



**Mississippi Headwaters Board
Meeting Agenda
Cass County Courthouse
Walker, MN**

<https://us02web.zoom.us/j/86192784119>

May 23, 2025

9:00 am

9:00 AM

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

9:05 AM Approve/Amend

- Agenda
- Consent Agenda – March 2025 Expenses & Minutes

Correspondence

- Press Release

Planning and Zoning (Actions)

- NT5a25- Erin and Cliff Dodd

Action / Discussion Items:

- Darren Erickson Streambank Stabilization project
- Aitkin Soil & Water Request- action
- Aitkin Land Dept. Request- action
- Executive Directors report-discussion

Misc: Legislature Update (if any), County Updates

Meeting Adjourned - Thank you

Mtgs: June 27, 2025 9:00 AM- MHB Monthly Meeting, Walker, MN

October 31, 2025 9:00 AM- MHB Biennial Conference, Breezy Point Resort, Breezy Pt., MN

Mississippi Headwaters Board
April 25, 2025
Cass County Land Dept. building, Backus, MN
Optional interactive technology: <https://us02web.zoom.us/j/89573251059>

MEETING
MINUTES

Members present: Ted Van Kempen (Hubbard video), Steve Barrows (Crow Wing), Scott Bruns (Cass), Bobby Kasper (Morrison), Craig Gaasvig (Beltrami video), and Tim Terrill (Executive Director).

Video Interactive Reasons: Scheduling differences

Others Present: Clarissa Spicer (MN DNR), Matt Murray (Murray Surveying), Jim Baruth (Frohn Township administrator), Matt and Sarah Albers (landowners).

Pledge of Allegiance

Chair Ted VanKempen asked if there were any additions to the agenda. No changes to the agenda. **M/S (Bruns/Kasper) to approve of the agenda. Motion carried unanimously.**

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

Correspondence/Outreach

1. Press Release- Tim presented the board with the press release which talked about the MHB board wanting their executive director to produce a survey that the high school teachers could fill out. The purpose was to see if the material being presented is understandable to the students.

Planning and Zoning

None

Action/Discussion:

1. Oak Haven Resort/Campground discussion- Tim introduced Matt Murray from Murray Surveying to hold a discussion with the board about a potential CUP. Tim stated that this is not a voting item but more of a discussion that the landowners and Frohn Township would like to have with the board before any movement forward. Matt Murray discussed the potential replacement of existing cabin structures at the Oak Haven Resort with RV sites. The potential proposal would involve replacing two cabins and one large lodge with RV sites under the nonconforming provisions. The teardown of the existing buildings and lodge could happen within 1 year of approval and certification of the CUP, but they would like to have an extended amount of time to rebuild the lodge due to the cost of the project.

They asked if the board would have any objections to certifying the results of the township. Discussion ensued and the board inquired about the connection of the RV sites to the existing septic system and if it was up to date and approved. Landowner Matt Albers said that a new septic system was installed around 2020 or 2021 for the existing cabins, and it would be used for the RV sites. The board discussed the zoning and non-conforming lot issues related to the Mississippi river. They agreed that the existing structures that would be torn down and replaced were not in the 150 foot setback. Administrator Jim Baruth said that this change in use would decrease the footprint size, impervious surface, and current demand on the septic system.

Executive Director Tim Terrill showed the board the MHB Comprehensive plan and asked if the board thought this was an expansion or conversion of a campground, or if it was a new campground? Comm. Gaasvig said it was more like a hybrid and not a problem. He asked if Frohn Township was in favor of it, and Administrator Jim Baruth stated that members were in favor of it. Comm. Van Kempen noted that he wasn't sure how long the township could extend the extension of rebuilding the lodge, and Comm. Gaasvig said that ten years should be the maximum to extend it. Landowner Albers said he would comply with the conditions of the extension given by the township if it is passed at the local level. Comm. Barrows asked if this should be under a CUP or an interim use permit (IUP), and Comm. Gaasvig said he would like to see it as a CUP as it would go with the land.

Comm. Gaasvig asked for consensus and said that he had no problem with it due to the fact it will decrease the impervious surface and demand on the septic system. Comm. Van Kempen, Kasper, Barrows, and Bruns all stated that they agreed with the plan presented and that the township should move forward.

2. NE MN DNR Regional Director- Clarissa Spicer introduced herself to the board stated that she was the new NE MN DNR Regional Director who replaced Shelly Patten. She stated some of her job duties but wanted to formally introduce herself to the board. The board members thanked her for coming and wished her well.
3. High School Survey Feedback- The Mississippi Headwaters Board (MHB) has a program where they give a presentation to local high schools in the eight county area in which they talk with students about what the MHB does, and career paths for high schoolers to consider in the conservation field. The MHB developed this program several years ago because they care about the future of conservation and want to make students aware of the opportunities available to them. Tim discussed the feedback he received from students over the 2024-2025 school year and noted that some students learned that we need to take care of our water. Other students said they learned that government agencies obtained grants to help protect the water and animal habitat in the area, and were interested in pursuing a conservation job after high school. Tim also mentioned the importance of broadening the student minds about various careers in conservation, and noted that six high schools were reached totaling sixty-nine students. Comm. Barrows encouraged Tim to begin now lining up schools for next year so that he may get a better response from them. Tim agreed and would begin calling schools this year to line them up for the next school year.
4. Comprehensive Plan Discussion- Tim discussed that he send out the comprehensive plan list of items to potentially update to the MHB commissioners and he received no feedback from them. **M/S (Gaasvig/Barrows) to leave plan as it currently is and update 5 years later.** Comm. Van Kempen stated that he hasn't seen anything recurring on the list in the past few meetings. Comm. Barrows asked if we could update this plan if we see a future problem occur, and Commissioners agreed that they can deviate from the planned update schedule if they see a problem. **Motion carried unanimously.**
5. Budget discussion- Tim went over in detail about the current budget and highlighted the current revenue and expenses. He projected an opportunity of around \$10,000 to \$15,000 that could be conveyed to counties for conservation efforts as was done in the past, or possibly look at funding the Keep It Clean campaign through our MN Traditions social media. Tim stated that currently the MPCA is

informally funding the Keep It Clean campaign, and there is a bill in the legislature to formally move it to an existing state agency like the MPCA. Discussion ensued and Comm. Barrows brought up the fact that our authority is on the Miss. River and headwaters lakes and would like to see our efforts focused more on where our authority lies. Comm. Gaasvig said he sees this more like the AIS social media prevention program to assist with awareness messaging. He asked if there were any videos or material currently available to run on the MN Traditions social media, and Tim stated that he has only seen a few videos, and many information materials. He said that when using social media, it is best to use videos because research shows that people respond and engage with them better than static information. Comm. Gaasvig suggested that Tim work with the MPCA and ask them to present to the board next month on how MHB could help. He would like to see where we could get the biggest bang for the buck.

Executive Directors Report

1. Tim updated the board on HF 2940 which would increase support to the MHB. He said that the bill is on the docket but lacks a democratic co-sponsor for bipartisan support. He says he has been unable to contact the Author Josh Heintzeman. Comm. Barrows asked if he had a list of Rep. and Sen. that was sent to Heintzeman and Tim said that he has the names written in his executive director's report. Comm. Barrows said he would contact them as this would help Heintzeman out.
2. Tim said that Comm. Kasper reached out to him two months ago to look at some type of Miss. River park clean up so Tim stated that he reached out to Morrison County public works worker Drew Hatzenbihler to see if they could get something going. Drew said he reached out schools and the SWCD to try to pull something together and stated that if they don't get a small group together this year, they could probably do a better job next year in 2026.
3. Tim said he had a meeting with the Crow Wing SWCD and SAEHR consulting to discuss the process for a CUP permit for the gully repair project that will be constructed this year. He said he made some suggestions for improvement to the design and advised SAEHR on the zoning process to move forward.

County Updates

Comm. Barrows brought up to the board that he would like to discuss with them if the MHB approves of too many variances. He said he is only mentioning this for discussion and not suggesting any type of action. Comm. Gaasvig thanked him for bringing it up and said that the board has local control and works well with planning and zoning, and some townships have even more strict ordinances than the MHB. Comm. Barrows stated that he isn't suggesting the MHB go away but merely stating if we approve of almost all variances, are we slowly diminishing our protection intent. Comm. Van Kempen said that we mostly deal with non-conforming lots and in many cases we have mitigating conditions that improves the existing conditions. Comm. Barrows thanked the board for their comments.

