



## Mississippi Headwaters Board Meeting Agenda

**Cass County Courthouse Walker, MN 56484**

<https://us02web.zoom.us/j/88419445991>

**November 19, 2021**

**10:00 am**

### 10:00 AM

- Call to Order/Pledge of Allegiance

### 10:05 AM Approve/Amend

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

### Correspondence

- November Press Release

### Planning and Zoning (Actions)

- Ca11a21- Sobolik Variance
- M11a21- Kruschek Variance

### Action / Discussion Items:

- Biennial Conference comments- Discussion
- Board Planning Retreat date?- Discussion
- Cultural Resources inventory grant- Discussion/Action
- Change of date for next board meeting?- suggest 12/17- Discussion
- Executive Directors report- Discussion

### Meeting Adjourned - Thank you

Mtgs: October 28<sup>th</sup>, '21, 9:00 AM to 1:00 PM- Mississippi Headwaters Board Biennial Conference.  
**December 24, 2021 9:00 AM- Cass County Courthouse, Walker, MN**

**Attachment**

Draft Minutes

Monthly Expenses

Mississippi Headwaters Board  
October 28, 2021  
Miss. Headwaters Board Conference Room  
322 Laurel St.  
Brainerd, MN

Optional interactive technology: <https://us02web.zoom.us/j/89295093485>

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), Dean Newland (Clearwater) and Tim Terrill (Executive Director).

Others Present: Eric Buitenwerf, Hubbard ESD

Pledge of Allegiance

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

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

#### **Correspondence**

Tim briefly mentioned the press release and that the BWSR article about the Lake Irving project is being released on 11/1.

#### **Planning and Zoning**

**Hubbard Ronkowski Variance-** Eric Buitenwerf presented by zoom the Ronkowski variance and said the variance is for the setback from the OHWM and for impervious surface. The original application on 8/23 wanted to have holding tanks on the property but the board of adjustment wanted Hubbard county to check on installing a type 1 system across the street. That was checked out by a septic tank specialist for feasibility and brought before the BOA on September 27th. The Hubbard BOA approved of the variance because a stormwater plan was submitted as pertaining to MHB conditions, and that the Type 1 septic system with a mound drainfield be installed when the dwelling unit is constructed. Discussion ensued whether the township was notified about drilling underneath their road and Eric answered in the affirmative. Comm. Gaalswyk asked about the septic and what the process was if the septic would not be able to be installed per design. Eric stated that the applicant would need to meet before the BOA again and the process would start over. **M/S (Gaalswyk/Barrows) to approve of the variance. Motion carried unanimously.**

#### **Action/Discussion:**

1. Next Board meeting- Tim stated that the next board meeting is scheduled after Thanksgiving and he suggested that the date be moved to 11/19. Through consensus the board chose to move the date to 11/19.

**Executive Directors Report**

1. Attended LSOHC council meeting and requested \$9,591,400 from them. The Outdoor Heritage Council will recommend to the legislature that the MHHCP be funded at \$4.717 million. Comm. Gaalswyk suggested that Tim write an letter to the 8 county administrators and explain this to them and have them place it in their board packet.
2. Tim briefly mentioned that since the MHB did geofencing a while back, that we are getting calls from the DNR to find out how that might work around a WMA area.
3. Tim mentioned that he is working with YMCA director Shawn Riffle to look at ways to improving our paddling days. Comm. Gaalswyk mentioned that Tim contact the sheriff's office and learn more about the Three Word App which allows you to be found in any 3 meter grid.

**M/S (Gaalswyk/Wilson) to adjourn. Motion carried unanimously.**

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Chair Anne Marcotte

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Executive Director Tim Terrill

October SFY'22 Budget Summary		YTD spending/rei mbursement	Projected Budget	% of budget spent	
<b>Revenues:</b>	<b>Monthly Amount</b>				<b>Explanation</b>
Governor's DNR grant (53290)	\$29,891.51	\$45,163.71	\$124,000.00	36.42%	non competitive quarterly reimbursement
LSOHC grant (53290)		\$1,217.97	\$6,000.00	20.30%	LSOHC reimbursement
Guidebook sales (58400)			\$200.00	0.00%	reimbursment for Guidebook sales
Enbridge program (58300)			\$7,000.00	0.00%	enbridge reimbursement
Miscell. Other revenue (58300)		\$100.00	\$3,000.00	3.33%	AIS reimbursement & muskie donation
MCIT Dividend (58300)			\$277.00	0.00%	MCIT refund
County Support (52990)			\$12,000.00	0.00%	8 county support
BWSR Grant Stormwater (53090)			\$300.00	0.00%	competitive reimbursement
LCCMR acquisition			\$1,000.00	0.00%	competitive reimbursement
<b>Total</b>	<b>\$29,891.51</b>	<b>\$1,317.97</b>	<b>\$28,777.00</b>		
<b>Expenses:</b>	<b>Monthly Amount</b>				<b>Explanation</b>
Salaries/Benefits FICA/Med/PERA/LIFE/LTD/Hlth/ WC(61000)	\$ 8,019.87	\$27,239.49	\$103,866.00	26.23%	reimbursed by Gov. DNR grant
MCIT insurance/work comp/liability (61500)			\$3,220.00	0.00%	reimbursed by Gov. DNR grant
MHB board Per Diem (62680)		\$300.00	\$2,700.00	11.11%	reimbursed by Gov. DNR grant
Hotel/Meals/travel exp. (63340)	\$ 7.76	\$139.91	\$500.00	27.98%	meal for Camp Ripley open house
Commissioner Mileage (62720)		\$87.36	\$2,800.00	3.12%	reimbursed by Gov. DNR grant
Employee Mileage (63320)	\$ 214.20	\$1,018.26	\$4,400.00	23.14%	reimbursed by Gov. DNR grant
Professional Services (62990)	\$ 525.00	\$1,763.55	\$45,000.00	3.92%	CW account. Services
Office supplies/operations (64090)	\$ 57.55	\$560.91	\$1,400.00	40.07%	telephone
Training & Registration Fees (63380)	\$375.00		\$300.00	0.00%	reimbursed by Gov. DNR grant- AMC conf. registration
<b>Total</b>	<b>\$9,199.38</b>	<b>\$31,109.48</b>	<b>\$164,186.00</b>		

Governor's DNR grant is always \$124K every year

LSOHC grant is around \$6K to \$8K every year

\*The total under revenue does not reflect the \$124K because it is a non-competitive grant, and it doesn't always fall in the fiscal year.

ACCOUNT DETAIL HISTORY FOR 2021 10 TO 2021 10

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
74830	53290		Natural Resources							
								REVISED BUDGET		.00
						PER 01		-36,027.94	-36,027.94	
						PER 04		-31,077.92	-67,105.86	
						PER 07		-50,774.21	-117,880.07	
						PER 08		-1,965.33	-119,845.40	
21/10	1301	10/25/21	GEN					-29,891.51	-149,736.91	
	ST OF MN	DNR1Q-22								
			LEDGER BALANCES --- DEBITS:		.00		CREDITS:	-149,736.91	NET:	-149,736.91
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	
						PER 09		5,523.01	52,436.38	
21/10	355	10/08/21	PRJ pr1008	1211008	1211008	1211		2,761.51	55,197.89	
	pay100821	WARRANT=211008	RUN=1	BI-WEEKL						
21/10	1064	10/22/21	PRJ pr1022	1211022	1211022	1211		2,761.50	57,959.39	
	pay102221	WARRANT=211022	RUN=1	BI-WEEKL						
			LEDGER BALANCES --- DEBITS:		57,959.39		CREDITS:	.00	NET:	57,959.39
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	
						PER 09		1,699.82	15,231.42	
21/10	355	10/08/21	PRJ pr1008	1211008	1211008	1211		861.49	16,092.91	
	pay100821	WARRANT=211008	RUN=1	BI-WEEKL						
21/10	1064	10/22/21	PRJ pr1022	1211022	1211022	1211		838.33	16,931.24	
	pay102221	WARRANT=211022	RUN=1	BI-WEEKL						

ACCOUNT DETAIL HISTORY FOR 2021 10 TO 2021 10

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE	
LEDGER BALANCES --- DEBITS:			16,931.24		CREDITS:		.00	NET:	16,931.24		
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		
						PER 09		797.04	7,592.93		
21/10	355	10/08/21	PRJ pr1008	1211008	1211008	1211		398.52	7,991.45		
			pay100821	WARRANT=211008	RUN=1 BI-WEEKL						
21/10	1064	10/22/21	PRJ pr1022	1211022	1211022	1211		398.52	8,389.97		
			pay102221	WARRANT=211022	RUN=1 BI-WEEKL						
LEDGER BALANCES --- DEBITS:			8,389.97		CREDITS:		.00	NET:	8,389.97		
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		
						PER 09		57.36	514.73		
21/10	640	10/19/21	API 006205	156640	28250			1.78	516.51		
			W C101921	OCTOBER CTC & 10/21-10/21	LD C CONSOLIDATED TELECOM						
21/10	640	10/19/21	API 006205	156640	28250			.77	517.28		
			W C101921	OCTOBER CTC & 10/21-10/21	LD C CONSOLIDATED TELECOM						
21/10	1064	10/22/21	PRJ pr1022	1211022	1211022	1211		55.00	572.28		
			pay102221	WARRANT=211022	RUN=1 BI-WEEKL						
LEDGER BALANCES --- DEBITS:			572.28		CREDITS:		.00	NET:	572.28		

ACCOUNT DETAIL HISTORY FOR 2021 10 TO 2021 10

ORG YR/PR	OBJECT PROJ JNL EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
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
									PER 09 525.00 209,302.29
21/10	288 10/05/21	API 101649		155783	1934253		4,900.00	214,202.29	
	W A100521	WESTCOM INVOICE #4		WEST COMMUNICATIONS					
21/10	1306 10/26/21	API 006007		157135	28346		579.30	214,781.59	
	W A102621	TNC INVOICE #4		THE NATURE					
21/10	1770 10/31/21	GEN					525.00	215,306.59	
	RECURRING	FINANCIAL SERVICE							
		LEDGER BALANCES --- DEBITS:	215,306.59	CREDITS:	.00	NET:	215,306.59		
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
									PER 09 240.80 1,184.36
21/10	938 10/19/21	GNI SEPT					86.80	1,271.16	
	WF PCARD	1434 - Beltrami for interview							
		TIM TERRILL - OOP							
21/10	938 10/19/21	GNI SEPT					27.72	1,298.88	
	WF PCARD	1434 - camp ripley open house							
		TIM TERRILL - OOP							
21/10	938 10/19/21	GNI SEPT					99.68	1,398.56	
	WF PCARD	1434 - Alexandria board mtg							
		TIM TERRILL - OOP							
		LEDGER BALANCES --- DEBITS:	1,398.56	CREDITS:	.00	NET:	1,398.56		
74830	63340	Hotel & Meals Travel Expense							REVISED BUDGET .00
									PER 04 8.73 8.73
									PER 08 4.63 13.36
									PER 09 135.28 148.64
21/10	996 10/19/21	GNI SEPT					7.76	156.40	
	BREM PCARD	camp Ripley meal							
		TIM TERRILL - MCDONALD'S F17495							



ACCOUNT DETAIL HISTORY FOR 2021 10 TO 2021 10

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
LEDGER BALANCES --- DEBITS:					156.40	CREDITS:		.00	NET:	156.40
74830	63380		Training & Registration Fees							
						REVISED BUDGET				.00
21/10	367	10/12/21	API 102987		155992	PER 07		44.06	44.06	
	W C101221	TERRILL AMC ANNUAL CONFERENCE	ASSOCIATION OF MN			28189		375.00	419.06	
LEDGER BALANCES --- DEBITS:					419.06	CREDITS:		.00	NET:	419.06
GRAND TOTAL --- DEBITS:					301,133.49	CREDITS:		-149,736.91	NET:	151,396.58

18 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](http://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.

