



**Mississippi Headwaters Board
Meeting Agenda
Cass County Courthouse. Building
Walker, MN
<https://us02web.zoom.us/j/84993505227>
September 27, 2024
10:00 am**

10:00 AM

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

10:05 AM Approve/Amend

- Agenda
- Consent Agenda – August '24 Minutes & Expenses

Correspondence

- September Press Release
- Recreational Campaign

Planning and Zoning (Actions)

- NT9a24- Dodd Variance
- CW9a24- Dechawuth Variance

Action / Discussion Items:

- Update on County Support Increase- discussion
- Uses of AI in our working world- discussion
- MN Heritage Forest Update- discussion
- Executive Directors report-discussion

Misc: Legislature Update (if any), County Updates

- Prevailing Wage Discussion

Meeting Adjourned - Thank you

Mtgs: October 25, 2024 10:00 AM- MHB Monthly Meeting, BACKUS, MN

Mississippi Headwaters Board
August 23, 2024
Cass County Board Room Walker, MN
Optional interactive technology: <https://us02web.zoom.us/j/82699902608>

MEETING
MINUTES

Members present: Ted Van Kempen (Hubbard), Bobby Kasper (Morrison), Steve Barrows (Crow Wing), Dean Newland (Clearwater), Scott Bruns (Cass), Michael Kearney (Aitkin), and Tim Terrill (Executive Director).

Video Interactive Reasons: None

Others Present: James Nysather (landowner)

Pledge of Allegiance

Chair Van Kempen asked if there were any additions to the agenda. **M/S (Barrows/Newland) to approve of the agenda. Motion carried unanimously.**

M/S (Kearney/ Kasper) to approve of the Consent agenda. Motion carried unanimously.

Correspondence

1. July Press Release- Tim provided the board with a press release of how the MHB heard about the protection efforts of the MHHCP easement and fee-title acquisition program. Comm. Barrows suggested that in future releases that we spell out the acronyms like RIM because the general public doesn't know them.
2. Tim provided a picture board of the Paddle & Pint and Water History Excursion paddle to the board. Both events went well with 41 and 16 people attending respectively. It was noted that there were signs placed on the Mississippi river that explained the history of the site and noted a place of interest. Comm. Barrows gave a comment on how it can be very dangerous around dams and gave a personal experience.
3. Tim showed the board of an article written by the MN Pollution Control Agency about the Whiskey Creek Project. He said it was still getting publicity even a year later after it was built. He mentioned that he testified before the LCCMR on 7/31 about this project as well.

Planning and Zoning

None

Action/Discussion:

1. Program Gantt- Tim provided the board with an update on the programs that the MHB is working on. He gave an update how the technical committee met and approved of over \$300,000 in projects.

Comm Van Kempen said he attended, and he said he liked how the committee observed parcels and recommended them for other programs as well. He said we had the buffer zones from a zoning level, but it is nice to see that more is being protected than just is required. Comm. Barrows asked some questions about the graph and asked if the percentages on the graph are on a yearly perspective. Tim said that he is using the chart as a placeholder or benchmark, and that this is a snapshot and not the whole program being shown. Tim also discussed MN Traditions and that he will be calling the 87 counties asking for support. He noted that he will be looking at different opportunities to utilize social media for different economic campaigns. Tim discussed the signage project and said the signage is implemented and is now developing signage for next year. He also said that the resource retention events are completed and looking at events next year. Tim finally updated the board on what he completed with the high school education program and that he has some schools already calling him back.

2. Tim asked James Nysather to introduce himself and he said he was a resident of Brainerd who lives on the Miss. River. He decided to attend because he attended a Paddle Your Glass Off event a few years ago in Aitkin. He gave a brief history of his life in Minnesota. Jim asked some questions about the fence around the papermill property. Comm. Barrows responded that the intent of the fence from the papermill side of things is that the public should go to Lum Park and then portage around the dam rather than use it as a parking lot next to the dam. He said that is more of a federal and FERC decision than a local decision.
3. Update on County letter of Support- The board discussed issues with the county letter of support. Tim asked where we are at on support, and it seems from the response of commissioners that there is a positive reaction from Morrison, Clearwater, Hubbard, Cass, and Itasca. Discussion ensued and Comm. Barrows said that the MHB request to the legislature is a different request than to the counties. He didn't want to create a perception that if the legislature provides us with more funding, than counties could opt out to an increase in funds and cause some tension between the state and counties. He thought we only need one letter from this board requesting additional funds from the counties, and it be completed first before we go to the legislature and request funds. Comm. Kearney expressed agreement. Other board members provided comments as well. **Through consensus the MHB board agreed that each MHB Commissioner should go back to their individual counties and ask them if they are willing to increase their 2026 funding commitment by \$1,500 in their county budget and have the member come back to the September MHB board meeting with their response. Then the MHB board could go to the legislature and request additional funding from them.** If MHB doesn't get a positive response from all the counties, then we still need to approach the legislature with the request for an increase in funding, but we will know the amount we can commit too. Comm. Van Kempen suggested that if most counties are willing to commit, then we can tell the legislature what has been committed, and the others are considering it. The MHB will put the letter on hold until we have answers from each individual county at the MHB September board meeting.
4. Selecting Legislator for legislative increase- It was suggested that we wait until we get our commitment from counties before we select a legislator in November after the election.

Executive Directors Report

1. Tim held a meeting with Cohasset Parks and Recreation to discuss ways to improve Paddle & Pint next year.
2. Tim Attended Carbon Sequestration Roundtable that was hosted by the Northern Waters Land Trust and reviewed a white paper on possible opportunities for a research or program opportunity. Many local professionals were there including DNR, TNC, BWSR, TCF, local landowner, Cass Land

Commissioner, and myself, and each gave an account as to the issues with the current climate change markets. The biggest concern is that it wasn't really defined and there are no standards to really follow. Also, the issue of additionality credit and accountability processes came up. A final consensus was that NRCS needs more data and science before they develop a program, but once the science is established, an RCCP program could be used as a pilot project to see how it would work. Commissioners said that there is a difference in ideologies and that credit trading doesn't necessarily help the situation. There is also the point that America could really get involved with reduction, and it wouldn't offset what other countries are doing.

3. Held meeting with Chip (Fishing the Wildside) and Megan (Visit Grand Rapids) to discuss a one-month Great River Road promotion that would promote activities on or near the Mississippi river in Grand Rapids. Four posts would be created emphasizing an outdoor sweepstakes and Drive the Great River Road (Fall paddle, Fall leaves, fun places to eat & drink near Miss. River) on Minnesota Traditions Facebook and Instagram platforms. This would help attract another audience to follow MN Traditions. Tim explained that it would help attract another similar recreation-based audience to follow Minnesota Traditions while promoting the outdoor recreation-based activities available in our area. It would also help retain current followers and still meet the MHB mission. The main point here is that MN Traditions will need to slowly shift from a strict AIS campaign to an AIS campaign and recreational, economic development campaign through Miss. River recreation if it still wants to retain members and still meet the MHB mission. The board thought that it was a good pilot project to help discover expenses and revenue gained by this small social media campaign, and looked forward to seeing what other opportunities it might bring about. They also believed that promoting recreation on or near the Mississippi river is important to help educate others about protecting it.

County & Legislative Updates

Comm. Kasper brought up that their county placed a moratorium on the new cannabis law. Comm. Van Kempen said they updated their cannabis rules in their ordinance. Comm. Kearney said that he is attending land use training at the end of August and they will be discussing the new cannabis law there.

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

Ted Van Kempen, Chairman of the Board

Executive Director Tim Terrill

August SFY'25 Budget Summary

		YTD spending/rei mbursement	Projected Budget	% of budget spent	
Revenues:	Monthly Amount				Notes
Governor's DNR grant (53290)	\$ 34,697.01	\$ 34,697.01	\$ 117,800.00	29.45%	non competitive quarterly reimbursement
LSOHC grant (53290)	\$ 2,616.81	\$ 2,616.81	\$ 8,000.00	32.71%	LSOHC reimbursement
Guidebook sales (58400)	\$ 18.32	\$ 18.32	\$ 200.00	9.16%	reimbursment for Guidebook sales
Enbridge program (58300)			\$ 11,000.00	0.00%	enbridge reimbursement
Miscell. Other revenue (58300)			\$ 9,000.00	0.00%	
MCIT Dividend (58300)			\$ 42.00	0.00%	MCIT refund
County Support (52990)			\$ 12,000.00	0.00%	8 county support
Total	\$ 37,332.14	\$ 2,635.13	\$ 40,242.00		
Expenses:	Monthly Amount				Notes
Salaries/Benefits					
FICA/Med/PERA/LIFE/LTD/Hlth/ WC(61000)	\$ 8,986.35	\$ 9,001.66	\$ 120,000.00	7.50%	reimbursed by Gov. DNR grant
MCIT insurance/work comp/liability (61500)			\$ 3,022.00	0.00%	reimbursed by Gov. DNR grant
MHB board Per Diem (62680)	\$ 150.00	\$ 550.00	\$ 3,000.00	18.33%	reimbursed by Gov. DNR grant
Hotel/Meals/travel exp. (63340)		\$ 11.64	\$ 500.00	2.33%	reimbursed by Gov. DNR grant
Commissioner Mileage (62720)	\$ 305.94	\$ 573.52	\$ 3,500.00	16.39%	reimbursed by Gov. DNR grant
Employee Mileage (63320)	\$ 330.18	\$ 155.91	\$ 4,500.00	3.46%	reimbursed by Gov. DNR grant
Professional Services (62990)	\$ 710.00	\$ 550.00	\$ 35,000.00	1.57%	CW financial, Water Museum newspaper ad
Office supplies/operations (64090)	\$ 62.08	\$ 61.73	\$ 3,000.00	2.06%	telephone
Training & Registration Fees (63380)			\$ 800.00	0.00%	
Total	\$ 10,544.55	\$ 10,904.46	\$ 173,322.00		

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 2024 08 TO 2024 08

ORG YR/PR	OBJECT PROJ JNL EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
74830	53290	Natural Resources							
						REVISED BUDGET			.00
					PER 01		-999.88	-999.88	
					PER 02		-42,936.41	-43,936.29	
					PER 05		-29,331.01	-73,267.30	
					PER 06		-12,332.59	-85,599.89	
					PER 07		-9,238.75	-94,838.64	
24/08	298 08/02/24 GNI						-6,187.22	-101,025.86	
	ST OF MN 4-3000198379								
24/08	328 08/05/24 GNI						-34,697.01	-135,722.87	
	ST OF MN DNR4Q-24								
	LEDGER BALANCES --- DEBITS:			.00	CREDITS:	-135,722.87	NET:	-135,722.87	
74830	58400	MHB - Sales							
						REVISED BUDGET			.00
24/08	661 08/16/24 GNI 708307 Britny.McC 55399						-18.32	-18.32	
	iNovah Guidbook sale								
	LEDGER BALANCES --- DEBITS:			.00	CREDITS:	-18.32	NET:	-18.32	
74830	61000	Salaries & Wages - Regular							
						REVISED BUDGET			.00
					PER 01		5,976.55	5,976.55	
					PER 02		6,394.92	12,371.47	
					PER 03		6,215.62	18,587.09	
					PER 04		6,215.62	24,802.71	
					PER 05		9,323.41	34,126.12	
					PER 06		6,215.62	40,341.74	
					PER 07		6,215.62	46,557.36	
24/08	413 08/09/24 PRJ PR0809 1240809 1240809				1240		3,107.81	49,665.17	
	PAY080924 WARRANT=240809 RUN=1 BI-WEEKL								
24/08	850 08/23/24 PRJ PR0823 1240823 1240823				1240		3,107.81	52,772.98	
	PAY082324 WARRANT=240823 RUN=1 BI-WEEKL								
	LEDGER BALANCES --- DEBITS:			52,772.98	CREDITS:	.00	NET:	52,772.98	
74830	61200	Active Insurance							
						REVISED BUDGET			.00
					PER 01		1,894.86	1,894.86	
					PER 02		1,894.86	3,789.72	
					PER 03		1,895.48	5,685.20	

ACCOUNT DETAIL HISTORY FOR 2024 08 TO 2024 08

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC	REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
							PER 04		1,896.72	7,581.92	
							PER 05		1,895.48	9,477.40	
							PER 06		1,895.48	11,372.88	
							PER 07		1,895.48	13,268.36	
24/08	413	08/09/24	PRJ	PR0809	1240809	1240809	1240		936.41	14,204.77	
	PAY080924	WARRANT=240809			RUN=1	BI-WEEKL					
24/08	850	08/23/24	PRJ	PR0823	1240823	1240823	1240		959.07	15,163.84	
	PAY082324	WARRANT=240823			RUN=1	BI-WEEKL					
	LEDGER BALANCES	---	DEBITS:			15,163.84	CREDITS:		.00	NET:	15,163.84
74830	61300			Employee Pension & FICA							
							REVISED BUDGET				.00
							PER 01		865.81	865.81	
							PER 02		929.18	1,794.99	
							PER 03		896.29	2,691.28	
							PER 04		890.56	3,581.84	
							PER 05		1,361.40	4,943.24	
							PER 06		890.56	5,833.80	
							PER 07		890.56	6,724.36	
24/08	413	08/09/24	PRJ	PR0809	1240809	1240809	1240		437.63	7,161.99	
	PAY080924	WARRANT=240809			RUN=1	BI-WEEKL					
24/08	850	08/23/24	PRJ	PR0823	1240823	1240823	1240		437.62	7,599.61	
	PAY082324	WARRANT=240823			RUN=1	BI-WEEKL					
	LEDGER BALANCES	---	DEBITS:			7,599.61	CREDITS:		.00	NET:	7,599.61
74830	62100			Telephone							
							REVISED BUDGET				.00
							PER 01		61.54	61.54	
							PER 02		61.64	123.18	
							PER 03		61.62	184.80	
							PER 04		61.74	246.54	
							PER 05		61.93	308.47	
							PER 06		62.01	370.48	
							PER 07		61.73	432.21	
24/08	589	08/15/24	API	006205		222343	38725		7.08	439.29	
	W C082024	COUNTY WIDE PHONE BILL				CONSOLIDATED TELECOM					
24/08	850	08/23/24	PRJ	PR0823	1240823	1240823	1240		55.00	494.29	
	PAY082324	WARRANT=240823			RUN=1	BI-WEEKL					
	LEDGER BALANCES	---	DEBITS:			494.29	CREDITS:		.00	NET:	494.29

ACCOUNT DETAIL HISTORY FOR 2024 08 TO 2024 08

ORG YR/PR	OBJECT PROJ JNL EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
74830	62680	Non-Employee Per Diems							
					REVISED BUDGET				.00
					PER 01		250.00	250.00	
					PER 02		250.00	500.00	
					PER 03		250.00	750.00	
					PER 04		300.00	1,050.00	
					PER 05		200.00	1,250.00	
					PER 07		550.00	1,800.00	
24/08	1200 08/27/24	API 100532		222912	1958336		50.00	1,850.00	
	W A082724	MHB MEETING PER DIEM		MORRISON COUNTY AUDI					
24/08	1200 08/27/24	API 002534		222913	38837		50.00	1,900.00	
	W A082724	MHB MEETING PER DIEM		NEWLAND, DEAN					
24/08	1200 08/27/24	API 006952		222915	38836		50.00	1,950.00	
	W A082724	MHB MEETING MILEAGE & PER DIEM		MICHAEL KEARNEY					
	LEDGER BALANCES --- DEBITS:			1,950.00	CREDITS:		.00	NET:	1,950.00
74830	62720	Non-Employee Mileage							
					REVISED BUDGET				.00
					PER 01		391.28	391.28	
					PER 02		251.92	643.20	
					PER 03		222.44	865.64	
					PER 04		300.16	1,165.80	
					PER 05		312.22	1,478.02	
					PER 07		573.52	2,051.54	
24/08	1200 08/27/24	API 006980		222911	38844		116.58	2,168.12	
	W A082724	MHB MEETING MILEAGE		ROBERT F. KASPER					
24/08	1200 08/27/24	API 003356		222914	38834		87.52	2,255.64	
	W A082724	MHB MEETING MILEAGE & PER DIEM		HUBBARD COUNTY TREAS					
24/08	1200 08/27/24	API 006952		222915	38836		101.84	2,357.48	
	W A082724	MHB MEETING MILEAGE & PER DIEM		MICHAEL KEARNEY					
	LEDGER BALANCES --- DEBITS:			2,357.48	CREDITS:		.00	NET:	2,357.48
74830	62990	Prof. & Tech. Fee - Other							
					REVISED BUDGET				.00
					PER 01		16,443.40	16,443.40	
					PER 02		525.00	16,968.40	
					PER 03		525.00	17,493.40	
					PER 04		81,377.96	98,871.36	
					PER 05		525.00	99,396.36	
					PER 06		10,525.00	109,921.36	
					PER 07		13,358.16	123,279.52	

