



# PLANNING COMMISSION/BOARD OF ADJUSTMENT

**Tuesday, June 11, 2024 at 7:00 PM**

City Hall 8319 Co. Rd. 11 Breezy Point, MN 56472

(218) 562-4441 | Office Hours 8:00 a.m. - 4:00 p.m. | [cityadmin@cityofbreezypointmn.us](mailto:cityadmin@cityofbreezypointmn.us)

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## AGENDA

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1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL/AMENDMENT OF THE AGENDA**
5. **OPEN FORUM**
6. **APPROVAL OF MINUTES**
  - A. April 9, 2024 Regular Planning Commission/Board of Adjustment Meeting Minutes
  - B. May 14, 2024 Regular Planning Commission/Board of Adjustments Meeting Minutes
7. **NEW BUSINESS**
  - A. Variance Application V-24-001: Suarez Family Trust, Lot 55 Block 2 Whitebirch Seven
  - B. Conditional Use Permit Application C-24-003: Daniel & Lisa Anderson, 31945 Harvest Road
  - C. Subdivision Application S-24-002: Greg & Roseanne Haglin, That Part of Government Lot 2, Section 1, Township 135, Range 28, Crow Wing County
8. **OLD BUSINESS**
9. **STAFF REPORTS**
10. **COMMISSIONER REPORTS**
11. **ADJOURN**

**Breezy Point Planning Commission/Board of Adjustment**

**April 9, 2024  
Regular Meeting**

The regular meeting of the Breezy Point Planning Commission/Board of Adjustment was called to order by Commission Chair Marcy Weaver at 7:00 p.m. Those in attendance included members Joe Ayers, Lee Brisbin, Roger Theis, Teddy Zierden, Marcy Weaver Administrator Clerk David Chanski and Planning and Zoning Administrator Peter Gansen.

**Approval of Agenda**

Motion Brisbin/Ayers to approve Agenda, Motion Carried 4-0

**Open Forum**

No one spoke

**Approval of 3/12/2024 Regular Meeting Minutes**

Motion Theis/Zierden to approve the minutes as written, Motion carried 4-0.

**New Business**

**A. None**

**Old Business**

**B. Zoning Code Update**

Administrator Chanski updated the Planning Commission the RFP for the Zoning Code Update project was sent out with a deadline for response being April 26<sup>th</sup>. The City already was contacted by one of the consultants to ask additional question about the scope of the project.

Chanski reiterated the March 12th meeting stating the goals and level of involvement would require four questions through the interviewing process to be considered by the Commission.

Does the Commission desire to interview each consultant one on one or does Commission want to direct staff interview the consultants and make a recommendation. Chanski stated it is staff's recommendation and preference to have the Commission interview the consultants and be part of the process from the beginning.

Chanski asked if the Commission wanted to hold a special meeting for the purpose of interviewing consultants rather than interview at the regular PC meeting.

Planning and Zoning Administrator Gansen stated there was one potential app for the May meeting pending if the applicant can get a cert of survey before the deadline.

The Chair asked the Commission if they would like to hold a special meeting.

**Motion Ayers/Theis** to request a special meeting of the Commission to interview consultants. Motion carried 4-0.

There was various discussion regarding the scheduling of the special meeting.

Theis asked if the special meeting would be open to the public.

Chanski stated that it would be a public meeting, the Commission can select the date and the meeting needs to be noticed 72 hours in advance.

Chanski stated the commission could interview all applicants then just defer the recommendation to the next regular meeting to have time to think about the presentations.

Theis asked if the consultants would be from the Metro area.

Chanski responded yes more than likely they would be within a two hour radius.

There was various discussion regarding scheduling of the interviews.

Theis asked if the consultants could listen in on the other interviews.

Chanski responded, the presentations would be a public hearing and the consulting firms would be allowed to stay to view their competitors presentations.

Chanski stated the applicants could be interviewed then save deliberation for a later meeting to save time.

There was additional discussion on scheduling the special meeting.

Tuesday the May 7<sup>th</sup> 4:30pm was selected as the date to meet to interview consultants. The consensus being this time works the best for the Commissioners and provide enough time for the consultants to interview.

Chanski asked if the Commission wants to interview every applicant or just a selected pool if there were many. If so Chanski and Gansen could review the applications and make a recommendation to the Commission on which consultants to interview.

The Commission appointed Theis to work with Chanski and Gansen to evaluate the applicant pool to select interview candidates.

Theis asked what kind of method would be done to rank the firms.

Chanski stated there would be scoring criteria to aid in evaluating the applicants based on a number of factors including budget, time frame, experience and process.

There was varying discussion on the range of budget for the project which was set at \$125,000.

Question 3 on how the interview will be conducted and what the interview questions for the consultants would be.

Weaver said that she would like to see a presentation first then followed by questions.

The Commission conferred this.

It was decided that each applicant would be allocated 15 minutes of presentation time and 15 minutes for questions.

Proposals are due on the 26<sup>th</sup> and Theis, Chanski and Gansen would meet to select interview candidates.

This would go to the Commission to make a recommendation to approve a consultant for the Zoning Code Update Project.

Question 4 does the Commission want to review the process or would the Commission want to set up a committee that would not require public hearing.

Weaver stated she would like to setup a committee to review the process to save public hearing time. Then when a decision needs to be made, that would be the time to engage the project in a public hearing.

The Commission conferred to have 2 members plus 1 City Council member, Chanski and Gansen to be the review committee.

Chanski conferred that the ideal max size of the committee should be 5 individuals. 2 staff, 2 commissioners and 1 council member. Then as the project moves forward other City Staff could be brought in at appropriate times such as public works and parks.

As far as public involvement it would be a good idea to see what the consultants recommend doing for community outreach.

Ayers asked when the project would be complete.

Chanski stated conservatively December 2025. The reason why is to implement zoning codes during the non-construction season to make the transition process easier on the community. So that the effective date would be January 1, this will allow the City to do some public outreach events and stakeholder meetings to allow some lead time to show what the new codes will be before the building season.

Theis asked if it would take 18 months.

It was conferred that process will require at least that much time. During code updates everything must be taken into consideration whether it's an update or a complete repeal and replace.

There was variable discussion on other area codes.

Theis stated those are different cities though.

Chanski stated correct, however the concepts are similar from city to city. Setbacks and uses will be different for city to city. It is the goal of the ordinance rewrite to reduce redundancies and provide for more illustrative examples that are most commonly used so that residents can access that information easier and faster.

Chanski pulled up the City of Brainerd's ordinance as an example and presented portions of the illustrative sections to the Commission and the pictorials showing building envelopes respective to setback requirements.

There was continued discussion about consolidating the ordinance, reducing redundancies and promoting a better format for ease of application.

Code amendment processes were also addressed through code reform to reduce discrepancies.

Chanski asked if there were any more questions.

Brisben asked if there would be any changes related to the building code.

Chanski replied the building code is state mandated and we cannot change any of that.

However architectural standards can be reviewed.

Brisben asked about builders saying they do not want to work in Breezy Point. To be able to hold a forum for those individuals and builders to comment on the process.

Chanski reiterated that this process will not change building code, it is related to zoning and development standards.

Theis, said Brisben was thinking more about the inspections.

Chanski again stated the building code is determined by the State and not the City. On a side note, there has been discussion about a Bill that would require all cities to enforce building code. That could be something that would be difficult for small cities to deal with as there is already a shortage of building inspectors.

Chanski asked for any further questions.

There were none.

Weaver called for staff reports.

Staff Reports

Gansen said there were a couple pre application meetings for standard setback variances that may apply.

Gansen spoke to the board about applicants, board members or anyone asking about why surveys are required for variances and encouraged anyone to reach out with any questions.

Gansen summarized some of the reasons why surveys are required and the Commission does have the ability to waive surveys. However, emphasizing to not waive surveys in most cases as that provides the foundation for the entire project. That it is the applicant's responsibility to provide complete and accurate information in the application for the Commission. Additionally finding that many of the old plats in the city did not pin all corners of the developments. This leads to confusion that property owners believe they have purchased platted property, when in fact only the out lying corners were really surveyed and pinned in.

Gansen spoke about some examples of encroachments that happened that could have been avoided had a survey been done.

Wetland setbacks were discussed.

Gansen talked about Commission members doing site visits and stressed the importance of Commissioners in any jurisdiction doing site visits. How it is important to see the property firsthand. This would require the city to post every site visit as a public hearing, which makes things more complex as far managing the process.

Gansen stated instead of doing it as a public hearing Commissioners can reach out to him and drive to the site with 2 members at a time to avoid conflict with the open meeting law.

Gansen discussed it was difficult to keep a site visit schedule as multiple applications are usually on the agenda and if the times get behind applicants get angry if the meeting times are not kept.

Ayers asked if Gansen does a site visit for every application.

Gansen responded yes and talked about an example of a property owner not really aware of where his property lines were. And it is extremely important as at the end of the day it is the homeowner's responsibility to meet all setbacks.

Gansen gave a few more examples of cities that did not implement building code either and essentially became unregulated campgrounds at the detriment of the local population.

Theis asked if Crosslake P&Z Commission did onsite inspections.

Gansen replied yes and it was beneficial for the process. It was extra effort but was worth it.

That concludes the staff report.

The next PC meeting is May 14<sup>th</sup>.

Chanski discussed road restrictions with the Commissioners.

Weaver asked for Commission reports.

There were none.

There being no further business the meeting adjourned at 8:05 p.m.

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Submitted by Peter Gansen  
Planning & Zoning Administrator.



8319 County Road 11  
Breezy Point, MN 56472  
Phone: (218) 562-4441  
Fax: (218) 656-1326  
[www.cityofbreezypointmn.us](http://www.cityofbreezypointmn.us)

Received by City: 4/08/2024  
Application Number: V-24-001  
Non-refundable Fee Paid: 250.00  
Receipt #: 22800

# Variance Application

Name of Applicant Linda and Larry Suarez  
Address 30392 Creek Cir Email: lindasuarez@comcast.net  
City, State, Zip Breezy Point, MN 56472  
Phone (925) 348-2939 Alternate Phone (925) 348-2940

Physical Address / Location of Property 30392 Creek Cir, Breezy Point, MN 56472

Legal Description of Property Lot 055, Block 002, Whitebirch Seven

Parcel ID Number 10170665 Zoning District R-1

Applicant is:

- Legal Owner of Property
- Contract Buyer
- Option Holder
- Agent
- Other \_\_\_\_\_

Title Holder of Property (if different than applicant):

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, ZIP \_\_\_\_\_  
Phone \_\_\_\_\_

State the nature of your request in detail. What are you proposing for your property?

We are not proposing any new structures or enhancements. Requesting variance on SIDE SETBACK infringement on a portion of our attached garage of our 2-year-old home. The infringement was created by the seller/developer when the home was built in 2021. (see attachment). The infringement is only 16 square feet.

Signature of Owner, authorizing application *Linda Suarez*  
(By signing, the owner is certifying that he/she has read and understands the instructions accompanying this application.)

Signature of Applicant (if different than owner) \_\_\_\_\_  
(By signing, the applicant is certifying that he/she has read and understands the instructions accompanying this application.)

**\*By signing above, I acknowledge that I understand that I am responsible for all fees incurred by the City as a result of professional services provided by the City Engineer, City Attorney, and other contracted agencies in reviewing my application.\***

**APPLICANTS, PLEASE NOTE:** Pursuant to the Breezy Point Zoning Ordinance, the applicant should be prepared to explain the unique situation on the property that requires the proposed variance. The Zoning Ordinance defines a practical difficulty as follows: "A practical difficulty exists if the property in question cannot be reasonably utilized under the conditions allowed by the official controls, if the plight of the landowner is due to circumstances



unique to the property and not of his own making, and the variance (if granted) would not alter the essential character of the locality. Economic considerations alone shall not constitute a practical difficulty as reasonable use of utilization of the property exists under the terms of the Ordinance.”