# **Planning and Zoning**

Ca11a21- Sobolik Variance

M11a21- Kruschek Variance



### APPLICATION FOR VARIANCE

Cass County Environmental Services Department

<http://www.co.cass.mn.us/government/countydirectory/environmentalservices/index.php>

Courthouse, 1<sup>st</sup> Floor, 303 Minnesota Avenue W, P.O. Box 3000, Walker, MN 56484

Phone: 218-547-7241 Fax: 218-547-7429 Email: [cass.esd@co.cass.mn.us](mailto:cass.esd@co.cass.mn.us)

**OFFICE USE ONLY:**

Permit #: 2021-144-25-5

Date: 10/19/2021 Received By: QB Total Fees Paid: 496<sup>00</sup> Check # 3562 Receipt # 237950

Notification Mailed: 10/25 Publication: 11/1/21 Field Inspection: 11/8/21 Hearing Date: 11-8-21

This Variance Application is hereby: Approved:          Denied:          By the Cass County BOA/PAC Date:          By:         

**THE FOLLOWING INFORMATION MUST BE FILLED OUT BY THE APPLICANT (use blue or black ink):**

**GENERAL INFORMATION:** Applicant is: Owner:  Agent:          (attach form)

Applicant(s) Name: Stephanie Sobolik Phone: 218-360-9141

Mailing Address: 13750 72nd Ave NE Deer River, MN 56636 Email: stephanie.sobolik@gmail.com

Property Owner(s): Stephanie Sobolik Phone: 218-360-9141

Mailing Address: 13750 72nd Ave NE Deer River, MN 56636 Email: stephanie.sobolik@gmail.com

911 Address (Property address): 13750 72nd Ave NE Deer River, MN 56636

Township: 144 25 UNORG Lake, River, Stream: Mississippi Classification: Wild

Section: 7 Twp: 144 Rg: 25 Legal Description: Gov lot 5

Parcel ID #: 47-007-3200 Additional Information:         

**APPLICANT(S) MUST ANSWER AND SUBMIT THE FOLLOWING INFORMATION:**

1. Clearly indicate what the intended use of the property is and why it does not or cannot conform with current Ordinances (why are you requesting the variance; attach narrative if necessary):  
\*See attached narrative\*

2. Describe, as shown on your site plan, what setback or size variance(s) you are requesting.

Lot Size: 48.29 Impervious Lot Coverage: NA Structure Height: ~~4ft.~~ 18ft

Proposed Use: residence Other:         

Proposed Project Setbacks from:

Ordinary High Water: 47ft Right of Way (Road): NA Property Line: NA Bluff: NA

Existing Structures:          Septic Tank or Drainfield: 1 Other:         

3. What reasonable use of your property is lost (practical difficulties) by the enforcement of the related Ordinance?  
The residence

10 Notices

CASS COUNTY MINNESOTA  
 PO BOX 3000  
 WALKER, MN 56484

Payer Number:  
 Name: SOBOLIK, STEPHANIE  
 Address: 13750 72ND AVE NE  
 DEER RIVER, MN 56636

10/21/2021  
 Transaction Number: 39568  
 Cashier: dawnbrcp  
 Department: ENVIRONMENTAL SERVICES  
 Drawer Number: 801

Receipt Types	Amount	Tax	Total
<b>MISC</b>			
01-801-000-0000-5553	VARIANCE/BLDG PERMIT CLOSER RIVER S/B FOR ADDN	Rec#:237950	\$1,455.50
	Invoice Number: 47-007-3200		
01-801-000-0000-2270	VAR REC FEE		\$46.00
01-801-000-0000-5544	26' X 60' HOME		\$390.00
01-801-000-0000-5544	20' X 26' ADDN W/ 10' X 25' CO ENTRY		\$269.50
01-801-000-0000-5547	SSTS 4 BDRM 600 GPD		\$300.00

Tax Included

		\$1,455.50
3562		\$1,455.50
	Check Total:	\$1,455.50
	Cash:	
	ACH Payment:	
	Credit Card:	
	No Fee:	\$1,455.50
	Change:	\$0.00
		<u>\$1,455.50</u>

Thank you!

4. Have you attempted to lessen the degree of nonconformity necessary from the standard you are requesting a variance from and what alternative(s) exist. If **No** then please explain. Yes  No   
were not going closer to the River, we are going to the side and back.

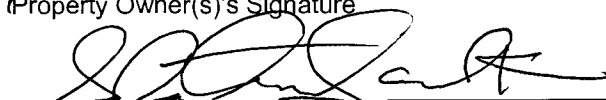
5. I have reviewed the "findings of fact worksheet/checklist" included in this application packet and have discussed any questions or concerns with ESD staff. Yes  No

6. Submit all information noted on the pre-application checklist that has been marked as required for this variance request. Yes  No

I hereby swear and affirm that the information provided to Cass County Environmental Services is accurate and true. I acknowledge that this application is rendered invalid and void should the County determine that information supplied by me, the applicant, in applying for this variance, is inaccurate or untrue. I acknowledge the continued validity of any variance that may be granted is dependent upon the compliance of all work being done from the date of the application. Signature of this application authorizes Environmental Services Staff to enter upon the property to perform needed inspections. Entry may be without prior notice.

  
\_\_\_\_\_  
Property Owner(s)'s Signature

10/19/21  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Applicant's Signature (if different, include authorization form)

10/19/21  
\_\_\_\_\_  
Date

**ESD Staff to Complete:**

Property became a lot of record: 1957 Lot width(ft): \_\_\_\_\_ Lot Depth (ft): \_\_\_\_\_

Water frontage (ft): 2011 ft Acres: 40.29 Previous Owner: Lucile Severson

Year sold: \_\_\_\_\_ Year Septic System installed: BN Last Septic Inspection: Unknown

Applicant requests variance from Section(s) 1129.1

Cass County landuse Ordinance

The applicant's requested use that does not comply with the Ordinance(s) is: \_\_\_\_\_

Addition to a legal nonconforming residence and a temporary additional residential structure

**Cass County Environmental Services  
Planning Commission/Board of Adjustment**

**Findings of Fact – Applicant Statement(s)  
Supporting/Denying a Variance**

**\*\*Staff will discuss the findings of fact determination that the board of adjustment/planning commission will use, with the applicant in relation to their specific variance request at the Pre-Application meeting, to help the applicant make a more informed decision about how they would like to proceed. \*\***

1. In your opinion is the variance in harmony with the intent/general purpose of the related Ordinance or other relevant plans? Why or why not? Yes  No   
Adding an addition to a legal non conforming structure. Permitting a temporary non conforming residence due to irregular life events/condition.

[http://www.co.cass.mn.us/government/county\\_directory/environmental\\_services/county\\_ordinances.php#revize\\_document\\_center\\_rz496](http://www.co.cass.mn.us/government/county_directory/environmental_services/county_ordinances.php#revize_document_center_rz496)

2. In your opinion does the proposed action put the property to use in a reasonable manner? Why or why not? Yes  No   
Yes-We will be updated the property and bringing things up to code that include, but are not limited to, electrical, well, and septic.

3. In your opinion, are there circumstances/characteristics unique to the property and not due to conditions that are common within the landscape, created by another party or outside of your control? If so, list what they are. Yes  No   
Yes-Original house was built by my great grandparents.

4. In your opinion, is there room on the property to meet the requirements of the Ordinance without the need for a variance? Why or why not? Yes  No   
No-Building setback would interfere with wetlands.

5. In your opinion, will the variance maintain the essential character of the neighborhood? Yes  No   
Why or why not?  
Yes- We are adding onto existing house.

6. In your opinion, does the need for the variance involve more than economic considerations? Yes  No   
Why or why not?  
Yes- We have a family size of 7 (5 children).

**\*\*The above information must be completed and submitted with the application for variance.**

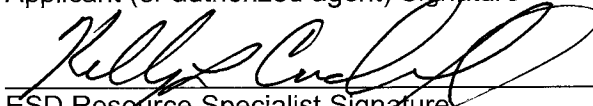
Applicant: Stephanie Sobolik Parcel #: 47-007-3200  
Phone #: 218-360-9141 ESD Staff: Kelly Condiff

**PRE-APPLICATION CHECKLIST (completed with ESD):**

- Completed application page with signature of property owner and agent authorization form if necessary.
- Required fee \$ **(\$496.00 or \$721.00 for after the fact)**
- Septic certification (If a septic system serves the property and it is in the shoreland zone or the project involves an addition to an existing structure) or design for new construction. *Winter agreements may not be accepted for variance applications.*
- Building plans, to include existing and proposed additions and structures, including views of the front, rear and sides of the project. Including elevation views. Plans must include all dimensions, height, and structural elements of what is being proposed, such as patios, decks, retaining walls etc.
- Proposed grading plan: If the project is a walkout style, steep slope or impacting a bluff impact zone, a grading plan **is required**. The specific information that will be required in the grading plan for the project will be determined by ESD after reviewing your proposal.
- Impervious calculation worksheet or a certificate of survey showing the impervious surface calculation for all properties <1 acre in size.
- Proposed vegetation removal plan and/or any proposed landscaping, restoration, revegetation or screening plans. Please consider your Shoreland Rapid Assessment Model (SRAM) score when planning to improve your shoreline.
- Provide financial assurance in the form of cash or letter of credit to be in place until the variance conditions are met in the amount of \$ \_\_\_\_\_ for \_\_\_\_\_. Financial assurance will be released once the variance conditions are met.
- Proposed stormwater management plan if recommended by ESD staff or as proposed by the applicant.
- A site plan with the following information. All information checked must be provided. **The proposed project must be staked out prior to submitting the application to ESD.**
  - North arrow, lot lines and dimensions, location of lake, access road.
  - Location of all existing structures including their dimensions. Include setbacks (distances) from lot lines, ordinary high-water level, septic system and other structures.
  - Existing and proposed driveway(s), access road(s), highways, etc.
  - Location of and dimensions of any proposed retaining walls that will result from constructing the proposed structure or SSTs.
  - Other pertinent information such as height of ice ridge, topography, slope of the land.
- Other: \_\_\_\_\_

  
Applicant (or authorized agent) Signature

10/19/21  
Date

  
ESD Resource Specialist Signature

10/20/21  
Date



ENVIRONMENTAL SERVICES DEPARTMENT  
CASS COUNTY COURTHOUSE  
PO Box 3000  
Walker MN 56484  
218-547-7241

## SUMMARY OF VARIANCE PROCEDURES:

Step 1: Mandatory on-site pre-application meeting with an Environmental Services, Resources Specialist, to discuss your proposed application at least one week prior to application deadline or submittal. Contact Cass County ESD to schedule your meeting prior to submittal.

Step 2: File a completed variance application prior to 12 noon Central Standard Time on or before the application deadline, no-exceptions.

Step 3: The variance application **must** include all the following information:

- a. A completed application form with the required filing fee (\$496.00 or \$721.00 for after-the-fact) payable to Cass County Treasurer.
- b. Accurate property descriptions including Parcel ID# must be given (these are usually found on your tax statement or deed). Applicant must own property, have a valid lease, a purchase agreement or be an authorized representative (form available).
- c. A complete site sketch and/or survey and plans, including all the items on the attached variance checklist as required by ESD.
- d. Variances must include septic compliance and or approved septic designs at the time of application submittal if necessary. (Non-compliant septic systems are required to be upgraded regardless of the outcome of the variance.)
- e. A permit application for the intended use must accompany the variance application (residential building, shoreland alteration, etc). If the variance is denied the permit application fee will be refunded (the variance fee is not refunded for denials).

Step 4: Processing (completed by ESD staff)

- a. Staff review of application for completeness and generation of agenda.
- b. Public hearing notice sent to the local newspaper and posted to Cass County website.
- c. Notification to property owners within 0.25 mile of affected property.
- d. Notification to Planning Commission, Township Officials, Road Authorities, Lake Associations as applicable and applicants.
- e. Conduct field visits as necessary one week prior to the public hearing, it is recommended that the applicant(s) or a representative be present at this time. Sites must be staked by applicant prior to on site review by the planning commission.

Step 5: Planning Commission/Board of Adjustment meetings are held the second Monday of each month unless otherwise stated.

The applicant(s) or a representative **must attend** the meeting to answer any questions the Planning Commission/Board of Adjustment may have. Not attending the meeting could result in tabling an application until additional information can be provided or denial.

Step 6: If the application is granted, any related permits must be obtained from ESD prior to commencement of construction. All variances are recorded with the property deed in the Cass County Recorder's Office and a copy sent to the applicant.

Stephanie Sobolik  
13750 72<sup>nd</sup> Ave NE  
Deer River, MN 56636  
(218) 360-9141  
Variance request

My husband John and I are requesting a variance for an addition onto a legal non-conforming structure at our property, otherwise known as our family's home. My grandparents and great grandparents owned the property and now that we do, we are hoping to be able to add these additions and make updates so my family can create our permanent residence there.

On April 29<sup>th</sup>, 2021 we had a house fire at our past residence in Deer River, MN and lost everything. Our original plans were to live in that home until we finished updates and plans for this property. The fire left me, my husband, our 5 children and 3 dogs homeless and needing to find temporary housing until we could finish our property here. While looking into temporary housing options we were unable to find anything local that could fit our family household size and be financially affordable. Fortunately, my mother Cindy and her husband Russ were able to help us out with temporary housing. They own Village Homes in Walker, MN and privately own a double wide manufactured home. They are allowing us to borrow the manufactured home until we can finish work on our permanent home here (the legal non-conforming structure). Part of our variance request and building permit includes this temporary house. The temporary manufactured house will be removed immediately after our additions and updates are complete on the original legal non-conforming home.

We currently plan to have everything complete by September 1<sup>st</sup>, 2022. The original home (the legal non-conforming structure) is a 3-bedroom, 1-bathroom home. The addition would allow us to add another bedroom and bathroom as well as a few extra feet for the family living room and dining room area. This addition will be added to the side of the home, in line with the original home's setback from the Mississippi River. We would also like to add an entryway and covered patio off the back of the home, located further away from the Mississippi River. We plan to add new trusses to the home to increase the pitch slightly. I have included this all in my sketches. We have a drawing for the new Septic system that will be installed in 2022 as well. We truly believe that if these requests are approved, they will not only benefit our family needs but also will be positively impacting this property since we are bringing everything up to code and bringing life back into something that has been passed down for over 4 generations and will continue to be passed down to our children after us.

## Section F - Construction or Structure Standards

### F.1. Standards

The following table establishes the minimum standards for lot size, lot width, structure and ISTS setback, shore impact zone, and structure height for each zoning classification. The following standards apply to the Corridor:

Classification	Minimum lot size	Structure setback from OHWM	ISTS setback from OHWM	Lot Width at OHWM and at Building line	Shore Impact Zone	Structure Height
River Wild	10 acres	200 feet	150 feet	330 feet	100 feet	18 feet
River Scenic	5 acres	150 feet	125 feet	330 feet	75 feet	35 feet
Headwaters Lakes: General Development*	30,000 square feet	100 feet	75 feet	100 feet	50 feet	35 feet
Headwaters Lakes: Recreational Development*	40,000 square feet	100 feet	75 feet	150 feet	50 feet	35 feet
Headwaters Lakes: Natural Environment*	80,000 square feet	150 feet	150 feet	200 feet	75 feet	35 feet

\*Unsewered / single dwelling – see MN Rules 6120-3300.

\*\*General Development Lakes, Minnesota Rules 6120-3300 reduced lot area for only non riparian lots serviced by Public Service Districts.