ACCOUNT DETAIL HISTORY FOR 2024 08 TO 2024 08

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC	REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
24/08	497	08/13/24	API	000729		222015	38705		600.00	123,879.52	
	W	A081324	BRINKS	SIGNS		BRINKS WETLAND					
24/08	774	08/20/24	API	100085		222365	1958116		185.00	124,064.52	
	W	A082024	DISPATCH	ARTICLE MHB		FORUM COMMUNICATIONS					
24/08	1620	08/30/24	GEN						525.00	124,589.52	
		RECURRING	FINANCIAL	SERVICE							
LEDGER BALANCES --- DEBITS:					124,589.52	CREDITS:	.00	NET:	124,589.52		
74830	63320	Employee Mileage									
REVISED BUDGET										.00	
			PER	01			479.54		479.54		
			PER	02			367.16		846.70		
			PER	03			349.47		1,196.17		
			PER	04			363.94		1,560.11		
			PER	05			180.36		1,740.47		
			PER	06			194.37		1,934.84		
			PER	07			155.91		2,090.75		
24/08	851	08/27/24	API	007742		222775	1958281		330.18	2,420.93	
	W	OOP0724	July	mileage		TIM TERRILL					
LEDGER BALANCES --- DEBITS:					2,420.93	CREDITS:	.00	NET:	2,420.93		
GRAND TOTAL --- DEBITS:					207,348.65	CREDITS:	-135,741.19	NET:	71,607.46		

21 Records printed

** END OF REPORT - Generated by Matthew Donley **



IMMEDIATE PRESS RELEASE 9/3//24

Media Contact

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Mississippi Headwaters Board discusses littering by the Mississippi river in Beltrami County

The city of Bemidji is the first city on the Mississippi river, but it doesn't come without problems. Commissioner Craig Gaasvig brought up that there has been an increase in littering at the power dam site in Beltrami County and he was looking for ideas from the board to help solve the issue. Each year young college students and kids go "tubing" on the Mississippi river during the hot summer months starting just below the Power Dam East of Lake Bemidji and exiting at County Road 8. While it is a great place to recreate, it is creating a littering issue where they launch. It was suggested that maybe MHB recreational signage at a trash receptacle be installed if Power Dam would allow it on their property so the litter could be managed in a proper way. Director Tim Terrill said the system is in place for signage to be installed, and there would just need to be permission from Power dam to allow signage and a trash receptacle to be placed on Power Dam property. Comm. VanKempen said that MHB has a request form, and the county could request funding through that mechanism. It's a small issue that happens every summer, but it is something the MHB wants to help with so people can enjoy the Mississippi river.



Minnesota Traditions

★ Favorites · 6h · 🌐



Travel along the Great River Road to Go Get Outdoors this fall. Paddling on the Mississippi River in the fall is a beautiful view. Grand Rapids, Minnesota is the perfect fall getaway to take a scenic drive, paddle on the Mississippi, experience new places to eat and drink, historic sites, and beautiful public art.

Enter for a Chance To Win a two-night stay at Loon's Landing Resort Trip Prize worth \$950!

Enter Now: www.visitgrandrapids.com/sweepstakes

Visit Grand Rapids Loon's Landing Explore Minnesota Great River Road MN The Great River Road

#VisitGrandRapidsMN #TheOutdoorMecca #Lakes #Trails #FreshAir #OnlyInMN #Sweepstakes
#Fall2024 #FallLeaves



You and 1 other



Like



Comment



Share

Visit Grand Rapids Activities and Opportunities

Tim

The Drive the Great River Road Campaign is Minnesota's destination marketing campaign where they give away a \$500 cash giveaway for those that enter for a chance to win.

Chris Miller is the one who is coordinating this year's campaign. Attached is what I have received so far for the campaign. Their theme this year is GO=Get Outdoors.

Visit Grand Rapids is piggybacking on this campaign and running a fall sweepstakes called **GO Get Outdoors in Grand Rapids Sweepstakes**. It will run from Tuesday, September 3, 2024-September 30, 2024. People will sign-up for a chance to win a Two-Night Stay (for two people) that they can use October 1- December 31, 2024, two \$100 dining gift cards, \$100 gas card, and a \$100 welcome basket that includes snacks, beverages, Outdoor Mecca (branded) two stainless cups, maple syrup and wild rice (locally produced) a \$800 prize package. A chance for a couple to get away and relax in Minnesota's nature.

In addition to this sweepstakes, Visit Grand Rapids is doing paid Google display, adwords, YouTube video ads, paid Facebook and Instagram, MN Monthly 12 Week of Fall (Sept/Oct Magazine 2/3 page ad), native article, monthly e-blasts, display digital ads, and social media ads. We also are running Lake & Co magazine ad, article feature, and Minnesota Off Road Magazine both Sept and Oct. Please see the attached 2024 VGR Fall Marketing Strategy.

Here is what a potential marketing with MN Traditions Facebook Page could look like to include content creation for Paid Digital Travel Influencer highlighting Fall Paddling Trip on the Great River Road that would piggyback on the Drive The Great River Road month campaign(GO=Get Outdoors).

Paid Influencer Experience & Paid Content on MN Traditions Facebook Would Include:

- One Night Stay in Grand Rapids
- 600-1000 word Blog that showcases Fall Paddle Trip to Grand Rapids, MN (a Great River Road Town).
- Highlighting places to stay, places to dine, outdoor recreation - fall paddling, hiking on the Portage Park Trail, Blackwater Environmental Area
- Highlighting places to launch on the Mississippi river - Cohasset Boat Landing, Pokegama Dam, Steamboat Landing, and Blackberry Landing)

- Highlighting unique features and outdoor recreation opportunities of this section of the river (Schoolcraft State Park, Blackwater Environmental Area, Portage Park Trails, Pokegama Dam, Forest History Center, Mississippi River Walking Bridge at Steamboat Landing, historic downtown, Itasca Co Historical Society River Room Exhibit, Music Park, Storybook Walk, Grand Rapids Public Library, Self-Guided Grand Rapids Historic Sites and Public Art Interactive Map: <https://storymaps.arcgis.com/stories/c0571416d43449e692c64106095bb147>).
- 20-30 high resolution photo images
- 90 second vertical video
- Once a week post on MN Traditions each week in September
 - Week One: Go Get Outdoors Sweepstakes (Enter For A Chance To Win Two-Night Stay in Grand Rapids)
 - Week Two: Fall Paddle Trip Blog Feature
 - Week Three: Vertical Video Highlighting Fall Paddle Trip To Grand Rapids
 - Week Four: Last Chance To Enter To Win a Two-Night Trip Worth \$800!

For this Visit Grand Rapids is willing to pay \$2,500. Visit Grand Rapids would also cover the cost of one overnight for two people, dining gift cards to cover lunch and dinner meals for two people, and \$100 gas card for mileage.

Cliff Dodd
V-2024-004

Northern Township
Board of Adjustments Hearing
8-26-24

**NORTHERN TOWNSHIP
PLANNING BOARD & COMMISSION**

PLANNING CASE: V-2024-004	JPC MEETING DATE: August 19, 2024
APPLICANT: Cliff Dodd	60-DAY RULE DATE: October 18, 2024
PROCEEDING: Variance Permit – New house on nonconforming lot in shoreland overlay	ZONING DISTRICT: R2
PREPARED BY: Chris Lahn Township Administrator	EXHIBITS: Application, maps

NPB MEMORANDUM

I. SUMMARY OF REQUEST

Cliff Dodd is requesting multiple variances to tear down and existing house and garage and rebuild new at 1530 Birchmont Beach Rd. parcel # 31.00980.00. The lot is a legally substandard lot in the R2 zoning district in the shoreland overlay of Lake Bemidji.

II. BACKGROUND

Mr. Dodd has been requested to move his existing garage for the upcoming CSAH 20 road project (likely 2026) as a portion of it currently sits in the CSAH 20 ROW. Mr. Dodd was looking at options for building a new garage and adding on to his existing house at the same time. In initial discussions with Northern Township Administrator about options it was clear that due to the small lot size and the shoreland overlay zoning requirements, almost any building proposal would require variances for setback and impervious requirements.

Mr. Dodd recently proposed a new design that would take down both the existing garage and house and rebuild both structures with an effort to bring the entire lot closer into conformance with the zoning requirements.

At the Planning Commission meeting on August, 19th 2024, several Commissioners felt setback requirements could be met if the Dodd's simply built a smaller house. They initially sought the following variances:

Variances as of 8/19/24

SITE DEVELOPMENT	EXISTING/PROPOSED	REQUIRED/ALLOWED	Variance
Impervious Surface	37% / 36%	Max. 25% (Shoreland)	11%
Setback OHW	103 ft / 91 ft	100 ft	9 ft
Setback Side - West	7.6 ft / 9 ft	10 ft	1 ft
Setback Side - East	1.3 ft / 7 ft	10 ft	3 ft

After the Planning Commission meeting, the Dodd's met with their contractor and surveyor to see if there were a way to achieve their overall design goals and shrink in the design at all. They were able to come up with a slightly modified proposal that now just requests two variances.

Variances as of 8/26/24

SITE DEVELOPMENT	EXISTING/PROPOSED	REQUIRED/ALLOWED	Variance
Impervious Surface	37% / 33%	Max. 25% (Shoreland)	7.9%
Setback Rear – CSAH 20	-6.3 ft / 49 ft	50 ft	1 ft

All other setbacks and requirements are proposed to be met with this project.

Full site plans for previous and current proposals and stormwater mitigation proposals are included in the attachments.

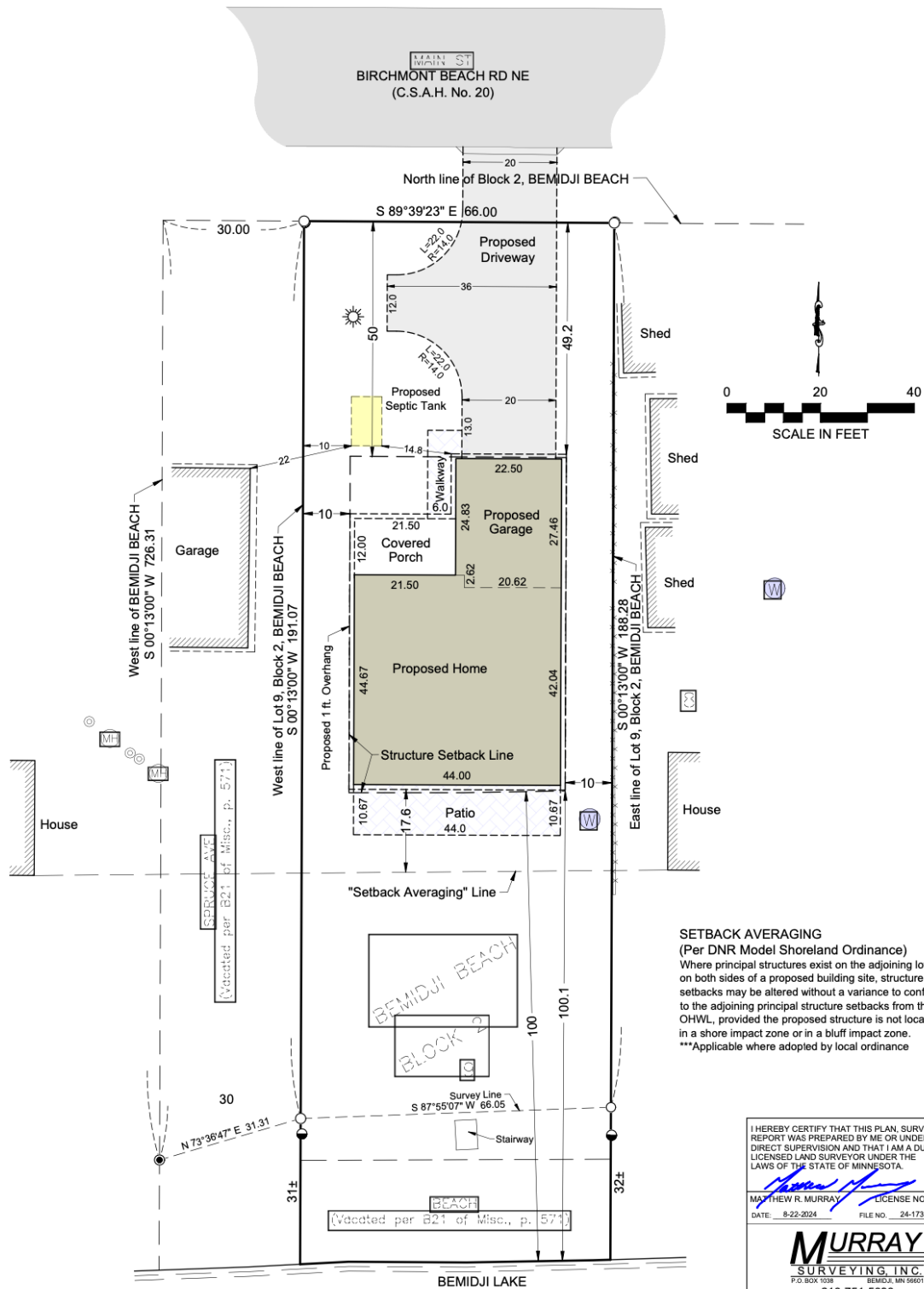
The new site plan is also included on the next page.

SITE PLAN

Part of
 Lot 9, Block 2, BEMIDJI BEACH,
 Beltrami County, Minnesota
 Parcel Number: 310098000
 Parcel Address: 1530 Birchmont Beach Rd NE

SITE INFORMATION

	Required	Existing	Proposed	Variance
Lot Size (S.F.)	30,000 ±	14,610 ±		
Lot Width	100	66		
Setback (OHW)	100	103 (cabin)	100.1	
Setback (Rear - Road)	50	-6.3 (garage)	49	1
Setback (Side - West)	10	7.6 (cabin)	10	
Setback (Side - East)	10	1.3 (cabin)	10	
Impervious Surface	3,652 (25%)	5,413± (37%)	4,810 (33%)	1,158± (7.9%)



III. PLANNING COMMISSION PUBLIC HEARING & DISCUSSION (8/19/24)

Public Hearing opened at 6:20 p.m.

Public Hearing closed at 6:26 p.m.

Public members had the following comments:

Tom Smith - wanted to know what the setback averaging would be for other buildings.

Cliff Dodd - neighbors on both sides of the Dodd's residence liked the proposals.

Karrie Josephson email - Bill read the email. Wanted the ordinance enforced and not have variances granted.