**The following questions must be answered.**

1. What changes are you proposing to make to this property?

Building: None

Landscaping: None

Parking/Signs: None

2. What are the unique circumstances of the property (parcel size, shape, topography, or other characteristics not created by the landowner) that make strict interpretation of the Ordinance impractical?

The new home was built with the garage partially infringing on the side setback requirements. This was not disclosed to us, new owners, when purchased in 11/2021. We have had to move an existing well because of a property line infringement. Moving a small portion of the garage for a setback infringement would be difficult.

3. How is granting this variance consistent with the intent of the City of Breezy Point Zoning Ordinance?

The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

4. How will reasonable use of the property be deprived if the variance is not granted?

The variance, if authorized, would not prevent reasonable use of the property for both the owners and other property owners.

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

Litigation with the developer to put the garage in compliance would be considered excessive in cost relative to the minor setback infringement. Altering the garage would not add essential character to the neighborhood or improve the appropriate use of the property.

6. Describe the impact on the use and enjoyment of other property in the immediate vicinity. If there is no impact, explain why.

No impact on the immediate vicinity if granted. The infringement is very minor. The garage wall has no windows so we would not consider it an infringement on the privacy of the adjacent neighbor.

7. Describe the character of the area and the existing patterns and uses of development in the area. How is this proposal consistent with those patterns and uses?

The area is a low density residential with the various properties adjacent to the Whitebirch golf course. The minor side setback infringement would still be consistent with existing patterns and uses. The affected side is not facing the golf course.

8. Discuss any environmental limitations of the site or the area that limit building in other areas.

None

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

The infringement is so minor that it would be reasonable that the granted variance would not impose on existing patterns and use of the area.

*Definition of PRACTICAL DIFFICULTY: The property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to his or her property not created by the landowner and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a PRACTICAL DIFFICULTY if reasonable use for the property exists under the terms of the ordinance.*

10. Please state the practical difficulty that exists with this property.

This application does not introduce new structures or building enhancements.

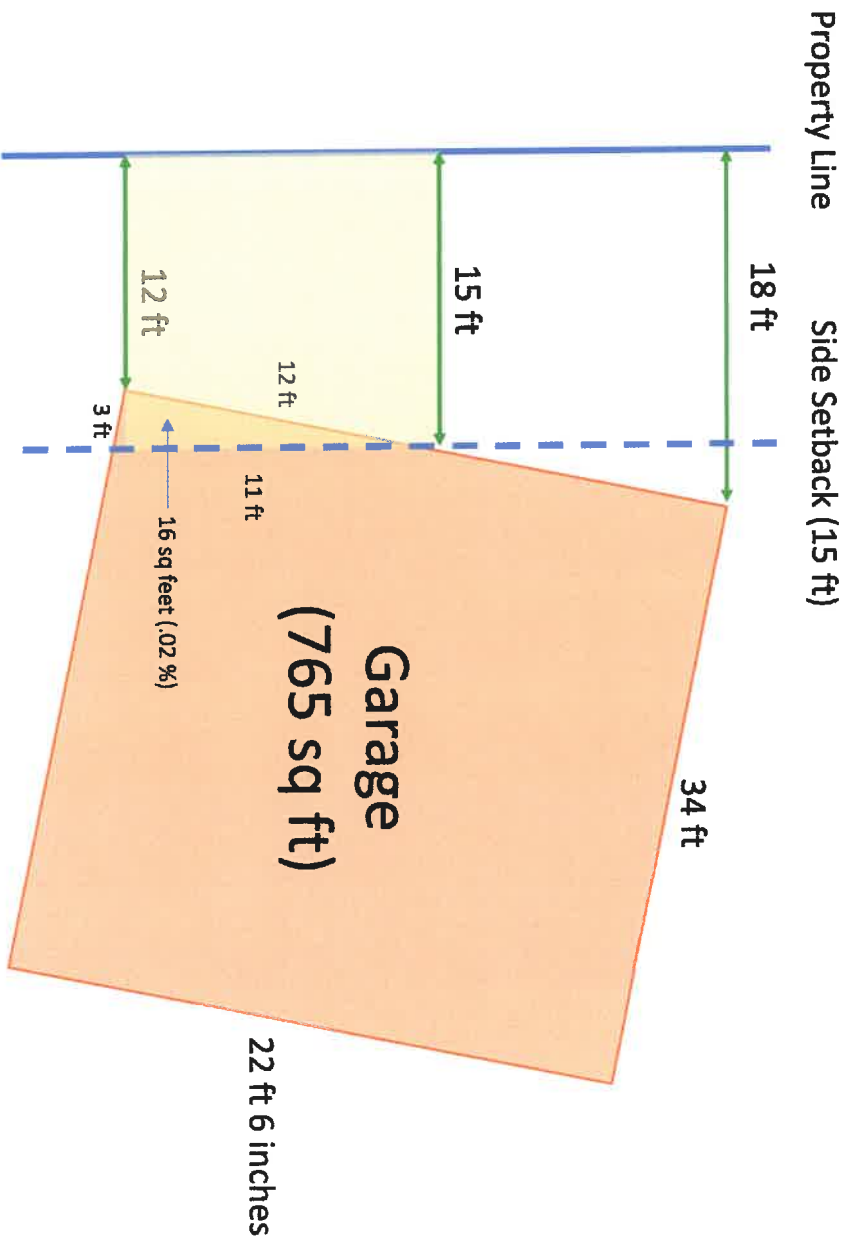
**INSTRUCTIONS TO THE APPLICANT**

Completed applications, with all submittal requirements, must be submitted to the Planning & Zoning Department no fewer than 25 days prior to the meeting date. In order for your application to be accepted as complete, and to have a public hearing scheduled, the following

- 1. This application must be completed, including responses to all parts of this application.
- 2. The required fee must be paid. See fee schedule for details.
- 3. Certificate of Survey with the following information, as a minimum, unless waived by the Planning Commission / Board of Adjustment.
  - Legal description of the site.
  - Site plan, prepared by a licensed surveyor, showing parcel and existing structure dimension, water features, and 10 foot contour lines (smaller contour lines may be required if deemed necessary by the Planning Department, Planning Commission, or City Council).
  - Location of all structures and their square footage.
  - Existing and proposed curb cuts, driveways, access roads, turn-arounds, parking including RV, boat and additional vehicle storage, off-street loading, and sidewalks. Size and type of surface should also be included.
  - Proposed landscaping and screening plans: garbage dumpsters, areas preserved in natural state including buffer areas, areas to be developed into lawn (grass), areas to be covered by woodchips or mulch, garden areas, shrubbery, types, size, age, and number of proposed trees and their locations, exterior lighting to be proposed including location and type, any other items deemed appropriate.
  - Square footage of all impervious coverage. Impervious coverage includes the horizontal area of all buildings, decks, roof overhangs, patios, walks, driveways, and any other parking areas and drives constructed of any material.
  - Proposed drainage plan.
  - Proposed and existing sanitary sewer and water supply plans with estimated usages on peak day.
  - Soils data showing capability for building and on-site sewage treatment.
  - Existing iron pipe boundary monuments marked with proof of survey.
  - Approximate location of any proposed signs (if applicable).
- 4. Color scheme for all existing and proposed structures.
- 5. Outside storage proposal.
- 6. Elevation plans for all existing and proposed structures.

# Suarez Residence (R-1 Zone)

30392 Creek Cir, Breezy Point, MN





TO: Planning Commission  
 FROM: Peter Gansen, Planning & Zoning Administrator  
 RE: Staff Report for V-24-001 Suarez  
 DATE: June 11, 2024 Regular Meeting

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Variance Application V-24-001  
 Applicant: Linda and Larry Suarez  
 Property Address: 30392 Creek Circle  
 Legal Description: LOT 55 BLOCK 2 WHITEBIRCH SEVEN  
 Parcel ID: 10170665.  
 Zoned: R1 Low Density Residential

- Applicant has filed the appropriate application for an after-the-fact variance.
- Applicant has paid the appropriate fee for the application.
- Public notice of the Hearing was published in the legal newspaper and all property owners within 350’ were mailed a notice of hearing.
- Public notice was not given to the DNR, as the property is not in a shoreland overlay district.

Variance Request:

- An after-the-fact variance from the required side yard setback distance of 15 feet to 12 feet for an existing residential structure.

Summary of the property

LOT 55 BLOCK 2 WHITEBIRCH SEVEN was platted in 1979 is located at 30392 Creek Circle north of Whitebirch Drive. The property is in a residential neighborhood bordered by a golf course which is zoned resort commercial.

The residence was finished in 2021 and built under the ownership of Curt Hawkinson.

The property boundary was surveyed after the build and that is when the setback encroachment was identified.

The current owner did not build the structure and is before the Commission today seeking relief from the required property line setback for an after-the-fact variance.

If the Commission applies the strict interpretation of Chapter 153 and the Codes of the City, the applicant at their own expense could be required to remove the existing encroachment from within the setbacks at the landowner’s expense.

Due to the de minimis nature of the encroachment staff recommends the Commission consider after-the-fact approval, based on the information presented at this time.

The following are recommended findings the Commission can adopt.

Notice of Decision and Findings of Fact

The Planning Commission shall consider the following in its decision and make written findings concerning the variance approval or denial.

- (1) The strict interpretation of the ordinance would be impractical because of circumstances relating to lot size, shape, topographic or other characteristics of the property not created by the land owner;

**Yes, the encroachment was created by a prior landowner.**

- (2) The deviation from the ordinance with any attached conditions will still be in keeping with the spirit and intent of the ordinance;

**Yes, the encroachment into the setback is minimal.**

- (3) The land use created by the variance is permitted in the zoning district where the property is located;

**Yes, Seasonal/Year round residential use is allowed in the zoning district.**

- (4) The variance will not alter the essential character of the locality;

**Yes, the prosed request is residential similar to the adjacent neighbors.**

- (5) The variance is not for economic reasons alone, but reasonable use of the property does not exist under the ordinance.

**Yes, the existing owners did not create the encroachment, the prior owner did. If the strict application of the ordinance was applied the existing owners would be required to remove the encroaching elements of the structure at their expense.**

The following are recommended conditions.

- 1) **None.**

# Certificate of Survey

Lot 55, Block 2, WHITEBIRCH SEVEN  
 Section 17, Township 136 North, Range 28 West,  
 Crow Wing County, Minnesota.

Owner: Mark and Janine Johnson  
 27159 Bayshore Circle  
 Isanti, MN 55040

Property Address: XXXX Creek Circle  
 Breezy Point, MN 56472  
 (not yet assigned)

Parcel Number: 101630020550009

**Legal Description**

Lot 55, Block 2, WHITEBIRCH SEVEN, Crow Wing County, Minnesota.



- Denotes iron monument found
- Denotes 1/2" iron pipe set and marked by License No. 23666

Orientation of this bearing system is the North American Datum of 1983.



