIP: 55388
ADDRESS 2: _____
CITY 2: _____ STATE 2: _____ ZIP 2: _____
OWNER: Perry Fails
LOCATION RECODE/PARCEL NUMBER: 88120542
LEGAL DESCRIPTION:

Gilman's Lots - Lot 1 Block 1
TOWNSHIP: 138 RANGE: 27 SEC: 12 QTRSEC: _____ QTRQTRSEC: _____
PLAT: 88107 Gilman's Lots
BLOCK: 1 LOT: 1
LAKE NAME: Mitchell LAKE NUMBER: 18022400 STREAM NAME: _____
ACREAGE: .66 FIRE NUMBER: _____ ZONING: Lakeshore
DIRECTIONS: 17601 Gilman Rd Fifty Lakes, MN 56448
HOUSE NUMBER: 17601 STREET NAME: Gilman Rd

IS THE PROPOSED VARIANCE IN THE SHORELAND AREA? ☒ Yes ☐ No

SPECIFICALLY STATE

THE NATURE OF

VARIANCE REQUESTED: Demo of Existing Home ? Construction of New Home in same location

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

Construction of new home in existing home location built on
Bluff.

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: 6/20
VARIANCE ID: 13-25 FEE: 450.00
DATE FEE PAID: 6/20
FEE PAID BY: ☒ Check # 17654 ☐ Cash
DATE APPROVED: _____
EXPIRATION DATE: _____

Signed _____

Applicant

Signed _____

City Clerk or authorized agent

Signed _____

Zoning Administrator or authorized agent

CITY OF FIFTY LAKES PLANNING & ZONING
AUTHORIZED AGENT FORM

I hereby authorize Miller Construction
Agent / Contractor (please Print)

BC691467
Contractor's License Number
Don 218-820-4820
Jared 218-820-4830
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 22120542 Section: 12

Site address 17601 Gilman Road

Perry W. Fails 06/16/2025
Property Owner(s) Signature Date
Property Owner's last name (please print) Fails
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

App forms - Authorized Agent Form

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?

We will not be able to build a new home. If Variance is granted we will be able to slide the home back from the water.

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

All homes in this area are built on a bluff. We are wanting to demo the existing home & construct a new one.

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

All other surrounding properties are built in the same manner.

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

This is consistent with the other homes in the area.

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

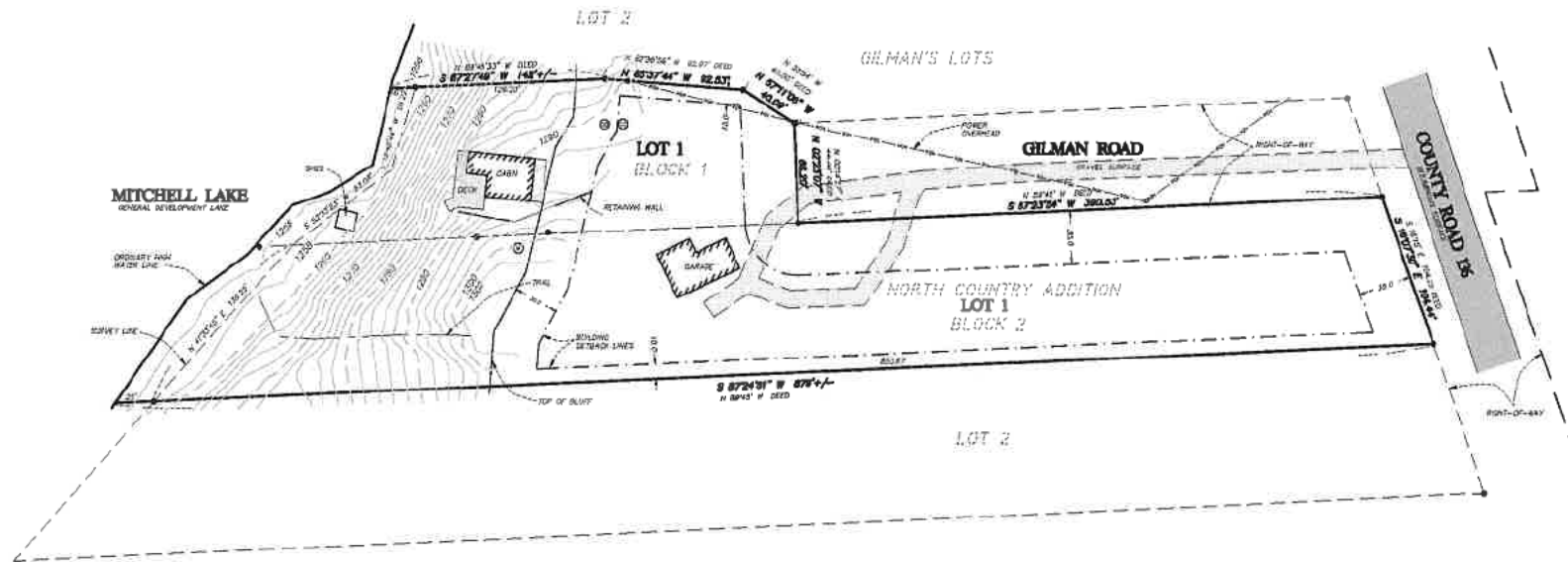
No, we want to be able to construct this home with retaining & stability.