Matt Murray - Discussed the storm water implications. Said variances are there for a reason when lots are substandard. Matt pointed out the house location was chosen to allow for the turn around on the driveway closer to the road.

Commission members had the following comments:

Bill - thinks we can easily get rid of the side setbacks by making it smaller.

Mark - liked the idea of moving everything back towards road and getting rid of the lake-side variance request.

Wayne - wanted to see the ordinance followed and not more variances made.

Clark - thought this was an improvement over the current setup and liked the proposal.

IV. BOARD OF ADJUSTMENTS DISCUSSION (8/26/24)

The board generally liked the variance request modifications and the two variance requests were reasonable.

V. RECOMMENDATION & FINDINGS

Conditions

1. The Variance shall expire and become void if the project is not substantially started within twelve (12) months from its date of issuance. A substantial start means more than preliminary steps have been taken such that preparations to initiate the project are mostly complete. The NTB may, upon written request of the owner, grant an extension to this deadline not to exceed an additional twelve (12) months.

Criteria For Granting Variances

Per MN State statute, practical difficulties, as used in connection with the criteria for granting of a variance, means:

- a. The property owner proposes to use the property in a reasonable manner not permitted by the Zoning and Subdivision Ordinance;
- b. The plight of the landowner is due to circumstances unique to the property not created by the landowner;
- c. The variance, if granted, will not alter the essential character of the locality;
- d. Economic considerations alone do not constitute practical difficulties.

Findings of Fact For Variances

1. Has the applicant demonstrated a practical difficulty?

Yes. The small lot size makes it difficult to build houses of a similar nature to what surrounds the property.

2. Are there exceptional circumstances, unique to this property, which have not been created by the landowner?

Yes. It is a narrow lot and legally non-conforming substandard due to width.

3. Can the variance be granted and that such action will be in keeping with the spirit, purpose, and intent of the Zoning Ordinance?

Yes.

4. Can the variance be granted without altering the essential character of the surrounding area?

Yes.

Motion to approve the request made by Mike Kelly and seconded by Curt Blummhagen.

Ayes: 4

Nays: 0

Abstentions: 0

Motion to approve caarries

Northern Planning Commission
Memo
8-19-23

**NORTHERN TOWNSHIP
PLANNING BOARD & COMMISSION**

PLANNING CASE: V-2024-004	JPC MEETING DATE: August 19, 2024
APPLICANT: Cliff Dodd	60-DAY RULE DATE: October 18, 2024
PROCEEDING: Variance Permit – New house on nonconforming lot in shoreland overlay	ZONING DISTRICT: R2
PREPARED BY: Chris Lahn Township Administrator	EXHIBITS: Appliction, maps

NPC/NPB MEMORANDUM

I. SUMMARY OF REQUEST

Cliff Dodd is requesting multiple variances to tear down and existing house and garage and rebuild new at 1530 Birchmont Beach Rd. parcel # 31.00980.00. The lot is a legally substandard lot in the R2 zoning district in the shoreland overlay of Lake Bemidji.

II. BACKGROUND

Mr. Dodd has been requested to move his existing garage for the upcoming CSAH 20 road project (likely 2026) as a portion of it currently sits in the CSAH 20 ROW. Mr. Dodd was looking at options for building a new garage and adding on to his existing house at the same time. In initial discussions with Northern Township Administrator about options it was clear that due to the small lot size and the shoreland overlay zoning requirements, almost any building proposal would require variances for setback and impervious requirements.

Mr. Dodd recently proposed a new design that would take down both the existing garage and house and rebuild both structures with an effort to bring the entire lot closer into conformance with the zoning requirements.

At the Planning Commission meeting on August, 19th 2024, several Commissioners felt setback requirements could be met if the Dodd's simply built a smaller house. They initially sought the following variances:

Variances as of 8/19/24

SITE DEVELOPMENT	EXISTING/PROPOSED	REQUIRED/ALLOWED	Variance
Impervious Surface	37% / 36%	Max. 25% (Shoreland)	11%
Setback OHW	103 ft / 91 ft	100 ft	9 ft
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Variances as of 8/26/24

SITE DEVELOPMENT	EXISTING/PROPOSED	REQUIRED/ALLOWED	Variance
Impervious Surface	37% / 33%	Max. 25% (Shoreland)	7.9%
Setback Rear – CSAH 20	-6.3 ft / 49 ft	50 ft	1 ft

All other setbacks and requirements are proposed to be met with this project.

Full site plans for previous and current proposals and stormwater mitigation proposals are included in the attachments.

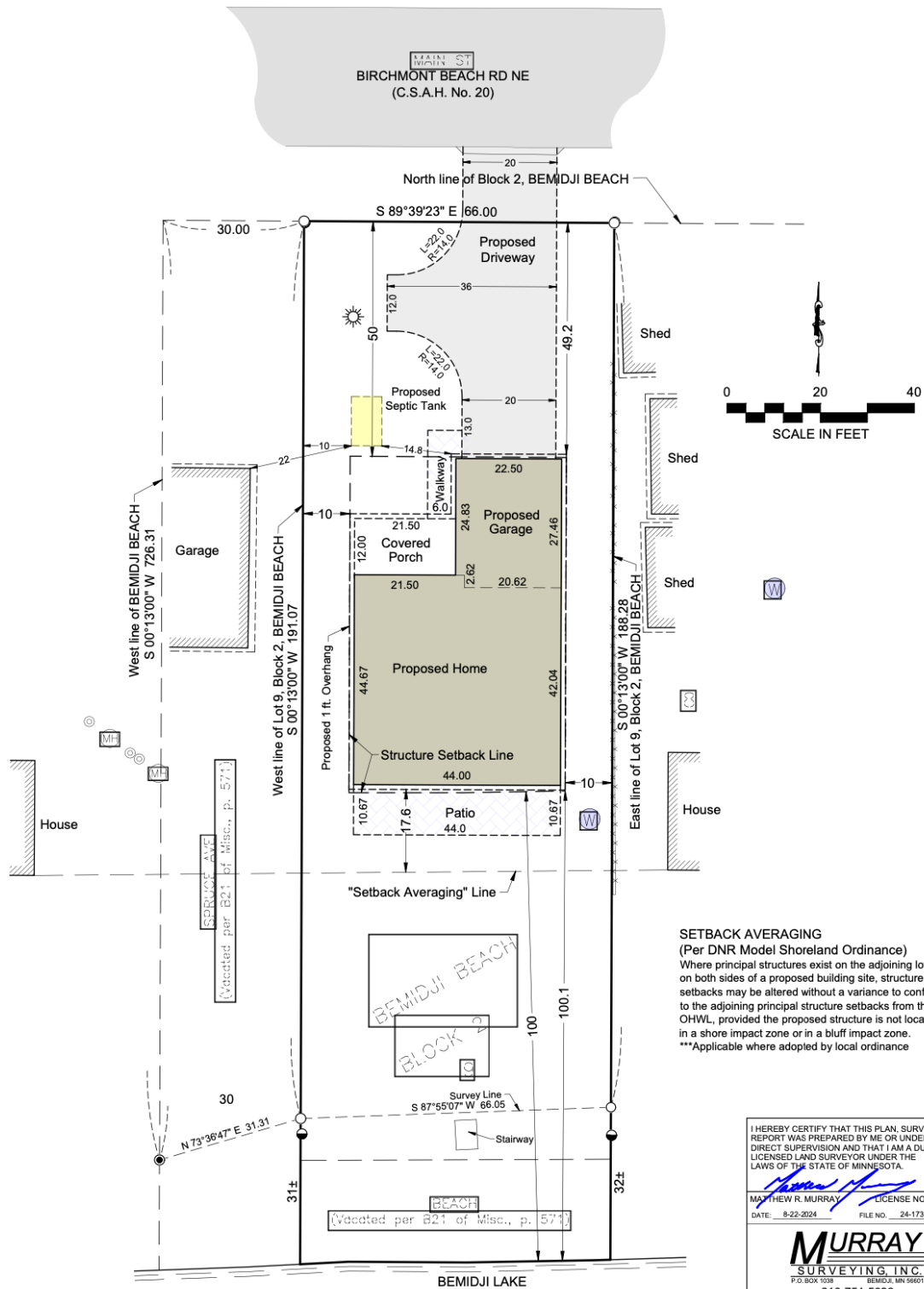
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Setback (Side - East)	10	1.3 (cabin)	10	
Impervious Surface	3,652 (25%)	5,413± (37%)	4,810 (33%)	1,158± (7.9%)



SETBACK AVERAGING
 (Per DNR Model Shoreland Ordinance)
 Where principal structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining principal structure setbacks from the OHWL, provided the proposed structure is not located in a shore impact zone or in a bluff impact zone.
 ***Applicable where adopted by local ordinance

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.

MATTHEW R. MURRAY LICENSE NO. 48168
 DATE: 8-22-2024 FILE NO. 24-173

MURRAY
 SURVEYING, INC.
 P.O. BOX 1038 BEMIDJI, MN 56601
 218-751-5898

III. PUBLIC HEARING & DISCUSSION

Public Hearing opened at 6:20 p.m.

Public Hearing closed at 6:26 p.m.

Public members had the following comments:

Tom Smith - wanted to know what the setback averaging would be for other buildings.

Cliff Dodd - neighbors on both sides of the Dodd's residence liked the proposals.

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IV. RECOMMENDATION & FINDINGS

Conditions

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Per MN State statute, practical difficulties, as used in connection with the criteria for granting of a variance, means:

- a. The property owner proposes to use the property in a reasonable manner not permitted by the Zoning and Subdivision Ordinance;

- b. The plight of the landowner is due to circumstances unique to the property not created by the landowner;
- c. The variance, if granted, will not alter the essential character of the locality;
- d. Economic considerations alone do not constitute practical difficulties.

Findings of Fact For Variances

1. Has the applicant demonstrated a practical difficulty?

2. Are there exceptional circumstances, unique to this property, which have not been created by the landowner?

3. Can the variance be granted and that such action will be in keeping with the spirit, purpose, and intent of the Zoning Ordinance?

4. Can the variance be granted without altering the essential character of the surrounding area?

Motion to deny the request made by Wayne Coombs and seconded by Mark Arndt.

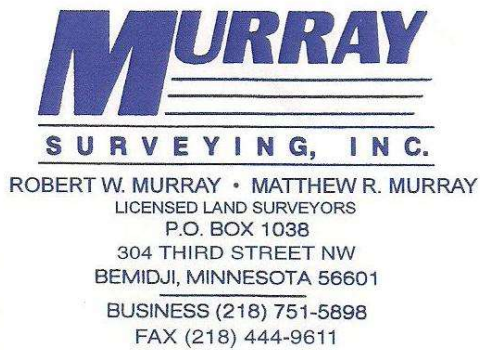
Ayes: 3

Nays: 1

Abstentions: 0

Motion to deny carries

Applications & Supporting Documents



August 22, 2024

Chris Lahn
Northern Township Administrator
445 Town Hall Rd NW
Bemidji, MN 56601

Re: Cliff and Erin Dodd Variance Application – 1530 Birchmont Beach Rd NE

Dear Chris:

I am writing to you regarding proposed changes to the Cliff and Erin Dodd Variance Application. While we stand by the merits of the original variance application, the Dodd's have been working diligently to try to devise a plan that further reduces the number and extent of variances related to their proposed new structure. The Dodd's are in a difficult position in that they would like to be able to start construction this Fall; however, they are very concerned that if their variance application is not successful, the weather may not accommodate a late Fall start. Because of this, please note the following changes that have been made, as documented on the attached Site Plan:

1. No variances are sought for side yard setbacks (either side).
2. No variance is sought for the setback from the ordinary high-water line of Lake Bemidji.
3. The variance sought for impervious surface coverage has been reduced by an additional 3% (455 SF). The variance being sought is now for 33% impervious surface coverage.
4. A one-foot setback variance is being sought from the 50-foot setback requirement from Birchmont Beach Rd NE. It is proposed that the structure overhang is positioned 49.2 feet from Birchmont Beach Rd NE right of way.

With respect to item four above, despite the site constraints and all the proposed site improvements, if Northern Town Board cannot find the reasonableness in granting a one-foot setback variance from Birchmont Beach Rd NE right of way, the Dodd's will rescind this portion of the request and meet the 50 foot setback requirement. While the overall structure configuration is substantially changing with the proposed structure to largely meet all setback requirements ---a major site improvement--- the proposed structure is within 18 square feet of the total area of the combined structure footprint/usable area that

currently exists on the property. The Dodd's have squeezed each room as much as possible to get where they are with this proposal.

It was erroneously stated at the Planning Commission meeting that the Dodd proposal did not maintain the harmony of the neighborhood and that the Dodd structure was too large. An evaluation has been made along approximately 1600 feet of shoreline along the north shore of Lake Bemidji. Based on an analysis made using aerial photography as well as survey data, where available, the proposed Dodd structure is approximately 280 square feet smaller than the average structure (or combined structures) located within the area. The proposed Dodd structure was also compared to the size of other newly constructed homes within Northern Township since around 2019. The proposed Dodd structure is around 425 square feet below the average new construction.

By eliminating the existing cesspool and improving multiple setback nonconformities, the Dodd project will be a significant improvement to the property while maintaining the character and harmony of the neighborhood. Additionally, while the project proposes a 613 square foot reduction in impervious surface coverage, more importantly, the proposed stormwater mitigation will negate the impervious surface over 25% of the lot area.

Finally, it is important to note, given the traffic volume of Birchmont Beach Rd NE, as well as the potential addition of a bike trail, while it has been desirable to further encroach into the setback from the road right of way when circumstances require, it is highly desired for this case to have sufficient room for a turnaround on the property so it will not be necessary to back over the bike path and onto Birchmont Beach Rd NE.

Please let us know if you have any questions or if you need any additional information.

Thank you,



Matt Murray

Northern Township

Application for Variance

Please complete this application carefully and completely. PLEASE PRINT. Failure to fill in all of the required information may result in a delay of processing your application.

OFFICE USE ONLY

Complete App. Rec'd 8-5-24

Zoning District R2 - Shoreland Overlay

Comments _____

Check 7677 received 8-5-24

A fee of \$ 500 made payable to **Northern Township** must accompany this application. Additional escrow or verification fees may apply for approved projects.

An escrow of \$ 500 made payable to **Northern Township** must accompany this application. Additional escrow or verification fees may apply for approved projects.

An escrow account is established as indicated above to cover technical and legal expenses incurred by Northern Township as part of the plan review. The applicant is responsible for all costs incurred by Northern Township during plan review. If the escrow amount drops below 10% of the original deposit amount Northern Township may require submittal of an additional escrow deposit sufficient to cover any anticipated expenses. Upon determination by Northern Township that the project is complete or expired, Northern Township will return the remaining escrow deposit to the applicant.

APPLICANT DATA

NAME OF APPLICANT: Cliff and Erin Dodd PHONE: 925-286-6196 (Cliff)
MAILING ADDRESS: 1530 Birchmont Beach Rd NE | 12578 East Saddlehorn Tr
SITE ADDRESS: 1530 Birchmont Beach Rd NE PARCEL: scotsdale AZ 85259
EMAIL ADDRESS: Cliffdodd@aol.com Erinjaz@yahoo.com

Does your property contain low areas, wetlands, or areas with standing water? ☐ Yes ☒ No If Yes, do you intend to drain, fill or otherwise alter this area for any reason?

Explain _____

REQUEST FOR VARIANCE

Are multiple variances being requested? ☒ Yes ☐ No

What specific standard(s) are you requesting variance(s) from? (ex. §402C Front Yard Setback)

Section 901 D1: Side lot line, Setback from ordinary high water;
Section 914: 25% Impervious surface coverage.