No.	Date	REVISIONS
01	12/08/2023	Added well on survey

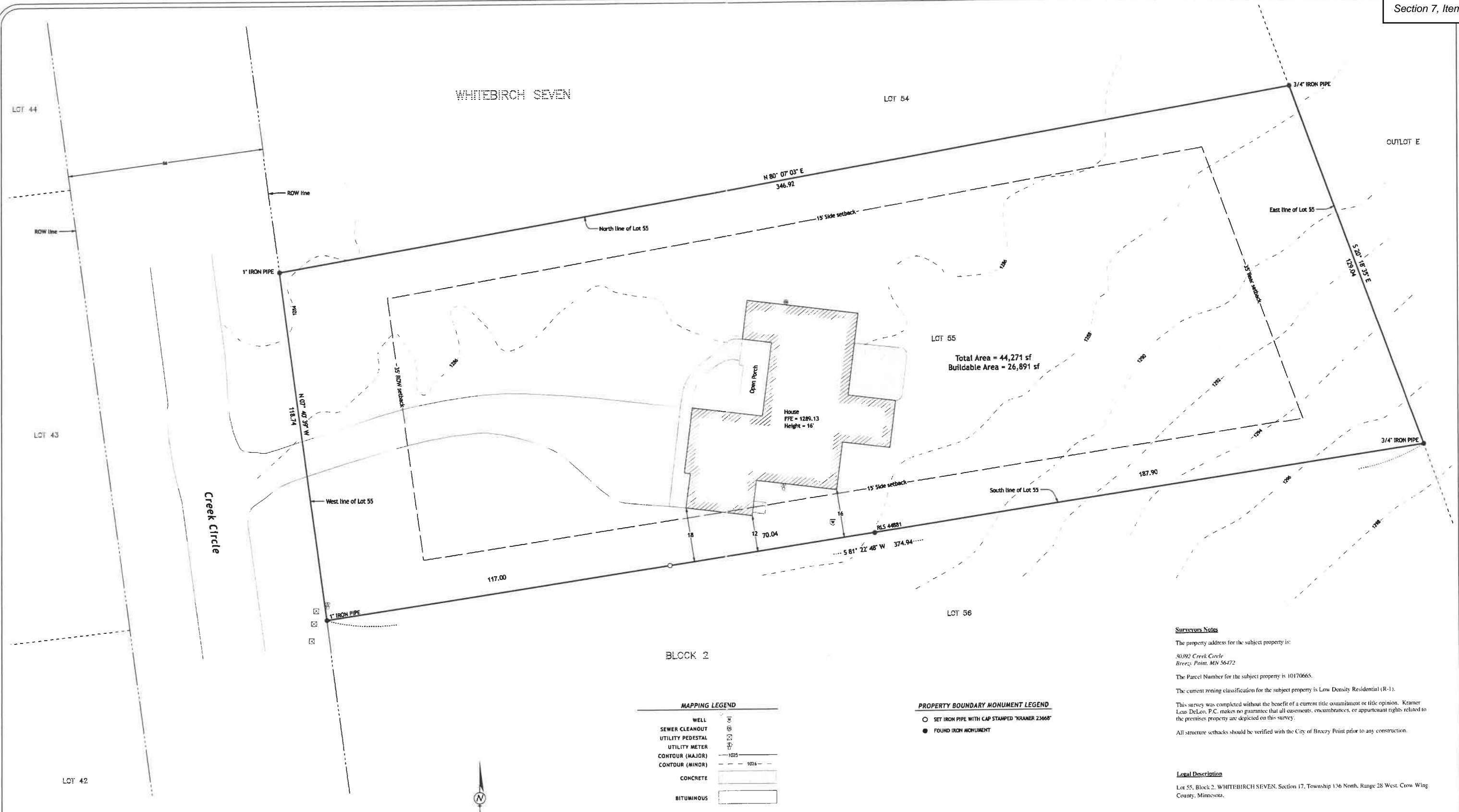
Client Name: Mark and Janine Johnson

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.  
 SIGNATURE: *James Kramer* DATE: 1-19-2015  
 JAMES KRAMER, MN LICENSE NUMBER 23668



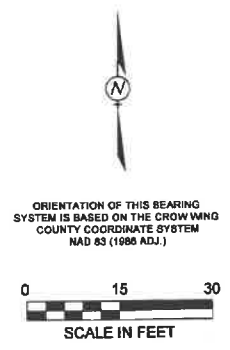
PROJECT NO. JOHNM1401

WHITEBIRCH SEVEN



**Impervious Calculation**

Total Area	=	44,271 Sq. Ft.
<b>Impervious coverage:</b>		
Buildings	=	3,094 Sq. Ft.
Concrete	=	618 Sq. Ft.
Bituminous	=	2,353 Sq. Ft.
<b>Total</b>	=	<b>6,065 Sq. Ft. (13.6% Impervious Coverage)</b>



**MAPPING LEGEND**

WELL	
SEWER CLEANOUT	
UTILITY PEDESTAL	
UTILITY METER	
CONTOUR (MAJOR)	---1025---
CONTOUR (MINOR)	---1024---
CONCRETE	
BITUMINOUS	

**PROPERTY BOUNDARY MONUMENT LEGEND**

	SET IRON PIPE WITH CAP STAMPED "KRAMER 23668"
	FOUND IRON MONUMENT

NO.	REVISIONS SINCE INITIAL DATE OF	DATE

1122 Industrial Park Place  
St. Cloud, MN 56302  
763-832-4333

17 North 10th Avenue  
St. Cloud, MN 56302  
252-288-1289

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

Signature: Date: 04/29/2024

James Kramer, MN License No. 23668

PROJECT NO. SUARL2301

**CERTIFICATE OF SURVEY**  
 Topographic and Property Boundary Survey  
 Larry Suarez  
 Section 17, Township 136 North, Range 28 West  
 Crow Wing County, Minnesota

**Surveyors Notes**

The property address for the subject property is:  
 30392 Creek Circle  
 Breezy Point, MN 56472

The Parcel Number for the subject property is 10170665.

The current zoning classification for the subject property is Low Density Residential (R-1).

This survey was completed without the benefit of a current title examination or title opinion. Kramer Leas DeLeo, P.C. makes no guarantee that all easements, encumbrances, or appurtenant rights related to the premises property are depicted on this survey.

All structure setbacks should be verified with the City of Breezy Point prior to any construction.

**Legal Description**

Lot 55, Block 2, WHITEBIRCH SEVEN, Section 17, Township 136 North, Range 28 West, Crow Wing County, Minnesota.





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



City of Breezy Point  
Notice of Public Hearing  
Tuesday, June 11, 2024, 7:00 p.m.  
Breezy Point City Hall

Whom It May Concern:

Notice is hereby given that the City of Breezy Point Planning Commission / Board of Adjustment will hold a public hearing on Tuesday, June 11, 2024 at 7:00 p.m. or shortly thereafter at Breezy Point City Hall, 8319 County Road 11, to consider the following;

Variance Application V-24-001  
SUAREZ FAMILY TRUST 240 HILLCREST CT PLEASANT HILL CA 94523.  
LOT 55 BLOCK 2 WHITEBIRCH SEVEN. Parcel 10170665.  
Requesting an after the fact variance from the required side yard setback distance of 15 feet to 12 feet for an existing residential structure. Zone R-1.

Conditional Use Permit Application C-24-003  
ANDERSON, DANIEL D & LISA L 31945 HARVEST RD BREEZY POINT MN 56472.  
LOT 3 BLOCK 22 & LOT 2 BLOCK 22 WHITEBIRCH SIXTEEN. Parcel 10080641.  
To construct a 38 X 36 (1,368 SQFT) Accessory Structure. Zone R-2.

Subdivision Application S-24-002  
HAGLIN, GREG C & ROSEANNE 510 CALIBRE LANE MOUNT JULIET TN 37122.  
THAT PART OF GOVERNMENT LOT 2, SECTION 1, TOWNSHIP 136, RANGE 28, CROW WING COUNTY, MINNESOTA DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST COMER OF SAID GOVERNMENT LOT 2; GL 1 SEC 1 T2P 136 R28, CWC MN. LESS AND EXCEPT THAT PT OF SD GL 1 DESC AS FOLL: COMM AT THE NE COR OF SD GL 1; THENCE S 89D 47'41"W, ASSUM BEAR ALG THE N LINE OF GL 1 A DIST OF. Parcels 10010542 & 10010543.  
Requesting a 7 Lot Preliminary Plat. Zone WR

A notice relative to above listed request is sent to all property owners located within 350 feet of the applicant's property. Please share this information with your neighbor in the event that any property owner has been missed, or that our records are not correct.

Public is invited to attend and be heard on these matters.

Peter Gansen  
Planning & Zoning Administrator  
City of Breezy Point  
218-569-1003  
[pgansen@cityofbreezypointmn.us](mailto:pgansen@cityofbreezypointmn.us)



8319 County Road 11  
Breezy Point, MN 56472  
Phone: (218) 562-4441  
Fax: (218) 656-1326  
www.cityofbreezypointmn.us

Received by City: Ph  
Application Number: C-24-003  
Non-refundable Fee Paid: 250.00  
Receipt #: 23161

# Conditional Use Application

Name of Applicant Dan Anderson  
Address 31945 Harvest Road Email: dan.d.anderson10@gmail.com  
City, State, Zip Breezy Point, MN. 56472  
Phone 320-292-7567 Alternate Phone 320-293-9694

Physical Address / Location of Property 31945 Harvest Road Breezy Point, MN. 56472

Legal Description of Property Lot 3 B122 Lot 2 B122 WB16

Parcel ID Number 100820641 ← 70080642 Zoning District R-2

Applicant is:

- Legal Owner of Property
- Contract Buyer
- Option Holder
- Agent
- Other

Title Holder of Property (if different than applicant):

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, ZIP \_\_\_\_\_  
Phone \_\_\_\_\_

State the nature of your request in detail. What are you proposing for your property?

Construction of garage, storage building, and driveway.

Signature of Owner, authorizing application [Signature]

(By signing, the owner is certifying that he/she has read and understands the instructions accompanying this application.)

Signature of Applicant (if different than owner) \_\_\_\_\_

(By signing, the applicant is certifying that he/she has read and understands the instructions accompanying this application.)

\*By signing above, I acknowledge that I understand that I am responsible for all fees incurred by the City as a result of professional services provided by the City Engineer, City Attorney, and other contracted agencies in reviewing my application.\*

**CONDITIONAL USE:** A land use or land development, as defined by the Ordinance, that is allowed, but would not be appropriate without restrictions or conditions as determined by the Planning Commission. The proposed use must meeting the following standards: (a) the use or development is an appropriate conditional use in the land use zone, (b) the use or development with conditions conforms to the comprehensive land use plan, (c) The use with conditions is compatible with the existing neighborhood, and (d) the use with conditions would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, or prosperity of residents in the City.

The following questions must be answered.

1. What changes are you proposing to make to this property?

Building: 36' x 38' garage and 10' x 10' storage building

Landscaping:

Parking/Signs:

2. Describe the impact on the use and enjoyment of other property in the immediate vicinity. If there is no impact, explain why.

No impact. Garage and out building will be used for storage. Very little Traffic

3. Describe the character of the area and the existing patterns and use of development in the area. How is the proposal consistent with those patterns and uses?

This proposal is consistent with other properties in the area. House with unattached garage and out building.

4. Describe the impact on the capacity of existing or planned community facilities (sewer, drainage, other). Explain if additional facilities will be required.

No impact on drainage - Driveway off Harvest Court will maintain existing drainage patterns with the use of a culvert.

5. Describe the impact on the character of the neighborhood in which the property is located.

No impact on the neighborhood.

6. Describe the impact to the traffic on roads and highways in the vicinity, and the expected traffic generated by the proposed use. Is there adequate off-street parking available to accommodate the proposal?

No impact on traffic. Minimal traffic to and from garage.

7. Discuss any environmental limitations of the area that would limit or constrain construction on this property.

No environmental impacts. Will restore vegetation.