Note: New Joint Powers Board:

Riparian Lots, Lakes, Bemidji & Irvine minimum lot size with Public Service District 30,000 square feet, 100' X 300'

Non-riparian lots, Lakes Bemidji & Irvine minimum lot size with Public Service District, 20,000 square feet, 100' X 200'

The MHB recognizes that other local government, state, or federal regulations may be more restrictive than the above standards in certain areas or situations. The more restrictive regulations take precedence.

### F.2. Agricultural Building Height Exemption

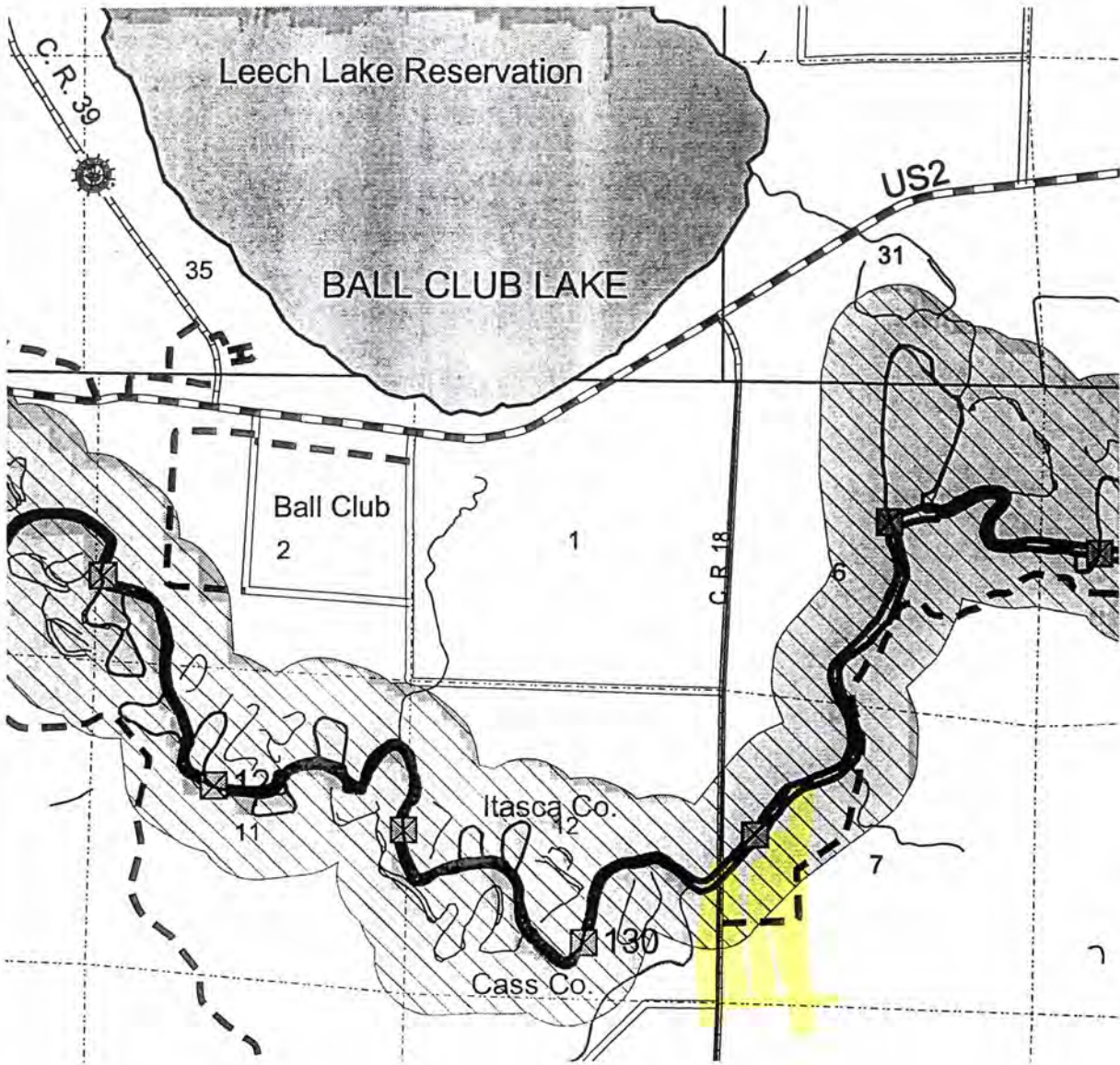
Buildings used for agricultural purposes are exempt from maximum structure height restrictions.

### F.3. Nonconforming Lots

- a) This subdivision applies to shoreland lots of record in the office of the County Recorder on the date of adoption of local shoreland controls that do not meet the requirements for lot size or lot width. A county shall regulate the use of nonconforming lots of record and the repair, replacement, maintenance, improvement, or expansion of nonconforming uses and structures in shoreland areas

# Mississippi Headwaters Corridor

Map 43



	Section Lines		Trunk Highways
	Township Bnd.		CSAH
	County Bnd.		County Roads
	Cities		Township Roads
	MHB River Corridor		City Streets
	Lakes		River Miles (Approx. 1 Mi. Apart)
	Streams		Dams
	Mississippi River		Great River Road
	Reservation Boundary		
	Wild River		



Date: September 2000

County:	Itasca	Cass
Name:	Unorganized	Morse W/E Wahkena
Township:	144 N 144 N	145 N 145 N 144 N 144 N
Range:	25W 26 W	26 W 25 W 26 W 25 W
Sections:	6, 7 1,2, 11, 12	35, 36 31 11-12 6, 7
Class:	Wild	

River Corridor Width -- At least 1,000 feet from ordinary high water mark: Wild Class.  
 River Corridor Width -- At least 500 feet from ordinary high water mark: Scenic Class  
 Lake Corridor Width -- 1,000 feet from ordinary high water mark: Headwaters Lake

The data sets are provided without guarantee as to the accuracy or suitability for any particular purpose.

# Appendix : SHORELINE RAPID ASSESSMENT MODEL



Cass County's Shoreline Rapid Assessment Model (SRAM) is a tool for quickly and objectively determining the degree of natural vegetation along a shoreline and the amount of natural buffer required to meet Ordinance requirements. With this model, the Shore Impact Zones (SIZ-1 & SIZ-2) are evaluated for natural vegetative cover and a cumulative score is tallied. Vegetative restoration that may be necessary must be performed according to Section 1123 of the Cass County Land Use Ordinance..

## Shoreline:

Condition of Shoreline	Score:
Stable shoreline	0
< 25% of shoreline is eroding or unstable	-1
25-50% of shoreline is eroding or unstable	-2
50-75% of shoreline is eroding or unstable	-3
> 75% of shoreline is eroding or unstable	-4

Score: 0

## Ground cover:

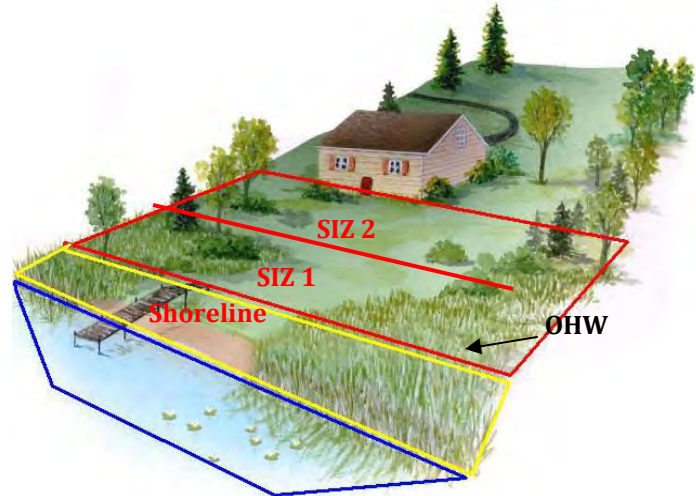
% Naturally Vegetated Cover in SIZ 1 and SIZ 2	Points:	
	SIZ 1	SIZ 2
< 25% natural ground cover	1	1
25-50% natural vegetative cover	3	3
50-75% natural vegetated cover	5	5
> 75% natural vegetated cover	7	7

Score: 10

## Trees / shrubs:

% Naturally Vegetated Cover in SIZ 1 and SIZ 2	Points:	
	SIZ 1	SIZ 2
< 25% of surface is covered by shrubs and trees	1	1
25-50% of surface is covered by shrubs and trees	3	3
50-75 % of surface is covered by shrubs and trees	5	5
> 75% of surface is covered by shrubs and trees	7	7

Score: 10



### If score is 0-8:

Applicant will be required to leave a 20' No Mow Buffer and provide financial assurance until buffer is established. The amount of financial assurance required will be based on the score. A score of 8=\$200.00, a score of 0=\$1600.00

### If score is 9-15:

Applicant will be required to leave a 15' No Mow Buffer. No financial assurance is required for a score of 9 or more.

Above buffers shall allow for an access area to lake, per ordinance requirements.

Cass ESD recognizes that all lake parcels are not identical and need to be scored on merits of each. We also recognize the importance of critical shoreline habitat and try to accomplish a balance between landowner and lake health.

Total Parcel Score: 20

Max Score: 28

Landowner Severson Farm LLC Parcel Number 47-007-3200

Environmental Services Staff Signature \_\_\_\_\_ Date 10-18-2021



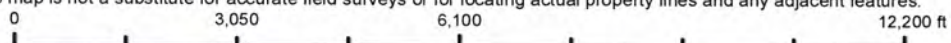
# SEVERSON FARM LLC

AERIAL MAP

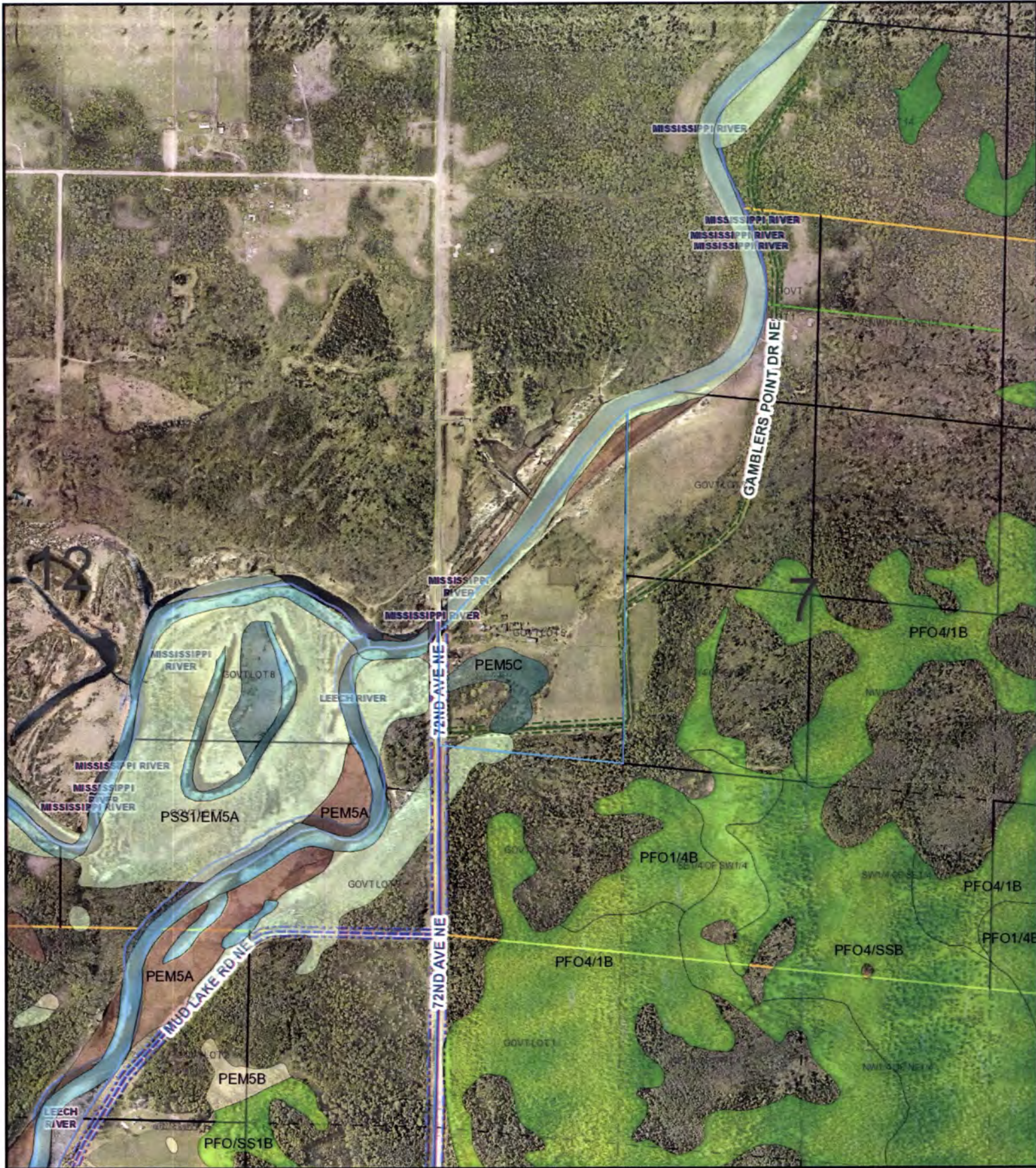
Cass County, Minnesota

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.