What standard(s) or measurement(s) are you requesting? (ex. 10 ft. relief from required 50 ft. Front yard setback)

Display on site plan.

9' ft relief from 100 ft setback from ordinary high water; 1 ft relief from
10 ft side yard setback (west line); 3 ft relief from 10 ft side yard setback
(east line); 1,598 SF relief from maximum 3,652 SF impervious
surface coverage.

Describe the existing use of your property: Single family residential

Will the use of your property change with the variance? ☐ Yes ☒ No

Will the granting of a variance impact the character of the surrounding properties? ☐ Yes ☒ No ☐ Unknown

Explain Replacing the existing single family residential structure will have no impact on the character of the surrounding properties.

Are there unavoidable physical or topographical features (wetlands, buildings, roads, etc.) on your property that severely limit your construction site options? ☐ Yes ☐ No Explain

Existing road and lake and applicable setbacks limit site construction options.

Does the design or floor plan of your building severely limit your construction options? ☐ Yes ☒ No

Are there construction options or alternatives that may eliminate the need for a variance? ☒ Yes ☐ No

Explain Rebuilding the existing structure in the same footprint would not require a variance; however, the proposed layout greatly improves compliance with current setback regulations.

Explain the practical difficulty that exists with your request (see definition in attached documents):

The parcel is a legal nonconforming lot of record created in 1966, well before the existence of shoreland regulations. The existing garage extends into road right of way and existing residence, added onto over time, is within 2 feet of the property line, the original construction lacks a foundation, and one segment is built over a portion of a cesspool. Given the existing nonconformities a new residential structure is reasonable, and the lot dimensions, depth, and existing nonconformities are unique to the property and not created by the land owner. The proposed construction will not negatively affect the essential character of the neighborhood and this variance is not based on any economic circumstances.

Assuming that a practical difficulty is demonstrated, and a variance justified, what measures are you willing to take to mitigate the impact of development on your property (remove other buildings, vegetative screens, etc.)?

All existing structures will be removed and setbacks are greatly improved.

If this variance is approved, applicant will install stormwater mitigation (dry well and/or grass swales) to treat the portion of impervious surface over and above 25% lot coverage. The mitigation would comply with MPCA Construction Stormwater Standards allowing storage for a one inch rainfall event (calculated as an instantaneous volume).

(Use additional sheets if necessary)

Submit a complete site plan of your property drawn to scale with this application showing all buildings, proposed and existing, setbacks, wells, septic and accesses.

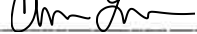
ALL APPLICANTS MUST SIGN BELOW

I hereby certify that I am the owner or authorized agent of the owner of the above described property and that all uses will conform to the provisions of Northern Township Zoning and Subdivision Regulations. I further certify that I will comply with all conditions placed upon this permit should this application be approved. Intentional or unintentional falsification of this application or any attachments thereto will serve to make this application and any resultant permit invalid. I also authorize Northern Township Planning staff to inspect the property during review of this application and subsequent construction during reasonable times of the day.

Applicant: 

Date: 08-02-24

OFFICE USE ONLY

Reviewed by 

Date 8-5-24

Complete Application ☒ Yes ☐ No

COMPLETED FORMS CAN BE SUBMITTED AT 445 Town Hall Rd NW Bemidji, MN 56601, BEMIDJI, MN 56601

Current Site Plans

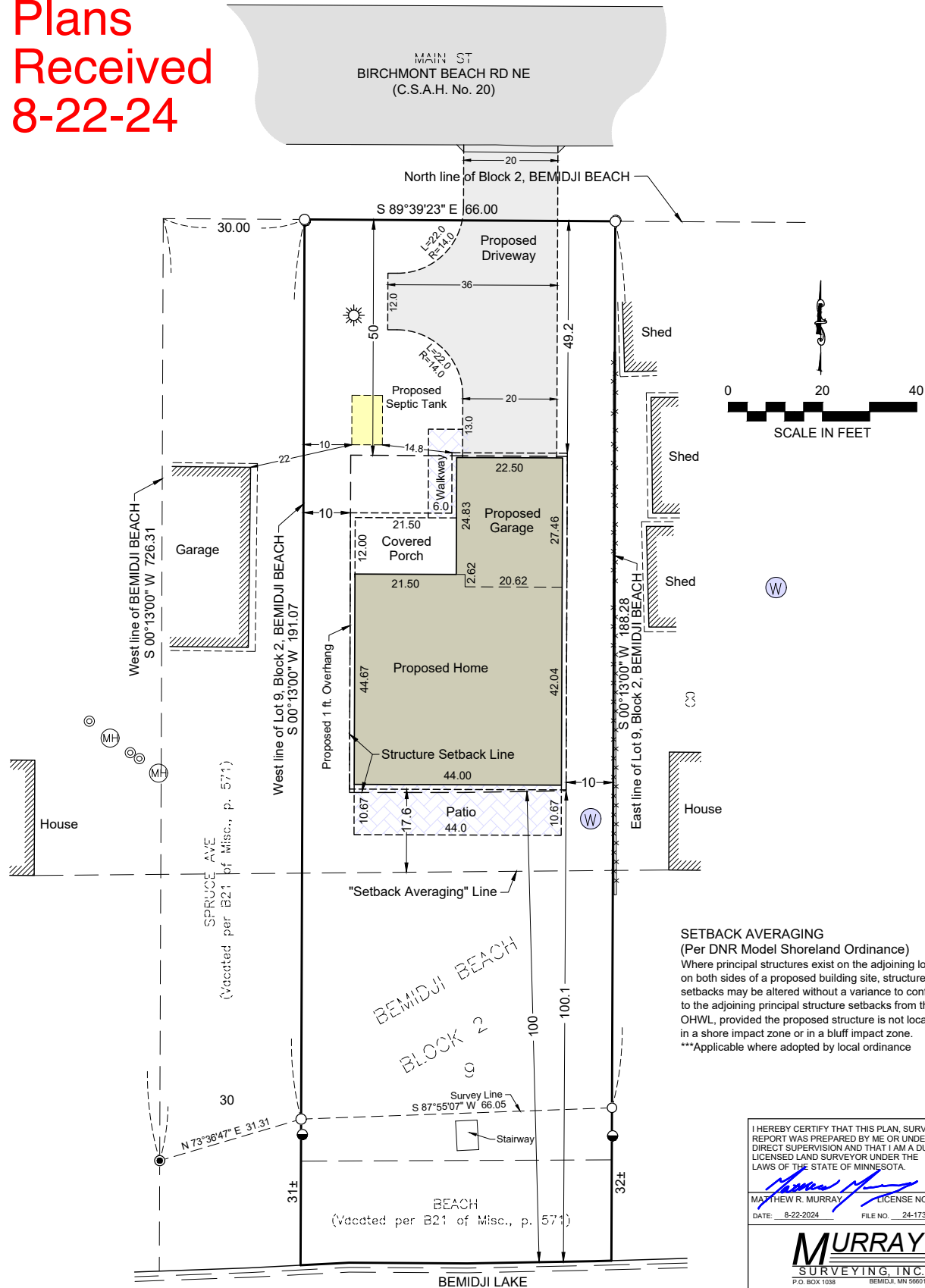
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Part of
Lot 9, Block 2, BEMIDJI BEACH,
Beltrami County, Minnesota
Parcel Number: 310098000
Parcel Address: 1530 Birchmont Beach Rd NE

Revised
Plans
Received
8-22-24

SITE INFORMATION

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Impervious Surface	3,652 (25%)	5,413± (37%)	4,810 (33%)	1,158± (7.9%)



Previous Site Plans

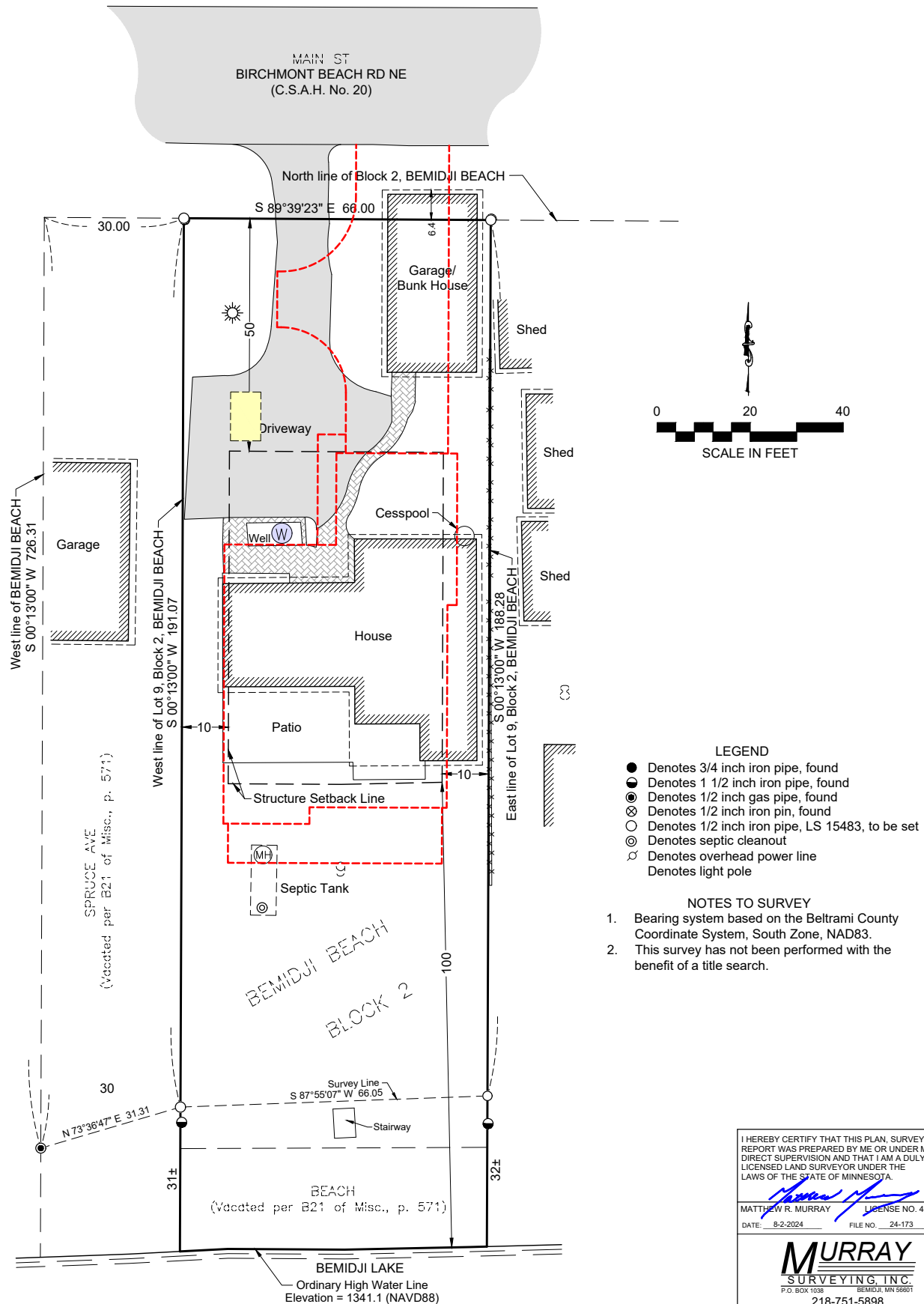
EXISTING/PROPOSED OVERLAY

Lot 9, Block 2, BEMIDJI BEACH, Beltrami County, Minnesota.

Parcel Address: 1530 Birchmont Beach Rd NE

Parcel Number: 310098000

THIS DRAWING SHOWS THE PROPOSED CONDITIONS
(IN RED) OVERLAID ON THE EXISTING CONDITIONS.