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

*No additional comments*

**INSTRUCTIONS TO THE APPLICANT**

Completed applications, with *all* submittal requirements, must be submitted to the Planning & Zoning Department no fewer than **25 days** prior to the meeting date. In order for your application to be accepted as complete, and to have a public hearing scheduled, the following information **must** be submitted:

- 1. This application must be completed, including responses to all parts of this application.
- 2. The required fee must be paid. See fee schedule for details. *250*
- 3. Legal description of the site. ✓
- 4. Site plan, drawn to scale, showing parcel and existing structure dimensions, water features, and 10 foot contour lines (smaller contour lines may be required if deemed necessary by the Planning Department, Planning Commission, or City Council). ✓
- 5. The site plan or should also show the location of all structures and their square footage. ✓
- 6. Existing and proposed curb cuts, driveways, access roads, turn-arounds, parking including RV, boat and additional vehicle storage, off-street loading, and sidewalks. Size and type of surface should also be included. ✓ *see public works*
- 7. Proposed landscaping and screening plans: garbage dumpsters, areas preserved in natural state including buffer areas, areas to be developed into lawn (grass), areas to be covered by woodchips or mulch, garden areas, shrubbery, types, size, age, and number of proposed trees and their locations, exterior lighting to be proposed including location and type, any other items deemed appropriate. *NA*
- 8. Square footage of all impervious coverage. Impervious coverage includes the horizontal area of all buildings, decks, roof overhangs, patios, walks, driveways, and any other parking areas and drives constructed of any material. ✓
- 9. Proposed drainage plan. *or separate sheet stormwater*
- 10. Proposed and existing sanitary sewer and water supply plans with estimated usages on peak day. *CI? date*
- NA* 11. Soils data showing capability for building and on-site sewage treatment. *- card*
- 12. Existing iron pipe boundary monuments marked with proof of survey. ✓
- NA* 13. Approximate location of any proposed signs (if applicable). *NA*
- NA* 14. Color scheme for all existing and proposed structures. ✓
- NO* 15. Outside storage proposal. *Indoor proposed*
- 16. Elevation plans for all existing and proposed structures. *color*



TO: Planning Commission  
FROM: Peter Gansen, Planning & Zoning Administrator  
RE: Staff Report for Application C-24-03  
DATE: June 11, 2024 Regular Meeting

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Subdivision Application C-24-003  
Applicant: Daniel and Liza Anderson  
Property Address: 31945 Harvest Rd  
Legal Description: LOT 3 BLOCK 22 & LOT 2 BLOCK 22 WHITEBIRCH SIXTEEN  
Parcel ID: 10080641  
Zoned: R-2 Medium Density Residential

- Applicant has filed the appropriate application for a Conditional Use request.
- Applicant has paid the appropriate fee for the application.
- Public notice of the Hearing was published in the legal newspaper and all property owners within 350' were mailed a notice of hearing.
- Public notice was not given to the DNR via email.

Conditional Use Request:

- To construct a 38 X 36 (1,368 SQFT) Accessory Structure.

Summary of the property

LOT 3 BLOCK 22 & LOT 2 BLOCK 22 WHITEBIRCH SIXTEEN is located at the intersection of Harvest Road and Buschman Road.

The property and adjacent properties are platted residential development.

The zoning classification for the property of R-2. This zoning classification requires a conditional use permit for accessory structures over 1280 square feet up to 1600 square feet.

The applicant met with the Zoning Administrator for a preapplication meeting to present their plans.

The site topography, access and lot configuration appear to be suitable for the proposed use and is consistent with the comprehensive land use plan, which encourages residential development in areas within this zoning classification.

The property is zoned R-2 and the request is an allowed use with a conditional use permit under the Land Use Categories Chart Section §153.044.

Based on the information presented at this time staff recommends approval with no conditions.

Findings:

Upon review of a Conditional Use application the commission needs to consider the findings as required in Section §153.119 (E). In review the commission should state whether or not the finding is acceptable towards granting the CUP, if applicable.

The following findings must be met:

**(a) The use or development is an appropriate conditional use in the land use zone.**

The property is zoned R-2 and the request is appropriate under Section §153.044 & §153.032.

**(b) The use or development with conditions conforms to the Comprehensive Land Use Plan.**

Accessory structures conform to residential development consistent with the comp plan.

**(c) The use with conditions is compatible with the existing neighborhood.**

The proposed use is residential similar to the surrounding properties.

**(d) The use with conditions would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the city.**

(2) The following must be considered:

**(a) The conditional use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminish or impair property values in the immediate vicinity;**

**(b) The conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area;**

**(c) The conditional use will not create excessive additional requirements**



**at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community;**

The use does not require any additional public infrastructure.

**(d) The conditional use will have vehicular approaches to the property which are so designed as not to create traffic congestion or an interference with traffic on surrounding public thoroughfares;**

The proposed use is keeping with the residential character of the neighborhood creating nominal additional traffic flow.

**(e) Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use;**

The use is in keeping with the residential character of the neighborhood creating nominal additional parking or loading requirements.

**(f) Adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance and to control lights and signs in such a manner that no disturbance to neighboring properties will result;**

The proposed use is in keeping with the residential character of the neighborhood. No commercial use of the property is proposed as a condition of the CUP.

**(g) The conditional use will not result in the destruction, loss or damage of a natural, scenic or historical feature of major significance; and**

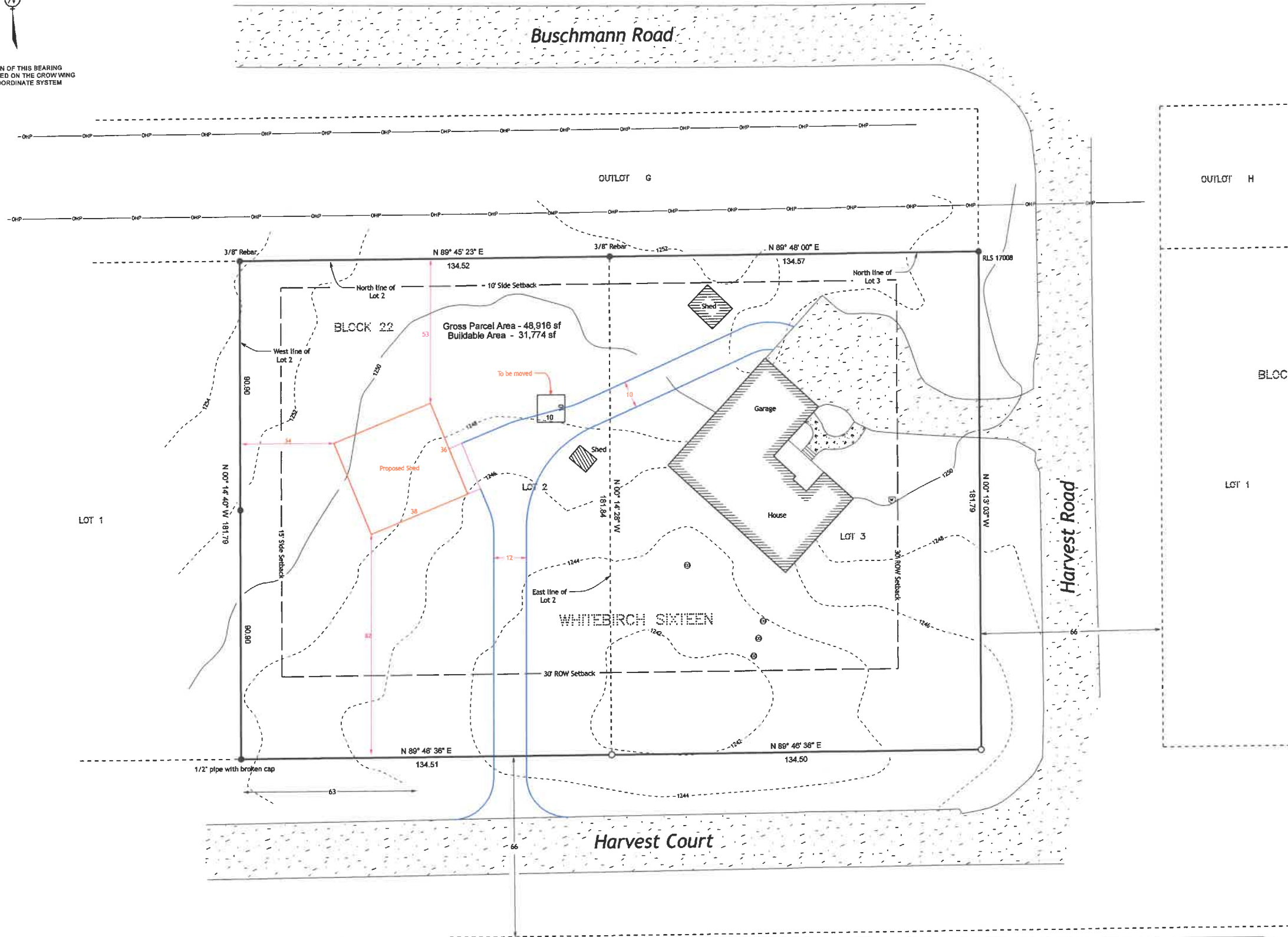
**(h) The conditional use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients.**

The following are recommended conditions.

- 1) None.**



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE CROW WING COUNTY COORDINATE SYSTEM



**Surveyors Notes**  
 The property address for the subject property is:  
 31945 Harvest Road  
 Breezy Point, MN 56472  
 The Parcel Number for the subject property is 10080641 and 10080642  
 The current zoning classification for the subject property is Medium Density Residential (R-2)  
 This survey was completed without the benefit of a title commitment or title opinion, there may be easements or other limiting factors that affect the subject property that are not shown on this survey

**Legal Description**  
 Lot 2 and Lot 3, Block 22, WHITEBIRCH SIXTEEN, Crow Wing County, Minnesota.

**Impervious Calculation**  
 Total Area = 48,916 Sq. Ft.  
**Existing impervious coverage**  
 Buildings = 2,836 Sq. Ft.  
 Concrete = 155 Sq. Ft.  
 Bituminous = 2,117 Sq. Ft.  
 Total = 5,108 Sq. Ft. (10.5% Impervious Coverage)

**Proposed impervious coverage**  
 Buildings = 4,204 Sq. Ft.  
 Concrete = 545 Sq. Ft.  
 Bituminous = 4,931 Sq. Ft.  
 Total = 9,680 Sq. Ft. (19.8% Impervious Coverage)

**PROPERTY BOUNDARY LEGEND**  
 ○ SET IRON PIPE WITH CAP STAMPED "KRAMER 23668"  
 ● FOUND IRON MONUMENT



NO.	REVISIONS SINCE INITIAL DATE OF	DATE
1	Added proposed improvements and impervious calculations	04-23-2024
2	Added proposed improvements and impervious calculations	05-13-2024

**KRAMER LEAS DELEO**  
 SURVEYING • ENGINEERING • PLANNING  
 TRAINED BY CLOUD

1220 Inclusion Park Road  
 Brainerd, MN 56401  
 218-828-4330  
 12 North 1 1/2th Avenue  
 St. Cloud, MN 56301  
 325-369-1390

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

Signature: *James Kramer* 07/27/2021  
 James Kramer, MN License No. 23668 Date

**CERTIFICATE OF SURVEY**  
 Topographic and Property Boundary Survey

Dan Anderson  
 Section 8, Township 136 North, Range 28 West  
 Crow Wing County, Minnesota