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

Ted Van Kempen, Chair

Executive Director Tim Terrill

April SFY'25 Budget Summary

		YTD spending/rei mbursement	Projected Budget	% of budget spent	
Revenues:	Monthly Amount				Notes
Governor's DNR grant (53290)		\$ 85,661.64	\$ 117,800.00	72.72%	non competitive quarterly reimbursement
LSOHC grant (53290)	\$ 2,538.24	\$ 10,546.74	\$ 8,000.00	131.83%	LSOHC reimbursement
Guidebook sales (58400)	\$ 100.00	\$ 118.32	\$ 200.00	59.16%	reimbursment for Guidebook sales
Enbridge program (58300)		\$ 8,021.13	\$ 11,000.00	72.92%	enbridge reimbursement
Miscell. Other revenue (58300)	\$ 4,390.00	\$ 5,890.00	\$ 9,000.00	65.44%	AIS reimbursement
MCIT Dividend (58300)		\$ 36.00	\$ 42.00	85.71%	MCIT refund
County Support (52990)		\$ 12,000.00	\$ 12,000.00	100.00%	8 county support
Total	\$ 7,028.24	\$ 36,612.19	\$ 40,242.00		
Expenses:	Monthly Amount				Notes
Salaries/Benefits					
FICA/Med/PERA/LIFE/LTD/Hlth/ WC(61000)	\$ 9,410.26	\$ 95,045.14	\$ 120,000.00	79.20%	reimbursed by Gov. DNR grant
MCIT insurance/work comp/liability (61500)		\$ 2,795.00	\$ 3,022.00	92.49%	reimbursed by Gov. DNR grant
MHB board Per Diem (62680)	\$ 150.00	\$ 1,950.00	\$ 3,000.00	65.00%	reimbursed by Gov. DNR grant
Hotel/Meals/travel exp. (63340)		\$ 227.67	\$ 500.00	45.53%	reimbursed by Gov. DNR grant
Commissioner Mileage (62720)	\$ 92.40	\$ 2,402.86	\$ 3,500.00	68.65%	reimbursed by Gov. DNR grant
Employee Mileage (63320)	\$ 246.82	\$ 2,852.64	\$ 4,500.00	63.39%	reimbursed by Gov. DNR grant
Professional Services (62990)	\$ 1,104.00	\$ 10,474.00	\$ 35,000.00	29.93%	CW financial services, website renewal
Office supplies/operations (64090)	\$ 61.66	\$ 893.06	\$ 3,000.00	29.77%	telephone
Training & Registration Fees (63380)		\$ 360.00	\$ 800.00	45.00%	
Total	\$ 11,065.14	\$ 117,000.37	\$ 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 amounts are in the fiscal year.

ACCOUNT DETAIL HISTORY FOR 2025 04 TO 2025 04

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC	REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
74830	53290			Natural	Resources						
								REVISED BUDGET			.00
							PER 01		-31,013.04 -8,051.74	-31,013.04 -39,064.78	
25/04	1668	04/28/25	GNI								
	ST OF MN			HABITAT	CORRIDOR PROJECT						
	LEDGER BALANCES	---	DEBITS:			.00	CREDITS:	-39,064.78	NET:	-39,064.78	
74830	58300			Miscellaneous	Other Revenue						
								REVISED BUDGET			.00
							PER 01		-17,750.00	-17,750.00	
							PER 02		-32,700.00	-50,450.00	
							PER 03		-13,000.00	-63,450.00	
25/04	778	04/15/25	GNI	771636	Britny.McC	58300			-350.00	-63,800.00	
	iNovah			Goodhue	AIS support						
	LEDGER BALANCES	---	DEBITS:			.00	CREDITS:	-63,800.00	NET:	-63,800.00	
74830	58400			MHB - Sales							
								REVISED BUDGET			.00
25/04	1044	04/18/25	GNI	773375	Britny.McC	58357			-100.00	-100.00	
	iNovah			Guidebook	sale						
	LEDGER BALANCES	---	DEBITS:			.00	CREDITS:	-100.00	NET:	-100.00	
74830	61000			Salaries & Wages - Regular							
								REVISED BUDGET			.00
							PER 01		6,215.61	6,215.61	
							PER 02		6,625.85	12,841.46	
							PER 03		6,464.23	19,305.69	
25/04	415	04/04/25	PRJ	PR0404	1250404	1250404	1250		3,232.11	22,537.80	
	PAY040425			WARRANT=250404	RUN=1	BI-WEEKL					
25/04	973	04/18/25	PRJ	PR0418	1250418	1250418	1250		3,232.12	25,769.92	
	Pay041825			WARRANT=250418	RUN=1	BI-WEEKL					
	LEDGER BALANCES	---	DEBITS:			25,769.92	CREDITS:	.00	NET:	25,769.92	

ACCOUNT DETAIL HISTORY FOR 2025 04 TO 2025 04

ORG YR/PR	OBJECT PROJ JNL EFF DATE	SRC REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
74830	61200	Active Insurance							
						REVISED BUDGET			.00
					PER 01		2,034.70	2,034.70	
					PER 02		2,034.70	4,069.40	
					PER 03		2,034.70	6,104.10	
25/04	415 04/04/25	PRJ PR0404	1250404	1250404	1250		1,006.02	7,110.12	
	PAY040425	WARRANT=250404 RUN=1 BI-WEEKL							
25/04	973 04/18/25	PRJ PR0418	1250418	1250418	1250		1,031.28	8,141.40	
	Pay041825	WARRANT=250418 RUN=1 BI-WEEKL							
	LEDGER BALANCES --- DEBITS:			8,141.40	CREDITS:	.00	NET:	8,141.40	
74830	61300	Employee Pension & FICA							
						REVISED BUDGET			.00
					PER 01		871.06	871.06	
					PER 02		933.21	1,804.27	
					PER 03		908.73	2,713.00	
25/04	415 04/04/25	PRJ PR0404	1250404	1250404	1250		454.37	3,167.37	
	PAY040425	WARRANT=250404 RUN=1 BI-WEEKL							
25/04	973 04/18/25	PRJ PR0418	1250418	1250418	1250		454.36	3,621.73	
	Pay041825	WARRANT=250418 RUN=1 BI-WEEKL							
	LEDGER BALANCES --- DEBITS:			3,621.73	CREDITS:	.00	NET:	3,621.73	
74830	62100	Telephone							
						REVISED BUDGET			.00
					PER 01		61.53	61.53	
					PER 02		61.80	123.33	
					PER 03		61.46	184.79	
25/04	970 04/16/25	API 006205		236220	40840		6.66	191.45	
	W C042225	COUNTY WIDE - BILL			CONSOLIDATED TELECOM				
25/04	973 04/18/25	PRJ PR0418	1250418	1250418	1250		55.00	246.45	
	Pay041825	WARRANT=250418 RUN=1 BI-WEEKL							
	LEDGER BALANCES --- DEBITS:			246.45	CREDITS:	.00	NET:	246.45	
74830	62680	Non-Employee Per Diems							
						REVISED BUDGET			.00
					PER 01		200.00	200.00	
					PER 03		500.00	700.00	
25/04	1599 04/29/25	API 100532		236803	1963772		50.00	750.00	

ACCOUNT DETAIL HISTORY FOR 2025 04 TO 2025 04

ORG YR/PR	OBJECT JNL	PROJ EFF DATE	SRC	REF1	REF2	REF3	CHECK #	OB	AMOUNT	NET LEDGER BALANCE	NET BUDGET BALANCE
	W	A042925	MHB	MEETING	4/25/2025	MORRISON	COUNTY AUDI				
25/04	1599	04/29/25	API	003257		236805		40913	50.00	800.00	
	W	A042925	MHB	MEETING	4/25/2025	GAASVIG, CRAIG					
25/04	1599	04/29/25	API	003356		236806		40914	50.00	850.00	
	W	A042925	MHB	MEETING	4/25/2025	HUBBARD COUNTY TREAS					
	LEDGER BALANCES --- DEBITS:					850.00	CREDITS:		.00	NET:	850.00
74830	62720	Non-Employee Mileage									
							REVISED BUDGET				.00
							PER 01		285.60	285.60	
							PER 03		555.80	841.40	
25/04	1599	04/29/25	API	006980		236804		40917	92.40	933.80	
	W	A042925	MHB	MILEAGE	4/25/2025	ROBERT F. KASPER					
	LEDGER BALANCES --- DEBITS:					933.80	CREDITS:		.00	NET:	933.80
74830	62990	Prof. & Tech. Fee - Other									
							REVISED BUDGET				6,300.00
							PER 01		9,735.32	9,735.32	
							PER 02		525.00	10,260.32	
							PER 03		525.00	10,785.32	
25/04	333	04/01/25	API	001180		235413		40717	146.00	10,931.32	
	W	A040125	CASS	POSTAGE		CASS SWCD					
25/04	333	04/01/25	API	004261		235414		40724	579.00	11,510.32	
	W	A040125	WEBSITE	RENEWAL		SOUTHPOINT					
25/04	503	04/08/25	API	101649		235824		1963336	5,367.50	16,877.82	
	W	A040825	PAULA WEST	INVOICE #4		WEST COMMUNICATIONS					
25/04	770	04/15/25	API	003534		236147		1963497	59,410.00	76,287.82	
	W	A041525	FWS MN	TRADITIONAL		FISHING THE WILDSIDE					
25/04	770	04/15/25	API	000729		236148		40831	800.00	77,087.82	
	W	A041525	BRINKS	PARCEL INVENTORY		BRINKS WETLAND					
25/04	1818	04/30/25	GEN						525.00	77,612.82	
			RECURRING	FINANCIAL SERVICE							
	LEDGER BALANCES --- DEBITS:					77,612.82	CREDITS:		.00	NET:	77,612.82