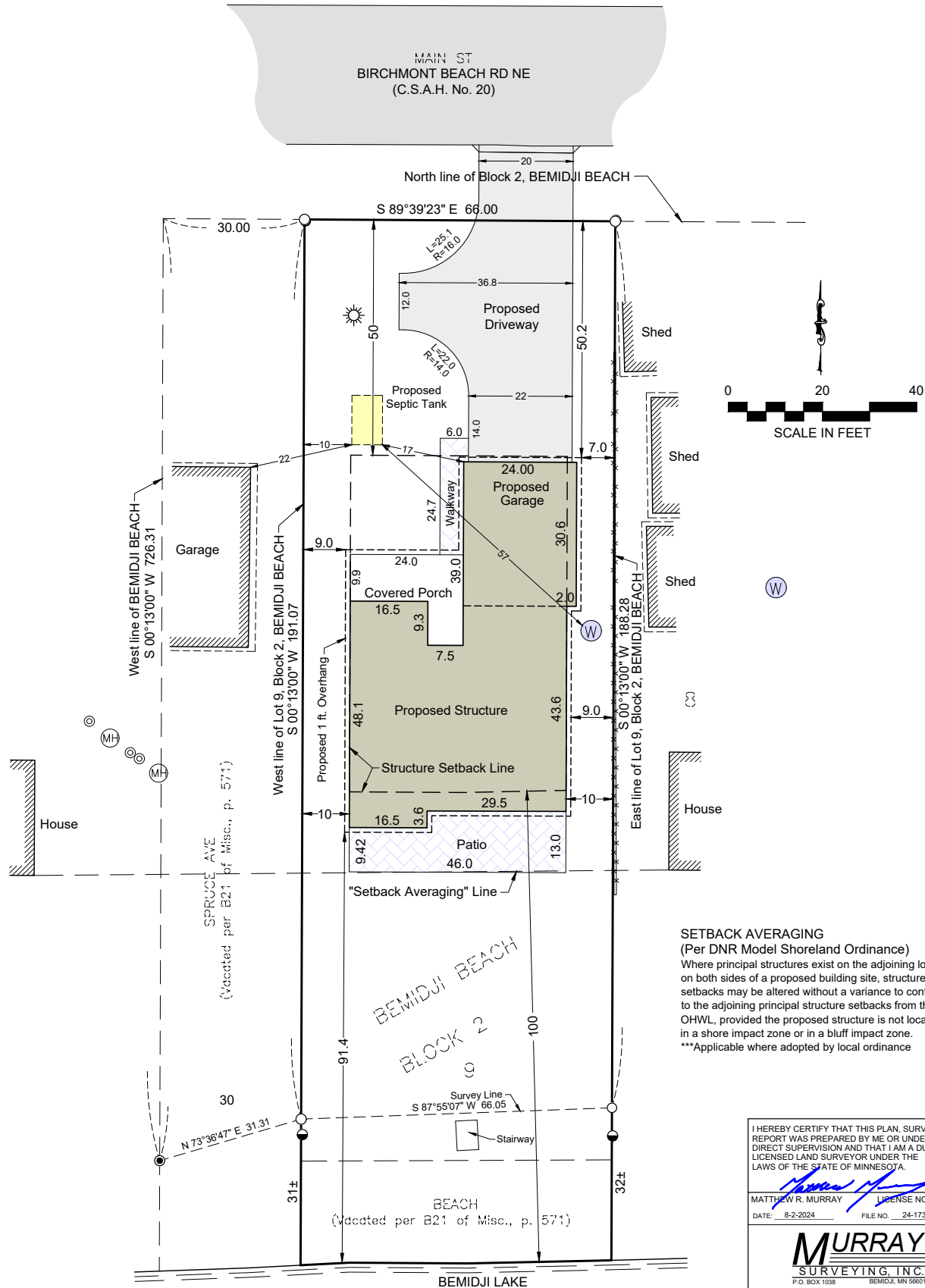


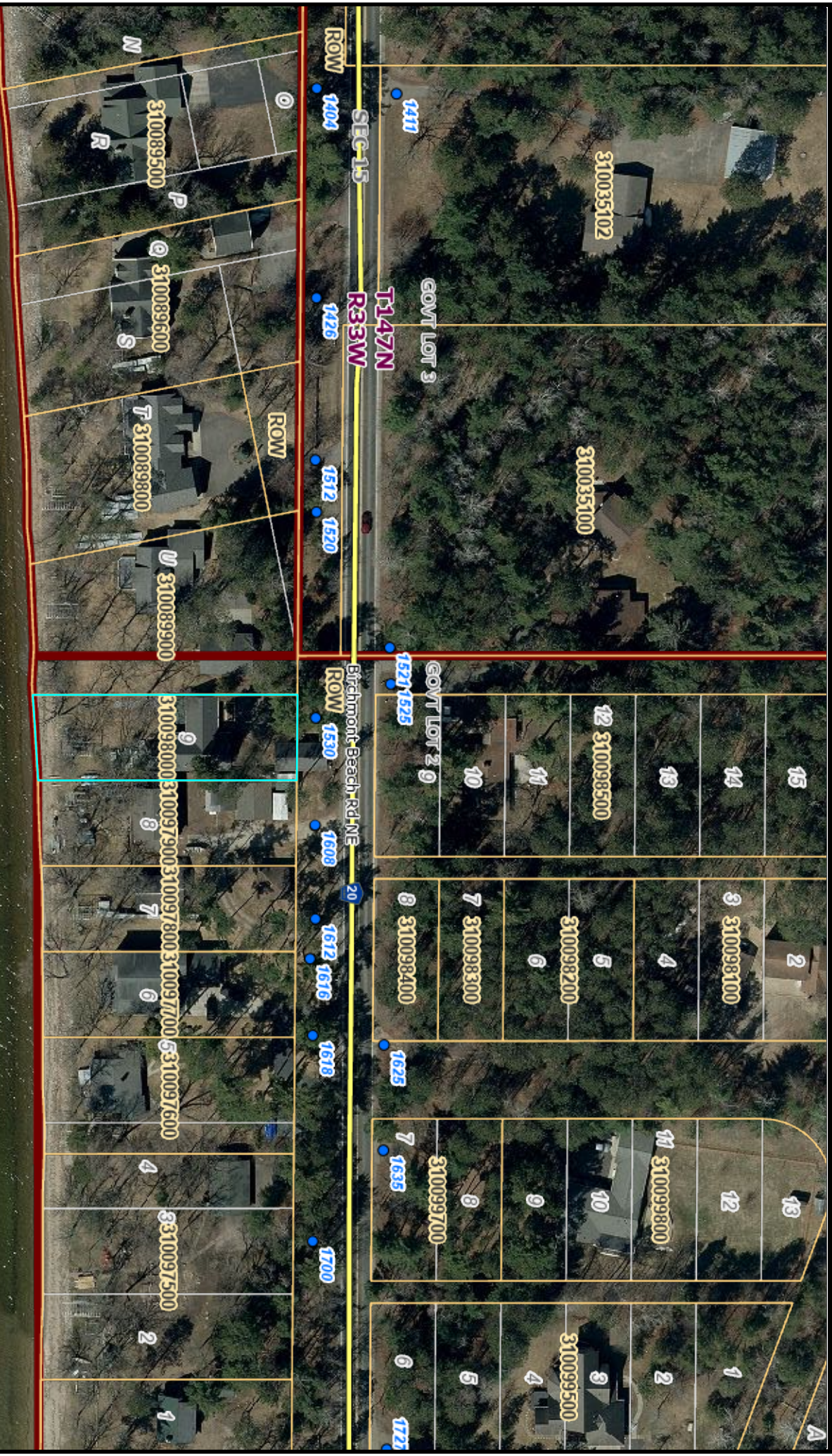
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These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

1530 Birchmont Beach Rd

1:1,849

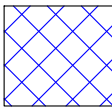
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

Beltrami County Minnesota

N

STORMWATER MITIGATION PLAN

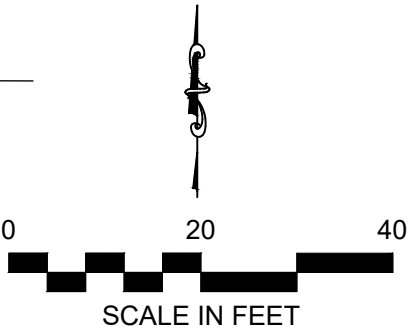
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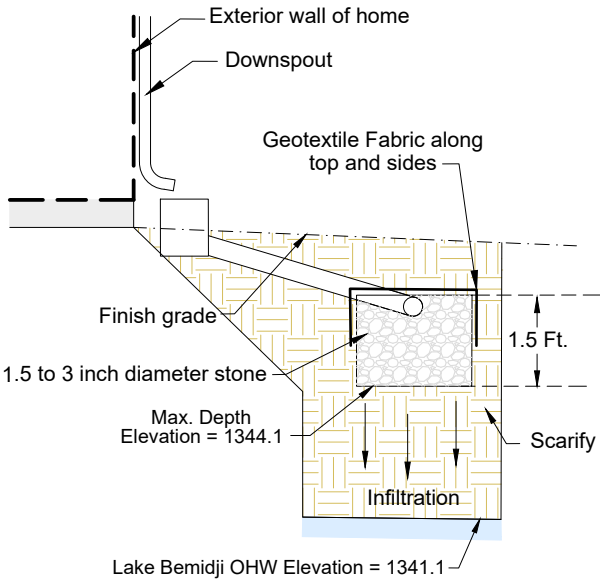
Denotes proposed treatment area.
No less than 1,158 SF.

PROPOSED TREATMENT VOLUME

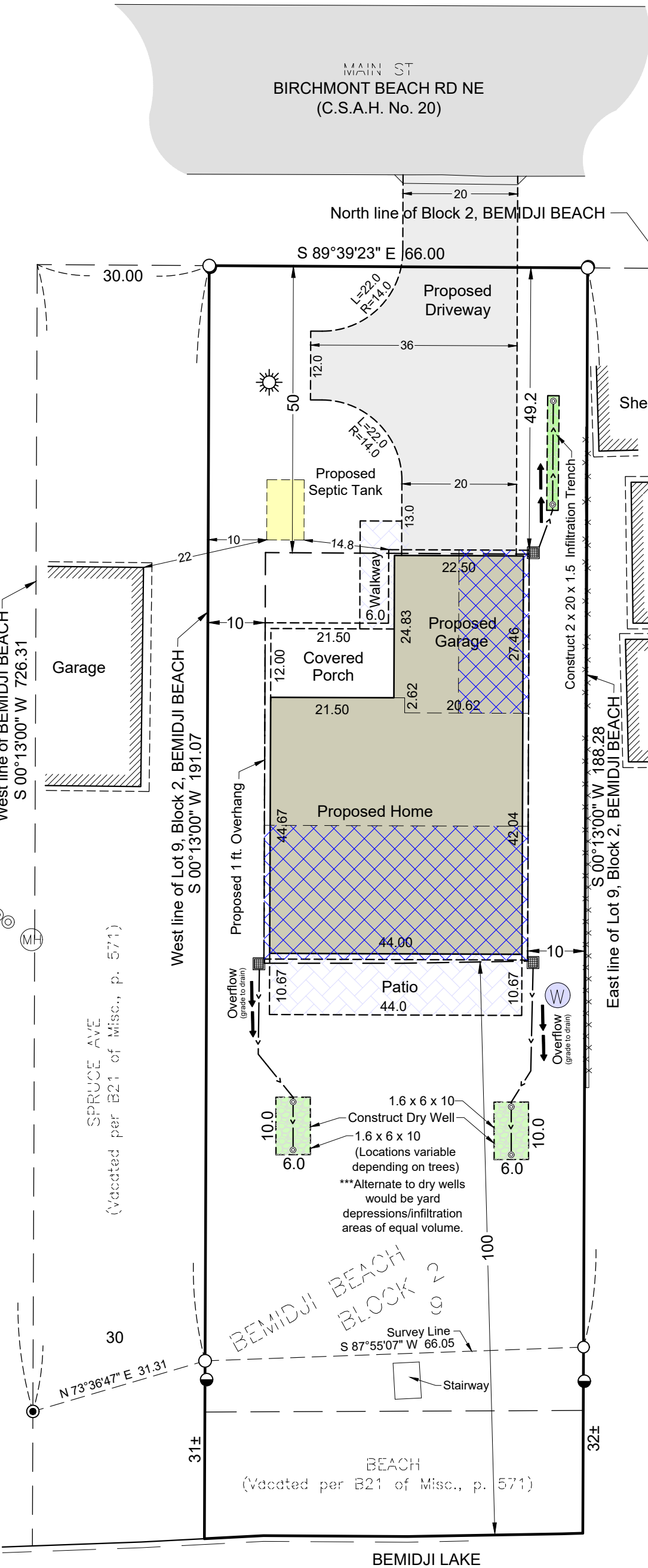
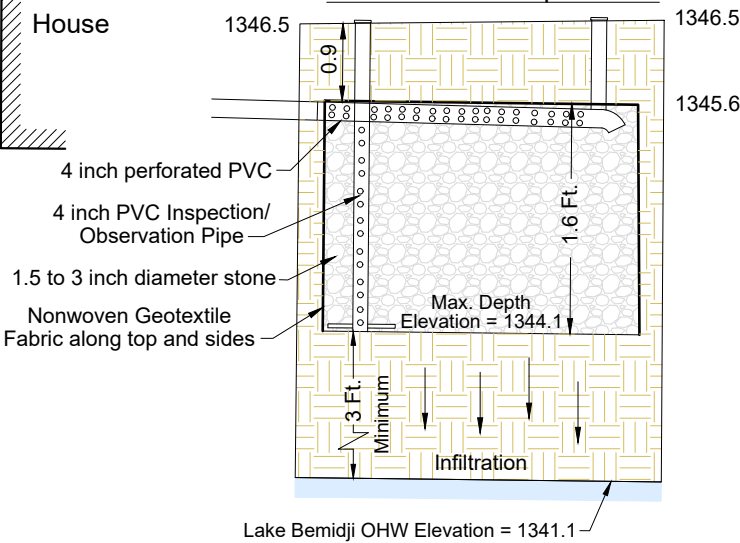
Proposed Retention Volume: One inch (calculated as an instantaneous volume) over the increase in impervious surface resulting in a water quality storage volume to meet or exceed the standards specified by the Minnesota Pollution Control Agency General Permit No: MN RI00001.



INFILTRATION TRENCH DETAIL (Horizontally & Vertically Distorted)



DRY WELL DETAIL (Horizontally & Vertically Distorted) Alternate: Yard depressions



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.

MATTHEW R. MURRAY LICENSE NO. 48168
DATE: 8-22-2024 FILE NO. 24-173

MURRAY
SURVEYING, INC.
P.O. BOX 1038 BEMIDJI, MN 56601
218-751-5898

Agency & Neighborhood Packet Distribution Information

Re: FW: Dodd variance request

From: **Mary Israelson** | info@northerntownship.com

August 19 at 8:41 AM

To: **Chris Lahn** | chris.lahn@northerntownship.com

From: **Kari Josefson** | kari.josefson@me.com To: **Mary Israelson** | info@northerntownship.com August 15 at 6:03 PM

Good morning, Chris Lahn

I am writing today to inquire about the variance request put forth by Mr. Cliff Dodd. It is regrettable that I will be unable to attend the meeting on August 19th to discuss this issue in person. In order to better understand the request put forth, I would like to have more visual information. Do you have an outline of the Dodd property as it exists now with an overlay of the requested changes?

It is my understanding that even Mr. Dodd's current home is outside of zoning (his garage is set too close to the road). I know that he is also having issues finding space for a new septic to satisfy his current home as he had approached us (his neighbors) to inquire about putting his septic on our land.

I understand that Mr. Dodd has a small lot. However, do the zoning and planning rules not exist for a reason? The residential units on the North end of Lake Bemidji seem to be encroaching more and more on one another. Those properties were never meant for large homes, but rather seasonal cabins. It seems that the Dodds should understand the limits of the property they own, just as Northern Township needs to uphold the rules that were put in place to protect the integrity of the region. Otherwise, why do those rules exist if we are going to continue to offer variances to anyone that asks?

Sincerely,

Kari Josefson
218-760-0966

Sent from my iPhone

PROSTRAIN INC
2332 CALIHAN AVE NE
BEMIDJI, MN 56601

JEFFREY H MACKENSTADT
1525 BIRCHMONT BEACH RD NE
BEMIDJI, MN 56601

STEPHEN W HANSON TRUSTEE
STEPHEN W HANSON TRUST
1404 BIRCHMONT BEACH RD NE
BEMIDJI, MN 56601

SUSAN WHALEN
1635 BIRCHMONT BEACH RD NE
BEMIDJI, MN 56601

ANAM CARA BEMIDJI LLP
132 ROLLING HILLS CIR
GRAND FORKS, ND 58201

PEGGY SMITH
18314 JUSTICE WAY
LAKEVILLE, MN 55044

PETER J NORDQUIST
LAURIE B NORDQUIST
1714 BIRCHMONT BEACH RD NE
BEMIDJI, MN 56601

WILLIAM B SUTTON TRUSTEE
WILLIAM & M SUTTON FMLY TRUST
1405 W YUCCA AVE
MCALLEN, TX 78504

TODD J DANIELS TRUSTEE
TODD J DANIELS TRUST AGREEMENT
244 GOLF COURSE PKWY
DAVENPORT, FL 33837

GRAIG R GILBERTSON
CAROL L GILBERTSON
1608 BIRCHMONT BEACH RD NE
BEMIDJI, MN 56601

NORMA C SWINGEN*
1530 BIRCHMONT BEACH RD NE
BEMIDJI, MN 56601

RYAN D NEWHOUSE
TAYLOR E NEWHOUSE
1625 BIRCHMONT BEACH RD NE
BEMIDJI, MN 56601



Forum Communications Company

MN Affidavit No. nvelWANAVUy51LeX0Y0g

AFFIDAVIT OF PUBLICATION

State of Florida, County of Orange, ss:

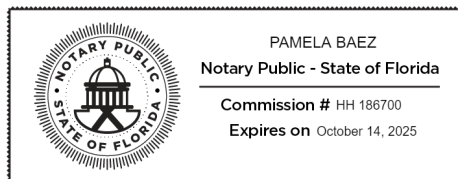
Hayden Lipsky, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC and duly authorized agent of the The Bemidji Pioneer, a newspaper printed and published in the City of Bemidji, County of Beltrami, State of Minnesota.

1. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and the day of the week upon which the public notice attached/copied below was published in the newspaper are as follows: Wednesday, August 7, 2024
4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows: \$13.00 per column inch.
5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in BELTRAMI County. The newspaper complies with conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

(Signed) Hayden Lipsky

VERIFICATION

State of Florida
County of Orange



Subscribed in my presence and sworn to before me on this: 08/07/2024

Notary Public
Notarized remotely online using communication technology via Proof.

NORTHERN TOWNSHIP 445 Town
Hall Road NW
Bemidji, MN 56601
www.northerntownship.com
e-mail: info@northerntownship.com
(218) 751-4989

NORTHERN TOWNSHIP NOTICE OF PUBLIC HEARINGS & MEETINGS

NOTICE IS HEREBY GIVEN, that on Monday, August 19, 2024, at 6:00 p.m. or as soon thereafter as possible, the Northern Township Board will conduct a Public Hearing in-person at the Northern Town Hall, located at 445 Town Hall Rd. NW, Bemidji MN, regarding the following requests:

O-2024-002: Annual update to the Northern Township Zoning Ordinance. Several topics will be addressed including farm animals, septic systems, and correcting typographical issues.