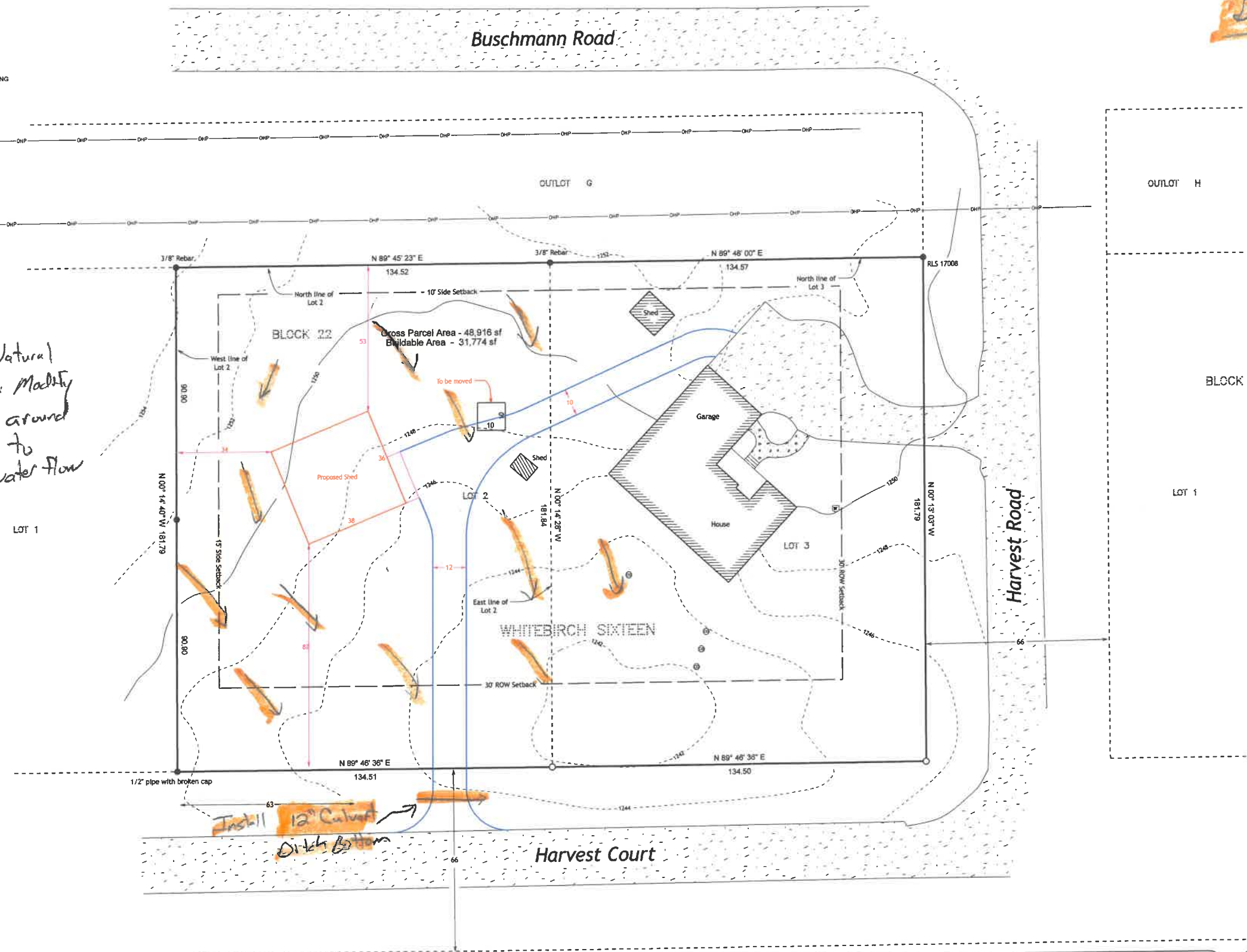
Sheet No. 1 of 1



*Stormwater  
Drainage Plan*



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE CROW WING COUNTY COORDINATE SYSTEM



*Maintain Natural Water Flows Modify elevations around Building to divert water flow*

*Install 12" Culvert  
Ditch Bottom*

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**KRAMER LEAS DELEO**  
 SURVEYING • ENGINEERING • PLANNING  
 BRAINERD ST. CLOUD

1120 Industrial Park Road  
 Brainerd, MN 56401  
 718.629.6331  
 13 North 7th Avenue  
 St. Cloud, MN 56301  
 350.250.1288

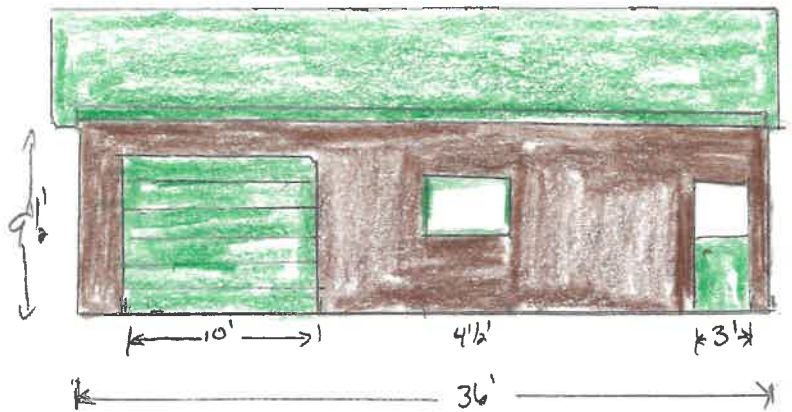
I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: *James Kramer* 07/27/2021  
 James Kramer, MN License No. 23668 Date

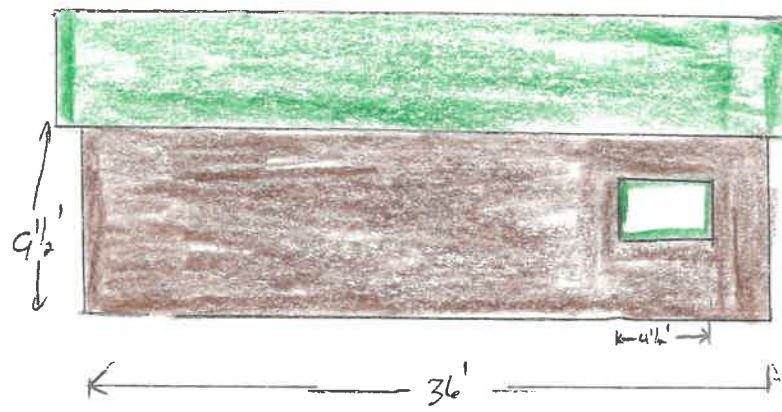
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 Topographic and Property Boundary Survey

Dan Anderson  
 Section 8, Township 136 North, Range 28 West  
 Crow Wing County, Minnesota

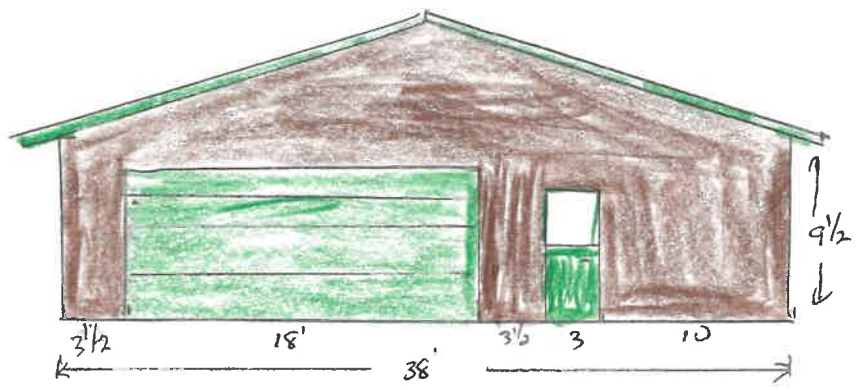
Sheet No. 1 of 1



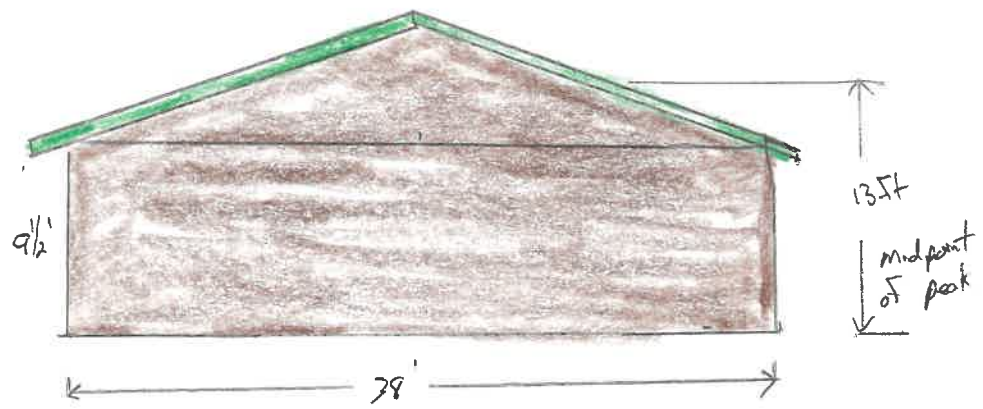
South



North

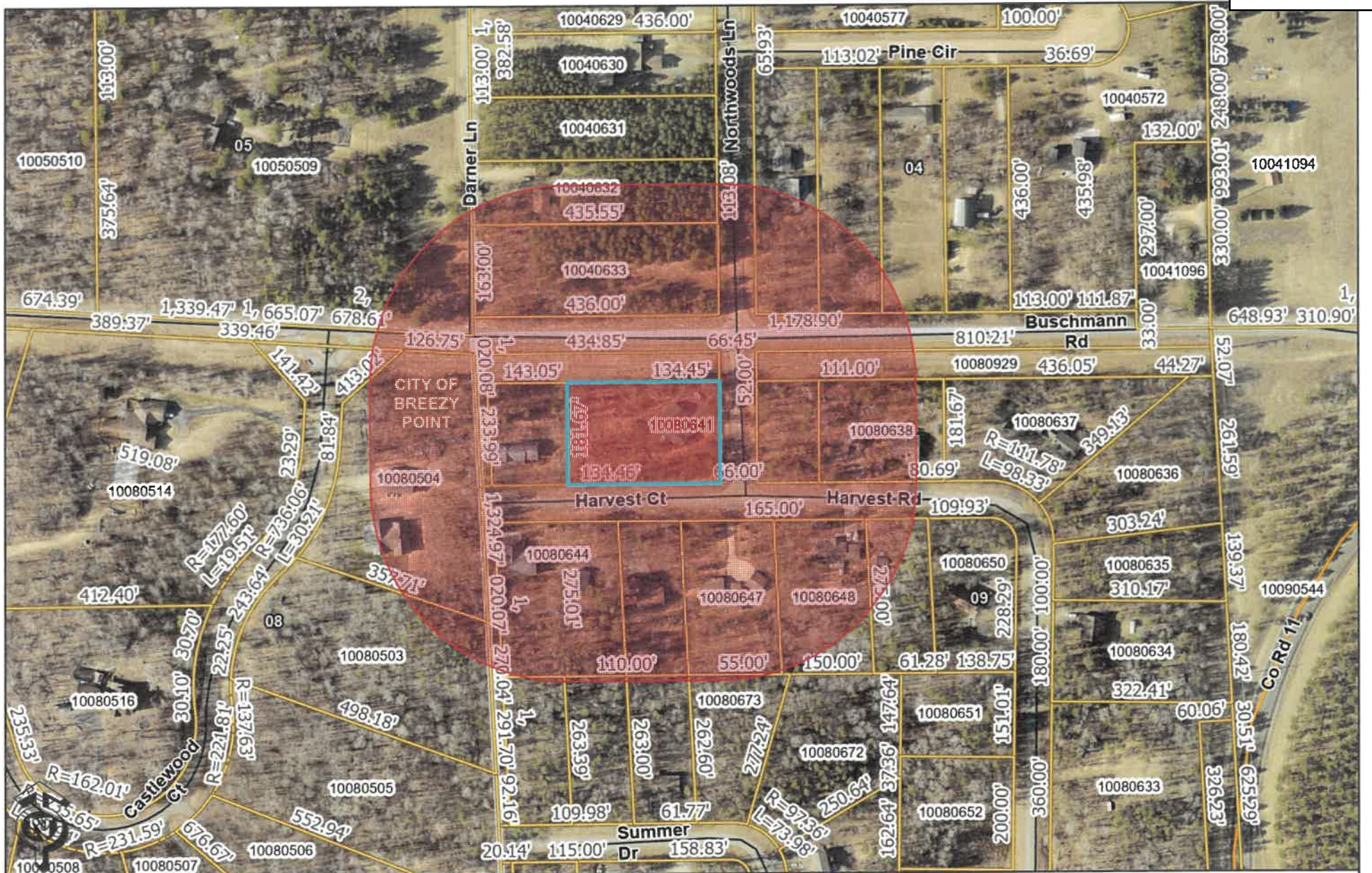


East



West





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.



