



**Mississippi Headwaters Board
Meeting Agenda
Chase on the Lake, Walker Ballroom
502 Cleveland Blvd., Walker, MN 56484**

<https://us02web.zoom.us/j/89295093485>

**October 28, 2021
8:00 am**

8:00 AM

- **Call to Order/Pledge of Allegiance**

8:05 AM Approve/Amend

- Agenda
- Consent Agenda – September '21 Minutes & Expenses

Correspondence

- October Press Release
- BWSR article airing 11/1

Planning and Zoning (Actions)

- H10a21- Vicki Ronkowski variance- Hubbard County- Action

Action / Discussion Items:

- Change of date for next board meeting?- suggest 11/19- Discussion
- Executive Directors report- Discussion
- Biennial Conference in session

Meeting Adjourned - Thank you

**Mtgs: October 28th, '21, 9:00 AM to 1:00 PM- Mississippi Headwaters Board Biennial Conference.
November 26, 2021 9:00 AM- Cass County Courthouse, Walker, MN**

Attachment

Draft Minutes

Monthly Expenses

Mississippi Headwaters Board
September 15, 2021
Miss. Headwaters Board Conference Room
322 Laurel St.
Brainerd, MN

Optional interactive technology:

MEETING

MINUTES

Members present by Roll Call: Ted Van Kempen (Hubbard), Ann Marcotte (Aitkin) Steve Barrows (Crow Wing), Davin Tinquist (Itasca), Neal Gaalswyk (Cass), Mike Wilson (Morrison), and Tim Terrill (Executive Director).

Others Present: Nickolaus Phillips (GBAJPB), Bryan Haugen (Hubbard Env. Serv.) and Amy Kowalzek (Morrison ESD)

Pledge of Allegiance

Chair Marcotte asked if there were any additions to the agenda. None offered. **M/S (Gaalswyk/Barrows) to approve of the agenda. Motion carried unanimously.**

M/S (Barrows/Van Kempen) to approve of the Consent agenda. Motion carried unanimously.

Planning and Zoning

Hubbard County Shoreland Ordinance- Bryan Haugen explained that the Ordinance was updated mainly to include Vacation Rental By Owner (VRBO) language. Comm. Van Kempen said that they worked on this for months and the county board approved of it last month. **M/S (Van Kempen/Gaalswyk) to approve of certification of the ordinance. Motion carried unanimously.**

H9a21- Wall Variance- Bryan explained the Wall's are looking at building a new 2 story building on Wolf Lake which will exceed the impervious surface. Comm. Marcotte asked for clarification of location for the structure, and asked for clarification of map. Bryan provided another map on page 138. Marcotte asked if the BOA agreed to how much fill was being brought in. Bryan said the board was in favor to help with gravity flow of sewer from house to septic. with the following conditions **M/S (Gaalswyk/Van Kempen) to approve of certification of the variance.** Gaalswyk made a suggestion to provide a paragraph summary of the soils and septic rather than all the technical information in the packet. **Motion carried unanimously.**

M9a21- Smiedja/Retka Variance- the residence is seeking a variance from setback from the Miss. river to replace the existing, failing septic system with a new system. The board asked for pictures and staff remarks on the property, and Amy provided them. The MHB board was happy that the trees by the Miss. River will remain intact and only a few trees where the septic will be located will be disturbed. **M/S (Wilson/Barrows) to approve of certification of the variance. Motion carried unanimously.**

GBA8a21- Sonja Upton Variance- Nick provided explanation of the 8 variances needed to take down existing cabin and replace with new house to correct a lot line structure crossing. Nick stated that the impervious surface would remain the same. Comm. Gaalswyk pointed out a typo in one of the resolutions. Nick said he would double check that resolution. Comm. Marcotte noted that there is a lot of impervious being stuffed into a small area, and when does the BOA say “No.” Nick said the board wanted the structure to stay in the footprint of the existing structure. Discussion ensued about the lot line and the 2’ distance between the lot line and structure. Comm. Barrows agreed with Marcotte that many of the counties have these type of septic systems on small lots and how do all the 8 MHB counties handle that. Height of house was discussed as well along with septic upgrade and impervious surface. A stormwater plan will be implemented. Comm. Gaalswyk added that the septic is compliant, the impervious is exceeded and there is a stormwater plan to mitigate the difference. **M/S (Tinquist/Gaalswyk) to approve of certification of the variance. Motion carried unanimously.**

GBA9a21- Michael & Kim Roysland Variance- Nick explained they are seeking 5 variances for the property. Comm. Marcotte asked if there has been an official survey because the picture shows one of the structures being over the property line. Nick noted that their overhang from the cabin overhangs now, but they are tearing it down and building a new dwelling that will no longer be on the neighbors property. A well question was asked by Gaalswyk and Nick explained that a new well will be needed and will be obtained through the Dept. of Health. **M/S (Gaalswyk/Barrows) to approve of certification of the variance. Motion carried unanimously.**

GBA9b21- Mark & Bonita Haley Variance- 4 variances being sought to add a garage to the lot. Comm. Marcotte asked for questions, after hearing none:

Action/Discussion:

1. Letter of Support for Land Exchange- Tim and Comm. Tinquist gave a brief overview of a meeting held which resulted in the landowner, Bill Heig, wanting a land exchange between the Chippewa National Forest and Bill Heig land. Comm. Tinquist gave some context and recommended that the Letter of Support be approved. Comm. Gaalswyk asked if the MHB could approve the letter of support contingent on a formal support from Itasca county. Davin said he would do that. **M/S (Tinquist/Barrows) to approve of the MHB Letter of Support contingent on formal county support. Motion carried unanimously.**
2. Baxter and MHB Joint Powers Agreement- Tim explained that the LCCMR grant was approved for Whiskey Creek and this JPA agreement will allow the MHB to formally recognize Baxter as a partner and funnel LCCMR dollars from MHB to Baxter. **M/S (Barrows/Wilson) to approve of the MHB Letter of Support contingent on formal county support. Motion carried unanimously.**
3. Next Board meeting- the board approved through consensus to change the board meeting to 10 am to accommodate Comm. Newland’s request.

Executive Directors Report

1. Attended LSOHC council meeting and requested \$9,591,400 from them. The project ranked really well, but questions regarding BIPOC came up regarding our project. I responded that the MHB has a formal MOU with the Leech Lake Band, and that we worked with them on a conservation project in the future.
2. Held Resourcetainment meeting with counties that participated last year. Eight people attended and we looked at each event and looked at positives and negatives of the event. Then we reviewed the

survey results and saw similar patterns in events. Ideas about future events were discussed like a paddleboard race down to CW State Park and a bike ride back up to Kiwanis.

3. Went to Bemidji and met with project partners to discuss Lake Irving project and gave interview for Board of Water & Soil Resources on the MHB role in this. An article and short video will be produced about this and be placed on BWSR website and social media.

County Updates

Hubbard updated their shoreland management ordinance and are using money to close their garbage transfer station.

Morrison- The county administrator, engineer, and jail administrator are retiring and looking for qualified individuals. Comm. Wilson would like to have a discussion regarding approval of variances with Commissioners.

Itasca- Busy with budget meetings and a new jail.

Crow Wing- Approved preliminary budget of \$3.99 million and looking at their Capital Improvement Plan.

Cass- Approved preliminary budget of \$3.5 million, updated their Comprehensive Plan, having discussion with the Leech Lake Band of Ojibwe over the Indian Child Welfare Act compliance.

Aitkin- The SWCD bought a survey grade GIS survey tool to measure and identify culverts in townships for help with flood control and mitigation

M/S (Barrows/Van Kempen) to adjourn. Motion carried unanimously.

Chair Anne Marcotte

Executive Director Tim Terrill

ACCOUNT DETAIL HISTORY FOR 2021 09 TO 2021 09

ORG YR/PR	OBJECT PROJ JNL EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
74830	61000	Salaries & Wages - Regular							
							REVISED BUDGET		.00
							PER 01	5,362.08	5,362.08
							PER 02	5,651.74	11,013.82
							PER 03	5,523.01	16,536.83
							PER 04	5,523.00	22,059.83
							PER 05	5,523.00	27,582.83
							PER 06	5,523.00	33,105.83
							PER 07	8,284.53	41,390.36
							PER 08	5,523.01	46,913.37
21/09	385 09/10/21	PRJ pr0910	1210910	1210910	1210		2,761.50	49,674.87	
	pay091021	WARRANT=210910	RUN=1	BI-WEEKL					
21/09	1178 09/24/21	PRJ pr0924	1210924	1210924	1210		2,761.51	52,436.38	
	pay092421	WARRANT=210924	RUN=1	BI-WEEKL					
	LEDGER BALANCES --- DEBITS:		52,436.38				CREDITS:	.00	NET: 52,436.38
74830	61200	Active Insurance							
							REVISED BUDGET		.00
							PER 01	1,685.31	1,685.31
							PER 02	1,686.81	3,372.12
							PER 03	1,686.06	5,058.18
							PER 04	1,686.06	6,744.24
							PER 05	1,686.06	8,430.30
							PER 06	1,701.66	10,131.96
							PER 07	1,699.82	11,831.78
							PER 08	1,699.82	13,531.60
21/09	385 09/10/21	PRJ pr0910	1210910	1210910	1210		861.49	14,393.09	
	pay091021	WARRANT=210910	RUN=1	BI-WEEKL					
21/09	1178 09/24/21	PRJ pr0924	1210924	1210924	1210		838.33	15,231.42	
	pay092421	WARRANT=210924	RUN=1	BI-WEEKL					
	LEDGER BALANCES --- DEBITS:		15,231.42				CREDITS:	.00	NET: 15,231.42
74830	61300	Employee Pension & FICA							
							REVISED BUDGET		.00
							PER 01	772.64	772.64
							PER 02	816.54	1,589.18
							PER 03	797.03	2,386.21
							PER 04	797.04	3,183.25
							PER 05	803.15	3,986.40
							PER 06	797.04	4,783.44
							PER 07	1,215.42	5,998.86
							PER 08	797.03	6,795.89
21/09	385 09/10/21	PRJ pr0910	1210910	1210910	1210		398.52	7,194.41	

ACCOUNT DETAIL HISTORY FOR 2021 09 TO 2021 09

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
	pay091021	WARRANT=210910	RUN=1	BI-WEEKL						
21/09	1178	09/24/21	PRJ pr0924	1210924	1210924	1210		398.52	7,592.93	
	pay092421	WARRANT=210924	RUN=1	BI-WEEKL						
	LEDGER BALANCES --- DEBITS:		7,592.93	CREDITS:		.00	NET:	7,592.93		
74830	62100	Telephone								
							REVISED BUDGET			.00
							PER 01	57.08	57.08	
							PER 02	57.28	114.36	
							PER 03	57.32	171.68	
							PER 04	57.28	228.96	
							PER 05	57.22	286.18	
							PER 06	57.16	343.34	
							PER 07	56.86	400.20	
							PER 08	57.17	457.37	
21/09	836	09/21/21	API 006205		154933	28017		1.54	458.91	
	W C092121	SEPTEMBER CTC & 9/21-9/21	LD C CONSOLIDATED TELECOM							
21/09	836	09/21/21	API 006205		154933	28017		.82	459.73	
	W C092121	SEPTEMBER CTC & 9/21-9/21	LD C CONSOLIDATED TELECOM							
21/09	1178	09/24/21	PRJ pr0924	1210924	1210924	1210		55.00	514.73	
	pay092421	WARRANT=210924	RUN=1	BI-WEEKL						
	LEDGER BALANCES --- DEBITS:		514.73	CREDITS:		.00	NET:	514.73		
74830	62680	Non-Employee Per Diems								
							REVISED BUDGET			.00
							PER 02	200.00	200.00	
							PER 03	600.00	800.00	
							PER 04	50.00	850.00	
							PER 05	200.00	1,050.00	
							PER 06	450.00	1,500.00	
							PER 08	100.00	1,600.00	
21/09	834	09/21/21	API 003356		154935	28033		50.00	1,650.00	
	W C092121	MHB MEETING 9/15/21	HUBBARD COUNTY TREAS							
21/09	834	09/21/21	API 101580		154936	28052		50.00	1,700.00	
	W C092121	MHB MEETING 9/15/21	WILSON, MICHAEL							
21/09	834	09/21/21	API 002809		154937	28049		50.00	1,750.00	
	W C092121	MHB MEETING 9/15/21	TINQUIST, DAVIN C							
21/09	834	09/21/21	API 001099		154938	28037		50.00	1,800.00	
	W C092121	MHB MEETING 9/15/21	MARCOTTE, ANNE							

ACCOUNT DETAIL HISTORY FOR 2021 09 TO 2021 09

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
LEDGER BALANCES --- DEBITS:					1,800.00	CREDITS:		.00	NET:	1,800.00
74830	62990	Prof. & Tech. Fee - Other				REVISED BUDGET				.00
						PER 01		10,692.83	10,692.83	
						PER 02		525.00	11,217.83	
						PER 03		96,595.00	107,812.83	
						PER 04		56,018.05	163,830.88	
						PER 05		525.00	164,355.88	
						PER 06		30,525.00	194,880.88	
						PER 07		6,971.41	201,852.29	
						PER 08		6,925.00	208,777.29	
21/09	1739	09/30/21	GEN					525.00	209,302.29	
		RECURRING FINANCIAL SERVICE								
LEDGER BALANCES --- DEBITS:					209,302.29	CREDITS:		.00	NET:	209,302.29
74830	63320	Employee Mileage				REVISED BUDGET				.00
						PER 04		166.10	166.10	
						PER 07		280.18	446.28	
						PER 08		497.28	943.56	
21/09	1272	09/24/21	GNI AUG					142.80	1,086.36	
	WF PCARD	1434 - LSOHC Mtg								
		TIM TERRILL - OOP								
21/09	1272	09/24/21	GNI AUG					58.80	1,145.16	
	WF PCARD	1434 - august board Mtg								
		TIM TERRILL - OOP								
21/09	1272	09/24/21	GNI AUG					39.20	1,184.36	
	WF PCARD	1434 - ACLARA lake assoc. Mtg								
		TIM TERRILL - OOP								
LEDGER BALANCES --- DEBITS:					1,184.36	CREDITS:		.00	NET:	1,184.36
74830	63340	Hotel & Meals Travel Expense				REVISED BUDGET				.00
						PER 04		8.73	8.73	
						PER 08		4.63	13.36	
21/09	1271	09/24/21	GNI AUG					109.42	122.78	
	BREM PCARD	LSOHC lodging								
		TIM TERRILL - CROWNE PLAZA MPLS-WEST								
21/09	1271	09/24/21	GNI AUG					25.86	148.64	
	BREM PCARD	meal for LSOHC meeting								
		TIM TERRILL - CHILI'S PLYMOUTH #1751								
LEDGER BALANCES --- DEBITS:					148.64	CREDITS:		.00	NET:	148.64

ACCOUNT DETAIL HISTORY FOR 2021 09 TO 2021 09

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
74830	64090		Office Supplies							
								REVISED BUDGET		.00
								PER 01	37.20	37.20
								PER 02	14.30	51.50
								PER 03	16.11	67.61
								PER 04	23.85	91.46
								PER 05	45.16	136.62
								PER 07	71.15	207.77
								PER 08	185.69	393.46
21/09	1271	09/24/21	GNI AUG						132.68	526.14
			BREM PCARD printer ink							
			TIM TERRILL - OFFICEMAX/DEPOT 6590							
			LEDGER BALANCES --- DEBITS:		526.14			CREDITS:	.00	NET: 526.14
			GRAND TOTAL --- DEBITS:		288,736.89			CREDITS:	.00	NET: 288,736.89

20 Records printed

** END OF REPORT - Generated by Korie Wiggins **



PROTECTING THE FIRST 400 MILES

IMMEDIATE PRESS RELEASE 11/1/21

Media Contact

Tim Terrill

218-824-1189

timt@mississippiheadwaters.org

www.mississippiheadwaters.org

322 Laurel St.

Brainerd, MN 56401

Mississippi Headwaters Board Provides Support for Land Exchange

The Mississippi Headwaters Board wrote a letter of support to Representative Pete Stauber requesting that a land exchange occur in Itasca County between two parcels of land owned by a private citizen and the Chippewa National Forest (CNF) respectively.

Protecting land on or near the Mississippi river is a significant role of the Mississippi Headwaters Board (MHB), and sometimes that involves the MHB board working with legislative members. In June of 2021, a private citizen purchased 34 acres of land and 1,100 feet of shoreline on Lake Winnibigoshish adjacent to CNF lands and wanted to exchange that parcel with another parcel owned by the CNF located further away from the lake. The MHB took action by writing a letter of support to Representative Pete Stauber and CNF Forest Supervisor Michael Stansberry because their Comprehensive Plan supports increasing public land holdings along the Mississippi river and Headwaters lakes through land exchanges with willing private landowners. Davin Tinquist, Itasca County Commissioner, also sought and received unanimous formal support from the Itasca County board regarding the land exchange as well. If the land exchange is approved, this action will protect the natural and recreational values of Lake Winnibigoshish and Mississippi river while providing continuity to the existing CNF lands within the area.

Stormwater site protects Lake Bemidji



Beltrami SWCD’s Clean Water Fund-backed project targets nutrient-impaired Lake Irving, but its benefits extend to Lake Bemidji and beyond. The work will safeguard a source of Twin Cities drinking water, contain the flow in case of an oil spill, beautify a bike trail and increase pollinator habitat.



Project partners include the city of Bemidji, the Mississippi Headwaters Board and Enbridge.

BEMIDJI — What’s good for Lake Irving is good for Lake Bemidji, the Mississippi River and the downstream communities that rely on the river as a source of drinking water.

Beltrami Soil & Water Conservation District’s (SWCD) stormwater treatment project under construction this fall is designed to improve the water quality of nutrient impaired Lake Irving. The Mississippi River, which flows through both lakes, supplies St. Cloud and parts of the Twin Cities with drinking water.

“We’re cleaning up water that goes into the Mississippi River,” said



Christenson

Beltrami SWCD Board Supervisor Sam Christenson. “The impacts can go way downstream.”

The \$490,000 project — a stormwater treatment wetland, iron enhanced sand filter and re-meandered stretch of ditch that collects city stormwater runoff from an 886-acre drainage area including a Bemidji industrial park — taps a \$156,000 Clean Water Fund grant from the Minnesota Board of Water and Soil Resources (BWSR).

Zach Gutknecht, center, Beltrami SWCD clean water specialist, visited the construction site of a Clean Water Fund-backed stormwater treatment project Sept. 9 in Bemidji with HR Green lead scientist Shawn Tracy, right, and BWSR Board Conservationist Chad Severts. An iron enhanced sand filter is part of the project designed to improve the water quality of nutrient-impaired Lake Irving. The Mississippi River connects Lake Irving to Lake Bemidji; the work also will protect Lake Bemidji’s water quality.

Photo Credits:
Ann Wessel, BWSR

“What we’re trying to do here is reduce as much of the negative impact from human use around the lake as possible,” said Zach Gutknecht, Beltrami SWCD clean water specialist. He said water-quality issues arise in lakes with a 50:1 watershed-to-lake surface area ratio. The higher the ratio, the more potential for pollution. “Lake Irving has a 500:1 ratio.”

Project partners include the city of Bemidji, the Mississippi Headwaters Board (MHB) and Enbridge.

At the city’s request, the SWCD expanded the project to re-meander an 800-foot-long stretch of ditch and plant native grasses, forbs and shrubs throughout the site. Those plants will not only improve aesthetics along the Paul Bunyan State Trail but also add pollinator habitat.

Bemidji will draw \$300,000 from its stormwater utility fund to cover most of the remaining cost. The city will own the treatment system and maintain the iron-enhanced sand filter.

“Bemidji is the first city on the Mississippi, so stormwater treatment is very important,” said Craig Gray, city engineer and public works director. “Our city is on Lake Bemidji and Lake Irving and the Mississippi River. Without those three bodies of water, we really don’t have a city. The water quality of those bodies of water is very, very important to us, so we really try to do whatever we can to reduce any nutrient loading going into those lakes and the river.”