V-2024-004: Cliff Dodd is requesting a variance for setback requirements to build a new home at 1530 Birchmont Beach Rd., Parcel No. 31009800. The variances is sought because the lot is substandard in size and makes any building project difficult given the size constraints of the lot.

All interested parties are encouraged to attend the Hearing, or call the Northern Town Hall Office at (218) 751-4989, or visit our web site at: <https://www.northerntownship.com> for more information. Email comments at info@northerntownship.com must be received by Thursday, August 15, 2024, for inclusion in staff reports.

Chris Lahn
Township Administrator
(Aug. 7, 2024)



PLANNING COMMISSION/BOARD OF ADJUSTMENT
September 19, 2024
5:00 PM

Historic Court House, 3rd Floor, County Board Room
 326 Laurel Street, Brainerd MN 56401
 (218) 824-1125, Fax (218) 824-1126, Web: www.crowwing.us

PUBLIC HEARING NOTICE

Applicant: Dechawuth, Thamrong & Khan, Anakaom - Variance

Site Address: 16529 Riverdale Lane, Brainerd, MN 56401

Township: Oak Lawn Township

Request:

Variance for:

1. An OHW setback of 75 feet to proposed new septic system, where 100 feet is required.

To Allow:

- A new septic system, Certificate of Survey received 08/08/2024.

Notification: Pursuant to Minnesota Statutes Chapter 394, and the Crow Wing County Land Use Ordinance, you are hereby notified of a public hearing before the Crow Wing County Board of Adjustment. Property owners have been notified according to MN State Statute 394.26 & published in the local newspaper. Please share this notice with any of your neighbors who may not have been notified by mail.

Information: Information is available at www.crowwingcountymn.igmm2.com
 Please submit your comments in writing including your name and mailing address to (landservices@crowwing.us). Please contact Environmental Services with any questions.



NOTICE OF DECISION

September 19, 2024

Dechawuth, Thamrong & Khan, Anakaom
16529 Riverdale Lane
Brainerd, MN 56401

Parcel Number: 81070503

Physical Address: 16529 Riverdale Lane, Brainerd, MN 56401

☒ Your Variance application was approved on September 19, 2024, by the Board of Adjustment. You are required to obtain all permits prior to construction activities. Any modifications to this Variance in the future will require an amendment to the Variance.

☐ Your Variance application was amended and approved on September 19, 2024, by the Board of Adjustment. You are required to obtain all permits prior to construction activities. Any modifications to this Variance in the future will require an amendment to the Variance.

☐ Your Variance application was denied on September 19, 2024, by the Board of Adjustment.

☐ Your Variance application was tabled on September 19, 2024, by the Board of Adjustment.

****Precise language for any variance applications and/or conditions will be in the Stated Minutes and Findings of Fact, available at least seven (7) days from the date of this Public Hearing.**

CONDITIONS (marked items apply):

- ☒ Implement an erosion and sediment control plan utilizing best management practices (BMP's) prior to construction and dirt moving activities. The BMP's must remain in place until all disturbed soils are stabilized.
- ☒ Septic soil treatment area is to be staked off prior to construction commencing and remain protected from compaction and damage until the system is installed.
- ☒ The Mississippi Headwaters Board must certify any variance approval before a land use permit can be issued.

☐ _____

☐ _____

Land Use Ordinance Requirements:

1. Land use permit(s) approved by County staff

09-19-2024
Date



Planning Commission, Chair

****You may apply online for any required Land Use permits; please contact Crow Wing County Land Services (218)-824-1010 with any questions you might have.**

Our Vision: Being Minnesota's favorite place.

Our Mission: Serve well. Deliver value. Drive results.

Our Values: Be responsible. Treat people right. Build a better future.



**Crow Wing County – Planning Commission
Summary of Record
September 19, 2024**

Property Owner: Dechawuth, Thamrong & Khan, Anakaom

Authorized Agent: Brandon Hedlund

Parcel Number: 81070503

Physical Address: 16529 Riverdale Lane, Brainerd, MN 56401

Township: Oak Lawn Township

Request:

Variance for:

1. An OHW setback of 75 feet to proposed new septic system, where 100 feet is required.

To Allow:

- A new septic system, Certificate of Survey received 08/08/2024.

Current Zoning: Shoreland District

Adjacent Land Use/Zoning:

North: Mississippi River

South: Shoreland District with Rural Residential 2.5

East: Shoreland District with Rural Residential 2.5

West: Shoreland

Existing Impervious Coverage: 18.5%

Proposed Impervious Coverage: 18.5%

Chronology of events:

- September 25, 2023 – Development Review Team Meeting
- August 07, 2024 – Application submitted
- August 28, 2024 – On-site notice published in local newspapers
- September 04, 2024 - PC/BOA Meeting published in local newspapers
- September 05, 2024 – Planning Commission/Board of Adjustment On-site visit
- September 06, 2024 – Notices mailed
- September 19, 2024 – Board of Adjustment Meeting – Decision to approve the Variance request with conditions

Packet Information:

- Public Hearing Notice
- Staff Report
- Certificate of Survey
- Aerial, TOPO & FEMA Views
- On-Site Photos
- Variance Application
- Potential Conditions
- Variance Findings of Fact Questions with County staff recommendations

Agencies Notified and Responses Received:

Oak Lawn Township: No comment received as of 09/19/2024

MHB: No comment received as of 09/19/2024

SWCD: No comment received as of 09/19/2024

Citizen Correspondence: No comment received as of 09/19/2024

September 19, 2024

FINDINGS OF FACT
SUPPORTING / DENYING A VARIANCE REQUEST

A Variance may be granted by the Board of Adjustment when it is found that strict enforcement of the Land Use Ordinance will result in a "practical difficulty" according to Minnesota Statute 394.27 Subdivision 7. The Board of Adjustment should weigh each of the following questions to determine if the applicant has established that there are "practical difficulties" in complying with regulations and standards set forth in the Land Use Ordinance.

1. Is the Variance request in harmony with the purposes and intent of the Ordinance?

Yes X

Why?

- **This is an existing lot of record in the plat of Riverview Terrace established in 1968.**
- **The proposed septic design was completed by a licensed professional and is proposed to be in the best location possible based on the topography of the property.**
- **The current septic system is not meeting state or county requirements and needs to be replaced to allow for sale of the property.**

2. Is the Variance consistent with the Comprehensive Plan?

Yes X

Why?

- **Encourage residential development that provides housing options for different socioeconomic groups – particularly the aging population – while protecting the characteristics that people value, a sense of community, as well as a plan to provide all citizens reasonable access to a diversity of recreational and open space opportunities (pg. 42).**

3. Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance?

Yes X

Why?

- **This is an existing lot of record in the plat of Riverview Terrace established in 1968.**
- **The proposed septic design was completed by a licensed professional and is proposed to be in the best location possible based on the topography of the property.**
- **MN Rules 6120 requires a setback to a forested river segment to be 100 feet.**
- **The current septic system is not meeting state or county requirements and needs to be replaced to allow for sale of the property.**

4. Is the need for a Variance due to circumstances unique to the property and not created by the property owner?

Yes X

Why?

- **This is an existing lot of record in the plat of Riverview Terrace established in 1968.**
- **The proposed septic design was completed by a licensed professional and is proposed to be in the best location possible based on the topography of the property.**
- **MN Rules 6120 requires a setback to a forested river segment to be 100 feet.**
- **The current septic system is not meeting state or county requirements and needs to be replaced to allow for sale of the property.**

5. Will the issuance of a Variance maintain the essential character of the locality?

Yes X

Why?

- **The proposed septic design was completed by a licensed professional and is proposed to be in the best location possible based on the topography of the property.**
- **The current septic system is not meeting state or county requirements and needs to be replaced to allow for sale of the property.**

6. Does the need for a Variance involve more than economic considerations?

Yes X

Why?

- **The proposed septic design was completed by a licensed professional and is proposed to be in the best location possible based on the topography of the property.**

- There is property on the other side of the road, but the added cost of the installation is not worth the increased setback. In addition, the area across the road would be better suited for a future accessory structure.

7. What is the Township recommendation? **None**

8. Other Pertinent Findings: **None**

September 19, 2024, Action:

Decision: Motion by Maske; supported by Best to APPROVE the Variance request for:

1. An OHW setback of 75 feet to proposed new septic system, where 100 feet is required.

To Allow:

- A new septic system, Certificate of Survey received 08/08/2024.

Approved Conditions:

1. Implement an erosion and sediment control plan utilizing best management practices (BMP's) prior to construction and dirt moving activities. The BMP's must remain in place until all disturbed soils are stabilized.
2. Septic soil treatment area is to be staked off prior to construction commencing and remain protected from compaction and damage until the system is installed.
3. The Mississippi Headwaters Board must certify any variance approval before a land use permit can be issued.

Roll call vote: Auge, Best, Maske, Yliniemi, Hales - all voting "Aye"; Unanimous, Motion carried.

Parcel Number: 81070503

Per findings of fact discussed 09/19/2024, the application submitted, the staff report, on-site conducted 09/05/2024, public testimony, and as shown on the Certificate of Survey received 08/08/2024 at the Land Services Department; Located in Oak Lawn Township, Crow Wing County, Minnesota

Findings: As listed above

Date: 10-17-2024

Signature: _____
Chairman



STATED MINUTES
Crow Wing County
Planning Commission/Board of Adjustment
September 19, 2024, 5:00 P.M.
3rd Floor Board Room, Historic Courthouse
326 Laurel Street, Brainerd, MN 56401

1. **Roll call:** Don Hales – Chair, Rebecca Best, Jon Auge, Sue Maske, Rock Yliniemi - present in person

Staff: Chris Pence, and Nicole Hausmann – Land Services

2. **Review and Approve the Meeting Minutes and Findings of Fact from the August 15, 2024, Planning Commission / Board of Adjustment Meetings.**

Action: Motion by Yliniemi; supported by Maske to approve the August 15, 2024, Planning Commission / Board of Adjustment Meeting Minutes and Findings of Facts.

Roll call vote: Auge, Best, Maske, Yliniemi, Hales – all voting “Aye”; Motion passed.

Meeting procedures were presented.

Board Members individually acknowledged they had received and read all comments submitted for the applications on tonight’s Agenda.

3. **Old Business**

3.1 Applicant: Knutson Contracting LLC – Variance Amendment

4. **New Business**

- 4.1 Applicant: Kurr, Christopher Edward & Ann Torrey – After-The-Fact Variance
- 4.2 Applicant: Kurr, Christopher Edward & Ann Torrey - Variance
- 4.3 Applicant: Kurr, Christopher Edward & Ann Torrey – Conditional Use Permit Amendment
- 4.4 Applicant: Brainerd International Raceway – Conditional Use Permit
- 4.5 Applicant: Brainerd International Raceway – Preliminary Plat of “Brainerd International Raceway Luxury Garages”
- 4.6 Applicant: Holder, Jeff A & Wendy – Conditional Use Permit
- 4.7 Applicant: Dechawuth, Thamrong & Khan, Anakaom - Variance
- 4.8 Applicant: Drager, Bruce J & Jodie L – Variance
- 4.9 Applicant: Bear, David A Jr. – Variance
- 4.10 Applicant: Olson, Christopher & Candy B – Variance
- 4.11 Applicant: Labine, Barry & Leslie – Variances
- 4.12 Applicant: Miller, John R & Marilyn A Family Trust – Variance
- 4.13 Applicant: Sundmark, Lee & Kelly – Variances
- 4.14 Applicant: Seiler, Sharon R Trust – Variances
- 4.15 Applicant: White, Miae & Dwayne – Variances
- 4.16 Applicant: Hoffman, Troy & Kathryn – Variances
- 4.17 Applicant: Bockelmann Living Trust - Variances

5. **Matters Not on the Agenda & Adjournment**

Vern Lewis, the authorized agent's partner, was present in-person. Pence read the variance request, as well as the property information into the record citing Land Use Ordinance and staff comments. Impervious surface coverage is at 18.5%. Reviewed the survey, and location of the proposed new septic system. The current septic system is failing and needs to be replaced. Reviewed location of the Mississippi River and the next step of this application being certified by the Mississippi Headwaters Board at their next meeting. This request is part of a property transfer with new owners. No comments received on this request.

Hales asked the authorized if he had any additional comments. None presented.

Hales called for public testimony for both in-person and virtual attendees. None presented. Hales then closed public testimony.

Best then read the onsite report into the record. Hales asked if there were any additional comments or discussion. None presented.

Hales asked Board Members if they have reviewed the preliminary Findings of Fact answers for a variance. All acknowledged they have. Hales asked if there were any changes or additions to the preliminary Findings of Fact answers. All agreed with the Findings of Fact as presented. Hales asked four questions to the authorized agent. Authorized agent confirmed and agreed to all questions. Pence reviewed potential conditions.

September 19, 2024, Action:

Decision: Motion by Maske; supported by Best to APPROVE the Variance requests for:

1. An OHW setback of 75 feet to proposed new septic system, where 100 feet is required.

To Allow:

- A new septic system, Certificate of Survey received 08/08/2024.

Approved Conditions:

1. Implement an erosion and sediment control plan utilizing best management practices (BMP's) prior to construction and dirt moving activities. The BMP's must remain in place until all disturbed soils are stabilized.
2. Septic soil treatment area is to be staked off prior to construction commencing and remain protected from compaction and damage until the system is installed.
3. The Mississippi Headwaters Board must certify any variance approval before a land use permit can be issued.

Roll call vote: Auge, Best, Maske, Yliniemi, Hales - all voting "Aye"; Unanimous, Motion carried.