City of Breezy Point  
Notice of Public Hearing  
Tuesday, June 11, 2024, 7:00 p.m.  
Breezy Point City Hall

Whom It May Concern:

Notice is hereby given that the City of Breezy Point Planning Commission / Board of Adjustment will hold a public hearing on Tuesday, June 11, 2024 at 7:00 p.m. or shortly thereafter at Breezy Point City Hall, 8319 County Road 11, to consider the following;

Variance Application V-24-001  
SUAREZ FAMILY TRUST 240 HILLCREST CT PLEASANT HILL CA 94523.  
LOT 55 BLOCK 2 WHITEBIRCH SEVEN. Parcel 10170665.  
Requesting an after the fact variance from the required side yard setback distance of 15 feet to 12 feet for an existing residential structure. Zone R-1.

Conditional Use Permit Application C-24-003  
ANDERSON, DANIEL D & LISA L 31945 HARVEST RD BREEZY POINT MN 56472.  
LOT 3 BLOCK 22 & LOT 2 BLOCK 22 WHITEBIRCH SIXTEEN. Parcel 10080641.  
To construct a 38 X 36 (1,368 SQFT) Accessory Structure. Zone R-2.

Subdivision Application S-24-002  
HAGLIN, GREG C & ROSEANNE 510 CALIBRE LANE MOUNT JULIET TN 37122.  
THAT PART OF GOVERNMENT LOT 2, SECTION 1, TOWNSHIP 136, RANGE 28, CROW WING COUNTY, MINNESOTA DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST COMER OF SAID GOVERNMENT LOT 2; GL 1 SEC 1 T2P 136 R28, CWC MN. LESS AND EXCEPT THAT PT OF SD GL 1 DESC AS FOLL: COMM AT THE NE COR OF SD GL 1; THENCE S 89D 47'41"W, ASSUM BEAR ALG THE N LINE OF GL 1 A DIST OF. Parcels 10010542 & 10010543.  
Requesting a 7 Lot Preliminary Plat. Zone WR

A notice relative to above listed request is sent to all property owners located within 350 feet of the applicant's property. Please share this information with your neighbor in the event that any property owner has been missed, or that our records are not correct.

Public is invited to attend and be heard on these matters.

Peter Gansen  
Planning & Zoning Administrator  
City of Breezy Point  
218-569-1003  
[pgansen@cityofbreezypointmn.us](mailto:pgansen@cityofbreezypointmn.us)



8319 County Road 11  
 Breezy Point, MN 56472  
 Phone: (218) 562-4093  
 Fax: (218) 562-4486  
 www.cityofbreezypointmn.us

Received by City: 5/29/20 Section 7, Item C.  
 Application Number: 5-24-002  
 Non-refundable Fee Paid: 250.00  
 Receipt #: 23274

# Subdivision Application

Name of Applicant Greg Haglin  
 Address P.O. Box 258  
 City, State, Zip Crosslake, mn. 56442  
 Phone (218) 894-6815 Alternate Phone \_\_\_\_\_

Physical Address / Location of Property xxx Fawn Lake Road

Legal Description of Property \_\_\_\_\_

Parcel ID Number 10010542 and 10010543 Zoning District WR

Applicant is:  Legal Owner of Property  Contract Buyer  Option Holder  Agent  Other \_\_\_\_\_

Title Holder of Property (if different than applicant):  
 Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City, State, ZIP \_\_\_\_\_

Nature of request (please select one only):  
 Preliminary Plat  Final Plat  Metes and Bounds Subdivision

Briefly describe your proposal: I am proposing to subdivide 57.41 acres into seven separate parcels per the proposed plat of The Pines of Fawn Lake.

Signature of Owner, authorizing application Greg C. Haglin  
 (By signing, the owner is certifying that he/she has read and understands the instructions accompanying this application.)

Signature of Applicant (if different than owner) \_\_\_\_\_  
 (By signing, the applicant is certifying that he/she has read and understands the instructions accompanying this application.)

\*By signing above, I acknowledge that I understand that I am responsible for all fees incurred by the City as a result of professional services provided by the City Engineer, City Attorney, and other contracted agencies in reviewing my application.\*

**NOTE:** Applicants may apply for Preliminary Plat and Final Plat at the same time, but they must be on separate applications. Preliminary Plat and Final Plat hearings will not be held at the same meeting. Effective date of Final Plat application will be the date of Preliminary Plat approval, unless otherwise requested.

**INSTRUCTIONS TO THE APPLICANT**

Completed applications, with *all* submittal requirements, must be submitted to the Planning & Zoning Department no fewer than **25 days** prior to the meeting date. In order for your application to be accepted as complete, and to have a public hearing scheduled, all required information **must** be submitted.

- \_\_\_\_\_ 1. This application must be completed, including responses to all parts of this application.
- \_\_\_\_\_ 2. The required fee must be paid. See fee schedule for details.
- \_\_\_\_\_ 3. Preliminary Plat applications shall be completed at least to the minimum standards of the Ordinance, as detailed in Section 152.12 of the Subdivision Ordinance.
- \_\_\_\_\_ 4. Final Plat applications shall be completed as per the requirements of the Planning Commission from the Preliminary Plat hearing and the minimum standards of the Ordinance, Crow Wing County, and the State of Minnesota.
- \_\_\_\_\_ 5. Metes and Bounds applications shall conform to the requirements of Section 152.40 at a minimum. Additional information may be required as deemed applicable by the Planning Department or the Planning Commission.
- \_\_\_\_\_ 6. If any of the parcel contains structures with an ISTS (on-site sewage system), a Sewer Compliance Inspection must be submitted.
- \_\_\_\_\_ 7. Proof of ownership or authority to subdivide the parcel.

**METES & BOUNDS:**

Subdivision by metes and bounds shall require approval by the Planning Commission if the resulting parcels are less than 20 acres and 500 feet in width for residential or urban reserve zoned lots *or* 5 acres and 300 feet of width for commercial or industrial zoned lots. Only one metes & bounds subdivision shall be allowed per parent parcel of record if the resulting parcels are 10 acres or less. An additional parcel for right-of-way or commonly owned driveway access may also be allowed or required.

**PRELIMINARY & FINAL PLATS:** Subdivision by Plat or Condominium or “CIC” Plat shall be approved by the Planning Commission and the City Council. The preliminary plat and final plat shall require approval by the Planning Commission and City Council.



TO: Planning Commission  
 FROM: Peter Gansen, Planning & Zoning Administrator  
 RE: Staff Report for Replat S-24-02  
 DATE: June 11, 2024 Regular Meeting

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Subdivision Application S-24-002  
 Applicant: Greg Haglin  
 Property Address: No current address  
 Legal Description: THAT PART OF GOVERNMENT LOT 2, SECTION 1, TOWNSHIP 136, RANGE 28,  
 Parcel ID: 10010542 & 10010543  
 Zoned: WR Wooded Residential

- Applicant has filed the appropriate application for Preliminary Plat.
- Applicant has paid the appropriate fee for the application.
- Public notice of the Hearing was published in the legal newspaper and all property owners within 350’ were mailed a notice of hearing.
- Public notice was given to the DNR via email.

Subdivision Request:

- To subdivide two lots or record into a 7 lot Preliminary Plat for rural residential development.

Summary of the property

THAT PART OF GOVERNMENT LOT 2, SECTION 1, TOWNSHIP 136, RANGE 28, is located in the north east corner of the City limits on the south side of Fawn Lake Road.

The property is un-platted rural land.

The zoning classification for the property is Wood Residential. This zoning classification requires 5 acre minimum lot size and residential development is an allowed use. The subject property also falls within the shoreland overlay district due to its proximity, 1,000 ft of the public waters of Fawn lake. Wooded Residential is a low density zoning classification and residential development of this zoning class is supported in comprehensive land management plan.

The applicant and surveyor met with the Zoning Administrator per the subdivision ordinance required pre application meeting to present their plans.

The applicant's concept plan is to develop the property into 6 lots that are roughly acres or more in size and 1 tract the is roughly larger than 26 acres in size.

The site consists of variable topographic features including a large wetland and steep slopes. The lots proposed meet the required SSTS areas for onsite septic systems and exceed the required minimum buildable areas/site suitability and areas meeting setbacks for residential or seasonal dwellings.

The DNR has been notified as the project site lies within the shoreland zoning overlay and the City has received no comment from the agency at this time.

The City also noticed Crow Wing County as the proposed development is accessed from a County Road, Fawn Lake Road.

The County Engineering office has worked with applicant to develop a suitable access plan for the proposed lots.

Lots 1 and 2 will share access points; lots 3 and 4 will also share access points; lots 6 and 7 will also share access points off Fawn lake Road. Lot 5 will have its own access point for fawn lake road with a driveway location to be determined in the future.

The reason why, is to consolidate the access points on this area of the road due to public safety and traffic site lines which were concerns brought forth from the County Engineering department during the pre-application meeting.

Also per chapter 152 park dedication fee is required per the following.

If it is determined that parkland in a subdivision is not warranted the city shall require a payment, in lieu of land dedication, of a sum equal to 10% of the fair market value of the land to be subdivided or a combination of land and payment equal to 10% of the fair market value of the land to be subdivided, all determined at the time of final plat approval by the City Council.

The site topography, access and lot configuration appear to be suitable for the proposed use and is consistent with the comprehensive land use plan, which encourages residential development in areas within this zoning classification.

The property is zoned R-4 and the request is an allowed use with a conditional use permit under the Land Use Categories Chart Section §153.044.

Findings

The Planning Commission shall consider the following in its decision and make written findings concerning the proposed preliminary plat, preliminary condominium or CIC plat subdivision:



- (a) Whether the property is properly zoned;
  - (b) Whether the proposal conforms to the requirements of the Zoning Ordinance;
  - (c) Whether the proposal conforms to the requirements and design standards of this chapter; and
  - (d) Whether the concerns of affected agencies have been addressed.
  - (e) Whether the proposed development is consistent with the Comprehensive Land Use Plan and related components.
  - (f) Whether the physical characteristics of the site, including but not limited to topography, erosion and flooding potential, and soil limitations, are suitable for the type of development or use contemplated.
  - (g) Whether the proposed development will not create a negative fiscal or environmental impact upon the city.
  - (h) Whether the city will face undue financial hardship due to the development in question.
  - (i) Whether the subdivision will inhibit the orderly growth of the surrounding areas or the city as a whole.
- (9) The Planning Commission may consider additional standards and requirements necessary to protect the best interest of the surrounding area and the city as a whole, including but not limited to the following:
- (a) Whether streets and driveways within the preliminary plat, preliminary condominium or CIC plat are designed to provide good access and efficient use of the property;
  - (b) Whether the design of the preliminary plant, preliminary condominium or CIC plat (e.g., road location, lot placement, buffers and/or green space) is compatible and not injurious to the use and enjoyment of other property in the surrounding area; and
  - (c) Whether vehicular approaches to the property are designed so as not to create traffic congestion or interference on surrounding public highways.

(10) Subdivision by plat, condominium or "CIC" preliminary plat shall be recommended for approval by the Planning Commission and approved by the City Council. The final plat shall also require a recommendation by the Planning Commission and an approval by the City Council.

(11) Failure of the subdivider to file a final plat within one year of approval of the preliminary plat shall result in the preliminary plat approval being void, unless extended for one year by resolution of the City Council prior to the expiration of the one year time frame.

(12) A preliminary plat that contains multiple phases and has a final plat platted for a portion of the property shall have up to two (2) years from the date of the plat approval to Final Plat each subsequent phased portion of the approved Preliminary Plat. Prior to the expiration of the deadline, the City Council, at its option, may extend the approval for up to an additional two (2) years. The extension request shall be in writing specifically designating the expiration date. Only one (1) extension may be granted per phase of the development. Upon expiration of the deadline or extension thereof the subdivider will be required to renew the Preliminary Plat process.