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

No other options were possible as all other homes in the area have the same constraints.

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

We believe by constructing a new home will be consistent with other homes in this area.



LEGAL DESCRIPTION (PER DOCUMENT # 851182)

LOT 1, BLOCK 1, GILMAN'S LOTS,
AND
LOT 1, BLOCK 2, NORTH COUNTRY ADDITION, CROW WING COUNTY, MINNESOTA

RECORDING NOTES

1. No search for assessments or restrictions, recorded or unrecorded, was made by the Surveyor.
2. Bearings shown are based upon the Crow Wing County Coordinate System.
3. The underground utilities shown have been located from field survey information. The surveyor makes no guarantee that the utilities shown are complete or that they are in the area, other than as indicated.
4. No easements were determined as part of this survey.
5. Total area of subject property is 11.184 Acres, or 1/233 Acres.
6. All setbacks to be verified with the City of Fifty Lakes prior to any new construction.

LEGEND

- EXISTING FOUND MONUMENT
- ⊙ EXISTING SURVEY MONUMENT
- ⊙ EXISTING POWER POLE
- ⊙ EXISTING WELL



**Lakes Area
SURVEYING**

Terry T. Strus

Owner: EAM/ASH
Checked: RSH
Drawn: TTB
Revised: Drexler, Juchacz

Prepared for:

MILLER CONSTRUCTION

17601 GILMAN ROAD
FIFTY LAKES, MN 56448

MITCHELL LAKE

Fifty Lakes, Minnesota

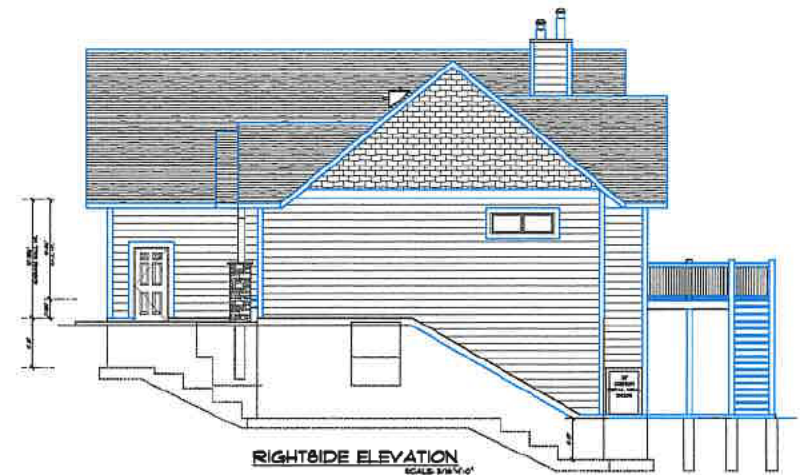
Date: 6/19/25

25-187 RECOVER.DWG

**CERTIFICATE OF
SURVEY**



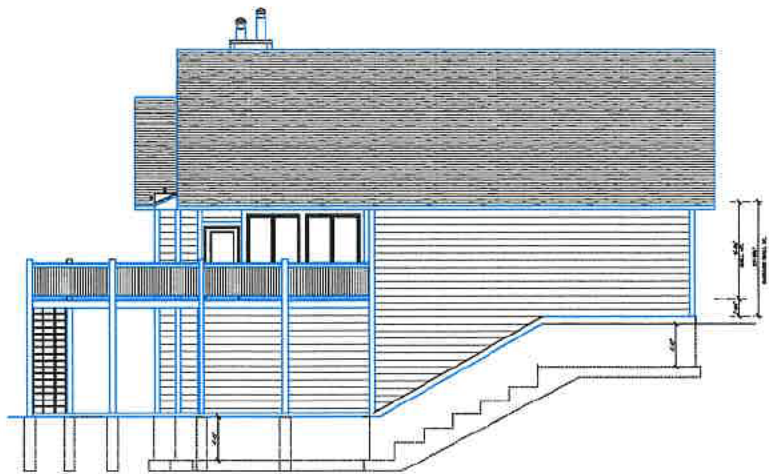
ROADSIDE ELEVATION
SCALE: 3/8"=1'-0"



RIGHTSIDE ELEVATION
SCALE: 3/8"=1'-0"