ACCOUNT DETAIL HISTORY FOR 2025 04 TO 2025 04

ORG	OBJECT	PROJ									NET LEDGER	NET BUDGET
YR/PR	JNL	EFF DATE	SRC	REF1	REF2	REF3	CHECK #	OB	AMOUNT		BALANCE	BALANCE
74830	63320		Employee Mileage									
							REVISED BUDGET					.00
							PER 01		248.97		248.97	
							PER 02		408.10		657.07	
							PER 03		159.11		816.18	
25/04	1382	04/29/25	API	007742		236772	1963764		246.82		1,063.00	
	W	C042925	March	mileage		TERRILL,TIM						
								</				

22 Records printed

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



IMMEDIATE PRESS RELEASE 5/1//25

Media Contact

Tim Terrill

218-824-1189

timt@mississippiheadwaters.org

www.mississippiheadwaters.org

322 Laurel St.

Brainerd, MN 56401

Mississippi Headwaters Board Approves of Outreach Contract with Hubbard Soil & Water Conservation District

The Mississippi Headwaters Board (MHB) approved of a contract with the Hubbard SWCD to help fund outreach to landowners interested in conservation easements and land protection programs. Based on the success of five different events held in previous years by the SWCD, the Miss. Headwaters Board recognized that landowners need to be informed of all their conservation options when considering land protection decisions. Comm. Van Kempen thought it was a good outreach program and asked if this opportunity was offered to the other seven county SWCD's, and Executive Director Tim Terrill replied that all eight county SWCD's were introduced to the outreach model and given an opportunity to develop a contract with the MHB should they decide to pursue that option.

Protect Our Waters: Clean, Drain, Dry Your Boat!

Help stop the spread of aquatic invasive species.
Every time you leave the water, remember to:

CLEAN

- Remove all plants, animals, mud, and debris from your boat, trailer, and gear.
- Inspect propellers, axles, rollers, and all parts of your boat.
- Wash with high-pressure, hot water when possible.

DRAIN

- Drain all water from bilges, ballast tanks, live wells, motors (lower motor), and coolers.
- Open all drain plugs and keep them out during transport.

DRY

- Let your boat and gear dry for at least 5 days before entering another body of water.
- Use a towel to speed up the drying process if needed.

WATCH HOW IT'S DONE!



Let's work together to protect our lakes, rivers, and wildlife.
Thank you for doing your part!

NORTHERN TOWNSHIP PLANNING BOARD & COMMISSION

PLANNING CASE: V-20250008	NPC MEETING DATE: April 21, 2025	NTB MEETING DATE: April 28, 2025
APPLICANT: Erin Swingen Dodd and Cliff Dodd	60-DAY RULE DATE: June 27, 2025	
PROCEEDING: Variance Permit – New house on nonconforming lot in shoreland overlay	ZONING DISTRICT: R2	
PREPARED BY: Chris Lahn Township Administrator	EXHIBITS: Application, maps	

NPC/NPB MEMORANDUM

I. SUMMARY OF REQUEST

Erin Swingen Dodd and Cliff Dodd are requesting two variances to build a new home at 1530 Birchmont Beach Road NE (parcel #31.00980.00), replacing the existing cabin. The lot is substandard in size and located in the shoreland overlay district of Lake Bemidji. The revised request seeks:

1. A 20-foot variance to allow the new house to be constructed 80 feet from the Ordinary High Water (OHW) line instead of the required 100 feet.
2. An 8% variance to allow impervious surface coverage of 33%, where a maximum of 25% is permitted.

All other zoning requirements, including side and rear setbacks, will be met. The new design also reduces impervious coverage from the existing 37%. A septic system is proposed to be located between the new home and Birchmont Beach Road, taking into consideration well setbacks and site constraints.

II. BACKGROUND

This case was previously reviewed and approved by the Planning Commission in 2024. That approval included multiple variances related to a full site redevelopment. Since that time, the applicants have revised their plans due to final septic system siting, and are now bringing forward an updated proposal with a narrower scope.

The updated application includes only two variances, both of which are consistent with or reduced from the previous approval: the requested setback from the OHW line and an impervious surface variance. The revised site plan maintains conformity with

side and rear yard setbacks and improves stormwater mitigation.

The key constraint driving this revision is the location of a shallow well on the neighboring parcel. The neighbor does not wish to replace the well with a deeper system, and under state law, a septic system must be located at least 100 feet from a shallow well. This limits septic placement on the Dodd parcel, leaving only the northwest corner of the site viable for treatment system infrastructure. However, the northwest corner is not large enough to accommodate a conventional Type 1 septic system. According to Juelson Plumbing & Heating Inc., the area can support a smaller Type 3 septic system with controlled dosing and an overflow tank to handle peak volumes. The proposed location of the house allows the necessary space for this alternative system design.

SITE INFORMATION

Site Development	Existing	Proposed	Required	Variance
Structure setback to OHWE	103 ft	80 ft	100 ft	20 ft
Side yard – west	7.6 ft	10 ft	10 ft	0 ft
Side yard – east	1.3 ft	10 ft	10 ft	0 ft
Rear yard (road side)	[n/a]	50 ft	50 ft	0 ft
Impervious surface coverage	37%	33%	25%	8%

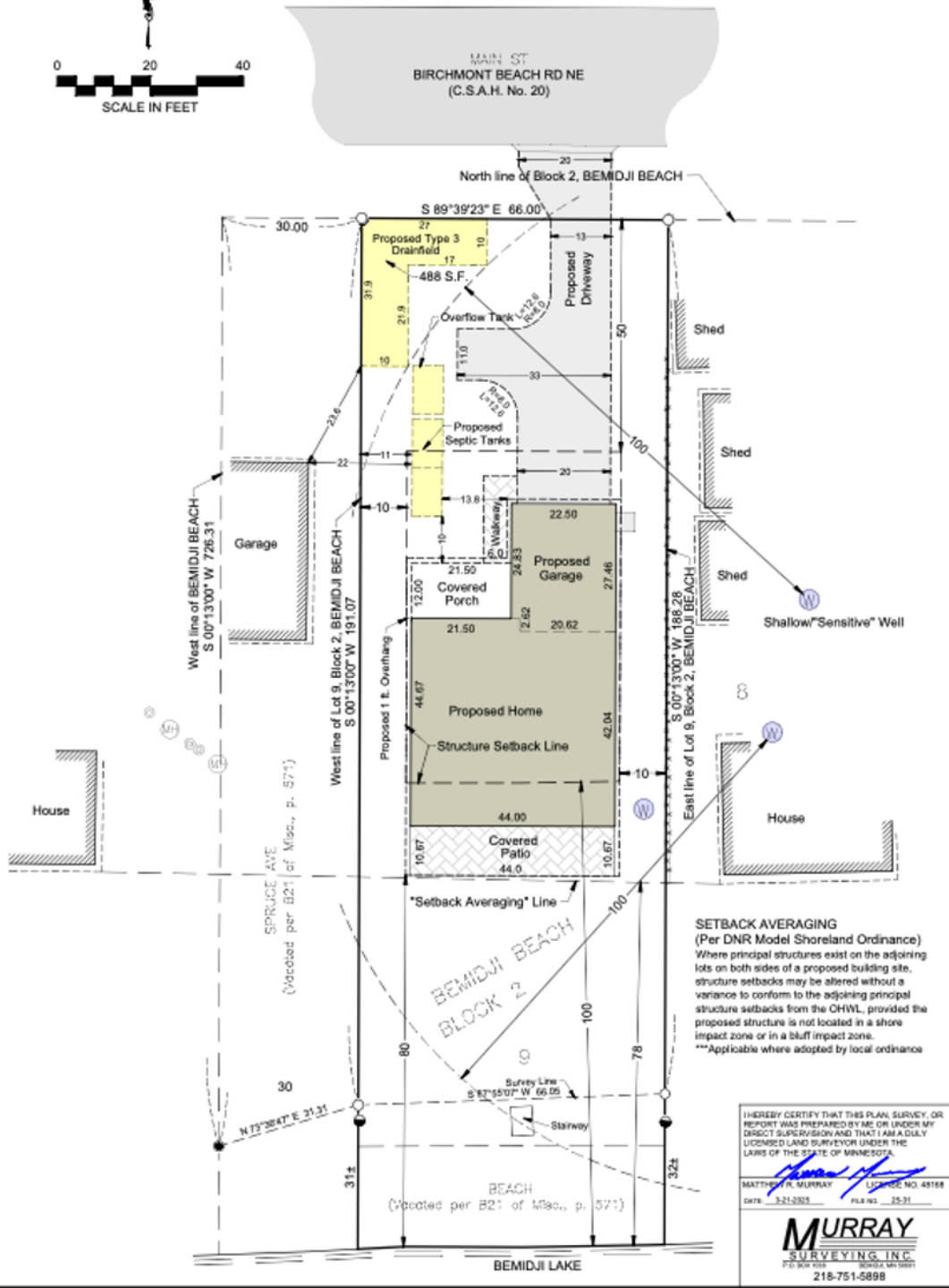
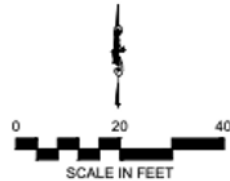
CURRENT PROPOSED SITE LAYOUT 2025