Street sweeping and existing stormwater ponds weren’t



The Lake Irving ditch is being re-meandered to look and function more like a stream. It’s part of the Beltrami SWCD’s Clean Water Fund-backed stormwater treatment project, which is designed to benefit nutrient-impaired Lake Irving and estimated to keep 233 pounds of phosphorus out of the lake each year.

enough to cut phosphorus loading to Lake Irving by 268 pounds a year — the 36% reduction the [Minnesota Pollution Control Agency \(MPCA\)](#) determined necessary to meet water-quality standards.

This project will keep an estimated 233 pounds of phosphorus — 87% of the reduction goal — out of Lake Irving each year. Phosphorus feeds the algae that can



Gray



Terrill

turn lakes green.

Lake Irving ranked in the Top 5 for phosphorus removal in a Mississippi

Headwaters Board study that identified more than 150 potential pollution-reduction projects for 12 cities on the first 400 miles of the Mississippi River. An \$81,000 Clean Water Fund grant from BWSR backed the study, which gave cities stormwater planning options that prioritized, targeted and calculated

“**The lake is kind of a regional hub for the local economy. It’s a fairly well-developed lake for the area, and it’s a major ecological resource as well. There’s several different important fish species including walleye and muskie.**”

— Zach Gutknecht, Beltrami SWCD

the effectiveness of best management practices.

“When we protect cities and we work on projects like Lake Irving, we’re doing a service not just to the people that live there but everyone downstream,” said Tim Terrill, MHB executive director.

“The Mississippi is used for drinking water in the Twin Cities,” Terrill said, and improving water quality upstream is more cost-effective than treating it downstream. “The Mississippi isn’t just a river that has a recreational value. It has a very important drinking water component to it.”

The MHB developed a public-private partnership with Enbridge, which contributed \$50,000 to the Lake Irving project. An Enbridge oil pipeline runs south of the site, which incorporates an outlet structure that can be closed in the event of an oil spill.

Work began in early September.



Left: Because the ditch flowing into the constructed wetland intersected with groundwater, water was pumped to the surface during construction, and then allowed to infiltrate back through the sand. As a precaution, a skimmer cleaned water before it discharged to the lake. **Middle:** From left: Gutknecht observed progress at the site Sept. 9 with Tracy and Severts. **Right:** Clouds and trees reflect in water at the site.

Shawn Tracy, a lead scientist with HR Green, worked with Bemidji on its stormwater retrofit analysis that led to a Lake Irving feasibility study. He was in Bemidji in early September to monitor construction.

By then, contractors had hauled in topsoil to boost the success of native seeds sown at the sandy site.

A skimmer mechanism at the temporary outlet cleaned water before it discharged to the lake. Along with additional de-watering, the skimmer safeguards groundwater that intersects with the

“ Lake Irving’s impaired. Lake Bemidji is close, and we know Lake Irving has been saving Lake Bemidji since we’ve been here, since the city’s been here. Anything we can do to reduce the impacts either to Irving or Lake Bemidji is going to prolong that. ”

— Zach Gutknecht, Beltrami SWCD



ditch. During construction, the ditch was closed off via the outlet structure that Enbridge would close in case of an oil spill.

Tracy described how the Lake Irving project will work:

Water from the re-meandered ditch will enter the stormwater wetland. There, sediment-bound phosphorus will settle out. Dissolved phosphorus will be stripped from runoff as it flows through the iron-

enhanced sand filter to Lake Irving.

Construction was expected to finish in October. A Conservation Corps Minnesota & Iowa crew was slated to complete additional seeding and live-staking this season.

“Lake Irving’s impaired. Lake Bemidji is close, and we know Lake Irving has been saving Lake Bemidji since we’ve been here, since the city’s been here. Anything we can do to reduce the impacts either to Irving or Lake Bemidji is going to prolong that,” Gutknecht said.

Planning and Zoning

Hubbard Ronkowski Variance



ROBERT W. MURRAY • MATTHEW R. MURRAY
LICENSED LAND SURVEYORS
P.O. BOX 1038
304 THIRD STREET NW
BEMIDJI, MINNESOTA 56601
BUSINESS (218) 751-5898
FAX (218) 444-9611

September 16, 2021

Hubbard County Board of Adjustment
C/o Eric Buitenwerf
Hubbard County Environmental Services
301 Court Ave
Park Rapids, MN 56470

Re: Variance Application 48-V-21 by Vicki Ronkowski

Dear Hubbard County Board of Adjustment:

At the last Board of Adjustment Meeting held on Monday, August 23, 2021, the Ronkowski variance application was tabled to explore the feasibility of installing a drainfield to serve to proposed Ronkowski structure. This work has been completed. Below please find an outlined update of the work completed, changes made, and information attached with this letter:

1. **Reduced Bedrooms.**

The applicant, Vicki Ronkowski, has decreased the number of proposed bedrooms from four to three.

2. **Septic Design.**

The enclosed septic design documents that it would be feasible to install a Type 1 septic system within the grassed area on the southeast side of Wolf Lake Road. The design was sized based on a three-bedroom structure.

3. **Installation of Septic System.**

Ms. Ronkowski is agreeable to installing the septic system now; however, if not required, she would be comfortable with the plan to use holding tanks until such time in the future that the use of the site is intensified. For now, the use of the cabin is primarily limited to her. The additional space and bedrooms is intended to accommodate her children and grandchildren when they are all able to get together.

4. **Structure Footprint.**

Ms. Ronkowski would like to retain the proposed footprint of the structure and enclose the unfished area above the garage as part of the second floor. Enclosing this area does not increase the overall impervious surface of the improvements. Ms. Ronkowski would be open to a

condition, if necessary, that limits the structure to three bedrooms or to the ability to service the structure with a permanent septic system.

5. **Reasonably Sized Structure.**

A "Neighborhood Overview" drawing has been prepared and attached hereto for the purpose of documenting that fact that the structure size proposed by Ms. Ronkowski is reasonable and in harmony with the neighborhood. The structure is not larger than most of the structures in the immediate vicinity and in fact, the structure is smaller than many others. Wolf Lake Rd passes over the Ronkowski property and has been included as part of the impervious surface of the lot. This is somewhat unusual. The road surface contributes 2,450 square feet of impervious surface toward the Ronkowski total. But for the road, the impervious surface coverage based on the proposed structure would be only 3,096 square feet (15%), plus a longer driveway.

6. **Revised Plans.**

An updated Site Plan and Stormwater Plan has been included to relocate the structure to two feet from the right-of-way line documented on the plat of Crescent Beach, Wolf Lake, as requested by the Board of Adjustment.

In summary, a septic system can be installed to service the revised down to three-bedroom structure proposed by Ronkowski. Please feel free to contact me if you have any questions.

Thank you,

A handwritten signature in blue ink, appearing to read "Matt Murray", is written over a light blue horizontal line.

Matt Murray

SITE PLAN

RONKOWSKI APPLICATION FOR VARIANCE

Parcel Tax ID No: 07.39.00300 & 07.01.03200

Address: 32560 Wolf Lake Rd

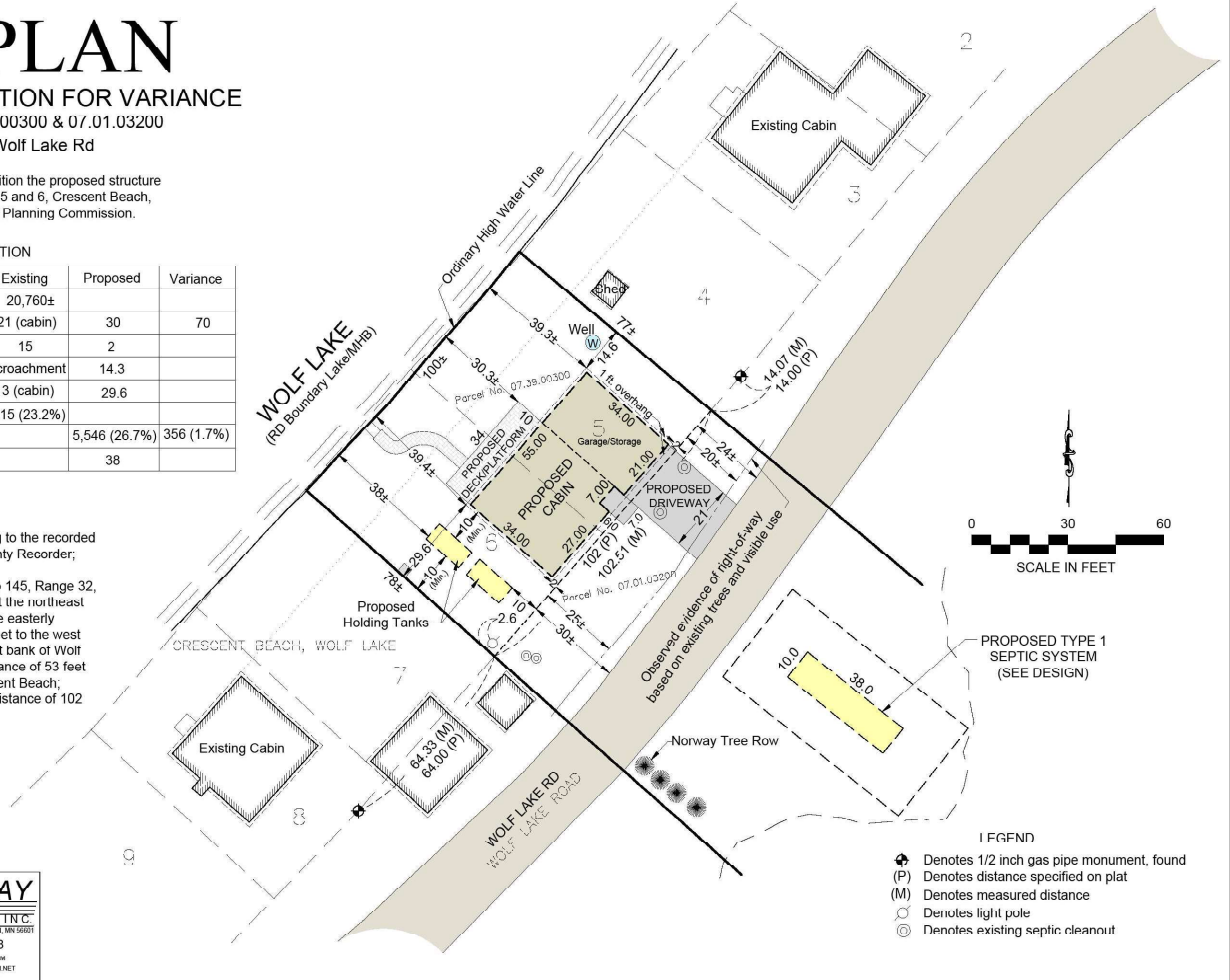
Note: This Site Plan has been revised to position the proposed structure two feet from the southerly boundary of Lots 5 and 6, Crescent Beach, Wolf Lake, as requested by Hubbard County Planning Commission.

SITE INFORMATION

	Required	Existing	Proposed	Variance
Lot Size (S.F.)		20,760±		
Setback (OHW)	100	21 (cabin)	30	70
Setback (Rear - Road)	20	15	2	
Setback (Side - North)	10	Encroachment	14.3	
Setback (Side - South)	10	13 (cabin)	29.6	
Existing Impervious Surface (S.F.)	5190 (25%)	4,815 (23.2%)		
Proposed Impervious Surface (S.F.)			5,546 (26.7%)	356 (1.7%)
Sewage Treatment Setback: OHW	75		38	

PROPERTY DESCRIPTION

Lots 5 and 6, Crescent Beach, Wolf Lake, according to the recorded plat thereof on file in the Office of the Hubbard County Recorder; AND, A portion of Government Lot 4, Section 1, Township 145, Range 32, more specifically described as follows. Beginning at the northeast corner of Lot 5 of the plat of Crescent Beach; thence easterly continuing the north line of Lot 5, a distance of 57 feet to the west bank of Wolf Creek; thence southerly along the west bank of Wolf Creek a distance of 102 feet; thence westerly a distance of 53 feet to the southeast corner of Lot 6 of the Plat of Crescent Beach; thence northerly on the east line of Lots 5 and 6 a distance of 102 feet to the point of beginning.



I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

MURRAY
SURVEYING, INC.
218-751-5898

ROBERT W. MURRAY
Revised 06.15.2021
DATE: 07-20-2021

218-751-5898
MURRAYSURVEYING.COM
MURRAY@PAULBUNYAN.NET

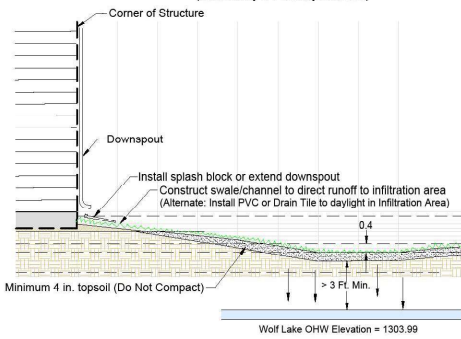
STORMWATER MITIGATION PLAN

RONKOWSKI APPLICATION FOR VARIANCE

Parcel Tax ID No: 07.39.00300

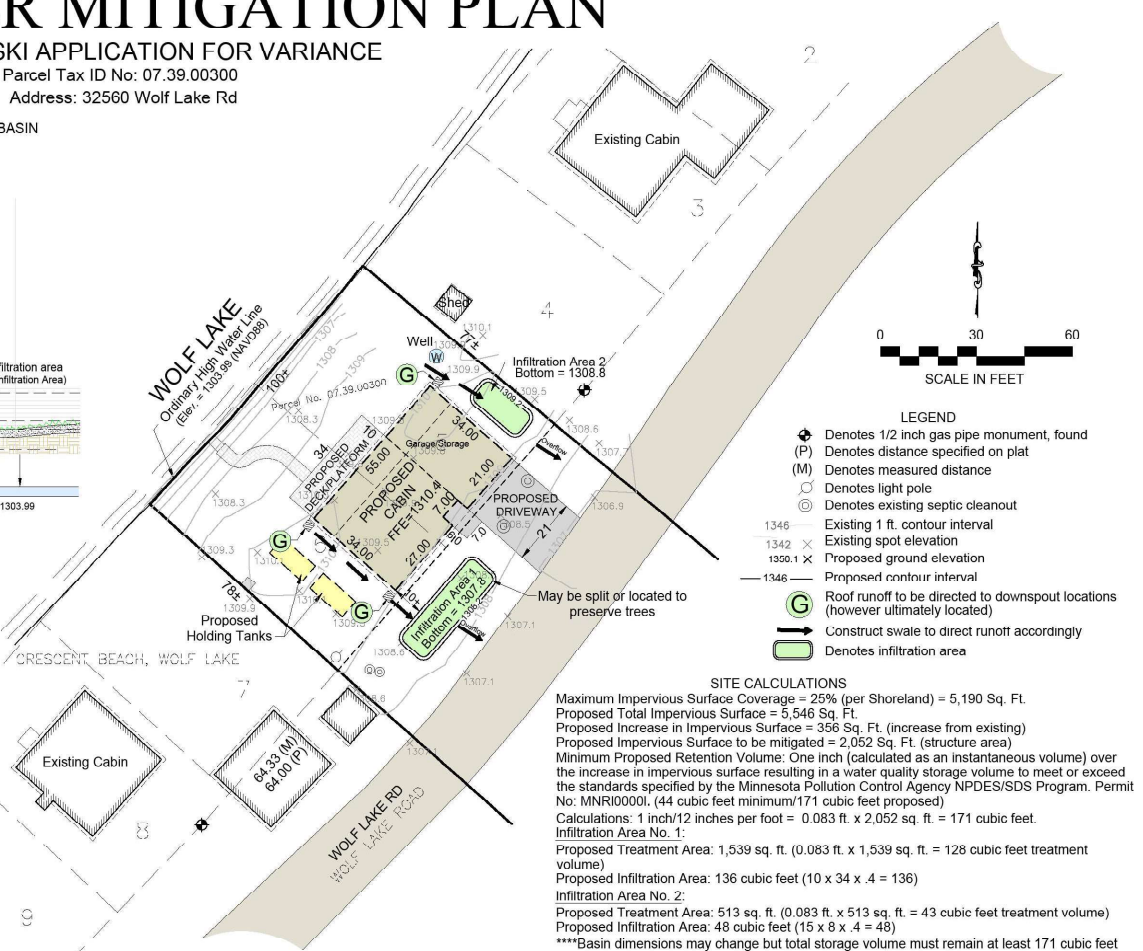
Address: 32560 Wolf Lake Rd

GRASS RETENTION/INFILTRATION BASIN AND GUTTER DETAIL NO SCALE (Horizontally & Vertically Distorted)



CONSTRUCTION AND MAINTENANCE PLAN

1. After completion of all site work, excavate basin and drainage swales in accordance with plans. Ensure bottom of basin is flat and not compacted. Scour if necessary.
2. Add a minimum of four inches of top soil containing high amounts of organic content.
3. Vegetate. Blue grama grass or Perennial ryegrass.
4. Ensure final dimensions are in accordance with plans.
5. Ensure ongoing stabilization and an effective stand of vegetation free of debris.



- ### LEGEND
- ⊕ Denotes 1/2 inch gas pipe monument, found
 - (P) Denotes distance specified on plat
 - (M) Denotes measured distance
 - Denotes light pole
 - ⊙ Denotes existing septic cleanout
 - 1346 Existing 1 ft. contour interval
 - 1342 X Existing spot elevation
 - 1302.1 X Proposed ground elevation
 - 1346 — Proposed contour interval
 - G Roof runoff to be directed to downspout locations (however ultimately located)
 - Construct swale to direct runoff accordingly
 - Denotes infiltration area

SITE CALCULATIONS

Maximum Impervious Surface Coverage = 25% (per Shoreland) = 5,190 Sq. Ft.
 Proposed Total Impervious Surface = 5,546 Sq. Ft.
 Proposed Increase in Impervious Surface = 356 Sq. Ft. (increase from existing)
 Proposed Impervious Surface to be mitigated = 2,052 Sq. Ft. (structure area)
 Minimum Proposed Retention Volume: One inch (calculated as an instantaneous volume) over the increase in impervious surface resulting in a water quality storage volume to meet or exceed the standards specified by the Minnesota Pollution Control Agency NPDES/SDS Program. Permit No: MNRI0000L (44 cubic feet minimum/171 cubic feet proposed)
 Calculations: 1 inch/12 inches per foot = 0.083 ft. x 2,052 sq. ft. = 171 cubic feet.