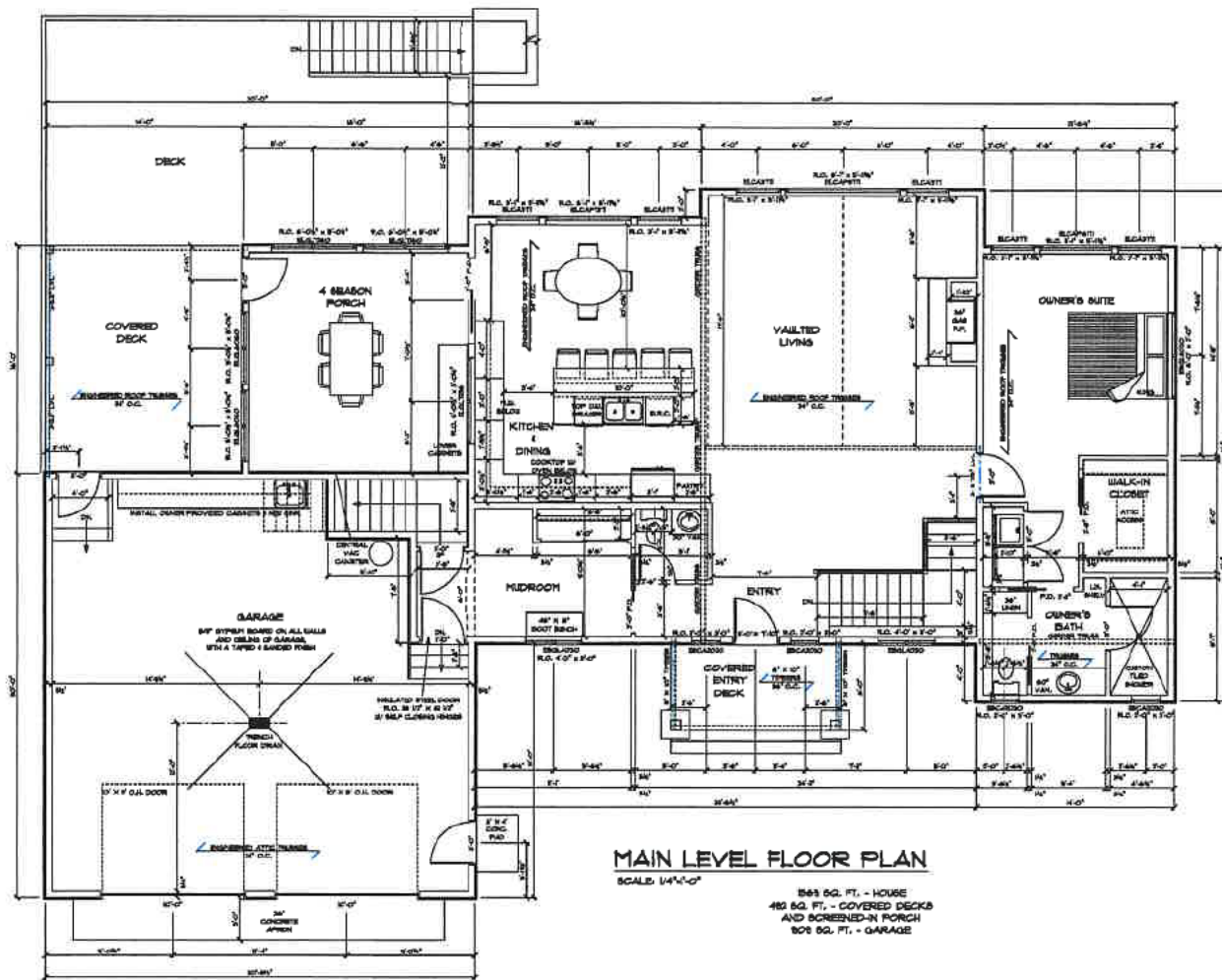


LAKE SIDE ELEVATION
SCALE: 3/8"=1'-0"



LEFTSIDE ELEVATION
SCALE: 3/8"=1'-0"

P.F.S. DESIGN LLC	
216-821-0630	
PROJECT FOR: TELLER	FRAME NO.
CONTRACT: - P&S	104
DATE:	
REVISION: MARCH 30, 2018	
REVISION: APRIL 8, 2018	
REVISION: JUNE 16, 2018	



NOTE:
ALL DIMENSIONS ARE TO FACE OF STUD
UNLESS OTHERWISE NOTED.
3 x 7" x 8" HEADERS OVER ALL EXTERIOR
OPENINGS UNLESS OTHERWISE NOTED.
DOUBLE TRIMMERS ON OPENINGS WIDER
THAN 8 FEET.
EXTERIOR DOORS BY THERMA-TRU OR
EQUAL. UNICOLS ARE HARBIN ELEVATE.
VERIFY ALL SIZES AND ROUGH OPENINGS
WITH OWNER AND MANUFACTURER. ANY
WINDOW WITHIN 18" OF THE FLOOR IS TO BE
TEMPERED. WINDOW HEIGHTS
TO BE 1-5 1/8" UNLESS NOTED. VERIFY
EXTERIOR DOOR ROUGH OPENING HEIGHTS.

VERIFY ALL TRUSSES, BEAMS AND
MICROLAYS WITH TRUSS MANUFACTURER.
INSULATE AROUND ALL BATHROOMS
AND BEDROOMS.