10/21/2021



# SEVERSON FARM LLC

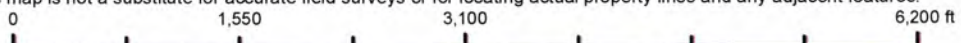
WETLAND

Cass County, Minnesota



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10/21/2021



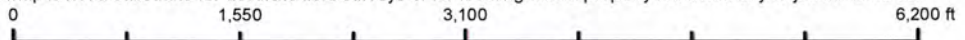
# SEVERSON FARM LLC

MHB CORRIDOR

Cass County, Minnesota

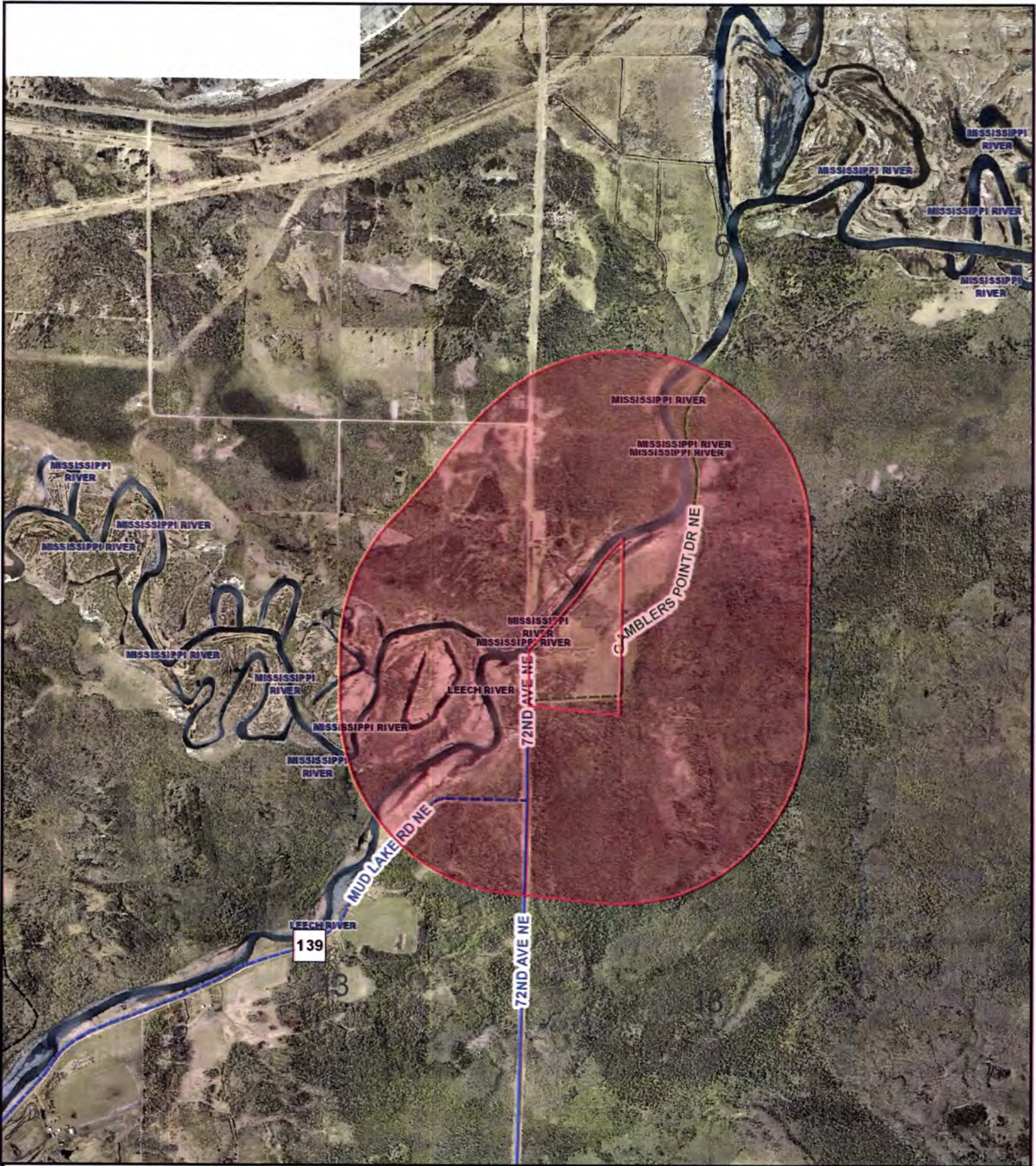
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10/21/2021





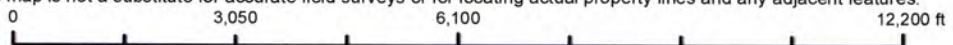
# SEVERSON FARM LLC

BUFFER MAP

Cass County, Minnesota

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This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

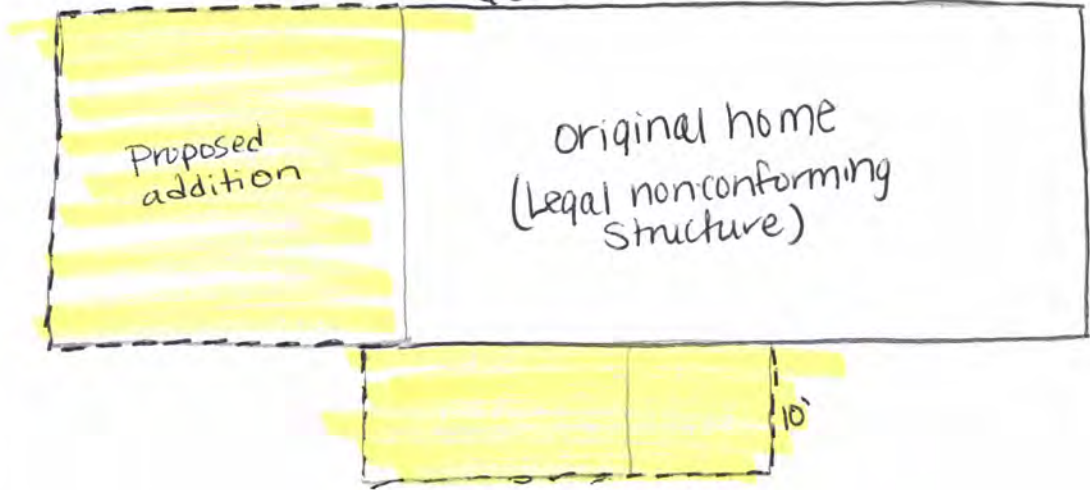


10/21/2021

FirstOfField1	Field2	Field3	Field4	Field5
	CASS COUNTY ADMIN	JOSH STEVENSON	PO BOX 3000	WALKER MN 5
	MISSISSIPPI HEADWA	TIM TERRILL	322 LAUREL ST	BRAINERD MN
	SOBOLIK, STEPHANIE	13750 72ND AVE NE	DEER RIVER MN	56636
37-002-0000	STATE OF MINNESOT	CHIPPEWA NATIONAL F	200 ASH AVE NW	CASS LAKE MN
37-005-2200	USA	CHIPPEWA NATIONAL F	200 ASH AVE NW	CASS LAKE MN
47-005-3200	JACKS, RICHARD K	18072 GARY ST NW	ELK RIVER MN	55330-561
47-005-3300	TAX FORFEITED	CASS COUNTY LAND DE	PO BOX 25	BACKUS MN 5
47-006-4200	DEXTER, JASON; DEX	SASAKI,, HOLLY DEXTER	14134 GAMBLERS POINT	DEER RIVER M
47-007-1100	SAATOFF, JAMES R &	14020 GAMBLERS POIN	DEER RIVER MN	56636-2
47-007-1201	SAATOFF, JAMES R	14020 GAMBLERS POIN	DEER RIVER MN	56636-2
47-007-2100	VILLENEUVE, JOSEPH	PO BOX 474	DEER RIVER MN	56636
47-007-3200	SEVERSON, LUCILE	C/O DANIEL SEVERSON	47457 COUNTY ROAD 37	DEER RIVER M
47-017-3300	TAX FORFEITED			
47-018-4300	QUILLEN, JOHN	4728 HERMANTOWN R	HERMANTOWN MN	5581
47-019-2100	STANGLER, MATTHE	7307 132ND ST NE	DEER RIVER MN	56636-2
47-019-2202	STANGLER, MICHAEL	13116 72ND AVE NE	DEER RIVER MN	56636-2
47-019-2300	GRIFE, KENNETH H	13042 72ND AVE NE	DEER RIVER MN	56636
47-019-3300	NIKKEL, DAVID & SA	12920 72ND AVE NE	DEER RIVER MN	56636
47-020-0001	USA			
66-013-1200	FOX, DANIEL & LISA	13466 MUD LAKE RD N	DEER RIVER MN	56636-2
66-013-1301	FOX, DANIEL J & LISA	13466 MUD LAKE RD N	DEER RIVER MN	56636-2
66-013-3101	BARNES, DENNIS, & J	24918 COMMUNITY CE	BOVEY MN	55709-8443
66-013-3200	BARNES, LONNIE	13308 MUDD LAKE DR	DEER RIVER, MN	56636
66-023-1100	SCHUSSMAN, JODY R	13148 MUD LAKE RD N	DEER RIVER MN	56636-2
66-023-2300	STATE OF MINNESOT			
66-023-2400	VILLENEUVE, DAVID	51373 COUNTY ROAD 1	DEER RIVER MN	56636-2
66-023-2401	VILLENEUVE, MAXWE	12978 MUD LAKE RD N	DEER RIVER MN	56636
66-023-3100	VANEPS, JOHN W	PO BOX 631	DEER RIVER MN	56636
66-024-1400	STUMO, TIMOTHY	3916 N POTSDAM AVE	SIOUX FALLS SD	57104-7
66-028-1001	INDIAN RESERVATIO	6530 US 2 NW	CASS LAKE MN	56633-30

Mississippi River

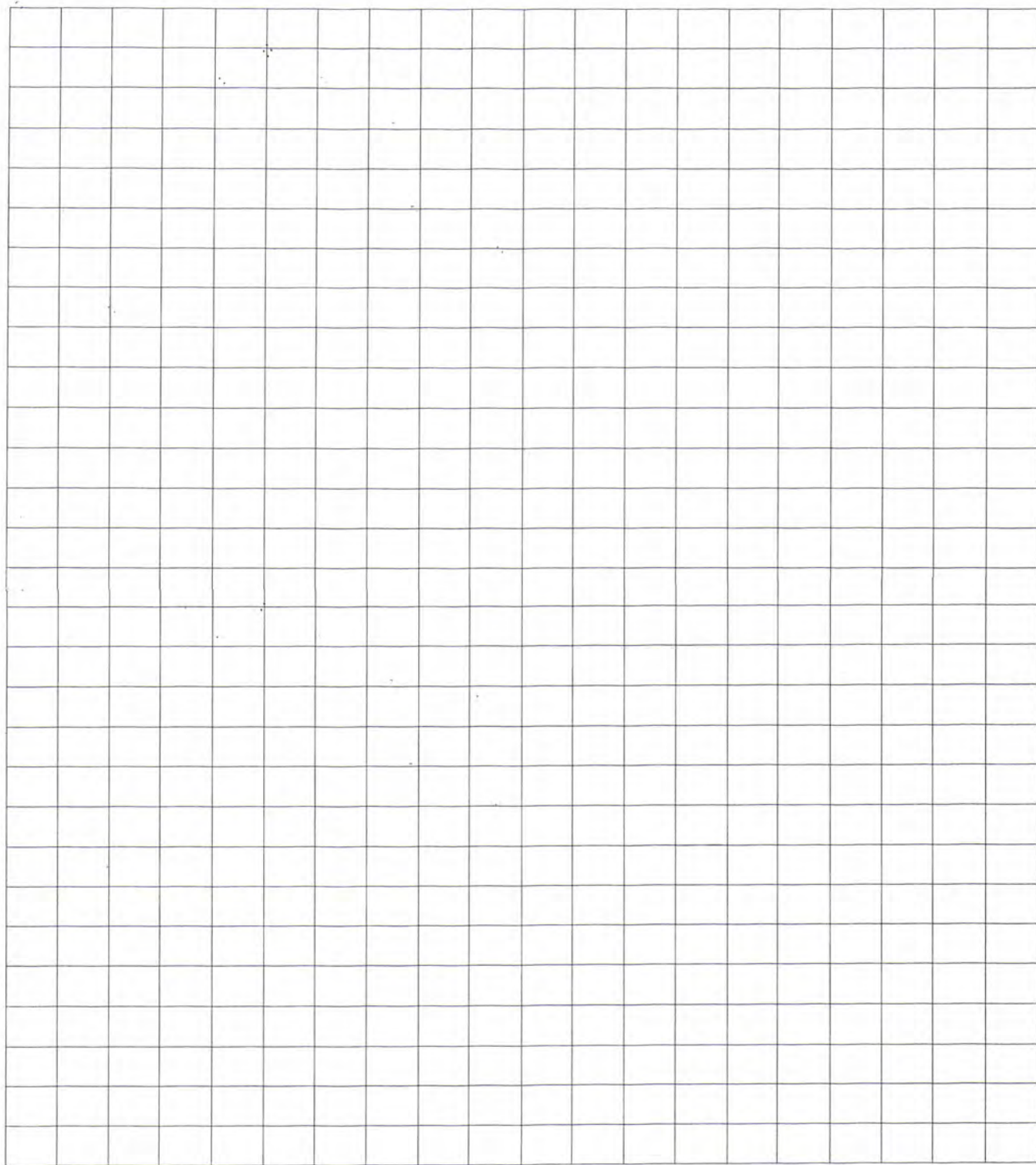
47ft.  
40'