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)	80	20
Setback (Rear - Road)	50	-6.3 (garage)	60.7	
Setback (Side - West)	10	7.6 (cabin)	10	
Setback (Side - East)	10	1.3 (cabin)	10	
Impervious Surface	3,652 (25%)	5,413± (37%)	4,790 (33%)	1,138± (8%)
Septic Drainfield	10		0	10



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
MATTHEW R. MURRAY LICENSE NO. 43168
DATE: 3-21-2025 FILE NO. 35-31
MURRAY
SURVEYING, INC.
P.O. BOX 100 BORDERS, MN 55901
218-751-5898

III. PUBLIC HEARING & DISCUSSION

Public Hearing opened at 6:08

Public Hearing closed at 6:14

Public members had the following comments:

Surveyor Matt Murray discussed the reasons behind the variance request, explaining the location of the neighbors well, the proposed placement of the house meeting DNR setback averaging standards, and that this is a request for the septic system as a backup if the Township wastewater system is not installed. Otherwise, they will plan on using temporary holding tanks, in accordance with County and State rules until the Township wastewater system is installed.

Commission members had the following comments:

There was general consensus this was a reasonable request.

IV. BOARD OF ADJUSTMENT MEETING 4-28-25

The Board of Adjustments heard the report and recommendations from the Planning Commission and there was broad consensus agreeing with the Planning Commission's recommendation.

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. See surveyor practical difficulty analysis.

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

Yes. See surveyor practical difficulty analysis.

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. See surveyor practical difficulty analysis.

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

Yes. See surveyor practical difficulty analysis.

Motion to approve variance as requested.

1st – Curt Blumhagen

2nd – Rhonda Dockendorf

ayes 5

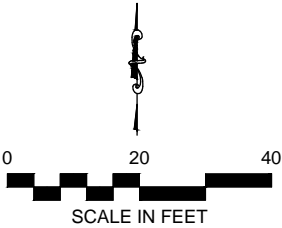
nayes 0

motion carries

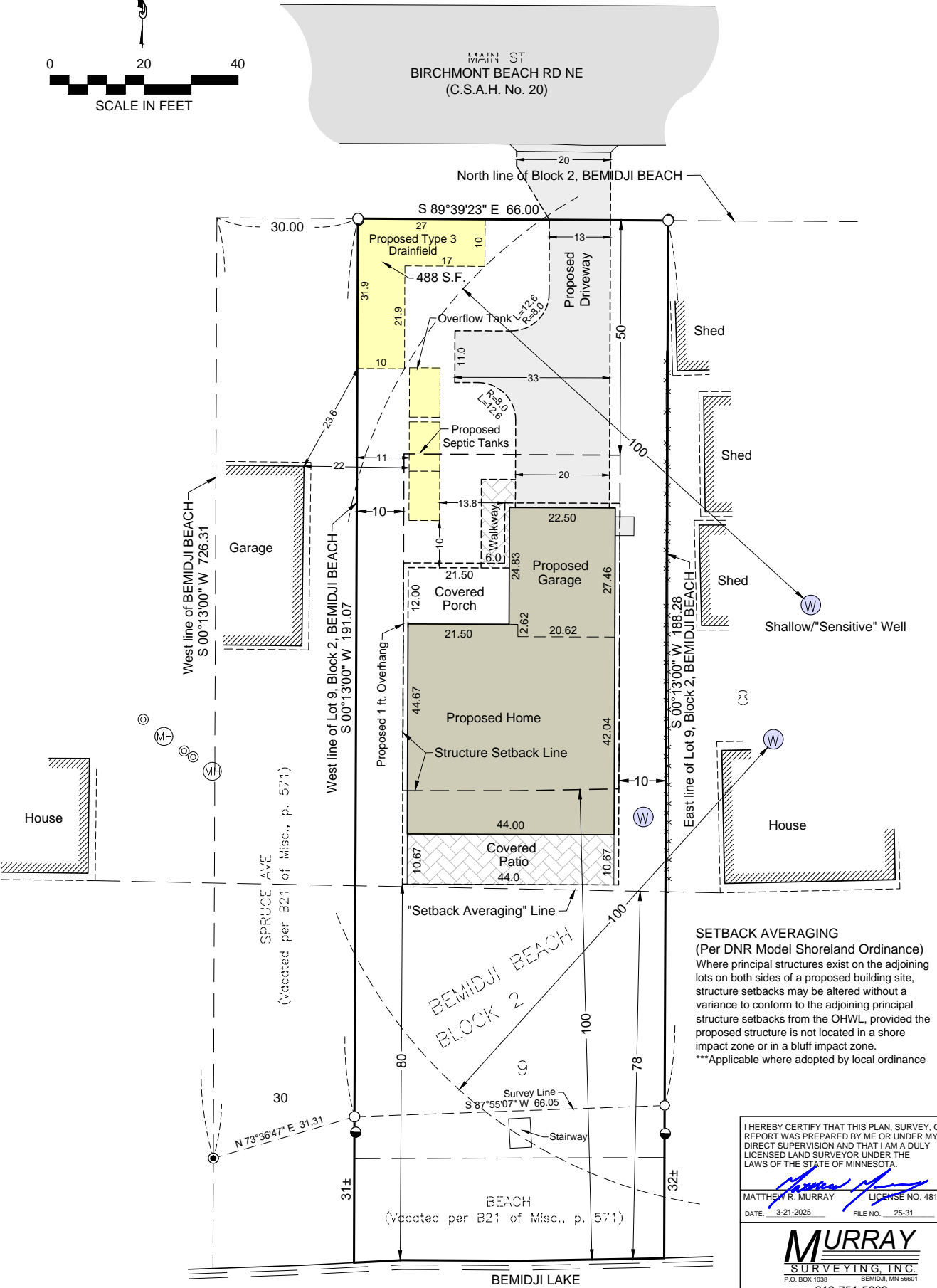
Site Plan(s)

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)	80	20
Setback (Rear - Road)	50	-6.3 (garage)	60.7	
Setback (Side - West)	10	7.6 (cabin)	10	
Setback (Side - East)	10	1.3 (cabin)	10	
Impervious Surface	3,652 (25%)	5,413± (37%)	4,790 (33%)	1,138± (8%)
Septic Drainfield	10		0	10



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: 3-21-2025 FILE NO. 25-31

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

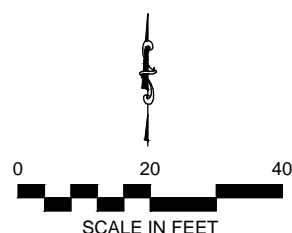
PRELIMINARY
Subject to final roof design

Parcel Address: 1530 Birchmont Beach Rd NE

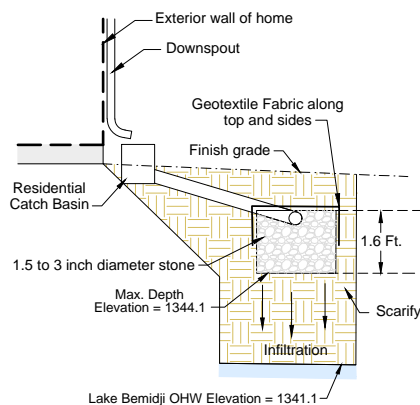


PROPOSED TREATMENT VOLUME

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 R10000L.

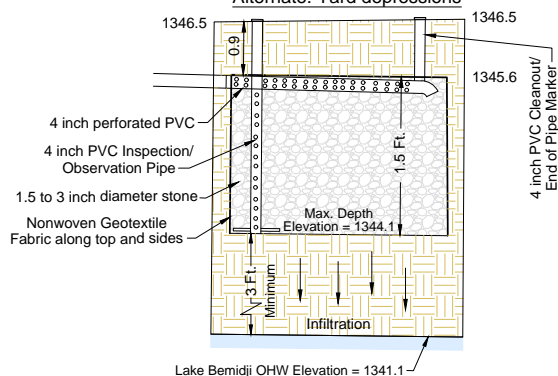


INFILTRATION TRENCH DETAIL (Horizontally & Vertically Distorted)



DRY WELL DETAIL
(Horizontally & Vertically Distorted)

Alternate: Yard depressions



Lake Bemidji OHW Elevation = 1341.1-

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.