MEETING OF ENERGY CODE REQUIREMENTS
TO BE THE RESPONSIBILITY OF CONTRACTOR.
THIS PLAN WAS DESIGNED TO COMPLY WITH
2020 MN STATE BUILDING CODE AT THE TIME
AND FOR THE LOCATION THEY WERE DRAWN.
CHECK WITH YOUR CONTRACTOR
REGARDING LOCAL CODES THAT MAY VARY.
THE OWNER AND CONTRACTOR ASSUME THE
RESPONSIBILITY TO COMPLY WITH LOCAL CODES.

ROOF ASSEMBLY:
APPLY 1/2" MINIMUM
SPACING FELT & SCOTCHDATCH 1/2" BAYERS
1/2" DASH. INSULATING 18" x 24" CLIPS
SHIMMED ROOF TRUSSES 1/2" D.C.
AIR CHUTES IN EACH SPACE
1/2" POLY VAPOR BARRIER
1/2" 1/2" POLY VAPOR BARRIER
1/2" 1/2" POLY VAPOR BARRIER

1/2" x 4" BAYERS
PREPARED GLAZED METAL ROOF
1/2" 1/2" POLY VAPOR BARRIER

EXTERIOR WALL ASSEMBLY:
1/2" x 4" BAYERS
1/2" DASH. INSULATING
1/2" x 4" BAYERS 1/2" x 4" D.C. 1/2" DOUBLE TYP. PLATES
TRIMMED BOTTOM PLATE 1/2" x 4" POLY VAPOR BARRIER
1/2" 1/2" POLY VAPOR BARRIER
1/2" 1/2" POLY VAPOR BARRIER

1/2" x 4" BAYERS
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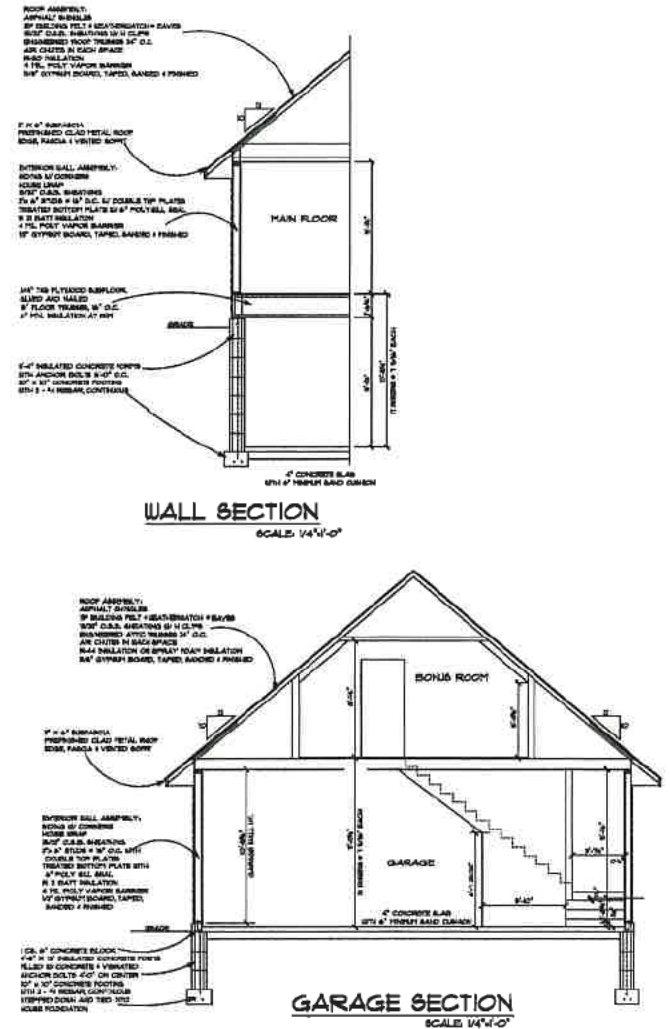
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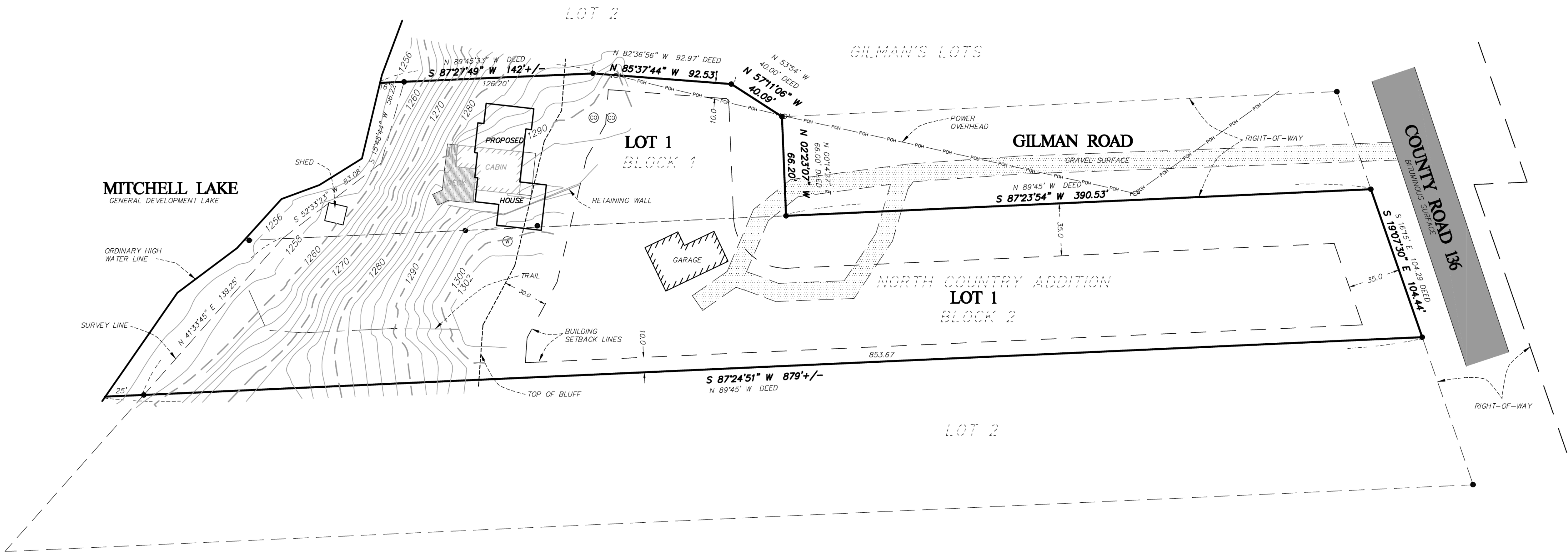
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REVISED AUGUST 21, 2024
REVISED OCTOBER 30, 2024
REVISED DECEMBER 30, 2024
REVISED FEBRUARY 20, 2025
REVISED MARCH 20, 2025
REVISED APRIL 8, 2025
REVISED JUNE 2, 2025
REVISED JUNE 9, 2025
REVISED JUNE 16, 2025