Staff has reviewed the following:

- Site Plan
- Preliminary Plat Application

The following are recommended conditions.

- 1) The applicant must consolidate the driveway access points as presented in this application.**
- 2) Submit required park dedication fees prior final plat approval.**

# PRELIMINARY PLAT THE PINES OF FAWN LAKE

**LAND AREA:**  
57.41 ACRES

**MINIMUM LOT REQUIREMENTS:**  
MINIMUM LOT AREA = 5 Acres  
MINIMUM LOT WIDTH = 300 feet

**WETLAND:**  
Delineated by Mitch Brinks, Certified Wetland Delineator # 1007, on 5/13/2024.

**OWNER-DEVELOPER:**  
Greg Haglin

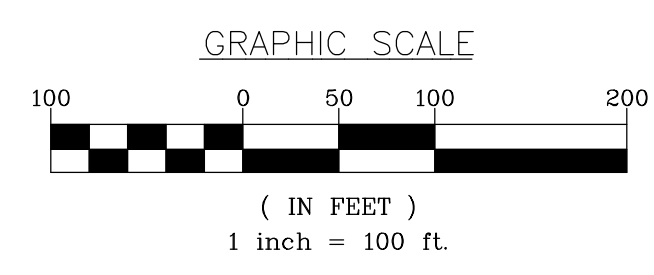
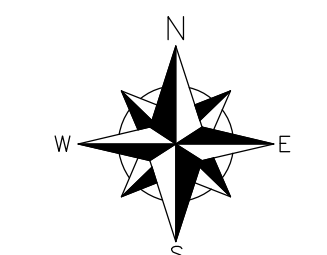
**SITE LOCATION:**  
Fawn Lake Road  
Crosslake, MN, 56442

**PARCEL No.**  
10010542, 10010543

**ZONED:**  
Wooded Residential (WR)

**SURVEYOR:**  
ARRO Land Surveying of Brainerd, INC.  
20396 Division Road  
Brainerd, MN 56401  
(218) 820-2738

**PREPARED:**  
5/15/2024



**BEARING ORIENTATION:**  
Crow Wing County Coordinate System (NAD83)

### LEGEND

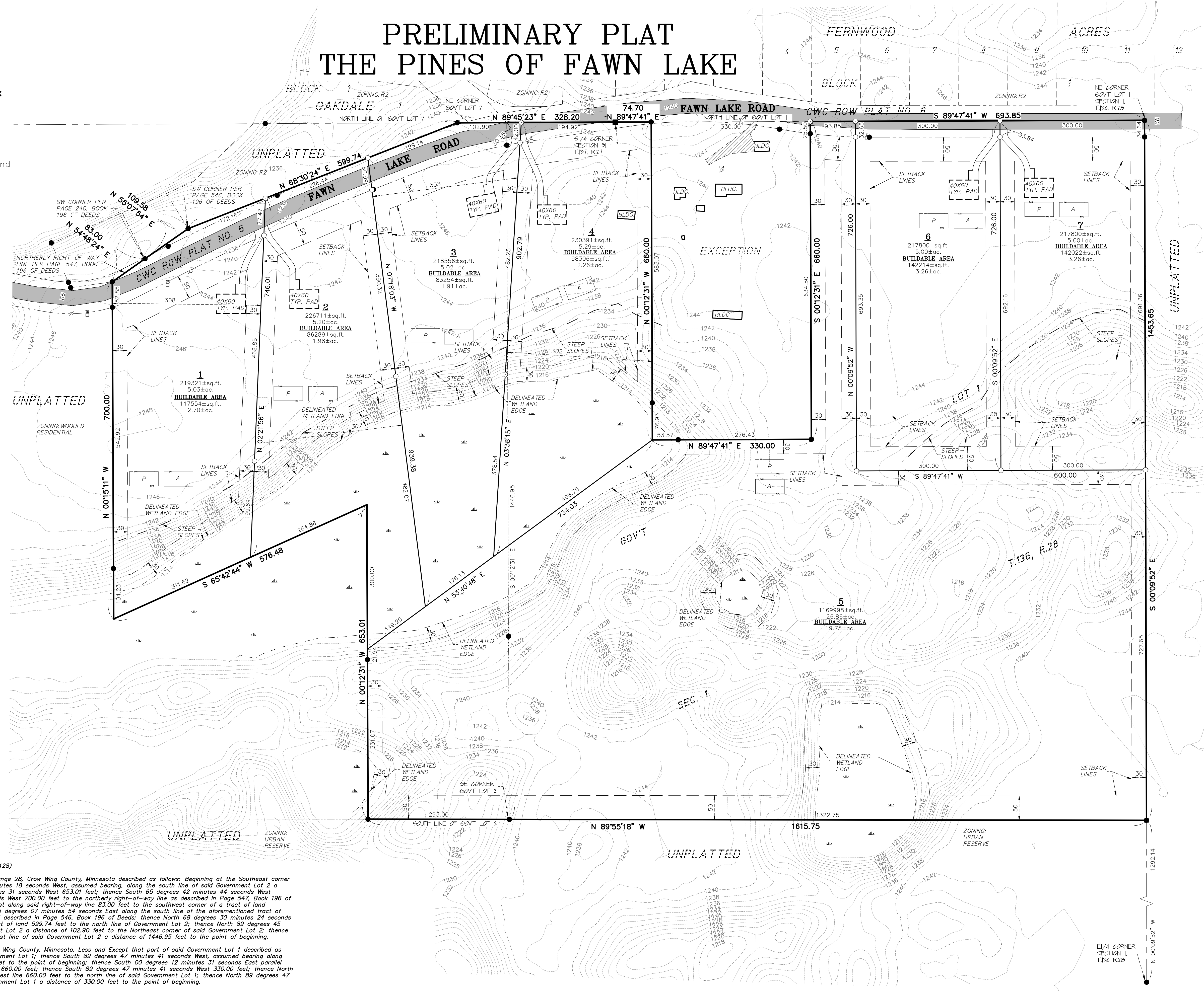
- DENOTES 1/2 INCH IRON PIPE SET AND MARKED WITH RLS 59285 CAP.
- DENOTES FOUND SURVEY MONUMENT
- DENOTES FOUND TELSPAR MONUMENT
- DENOTES TELEPHONE PEDESTAL
- DENOTES ELECTRIC BOX
- DENOTES UTILITY POLE
- ▨ DENOTES APPROXIMATE WETLAND
- ▨ DENOTES GRAVEL SURFACE
- ▨ DENOTES BITUMINOUS SURFACE
- DENOTES 2 FOOT CONTOURS (LIDAR)
- DENOTES PRIMARY AND ALTERNATE SEPTIC SITES

### EXISTING DESCRIPTION - (Per Doc. Nos.: 988394, 986128)

That part of Government Lot 2, Section 1, Township 136, Range 28, Crow Wing County, Minnesota described as follows: Beginning at the Southeast corner of said Government Lot 2; thence North 89 degrees 55 minutes 18 seconds West, assumed bearing, along the south line of said Government Lot 2 a distance of 293.00 feet; thence North 00 degrees 12 minutes 31 seconds West 653.01 feet; thence South 65 degrees 42 minutes 44 seconds West 576.48 feet; thence North 00 degrees 15 minutes 11 seconds West 700.00 feet to the northerly right-of-way line as described in Page 547, Book 196 of Deeds; thence North 54 degrees 48 minutes 24 seconds East along said right-of-way line 83.00 feet to the southwest corner of a tract of land described in Page 240, Book 196 of Deeds; thence North 55 degrees 07 minutes 54 seconds East along the south line of the aforementioned tract of land 109.58 feet to the southeast corner of a tract of land described in Page 546, Book 196 of Deeds; thence North 68 degrees 30 minutes 24 seconds East along the southeasterly line of the aforementioned tract of land 599.74 feet to the north line of Government Lot 2; thence North 89 degrees 45 minutes 23 seconds East along the north line of Government Lot 2 a distance of 102.90 feet to the Northeast corner of said Government Lot 2; thence South 00 degrees 12 minutes 31 seconds East along the east line of said Government Lot 2 a distance of 1446.95 feet to the point of beginning.

AND

Government Lot 1, Section 1, Township 136, Range 28, Crow Wing County, Minnesota. Less and Except that part of said Government Lot 1 described as follows: Commencing at the northeast corner of said Government Lot 1; thence South 89 degrees 47 minutes 41 seconds West, assumed bearing along the north line of Government Lot 1 a distance of 693.85 feet to the point of beginning; thence South 00 degrees 12 minutes 31 seconds East, parallel with the west line of said Government Lot 1 a distance of 660.00 feet; thence South 89 degrees 47 minutes 41 seconds West 330.00 feet; thence North 00 degrees 12 minutes 31 seconds West parallel with said west line 660.00 feet to the north line of said Government Lot 1; thence North 89 degrees 47 minutes 41 seconds East along the north line of said Government Lot 1 a distance of 330.00 feet to the point of beginning.



I hereby certify that this survey, plan 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.

Dated this 15th day of May, 2024.

By: Jared A. Spaid, Minnesota License No. 59285

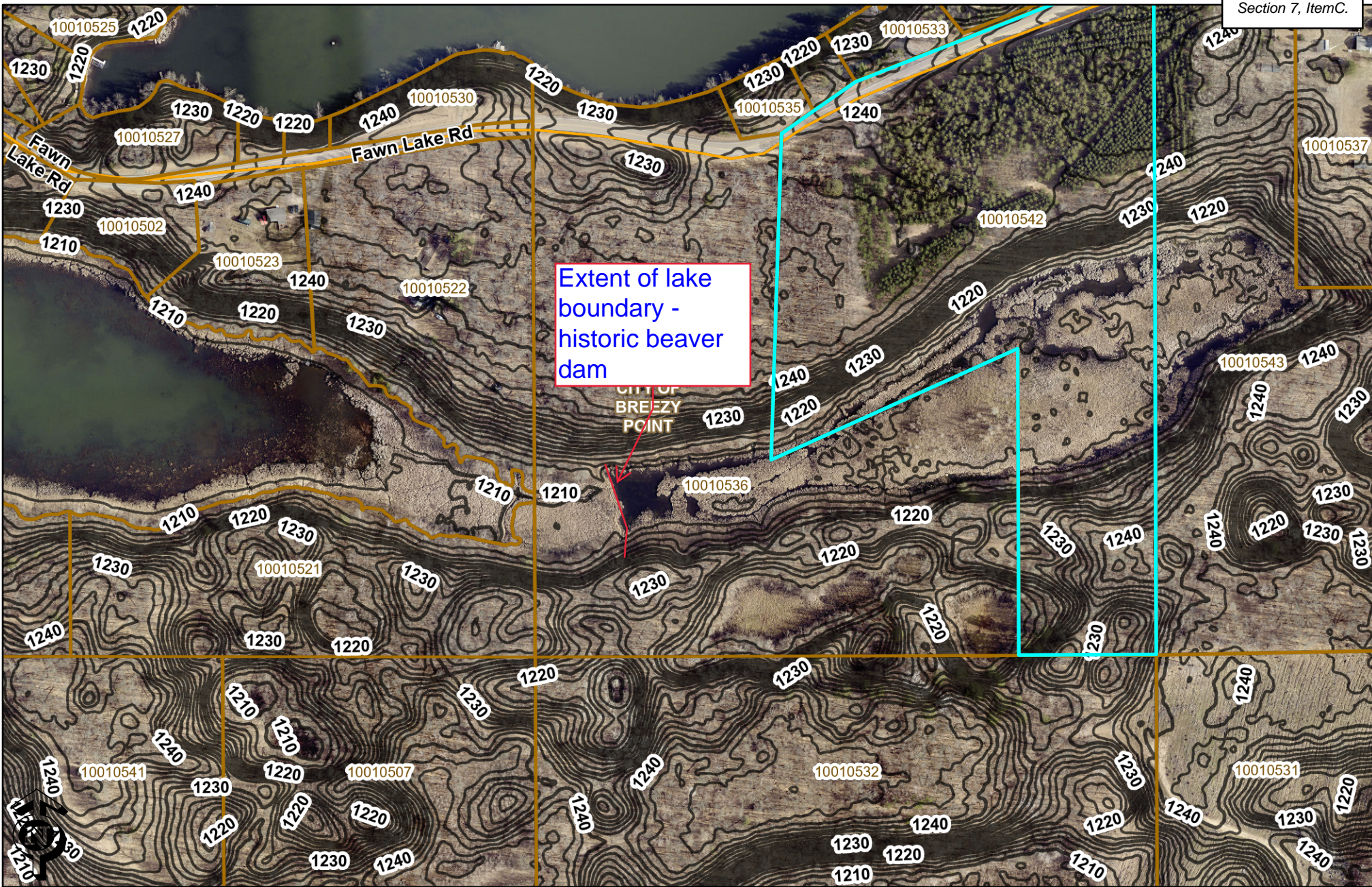


**PRELIMINARY PLAT**  
Part of Gov't Lots 1 & 2,  
Sec. 1, T.136, R.28  
Crow Wing County, MN

**CLIENT:**  
Greg Haglin

DRAWN BY: JAS	CHECKED BY: JEL
APPROVED BY: JAS	JOB NUMBER: 24-0899
NO. 1	DATE: 6/3/24
BY: JAS	REVISION DESCRIPTION: REVISE DRIVEWAYS
01	