Preliminary - Incomplete

MATTHEW R. MURRAY		LICENSE NO. 48168
-------------------	--	-------------------

DATE: 3-21-2024 FILE NO. 25-31

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

218-751-5898

NEIGHBORHOOD OVERVIEW

2008 JPB VARIANCE
80 FT. SETBACK

DODD PARCEL

LAKE BEMIDJI

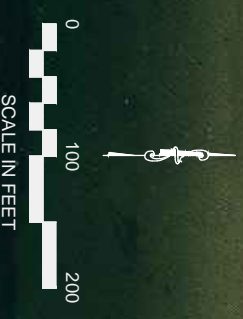
100 Ft. Structure Setback Line

BIRCHMONT BEACH RD NE
(CSA H 10, 20)



Denotes approximate structure footprint and combined area (S.F.)

Approximate Average Structure Area per Parcel = 3283 (S.F.)



Applications & Supporting Documents

DODD VARIANCE APPLICATION

Parcel No. 310098000

Address: 1530 Birchmont Beach Rd NE

VARIANCES REQUESTED

1. 20 Ft. Structure Setback Variance: Seeking to position home 80 feet from OHW Line.
2. Impervious Surface Variance: Seeking to exceed impervious surface coverage by 1,138 S.F.
3. Sewage Treatment Setback Variance: 10 Ft. Variance to construct drain field up to property line.

STRUCTURE SETBACK – PRACTICAL DIFFICULTY ANALYSIS

The Dodd's are proposing to position their home 80 feet from the ordinary high water elevation of Lake Bemidji. There are two practical difficulties associated with this request as follows:

1. Septic System: The Dodd's would like to ensure sufficient space to install a septic system in the event that a municipal sewer system is not available.
2. Setback Averaging: The Dodd's desire to build in a straight line between adjacent structures so they can enjoy a similar view of the lake as their neighbors without obstruction from adjoining homes, or the need to have a predominant view of the sides of the neighbors homes. The proposed setback is consistent with the structure setbacks throughout the neighborhood.

Practical Difficulty: Proposed Structure Setback Controlled by Septic System

1A. Reasonableness of accommodating a Septic System

The desire to use a single family residential structure parcel in a manner that accommodates a new home and a septic system is reasonable; especially until it can be known that a municipal sewer line is available. The Dodd's are willing to utilize a holding tank until it is known if a sewer line is available; however, in the event that it is not, the Dodd's want to ensure that they will have the space to install a septic system.

1B. Uniqueness of Dodd Parcel as it relates to Septic System

The parcel adjacent to the Dodd's has a shallow well. The neighbor does not desire to replace the well with a new/deep well. Under state law, a sewage treatment system needs to be located 100 feet from a shallow well. This greatly reduces the options for placing a sewage treatment system on the Dodd Parcel, leaving the only practical area in the northwest corner of the parcel. The suitable area in the northwest corner of the Dodd parcel is not sufficient in area to enable a Type 1 septic system to be installed; however, based on a preliminary analysis by Juelson Plumbing & Heating Inc, there is space for a Type 3 septic system. Under a Type 3 system, the drainfield size is smaller than a Type 1 system. To not overload the drainfield, the dosing of a Type 3 system is controlled. This requires an additional overflow tank to accommodate times when the drainfield may not be able to keep up with demand. The proposed structure location provides space to accommodate a Type 3 system with tanks, or even a Type 1 system in the event that the neighbors shallow well is replaced.

1C. Essential Character

The Dodd's proposed setback of 80 feet will not alter the essential character of the neighborhood.

Given the location of homes in the neighborhood, the proposed 20 foot variance to accommodate a septic system would position the Dodd home consistent with the other homes in the neighborhood.

Practical Difficulty: Proposed Structure Setback Controlled by Setback Averaging

2A. Reasonableness of Building at similar setback as neighbors

The proposal to construct a new home at a similar setback as adjoining structures is a reasonable use of the property. Reasonableness is often defined as a sense of fairness. In the case of the Dodd variance application, it is reasonable and fair to construct a new home at a similar setback as adjoining structures so that the Dodd's may enjoy a similar view of the lake as the neighbors.

Reasonableness can also be measured by objective criteria, such as what is acceptable in similar circumstances or under laws or proposed regulations aimed at accomplishing similar goals.

A similar variance to that being requested by the Dodd's was granted two parcels away in 2008. The variance provided for the construction of a new home 80 feet from the ordinary high water line of Lake Bemidji. This variance was recorded by Document No. A000482621.

Providing the foundation for the Northern Township Zoning and Subdivision Ordinance and the corresponding regulation of shoreland areas, the Minnesota Legislature has placed public waters under the control of the state with the following goals set forth under Minn. Stat. § 103F.201:

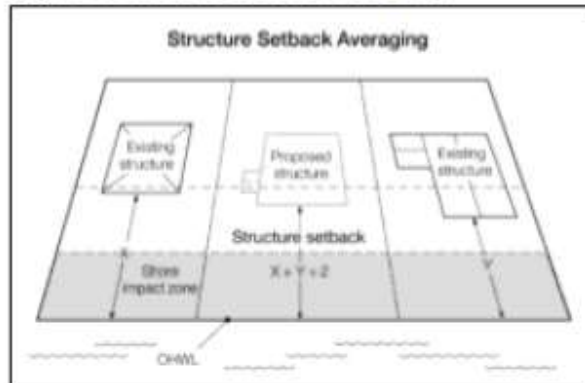
- (1) provide guidance for the wise development of shorelands of public waters and thus preserve and enhance the quality of surface waters; (2) preserve the economic and natural environmental values of shorelands; and (3) provide for the wise use of water and related land resources of the state.

To accomplish these goals, Minn. Stat. § 103F.211 provides that the commissioner of natural resources "shall adopt model standards and criteria for the subdivision, use, and development of shoreland in municipalities and areas outside of a municipality. The standards and criteria are intended to preserve and enhance the quality of surface waters, conserve the economic and natural environmental values of shorelands, and provide for the wise use of water and related land resources of the state."

As a result, the DNR publishes a Shoreland Management Model Ordinance to help local governments develop new shoreland ordinances and amend existing ordinances to be consistent with state shoreland management rules (6120.2500-6120.3800). Section 6.41, Subd. B of the DNR Shoreland Management Model Ordinance provides for Setback Averaging:

Setback averaging. 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 (see Figure 7);

Figure. 7 Structure Setback Averaging



Setback Average is subject to election by the local governing body. While Northern Township has not made accommodations for Setback Averaging in its ordinance, the fact that, if elected, the Dodd home could be built at an 80 foot structure setback without a variance under the state Model Shoreland Ordinance is evidence of the reasonableness of the Dodd request.

Finally, the Dodds propose to incorporate stormwater mitigation into their project as an additional means of reasonableness. Mitigating the impact of being marginally closer to the water promotes the overarching goal of protecting water quality.

2B. Uniqueness of Dodd Parcel as it relates to Setback Averaging

The properties comprising the Dodd neighborhood were created in 1905, well in advance of any shoreland rules, which were first adopted around 1971. Consequently, a majority of the homes in the neighborhood are constructed well within 100 feet of Lake Bemidji. The fact that this scenario occurs on lots created in advance of shoreland rules on numerous lakes across Minnesota is likely the reason the DNR adopted Setback Averaging (similar to a “prima facie case” of a practical difficulty); however, the DNR accommodation of Setback Averaging is simply a way to reduce the number of variances (given a combination of quantity and reasonableness), not to reduce the overall practical difficulty or uniqueness of the matter when considering the incorporation of shoreland rules and the numbers of lot created on Minnesota lakes since 1971.

2C. Essential Character

The Dodd’s proposed setback of 80 feet will not alter the essential character of the neighborhood. Given the location of homes in the neighborhood, the proposed 20 foot setback variance would position the Dodd homes consistent with the other homes in the neighborhood thereby upholding the character of the neighborhood.

IMPERVIOUS SURFACE COVERAGE – PRACTICAL DIFFICULTY ANALYSIS

A. Reasonableness of Impervious Surface Coverage

The Dodd’s proposal to construct a new single-family home at a size and intensity consistent with other homes in the neighborhood is reasonable. Moreover, the Dodd’s proposal to reduce impervious surface coverage from the current 37% coverage to 33% coverage is reasonable. Lastly, the Dodd’s proposal to mitigate impervious surface coverage by incorporating stormwater management provisions is reasonable as it aids in offsetting any impact from exceeding 25% impervious surface coverage and thereby promotes the overall goals of shoreland rules.