P.F.S. DESIGN LLC	
218-821-0630	
PROJECT FOR: MILLER	PAGE NO.
CONST. - FALLS	3 of 4
DATE: AUGUST 12, 2024	



LEGAL DESCRIPTION: (PER DOCUMENT # 921192)

Lot 1, Block 1, Gilman's Lots.
AND
Lot 1, Block 2, North Country Addition, Crow Wing County, Minnesota.

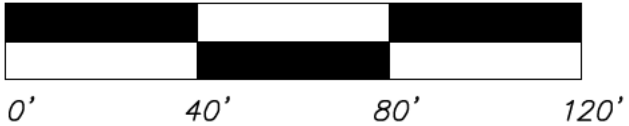
GENERAL NOTES

- No search for easements or restrictions, recorded or unrecorded, was made by the Surveyor.
- Bearings shown are based upon the Crow Wing County Coordinate System.
- The underground utilities shown have been located from field survey information. The surveyor makes no guarantees that the utilities shown comprise all such utilities in the area, either in service or abandoned.
- No wetlands were delineated as a part of this survey.
- Total area of subject property: +/- 111,334 Sq. Ft. / 2.55 Acres.
- All setbacks to be verified with the City of Fifty Lakes prior to any new construction.

LEGEND

- DENOTES FOUND MONUMENT
- DENOTES SEPTIC INSPECTION PIPES
- DENOTES POWER POLE
- DENOTES WELL

PROPOSED IMPERVIOUS CALCULATIONS			
PROPOSED / EXISTING	IMPERVIOUS AREA (SQ. FT.)	GROSS AREA (SQ. FT.)	PERCENT IMPERVIOUS
BUILDINGS	4,158	111,334	3.73%
GRAVEL	2,747	111,334	2.47%
TOTAL	6,905	111,334	6.20%



**CITY OF FIFTY LAKES
BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING
JULY 22, 2025 @ 6:00 P.M.**

TO WHOM IT MAY CONCERN:

The following will be the subject of a public hearing on Tuesday, July 22nd, 2025, beginning at 6:00 P.M at Fifty Lakes City Hall.

Hearing: Variance Application 13-25 For the replacement and expansion of a dwelling not meeting OHW or Bluff setbacks within the Shoreland Residential (SR) land use district.

Applicant: Miller Construction

Property Owner: Perry & Lisa Fails Joint Rev Trust

Property Description: The subject property is located at 17601 Gilman Rd; PIN 22120542 & 22120509.