Infiltration Area No. 1:
 Proposed Treatment Area: 1,539 sq. ft. (0.083 ft. x 1,539 sq. ft. = 128 cubic feet treatment volume)
 Proposed Infiltration Area: 136 cubic feet (10 x 34 x .4 = 136)

Infiltration Area No. 2:
 Proposed Treatment Area: 513 sq. ft. (0.083 ft. x 513 sq. ft. = 43 cubic feet treatment volume)
 Proposed Infiltration Area: 48 cubic feet (15 x 8 x .4 = 48)

****Basin dimensions may change but total storage volume must remain at least 171 cubic feet

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

MURRAY SURVEYING, INC.
 218-751-5898
 MURRAYSURVEYING.COM
 MURRAY@PAULBUNAYAN.NET

MATTHEW R. MURRAY
 LICENSED LAND SURVEYOR
 LICENSE NO. 48168
 DATE: 08-18-2021
 FILE NO. 21-135

NEIGHBORHOOD OVERVIEW

RONKOWSKI APPLICATION FOR VARIANCE

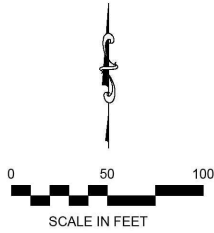
Parcel Tax ID No: 07.39.00300 & 07.01.03200

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AND,
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LEGEND

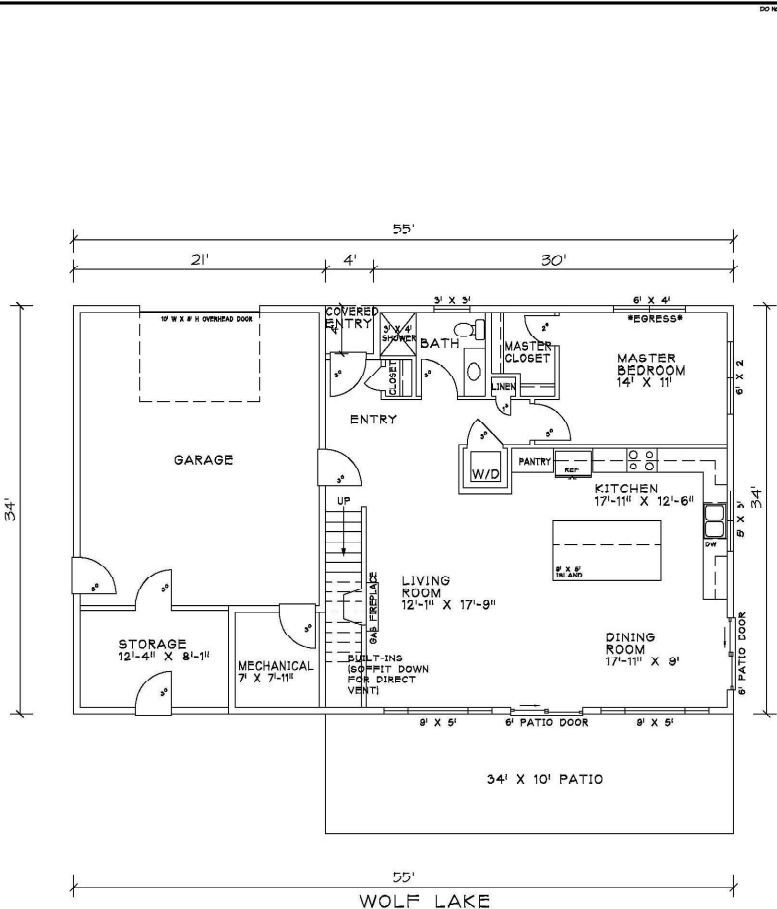
-  Approximate outline of building structures, digitized from Aerial Photography



I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Robert W. Murray
ROBERT W. MURRAY LICENSE NO. 15483
DATE: 07-20-2021 FILE NO. 21-135

MURRAY
SURVEYING, INC.
P.O. BOX 1035 BEMIDJIE, MN 56601
218-751-5898
MURRAYSURVEYING.COM
MMURRAY@PAULBUNYAN.NET



MAIN FLOOR PLAN
 Scale: 1/4" = 1'-0"
 1/2 Scale: 1/8" = 1'-0"

DO NOT SCALE FROM PLAN

LUNARBECK ARCHITECTURE, INC.
 1000 W. 10th St., Suite 100
 Lincoln, NE 68502
 Phone: 402.441.1111
 Email: lunarch@lunarch.com

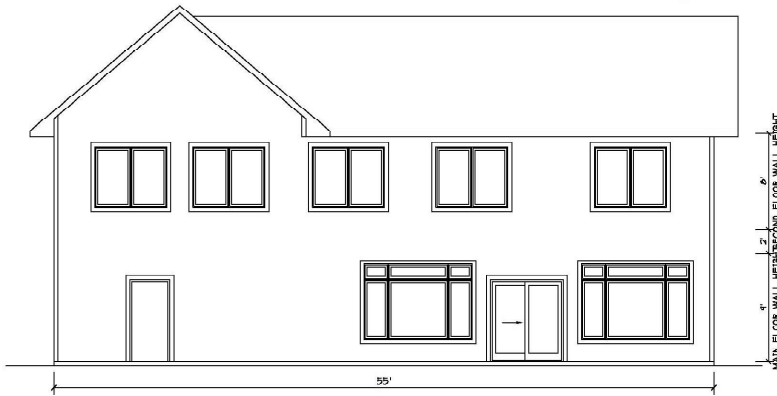
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NO. 18	18 JUN 21	18 JUN 21
NO. 19	19 JUL 21	19 JUL 21
NO. 20	20 AUG 21	20 AUG 21

VICKI ROKOWSKI 2021
 PRELIM CONSTRUCTION
 MAIN FLOOR PLAN

A2

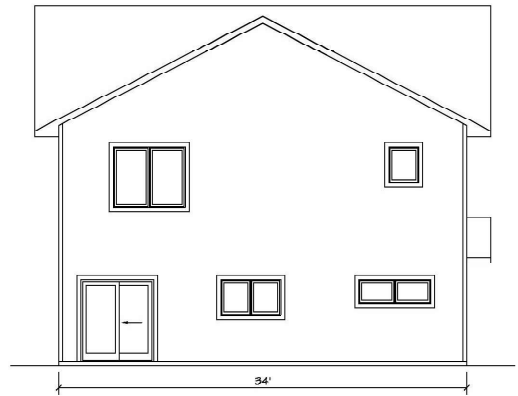
OPTION #1

DO NOT SCALE FROM PLANS

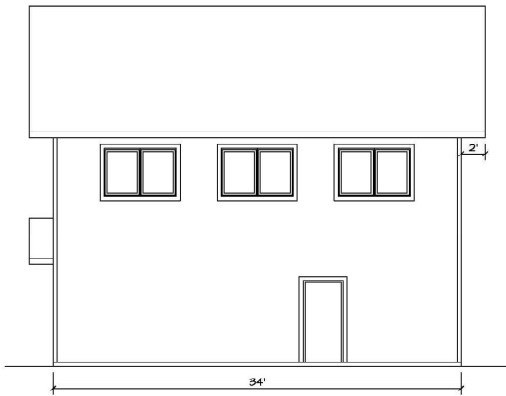


1' 2' 6'
 MAX FLOOR WALL HEIGHT
 MIN FLOOR WALL HEIGHT

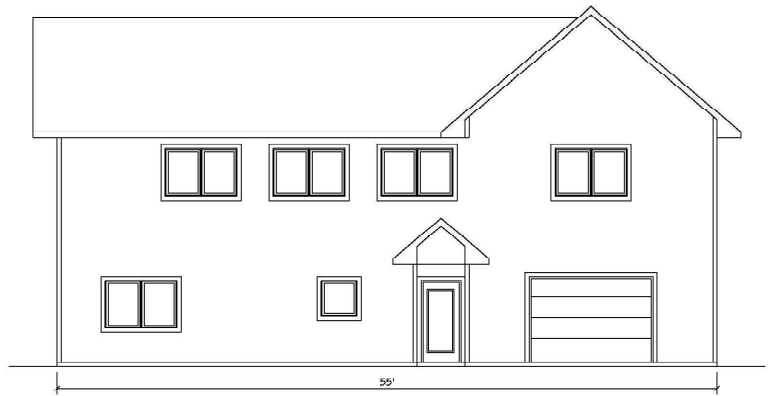
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 1/2 Scale: 1/8" = 1'-0"



SIDE ELEVATION
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 1/2 Scale: 1/8" = 1'-0"



SIDE ELEVATION
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FRONT ELEVATION
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 1/2 Scale: 1/8" = 1'-0"

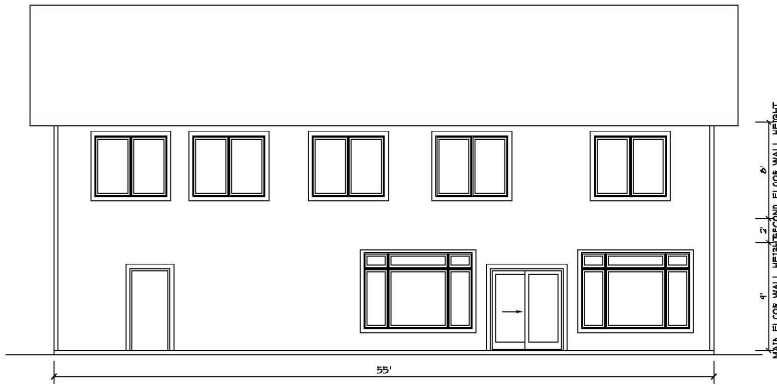
LUCASIEK ARCHITECTURE, INC.
 10000 UNIVERSITY AVENUE, SUITE 100
 MINNEAPOLIS, MN 55425
 TEL: 612.338.1111 FAX: 612.338.1112
 WWW.LUCASIEKARCHITECTURE.COM

DATE:	NOV 21 2021
BY:	VJR
CHK:	VJR
APP:	VJR
APP:	VJR

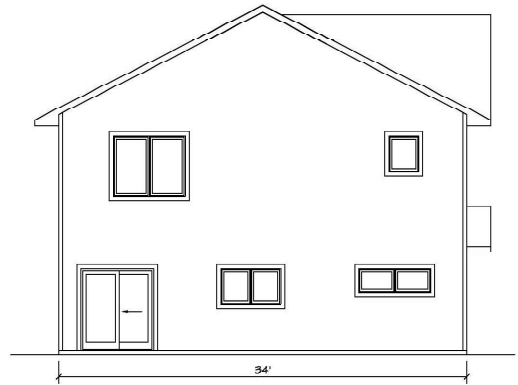
VICKI RONKOWSKI 2021
 MINNESOTA
 EXTERIOR ELEVATIONS
 A1

OPTION #2

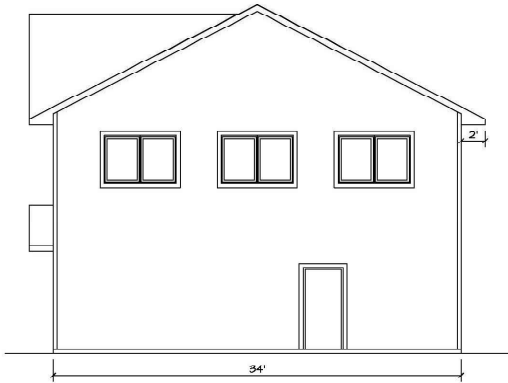
DO NOT SCALE FROM PLANS



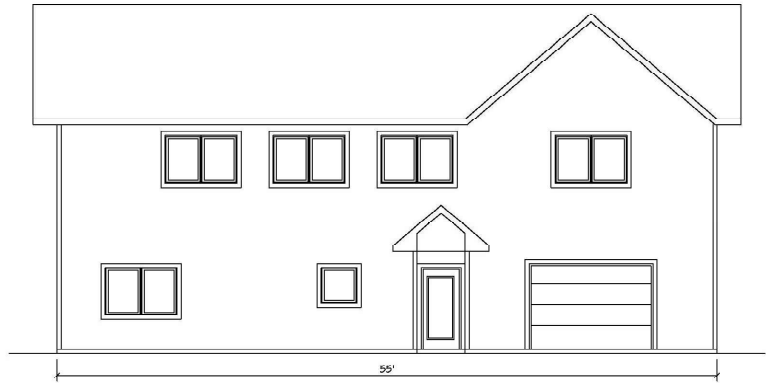
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1/2 Scale: 1/8" = 1'-0"



SIDE ELEVATION
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1/2 Scale: 1/8" = 1'-0"



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FRONT ELEVATION
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1/2 Scale: 1/8" = 1'-0"

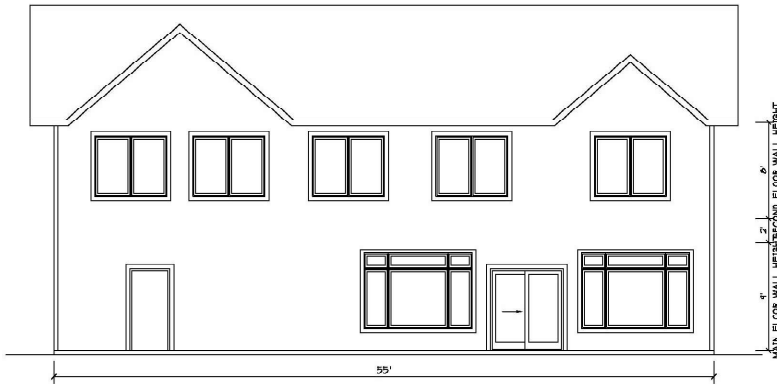
LUCASIEK ARCHITECTURE, INC.
 1000 W. WISCONSIN ST. SUITE 100
 MINNEAPOLIS, MN 55425
 TEL: 612.338.1111 FAX: 612.338.1112
 WWW.LUCASIEKARCHITECTURE.COM

DATE:	2021.04.21
BY:	VJR
CHECKED BY:	VJR
SCALE:	AS SHOWN

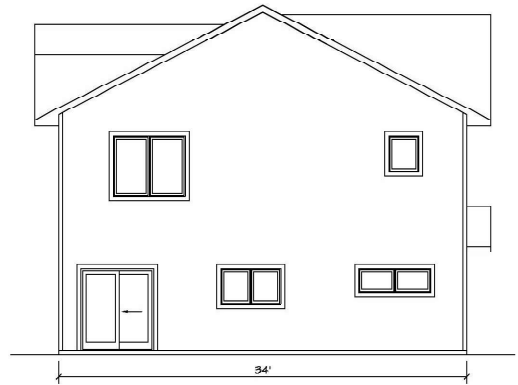
VICKI RONKOWSKI 2021
 MINNESOTA
 EXTERIOR ELEVATIONS
 A1

OPTION #3

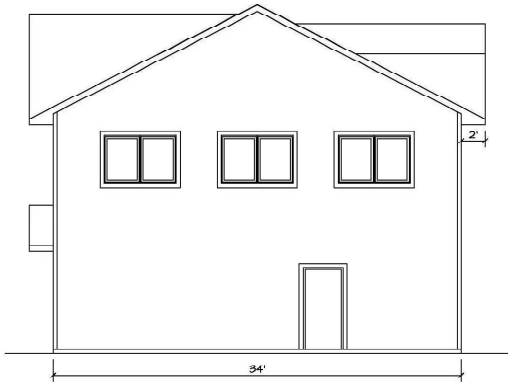
DO NOT SCALE FROM PLANS



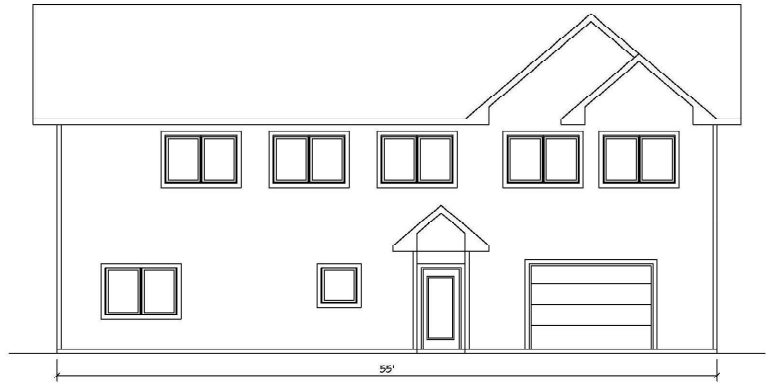
FRONT ELEVATION
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 1/2 Scale: 1/8" = 1'-0"



SIDE ELEVATION
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LUNARICK ARCHITECTURE, INC.
 10000 UNIVERSITY AVENUE, SUITE 100
 MINNETONKA, MN 55345
 TEL: 952.895.1234 FAX: 952.895.1235
 WWW.LUNARICKARCHITECTURE.COM

VICKI RONKOWSKI 2021
 MINNESOTA
 EXTERIOR ELEVATIONS

A1



Environmental Services

301 Court Avenue, Park Rapids, MN 56470
Phone: 218.732.3890

www.co.hubbard.mn.us/departments/environmental_services/index.php

August 25, 2021

Vicki Ronkowski
4614 Belmont Road
Grand Forks, ND 58201

Re: Hubbard County Board of Adjustment tabling of Variance Application 48-V-21

Dear Ms. Ronkowski,

The Hubbard County Board of Adjustment met on Monday, August 23, 2021 to review and consider the following variance application:

Variance Application 48-V-21 by Vicki Ronkowski: Lots 5 and 6, Crescent Beach, Section 1, Township 145, Range 32, Farden Township on Wolf Lake, a recreational development lake. Parcels 07.39.00300 and 07.01.03200. Applicant is requesting a variance from Sections 702 and 904.5 of the Shoreland Management Ordinance for a proposed replacement of a nonconforming structure with a new structure that will increase the road right-of-way setback nonconformity.

The official decision of the Hubbard County Board of Adjustment is as follows:

Kovacovich made a motion to table the application to allow the applicant time to submit a written report from a licensed septic system designer as to the feasibility and options for installing a drainfield on the property such as in the grassed area on the southeast side of Wolf Lake Road.

Andres seconded the motion that passed 5 – 0.

The BOA intends to take this application up again at its Monday, September 27, 2021 hearing/meeting. In order to give the BOA sufficient time to review the requested SSTS materials, please submit such as soon as possible and no later than Friday, September 16, 2021.

Given the BOA's decision to table the application, please also accept this letter as notice that Hubbard County is extending its available review period for your variance application from 60 days to the full 120 days from the July 27, 2021 date of application per its authority to do so under the 60-Day Rule in MN Statute 15.99.

Please contact our department at (218) 732-3890 with any questions.

Most sincerely,

Eric Buitenwerf
Environmental Services Director

cc: Matt Murray, Murray Surveying, Inc., agent, via email

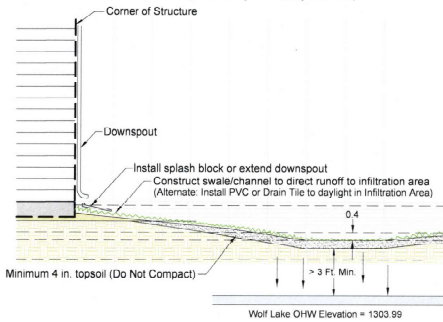
STORMWATER MITIGATION PLAN

RONKOWSKI APPLICATION FOR VARIANCE

Parcel Tax ID No: 07.39.00300
Address: 32560 Wolf Lake Rd

RECEIVED AUG 17 2021

GRASS RETENTION/INFILTRATION BASIN AND GUTTER DETAIL NO SCALE (Horizontally & Vertically Distorted)



CONSTRUCTION AND MAINTENANCE PLAN

1. After completion of all site work, excavate basin and drainage swales in accordance with plans. Ensure bottom of basin is flat and not compacted. Scour if necessary.
2. Add a minimum of four inches of top soil containing high amounts of organic content.
3. Vegetate. Blue grama grass or Perennial ryegrass.
4. Ensure final dimensions are in accordance with plans.
5. Ensure ongoing stabilization and an effective stand of vegetation free of debris.

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MURRAY
SURVEYING, INC.
702 SOUTH WISCONSIN STREET, SUITE 200
MINNEAPOLIS, MN 55415

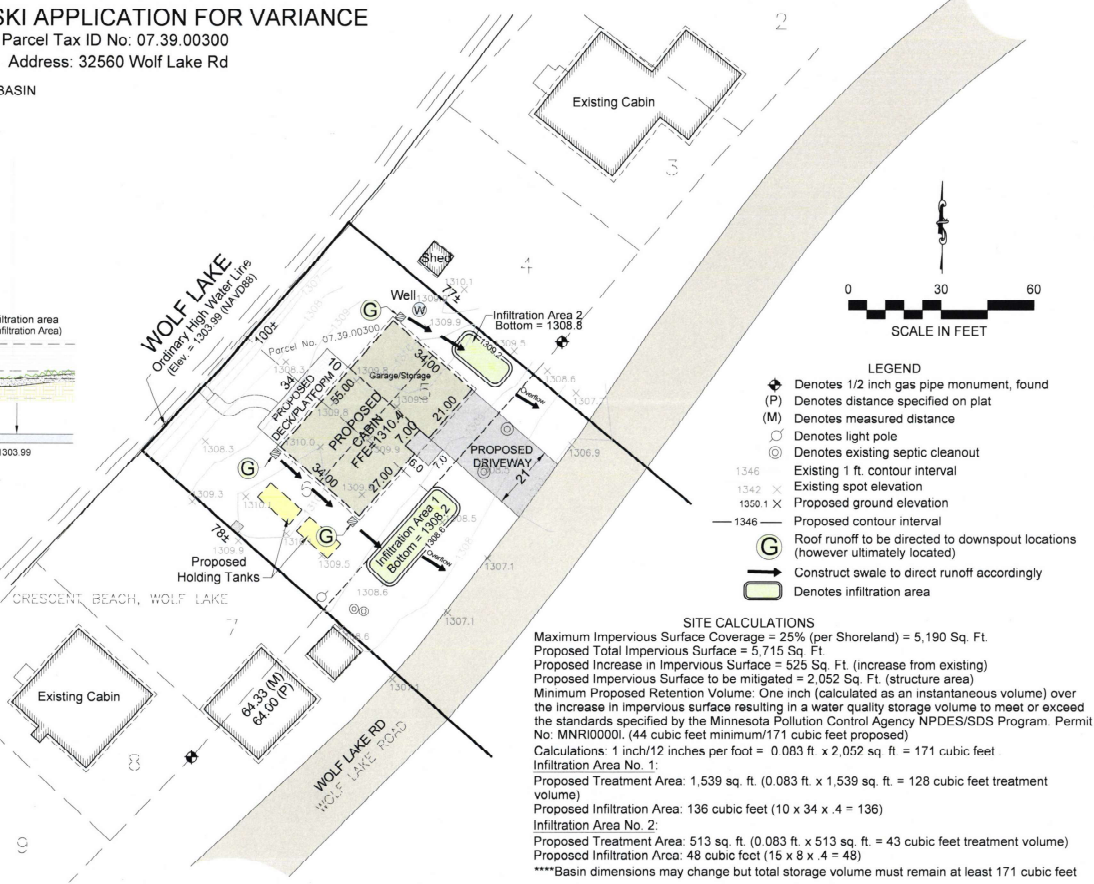
218-751-5998

MURRAYSURVEYING.COM

MURRAY@MURRAYSURVEYING.NET

MATTHEW R. MURRAY LICENSE NO. 48160
DATE: 08-18-2021 FILE NO.: 21-135

DRAFT





Variance Application

Hubbard County Environmental Services

301 Court Ave., Park Rapids, MN 56470

Phone: 218.732.3890

www.co.hubbard.mn.us/departments/environmental_services/index.php

This form must be legibly completed in INK.