B. Uniqueness of Dodd Parcel as it relates to Impervious Surface Coverage

The Dodd parcel is substandard in size created approximately 66 years in advance of shoreland rules. The substandard lot size, with no opportunity to increase lot area, limits the ability to comply with impervious surface coverage despite the proposed development being consistent with that in the neighborhood.

C. Essential Character

The Dodd's proposed 33% impervious surface coverage will not have any impact on the character of the neighborhood as the proposed development on the lot is consistent with the development on adjacent parcels.

PROPOSED SEPTIC DRAIN FIELD – PRACTICAL DIFFICULTY ANALYSIS**A. Reasonableness of Septic System**

The Dodd's proposal to have a septic system drain field on their property is a reasonable use of the property. Given no structures in close proximity to the Dodd lot boundary, the proposed zero foot setback to accommodate the placement of the drain field is reasonable. Minnesota Rules 7080.2150 governs the placement of septic system drain fields with the primary goal of governing the placement of a septic system relative to structures, wells, and water resources. Under the rules, an "infringement on property line setbacks may be made through accepted local procedures." The proposal to place the drain field up to the property boundaries is reasonable when it will not impact structures, wells, or water resources.

B. Uniqueness of Dodd Parcel

The parcel adjacent to the Dodd's parcel has a shallow well. The neighbor does not desire to replace the well with a deep well. Under state law, a sewage treatment system needs to be located 100 feet from a shallow well. This greatly reduces the options for placing a sewage treatment system leaving the only possible area in the northwest corner of the parcel. For Dodd's to attain sufficient area to enable a septic drain field (even a Type 3 system), the drain field needs to be positioned up to the property boundary lines.

C. Essential Character

The proposed septic drain field will be relatively invisible from observation. Therefore, the placement of the drain field will not have any impact on the character of the neighborhood.

No variance being sought is based on any economic factors or considerations.

The proposed variances are in harmony with the general purposes and intent of the Northern Township Zoning and Subdivision Ordinance. The variances are consistent with the demonstration of a practical difficulty set forth under the Ordinance and the proposals do not do anything to negatively impact the public health, safety and general welfare. Moreover, the proposals provide for the wise utilization of land, a stated goal under the ordinance.

Shoreland Management Model Ordinance

This word document should be used with the model ordinance document containing commentary. The commentary document explains many provisions including guidance for ordinance administration and considerations for determining whether certain provisions are needed. The commentary document also includes some optional language reflecting higher standards than those in rule. This optional language is shown as **blue bold additions** or **deletions** in the commentary document and are also included in this document.

1.0 STATUTORY AUTHORIZATION AND POLICY

- 1.1 **Statutory Authorization.** This shoreland ordinance is adopted pursuant to the authorization and policies contained in [Minnesota Statutes, Chapter 103F](#), [Minnesota Rules, Parts 6120.2500 - 6120.3900](#), and the planning and zoning enabling legislation in Minnesota Statutes, [Chapter 394](#) (for counties) or Chapter [462](#) (for municipalities).
- 1.2 **Policy.** The Legislature of Minnesota has delegated responsibility to local governments of the state to regulate the subdivision, use and development of the shorelands of public waters and thus preserve and enhance the quality of surface waters, conserve the economic and natural environmental values of shorelands, and provide for the wise use of waters and related land resources. This responsibility is hereby recognized by *(insert name of Community)*.

2.0 GENERAL PROVISIONS AND DEFINITIONS

- 2.1 **Jurisdiction.** The provisions of this ordinance apply to the shorelands of the public water bodies as classified in Section 4.1 of this ordinance, **and to the shorelands of public water bodies greater than 10 acres in unincorporated areas in which the city has, by ordinance, extended the application of its zoning regulations as provided by Minnesota Statute, Chapter 462.357 Subd 1.** Pursuant to [Minnesota Rules, Parts 6120.2500 - 6120.3900](#), no lake, pond, or flowage less than 10 acres in size in municipalities or 25 acres in size in unincorporated areas need be regulated in a local government's shoreland regulations. A body of water created by a private user where there was no previous shoreland may, at the discretion of the governing body, be exempt from this ordinance.
- 2.2 **Enforcement.** The *(insert name of local government or designated official)* is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or conditional uses constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in Section 3.2 of this ordinance.
- 2.3 **Severability.** If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.
- 2.4 **Abrogation and Greater Restrictions.** It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.
- 2.5 **Definitions.** Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the same meaning they have in common usage and to give this ordinance its most reasonable application. For the purpose of this ordinance, the words "must" and "shall" are mandatory and not permissive. All distances, unless otherwise specified, are measured horizontally.
 - 2.511 **Accessory structure or facility.** Any building or improvement subordinate to a principal use which, because of the nature of its use, can reasonably be located at or greater than normal structure setbacks. **Examples include: swimming pools, saunas, detached garages, and storage sheds.**
 - 2.512 **Animal feedlot.** A facility as defined by [Minnesota Rules, part 7020.0300](#).
 - 2.513 **Bluff.** A topographic feature such as a hill, cliff, or embankment having the following characteristics:

- (5) Require all parking areas, storage buildings, and other facilities to be screened by vegetation or topography as much as practical from view from the public water, assuming summer, leaf-on conditions.

6.34 Access Easements. Easements providing access to boat docking and mooring facilities to non-riparian property owners are prohibited.

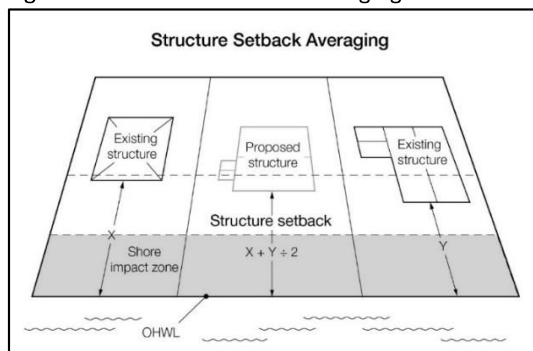
6.4 Placement, Height, and Design of Structures.

- 6.41 OHWL Setback for Structures and Sewage Treatment Systems.** When more than one setback applies to a site, structures and facilities must be located to meet all setbacks, and comply with the following OHWL setback provisions. **The structure setback standards for sewer properties can only be used if publicly owned sewer system service is available.**

Waterbody Classification	Structures with <u>No Sewer</u>	Structures with <u>Sewer</u>	Sewage Treatment Systems
Natural Environment Lakes	150	150	150
Recreational Development Lakes	100	75	75
General Development Lakes	75	50	50
Remote Rivers	200	200	150
Forested and Transition Rivers	150	150	100
Agriculture, Urban, & Tributary Rivers	100	50	75

- A. **OHWL Setbacks.** Structures, **impervious surfaces**, and sewage treatment systems must meet setbacks from the Ordinary High Water Level (OHWL), except that one water-oriented accessory structure or facility, designed in accordance with Section 7.3 of this ordinance, may be set back a minimum distance of ten (10) feet from the OHWL:
- B. **Setback averaging.** 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 (see Figure 7);

Figure. 7 Structure Setback Averaging



- C. **Setbacks of decks.** Deck additions may be allowed without a variance to a structure not meeting the required setback from the ordinary high water level if all of the following criteria are met:
- (1) The structure existed on the date the structure setbacks were established;
 - (2) A thorough evaluation of the property and structure reveals no reasonable location for a deck meeting or exceeding the existing ordinary high water level setback of the structure;
 - (3) The deck encroachment toward the ordinary high water level does not exceed 15 percent of the existing setback of the structure from the ordinary high water level or is no closer than 30 feet from the OHWL, whichever is more restrictive; and

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 _____

Zoning District _____

Comments _____

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

An escrow of \$ _____ 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: 12578 East Saddlehorn Tr, Scottsdale, AZ 82529/ 1530 Birchmont Beach Rd
SITE ADDRESS: 1530 Birchmont Beach Rd NE PARCEL: 310098000
EMAIL ADDRESS: cliffdodd@aol.com; erinaz@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 N/A

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 901D: structure setback from ordinary high water; Section 914: 25% impervious surface coverage; Section 801: 10 ft. drain field setback from lot line

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

Display on site plan.

20 ft. relief from required 100 ft. ordinary high water setback; 8% relief from 25% maximum impervious surface coverage; 10 ft. relief from 10 ft. drain field setback from lot line.

Describe the existing use of your property: _____

The existing use of the property is a single-family residential structure

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 The variance will permit the construction of a new home at a size and location consistent with other homes in the neighborhood.

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

The unique circumstances associated with the property are attributed to the time in which the parcel was created and development of the area prior to and after shoreland rules.

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 Based on practical difficulties associated with the property, there are not any alternatives, within control of the applicants, that would eliminate the need for a variance.

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

Please see the Practical Difficulty Analysis included with this application as a separate document.

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.)?

The applicant is willing to install permanent stormwater mitigation.