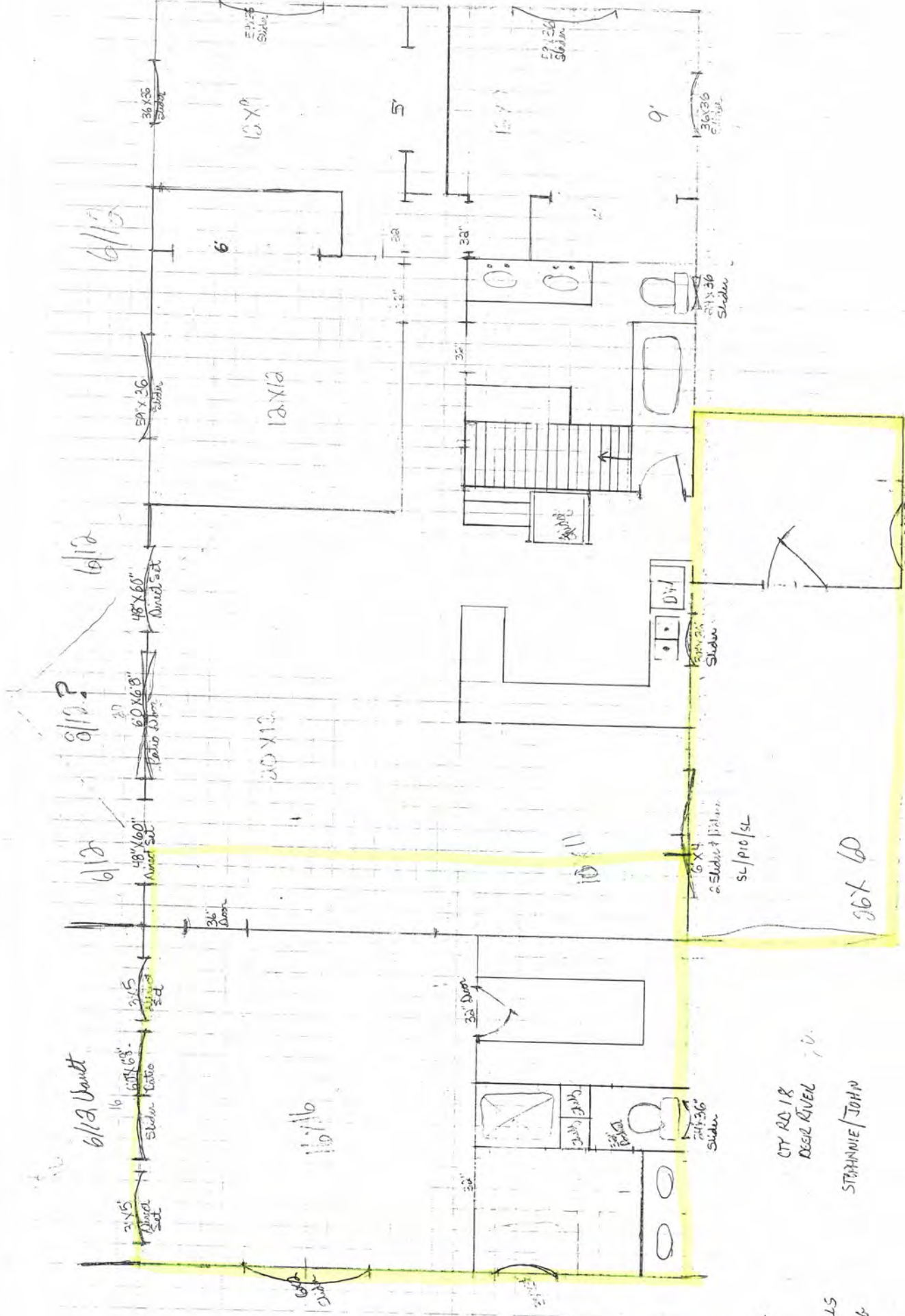


113'  
26'4"

- Temporary house -  
Will be moved off property  
Immediately after completing  
additions to legal non conforming structure  
(house)

60'





6/12 Unsett

8/12?

6/12

6/12

6/12

16/16

6

12x12

20x12

12x12

24'

36" Door

36" Door

36" Door

36" Door

36" Door

36" Door

36" Door

36" Door

36" Door

36" Door

36" Door

36" Door

60" X 60"

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60" X 60"

60" X 60"

60" X 60"

CTY RD 18  
DEER RIVER

STEPHANIE/JOHN

4/12

2x4 8' WALLS

LP SIDING  
TAPPED

16' X 4'

16' X 4'

16' X 4'

16' X 4'

16' X 4'

36' X 60'

36' X 36'

36' X 36'

36' X 36'

36' X 36'

36' X 36'

36' X 36'

36' X 36'

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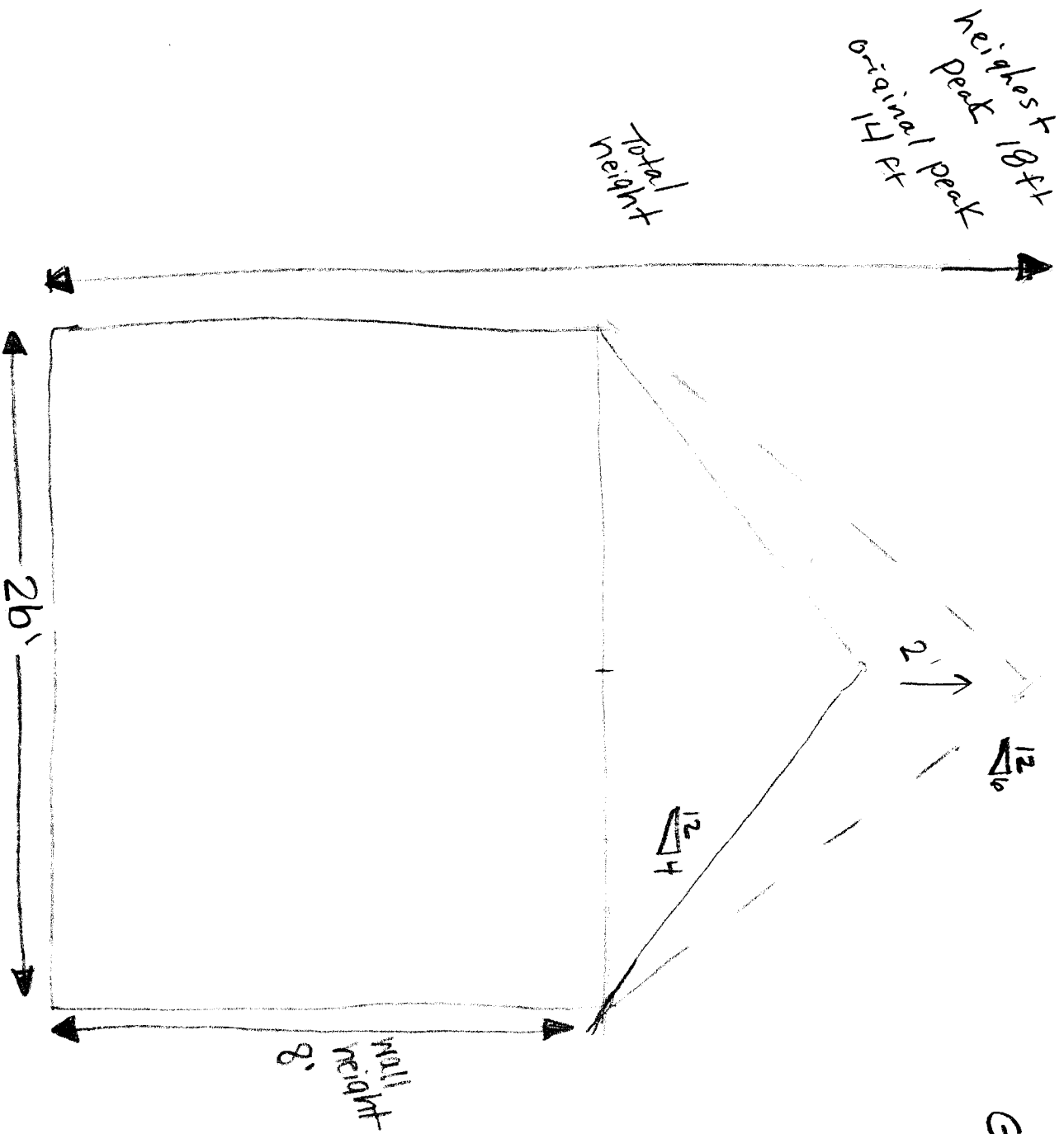
36' X 36'

36' X 36'

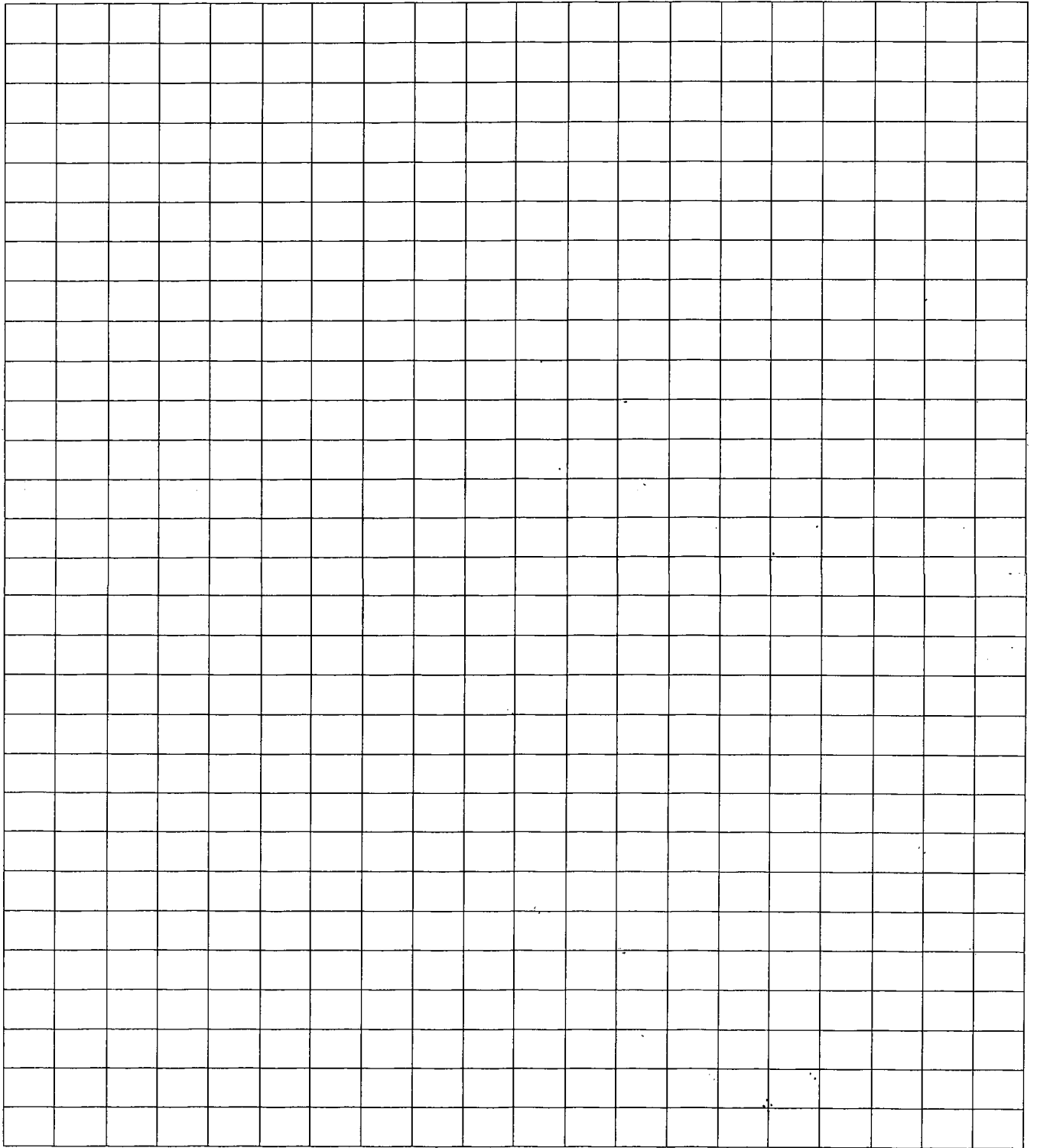
36' X 36'

36' X 36'