Applicant name(s): Vicki M. Ronkowski Date: 7/23/2021
6/28/2021

Owner name(s) (if different from applicant): ~~_____~~

Mailing address (PO Box/Street, City, State, Zip): 4614 Belcourt Rd, Grand Forks, ND 58201

E911 property address: 32560 Wolf Lake Rd

Phone: Please contact authorized agent Matt Murray Alt. phone: 218-362-7647 Email: Vronkowski@gmail.com

Tax parcel number(s): 07.39.00300; 07.01.03200

Is this request after-the-fact? Yes No

Place an "X" by the ordinance(s) and provide the section(s) of said ordinance(s) from which you are requesting a variance.

- Shoreland Management Ordinance
- Subdivision Ordinance
- Sign Ordinance
- Subsurface Sewage Treatment System Ordinance
- Other: _____

Section(s): 502.2, 904, 702
 Section(s): _____
 Section(s): _____
 Section(s): _____
 Section(s): _____

Explain your requested variance need(s): Give details of the type, size, and purpose of proposed changes. Explain why you cannot complete the project by permit as the burden is on the applicant to show a practical difficulty. Attach additional sheets labeled "Variance Request", if necessary.

Please see attached.

Applicant Statement

I have read and fully understand the above instructions. I hereby make application for a variance, agreeing to do all such work in accordance with all Hubbard County Ordinances. In making this application, I hereby affirm that I am the fee title owner of the above-described property or the authorized agent thereof, and I agree to this application and warrant and assert that I am authorized by ownership and/or law to apply for the variance in question. By signing this application, I hereby certify that the information contained in this application is a true, accurate and complete representation of facts and conditions concerning the proposed variance application. I hereby state and affirm that any and all applications, sketches, surveys, and all other attachments and documents submitted herewith are true and accurate. I understand that if any of the information provided by me in this application is later found or determined by the County to be inaccurate, the County may revoke the variance and/or any accompanying permit based upon the supplying of inaccurate information. I understand and agree that in making application for a variance, I am granting permission to Hubbard County, at reasonable times and in a reasonable manner, to enter the land and premises that are the subject of this application to determine compliance of that application with any applicable county, state, or federal laws, statutes, or ordinances. I certify and agree that I will comply with any and all conditions imposed in connection with the approval of the application. I understand that I may be required to submit additional property descriptions, property surveys, site plans, building plans, or other information as deemed necessary by the County for proper consideration of the request before the application is deemed complete or acted upon.

Signature of applicant(s): Vicki M. Ronkowski Date: 6/25/21

For Office Use:

Application date: 7/27/2021 Filing acknowledged by: [Signature] Receipt #: _____ App. #: 48-V-21



Variance Application

Hubbard County Environmental Services

301 Court Ave., Park Rapids, MN 56470

Phone: 218.732.3890

www.co.hubbard.mn.us/departments/environmental_services/index.php

Note: Place an "X" by each item below that applies to your request. Then, fill out **only** the applicable following section(s) that apply, as directed. **If a section does not apply to your request, leave it blank.**

What is the reason(s) for applying for the variance? Place an "X" by each applicable item.

- Setback issues: complete Section 1
- Land or vegetative alteration: complete Section 2
- Lot size not in compliance with minimum Ordinance standards: complete Section 3
- Alteration to nonconforming structure: complete Section 4
- Other: attach separate sheet explaining variance request

Section 1

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance. Setbacks are measured to the nearest point on a structure which can be the eave overhang or an attached deck/platform.

- Ordinary High Water Mark (OHWM) Proposed Setback 30 ft
- Lot line Proposed Setback _____ ft
- Road Right of Way Twp Co State Proposed Setback 40 ft *from platted R/W; however, plat failed to dedicate R/W.*
- Crest of bluff Proposed Setback _____ ft
- Septic system components (**new SSTS site design must accompany variance application**)

Section 2

What is your land alteration? Check all categories that apply.

- Vegetative alteration
- Grading/filling
- Other (Attach separate sheet explaining the land alteration)

Note: An additional cross-section sketch showing L, W, and H dimensions and an itemized list showing volume (cubic yds.) of all proposed grading/filling must accompany application.

Section 3

When was your lot created (month/day/year)? 12/20/18 (This information can be found in your abstract of title. A copy of either this first deed or page in the abstract must be included in your application.)

Note: An ISTS site design showing your proposed building site, well location, a primary drainfield site, and an alternate drainfield site must be included in your application for a lot size variance.

Section 4

Note: A sketch showing L, W, and H dimensions of all portions of the existing and proposed structure(s) and addition(s) must be included in your application.

Circle all that apply and fill in requested information:

Existing structure

Foundation: basement, crawlspace, slab on grade

Stories above ground: ground level, 1 ½, two

Existing structure height: 15 ½ ft

Existing # bedrooms 2 + bunkhouse

Overall change in roof height when project is completed: 14 ft

New Construction

Proposed addition(s)

Foundation: basement, crawlspace, slab on grade

Stories above ground: ground level, 1 ½, two

Proposed addition(s) height: 29.5 ft

Final # bedrooms after remodel 4



Authorized Agent Form

Hubbard County Environmental Services

301 Court Ave., Park Rapids, MN 56470

Phone: 218.732.3890

www.co.hubbard.mn.us/departments/environmental_services/index.php

Note:

1. Form must be legible and completed in ink.
2. Check appropriate box(es). Write any specific restrictions on the checked item in the space provided (e.g. "garage land use permit" or "valid only on permit applications submitted between 06/01/2017 and 08/01/2017"). If you want your agent to represent you on a conditional use or variance application and also be authorized to obtain the related permit(s), be sure to check and complete the "permit application" item as well. If an item's box is checked and the accompanying space is left blank, the authorization granted on that item is valid for a period of one year from the date of signature on this form until Hubbard County Environmental Services receives signed, written notification from the property owner(s) stating otherwise or the property's ownership changes.

I (we), Vicki M. Ronkowski hereby authorize Mumy Surveying, Inc. / Matt Murray to act
 (landowner) (agent)

as my (our) agent on the following item(s): check the appropriate item(s)

- permit application (write in permit "type" – e.g. land use, septic, etc.): _____
- plat application: _____
- conditional use application: _____
- variance application: _____
- other: _____

on my (our) property located at:

Tax Parcel Number(s): 07.39.06300

Legal Description: Lots 5 and 6, Crescent Beach, Wolf Lake

Section: 1 Township: 145 Range: 32

Lot: 5 & 6 Block: _____ Plat Name: Crescent Beach, Wolf Lake

Physical Site Address: 32560 Wolf Lake Rd

Agent Contact Information

Agent address: 304 Third Street NW Bemidji MN 56601
 Street City State Zip Code

Agent phone #(s): 218-368-4647 Agent fax #: _____

Agent email address: Mmurray@paulburysurvey.com

Vicki M. Ronkowski Date: 6/25/21
 Property Owner(s) Signature(s)

Submit Form Click the button to the left to submit the authorized agent form and a new e-mail message will open with the completed form attached. Please attach any other necessary paperwork to this e-mail before submitting.

Variance Request

(Vicki Ronkowski Application for Variance)

Background

Vicki Ronkowski is seeking a variance to construct a new cabin on her property comprising Lots 5 and 6, Crescent Beach, Wolf Lake, which is located on the south shore of Wolf Lake, a recreational development lake and boundary lake shared with Beltrami County.

The plat of Crescent Beach was recorded December 20, 1918. Lots 5 and 6 were each platted as 50 feet wide with the common line between Lots 5 and 6 being 79 feet long. Unfortunately, it is not possible to construct anything on the property without a setback variance. The plat shows Wolf Lake Road running along the easterly boundary line of Lots 5 and 6; however, as more particularly described on the Certificate of Survey for the Ronkowski property, Wolf Lake Road was not dedicated on the plat of Crescent Beach, Wolf Lake. The extent of the right of way associated with Wolf Lake Road is not clear. The land located between the driving surface of Wolf Lake Road and Lots 5 and 6 does not reveal any evidence of having ever been used for road purposes.

The Ronkowski property includes, as a separate parcel, the land lying between Lots 5 and 6, Crescent Beach, Wolf Lake, and the west bank of Wolf Creek. The ownership of this adjacent land is common among most of the other lots in Crescent Beach, Wolf Lake. The strip lying of land lying between the plat and Wolf Creek ranges in depth as controlled by the creek. The township maintained road of Wolf Lake Road runs through the middle of the strip which has a very limited usable portion when accounting for wetlands and setbacks.

This variance proposes to remove the existing cabin, deck, and outbuilding structures and to construct a single new structure that will combine the cabin and garage/storage area. The desire to construct a new structure is based on aging structures and the need for additional space as a result of a growing family. In an effort to improve structure setbacks, the cabin depth is proposed to be reduced from 41.3 feet (overhang to overhang) to 36 feet (overhang to overhang). The cabin is proposed to be rebuilt further from Wolf Lake than the existing structure. This will increase the setback from Wolf Lake from 21 feet to 30 feet (when measuring to the overhang). A second story is proposed to minimize the structure footprint while gaining space to accommodate family members.

Details of variances being sought (See also chart on Site Plan)

Setback from OHW of Wolf Lake

The applicant is seeking a variance from Section 502.2 (and Section 702 as applicable) of the Hubbard County Shoreland Management Ordinance for minimum setback from the ordinary high water line of Wolf Lake. A variance is sought to construct a new structure 30 feet from the ordinary high water line of Wolf Lake. The minimum structure setback is 100 feet. The proposed setback is a 9 foot improvement from the current cabin setback of 21 feet.

Setback from Wolf Lake Road

The applicant is seeking a variance from Section 502.2 of the Hubbard County Shoreland Management Ordinance for minimum setback from a township road. For the reasons set forth on the Ronkowski Certificate of Survey, the exact extent of the Wolf Lake Road right-of-way is unclear. Based on the size of oak trees located between the existing driving surface of Wolf Lake Road and the easterly boundary line of Lots 5 and 6, the township road authority has not made any effort to utilize the area between the existing road and plat boundary for road purposes. The required setback from a township road is 20 feet. The new cabin structure is proposed to be located 10 feet from the easterly boundary of Lots 5 and 6,

which is represented on the plat of Crescent Beach, Wolf Lake, as being the westerly limits of Wolf Lake Road. The proposed cabin structure will be located 34 to 40 feet from the edge of the driving surface of Wolf Lake Road.

Impervious Surface Coverage

The applicant is seeking a variance from Section 502.2 and 904 of the Hubbard County Shoreland Management Ordinance, which specifies a maximum impervious surface coverage of 25%. The current impervious surface of the property is 4,815 square feet (23.2%). The impervious surface is proposed to be increased to 5,715 square feet (27.5%). This increase is partially attributed to the slight increase in the size of the proposed cabin structure as well as the addition of a permanent driveway. The township road driving surface accounts for approximately 2,500 sq. feet of impervious surface coverage on the property, which is almost half of the allowable impervious surface coverage.

Practical Difficulty

1. The Vicki Ronkowski property is an existing legal nonconforming parcel created approximately 53 years prior to any shoreland regulations. It is not possible to build on the property without a variance. This variance application is in harmony with the general purpose and intent of the official controls because it aims to advance public policy goals associated with the development of shoreland by reconfiguring the structure footprint and placement on the property resulting in an increased structure setback from Wolf Lake as well as to eliminate an existing encroachment along the northerly boundary line of the property.
2. Constructing a new cabin on the property is consistent with using the property in a reasonable manner when the proposed construction is reasonably consistent with existing development and use on the property as well as on adjacent parcels. Adding a second story to the structure is a reasonable way to attain space to accommodate an expanding family and not inconsistent with redevelopment on nearby lots in the area.
3. The need for a variance is due to circumstances unique to the property and not created by the current property owners. The uniqueness and need for a variance is caused by the size of the property which was created well in advance of any shoreland rules, as well as the township road that crosses through the middle of the adjacent parcel. It would not be possible to construct anything on the property without a variance.
4. Issuing a variance will maintain the essential character of the locality because the locality is largely comprised of 29 lots created by Crescent Beach, Wolf Lake. These lots were all created to be of a similar size such that no property within the plat could be built on without a variance. Moreover, all the existing development within the plat, both old and new, is similarly situated with respect to setbacks from Wolf Lake, Wolf Lake Road, and with respect to impervious surface coverage.
5. This variance is not being made based on any economic considerations.

Septic System Information

The current structure is not benefitted by a septic system but, like many of the cabins along the south shore of Wolf Lake, is serviced by holding tanks. The applicant proposes to install two holding tanks on the property in accordance with the attached septic system management plan for holding tanks, with the

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closest tank being 38 feet from the ordinary high water of Wolf Lake. It is the applicants understanding that a variance is not required to install the holding tanks.

MURRAY

SURVEYING, INC.

ROBERT W. MURRAY • MATTHEW R. MURRAY
LICENSED LAND SURVEYORS
P.O. Box 1038
304 THIRD STREET NW
BEMIDJI, MINNESOTA 56601
BUSINESS (218) 751-5898
mmurray@paulbunyan.net

July 23, 2021

Nick Macklem
Environmental Specialist
Hubbard County Environmental Services
301 Court Ave, Park Rapids, MN 56470

RE: Variance application for Parcel 07.39.00300

Dear Nick:

In accordance with your letter dated June 30, 2021, attached please find the remaining items required for the Ronkowski Variance application as set forth below:

1. Section 702 has been added to the variance application form and has been referenced in the narrative. The applicant is proposing to raze the existing structure and construct a new structure at an increased setback from the ordinary high-water line of Wolf Lake.
2. "Septic system components" was removed from section 1 of page two of the application per your required. The fact that holding tanks are proposed continues in the narrative so there is some type of explanation of the means of collecting sewage.
3. All existing improvements will be removed if the variance is approved. So the information is legible, the Site Plan shows the proposed improvements, the Existing and Proposed Overlay shows both existing and proposed improvements, and per your Letter, the Certificate of Survey has been revised to show the dimensions of all existing improvements including:
 - a. The dimensions of the deck and setback to OHW (see Deck Detail)
 - b. The setback from the Bunkhouse/Shed
 - c. The setbacks from the Car Port
4. The side profile sketch has added the proposed structure height of 29.5 feet.
5. The design of the proposed septic system holding tanks has been included. The information was prepared by Juelson Plumbing. Dave Larson has already submitted the septic system compliance to your office.

6. Additional ground-level photos have been included. The wood lath and pink flagging in the photos represent the boundary lines. The lines have been labelled or marked along with a description of the view.
7. Written directions to the property have been included.

We hope that by including these items you are able to find the variance application complete. My understanding is that you are holding our original application, including the application fee. Please contact me if you have any questions.

Thank you,

A handwritten signature in black ink, appearing to read "Matt Murray", written in a cursive style.

Matt Murray

CERTIFICATE OF SURVEY

RECEIVED AUG 10 2021

Lots 5 and 6, Crescent Beach, Wolf Lake

Parcel Tax ID No: 07.39.00300

PROPERTY DESCRIPTION

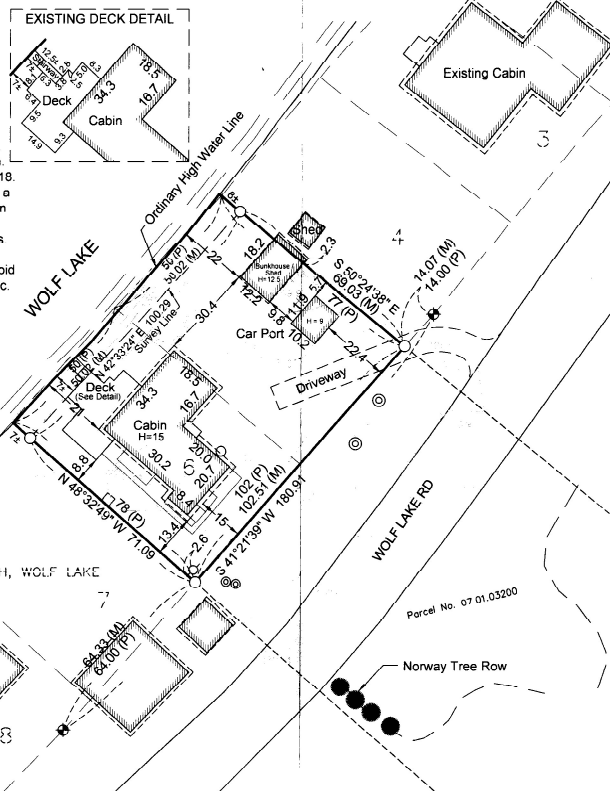
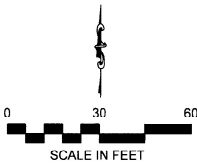
Lots 5 and 6, Crescent Beach, Wolf Lake, according to the recorded plat thereof on file in the Office of the Hubbard County Recorder.

NOTES TO SURVEY

- Bearing system based on the Hubbard County Coordinate System.
- This survey has not been prepared with the benefit of a title search.
- The plat of Crescent Beach, Wolf Lake was filed December 20, 1918. The plat has limited information to aid in locating lot lines, contains a mathematical discrepancy between the description in the dedication and dimensions shown on the plat, and there is no documented evidence of subsequent surveys in Hubbard County survey records. Best efforts were made to retrace the original survey based on the best available evidence recovered at the time of this survey. To avoid any potential discrepancies in future surveys, Murray Surveying, Inc. strongly recommends that the owners enter into boundary line agreements with adjoiners to solidify the location of the lot lines.