(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:

OFFICE USE ONLY

Reviewed by _____ Date _____ Complete Application ☐ Yes ☐ No

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

Sample Site Plan (See also **Checklist** on next page)

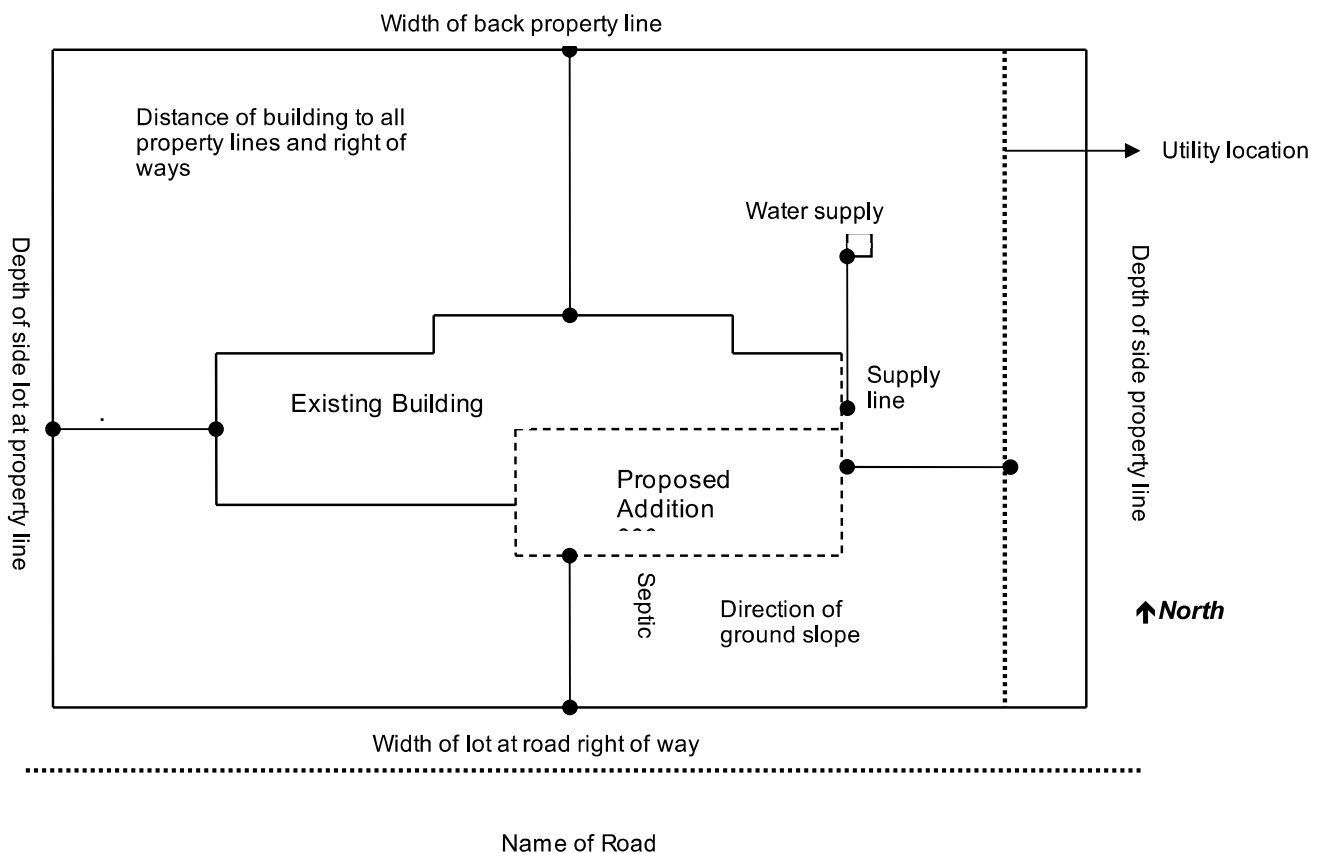
Indicate:

- Existing buildings with dimensions (solid line).
- Proposed buildings with dimensions (dashed line).
- Lot size and property lines.
- Distance from road right of way and property lines to: Existing and proposed buildings and existing and proposed septic and water supply.

Also indicate:

- Distance between buildings.
- Distance from septic to closest building intended for human occupancy.
- Distance from septic to well.
- Direction of ground slope in relation to well and septic.
- Underground and overhead utilities including water supply line.
- An arrow indicating north.
- Location of soil treatment and water supply systems on adjoining lots if within 150 ft. of existing or proposed system.

GIS Tools: The Beltrami County online mapping system provides property data and measuring tools. Visit <http://arcgis.co.beltrami.mn.us/Bemidji/link/jsfe/index.aspx>



Practical difficulties

“Practical difficulties” is a legal standard that Northern Township must apply when considering applications for variances. It is a three-factor test and applies to all requests for variances. To constitute practical difficulties, all three factors of the test must be satisfied.

Reasonableness

The first factor is that the property owner proposes to use the property in a reasonable manner.

This factor means that the landowner would like to use the property in a particular reasonable way but cannot do so under the rules of the ordinance.

It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. For example, if the variance application is for a building too close to a lot line or does not meet the required setback, the focus of the first factor is whether the request to place a building there is reasonable.

Uniqueness

The second factor is that the landowner’s problem is due to circumstances unique to the property not caused by the landowner.

The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner.

When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands or trees.

Essential character

The third factor is that the variance, if granted, will not alter the essential character of the locality.

Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area.

For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area.

Agency & Neighborhood Packet Distribution Information

WILLIAM B SUTTON TRUSTEE
1405 W YUCCA AVE
MCALLEN TX 78504

WILLIAM B SUTTON TRUSTEE
1405 W YUCCA AVE
MCALLEN TX 78504

TODD J DANIELS TRUSTEE
244 GOLF COURSE PKWY
DAVENPORT FL 33837

SUSAN WHALEN
1635 BIRCHMONT BEACH RD NE
BEMIDJI MN 56601

SUSAN WHALEN
1635 BIRCHMONT BEACH RD NE
BEMIDJI MN 56601

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

RYAN D NEWHOUSE
1625 BIRCHMONT BEACH RD NE
BEMIDJI MN 56601

RYAN D NEWHOUSE
1625 BIRCHMONT BEACH RD NE
BEMIDJI MN 56601

RYAN D NEWHOUSE
1625 BIRCHMONT BEACH RD NE
BEMIDJI MN 56601

PROSTRAIN INC
2332 CALIHAN AVE NE
BEMIDJI MN 56601

PETER J NORDQUIST
1714 BIRCHMONT BEACH RD NE
BEMIDJI MN 56601

PEGGY SMITH
18314 JUSTICE WAY
LAKEVILLE MN 55044

PEGGY SMITH
18314 JUSTICE WAY
LAKEVILLE MN 55044

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

JEFFREY H MACKENSTADT
1525 BIRCHMONT BEACH RD NE
BEMIDJI MN 56601

GRAIG R GILBERTSON
1608 BIRCHMONT BEACH RD NE
BEMIDJI MN 56601

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



NORTHERN TOWNSHIP

445 TOWN HALL ROAD NW

BEMIDJI, MN 56601

(218)751-4989

info@northerntownship.com

Date: April 1, 2025

Dear Property Owner:

RE: Northern Township – V-20250008:

Erin Swingen Dodd and Cliff Dodd are requesting a variance on setbacks and impervious surface amounts to build a new single family home in the R2 zone inside the Shoreland overlay of Lake Bemidji at 1530 Birchmont Beach Rd. (PIN 31.00980.00). This is a smaller lot (legal non-conforming lot) that makes it very difficult to fit any residential building into the required setbacks. Mr. Dodd is requesting 1 setback variance of 20 ft. from Lake Bemidji and an 8% variance on impervious surface requirements.

The Northern Township Planning Commission will consider this proposal at its meeting on Monday, April 21, 2025, at 6:00 p.m. at Northern Town Hall. Please plan to attend to voice any questions or concerns. Written comments can be emailed to info@northerntownship.com net or dropped off at the town hall. Please have comments returned to the township by Thursday, April 17 for inclusion in the Planning Commission packets.

Thank you.
Sincerely,

Chris Lahn – Township Administrator



INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **The Bemidji Pioneer** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(701) 561-0669**.