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 legal non-conforming dwelling and decks within the lake and bluff setbacks approximately 54' from the OHW where 75' 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: 17601 Gilman Rd; 22120542 & 22120509:



ANDERSON, WILLIAM R
43218 COUNTY RD 136
FIFTY LAKES MN 56448

STJERN, JAMES C
6854 139TH LN NW UNIT 1
RAMSEY, MN 55303

DALE, PAUL A
43205 COUNTY ROAD 136
FIFTY LAKES MN 56448

TAX FORFEITED
CROW WING COUNTY LAND SERVICES
322 LAUREL ST STE 15
BRainerd, MN 56401-3590

FAILS, PERRY & LISA JNT REV TRUST
221 ARNICA DR
WATERTOWN MN 55388

WHEATLEY, JIM W & ADA A
17666 GILMAN RD
FIFTY LAKES MN 56448

GILMAN, GARY
43252 COUNTY RD 136
FIFTY LAKES MN 56448

WICKLUND, CHAD R & NORA J
955 KELLY ST
LINO LAKES, MN 55014

HALL, MICHAEL L & ROBERTA R
PO BOX 363
EMILY, MN 56447

YURICK, EDWARD & BELINDA
43380 COUNTY ROAD 136
FIFTY LAKES MN 56448

HOGAN, DANIEL & MELINDA
4900 262ND ST
WYOMING, MN 55092

KOSIAK, JOHN A
644 EVERGREEN CIRCLE
SHOREVIEW, MN 55126

MCKEE, JUDITH ANN HALL & CHARLES M
1035 ROAD 8 1/2
POWELL WY 82435

MIKLE, STEVEN J
685 4TH ST SW APT 116
FOREST LAKE, MN 55025

RADOUS, PAUL R & LAIMA JOINT TRUST
92 DOOLIN ST
LEMONT IL 60439

CITY OF FIFTY LAKES
MINUTES OF THE PLANNING COMMISSION
June 24, 2025 6:00 PM

1. Call to order: 6:00 pm

2. Roll Call:

Planning Commission: Bob Stancer, Gary Oster, Don Reiersen, Fred Strohmeier and Mike Milbrath
Staff: Bethany Soderlund, Zoning Specialist; Jessica Istvanovich, Deputy Clerk.
City Council: Gary Staples, Mayor

3. Additions/ Deletions to Agenda: Ms. Soderlund requested to add under New Business item b. "Sandall Variance Date Extension".

4. Public Hearings:

- a. **Conditional Use Permit Application 11-25** For the maintenance of existing rip-rap requiring more than 10 cubic yards of dirt/material moving within the Shoreland Residential (SR) land use district. The subject property is located at 14482 Grouse Ln; PIN 22280517. Applicant: Marilyn & James McKeehen. Owner: Marilyn K McKeehen Rev Trust.

**MOTION MADE BY MR. MILBRATH AND SECONDED BY MR. OSTER TO APPROVE
CONDITIONAL USE PERMIT 11-25 WITH 12 (TWELVE) FINDINGS OF FACT AND 2 (TWO)
CONDITION AS DISCUSSED:**

Findings of Fact:

1. The subject property is described as: Lot 4 Block 1 Red Fox Estates; 22280517; located at 14482 Grouse Ln.
2. The subject property is 1.3 acres and is located in the Shoreland Residential (SR) land use district on a General Development (GD) Lake.
3. The conditional use permit request is for 56 cubic yards of rock to repair existing riprap.
4. The proposed use is allowed with a conditional use permit.
5. The existing impervious surface coverage of the subject property is less than 15%.
6. The proposed use, with conditions, will not have an impact on the health, safety and general welfare of the occupants in the surrounding neighborhood. The subject property is adjacent to property used for residential purposes.
7. The proposed use, with conditions, will meet all standards of the ordinance.
8. The proposed use is compatible with the comprehensive plan.
9. The proposed use, with conditions, will not impact the value properties in the neighborhood nor will it impact future development of properties in the surrounding area.
10. The proposed use will not generate an increased demand for additional public utilities, public utilities or schools.
11. The proposed use, with conditions, will not adversely impact groundwater, surface water and air quality.
12. The proposed use conforms with the City's land use regulations.

Conditions of Approval:

1. All use 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. Riprap shall be installed according to the MN Department of Natural Resources specifications.

When polled: Mr. Stancer, aye; Mr. Reiersen, aye; Mr. Milbrath, aye; Mr. Strohmeier, aye; Mr. Oster, aye.
Motion carried.

- b. **Ordinance Amendment 12-25** To amend the City of Fifty Lakes Land Use Ordinance to include definitions for cannabis related businesses and uses and establish which districts allow cannabis businesses as either conditional or permitted uses. Applicant: City of Fifty Lakes

MOTION MADE BY MR. STROHMEIER AND SECONDED BY MR. MILBRATH TO RECOMMEND TO CITY COUNCIL ORDINANCE AMENDMENT 12-25. When polled: Mr. Stancer, aye; Mr. Reiersen, aye; Mr. Milbrath, aye; Mr. Strohmeier, aye; Mr. Oster, aye. Motion carried.

5. Approval of Minutes:

- a. May 27, 2025, Planning Commission Meeting

MOTION MADE BY MR. STANCER AND SECONDED BY MR. STROHMEIER TO APPROVE MINUTES FROM MAY 27, 2025, MEETING AS PRESENTED. When polled: Mr. Stancer, aye; Mr. Reiersen, aye; Mr. Milbrath, aye; Mr. Strohmeier, aye; Mr. Oster, aye. Motion carried.