LEGEND

- ⊕ Denotes 1/2 inch gas pipe monument, found
- (P) Denotes distance specified on plat
- (M) Denotes measured distance
- ⊙ Denotes light pole
- ⊗ Denotes existing septic cleanout
- ⊙ Denotes iron pipe, LS 15483, to be set



NOTE TO WOLF LAKE RD RIGHT-OF-WAY

The plat of Crescent Beach, Wolf Lake designates Wolf Lake Road adjoining the easterly boundary of Lots 1-29 and dedicates to public use "all the roads designated thereon to which we may have title." At the time of recording the plat, the owner/developer (Carl H. Phillips) did not have title to any portion of Wolf Lake Road as platted (See VWD Doc. No. 41535, recorded in Book No. 44 on page 102). Consequently, there has been no statutory dedication of Wolf Lake Road. The conveyance to Carl H. Phillips by Lewis J. Larson utilizes the same language as the description in the plat dedication: "The South and east bounds of the aforesaid parcel as above described is and shall be the north and west limit of the aforesaid Wolf Lake Road." It seems that a road existed along the boundary of Crescent Beach, Wolf Lake at the time of plating, however, it is unclear if the portion of Wolf Lake Road abutting the subject property has continued in the same location since 1918. Historic photos from 1949 suggest that the portion of road adjacent to the subject property has not moved since that time. Though not legally platted, the reference to Wolf Lake Road in the conveyance to Phillips may indicate an intention or acknowledgement (by Lewis J. Larson) to dedicate land for use as Wolf Lake Road. No width was specified. *Raines v. Village of Alden*, 90 N.W. 2d 906 (Minn. 1958), citing *Poudler v. City of Minneapolis*, 115 N.W. 274 (Minn. 1908) provides that "where, after plating lands, the owners sell lots or blocks with reference to the plat, the plattees and their grantees are estopped to deny the legal existence of such streets and public grounds as are described in the plat." However, unlike in *Poudler*, the plat did not dedicate the road, only the portion that Phillips may have had any title to. The plat did not expressly purport to dedicate Wolf Lake Road to public use. Where, as here, statutory dedication fails, a common law dedication may prevail. However, as recited in *Doyle v. Babcock*, 235 N.W.2d 18 (Minn. 1931), citing *Baker v. City of St. Paul*, 8 Minn. 491 (Minn. 1863) "Where a party makes a statutory dedication of this nature to the public, it is exceedingly doubtful whether he can revoke it under any circumstances, except in the manner provided by statute, through the courts, and that, whether there has been any action taken upon it by the public or not. This, however, is not the case with an act of private dedication, or what is termed common law dedication. Here there must be some act of acceptance on the part of the public." And the rule is stated that, until there is such acceptance, there may be revocation by the dedicator. Abandonment by the public of a common-law dedication of street or highway seem therefore to be more readily established than where the dedication is statutory."

It is unclear at this time when Farden Township accepted and/or began maintenance of Wolf Lake Road and whether the requisite criteria exists to satisfy either a revocation of any common law dedication or abandonment of any part thereof. A public right of way unequivocally exists for Wolf Lake Road to the width of use based on dedication by use for at least six consecutive years in accordance with Minn. Stat. § 160.05. The owners of Lots 5 and 6, Crescent Beach, Wolf Lake own the adjacent property including a portion encompassing Wolf Lake Road as a result of chain of title conveyances that began with a conveyance by L. F. Zopf by Quit Claim Deed dated 1966 and recorded August 17, 2007 by Doc. No. A000326889.

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

MURRAY
SURVEYING INC.
P.O. BOX 198
NEWBOLD, WI 54981

ROBERT W. MURRAY
DATE: 06-13-2021
FILE NO.: 21-135

218-751-5898
MURRAY@MURRAYWI.NET
WWW.MURRAYSURVEYING.COM

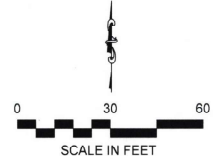
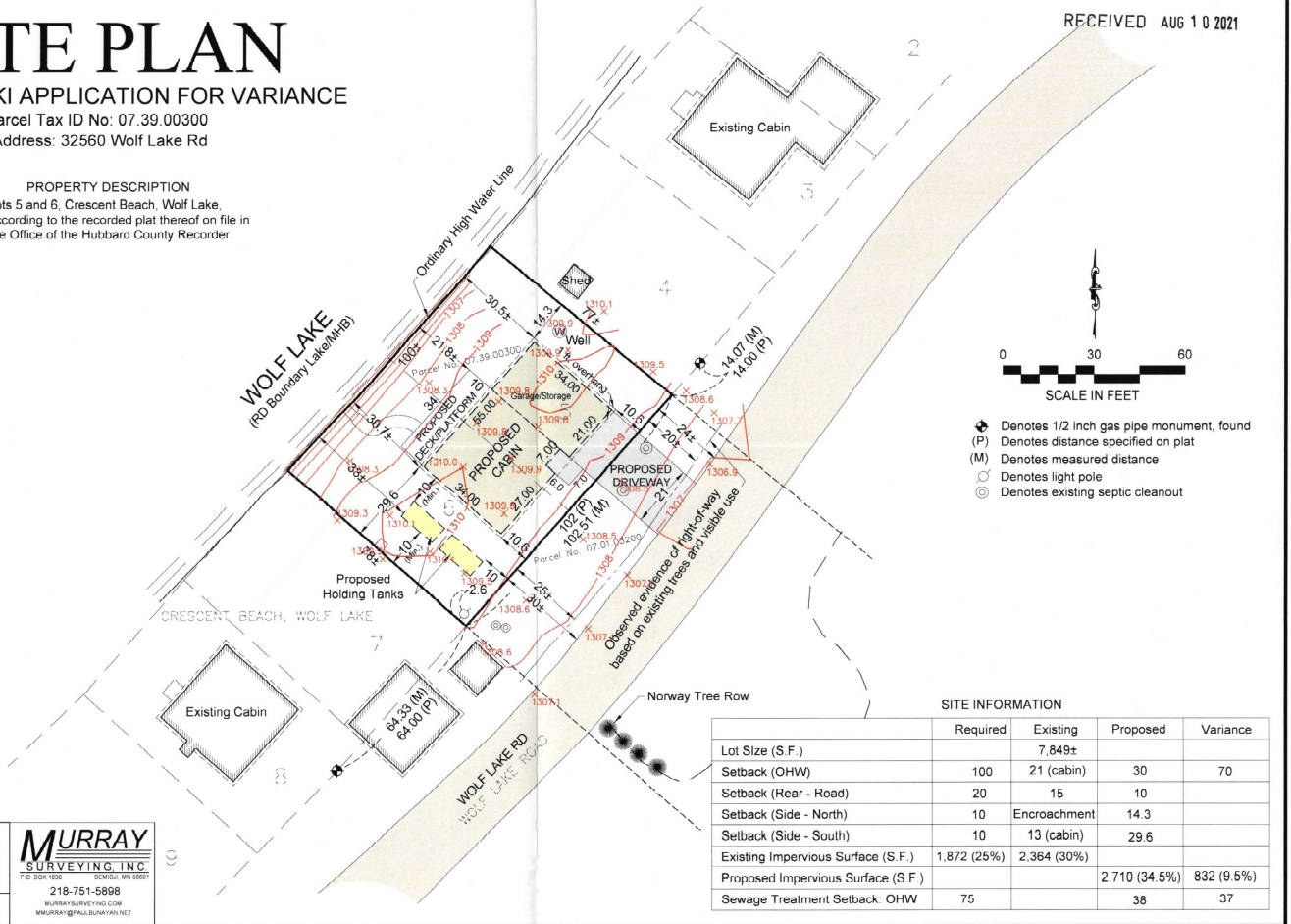
SITE PLAN

RONKOWSKI APPLICATION FOR VARIANCE

Parcel Tax ID No: 07.39.00300
Address: 32560 Wolf Lake Rd

PROPERTY DESCRIPTION
Lots 5 and 6, Crescent Beach, Wolf Lake,
according to the recorded plat thereof on file in
the Office of the Hubbard County Recorder.

RECEIVED AUG 10 2021



- ⊕ Denotes 1/2 inch gas pipe monument, found
- (P) Denotes distance specified on plat
- (M) Denotes measured distance
- Denotes light pole
- ⊙ Denotes existing septic cleanout

SITE INFORMATION

	Required	Existing	Proposed	Variance
Lot Size (S F)		7,849±		
Setback (OHW)	100	21 (cabin)	30	70
Setback (Rear - Road)	20	15	10	
Setback (Side - North)	10	Encroachment	14.3	
Setback (Side - South)	10	13 (cabin)	29.6	
Existing Impervious Surface (S.F.)	1,872 (25%)	2,364 (30%)		
Proposed Impervious Surface (S.F.)			2,710 (34.5%)	832 (9.5%)
Sewage Treatment Setback: OHW	75		38	37

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Robert W. Murray
ROBERT W. MURRAY LICENSE NO. 15483
DATE 06-13-2021 FILE NO. 211-135

MURRAY SURVEYING, INC.
218-751-5898
MURRAYSURVEYING.COM
RMURRAY@PALLASURVYING.NET

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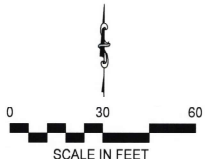
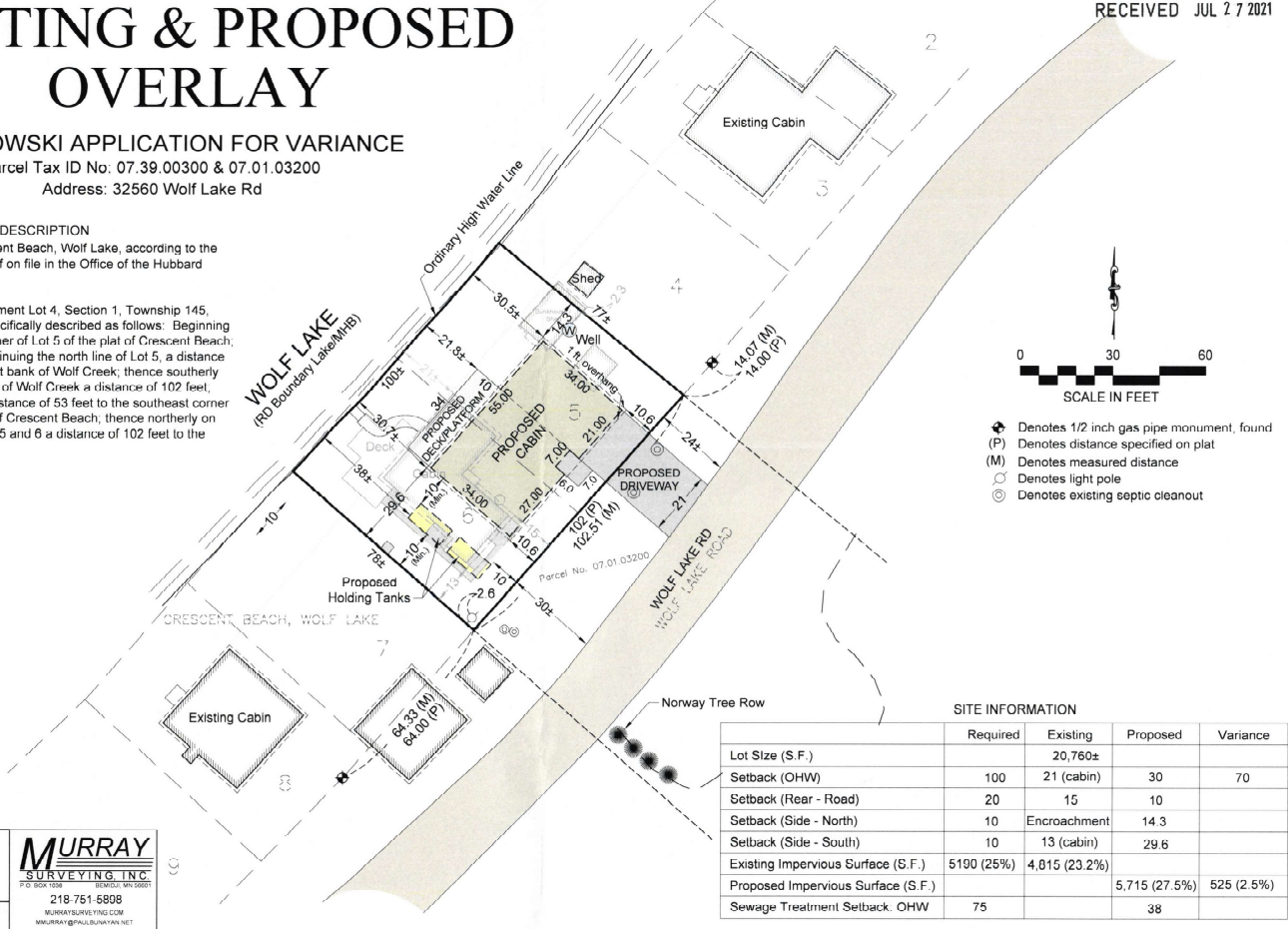
EXISTING & PROPOSED OVERLAY

RONKOWSKI APPLICATION FOR VARIANCE

Parcel Tax ID No: 07.39.00300 & 07.01.03200
Address: 32560 Wolf Lake Rd

PROPERTY DESCRIPTION

Lots 5 and 6, Crescent Beach, Wolf Lake, according to the recorded plat thereof on file in the Office of the Hubbard County Recorder, AND,
A portion of Government Lot 4, Section 1, Township 14S, Range 32, more specifically described as follows: Beginning at the northeast corner of Lot 5 of the plat of Crescent Beach, thence easterly continuing the north line of Lot 5, a distance of 57 feet to the west bank of Wolf Creek; thence southerly along the west bank of Wolf Creek a distance of 102 feet, thence westerly a distance of 53 feet to the southeast corner of Lot 6 of the Plat of Crescent Beach; thence northerly on the east line of Lots 5 and 6 a distance of 102 feet to the point of beginning.



- ⊕ Denotes 1/2 inch gas pipe monument, found
- (P) Denotes distance specified on plat
- (M) Denotes measured distance
- Denotes light pole
- ⊙ Denotes existing septic cleanout

SITE INFORMATION

	Required	Existing	Proposed	Variance
Lot Size (S.F.)		20,760±		
Setback (OHW)	100	21 (cabin)	30	70
Setback (Rear - Road)	20	15	10	
Setback (Side - North)	10	Encroachment	14.3	
Setback (Side - South)	10	13 (cabin)	29.6	
Existing Impervious Surface (S.F.)	5100 (25%)	4,815 (23.2%)		
Proposed Impervious Surface (S.F.)			5,715 (27.5%)	525 (2.5%)
Sewage Treatment Setback, OHW	75		38	

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Robert W. Murray
ROBERT W. MURRAY LICENSE NO. 15483
DATE: 07-26-2021 FILE NO.: 21-135

MURRAY
SURVEYING INC.
P.O. BOX 1010 BRISOL, MN 56201
218 751-6808
MURRAYSURVEYING.COM
MURRAY@PAULBUNAYAN.NET

SITE PLAN

RONKOWSKI APPLICATION FOR VARIANCE

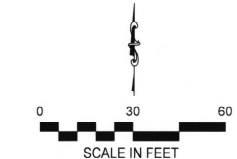
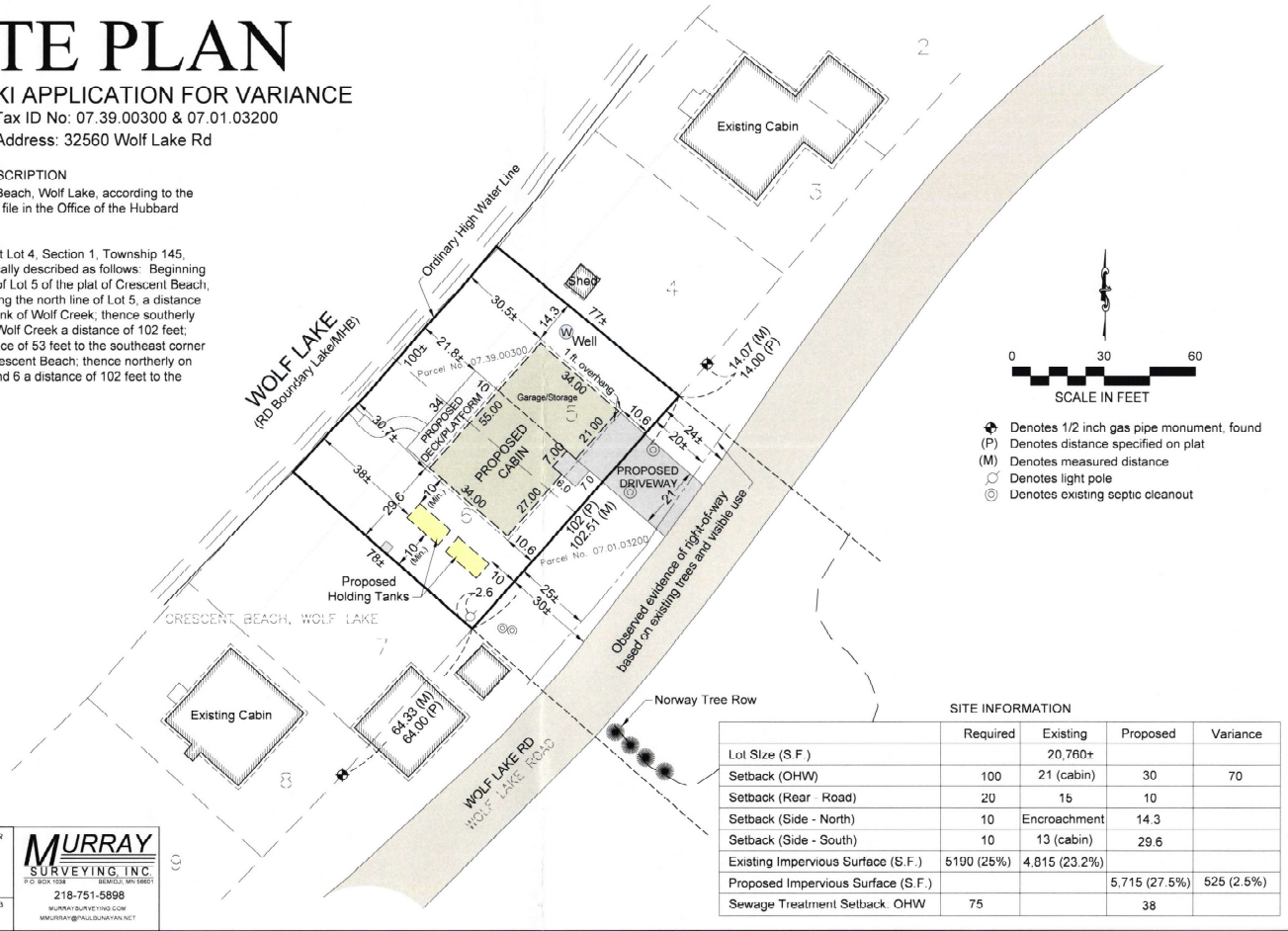
Parcel Tax ID No: 07.39.00300 & 07.01.03200

Address: 32560 Wolf Lake Rd

PROPERTY DESCRIPTION

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Proposed Impervious Surface (S.F.)			5,715 (27.5%)	525 (2.5%)
Sewage Treatment Setback, OHW	75		38	

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Robert Murray
 ROBERT W. MURRAY
 LICENSE NO. 15483
 DATE: 07-26-2021 FILE NO.: 21-135

MURRAY SURVEYING INC.
 P.O. BOX 1030 BRIDGEVILLE, MN 55905
 218-751-5898
 MURRAYSURVEYING.COM
 MURRAY@MURRAYSURVEYING.NET

CERTIFICATE OF SURVEY

Lots 5 and 6, Crescent Beach, Wolf Lake

Parcel Tax ID No: 07.39.00300

PROPERTY DESCRIPTION

Lots 5 and 6, Crescent Beach, Wolf Lake, according to the recorded plat thereof on file in the Office of the Hubbard County Recorder.