Parcel Number: 81070503

Per findings of fact discussed 09/19/2024, the application submitted, the staff report, on-site conducted 09/05/2024, public testimony, and as shown on the Certificate of Survey received 08/08/2024 at the Land Services Department; Located in Oak Lawn Township, Crow Wing County, Minnesota

RECEIVED
By Nicole.Hausmann at 12:35 pm, Aug 08, 2024

Call 48 Hours before digging:
811 or call811.com
Common Ground Alliance

GENERAL NOTES

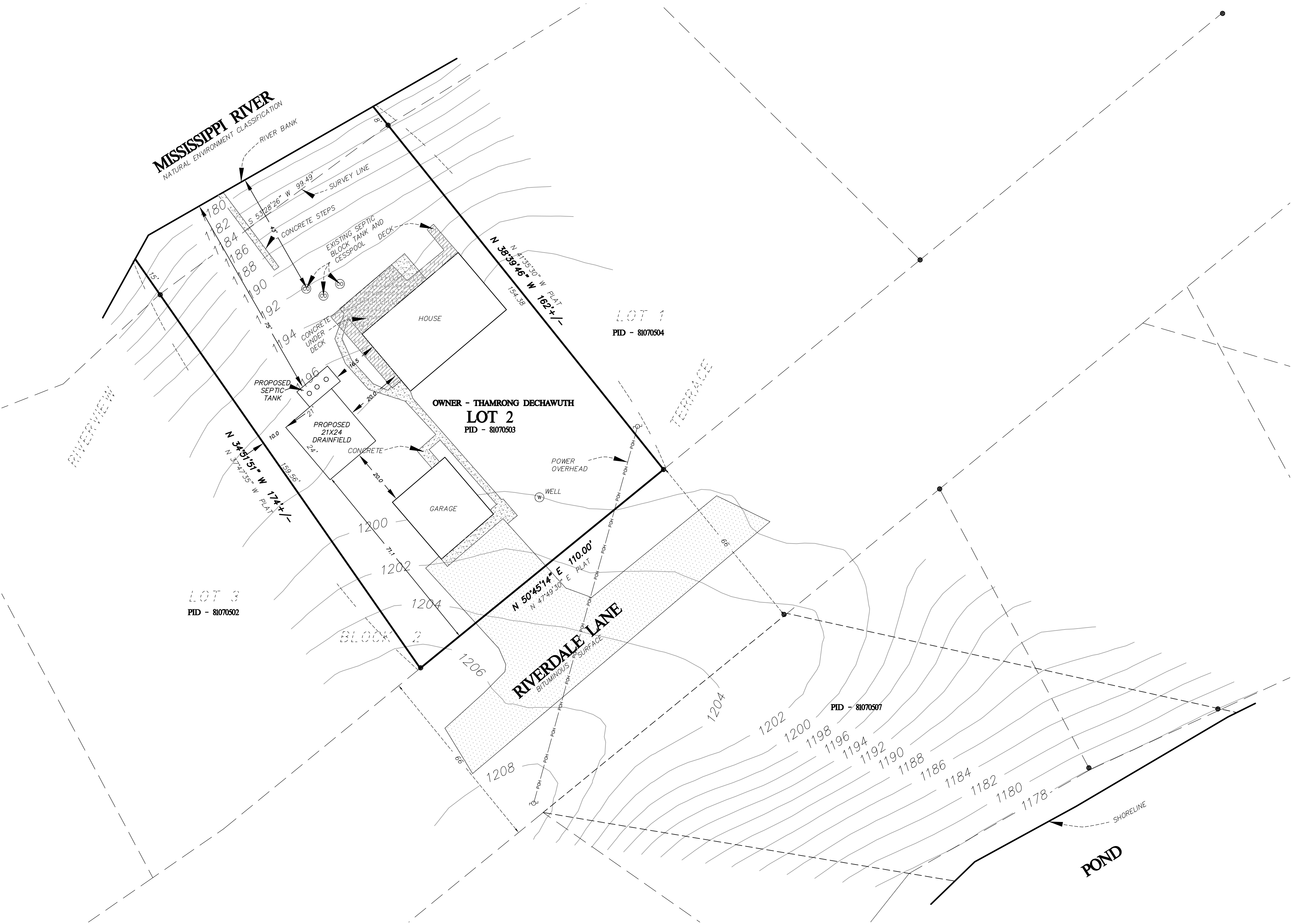
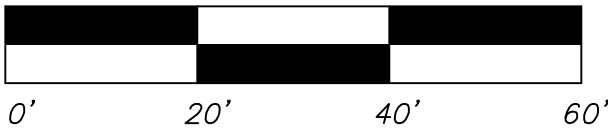
- No search for easements or restrictions, recorded or unrecorded, was made by the Surveyor.
- Bearings shown are based upon the Crow Wing County Coordinate System.
- The underground utilities shown have been located from field survey information. The surveyor makes no guarantees that the utilities shown comprise all such utilities in the area, either in service or abandoned.
- No wetlands were found by Brinks Wetland Service in June of 2024 a no wetland letter is on file at Crow Wing County.
- Total area of subject property: +/- 17,810 Sq. Ft. / 0.40 Acres.
- No bluffs exist on subject property.
- The purpose of the this survey is to replace a failing septic system. No new impervious is being added at this time.
- The existing and proposed impervious is 3003 SQ. FT. / 17,810 SQ. FT. x 100 = 18.54 %
- A new septic design was completed by 218 Septic on 8/21/23.
- There is no building envelope on subject property.

LEGEND

- DENOTES FOUND MONUMENT
- DENOTES POWER POLE
- DENOTES SEPTIC INSPECTION PIPE

LEGAL DESCRIPTION: (A PORTION OF DOCUMENT # 274526)

LOT TWO (2) IN BLOCK TWO (2) OF RIVERVIEW TERRACE, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE REGISTRAR OF TITLES IN AND FOR SAID COUNTY; EXCEPT ALL MINERALS AND MINERAL RIGHTS IN ALL OF THE ABOVE DESCRIBED LANDS; THE BED OF THE MISSISSIPPI RIVER BELOW THE ORDINARY HIGH WATER MARK IS EXCEPTED FROM THIS PROCEEDING.



Prepared for:

THAMRONG DECHAWUTH
16529 Riverdale Lane
Brainerd, MN 56401

**LOT 2, BLOCK 2
RIVERVIEW TERRACE**

Crow Wing County, Minnesota

CERTIFICATE OF SURVEY

Date: 6/26/24

24-137 CTF01.dwg



PLANNING COMMISSION/BOARD OF ADJUSTMENT

September 19, 2024, 5:00 P.M.

Historic Court House, 3rd Floor, County Board Room

326 Laurel Street, Brainerd MN 56401

(218) 824-1010, Fax (218) 824-1126, Web: www.crowwing.gov

PUBLIC HEARING INFORMATION

Property Owner: Dechawuth, Thamrong & Khan, Anakaom

Authorized Agent: Brandon Hedlund

Parcel Number: 81070503

Physical Address: 16529 Riverdale Lane, Brainerd, MN 56401

Township: Oak Lawn Township

Request:

Variance for an OHW setback to proposed new septic system.

Notification: Pursuant to Minnesota Statutes Chapter 394, and the Crow Wing County Land Use Ordinance, you are hereby notified of a public hearing before the Crow Wing County Planning Commission / Board of Adjustment. Property owners have been notified according to MN State Statute 394.26 & published in the Brainerd Dispatch. Please share this notice with any of your neighbors who may not have been notified by mail.

Information: The final information packet will be available for review after September 12, 2024, at

[HTTP://CROWWINGCOUNTYMN.IQM2.COM](http://CROWWINGCOUNTYMN.IQM2.COM) .

Please submit comments in writing, including your name and mailing address, to (landservices@crowwing.gov).

Any and all comments received will be presented to Board Members prior to the start of the Meeting.

Comments received between 5:00PM September 11, 2024, and 3:00PM September 19, 2024, will be emailed to the Board members prior to the September 19, 2024, 5:00PM meeting. Comments that are received prior to 5:00PM September 11, 2024, will be included in the Public online information packet that will be posted on the Crow Wing County Website.

Written comments regarding the following application will be accepted via mail or email any time prior to the September 19, 2024, Hearing. Any persons wishing to provide in-person Public Testimony will be allowed to do so at this Hearing. This Hearing will be conducted virtually via Microsoft Teams, to allow any virtual Public Testimony in addition to in-person Testimony. Comments may be submitted to Land Services, 322 Laurel St, Suite 15, Brainerd, MN 56401 or landservices@crowwing.gov

Persons wishing to attend virtually and/or provide public testimony via phone or virtually at the meeting may join via Microsoft

Teams with the following link: <https://bit.ly/PCBOA>

or call +1 218-302-1725 and enter the Conference ID: 797 394 749#

Please contact Land Services with any questions: 218-824-1010



NOTICE OF DECISION

****This letter is NOTICE to inform you of the results from the Public Hearing held on September 19, 2024, regarding the following application:**

Property Owner: Dechawuth, Thamrong & Khan, Anakaom

Authorized Agent: Brandon Hedlund

Parcel Number: 81070503

Physical Address: 16529 Riverdale Lane, Brainerd, MN 56401

Township: Oak Lawn Township

The following request(s) were approved by the Board of Adjustment at the meeting held September 19, 2024:

Variance for:

1. An OHW setback of 75 feet to proposed new septic system, where 100 feet is required.

To Allow:

- A new septic system, Certificate of Survey received 08/08/2024.

Approved Conditions:

1. Implement an erosion and sediment control plan utilizing best management practices (BMP's) prior to construction and dirt moving activities. The BMP's must remain in place until all disturbed soils are stabilized.
2. Septic soil treatment area is to be staked off prior to construction commencing and remain protected from compaction and damage until the system is installed.
3. The Mississippi Headwaters Board must certify any variance approval before a land use permit can be issued.

Please call Crow Wing County Land Services (218)-824-1010 with any questions you may have.

Our Vision: Being Minnesota's favorite place.

Our Mission: Serve well. Deliver value. Drive results.

Our Values: Be responsible. Treat people right. Build a better future. NLH/09.20.2024



Staff Report

Property Owner: Dechawuth, Thamrong & Khan, Anakaom

Authorized Agent: Brandon Hedlund

Parcel Number: 81070503

Physical Address: 16529 Riverdale Lane, Brainerd, MN 56401

Township: Oak Lawn Township

Application Submitted: 08/07/2024

Action Deadline: 10/07/2024

60 Day Waiver: N/A

No Wetland Letter: 05/22/2024

Septic Compliance: 08/15/2023 - Failing

Septic Design: 08/21/2023 – Variance required

Current Zoning: Shoreland District

Adjacent Land Use/Zoning:

North: Mississippi River

South: Shoreland District with Rural Residential 2.5

East: Shoreland District with Rural Residential 2.5

West: Shoreland

Request:

Variance for:

1. An OHW setback of 75 feet to proposed new septic system, where 100 feet is required.

To Allow:

- A new septic system, Certificate of Survey received 08/08/2024.

Existing Impervious Coverage: 18.5%

Proposed Impervious Coverage: 18.5%

09-05-2024 On-Site Comments: Hales, Maske, Best, Auge, Hausmann, Pence

- This request is to replace a failing system.
- This new system appears to be in the most logical location.

09/25/2023 Development Review Team Meeting Notes:

- Reviewed the proposal
 - Property owner is selling the property
 - Septic design has been submitted to the county and would need a variance
 - Limited on size and location because of the property
 - Requesting a wider and shorter drainfield
 - Current septic system is failing
- Discussed the process of a variance and MHB approval required
- Discussed placing the septic system on the parcel across the road (PID #81070507)
 - Parcels are so small the buyer wants to build a garage on that parcel and cannot build garage if septic is on that property
 - Need to be able to explain why they cannot place septic on another parcel
 - Should have septic professional provide a letter on why this is the best location
 - Recommend contacting multiple septic designers on options

NLH 08/21/2024

- Brandon believes that a variance would be required no matter where it is located
- The well is in front of the dwelling
- Tim discussed MHB concerns
 - Non-conforming lot
 - MHB is firm on variance setbacks
 - Brandon asked if septic systems in the area are across the lots or if they are on same lots of dwellings
 - Unsure, this would need to be researched
- Certificate of survey is required for a variance
- Wetland delineation would be required
- Nicole reviewed next steps

Parcel #81070503 **.44 Acres** **Zoning: Shoreland; Mississippi River**

This parcel was created by the plat of Riverview Terrace, 1968.

This Parcel is ☐ Abstract ☒ Torrens – Recording fees will be: \$46.00 for one parcel - \$66.00 for both parcels

Permit History:

- 08/26/1974 – Building permit to construct 24x26 garage
- 08/27/1974 – Public Hearing; to allow garage (approved)
- 03/07/1986 – Building permit to repair and replace of existing 12x24 patio (underneath existing deck)

Agencies Notified and Responses Received:

Oak Lawn Township: No comment received as of 09/19/2024

MHB: No comment received as of 09/19/2024

SWCD: No comment received as of 09/19/2024

Citizen Correspondence: No comment received as of 09/19/2024

Potential Conditions:

1. Implement an erosion and sediment control plan utilizing best management practices (BMP's) prior to construction and dirt moving activities. The BMP's must remain in place until all disturbed soils are stabilized.
2. Septic soil treatment area is to be staked off prior to construction commencing and remain protected from compaction and damage until the system is installed.
3. The Mississippi Headwaters Board must certify any variance approval before a land use permit can be issued.

Request:

Variance for:

1. An OHW setback of 75 feet to proposed new septic system, where 100 feet is required.

To Allow:

- A new septic system, Certificate of Survey received 08/08/2024.

Per findings of fact discussed 09/19/2024, the application submitted, the staff report, on-site conducted 09/05/2024, public testimony, and as shown on the Certificate of Survey received 08/08/2024 at the Land Services Department; Located in Oak Lawn Township, Crow Wing County, Minnesota







Property Information

:	<table><tr><th>Legacy PIN</th><th>PIN</th><th>Township</th><th>Lake</th><th>Physical Address</th><th>Owner</th><th>Owner Address</th><th>Section Township Range</th><th>Zoning District(s)</th><th>Acres</th></tr><tr><td>81111001003Z009</td><td>81070507</td><td>OAK LAWN TOWNSHIP</td><td></td><td>16529 RIVERDALE LN BRAINERD, MN 56401</td><td>DECHAWUTH, THAMRONG &</td><td>16529 RIVERDALE LANE</td><td>S:7.00000000 T:45.00000000 R:30.00000000</td><td>SD</td><td>0.3</td></tr><tr><td>811110020020009</td><td>81070503</td><td>OAK LAWN TOWNSHIP</td><td>MISSISSIPPI RIVER</td><td>16529 RIVERDALE LN BRAINERD, MN 56401</td><td>DECHAWUTH, THAMRONG &</td><td>16529 RIVERDALE LANE</td><td>S:7.00000000 T:45.00000000 R:30.00000000</td><td>SD</td><td>0.44</td></tr></table>	Legacy PIN	PIN	Township	Lake	Physical Address	Owner	Owner Address	Section Township Range	Zoning District(s)	Acres	81111001003Z009	81070507	OAK LAWN TOWNSHIP		16529 RIVERDALE LN BRAINERD, MN 56401	DECHAWUTH, THAMRONG &	16529 RIVERDALE LANE	S:7.00000000 T:45.00000000 R:30.00000000	SD	0.3	811110020020009	81070503	OAK LAWN TOWNSHIP	MISSISSIPPI RIVER	16529 RIVERDALE LN BRAINERD, MN 56401	DECHAWUTH, THAMRONG &	16529 RIVERDALE LANE	S:7.00000000 T:45.00000000 R:30.00000000	SD	0.44
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Are you the property owner?	No																														
Landowner Contact information:	Name: Thamrong Dechawuth Phone: (111) 111 - 1111 Mailing Address: 16529 Riverdale Lane Brainerd mn 56401																														

Authorized Agent

Authorized Agent Contact Info:	Name: Brandon Hedlund Phone: (218) 839 - 7568 Email Address: brandon@navnorthreal.com Mailing Address: 5445 City Hall Street Nisswa MN 56468
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Required Information

Please provide info about your existing septic system:	<u>Inspected within the last 3 years</u>
If septic is proposed or being upgraded, is septic design on file with CWC?	<u>Not on file</u>
Did you attend a Development Review Team (DRT) meeting?	<u>Yes</u>
To submit septic information, please choose file(s) and click the black button:	File 1:  kent_Carlson_design_2.pdf

Project Specifics

Please indicate type of variance(s) requested:	<u>Lake / River Setback</u> <u>Septic Tank Setback</u> <u>Septic Drainfield Setback</u>
Please explain your request:	Existing septic does not meet the updated setback guidelines in the Mississippi shoreline district. We'd like the county to approve a variance for the new septic to be placed near where the current failed septic is. The installer and designer believe they can make the system safe and effective within the bounds, but we'll need the variance approved. Our only other option would be to tunnel under the road and place drain field on the opposing side of the road with owners second lot, But that would all but eliminate his opportunity to build a second garage on said lot which was part of their perceived value for purchase when they bought the property.
Is survey already on file with Crow Wing County?	<u>No</u>
If not on file, please attach survey:	File 1:  24-137_CTF01_FINAL_1.pdf

Findings of Fact

1. Is the variance in harmony with the purpose and intent of the Ordinance?	No
2. Is the variance consistent with the Comprehensive Plan?	No
3. Is the property owner proposing to use the property in a reasonable manner not permitted by the Land Use Ordinance? Why?	Yes, the septic system needs to be replaced within the limited bounds of the property. The system can fit within the bounds but we need a variance approval.
4. Is the need for a Variance due to circumstances unique to the property and not created by the property owner? Why?	Yes, when this property was built the codes made it so that a septic could fit within the bounds available. Now, without being able to go closer towards the Mississippi river, we need a variance.
5. Will the issuance of a Variance maintain the essential character of the locality? Why?	Yes. Everything will still function in a similar manner to how it has since the property was established.
6. Does the need for a Variance involve more than economic considerations? Why?	No
Is this an after-the-fact application?	<u>No</u>