6. New Business:

- a. **Sposito Driveway Request; PIN 22130555: Reno Sposito:** The planning commission directed Ms. Soderlund to encourage the applicant work with a civil engineer due unique property and the large volume of dirt work needed to create a driveway. No action taken.

- b. **Variance Date Extension Request:** Ms. Soderlund stated that a Land Use Permit on a Variance application needs to be obtained within 6 months of the approval date. Mr. Sandall was unaware of this requirement which are only stated in the ordinance. Ms. Soderlund recommends granting an extension to this variance with a deadline of July 1st, 2025 and to notify future applicants of the 6-month time frame associated with an approved variance application.

MOTION MADE BY MR. REIERSON AND SECONDED BY MR. OSTER TO GRANT AN EXTENSION ON VARIANCE APPLICATION 01-24 TO APPLY FOR A LAND USE PERMIT BY JULY 1ST, 2025. When polled: Mr. Stancer, aye; Mr. Reiersen, aye; Mr. Milbrath, aye; Mr. Strohmeier, aye; Mr. Oster, aye. Motion carried.

7. **P & Z Administrator's Report:** Ms. Soderlund reported 26 (twenty-six) land use permits as of the June meeting. Ms. Soderlund reported to the commission that she performed a site visit on an application and footings for the structure were already installed before a permit was finalized. The planning commission agreed that an "After-the-fact" fee should be issued.

MOTION BY MR. STROHMEIER AND SECONDED BY MR. OSTER TO ADJOURN. Meeting adjourned at 6:51 PM.

Jessica Istvanovich, Deputy Clerk

				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 3-10-25	4/11/2025	39823 Buchite Rd	Barber	Samantha	SR	22360502	Construction of a 40 x 80 accessory structure and ATF permit for WOAS	300.00	1081	Complete application as of 3/20/2025.
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	4/11/2025	39823 Buchite Rd	Barber	Samantha	SR	22360502	Water Oriented Accessory Structure	100.00	1081	CC waived ATF fee
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	3/21/2025	40705 Sunset View Ln	Justin	Lawrence	SR	22270606	15x26 Addition to Accessory Structure	100.00	1612	
09-25	3-31-2025	4/7/2025	17451 North County Rd	Wright	Dan & Jennifer	SR	22120500	Replace walkpath and dirt moving	50.00	2059	
10-25	3/24/2025	5/19/2025	15659 N Fox Beach Rd	Anderson	Mark & Mary	SR	22220580	Covered deck/porch	100.00	18818	Complete application recieved on 5/19/2025
11-25	3-31-2025	4/4/2025	40258 W. Fox Lake Rd	Williams	Mike & Laura	SR	22280575	SAP -Replacement of steps and walkway	50.00	5458	
12-25	4-4-2025	5/16/2025	12275 Northgate Ln	Muske	Michael & Jane	SR	22310518	24'x26' garage addition with storage room & guest quarters	450.00	CC	
13-25	4-21-2025	4-21-2025	40366 Co Rd 3	City of Fifty Lakes		PP	22250500	For the contruction of a splash pad	N/A	N/A	
14-25	4-21-2025	4-21-2025	15634 Co Rd 1 - Lot 19	Gallaway	Matthew	SR	22270528	For the placement of an 8x28 driveway	50.00	Cash	