Notice ID: B8wc1UHUqGQnDsvRnhvN | **Proof Updated: Apr. 01, 2025 at 02:50pm CDT**
Notice Name: Northern Township V-20250008

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Chris Lahn
chris.lahn@northerntownship.com
(612) 296-9072

FILING FOR

The Bemidji Pioneer

Columns Wide:	1	Ad Class: Legals
Total Column Inches:	2.75	
Number of Lines:	28	

04/09/2025: General Public Notice	34.93
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Subtotal	\$34.93
Tax	\$0.00
Processing Fee	\$0.00
Total	\$34.93

NOTICE IS HEREBY GIVEN, that on Monday, April 21, 2025, 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: V-20250008: 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, April 17, 2025, for inclusion in staff reports. (Apr. 9, 2025)



Erickson Site



Mississippi Headwaters Board Funding Request Questionnaire

Crow Wing County Land Service Bldg. - 322 Laurel St. - Brainerd, MN 56401

Web Site: www.mississippiheadwaters.org

Below are some questions that the Mississippi Headwaters Board (MHB) requests your organization answer before the MHB board can distribute funds to requesting organizations. Please submit at least 1 month before any funding is needed. **The MHB was created in 1980 to protect the Natural, Recreational, Cultural, Scientific, and Historical values of the Mississippi River.**

1. Tell us about yourself. What is the primary purpose of your organization?

The Aitkin County SWCD is a local unit of government that manages and directs natural resource programs at the local level. The District works with landowners and other units of government to carry out a program for the conservation, use, and development of soil, water, and related resources.

2. Tell us how this project will align with one or more of the multiple values listed above, and what you want to accomplish with your project?

We are requesting funds that will benefit the natural and recreational values of the Mississippi River. We hope to implement two projects that support these values.

- 1). Buckthorn Inventory of Mississippi River Shorelines: We plan to inventory the Mississippi River Shoreline from the Hwy 169 Crossing north of Aitkin to Jacobson. Drone and windshield surveys will be completed in September, when buckthorn is easy to spot. This inventory will be used to prioritize work through the One Watershed One Plans that will remove buckthorn and replace it with native species that will stabilize and protect the banks. This will allow us to prioritize the future work where it can have the most benefit. Buckthorn is an invasive species that can form dense thickets, shading out native beneficial species. It can leave the understory bare and susceptible to erosion.
- 2). Aitkin County Lake Association Summit: We are planning a gathering of Lake Association members and those concerned with water protection on July 31, 2025. This event will bring folks who care about our waters together so they can share successes and learn from others who are working on the same issues. Recreational values of the river and watershed lakes will be fostered.

3. What amount of funding are you requesting, and what will it be used for? Have you requested funds from other sources and are they secured?

A total of \$ 6,800 is requested

The Buckthorn Inventory is a new effort for the SWCD. \$ 6,500 is requested, supporting 100 hours of staff time dedicated to this project. Field work, along with summarizing the data is included.

The Lake Association Summit is also new to SWCD. \$ 300 is requested for event support and advertising. This event is also supported by the Aitkin County Water Planning Task Force and the Mississippi River Brainerd One Watershed One Plan grant. Funding from these sources has been requested and secured.

4. Is this project regional in scope and/or involve any of the MHB member counties (Clearwater, Hubbard, Beltrami, Cass, Itasca, Aitkin, Crow Wing, and Morrison)?

This project mainly includes Aitkin County, however the buckthorn problem extends the entire length of the MHB area. Buckthorn has been shown to travel along river corridors, and can be spread by bird species traveling the river. If we can control buckthorn in areas of Aitkin County, it will benefit areas upstream and downstream.

The Lake Association Summit is planned to be held in the city of Aitkin, however interested folks from other counties are welcome to join the discussion.

5. What type of organization are you (governmental, Nonprofit, etc...)

The Aitkin County SWCD is a local unit of State Government. Funding is received from many sources including Aitkin County, The Minnesota Board of Water and Soil Resources, Minnesota DNR, U.S. Forest Service, competitive grants, and more.



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1. Tell us about yourself. What is the primary purpose of your organization?
 - A. Aitkin County Land Department is a Natural Resource based department responsible for the stewardship of all county administrated land. Within the Aitkin County Land department a sub group is the Parks and Trails division that overseas recreation based infrastructure that is managed by the county on county land or in partnership with the County. Throughout Aitkin County, the parks and trails division has 4 Campgrounds, 660 miles of Snowmobile Trails, 340 Miles of ATV Trail, and over 100 Miles of Mississippi Water trail. The Parks and Trails organization maintains all of these trail infrastructures and looks for improvements the recreation assets that are within the borders.
2. Tell us how this project will align with one or more of the multiple values listed above, and what you want to accomplish with your project?
 - A. The project that is being submitted for involves the relocation of two campsites on our Mississippi river Campground located in Jacobson, MN. This project became a necessity due to natural erosion that had occurred by the "Mighty Mississippi" river. The redevelopment of Two Campsites are being sought after to continue to the same about of vacancy at the Jacobson Campground. This is one of the prime remote campgrounds of Aitkin County and we strive to provide the same number of amenities and sites.
3. What amount of funding are you requesting, and what will it be used for? Have you requested funds from other sources and are they secured?
 - a. Funding is being completed through the Aitkin County Land Department at this point with the hopes of additional funding from the Mississippi Headwaters Board to help alleviate the costs that will be incurred by this project. The project as listed above is for the relocation of Campsites at the Jacobson Campground located on the Mississippi River. This project will be re-establishing new campsites after the campsites were cut short from erosion.

4. Is this project regional in scope and/or involves any of the MHB member counties (Clearwater, Hubbard, Beltrami, Cass, Itasca, Aitkin, Crow Wing, and Morrison)?
 - a. This project is located on the Northeast side of Aitkin County on the Mississippi River. This project is a direct tie to the MHB scope and management planning.
5. What type of organization are you (governmental, Nonprofit, etc...)
 - a. Aitkin County is a local government organization.

Jacobson Campground: Campground reclamation project

Campsite #1

	Quantity	Price	Total
Labor Hours	25	\$ 30.00	\$ 750.00
Skidsteer Hours	10	\$ 75.00	\$ 750.00
Base Material (Class 5 Material) Dump Truck loads)	6	\$ 275.00	\$ 1,650.00
Excavator rental	2	\$ 400.00	\$ 800.00
Firepit	1	\$ 800.00	\$ 800.00
Stand up grill	1	\$ 500.00	\$ 500.00
			\$ 5,250.00

Campsite #2

	Quantity	Price	Total
Labor Hours	25	\$ 30.00	\$ 750.00
Skidsteer Hours	10	\$ 75.00	\$ 750.00
Base Material (Class 5 Material) Dump Truck loads)	6	\$ 275.00	\$ 1,650.00
Excavator rental	2	\$ 400.00	\$ 800.00
Firepit	1	\$ 800.00	\$ 800.00
Stand up grill	1	\$ 500.00	\$ 500.00
			\$ 5,250.00

Executive Director Report

April – May 2025

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 out emails and posted on social media the paddling events for this summer.
7. Sent email invite out to biennial conference attendees.
8. Followed up with signage installation. DNR and Brainerd will be installing them in the next two weeks, and I am still trying to connect with the Army Corps of Engineers (Pokegama) to see if they have or will install them before our July paddle.

Meetings & Networking

- 4/22 Sent inquiring email to MPCA to learn more about the Keep it Clean Campaign.
- 4/28 Updated 2025-2026 high school visitation list.
- 5/1 Called Aitkin Land Dept. and explored with administrator and technician some opportunities that the MHB could fund.
- 5/5 Set up Zoom meeting with DNR Bemidji Information Officer Kristi Coughlon and Chip Leer from Fishing the Wildside to look at a small, Keep It Clean campaign. It was discovered that there are very few videos out there to inform the public about keeping our ice free of trash and waste.
- 5/6 Met with Beltrami County board and gave a brief overview of the MHB and its programs that help protect the first four hundred miles of the Miss. River.
- 5/6 Met with Bill Batchelder from Bemidji Woolen Mills and he provided me with some local names that might be interested in doing an MHB paddling event. Currently there is the Minnesota Canoe Classic, and it has around thirty people that attend it annually. I will try to contact them to see if we could have a presence in Beltrami County.
- 5/9 Talked with Aitkin SWCD and Land Commissioner about potential projects the MHB could fund in 2025.
- 5/12 Attended Crow Wing DRT meeting to review a CUP.
- 5/12 Visited Crosby Ironton School to talk with High Schoolers about the MHB and careers in conservation.
- 5/14 Sent ten Guidebooks to Pioneer Photography. Doug Ohlman took the pictures for the Guidebook and held presentations about the Mississippi River to various groups around Minnesota.
- 5/14 Held meeting with Chip Leer of Fishing the Wildside and Kristi Coughlin of DNR public information officer to talk about forming an ice fishing social media campaign. The team discussed the need for a stronger social media campaign for the "Keep it Clean" initiative,

focusing on different themes and potentially boosting posts to reach a wider audience. They also considered forming a partnership with the DNR to combine resources and promote a similar message, and explored the potential of creating videos to promote lake cleanliness. The group also discussed the status of legislation related to DNR's responsibility for the "Keep it Clean" initiative and the potential for partnerships to secure more funding. The goal would be to accentuate existing efforts and raise awareness to change behavior by educating and empowering resource users by using universal themes like stewardship.