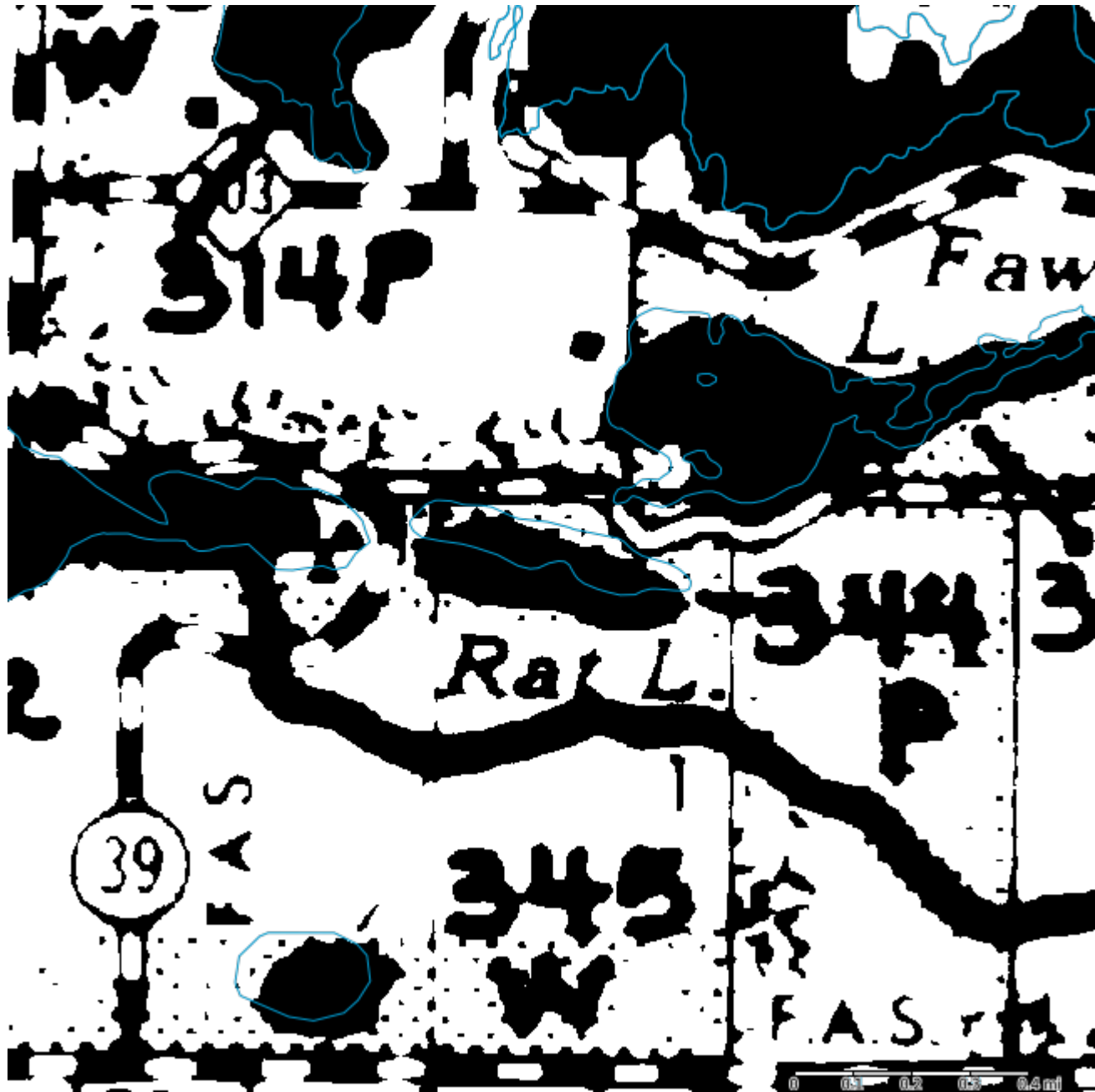


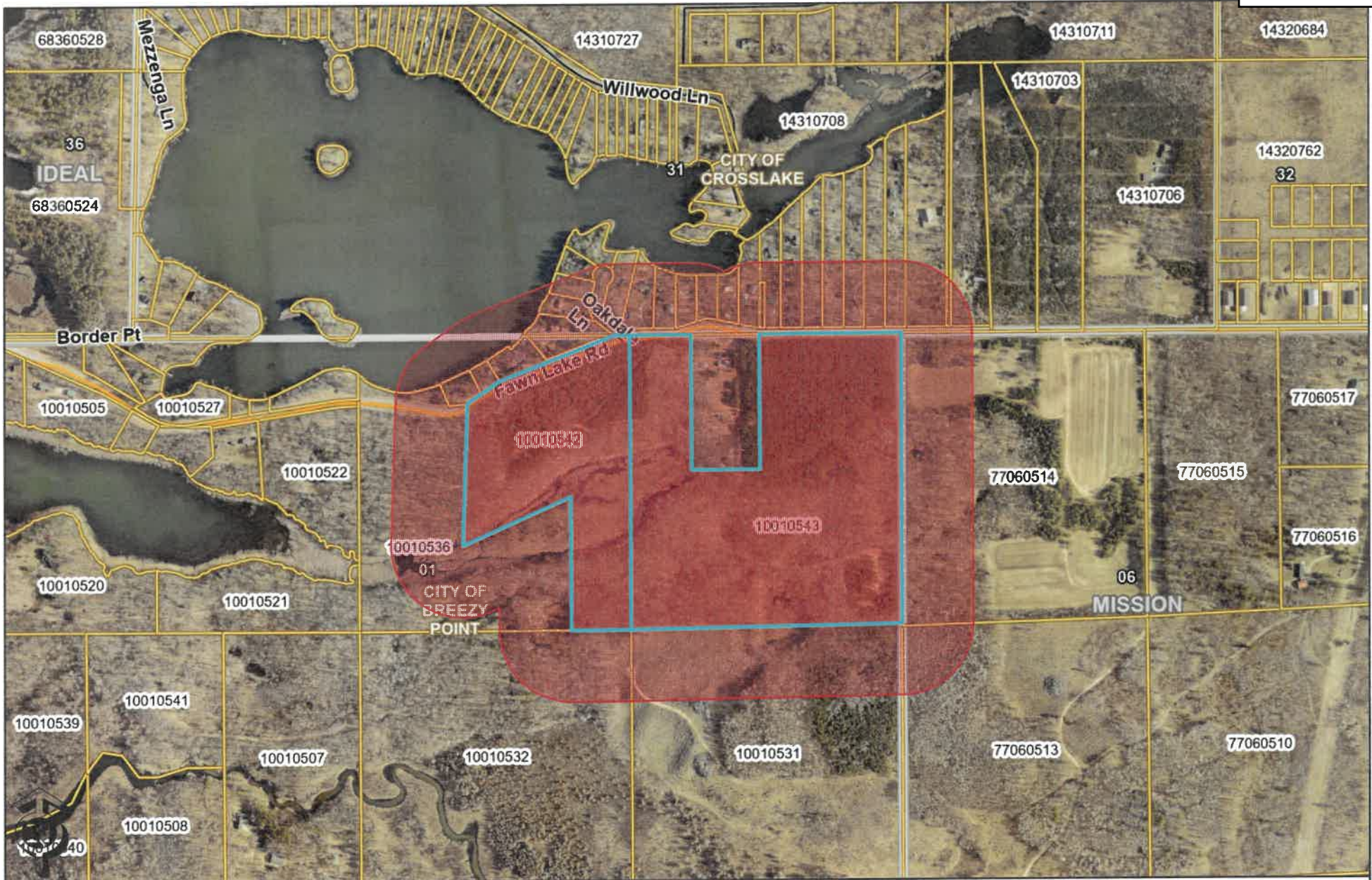


Extent of lake boundary - historic beaver dam

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.







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City of Breezy Point  
Notice of Public Hearing  
Tuesday, June 11, 2024, 7:00 p.m.  
Breezy Point City Hall

Whom It May Concern:

Notice is hereby given that the City of Breezy Point Planning Commission / Board of Adjustment will hold a public hearing on Tuesday, June 11, 2024 at 7:00 p.m. or shortly thereafter at Breezy Point City Hall, 8319 County Road 11, to consider the following;

Variance Application V-24-001  
SUAREZ FAMILY TRUST 240 HILLCREST CT PLEASANT HILL CA 94523.  
LOT 55 BLOCK 2 WHITEBIRCH SEVEN. Parcel 10170665.  
Requesting an after the fact variance from the required side yard setback distance of 15 feet to 12 feet for an existing residential structure. Zone R-1.

Conditional Use Permit Application C-24-003  
ANDERSON, DANIEL D & LISA L 31945 HARVEST RD BREEZY POINT MN 56472.  
LOT 3 BLOCK 22 & LOT 2 BLOCK 22 WHITEBIRCH SIXTEEN. Parcel 10080641.  
To construct a 38 X 36 (1,368 SQFT) Accessory Structure. Zone R-2.

Subdivision Application S-24-002  
HAGLIN, GREG C & ROSEANNE 510 CALIBRE LANE MOUNT JULIET TN 37122.  
THAT PART OF GOVERNMENT LOT 2, SECTION 1, TOWNSHIP 136, RANGE 28, CROW WING COUNTY, MINNESOTA DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST COMER OF SAID GOVERNMENT LOT 2; GL 1 SEC 1 T2P 136 R28, CWC MN. LESS AND EXCEPT THAT PT OF SD GL 1 DESC AS FOLL: COMM AT THE NE COR OF SD GL 1; THENCE S 89D 47'41"W, ASSUM BEAR ALG THE N LINE OF GL 1 A DIST OF. Parcels 10010542 & 10010543.  
Requesting a 7 Lot Preliminary Plat. Zone WR

A notice relative to above listed request is sent to all property owners located within 350 feet of the applicant's property. Please share this information with your neighbor in the event that any property owner has been missed, or that our records are not correct.

Public is invited to attend and be heard on these matters.

Peter Gansen  
Planning & Zoning Administrator  
City of Breezy Point  
218-569-1003  
[pgansen@cityofbreezypointmn.us](mailto:pgansen@cityofbreezypointmn.us)