Terms

Terms & Conditions

1. Approval or denial of applications is determined by the Planning Commission/Board of Adjustment or the County Board of Commissioners at a Public Hearing meeting per Minnesota Statute 394 and the Crow Wing County Land Use Ordinance.
2. Land Use Permits and Individual Sewage Treatment System Permits are valid for two (2) years unless Septic Permit is to upgrade your systems, which is then valid for ten (10) months.
3. All corners of the proposed structure(s) need to be staked with visible flags, ribbon, or lathes prior to onsite inspection by Crow Wing County.
4. It shall be a violation of the Crow Wing County Land Use Ordinance to commence construction before the application is approved by the Planning Commission/Board of Adjustment.
5. The property owner or authorized agent may make application for a variance, conditional use permit, land use map amendment or plat agreeing to do such work in accordance with all Crow Wing County Ordinances. The property owner or authorized agent agrees that the application, certificate of survey and other attachments submitted herewith and which are approved by Crow Wing County are true and accurate. The property owner or authorized agent agrees that, in making the application for a variance, conditional use permit, land use map amendment or plat, the property owner grants permission to Crow Wing County, at reasonable times, to enter the property to determine compliance of the application with applicable ordinances and/or statutes. It is the property owners sole responsibility to contact other localities to ensure compliance with all relevant local, county or State law.
6. After a complete application is submitted, an on-site inspection may be conducted, and the application is reviewed. Changes to a project may require the application to be tabled at the Public Hearing.
7. The septic installer shall notify the Crow Wing County contracted inspector, Greg Kossan 218-839-2206, a minimum of twenty-four (24) hours before covering of any portion of the septic installation. Changes from the approved septic design will require approval by the County prior to construction.
8. Septic systems deemed to be failing by a qualified inspector need to be upgraded within ten (10) months. Septic systems that are deemed a risk to public health shall be upgraded and/or replaced as soon as possible.
9. Permits for a new septic system or for upgrades associate with an addition are valid for only two (2) years.
10. Applicants are responsible for getting all applicable entrance permits from the appropriate road authority.
11. Applicants acknowledge that they are in compliance with MN Contractor Licensing laws per MN Statute 326B.85.
12. Applicants acknowledge that they are in compliance with MN Statute 326.121 subd. 1 which states: The State Building Code is the standard that applies statewide for the construction, reconstruction, alteration, repair, use of buildings and other structures of the type governed by the code.
13. If you are doing excavation work, we are required to notify you of Minnesota Statute sections 216D.03 to 216.07.

Charge	Cost	Quantity	Total
Recording Fee added 08/07/2024 11:46 AM	\$46.00	x 1	\$46.00
Variance Application Fee added 08/07/2024 11:46 AM	\$600.00	x 1	\$600.00
Grand Total			
			Total
			\$646.00
			Payment 08/07/2024
			\$646.00
			Due
			\$0.00

Approvals

Approval	Signature
Applicant	Brandon Hedlund - 08/07/2024 4:38 PM e12ffe7215854e8e7eef2e609572ae73 20d0ae93606f13512fe9065e026dd5bc
#1 Environmental Services Staff (Reviewed)	Nicole Hausmann - 08/08/2024 12:36 PM 0006fcb312d9e1a18bceb9546c191960 ba05c949fedb16a1a60a3dea43791cd5
#2 Board Approval	

Public Notes

Text:	<div></div>
File(s):	<div></div>

Internal Notes

Text:	<div>08/07/2024 - Incomplete application. No fee received and AA form needs to be completed. Email sent to Brandon - NLH 08/08/2024 - Application received. COS, septic design needs variance, no wetland letter and fee received. Need AA form. NLH 08/13/2024 -AA form received. NLH</div>
File(s):	<div></div>

* * * * D U P L I C A T E * * * *

C r o w W i n g C o u n t y

Date: 8/7/2024 4:40 PM
Office: Aud-Treas Mach ID: -Not Speci
Cashier:iCart
Batch: 55264 Tran #: 18
=====

Land Use Applications

Receipt #: 01707256

Name: Brandon Hedlund

Cashier:

Info:

Parcel ID:

09230 Recording Fee \$46.00

Org: 01500501 Object: 55300

09200 Variance - Residen \$600.00

Org: 01510511 Object: 51550

Payment Total: \$646.00

=====

Transaction Total: \$646.00

iCart Tendered : \$646.00

DISCLAIMER:

Please verify that all parcels intended
to be paid are included on your receipt.
Crow Wing County will not be liable for
penalty, interest, or costs for taxes
not paid in a timely manner.

Your opinion is important to us.

Please take a moment to tell us

how we did today by completing

a short survey at:

<https://www.crowwing.us/90/Land-Services>

Thank you for your payment.
Have a nice day!

* * * * D U P L I C A T E * * * *

2:17

5G 92



Get Plus +



Mississippi Headwaters Board about our monthly board meeting on September 27th at 10 am in Walker Minnesota. Items will be approval of consent agenda, correspondence, planning and Zoning, approval and discussion, and county updates.



Please

We

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5G 92



ChatGPT >



Dear Mississippi Headwaters Board Members,

I hope this email finds you well. I would like to formally invite you to our upcoming monthly board meeting, which is scheduled for **Thursday, September 27th at 10:00 AM**. The meeting will be held in **Walker, Minnesota**.

The agenda items for discussion include:

1. Approval of the Consent Agenda
2. Correspondence
3. Planning and Zoning
4. Approval and Discussion of Key Items
5. County Updates

Your participation is crucial as we work together to address these important matters. Please confirm your attendance at your earliest convenience.

We look forward to seeing you there.



Message





MINNESOTA HERITAGE FOREST

TRANSITION TO PUBLIC OWNERSHIP PROGRAM

Northern Waters Land Trust &
MN Department of Natural Resources

BACKGROUND

In **November 2020**, **The Conservation Fund**, through its Working Forest Fund®, **purchased 72,440 acres from PotlatchDeltic**, representing the majority of the company's remaining timberlands in Minnesota. This significant acquisition, stretching across 14 counties, is **one of the largest land conservation projects in Minnesota's history**. The purchase and ultimate protection of Minnesota's Heritage Forest will support northern Minnesota's long tradition of timber production, wildlife conservation and outdoor recreation by preserving the state's working timberlands and contributing to both the timber and recreation economies.

TCF's purchase provides time for the development of permanent conservation strategies that will preserve working forestland, protect water quality and wildlife habitat, and enhance climate resiliency.

SOLUTION

NWLT and MN DNR are working together to **ensure this forested land remains forested**. NWLT will acquire **7,680 acres** and transfer to Counties for permanent management. MN DNR will acquire **10,688 acres** and manage as State Forest, WMA, and SNA land. This program has been **recommended for full funding by the Lessard-Sams Outdoor Heritage Council, totaling \$22,647,000**. If appropriated by the Minnesota Legislature, funding will become available July 1, 2024.

BENEFITS

1. Wildlife Protection

The acreage that comprise the Minnesota Heritage Forest supports more than 350 species, including many endangered, threatened, and rare species listed in Minnesota.

2. Habitat Corridors

With much of this land adjacent to public lands, their protection will build on the network of large, conserved landscapes and undivided forests that are essential to the ecology of the region.



photo credit: Brandon Hernandez

AT A GLANCE

ANTICIPATED GRANT FUNDING

NWLT

- 7,680 acres
- \$11,737,000 in Outdoor Heritage Funding

MN DNR

- 10,688 acres
- \$10,910,000 in Outdoor Heritage Funding

LETTERS OF SUPPORT

Aitkin County ~ Backcountry Hunters & Anglers ~ Bearville Township, Itasca County ~ Becker County ~ Beltrami County ~ Bemidji Area Forestry Affairs Council ~ Bigfork Township, Itasca County ~ Carlton County ~ Carpenter Township, Itasca County ~ Cass County ~ Center Township, Crow Wing County ~ Crow Wing County ~ Holyoke Township, Carlton County ~ Hubbard County ~ Hubbard County COLAs ~ Itasca County ~ Jeniffer O'Neill, Cass County Landowner ~ Koochiching County ~ Leech Lake Association ~ MN Conservation Federation ~ MN Deer Hunters Association ~ MN Timber Producers Association ~ National Wild Turkey Federation, MN Chapter ~ Saint Louis County ~ The Conservation Fund ~ Wadena County ~ Whitefish Area Property Owners Association

LANDS PROTECTED

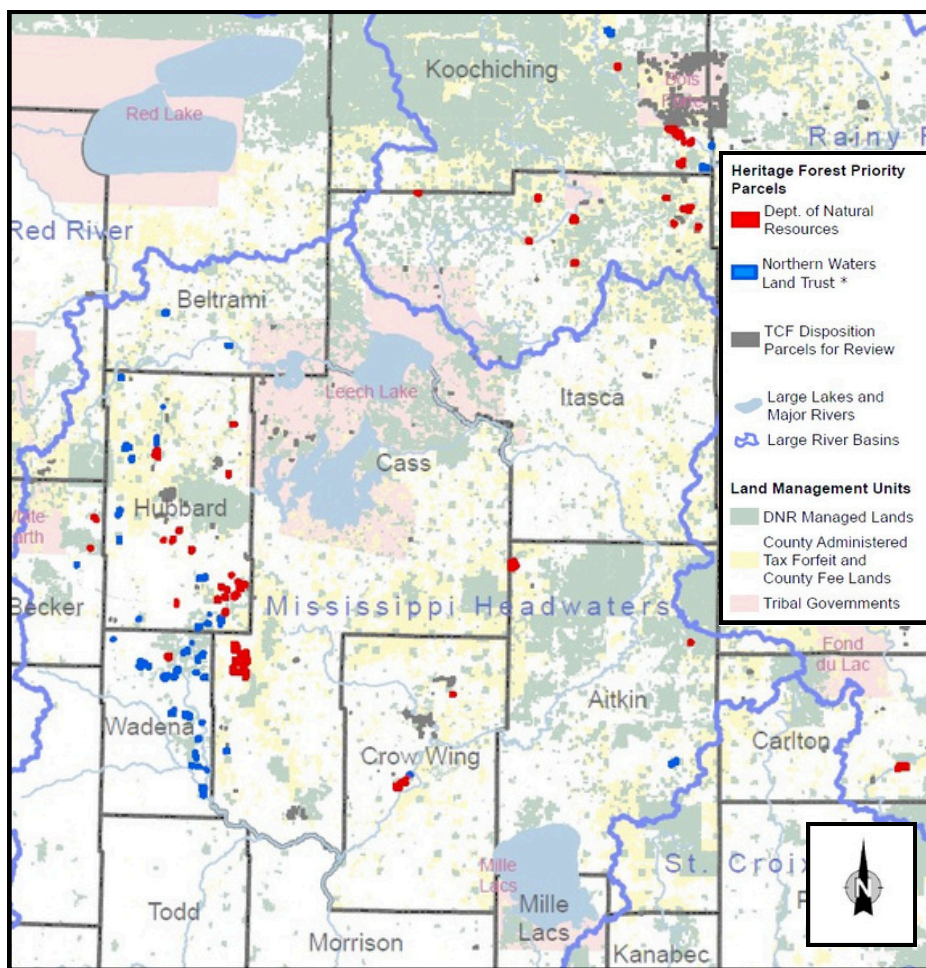
County	NWLT acres	DNR acres	Totals
Aitkin	320	686	1,006
Becker	80	200	280
Beltrami	286	0	286
Carlton	0	495	495
Cass	120	2,974	3,094
Crow Wing	110	585	695
Hubbard	1,849	2,690	4,539
Itasca	0	1,330	1,330
Koochi-ching	560	1,608	2,168
Saint Louis	1,000	0	1,000
Wadena	3,355	120	3,475
Totals	7,680	10,688	18,368

WHY NOW?

The Conservation Fund purchased these lands in 2020, with the goal of finding permanent “homes” for these forests by 2030.

Why protect these forested lands now?

- Forests and wildlife habitat will be protected forever.
- TCF will be selling the land at a bargain price.
- NWLT and DNR have support from the Lessard-Sams Outdoor Heritage Council to move forward with this large project.



WE NEED YOUR SUPPORT



Northern Waters Land Trust has **crucial preparation work to complete prior to the Outdoor Heritage Fund grant starting on July 1, 2024.** NWLT is actively seeking funds to support this important work. For more information about how you can support this effort, please contact Annie Knight at AnnieK@nwlt-mn.org.



Northern Waters
LAND TRUST



www.NorthernWatersLandTrust.org

Executive Director Report

August - September 2024

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 monthly variances as they are brought forward by counties.
6. Sent \$1500 invoice to Visit Grand Rapids for promotion of the Go Get Outdoors Blog, sweepstakes, and Great River Road fun places to eat and drink downtown near Miss. River).
7. Updated AIS contacts and AIS money appropriation per county.
8. Reviewed Crow Wing County revised recreational ordinance and provided public comment that it must be certified before the MHB board.
9. Responded to Zoom AI Companion survey and allowed the business to contact me via email. I want to discuss with them about a new AI Companion feature that will allow it to take meeting minutes on a variety of subject matters.

Meetings & Networking

8/20- Entered into agreement with Visit Grand Rapids to post four media posts that feature the values of the MHB and Grand Rapids from a recreational perspective. MHB will post an outdoor sweepstakes, Fall Paddle Trip Blog feature, Fall ride down the Great River Road video highlighting Fall paddle Trip to Grand Rapids (paddlehoppers video), and promote a last chance to enter a two-night trip. Send invoice for \$1500. 1000 lakes productions will send videos.

8/20- Attended the MN Water Policy tour meeting which hosted sites in Hubbard, Cass, and Crow Wing County. I presented before legislative members on the bus to talk about the MHB formation and history, and then provided an example of how easements and acquisitions are working together in our MHB easement and acquisition program.

8/26- Met with James Nysather and discussed the MHB role of providing recreational opportunities on the Mississippi river. James is looking at providing a service that transports people to a landing upstream and allows them to end at a landing downstream from there. He is looking at several opportunities and will get back with me if he decides to move forward.

8/28- Sent out emails to 286 people from the Resourcetainment list letting them know about the MHB website signage paddling opportunities.

8/30- Called or emailed 9 high schools, most of which were not talked with last year, and left a message about meeting with a class for the 2024-'25 school year.

9/3- Scheduled a high school career day with Royalton.

9/3- Attended Cass County board meeting and gave presentation about the MHB and need for an increase of \$1500 of county support. Cass already voted to support the increase and just wanted an update.

9/5- Researched Recreation Economy for Rural Communities 2024 application and see if Aitkin County wanted to apply for a planning assistance grant.

9/10- Attended Aitkin County board meeting and gave presentation about the MHB and need for an increase of \$1500 of county support. Aitkin voted unanimously for the letter of support.

9/11- Met with Paula West and discussed the need for an outreach coordinator. Because of personnel changes at the Nature Conservancy, Kayli is no longer available to help with outreach. We discussed the need for an outreach person, and it was decided that since 1W1P helps with the financial needs of the SWCD's, there is no need for someone to send out letters to landowners. MHB can still provide the outreach form letters. I will reach out to the SWCD's and ask them what there needs are in 2024 and see if the LSOHC grant can be beneficial to them.

9/17- Dropped off signage to Cohasset and Pokegama for the Tioga Beach to Pokegama dam paddling stretch.

9/18- Attended the North Central Conservation Roundtable (NCCR) and various governmental and non-profit conservation professionals attended. I provided an update on what the MHB is working on and others gave an update on their projects. This is a good opportunity because it allows agencies to hear and potentially partner on projects that have a similar goals and plans.