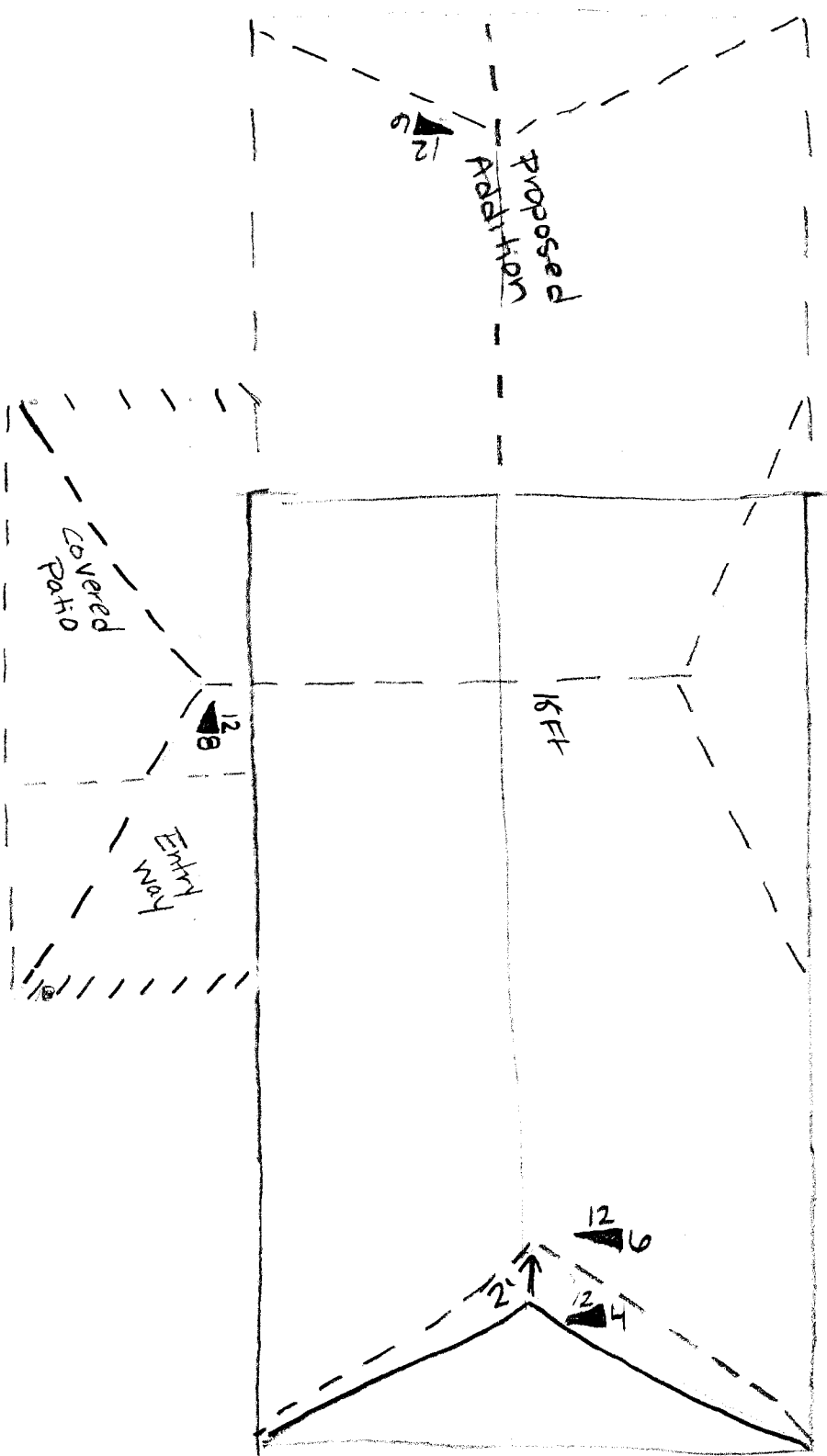
36' X 36'



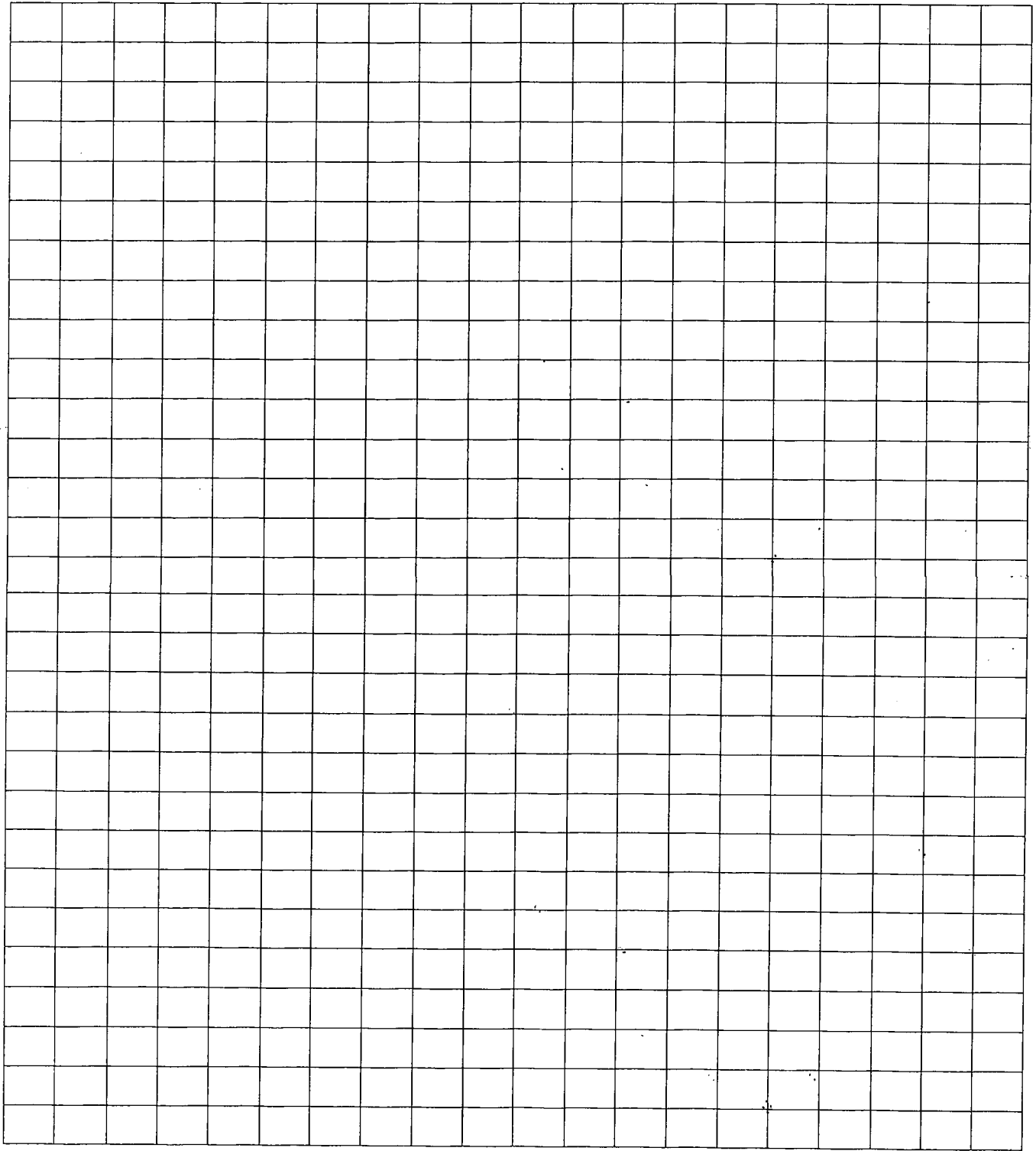
Gable end wall



— original  
- - - proposed







47-007-3200

2022

Press Submit/Enter to continue or enter new parcel/tax year.

INQPCL-1

Production 10/21/21 08:24:18

Parcel: 47-007-3200 Account: 38336 Asmt year: 2021 Tax year: 2022 Type: RE

Primary owner: 86475 SEVERSON FARM, LLC

Escrow:

Taxpayer: 86588 SEVERSON, LUCILE

FALCO: 3 LE Notes:

Undeliverable tax address: N Dept:

Hold tax statement: Emergency#:

Ref. parcel: 00-290-010073

Lease type: Surveyed:

Lake #/Name: 11123500 MISSISSIPPI RIV

Commissioner dist: 5 UDI: 100.00%

Physical address: 13750 72ND AVE NE  
DEER RIVER 56636

MH court number: Billing: P

TIF district:

User defined:

TIF knock down date:

Unique Taxing Area

UTA-Township/City: 47 144 25 UNORG

SCHL EMER C/T \*\*\*\*

School district: 317 DEER RIVER SCHOOL

00 00 00 00

State UTA: 86 317 00

Unit:

Property Description

Desc: GOV LOT 5

Acres: 48.29 Lot: Block:

version 1

Plat/Description:

Section/Twp/Range: 7 144.0 25















ITASCA CO RD 18

Itasca

47-007-2100  
VILLENEUVE,  
JOSEPH D  
2100  
0.37 AC  
1.06 ROW

47-007-12  
VILLENEUVE  
JOSEPH  
47-00

47-007-2101  
SAATOFF,  
JAMES R  
2101  
1.88 AC  
1.06 ROW

47-007-12  
SAATOFF  
JAMES  
47-00

47-007-2400  
SEVERSON,  
LUCILE

47-007-13  
SEVERSON  
LUCILE  
47-00

47-007-3200  
SEVERSON,  
LUCILE

GOVT LOT 5

47-007-3200  
48.28 AC  
3.38 ROW

GAMBLERS POINT DR NE

47-007-3100  
SEVERSON,  
LUCILE

47-007-3100  
2.15 AC

66-012-4301  
TAX FORFEITED

66-012-4400  
STATE OF  
MINNESOTA

GOVT LOT 9

66-012-4400  
3.86 AC  
3.38 ROW

47-007-0001  
USA

SE 1/4 OF SW 1/4

MUD LAKE RD NE

66-013-0001

47-018-0001

Severson Farm, LLC – Stephanie Sobolik, Unorganized Township, on the property described as Gov Lot 5, Section 07 144 25, PID #47-007-3200 located at 13750 72<sup>nd</sup> Ave NE. An application submitted to construct a 20' x 26' addition to a non-conforming residence at 47' from the Mississippi River classified as (Wild) per MHB Management Plan, and to allow a 26' x 60' temporary home on said parcel until the addition construction is complete. The applicable portions of the Land Use Ordinance include Section 800 which establishes variance criteria and Section F.1 of the MHB Management Plan which establishes the structure setback from a River Classification (Wild) to be 200' from OHWL. The property contains a total of 48.29 acres riparian to Mississippi River (Wild).

Proposed Findings:

1. The parcel became a lot of record in 1957.
2. The residence was constructed at less than the current required river setback prior to the adoption of land use regulation.
3. The property owners had a house fire at their past primary residence on April 29, 2021 in Deer River. This rendered the owners homeless.
4. The legal non-conforming residential structure is currently too small to house their applicant's family.
5. The applicants brought in a temporary 26.4 x 60 foot modular home to reside in while they apply for this variance and would complete the proposed addition.
6. A Shoreline Rapid Assessment Model (SRAM) was completed for the property with a score of 20.
7. The applicant proposes to construct a 20' x 26' addition to a non-conforming residence at 47' from the Mississippi River classified as (Wild) per MHB Management Plan, and to allow a 26' x 60' temporary home on said parcel until the addition construction is complete.
8. Approval of the application assuming compliance with applicable erosion control related conditions will not restrict the passage of storm water in such a manner as to increase the height of flooding or impact adjacent properties.
9. Approval will may result in an incompatible land use that is detrimental to the protection of ground and surface water quality.
10. There is no reason or evidence to conclude that financial consideration is the sole reason for the application.
11. The property owner proposes to use the property in a reasonable manner.
12. The proposed variance is in line with maintaining the essential character of the neighboring properties.
13. Based upon the above findings and the following conditions there is evidence that the residential addition may have the potential to alter, disturb or negatively impact existing land use or neighboring property which would contradict the purpose of the Land Use Ordinance which is to protect, preserve and enhance the quality of the lakes, rivers, forests, wetlands, natural land forms and open space for future generations and to promote health, safety, and general welfare and the purpose of the Comprehensive Plan which is to 1.) Provide a rational basis to make difficult land and resource decisions wisely, 2.) Eliminate the conflicts caused by unplanned development, 3.) Improve coordination and communication between county, local governments, and the citizens in land use planning, and 4.) Protect the County's natural resources from degradation.

***No site preparation or building construction shall be commenced until issuance of a permit.***

Commencement of either prior to issuance of a Permit may result in withholding, withdrawal or revocation of a permit until inspection by ESD, correction of any circumstances in violation of laws or ordinances or the terms of this variance, deposit of financial assurance as determined by ESD to secure correction of violations and completion of other measures as required by ESD.

Proposed Conditions:

1. Final permit approval will be subject to the issues of a Notification of Certification from the Mississippi Headwater Board at one of their following board meetings.
2. The location and size of the residential addition shall not vary from that submitted October 19, 2021, with the application and shall not be altered without approval of ESD staff or if necessary, the Planning Commission.

3. Applicant shall consent to inspection of the property by ESD staff to verify compliance with conditions.
4. No run-off to the river or adjoining properties is permitted. Run-off shall be directed by gutters away from the river to natural water retention features located upon the property or structures such as rain gardens.
5. Construction erosion and sediment control must be installed prior to the start of construction and be maintained on-site until final ground stabilization is achieved.
6. Any material resulting from construction not reused or recycled must be disposed of in a permitted facility.
7. An SRAM score of 14 will not require vegetative enhancement or financial assurance at this time.
8. The 26' x 60' temporary home on the property shall be removed upon the completion of the primary residential remodel/addition or not later than September 1, 2022.
9. Unless commenced or otherwise extended or revised by the Planning Commission this approval shall be effective until November 8, 2023.

COMPLIANCE WITH ALL CONDITIONS IS REQUIRED. FAILURE TO COMPLY WITH ANY CONDITION SHALL RESULT IN A VIOLATION AND SUBJECT THE APPLICANT TO ENFORCEMENT PROCEDURES WHICH MAY INCLUDE, BUT NOT LIMITED TO, REVOCATION OF THIS VARIANCE, REMOVAL OF VIOLATIONS AND MITIGATION.