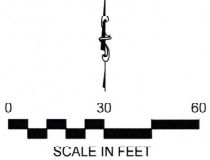
NOTES TO SURVEY

1. Bearing system based on the Hubbard County Coordinate System.
2. This survey has not been prepared with the benefit of a title search.
3. The plat of Crescent Beach, Wolf Lake was filed December 20, 1918

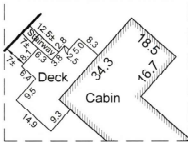
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LEGEND

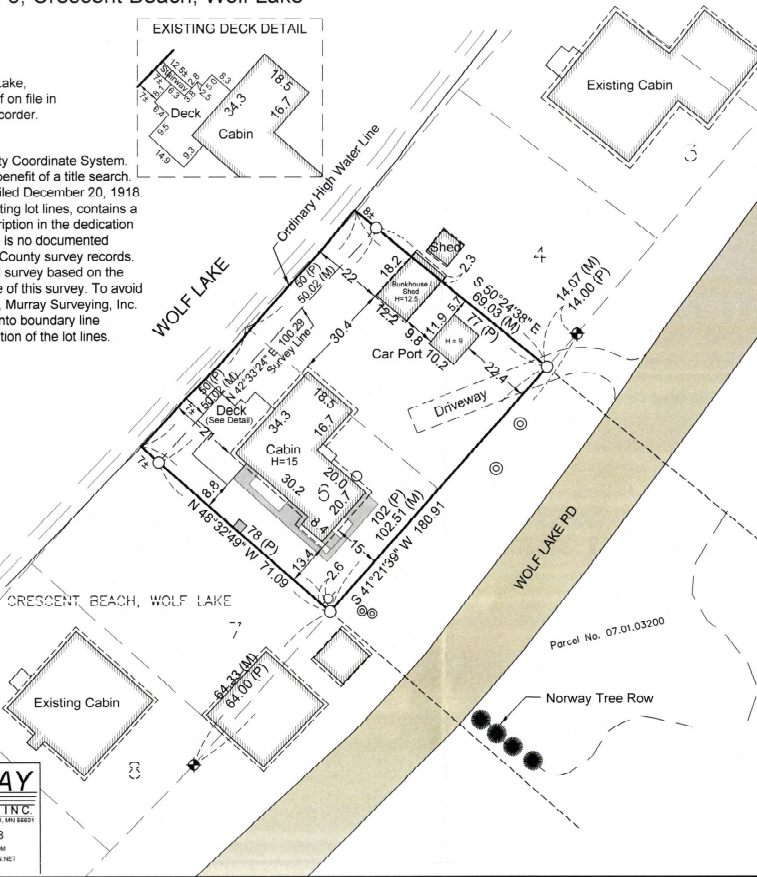
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EXISTING DECK DETAIL



WOLF LAKE
CRESCENT BEACH, WOLF LAKE



NOTE TO WOLF LAKE RD RIGHT-OF-WAY

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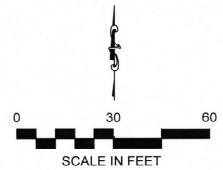
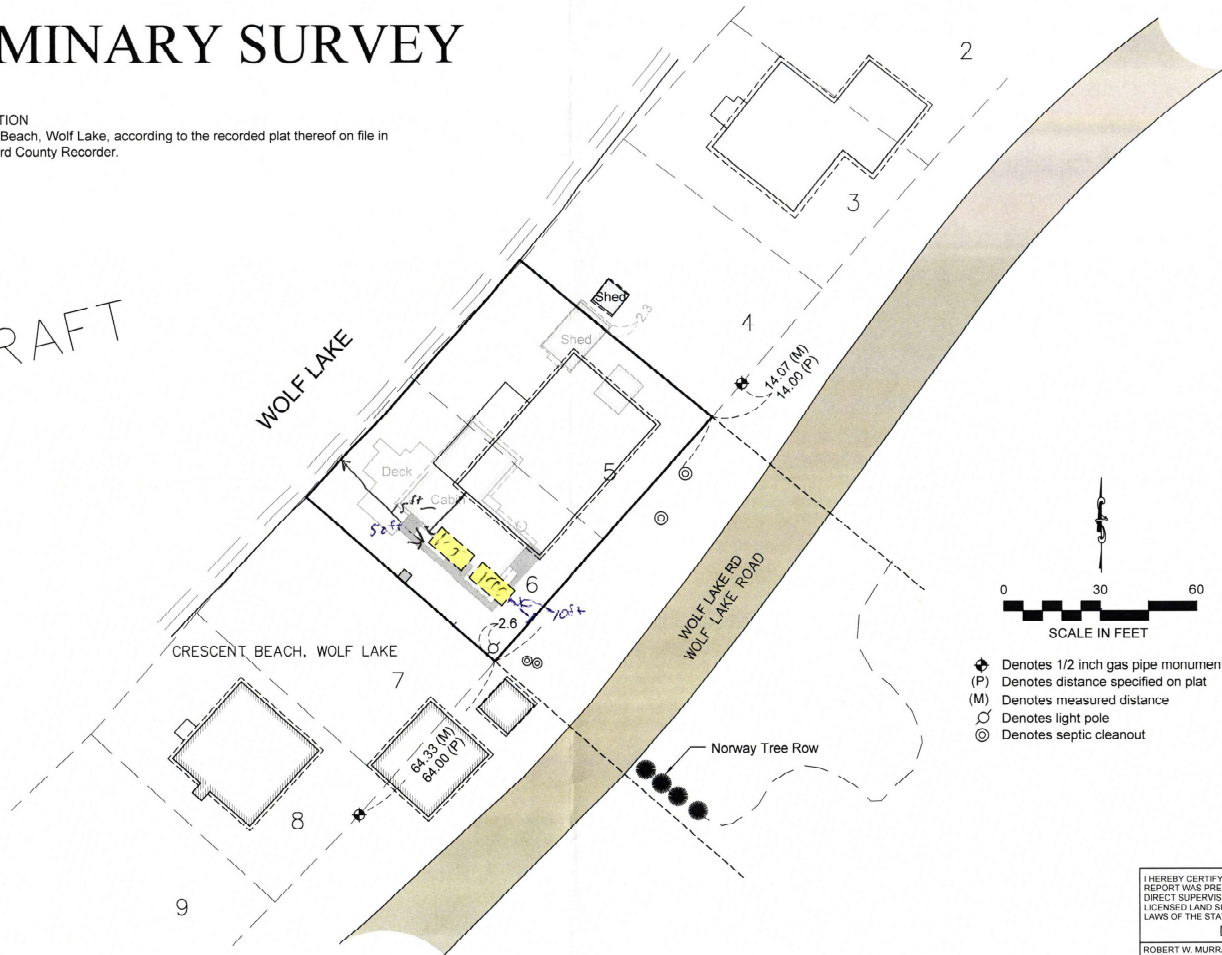
MURRAY SURVEYING, INC.
P.O. BOX 1938 BERNDT, MN 56801
218-751-5898
MURRAYSURVEYING.COM
MURRAY@MURRAYSURVEYING.COM

ROBERT W. MURRAY LICENSE NO. 15483
DATE: 08-13-2021 FILE NO.: 21-136

PRELIMINARY SURVEY

PROPERTY DESCRIPTION
 Lots 5 and 6, Crescent Beach, Wolf Lake, according to the recorded plat thereof on file in
 the Office of the Hubbard County Recorder.

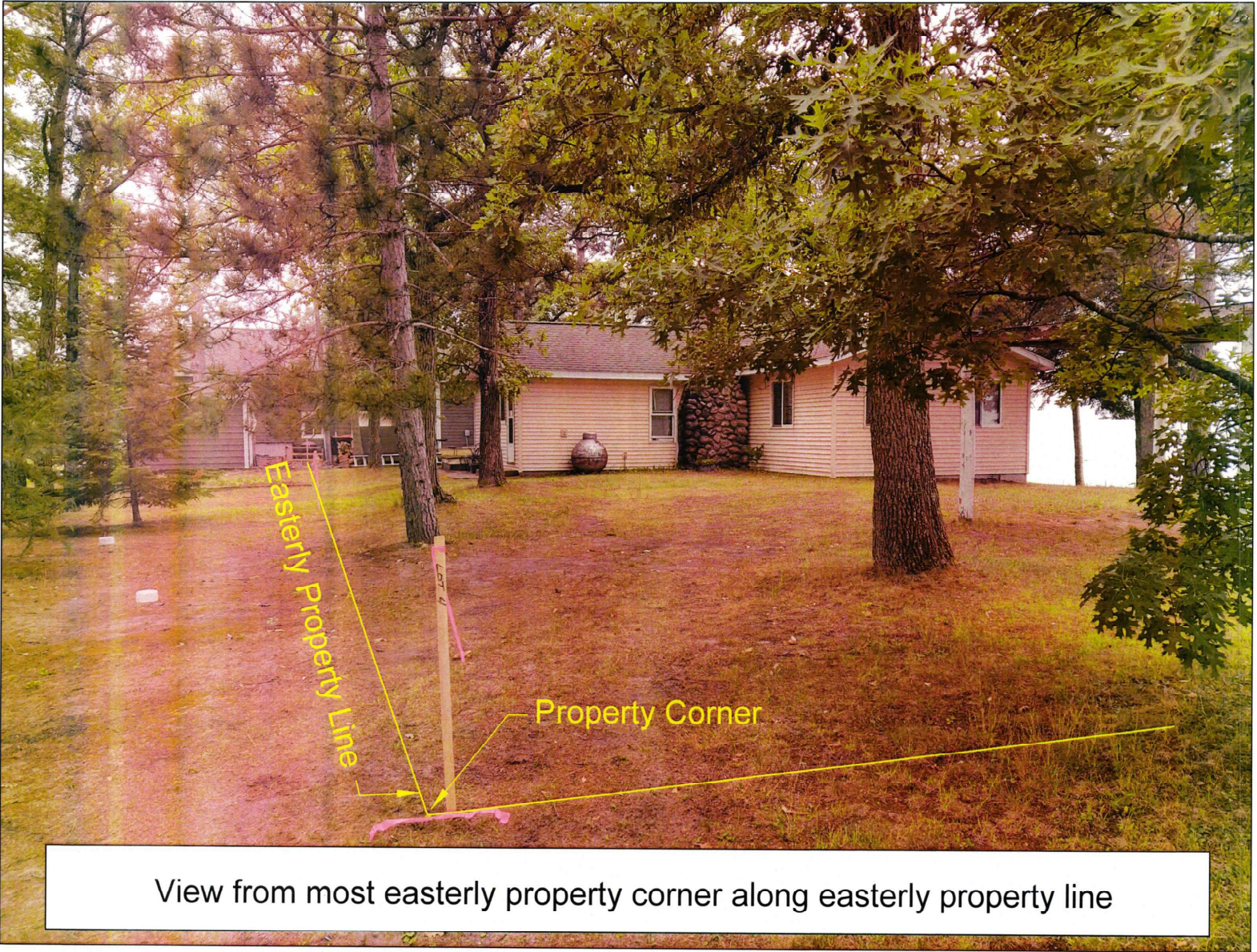
DRAFT



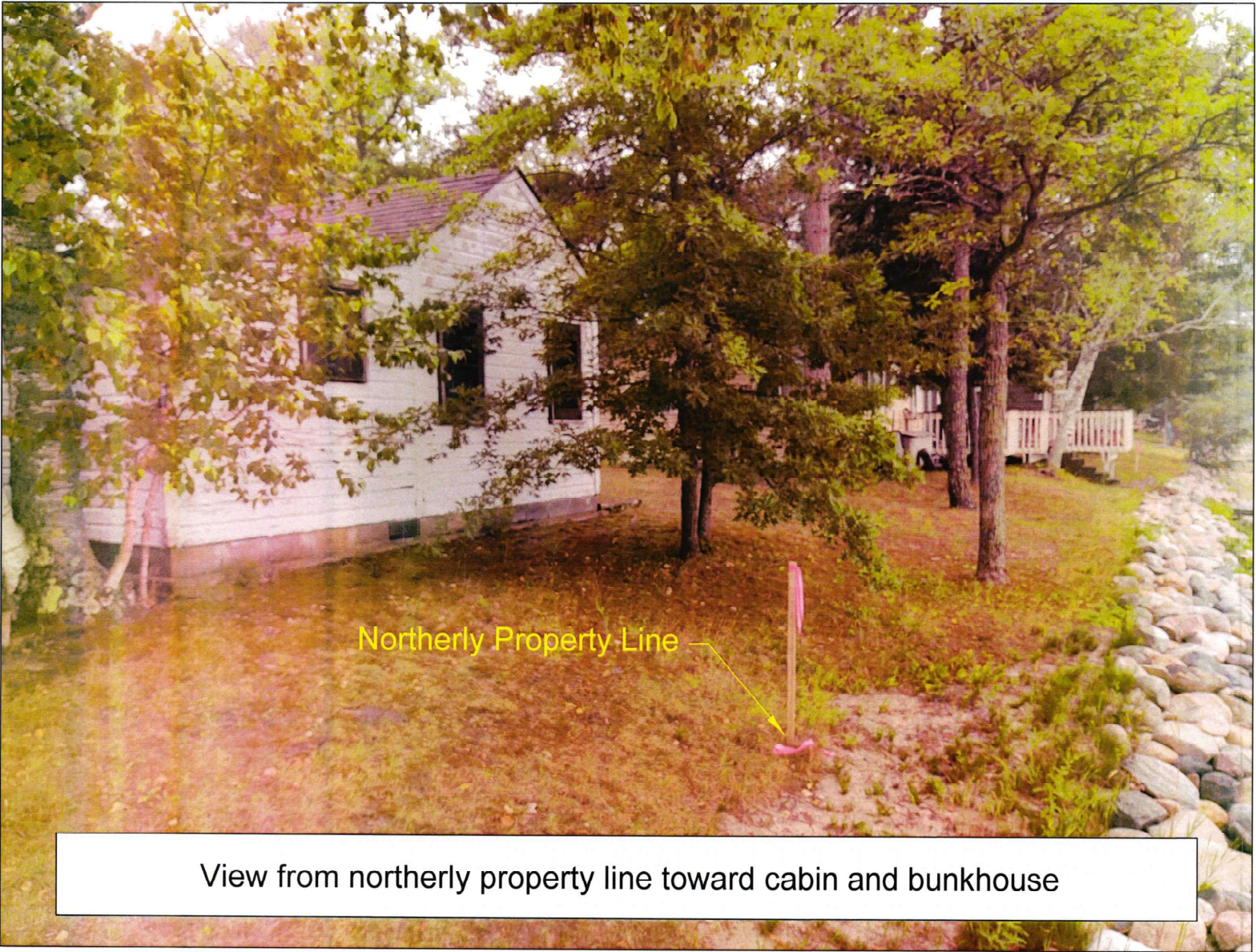
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- (P) Denotes distance specified on plat
- (M) Denotes measured distance
- Denotes light pole
- ⊙ Denotes septic cleanout

MURRAY
 SURVEYING, INC.
 P.O. BOX 1538 BERLIN, MN 56007
 218-751-5898

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
DRAFT
 ROBERT W. MURRAY LICENSE NO. 15483
 DATE: 05-13-2021 FILE NO. 21-135

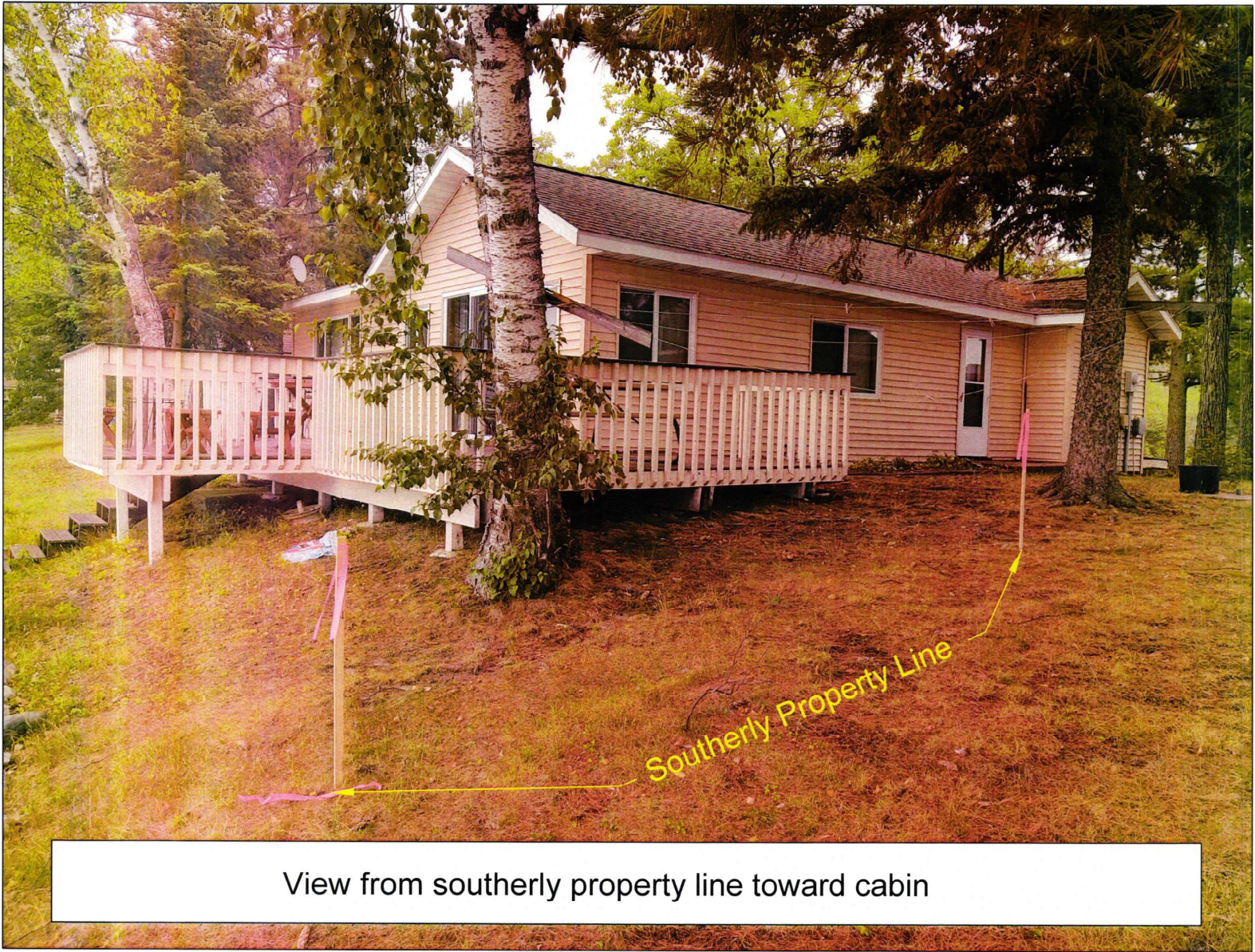


View from most easterly property corner along easterly property line

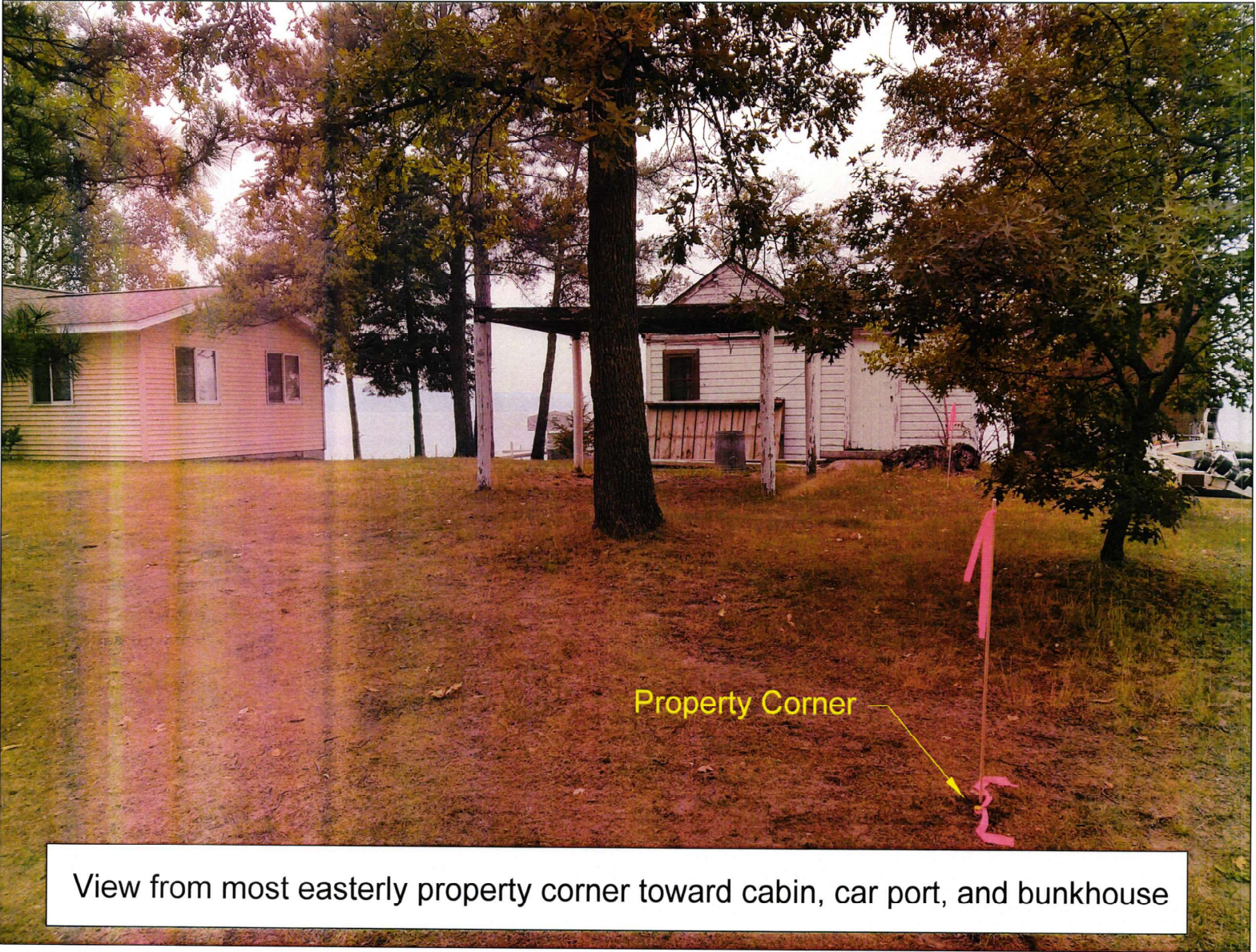


Northerly Property Line

View from northerly property line toward cabin and bunkhouse



View from southerly property line toward cabin



Property Corner

View from most easterly property corner toward cabin, car port, and bunkhouse

VICKI M RONKOWSKI TR
 BUILDING USE: 000102 SGL FAM-N
 BUILDING CHARACTERISTICS:
 CODES DESCRIPTIONS
 NBHD .92
 DIV% 1.000
 EXW 14 VINYL
 EXW %
 RCVR 01 ASPHALT
 RSTR 01 GABLE
 INT 02 WALL BD/WD
 INT %
 FLR 06 VINYL
 FLR 14 % 3 CARPET
 HTTP 04 BS BRD-ELC
 A/C
 QUAL 60 D 6
 FRME 02 WOOD FRAME
 CEIL
 SIZE
 FPLC
 RMHV
 HTFL 02 GAS
 WLKO
 UD-5
 EXEC
 UD-7
 UD-8
 STYS
 BATH 1.00
 FIXT 3
 RMS
 UNIT
 BDRM
 C-W%
 HGHT
 PMTR
 WIND
 FNDN 05 CRAWL SP
 KTCH
 UD-9
 UD-9 %
 AYB 1960 EYB 1995
 SPCD %
 FUNC DP ECON DP