NUMBER	DATE RECD	DATE APPRVD	PROPERTY ADDRESS	LAST	FIRST	ZONE	PIN	DESCRIPTION	FEE	Check#	Condition(s)
15-25	4-25-2025	6/24/2025	16335 W Eagle Lk Rd	Schuelke	Leroy	SR	22230516	36x26 3 car garage with no living quarters and driveway	200.00	22235	Incomplete - Needs driveway information
16-25	4-25-2025	6-2-2025	16857 N Eagle Lk Rd	Schmidt	Greg & Kellene	SR	22240504	The demolition of an existing dwelling and the construction of a new dwelling as approved by variance.	450.00	3164	Variance granted 3.25.25
17-25	4-28-2025	4-28-2025	43835 Kego Lake Rd	Cronister/ Carl	Jason & Casey	SR	22150510	For the installation of a renewable solar energy system as approved by CUP on 4-25-25	50.00	CC	
18-25	5-6-2025	5-12-2025	TBD N Mitchell Lake Rd	Dollimer	Mike	SR	22120563	For the construction of a Dwelling, SSTS, Driveway & E911	800.00	CC	E911 (\$100), SSTS (\$250) and (\$450)
19-25	5-8-2025	5-9-2025	15634 Co Rd 1 - #39	Bitterman	Roy & Barb	SR	22270508	For the removal of a 10'x10' deck and the construction of a 8'x10' deck	75.00	9362	
20-25	5-12-2025	5-19-2025	14482 Grouse Ln	McKeehan	Marilyn	SR	22280517	SAP-Dirt moving 50 cu yards in RLZ	50.00	2301	
21-25	6-6-2025	6-6-2025	16887 N Eagle Lake Rd	Milbrath	Mary & Mike	SR	22240600	Build a 12x12 storage area under existing 3 season porch	100.00	11535	Granted by Variance 5-27-25
22-25	6/2/2025	6-9-2025	16670 Brody Ct	Crawford	Rick & Lori	RR	22260505	Construction of an addition to dwelling	200.00	3064	
23-25	5/23/2025	6/16/2025	41056 W Fox Lake Rd	Maschke	Chad	SR	22210506	Dwelling with attached garage, driveway, SSTS	700.00	27481	Granted by Variance
24-25	6-6-2025	6/16/2025	16687 W Eagle Lake Rd	DelCotto	Tim	SR	22140509	Enclose & Screen porch	50.00	CC	
25-25	6-9-2025	6/23/2025	15132 Peninsula Ln	Rabusch	Thomas	SR	22270501	12x15 shed	100.00	3049	
26-25	6/16/2025	6/20/2025	43901 Kego Lake Rd	Decker	Chad	SR	22150512	Replace existing accessory structure with a 40x50 accessory structure	200.00	1846	
27-25	6/18/2025	7/7/2025	41597 E Eagle Lake Rd	Dingman	Fintan	SR	22240588	36x32 accessory structure	1000.00	2943	ATF
28-25	6/13/2025	7/11/2025	17343 Mitchell Lake Rd	Johnson	Andrew	SR	22120521	12x24 deck with seasonal RV Permit	150.00	9232	
29-25	6/23/2025	7/01/2025	40622 W Fox Lk Rd	Neihart	Kenneth	SR	22280546	23x25 Accessory Structure	150.00	10228	
30-25	6/30/2025	7/01/2025	43441 Kego Lake Rd	Johnson	David & Karen	SR	22100505	15 x 8 WOAS	100.00	8576	

NUMBER	DATE RECD	DATE APPRVD	PROPERTY ADDRESS	LAST	FIRST	ZONE	PIN	DESCRIPTION	FEE	Check#	Condition(s)
31-25	6/24/2025	7/11/2025	16969 N Eagle Lake Rd	Peterson	Michael & Joan	SR	22130559	Cabin remodel and addition	200.00	CC	
32-25	7/01/2025	7/14/2025	TBD - Palmer Dr	Fiksdal	Jason	SR	22130569	Dwelling with attached garage, driveway, SSTS	650.00	6370	
33-25	6/27/2025		16886 N Eagle Lake Rd	Sandall	Peter & Laura	SR	22240595	Addition to existing Dwelling	200.00	CC	
34-25	7/7/2025	7/11/2025	TBD Eaglewood Dr	Fuechtmann	Kevin & Debra	SR	22230530	Driveway	50.00	CC	
35-25											

2025 SSTS Permits

Permit #	Date Rec.	Date Apprvd.	New or Rep.	PIN	Location	Last Name	First Name	Type	Installer/License #	Installation Date	# of tanks	Instal I Cert	Notes (Seasonal or Resident) (Other Establishment?)
SSTS01-25	xx-xx-2025	5-9-2025	R	22250500	40366 CO Rd 3	City of Fifty Lakes		New Drainfield Only - 300 GPD, 102' trench or Chambers	Wannabo L925	6/6/25	0-Existing tanks used		
SSTS02-25	4/25/2025	5/1/2025	N	22330511	13893 County Rd 1	Lano	Jennifer	2Bed, 300 GPD, Chambers					
SSTS03-25	5-6-2025	5/12/2025	N	22120563	TBD N Mitchell Lake Rd	Dollimer	Mike	with 500 pump tank, Mound					
SSTS04-25	5/14/2025	5/16/2025	R	22310518	12275 Northgate Ln	Muske	Mike	Adding 130 sq ft to existing mound and replacing 500 lift with a 1000 lift. Existing 1500 comp tank.	Schrupp L747	5/28/25	0-Existing Tanks used		
SSTS05-25	5/19/2025	5/19/2025	R	22130557	17009 N Eagle Lake Rd	Feldman	Joel	Replacement of failing system - Mound 3bd, 450 GPD, 2250 Tank, 500 Lift.	Schrupp L747	6/30/25	2		
SSTS06-25	5/19/2025	5/30/2025	R	22150512	43901 Kego Lake Rd	Decker	Chad	4Bed, 600GPD, 2250 Comp Tank and 500 Lift, trenches			2		
SSTS07-25	5/30/2025		R	22240504 22240597	16857 N Eagle Lake Rd	Schmidt	Greg & Kellene						
SSTS08-25	5/27/2025	6/16/2025	N	22280564	41056 W Fox Lake Rd	Maschke	Chad						
SSTS09-25	7/01/2025		N	22130569	TBD - Palmer Dr	Fiksdal	Jason						
SSTS10-25													