(320) 632-5667

www.larsonabstract.com

# Larson Abstract Company, Inc.

70 1st Ave. SE  
Little Falls, MN 56345



"The Oldest and Largest Title Company in the Area"



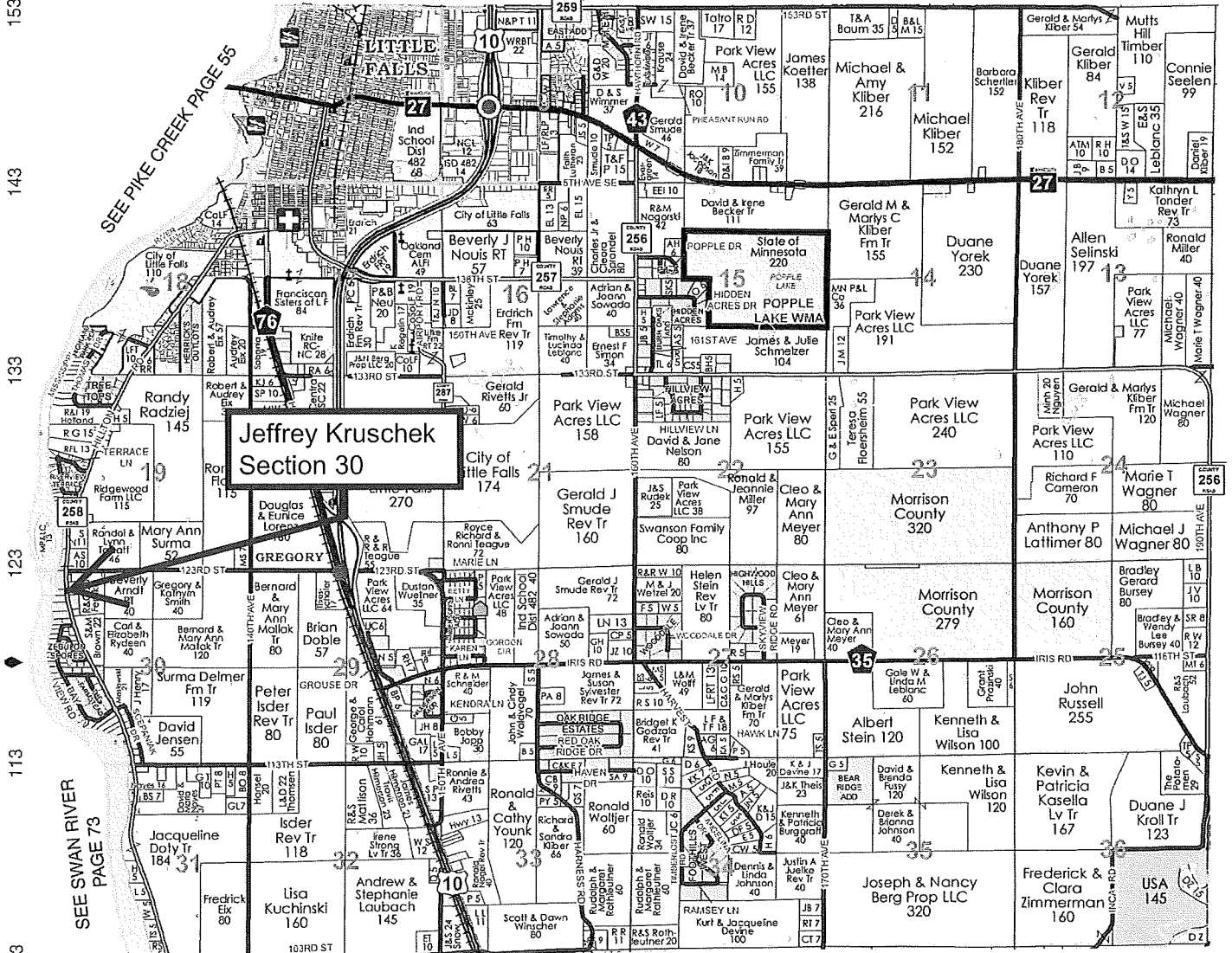
Little Falls (W)

Township 40N - Range 32W

Copyright © 2019 Mapping Solutions

SEE BELLE PRAIRIE (W) PAGE 11

SEE BELLE PRAIRIE (E) PAGE 9



Jeffrey Krushek  
Section 30

SEE BELLEVUE (W) PAGE 13

SEE LITTLE FALLS (E) PAGE 7

140

150

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180

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Morrison County will provide cost effective, high quality Services to county residents in a friendly and respectful manner.

Land Services Department
213 1st Avenue S.E., Little Falls, MN 56345
Telephone (320) 632-0170
Toll Free 866-401-1111
All Public Hearings will be held via Microsoft Teams.

Variance Request

Name of Applicant: jeff and Chris Gamman-Kruschek
Address: 12103 Hilton Rd
City: Little Falls State: MN Zip: 56345
Property Address: 12103 Hilton Rd
City: Little Falls State: MN Zip: 56345
E-Mail Address: jeff@remax-centralmn.com
Parcel Number: 160451000 Phone: 320 630 7837
Sec: 30 Twp: 040 Range: 032 Twp. Name: Little Falls
Lake/River Name: Mississippi River
Legal Description: see attached

(ATTACH A COPY OF YOUR LEGAL DESCRIPTION OFF YOUR DEED)

TWO SEPARATE CHECKS ARE REQUIRED

Public Hearing Fee: (Non-returnable) \$ 600.00 to MORRISON COUNTY TREASURER.

Recording Fee: (Non-returnable) \$ 46.00 to MORRISON COUNTY TREASURER.
(If the property is in Abstract & Torrens two (2) recording fees will be required)

\*\*\*\* APPLICATION WILL NOT BE PROCESSED UNLESS ALL THE REQUIRED FORMS ARE COMPLETED AND FEES PAID BY THE DEADLINE DATE.

AGREEMENT: I hereby certify that I am the owner of the herein described property, or, have the written permission of the owner, and that the information contained herein is accurate.

SIGNATURE DATE
[Signature] 10/11/2021

**Please explain your request in detail:**

South side of home, replacing existing deck with additional space in existing bedroom. No additional bedroom, increasing size of existing/current bedroom.

**Please explain your practical difficulty:**

South side of home, planned addition meets setback requirements, the north side of home structure does not meet current set back requirement.

Variations shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variations are consistent with the comprehensive plan. Variations may be granted when the applicant for the variation establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variation, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variation, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. The board or governing body as the case may be may impose conditions in the granting of variations. A condition must be directly related to and must bear a rough proportionality to the impact created by the variation.

## Background Information Landowner Variance Request

State Statutes section 394.27 provides the property owner the right to apply for relief from the strict enforcement of the county land use ordinance. An area variance may be granted only where the strict enforcement of county zoning controls will result in "practical difficulty." A determination that a "practical difficulty" exists is based upon the consideration of the criteria listed below. For each of the criteria below, please answer the question as completely as possible.

1. Is the variance request in harmony with the general purpose & intent of the Morrison County Land Use Control Ordinance and Comprehensive Plan?

YES, WE ARE NOT ADDING MORE TO THE PROPERTY. JUST REPLACING THE EXISTING DECK - WILL NOT EFFECT THE IMPERVIOUS SURFACE OF THE LAND.

2. Is the variance request proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?

YES, THE AREA WE PROPOSE TO REPLACE THE DECK WITH AN ADDITION DOES MEET THE SETBACK REQUIREMENT. BECAUSE - HOW THE LOT IS STRUCTURED IT WILL NOT EFFECT OR CAUSE ANY DRAINAGE ISSUES.

3. Will the requested variance maintain the character of the neighborhood?

YES REPLACING AN EXISTING STRUCTURE WILL NOT ADD ALOT OF CHANGE TO SIZE OF THE HOME - WILL BE USING MATERIALS THAT ARE CONSISTANT WITH CURRENT CONSTRUCTION.

4. Is the practical difficulty due to circumstances unique to the property?

YES. WHEN THE PROPERTY WAS BUILT IN 1959 IT MET REQUIREMENTS. THE EXISTING INTERIOR LAY OUT OF THE HOME REQUIRES THE LOCATION OF THE STRUCTURE TO BE ON THE SOUTH END OF THE HOUSE WHERE EXISTING BEDROOMS ARE LOCATED.

5. How did the need for the variance arise? Is the need for the variance created by actions other than the current owner or prior landowners?

YES, WE ARE JUST REPLACING AN EXISTING DECK OFF <sup>PRIMARY</sup> ~~MAJOR~~ BEDROOMS ADDING ADDITIONAL SPACE TO ROOM. WE ARE NOT ADDING ADDITIONAL BEDROOMS / BATHS. WILL NOT AFFECT THE CURRENT SEWER SYSTEM.

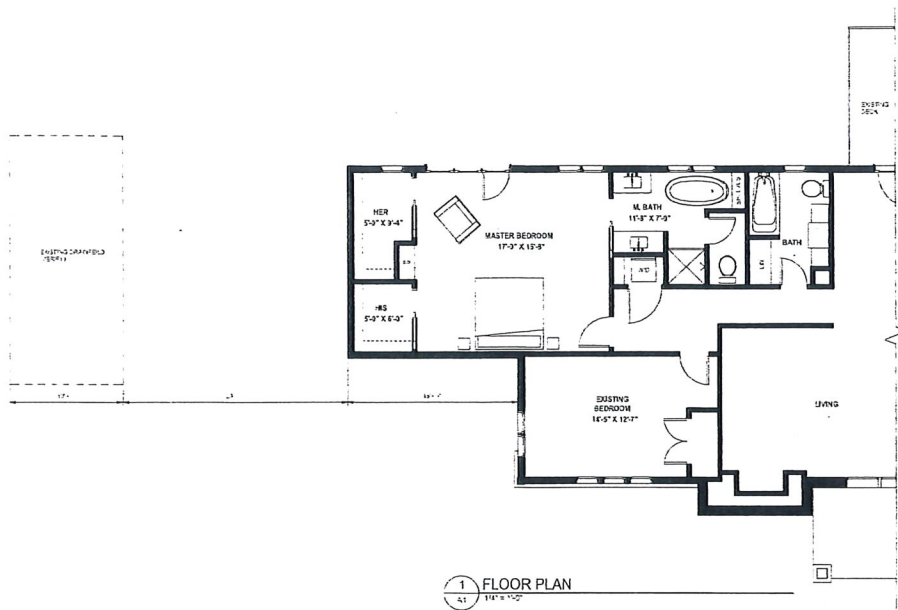
6. Does the practical difficulty involve more than just economic considerations?

YES, BEDROOM NEEDING ADDITIONAL SPACE IS LOCATED ON THE SOUTH SIDE OF HOME.

A sketch form is considered part of your application for a Variance. Please show all buildings on your property, all impervious surfaces, and the road from which you have access, all wells (including abandoned wells), and sanitary systems including their setbacks from structures, the work or structure you are proposing, including eaves. (Structure roof eaves must meet all yard setback standards.) Then, give distances from the proposed building(s) to the road right of way, left, right and the rear property lines and lake or river setbacks.



WEST ELEVATION  
1/8" = 1'-0"



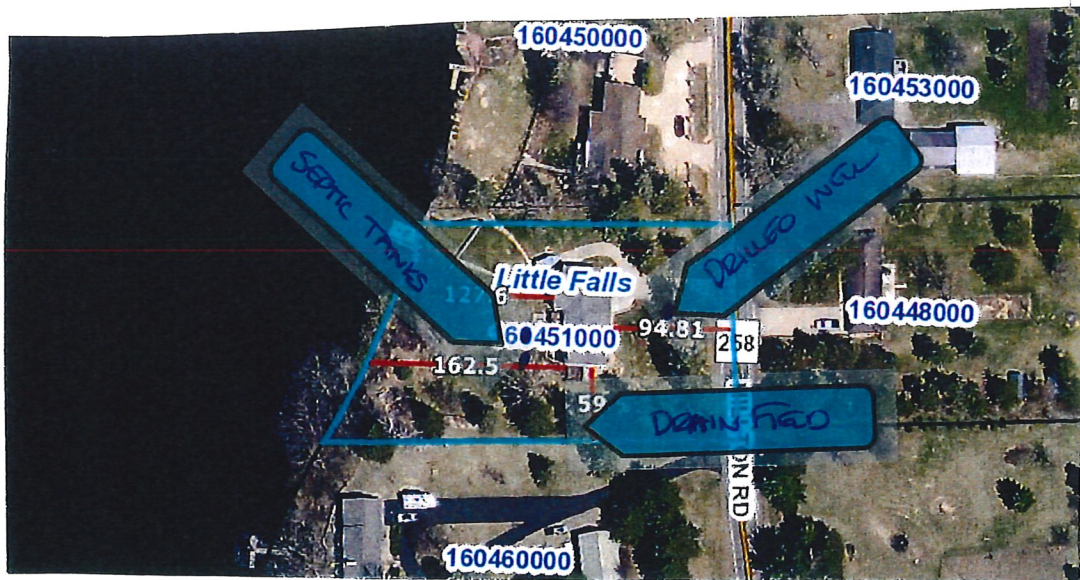
1 FLOOR PLAN  
1/8" = 1'-0"