32560 WOLF LAKE RD CASS LAKE 56633
 MODEL: 01 SFR ARCH STYLE: 01 SGL STY
 CENSUS TRACT: 00000000 BLOCK: 000000 COND:

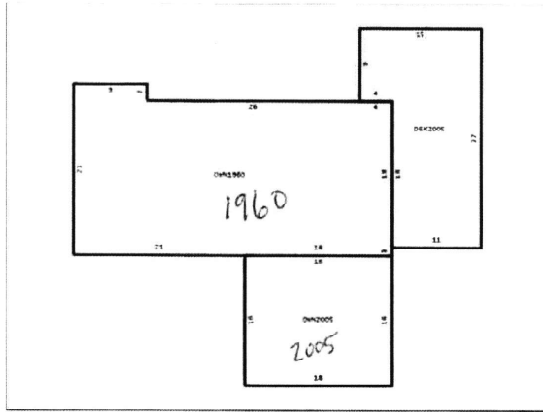
2021 R 07.39.00300 /001

P-NBHD: 003006.00 CAMA INDEX: 100.000
 B-NBHD: 000000.00 NBHD INDEX: 92.000

-----AREA CALCULATION-----

SUB-AREA	%	TOTAL AREA	ADJ RATE	RCN VALUE	% GOOD	RCNLD VALUE
DFK2005		333	0.000	0	80.00	0
OWN1960	86	759	96.169	72992	80.00	58393
OWN2005	86	288	96.253	27721	80.00	22176
*Total		1380		100714		80571

SEQ# 1



APX: 073900300B001

XFOB	BN	CODE	DESCR	DM1	DM2	DM3	# UNITS	UT PRICE	YEAR	QTY	ADJ1	QL	DEPR%	DIV%	NBHD	DEPR	VALU
001	000	000300	FIREPLACE	0	0	0	1.00	4000.00	1980	001	1.00	AV	32.00	1.000	0.92		2502
002	000	000402	DECK W/RAI	0	0	0	333.00	11.00	2005	001	1.00	AV	18.00	1.000	0.92		2763
			NOTES: 9X15, 11X18														
003	000	002801	SHED W/O F	12	20	0	240.00	3.00	1900	001	0.50	FR	84.00	1.000	0.92		53
			NOTES: ROOF ONLY														
004	000	002802	SHED W/ FL	12	18	0	216.00	5.00	1975	001	1.00	FR	54.00	1.000	0.92		457
TOTAL FOR RECORD NUMBER 001																	
5775																	

Site Plan

Required for ALL permit applications

Map

Please see attached
Site Plan

You **must** include all structures and additions, well(s), and septic system(s) existing and proposed, on your property and label them. You **must** also include all dimensions (including height) of the structures as well as all setbacks to property lines, lakes or rivers, roads, and any other pertinent setbacks. See reverse side of "Site Plan" for example sketch.

Submit Form

Click the "Submit Form" button to the left to submit the application and a new e-mail message will open with the completed application attached. Please attach the site drawing, the ground-level color photographs, and any other necessary paperwork to this e-mail before submitting.

Reset Form

Click the "Reset Form" button to the left to clear all information from the form.

Transfer Entered On 2-23-2018

CRV No. _____ N/A

No Delinquent Taxes () N/A

Current Taxes Paid in Full (X) N/A

Nicole K. Lueth, Hubbard County Recorder

By 026, Deputy

07.01.03200

07.39.00300



A000395680

HUBBARD COUNTY, MINNESOTA

CERTIFIED, FILED, AND/OR

RECORDED ON

2/23/2018 12:45:45 PM

NICOLE K. LUETH

HUBBARD COUNTY RECORDER

BY RLB Dep PAGES: 2

WELL CERT RCVD _____

MTG REG TAX PD \$

DEED TAX PD \$ 1.65

TAX EXEMPT _____

QUIT CLAIM DEED

Deed tax due: \$1.65

Date: February 19, 2018

THIS INDENTURE, made this 19th day of February, 2018, between VICKI M. RONKOWSKI, a single person, GRANTOR, whose post office address is 4614 Belmont Road, Grand Forks, ND 58201, and Vicki M. Ronkowski, as Trustee, or its successors in office, of the Vicki M. Ronkowski Revocable Living Trust dated February 19, 2018, as amended, GRANTEE.

For and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, GRANTORS do hereby QUIT CLAIM to said GRANTEE all of the following real property lying and being in the County of Hubbard, and State of Minnesota, and described as follows, to-wit:

- 1) Lots Five (5) and Six (6), Far Crescent Beach, according to the official plat thereof on file in the office of the Recorder within and for Hubbard County, State of Minnesota.

Parcel No. 07.39.00300

- 2) P/O GL4 FR SE COR LOT 5 CRESCENT BEACH PB SE57 TO RVR SW AL RVR TO SE EXT OF SW LN OF LOT 6 NW53 TO SW COR LOT 6 NE 102 AL SE LNS OF LOTS 5 & 6 TO PB.

Parcel No. 07.01.03200

WITNESS, The hand of the GRANTOR:

Vicki M. Ronkowski
Vicki M. Ronkowski

WRITTEN DIRECTIONS TO PROPERTY

1. Start out going **north** on Court Ave toward 3rd St.

Then 0.16 miles

2. Turn **right** onto 1st St/Lake Country Scenic Byway/MN-34. Continue to follow Lake Country Scenic Byway/MN-34.

Then 2.30 miles

3. Turn **left** onto County Road 4/County Hwy-4.

1. County Road 4 is 0.5 miles past Career Path

Then 19.94 miles

4. Turn **right** onto US 71/US-71 N/MN-200.

1. US 71 is 0.2 miles past Night Hawk Rd
2. If you reach 374th St you've gone about 0.2 miles too far

Then 6.50 miles

5. Turn **left** onto US 71/US-71 N.

Then 9.35 miles

6. Turn **right** onto County Road 9/County Hwy-9.

1. County Road 9 is 0.7 miles past Timberline Dr
2. If you reach Timber Trail Dr you've gone about 0.6 miles too far

Then 5.00 miles

7. Turn **left** onto County Road 45/County Hwy-45.

1. If you reach 309th Ave you've gone about 2.2 miles too far

Then 1.97 miles

8. Turn **right** onto US Highway 2/US-2 E.

1. US Highway 2 is 0.6 miles past White Cedar Rd
2. If you reach the end of Waybill Trl you've gone about 0.4 miles too far

Then 2.31 miles


9. Turn **left** onto Wildwood Rd.

1. Wildwood Rd is 0.5 miles past 307th Ave
2. If you reach Winterberry Dr you've gone about 0.1 miles too far

Then 0.81 miles

10. Turn **left** onto Wolf Lake Rd.

Then 1.20 miles

11.  32560 Wolf Lake Rd, Cass Lake, MN 56633-3125, 32560 WOLF LAKE RD is on the **left**.



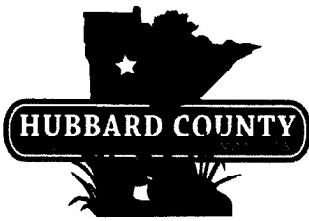
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48-V-21 Ronkowski

Hubbard County - 301 Court Ave, Park Rapids, MN 56470

Created 7/27/2021 at 03:58 PM

PARCEL ID	TAXPAYER NAME 1	TAXPAYER NAME 2	TAXPAYER ADDRESS 1	TAXPAYER CITY	TAXI ZIP
07.01.00400	STEVEN A AASERUDE ETAL	MELVIN V AASERUDE	32839 WOLF LAKE RD	CASS LAKE	MN 56633
07.01.00600	ABR WOLF LAKE LLC	C/O STEPHEN AGATHER	11909 SHAVENROCK PL	RALEIGH	NC 27613
07.39.00500	ANDERSON FAMILY TRUST	C/O DONALD ANDERSON TTE	32540 WOLF LAKE RD	CASS LAKE	MN 56633
07.39.00600	DONALD L & LISA K ANDERSON		923 5TH AVE SE	EAST GRAND FORKS	MN 56721
07.39.00400	MARK S CAPOUCH ETAL		1931 9TH AVE E	HIBBING	MN 55746
07.01.01000	CROOKER FAMILY TRUST		32512 WOLF LAKE RD	CASS LAKE	MN 56633
07.01.01200	CATHY LYNN GEE		32620 WOLF LAKE RD	CASS LAKE	MN 56633
07.01.01300	NATHAN M HEGSTROM ETAL	C/O MARK K HEGSTROM	16112 BIRCHWOOD LANE	BRAINERD	MN 56401
07.01.00800	DIANE K MAGNUSON ETAL LE'S	KARI LU BERNARDY	732 HOLLY AVE	CROOKSTON	MN 56716
07.39.00700	RICHARD MCGEHERAN		5539 32ND AVE S	MINNEAPOLIS	MN 55417
07.39.00800	TODD M & BARBARA RAYMOND		32522 S BIG WOLF LAKE RD	CASS LAKE	MN 56633
07.39.00300	VICKI M RONKOWSKI TR	VICKI M RONKOWSKI TTE	4614 BELMONT RD	GRAND FORKS	ND 58201
07.39.00100	KRISTEN M ROSENWINKEL ETAL		522 S WISCONSIN	VILLA PARK	IL 60181
07.01.02000	JOHN SANDERSON		BOX 368	ELGIN	ND 58533
07.39.01100	DARRIN L VATNSDAL	LAURA A VATNSDAL	607 13TH ST SE	EAST GRAND FORKS	MN 56721



Environmental Services

301 Court Avenue, Park Rapids, MN 56470

Phone: 218.732.3890

www.co.hubbard.mn.us/departments/environmental_services/index.php

Notice of Hubbard County Board of Adjustment Public Hearing/Meeting for Variance Application 48-V-21

Applicant: Vicki Ronkowski

Property Address: 32560 Wolf Lake Road, Cass Lake, MN 56633

Legal Description: Lots 5 and 6, Crescent Beach, Section 1, Township 145, Range 32

Parcel ID #: 07.39.00300 and 07.01.03200

Lot Viewal Date: Thursday, August 19, 2021 at approximately 11:05 a.m. *(Please allow at least ± 30 minutes of scheduled time.)*

Hearing/Meeting Date: **Monday, August 23, 2021 at 6:00 p.m.**

Place: Hubbard County Government Center, 3rd Floor Board Room # 324.

Purpose: Applicant is requesting a variance from Sections 702 and 904.5 of the Shoreland Management Ordinance for a proposed replacement of a nonconforming structure with a new structure that will increase the road right-of-way setback nonconformity.

Above please find a Public Hearing Notice for your information. An effort has been made to notify all the property owners within 500 feet of the premises concerned. To ensure that everyone has been notified, please share this notice with any interested property owners that may have not been notified by mail. Should you have any further questions, please contact the Environmental Services Office at 218-732-3890.

Variance applications may be viewed on the Environmental Services webpage (www.co.hubbard.mn.us/departments/environmental_services/index.php) by clicking on the "Planning Commission/Board of Adjustment" link in the "Links" column, then clicking on "2021" on the "Document Center" page that opens, and then clicking on the hyperlink for the month's meeting agenda document. Individual agenda item applications can be viewed by clicking on the hyperlinks within the meeting agenda document. Information on what the Planning Commission/Board of Adjustment is and does and the findings of fact forms are also available by clicking on "Information" on the PC/BOA Document Center webpage.

Written comments/materials on any agenda items must be submitted to Hubbard County Environmental Services, 301 Court Ave., Park Rapids, MN 56470 by 3:30 p.m. on Wednesday, August 18, 2021 and include the submitter's complete name and address of residence.



Environmental Services

301 Court Avenue, Park Rapids, MN 56470

Phone: 218.732.3890

www.co.hubbard.mn.us/departments/environmental_services/index.php

Notice of Hubbard County Board of Adjustment Public Hearing/Meeting for Tabled Variance Application 48-V-21

Applicant: Vicki Ronkowski

Property Address: 32560 Wolf Lake Road, Cass Lake, MN 56633

Legal Description: Lots 5 and 6, Crescent Beach, Section 1, Township 145, Range 32

Parcel ID #: 07.39.00300 and 07.01.03200

Lot Viewal Date: Thursday, September 23, 2021 at approximately 10:25 a.m. ***(Please allow at least ± 30 minutes of scheduled time.)***

Hearing/Meeting Date: **Monday, September 27, 2021 at 6:00 p.m.**

Place: Hubbard County Government Center, 3rd Floor Board Room # 324.

Purpose: Applicant is requesting a variance from Sections 702 and 904.5 of the Shoreland Management Ordinance for a proposed replacement of a nonconforming structure with a new structure that will increase the road right-of-way setback nonconformity.

Above please find a Public Hearing Notice for your information. An effort has been made to notify all the property owners within 500 feet of the premises concerned. To ensure that everyone has been notified, please share this notice with any interested property owners that may have not been notified by mail. Should you have any further questions, please contact the Environmental Services Office at 218-732-3890.

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Written comments/materials on any agenda items must be submitted to Hubbard County Environmental Services, 301 Court Ave., Park Rapids, MN 56470 by 3:30 p.m. on Wednesday, September 22, 2021 and include the submitter's complete name and address of residence.

Eric Buitenwerf, Env. Services Director • Bryan Haugen, Asst. Env. Services Director • Staci Lee, Admin. Asst.
Demey DeJong, Env. Specialist • Nick Macklem, Env. Specialist • Sam Lively, GIS Supervisor

Hubbard County is an equal opportunity employer

Variance Application 48-V-21 by Vicki Ronkowski
2020 Aerial Imagery w/2' Elevation Contours Overlain



Variance Application 48-V-21 by Vicki Ronkowski 2020 Aerial Imagery w/2' Elevation Contours Overlain



August 23, 2021 Planning Commission/Board of Adjustment Hearing/Meeting Staff Report

[Variance Application 48-V-21 by Vicki Ronkowski](#): Lots 5 and 6, Crescent Beach, Section 1, Township 145, Range 32, Farden Township on Wolf Lake, a recreational development lake. Parcels 07.39.00300 and 07.01.03200. Applicant is requesting a variance from Sections 702 and 904.5 of the Shoreland Management Ordinance for a proposed replacement of a nonconforming structure with a new structure that will increase the road right-of-way setback nonconformity.

Enclosed Document(s):

- 48-V-21 application
- 2020 aerial imagery w/2' elevation contours

The request is to remove all existing improvements on this small, substandard lot and replace them with a new 34' x 55' two-story (29.5' H) residence with an attached garage and also install two new holding tanks. The proposal will cause the impervious surface area percentage to be 27.5%. Staff spoke to Mr. Murray, the authorized agent, about the need for a stormwater management plan per the Mississippi Headwaters Comprehensive Plan requirement for such when the 25% impervious surface area threshold will be exceeded. He has the MPCA stormwater pollution prevention plan certification and will be preparing and submitting a plan. As with the Wall application, this property is in the Mississippi River Headwaters Corridor which means if the application is approved, it will also need to be certified by the Mississippi Headwaters Board in order to be valid.

Staff's thoughts on this application are essentially the same as those shared for the Wall application. While staff appreciates that the existing improvements will be removed, the scale of the new proposal needs to be reduced some so that it better fits the lot and neighborhood.

Below are the findings of fact questions for your consideration:

1. Is the variance in harmony with the general purposes and intent of the official controls?

Yes () No (X)

Why or why not? The lot size, width, and depth are such that coupled with Wolf Lake Road bisecting the lot, a variance of some sort is required in order to build on the lot. The proposal is to remove all existing improvements that are nonconforming and have the proposed structure be moved further away from the OHW than the existing – which are positives. The negatives are the size of the proposed structure is a bit too large for the small, seasonal residence neighborhood feel and it results in an impervious surface area overage that leaves little room for effective mitigation.

2. Is the property owner proposing to use the property in a reasonable manner not permitted by an official control?

Yes () No (X)

Why or why not? While it is appreciated that the existing improvements are proposed to be removed, the scale of the proposed new structure is a bit too large for the lot and neighborhood feel of small, single story seasonal lake cabins on small lots.

3. Is the need for a variance due to circumstances unique to the property and not created by the current or prior property owners?

Yes (X) No ()

August 23, 2021 Planning Commission/Board of Adjustment Hearing/Meeting Staff Report

Why or why not? The lot is extremely small at 20,760 sq. ft., 100' in width, and ~200' in depth with Wolf Lake Road bisecting the center of the lot. With the OHW and road right-of-way structure setbacks, it is not possible to place any structure on the lot without some sort of variance.

4. Will the issuance of the variance maintain the essential character of the locality?

Yes () No (X)

Why or why not? The locality consists of similarly sized/shaped lots that are also sandwiched between Wolf and the unclassified flowage that runs behind the lots into Little Wolf Lake. Most of the properties are seasonal residences as is this lot. Some of the lots have been redeveloped in recent years with new houses of a similar scale to what is proposed for this lot, but the majority of lots are still covered by small single story seasonal cabins with which this proposed large residence would not be compatible.

5. Does the stated practical difficulty involve more than just economic considerations?

Yes (X) No ()

Why or why not? Economics are not cited in the application as a practical difficulty. The difficulty is the lot's small size, narrowness, lack of depth, and being sandwiched between Wolf and Mud Lakes.

HUBBARD COUNTY

Planning Commission/Board of Adjustment Meeting Minutes

6:00 p.m. on Monday, August 23, 2021

Variance Application 48-V-21 by Vicki Ronkowski: Lots 5 and 6, Crescent Beach, Section 1, Township 145, Range 32, Farden Township on Wolf Lake, a recreational development lake. Parcels 07.39.00300 and 07.01.03200. Applicant is requesting a variance from Sections 702 and 904.5 of the Shoreland Management Ordinance for a proposed replacement of a nonconforming structure with a new structure that will increase the road right-of-way setback nonconformity.

Vicky Ronkowski, 32560 Wolf Lake Road, Cass Lake, MN, and Matt Murray, 304 3rd Street, Bemidji, MN, authorized agent for the applicant, presented the application.

Murray stated Vicky's family is growing, so she is looking for a way to accommodate an addition with her children and grandchildren at the cabin. She is proposing to eliminate all of the existing structures on the property and combine all of the uses in one, single cabin that is proposed to be setback an additional 9' from the ordinary high water mark than the current cabin is. Everything would be condensed into one structure. She is seeking a variance for the setback from the ordinary high water mark, a variance from what is designated as the road right-of-way on a plat, and a variance for impervious surface coverage.

Kovacovich commented we had some discussion about the unique road situation. It is platted in one place, and the road is actually built in another. We had some discussion about the ability to move that structure further from Wolf Lake and still allow enough of a comfort zone with the platted road. We all think it will never be used, but we don't know what may come in the future. In order to leave yourself a little room, would you be amenable to moving that back 8' or 9'?

Ronkowski answered yes, I would.

Grob clarified that would put it at about 38' or 39' from the ordinary high water mark.

Murray added 38' might be preferable to 39'.

Kovacovich stated let's go with 38' then.

Grob commented my biggest concern is the size of the structure compared to whatever already exists on that lot. Including the guest cabin, if I did the calculations right, it is still over 1,200 sq. ft. The proposed new structure would have over 3,000 sq. ft. of living space and about 700 sq. ft. of garage. That is a pretty large structure for that lot and location. It should be scaled back a little bit in size. One thought that I had was to not have a second floor over the garage, which would save about 700 sq. ft. if I did my calculations properly. There is probably a bedroom there?

Ronkowski answered it is going to be unfinished above the garage.

Grob asked why do you want to build that unfinished space?

Ronkowski replied with the thought that my children or grandchildren would want to finish it at some time.

Murray stated the additional square footage does not increase the impervious surface, so I think the idea was to make the most of the space for the future. The cabin livable area isn't a significant increase as far as the footprint goes. A lot of it is just associated with storage. The overall footprint, when we were looking at other cabins in the area, the overall structure area isn't significantly larger than what is in the area, especially if you go down the beach a little ways.

Johnson asked do you use the current structure seasonally, or year-round?

HUBBARD COUNTY

Planning Commission/Board of Adjustment Meeting Minutes

6:00 p.m. on Monday, August 23, 2021

Ronkowski answered seasonally.

Johnson clarified on this new one, will you be using it year-round?

Ronkowski responded we will have it insulated and able to use it, but I won't live out there year-round.

Johnson asked how often do you pump your septic tank now?

Ronkowski replied it has only been me this summer, but I have three new grandchildren. One time, right now, but when we have been busy it is usually twice. We pump it once now, but I am also going to have two holding tanks now instead of one.

Johnson said it looked like it would be about 3,000 gallons, and the design for what you are building for looks like it will be able to easily do 600 gallons a day. Do you know how much you will be pumping that if you have a family in that house?

Ronkowski answered I don't.

Johnson stated every five days it would be pumped. I am not against holding tanks at all, and I know that you would do everything right for your lake, but in my own opinion it does encourage people to not use the system correctly.

Kovacovich opened for public comment.

No public comment was given.

Kovacovich closed public comment.

Grob mentioned I am still have difficulty supporting this large of a structure on this lot.

Ronkowski stated my architect says it is 1,140 sq. ft. on the main floor.

Grob said that is about what you have now, and you are adding 1,870 on the second floor.

Ronkowski answered according to my architect it is 1,122.

Grob clarified that big space over the garage could become living space at some point, and that calculates out at about 1,800 sq. ft. If you took what you currently have for a house, guest cabin, and carport, that is a little over 1,300 sq. ft. You are building something that is going to be close to 3,800 sq. ft. if you include the garage.

Murray asked you are calculating both stories in that case, right?

Grob explained if you take the footprint, it is an awfully large structure for that lot. What is the current design? How many bedrooms on each floor?

Ronkowski answered three bedrooms on the top floor and a bathroom.

Grob asked that doesn't include that unfinished space over the garage?

Ronkowski responded correct.

HUBBARD COUNTY

Planning Commission/Board of Adjustment Meeting Minutes

6:00 p.m. on Monday, August 23, 2021

Murray stated the livable area on the main floor is about 1,156 sq. ft., and the combined garage/storage area/mechanical room is 714 sq. ft.

Kovacovich asked what is the current footprint of all the structures on the lot?

Grob replied 1,229 sq. ft. including the little guest cottage.

Murray stated I had 1,329 sq. ft.

Kovacovich commented it is 1,329 sq. ft., and you are proposing to go to 1,870 sq. ft.? Personally, I am more concerned with the footprint and what that does for impervious surface rather than if there is livable space above or below it. From my standpoint I am keened in more on the actual square footage being proposed. Is there a reason for not adding a drainfield? Is there just no room?

Murray explained we did explore options across the road. There is a wetland and creek over there. There isn't really enough room to get the size that would be required across the road.

Kovacovich asked even with a mound system?

Murray replied correct. That was based on the designer's opinion. It is irregular shaped and that contributed to the problem. The setback from the right-of-way did not leave a lot of room that could be used for a drainfield.

Kovacovich commented and which right-of-way do you use?

Petersen asked is what they are proposing for a septic system, with the layout of this home, do you find it reasonable in your opinion?

Johnson answered yes. The holding tank, if they have full capacity use, it would fill in five days and you would be pumping a lot. There are options for different types of systems, even if you have a smaller area, to use what area you could with timed dose systems for small areas. I don't know if that was ever looked at?

Grob stated these are both 1,500 gallon tanks?

Johnson agreed.

Andres asked in the future if they sell the property, if someone decides to live there year-round, it has to be pumped every five days?

Johnson clarified if they use their 600 gallons a day, which it is designed for. That is what four bedrooms is designed for.

Andres continued so possibly in the future we would look at maybe another variance for a septic drainfield somewhere?

Johnson asked Buitenwerf would your office be able to do that administratively, or would that trigger a variance?

HUBBARD COUNTY

Planning Commission/Board of Adjustment Meeting Minutes

6:00 p.m. on Monday, August 23, 2021

Buitenwerf explained that flowage is not a public water, so there wouldn't be a setback from that. My best guess is that you would have to have an above ground mound of some kind and dose it. That would certainly help. It is going to get spendy otherwise.

Johnson added which is going to encourage not using it correctly. It is a concern.

Murray stated I think there is maybe one drainfield on that segment of shoreline right now. Maybe one mound system or two. There are a lot of cabins that are in the same boat. I know there are people living out there year-round.

Johnson mentioned they are not building four bedroom, two-story houses. The one that we just passed tonight has a mound system with an alternate site just down the road from her.

Grob asked is there an issue with running lines underneath the road?

Johnson replied that can be done. The right-of-way might be an issue that we don't know about either.

Kovacovich explained we are struggling with septic, lack of a drainfield, and what that might mean for the future with this size structure being built.

Johnson agreed. That is my hang-up. Did you have a designer look into doing a Type III system?

Murray answered I know the Type III discussion was had to some degree. The biggest thing right now is that her family is going to come and go. They are not going to be living there. I think it was maybe advised that it did not make a lot of sense for what she was needing. That had a reduced size drainfield and then the dosing like you were talking about. I think the recommendation was that for what she was going to be using it for, it didn't seem necessary. Most of the time it is going to be just her, but when there are holidays she wants to be able to accommodate them until they go home again. The demand on a daily basis is just not going to be there right now.

Johnson stated I have a higher priority on that spot for a septic than I do for parking.

Kovacovich commented I think the struggle is not the immediate use, but what happens once we approve this. It is forever. I think we are all struggling with what that forever could mean. If that property gets sold and someone moves in there, we are dealing with a completely different situation than a single person living there with occasional guests at times during the summer.

Ronkowski added I don't know if this matters, but it has been in my family for over 60 years. I have been going there for 60 years myself, and prior to that my grandpa owned it. There is no intention of ever selling it.

Kovacovich explained we can't put a condition on that you can't sell it.

Murray asked maybe there could be a condition that no structure can ever be placed on the area across the road? That way we can ensure space for a septic system there if the use changes.

Johnson stated I would be in favor of that.

Grob mentioned I can easily see that the storage area over the garage could become living space someday with current or future owners. I would not be in favor unless that second story is not approved, or a condition that it could never be used as living space, only storage. If there is already a potential septic

HUBBARD COUNTY

Planning Commission/Board of Adjustment Meeting Minutes

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system issue, and your family might grow, I would be concerned that it would get beyond what it should be. I am only supportive if there was a condition placed that it can only be used for storage and not living space, or eliminated.

Ronkowski asked could it be insulated, but nothing built there?

Grob clarified it can't be bedrooms. You could use it for storage. Insulation is fine, but it can't be used for any kind of living activity.

Murray asked are we talking about only the portion over the proposed garage?

Grob answered the 714 sq. ft. over the garage.

Kovacovich asked Buitenwerf I am struggling with the lack of drainfield, and I don't know the history of different conditions. Would it be appropriate to ask a designer to come out and tell us exactly what is feasible across that road as far as a drainfield? Without knowing, I am still concerned about long-term here. Is that something that we could ask for before we moved on this request?

Buitenwerf replied certainly. Mr. Larson that did the design for the holding tanks has the appropriate license to evaluate that and provide input on the feasibility for using that area on the other side of the road.

Andres agreed. My suggestion was also that if the cabin was reduced in size, would a drainfield fit anywhere on the lot?

Grob stated I would be supportive of getting a design for what a drainfield could like look across the road, for size and what it could accommodate.

Petersen agreed.

Kovacovich made a motion to table the application to allow the applicant time to submit a written report from a licensed septic system designer as to the feasibility and options for installing a drainfield on the property such as in the grassed area on the southeast side of Wolf Lake Road.

Andres seconded the motion that passed 5 – 0.

September 27, 2021 Planning Commission/Board of Adjustment Hearing/Meeting Staff Report

[Variance Application 48-V-21 by Vicki Ronkowski](#): Lots 5 and 6, Crescent Beach, Section 1, Township 145, Range 32, Farden Township on Wolf Lake, a recreational development lake. Parcels 07.39.00300 and 07.01.03200. Applicant is requesting a variance from Sections 702 and 904.5 of the Shoreland Management Ordinance for a proposed replacement of a nonconforming structure with a new structure that will increase the road right-of-way setback nonconformity.

Enclosed Document(s):

- Amendment to Variance Application 48-V-21 containing requested SSTS drainfield design
- Provided at the August 2021 hearing:
 - 48-V-21 application
 - 2020 aerial imagery w/2' elevation contours

This application was first considered by the Board at the August 2021 hearing. The application was tabled for the purpose of having the applicant submit additional information from the licensed SSTS designer that addresses the feasibility and options for installing a drainfield on the lot. Enclosed is an amendment to the application that proposes reducing the number of bedrooms in the proposed house from four to three, moving the house further back from the OHW so it would be 2' from the road ROW as discussed at the August meeting, and showing how a Type I standard mound drainfield can be installed on the portion of the lot on the southeast side of Wolf Lake Road. As the flowage behind the lot is not classified as a public water, there is no related 150' setback with which to contend. The amendment also contains information on the size of the proposed dwelling relative to other dwellings in the neighborhood. The landowner wants to be able to use a holding tank during her duration of residency. As enforcing a possible condition to allow that and require a drainfield to be installed when the use changes to year-round would be very difficult, staff recommends conditioning the approval on the Type I SSTS being installed.

Below are the findings of fact questions for your consideration that are predicated on there now being a viable Type I drainfield site available.

1. Is the variance in harmony with the general purposes and intent of the official controls?

Yes (X) No ()

Why or why not? The lot size, width, and depth are such that coupled with Wolf Lake Road bisecting the lot, a variance of some sort is required in order to build on the lot. The proposal is to remove all existing improvements that are nonconforming and have the proposed structure be moved further away from the OHW than the existing – which are positives. The ability to install a standard septic system to service the proposed house is also a positive as very few of the lots in the neighborhood have sufficient room for such.

2. Is the property owner proposing to use the property in a reasonable manner not permitted by an official control?

Yes (X) No ()

Why or why not? It is appreciated that the existing improvements are proposed to be removed. The applicant has done a good job of moving the proposed dwelling as far from the lake as possible and providing a septic system design showing how a mound drainfield can be installed to service the dwelling. The stormwater plan will also mitigate runoff generated by the new structure and related improvements.

3. Is the need for a variance due to circumstances unique to the property and not created by the current or prior property owners?

September 27, 2021 Planning Commission/Board of Adjustment Hearing/Meeting Staff Report

Yes (X) No ()

Why or why not? The lot is extremely small at 20,760 sq. ft., 100' in width, and ~200' in depth with Wolf Lake Road bisecting the center of the lot and its right-of-way consuming a large area. With the OHW and road right-of-way structure setbacks, it is not possible to place any structure on the lot without some sort of variance.

4. Will the issuance of the variance maintain the essential character of the locality?

Yes (X) No ()

Why or why not? The locality consists of similarly sized/shaped lots that are also sandwiched between Wolf and the unclassified flowage that runs behind the lots into Little Wolf Lake. Most of the properties are seasonal residences as is this lot. An increasing number of the lots have been redeveloped in recent years with new houses of a similar scale to what is proposed for this lot so this proposed redevelopment will be in keeping with other dwelling rebuilds allowed on other neighboring lots by variance in recent years.

5. Does the stated practical difficulty involve more than just economic considerations?

Yes (X) No ()

Why or why not? Economics are not cited in the application as a practical difficulty. The difficulty is the lot's small size, narrowness, lack of depth, and being sandwiched between Wolf Lake and the flowage that goes into Mud Lake.

HUBBARD COUNTY

Planning Commission/Board of Adjustment Meeting Minutes

6:00 p.m. on Monday, September 27, 2021

Vice Chairman Ken Grob opened the meeting with the following additional members present: Tim Johnson, and Mark Petersen. Also present was Environmental Services Director Eric Buitenwerf. Members Andres and Kovacovich, and ex-officio member and County Board Vice-Chair Ted Van Kempen were absent.

Grob started the meeting by reading the procedure by which the meeting of the Planning Commission/Board of Adjustment will be conducted to the audience.

New Business:

Board of Adjustment:

[Variance Application 48-V-21 by Vicki Ronkowski](#): Lots 5 and 6, Crescent Beach, Section 1, Township 145, Range 32, Farden Township on Wolf Lake, a recreational development lake. Parcels 07.39.00300 and 07.01.03200. Applicant is requesting a variance from Sections 702 and 904.5 of the Shoreland Management Ordinance for a proposed replacement of a nonconforming structure with a new structure that will increase the road right-of-way setback nonconformity.

Vicki Ronkowski, 32560 Wolf Lake Road, Cass Lake, MN, and Matt Murray, 304 3rd Street, Bemidji, MN, agent for the applicant, presented the application.

Grob stated you were at the August meeting and this was tabled. At that time there was an application for a variance to remove all the structures and build a new home. We tabled the application in order to have a licensed SSTS designer address the feasibility of a drainfield. At that time we did discuss agreeing to relocate the home to about a 38' ordinary high water mark setback. You have done the stormwater analysis and come up with a design for a drainfield. You have reduced the size to three bedrooms, the drainfield is feasible with a Type I system, and you have an adequate stormwater plan proposed.

Murray added the only other thing would be the neighborhood overview just to put the size of that structure into scope relative to what is existing in the neighborhood.

Johnson asked when the other structure gets removed, it will be gone permanently?

Ronkowski answered yes, the shed, bunkhouse, carport, and house.

Petersen clarified I want to be clear that you are intending to install and use that drainfield right away. We are not doing a holding tank situation? That is not what you are asking for, correct?

Murray replied for now she would prefer to have just the holding tanks, but if the Board feels that it is important to have the drainfield installed immediately, then she is willing to do so.

Johnson added I believe that we would be doing her a favor to have it put in now.

Petersen said that is how I would like to see it go.

Grob opened for public comment.

No public comment was given.

Grob closed public comment.

Grob made a motion to approve the variance as requested in the application amendment dated 09/16/2021 with the following conditions:

1. The dwelling unit must be built per the updated site plan sketch submitted in the application amendment dated September 16, 2021.
2. The stormwater plan for the property must be implemented as submitted.
3. The Type 1 septic system with a mound drainfield per the design submitted in the application must be installed when the new dwelling unit is constructed.
4. All existing structures on the lot must be removed before construction of the new dwelling unit may commence.

Petersen seconded the motion that passed 3 – 0.

The Board adopted the staff report findings of fact.

Findings of Fact

1. Is the variance in harmony with the general purposes and intent of the official controls?

Yes (X) No ()

Why or why not? The lot size, width, and depth are such that coupled with Wolf Lake Road bisecting the lot, a variance of some sort is required in order to build on the lot. The proposal is to remove all existing improvements that are nonconforming and have the proposed structure be moved further away from the OHW than the existing – which are positives. The ability to install a standard septic system to service the proposed house is also a positive as very few of the lots in the neighborhood have sufficient room for such.

2. Is the property owner proposing to use the property in a reasonable manner not permitted by an official control?

Yes (X) No ()

Why or why not? It is appreciated that the existing improvements are proposed to be removed. The applicant has done a good job of moving the proposed dwelling as far from the lake as possible and providing a septic system design showing how a mound drainfield can be installed to service the dwelling. The stormwater plan will also mitigate runoff generated by the new structure and related improvements.

3. Is the need for a variance due to circumstances unique to the property and not created by the current or prior property owners?

Yes (X) No ()

Why or why not? The lot is extremely small at 20,760 sq. ft., 100' in width, and ~200' in depth with Wolf Lake Road bisecting the center of the lot and its right-of-way consuming a large area. With the OHW and road right-of-way structure setbacks, it is not possible to place any structure on the lot without some sort of variance.

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Respectfully submitted,

Staci Lee

Recording Secretary

Action/Discussion

**Change of Date for next board meeting
Executive Directors Report**

Executive Director Report

September - October 2021

Personnel, Budget, Administration, Information & Education, Correspondence

1. Reviewed monthly budget.
2. Prepared monthly agenda packet.
3. Sent in monthly expense report.
4. Sent press release to newspapers.
5. Reviewed potential variances that may be coming before the Board next month.
6. Received fully executed copy of LCCMR Whiskey Creek contract with the DNR.
7. Sent in LSOHC reimbursement.

Meetings & Networking

1. Attended the Camp Ripley Open house and was able to distribute literature and Guidebooks to the thousands of people that attended.
2. Attended Rotary Park dedication and gave an awareness presentation about the MHB and what we do. I thanked Rotary for their work in protecting the Miss. River.
3. Called LLBO to discuss a possible partnership with them on cultural resources. If they are willing to work with us on this, than it will be a new opportunity for me to write a proposal to the Arts and Heritage program.
4. Attended MPCA WRAPS cycle 2 kickoff meeting. In cycle 2, the MPCA will focus more on local priorities for monitoring and assessment.
5. The MHHCP easement and acquisition program did very well in the recommendation for funding. The Chair's proposal was for \$4,717M which is the highest dollar amount the program has been recommended for.
6. Set up page for biennial conference so attendees can view powerpoints and videos after conference.
7. Talked with the International Erosion Control Assoc. and they are interested in having a webinar in 2022 about shoreline protection practices on the Mississippi river in multiple states (upper, central, and southern states). I referred them to the Crow Wing SWCD since they have many projects they have done in the upper Mississippi.
8. Attended Morrison county DRT meeting for a variance review.
9. Had zoom meeting with U of MN architectural graduate students to discuss who the MHB is, our role, and conservation results. They want to write a Master's paper about the scenic and wild management of the River, but needed to have a conversation about it with me to help them narrow their focus. They seemed interested on the Lake Irving project so I'll see where it goes from there.
10. Organized AIS coordinators interviews at Lum Park to develop content for next year.
11. I met with YMCA director Shane Riffle, and Brainerd triathlon organizer Dan Fundingsland to discuss an improvement to the MHB paddling day. We decided that we could talk with Brainerd Chamber of Commerce and Brainerd Riverfront committee

about making this an event where we receive money for this event and help promote it better among recreational interest groups.

12. Had a phone call with DNR Seth Gorham to talk about geofencing around chronic wasting disease area. I gave him my opinion, and directed him to Beltrami county AIS as they are using geofencing as well.