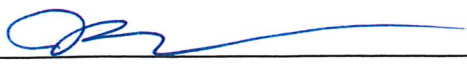
PRELIMINARY - NOT FOR CONSTRUCTION

MAIN FLOOR PLAN

KRUSKTIK RESIDENCE

AI



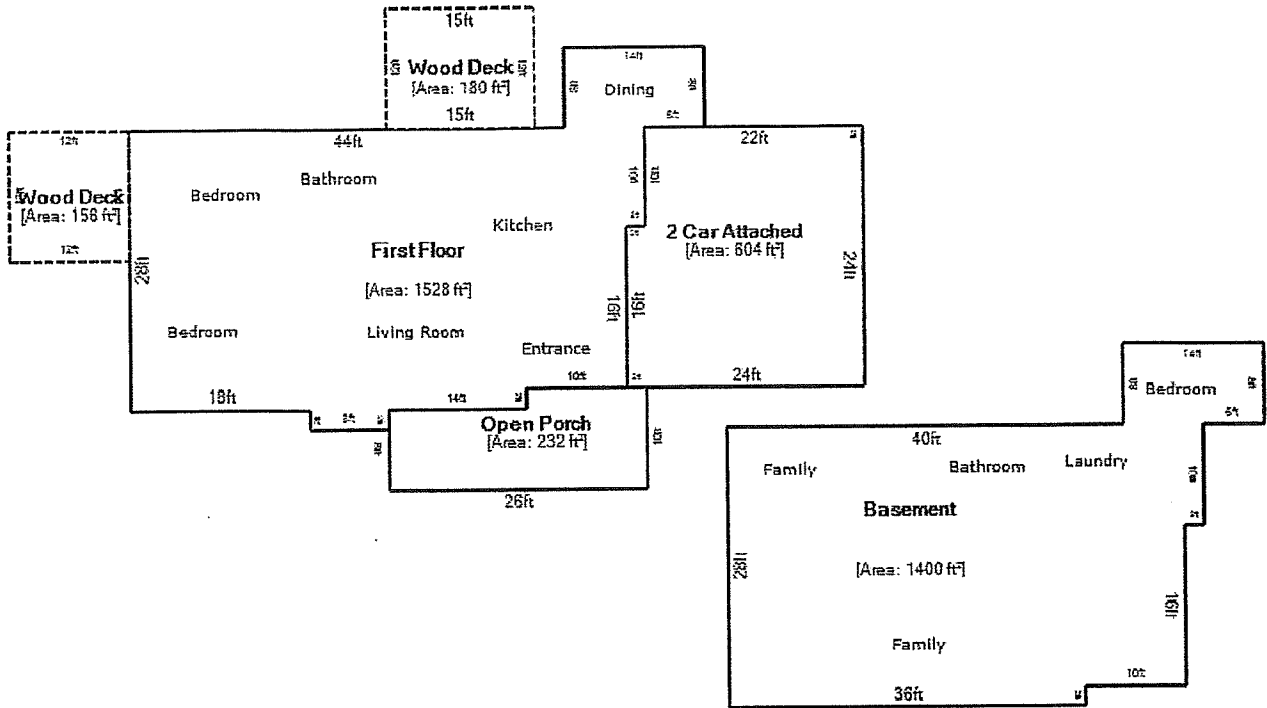
X   
Signature

10/11/21  
Today's Date

10/11/21  
Date Site Will Be Staked

Site Inspected By P & Z Staff: \_\_\_\_\_





16 ft

Living Area		Area Calculation		
<b>First Floor</b>	1528 ft²	<b>First Floor</b>		<b>x 1.00 = 1528 ft²</b>
<b>Nonliving Area</b>				
Wood Deck	156 ft²	14ft x	8ft x	1.00 = 112 ft²
Wood Deck	180 ft²	2ft x	8ft x	1.00 = 16 ft²
2 Car Attached	604 ft²	2ft x	10ft x	1.00 = 20 ft²
Open Porch	232 ft²	10ft x	26ft x	1.00 = 260 ft²
Basement	1400 ft²	40ft x	28ft x	1.00 = 1120 ft²
<b>Total Living Area (rounded):</b>	<b>1528 ft²</b>			

# Impervious Surface Calculation

This calculation sheet is a necessary attachment for all land use permit applications and variance applications in the shoreland zoning district. Because of the impact of storm water runoff, the Morrison County Zoning Ordinance limits the amount of impervious surface coverage. Impervious surfaces include constructed or other hard surface that either prevents or retards the entry of water into the soil and causes the water to run off the surface in greater quantities at an increased rate of flow. Examples include gravel, concrete, or asphalt rooftops, sidewalks, patios, driveways, parking areas, storage areas, or areas of hardscaping.

Lot Dimensions: 175x340 X 200 x 250 Lot Sq.Ft. 52,272 (1.2 acres)

Use the following Table to Calculate Total Impervious Surface Area:

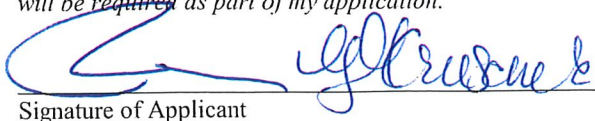
\*\* All structure dimensions must be measured from roof eaves\*\*

Impervious Surface Item	Structure Dimensions	Total Area (ft <sup>2</sup> )
Proposed or Existing House	see attached drawing	1528
Proposed House Addition	12 x 18	216
Existing Garage(s) or Accessory Buildings		604
Proposed Garage or Accessory Buildings	—	
Boat House and/or Ramp		
Sidewalk(s)	(2) 3 x 60	360
Patio(s)		180
Deck(s)	(2) 12 x 13, 15 x 12	
Driveway and Parking Area Including Gravel Surfaced Areas		3200
Other		
Other		
Other		
Total Impervious Surface		6088

$$\frac{6088}{52,272} \times 100 = 11.65\%$$

Total impervious surface                      total lot sq. ft.                      percent impervious surface

*I certify that the above information is true and accurate to the best of my knowledge and that I have included all existing or proposed impervious surfaces on my property. I understand that if the percentage of total impervious surface is greater than the allowance, a variance will be required as part of my application.*

  
Signature of Applicant

10/11/2021  
Date

Attach additional sheet as necessary



PLANNING & ZONING

MORRISON COUNTY

## Board of Adjustment

**APPLICANT:** Jeff and Chris Gammon-Kruschek

**LOCATION:** 12183 Hillton Road – Little Falls, MN

**EXISTING ZONING:** Mississippi Headwaters

**DATE OF HEARING:** November 16, 2021

**APPLICATION SUBMITTED:** Variance to expand a non-conforming structure

**COUNTY ZONING ORDINANCE REQUIREMENT:** 301, 301.6; MHB Section F1

**STAFF REPORT:**

The property is in Section 30 of Little Falls Township, on the Mississippi River. The parcel is a non-conforming single lot (less than 330 feet wide and 5 acres). The parcel is 190 feet wide and .45 acre.

The property has an approximate 7,700 square foot building envelope **See Figure 1**

According to the Assessor's records, a 1,506 square foot dwelling, built in 1959, exists on the property, along with a boat house. Mississippi Headwaters Board standards went into effect in 1981.

The DNR determined the closest point of the dwelling to the river is 118 feet. **See Figure 2** The required setback from the river is 150 feet. The shore impact zone is the first 100 feet from the river.

The applicant purchased the property in 1995.

The property owner is proposing to remove the existing 158 square foot deck located on the south side of the home and replace with a bedroom addition with the same square footage. No net increase in number of bedrooms is proposed.

The south deck is 168 feet from the river, which meets setback.

The impervious surface calculation, including the addition, is 11.65%; 25% impervious surface is allowed.

At the DRT meeting, staff discussed the following with the applicant:

1. Replace existing deck with bedroom expansion
2. Deck appears to meet setback from the river, but the home does not – DNR will check
3. Need for MHB certification if approved
4. No plans to replace the deck elsewhere on the property

Applicable Comprehensive Land Use Plan Goals:

### **Natural Resources and Open Spaces**

Goal C2: Preserve natural resources identified as critical and sensitive including wildlife habitats, wetlands, forest lands, etc., within Morrison County.

### **Shoreland Development**

Goal D1: Work to ensure that development occurring within the County's watersheds is done in a thoughtful and deliberate manner so as to balance environmental, social and economic goals to the greatest extent possible.

Applicable Morrison County Comprehensive Water Plan Goals and Objectives:

**Surface Water Goal:** To protect, enhance and maintain the quality of all surface waters in Morrison County (lakes, rivers, streams and wetlands)

**Objective B:** Ensure that land use decisions for shoreland development take environmental impacts and climate change into consideration

**Land Use and Development Goal:** To ensure that land use decisions are compatible with natural resource protection

**Objective B:** Ensure that land use decisions for shoreland development and plat development take environmental impacts into consideration

**Objective D:** Reduce the loss of natural habitat and enhance natural habitat communities when possible

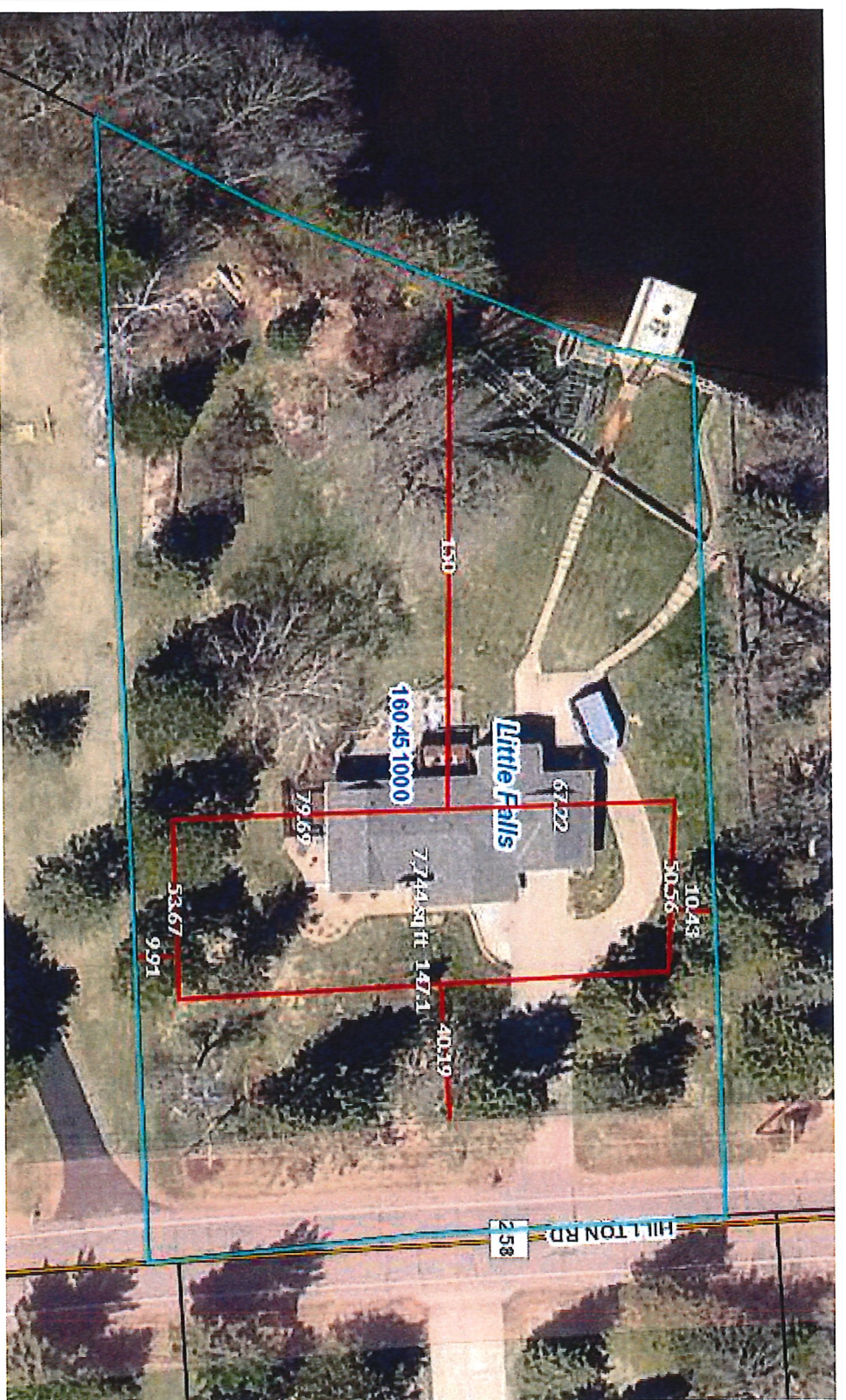


Figure 1

# Figure 2

Amy Kowalzek

---

**From:** Anderson, Mark W (DNR) <mark.anderson@state.mn.us>  
**Sent:** Wednesday, October 13, 2021 10:02 AM  
**To:** jeff@remax-centralmn.com; Amy Kowalzek  
**Subject:** Setback Measurements

---

**Caution:** This message has originated from outside from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

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Good Morning,

I was out today to verify setbacks. The closest point (eave included) was at 118' and the current setback from the deck is 168'. If you have any questions please let me know. Thanks!

Regards,  
Mark

**Mark Anderson**  
Area Hydrologist | Ecological and Water Resources

**Minnesota Department of Natural Resources**  
16543 Haven Road  
Little Falls, MN 56345  
Phone: 320-232-1078  
Email: [mark.anderson@state.mn.us](mailto:mark.anderson@state.mn.us)  
[mndnr.gov](http://mndnr.gov)

 **DEPARTMENT OF  
NATURAL RESOURCES**



## **Action/Discussion**

Biennial Conference comments- Discussion

Board Planning Retreat date?- Discussion

Cultural Resources inventory grant- Discussion/Action

Change of date for next board meeting?- suggest 12/17- Discussion

Executive Directors report- Discussion

# Executive Director Report

October – November 19, 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. BWSR Executive Director John Jaschke was really impressed by our biennial conference on how Chris Pence and Paula gave a seamless presentation about the MHHCP and showed a really good strategy to establish protection and implement Legacy dollars. He called the presentation “terrific.”
7. Set up biennial conference webpage and sent out email to attendees and people letting them know it exists.
8. Setting up a meeting at Bowen lodge with CNF, Davin, Stauber’s office, Bill Heig and myself to discuss a land exchange.
9. Performed a forestry plan review on a property in CW county.
10. Sent email to county administrators requesting they provide funding brought to the member counties through their easement and acquisition program.

## Meetings & Networking

1. Talked with Megan Christianson in Grand Rapids about a resourcetaiment event from Pokegama dam to Sylvan Bay landing. She will set up a meeting with Paddlehoppers, Brewery, United Way, SWCD, and ACOE and try to get a mini event going next year.
2. Held meeting at Bowen lodge with Bill Heigh, Comm. Tinquist, CNF Supervisor, Rep. Stauber’s field specialist, and myself to discuss a land exchange between Bowen Lodge resort and the Chippewa National Forest.